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PROCEEDINGS AND DEBATES OF THE 97th CONGRESS, FIRST SESSION

SENATE—*Friday, November 20, 1981*

(Legislative day of Monday, November 2, 1981)

The Senate met at 6 p.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, the Reverend Richard C. Halverson, LL.D., D.D., offered the following prayer:

Lord God of Abraham, Isaac, Jacob, and Jesus, may we remember the spiritual roots from which our Republic springs; the Judeo-Christian tradition with its majestic ethical principles and precepts found in the Bible. We thank Thee for that which we hold in common with Islam; the one Holy Lord God of the Old Testament; father Abraham of whom we all are children: Israel through Isaac, Islam through Ishmael, Christianity through Jesus Christ; and Mt. Sinai with its Ten Commandments of Moses, the basis of all moral order.

Forgive us, Lord, when we are blind or indifferent to the much we have in common and magnify that which divides and destroys to the great delight of that consummate deceiver of all mankind, Satan. Deliver us, gracious God, from the attitude that makes enemies of those with whom we disagree. Help us to be faithful to our distinctive convictions without compromise; to respect that which is distinctive about others; and to obey the supreme law of love for all. We ask this in the name of Him who is the supreme and sovereign Lord of the universe. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

Mr. BAKER. I thank the Chair.

THE JOURNAL

Mr. BAKER. Mr. President, I ask unanimous consent that the Journal of the proceedings of the Senate be approved to date.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SCHEDULE—SECOND CONTINUING RESOLUTION

Mr. BAKER. Mr. President, I am advised by Representative MICHEL, the Republican leader in the House of Representatives, that in colloquy with the majority leader in the House and the Speaker, it is the intention of the House to examine the progress of the conference on the continuing resolution at 9:30 p.m. and to make a determination then on whether the House will remain in session during the night to receive the conference report, or whether it will go out until the morning.

Shortly, I will ask the Senate to recess subject to the call of the Chair, with the intention to ask the Senate to reconvene shortly after 9:30 p.m.

Since the House must act first on the conference report, we must necessarily have some insight about their plans before we can intelligently plan the schedule of the Senate.

Mr. President, there is no other business that I care to transact this evening. It is my hope that the conferees will succeed in producing a document which can be adopted by the House of Representatives and transmitted to the Senate yet this evening.

I am prepared to ask the Senate, and I must apologize for saying so, to remain in session and to act on it tonight, if the House of Representatives does as well.

Mr. President, I have no need for the remainder of my time under the standing order; and before I ask the Senate to recess, I will yield in order that the distinguished acting minority leader may claim his time.

Mr. CRANSTON. I thank the majority leader.

EXECUTIVE SESSION

Mr. BAKER. Mr. President, I inquire of the minority leader if he is in a position to consider two nominations on today's Executive Calendar on page 2, under Department of State—to wit, Milan D. Bish, of Nebraska, and Elliott Abrams, of the District of Columbia.

Mr. CRANSTON. Yes. They are cleared on this side.

Mr. BAKER. I thank the acting minority leader.

Mr. President, I ask unanimous consent that the Senate now go into executive session for the purpose of considering the two nominations just identified.

There being no objection, the Senate proceeded to consider executive business.

The PRESIDING OFFICER (Mr. PERCY). The nominations will be stated.

DEPARTMENT OF STATE

The legislative clerk read the nomination of Milan D. Bish, of Nebraska, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Barbados, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to Saint Lucia and Ambassador Extraordinary and Plenipotentiary of the United States of America to Saint Vincent and the Grenadines.

The PRESIDING OFFICER. The nomination is considered and confirmed.

The legislative clerk read the nomination of Elliott Abrams, of the District of Columbia, to be Assistant Secretary of State for Human Rights and Humanitarian Affairs.

Mr. CRANSTON. Mr. President, I should like to say a word about Elliott Abrams. I am delighted that he has been appointed to be Assistant Secretary of State for Human Rights and Humanitarian Affairs. He is a fine nominee for that post.

Mr. Abrams has had experience on the Hill working with Senators and has displayed great skill and understanding of the sort of problems he will be confronting in his new post.

I also wish to pay tribute to the administration for proceeding to make a very, very fine nomination for this post. We had a very controversial nomination earlier. I am delighted that the outcome of that process has been a man who I think will do much for the cause of human rights and much for the United States in terms of its position in the world, in pursuit of better human rights for all people everywhere.

The PRESIDING OFFICER. The nomination is considered and confirmed.

Mr. BAKER. Mr. President, I ask unanimous consent that the President be immediately notified that the Senate has given its consent to these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

Mr. BAKER. Mr. President, I now yield to the Senator from Kansas.

Mrs. KASSEBAUM. I thank the majority leader.

(The remarks of Mrs. KASSEBAUM in connection with the introduction of legislation are printed under Statements on Introduced Bills and Joint Resolutions.)

Mr. BAKER. Mr. President, I have two unanimous-consent requests that I should like to put and I ask if the minority leader may be in a position to approve them.

Mr. CRANSTON. I am pleased to agree to those requests, Mr. President.

BILL HELD AT DESK—H.R. 4845

Mr. BAKER. Mr. President, I ask unanimous consent that H.R. 4845, an act to designate the Robert V. Denney Federal Building and Courthouse, be held at the desk pending further disposition.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RETURN OF BILL TO SENATE—H.R. 3210

Mr. BAKER. Mr. President, I ask unanimous consent that the Secretary of the Senate be directed to ask the House of Representatives to return to the Senate H.R. 3210, the Federal-aid Highway Act of 1981, together with accompanying papers.

The PRESIDING OFFICER. Without objection, it is so ordered.

ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I know of no further business that can be transacted at this time.

Mr. President, I ask unanimous consent that there now be a brief period for the transaction of routine morning business to extend not past the hour of 6:30 p.m., in which Senators may speak for not more than 5 minutes each.

The PRESIDING OFFICER (Mrs. KASSEBAUM). Without objection, it is so ordered.

THE QUESTION OF F-16'S TO PAKISTAN

Mr. PERCY. Madam President, while the distinguished majority leader, the chairman of the Committee on Appropriations, the assistant minority leader, and the ranking member of the Committee on Foreign Relations are on the floor, I wonder if I may have their attention for just a moment.

We have discussed the question of F-16's, which is extremely important to all of us. I do not know whether it is possible to get clarification of what we can and will do, but I should like to indicate to all my colleagues that, having spoken with Secretary Haig about this important matter, he has expressed an understanding of the committee's responsible action in voting decisively to defeat the resolution of disapproval. He has expressed the understanding that the House Foreign Affairs Committee, after voting down a similar resolution, has decided not to bring it to the House floor. Thus, even if this matter were to pass the Senate, the resolution only would pointlessly embarrass our Pakistan friends.

Given the importance of Pakistan to our long-term strategy for bringing security in that area and to our global efforts to contain Soviet expansionism, I believe the Senate would uphold the decision of the Committee on Foreign Relations.

Is it the thinking now of the distinguished chairman of the Committee on Appropriations that we shall try to bring this up formally, or will it just be brought up in such a way that Senators can discuss their feelings on it, but acceding to the suggestion of the administration that bringing up the resolution formally would serve no purpose whatsoever?

Mr. HATFIELD. Madam President, I say to the Senator in response to his question that he has stated the situation correctly when he says that the House has acted on this in terms of a formal resolution of disapproval. I would say that there could be very positive purposes served by bringing it up in the Senate, where Senators would realize that there was not the political importance that could be attached to this in terms of embarrassing the administration or whatever it might be.

There is no attempt to embarrass the administration as far as I am concerned, but I think we might get a vote of conscience, of true conviction, on the substantive issue. That is why I have pursued it up to this point and why I want to continue to pursue it. In fact, I may offer a sense of the Senate resolution that would supersede, in a sense, not the legal aspects of a resolution of disapproval but a sense of the Senate.

I have talked with the Assistant Secretary of the Department of State this afternoon, late. In that personal conversation, we had some very good understanding about two of my major problems. One is what would happen if there were some detonation of nuclear weapon as far as future deliveries are concerned. The other issue is human rights.

I had very excellent response from the Assistant Secretary. I assured the Assistant Secretary that if, somehow, this could be put in a communication that would assure me that this conversation was more than coffee-cup conversation and that it did represent policy that may not be ready for public discussion or public announcement because it is in a formulative stage or whatever it may be, that would satisfy me and that I would not raise or I would withdraw from pursuing this subject. I was assured that that would be taken up immediately with the Secretary of State. I indicated the urgency of the time factor and so forth.

I am awaiting a response to that discussion and if it should follow that I was given certain assurances in some documentation that I would receive on any basis they selected—confidential or otherwise—it could cause me to reassess my strategy of pursuing this.

I say to my good friend, the chairman of the Senate Committee on Foreign Relations, I think we have something far more here than the legal problem in a resolution of disapproval. We have the substantive question of whether we want to continue to expand our military and arms-peddling role to the tune of $4 billion to a country that has not yet developed an infrastructure that is significant enough to be called an infrastructure or a sufficient agriculture base to feed their own people; where, 2 years ago, that same Government stood by and watched our Embassy burn; and where two-thirds of that army is on the Indian border. Not on the Afghanistan border, not as a symbol of anti-Sovietism, but on the Indian border.

There are political, social, economic, and military consequences in this that I think have a far greater impact on the future of this Nation and its relationship to that part of the world and the entire world than merely an administration policy that is evolving or an administration foreign policy that may not yet be fully defined.

I wish to have input in that formulation because, I say to the Senator, we have followed a bankrupt policy too many times and it has ended up with the bloody cost of lives and money. I think we should be at the point of the starting gate where we raise our voices rather than wringing our hands at the fact about a policy we may disagree with because we did not stand up at the time it was beginning and make some statement.

I have heard people say we are helping them economically. We have a $100 million economic aid. What kind of economic aid is it? It is security economic aid. It is not developmental economic aid.

So there are a lot of refinements of these issues. I want a full decision of this body, if I am not able to acquire the kind of commitment in documentation that I believe really is on the same side of the issue that I am on. I do not consider myself at this point, I say to the Senator from Illinois, that I am an antagonist of the administration's foreign policy on Pakistan.

I just want to get the kind of affirmation of what I discussed today on the telephone in some kind of documentation so it is more than just casual chat.

Mr. PERCY. I will certainly see that the administration is made aware of the colloquies heard on the floor tonight.

I do know the deep sense of conviction with which my distinguished colleague has spoken on this issue and the sense of victory we had on other issues that imperiled this Nation in the past. We joined together so many times on the Vietnam war. We do not want a recurrence. We do not want to stumble into another situation like that.

But having spent many, many months on this issue and knowing well the Near East and South Asia, I must conclude the majority of the committee is correct in supporting the administration.

But certainly I will work with the Senator from Oregon, the Chairman of the Appropriations Committee, in receiving assurances from the administration that we are proceeding cautiously, that we have set goals, objectives, and benchmarks by which we can gage our policy. This is in essence in the tradition of the Senate.

I assure my distinguished colleague I will be available all weekend to return once we dispose of the urgent matter before us for which the distinguished chair-

man of the Appropriations Committee is directly responsible. I stand ready to back him in that effort and to take up this issue of Pakistan at the appropriate time.

Mr. HATFIELD. Madam President, if the Senator will yield, I wish to say I received nothing but the warmest, finest cooperation from the Senator from Illinois, and I am very grateful to him for that kind of cooperation on not only this issue but on every issue about which I expressed a concern.

Let me give the Senator one example. Does the Senator, the chairman of the Foreign Relations Committee, have a defined position on the question that if there should be some detonation of a nuclear weapon by the country of Pakistan at some future time what would be the response of this Nation in the delivery of F–16's that are part of this package and of the country that has indicated that it wants to join in the building of an Islamic bomb, of a country that is led by a dictator who has indicated his great affection and his close association with Colonel Qadhafi of Libya? What kind of a real assurance or what kind of a position does this country have in that relationship in that context?

Mr. PERCY. My position is the same, I am happy to say, as every other Senator in the Senate. If any country detonated a nuclear device, they would be immediately suspended from economic and military assistance. That means Pakistan. That means any other country.

Mr. HATFIELD. What is the administration's position?

Mr. PERCY. The administration's position will have to be determined when we adopt this law both in the Senate and the House of Representatives and send that bill to the President for signature. I will certainly transmit to the administration the strong feelings expressed by the Senate. They are already on notice. We will transmit the strong feelings of the chairman of the Appropriations Committee.

But the reason I think we should at this time enter into a closer relationship with Pakistan is they feel isolated, they feel alone, and without friends. They see billions and billions of dollars of sophisticated weaponry going to India from the Soviet Union on the most lenient terms. The Pakistanis have seen Prime Minister Ghandi arrange the purchase of several hundred of the most sophisticated fighter aircraft in the world today, the Mig-23, the Mig-25 and the Jaguars of Great Britain. Yet, Pakistan has much less sophisticated and older equipment.

There is only one option for the Pakistan military to follow if they are cut off from conventional forces. But if we have an arrangement and are working with them to shore up their conventional forces, they would have something significant to lose if they detonate a nuclear device. Discouraging the detonation of a nuclear device is the hope and I believe the intention of the administration.

But I will try to determine more clearly the administration's position on these issues.

Mr. HATFIELD. Madam President, will the Senator yield for just one moment before I have to go to the conference committee on the continuing resolution?

Mr. PERCY. I yield.

Mr. HATFIELD. The Senator has stated my case really more eloquently than I have stated it for the simple reason that I asked the question what is the administration's position. If I understood the Senator correctly he said, in effect, there is no position at the moment on that question, that it will be resolved.

Mr. PERCY. I do not know their position, but they may well have one.

Mr. HATFIELD. All right. He does not know of a position at this time.

It seems to me rather than waiting for Congress to establish a foreign policy position, we should know the position of the administration which after all is constitutionally the major responsibility of the Executive. The President has publicly derided and condemned the Senate and Congress for trying to play foreign policy rolemaker.

Why would we engage in the commitment of the sale of arms and the kind of arms like the F–16 until we knew the position of the administration and the policy of the administration?

It seems like we are putting the cart, and in this case the F–16's, before the horse.

Mr. PERCY. The answer can be provided now on reflection.

Mr. HATFIELD. It can be.

Mr. PERCY. The thought process is a little slower after no sleep for how many hours, but I do now recall that when the amendment, banning all assistance to any country that detonates a nuclear devise, was put forward the administration found a policy which applied to all nations preferable to one which discriminates between states.

Mr. HATFIELD. I thank the Senator.

Mr. PERCY. Again let me pay tribute to my distinguished colleagues on the minority side of the aisle for the deep feelings they have about this. We have arrived at different judgments and opinions but certainly we want to respect the rights of the minority in this regard. We will certainly take this into account when at the proper time this issue is raised, whether it is this weekend or sometime in the future. We will exhaust this subject with the administration and then clearly formulate what our position would be.

Mr. PELL. Madam President, I strongly agree with the thoughts expressed by the Senator from Oregon. To set the record straight, I note that the cutoff in the event of a nuclear detonation does not apply to cash sales.

Mr. HATFIELD. I thank the Senator.

Mr. PERCY. Madam President, I believe I have the floor. I did want to do that.

Mr. CRANSTON. Madam President, may I say one word before the Senator leaves?

Mr. PERCY. I yield 30 seconds to the Senator from California.

Mr. CRANSTON. Madam President, I just want to rise to express my total agreement with every word, thought, and concern expressed by the Senator from Oregon. I seldom find a Senator saying exactly what I would like to say, but he did in this case.

I totally agree with his very deep apprehensions about the situation developing in Pakistan, and I look forward to working with him intimately on this matter.

I thank the chairman of the committee for his concern and his attention, and I also thank Senator PELL for his.

RECESS UNTIL 9:30 P.M.

Mr. BAKER. Madam President, I know of no further business to be transacted at this moment, and in keeping with the announcement I made earlier in the evening I intend to consult with the Speaker and with the minority leader in the House about 9:30 p.m. in order to be in a position to schedule the activities of the Senate and to make a further announcement on that subject without undue delay.

Madam President, I ask unanimous consent now that the Senate stand in recess until the hour of 9:30 p.m.

There being no objection, the Senate, at 6:31 p.m., recessed until 9:30 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. BOSCHWITZ).

The PRESIDING OFFICER. The majority leader is recognized.

Mr. BAKER. I thank the Chair.

ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that there now be a brief period for the transaction of routine morning business to extend not past the hour of 9:45 p.m. in which Senators may speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

SECOND CONTINUING APPROPRIATIONS, 1982

Mr. BAKER. Mr. President, the conference on the disagreeing votes of the two Houses on the continuing resolution making appropriations for the agencies and departments of Government is still in progress, and no doubt will continue for much of the night. I hope they are making progress, I think they are making progress, and I urge them to make progress so we can complete this matter as soon as possible.

I have been advised, however, that the House of Representatives is now in recess until the hour of 10 a.m. tomorrow. The Senate cannot act on the conference report in any event until the House acts. Under the procedures of the Congress the House must act first in this case.

Shortly I will ask that the Senate recess over until tomorrow.

ORDER FOR RECESS UNTIL SATURDAY, NOVEMBER 21, 1981

Mr. BAKER. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand

in recess until the hour of 12 noon tomorrow.

Mr. MATHIAS. What hour?

Mr. BAKER. Twelve noon, and no further negotiations will be entertained.

[Laughter.]

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BAKER. Mr. President, there are a few matters that must yet be dealt with or Members agree that we will deal with them later, and I have not yet been able to reach those involved in those matters. So for the moment while I try to reach them I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONTINUING RESOLUTION, HOUSE JOINT RESOLUTION 357

Mr. MITCHELL. Mr. President, my vote against the continuing resolution reflects my judgment of three major issues associated with the form and intent of this resolution.

First, the passage of a long-term resolution to finance the activities of the entire Federal Government is an unprecedented dereliction of congressional responsibility. Such resolutions are often needed to continue the operations of some Government agencies over a short period between the end of a fiscal year until the regular appropriations are enacted. That is the proper use of this mechanism. The resolution the Senate approved, however, would finance not one or two departments or agencies for a month, but every single agency and operation of the entire Federal Government for a minimum of 6 full months. This has never been done before.

Not only is it a new departure, it is unnecessary. Contrary to the President's assertions, at least five appropriations measures have been considered by both Houses and are being delayed by the Senate leadership—one, the HUD bill, since September. A stopgap bill of this scope and duration would not, in fact, be needed if the Senate had been permitted to act on those nearly concluded bills. It is evident that the purpose of this major continuing resolution goes beyond the housekeeping chore of maintaining Federal operations to the question of policy. But the proper place to set policy in this Nation is in the Congress.

I do not believe it is a responsible discharge of Congress obligations to abandon our responsibility to appropriate funds in this fashion.

Second, Majority Leader BAKER'S across-the-board cut of $5.3 billion in nondefense, discretionary spending is harsh and irresponsible. It is not based on decisions about specific programs, on priorities established by Congress, or on any analysis of the differential impact of such cuts. It is, purely and simply, a number plucked from the air by the executive branch to meet an unsubstantiated demand for further cuts. It represents neither care, nor caution, nor consideration of its further effects on the Government agencies that must administer the programs, on the States which must adjust their operations, nor on the people to whom services are provided through these programs.

At the end of a year of careful—and massive—budget-cutting, where individual programs were judged on their merits, where priorities were argued and finally established, where the comparative importance of different Government and public goals were weighed against each other, to impose a further sweeping, unconsidered across-the-board cut is a form of budgetary demagoguery that I could not endorse.

And last, but most important, the sweeping authority given to the President to cut individual programs in accordance with his own priorities is a massive abdication of the constitutional responsibility of the Congress to appropriate the public funds. It substitutes the judgment of one individual for the joint decisions of 535 Members of the legislature. It effectively negates the process of hearings, committee consideration of agency requests and congressional consensus that is embodied in the regular appropriations bills. It makes a mockery of the entire budget process in which Congress attempts to define national priorities, to adjudicate differences and to establish fiscal policy for the Nation.

Each of these issues has implications which I believe are important to the institutional role of the Congress and equally important to the Nation.

A long-term "temporary" spending resolution such as this one provides neither an adequate forum nor the time to debate each significant item thoroughly. It commits the Government to operate at figures which are the "lower of" 1981 figures, or a House-passed bill which the Senate may or may not endorse, or, in this case, a figure the President imposes. There are issues on which the Senate and the House of Representatives have different spending preferences. Those differences should be reconciled in Senate-House conferences so that the institutional biases or predelictions of one or another body do not rule unchecked. Stopgap spending resolutions do not permit such a rational outcome.

A stopgap spending resolution of this nature demonstrates a lack of will and initiative on the part of the Senate majority leadership to let the Senate make the choices it must make.

Since March of this year, the administration has presented so many budget preferences, has agreed to so many modifications of its demands, has reneged on so many of those agreements, and has asked for "cuts" based on so many questionable assumptions that it is very unclear what exactly the President is now demanding of the Congress.

We have cut spending by $2 billion more than he asked in March. We changed his spending preferences—changes he and Budget Director Stockman said were acceptable as long as the overall spending ceiling was not breached. It has not been breached. The individual appropriation bills making their way through the House and this body are below the budget resolution that was adopted by the Congress. That resolution was endorsed by the President as a major victory in July.

In September it was not enough. The President asked for $13 billion in further cuts and tax increases. He has since sent to the Congress neither the specific cuts he mentioned nor the tax increases. He simply indicated he wants all domestic spending cut by 12 percent, regardless of what level it now is at, regardless of what cuts have already been made. And he has asked that this 12 percent cut be made, not from the agreed-upon budget—a budget that had the agreement of the entire Congress and the executive branch in July—but from his March budget, a budget whose basis was unclear then and has since had serious doubt cast on it by Mr. Stockman himself.

The Senate leadership has not endorsed this spending cut. The House of Representatives has chosen to make other, more selective reductions in spending. And the President himself announced that he would not, in fact, be asking for specific cuts until January, nor for tax increases, either. He has asked Congress to find $13 billion to move toward a 1984 balanced budget goal that he has himself abandoned. He has rejected the option of making the components of that $13 billion clear now, near the beginning of the fiscal year. Yes, as I understand it, we are still expected to find the money within fiscal 1982.

At the same time, the President has repeatedly threatened to veto any bill that busts the budget. He has refused to make clear just which budget it is that Congress ought not bust.

My concern about this kind of budgetary confusion goes beyond the concern that programs I value are being sacrificed for inadequate reasons. It goes, instead, to the heart of the relationship between the Government in our domestic system and our people.

Americans must trust their Government if it is to work. Without public trust, no fiscal policy can be written that will represent any kind of consensus. No national priorities can be set that reflect public perceptions. And no foundation exists on which Government can ask its people to accept hardships and sacrifices in the pursuit of a common goal.

We risk undermining that trust when we treat the programs which affect millions of Americans' lives with the cavalier disregard which characterizes the administration's approach to the budget. A stopgap spending resolution, whose only purpose is to protect the illusion of budgetary restraint when the reality is otherwise, simply undermines the public confidence in the Government and the Congress.

Americans are well aware that the major cause moderating inflation and interest rates is the recession which has increased to 8.5 million the number of their fellow citizens out of work. They are equally well aware that the wild surge in interest rates and the fall in the bond

market this summer reflected concern about misleading budgetary claims by the administration.

There is absolutely no justification for this massive stopgap funding bill except the need to preserve a veneer of agreement on the part of the Senate majority where no agreement, in fact, exists.

I am willing to remain in session, to stay late at night and to work on the individual appropriations bills in an orderly and expeditious fashion. I am willing to meet earlier in January to make certain the appropriations process—now well under way—is properly concluded. But I am unwilling to give my assent to a stopgap resolution that simply reflects the majority's desire to avoid hard choices and to subject those decisions to the judgment of the full Senate.

Earlier this year, in the summer, when it became evident that the fiscally expansionary Reagan economic plan was on a collision course with its own tight monetary policy, I expressed the hope that spending cuts would be considered regardless of which side of the aisle they emanated from.

During debate on this resolution, Senator SASSER offered an amendment that would have cut between $4 and $6 billion in spending by making reductions in Federal employee travel, by reducing the political appointees' payroll as well as the career civil service, by making real cuts in agencies' film-making programs, publications programs, in public relations offices, and in consultants' contracts.

A lengthy and persuasive legislative record has established that spending on such secondary items consumes enormous amounts of tax dollars. During the election campaign of 1980, in fact, Candidate Reagan cited these facts and claimed that the entire Federal budget could be balanced by cutting just this kind of waste. It has been calculated that travel allowances alone would keep 20,000 individuals aloft 365 days a year. This kind of spending is precisely the kind of spending that it makes sense to cut. It takes nothing from essential defense needs. It takes nothing from the social safety net. It cuts nothing from real services. It cuts agency self-aggrandizement and agency self-promotion.

The amendment was rejected on a party-line vote, not because it lacked logic, or because it could not have been done, or because it would have seriously undermined the ability of government to function. It was rejected solely because it was offered by a Democrat.

Yet, the very same evening, we were faced with a 4-percent across-the-board cut in nondefense, discretionary spending; a cut so massive, so vaguely defined, so uncircumscribed by any deference to commonsense or budgetary responsibility, that it simply exposes the Congress to ridicule. This massive cut would come from all programs, whether they had been protected from earlier cuts, such as the Clinch River Breeder Reactor program, or whether they had already been cut to the bone, such as low-income fuel assistance, which was cut by $200 million from last year's funding level.

This is not a carefully circumscribed cut that would take from waste or focus on secondary activities; it would take as much from the programs that finance education for disadvantaged children and handicapped as it would from the costs of the tobacco subsidy or the peanut allotment program.

By what logic or consistency or compassion or commonsense can we treat the cost of subsidizing major energy companies in their search for alternative fuels the same as we treat programs which extend medical care to rural communities. This cut treats them identically.

The Congress spent the better part of this year making judgments and weighing competing claims on government to achieve a budget resolution and a spending guide that meets the need for fiscal restraint and rationally reflects the needs of our society and the priority concerns of our people. To negate that effort, to ignore that work in a futile chase after arbitrary and arguable dollar savings is to make a mockery of the entire process by which the Congress makes spending decisions and accepts or rejects programs.

The Senate leadership could not accept a cut of $4 to $6 billion that was limited to demonstrably second-priority activities. But it could and did insist on the right to make a purported savings of $5.3 billion across the board, exempting every single activity of the Department of Defense, from the putting greens on military bases to the film-making efforts of the Pentagon. The Senate leadership could not accept a reduction in political appointees, but it could and did accept a cut that takes as much from elderly programs as it does from the owners of tobacco allotments.

I refuse to be party to such an abdication of the Congress' responsibilities to the Constitution and to the people.

The fact of the matter is that the additional savings the President demanded in September are not warranted by inaction on the part of the Congress—as he has charged. They are not warranted to reach a 1984 balanced budget, a goal he has abandoned.

When Congress made its spending cuts earlier this year, it recognized that the administration's figures for the economy were optimistic. That was made even more clear when the social security cuts were advanced on the basis of pessimistic assumptions. Yet, we are now asked to make drastic cuts in real programs in a vain attempt to make the real world conform to an unreal series of economic projections whose only justification was to sell the American public on the need for cutting the budget.

I did not need those phony budget projections to vote for spending restraint. I have voted to reduce needless spending since last year, and I expect to keep on doing so. But I will not be party to a heedless and harmful cut designed to bolster patently false economic assumptions and projects.

The forces that are bringing the budget further out of balance than either the Congress or the administration want to see would be better addressed by efforts to bring interest rates down than by making cuts in programs which have, for the greatest part, already been substantially reduced.

Most importantly, I could not support this across-the-board slashing because it contained as well a pernicious provision which totally abandons the congressional responsibility for setting spending levels, abandons any pretense of Congressional responsibility for program review or oversight, and awards to the executive branch unfettered authority to cut any individual program by a full 5 percent in accordance with its own dictates of need and its own perceptions of priority.

An administration which believes that energy conservation is a low priority item, which believes that environmental protection can well stand further reductions, and which support a nuclear power program that has lost the backing of the private nuclear industry—all in the face of substantial public opinion to the contrary—ought not be given carte blanche to cut further into domestic programs simply because the Senate lacks the will and the courage to decide whether and where any further cuts should be made.

There is simply no basis for Congress to abdicate its constitutional responsibilities in this fashion. The stopgap funding resolution ought to be a stopgap. Instead, the Senate majority has transformed it into a blank check in a vain effort to shed its shared responsibility and to evade public disapproval of more spending cuts. That is not only political expediency at its worst, it is constitutionally questionable.

Congress has erected and has attempted to make operate a budget process which is designed to help it make decisions about national priorities, in consultation with the executive branch. That entire process might as well not exist if we are simply going to give the executive a modified line-item veto over individual programs in the manner of the Baker amendment.

Twelve years ago, the Nixon administration misused the impoundment authority of the executive in an effort to create a de facto line-item veto. Congress, after a lengthy and difficult process of court decisions and legislative action, finally developed the budget process which gives both branches of Government adequate input into spending priorities and decisions. The process has been subjected to intense strains this year to accommodate the administration's speeded-up timetable of budgetary adjustments. Indeed, it has been stretched to accomplish legislative goals for which it was never designed.

But this amendment takes an important further step and brings into serious question the entire budget process which has been so laboriously developed and nurtured by the Congress. Its loss would be a severe setback for the cause of congressional fiscal responsibility in the long term. And its weakening, by this provision of the Baker amendment, represents a lack of confidence in the Congress ability to exercise its proper functions that can only help further undermine the consensus for any kind of fiscal restraint or responsible fiscal policymaking in the future.

I very much regret this outcome. It is not an outcome in which I take any pride. And in the long term, it is an outcome that may well cloud the positive achievements of this Congress.

DEATH OF WILLIAM H. BLACKWELL

Mr. THURMOND. Mr. President, this past Sunday, South Carolina and particularly the Pee Dee area of the State, lost one of its finest citizens with the death of William H. Blackwell of Florence.

Bill Blackwell was a native South Carolinian and practiced law in Florence for the past 32 years as a partner in the law firm of Wright, Scott, Blackwell, and Powers. A person of considerable intellectual ability, Mr. Blackwell was a Phi Beta Kappa graduate of Wofford College and an honor graduate of the University of South Carolina School of Law.

During World War II, he served his country as an officer in the 86th Fighter Group in North Africa and Europe. Later he retired from the U.S. Air Force Reserve with the rank of lieutenant colonel.

Mr. Blackwell is survived by his wife, Mrs. Helene Carpenter Blackwell of Florence, and by two lovely daughters, Mrs. Daniel E. Ervin of Charleston and Miss Hayden Blackwell of Mt. Pleasant. To these ladies, I extend my deepest sympathy.

For more than three decades, as husband and father, as a practicing attorney, and as an active and concerned citizen, Bill Blackwell made countless contributions toward enhancing the quality of life for the citizens of Florence and the greater Pee Dee area.

Additionally, his diligence and great personal integrity in the discharge of his everyday responsibilities won him the esteem not only of his colleagues but all those who were privileged to come into contact with him.

Persevering through a long illness, Bill Blackwell demonstrated in sickness and in death the great faith and courage which he consistently displayed throughout his life.

Mr. President, I request unanimous consent that an article on Mr. Blackwell from the November 16 edition of the Florence Morning News be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FLORENCE ATTORNEY DIES AT 65

Florence attorney William Hayden Blackwell died Sunday in a local hospital after a long illness. He was 65.

Funeral will be at 11 a.m. Tuesday in Central United Methodist Church. Burial will be in Mount Hope Cemetery, directed by Waters Funeral Home.

Mr. Blackwell was a partner in the law firm of Wright, Scott, Blackwell and Powers and was a practicing attorney for 32 years, specializing in contract, insurance, corporation, real estate, wills, trusts and estates.

He retired as a lieutenant colonel in the U.S. Air Force Reserve and served on active duty as an air combat intelligence officer in the 86th Fighter Group in North Africa and Europe during World War II.

Born in Pacolet, he was a son of the late William Joseph and Eva Genoble Blackwell. He received his undergraduate degree from Wofford College and his law degree from the University of South Carolina.

Blackwell was the Florence Young Man of the Year in 1950 and president of the Florence Chamber of Commerce in 1952. President of the Florence Kiwanis Club in 1958, he was a member of The Judicial Council of South Carolina, the American Bar Association and member and past president of the Florence County Bar Association. He was also a past chairman of the Central United Methodist Church Board of Stewards, past president of The Friends of Francis Marion College, past chairman of The Francis Marion College Foundation and chairman of the Board of Directors of Security Savings and Loan Association.

Blackwell was a member of the Advisory Board of Directors at Peoples Bank of South Carolina and a member of the board of directors of both the Florence Museum and Bruce Hospital.

On Dec. 21, 1978, Blackwell received the Distinguished Service Award from Francis Marion College.

Surviving are his wife, Mrs. Helene Carpenter Blackwell of Florence; two daughters, Mrs. Daniel E. (Anne) Ervin of Charleston and Miss Hayden Blackwell of Mt. Pleasant; two sisters, Mrs. W. Judson Sloan of Lyman and Mrs. Rod Berry of Pacolet.

Memorials may be made to the Building Fund at Central United Methodist Church, The Blackwell Fund at St. Mary's College in Raleigh, N.C., or The Blackwell Scholarship Fund at Francis Marion College.

CONFIRMATION HEARING STATEMENT OF ELLIOT ABRAMS POINTS OUT NEED FOR GENOCIDE RATIFICATION

Mr. PROXMIRE. Mr. President, on Tuesday of this week, the Foreign Relations Committee heard testimony from Elliot Abrams, President Reagan's nominee for the position of Assistant Secretary of State for Human Rights and Humanitarian Affairs. The committee subsequently approved Mr. Abrams' nomination by a vote of 13 to zero.

Mr. Abrams' opening statement presented several important issues. Emphasizing the long tradition of support for human rights in this country, Mr. Abrams said:

But the role of human rights in our foreign policy dates not from 1977, but from 1776. The United States was found to secure the blessings of liberty, and as the President recently said, "The promotion of liberty has always been a central element of our nation's foreign policy."

Mr. Abrams perceived the difficulties of dealing with human rights issues in a complex world where the degree to which governments respect political freedoms varies greatly. Again, he cited the President, this time describing the duty of the United States in today's world:

We will speak up against the enemies of freedom and we will try to help its friends. We will encourage those who seek freedom, not least by telling the simple truth of their efforts and the efforts of those who seek to oppress them.

Finally, Mr. Abrams stated the two rules upon which he aims to base his efforts to promote and protect human rights in American foreign policy: the need for truth and the need for effective action. In his statement, he stressed the moral obligation to be truthful in dealing with human rights affairs.

Most importantly, Mr. Abrams referred to the need to choose a course of action with a "practical goal in mind: How can we help?"

Mr. President, ratification of the Genocide Convention would address all of the issues raised by Mr. Abrams. As an affirmation of the value of human life and human rights, the treaty certainly continues the tradition of promoting human rights and liberty which has its source, as Mr. Abrams pointed out, "not from 1977, but from 1776."

Through its ratification of the Genocide Treaty, the United States would make a decisive movement toward speaking up against the enemies of freedom.

Finally, ratification of the treaty provides an obvious answer to Mr. Abrams' question, "How can we help?" How much more practical an act is there than the ratification of a convention which would join the United States with over 80 other nations in an international agreement which legally asserts the value of human life.

In closing, Mr. Abrams stated:

How can we help to expand the frontiers of liberty by an inch or by a mile? Our aim must never be simply to make us feel good or others feel bad; it must be to defend and to promote the cause of liberty.

The Genocide Treaty is consistent with all of the principles which underlie our Nation. Ratification of the treaty would expand the frontiers of liberty not by an inch or a mile, but incalculably.

MESSAGE FROM THE HOUSE RECEIVED DURING THE RECESS

Under the authority of the order of the Senate of November 20, 1981, the Secretary of the Senate, on November 20, 1981, received a message from the House of Representatives announcing that the House insists upon its amendments to the bill (S. 1211) to extend the Toxic Substances Control Act for 1 year, disagreed to by the Senate, agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints Mr. DINGELL, Mr. FLORIO, Mr. SCHEUER, Mr. BROYHILL, and Mr. LENT as managers of the conference on the part of the House.

The message also announced that the House has passed the following joint resolution, with amendments:

S.J. Res. 100. Joint resolution to authorize the participation of the United States in a multinational force and observers to implement the treaty of peace between Egypt and Israel.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4144) making appropriations for energy and water development for the fiscal year ending September 30, 1982, and for other purposes; it recedes from its disagreement to the amendments of the Senate numbered 21, 24, 29, 40, 59, 60, 61, and 66 to the bill, and has agreed thereto; it recedes from its disagreement to the amendments of the Senate numbered 14, 17, 18, 33, 47, 52, 57, and 64 to the bill, and has agreed thereto, each with an amendment, in which it requests the concurrence of the Senate; and that it insists upon its disagreement to the amendment of the Senate numbered 23 to the bill.

The message also announced that the House disagrees to the amendments of the Senate to the joint resolution (H.J. Res. 357) making further continuing ap-

propriations for the fiscal year 1982, and for other purposes; agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints Mr. WHITTEN, Mr. BOLAND, Mr. NATCHER, Mr. SMITH of Iowa, Mr. ADDABBO, Mr. LONG of Maryland, Mr. YATES, Mr. ROYBAL, Mr. BEVILL, Mr. GINN, Mr. BENJAMIN, Mr. DIXON, Mr. FAZIO, Mr. CONTE, Mr. MCDADE, Mr. EDWARDS of Alabama, Mr. MYERS, Mr. ROBINSON, Mr. MILLER of Ohio, Mr. COUGHLIN, and Mr. YOUNG of Florida as managers of the conference on the part of the House.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3663. An act to amend subtitle IV of title 49, United States Code, to provide for more effective regulation of motor carriers of passengers;

H.R. 4845. An act to designate the building known as the Lincoln Federal Building and Courthouse in Lincoln, Nebraska, as the "Robert V. Denney Federal Building and Courthouse"; and

H.R. 4879. An act to clarify the treatment of international banking facility deposits for purposes of deposit insurance assessments and to remove certain limitations on the mortgage loan purchase authority of the Federal Home Loan Mortgage Corporation and the Federal National Mortgage Association.

The message also announced that pursuant to section 451(a) of Public Law 96-374, the Speaker appoints Mr. FORD of Michigan as a member of the National Commission on Student Financial Assistance on the part of the House, vice Mr. OBEY, resigned.

ENROLLED BILLS SIGNED

The message further announced that the Speaker has signed the following enrolled bills:

H.R. 3413. An act to authorize appropriations for the Department of Energy for national security programs for fiscal year 1982, and for other purposes; and

H.R. 4522. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1982, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. THURMOND).

MESSAGE FROM THE HOUSE

At 6:30 p.m., a message from the House of Representatives, delivered by Mr. Gregory, one of its reading clerks, announced that the House disagrees to the amendment of the Senate on the bill (H.R. 3567) to authorize appropriations for the fiscal years 1982 and 1983 to carry out the purposes of the Export Administration Act of 1979, and for other purposes; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and appoints Mr. ZABLOCKI, Mr. BINGHAM, Mr. ECKART, Mr. BONKER, Mr. WOLPE, Mr. SHAMANSKY, Mr. BROOMFIELD, Mr. LAGOMARSINO, Mr. ERDAHL, Mr. GILMAN, and Mrs. HOLT as managers of the conference on the part of the House.

HOUSE BILLS REFERRED

The following bills were read twice by unanimous consent, and referred as indicated:

H.R. 3663. An act to amend subtitle IV of title 49, United States Code, to provide for more effective regulation of motor carriers of passengers; to the Committee on Commerce, Science, and Transportation.

H.R. 4879. An act to clarify the treatment of international banking facility deposits for purposes of deposit insurance assessments and to remove certain limitations on the mortgage loan purchase authority of the Federal Home Loan Mortgage Corporation and the Federal National Mortgage Association; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE BILL HELD AT THE DESK

Tho following bill was ordered held at the desk by unanimous consent:

H.R. 4845. An act to designate the building known as the Lincoln Federal Building and Courthouse in Lincoln Nebr., as the "Robert V. Denny Federal Building and Courthouse."

ENROLLED BILL SIGNED

The PRESIDENT pro tempore (Mr. THURMOND) announced that on today, November 20, he signed the following enrolled bill, which had previously been signed by the Speaker of the House of Representatives:

H.R. 3454. An Act to authorize appropriations for fiscal year 1982 for the intelligence and intelligence-related activities of the United States Government, for the Intelligence Community Staff, and for the Central Intelligence Agency Retirement and Disability System, to authorize supplemental appropriations for fiscal year 1981 for the intelligence and intelligence-related activities of the United States Government, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GARN, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

H.R. 3484. A bill to provide for the minting of half dollars with a design emblematic of the two hundred and fiftieth anniversary of the birth of George Washington (Rept. No. 97-277).

Mr. GARN. Mr. President, while reporting H.R. 3484, as unanimously agreed to by the Banking, Housing, and Urban Affairs Committee, I would just like to take a minute and note the contribution made by Senator MCCLURE on behalf of this legislation. Senator MCCLURE introduced S. 1228, the companion bill in the Senate which contains virtually identical provisions to H.R. 3484, to encourage efforts to mint precious metal legal tender coins whose sales would benefit the taxpayer. I appreciate and want to commend the Senator from Idaho for his efforts on this legislation.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. STAFFORD, from the Committee on Environment and Public Works:

Rickey Dale James, of Missouri, to be a member of the Mississippi River Commission for a term of 9 years;

Maj. Gen. William Edgar Read, [redacted], U.S. Army, to be a member and president of the Mississippi River Commission; and Maj. Gen. Hugh Granville Robinson, [redacted], U.S. Army, and Brig. Gen. Richard Samuel Kem, [redacted], U.S. Army, to be members of the Mississippi River Commission, under the provisions of section 2 of an act of Congress, approved 28 June 1879 (21 Stat. 37) (33 U.S.C. 642).

Brig. Gen. Homer Johnstone, Jr., [redacted], Col. Paul Bazilwich, Jr., [redacted], and Col. Paul Frederick Kavanaugh, [redacted], all of the Corps of Engineers, to be members of the California Debris Commission, under the provisions of section I of an act of Congress approved 1 March 1893 (27 Stat. 507) (33 U.S.C. 661).

By Mr. PERCY, from the Committee on Foreign Relations:

Treaty Doc. No. 97-7. Treaty of Extradition Between the United States and the Kingdom of the Netherlands, signed at The Hague on June 24, 1980 (Ex. Rept. No. 97-33);

Treaty Doc. No. 97-8. Treaty of Extradition Between the United States and the Republic of Colombia, signed at Washington on September 14, 1979 (Ex. Rept. 97-34);

Treaty Doc. No. 97-11. Treaty on Mutual Legal Assistance Between the United States and the Republic of Colombia, signed at Washington on August 20, 1980 (Ex. Rept. 97-35); and

Treaty Doc. No. 97-16. Treaty on Mutual Legal Assistance Between the United States and the Kingdom of the Netherlands, together with a related exchange of notes, signed at The Hague on June 12, 1981 (Ex. Rept. 97-36).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mrs. KASSEBAUM (for herself, Mr. DOLE, Mr. DURENBERGER, Mr. GRASSLEY, Mr. BUMPERS, Mr. EXON and Mr. PACKWOOD):

S. 1879. A bill to amend the Milwaukee Railroad Restructuring Act and the Rock Island Transition and Employee Assistance Act to facilitate the purchase of lines of bankrupt carriers to provide for continued rail and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. THURMOND (for himself, Mr. SPECTER and Mr. LAXALT):

S. 1880. A bill to amend the manufacturing clause of the copyright law; to the Committee on the Judiciary.

By Mr. SASSER (for himself, Mr. ABDNOR, Mr. BRADLEY, Mr. CHAFEE, Mr. BURDICK, Mr. CHILES, Mr. DECONCINI, Mr. DOMENICI, Mr. DIXON, Mr. EAGLETON, Mr. HART, Mr. JACKSON, Mr. KASTEN, Mr. LEVIN, Mr. NUNN, Mr. PERCY, Mr. PRYOR, Mr. STAFFORD, Mr. STENNIS, Mr. DURENBERGER, Mr. PRESSLER, Mr. SCHMITT and Mr. RIEGLE):

S. 1881. A bill to provide for the issuance of a commemorative stamp to honor the dedication of the Vietnam Veterans Memorial; to the Committee on Governmental Affairs.

By Mr. BAKER (for Mr. WARNER (for himself, Mr. HARRY F. BYRD, JR., Mr. RANDOLPH, Mr. TSONGAS, Mr. GOLDWATER, Mr. HUMPHREY, Mr. CRANSTON, Mr. CANNON and Mr. CHAFEE)):

S.J. Res. 130. A joint resolution designating February 22, 1982, the 250th anniversary of

the birth of George Washington, a "Day of National Celebration."; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. KASSEBAUM (for herself, Mr. DOLE, Mr. DURENBERGER, Mr. GRASSLEY, Mr. BUMPERS, Mr. EXON, and Mr. PACKWOOD):

S. 1879. A bill to amend the Milwaukee Railroad Restructuring Act and the Rock Island Transition and Employee Assistance Act to facilitate the purchase of lines of bankrupt carriers to provide for continued rail services and for other purposes; to the Committee on Commerce, Science, and Transportation.

MILWAUKEE RAILROAD AND ROCK ISLAND RAILROAD AMENDMENTS ACT

Mrs. KASSEBAUM. Mr. President, service over the Rock Island rail system continues to be an economic lifeline to the Midwest, providing an essential, energy-efficient means of transporting huge volumes of agricultural and industrial products.

Mr. President, almost 2 years ago, the Rock Island Railroad system was confronting the imminent expiration of an Interstate Commerce Commission directed service order covering thousands of miles of essential rail lines. Over 5,000 railroad employees were faced with the loss of their jobs. Recognizing the crucial need for continued rail operations and the threatening nature of these conditions, Congress passed the Rock Island Transition Act. This legislation was intended to expedite the transfer of essential rail lines to interested carriers and shippers.

Since enactment of the Rock Island Transition Act, our hopes have been dashed by a series of court challenges. Although the Supreme Court will soon deal with the labor protection question which is currently pending before it, numerous obstacles impede the process of selling portions of the line to bona fide purchasers. Efforts to negotiate with the estate have been constantly thwarted to the detriment of shippers, jobless rail employees, and Rock Island creditors.

Without rail service, grain, fertilizer and other products will move slowly and more expensively. For example, the per bushel cash price offered to farmers if grain must be trucked is 5 cents to 17 cents below the rail rate. An indicator of the importance of the Rock Island comes from the Kansas City board of trade which has estimated the dollar value of the grain that passes through elevators served by the Rock at over $950 million. In Kansas, nearly 40 percent of the total commercial grain storage capacity is served by the Rock.

In order to provide a means for overcoming the roadblocks in the current process, I am, today, introducing legislation which would vest new authority in the ICC to insure that the public interest is served. As matters now stand, if a prospective purchaser offers a price there is no mechanism for determining a reasonable price and thereby facilitating the sale of the line.

Certainly, the constitutional rights of the creditors must be accounted for. However, their rights can be met without negatively infringing on the public interest. Ideally, good faith negotiations between the trustee and prospective purchasers would result in continued service. Recent events suggest that this may never occur.

Under my bill, if the Commission finds that a financially responsible person has made a bona fide offer for a reasonable price which has been rejected by the trustee, and if subsequent negotiations fail to reach agreement within 60 days on the amount of the sale, the Commission may determine a reasonable purchase price.

This shall not be less than net liquidation value of the line and this decision shall be binding on both parties unless the purchaser withdraws his offer within 10 days of the ICC decision. The bill directs the courts to approve the sale as long as the purchase price is not less than required as a constitutional minimum. In order to insure a smooth transition of service in the interim, the bill clarifies the ICC's authority to issue service orders until a plan of reorganization or liquidation is approved by the ICC and the court.

Mr. President, the public interest demands a binding, expedited transfer process—one where the tender of bona fide offers for purchase will result in a sale and one that will serve the essential transportation needs of the public while remaining cognizant of constitutional considerations. This legislation addresses these concerns by promoting the continuation of service which is so vital to shippers and to the communities that depend on an efficient and profitable farm economy.

I am confident this legislation will accommodate the competing concerns of those parties involved in negotiations for purchase of lines of bankrupt carriers and that it is the best way to insure that public interest is served.

I am pleased to be joined in this effort by Senator DOLE, who has worked very hard to protect economic interests throughout the Midwest, and by Senators DURENBERGER, BUMPERS, PACKWOOD, and GRASSLEY.

I ask unanimous consent that the bill and a section-by-section analysis be included in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the bill and analysis were ordered to be printed in the RECORD, as follows:

S. 1879

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Milwaukee Railroad and Rock Island Railroad Amendments Act."

PURPOSE OF THE ACT

SEC. 2. This Act is part of the continuing effort by Congress to assure service over the lines of bankrupt carriers in instances where rail carriers are willing to provide service over such lines and financially responsible persons are willing to purchase the lines for continued rail operations.

CONGRESSIONAL FINDINGS

SEC. 3. The Congress hereby finds that it is in the public interest (1) to clarify the Commission's existing authority to consider purchase applications and to issue orders involving temporary authority; (2) to establish procedures to facilitate and expedite the sale of lines of bankrupt carriers to financially responsible persons in instances where the line has been abandoned by the bankrupt carrier or service is not being provided by such carrier, and the prospective purchaser seeks to provide rail service over such line or lines; and (3) that procedures set forth herein will provide a practicable means for preserving rail service, thus benefiting shippers, employees, and the economies of the States in which such bankrupt railroad or railroads operate, while at the same time providing safeguards to protect the interest of the estate of the bankrupt by requiring payment of a reasonable purchase price.

MILWAUKEE RAILROAD RESTRUCTURING ACT AMENDMENTS

SEC. 4. The Milwaukee Railroad Restructuring Act (49 U.S.C. 901) is amended as follows:

(1) Insert at the end of Section 3, the following new subparagraph:

"(7) For the purpose of section 17, a 'financially responsible person' means a person who is capable of paying the purchase price of the line proposed to be acquired and is able to cover expenses associated with providing service over the line for a period of not less than two years.

(2) Insert the following new subsection as Section 17(b)(3) and renumber section 17(b)(3) as section 17(b)(4):

(A) Any financially responsible person seeking to purchase (1) a line or lines of a bankrupt railroad no longer operating as a common carrier or (2) a line or lines of a bankrupt carrier over which no service is being provided by such carrier, may submit an application for purchase of such line or lines with the Commission if it intends to provide rail operations over the line and has made a bona fide offer to purchase at a price asserted to be reasonable which has been rejected by the trustee. A copy of any application filed pursuant to this subparagraph shall be simultaneously filed with the court.

(B) If the Commission finds, within 30 days after filing of an application under subparagraph (A) that a financially responsible person has made a bona fide offer to purchase a line or lines of a bankrupt railroad, as described in subparagraph (A), for a reasonable price, and that such offer has been rejected by the trustee, the parties shall have 60 days to agree on the amount of compensation for sale or transfer of the considered line or lines. If agreement is reached, a request for approval of the sale shall be filed with the Commission and the court.

(C) If the parties are unable to agree on the amount of compensation within the period specified in subparagraph (B), either party may, after at least 60 days but within 90 days, request the Commission to determine a reasonable purchase price for the considered line or lines. For the purposes of this subparagraph, a reasonable price shall be not less than net liquidation value of such line or lines as determined by the Commission. The Commission shall render its decision within 60 days. The decision of the Commission shall be binding upon both parties, subject to court review as provided in subparagraph (E), except that the person who has offered to purchase the line may withdraw the offer within 10 days of the Commission's decision.

(D) The Commission shall require, to the maximum extent practicable, the use of the employees who would normally have performed work in connection with a railroad line subject to a sale under this section.

(E) The Commission shall, within 15 days of decision, transmit to the court any order or decision under this subsection, unless the offer is withdrawn as provided in subsection (C) Notwithstanding any other provision of law, the court shall approve the sale so long as the purchase price is not less than required as a constitutional minimum for the line or lines.

(F) No purchaser of a line sold under this subsection may transfer or discontinue service on such line prior to the end of the second after consummation of the purchase.

(G) The Commission shall, within 45 days of the effective date of this subsection, prescribe any regulations and procedures which may be necessary to carry out the provisions of the subsection.

ROCK ISLAND TRANSITION AND EMPLOYEE ASSISTANCE ACT AMENDMENTS

SEC. 5. The Rock Island Transition and Employee Assistance Act (45 USC 1001) is amended as follows:

Insert at the end of Section 122(a) the following new sentence:

"The Commission's authority to issue orders under this section shall continue until a plan of reorganization or liquidation is approved by the Commission and the court."

SECTION-BY-SECTION ANALYSIS—S. 1879

SHORT TITLE

The short title of the Act is the "Milwaukee Railroad and Rock Island Railroad Amendments Act."

SECTION 2. PURPOSE OF THE ACT

The Act is designed to address the problems involved in arranging for continued rail service over the lines of bankrupt carriers. The purpose of the Act is to assure such continued service in instances where financially responsible persons are willing to purchase the lines for continued rail operations.

SECTION 3. CONGRESSIONAL FINDINGS

This section highlights the actions needed to assure that procedures exist which will facilitate the continuance of rail service over the lines of bankrupt carriers. In order to accomplish this goal, it is necessary to clarify the Commission's existing authority to consider applications to purchase portions of the rail system of a bankrupt carrier and to issue orders involving temporary authority over such lines. When a prospective purchaser is interested in providing service over lines which have been abandoned or service is not being provided by the bankrupt carrier, it is necessary to establish procedures to facilitate and expedite the sale of such lines. The procedures established by this Act will provide a practicable means for preserving rail service, thus benefitting shippers, employees, and the economies of the States in which such bankrupt railroad or railroads operate. At the same time providing safeguards to protect the interest of the estate of the bankrupt by requiring payment of a reasonable purchase price.

SECTION 4. THE MILWAUKEE RAILROAD RESTRUCTURING ACT AMENDMENTS

This section amends section 17 of the Milwaukee Railroad Restructuring Act in several respects. The purpose of the section is to clarify the Commission's existing authority to consider purchase applications.

Subparagraph (1) defines "financially responsible person" for the purpose of the section as a person who is capable of paying the purchase price of the line and one who is able to cover expenses associated with providing service over the line for a period of not less than two years.

Subparagraph (2) adds a new subsection 17(b)(3) and renumbers the existing section 17(b)(3) as section 17(b)(4). The new subsection (b)(3) establishes procedures to facilitate and expedite the sale of lines of bankrupt carriers to financially responsible persons in instances where the line has been abandoned by the bankrupt carrier or service is not being provided by such carrier, and the prospective purchaser seeks to provide rail service over such line or lines.

A financially responsible person seeking to purchase a line or lines under this provision may submit a application to the Commission if it has made a bona fide offer to purchase at a price asserted to be reasonable which has been rejected by the trustee. A copy of any such application must be simultaneously filed with the court.

The Commission has 30 days to make a finding that a bona fide offer has been made to purchase the line at a reasonable price, and that such offer has been rejected by the trustee. If the Commission makes such a finding, the parties have 60 days to agree on the amount of compensation for sale or transfer of the line.

Should the parties be unable to reach agreement on the purchase price within the 60-day period specified in this subsection, either party may request the Commission to determine a reasonable purchase price for the line, which shall not be less than net liquidation value of the property. The Commission is required to render a decision within 60 days; the decision shall be binding on both parties, subject to court review as provided in the subsection, unless the offeror withdraws its offer within 10 days of the decision.

Within 15 days of decision, the Commission must transmit its decision to the court, which shall approve the sale if the purchase price established by the Commission is not less than required as a constitutional minimum price.

The subsection further provides that any purchaser of a line under section 17(b)(3) may not transfer or discontinue service on the line prior to the end of the second year after consummation of the sale.

Finally, the Commission is authorized to prescribe any regulations and procedures which may be necessary. A 45-day period is specified for adoption of such implementing regulations and procedures.

SECTION 5. ROCK ISLAND TRANSITION AND EMPLOYEE ASSISTANCE ACT AMENDMENTS

Section 5 amends section 122(a) of the Rock Island Transition and Employee Assistance Act to clarify the authority of the Commission to authorize temporary operations under this section until a plan of reorganization or liquidation is filed and approved by the Commission and the court.

Mr. PERCY subsequently said: Madam President, while the distinguished Senator from Kansas was speaking on the floor of the Senate and I was in the chair presiding over the Senate, I could not immediately respond.

I would just like to make a matter of record the conversations that the Senator from Kansas and the Senator from Illinois have had. They were on the floor earlier this evening.

It is my understanding that the Senator from Kansas will not be offering an amendment involving the Rock Island on the reconciliation bill, but the Senator from Kansas will be offering a bill at an appropriate time involving the Rock Island, which will then give us an opportunity for hearings and discussion of that particular issue.

We may see this issue from a different vantage point, and we probably do, but I would want to pledge to the distinguished Senator my cooperation in working with her to resolve whatever differences we can. But it is my understanding that this will not be a part of the reconciliation process.

I thank my distinguished colleague for the insurance that she gave to me on this earlier this evening.

Madam President, I yield the floor.

Mr. DOLE. Mr. President, I am delighted to join my distinguished colleague from Kansas, Senator KASSEBAUM, in introducing this amendment to the Milwaukee Railroad Restructuring Act and the Rock Island Transition and Employee Assistance Act. As Senator KASSEBAUM has indicated, timely passage of this bill will help alleviate the numerous problems stemming from the bankruptcy of the Rock Island Railroad which have adversely affected the economy of all Midwestern States. It is the fervent hope of both Senators from Kansas that purchase of lines from bankrupt carriers can be swiftly effected so that rail service throughout the Midwest can be continued and, in some cases, restored.

The Rock Island Railroad has been in bankruptcy proceedings since 1975 in a Chicago Federal district court. The presiding judge has ordered that the bankruptcy estate be liquidated. There are some who would not be disturbed to see the eventual abandonment of most or all of the old Rock Island line. The trustee in bankruptcy himself was quoted in an October edition of Farmland News as saying that he would sell part of the line to other railroads and dismantle the rest.

Mr. President, the dismantling of these lines, some of which have been in existence for over a century, would be a clear repudiation of the public interest. Continued rail service over the old Rock Island lines in the "breadbasket of the world" is a must, not only to the shippers and communities along those routes but to the Nation at large, which depends so heavily upon the goods and commodities produced in this region. At present, many of the communities desperately in need of rail service have none; in other areas, rail service has been provided to date, but embargoes and the eventual shutdown of operations appear likely, unless legislative action is taken now.

Under the present statutory scheme, the purchase of segments of line from a bankruptcy estate does not occur unless an agreement can be reached between the purchaser and the trustee. Experience has taught us that the interests of prospective purchasers and of the trustee have historically conflicted, and have acted to prevent meaningful agreements from being reached. As each side has charged the other with a lack of good faith during negotiations, the resistance to compromise has deepened and the public interest has suffered greatly. Interim service along the routes in question depends on periodic assessments by the Interstate Commerce Commission that there is a reasonable prospect that an ultimate purchase contract can be successfully negotiated. The Senator from Kansas applauds the past willingness of the ICC to grant such temporary service orders. The fact that the validity of such orders has recently been negated by one Federal court, however, underscores the need for a legislative remedy.

Mr. President, the Senators from Kansas are confident that the legislation we introduce today will make it possible for long-term rail service to be provided. This legislation provides that a much necessary third party, the Interstate Commerce Commission, can assume the authority to review purchase applications when good faith purchase offers have been made and, in turn, rejected by the trustee. In short, the establishment of a procedure for review will break the impasse that inevitably develops in the bar-

gaining process. The Commission is empowered to determine a reasonable purchase price for the lines, with provisions for judicial review. There are a number of provisions which protect the bankruptcy estate, most notably a due process guarantee that the purchase price not be less than the constitutional minimum.

The Senator from Kansas urges this body to act swiftly on this matter to establish an effective procedure for arriving at final and equitable purchase prices for bankrupt rail lines.

By Mr. THURMOND (for himself, Mr. SPECTER, and Mr. LAXALT):

S. 1880. A bill to amend the manufacturing clause of the copyright law; to the Committee on the Judiciary.

MANUFACTURING COPYRIGHT

Mr. THURMOND. Mr. President, today, I am introducing legislation along with a number of cosponsors that would retain language in the copyright law of 1976 that requires nondramatic literary works copyrighted in the United States to be printed in the United States.

In 1976, the Congress approved a series of amendments to the U.S. copyright law. One of these amendments was the phaseout of the manufacturing clause which may result in the demise of the Nation's seventh largest manufacturing industry, the printing industry. The manufacturing clause, section 601 (a) of title 17 of the United States Code, provides that in exchange for full and unqualified U.S. copyright protection on "preponderantly non-dramatic literary works" by a U.S. author, the work must be manufactured—printed—in the United States or Canada. This clause has been part of the U.S. copyright law for 91 years. Its expiration may have a disastrous and unintended effect on the American printing industry.

Mr. President, although Congress approved the phaseout of the manufacturing clause in 1976, it did so only after House and Senate conferees agreed to delay the expiration until July 1, 1982, so studies could be made on its economic impact on the printing industry and the U.S. economy. This action was taken at the insistence of Senators Scott and McClellan after the Senate had voted 87 to 0 to retain the manufacturing clause.

In response to the request by the Congress, the U.S. Copyright Office conducted a study which was completed in July 1981. In addition, the Department of Labor conducted a study on the impact of the U.S. labor force as a result of the expiration of the manufacturing clause. The results of these studies do provide data that seems to indicate the manufacturing clause should not be allowed to expire next year.

The Copyright Office concluded that up to 19 percent of the U.S. book printing industry alone could be lost. It also concluded that it did not believe the retention of the manufacturing clause was necessary in order to preserve U.S. copyright protection. The Labor Department, however, reported that the expiration of the clause could result in the loss of between 78,000 and 172,000 jobs in the printing and publishing industry and up to 367,000 in the U.S. economy at large. Private economic studies have substantiated the Labor Department's forecasts.

Based on these projections, it seems reasonable to extend section 601. The loss to the U.S. printing industry would be a gain to foreign printers, but unlike traditional trade agreements, the U.S. economy realizes no reciprocal gain. Further, the United States has left itself in a particularly vulnerable situation by agreeing with over 80 other nations that it will not impose tariffs or duties on books or other educational or cultural materials. This agreement, known as the Florence agreement, was signed in 1966 and was in part possibly due to the existence of the manufacturing clause in the copyright law.

There is currently an effort underway in the House of Representatives to retain the manufacturing clause. Congressmen JOHN ASHBROOK and AUGUSTUS HAWKINS are leading a growing list of cosponsors in support of H.R. 3940. Thev believe that the U.S. economy is not strong enough at this point to begin the exportation of any appreciable amount of printing work to foreign printers. I am sympathetic to their position and, therefore, I am introducing legislation to strike provisions in chapter 17 that would repeal the manufacturing clause on July 1, 1982.

I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1880

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 601(a) of chapter 6 of title 17 of the United States Code is amended by striking out "Prior to July, 1982, and except" and inserting in lieu thereof "Except".

By Mr. SASSER (for himself and Mr. ABDNOR, Mr. BRADLEY, Mr. CHAFEE, Mr. BURDICK, Mr. CHILES, Mr. DECONCINI, Mr. DOMENICI, Mr. DIXON, Mr. EAGLETON, Mr. HART, Mr. JACKSON, Mr. KASTEN, Mr. LEVIN, Mr. NUNN, Mr. PERCY, Mr. PRYOR, Mr. STAFFORD, Mr. STENNIS, Mr. DURENBERGER, Mr. PRESSLER, Mr. SCHMITT, and Mr. RIEGLE):

S. 1881. A bill to provide for the issuance of a commemorative stamp to honor the dedication of the Vietnam Veterans Memorial; to the Committee on Governmental Affairs.

VIETNAM VETERANS MEMORIAL COMMEMORATIVE STAMP ACT OF 1981

Mr. SASSER. Mr. President, Americans will have a unique opportunity next Veterans Day to complete some unfinished business: the proper remembrance of those millions of Americans who served their country in the Vietnam war and in particular to the more than 57,000 men and women who gave their lives in that effort.

On that day, the Vietnam Veterans Memorial will be dedicated. In order to mark that dedication and to heighten American awareness of its significance, I am today introducing the Vietnam Veterans Memorial Commemorative Stamp Act of 1982, calling upon the U.S. Postal Service to issue a stamp honoring the dedication of the Vietnam Veterans Memorial. The stamp would be ready for issue on Veterans Day, 1982.

No matter how Americans think back on the Vietnam war today, the fact remains that nothing can erase the personal trials nor contributions of the millions who served there, nor will anything ever bring back those who lost their lives there.

Several years ago, one Vietnam veteran who came to Washington to work, Jan Scruggs, realized that officialdom in our Nation's Capital had overlooked the role of the Vietnam veteran. Along with some fellow veterans and others who shared his concern, he organized the Vietnam Veterans Memorial Fund. He and his colleagues began to talk to the Congress about the need for a fitting memorial.

The response came quickly. Last year the Congress enacted legislation setting aside a memorial site situated in Constitution Gardens near the Lincoln Memorial.

After a design competition in which over 1,400 people submitted proposals, the Vietnam Veterans Memorial Fund last May selected a plan. It is unlike so many other memorials in Washington. It is quiet and unobtrusive—a simple, v-shaped wall which will have the names of all those Americans who died in Vietnam written upon it.

Its design is not the only thing that makes this memorial unique. Not a penny of public money will pay for its construction. Even though the completed memorial is estimated to cost over $7 million, the project is being funded entirely through private contributions.

Leaders from every sector of American society—the business community, sports figures, minority leaders, the American Legion, the Veterans of Foreign Wars and AmVets—have lined up in support of the Vietnam Veterans Memorial Fund.

The target for groundbreaking ceremonies to begin the actual construction of the memorial is Memorial Day 1982.

As the construction of the memorial nears completion, it is my hope that Americans will join together in a better understanding and recognition of those who fought for, and gave their lives for, their country in Vietnam.

One small way in which the Federal Government can underscore this better understanding and recognition is through the issuance of a stamp commemorating the dedication of the Vietnam Veterans Memorial.

I would like to thank my distinguished colleagues Mr. ABDNOR, Mr. BRADLEY, Mr. CHAFEE, Mr. BURDICK, Mr. CHILES, Mr. DECONCINI, Mr. DIXON, Mr. DOMENICI, Mr. DURENBERGER, Mr. EAGLETON, Mr. HART, Mr. JACKSON, Mr. KASTEN, Mr. LEVIN, Mr. NUNN, Mr. PERCY, Mr. PRYOR, Mr. PRESSLER, Mr. RIEGLE, Mr. SCHMITT, Mr. STAFFORD, and Mr. STENNIS for joining with me in this legislation. I deeply appreciate the bipartisan support that this measure has received, and I hope that the Senate will move expeditiously to pass this legislation.

By Mr. BAKER (for Mr. WARNER) (for himself, Mr. HARRY F. BYRD, JR., Mr. RANDOLPH, Mr. TSONGAS, Mr. GOLDWATER, Mr. HUMPHREY, Mr. CRANSTON, Mr. CANNON, and Mr. CHAFEE):

S.J. Res. 130. Joint resolution designating February 22, 1982, the 250th anniversary of the birth of George Washington, a "Day of National Celebration;" to the Committee on the Judiciary.

DAY OF NATIONAL CELEBRATION

Mr. WARNER. Mr. President, I am introducing today along with Senator HARRY F. BYRD, JR., Mr. RANDOLPH, Mr. TSONGAS, Mr. GOLDWATER, Mr. HUMPHREY, Mr. CRANSTON, Mr. CANNON, Mr. CHAFEE, and Mr. EAST, a joint resolution commemorating the 250th anniversary of the birth of George Washington. This joint resolution is being introduced in the House this morning by Congressman PARRIS and cosponsored by Congressmen ROBINSON and TRIBLE.

One of our Nation's greatest leaders, Washington possessed considerable wisdom, unflagging energy, profound faith in God, and clear vision.

Frequently Washington is referred to as the "Father of our Country." This title, while perhaps a little exaggerated, is nonetheless appropriate when one considers Washington's leadership in America's quest for independence from the British and his inspiring leadership as both the President of the Constitutional Convention and the first President of the United States. He set the course for this Nation—a course charted in political stability unrivaled in the history of civilization.

George Washington was a great American and a great Virginian. He was a man who lived by his word, who professed virtue, conscience, good character, honesty, justice, and equality.

As important as his expression was in his day, the words of Washington hold meaning for all of us today. Who among us can quarrel with Washington that arbitrary power is most easily established on the ruins of liberty abused to licentiousness. Certainly his belief that to be prepared for war is the most effectual means of preserving peace has rung true through the ages and stands as a cornerstone to America's modern defense and foreign policy.

Mr. President, how fitting it is that just last month in Yorktown, Va., representatives from the United States, France, and Great Britain gathered to pay tribute to the last great victory of the American Revolution—a victory led by George Washington at the age of 49. And on February 22 of next year, 250 years will be marked since his birth. The joint resolution I introduce today is but a small tribute for the enormous contribution George Washington made to our Nation.

Let this day be observed with ceremonies and activities appropriate for this national leader. I urge the passage of the joint resolution.

ADDITIONAL COSPONSORS

S. 398

At the request of Mr. ARMSTRONG, the Senator from California (Mr. HAYAKAWA) was added as a cosponsor of S. 398, a bill to amend the Walsh-Healey Act and the Contract Work Hours Standards Act to permit certain employees to work a 10-hour day in the case of a 4-day workweek, and for other purposes.

S. 1215

At the request of Mr. KASTEN, the Senator from Wyoming (Mr. WALLOP) was added as a cosponsor of S. 1215, a bill to clarify the circumstances under which territorial provisions in licenses to distribute and sell trademarked malt beverage products are lawful under the antitrust laws.

S. 1625

At the request of Mr. BENTSEN, the Senator from Tennessee (Mr. BAKER), the Senator from Michigan (Mr. RIEGLE), the Senator from Kentucky (Mr. HUDDLESTON), the Senator from Missouri (Mr. EAGLETON), the Senator from California (Mr. CRANSTON), the Senator from Connecticut (Mr. DODD), the Senator from Virginia (Mr. WARNER), the Senator from New York (Mr. D'AMATO), and the Senator from Ohio (Mr. METZENBAUM) were added as cosponsors of S. 1625, a bill to authorize the President of the United States to present on behalf of Congress a specially struck gold medal to the widow of Roy Wilkins.

At the request of Mr. MOYNIHAN, the Senator from Minnesota (Mr. DURENBERGER), the Senator from Massachusetts (Mr. TSONGAS), the Senator from New Mexico (Mr. SCHMITT), the Senator from Missouri (Mr. DANFORTH), the Senator from South Carolina (Mr. HOLLINGS), the Senator from New Jersey (Mr. WILLIAMS), the Senator from Wisconsin (Mr. KASTEN), the Senator from Massachusetts (Mr. KENNEDY), the Senator from New Jersey (Mr. BRADLEY), the Senator from Wisconsin (Mr. PROXMIRE), the Senator from Michigan (Mr. LEVIN), the Senator from Pennsylvania (Mr. HEINZ), the Senator from Hawaii (Mr. INOUYE), the Senator from Rhode Island (Mr. PELL), the Senator from Hawaii (Mr. MATSUNAGA), the Senator from Washington (Mr. JACKSON), and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of S. 1625, supra.

SENATE JOINT RESOLUTION 118

At the request of Mr. BENTSEN, the Senator from North Dakota (Mr. BURDICK), the Senator from Georgia (Mr. NUNN), the Senator from New Jersey (Mr. WILLIAMS), the Senator from Arkansas (Mr. BUMPERS), the Senator from Massachusetts (Mr. KENNEDY), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Nebraska (Mr. EXON), the Senator from Illinois (Mr. DIXON), the Senator from West Virginia (Mr. RANDOLPH), the Senator from Kentucky (Mr. FORD), the Senator from Rhode Island (Mr. CHAFEE), the Senator from Indiana (Mr. LUGAR), the Senator from Minnesota (Mr. DURENBERGER), the Senator from Texas (Mr. TOWER), the Senator from New York (Mr. D'AMATO), the Senator from Pennsylvania (Mr. HEINZ), the Senator from New Hampshire (Mr. HUMPHREY), and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of Senate Joint Resolution 118, a joint resolution to authorize and request the President to designate the month of January 1982 as "National Cerebral Palsy Month."

UP AMENDMENT NO. 680

At the request of Mr. CRANSTON, his name was added as a cosponsor of UP Amendment No. 680 proposed to House Joint Resolution 357, a joint resolution making further continuing appropriations for the fiscal year 1982, and for other purposes.

NOTICES OF HEARINGS

SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER

Mr. WALLOP. Mr. President, I would like to announce for the information of the Senate and the public the scheduling of a public hearing before the Subcommittee on Public Lands and Reserved Water of the Senate Energy and Natural Resources Committee to hear testimony on the protection of geothermal resources in Yellowstone National Park and in other units of the National Park System in consideration of S. 1516 and S. 669. The hearing will be held on Saturday, December 12, beginning at 1 p.m. at the Ramada Inn at I–25 and Center Street in Casper, Wyo.

Those persons and groups wishing to testify should contact Tony Bevinetto, Subcommittee on Public Lands and Reserved Water, room 3104, Dirksen Senate Office Building, Washington, D.C 20510 or Carol Poe, c/o Senator WALLOP, 2201 Federal Building, Casper, Wyo. 82601 (307–266–3240) no later than December 9, 1981.

Witnesses should supply the subcommittee with 50 copies of their written statements 24 hours in advance of the hearing at the Casper office.

Witnesses are requested to summarize their written statement to a maximum of 10 minutes of oral testimony.

For further information regarding this hearing you may wish to contact Mr. Tony Bevinetto of the subcommittee staff at 202–224–5161.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. GARN. Mr. President, the next vacancy on the Board of Governors of the Federal Reserve System will occur on January 31, 1982. Therefore I am scheduling hearings on various resolutions and bills dealing with the structure and membership of the Federal Reserve Board. The hearings will commence at 2:30 p.m. on November 30, 1981 and testimony will be given on Senate Resolution 209, S. 1859, Senate Concurrent Resolution 40, S. 971, S. 1609, and S. 1691.

ADDITIONAL STATEMENTS

ACID RAIN LEGISLATION

● Mr. WEICKER. Mr. President, acid precipitation, be it wet or dry in nature, is one of the major environmental problems facing us today and it looms as an ever worsening problem for the 1980's. With the conversion of many powerplants from petroleum and natural gas to coal, emissions loadings of pollutants such as sulfur and nitrogen oxides (SO_2NO_2) will increase and add to acid precipitation. The prospect of across-

the-board relaxation of auto emissions standards as proposed by H.R. 4400, the Mobile Source Clean Air Act Amendments of 1981, could further compound the problem of not only acid precipitation but general pollution loading of carbon monoxide (CO) and hydrocarbons as well.

This is not only a regional problem but also a global one. In fact the problem has placed a strain on our relations with our neighbor to the north, Canada. Many lakes in Canada and the United States are now devoid of most higher forms of animal life due to acidic precipitation and more are in imminent danger. The dollar value of the damage caused by this plight is already quite high. Unless we take action now to reduce our emission rates of SO_2 and NO_2 the problem will only become worse.

Acid rain causes numerous problems. Acid rains leach valuable minerals as well as mobilize toxic metals in the soil such as aluminum, copper, and lead. Through bioaccumulation toxic metals can become highly concentrated in our food chain and can pose a serious health hazard. In addition, acidic waters transported through metal pipes can corrode those pipes, causing toxic metals to go into solution and come out of the tap into our drinking water.

Acidic influx into bodies of water can increase the levels of methyl mercury in fish which in turn can be quite harmful to man. Also, acid mists may even be implicated in lung problems such as emphysema as well as certain heart ailments. In addition acid rain corrodes many manmade structures, such as monuments, buildings, and or finishes.

The scientific evidence amassed shows a direct correlation between SO_2 and NO_x emissions, coming mainly from powerplants and automobiles respectively, and acid precipitation. The National Academy of Sciences, in October 1981, issued a report entitled: "Atmosphere-Biosphere Interactions: Toward a Better Understanding of the Ecological Consequences of Fossil Fuel Combustion," in which it states that the "increased emissions of sulfur and nitrogen compounds from anthropogenic sources is the only plausible explanation for acid deposition" and that evidence of a close relationship is "overwhelming." Considering what we already know to be true, the time has come to take legislative action to alleviate the problem.

Industry representatives, as well as the EPA, feel that more studies are needed to prove a direct correlation between acid rain and SO_2 and NO_x emissions before any legislative action is taken. Industry is also rightfully concerned about the cost of emissions reductions as well as possible work force dislocation. In my opinion the correlative evidence is more than sufficient to warrant legislative action. The economic costs may be substantial but the costs of failing to act now will be immeasurably greater for ourselves and future generations.

Another major factor in dealing with acid rain is the interboundary transport of acid precipitation between the United States and Canada. Acid rain is going over the border in both directions, but most of it is coming from America. We owe it to our neighbors, as stated in the "Memorandum of Intent between the Government of Canada and the Government of the United States of America Concerning Transboundary Air Pollution," to recognize this as an important and urgent bilateral problem. Legislative action would effectively demonstrate a common determination to combat transboundary air pollution.

The legislation before the Environment and Public Works Committee, the Acid Deposition Control Act (S. 1706), which I have cosponsored, is a good beginning because it reduces emissions substantially and therefore addresses the problem at its source. In addition, S. 1718 is a needed mechanism whereby the States can have an easier time proving and redressing interstate interference with pollution level compliance. I might add that since Connecticut has one of the most stringent sulfur dioxide standards of any State, the problems associated with interstate transportation of pollution are of even greater concern to us than they might be to a highly polluting State.

The Connecticut State Department of Environmental Protection estimates that emissions from the North Port and Port Jefferson powerplants, located in Long Island, N.Y., are greater than emissions of all Connecticut fuel burning sources even after Connecticut sulfur-in-fuel requirements were raised to 1 percent. Canada, although not taking an official position on any particular bill, is wholeheartedly behind the intent of these proposals.

The environmental implications of continued increased acid rain are not good. Possible health hazards associated with acid precipitation cause reason for even greater alarm. The economic payoffs for addressing this dilemma, both tangible and intangible, are great. A Harris poll taken on September 1981 shows that a convincing majority, 80 percent of the public, is opposed to any relaxation of current air pollution laws. As Louis Harris states:

This message on the deep desire on the part of the American people to battle pollution is one of the most overwhelming and clearest we have ever recorded in our 25 years of surveying public opinion.

This keen interest on the part of the American public in keeping the air clean should give us ample reason not only to keep the status quo, but continue to decrease air pollution in as many ways as technologically, economically, and rationally possible.

The United States and Canada have agreed to jointly combat this problem. This agreement will be more forcibly carried out if legislation setting forth this country's method of dealing with acid precipitation is passed. We must act now and initiate these reforms.●

INDEXES THAT MONITOR THE ECONOMY

● Mr. BAUCUS. Mr. President, I would like to submit for the RECORD a primer on some of the economic indicators that the Government produces—and that many policy makers constantly review—to provide a picture of our economy. As we all know, economics is an exceedingly complex and inexact science that has preoccupied all of us in recent years. This brief article that I am recommending to everyone's attention outlines well the uses and flaws of the many economic indicators that are looked at to judge the economy.

The article follows:

[From the New York Times, Nov. 8, 1981]

HOW TO READ THE ECONOMY

(By Jonathan Fuerbringer)

WASHINGTON.—People might feel it in their paychecks and the supermarket. But there's only one way most folks really know how the economy is doing, and that's by watching the reports that the Government's statisticians keep cranking out, month by month, quarter by quarter. These indicators produce more than a picture of the economy. They also form the basis for economic policy decisions and signal whether policies then in effect are working.

These major indicators, and the many others that receive less public attention, have their own peculiarities and problems. Some are better than others. Some are being changed. And some could be changed, but the improvement might not make a major difference. In addition, there are complaints that the Reagan Administration's budget cuts could eventually hurt the quality of the statistics. Here is a primer on some of the economic indicators.

GROWTH

The gross national product is the broadest measure of the nation's economy. The G.N.P., which is reported quarterly, can have a strong effect on government policy—because it shows whether the economy is in a recession and whether inflation is out of line.

The gross national product measures the output of all the nation's goods and services, divided into four categories: personal consumption expenditures, which is essentially consumer spending; gross private domestic investment, which includes business investment in equipment and structures and housing; net exports of goods and services, which is the balance of exports and imports, and government purchases, which is the net purchase of goods and services by the Federal, state and local governments.

The G.N.P. measures only sales of final products. This means that the value of flour in bread or the steel in a car is assumed to be counted in the sale of the final product.

The Bureau of Economic Analysis in the Department of Commerce assembles the G.N.P. The first report of the G.N.P., about two weeks after the end of the quarter, is based on incomplete data for the quarter and is revised as later information is gathered.

The G.N.P. is reported in two forms: nominal G.N.P., which is the total for the quarter and real G.N.P., which is the G.N.P. for the quarter after the effects of inflation are removed.

Key criticisms center on the revisions, some of the data-gathering techniques and the reliability of the data. Any quarterly G.N.P. figure is eventually subject to seven revisions, the first two coming in the two months after the first release.

In 1965, mid-year G.N.P. figures showed an annual growth rate of 5.5 percent. But the number was later revised to 8 percent. The late Arthur Okun, a member of the Council of Economic Advisers in the Johnson Administration, later complained that if the first number had been more accurate, the Administration would have foreseen the inflationary impact of the defense buildup for the Vietnam War.

Prof. Geoffrey H. Moore of Rutgers University contends that the current method for deflating net exports should be changed. His alternative would produce a major change in the G.N.P. picture this year. For example, instead of a decline of six-tenths of a percent in real G.N.P. in the third quarter—the second quarterly decline in a row—his revised figure would show a small increase, which might have affected the current talk of a recession.

INFLATION

The Consumer Price Index measures changes in prices based on a fixed market basket of goods and services, including food,

housing, fuel, transportation, medical care, entertainment, apparel, personal care and other goods and services. Most of the prices of some 385 major items are collected by agents in 85 urban areas either in interviews or from secondary sources. Rental data comes from 18,000 rent payers, and property-tax data covers 18,000 housing units. Other prices are collected from 24,000 grocery stores, department stores, hospitals, gas stations and other establishments.

The C.P.I. has set weights for the items in the index, establishing the relative importance of each. Based on 1980 figures, housing is the heaviest weighted component at 45.5 percent. Transportation is 19 percent and food and beverages 18.3 percent.

Actually, there are two Consumer Price Indexes. The one most often discussed is the Consumer Price Index for All Urban Consumers (the C.P.I.-U.), which was introduced in 1978 in an effort to broaden the population covered by the index. The Bureau of Labor Statistics added people on welfare, those with high incomes, the unemployed, the retired and professionals. The other index is the Consumer Price Index for Urban Wage Earners and Clerical Workers (the C.P.I.-W.), which tracks the C.P.I.-U. fairly closely.

The C.P.I.-W. records only the prices paid by wage and salary workers. It now covers about 40 percent of the population, while the C.P.I.-U. covers about 80 percent, based on the 1970 Census.

The C.P.I.-W. is significant because it is the basis for automatic cost-of-living increases for approximately 90 million Americans, including those on Social Security, Federal pensions and workers whose labor contracts allow for such raises.

Although it is often referred to as a cost-of-living index, the C.P.I. does not accurately measure how much people actually spend. In addition, the market basket represents the average quantities bought by people and does not necessarily reflect what any one family or individual consumer would purchase.

The key problem with the Consumer Price Index, however, is the housing component. In tracking mortgage interest rates and house prices, it has tended to overstate the rate of inflation when interest rates are rising—and understate it when rates are falling. Furthermore, the weight given housing magnifies these trends.

The weighting of the other components in the market basket is also a problem. The weights are now based on the 1972–74 Consumer Expenditure Survey, and habits have changed and people are not consuming the same items they did then. Some analysts contend, for example, that the weighting for energy, which makes up 10.8 percent of the index, should be a much lower portion now because of moves toward conservation.

The Bureau of Labor Statistics plans to shift the emphasis on housing in the C.P.I.-U. from the cost of ownership to a rental equivalent—but not until 1983.

The Producer Price Index includes many of the components of the old Wholesale Price Index. It gets more complex from there. When people talk about the Producer Price Index they usually mean the Producer Price Index for Finished Goods. That measures price changes of goods that are completely processed and ready for sale to the ultimate user, either individuals or a business concern. These goods include trucks, farm equipment and machinery that would be sold to businesses, and consumer goods like food, clothing, appliances and autos that would be purchased by retailers for eventual sale to consumers.

There is an index for intermediate goods, which, for example, include the flour used for bread, auto parts, steel mill products, paperboxes and cotton yarns—generally things that are one processing step removed from finished goods. And a third index shows price changes in crude materials, including wheat, iron and steel scrap, livestock, raw cotton and crude petroleum.

The indexes are compiled in much the same way as the C.P.I., but the information on some 2,800 commodities comes in by mail. Forms go to about 7,000 businesses, which provide the price information. The indexes are also weighted.

The index for finished goods is not comparable directly to the C.P.I. because it does not include services, housing or used cars. The increases or decreases for finished goods also don't always translate directly into rises in consumer prices, especially over the short term, because retailers can vary the markups they charge on what they buy. This means the index is not a good short-term measure of future increases in the C.P.I.

Many economists, however, find the index a good measure of inflation trends, especially when the C.P.I. is being distorted by rising or falling interest rates and housing prices.

Critics of the C.P.I. and P.P.I. often look instead at two other gauges of inflation—the G.N.P deflator and the G.N.P. fixed-weight price index. Both are derived from the special indexes used to adjust the gross national product for inflation.

The deflator is not directly comparable to the C.P.I. or the P.P.I., however, because it measures both changes in prices and changes in consumption. This means the deflator can decline as consumers shift from high-priced items whose prices are still increasing to items with relatively lower prices and slower increases. This also means that the deflator, at times, can understate inflation.

The fixed-weight index is based on a market basket. One component of the fixed-weight index—personal consumption expenditures—is very close to the C.P.I., except that it uses a measure for housing costs that is like the rental equivalent the C.P.I. will eventually use. Economists generally agree that both these quarterly numbers—which have tended to be lower than the C.P.I.—are better measures of inflation.

JOBS

The unemployment rate, which usually is issued the first Friday of the month, is compiled in a Household Survey, which reports the size of the civilian labor force, plus the numbers of people who are working and not working. The Household Survey canvasses 60,000 households, with interviewers trying to determine the employment status of all people in the household 16 years old and over. The survey is conducted during the calendar week that contains the 12th day of the month.

The unemployed are those who did not work during the survey week but made efforts during the prior four weeks to find a job by registering with unemployment agencies or writing job applications. People are also counted as unemployed if they are temporarily laid off or are waiting to report to a job within 30 days. They are employed if they performed work as paid civilians for one or more hours during the survey week. Those employed 35 or more hours a week are recorded as full-time workers, and those employed 1 to 34 hours, part-timers. Unpaid workers are counted if they worked 15 or more hours in a family business. Also counted are people with jobs who were temporarily absent for various reasons, including a strike. Discouraged workers, who are not seeking jobs because they feel they aren't available, are not counted among the unemployed.

The employment and unemployment numbers have undergone two major outside reviews in the last 20 years. The last was completed in 1979 and Labor Secretary Raymond Donovan made final recommendations on the last review at the end of October.

The unemployment rate is important because it cuts across the entire economy. It is criticized, however, for overstating or understating actual joblessness. Some people work part time only because they can't find full-time work. If all discouraged workers plus those part-timers were included among the unemployed, the unemployment rate for the third quarter of this year would have been 10.2 percent instead of 7.2 percent, according to an experimental measure published by the Bureau of Labor Statistics.

PRODUCTION

The Index of Industrial Production measures changes in output of the nation's factories, mines and electric and gas utilities. The index, issued monthly by the Federal Reserve Board, reflects what is happening to the production of durable goods, such as cars and appliances, nondurables, such as food or clothing, and construction supplies, business equipment and the production of the parts used in the manufacturing of these products. It also gives a detailed reading of production by a particular industry, such as transportation equipment, chemicals or lumber.

Like most other gauges of this type, be industrial production index is seasonally adjusted to smooth out regular fluctuations in production during the year. The index is also subject to revision.

The index is well respected. Because it covers manufacturing, which is especially sensitive to downturns in the economy, it is a key indicator. It was the report in October of decline of eight-tenths of a percent in output that confirmed for many economists that the economy had finally fallen into a recession.

But because the index covers sensitive industries that are usually the hardest hit in a recession, downturns in the index can overstate what the decline in the economy over all will be in a recession. In the first six recessions since World War II, the average decline in industrial production was about five times larger than the overall drop in the gross national product.

HOUSING

Housing starts, reported monthly, measure the annual rate of starts of privately owned housing units. The monthly figures are broken down into an annual rate for single-family housing starts, starts for buildings with two units, three and four units and five or more units. Housing starts do not include mobile homes. A start is counted when the ground is broken for the unit or units; the completion of the project can take months or years.

In addition to housing-start figures, the monthly report, prepared by the Bureau of the Census, also gives figures for new building permits.

The housing industry is a key leading indicator because it usually is the first sector to decline as the economy slows. Economists in the housing industry sometimes complain that the housing-start figures overstate the pace in the industry. There are times, when the economy is in a decline, that a project can be recorded as having started. But construction can then stop.

THE FORECAST

The Government's index of leading economic indicators is designed to forecast swings in the economy—whether the nation is growing or falling into a recession. Its 12 components have been chosen because they historically tend to move either downward or upward before the economy swings in those directions.

The 12 components are the average manufacturing work week, the layoff rate for manufacturing workers, inflation-adjusted new orders for consumer goods and materials, the speed of delivery of new goods, the rate of net business formation; contracts for plants and equipment, change in inventories on hand, change in crude material prices, stock prices, change in total liquid assets and changes in the M–2 money supply figure, which includes funds in checking accounts,

currency in circulation and assets of money market funds.

The index is probably the most often misinterpreted of the monthly indexes. One problem is that it isn't always right. Since World War II, it has declined significantly (3 percent or more) nine times. But only six times did recessions follow. And in 1973—before the onset of the worst recession since World War II—the index fell only 1.7 percent. Only after the recession was under way did the index take a big dip.

In addition, the index has a timing problem and is subject to monthly revisions. There is no set period of months of decline that means a recession is on the way. Sometimes, as is the case this year, the steep drops in the index—like the 2.7 percent decline for September—were not reported until after the Administration and many other economists had already declared that a recession had begun.●

LAW ENFORCEMENT SHOULD NOT BE HAMPERED BY BUDGET CUTS

● Mr. CHILES. Mr. President, last night I offered an amendment to exempt Federal law enforcement programs and activities from any funding cuts that might come as a result of the Senate's adoption of the Baker amendment to the continuing resolution. As we all know, the Baker amendment will allow for 4-percent funding cuts in the programs and activities of almost all Federal departments and agencies.

This gives the President considerable discretionary power over these cuts; more discretionary power than I would choose to allow. I did not speak at length last night on my amendment due to the press of time. I would like to take the opportunity now to explain in more detail the purpose of my amendment.

As I stated, my amendment will exempt from funding cuts the law enforcement responsibilities of a number of Federal agencies. First, there will be no cuts for any of the law enforcement activities or programs of the Justice Department. At a time when we are experiencing a dramatic increase in crime nationwide, we should not be looking to cut the programs of the Department most responsible for dealing with this problem.

My amendment is clearly meant to exempt the operations of the FBI, DEA, and INS. However, I want to make sure that it is understood that the amendment is also meant to stop any cuts in the U.S. attorneys and marshals office and other important divisions of the Justice Department that contribute to our law enforcement activities. Such programs as the juvenile justice and delinquency and treatment alternatives to street crime are other examples of the types of programs of which I am speaking.

We all recognize that law enforcement activities are carried out by other Federal departments. My amendment specifically takes this into consideration by also exempting from the 4-percent funding cuts the programs and activities within the IRS and the Treasury Department's Customs Service which help us combat crime.

The IRS can perform a very useful function in law enforcement by allowing us to track down criminals through their financial activities. I think it is time we look to use the IRS in this capacity. This type of cooperative assistance in law enforcement efforts is also performed by the Customs Service. The Customs Service plays an extremely important role in monitoring our borders, but it has also used its resources to aid in major busts of smuggling operations.

Probably the best example is operation greenback, one of the most successful crackdowns on a smuggling operation we have seen to date. This operation could not have been pulled off without the assistance of the customs Service, and I want to be sure that they are in a position to continue this type of work.

Finally, my amendment specifies that there will be no cuts in the law enforcement activities of the Coast Guard. We all realize the important job the Coast Guard performs in making our waterways safe. However, the Coast Guard also functions in a law enforcement capacity when, for example, it is called upon to interdict drug smuggling vessels.

My amendment prohibits cuts for these kinds of Coast Guard law enforcement activities. Needless to say, modern up-to-date equipment is essential to the Coast Guard if it is to carry out its law enforcement activities. Congress earmarked $200 million for the Coast Guard for its capital investments.

These funds are crucial to insuring that the Coast Guard has the equipment it needs to carry out its law enforcement activities. These funds are part of the Coast Guard's law enforcement activities.

This is not a complete list of all the programs that are included in law enforcement efforts and that should be exempt from funding cuts. It does give an idea, however, of the law enforcement functions I intended to exempt through my amendment. Last night when Congress adopted my amendment, it was stating that our law enforcement efforts should not be hampered by further budget cuts. I hope this message will be heeded.●

TITLE III OF THE HIGHER EDUCATION ACT

● Mr. BAUCUS. Mr. President, I would like to bring my colleagues up to date on what is happening with the title III program of the Higher Education Act of 1965. As many of my colleagues may remember, after extensive hearings in both the House and Senate, Congress rewrote the authorizing legislation for title III during the 96th Congress.

The Department of Education published on July 20, 1981, draft regulations designed to implement title III. Unfortunately, those proposed regulations had a disastrous effect on over 40 percent of the institutions that had previously been eligible to apply for title III assistance; the regulations denied them eligibility.

As many of my colleagues know, once the effect of the regulations were understood by the institutions so abruptly cut off, the roar of disapproval was deafening. Since it was never the intent of this body to deny so many institutions the chance to compete for title III assistance, I gave serious consideration to adding a "grandfathering" clause to the continuing resolution just passed by this body. Such an amendment, while not the perfect solution, would have at least assured eligibility for those institutions that had been eligible in past years.

However, after extensive meetings with the Department of Education and some fine work by Senators STAFFORD, PELL, and DENTON, I was assured that the regulations could be rewritten in such a way as to carry out the intent of Congress by allowing most of the institutions eligible in the past a chance to compete for funds in the future.

Hopefully, this entire matter will be brought to a successful conclusion in the next 30 to 45 days. The Department of Education is obviously under the gun to produce equitable regulations quickly. If the problems of past years that had finally begun to be eliminated are to be avoided, the funding cycle for title III must begin soon.

I plan to continue to work with the Department of Education and my distinguished colleagues on the Education Subcommittee to assure that the intent of Congress is carried out in an efficient and equitable manner.●

PROPOSED MEMORIAL TO CAPT. FRANK W. OLSON

● Mr. PACKWOOD. Mr. President, Saturday, November 14, three men left the U.S. Coast Guard station in North Bend, Oreg., to assist the *Cristina J.* fishing out of Coos Bay. In 60-knot winds and 30-foot seas, in rain at night, their helicopter went down.

Two crewmen, Lt. Glenn Gunn and PO 3d Class Lt. Kenneth Ziegler, drifted in their wet suits nearly 40 minutes before they washed ashore. Fortunately, both are in good health today.

Tragically, Capt. Frang W. Olson, the pilot of the helicopter, a 22-year Coast Guard veteran, and the chief of the North Bend station, did not survive. Many will deeply feel his loss.

Captain Olson was a fine example of what the Coast Guard means to Oregon and to this country. This past August, Captain Olson, along with six other officers at the North Bend station, received congressional citations for their role in saving the lives of fishermen earlier in 1981. Actions such as these repeated often during his career demonstrating just how much we in Oregon, as well as in all other regions of the country, depend on the Coast Guard. It was in trying to save another life that Captain Olson gave his. What he did, Glenn Gunn and Kenneth Ziegler and 39,760 other Coast Guard men and women on active duty were prepared to do.

In August, Captain Olson and I spoke about how we could obtain medical equipment for the North Bend station. We spoke about the need to revitalize the physical plant of the Coast Guard. I told him then, and I repeat today, that I will continue, in this time of general Federal spending cutbacks, to push for more support for the Coast Guard, for new and better equipment, for pay raises, and proper maintenance of equipment and facilities. In Oregon, this means replacement of the two helicopters lost during recent life-saving efforts, and the deployment of a helicopter in Newport to reduce flight time to fishing boats in trouble.

The search and rescue mission of the Coast Guard will continue to be its most important and most dangerous duty. Many along the Oregon coast owe their lives to the men and women serving in the Coast Guard in Newport, Astoria, Tillamook, and Brookings. The rest of us owe our gratitude and support.

I should like to suggest that there be a memorial recognizing the supreme sacrifice of Capt. Frank Olson in carrying out his duties as a Coast Guard officer, as follows:

MEMORIAL

Whereas, the United States Coast Guard continues to perform a vital service to this country in its search and rescue mission;

Whereas, the people of Oregon owe a great sense of gratitude to the Coast Guard men and women stationed along its Coast;

Whereas, Captain Frank W. Olson, accompanied by crewmen Glen Gunn and Kenneth Ziegler, braved 30-foot seas and 60 knot winds on a dark and rainy night of November 14, 1981, in order to carry out this search and rescue mission;

Whereas, Captain Frank W. Olson, an exemplary officer during a long career in the Coast Guard, gave his life in attempting to rescue three fishermen in distress;

Resolved, That the United States Senate during the 97th Congress in the year 1981, memorialize Captain Frank W. Olson.

Mr. PACKWOOD. I urge each and every Senator to consider the heroic efforts of Captain Olson and his crew as representative of the service the Coast Guard provides to all citizens of the United States.●

REAGAN ECONOMICS

● Mr. BAUCUS. Mr. President, I would like to submit for the RECORD a recent article that appeared in the New York Review of Books by Prof. James Tobin, who recently received the Nobel Prize for Economics. Initially given as an address on October 16, the article is a timely and thoughtful piece on our past and current economic climate.

Mr. President, I ask that the article be printed in the RECORD.

The article follows:

REAGANOMICS AND ECONOMICS

(By James Tobin)

The economic program of the Reagan administration, like that of the Thatcher government in Britain, manifests a conservative counterrevolution in the theory, ideology, and practice of economic policy. The aim of the counterrevolution is to shrink the economic influence of government, especially central government, relative to that of private enterprise and free markets. Three kinds of policies are at stake, concerning respectively (1) macroeconomic stabilization—the use of fiscal, monetary, and other policies affecting national production, employment, prices, and other variables of economy-wide significance; (2) economic inequality—the use of the public fisc to redistribute income and wealth; (3) resource allocation—national priorities among various public and private goods; (4) regulation of economic activities and markets. I shall speak principally about the first two categories.

I have referred to a counterrevolution, so I should remind you of the revolution to which it is the counter. That took place some thirty-five to forty-five years ago, just before and after the Second World War, in this country and in other Western capitalist democracies. Radical changes occurred in the practice of economic policy and in the theory of political economy. Live memory of the Great Depression created a broad consensus that the state must assume responsibility for maintaining prosperity, as well as for protecting individual citizens against the inevitable insecurities of life in a market economy. The New Deal in the United States and social democratic movements in Europe were the agencies of these changes. They also expanded government investment in schools, housing, transportation, and other public goods, and augmented the market power of workers, trade unions, and farmers vis-a-vis business. Over three postwar decades these changes were largely accepted by all mainstream political parties and extended by governments of various political colors. Though rumblings of discontent have been heard in increasing volume over the past fifteen years, only recently have the counterrevolutionaries gained political power.

I shall confine myself to the United States and the first two issues on the agenda of the revolution and counterrevolution—macroeconomic stabilization, and redistribution of income and wealth. Two acts of Congress symbolize the revolution. The Employment Act of 1946 dedicated federal power to the achievement of "maximum employment, production, and purchasing power." Ten years earlier, under the Social Security Act, the federal government recognized an obligation to protect individual citizens from personal economic misfortunes—workers without jobs, aged without funds, children without fathers. The New Deal had already put the federal government in the business of welfare and work relief, insurance of bank deposits and mortgages, and other "safety nets." By 1947, then, the federal government had assumed responsibilities both to maintain general prosperity and to insure and indemnify the worst individual casualties of depression and economic change.

These really were new responsibilities. Fiscal and monetary policies were not significantly dedicated to macroeconomic stabilization before the late 1930s. In 1929–1934 both Hoover and Roosevelt raised taxes and sought vainly to balance the federal budget; they were worried about the Depression's effect on the budget, not the budget impact on the economy. Throughout the precipitous decline of 1929–1932 monetary policy gave second priority to the American economy, and primary emphasis to defending US gold reserves and the gold value of the dollar—until the disasters of the winter of 1932–1933 forced Roosevelt to suspend gold convertibility and devalue the dollar. As for relief of the victims of the Depression, Hoover—a Quaker who had earned worldwide fame as a humanitarian in directing relief efforts in devastated parts of Europe after the First World War—regarded it in principle as the responsibility of private charity and local government, not the federal treasury. Roosevelt, fortunately, was a pragmatist.

Similar redefinitions of the economic responsibilities of central government occurred in other advanced democracies in the 1930s and 1940s. In Britain two wartime reports by Lord Beveridge, one on social insurance and one on full employment, set the stage for postwar macroeconomic strategy and "welfare state" legislation.

To these political developments there were important intellectual counterparts and foundations. A revolution in macroeconomics and in the theory of monetary and fiscal policy began with J. M. Keynes's General Theory of Employment, Interest, and Money in 1936 and spread through the English-speaking world and after the war to continental Europe and Japan. This provided the rationale for the full-employment commitments of the several countries, along with guidance on how to implement them. The business cycle was no longer to be seen, as both orthodox and Marxist economists saw it, as an inevitable and functional characteristic of capitalism. According to Keynesian theory, economy-wide fluctuations in economic activity are wasteful; they can be avoided by active fiscal and monetary intervention, so-called stabilization policies.

Keynesian macroeconomics does not logically lead to any position for or against welfare-state measures. But, again in contrast to both right and left, it certainly does not say that redistribution of income and wealth by taxation and transfer is fatal to capitalism, or even damaging. In Keynes's personal view, "The outstanding faults of the economic society in which we live are its failure to provide for full employment and its arbitrary and inequitable distribution of wealth and incomes." He was confident that both flaws could be corrected without sacrificing the efficiency and progressiveness of market capitalism, for which he had the same respect as his classical forbears and colleagues. Twenty years later Paul Samuelson, the principal architect of the synthesis of Keynesian and neoclassical theories that became the orthodox main current of American economics, expressed this optimistic view very clearly:

A community can have full employment, can at the same time have the rate of capital formation it wants, and can accomplish all this compatibly with the degree of income-redistributing taxation it ethically desires.

The postwar era, especially its first twenty-five years, appeared to justify the optimism of Keynes and Samuelson. In no other period of similar length have productivity per worker and living standards grown so fast, or aggregate production and employment advanced so steadily, or world trade expanded so greatly. The last ten years have been disappointing compared to the 1950s and 1960s. But we should not lose perspective.

The main source of disappointment and disillusionment with the revolution was the stagflation of the 1970s—the combination of high inflation and high unemployment. Even during the era of their apparent success, Keynesian policies for full employment and countercyclical stabilization aroused chronic anxieties about inflation. Indeed the principal advocates themselves, beginning in the 1940s, warned that full employment, removing the wage discipline exerted by unemployment and the threat of layoffs, might not be compatible with price stability. Some of them foresaw the need for direct restraints on wages and prices to reconcile the two goals. The economy would have a "secular" or long-term bias toward inflation, they observed, if wages and prices rose freely in expanding industries, and during economy-wide booms, but fell slowly if at all in declining sectors and during short recessions.

Moreover, inflationary bias was exacerbated by social welfare legislation, extended and expanded as it was by postwar administrations and Congresses of both parties, most dramatically beginning with the Great Society programs of the late 1960s. Social insurance dulls to some degree the incentive to seek and accept employment, especially the less remunerative or attractive jobs.

Probably more important were developments that fall under the fourth of my initial classifications. The Rooseveltian political coalition opened old-fashioned interest-group politics to large groups that previously had been excluded. Like all governments, our federal government has always catered *ad hoc* to private business interests with political clout, as our history of tariffs, "internal improvements," land grants, bank charters, and subsidies amply illustrates. Beginning in the 1930s trade unions gained federal protection for organizing and bargaining. Wages, hours, and conditions of work became subject to federal standards. Farmers were not only subsidized but organized into federally administered cartels. The promotion of mo-

nopolistic powers for unions of workers and farmers was justified by J. K. Galbraith and others as "countervailing" the monopolistic powers of big business, to the benefit of the society as a whole.

This dubious proposition was never congenial to liberal Keynesians devoted principally to full employment and diminished inequality. In any event, these countervailing powers increased inflationary bias. Workers, unionized or not, had more power to gain wage increases in booms but resist cuts in downturns. Agricultural price supports diminished the downward trends and cyclical declines of food and materials prices that contributed so much to price stability in the 1920s and earlier.

Nevertheless, the inflation record of the United States was very good until the late 1960s. That deficit financing of the Vietnam War then overheated an economy already operating at capacity was no surprise to any economist, Keynesian, monetarist, or classical. That inflation accelerated during the 1970s, in spite of monetary policies that triggered three recessions, in spite of unemployment higher than in the two previous decades, is the great disappointment to theory and policy that set the stage for the counterrevolution. Many observers would explain the stagflation by the series of external shocks, unprecedented in their severity, that hammered the world economy during the 1970s; the depreciation of the dollar after Nixon proclaimed it inconvertible into gold in 1971, the worldwide commodity shortages and speculative booms in 1973, the two big OPEC shocks, 1973–1974 and 1979. Others blame over-stimulative monetary and fiscal policies in 1972–1973 and 1977–1978. The controversy is far from being resolved, but the Reagan administration is sure of its diagnosis: the disappointments of the 1970s were the inevitable outcome of mistaken policies followed throughout the postwar decades.

To the revolution that took place some thirty-five to forty-five years ago, Reaganomics is, like Thatcherism in the UK, the political and ideological counterrevolution. Just as Keynesian theory inspired the revolution, so a wave of professional reaction to the synthesis of Keynesian and neoclassical doctrines that became orthodoxy in the 1960s sustains the counterrevolution. In both instances, of course, there are many divergences among economic theory, popular ideology, and actual policy. Nonetheless, in both cases, a common tide of opinion floods academic journals, popular media, political rhetoric, Congress or Parliament, and the guiding philosophies of president or prime minister. Rightly or wrongly, the revolution is blamed for the "stagflationary" disappointments of the 1970s, the high rates of unemployment, inflation, and interest, the depressed stock market, the slowdowns of productivity growth and capital formation. The old doctrines and policies, new forty years ago, are discredited, replaced by new doctrines and policies, old forty years ago.

Respecting stabilization, the new doctrine is that active fiscal and monetary intervention—characterized or caricatured as "fine-tuning"—is the problem, not the solution. The government should forswear countercyclical policies and let the market economy stabilize itself, as it will, given confidence that government policies will be stable. Thus the central bank should tie itself, or be tied to, a fixed-rate rule of monetary growth, independent of the state of the economy. Likewise federal tax and expenditure legislation should not be responsive to business conditions. Various proposals to make macroeconomic policies blind to cyclical fluctuations, including constitutional amendments to require annual budget balancing and to restrict government expenditure and monetary growth, are currently before the country and the Congress and are viewed benignly by the Reagan administration.

One of the arguments against the countercyclical policies of the past is that they fostered inflation by removing from business firms and workers the incentive to lower prices and wages during recessions in order to protect sales and jobs—why not just wait until the government pumps up demand again? In Britain Margaret Thatcher has put her country men and women on notice that the only way they can restore the jobs and prosperity lost in the current slump is to disinflate. Her Majesty's government will do nothing about it.

The same warning has been repeatedly issued in America by Chairman Paul Volcker of the Federal Reserve, who unfortunately for the effectiveness of the warnings, does not quite command the same audience as a head of government. President Reagan has not made Volcker's threat credible to those who determine wages and prices; instead he has undermined it by promising disinflation without tears, an instant spurt of rapid growth, falling unemployment, and declining inflation. Recently, it is true, his Treasury secretary has lapsed into old Keynesian "error," urging the Fed to loosen up a bit to forestall incipient recession. On the other hand, the administration is not fine-tuning fiscal policy in an anti-recessionary direction. Instead, its current fine-tuning is aimed in the other direction—it is trying like Hoover and Roosevelt in the early 1930s to offset the effects of the recession on the budget deficit by cutting the budget further. (However, recent statements by OMB director Stockman show awareness of the futility of aiming at specific budget deficits in a weakening economy.)

The renunciation of stabilization policy implies, if actually carried through, that the government no longer has meaningful goals for real economic variables—e.g., for employment and unemployment, national production and its growth. Of course, any political administration will publish its projections, scenarios, and hopes. But these will mean nothing if the government eschews measures to make them come true. The Thatcher and Reagan governments both say that they are providing a stable monetary and fiscal framework within which private enterprise and free markets will restore prosperity and non-inflationary growth. Another way to put it is that whatever economic outcomes private agents generate within the framework are by definition optimal. This is how the current chairman of the Council of Economic Advisers, Murray Weidenbaum, puts the case, even if his client doesn't yet quite understand it that way.

Clearly this is a 180-degree reversal of the commitment of the Employment Act of 1946, not to mention the Full Employment and Balanced Growth Act of 1978 (the "Humphrey-Hawkins Bill"). To be sure, employment goals have been slipping for a long time. The unemployment rate was 3 percent at the end of the Korean War, 4 percent at the peak of the boom in the mid-1950s when the Fed applied the brakes by raising interest rates, and 5 percent at the next cyclical peak in 1960. The Kennedy-Johnson administration officially adopted a full-employment goal of 4 percent unemployment, achieved it in 1965, and overachieved it during the Vietnam War. During the 1970s operational unemployment targets were not made explicit, but policy moves revealed implicit targets of 5 percent, then 6 percent, now probably 7 percent or more.

The slippage of course reflects the primacy given to the frustrating battle against inflation. But if and when the battle is won, I doubt that the Federal Reserve and the administration would risk reigniting inflation by relaxing the monetary screws enough to permit much reduction of unemployment from the 7 to 8 percent range. More likely they would settle for a resumption of normal sustainable real growth at prevailing rates of capital utilization, and would not provide financing for temporarily higher growth to absorb the slack created during the anti-inflationary fight. This scenario is, by the way, explicit in the projections of the UK Treasury.

In the U.S. today macroeconomic policy and prospect are dominated by Federal Reserve monetary policy. The Reagan administration assigned disinflation to the Fed, chided the governors for past mistakes, and urged them to be tough. The Fed is being tough, and as Chairman Volcker has repeatedly made clear, proposes to be gradually but resolutely tougher every year until inflation rates are insignificantly different from zero. As Volcker and his colleagues appreciate much better than President Reagan and his associates, Federal Reserve money-supply policies will not allow room for real economic growth unless wage and price inflation melts by a point or two a year. Given the stubbornness of built-in wage and cost inflation, there is likely to be considerable economic pain and damage during a transition of several years.

The administration rejects on principle any direct wage and price policies, formal or informal, even diffuse persuasive appeals by the president. In their absence, the only mechanism by which monetary deceleration produces disinflation is by creating sufficient economic distress that workers and employees, desperate to protect jobs and solvency, settle for lower wage and price increases than those currently prevailing. We can see this process at work across the Atlantic, where midway in Mrs. Thatcher's five-year term the record unemployment rates are in double digits while inflation rates are still in double digits but slowly declining.

A Thatcher scenario was not quite what the Reagan administration had in mind. The "supply-side" tax cuts were intended to unleash a surge of investment, enterprise, and protective effort. Supply-siders were impatient with traditional conservative orthodoxies that tax stimuli must wait for budget balance and disinflation. Exploiting the eager competition of both parties in Congress, they succeeded in promoting tax cuts that outdistanced the budget cuts of the redoubtable Mr. Stockman. But the tax bill only solidified the firm resolve of Mr. Volcker, and he is bound to win a fiscal-monetary tug-of-war. As the securities markets perceived, the situation is a Catch-22. Interest rates cannot be low enough to sustain expansion unless the economy is in recession.

I turn now to a second dimension of the counterrevolution, the distribution of income and wealth as affected by federal taxes and transfers.

Equality of opportunity has been an American ideal and an American excuse. The ideal of capitalism in a democracy is a fair race from an even start. Big prizes go to the swift, but all participants are rewarded—the more rewarded the faster everybody runs. True, economic and social outcomes are highly unequal. The excuses are that the racers all have the same opporunities and that differential prices generate even larger rewards for all participants.

Opportunities are actually far from equal. We Americans escaped the feudal castes of the Old World, but erected our own racial, religious, and ethnic barriers. Even as these are overcome, the hard fact remains that the children of parents of high economic and social status gain a head start—better education at home and school, better nutrition

and medical care, as well as more gifts and bequests of worldly goods. To give children these advantages has indeed been traditionally a strong motivation for work, saving, and enterprise.

Wealth breeds wealth and poverty breeds poverty. Despite legendary examples of spectacular social mobility, the unequal outcomes of one generation are generally the unequal opportunities of the next. Here as in other democracies, governments have sought to arrest the momentum of inequality by free public education, social insurance, "war on poverty" measures, and progressive taxation.

The U.S. budget and tax legislation of 1981 is a historic reversal of direction and purpose. Existing institutions, commitments, and "safety nets" can't be rapidly dismantled, but the message is clear enough; inequality of opportunity is no longer a concern of the Federal Government.

The Government has virtually abandoned all pretense of taxing transfers of wealth between generations. Capital gains on assets so transferred are excused from income tax, and now most of them will be free of estate and gift taxes as well. In the hasty competition of both parties for the favor of wealthy constituents, Congress casually liberalized these taxes without concern for unchecked dynastic wealth and inequality of opportunity.

Capital income, in contrast to wage income, is increasingly free of Federal tax. Even before the 1981 tax law, the Treasury calculated that only one-third of capital income showed up as taxable personal income. Taxable capital gains are seldom realized; when they are the top tax rate will now be only 20 percent. Deferment of tax on income saved for retirement, easily accessible via employer or do-it-yourself plans, effectively frees the returns of such saving from tax and generally moves the principal into a lower bracket. The new tax-exempt All Savers' certificates carry no risk and beat the current inflation rate by several points.

The monetary-fiscal policies of the administration are, in fact, a recipe for high interest rates; the tax bill eases the pain for upper-bracket taxpayers, who can escape tax on interest receipts while claiming deductions for interest paid on mortgages, consumer debt, and other loans. The sophisticated rich know how, or know lawyers who know how, to combine depreciation and interest deductions with preferential capital gains rates to shelter salaries and self-employment incomes from taxation. Though many tears were shed in the successful effort to reduce those high-bracket taxes alleged to deter saving and investment, especially the 70 percent rate now abruptly lowered to 50 percent, few inhabitants of those brackets paid such taxes or will pay them now.

The government is a partner in business enterprise, and recent legislation impairs its equity—almost to the point where the Treasury's share in investment costs and risks exceeds its share in prospective earnings. This is the result of combining greatly accelerated depreciation, "15–10–5–3," with the investment tax credit—its value multiplied by lease-back arrangements—and interest deductions.

At the low end of the economic spectrum, federal efforts to bolster incomes and opportunities are being abandoned. As federal funds for welfare, food stamps, Medicaid, jobs and training, aid to education, and other residues of the war on poverty are reduced and combined into block grants, the beneficiaries will be at the mercy of local legislators and taxpayers. This process is just beginning. About $150 billion in 1984 tax revenues have been given away, and thanks to bracket indexing none will be recouped by inflation thereafter. The president has now donned his budget-balancing hat and presses Congress to redeem his promises by making budget cuts even greater than those enacted earlier this year. They won't be found in defense, public-debt interest, or even in social security. There will be further cuts in social programs, more doses of the "new federalism" that devolves these responsibilities and their funding on to states and localities.

The Reagan economic program is advertised to cure inflation and unemployment, to revive productivity, investment, hard work, and thrift. It probably cannot achieve those wonderful results. What it is sure to do is to redistribute wealth, power, and opportunity to the wealthy and powerful and their heirs. If that is its principal outcome, the public will become considerably disenchanted.

Despite its free-market ideology, the administration has done little to dismantle regulations and subsidies that are costly, inefficient, and inflationary. Agricultural programs still not only subsidize producers but do so in ways that raise prices to consumers. Taxpayers, consumers, and shippers pay for our high-cost, noncompetitive merchant marine. The Carter administration deregulated airlines, but analogous measures for surface transport are stalled. The current administration is ready enough to liberalize or discontinue regulations of business when the opposing values are consumer protection or environmental conservation. It is by no means so devoted to market freedom, competition, and consumer interest as to challenge important business, labor, and farm constituencies. These politically sacred cows have been around a long time, and no other administrations have mustered the will or the power to kill them either. But an administration that claims a popular mandate for counterrevolution should not leave unscathed the most objectionable features of the old order.

The outlook for the American economy in the 1980s contains some bright spots and some dark prospects. On the bright side, it seems unlikely that the US and the world will be hit by external shocks of the magnitude of those of the 1970s. Though the present oil glut may not continue, Americans are now much better adapted to high oil prices and much better prepared to cope with future increases. To the extent that productivity and capital formation were held back in the 1970s by energy shocks and uncertainty about how to adapt to them, they should rebound in the 1980s.

On the dark side, the purely monetary cure for inflation can hold down the economy for half the decade, with capital formation discouraged either by high real interest rates, or by gloomy profit expectations, or both. The "new federalism," as is only beginning to be realized, will have devastating effects on the finances of many state and local governments and on the services they render, especially to the poor. Meanwhile the tax cuts will be widening the gulf between the living standards of the rich and those of the poor, without the promised compensation in the conquest of stagflation. In the end, I think, a democratic polity will not tolerate in its government and central bank an economic strategy of indifference to the real state of the economy.●

MUCH ADO ABOUT A CONFERENCE ON AGING

● Mr. GRASSLEY. Mr. President, one of the most inappropriate attitudes toward older persons is treating them with condescending deference. They are, after all, the most experienced and knowing segment of our society and should be looked up to as such.

Yet there are some in Congress and among those purportedly representing the interests of older Americans who persist in figuratively patting seniors on the head in this perverse way. Some Members of this and the other body seem to fear the older American delegates to the upcoming White House Conference on Aging are being bamboozled, mislead, or politicized, a fear, I might add that the delegates themselves do not share.

Mr. President, I urge my fellow Members to read the following letter, which I submit for the RECORD, to the editor from Dick Ambrosius, a constituent of mine. It appeared in the New York Times on November 17, 1981.

The letter follows:

MUCH ADO ABOUT A CONFERENCE ON AGING

To the Editor:

As an Area Agency on Aging director and a member of the National Advisory Council to the 1981 White House Conference on Aging, I am confused by all the tempest surrounding the forthcoming gathering in Washington (letter Oct. 20). I fear it is a tempest in a teapot which is being perpetuated by special interests and national organizations up and down the political spectrum.

I'm also embarrassed that my counterparts in the aging network have demonstrated such little faith in the quality of the delegates and their ability to make their views heard.

"A blatant attempt by the Reagan Administration to manipulate the outcome of the conference," so "they" say. Well, I know many of the delegates, and one would have an easier time toilet training an alligator than trying so silence their views. Most of the delegates were selected because of their knowledge and commitment to the field of aging and older people, not because of party preference.

Others have charged that recent changes, surveys, etc., are being done to avoid embarrassing the President. If so, I could understand the concern, but what confuses me is the reaction. We are not going to Washington to comment on current proposals but to develop "a comprehensive coherent national policy on aging together with recommendations to implement the policy . . ."—at least that is what the enabling legislation said. I further believe that is exactly what most delegates still plan on doing, in spite of attempts to compromise their objectives and disrupt the proceedings.

Still others would have us believe that the whole problem was caused by an Advisory Council vote not to have debate during the closing session. This is the fourth such White House conference and probably the most demanding, and there has never been debate at preceding conferences.

Why? Because of time. We have only two and a half days to develop a "comprehensive coherent national policy on aging" and two and a half hours to present the recommendations to the entire conference. Quite an assignment. If 10 minutes are taken by each committee chairman, that leaves 40 minutes for debate—with no coffee break. Now let us be realistic!

I have faith in my fellow delegates and confidence that their central concern is the problems facing the aging population. To vote down the work of a committee would be the supreme insult to the commitment of our older delegates. Is not the major objec-

tion being made by a few self-important people who would like their own stamp on the proceedings for whatever reason?

Debate is allowed in committee, and the post-conference assessment will allow each delegate and observer an opportunity to respond or react to the recommendations of all 14 committees away from the "heat of the battle." Maybe it's that potential for a thorough and in-depth evaluation that scares the critics. (Incidentally, much of the criticism is being lodged by urban states with large delegations that may have hidden agendas of their own.)

I remain optimistic that the majority of my fellow delegates are coming to Washington to plan for the future—not to play petty politics with the lives of older people. The staff will not be developing the recommendations. That task is left to the delegates and observers, and I have confidence they are capable and willing to do just that.

G. RICHARD AMBROSIUS,
Executive Director.

SOCIAL SECURITY AND THE BUDGET

● Mr. BAUCUS. Mr. President, few programs have received more attention in recent months than social security. Several changes were made in the social security system as part of the budget bill adopted last August. Subsequently, I have received numerous requests, as I am sure many of my colleagues have, about these changes. Recently, two articles appeared in a special section of the Washington Post that described these changes very well.

Mr. President, I ask that these articles be printed in the RECORD for the benefit of my colleagues and my constituents.

The articles follow:

[From the Washington Post, Nov. 8, 1981]

SOCIAL SECURITY REVISIONS ALTER BENEFIT FIGURES

(By Spencer Rich)

Although President Reagan in September withdrew his proposals for major long-term cuts in Social Security, several earlier Reagan requests for smaller cuts had already been passed by then as part of the budget-bill process.

Those cuts will affect the amount of cash benefits received by millions of persons either already on the rolls or coming on them in the future. In addition, they will mean higher out-of-pocket medical outlays for all 29 million to 30 million people eligible for Medicare.

One of the cuts—elimination of the minimum benefit—is under review by Congress, which in all likelihood will restore the minimum guarantee for most of the 3 million people already receiving it, if not for people going on the rolls in the future. Also under review, as part of the bill that would restore the minimum, is an added cut that would limit the total amount of family benefits that may be received on the basis of one worker's earnings record.

Following is a description of all the provisions that were passed in the budget bill and those under active consideration by Congress; other cuts, so far unspecified, may soon be considered to help reduce trust fund outlays and keep the system solvent.

Lump-Sum Death Benefit: The $255 lump-sum death benefit, formerly paid to aid in burial costs whenever an eligible worker died, was eliminated for workers dying after August 1981, except where there is a surviving wife or husband living in the home or a minor dependent child, who is entitled to monthly survivor benefits. The cutoff thus would affect mainly the benefits in cases in which the worker dies and leaves no wife or dependent child. There are about 700,000 such cases a year.

Initial Entitlement Date: The budget bill provides that when a worker and his dependents retire at age 62 and the retirement comes in the middle of the month, benefits are not retroactive to the start of that month. Instead, benefits start only after the worker has been fully eligible for a calendar month. This provision was effective Sept. 1. In practice, it means that if the worker became 62 in the middle of October, for example, he would not have gotten a check Nov. 3 covering the entire month of October, instead, he would get his first check Dec. 3 covering the month of November.

Parents' Benefits. At present, a parent who is not otherwise eligible for a monthly Social Security benefit, can get one if he or she is caring for an eligible child under 18. The budget bill reduced that age to 16, effective in two years for about 190,000 persons already on the rolls and in September for newly eligible people. About 20,000 people will be affected by the provision involving the newly eligible in the first year. The child could still get the benefit until 18, but the added payment to the mother or father (the most common situation is a young widow with a child) would stop when the child reached 16, except if the child were disabled.

Earnings Limit: Under existing law, Social Security beneficiaries with jobs can earn anything they like without penalty if they are 72 or over. If they are younger than that, their benefits are reduced if wages exceed certain amounts (dividend and interest income isn't counted). The exemption age had been scheduled under existing law to drop to 70 in 1982. However, the switch to age 70 was delayed in the budget bill until 1983. The Social Security Administration said about 200,000 people would be be affected. The earnings cutoffs, incidentally, will be $4,440 in 1982 for people under 65, and $6,000 for people 65 through 71.

Rounding: Most people will barely notice it, but for benefits after August 1981, the Social Security Administration will round down benefit amounts for all to the nearest 10 cents at all stages of benefit calculations except the last, and then round the final benefit to the nearest dollar. These pennies add up and will save the government (and cost beneficiaries) $420 million a year by calendar 1986.

Worker's Compensation Offset: Under existing law, if a worker is disabled and as a result is receiving both Social Security disability payments and workmen's compensation payments, and the combined benefits exceed 80 percent of previous average earnings, then the Social Security disability benefit is reduced enough to bring the combined benefits total to the 80 percent figure.

The budget bill provided that not only worker's compensation would be included in this offset system but also certain other types of income. Henceforth, the Social Security disability payment will be reduced not only if it plus worker's compensation exceed the 80 percent figure, but also if the employee is receiving any disability payments based on federal, state or local employment, with some exceptions. This provision would apply only for those starting on the Social Security disability rolls in September 1981 or later. About 80,000 people would be affected in the first year.

Student Benefits: Under previous law, a child who was receiving a monthly benefit as the survivor or dependent of a worker would normally be cut off on reaching age 18, unless in school, in which case the monthly benefit continued until age 22. The budget bill phased out this entitlement and, in the future, the cutoff will be age 18.

In general, those who are already receiving the child's benefit by August 1981 and are enrolled in college by May 1982 will continue to get the benefit until they finish or reach 22. However, they will not receive cost-of-living increases, and beginning in September 1982 the amount of each person's benefit will be reduced by 25 percent each year. Also starting in 1982, no benefits will be paid in summer months (May through August). Under these provisions, all benefits for college students 18 or over will cease after July 1985. About 770,000 persons were on the student benefit rolls at the time this provision passed.

Minimum Benefit: Under previous law, if a person's basic benefit computed out to less than certain amounts, he or she started with a special minimum benefit, ranging in most cases from $122 a month to as high as $170, depending on a variety of factors, instead of the lower earned amount. The budget bill, at Reagan's insistence, wiped out the minimum benefit guarantee, effective in November 1981 for persons newly entitled to benefits and at the end of March 1982 for about 3 million persons already on the rolls. These persons were not to lose their entire benefit; they'd just get the lower earned amount instead of the minimum.

The public outcry against this retroactive reduction of benefits was so great that the House on July 31—the same day it passed the final version of the budget bill—passed an additional measure restoring the minimum benefit guarantee for both existing and future beneficiaries.

Subsequently, the president backed off his earlier position and the Senate also voted to restore the minimum benefit for most of the 3 million recipients already on the rolls. The exceptions were persons residing outside the United States (about 30,000 minimum beneficiaries were estimated to live outside the country), and up to 350,000 persons who were receiving federal, state or local government employee pensions. These 350,000 would have their minimum benefit cut to the extent that their federal, state or local pension exceeded $300 monthly. If it did, the "windfall" portion of their Social Security minimum benefit would be cut dollar for dollar to the extent the other pension exceeded the $300 figure.

The Senate version of the bill did not restore the minimum guarantee for future beneficiaries except for nuns going on the rolls in the next 10 years.

A final decision on whether to take the House or Senate restoration provision for the minimum benefit was awaiting congressional action.

Family Benefit Limit: Under existing law, when a worker retires or dies, one or more of his dependents may be entitled to dependents' benefits, but the extra benefits combined cannot exceed an additional 88 percent beyond what the worker gets. Thus, the family maximum (including the worker's benefit) is 188 percent of the worker's benefit. The Senate Finance Committee bill to restore minimum benefits reduces this family maximum. Under the bill, the family maximum would be 85 percent of the worker's earnings prior to death or retirement, or 150 percent of the worker's earned benefit. The fate of this provision awaits congressional action.

Medicare Cuts: The budget bill contained several Medicare provisions that will force beneficiaries to pay more. The initial deductible that the Medicare patient pays when he

goes into the hospital, which was about $204 and was scheduled to rise to $228 in 1982, will go to about $260 then instead and will rise to $328 by 1984. The coinsurance that the same patient pays for each day in a hospital more than 60 days or in a skilled nursing facility for each day beyond 20 days, will automatically also go up since it is set at a quarter of the deductible. The $60 deductible that patients must pay for out-of-hospital doctor costs before Medicare Part B benefits kick in was raised to $75. Other Medicare changes, reducing federal reimbursements to hospitals for nursing and room and board costs of Medicare patients could eventually end up shifting added costs onto the patient, though that isn't clear yet.

TO MOST ELDERLY, SOCIAL SECURITY PAY IS BASIC TO SURVIVAL

(By Spencer Rich)

In our more rhapsodic moments, we like to picture our older citizens getting by nicely, with a tidy savings nest egg, interest drawn at high T-Bill rates and a useful pension provided by a grateful employer, all supplemented by a bit of Social Security.

That's what we like to picture, but it isn't the reality for the majority if the nation's 26 million senior citizens.

The reality is that Social Security is overwhelmingly the basic source of income for the nation's elderly, with private pensions and savings falling far behind and perhaps in poor position to catch up.

Early this year, the President's Commission on Pension Policy reported that in 1950 Social Security accounted for only 28 percent of all retirement, survivor and disability payments in the nation.

But by 1980, it said, Social Security had doubled its share and, in combination with a few other Federal programs like railroad retirement and federal employe retirement, accounted for 78 percent of such benefits. Meanwhile, the share of private pension plans decreased to only 14 percent and state and local government plans to only 8 percent.

Whereas all but a handful of aged persons get Social Security, the commission said that in 1978 only 28 percent of the elderly population, or about 8 million people, received any employe pensions. Most who received such pensions were in the middle- and higher-income straits.

According to Social Security Administration studies, about three-fifths of the aged got at least half their income from Social Security in 1976; a quarter got 90 percent.

Figures in the commission report graphically illustrate the role of Social Security; for retirees with incomes of $4,000. Social Security provided 75 percent of income in 1978; for those with incomes of $6,000 it provided 63 percent of income; for those with incomes of $8,500 it provided over half of income, and for those with incomes of $12,000 it was still the largest single source of income at 36 percent. Only for the small number with incomes over $20,000, who got substantial earnings from employment, did it fall to second place.

Social Security thus predominates as a source of income for the elderly and there are reasons to believe that its role may not diminish.

One is that employe pension coverage is no longer growing much, according to the commission. About half the nation's private employes and most of the nation's federal, state and local government workers are covered by pension plans. But the private plans are generally in larger, more well-to-do firms. The uncovered half work mainly in smaller, poorer places that are going to be much less likely to add private pension systems. The rate of new coverage has slowed to a crawl.

There is another problem: inflation, which makes it hard for employers to keep benefits up to speed. Almost no private pension systems are indexed to the cost of living, though many make periodic increases. This means that the value of the benefits has shrunk substantially in this high-inflation era and, in effect, cannot be depended upon. Social Security and related benefits like railroad retirement, however, are by law increased annually to cover 100 percent of the increases in the cost of living as measured by the Consumer Price Index.

Vesting is a third problem for employe pensions. Social Security, which covers virtually every job, simply accumulates credits wherever one works, except in a relatively small number of government jobs. Employer pension systems do not normally provide "portable" credits except in multi-employer plans such as are common in the construction industry, and even there portability is limited to jobs within a single trade.

The absence of portability in employer pension systems makes it theoretically possible for an employe to work in four different jobs during his career, each for just under 10 years, and never vest in pension benefits because he hasn't worked the required 10 years in any one place.

Social Security thus stands alone as overwhelmingly the mainstay of the retired and disabled.

The system can be said to have fulfilled many of the hopes of its founders in providing income security to the aged in a systematic and guaranteed fashion, and it is enormous. Consider these statistics:

In 1981 it had 36 million beneficiaries, of which all but 4.6 million were retired workers and their dependents or the survivors of deceased workers. The 4.6 million exceptions were severely disabled workers and their dependents.

Total outlays in calendar 1981 were estimated as of Oct. 20 as $127 billion for retiree and survivor benefits, $18 billion for the disabled and $30.6 billion for the Medicare hospital insurance program. About $13 billion more was the estimated outlay for the Medicare out-of-hospital doctor-care program, which, unlike the rest of the Social Security, is not financed from the Social Security payroll tax but from general revenues and premiums charged to beneficiaries.

The maximum retiree benefit, paid to the worker retiring this month or next who has worked all his life at the highest wage subject to Social Security taxes, is $752.90. With a wife's extra "free" 50 percent benefit as well, such a worker would get $1,129 a month tax free. However, average benefits are much lower: $383 for a retired worker and $413 for a disabled worker, plus the wife's benefit where applicable.

The Social Security tax is 6.65 percent each for employers and employes, payable on the first $29,700 of income. On Jan. 1 it will rise to 6.70 percent, payable on the first $32,400. Although this means that the maximum tax will be substantial—$2,171 next year—and that for many workers Social Security is by far the biggest tax they pay, it should be noted that rates are even higher in many European countries, in some cases double.

With its huge size and essential social functions, the Social Security system is in serious financial difficulties, prompting disputes about whether it should be cut to keep costs down and thus ease the burden of future tax increases.

President Reagan, rejecting the alternatives of pumping in general revenues or raising the payroll tax beyond what is scheduled in existing law, last May 12 proposed a series of long-range cuts that, in effect, would have pared long-term benefits by over a fifth as compared with current law. Particularly big cuts would have been made in the basic benefit formula, disability benefits and benefits for those retiring at 62 instead of 65.

Unfavorable public reaction and attacks by Democrats forced Reagan to withdraw his proposals and ask for creation of a commission to seek a bipartisan solution.

The problems have three separate parts:

Because of rising inflation in hospital costs, Medicare, which together with its charity counterpart Medicaid pays for about 36 percent of all hospital bills in the country, is going broke rapidly and permanently although it has a nice balance temporarily. If the economy goes fairly well, Medicare will be broke by the end of the decade if its share of the revenue from the payroll tax isn't changed from existing law. If the economy performs poorly, the breaking point will come by 1988.

Congress is already moving to pare Medicare benefits and costs somewhat, but it must do much more, or find some way to curb hospital-cost inflation, or pump in general Treasury revenues to meet the problem.

The old-age and disability (OASDI) trust funds, taken as a unit, will run short of money in a year or so because the economy has performed very poorly over the past several years, thus producing higher cost-of-living benefits and lower revenues than projected. As new payroll taxes approved in 1977 kick in over the next decade, these funds will gradually recover and should have adequate balances until around the year 2020.

But then the huge baby boom of the post-World War II era will start hitting retirement age and big, continuing OASDI deficits will develop, according to most demographic and economic projections.

The question that Congress and the president must address is how to tune the system into better long-term balance and where to find the money to meet the immediate crisis in the old-age and disability funds.

For the long term, suggestions include raising the basic retirement age from 65 to 68, increasing the penalty for opting for retirement at 62, decreasing the basic old-age benfit formula by 10 percent or so and paring away some of the dependents' and survivor benefits. Many Democrats and system loyalists believe many of these proposals, at least as laid out by the president, are far in excess of what is needed, and some prefer to pay for the added costs through general revenues or tax increases.

For the short term, there have been proposals for some benefit cuts, particularly in the annual cost-of-living adjustment. Many believe it puts too much pressure on the system and on the nation as a whole to have to pay full inflation increases each year, even when the economy otherwise is stagnating and the workers who are footing the bill through payroll taxes are themselves not keeping up with the increased cost of living in their wage scales.

So far, the bulk of Democrats in Congress have taken the position that the short-term crisis may be manageable by temporary borrowing from the Medicare fund, as long as it is flush, or from the Treasury, with the expectation that things will right themselves when the new revenues start rolling in during the later part of this decade.

However, new reports suggest that the margin of safety in borrowing from Medicare may be so slender that it would not do the trick adequately beyond the next two or three years, and not even that long if the economy doesn't improve over its current performance. That is about where Congress is at this moment.

If the nation concludes that the income security provided by the system is so valuable that it should not be cut at all and that the cost is worth it—some polls suggest this may well be a majority view—then the eventual solution to most of the problems probably will be higher Social Security taxes or use of general revenues from the Treasury.

Under current projections, it would only take an increased payroll tax rate of about 1 percentage point each on employers and employees, beyond what is scheduled under current law, to keep the old-age and disability trust funds snug for another 75 years if the economy goes reasonably well. Medicare is another matter.

But if the added tax burden seems too great, an era of paring may be underway.●

STATE STUDENT INCENTIVE GRANTS

● Mr. RIEGLE. Mr. President, I would just like to take a moment to add my comments to the colloquy between Senators BRADLEY and SCHMITT that occurred last night on the subject of funding for the State student incentive grant (SSIG) program. I have been deeply concerned about the status of the funding for this program and was a cosponsor of the amendment proposed by Senator BRADLEY which the continuing resolution has made unnecessary.

As you know, the House bill allotted $76.7 million for fiscal year 1982 for the SSIG program—a figure that has remained constant since 1978. The Senate Appropriations Committee on the other hand regrettably recommended no funds for SSIG's for fiscal 1982—an action which would have jeopardized higher education opportunities for many low-income students.

Fortunately, under the continuing resolution passed by the Senate last night, funding for the SSIG program would be appropriate at the lower of the House or fiscal year 1981 levels. Since these figures are identical, there is no dispute that the program will be funded at $76.7 million for fiscal year 1982. It is my understanding that the chairman of the Labor-HHS-Education and Related Agencies Appropriation Subcommittee assured the Senator from New Jersey that the $76.7 million figure would prevail. I would like to thank both of the Senators involved for stating this point clearly.

The SSIG program has provided incentives to States to develop need and merit-based undergraduate scholarship and grant programs. Federal SSIG dollars generate State matching dollars that go to deserving students.

In this respect, Federal funds act as a catalyst to encourage States to responsibly meet the needs of low-income students seeking a brighter future through a college education.

In the context of massive cuts to Federal education aid and student loan programs, the loss of these funds could not be replaced by many State legislatures. A number of States have already indicated that they would be unable to continue their State student grant program. The elimination of this program would place college education out of the reach of many of our Nation's young people.

In my own State of Michigan, SSIG funds represent fully 21 percent of the total scholarship appropriation in the State. The serious financial circumstances of my State's economy offer little hope that the Michigan legislature could have replaced the loss of these vital education dollars. Zeroing appropriations for the SSIG program would have eliminated over 4,000 students from Michigan's scholarship program.

Mr. President, we have come a long way over the last decade toward making a college education a viable option for all members of our society. I was pleased to be a cosponsor of the amendment by Senator PELL to restore a portion of funds for Pell grants and supplemental educational opportunity grants (SEOG's). Unfortunately this amendment failed by a vote of 38 to 59. I fear that in the name of budgetary savings, the majority in this Senate are voting to exclude all but the affluent citizens of our country from the opportunity to gain further knowledge and skills and to make vital contributions to the future of our Nation.●

GOVERNMENT ADVERTISING

● Mr. BAUCUS. Mr. President, I would like to bring to the attention of my colleagues an article that appeared in the Washington Post on November 9, 1981, entitled, "Publications Come Down to Final Word."

The article indicates that some 900 Government publications have been targeted for elimination by the Office of Management and Budget. I am pleased that the administration has finally joined in the fight against excessive Government advertising with direct action.

I am convinced, as I have stated on this floor many times, that reducing public relations and publications budgets is the best way to stop the flood of wasteful brochures and film clips that have inundated us in the past few years.

As many of my colleagues may remember, last year I offered amendments to the appropriation bills of several Federal agencies that cut their advertising and public relations budgets by 10 percent. The efforts by OMB to cease publication of 900 newsletters and pamphlets goes a long way to implementing the extent of my amendments.

The efforts of OMB, if continued, will make our jobs in this body a little easier. This Government does not lack for examples of and reports on wasteful Government public relations. What we do need is more direct action to curb those abuses. I welcome the administration's efforts in this area and hope they continue.

I plan to continue to monitor agency efforts to eliminate this area of wasteful spending.

I ask unanimous consent that the Post article be printed in the RECORD so that my colleagues have an idea of the work being done.

The article follows:

PUBLICATIONS COME DOWN TO FINAL WORD

(By Myron Struck)

When the last copy of "Sprocketman," a comic-book parody of Spiderman, is handed out by the Consumer Product Safety Commission, the guide to bicycle safety will pass into history.

Along with it will go the Department of Energy's electric car handbook, "The Electric Adventure," the Small Business Administration's "Selecting Advertising Media: A Guide for Small Business" and the newsletter of the Jewish chapel at Kessler Air Force Base in Biloxy, Miss. (monthly press run, 250 copies; savings, $1,566).

These publications, and more than 900 others identified by a survey of agency and Office of Management and Budget officials, have become the victims of budget cuts and program managers responding to an OMB order that they eliminate "unnecessary federal spending on the development, printing and distribution of periodicals and recurring pamphlets."

The list is made up mostly of consumer publications and program guides, but it also includes federal employe newsletters, calendars, posters, historical guides, nature pamphlets and statistical brochures.

President Reagan ordered a moratorium April 20 on new periodicals, pamphlets and audio-visual products, and OMB followed that with a call for cutting wasteful spending on publications.

By next Sunday, all agencies are supposed to have sent OMB their plans for a control process to guide the development of new publications and audio-visual materials. The agencies' reports are supposed to give the name, frequency, average number of copies, costs and associated users' fees for every publication. That information has not been compiled before because it traditionally has been cloaked in sub-agency spending figures, according to OMB officials.

Many publications officials, not surprisingly, are bitter about the OMB order; some are quick to snipe at its paperwork demands. One Interior Department aide complained that the cuts "are fostering a lot of ill will between program officials who don't want to lose this prerogative to decide which publications are necessary and the OMB. And we're caught in the middle."

OMB public affairs aide Robin Raborn says it's all for a "good cause," because "there are just so many useless and unnecessary publications floating around."

OMB said that the government will spend a projected $302.2 million in fiscal 1982 on publications and films, down from the estimated fiscal 1981 total of $336.7 million.

OUT OF PRINT: THE HIT LIST, THE SAVINGS

Here is a partial list of the publications reported terminated in fiscal 1981. The list includes OMB's estimate, when available, of how much the agencies saved by eliminating publications and reducing publishing and film-making costs.

Agriculture Department ($900,000): Food Guide for Older Folks; Breads in the Family Meal (also cakes and pies, cheese, beef and veal); Food Cost Savings Plan; Food for Fitness; Making Cottage Cheese; How Fresh Tomatoes Are Marketed; Story of Cotton; Is the Water Safe?; How to Buy Fruits (also fresh fruits; fruits and vegetables, fresh fruits and vegetables, canned and frozen fruits, canned and frozen vegetables, lamb); Sources of Milk for Federal Order Markets by State and County; Wild Mushrooms; A Vote for Farmers of Your Choice; World Economic Conditions in Relation to Economic Trade in Agriculture; Agriculture in the Third Century; Agricultural Conservation Program Annual Report; Agriculture Charts; Farm Labor Data Series; USDA Grading Standards For Wheat;

Protein Technical; Marketing Honey and Beeswax; Marketing Iceberg Lettuce; State Guides for Assessing Forest Land and Timber.

Commerce Department ($1 million): Commerce Department Library Bulletin.

National Oceanic and Atmospheric Administration: NOAA News; EDIS (Environmental Data and Information Service) Magazine; Climatological Data National Summary; Storm Data; River Forecast Summary; WDC (World Data Center) Report; World Data; ERL (Environmental Research Laboratories) Collected Reprints.

Patent and Trademark Office: Patent Talk.

Census Bureau: Statistical reports on canned food, green coffee and department stores' sales.

Maritime Administration: MariTimes.

National Bureau of Standards: PMTE (precision measurement) Update; NBS Publications List.

Consumer Product Safety Commission (less than $20,000): Hazard analysis series (bunk beds, television sets, carbonated soft drink bottles, playground equipment, pressurized containers, cribs, space heaters); The Nine Lives of El Gato (the cat).

Defense Department ($2.3 million); Aviation Safety Bulletin of the U.S. Army; Campus; Direction, Combat Crew and Air Force Reservist; Naval Military Personnel Command; Family Action newsletter; Naval Supply Corps newsletter.

Education Department ($100,000): Inspector General's Office newsletter; Summary of Federal Publications Concerning the Handicapped; National Institute of Education newsletter; A Practical Guide for Quality Control Technicians; Quality Control newsletter; Evaluation Designs for Career Education Programs.

Energy Department ($1.3 million): Energy Consumer; Emergency Building Temperature Restrictions; Making Energy Regulations—How the Public Gets Involved; Try Solar; Conserving Energy; Winter Survival—What to Do if the Heat or Power Goes Off on a Freezing Winter Night; Put the Sun to Work Today; Organize Now for Energy; Electric Power Monthly; International Energy Annual; For Local Governments the Future Is Now in Electric Vehicles; Consumer Energy Atlas; Energy Excerpts (DOE speeches); Energy Planner; Fusion Energy; How to Understand Your Utility Bill; International Petroleum Annual; Passive Solar Heating; Solar-Powered Irrigation Pump; Saving Money With Energy Conservation (energy audit workbooks for apartment buildings, bakeries, fast food restaurants, grocery stores, hotels, light industry, office buildings, warehouses); Ocean Thermal Energy Conversion; Solar Electricity From Thermal Conversion.

Environmental Protection Agency: No publications were terminated in fiscal 1981, according to a spokesman. OMB says the agency saved $2.4 million by doing no printing after April.

Equal Employment Opportunity Commission: EEOC Annual Report; Handicapped Individuals' Employment; Age Discrimination.

Federal Trade Commission: Protection for the Elderly; Mail-Order Insurance; Unordered Merchandise; Risks in Raising Chinchillas; Franchise Business Risks; Freezer Money-Saving Offer—Truth-in-Lending Takes the Wraps off Credit; Vocational Schools; Which Job Training Will You Choose; Three Days to Cancel; Selecting a Vocational School; Fight Back—Don't Let the Gyp Artists Get Away With It; Guard Against Phony Ads; How to Use Truth-in-Lending; List of Common Deceptions; Teacher's Kit (on consumer protection); Availability of Advertised Items at Advertised Prices; Care Labeling Rule; Conserving Energy and Consumer Dollars; Do You Speak "Credit"? (cartoon/calendar).

General Services Administration ($200,000): GSA Journal; employee newsletters in all 11 regional offices.

Health and Human Services ($2.5 million):

Social Security Administration: A Guide to Social Security; Using Private Employment Agencies to Place Welfare Recipients in Jobs; The Privacy Act and Your Request for a Social Security Number; Social Security Survivor Benefits; Disability Benefits and Blind People; Disabled?—Find Out About Social Security and Disability Benefits; Social Security for People Disabled Before 22; Social Security Information for Young Families; Do You Know When You Should Contact Social Security; Check Your Social Security Record; Doing Business With Social Security—Use Teleservice; Women and Social Security; Basic Facts About Medicare; Payment Under Medicare Medical Insurance; How Medicare Helps During a Hospital Stay; Supplemental Security Income for Disabled and Blind Children; SSI for Retarded People; How SSI Can Help; Assets of Food Stamp Participants; Emergency Assistance and Special Needs Programs in Public Welfare; Four Decades of International Social Security Research; Employers Paying the Employe Portion of Social Security Taxes; Vocational Rehabilitation for the Blind and Disabled; Medicare Coverage in a Skilled Nursing Facility; Home Health Care Under Medicare; Medicare for People With Permanent Kidney Failure.

Public Health Service: Basic Concepts of Environmental Health; TB Control; Fluoridation—Community Must Help Get Adopted; Special Hazard Alert on Chlorinated Benzene; National Institute of Occupational Safety and Health Schedule of Classes; Guide for the Care and Use of Laboratory Animals; Bureau of Health Facilities Annual Report; The Consumer and Health Planning; Bureau of Health Planning Annual Report; Directory for Consumer Health Education Sources; Phasing Out Federal Participation in Health Planning; World Health Organization Report; Biological and Genetic Factors in Alcoholism; Adolescent Drinking Patterns; National Institute of Health Visitors Guide; Smoking and Health; Guidelines for Health Promotion; Nutrition '80; Family Safety Digest; Alcohol O&A; Exercise and Your Heart; Understanding Stress; Guidelines for Community Health; Promoting Health; Cerebral Palsy—Hope Through Research; Epilepsy—Hope Through Research; What are the Facts About Genetic Diseases?; Nutrition and Pregnancy; Facts about Snacks; Cancer and the Environment.

Human Development Service: Wise Drug Use and the Elderly; Energy Fact Sheet—Saving Energy in the Home; Children and Youth Accident Prevention; Long-Term Care; Immunization of Youth; Helping Youth and Families of Separation, Divorce and Remarriage; Alcohol, Drug Abuse and Youth Programs; National Toll-Free Communications; State Data Book on Older Persons; Nutrition Services Available to Older Indians; Education and Training Programs of the Administration on Aging; Sources of Grants and Loans for Fuel and Winterization; Technology and the Aging Network; Older Americans—The Arts and the Humanities; Employment in Human Development Service Programs; Citizen Participation in Social Service Programs; Impact Funds—Self-Sufficiency; Model Child Protection Act; Record Retention in Central Registers; Adoption Exchange Handbook; Foster Family Care Standards; Child Welfare Training Materials; Home-Based Services—The View From the Health Care Field; Head Start Fact Book; Handbook for Health Coordinators; Prenatal Care (Spanish edition); Findings from Evaluation of Youth Demonstrations; Youth Employment; Youth as Community Resources; Runaway Youth Switchboard (poster and brochure); Biography of Youth Employment; Operations Manual for Youth Employment; Analysis and Update of the Runaway and Homeless Youth Act; The Status of Children—1981; Head Start Program Performance Standards; Directory of Head Start Programs; National Analysis of Child Neglect and Reporting.

Health Care Financing Administration: Myths about Medicare/Medicaid.

Housing and Urban Development Department ($700,000): HUD Trends; 112 internal handbooks; Land Use and Marketability Studies for Urban Renewal Projects; HUD Policy on Noise Abatement and Control; Community Development Block Grant Monitoring Handbook; Reimbursement of Travel Expenses for HUD Employes.

Interior Department ($1.1 million): Departmental Yearbook.

National Park Service Campgrounds in . . . (various states); Recreation Sites in . . . (various states); All About Heritage Conservation and Recreation Service; Abraham Lincoln Home; Lyndon B. Johnson National Historic Site; White Sands National Park; Everglades National Park—National Environmental Study Area; Living History at Natchez Trace Parkway.

Bureau of Mines: Mineral Trade Notes; Minerals in the Economy of . . . (each state).

Bureau of Indian Affairs: BIA Profile—The Bureau of Indian Affairs and American Indians.

Bureau of Reclamation: Garrison Project (brochure and fact sheet).

Fish & Wildlife Service: Plymouth Redbellied Turtle; Bird-Banding; Agassiz (Minn.) National Wildlife Refuge; Mammals of the Agassiz National Wildlife Refuge; Minneapolis Regional Program; Birds of the Horicon (Wis.) National Wildlife Refuge; Birds of the Ottawa (Ohio) National Wildlife Refuge; Ottawa Wildlife Refuge Foot Trails; Real Foot Lakes (Ky.) National Wildlife Refuge; Kenai (Alaska) Moose Range; Kodiak (Alaska) National Wildlife Range; Nunivak (Alaska) National Wildlife Range; Steel-Shot (poster); Becharof (Alaska) National Wildlife Monument; Upper Quachita (Okla.) National Wildlife Refuge; Alaska Update; Birds of the Big Stone (Minn). National Wildlife Refuge; Necedah (Wis.) National Wildlife Refuge (calendar); Recreation Cabins of the Kodiak National Wildlife Refuge.

Justice Department ($300,000): No publications killed.

Labor Department ($800,000); Focus on the Future (Employment Issues of Asian/Pacific American Women); Displaced Homemaker Program; Women in Non-Traditional Jobs.

Occupational Safety and Health Administration: Office Safety; Secretary's Report on Occupational Safety and Health in the Federal Agencies; Writing Effective Industrial Hygiene Reports.

Bureau of Labor Statistics: State, County, Municipal Collective Bargaining Agreements: Escalation of the Producer Price Index; Special Labor Force Reports.

Mine Safety and Health Administration: New Coal Mine Dust Standards for the United States; Industry Workshop; Inspection and Investigation Manual for Metal and Non-Metal Mines; Underground Coal Haulage and Transportation Program Instruction Manual; Use of Aircraft Imagery in Evaluating Ground Stability at Open Pit Uranium Mines in Gas Hills, Wyo.; Compaction Characteristics of Coal Refuse; Suppression of Dust in Mining, Milling and Tunneling; Respirable Dust Control on Long Wall Mining Operaitons in the United States; Laboratory and Field Evaluation of Instantaneous

Reading Dust Instruments; Quality Assurance Program for Field Health Activities; Natural Drift—Its Measure and Modeling in Underground Mine Ventilation Systems; Selected Injury Experience and Worktime for the Mining Industry in the U.S. 1931–77; Coal Mine Injury Experience and Work Time by Occupation, 1976–78; Tethered Balloon Gas Sampling.

Employment and Training Administration: Career Opportunities in the Petroleum Industry; Career Opportunities in the Hotel-Restaurant Industry; After the Job Corps; Private Sector Initiative Program Spotlight; PSIP Photo Book; ETA Interchange newsletter; Index to ETA Publications; Dateline CETA; Manual for the U.S. Employment Service; Fiscal 1982 State Agency Programs and Budget Guidelines; Employment Service Program newsletter; Jobs Corps in Brief; National Occupational Information Coordinating Committee newsletter; Comparison of State Unemployment Insurance Laws.

Employment Standards Administration: ESA Digest; What's News.

Labor Management Services Administration: Instructive Guide for Reporting Under the Labor Management Reporting and Disclosure Act.

National Aeronautics and Space Administration (less than $40,000): Ion Engine Report.

Office of Personnel Management ($200,000): The First Line; Spotlight (affirmative action programs); LaMesa Redonda (Hispanic employment programs); Women in Action.

Small Business Administration ($400,000): Can You Afford Delivery Service?; Public Relations for Small Business; Quality Control in Defense Production; Photo Dealers and Studios; Manufacturers Sales Representatives; Strengthening Small Business Management; Small Business Goes to College; Personnel Management Guides for Small Business; Selecting Advertising Media; Management Assistance, Management Counseling Guide; Selling to the U.S. Government; Small Business and the Energy Challenge; Women and the U.S. Small Business Administration; Insight; Data Processing.

State Department ($100,000): Homes of the Department of State; Geographic Reports; Geographic Bulletins; Secretaries of State; Foreign Policy and the Department of State.

Transportation Department ($1.2 million): Introduction to the Office of Inspector General; Senior Executive Service Candidate Development Program; Transportation Fact Book; Impact of Demographic Trends on Future Travel in Metro Areas; Transportation Mode Choice in Rural Areas; Providing Transportation for Rural Americans; Transportation Profile of the '80s; Transportation Research Journal; Transportation Energy Activities of the Department of Transportation; Energy Primer (on transportation); Paratransit Resource Guide; Transportation and the Future; Transition Planning for Accessible Mass Transit Under Section 504 Regulations; Coordinating Transportation Services for the Elderly and Handicapped; Transportation and the Elderly and Handicapped—A Literature Capsule; Traffic in the Centers of Large Cities; Transportation Design Awards Examples; Transportation and Land Development; Impact of Transportation on Business Location; Transportation Productivity; Changes in Location, Behavior and Travel; Urban Transportation Demand Elasticities; Federal Urban Transit Investments; Integrating Urban Transportation; Nondiscrimination on the Basis of Age in DOT Programs; Information Package On Section 504 of the Rehabilitation Act of 1973; Aesthetics in Transportation; Proposed Policy Initiatives for Small Community and Rural Transportation; Trends in Federal Transportation Financial Activity; Trends in Federal Domestic Transportation Projects; Revenue and Expenses; Trends in Federal Transportation Financial Activity (fiscal 1970–79); Interstate Substitutions—Handbook for Mayors; Transportation Aspects of the President's Economic Program; Effects of Federal Transportation Funding Policies and Structures; Financing Public Urban Transportation; Problems of Truck Owner-Operators; Cargo Security Handbook; Physical Security of Cargo; Truck Top Markings for Visual Identifications; Study of Trucking Service in Small Communities; Effect of MCA (Motor Carrier Act) On ICC (Interstate Commerce Commission) Motor Carrier Entry Policy; Motor Carrier Insurance Study; Examples of Discrimination Under Collective Motor Carrier Ratemaking; Truck and Rail Reform Impact; Truck Size and Weight Study; Truck Size and Weight Limitations; Consumer Problems With Auto Repair; Common Sense in Buying a New Car; U.S. Auto Industry; Taxicabs as Public Transit; Use of School Buses for Public Transportation; Intercity Bus Operations; Intercity Bus, Rail and Air Systems in Rural Areas; Maritime Cargo Loss Prevention Handbook; Inland Waterway User Charge Study; Community Bicycle Program Guidance and Technical Assistance; Bicycle Forum.

Urban Mass Transportation Administration: Civil Rights.

Federal Railroad Administration: FRA newsletter; FRA Research Reporter; Rail System Investment Analysis (10 volumes).

Federal Aviation Administration: Airport Consolidation; The Control Tower; Pilots' Weather—How Is It Forecast; You and Your Radio; You and Your Transponder; A Glossary of Aeronautical Central Terms; Destiny Altitude; Radar Sees the Weather; Congratulations—You Just Passed Your (Pilots') Physical; Tip on How to Use the Flight Planner; Aviation Safety Bulletin No. 1; Flight Watch.

Federal Highway Administration: Your Guide to Programs of the Federal Highway Administration; Arterial Strategies; Safety Hazard Advance Warning System; Tests of Experimental No-Passing Zones; Speed Control on High-Speed Roadways; Estimating Safety Benefits for Alternative Improvements; Excessive Sign Usage; TRAFLO (traffic flow reports); Performance Data for Highway Bridge Coatings; Maintenance for Highway Structural Steel; Public Roads; Highways and Wetlands; America on the Move; Federal-Aid Highway Program; 1970–2000 Travel; Urban Transportation Indicators; Arterial Speed Profiles and Fuel Consumption; Computer Mapping Techniques; Changes to Joint Planning Regulations; Ozone Analysis; Air Quality Planning in Small Areas; Rural and Small Urban Public Transportation; Rural Public Transportation Conference; Nonurbanized Public Transportation; Rural Transportation Technology Study; Rural Driver Training Manual; Rural Transportation (three newsletters); Parking Management Booklet for State/Local Areas; Parking Workshop; Photographic Technique for Determining Auto Occupancy; Auto Use Management; Rock Slope Engineering; Construction and Rehabilitation of Pavement; High-Occupancy Vehicle Design and Enforcement; Traffic Signal; Barrier Design; Roadway Lighting; Safety Courses; Federal Highway Safety Program Effectiveness; Highway Safety Performance; Protecting the Environment in the Federal-Aid Highway Program; Environment Assessment Process; Environmental Action Plan Report Series.

National Highway Traffic Safety Administration: Common Sense in Buying a New Car; Common Sense in Buying a Safe Used Car; So You Really Want to Do Something About the Drunk Driver?; Alcohol Crash Story; Communications Strategies on Alcohol and Safety; Studded Tires; Car Care Safety; Passenger Car Brakes; Vehicle Exhaust Systems; Use of Headlights; Engine Stalling; Automotive Rust; Automobile Jacks; Teaching the Safety Belt Message; Getting the Safety Belt Message Across; Auto Safety Belt Fact Book; 65 mph vs. 55 mph—Who Is Right?; 17 Tricks to Save Fuel and Save Dollars; Safe Winter Driving; Loan a Seat; Auto Safety Hotline; Battery Hazard; Moped Safety.

Treasury Department ($600,000): No publications were terminated.

Veterans' Administration ($100,000): VA Careers for . . . (voluntary service workers, social workers, pharmacists, librarians, rehabilitation therapists, medical technicians, administrative staff).●

FEDERAL SPENDING IN FISCAL YEAR 1982

● Mr. BAUCUS. Mr. President, for the past 6 weeks one administration spokesman after another has appeared publicly to lay the blame for our Nation's fiscal difficulties on Congress.

At his latest press conference President Reagan led the Nation to believe that the Federal budget will not be balanced in 1984 because Congress did not approve his latest spending cut proposals.

These statements are just not true. Last March, the President asked Congress to cut $35 billion in domestic spending programs in fiscal year 1982, which began October 1. In August, Congress adopted a budget bill that did that and more—cutting $37 billion from the budget.

Yet inflation continued unchecked. Interest rates soared to even higher levels. Estimates of the Federal deficit for the 1982 fiscal year climbed from $42.5 billion to anywhere from $65 to $100 billion. The President's economic advisers threw their forecasts out the window.

President Reagan responded to the situation by asking for even more budget cuts on September 24. He proposed a 12-percent across-the-board cut, some $8.4 billion in 1982 spending. This request came just 1 week before the start of the new fiscal year.

Coupled with spending cuts, the President in March also outlined a program of tax cuts he said would spur new investment and savings and get America's economy moving again.

Now, how has Congress responded? The cuts adopted by Congress last summer and those being considered by the continuing resolution now before us match or exceed the total level of spending cuts President Reagan requested.

Congress also approved the President's tax cut package before the August recess.

The resolution to provide funding for Federal programs until March of next year includes spending cuts totaling $6.5 billion or 75 percent of the $8.4 billion the President requested in September.

President Reagan's March and September budget cut requests add up to $43.4 billion for fiscal year 1982. But Congress has already cut $37 billion and today is considering another $6.5 billion. Now that's a total of $43.5 billion.

In fact every Congress since 1943, except one, has spent less money than a President has requested. At this point, I ask that a table comparing Presidential funding requests with funds actually appropriated by Congress be included in the RECORD.

The table follows:

COMPARISON OF PRESIDENTIAL BUDGET REQUESTS AND CONGRESSIONAL APPROPRIATED AMOUNTS ENACTED IN REGULAR ANNUAL, SUPPLEMENTAL, AND DEFICIENCY APPROPRIATIONS BILLS
(In Dollars)

CALENDAR YEAR	PRESIDENTIAL BUDGET REQUESTS	CONGRESSIONALLY APPROPRIATED AMOUNTS	CONGRESSIONALLY APPROPRIATED AMOUNTS LESS (-) OR MORE (+) THAN PRESIDENTIAL REQUEST
1943	$115,041,366,395	$110,634,660,785	- $4,406,705,610
1944	$ 63,513,471,020	$ 61,257,906,152	- $2,255,564,868
1945	$ 62,453,310,868	$ 61,042,345,331	- $1,410,965,537
1946	$ 30,051,109,870	$ 28,459,502,172	- $1,591,607,698
1947	$ 33,367,507,923	$ 30,130,762,141	- $3,236,745,782
1948	$ 35,409,550,523	$ 32,699,846,731	- $2,709,703,792
1949	$ 39,545,529,108	$ 37,825,026,214	- $1,720,502,894
1950	$ 54,316,658,423	$ 52,427,926,629	- $1,888;731,794
1951	$ 96,340,781,110	$ 91,059,713,307	- $5,281,067,803
1952	$ 83,964,877,176	$ 75,355,434,201	- $8,609,442,975
1953	$ 66,568,694,353	$ 54,539,342,491	-$12,029,351,862
1954	$ 50,257,490,985	$ 47,642,131,205	- $2,615,359,780
1955	$ 55,044,333,729	$ 53,124,821,215	- $1,919,512,514
1956	$ 60,892,420,237	$ 60,647,917,590	- $ 244,502,647
1957	$ 64,638,110,610	$ 59,589,731,631	- $5,048,378,979
1958	$ 73,272,859,573	$ 72,653,476,248	- $ 619,383,325
1959	$ 74,859,472,045	$ 72,977,957,952	- $1,881,514,093
1960	$ 73,845,974,490	$ 73,634,335,992	- $ 211,638,498
1961	$ 91,597,448,053	$ 86,606,487,273	- $4,990,960,780
1962	$ 96,803,292,115	$ 92,260,154,659	- $4,543,137,456
1963	$ 98,904,155,136	$ 92,432,923,132	- $6,471,232,004
1964	$ 98,297,358,556	$ 94,162,918,996	- $4,134,439,560
1965	$109,448,074,896	$107,037,566,896	- $2,410,508,000
1966	$131,164,926,586	$130,281,568,480	- $ 883,358,106
1967	$147,804,557,929	$141,872,346,664	- $5,932,211,265
1968	$147,908,612,996	$133,339,868,734	-$14,568,744,262
1969	$142,701,346,215	$134,431,463,135	- $8,269,883,080
1970	$147,765,358,434	$144,273,528,504	- $3,491,829,930
1971	$167,874,624,937	$165,225,661,865	- $2,648,963,072
1972	$185,431,804,552	$178,960,106,864	- $6,471,697,688
1973	$177,959,504,255	$174,901,434,304	- $3,058,069,951
1974	$213,667,190,007	$204,012,311,514	- $9,654,878,493
1975	$267,224,774,434	$259,852,322,212	- $7,372,452,222
1976	$282,142,432,093	$282,536,694,665	+ $ 394,262,572
1977	$364,867,240,174	$354,025,780,783	-$10,841,459,391
1978	$348,506,124,701	$337,859,466,730	-$10,656,657,971
1979	$397,653,765,836	$386,822,093,291	-$10,831,672,545
1980	$340,339,446,763	$333,695,164,197	- $6,644,282,566

DATA SOURCE: Committee on Appropriations, U.S. House of Representatives

Mr. BAUCUS. Mr. President, I think it is important to set the record straight. In no way can the President lay the blame for huge deficits and high unemployment, continued inflation and high interest rates on the doorstep of Congress.

The fact of the matter is that the administration's own economic program is the problem. The administration's economic numbers just do not add up. They have not added up from the beginning, and OMB Director David Stockman has admitted as much.

The reason they do not add up is that there is not enough in the budget that can be cut to make up for the administration's $750 billion tax cut. The administration now is asking Congress for $52 billion in unidentified budget cuts in fiscal year 1983.

But spending cuts alone will not balance the budget by 1984. To balance the budget by 1984 would require a minimum of $100 billion in addition to the $135 billion Congress already cut for the period 1981 to 1984. To cut $100 billion more would eliminate nearly every Government function except defense, social security, and a few other entitlement programs.

I would hope the White House would stop accusing Congress of causing the economic problems we face. It is time all of us worked together to find solutions.●

Mr. BAKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BAKER. Mr. President, it is clear to me that there is no further business that can be transacted by the Senate this evening. I regret to say that it will be necessary, then, for the Senate to be in on tomorrow.

The Senate will convene under the order previously entered at 12 noon on tomorrow. Senators should be on notice, Mr. President, that there is a distinct possibility that the Senate will be in for much of the day tomorrow and late in the evening, if necessary, to wait on the committee on conference and on the action of the House of Representatives in respect to the conference.

There is even a possibility, Mr. President, and Senators should be on notice of the possibility, that the House will be in session and the Senate will be in session on Sunday. That is unusual and undesirable. But, Mr. President, if the con-

ferees cannot agree, if the House of Representatives cannot deal with the conference report, or if the Congress must deal with a veto message from the President, it is my intention to ask the Senate to convene on Sunday.

So, Senators should be on notice of that possibility, I regret to say.

RECESS

Mr. BAKER. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in recess until the hour of 12 noon tomorrow.

The motion was agreed to, and the Senate, at 9:41 p.m., recessed until Saturday, November 21, 1981, at 12 meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 20, 1981:

DEPARTMENT OF STATE

Milan D. Bish, of Nebraska, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Barbados, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to Saint Lucia and Ambassador Extraordinary and Plenipotentiary of the United States of America to Saint Vincent and the Grenadines.

Elliott Abrams, of the District of Columbia, to be Assistant Secretary of State for Human Rights and Humanitarian Affairs, vice Patricia M. Derian, resigned.

The above nominations were approved subject to the nominees' commitments to respond to requests to appear and testify before any duly constituted committee of the Senate.

HOUSE OF REPRESENTATIVES—*Friday November 20, 1981*

The House met at 10 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Let us pray in the words of St. Francis of Assisi:

Lord, make me an instrument of Thy peace,
Where there is hatred, let me sow love;
Where there is injury, pardon;
Where there is doubt, faith;
Where there is despair, hope;
Where there is darkness, light; and
Where there is sadness, joy.
O Divine Master, grant that I may not so much seek to be consoled as to console;
To be understood, as to understand;
To be loved as to love;
For it is in giving that we receive;
It is in pardoning that we are pardoned;
And it is in dying that we are born to eternal life.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. LOEFFLER. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. LOEFFLER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 323, nays 17, answered "present" 1, not voting 92, as follows:

[Roll No. 327]

YEAS—323

Addabbo	Bafalis	Boggs
Akaka	Bailey (MO)	Boland
Albosta	Bailey (PA)	Boner
Alexander	Beilenson	Bonior
Andrews	Benjamin	Bonker
Annunzio	Bennett	Bouquard
Anthony	Bereuter	Brinkley
Applegate	Bethune	Brodhead
Archer	Bevill	Brooks
Ashbrook	Bingham	Broomfield
Atkinson	Blanchard	Broyhill
Badham	Bliley	Burgener
Burton, John	Hance	Moore
Butler	Hansen (ID)	Moorhead
Campbell	Hansen (UT)	Morrison
Carman	Hartnett	Mottl
Carney	Hatcher	Murtha
Chappell	Hawkins	Myers
Chappie	Hefner	Napier
Cheney	Hendon	Natcher
Clinger	Hertel	Nelligan
Coats	Hightower	Nelson
Coelho	Hiler	Nowak
Collins (IL)	Hillis	O'Brien
Collins (TX)	Holland	Oakar
Conable	Hollenbeck	Oberstar
Conte	Hopkins	Obey
Corcoran	Horton	Oxley
Courter	Howard	Panetta
Coyne, James	Hoyer	Parris
Coyne, William	Hubbard	Pashayan
Craig	Huckaby	Patman
Crane, Daniel	Hughes	Patterson
Crane, Philip	Hunter	Pease
D'Amours	Hutto	Perkins
Daniel, Dan	Hyde	Petri
Daniel, R. W.	Ireland	Peyser
Danielson	Jacobs	Pickle
Dannemeyer	Jeffords	Porter
Daub	Jeffries	Price
Davis	Jenkins	Rahall
de la Garza	Jones (OK)	Railsback
Deckard	Jones (TN)	Rangel
Derrick	Kastenmeier	Ratchford
Dingell	Kazen	Regula
Dorgan	Kemp	Rhodes
Downey	Kildee	Richmond
Dreier	Kogovsek	Rinaldo
Dunn	Kramer	Ritter
Dwyer	LaFalce	Roberts (KS)
Dymally	Lagomarsino	Robinson
Dyson	Lantos	Rodino
Eckart	Latta	Roe
Edgar	Leach	Roemer
Edwards (CA)	Leath	Rogers
Emery	LeBoutillier	Rose
English	Lehman	Rostenkowski
Erdahl	Leland	Roukema
Erlenborn	Lent	Rousselot
Ertel	Levitas	Roybal
Evans (DE)	Lewis	Russo
Evans (GA)	Livingston	Sawyer
Evans (IA)	Loeffler	Scheuer
Evans (IN)	Long (MD)	Schneider
Fary	Lowery (CA)	Schulze
Fascell	Lowry (WA)	Seiberling
Fazio	Lujan	Sensenbrenner
Ferraro	Luken	Shamansky
Fiedler	Lundine	Shannon
Fields	Lungren	Sharp
Findley	Madigan	Shaw
Fish	Markey	Shelby
Fithian	Marlenee	Shumway
Flippo	Marriott	Shuster
Florio	Martin (IL)	Skeen
Foglietta	Martin (NC)	Skelton
Foley	Martin (NY)	Smith (AL)
Ford (TN)	Matsui	Smith (IA)
Fowler	Mavroules	Smith (NE)
Frank	Mazzoli	Smith (NJ)
Frost	McClory	Snowe
Fuqua	McCollum	Snyder
Gaydos	McCurdy	Solarz
Gibbons	McDade	Solomon
Glickman	McDonald	Spence
Gonzalez	McEwen	Stangeland
Gore	McGrath	Stanton
Gramm	Mica	Stark
Gray	Michel	Staton
Gregg	Mikulski	Stenholm
Grisham	Miller (CA)	Stokes
Gunderson	Mineta	Stratton
Hall (OH)	Minish	Studds
Hall, Ralph	Mitchell (NY)	Stump
Hall, Sam	Moakley	Swift
Hamilton	Molinari	Synar
Hammerschmidt	Montgomery	Tauke
Tauzin	White	Wolpe
Taylor	Whitehurst	Wortley
Thomas	Whitley	Wright
Udall	Whittaker	Wyden
Vander Jagt	Whitten	Wylie
Walgren	Williams (MT)	Yates
Wampler	Williams (OH)	Yatron
Weaver	Wilson	Young (FL)
Weber (MN)	Winn	Zablocki
Weber (OH)	Wirth	Zeferetti
Weiss	Wolf	

NAYS—17

Aspin	Gejdenson	Mitchell (MD)
Barnes	Harkin	Sabo
Brown (CO)	Heckler	Schroeder
Coughlin	Holt	Smith (OR)
Derwinski	Johnston	Walker
Dickinson	Miller (OH)	

ANSWERED "PRESENT"—1

Ottinger

NOT VOTING—92

Anderson	Edwards (AL)	Mollohan
AuCoin	Edwards (OK)	Murphy
Barnard	Emerson	Neal
Beard	Fenwick	Nichols
Bedell	Ford (MI)	Paul
Benedict	Forsythe	Pepper
Biaggi	Fountain	Pritchard
Bolling	Frenzel	Pursell
Bowen	Garcia	Quillen
Breaux	Gephardt	Reuss
Brown (CA)	Gilman	Roberts (SD)
Brown (OH)	Gingrich	Rosenthal
Burton, Phillip	Ginn	Roth
Byron	Goldwater	Rudd
Chisholm	Goodling	Santini
Clausen	Gradison	Savage
Clay	Green	Schumer
Coleman	Guarini	Siljander
Conyers	Hagedorn	Simon
Crockett	Heftel	Smith (PA)
Daschle	Jones (NC)	St Germain
Dellums	Kindness	Traxler
DeNardis	Lee	Trible
Dicks	Long (LA)	Vento
Dixon	Lott	Volkmer
Donnelly	Marks	Washington
Dornan	Mattox	Watkins
Dougherty	McCloskey	Waxman
Dowdy	McHugh	Young (AK)
Duncan	McKinney	Young (MO)
Early	Moffett	

□ 1015

So the Journal was approved.

The result of the vote was announced as above recorded.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 224. Concurrent resolution to express the support of the Congress for the President's initiatives for peace.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3413) entitled "An act to authorize appropriations for the Depart-

ment of Energy for national security programs for fiscal year 1982, and for other purposes."

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H.J. Res. 357. Joint resolution making further continuing appropriations for the fiscal year 1982, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.J. Res. 357) entitled "An act making further continuing appropriations for the fiscal year 1982, and for other purposes, and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Messrs. HATFIELD, STEVENS, WEICKER, MCCLURE, LAXALT, GARN, SCHMITT, COCHRAN, ANDREWS, ABDNOR, KASTEN, D'AMATO, MATTINGLY, RUDMAN, SPECTER, PROXMIRE, STENNIS, ROBERT C. BYRD, INOUYE, HOLLINGS, EAGLETON, CHILES, JOHNSTON, HUDDLESTON, BURDICK, SASSER, DECONCINI, AND BUMPERS to be the conferees on the part of the Senate.

APPOINTMENT OF CONFEREES ON HOUSE JOINT RESOLUTION 357, FURTHER CONTINUING APPROPRIATIONS, 1982

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (H.J. Res. 357) making further continuing appropriations for the fiscal year 1982, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore (Mr. WRIGHT). Is there objection to the request of the gentleman from Mississippi?

Mr. WALKER. Mr. Speaker, reserving the right to object, and I do not intend to object, but I take this time to ask the gentleman whether he could give us some idea of the scheduling of the conferences and whether he could give the Members some idea as to what the situation may look like at this point.

Mr. WHITTEN. Mr. Speaker, if the gentleman will yield, I would be glad to give him some idea, but a general idea is about all we have. The other body tells us they will not be ready until sometime in the afternoon. They added about 75 amendments. I do not think it is quite clear as to what the meaning may be in some of those instances. They have gotten together themselves, and we are hopeful that we can get together this afternoon. There is nothing to do but wait.

Mr. WALKER. Mr. Speaker, further reserving the right to object, is the gentleman saying that 75 amendments were added to our bill?

Mr. WHITTEN. It is my understanding that there are about 75 amendments.

Mr. WALKER. About 75 amendments. Can the gentleman give us some idea from the money figures that the other body adopted, compared to our money figures, as to whether the appropriations were increased or not?

Mr. WHITTEN. I think what they are trying to do is determine what effect this will have. They have given no information to me as yet.

Mr. WALKER. Further reserving the right to object, I will be glad to yield to the distinguished Speaker.

Mr. O'NEILL. From my understanding of the chairman of the committee, it is going to take 2 to 3 hours, and probably, as we assess it, the conferees should be ready to meet at about 2 o'clock. I have no idea as to how long the conferees would take.

The normal procedure, after the conferees come to an agreement, is that it takes approximately, at a minimum, looking over the past records, 3 hours for them to put it together.

I would think that by that particular time it would be late in the afternoon or probably early in the morning, and it is my intent, I will say to the minority leader, to give the Members of the House 3 hours' notice before the House takes up the conference report. So if Members happen to be home or wherever they are, we would be able to get them back in time for the vote. It is almost impossible to estimate when it is going to be. The House would be in recess. We do not intend to adjourn for the day.

The program will be that we have conference reports that we want to take up. We will take up the Older Americans Act, and then we will go into recess subject to the call of the Chair. I would just have to say that all the Members have to be alert, but we will give them ample notice. If the Members would chance to be home or chance to be downtown or in their offices, we would give them time to get back for the vote.

Mr. WALKER. I thank the distinguished Speaker, and I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi? The Chair hears none, and, without objection, appoints the following conferees: Messrs. WHITTEN, BOLAND, NATCHER, SMITH of Iowa, ADDABBO, LONG of Maryland, YATES, ROYBAL, BEVILL, GINN, BENJAMIN, DIXON, FAZIO, CONTE, MCDADE, EDWARDS of Alabama, MYERS, ROBINSON, MILLER of Ohio, COUGHLIN, and YOUNG of Florida.

There was no objection.

MAKING IN ORDER ON TODAY OR ANY DAY THEREAFTER CONSIDERATION OF HOUSE JOINT RESOLUTION 357, FURTHER CONTINUING APPROPRIATIONS, 1982

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that it may be in order at any time on today, November 20, 1981, or any day thereafter to consider the conference report and any amendments on disagreement on the joint resolution (H.J. Res. 357) making further continuing appropriations for the fiscal year 1982, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

LABOR DEPARTMENT DOCUMENT MAY HAVE TO BE SUBPENAED

(Mr. OBEY asked and was given permission to address the House for 1 minute.)

Mr. OBEY. Mr. Speaker, the Labor Department claimed in testimony before the Appropriations Committee that its budget recommendation to eliminate 8,000 jobs from the Employment Administration will save $120 million. It has come to my attention that the Labor Department has in its possession a document which estimates that that cut will result in a $1 billion overpayment to recipients or in payments to ineligible recipients.

The Labor Department agreed to supply that document to the committee, but it has now altered the transcript of its committee testimony to renege on that agreement and is trying to conceal that document.

Mr. Speaker, if the Department does not provide that document to the House by Friday, I will ask the Appropriations Committee to subpena it. The episode illustrates the stupidity of applying the cuts in the continuing resolution to a program such as the Employment Administration in a way that will produce massive waste and exploding deficits.

□ 1030

TRIBUTE TO Z. STEPHEN GRZEGOREK

(Mr. FOGLIETTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOGLIETTA. Mr. Speaker, I wish to take this opportunity to pay tribute to Z. Stephen Grzegorek, Director of the Northeast Regional Office of the U.S. Bureau of Prisons, for his role in the peaceful resolution of the Graterford hostage crisis.

The crisis began on the evening of November 9, when a group of Grater-

ford inmates were thwarted in their attempt to escape over the prison wall, and took refuge in the prison kitchen, barricading themselves in with 38 hostages. The prisoners who held the hostages were armed and dangerous. Their leader, Joseph Bowen, is a convicted murder who had killed two prison wardens at Holmesburg Prison while he was serving a life sentence for slaying a police officer.

In the hope of reaching a peaceful resolution, Pennsylvania Governor Thornburgh called upon Mr. Grzegorek to head a team from the Federal Prison System in providing technical assistance to the State officials who were responsible for negotiating with the convicts. Later, Chuck Stone, a columnist and senior editor of the Philadelphia Daily News, along with Bowen's brother, were called in to mediate.

As it turned out, Mr. Grzegorek provided much more than technical assistance. Bowen and his accomplices were afraid that if they surrendered themselves they would be brutally mistreated, and possibly even killed, by the guards at Graterford. They were, however, willing to entrust their safety to the Federal authorities.

In discussions with Stone the convicts agreed to a list of conditions for their surrender, which provided that they would be transfered from the State prison system into the Federal system, as State boarders. These conditions were agreed upon by the State and Federal authorities. As a result, the convicts released their hostages unharmed, and surrendered.

In his account of the hostage drama, Chuck Stone recognized Grzegorek as one of the heroes of the Graterford settlement. I wish to add my voice to that of Mr. Stone, and others, in praising Mr. Grzegorek for his role in saving the lives of the hostages. We are indeed fortunate to have an individual of his caliber, judgment, and sensitivity serving in a leadership position in the U.S. Bureau of Prisons.

HOUSE SHOULD HOLD OUT FOR FAIRNESS IN CONTINUING RESOLUTION

(Mr. PEYSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PEYSER. Mr. Speaker, as we have just learned, the conference on the continuing resolution is going to get underway today. I know that the majority of the Members in the House have great confidence in Chairman WHITTEN and the gentleman from Massachusetts (Mr. CONTE), the ranking member, and other members of the conference.

However, Mr. Speaker, it is certainly my hope that while a conference is an opportunity for compromise that in this instance it is not going to be an opportunity to surrender under the threat of veto. There are millions of Americans' lives who are hanging in the wind really based on what this continuing resolution is going to do.

I know the Members share with me that we do not care whether we are here Saturday, Sunday, or whenever as long as we come up with a fair solution on this continuing resolution and one that is aimed at helping the American people.

HUMAN FAIRNESS IN THE CONTINUING RESOLUTION

(Mr. RATCHFORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RATCHFORD. Mr. Speaker, if the morning newscasts are correct, the other body completed action on the continuing resolution only a few hours ago. And if those reports are correct, I sure wish they had worked a little bit longer. Are we really going to inflict all the pain on people programs? Could not the other body at least look at the fraud, waste, and abuse the General Accounting Office finds every year in the defense appropriation? Are cost overruns on new weapons systems beyond scrutiny?

Are we really willing to continue a double standard for spending—one for weapons systems and one for people? Mr. Speaker, unless our conferees can work some human fairness into the continuing resolution, we should not support it.

MINIMUM BENEFIT CONFERENCE

(Mr. PICKLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PICKLE. Mr. Speaker, the President, the House, and the Senate have all gone on record in favor of restoring the minimum social security benefit, at least to some degree.

But the fact is that this benefit has not been restored. The law is that this benefit be eliminated for new recipients rights now, and for current recipients next April.

Furthermore, as of today we have not made progress toward restoring this benefit. The Senate has been slow to call meetings of the conference committee and has insisted on replacing this one misbegotten benefit cut with another.

Meanwhile, the law stays in effect and the Conference agreement on reconciliation stipulates clearly that on December 3, 3 million current minimum beneficiaries are to receive notice that their benefits might be reduced next March. The notice, according to the agreement, is to read as follows:

This is inform you that as a result of the elimination of the minimum benefit; your benefit may be reduced to some degree beginning with your April check. To determine the extent of the reduction, if any, and your possible eligibility for SSI and other assistance programs you may contact your local social security office.

Now I am told Social Security Administration does not intend to send out these notices at all in December.

If we had some confidence of prompt action, that might be a humane and rational decision. But given the attitude of the Senate in this conference, I do not have that confidence.

Meanwhile, every old person receiving a small social security check who has heard a newscast, read a newspaper, or talked to a friend knows the minimum benefit was supposed to be eliminated by the Reconciliation Act.

Now they are left in limbo. They have no notice—and they have no action. How long will this go on?

Again and again I have said to this Congress, the worst thing we can do in social security is do nothing. Here is one more example of that fact. No civilization ought to subject its elderly and near elderly to the uncertainty that we have inflicted on ours by inaction in this vital area. What a thankless Thanksgiving and cheerless Christmas our elderly must look forward to because we do nothing.

SOCIAL SECURITY

(Mr. WRIGHT asked and was given permission to address the House for 1 minute.)

Mr. WRIGHT. Mr. Speaker, I rise in support of the position that has just been expressed by our distinguished colleague from Texas (Mr. PICKLE), who is chairman of the Ways and Means Subcommittee that deals with social security.

It is absolutely outrageous that the conferees appointed by the other body have dragged their feet so long before agreeing to restore the minimum benefits, the meager $122 a month which were taken away from the oldest and the poorest 3 million people in our society by the cruelty of the so-called Gramm-Latta reconciliation substitute.

Sometimes I seriously wonder how many Members of the House actually knew what they were doing when they voted to deny this House the privilege of choosing from among the innumerable changes that were made by that huge document known as Gramm-Latta II. In agreeing to that procedure and that reconciliation bill, what they did, knowingly or otherwise, was to take these benefits away from some of the poorest and the oldest of our citizens.

Subsequently, the House voted overwhelmingly to restore those needed

benefits. The Senate waited weeks before acting on our bill. Now Senate conferees are insisting that future benefits must be degraded as the price for restoring what was the rightful entitlement of many needy people. It is a calloused attitude which would hold these benefits hostage. Time is running out, and I believe the American people want this matter settled.

LET THE NUMBERS DO THE TALKING

(Mr. ALEXANDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ALEXANDER. Mr. Speaker, it is time to let the numbers do the talking.

On Monday the House voted to appropriate about $700 million less than the President requested for fiscal 1982. Last night the other body (Senate) passed 75 amendments to the House spending bill.

The computers are now working to determine whether the action is over or under the House bill.

If the President can persuade the Republican majority in the other body (Senate) to follow the Democratic leadership in the House, the Government will spend less money in fiscal 1982 than the President has requested.

This would continue the tradition of the Congress of spending less money than requested by every President since 1943, save one, each of whom has proposed higher spending goals than the Congress consented to appropriate.

I submit the numbers compiled by the Appropriations Committee, to wit:

COMPARISON OF PRESIDENTIAL BUDGET REQUESTS AND CONGRESSIONAL APPROPRIATED AMOUNTS ENACTED IN REGULAR ANNUAL, SUPPLEMENTAL, AND DEFICIENCY APPROPRIATIONS BILLS

Calendar year	Presidential budget requests	Congressionally appropriated amounts	Congressionally appropriated amounts less (−) or more (+) than Presidential request
1943	$115,041,366,395	$110,634,660,785	−$4,406,705,610
1944	63,513,471,020	61,257,906,152	−2,255,564,868
1945	62,453,310,868	61,042,345,331	−1,410,965,537
1946	30,051,109,870	28,459,502,172	−1,591,607,698
1947	33,367,507,923	30,130,762,141	−3,236,745,782
1948	35,409,550,523	32,699,846,731	−2,709,703,792
1949	39,545,529,108	37,825,026,214	−1,720,502,894
1950	54,316,658,423	52,427,926,629	−1,888,731,794
1951	96,340,781,110	91,059,713,307	−5,281,067,803
1952	83,964,877,176	75,355,434,201	−8,609,442,975
1953	66,568,694,353	54,539,342,491	−12,029,351,862
1954	50,257,490,985	47,642,131,205	−2,615,359,780
1955	55,044,333,729	53,124,821,215	−1,919,512,514
1956	60,892,420,237	60,647,917,590	−244,502,647
1957	64,638,110,610	59,589,731,631	−5,048,378,979
1958	73,272,859,573	72,653,476,248	−619,383,325
1959	74,859,472,045	72,977,957,952	−1,881,514,093
1960	73,845,974,490	73,634,335,992	−211,638,498
1961	91,597,448,053	86,606,487,273	−4,990,960,780
1962	96,803,292,115	92,260,154,659	−4,543,137,456
1963	98,904,155,136	92,432,923,132	−6,471,232,004
1964	98,297,358,556	94,162,918,996	−4,134,439,560
1965	109,448,074,896	107,037,566,896	−2,410,508,000
1966	131,164,926,586	130,281,568,480	−883,358,106
1967	147,804,557,929	141,872,346,664	−5,932,211,265
1968	147,908,612,996	133,339,868,734	−14,568,744,262
1969	142,701,346,215	134,431,463,135	−8,269,883,080
1970	147,765,358,434	144,273,528,504	−3,491,829,930

COMPARISON OF PRESIDENTIAL BUDGET REQUESTS AND CONGRESSIONAL APPROPRIATED AMOUNTS ENACTED IN REGULAR ANNUAL, SUPPLEMENTAL, AND DEFICIENCY APPROPRIATIONS BILLS—Continued

Calendar year	Presidential budget requests	Congressionally appropriated amounts	Congressionally appropriated amounts less (−) or more (+) than Presidential request
1971	167,874,624,937	165,225,661,865	−2,648,963,072
1972	185,431,804,552	178,960,106,864	−6,471,697,688
1973	177,959,504,255	174,901,434,304	−3,058,069,951
1974	213,667,190,007	204,012,311,514	−9,654,878,493
1975	267,224,774,434	259,852,322,212	−7,372,452,222
1976	282,142,432,093	282,536,694,665	+394,262,572
1977	364,867,240,174	354,025,780,783	−10,841,459,391
1978	348,506,124,701	337,859,466,730	−10,656,657,971
1979	397,653,765,836	386,822,093,291	−10,831,672,545
1980	340,339,446,763	333,695,164,197	−6,644,282,566

Data source: Committee on Appropriations, U.S. House of Representatives.

EPA: AN ENDANGERED SPECIES?

(Mr. McHUGH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McHUGH. Mr. Speaker, yesterday's edition of the New York Times carried a story relating to the Reagan administration's plans for the Environmental Protection Agency, the effect of which would be to cripple that Agency.

According to the Times, EPA Administrator Anne Gorsuch is proposing to cut the Agency's operating budget by 18 percent in fiscal year 1983. However, as if these cuts were not enough, David Stockman's Office of Management and Budget is reportedly demanding a 36-percent reduction. These proposed reductions would come on top of cuts of at least 16 percent which have been imposed on EPA since the Reagan administration took office.

If those cuts were to be implemented, EPA could not meet some of its most important responsibilities. For example:

Mrs. Gorsuch would reduce funding for hazardous waste programs by 10 percent next year. OMB wants a 65-percent reduction.

Mrs. Gorsuch would reduce funding for EPA's pesticide programs by 25 percent. OMB is proposing a 42-percent reduction.

Mrs. Gorsuch would reduce funding for the Agency's science programs by 10 percent. OMB is demanding a 51-percent cut that would require closing at least four of the Agency's main testing laboratories.

Along with those drastic cuts in operating expenses, OMB is also planning a 26-percent reduction in EPA personnel next year. Thus, even if Congress rejects its budget proposals, OMB seems intent on hamstringing EPA by denying it the people it needs to administer its programs.

Mr. Speaker, in recent years Congress has assigned more responsibility to EPA, not less. Its new role in the monitoring and cleanup of toxic wastes is just one example. Even before the Reagan administration took office, it was having some difficulty meeting those expanding responsibilities.

Of course, the budget cuts imposed this year have made its job that much tougher. Indeed, as the Times pointed out, the Agency's enforcement activities have slowed dramatically. If the administration should now be successful in cutting an additional 36 percent, there is no way that EPA can carry out its critical mission. Even Mrs. Gorsuch admits as much.

It is clear that the Reagan administration's assault upon EPA is not just an effort to save money. It is an assault upon the Federal Government's role in assuring a healthy environment for our citizens. It is an effort to cripple and ultimately dismantle the one agency that has helped to give us a cleaner and safer environment, the one agency that can protect us from the negligence and greed that once threatened to destroy our fragile resources.

I call upon the administration to abandon its ideological assault on EPA and to meet its responsibility to the people of this country. Failing that, I urge my colleagues in this Congress to reject the administration's efforts to turn back the clock on environmental protection and on the progress we have made in recent years.

THE REPUBLICANS GOT WHAT THEY WANT BUT IT IS NOT WORKING

(Mr. COELHO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COELHO. Mr. Speaker, the President's men recently confirmed what we have known all along: Their program will not accomplish the miracles they have claimed for it. Well into this week we have heard our Republican colleagues worry publicly that they must begin to raise taxes, or cut into the muscle of essential Government functions, because things just are not moving their way.

Our Republican colleagues have gotten what they wanted. Let me call to your attention a request of our esteemed colleague BOB MICHEL, who said just 60 days ago, and I quote:

> I just want to see some movement here within the next 60 days. It's just got to come, in my judgment.

Mr. Speaker, the gentleman from Illinois and our former colleague, the Budget Director from Michigan, have both made successful predictions.

There has indeed been some movement in the economy.

Our gross national product is shrinking.

Housing starts are moving down through the basement.

Auto sales are moving in reverse, back to the levels of 23 years ago.

But I would be remiss in my duties if I left you with the impression that everything is moving down.

Unemployment is moving up—and by their own admission, it looks like it will continue going up to the record set by the last Republican administration.

Bankruptcies are up—nearly 14,000 businesses have gone under this year, an increase of 50 percent.

The Consumer Price Index is up.

Budget deficits are up—an administration official is privately admitting that they will be up to $145 billion by 1984.

And we may well find out that taxes are up, too, if our grand old friends have their way.

I suspect, as a result of this movement our esteemed Illinois colleague requested, that we will see the American voters move, too—to the Democratic column in 1982.

AMERICAN STEEL INDUSTRY COMPLAINTS ARE CRYING "WOLF"

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, a historic event of great magnitude is going on in the American economic community. That poor giant, bankrupt giant of American steel, United States Steel, found $6⅓ billion somewhere in their coffers and is buying one of the largest oil companies in America.

I have not been long in Congress, but ever since I have been here, and almost ever since the history books have been written, the American steel industry has been coming to the Congress begging for protection from competition. Unfair competition, certainly, they are entitled to protection from.

But they got from the Congress and from the administration a form of international price fixing about 10 years ago. They have been operating for 4 or 5 years now under international price protection arrangements known as trigger pricing.

United States Steel cries that they did not have the capital to modernize their plants, they could not compete, and yet the biggest of them is out now spreading its financial grasp over American industry. I think they can fool us once, but fool us twice, shame on us.

REAGANOMICS IS WORKING

(Mr. ROUSSELOT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROUSSELOT. Mr. Speaker, the American people have voted in October for Reaganomics. Savings are way up. All of my colleagues on the Democratic side said all the consumers would not save, the Democrate would spend irresponsibly. They did not. The consumers saved their money.

So Reaganomics is working. The movement for savings is on; my colleague from California (Mr. COELHO) just stated there was movement in the economy. He is right the move is on.

Reaganomics is working. You can all stand up now and say you were wrong about what the American public would do with their savings from tax reductions my Democrate colleagues.

□ 1045

THE ECONOMY

(Mr. BETHUNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BETHUNE. Mr. Speaker, most everyone has been following the rule of thumb for years that a recession is two consecutive quarters of negative growth. The media, the members of the administration, business leaders, people all around have been talking about recession. Even the President has said recession recently. And all of these proclamations and figures have been based on the utterings of the soothsayers and oracles who practice that mysterious art known as economics.

Well, as a matter of fact, the third quarter figures for this year do not show negative growth. In fact, they show six-tenths of 1 percent growth. So we have not had two consecutive quarters of negative growth. Now, all of this was buried in the newspaper this morning. But the point of this is that we may have negative growth in the fourth quarter and even into the first quarter; but it just shows the lunacy of trying to follow the latest economic indicator out of the Department of Commerce.

What we need to do is keep our eye on the ball, and we need to do the things we know are right, and that is: Hold down the runaway growth of Federal spending, hold down the tax burden and hold down the regulatory burden that stifles this free enterprise system. If we will do those things and quit trying to chase the latest economic indicator in the country, we will do much better.

CAP ON EXECUTIVE SALARIES SHOULD BE REMOVED

(Mr. PARRIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PARRIS. Mr. Speaker, on Monday I addressed the House about the need for Congress to remove the pay cap on the salaries of senior Government workers. At that time, I also mentioned that it was my hope and understanding that Senator STEVENS would be offering an amendment to the continuing resolution on appropriations which would remove the pay cap and that the Senate would approve it. I am delighted to report that late yesterday afternoon, that is exactly what happened. Senator STEVENS offered two amendments. His first amendment would have removed the pay Gap for Members of Congress and Federal executives. That amendment was defeated by an overwhelming majority. His second amendment was approved by the other body and would give senior executive in levels three, four, and five an increase in salary. There is no need for me to again elaborate on the reasons why we must remove the pay cap. I would, however, like to again urge the House conferees on the continuing resolution to accede to the Senate position, support the removal of the cap on executive salaries, and return for final adoption by this House a conference report consistent with that position.

NATIONAL FAMILY WEEK

(Mr. SMITH of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Alabama. Mr. Speaker, I rise to commend and support our President's declaration of next week as Family Week throughout this Nation. To honor family life is especially fitting as we gather to give thanks for our great American heritage of faith, freedom, and independence in which strong American families have played such a critical part.

The family is the cradle of our civil society. It is the first unit of government in our Nation. Ours is a government of laws—not of individuals. Strong family life teaches young American citizens the values, motivations, and standards of judgment they need to participate in our democracy. Like the family, democracy requires that its citizens act for the common good. Unless self-discipline and selfless action are first taught through strong family life, our republic, our national greatness and our prosperity, cannot be maintained. The fate of our Nation and the fate of American family life are inextricably intertwined. That fact is both our greatest hope and our greatest responsibility as Members of this body.

During Family Week, I urge my distinguished colleagues to join me in supporting legislation to curb the alarming Federal erosion of privileges and responsibilities that have always been—and should always be—reserved

for families. The Family Protection Act, H.R. 3955, will take parenting away from Federal bureaucrats and restore it to parents. It will assure parents' rights to determine their children's moral and spiritual development. It will provide tax incentives to hard-working American families to care for their elderly members in the family circle, to educate their children, and to provide for the retirement years of nonworking spouses. The Family Protection Act will restore parents' rights to participate fully in the formal education of their children. It will reinstate the fundamental free exercise of voluntary prayer that forms such an important part of our constitutional and spiritual heritage.

American family life is our greatest national treasure. We cannot afford to let this cornerstone of our Republic erode and collapse. As Members of Congress, we must not fail to preserve the promise that strong family values hold for our children. The state of the American family is truly the state of America's future. If we fail to act, not only our heritage but our democracy and its freedoms will be lost.

I call upon you to join me in strengthening our Nation by reaffirming the value of the family to the American way of life, not only this week, but every day that we serve the American people.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS, 1982

(Mr. McEWEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McEWEN. Mr. Speaker, today we are to consider the conference report on the fiscal year 1982 energy and water development appropriations. I rise to express my disappointment in the conference report on the energy and water appropriations for fiscal year 1982. Although I will support final passage of this legislation, I believe that the incorporated Senate funding level for uranium enrichment is highly unwise. I am disappointed that the conference committee chose to follow the advice of the Senate and to reduce next year's uranium enrichment budget rather than to follow the action of the House, where full funding was approved.

The conferees' $86 million reduction in the uranium enrichment program could result in a serious reduction in the Nation's only gas centrifuge enrichment plant (GCEP). The Department of Energy has repeatedly stated that this cut would cause an additional delay of 1 year to a project already 6 years behind schedule. If that is the case, this reduction will ultimately result in $100 million plus in increased construction costs.

This action is a perfect example of why the legislation I introduced earlier this year to establish a uranium enrichment revolving fund is necessary. Rather than requiring the Department of Energy to submit yearly requests for GCEP funding, my bill—H.R. 2144—would fund this project directly out of revenues from the sale of enriched uranium. Upon passage of H.R. 2144, there would no longer be a need for the Congress to perform this annual appropriations pirouette.

H.R. 5050 ADDRESSES QUESTION OF IMBALANCE OF TRADE

(Mr. DUNN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNN. Mr. Speaker, yesterday I joined my colleague from California (Mr. HUNTER) in the introduction of a bill, H.R. 5050, designed to remedy the imbalance between our treatment of foreign car imports and that of the Japanese.

The Japanese Government and industry have for years boasted about their automobiles taking an increasing portion of the U.S. market. They throw up their hands in defense of the free trade concept, knowing that they are protected by the American sense of fair play in international trade. Back home, though, the Japanese have moved fair play to the back seat. Even before the sticker is attached, it is predetermined that American cars will be marketed at a disadvantage on Japanese soil. It appears that when Japanese manufacturers argue the merits of free trade and a free market, they do so only on a one-way street.

By adding ocean freight and port handling costs to the import car's basis, the commodity tax in Japan for imports has been made relatively higher than for their domestic products. The requirements that import dealers sell only imports, that import cars must meet safety and environmental standards tailored to their own models, and that import cars must go through a more strenuous approval process than their domestically made counterparts all add to the cost of the American car in the Japanese market. These artificial trade barriers should be negotiated away. This bill will provide a strong platform from which can do just that.

H.R. 5050 establishes a Parity Fee Commission. Its sole purpose is to study the inequities which exist in our trade of automobiles with Japan and establish fees to compensate for the unfair trade practices. This bill provides a straightforward means by which the United States can address the imbalance of trade and tactics between our auto market and that in Japan. It also provides strong comment to Japanese manufacturers and their Government to cease these methods and put free trade principles into actions as well as words.

SURPLUS PROPERTY POLICY

(Mr. WINN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WINN. Mr. Speaker, on November 5, I instroduced House Resolution 265. Senator CHARLES PERCY has introduced an identical resolution in the other body. We are trying to bring attention to the fact that this country needs to take a new look at our surplus property policy.

The Government has $1.3 billion of surplus property on the books. There is potential source of revenue there, and especially when that $1.3 billion figure is merely an adding up of original purchase prices. There are no figures for current market values—we have never put them together.

House Resolution 265 is simple: It directs the President to prepare an inventory of Federal assets, with estimates of current market values, and to submit recommendations to Congress on how to streamline surplus property policy and procedures.

It does not make sense to have buildings sit unused and deteriorating—often for years.

It does make sense to put unneeded property back onto the tax rolls.

You all should have a "Dear Colleague" on this, dated November 18, I hope you will join me in supporting this initiative.

ALASKA NATURAL GAS PIPELINE WAIVERS ARE NOT A FINANCIAL GUARANTEE

(Mr. CORCORAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CORCORAN. Mr. Speaker, according to the Government Research Corporation, in 1975 the estimated cost of the Alaska natural gas transportation system (ANGTS) was $10 billion. Today, according to the testimony of Mr. John McMillian, chairman and chief executive officer of Northwest Energy Co., before the Energy and Commerce Committee's Subcommittee on Fossil and Synthetic Fuels, the cost of the project using an inflation rate of 7 to 11 percent and an interest rate of 10 to 14 percent will amount to $36.3 billion to $44.9 billion. Independent costs estimates by our Energy and Commerce Committee suggest that the total cost will certainly exceed $50 billion.

Though I am a strong supporter of private financing for the pipeline, I do not see how the proposed waivers will secure this financing. The lenders who

testified before the Fossil and Synthetic Fuels Subcommittee on October 22 made it clear that this waiver package may not be sufficient to secure financing. Of the four leading bankers that testified, not one was willing to commit his bank to the completion of the pipeline even if the waivers are passed. Mr. A. Anton Tucher, vice president of the Bank of America, testified that his bank will not go forward until we have done a "due diligence" investigation to satisfy ourselves on the technical, economic, financial, and regulatory feasibility of completing the whole system.

The banks are unwilling to commit their money until the project has been thoroughly studied, yet the Government is considering the commitment of consumer capital with no study of its own. Mr. Niskanen, a member of the Council of Economic Advisers, made it clear that a thorough economic evaluation of the pipeline has not been made. James Edwards, the Secretary of Energy, testified that the administration has not performed a cost estimate of its own nor has it conducted a final evaluation of the sponsors' estimated costs.

I ask you, Mr. Speaker, and our colleagues, how can we support these waivers when we have no idea of the cost effectiveness of this proposal or even if the cost estimates are accurate? We are dealing with consumer dollars. We will commit the money of our constituents if we pass this waiver package. How then can this project be referred to as privately financed? Consumer financed? Yes, I guess it could be called consumer financing, but the consumers may never consume any Alaskan natural gas.

POLITICAL SPLIT PERSONALITY

(Mr. DERWINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DERWINSKI. Mr. Speaker, my remarks are not covered by a press release to the gallery. I did not write them last night. They are purely spontaneous.

I am inspired by the remarks this morning of the majority leader, the gentleman from Texas (Mr. WRIGHT), in which he in a clearly partisan, critical fashion commented on the social security situation. This amazed me. Just yesterday our dear friend, Mr. WRIGHT, reached the heights of nobility when he supported the President's peace proposals. I cannot help but wonder why we have this political split personality being exhibited by the highly respected majority leader? But I have come to an understanding of the contradictory behavior. When he is acting as a Texan, Mr. WRIGHT is natural, charming, correct, and noble. But when he is surrounded by his fellow members of the majority who are nervous about their political future, Mr. WRIGHT becomes highly partisan as he sees the success of the Reagan administration, the gentleman from Texas forgets the nobility of bipartisanship.

HIGH INTEREST RATES

(Mr. MORRISON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORRISON. Mr. Speaker, I have heard repeated expressions of concern on this floor about high interest rates and their impact on the ability of Americans to buy or build a home.

There is no argument over this concern. It is a universal concern. But the argument is and remains what causes the high cost of borrowing and what we do about it.

A major cause of high interest is the growing share of this Nation's capital that is borrowed to finance the deficits of Government. Unfortunately, those making the most noise about high interest rates are generally the ones who have voted to increase spending, raising interest rates even higher.

What do we do about it? We must stop trying to mislead the public about who is to blame for our cumulative deficits and work together to get out of the hole irresponsible Government dug over the last 25 years.

WHAT THE COUNTRY NEEDS IS A GOOD 5-CENT CIGAR WITHOUT AN EXCISE TAX

(Mr. NELLIGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NELLIGAN. Mr. Speaker, last week I stood in the well of this House and I said what this country needs is a good 5-cent cigar without an excise tax.

I would like to point out that I was not kidding. There is talk about doubling the excise tax on cigars, a tax which is already levied on cigars and it is not levied on other similar products. Just to let you know how serious this problem is, yesterday the General Cigar & Tobacco Co., in Kingston, Pa., which employs 300 people in the 11th Congressional District of Pennsylvania, announced that it is closing its doors after many, many years.

For those in the OMB and those in the administration who are considering doubling that excess excise tax on cigars as a means to increasing revenues, I would hope that they would consider the devastating impact of such a decision on the cigar industry and the thousands of taxpaying employees in that industry.

I would like them also to consider the impact of their action on the Congress. To do otherwise, might force many of my colleagues to smoke cigarettes when cigars are extinct.

AN ISSUE OF COMPASSION

(Ms. FERRARO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FERRARO. Mr. Speaker, yesterday there was an article in the New York Times in which it described the President as having a women problem. The problem is that women sternly disapprove of his policies, both foreign and domestic, and his appointments as well. In the article a White House aide is quoted as saying that the President has to find an issue of compassion, that he has been focusing on the economy, and that women do not understand interest rates as well as men. Such a statement strikes me as somewhat odd, someone out of touch with reality. I suggest that if the administration wants an issue of compassion, it should take a very close look at its budget proposals, proposals which eliminate funding for important programs serving women, children, the elderly, and the poor.

Maybe the administration's spokeperson should speak with farmers' wives like the ones I met out in South Dakota this past weekend, women working side by side with their husbands, to protect the family farm. Women who are dependent upon loans to purchase seed and to buy machinery. The administration thinks that these women do not understand interest rates. Maybe they do not understand what causes them, but they do understand its effects.

Maybe they should speak with the women in Queens, the people who are trying to get low-interest loans to rehabilitate and to protect their neighborhoods.

The women who depended on the section 312 program's 3-percent interest rates, the program this administration has eliminated.

And, maybe they should talk with young female high school students whose dreams of attending college are now over because the administration has raised the interest rates on student loans.

If the administration is looking for issues of compassion, I suggest that they look at the effects their budget and their economic policy is having on women. I think they will find that women are not as blissfully ignorant as they seem to think.

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IS REAGANOMICS WORKING?

(Mr. DORGAN of North Dakota asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORGAN of North Dakota. Mr. Speaker, the gentleman from California recently surprised us all with his unilateral declaration that Reaganomics is working, and he encouraged those of us who felt like it to stand up and say we were wrong.

I would like to say that I was wrong because Reaganomics will not produce a $42½ billion deficit in 1982. It looks like it will be $80 billion.

So we were wrong. If that is a definition of what works, then my guess is that the gentleman still thinks that the *Hindenburg* is still trying to land, or the *Titanic* is still trying to sail.

If the gentleman believes that is success, I would hate to hear him describe failure.

POLITICAL NUMBERS

(Mr. WALKER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALKER. Mr. Speaker, in the often quoted Atlantic Monthly article on Dave Stockman, he tells us that the Democrats in the budget process engaged in drafting what he called political numbers, and it is obvious from the speeches on this floor today that they are still doing so.

When a political football is made out of social security in order to kick it around, but it is not mentioned that not Gramm-Latta but the Democratic budget proposal denied benefits to all 36 million social security recipients, that is political numbers.

When it is suggested that the Reagan economics is not showing dramatic economic improvement, despite lower interest rates and lower inflation, that is political numbers.

When it is seriously suggested that this House has been holding down spending since the 1940's, boy, that is really political numbers.

CRITICISM IS NOT JUSTIFIED

(Mr. LUNGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LUNGREN. Mr. Speaker, I thought I might sit here and take in a little different perspective this morning as we heard the minutes. So I sat on this, the Democratic side of the aisle to see if some of the comments of criticism of the Reagan administration made more sense from this perspective. I must suggest to my colleagues, they do not. I heard a speaker get up here and say that Reaganomics is not working because the inflation rate is going higher.

I would suggest that that gentleman, who happens to have a leadership position on the Democratic side, go read the Joint Economic Committee report which suggests that is not true.

I heard him criticize the Reagan administration because interest rates are high.

If anybody has a recipe for high interest rates, it has to be this, the Democratic side of the aisle, which brought us record high interest rates for 2 years in a row.

I heard the gentleman criticize us because the gross national product growth is down, and, in fact, we found that the most recent report shows that it is not. If my colleagues want to find out how we really put this economy flat on its back, how we get back to back, 3 years in a row, negative productivity growth figures, they should go back and find out how the Carter administration did it. Yes, that is what they gave us—3 years, back to back negative productivity growth. And this was not for two consecutive quarters, but for 3 solid years. That is a real, almost unstoppable depression in the most important economic statistic I know.

LET US TALK ABOUT POSITIVE THINGS

(Mr. CARMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARMAN. Mr. Speaker, why has the economy moved toward a recession? It seems to me it is obvious. It has no connection with Reaganomics. It is, in fact, the collision course of the swollen budget of President Carter for fiscal 1981 and the tight fiscal policies of the Fed which caused the interest rates to go so high.

The effect of Reaganomics, which has not truly been felt, will really appear in the next several quarters.

I think what is important for us to do is recognize the importance of having an upper and not a downer. It is about time we start talking about positive things, about how this administration can reach all of the people in a way that will be more constructive than anything we have seen for the last 25 years.

GENERAL LEAVE

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report on the bill, H.R. 4144, as well as the Senate amendments reported in disagreement, and that I may include extraneous material and tables.

The SPEAKER pro tempore (Mr. RATCHFORD). Is there objection to the request of the gentleman from Alabama?

There was no objection.

CONFERENCE REPORT ON H.R. 4144, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS, 1982

Mr. BEVILL. Mr. Speaker, pursuant to the unanimous-consent agreement of November 12, 1981, I call up the conference report on the bill (H.R. 4144) making appropriations for energy and water development for the fiscal year ending September 30, 1982, and for other purposes, and I ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of November 19, 1981, page H8549.)

Mr. BEVILL (during the reading). Mr. Speaker, I ask unanimous consent that the statement be considered as having been read.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The SPEAKER pro tempore. The gentleman from Alabama (Mr. BEVILL) will be recognized for 30 minutes, and the gentleman from Indiana (Mr. MYERS) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Alabama (Mr. BEVILL).

Mr. BEVILL. Mr. Speaker, I yield myself such time as I may consume.

(Mr. BEVILL asked and was given permission to revise and extend his remarks.)

Mr. BEVILL. Mr. Speaker, I am pleased to present the conference report on the fiscal year 1982 energy and water development appropriation bill for your favorable consideration. Our colleagues will recall that debate on this bill occurred in the House on July 23 and 24. The bill was passed by substantial margins in both Houses: 244 to 104 in the House on July 24, and 71 to 22 in the other body on November 5.

Mr. Speaker, our conference committee meeting was held on Wednesday of this week. I wish to compliment our friends from the other body, particularly the Senator from Oregon, Mr. HATFIELD, the chairman of the Senate subcommittee, and the Senator from Louisiana, Mr. JOHNSTON, the ranking minority member, for the fine spirit of compromise displayed in the conference meeting. I also wish to thank my colleagues, the House conferees, for

their support and their valuable contributions during the conference deliberations.

Now I would like to comment on various aspects of the conference agreement.

Mr. Speaker, this bill is certainly not a budget buster. It is a bill that can be signed by the President and is a bill that reflects the priorities of the House and Senate as well as the administration.

Mr. Speaker, the bill passed by the House contained $13,189,674,000 in new budget authority. That was $220,000,000 below the budget requests then pending. As the bill passed the Senate, it contained $12,763,636,000.

For the various agencies and programs under the jurisdiction of the Energy and Water Development Subcommittee, the committee of conference recommends $12,472,025,000 in new budget authority. This amount is $375,478,000 more than the revised request which came up in September but $949,962,000 less than the March estimates. In total, we have accommodated over 70 percent of the President's proposed reductions in budget authority. From an outlay standpoint, CBO estimates that we are about $92,000,000 over the $12,835,000,000 in outlays associated with the revised request, or about seven-tenths of 1 percent.

Because of the ceilings imposed by the budget resolution and the budget amendments submitted by the administration after House consideration of the bill, the Senate made more changes to the House bill than they had in many years. Your House conferees did their best to maintain the House position. However, to bring back a conference report that is within the budget target for the energy and water development programs, a great many items had to be compromised.

We would like more money for energy, for the weapons program, and for the water projects. But, if we have to stay close to the budget level, we could not provide all of the funds for all of the programs and projects to the extent we would have liked.

Mr. Speaker, I am pleased to advise the House that the conference agreement is $1,238,975,000 under the House budget allocation of $13,711,000,000.

Mr. Speaker, the conference agreement contains $2,914,666,000 in title I for the Army Corps of Engineers. This is $248,536,000 less than the bill as passed by the House and $22,845,000 more than the Senate-passed bill. These funds will finance 18 new and 206 continuing studies, 3 new and 45 continuing planning items, and 227 continuing construction projects. The bill contains no new construction starts for either the Corps of Engineers or the Bureau of Reclamation.

For title II, the Bureau of Reclamation, the conferees recommend a total of $760,161,000, which is $78,427,000 less than the House-passed bill and $2,500,000 more than the Senate-passed bill.

This will fund 13 new and 35 continuing studies, 1 continuing planning item, 84 continuing construction projects, and 12 continuing loans.

In my view, the conference agreement provides for a financially prudent and environmentally sound water resources development program.

The conference agreement contains $8,044,766,000 for Department of Energy programs in title III. This includes $2,303,126,000 for energy supply, research, and development activities; $529,360,000 for general science and research activities; $243,318,000 for power marketing administrations and $76,177,000 for the Federal Energy Regulatory Commission. The energy accounts include $341,316,000 for solar, geothermal, and renewable energy development; $327,274,000 for conventional nuclear reactor systems development and nuclear waste management; $687,016,000 for breeder reactor systems including $195,000,000 for the Clinch River breeder reactor project; and $456,000,000 for fusion energy development.

ATOMIC ENERGY DEFENSE ACTIVITIES

The conference agreement provides a total of $4,673,154,000 for atomic energy defense activities. This is an increase of $1,004,514,000 or 21 percent over the fiscal year 1981 level. It is $174,481,000, or 4 percent below the President's September budget request.

The recommended conference allowance provides for the following increases totaling $207,000,000 over either the House or Senate level:

Operating expenses:	(*Thousands*)
Weapons R. & D	+$3,000
Inertial confinement fusion	+17,637
Production and surveillance	+25,394
Materials production	+6,430
Defense waste management	+2,500
Nuclear materials safeguards	+4,500
Security investigations	+4,000
Plant and capital:	
Naval reactors development	+12,000
Research and development	+6,200
Inertial confinement fusion	+12,500
Production and surveillance	+60,300
Reactor operations	+6,500
Special isotope separations	+14,000
Materials production	+19,500
Defense nuclear waste	+12,300
Total	+206,761

The conferees agreed with recommendations of both the House and Senate committees concerning the estimates in the budget for inflation, contingencies, and other general, nonspecific activities. The following general reductions were made in the conference agreement:

General reductions:	*Thousands*
Inflation estimates, operating expenses	−$30,000
Contingencies and uncertainties	−25,000
Inflation estimates, plant and capital	−26,000
Unobligated balances/1981 deferral	−30,000
Risk factor	−32,000
Total	−143,000

The budget request included a total of over $500,000,000 for inflation, uncertainties, and contingencies that are not related to any specific program or weapons system. One item that both committees found to be totally unjustified was the so-called risk factor—a $32 million slush fund that could be used to correct mistakes, start new programs, or do other things without congressional approval. It was this kind of thing that the conferees found not critical to our national security and reductions were made accordingly.

The conference allowance makes provision for the cruise missile, the MX, and the 155mm AFAP. Because of the uncertainty over selection of an MX warhead and a basing mode that could affect the warhead selection, production funds for the MX were limited and design and planning funds were provided. Because of some uncertainty over the final configuration of the cruise missile warhead and a need for additional testing on it, the committee will receive a report on tests prior to obligation of funds. The 155mm AFAP is still some time away from full production and only the essential long-lead facilities were found to be necessary in fiscal year 1982. Adequate funding ($198,000,000) has been provided to continue the facilities restoration program.

In summary, the conference agreement provides for all major weapons systems requested at levels consistent with the capability and need, it provides substantial increases over last year's levels in all areas including R. & D., inertial confinement fusion, testing and materials production. It balances the real needs of defense against the sometimes overly ambitious wishes of Department of Energy planners and provides a realistic funding level in the context of the national economic situation.

Mr. Speaker, the conference agreement includes $752,432,000 for seven independent agencies and commissions in title IV, including $150,000,000 for the Appalachian regional development program, $465,700,000 for the Nuclear Regulatory Commission, $129,162,000 for the Tennessee Valley Authority, and $3,888,000 for the Water Resources Council.

I will insert a table in the RECORD at this point which summarizes the financial aspects of the conference agreement:

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY

	Enacted	Estimates	House	Senate	Conference	Conference compared with enacted	Conference compared with estimates	Conference compared with House bill	Conference compared with Senate bill
TITLE I.—DEPARTMENT OF DEFENSE—CIVIL									
Department of the Army									
Corps of Engineers—Civil									
General investigations	$134,013,000	$119,240,000	$154,114,000	$132,575,000	$137,225,000	+$3,212,000	+$17,985,000	−$16,889,000	+$4,650,000
Construction, general	1,693,892,000	1,356,661,000	1,518,941,000	1,416,992,000	1,416,992,000	−176,900,000	+60,331,000	−101,949,000	.....
Flood control and coastal emergencies	25,000,000	.....	.....	.....	.....	−25,000,000	.....	.....	.....
Flood control, Mississippi River and tributaries	237,519,000	238,172,000	278,598,000	256,310,000	256,310,000	+18,791,000	+18,138,000	−22,288,000	.....
Operation and maintenance, general	967,905,000	950,356,000	1,110,909,000	993,355,000	1,008,355,000	+40,450,000	+57,999,000	−102,554,000	+15,000,000
Revolving fund	43,225,000	.....	.....	.....	.....	−43,225,000	.....	.....	.....
General expenses	86,630,000	83,987,000	95,440,000	87,805,000	91,000,000	+4,370,000	+7,013,000	+4,440,000	+3,195,000
Special recreation use fees	5,000,000	4,576,000	5,200,000	4,784,000	4,784,000	−216,000	+208,000	−416,000	.....
Total, title I, new budget (obligational) authority, Department of Defense—Civil	3,093,184,000	2,752,992,000	3,163,202,000	2,891,821,000	2,914,666,000	−178,518,000	+161,674,000	−248,536,000	+22,845,000
TITLE II.—DEPARTMENT OF THE INTERIOR									
Bureau of Reclamation									
General investigations	40,029,000	29,684,000	36,744,000	30,596,000	30,596,000	−9,433,000	+912,000	−6,148,000	.....
Construction program	576,115,000	542,120,000	605,258,000	548,505,000	548,505,000	−27,610,000	+6,385,000	−56,753,000	.....
Liquidation of contract authority	.....	3,000,000	3,000,000	3,000,000	3,000,000	+3,000,000	.....	.....	.....
Operation and maintenance	106,317,000	110,973,000	128,606,000	116,018,000	118,518,000	+12,201,000	+7,545,000	−10,088,000	+2,500,000
Loan program	22,924,000	18,625,000	24,580,000	22,614,000	22,614,000	−310,000	+3,989,000	−1,966,000	.....
Limitation on direct loans	38,000,000	25,473,000	28,888,000	26,922,000	26,922,000	−11,078,000	+1,449,000	−1,966,000	.....
General administrative expenses	40,500,000	38,192,000	43,400,000	39,928,000	39,928,000	−572,000	+1,736,000	−3,472,000	.....
Total, Bureau of Reclamation	785,885,000	739,594,000	838,588,000	757,661,000	760,161,000	−25,724,000	+20,567,000	−78,427,000	+2,500,000
Office of Water Policy									
Salaries and expenses	.....	2,200,000	.....	.....	.....	.....	−2,200,000	.....	.....
Total, title II, new budget (obligational) authority, Department of the Interior	785,885,000	741,794,000	838,588,000	757,661,000	760,161,000	−25,724,000	+18,367,000	−78,427,000	+2,500,000
TITLE III.—DEPARTMENT OF ENERGY									
Operating Expenses									
Energy supply, research and development activities	2,348,734,000	1,762,691,000	2,115,499,000	1,970,119,000	1,970,926,000	−377,808,000	+208,235,000	−144,573,000	+807,000
Transfer from other accounts	.....	.....	.....	.....	−25,000,000	−25,000,000	−25,000,000	−25,000,000	−25,000,000
Limitation on direct loans	10,000,000	14,000,000	.....	.....	.....	−10,000,000	−14,000,000	.....	.....
Uranium supply and enrichment activities	1,009,040,000	1,153,192,000	1,147,192,000	.....	.....	−1,009,040,000	−1,153,192,000	−1,147,192,000	.....
Less revenues applied	−979,585,000	−1,063,200,000	−1,063,200,000	.....	.....	+979,585,000	+1,063,200,000	+1,063,200,000	.....
Net, uranium supply and enrichment activities	29,455,000	89,992,000	83,992,000	.....	.....	−29,455,000	−89,992,000	−83,992,000	.....
General science and research activities	378,015,000	381,461,000	431,060,000	411,060,000	411,060,000	+33,045,000	+29,599,000	−20,000,000	.....
Atomic energy defense activities	2,995,335,000	3,728,828,000	3,634,565,000	3,606,228,000	3,606,351,000	+611,016,000	−122,477,000	−28,214,000	+123,000
Department administration:									
Office of the Secretary	4,892,000	.....	3,596,000	.....	.....	−4,892,000	.....	−3,596,000	.....
General administration	401,723,000	376,656,000	353,252,000	375,368,000	368,368,000	−33,355,000	−8,288,000	+15,116,000	−7,000,000
Less revenues applied	−172,629,000	−167,900,000	−167,900,000	−167,900,000	−167,900,000	+4,729,000	.....	.....	.....
Net, general administration	229,094,000	208,756,000	185,352,000	207,468,000	200,468,000	−28,626,000	−8,288,000	+15,116,000	−7,000,000
Plant and Capital Equipment									
Energy supply, research and development activities	395,087,000	264,648,000	350,000,000	332,200,000	332,200,000	−62,887,000	+67,552,000	−17,800,000	.....
Uranium supply and enrichment activities	276,760,000	816,250,000	746,250,000	.....	.....	−276,760,000	−816,250,000	−746,250,000	.....
Less revenues applied	−274,460,000	−741,800,000	−741,800,000	.....	.....	+274,460,000	+741,800,000	+741,800,000	.....
Net, uranium supply and enrichment activities	2,300,000	74,450,000	4,450,000	.....	.....	−2,300,000	−74,450,000	−4,450,000	.....
General science and research activities	126,400,000	112,904,000	128,300,000	118,300,000	118,300,000	−8,100,000	+5,396,000	−10,000,000	.....
Atomic energy defense activities	673,305,000	1,118,807,000	1,063,453,000	1,083,822,000	1,066,803,000	+393,498,000	−52,004,000	+3,350,000	−17,019,000
Departmental administration	26,565,000	31,511,000	40,963,000	40,963,000	40,963,000	+14,398,000	+9,452,000	.....	.....
Uranium Supply and Enrichment									
Uranium supply and enrichment activities	1,285,800,000	1,901,000,000	1,893,442,000	1,811,000,000	1,806,000,000	+520,200,000	−95,000,000	−87,442,000	−5,000,000
Less revenues applied	−1,254,045,000	−1,805,000,000	−1,805,000,000	−1,805,000,000	−1,805,000,000	−550,955,000	.....	.....	.....
Net, Uranium supply and enrichment activities	31,755,000	96,000,000	88,442,000	6,000,000	1,000,000	−30,755,000	−95,000,000	−87,442,000	−5,000,000
Power Marketing Administrations									
Operation and maintenance, Alaska Power Administration	3,069,000	3,538,000	3,538,000	3,538,000	3,538,000	+469,000	.....	.....	.....
Operation and maintenance, Southeastern Power Administration	1,522,000	7,237,000	7,237,000	7,237,000	7,237,000	+5,685,000	.....	.....	.....
Operation and maintenance, Southwestern Power Administration	28,208,000	21,269,000	21,269,000	21,269,000	21,269,000	+6,939,000	.....	.....	.....
Construction, rehabilitation, operation and maintenance, Western Area Power Administration	138,502,000	210,774,000	210,774,000	210,774,000	210,774,000	+72,272,000	.....	.....	.....
Colorado River Basins Power Marketing Fund, Western Area Power Administration	3,548,000	.....	.....	.....	.....	−3,548,000	.....	.....	.....
Emergency fund, Western Area Power Administration	200,000	500,000	500,000	500,000	500,000	+300,000	.....	.....	.....
Federal Energy Regulatory Commission	75,374,000	72,312,000	78,677,000	73,677,000	76,177,000	+803,000	+3,865,000	−2,500,000	+2,500,000
Geothermal resources development fund	1,284,000	75,000	200,000	2,200,000	2,200,000	+916,000	+2,125,000	+2,000,000	.....
Bonneville Power Administration fund: Limitation on direct loans	2,400,000	2,400,000	2,400,000	40,000,000	40,000,000	+37,600,000	+37,600,000	+37,600,000	.....
Subtotal, title III, new budget (obligational) authority, Department of Energy	7,460,919,000	8,021,311,000	8,363,425,000	8,095,355,000	8,044,766,000	+583,847,000	+23,455,000	−318,659,000	−50,589,000
Tower amendment, atomic energy defense activities	.....	.....	.....	335,525,000	.....	.....	.....	.....	−335,525,000
Total, title III, new budget (obligational) authority, Department of Energy	7,460,919,000	8,021,311,000	8,363,425,000	8,430,880,000	8,044,766,000	+583,847,000	+23,455,000	−318,659,000	−386,114,000
TITLE IV.—INDEPENDENT AGENCIES									
Appalachian Regional Commission: Salaries and expenses	3,192,000	.....	2,900,000	2,900,000	2,900,000	−292,000	+2,900,000	.....	.....
Appalachian regional development programs (funds appropriated to the President)	299,300,000	.....	200,000,000	83,000,000	150,000,000	−149,300,000	+150,000,000	−50,000,000	+67,000,000
Delaware River Basin Commission:									
Salaries and expenses	119,000	106,000	121,000	121,000	121,000	+2,000	+15,000	.....	.....
Contributions to Delaware River Basin Commission	269,000	237,000	269,000	269,000	269,000	.....	+32,000	.....	.....
Total, Delaware River Basin Commission	388,000	343,000	390,000	390,000	390,000	+2,000	+47,000	.....	.....
Interstate Commission on the Potomac River Basin: Contribution to Interstate Commission on the Potomac River Basin	55,000	48,000	55,000	55,000	55,000	.....	+7,000	.....	.....
Nuclear Regulatory Commission: Salaries and expenses	442,520,000	455,600,000	477,534,000	465,700,000	465,700,000	+23,180,000	+10,100,000	−11,834,000	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY—Continued

	Enacted	Estimates	House	Senate	Conference	Conference compared with enacted	Conference compared with estimates	Conference compared with House bill	Conference compared with Senate bill
Nuclear Safety Oversight Commission	1,500,000					−1,500,000			
Susquehanna River Basin Commission:									
Salaries and expenses	115,000	106,000	120,000	120,000	120,000	+5,000	+14,000		
Contribution to Susquehanna River Basin Commission	200,000	191,000	217,000	217,000	217,000	+17,000	+26,000		
Total, Susquehanna River Basin Commission	315,000	297,000	337,000	337,000	337,000	+22,000	+40,000		
Tennessee Valley Authority:									
Payment to Tennessee Valley Authority Fund	184,063,000	124,162,000	140,743,000	124,162,000	129,162,000	−54,901,000	+5,000,000	−11,581,000	+5,000,000
Columbia Dam and Reservoir	18,000,000					−18,000,000			
Total, Tennessee Valley Authority	202,063,000	124,162,000	140,743,000	124,162,000	129,162,000	−72,901,000	+5,000,000	−11,581,000	+5,000,000
Water Resources Council: Salaries and expenses	19,777,000		2,500,000	6,730,000	3,888,000	−15,889,000	+3,888,000	+1,388,000	−2,842,000
Total, title, IV, new budget (obligational) authority, independent agencies	969,110,000	580,450,000	824,459,000	683,274,000	752,432,000	−216,678,000	+171,982,000	−72,027,000	+69,158,000
Total, titles I, II, III and IV:									
New budget (obligational) authority	12,309,098,000	12,096,547,000	13,189,674,000	12,763,636,000	12,472,025,000	+162,927,000	+375,478,000	−717,649,000	−291,611,000
Liquidation of contract authority		3,000,000	3,000,000	3,000,000	3,000,000	+3,000,000			
Limitation on direct loans	50,400,000	11,873,000	31,288,000	66,922,000	66,922,000	+16,522,000	+25,049,000	+35,634,000	
Total mandatory and discretionary	12,309,098,000	12,096,547,000	13,189,674,000	12,763,636,000	12,472,025,000	+162,927,000	+375,478,000	−717,649,000	−291,611,000
Mandatory									
Discretionary	12,309,098,000	12,096,547,000	13,189,674,000	12,763,636,000	12,472,025,000	+162,927,000	+375,478,000	−717,649,000	−291,611,000

Mr. Speaker, there is one typographical error in the CONGRESSIONAL RECORD. On page H-8557, in amendment No. 41, the amount shown for the Senate proposed amount should be $375,368,000.

Mr. FORD of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. BEVILL. I yield to the gentleman from Tennessee.

Mr. FORD of Tennessee. I thank the gentleman for yielding.

Mr. Speaker, I want the gentleman to know that I have been informed by TVA officials that they are having difficulty with the SBA over the interpretation of the subcommittee's intent when the subcommittee appropriated moneys in fiscal year 1980 to fund two minority enterprise small business investment companies (MESBIC's).

In order to clarify this issue, would the chairman please tell me if it was the intent of the gentleman's subcommittee, the Subcommittee on Energy and Water Development, for the moneys appropriated to TVA for the funding of these two MESBIC's was meant to qualify them for matching funds from the SBA as indicated in the March 2, 1979, hearing on TVA's appropriations.

Mr. BEVILL. The gentleman is correct. This is the intent of the committee.

Mr. MYERS. Mr. Speaker, I yield myself such time as I may consume.

(Mr. MYERS asked and was given permission to revise and extend his remarks.)

Mr. MYERS. Mr. Speaker, our chairman has done an excellent job in presenting the bill that we bring back today. It is not the bill that any of us would like to see. I know a number of my colleagues have requested that we include items that were of particular interest to them, but in a conference when our target is cutting dollars to get a bill that the President will sign, we had to cut some programs and projects that were very vital to the interest of some Members of this body.

It is a bill that I am pretty sure—I have not talked to the President—but, I feel reasonably certain from talking to his advisers that if this conference report is adopted today, he will sign it. I think this is very important at this late hour.

□ 1115

As the chairman has said, when we first acted upon this back in July, when it came out of the House our bill was at that time $232 million under in budget authority, under the present budget. It was $111 million under in outlays, well within what we were going to be able to accomplish.

This chart here shows all of these, how we steadily have gone downhill and have tried to compromise and work out some type of bill that the President will sign that is agreeable to both bodies. As you can see, President Carter's request was for $14,680,000,000. It was revised in March with President Reagan down to $13,411,000,000.

In June the budget resolution allocated $13,711,000,000. That was what we had decided among ourselves in budget outlays. We would allow ourselves $13,711,000,000.

In July when it passed the House, we had budget authority of $13,178,000,000, well below the budget office and well below the President.

But, as we all know, President Reagan revised in September his request and brought that down to the budget authority of $12,097,000,000, and for outlays of $12,835,000,000.

This left us high and dry. The other body acted after that and even went higher.

In conference this week, we have been able to whittle this down to where now we are over in budget authority, but what we are really concerned about and what the administration is concerned about is outlays, how much money it is going to take to meet these obligations in the next year.

We find that now with our conference report that we are bringing back to you today that we are slightly over $91,000,000 in outlays over the September request. This is, as the chairman said, less than 1 percent over the President's target. The President asked for a 12-percent cut. We did not quite go that far because there are some items here that just simply cannot be cut back as far as we all would like to reduce the total. It would be unwise to stop some programs that are also close to completion.

There are some other items in this bill; we have over $4 billion for atomic energy defense activities in this bill.

You just cannot cut the bill down that far, but we have a bill that can be signed into law. It is reasonable.

So I urge our colleagues today to accept what your conferees have worked out with the other body and let us get one bill signed into law.

I might say here, I have heard this morning that because we are slightly over the President's target, that members may not vote for it, because as an example, defense is under the President's target, but let us remember that target has been going up for defense. It was not difficult to come in under that when the target was not cut 12 percent.

The other was the District of Columbia bill, which was right exactly on the money; but remember, the District of Columbia was not changed in September by the President. It remained at $750 million. If ours had not changed, we would be below, not on the target, we would be below the target.

So I urge my colleagues to support your committee and let us get a bill

that is very vital to our country and energy development, in the development of our natural resources and the protection of our natural resources.

Vote for the conference report.

Mr. ROUSSELOT. Mr. Speaker, will the gentleman yield?

Mr. MYERS. I yield to my friend, the gentleman from California.

Mr. ROUSSELOT. I appreciate my colleague yielding and also for being helpful enough to bring a chart to show the difference between the March request for outlays and the September request; so again, the gentleman is emphasizing that this committee has come in with a bill that is below the March outlay request.

Mr. MYERS. Much below.

Mr. ROUSSELOT. How much below, roughly?

Mr. MYERS. In outlays, it is $559 million under.

Mr. ROUSSELOT. One hundred and eleven million?

Mr. MYERS. Yes, and $930 million under in budget authority.

Mr. ROUSSELOT. And within 1 percent, or slightly above——

Mr. MYERS. Less than 1 percent.

Mr. ROUSSELOT. Of the September request?

Mr. MYERS. Seven-tenths of 1 percent deviation from the President's request.

Mr. ROUSSELOT. So the September request by the President was quite a bit below the March request, but the gentleman is saying we are within 1 percent of that September request; so the gentleman is saying that we have adjusted very rapidly since the September request.

Mr. MYERS. Yes. The conferees on both sides of the aisle, and I certainly thank our colleagues, both in the other body as well as in this other body, both sides were trying to compromise and get something. We understand the problems the President has, that our country has. We want to have something that is agreeable, and we have bent over backward.

I think another important facet is what was appropriated last year. The black lines are the budget authority. The blue is the outlay.

Now, we have some contract authority, as you can see here. Last year we had budget authority of $12,309,000,000. The outlays ran $12½ billion.

We are doing our part trying to get our economy in order as we have been talking about in the 1-minute speeches earlier this morning.

Mr. ROUSSELOT. This is very much below the Carter request, is it not?

Mr. MYERS. Oh, considerably. The second bar, as you notice, is $14.6 billion in authority and $14.4 billion in spending. This bill is over $2 billion less than the Carter request.

Mr. ROUSSELOT. Well, I compliment the committee for their efforts to bring spending down in this area, in a very important area, as the gentleman has said, $650 million below the March request and within 1 percent of the September request. I think the committee is to be complimented for bringing spending down in this area and certainly way below the Carter request of some of our Democratic colleagues.

Mr. MYERS. Not members of this committee, I will advise the gentleman.

I thank my colleague, the gentleman from California, coming from him who has been one of the outspoken critics of spending, one who has been very much concerned about holding the line and a compliment to this committee which we much appreciate. I thank the gentleman for that.

Mr. WALKER. Mr. Speaker, will the gentleman yield?

Mr. MYERS. I yield to my friend, the gentleman from Pennsylvania.

Mr. WALKER. I thank the gentleman for yielding, because I would like to emphasize the point that the gentleman from California just made and I think that the gentleman from Indiana has amplified and that is that the Carter administration came in here with a budget request that evidently was just inordinately high and that through the work of this administration to get cuts from that Carter request and then with the help of the gentleman's committee, we have been able to lower those figures substantially, which shows that really the President's program and the cooperation of the gentleman's committee has saved the American people a good deal of money and that would not have been possible if we had not had that kind of leadership. Is that not true?

Mr. MYERS. Well, in fairness to President Carter, of course, he came in with a different approach than President Reagan has. Our committee was going to cut down from President Carter also; so in fairness, President Carter might have made this request, but the committee and the action of Congress would have been less; but yes, we have cut down considerably since that time.

Mr. WALKER. Well, I thank the gentleman.

Mr. ROEMER. Mr. Speaker, will the gentleman yield?

Mr. MYERS. Yes, I yield to my friend, the gentleman from Louisiana.

Mr. ROEMER. I thank the gentleman for yielding and I thank him for his presentation.

My question is, could the gentleman put once again as he has done earlier, some dollar figures on the difference where the committee of the conference came out and what the President recommended in September?

As I understand it, the conference report is still above the President's September request.

Mr. MYERS. Slightly.

Mr. ROEMER. My question is, How much in dollars and cents?

Mr. MYERS. In outlays, and this is what we are concerned about, outlays is what we will actually be spending. As projected during the next fiscal year, which we now are 2 months into, these are figures that you can play with somewhat, because no one knows exactly what dollars will be spent. This is something that is subject to other controls, such as deferrals or recisions that the President might recommend after he gets this bill, and signs it. It can be changed, but presently as best we can estimate, it would be $91,300,000 in outlays over what the President requested in September. This is about as close as you can come.

Mr. ROEMER. I appreciate the gentleman saying that. What about budget authority?

Mr. MYERS. Budget authority is a little over $300 million, or $375 million, as I recall; but that authority will not be spent. You have to have the authority, because there has to be in the future in net outlays in 1983 and 1984 and 1985 that we talked about, some of these things have to be projected out. There has to be an understanding that they can contract, even though it will not be spent. There has to be the right to contract, to negotiate contracts. You have to have the authority above the outlays.

Mr. ROEMER. I hope the gentleman appreciates that we are just trying to get the facts straight. It is $300 million over in authority and $90 million in outlays?

Mr. MYERS. Outlays, yes.

Mr. ROEMER. I thank the gentleman.

Mr. EDGAR. Mr. Speaker, will the gentleman yield?

Mr. MYERS. I yield to my friend, the gentleman from Pennsylvania.

Mr. EDGAR. Mr. Speaker, I thank the gentleman for yielding and I appreciate his explanation of the dollar amount over and under the September request.

I was struck earlier by the questions asked by my colleague, the gentleman from California, and the gentleman from Pennsylvania, in terms of the Carter request versus the Reagan request. I appreciate the gentleman's statement that the President of the United States and this committee this year has seen fit to move this spending into more realistic numbers, but I would like the record at least to show that the gentleman in the well and others supported much higher appropriations, authorizations, and outlays in previous years with no hesitation. I commend the gentleman for his coming here and suggesting that there might be some little bit of leeway for us to cut back on some of the spending, and I commend the gentleman for

cutting back on some of it; but I think the demagoging that I heard earlier in the questioning should be clarified; that, in fact——

Mr. WALKER. Mr. Speaker.

Mr. EDGAR. There were a number of requests made over the last few years under Carter and under Reagan that——

Mr. WALKER. Mr. Speaker, I ask that the gentleman's words be taken down.

The SPEAKER pro tempore. The gentleman from Pennsylvania (Mr. WALKER) demands that the words be taken down.

The Clerk will read the words.

The Clerk read as follows:

Mr. EDGAR. But I think the demagoging I heard earlier in the questioning should be clarified.

Mr. EDGAR. I thank the gentleman for yielding and I thank my colleague from Pennsylvania for underlining those words.

The SPEAKER pro tempore. The gentleman from Pennsylvania has asked that words be taken down. The gentleman will be seated.

Mr. MYERS. Does the gentleman from Pennsylvania pursue his request?

Mr. WALKER. Well, no. I will not pursue the request, if the gentleman will yield.

The SPEAKER pro tempore. The gentleman from Pennsylvania withdraws his request.

Mr. MYERS. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. WALKER).

Mr. WALKER. Mr. Speaker, the only point I was trying to emphasize was that the gentleman did make specific reference earlier in his speech, to the gentleman from California and the gentleman from Pennsylvania, and I do think that in House floor proceedings that we ought to refrain from ascribing motivations to individual Members. That is what the gentleman from Pennsylvania was obviously trying to do. He may have slipped by with regard to the exact parliamentary procedures of the House, but he was making an indirect reference and I think that that kind of thing demeans the House.

I would hope that the gentleman from Pennsylvania would not engage in such procedures in the future.

I thank the gentleman for yielding.

The SPEAKER pro tempore. Members will proceed in order in the debate.

Mr. MYERS. Mr. Speaker, I think there has been a misunderstanding of what our committee has been doing in the past.

I do not remember any year of which we ever exceeded the request of any President, regardless of the party affiliation of former Presidents. This committee has always been very careful how the tax money has been spent. We have changed priorities. We had some disagreements with the former President, President Carter, not over the dollars, because we were under the President's request, but over which items we would authorize; but our committee has always been very cautious, and the figure here that President Carter had in his request would have been cut down, I am quite certain.

But in any event, I think your committee and your conferees have done a good job and I urge support for this conference report. It is one we can all be proud of. It is one that other committees and subcommittees and this Appropriation Committee will take, I am sure, a word from and a lesson from and a commendation similar to this. If we all do this, and I know the Appropriations Committee and each subcommittee ought to be this, we will be able to hold the line on expenditures and we will be able to meet that balanced budget in 1984.

□ 1130

Mr. HANSEN of Idaho. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. The gentleman has consumed 14 minutes.

Mr. MYERS. I yield to the gentleman from Idaho.

Mr. HANSEN of Idaho. Mr. Speaker, I do commend the House conferees, the gentleman in the well, the gentleman on the minority side of the aisle, for a job well done.

I would ask one brief question, if I might, at this time.

Mr. Speaker, the House conferees deserve special commendation for negotiating and drafting conference report language to resolve our concerns about the future of the loss-of-fluid test (LOFT) program at Idaho National Engineering Laboratory. The conference language reads as follows:

The Nuclear Regulatory Commission shall submit to the Committees on Appropriations for prior approval any changes from priorities in research programs identified in the House and Senate reports, and subject to the above is directed to carry out the testing matrix and schedule identified by the Office of Nuclear Regulatory Research drawing from the LOFT special review group.

To insure that there is no ambiguity with respect to this conference report language, I ask the distinguished chairman if he shares my understanding that the NRC's LOFT research priority is accurately characterized on page 153 of the Senate report No. 97-256, under the title "loss-of-fluid test program," which I ask unanimous consent be inserted in the RECORD at this point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

The material follows:

Loss-of-fluid test program.—Within the funds appropriated to the Nuclear Regulatory Commission, the Committee notes that $44,000,000 is recommended to be allocated to the loss-of-fluid test (LOFT) program at Idaho National Engineering Laboratory. The Committee underlines its support for this program which is designed to conduct experiments to determine the results of the loss of reactor coolant water.

The Committee notes further that the LOFT Special Review Group (LSRG) was established to review the LOFT program and report its findings to the Nuclear Regulatory Commission. The primary purpose of the group was to consider whether LOFT should be decommissioned in fiscal year 1983, as recommended by the Advisory Committee for Reactor Safeguards. On February 11, 1981, the NRC Commissioners met to hear the report of the LSRG and the response of the Office of Nuclear Regulatory Research (RES).

RES developed a testing scheme which drew from tests suggested by LSRG. The RES testing scheme proposed a particular sequence which would provide, in their view, an optimum feedback and scientific return. The views presented by RES were consistent with those presented by the LSRG.

Mr. MYERS. I yield to the chairman for that purpose.

Mr. BEVILL. I thank the gentleman from Indiana for yielding.

Mr. Speaker, I say to the gentleman from Idaho that the Senate language which you quoted does reflect the conferees' understanding and interpretation of the NRC's commitment to the LOFT and related programs.

Mr. HANSEN of Idaho. I thank the gentleman for his responsive comments.

Mr. MYERS. I might add that the language you read was worked out in conference. Differences between the other body's version and our version were worked out in conference to accomplish what the gentleman from Idaho is vitally concerned with. Before any changes are made, they do come back with a recommendation to be approved by both the other body and this subcommittee.

Mr. HANSEN of Idaho. I thank the gentleman from Indiana very much.

The SPEAKER pro tempore. The gentleman has consumed 16 minutes.

Mr. BEVILL. Mr. Speaker, I yield such time as he may consume to our distinguished chairman of the Appropriations Committee, the gentleman from Mississippi (Mr. WHITTEN).

Mr. WHITTEN. I thank the gentleman.

Mr. Speaker, I wish to compliment the gentleman from Alabama (Mr. BEVILL) and the gentleman from Indiana (Mr. MYERS), the chairman and ranking member of this subcommittee, as well as the other members of the subcommittee, for the splendid job they have done.

I think I have a continuous record, since I have been here, of trying to distinguish between investment and spending, between that which protects our country and that which goes for other probably less essential activities.

So I appreciate, and I am sure everyone here does, that we have tried to stay within the funding limits to get along with the executive branch which, of course, has its responsibilities.

I would like to say here once again that we have serious financial troubles, but there is a whole lot of difference between our money and real wealth. The reason that we have a rich country in reality, with financial problems, is that 27 times out of 27 we have overridden the Bureau of the Budget and OMB regarding funds for soil conservation, reforestation, and flood prevention. As my colleagues know, one can leave one's children and one's children's children all the money in the world, and without land they can never make it. If we continue, as our colleagues on this committee have done, to look after our land, to develop our resources, to build our harbors, protect the real wealth of our country, they can straighten out the finances.

I hope we can help them, but let us distinguish between our financial system, where many, many dollars are wasted, and our real wealth, which is the country and its development—roads, schools, highways, harbors, its rivers, its watersheds. That is our real wealth. I hope we can straighten out or finances, but let us not do it at the expense of letting our country go down the drain as has happened to China and India.

I have reviewed the various projects and treated them fairly—large and small as our subcommittee has always done.

Again, I congratulate my colleagues on this committee, where I have served for many years.

You do not try to save expense on an automobile by cutting out the oil, and you do not try to save a house by knocking out the foundation. This is the foundation on which our money has to depend. Again, I congratulate you.

Mr. MYERS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BEVILL. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Pennsylvania (Mr. EDGAR).

Mr. EDGAR. Mr. Speaker, I rise to ask the chairman of the committee several questions about the conference report.

During the course of the debate on this legislation, as it came through the House, my colleague, the gentleman from Washington (Mr. PRITCHARD), and I led a fight to delete funding for the Tennessee-Tombigbee Waterway.

It is my understanding that this conference report includes $189 million for work on the Tennessee-Tombigbee Waterway for 1982?

Mr. BEVILL. If the gentleman will yield, the gentleman is correct. The House approved it, as you know. The Senate approved it. It is not at issue. So the $189 million will be appropriated when the President signs the bill.

Mr. EDGAR. The second question that I have relates to the item on page H8553 of yesterday's RECORD, which includes the conference report. The item listed as Red River Waterway, Mississippi River to Shreveport, which is a navigation project, the budget estimate was $27 million. The conference allowance was $50 million.

I wonder if the gentleman could explain why the figure is almost double that which the budget request was from the new administration?

Mr. BEVILL. Mr. Speaker, it was found that the corps had a much greater capability than was known at the time the budget request came in.

Mr. EDGAR. So this is a request by the committee to double the figure for the Red River.

Mr. BEVILL. The committee increased the amount in the budget request from $27 to $50 million.

Mr. EDGAR. And finally, Mr. Speaker, the final question I have relates, on the same page, to an item that is listed at $218,343,000 of reduction. It is in the category of reduction for anticipated savings and slippage.

Could the gentleman clarify for the House what this means in terms of the construction area?

Mr. BEVILL. There are always delays on projects, caused by a variety of reasons—strikes, court orders, weather, and that type of thing. This is what that line in the table refers to.

Mr. EDGAR. So that you anticipate that $218 million less will be spent on the total number of these projects because of the slippage?

Mr. BEVILL. That is true. It has to be an estimate, and that is our estimate.

Mr. EDGAR. If the continuing resolution is passed, and this is not signed into law by the President, and there is a reduction of 4 percent, as was indicated by the other body last evening, then that figure, the reduction, would be below that?

Mr. BEVILL. Yes, the 4 percent would apply to the bill, including water projects.

Mr. EDGAR. I appreciate the gentleman answering the question.

Mr. DERRICK. Mr. Speaker, will the gentleman yield?

Mr. EDGAR. I yield to the gentleman from South Carolina.

Mr. DERRICK. Mr. Speaker, it is my understanding that under the conference report, the Savannah River plant will receive between $6 and $10 million more than they did in the House-passed bill, and that reports which indicate that the SRP will lose 336 jobs under the conference report are not accurate.

Mr. BEVILL. The gentleman is correct.

Mr. DERRICK. I thank the gentleman.

Mr. EDGAR. Mr. Speaker, I would like to commend the chairman and thank him for his cooperation in answering questions that the gentleman from Pennsylvania has from time to time on water projects.

I would like to commend the gentleman for his work, and the ranking minority member's work, in reducing the level of expenditure in this particular area in wrestling with some very difficult questions.

I still have grave concerns about the level of funding, particularly for the Tennessee-Tombigbee Waterway. I still have some concerns that we have not adequately addressed the ability to cut waste out of the area of construction grants by the Army Corps of Engineers. But I think we are moving in the right direction, and we have over the last few years identified those projects which should be eliminated or should be reduced substantially, and many of them have come under a more critical eye and a more critical view.

Mr. Speaker, I intend to vote no on this conference report because of the continued accelerated funding of the Tennessee-Tombigbee Waterway and other projects which I think are inappropriate for this legislation, but I think we are moving in the right direction, and I think in terms of a national water policy we are beginning to really raise some questions on merit.

As we move with less Federal dollars to spend, I think we have to target those dollars much more adequately, and perhaps in the reduction of funding levels it will give us an opportunity to have a more critical eye on water projects.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania (Mr. EDGAR) has expired.

Mr. BEVILL. Mr. Speaker, I yield 1 additional minute to the gentleman from Pennsylvania.

Mr. ROEMER. Mr. Speaker, will the gentleman yield?

Mr. EDGAR. I yield to the gentleman from Louisiana.

Mr. ROEMER. I thank the gentleman for yielding.

Mr. Speaker, I would like to join in the gentleman's comments about the hard work of the committee in trying to meet tight fiscal requirements, and yet the bill is still, as I understand it, and maybe the gentleman in the well can agree or disagree, some $90 million over the September request.

In addition, I would like to join with the chairman's response to your question on the Red River Waterway in that at the $50 million level it is only 50 percent of what was spent last year. At $50 million it has been cut 50 percent. Yet, still with one project, that large cut in half, this bill is $90 million

over the President's request in September.

Mr. EDGAR. Mr. Speaker, I thank the gentleman for his leadership in trying to develop a merit water policy.

I yield back the balance of my time.

Mr. BEVILL. Mr. Speaker, I yield to the gentleman from California (Mr. ANDERSON) for a question.

Mr. ANDERSON. I thank the gentleman for yielding.

Mr. Speaker, I am concerned about the operation and maintenance funds for the Los Angeles-Long Beach ports, often referred to as the San Pedro Bay model study.

It is my understanding that there are no projects specified in the conference report under general operation and maintenance for the Army Corps of Engineers. However, it is also my understanding, and I believe it is in your report, that the Army Corps should be guided by the recommendations contained in the project table in the House report, the Senate report, and the language contained in the House report on the continuing resolution regarding the various projects and safety-related work in allocating funds for operation and maintenance.

I would like to have the chairman tell us a little bit about that.

Mr. BEVILL. The gentleman's statement is correct, that is the intention of the committee. He has stated it correctly.

Mr. ANDERSON. I thank the chairman.

Mr. BEVILL. Mr. Speaker, I yield such time as he may consume to my good colleague and member of this committee that works very diligently and has put much effort into this conference report, the gentleman from Oklahoma (Mr. WATKINS).

Mr. WATKINS. I appreciate the chairman yielding.

Mr. Speaker, I will not take but just a very few seconds. I want to commend the chairman and staff, and also, I would like to commend the ranking minority member for his hard work.

I can say as a member of this committee that we all would have liked to have done a whole lot more. The staff and the minority, as well as the majority side, agonized on where to cut on some very essential problems. We wanted to do a lot more.

I would just like to have the record show that we have a tremendous water problem in this country. This year we were within 45 days of having some major cities with millions of people without water. We cannot solve our water problem overnight. I would just like for us, as Members of this body, to realize it is going to take long-term planning and a long-term effort, and we have got to get on with the job. We know we have cut back in this bill probably more than what a lot of us really would have personally liked to have seen, but in order to try to be frugal and to try to provide the savings within the budget, we have done that.

But I would just like to agree with the chairman of the Appropriations Committee, the gentleman from Mississippi, (Mr. WHITTEN), there is a difference in just spending and investment. There is truly a tremendous need for an investment to secure the future development of water of this country of ours and the future livelihood of our people.

So I just wanted to state that I think under the critical time period that we had, and the critical budget restraints, that the minority, and especially I want to say thanks to the ranking minority member from Indiana, and also our chairman, the gentleman from Alabama (Mr. BEVILL) for their tremendous work on this particular piece of legislation.

● Mr. STARK. Mr. Speaker, I support passage of this conference report. It provides funds for a number of important energy research and development projects which can help lead the United States toward greater energy independence. I am particularly pleased that the House conferees were able to improve on the Senate's figures for certain fusion research. To me, fusion holds the key to the future and saves us from the terrible disposal and control problems associated with fission energy and its byproducts. Indeed, I regret that the full House figure for certain fusion projects was not accepted at this time.

I must say, Mr. Speaker, that this is a sort of "sweet-and-sour" bill. I do not agree with a number of the water projects included in it. I certainly do not agree with some of the nuclear war expenditures which it makes. The nuclear arms buildup is of growing concern to all of us. Yesterday, the House passed H.R. 3413, a bill authorizing appropriations for the Department of Energy's national security and military applications of nuclear energy. Because that bill was significantly above the budget request, I voted against it. We must be most careful in our budgeting for those programs. Because this bill avoids the problems of yesterday's legislation, I believe it is worthy of support.

Unlike yesterday's bill, this bill contributes to the future of America—its strength, both economically and politically. This bill does not only deal with weapons research and buildup, as did yesterday's, but it deals with the research and development of innovative alternative energy sources. This bill will lead us to the energy independence we all desire. And we all know that energy independence will not only strengthen our economy, but will strengthen our international political standing. I believe that our decision to exceed the current budgetary goals, in the case of this vitally important piece of legislation, will, in the long run, be a wise one.●

Mr. BEVILL. Mr. Speaker, I have no further requests for time, and I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the conference report.

The conference report was agreed to.

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AMENDMENTS IN DISAGREEMENT

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the Clerk designate each Senate amendment in disagreement by number as they are reached, and that their reading be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

Mr. DINGELL. Mr. Speaker, reserving the right to object, I have no objection to the gentleman having his unanimous-consent request apply to all except Senate amendment No. 23. I think that one should be read.

Mr. BEVILL. Mr. Speaker, I so amend my request.

The SPEAKER pro tempore. The gentleman excepts Senate amendment No. 23 from his request.

Is there objection to the request of the gentleman from Alabama?

There was no objection.

The SPEAKER pro tempore. The Clerk will designate the first amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 14: Page 7, after line 18, insert:

SEC. 104. Funds herein or hereinafter appropriated in this title for the Chetco River, Oregon navigation project, authorized by the 1945 River and Harbor Act, as amended and modified, shall be used to design and construct further modifications to that project in accordance with the Report of the Chief of Engineers, dated May 2, 1977.

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 14 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following:

"Sec. 110. Funds herein or hereinafter appropriated in this title for the Chetco River, Oregon navigation project, authorized by the 1945 River and Harbor Act, as amended and modified, shall be used to design and construct further modifications to that project in accordance with the Report of the Chief of Engineers, dated May 2, 1977."

Mr. BEVILL (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 17: Page 8, after line 11, insert:

SEC. 106. The Chief of Engineers is hereby directed to raise the dam at Lake Darling, North Dakota, by approximately four feet and to implement upstream and downstream flood control measures.

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 17 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following:

"SEC. 111. The Chief of Engineers is hereby directed to raise the dam at Lake Darling, North Dakota, by approximately four feet and to implement upstream and downstream flood control measures."

Mr. BEVILL (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 18: Page 8, after line 11, insert:

SEC. 107. No funds appropriated in this Act may be used to construct channel realignment work on the Ouachita and Black Rivers navigation project in Arkansas and Louisiana until such time as the Chief of Engineers has completed a restudy of the various options for navigation above Crossett, Arkansas, including the two barge abreast configuration, with a view toward reducing the number of cutoffs and bend widenings required. The results of this restudy should be reported to the respective Appropriations Committees of both Houses of the Congress for review, and should accurately reflect the economic and environmental tradeoffs of providing greater than two-barge navigation.

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 18 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following:

"SEC. 112. No funds appropriated in this Act may be used to construct channel realignment work on the Ouachita and Black Rivers navigation project in Arkansas and Louisiana until such time as the Chief of Engineers has completed a restudy of the various options for navigation above Crossett, Arkansas, including the two barge abreast configuration, with a view toward reducing the number of cutoffs and bend widenings required. The results of this restudy should be reported to the respective Appropriations Committees of both Houses of the Congress for review, and should accurately reflect the economic and environmental tradeoffs of providing greater than two-barge navigation."

Mr. BEVILL (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 21: Page 9, line 2, after "fund" insert: ": *Provided*, That of the amount herein appropriated not to exceed $50,000 shall be available to initiate a rehabilitation and betterment program with the Farmers Irrigation District to rehabilitate facilities under the Act of October 7, 1949 (63 Stat. 724), as amended, to be repaid in full by the lands served and under conditions satisfactory to the Secretary of the Interior."

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 21 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 23: Page 10, line 5, after "monument" insert: ": *Provided further*, That (i) the Secretary of the Interior is directed to proceed with construction of the initial stage of the Garrison Diversion Unit as provided by the Act of August 5, 1965 (Public Law 89-108) notwithstanding the Stipulation and Order of May 11, 1977, referred to at page 80 of Senate Report No. 95-301, and any subsequent court order in respect of the May 11, 1977 Stipulation and Order; providing that other provisions of law shall continue to be applicable to the project; (ii) none of the funds appropriated in this Act for the Garrison Diversion Unit shall be used for the acquisition of mitigation lands by condemnation, or for the construction of features affecting waters flowing into Canada under the authorized plan".

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 23 and concur therein.

The SPEAKER pro tempore. Does the gentleman from Alabama desire time on this motion?

Mr. BEVILL. Mr. Speaker, I ask for 30 minutes.

The SPEAKER pro tempore. The gentleman from Alabama (Mr. BEVILL) will be recognized for 30 minutes, and the gentleman from Massachusetts (Mr. CONTE) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Alabama (Mr. BEVILL).

Mr. BEVILL. Mr. Speaker, I yield 7 minutes to the distinguished gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. Mr. Speaker, I thank my good friend and colleague for his kindness in yielding to me.

Mr. DINGELL. Mr. Speaker, we have here a rather bold attempt on the part of the other body to amend statutory law through the appropriations process. Were this to be done in a piece of legislation which were coming from the Senate, it would be subject to a point of order; and were it to be tried on the House floor, it would again be subject to a point of order. Now, I recognize the concerns of the people in North Dakota, and I sympathize with those concerns. However, it should be understood that the people of North Dakota are not entirely in sympathy with this particular project.

When the Garrison unit was before Congress for authorization in 1965, the late Congressman John Saylor of Pennsylvania predicted that the project, while holding the seeds of hope, would prove to be a Pandora's box when opened. That prediction has come back to haunt this Chamber.

Some of the finest public lands in this Nation are located within the national wildlife refuge system, a system for which I feel a great sense of responsibility. A portion of that system absolutely essential to the welfare of this continent's migratory waterfowl resources—the heritage of whistling wings that we have an obligation to maintain for our children's children—are the major refuges in North Dakota. I am shocked to learn that data now available indicates that the Garrison unit would adversely affect no less than a dozen such refuges in the Dakotas, including world-renowned refuges such as Sand Lake in South Dakota and Arrowwood in North Dakota.

I do not believe the Congress of the United States intended to damage these irreplaceable lands, held in public trust, when the project was authorized. Indeed, I can find no data indicating that Congress was ever informed such serious damage to the refuge system would result if Garrison were authorized. If we had known this, I doubt the project would ever have gotten off the ground.

In addition, I am shocked to learn that the project will adversely affect nearly 70,000 additional acres of prime prairie wetlands—critical nesting habitat for this Nation's migratory waterfowl.

Furthermore, there are now strong indications that the project's mitigation plan, via which 146,530 acres were to be acquired for wildlife habitat to offset project-caused damages, will never be realized—as farmers in North

Dakota are understandably upset to learn that some of their land may be acquired for mitigation features.

In short, Garrison will damage more refuges than any other water project in our Nation's history, will cause a devastating impact on additional prime prairie wetlands, and involves a mitigation plan that likely will not be realized because of strong landowner opposition with North Dakota.

Claimed wildlife benefits for the project, which are second only to irrigation in benefit/cost computations—are a fraud. We are not getting the wildlife benefits we were promised, which we, in turn, promised to the American people. This project should not move forward any further until the issue of wildlife damages is addressed—and a plan implemented for avoiding or fully offsetting those damages.

I do not understand how my colleagues from North Dakota can support such calloused condemnation of our Nation's refuges and wetlands. I further do not understand how he can support the amendment added by the Senate to H.R. 4144, which would remove an existing stipulation and order against the project, thus effectively removing the only tool the public now has to force the Bureau of Reclamation to disclose what the impacts of the project will be.

The House needs more information on the Garrison issue, including an accounting from the Interior of just what they intend to build on the North Dakota prairies—and how they intend to deal with evidence of massive additional costs—such as those to national wildlife refuges and associated prairie wetlands. In the interim, the Bureau of Reclamation has no business condemning anybody's land for a still undetermined ultimate project.

The existing stipulation and order provides an orderly mechanism for addressing Garrison's problems, while keeping the project under the umbrella of necessary Federal laws and statutes. It should remain there, and the Department of the Interior should provide to the Congress the remaining information set forth in the stipulation.

I must point out that the Senate amendment is opposed by a long list of national conservation organizations including the Audubon Society, National Wildlife Federation, Friends of the Earth, Wildlife Management Institute, and a host of others.

Mr. ROUSSELOT. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I would be delighted to yield.

Mr. ROUSSELOT. I heard the list of the other groups, which I have some problem with. The National Taxpayers Union?

Mr. DINGELL. That is correct.

Mr. ROUSSELOT. What do they say about this?

Mr. DINGELL. Well, they say that the Senate amendment ought to be rejected by the House. I will make a copy of their letter available to my good friend. Basically they say they would prefer the Garrison project not be funded at all. I quote from their November 18, 1981 letter in opposition to the Senate amendment:

> Unfortunately, that will not be the issue before you. The issue is simply whether the Congress should set aside court orders and direct construction of a wasteful project without first resolving the real fiscal and environmental problems associated with the project. We strongly urge you to support the Conte-Dingell effort to delete the Senate language, and in less hectic times re-examine the Garrison project and make a deliberate determination of the project's future.

Mr. ROUSSELOT. The gentleman, I think, has made the main point. The other body attempted to set aside a court order?

Mr. DINGELL. That is correct.

Mr. ROUSSELOT. They have gone in the judiciary business?

Mr. DINGELL. They have gone in the judiciary business, and the Senate in appropriating money has gone into the business of overturning statutes and court orders in an appropriation bill. They have tried to repeal the Fish and Wildlife Coordination Act and the National Environmental Policy Act interestingly enough, in this single action by the Senate. I will be glad to yield to my friend.

Mr. ROUSSELOT. What are the main purposes of this project? I understand it is a potential duckpond. Is that correct?

Mr. DINGELL. No, the purpose of this particular project is to divert massive amounts of water from the Garrison Reservoir over into ultimately two other drainages, the Souris drainage and the drainage of the Red River, which will ultimately move waters on up into Canada and the Hudson Bay area.

Mr. ROUSSELOT. Would it become a duckpond then?

Mr. DINGELL. No, I think this project is going to have a more disastrous impact on the migratory waterfowl population and wildlife refuge system of the United States than any single project that has ever been undertaken in the history of the United States, and perhaps a worse impact on the refuge system and migratory waterfowl than all other water projects in the history of the United States.

Mr. ROUSSELOT. I thank my colleague.

Mr. DINGELL. Mr. Speaker, I think it has to be observed that the refuge system is one of the great national treasures. No less than 12 refuges in North Dakota, some of the finest wildlife refuges and finest migratory waterfowl habitats in the entire United States will be absolutely decimated, if not totally destroyed, by this particular project.

The House needs more information on the Garrison project. One of the reasons the stipulation and order is of importance is that it requires an orderly process for resolving the environmental and international issues and for protection of refuges, prairie wetlands, and the wildlife values of the particular area. It also assures that the questions which cannot be resolved through the administrative or judicial process will be presented to the Congress. The stipulation and order of the court, which the action of the Senate would upset, is not something which would prevent the Garrison project from going forward. Quite the contrary, it is something which will assure that it goes forward with appropriate environmental and international safeguards and appropriate congressional supervision to see to it that the fish and wildlife values of the area are protected.

To repeat, Mr. Speaker, there are no indications whatsoever that if objectional Senate language is adopted, that the rights of farmers in the area—and they are now commencing condemnation of farmers' lands along the Rockford Canal which will move waters of the Garrison project over into the Red River drainage. In fact there is really no assurance that this project can be constructed within the foreseeable future. Farmers will be involuntarily moved off their lands before there is a need for that action to be taken under this particular proposal.

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Florida.

Mr. FASCELL. What the gentleman is saying is that they are going to take farmers off their lands in order to make land for farmers to go back on the land and the taxpayers will pick up the tab. From this perspective, I agree with the gentleman from Michigan and am in complete support of his motion to disagree with the Senate amendment on the Garrison diversion project.

As a member, and more recently as Chairman, of the Canadian-United States Interparliamentary Group, I have participated in lengthy discussions with Canadian Members of Parliament during our past eight meetings and I can assure you that the Garrison diversion project is a national issue in Canada. After acid rain, it is the environmental issue of greatest concern to the Canadians.

The U.S. Government has made a commitment to Canada not to proceed with this project until resolution is reached on the matters of concern to Canada. Past Congresses have respect-

ed this agreement with Canada, yet we are now being asked to renege on that commitment by inclusion of the Senate provision dealing with this project.

Not only is it unconscionable for the United States to contravene its understanding with Canada, but the timing could not be worse. Last year the United States provided a major affront to Canada by its refusal to ratify the fisheries treaty. Only lengthy negotiations and explanations of the atmosphere in the U.S. Senate convinced the Canadian Parliament to approve the companion boundary treaty. Further, in the past month we have seen evidence of moderation in the rhetoric on both sides of the border regarding Canada's energy and investment policies, and Canadian officials appear to finally be taking steps to deal with some of the U.S. objections. Just last week the Canadian Government provided a signal that it will not expand the jurisdiction and activities of the Foreign Investment Review Agency. The painstaking progress that has been made in this important area could be seriously jeopardized by the injury that Canadians would feel by approval of the Senate provision.

Mr. Chairman, I strongly urge our colleagues to reject this provision.

Mr. DINGELL. One might say this is a project for musical farms. Presumably, they are going to move some farmers off their land so that they can farm other land. Curiously, the lands they will be farming will probably be of less value in terms of agriculture, and when we couple that with the loss of wildlife habitat in the area, it could result in a significant losses for both farmers and wildlife.

Mr. STANGELAND. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Minnesota.

Mr. STANGELAND. Mr. Speaker, I thank the gentleman for yielding.

In the gentleman's discussion as far as the loss of wildlife habitat and degradation of wildlife environment, the gentleman might also want to point out the thousands and thousands of acres that are in mitigation, mitigated acres that are put back into wildlife habitat.

Mr. DINGELL. I am glad the gentleman mentioned that because, first of all, if he will read the language of the Senate amendment——

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. BEVILL. Mr. Speaker, I yield 2 additional minutes to the gentleman from Michigan.

Mr. DINGELL. The language of the particular amendment says as follows:

None of the funds appropriated in this act for the Garrison diversion unit shall be used for the acquisition of mitigation lands by condemnation, or for the construction of features affecting waters flowing into Canada under the authorized plan.

What they are saying is, if we adopt this amendment we will assure that there is no way that lands can be acquired to mitigate the losses of fish and wildlife habitat as a result of this project. We are essentially foreclosing that action by the Interior Department. I would point out, too, that periodically the Congress has passed provisions prohibiting expenditures of funds for the mitigation of lost habitat, but it is only through authorizing legislation—and not through legislating in an appropriations bill that this should be accomplished, if at all.

Mr. MYERS. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield.

Mr. MYERS. The gentleman has been here for a long time and is familiar with the language. I am sure he knows what this language says, that none of the funds in this act shall be used for buying mitigating lands, because the purpose of this money is not for the entire program.

Mr. DINGELL. I am keenly aware of that, but the hard fact of the matter is, the gentleman very well knows that no other funds are available anywhere for the purchase of mitigation lands because we have said that moneys for mitigation cannot be expended if condemnation has to be used, and the only way you can get lands of this kind in this particular area is through condemnation. So, the effect of the Senate amendment would be to see to it that while the project is moved forward, the mitigation promised in the 1965 authorization of the Garrison project, some 140,000 acres of it, would not be available for the purposes of mitigating the loss.

Mr. MYERS. I am sure the gentleman is aware that it is 145,000.

Mr. DINGELL. Whatever the figure is.

Mr. MYERS. Twenty-five thousand has already been set aside to the Department of the Interior. They have control of 25,000 acres right now.

Mr. DINGELL. They have got 115,000 acres more to acquire, and a promise was made when this project was finally implemented that those lands would be available.

I urge the rejection of the Senate amendment.

Mr. CONTE. Mr. Speaker, I yield 6 minutes to the gentleman from Indiana (Mr. MYERS).

Mr. MYERS. Mr. Speaker, this language in this bill is legislation on an appropriations bill. That is the reason it is in disagreement right now, and brought back by your committee, because it is an item in technical disagreement. But, how did it get here, and why?

We must go back to 1976, when the Audubon Society and a few other environmental groups brought suit against the Secretary of the Interior, Tom Kleppe, a former colleague of ours, that all of the NEPA laws had not been abided by, and that the basic law for authorizing the construction had not been complied with. The court reviewed it and found this to be true, and left an order, but in the meantime there was a stipulation entered into by part of the parties—but not all of them; the defendant was not involved in the stipulation. The stipulation made an agreement between the Audubon Society and then the new Secretary of the Interior, because there had been an election, the new Secretary of the Interior setting aside what would take place here.

□ 1200

And the court in its direction, in its order—and I cite the language in the last sentence of the Court's order which was filed in May of 1977—"further ordered that this case shall not proceed on the merits pursuant to the terms of the agreement until Congress has reauthorized the project."

Now, there is a serious question whether the court has the authority to direct Congress to do anything or whether the executive branch has the right to set aside and deauthorize, because this is what the stipulation actually did, that is, to deauthorize, and the executive does not have that authority.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. MYERS. I yield to my colleague, the gentleman from Michigan.

Mr. DINGELL. Mr. Speaker, the gentleman read a part of the stipulation.

Mr. MYERS. I did not read from the stipulation; it was from the court's order.

Mr. DINGELL. The court order reads as follows: "or authorizing funds for project development until an additional 60 days has passed."

Mr. MYERS. "Or."

Mr. DINGELL. That does not mean the stipulation and orders deauthorized the project. It says simply that Congress is required to act before there is any further construction on the project. That is quite different from saying the project has been deauthorized.

Mr. MYERS. And this is the basis of this legislation provided by the other body. We all know that authorization in an appropriation bill is not permitted by our rules, but it is by the other body. This is what happened in the conference, and we agreed in conference.

This is one of the things we had to agree on. We had to meet them halfway.

It is not all as bad as is being painted here. We are going to hear later that this is going to destroy 13 refuge areas

in North Dakota. There are only 13 to start with, and some of them are 300 miles from the Garrison project.

The money in this bill and the direction in this legislation is only for a small pumping station to provide water for about 5,000 acres for irrigation and for a study to see about percolation tests.

What damage will irrigation do in this area? We do not know today. It is authorized, yes. This is reauthorizing just a very small part of this program. We have to look at if further in the future, but today we do not know about percolation tests. We do not know what damage it might do in the future after drainage waters are turned back in. This money will provide a chance to get some answers to some questions.

Then we have the question about Canada. We are going to hear about Canada. This provision very specifically says that "none of the funds appropriated in this Act * * * shall be used * * * for the construction of features affecting waters flowing into Canada * * *."

That is very clear. It will not affect Canada. In fact, it may help answer some questions.

Now, as for the wildlife, the question comes up here about how it is going to destroy all of these 13 refuge areas. The fact is that 25,000 acres have already been handed over to the Department of the Interior for its control for fish and wildlife. It has been expanded to 146,000 acres total if we go along with the entire program, which we have not done yet. But there are 146,000 acres set aside which are not there today.

So if we should continue this, and I think we should, we are going to enhance the wildlife. Our friend, the gentleman from Massachusetts (Mr. CONTE), is going to have a lot of canvasbacks to shoot, and he has not got that today. There are 146,000 acres of land there for the ducks, but we think we also ought to have a few thousand acres for the people.

Yes, we are going to set aside 146,000 acres, 25,000 of which have already been set aside and being used for this purpose, but we are also going to give a few thousand acres for people. The ducks get 146,000 acres; the people get about 15,000. A lot of people think that is not a very good proportion, but we have been dealing with 12 percent, and that is a lot better than 12 percent. I do not think the ducks fare too badly.

I do not know of any member in our committee or any Member in Congress who wants to destroy the wildlife. We want to enhance it, and this is what it is all about.

In closing, Mr. Speaker, I urge this body to respond to what the court invited Congress to do. This really is not a reauthorization. The court invited Congress to reauthorize. Congress does not have to reauthorize because the court did not have the power to deauthorize in this instance, nor did the Executive in the stipulation order have that authority to deauthorize.

The court invited us to do just exactly what Congress has done at this point. So it is not setting aside any court order. We are following the court order by doing what they invited us to do, reauthorizing a very small portion of this, affecting about 5,000 acres, part of which will be for ducks and part of which will be for people. That is not a bad thing to do.

Mr. Speaker, I urge our colleagues not to follow the people who say, "Do it all for ducks and forget about people's needs." Some of these days people are going to have to eat, too, and that is what this bill is all about. We want to answer some questions.

Mr. BEVILL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this committee has supported this project for many years. The bill contains $4 million for this project which has been agreed upon by the Senate.

The Senate has simply added some language to the bill that these gentleman are objecting to. The $4 million will be spent on a test area only.

As the distinguished gentleman from Indians (Mr. MYERS) said, the court legislated. The Senate wants to unlegislate what the court legislated. They have no business legislating, they have no business telling this Congress they are going to deauthorize a project. These courts have taken on enough authority, and they have assumed enough jurisdiction.

Our action today is to overrule the court which has deauthorized a project. They had no business deauthorizing the project. We have been supporting this project which was authorized in 1965, and the Congress has consistently appropriated money for it.

Canadian objections have been mentioned. The language states specifically, "none of the funds appropriated in this act for the Garrison Diversion Unit shall be used * * * for the construction of features affecting waters flowing into Canada * * *."

That is there in black and white, so that is a moot argument.

I believe the other objections have been covered.

Mr. Speaker, the committee feels that this is a good project and the Court has no business deauthorizing it.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. BEVILL. I yield to the gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. Mr. Speaker, I thank my good friend for yielding.

I appreciate the gentleman's concern, and there is room here for honest men to differ. But the hard fact of the matter is that the Senate language reverses a ruling of the court, and nullifies the effect of two statutes passed by the Congress, the Fish and Wildlife Coordination Act and the National Environmental Policy Act. The language totally overrules a stipulation and order by the court which was agreed to by the Interior Department and by the Audubon Society. More importantly, the language directs the Secretary to move a project forward by taking lands away from people in the area at a time when the court says they cannot go forward.

Mr. MYERS. Mr. Speaker, will the gentleman yield?

Mr. BEVILL. I yield to the distinguished ranking minority member.

Mr. MYERS. Mr. Speaker, what the gentleman from Michigan said is not right. This does not set aside EPA laws. Very clearly, it says, "providing other provisions of law shall continue to be applicable to the project."

A new impact statement has been made, and it has been delivered under the direction of the court. That has been completed. This does not set aside EPA. It provides what the court says we must do. It reauthorizes the project, and we are just reauthorizing a very small segment in this instance.

Mr. DINGELL. Mr. Speaker, will the gentleman yield further?

Mr. BEVILL. Mr. Speaker, I believe we are running out of time. Let me just say that I urge the Members to support the committee on this amendment, since it is not going to cause any harm.

Mr. CONTE. Mr. Speaker, I yield myself such time as I may need.

Mr. CONTE. Mr. Speaker, if the motion to recede and concur is defeated, I will then make a motion that the House disagree to the Senate amendment No. 23, and I urge my colleagues who are not here and who are back in their offices to vote no when they come here.

The Members will remember the last time we were on this motion, which is not quite the same motion, because, if you who are here or are listening to this debate back in your offices, you know that this is a much worse situation now than before. The last time you voted aye on my motion to strike the $4 million; this time you will vote "no" on this.

My good friend, the gentleman from Indiana (Mr. MYERS), says that everything is for the ducks and there is nothing to eat. I may suggest to him that there is nothing like roast duck and orange sauce, and I will be glad to give him the recipe for that later on.

Mr. MYERS. Mr. Speaker, if the gentleman will yield, I will accept.

Mrs. FENWICK. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I am glad to yield to my friend, the very charming, lovely, and brilliant gentlewoman from New Jersey.

Mrs. FENWICK. Mr. Speaker, I thank my colleague for yielding and for speaking on this matter in this constructive vein. I would like to associate myself with the gentleman's remarks and urge that this House vote no.

I think we have gone far enough with the damage that we have done.

Mr. CONTE. Mr. Speaker, I thank the gentlewoman for her contribution.

Mr. Speaker, the Senate amendment effectively guts, as the gentlewoman from New Jersey said, a U.S. Federal district court decision of May 6, 1981. That decision suspends construction on the 250,000-acre Garrison diversion unit boondoggle until Congress, acting through its authorizing committees, has had an opportunity to consider two items. Item No. 1 is consideration of supplemental environmental studies of the project. Item No. 2 is consideration of new authorizing legislation, to be prepared in light of those studies and designed to resolve the international, economic, and environmental problems which currently affect the project.

At this point, Mr. Speaker, I would like to insert a letter from the Premier of Manitoba of November 17, 1981.

I do not care what the Members hear, on November 17, he was opposing this particular project. The letter is as follows:

CANADIAN EMBASSY,
Washington, D.C., November 17, 1981.

Hon. SILVIO O. CONTE,
U.S. House of Representatives.

DEAR REPRESENTATIVE CONTE: I have had occasion to write to you in the past regarding Canadian concerns about the Garrison diversion project in North Dakota. Its completion, as it is currently authorized, would lead to serious environmental and economic consequences in Manitoba.

In light of your impending review of this project, The Honourable Sterling Lyon, Premier of Manitoba, has asked me to transmit to you his views, as set out in the attached telegram. In it, the Premier summarizes the views and concerns about the Garrison of the Government of Manitoba, which the Canadian Government fully shares.

Yours sincerely,

PETER M. TOWE,
Ambassador.

TEXT OF TELEGRAM FROM PREMIER STERLING LYON TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES

The Government of Manitoba is informed that the United States House of Representatives will be considering the Energy and Water Appropriations Bill (1982), one component of which is a dollars four million appropriation to the Garrison Diversion Unit.

I wish to remind you of my letter of May 29, 1980 and the information brochure accompanying that letter, both of which set out the unequivocal opposition of the people of Manitoba to the Garrison project as authorized by Congress.

We remain steadfast in our opposition to any Garrison plan which contemplates the transfer of water across the Continental Divide into the Hudson Bay Drainage Basin, with the resultant damage to our fisheries and our water environment in general, as documented by the International Joint Commission. I am sure that you would not wish to support a plan which would inevitably damage or destroy an important sector of our industry and our environment.

STERLING LYON,
Premier of Manitoba.

As many of you are aware, I have opposed this project on the merits or the lack of merits, for many years. In July of this year, when the House first considered the energy and water appropriations bill for fiscal year 1982, I offered an amendment which would have eliminated the $4 million in new funding for this wasteful project. The amendment did not pass, but the margin was by a mere 18 votes.

Today, we are faced with voting on the conference report on this same energy and water appropriations bill, but now it includes even more offensive language regarding this destructive project. The few proponents of this language now want you to overturn a U.S. Federal court decision as well as "any subsequent court order" relative to the same carefully crafted litigation agreement. Such language is totally unacceptable and sets fourth a very bad precedent for this Chamber to labor under.

Mr. DINGELL. Mr Speaker, will the gentleman yield?

Mr. CONTE. Certainly I yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Speaker, the gentleman said a very important thing. The language of the Senate amendment that the gentleman objects to says that the Secretary is directed to proceed notwithstanding the stipulation and order of May 11, 1977. But the Senate language says, "And any subsequent court order."

So the Senate language not only kills the existing court order but it tells the citizens of the area, they can not even go back into court and get any subsequent orders protecting their rights against action by the U.S. Senate. I say that that is an outrage.

Mr. Speaker, I thank the gentleman for yielding.

□ 1215

Mr. MYERS. Will the gentleman yield?

Mr. CONTE. I yield to the gentleman.

Mr. MYERS. Again, you did not read all of the order or all of the bill. It says that any subsequent court order, notwithstanding the stipulation. Then it goes on and says, only that stipulation in that order. It does not preclude the courts from, in the future, looking at something. We are not saying the court has no jurisdiction, just relative to the stipulation which is highly suspect.

Mr. DINGELL. I will bet the minute somebody goes into court to complain about some further action that the Senate language will be cited as stripping the plaintiff of his right to litigate the question. I would even wager if that litigant is successful, the U.S. Senate will be back again to take away the rights of people in the area.

I thank the gentleman from Massachusetts for yielding to me.

Mr. CONTE. I thank the gentleman for his contribution.

This language of the other body adds insult to the already economic and environmental injury to the farmers of the State of North Dakota.

The proponents of this language which mandates the construction of the project would have you—listen to this—take 220,000 acres of prime land to irrigate 250,000 acres of agricultural land, destroy 60,000 acres of prairie wetlands, which are necessary for the breeding of the canvasback duck. No other State in the Union with the exception of Alaska produces more of this waterfowl. It will adversely affect 13,175 acres of prairie wetlands destroy or damage 12 national wildlife refuges, which I fought so hard for as a member of the Migratory Bird Commission, Ducks Unlimited, who are against this particular action of destroying these wetlands up there in North Dakota.

The fund also is a project which the International Joint Commission concluded "would cause significant injury to the health and property in Canada as a result of an adverse impact on the water quality and thus be in violation of the 1909 Boundary Waters Treaty with Canada" and which the Canadian Government has again vehemently opposed in a letter to me dated November 17, 1981.

Mr. DORGAN of North Dakota. Mr. Speaker, will the gentleman yield to me?

Mr. CONTE. I yield to the gentleman from North Dakota.

Mr. DORGAN of North Dakota. In terms of the statistics about destruction, would be the gentleman tell us how many mitigation acres will be taken for that project?

Mr. CONTE. 145,000.

Mr. DORGAN of North Dakota. So that ought to be considered in the description of the statistics the gentleman uses about destruction.

Mr. CONTE. Let me go on with this disaster. Let me go on with this disaster.

They would require the construction of the first phase of three of this environmentally unsound maze of canals, dams, and reservoirs which has skyrocketed in cost from $206 million to—listen to this—$1.01 billion.

Mr. ROUSSELOT. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I will be glad to yield.

Mr. ROUSSELOT. Did you say $1 billion?

Mr. CONTE. I said $1.01 billion. The benefit/cost ratio has plummeted 45 percent in the last 2 years. Now listen to this.

Mr. ROUSSELOT. I am listening.

Mr. CONTE. Are you listening? They would have you approve the design of, listen to this, the "Venice of the West." This will make the gondola country of Venice, Italy, look anemic by contrast, there will be so many canals up there.

Mr. ROUSSELOT. We have a Venice in California that is not doing too well.

Mr. CONTE. But that is dry. This is going to be wet canals all over.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Michigan.

Mr. DINGELL. The National Taxpayers Union has a very interesting comment on the point which supports what my good friend and colleague from Massachusetts says. They state:

It is now estimated that the Garrison project will cost the taxpayers $1 billion. And if past history is any indication, this cost can surely be expected to increase. The project costs have increased nearly five times—from an original authorization of $207 million to the current estimate of $1.018 billion. As the cost is escalating, the cost/benefit ratio is rapidly decreasing. In two years, the benefit/cost ratio has dropped from two-to-one to one-to-one (and this is using the artificially low interest rate of 3.225 percent).

Mr. CONTE. I am going to submit the entire letter.

Mrs. FENWICK. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentlewoman from New Jersey.

Mrs. FENWICK. I would like to comment I think our colleague in the well puts the case a little more colorfully and cogently than the National Taxpayers Union, valuable as those figures are.

Mr. EDGAR. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Pennsylvania.

Mr. EDGAR. Mr. Speaker, I rise in support of the motion by Mr. DINGELL and Mr. CONTE. I support the pending motion to oppose language the Senate added to H.R. 4144 because that language will not help resolve Garrison's problem's, rather it seeks to sweep them under the rug.

The language would set aside a stipulation and court order that provides a clear process by which the Congress can address problems with the project that have only become apparent since authorization, which are among the most serious unresolved problems faced by any proposed water development project in this Nation. The stipulation does not take final authority for the project away from Congress. We have the final say, and we will always have the final say. It does prevent new construction until we have had an opportunity to study the damage to national wildlife refuges, and the international issue, and the related issue of just what originally planned irrigation lands might still be developed. It allows us to decide where this project is going, at taxpayers' expense, before it goes any further.

If, for example, the final report of the International Joint Commission, which concluded the project would result in a treaty violation, is accepted by the State Department—and I believe it will be—then 79 percent of the lands first planned for irrigation under the authorized Garrison unit cannot be developed.

In light of that consideration alone, the existing stipulation must not be set aside. This project must remain within the law.

I believe appropriate committees of this House, including Interior, Foreign Affairs, and Appropriations, must undertake a more intensive review of the Garrison issue than has been the case to date. I further believe the Secretary of the Interior should provide for that review by completing the analysis and legislation contemplated by the stipulation, and providing that material to Congress for our review and action.

I hope the pending motion will pass, and expect that it will. After it does, I pledge to work with my good friend from North Dakota in following the process outlined by the stipulation, which I believe is realistically the only process by which this project, likely in modified form, will ever move forward again.

Mr. BARNES. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I am glad to yield to the gentleman.

Mr. BARNES. Mr. Speaker, I want to take this opportunity to join my colleagues in opposing the Senate provisions on the Garrison diversion project in North Dakota, which are contained in the energy and water appropriations bill.

As chairman of the House Foreign Affairs Subcommittee with jurisdiction over United States-Canadian relations, I feel a responsibility to express my view that this project will do damage to our relations with our neighbor to the north. Opposition to the Garrison diversion project focuses on several points—the project will pollute the rivers that flow from North Dakota into Canada; it violates the Boundary Waters Treaty between the United States and Canada; and it ignores pending court action aimed at resolving international and environmental problems. I am also concerned that the Committee on Foreign Affairs should have the opportunity to review the implications that this project has for the furture of United States-Canadian relations. For these reasons, it is my conclusion that the Senate provision should not be accepted. To do otherwise would be against our national interest, and would needlessly hurt our relations with Canada.

Mr. CONTE. Because of the principle of "separation of powers," there is a very serious question concerning the constitutionality of the other body's amendment. The judicial branch has crafted carefully a decision which establishes a procedure whereby the Congress must effectively review this project; a project which was first reviewed and authorized in 1965, under totally different assumptions and cost factors—some 16 years ago.

The Senate language sidesteps the agreement of the Secretary of the Interior in which he recognized an obligation to respond to the requirements of the law—the National Environmental Policy Act, as well as to honor our Nation's commitment to Canada through our 1909 Boundary Waters Treaty Act. Paragraph D of the negotiated agreement which was upheld by the U.S. Federal district court in May of this year states, "No action * * * will be undertaken until * * * Congress has thereafter reauthorized the project. * * *"

Although the last phrase in the other body's amendment purports to satisfy the Canadians' concerns, it does not. In fact, the Canadian Embassy has, again, protested this action. The fact of the matter is that 79 percent of the originally authorized project will "affect waters flowing into Canada," contrary to the amendment language. The 5,000 acre "test plot," which the amendment mandates construction, does not satisfy the very serious concerns of the Canadians regarding the transfer of rough fish into the Canadian waters in violation of our 1909 treaty. It does not, because the originally authorized design of the pumping station is of such a size that it would pump water into both the Missouri River and the Hudson Bay watershed.

It is appropriate that Congress should take a hard and fresh look at this maze in view of rising costs, U.S. treaty commitments with Canada, and the damage to this Nation's National Wildlife Refuge System that would result. These problems should be reviewed by the appropriate authorization committees including Interior and Foreign Affairs. Clearly, this is not the time to allow a select few to ride roughshod over our carefully drafted laws as well as the wisdom of the judicial branch. For the economic and environmental well-being of this Nation and Canada and the preservation of the integrity of the judicial and legislative branches of Government, I urge you to support my motion.

Mr. ROUSSELOT. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from California.

Mr. ROUSSELOT. I appreciate my colleague yielding and I have been fascinated by this map my colleague has presented here. It says here that this Garrison diversion project would provide 3,000 miles of canals, drains, and channelized river, and it shows all of that in red all across the State. Is that correct?

Mr. CONTE. As I said, this will make the Venice of Italy look anemic by contrast, and they do not even have a gondola up there.

Mr. ROUSSELOT. It is 3,000 miles of canals?

Mr. CONTE. 3,000 miles and $1 billion, over $1 billion.

Mr. ROUSSELOT. I remember that.

Mr. CONTE. How in the heck do you think you are going to build 3,000 miles of canal?

Mr. MYERS. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I will be glad to yield to my colleague from Indiana.

Mr. MYERS. How many ducks would 3,000 miles of canal hold?

Mr. CONTE. It is not how many ducks it will hold but how many ducks it will destroy. You must understand what breeding grounds are and what canals are. They are two different things. You are talking about apples and oranges. I will take you out in a duckblind someday and I will show you.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Michigan.

Mr. DINGELL. I thank the gentleman for yielding.

For the benefit of my friend from Indiana, canals do not produce ducks; wetlands do.

Mr. CONTE. I told him that.

Mr. DINGELL. If the gentleman were a duck hunter he would understand that.

Mr. MYERS. We will stipulate that.

Mr. DINGELL. Let me read what one of the ranchers in the area has to say about this. It also should be known that this is not something that is greeted with uniform enthusiasm in the State of North Dakota. Here is what one citizen up there has to say. This is Richard Steinbach, chairman of the New Rockford Canal Protesters Association. He is one of those that lives on this 3,000 miles of canal that is going to be built with $1 billion of your money and subsidized interest rates. But, interestingly enough, he is protesting because he says as follows:

I own land that would be taken for the eastern portion of the proposed New Rockford Canal—a 50 mile plus canal that would run west to east, carrying water from the proposed Lonetree Reservoir to irrigation districts in central and southeast North Dakota. The reservoir on the western portion of the canal would lie in the Canadian watershed, and water carried through the canal would also involve direct connections to that same watershed. Since our State Department has promised not to build project features affecting Canada until differences over the project are resolved, one might think that my land, and that of my neighbors, could be spared under the shield of international diplomacy.

But listen to this. That is what the action of the other body does to this poor soul.

Not so, apparently—although they can't build either end of the New Rockford Canal, James Watt's bureaucrats are now out to try and build the middle portion of the canal. That makes as much sense as starting to build a bridge in the middle of a river, even though there are indications the bridge will never be allowed to touch either shore.

This is a boondoggle.

Mr. CONTE. If I might wind up, the gentleman from Michigan has quoted from the National Taxpayers Union letter. I ask unanimous consent, Mr. Speaker, to submit the entire letter into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The letter referred to follows:

NATIONAL TAXPAYERS UNION,
Washington, D.C., November 18, 1981.

DEAR REPRESENTATIVE: It has come to our attention that the Senate added language to the Energy and Water Appropriations bill (H.R. 4144) setting aside a court order and certain future court orders pertaining to the Garrison Diversion project in North Dakota.

When the Energy and Water Appropriations bill is returned to the House for final approval, Congressmen Dingell and Conte will raise an objection to the Senate language. We urge you to support this effort and vote to strike the Senate-added language concerning the Garrison project.

The Senate language, in addition to setting aside court orders, directs the Secretary of Interior to proceed with construction of the project. That was originally authorized by Congress sixteen years ago. It not only is a waste of taxpayer dollars but will also be in violation of the National Environmental Policy Act and the Boundary Waters Treaty with Canada. Because of the wasteful and questionable aspects of the project, we urge you not to take precipitous action. Instead, we ask that you take a careful look at the project and resolve some of the controversy now associated with it before spending any more money on it.

It is now estimated that the Garrison project will cost the taxpayers a billion dollars. And if past history is any indication, this cost can surely be expected to increase. The project costs have increased nearly five times—from an original authorization of $207 million to the current estimate of $1.018 billion. As the cost is escalating, the cost-benefit ratio is rapidly decreasing. In two years, the benefit-cost ratio has dropped from 2:1 to 1:1 (and this is using the artifically low interest rate of 3.225%).

At a time when it is absolutely essential to cut unnecessary spending from the federal budget, it is even more important that projects such as the Garrison receive careful cost scrutiny by the Congress. We are confident that if you take a hard look at the Garrison project—and balance its costs and its benefits against other programs you will agree that it cannot be economically justified. In the present economic climate, we cannot think of any agrument which justifies a federal subsidy of $800,000 per benefitted farm, yet this is what the Garrison project will provide to those few lucky farmers.

We would prefer that Garrison not be funded at all. Unfortunately that will not be the issue before you. The issue is simply whether Congress should set aside court orders and direct the construction of a wasteful project without first resolving the real fiscal and environmental problems associated with that project. We strongly urge you to support the Dingell-Conte effort to delete the Senate language and, in less hectic times, reexamine the Garrison project and make a deliberate determination about the project's future.

Sincerely,

LEN RIPPA,
Director of Congressional Affairs.

Mr. CONTE. I would like to wind up, because the other day one of the gentleman from South Carolina referred to silk stocking liberals and I notice a lot of these silk stocking liberals voted for this boondoggle. They can get a nice conservative vote here.

The last paragraph of that letter from the National Taxpayers Union says:

We would prefer that Garrison not be funded at all. Unfortunately, that will not be the issue before you. The issue is simply whether Congress should set aside court orders and direct the construction of a wasteful project without first resolving the real fiscal and environomental problems associated with that project. We strongly urge you to support the Dingell-Conte effort to delete the Senate language and, in less hectic times, reexamine the Garrison project and make a deliberate determination about the project's future.

My colleagues listening, watching, this is the National Taxpayers Union—"We strongly urge you to support"—this is the only bad part of the letter. It says Dingell-Conte. "We strongly urge you to support the Dingell-Conte effort to delete the Senate language and, in less hectic times, reexamine the Garrison project and make a deliberate determination about the project's future."

Mr. DORGAN of North Dakota. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from North Dakota.

Mr. DORGAN of North Dakota. I thank the gentleman for yielding. I just want to say that the gentleman from Michigan (Mr. DINGELL) gave us some information about the New Rockford Canal. Could the gentleman tell me whether the appropriations we are discussing include any money to construct the New Rockford Canal?

Mr. CONTE. The $4 million, as I understand it, no, but it will overturn the court order, and allow general construction immediately. That is the bad thing. Once you have started, you are gone.

□ 1230

Mr. DORGAN of North Dakota. So that the answer then, is "no"?

Mr. CONTE. "No." I told you that.

Mr. DORGAN of North Dakota. I thank the gentleman.

Mr. BEVILL. Mr. Speaker, I yield such time as he may consume to our distinguished colleague, Mr. DORGAN, the gentleman from the State of North Dakota where this project is located.

Mr. DORGAN of North Dakota. I thank the gentleman for yielding.

Mr. Speaker, I was mesmerized here, not so much by substance, but by style, the fascinating discussion about this project. As I listened I was wondering whether it was a discussion about Garrison Diversion or part of the "Bob and Ray Show." We are not talking about the living habits of canvasback ducks; we are talking about a water project. We are talking about a project that was included as part of the Pick-Sloan plan in 1944. It was formally authorized by Congress in 1965. At the present time it is not built. It is a controversial project, to be sure. It is a project that has had some difficulties.

But let us focus this. The gentlewoman from New Jersey, the gentleman from Michigan, and others have talked about the New Rockford Canal, they have talked about Canada, they have talked about a lot of things. But the focus here is: Shall we spend $4 million to build a pumping station, the Oakes pumping station, to send water to a test irrigation plot. That is the issue. The Canadian issue is not present in this appropriation. So I would like to focus on that for just a moment.

But before I do that, Mr. Speaker, I would like to point out some facts about the court order that has halted the work on this project. I think it is important to note that both the stipulation between the Interior Secretary and the Audubon Society and the court order, both of them, talked about nullification of the agreement.

Let me just point out that in the stipulation, page 5, it says:

> This agreement is nonseverable. If any portion of the agreement becomes unenforceable, is violated, or is nullified * * *

The stipulation itself uses the word "nullified."

Now, the court order, which I think is interesting, also refers to "nullification."

It says, on page 3:

> Congress has taken no action since the execution of the May, 1977 Stipulation and Order to nullify the agreement.

And it says:

> Any Senate action subsequent to the stipulation could only render the stipulation legally null and void if it compelled the Federal defendants to expend the funds on the Garrison Project * * *

That is the language that is important.

The point is that the judge himself indicated a remedy for this kind of situation. The judge contemplated that if Congress decided it wanted to compel the spending of those funds, it could and should do so. This is not interference with the court. That is nonsense. This is a discussion in the court order that talks about nullification.

Now, on page 11 of the court order it says:

> One of the actions is to defer further expenditures until Congress has acted to reauthorize the project, or an alternative, or "nullify" the stipulation.

That is all this language is doing. It is nullifying the stipulation. It says, No. 1, we are going to appropriate $4 million. And, No. 2, we are going to insert this language and nullify the stipulation so that the $4 million can be used. For what? For construction of the Oakes pumping station. It is an irrigation test plot. Not for the construction of the Lone Tree Reservoir, not for the construction of the New Rockford Canal. We are not talking about the ducks. We are talking about the construction of the Oakes pumping station.

Now, the gentleman from Massachusetts talked a lot about mitigation. Actually, he talked more about destruction than mitigation. The fact is, there are going to be 146,530 acres of mitigation on this project; 25,000 acres of mitigation have already been taken. But mitigation represents an enhancement or, at least, a maintenance of the kind of wetlands that the gentleman is concerned about. And I think a balanced presentation by the gentleman from Massachusetts would include acknowledgement that this project would incorporate 146,000 acres of mitigation.

Now, I notice that the "Dear Colleague" that was sent around to the Members of the House said that this language would negate mitigation. Now, if the gentleman really believes that this language would negate mitigation, he has not read the language very carefully, because the language says that mitigation shall not be acquired through condemnation at this point. The mitigation has already been underway. And it talks about acquiring mitigation acres from willing sellers only.

Mr. CONTE. Mr. Speaker, will the gentleman yield on that point?

Mr. DORGAN of North Dakota. I yield to the gentleman from Massachusetts.

Mr. CONTE. The language in the Senate says:

> None of the funds appropriated in this Act for the Garrison Diversion Unit shall be used for the acquisition of mitigation lands by condemnation.

Mr. DORGAN of North Dakota. Precisely.

Mr. CONTE. Well, there is nobody willing to sell.

Mr. DORGAN of North Dakota. Oh, come now. The gentleman from Massachusetts just has not talked to some folks. The fact is, there are two ways of acquiring mitigation acres. One is by condemnation; the other is by doing it from willing sellers.

You are presupposing, of course, that you cannot go out and find someone who is willing to sell their land for a certain price.

This does not negate the approach to getting mitigation acres. If they wanted to do that, they probably would have done that in the language. But they did not, because they do not want to negate mitigation acreage. They understand the need for mitigation acreage. They have simply said, "We are not going to take mitigation acreage during this fiscal year through the process of condemnation," and they have said that in past bills, as well.

I would like to also point out that in the "Dear Colleague" letter that was sent around it was alleged the Secretary of the Interior would be directed by this Congress to proceed without necessary and proper environmental assessments.

The fact is that all of the environmental impact statements that have been required by NEPA and the May 11, 1977, stipulation have been completed.

Now, I think that it is important for us to discuss a little history. The fact is, our State gave up a half-million acres to build a dam. In the Pick-Sloan project, they said, "Let's build a dam up there in North Dakota. People from North Dakota, give up a half a million acres for that dam, because we want to provide flood control downstream, we want to provide navigation capabilitites downstream, we want to provide the hydroelectric power that can be generated from the dam." So the dam was built, and now we have flood control downstream in other States, we have navigation capabilities that are fine, and we have all of the benefits from hydroelectric power that were contemplated.

But in 1944 they also said "North Dakota, in exchange for giving up half a million acres, we are going to give you a 1 million-acre irrigation project. That is what we are going to give you."

Well, it is 1981, and we do not have a project.

I was in Massachusetts one day about a little over a decade ago, and I was reading the morning papers. The papers said the citizens of Boston and surrounding area had raised a tremendous protest over the possible emplacement of the antiballistic missile system. So they decided later on, "We do not want to put the anti-ballistic

missile system around Boston or the major cities. Let's ship it out in the country." So North Dakota got the antiballistic missile system. North Dakota also has 300 ICBM Minutemen poised in the silos out there. I suppose it is our own peculiar kind of mitigation through the Pentagon. But the fact is, North Dakota has been willing to house those kinds of projects, that kind of Federal spending, but now when it comes time to talk about Federal spending that will enhance agriculture, that will provide some municipal and industrial water supplies, we have folks in the House who stand up and say, "Well, now, we want to forget about those promises made to States like North Dakota. Those promises we do not think hold the test of time."

I am not someone who says that this project does not have some difficulties, but the fact is, we are not building anything more than the Oakes pumping station at this point. If you want to discuss the New Rockford Canal, the Lone Tree Reservoir, discuss that when we appropriate funds next year in fiscal year 1983. It is a good discussion to have. I think the project ought to be able to stand the test of its own merits. But I think that is when we ought to have that discussion.

Mr. STANGELAND. Mr. Speaker, will the gentleman yield?

Mr. DORGAN of North Dakota. I yield to the gentleman from Minnesota.

Mr. STANGELAND. I appreciate my colleague yielding, and I want to commend him on an excellent statement.

Someone said earlier that we have to know more about this project. This project has to be, if you want to study the record, the best known project in this House. And the gentleman from North Dakota has given an excellent lesson in history as to what North Dakota gave up, the commitments that were made to North Dakota. But, my friend, the problem is that, unfortunately, North Dakota only has one Congressman to defend it, and there are 434 who can vote very fiscally conservative and ignore the needs of North Dakota, ignore the needs of North Dakotans.

The gentleman also forgot one of the prime benefits of this kind of a project, and that is the municipal and industrial water needed for the development of the cities in central North Dakota and on the borders of my district in Minnesota.

When the gentleman speaks of the Hydroelectric power, North Dakota did not benefit from that hydroelectric power, but Minnesota, Iowa, Wisconsin, Michigan, clear to Chicago, did benefit from that hydroelectric power. North Dakota did not benefit from the flood control. The flood control benefits went on down into South Dakota, to Nebraska, to Missouri, to other parts of the country.

And I think those people who are watching in their offices had ought to listen to what the gentleman from North Dakota is saying, because he is giving you the straight facts without a great dog and pony show.

I appreciate the gentleman yielding to me, and I want to associate myself with his remarks.

Mr. DORGAN of North Dakota. Obviously, I appreciate the gentleman's remarks. When I talk about the history of this project, I think I understand why Sitting Bull didn't trust Washington. You know, Sitting Bull and the people who were around him, always had to wonder whether Washington would ever keep its word. And they discovered that there were a lot of folks in Washington who do not care much about their word. The word was, "You people give up a half a million acres and we will give you something. We will give you a project—one that provides a consistent and stable municipal and industrial water supply and one that provides enhanced irrigation capabilities. We will give you something to show for what you've lost."

Now, we have people in Washington who say, "Well, we are not so sure we want you to have that."

I think a promise is a promise. If, as we go along, this project needs some changes, we ought to be willing to make those changes. But the fact is, we are talking today about a $4 million appropriation, we are talking about the construction of a pumping station for a test irrigation plot that will in fact move toward resolving, I hope, some of those difficulties we have with Canada because we will be able to measure the quality of the return flows from this irrigation test site.

I am really taken aback by the newfound friendship with the National Taxpayers Union, because my friend from Michigan surprises me when he uses the National Taxpayers Union as his credential for opposing this project. I have discovered that you should never be too surprised on the floor of this House, so I will suppress that surprise for the moment and simply say that this is a very narrow question. Despite the tremendous style with which my friend from Massachusetts delivered his presentation, the issue is: Can we and shall we spend $4 million to build an irrigation test plot and a pumping station that will feed water down to the Oahes area of North Dakota. That is a very small step to resolving the need for a water project in our State's future—one that Congress has promised the State of North Dakota. I would urge a yes vote on this issue despite the meanderings of the charges of some of the opponents.

Mr. CONTE. Very briefly, Mr. Speaker, I want everyone to understand—I wish I could, but I cannot—we are not touching the $4 million. There is no way we can get at the $4 million. The $4 million remains in there. What we are trying to do is take out the Senate language which was not in the House-passed version of this project, which nullifies the Federal district court decision and violates a 1909 treaty with Canada.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Michigan.

Mr. DINGELL. And which is violative of the rules of the House, which is nongermane and which constitutes legislation on an appropriation bill.

Mr. CONTE. Exactly right. If we could only get this in here, we would have a point of order against it, and the point of order would lie. But the Senate, with their loose-footed rules over there, have gotten this thing in here the way they have.

Mr. BEVILL. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Indiana (Mr. MYERS).

Mr. MYERS. I thank the gentleman for yielding.

Now, we have been learning today all about what you would like to know about the Garrison project and were always afraid to ask.

The problem is that there have been a lot of facts thrown around here that just simply are not what this amendment does. This amendment was offered by the other body. Yes, it came back in disagreement. It is legislation on an appropriation bill. No one is trying to cloud it or trying to disguise it any other way. But some of the facts and statistics that have been thrown out by the opponents of this would suggest that we are rewriting Public Law 89-108, which was the act in 1965 that provided authorization. This amendment does not change the basic law. It does not exempt this project from other NEPA laws—not for a moment. It does not do many things here that was suggested by the opponents of this language.

In fact, you would think this project encompassed all of North Dakota and the south half of Canada, when it simply does not do that. The language in here merely—and I reiterate what this language does—says to proceed with construction of the initial stage, the initial stage, of the Garrison diversion unit, as provided by the act.

□ 1245

It is suggested here that it is going to exempt it from all other law. That is not true. It says providing that other provisions of law shall continue to be applicable to the project.

Does this suggest that we are wanting to exempt this program, this authorization, this unit from all other provisions of law, the NEPA law? NEPA is going to continue to prevail here. They must. The builders and contractors must comply with all the other NEPA regulations.

It is suggested that this is going to provide for land for all other things. It is not all. The money is here and it very specifically says not even for mitigation, under condemnation. It can only be spent for an agreement or contract entered into for pumping stations, which is very small, to buy a right of way, which the sellers are willing to sell, you can through condemnation. There has to be mutual agreement. No land can be taken through condemnation.

Then we keep talking about Canada. I thought for a moment I was sitting in the Parliament for a while. We are concerned about the Boundary Waters Treaty. This does not violate this. The language in the amendment very clearly says that none of the funds in this act may be used for construction of features affecting waters flowing into Canada.

If Canada sent the gentleman a letter on November 17 saying anything different, they had not read the amendment, and I suggest they might not because I am not sure it was written by them.

Last, we are concerned about the wildlife. It has been suggested we are going to destroy all the wildlife, the breeding grounds and 3,000 acres of canals. I do not know how many people visit canals. I have a little lake on my farm, not nearly 3,000 acres. I have ducks on it all the time. But we are providing in the basic authorization, which goes back to 1965, adding back to North Dakota's wetlands 146,530.

I might say for those who did not know how many acres were being affected, of course they did not know, they have not read it. With 146,530 acres of mitigated land for wildlife breeding, they will have more ducks than they have ever had. We are not affecting that part of the law. We are not doing that at this time.

Mr. BEVILL. Mr. Speaker, will the gentleman yield?

Mr. MYERS. I yield to the gentleman from Alabama.

Mr. BEVILL. We are not talking about money, we are not talking about saving money, we are talking about a court order that has deauthorized an act of Congress. The budget contained funds for the project. The elected representatives of North Dakota support the project. The people support it. The people who are talking against this project, I believe not a one of them even live with 200 miles of it. Is that right?

Mr. MYERS. As far as I know. I have not heard anything else.

The amendment was offered by the Senators from North Dakota. The Member from North Dakota here supports it. But we always get opposition from people far removed from it both in fact as well as geography.

But let me close by saying that there are 500 acres of wetlands, according to the Department of the Interior and according to the environmental impact statement that will be impacted.

Mr. BEVILL. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Speaker, I will not take the full 4 minutes, but I certainly want to challenge the gentleman from Indiana.

I gave the facts as they are. I never try to mislead anybody on the floor of the House. I gave the facts of what this project will ultimately cost. It is a billion—over a billion dollars. I am sure this is the beginning. That is all I said. It is the beginning. Once we begin a project, it goes through to the end. I have seen it in the 24 years I have been here. We never stop these projects. The Corps of Engineers says this project will cost over a billion dollars.

The other gentleman from Alabama said nobody lives 200 miles next to these projects. These are my taxpayers paying for the boondoggles. I do not care if it is 5,000 miles away, my taxpayers are paying and I have a right to oppose it. Two hundred miles, three hundred, it is the taxpayers' money. That is why the taxpayers' union has written the letter against this boondoggle here today.

Now, this language not only tries to overturn that district court case but the language even goes farther than that. The language says subsequent court order, and any subsequent court order in respect to the May 11, 1977, decision.

Who in the heck are we, a bunch of tin gods up here in the Congress. We are going to overturn cases before they are ever tried.

We must come to our senses and vote "no" on this big boondoggle. It is the biggest boondoggle I have seen in the 24 years I have been in the Congress. We will choke on this one if we vote for it.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama (Mr. BEVILL).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. BEVILL. Mr. Speaker, I demand a recorded vote, and pending that, I make the point of order that a quorum in not present.

The SPEAKER pro tempore. Does the gentleman make a point of order?

Mr. DINGELL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 67, nays 314, not voting 52, as follows:

[Roll No. 328]

YEAS—67

Alexander	Gibbons	Nichols
Anthony	Gore	O'Brien
Barnard	Hall, Ralph	Perkins
Benedict	Hall, Sam	Rahall
Benjamin	Hammerschmidt	Regula
Bevill	Hansen (ID)	Rhodes
Bouquard	Hatcher	Roberts (KS)
Burgener	Hefner	Roberts (SD)
Chappell	Holland	Shelby
Coelho	Jones (OK)	Skeen
Craig	Jones (TN)	Smith (IA)
de la Garza	Kogovsek	Smith (NE)
Derrick	Lehman	Stangeland
Dickinson	Lewis	Stenholm
Dorgan	Lujan	Stokes
Dowdy	Marlenee	Stump
Dymally	Matsui	Wampler
Edwards (OK)	Mazzoli	Whitley
English	Mollohan	Whitten
Ertel	Morrison	Winn
Flippo	Murtha	Wright
Ford (TN)	Myers	
Frenzel	Natcher	

NAYS—314

Addabbo	Corcoran	Fountain
Akaka	Coughlin	Fowler
Albosta	Courter	Frank
Anderson	Coyne, James	Frost
Andrews	Coyne, William	Fuqua
Annunzio	Crane, Daniel	Gaydos
Applegate	Crane, Philip	Gejdenson
Archer	Crockett	Gephardt
Ashbrook	D'Amours	Gingrich
Aspin	Daniel, Dan	Glickman
Atkinson	Daniel, R. W.	Gonzalez
Badham	Danielson	Gradison
Bafalis	Dannemeyer	Gramm
Bailey (MO)	Daschle	Gray
Bailey (PA)	Daub	Green
Barnes	Davis	Gregg
Beilenson	Deckard	Grisham
Bennett	Dellums	Guarini
Bereuter	DeNardis	Gunderson
Bethune	Derwinski	Hall (OH)
Bingham	Dingell	Hamilton
Blanchard	Donnelly	Hance
Bliley	Dougherty	Hansen (UT)
Boggs	Downey	Harkin
Boland	Dreier	Hartnett
Boner	Dunn	Hawkins
Bonior	Dwyer	Heckler
Bonker	Dyson	Heftel
Breaux	Eckart	Hendon
Brinkley	Edgar	Hertel
Brodhead	Edwards (CA)	Hightower
Brooks	Emerson	Hiler
Broomfield	Emery	Hollenbeck
Brown (CO)	Erdahl	Holt
Brown (OH)	Erlenborn	Hopkins
Broyhill	Evans (GA)	Horton
Burton, John	Evans (IA)	Hoyer
Burton, Phillip	Evans (IN)	Hubbard
Butler	Fary	Huckaby
Byron	Fascell	Hughes
Campbell	Fazio	Hunter
Carman	Fenwick	Hutto
Carney	Ferraro	Hyde
Chappie	Fiedler	Ireland
Clinger	Fields	Jacobs
Coats	Findley	Jeffords
Coleman	Fish	Jeffries
Collins (IL)	Fithian	Jenkins
Collins (TX)	Florio	Johnston
Conable	Foglietta	Kastenmeier
Conte	Ford (MI)	Kazen
Conyers	Forsythe	Kemp

Kildee	Nelligan	Smith (AL)
Kramer	Nelson	Smith (NJ)
LaFalce	Nowak	Smith (OR)
Lagomarsino	Oakar	Smith (PA)
Lantos	Oberstar	Snowe
Latta	Obey	Snyder
Leach	Ottinger	Solarz
Leath	Oxley	Solomon
LeBoutillier	Panetta	Spence
Lee	Parris	St Germain
Leland	Pashayan	Stanton
Lent	Patman	Stark
Levitas	Patterson	Staton
Livingston	Pease	Stratton
Loeffler	Pepper	Studds
Long (LA)	Petri	Swift
Long (MD)	Peyser	Synar
Lowery (CA)	Pickle	Tauke
Lowry (WA)	Porter	Tauzin
Luken	Price	Taylor
Lundine	Pursell	Thomas
Lungren	Rangel	Traxler
Markey	Ratchford	Trible
Marks	Richmond	Vander Jagt
Marriott	Rinaldo	Vento
Martin (IL)	Ritter	Volkmer
Martin (NC)	Robinson	Walgren
Martin (NY)	Rodino	Walker
Mavroules	Roe	Washington
McClory	Roemer	Watkins
McCollum	Rogers	Weaver
McCurdy	Rose	Weber (MN)
McDade	Rosenthal	Weber (OH)
McDonald	Rostenkowski	Weiss
McEwen	Roukema	White
McGrath	Rousselot	Whitehurst
McHugh	Roybal	Whittaker
Mica	Russo	Williams (MT)
Michel	Sabo	Williams (OH)
Mikulski	Sawyer	Wirth
Miller (CA)	Scheuer	Wolf
Miller (OH)	Schneider	Wolpe
Mineta	Schroeder	Wortley
Minish	Schulze	Wyden
Mitchell (MD)	Seiberling	Wylie
Mitchell (NY)	Sensenbrenner	Yates
Moakley	Shamansky	Yatron
Molinari	Shannon	Young (AK)
Moore	Sharp	Young (FL)
Moorhead	Shaw	Young (MO)
Mottl	Shumway	Zablocki
Napier	Shuster	Zeferetti
Neal	Skelton	

NOT VOTING—52

AuCoin	Foley	Murphy
Beard	Garcia	Paul
Bedell	Gilman	Pritchard
Biaggi	Ginn	Quillen
Bolling	Goldwater	Railsback
Bowen	Goodling	Reuss
Brown (CA)	Hagedorn	Roth
Cheney	Hillis	Rudd
Chisholm	Howard	Santini
Clausen	Jones (NC)	Savage
Clay	Kindness	Schumer
Dicks	Lott	Siljander
Dixon	Madigan	Simon
Dornan	Mattox	Udall
Duncan	McCloskey	Waxman
Early	McKinney	Wilson
Edwards (AL)	Moffett	
Evans (DE)	Montgomery	

□ 1300

The Clerk announced the following pairs:

Mr. Biaggi with Mr. Pritchard.
Mr. AuCoin with Mr. Rudd.
Mrs. Chisholm with Mr. Beard.
Mr. Garcia with Mr. Clausen.
Mr. Mattox with Mr. Siljander.
Mr. Ginn with Mr. Edwards of Alabama.
Mr. Foley with Mr. Paul.
Mr. Jones of North Carolina with Mr. Roth.
Mr. Bowen with Mr. Quillen.
Mr. Dicks with Mr. Cheney.
Mr. Early with Mr. Dornan of California.
Mr. Brown of California with Mr. Railsback.
Mr. Dixon with Mr. Hillis.
Mr. Moffett with Mr. McKinney.
Mr. Simon with Mr. Kindness.
Mr. Udall with Mr. McCloskey.
Mr. Reuss with Mr. Goldwater.
Mr. Santini with Mr. Lott.
Mr. Schumer with Mr. Hagedorn.
Mr. Waxman with Mr. Madigan.
Mr. Montgomery with Mr. Duncan.
Mr. Wilson with Mr. Evans of Delaware.
Mr. Howard with Mr. Goodling.
Mr. Clay with Mr. Gilman.
Mr. Murphy with Mr. Bedell.

Messrs. GINGRICH, FINDLEY, GEJDENSON, ALBOSTA, EMERSON, KRAMER, KEMP, and LIVINGSTON changed their votes from "yea" to "nay."

Mr. RALPH M. HALL changed his vote from "nay" to "yea."

So the motion was rejected.

The result of the vote was announced as above recorded.

MOTION OFFERED BY MR. CONTE

Mr. CONTE. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. CONTE moves that the House insist on its disagreement to the amendment of the Senate numbered 23.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 24: Page 10, line 5, after "momument" insert: ": *Provided further,* That of the amount herein appropriated under the Central Arizona Project, $2,000,000 shall be available for preconstruction activities on distribution systems pursuant to the Distribution Act of July 4, 1955, as amended."

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 24 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 29: Page 16, line 6, strike out all after "205." down to and including "rights" in line 8 and insert "Appropriations in this title shall be available for acquisition of land for the McGee Creek project, Oklahoma: *Provided,* That land required for the dam, dike, and any other authorized permanent features shall be acquired in fee title (surface and minerals): *Provided further,* That mineral and subsurface interests shall be acquired by subordination in the conservation pool area of the reservoir, natural scenic recreation area, and the wildlife management area in such a manner as to allow the present mineral owners, their successors and assignees the right to explore for and extract minerals under restrictions required to protect the project: *Provided further,* That only the surface estate be acquired for any other lands required for the McGee Creek project".

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 29 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 33: Page 17, line 7, after "96-368" insert: ": *Provided,* That $1,300,000 of the funds provided herein shall be for the Region X wood-derived fuels program and transferred to the Bonneville Power Administration for obligation and expenditure".

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 33 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following: ":*Provided,* That of the funds appropriated herein, $9,000,000 is to be derived by transfer of unobligated balances from the funds appropriated under the heading "Operation and Maintenance, Southwestern Power Administration", and $16,000,000 is to be derived by transfer from funds apprpriated under the heading "Plant and Capital Equipment, Departmental Administration": *Provided further,* That $1,300,000 of the funds provided herein shall be for the Region X wood-derived fuels program and transferred to the Bonneville Power Administration for obligation and expenditure"

Mr. BEVILL (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 40: Page 19, line 2, after "vehicles" insert "and official reception and representation expenses (not to exceed $35,000)".

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 40 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 47: Page 22, after line 12, insert:

URANIUM SUPPLY AND ENRICHMENT ACTIVITIES

"For expenses of the Department of Energy in connection with operating expenses; the purchase, construction, and acquistion of plant and capital equipment and other expenses incidental thereto necessary

for uranium supply and enrichment activities in carrying out the purposes of the Department of Energy Organization Act (Public Law 95-91), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; purchase of passenger motor vehicles (not to exceed 23 for replacement only); $1,811,000,000, to remain available until expended of which $1,805,000,000 shall be derived from revenues received from the enrichment of uranium as authorized by section 111(h) of Public Law 93-438, as amended, notwithstanding the provisions of section 3617 of the Revised Statutes (31 U.S.C. 484): *Provided,* That within the limits of this appropriation, obligations may be incurred in advance of uranium enrichment revenue collections and shall be liquidated from such collections.

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 47 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following:

"URANIUM SUPPLY AND ENRICHMENT ACTIVITIES

For expenses of the Department of Energy in connection with operating expenses; the purchase, construction, and acquisition of plant and capital equipment and other expenses incidental thereto necessary for uranium supply and enrichment activities in carrying out the purposes of the Department of Energy Organization Act (Public Law 95-91), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; purchase of passenger motor vehicles (not to exceed 23 for replacement only); $1,806,000,000, to remain available until expended: *Provided,* That revenues received by the Department for the enrichment of uranium and estimated to total $1,805,000,000 in fiscal year 1982, shall be retained and used for the specific purpose of offsetting costs incurred by the Department in providing uranium enrichment service activities as authorized by section 201 of Public Law 95-238, notwithstanding the provisions of section 3617 of the Revised Statutes (31 U.S.C. 484): *Provided further,* That the sum herein appropriated shall be reduced as uranium enrichment revenues are received during fiscal year 1982 so as to result in a final fiscal year 1982 appropriation estimated at not more than $1,000,000."

Mr. BEVILL (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 52: Page 25, strike out lines 14 to 20, inclusive, and insert:

For administrative expenses of the Geothermal Resources Development Fund, $200,000, to remain available until expended; and for carrying out the Geothermal Loan Guarantee and Interest Assistance Program as authorized by the Geothermal Energy, Research, Development and Demonstration Act of 1974 (Public Law 93-410), $2,000,000, to remain available until expended: *Provided,* That not to exceed $2,000,000 from the Fund shall be available for interest differential payments in fiscal year 1982: *Provided further,* That the amounts remaining in the Fund shall be used as a default reserve for loan guarantees to be issued pursuant to section 201 of title II of Public Law 93-410, as amended.

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 52 and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert the following:

"For administrative expenses of the Geothermal Resources Development Fund, $200,000, to remain available until expended; and for carrying out the Geothermal Loan Guarantee and Interest Assistance Program as authorized by the Geothermal Energy, Research, Development and Demonstration Act of 1974 (Public Law 93-410), $2,000,000, to remain available until expended: *Provided,* That not to exceed $2,000,000 from the Fund shall be available for interest differential payments in fiscal year 1982: *Provided further,* That the amounts remaining in the Fund shall be used as a default reserve for loan guarantees issued pursuant to section 201 of title II of Public Law 93-410, as amended."

Mr. BEVILL (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The motion was agreed to.

□ 1315

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 57: Page 29, line 10, after "uniforms;" insert "official entertainment expenses (not to exceed $3,000);".

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 57 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following: "official entertainment expenses (not to exceed $1,500);".

Mr. BEVILL (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 59: Page 29, line 13, strike out all after "$477,535,000," down to and including "Enforcement" in line 17 and insert "to remain available until expended".

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 59 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 60: Page 30, line 2, strike out all after "until" down to and including "1983" in line 4 and insert "expended".

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 60 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 61: Page 30, line 14, after "1980" insert ", or to require any State to adopt such requirements in order for the State to continue to exercise authority under State law for uranium mill and mill tailings licensing, or to exercise any regulatory authority for uranium mill and mill tailings licensing in any State that has acted to exercise such authority under State law: *Provided, however,* That the Commission may use such funds to continue to regulate byproduct material, as defined in section 11 e. (2) of the Atomic Energy Act of 1954, as amended, in the manner and to the extent permitted prior to October 3, 1980".

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 61 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 64: Page 31, after line 16, insert:

WATER RESOURCE PLANNING

For the Water Resources Council for salaries and related expenses necessary in carrying out the provisions of the Water Resources Planning Act of 1965 (42 U.S.C. 1962-1962d-3), as amended, including services as authorized by 5 U.S.C. 3109 and 42 U.S.C. 1962a-4(5), $6,730,000 including $2,500,000 for expenses in administering the Act (42 U.S.C. 1962d(b)), $3,230,000 for prep-

aration of assessments and plans (42 U.S.C. 1962d(c)), and $1,000,000 for the Upper Mississippi Comprehensive Management Plan (Public Law 95-502): *Provided*, That none of the funds included herein shall be used for an Independent Project Review, for expenses of River Basin Commissions (other than necessary expenses related to the Upper Mississippi Comprehensive Management Plan), or for Grants to States.

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 64 and concur therein with an amendment, as follows: in lieu of the matter proposed by said amendment, insert the following:

"WATER RESOURCES PLANNING

"For the Water Resources Council for salaries and related expenses necessary in carrying out the provisions of the Water Resources Planning Act of 1965 (42 U.S.C. 1962-1962d-3), as amended, including services as authorized by 5 U.S.C. 3109 and 42 U.S.C. 1962a-4(5), $3,888,000 including $658,000 for expenses in administering the Act (42 U.S.C. 1962d(b)), and $3,230,000 for preparation of assessments and plans (42 U.S.C. 1962d(c)): *Provided*, That none of the funds included herein shall be used for an Independent Project Review, for expenses of River Basin Commissions or for Grants to States."

Mr. BEVILL (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the last amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 66: Page 32, after line 21, insert:

SEC. 508. The Senate hereby expresses its intention not to appropriate funds for improvements on the portion of the Black Warrior-Tombigbee Waterway south of Demopolis, Alabama.

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 66 and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and the several motions was laid on the table.

APPOINTMENT OF CONFEREES ON S. 1211, EXTENDING FOR 1 YEAR TOXIC SUBSTANCE CONTROL ACT

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1211) to authorize funds for fiscal year 1982 for the control of toxic substances, with House amendments thereto, insist on the House amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan? The Chair hears none and, without objection, appoints the following conferees: Messrs. DINGELL, FLORIO, SCHEUER, BROYHILL, and LENT.

There was no objection.

EXPLANATION AS TO VOTE

Mr. DANIELSON. Mr. Speaker, I was unable to be present on the floor of the House of Representatives for three rollcall votes on Wednesday November 18, 1981. Had I been present, I would have voted as follows:

On rollcall No. 310, the House voted to suspend the rules and pass H.R. 4482, amended, to establish a U.S. Court of Appeals for the Federal Circuit, and to establish a U.S. Claims Court; 321 yeas to 76 nays: I would have voted "yea."

On rollcall No. 311, the House agreed to the conference report on H.R. 3453, the Intelligence Authorization Act; 379 yeas to 22 nays; I would have voted "yea."

On rollcall No. 313, the House rejected a motion to recede from its disagreement and concur, with an amendment, to Senate amendment No. 42 to H.R. 4522, the District of Columbia appropriations for the fiscal year ending September 30, 1982; 228 yeas to 174 nays; I would have voted "yea."

At the time of the above votes I was attending to business of the Judiciary Committee elsewhere in the Capitol complex. My vote would have made no difference on the outcome on any of the three issues.

PRESIDENTIAL ELECTIONS IN HONDURAS

Mr. BARNES. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs be discharged from further consideration of the concurrent resolution (H. Con. Res. 225) with respect to the scheduled Presidential elections in Honduras, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

Mr. LAGOMARSINO. Mr. Speaker, reserving the right to object, and I do not intend to object, the peaceful democratic electoral process that is now currently underway in Honduras, stands in stark contrast to the efforts of the Cuban/Soviet backed and trained Marxist terrorists throughout the rest of Central America who seek to use violence to achieve power. The upcoming Presidential elections in Honduras are but a first in a series of elections scheduled to take place in Central America. Costa Rica, Guatemala, and El Salvador all have elections scheduled for next spring to let the people of those nations choose their own leaders and control their own future.

In fact, in all of Central America, only Nicaragua has no elections scheduled. Not only have the Sandinistas, with the help of their Cuban allies, reneged on their promises to the people of that country, they have actively sought to undermine the democratic aspirations and processes of their neighbors.

Through the passage of this resolution, the Congress can go on record as strongly supporting the people of Honduras and their efforts to follow a democratic path. We can also state our strong opposition to those in Nicaragua, Cuba, and elsewhere who seek to impose their will through bullets and not ballots.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

Mr. JEFFORDS. Mr. Speaker, reserving the right to object, and I will not object. I rise in support of this resolution.

On Tuesday, I will leave Washington for Tagucigalpa, the capital of Honduras, to be an international observer in the elections to be held on November 29. My interest in Honduras comes from the active partnership between that nation and my State of Vermont and from my belief that we have neglected the regions closest to us for too long. With the problems in El Salvador and Nicaragua, we have seen the results of this neglect.

The Honduran elections are clearly a significant step for a country in that troubled part of the world. It is extremely important that Honduras not be engulfed by the extremist movements that have taken hold in other nations in Latin America. With the exception of Costa Rica, Honduras has the most progressive political tradition of any of these countries.

It is critical that we in the United States encourage such movements toward peaceful democracy in Latin America and in the rest of the world. The election in Honduras is particularly significant because it constitutes a transition of power to civilians from the military, which has held power since 1972.

I have been asked by the House Foreign Affairs Committee to transmit this resolution to officials in the Honduran Government and I will be pleased to do so.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

Mr. DERWINSKI. Mr. Speaker, reserving the right to object, I am strongly tempted to do so, but I will not.

I will at least state my views on the floor, as I do occasionally in committee.

I think these resolutions make a joke of the committee and the Congress.

Further reserving the right to object, I want to point out that the pattern of these resolutions over the years is one of selective indignation. I see the great stalwarts of human rights on the other side of the aisle who are always lecturing a government like Honduras, or Salvador, but are very quiet about the acts being perpetrated in Nicaragua. They seem to have forgotten all about Fidel Castro. They love to lecture a regime like Morocco, but never a word about Algeria. And yet, because that is where the predominance of opinion is in the Foreign Affairs Committee, we get those pious-sounding, noble, useless, politically motivated resolutions that make a joke of the Congress. This is nothing but gratuitous advice from a bunch of people who are not objective enough about the subject to be pontificating.

However, in a spirit of diplomacy, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 225

Whereas the country of Honduras is presently seeking to achieve a peaceful and democratic transition from military to civilian rule:

Whereas the process of democratization in Honduras has been occurring at a time of enormous political and military strife throughout Central America; and

Whereas the United States is firmly committed to the support of democratic institutions and processes throughout the world: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress extends its best wishes to the people of Honduras and expresses its desire and hope that the scheduled Presidential elections will be conducted successfully and in an atmosphere of openness and tranquillity.

The SPEAKER pro tempore. The gentleman from Maryland is recognized for 1 hour.

Mr. BARNES. Mr. Speaker, I yield such time as he may consume to the sponsor of the resolution, the gentleman from Massachusetts (Mr. STUDDS).

Mr. STUDDS. Mr. Speaker, after those devastating remarks by the gentleman from Illinois (Mr. DERWINSKI), let me see if I can convince the House that, while this is not a matter of controversy, at least as far as I know it is not, it is a matter of genuine substance.

Mr. Speaker, on November 29, the small Central American nation of Honduras is scheduled to make the enormously difficult and perilous transition from military to democratically elected civilian rule. Elections for President and Constituent Assembly will be held under conditions which permit at least a strong hope that the views of the majority of Hondurans will be accurately and fairly recorded.

Honduras is the second poorest country in the Western Hemisphere. It is situated alongside revolutionary Nicaragua, reactionary Guatemala, and war-torn El Salvador. If democracy can begin to flourish in Honduras, it will mean a great deal. Fairly and openly conducted elections remain the most powerful possible response to those on both the extreme right and the extreme left in our hemisphere who seek to impose their own will on others through the use of military force.

The neighbors of Honduras fear free elections. In Guatemala, elections are scheduled, but they will be conducted in an atmosphere of intimidation and repression, and will mean nothing. In El Salvador, elections are scheduled, but in a climate of civil war and officially tolerated terrorism; they, too, will bear little relation to democracy. In Nicaragua, the revolutionary government's leadership seems unwilling to put their boasts of popularity to a test at the polls. But, in Honduras, the electoral process, though flawed, will have real importance.

The resolution I have introduced will send a message to the people of Honduras that the United States supports and admires their courage in choosing a democratic path. Rumors persist that the Honduran military may still move to prevent the elections from going forward, or that the electoral results will be ignored. This resolution intends to convey a warning that the U.S. Congress would view any military interference in the electoral process with grave concern and that, under such circumstances, an immediate and highly critical reexamination of all U.S. assistance to the Honduran military would be undertaken.

I urge the adoption of the resolution.

Mr. Speaker, this is utterly, both the substance and purpose of this resolution, without controversy. It was adopted without dissent, unanimously, by members of both sides on both the subcommittee and the full Committee on Foreign Affairs. While I do not choose to inject any controversy for that reason, because we think this is important here, let me just observe parenthetically, in reponse to the remarks of the gentleman from Illinois, that we do believe this is a matter of substance, it is an opportunity for all of us to go on record on behalf of genuine elections, whatever we may or may not think of the Government of Honduras and that of neighboring countries.

Let me also say the gentleman wondered aloud why some kind of resolutions are not coming with respect to countries—I believe he mentioned Nicaragua and Cuba and Algeria. We do not give military aid to Nicaragua. We do not give military aid to Cuba or Algeria. Those of us who have been expressing concerns about human rights have been expressing those concerns with respect to governments around the world to whom we send arms.

Having said that, Mr. Speaker, let me urge my colleagues of both parties to make it abundantly clear to Honduras, to the hemisphere, and to the world, that we do indeed stand firmly in support of nations when they attempt to resolve their problems through the democratic process.

I urge support of the resolution.

Mr. BARNES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first of all, I want to commend the gentleman from Massachusetts (Mr. STUDDS) for his leadership on this issue. I agree with him totally that this is a matter of substance. It is by no means a frivolous issue to the people of Honduras as to whether or not they will have elections on the 29th of November.

On November 29, Honduras is scheduled to elect a civilian President, ending 10 years of military rule. This event is important not only in itself but it is also important for the example that it will set for the rest of Central America. It is fundamental to the interests of our Nation to foster and encourage the emergence of stable democracies among our neighbors to the south. Therefore, I congratulate the gentleman for his resolution, which places the United States squarely behind the electoral process and extends the best wishes of the U.S. Congress for successful elections on the 29th.

This resolution was reported out of the Subcommittee on Inter-American Affairs, which I have the privilege of chairing, and out of the full Committee on Foreign Affairs by unanimous votes. I hope and trust that all Members of the House will lend their support to this important expression of what out Nation stands for in foreign policy.

If I may briefly respond to the comments made by the gentleman from Illinois, I would say that when Nicaragua or when Algeria or when the Soviet Union schedules elections, I would hope that many of us would be

here to congratulate them, as we are, I hope, about to congratulate Honduras. I would think it is altogether appropriate for us to note the importance of what is happening in Honduras.

Yesterday, when the majority leader and the ranking Republican on my subcommittee, and the chairman of our full committee met with the President of Venezuela and discussed with him what we were about to do in the committee, namely, the adoption of this resolution, he indicated that he thought this could be important in terms of the considerations that are taking place today in Honduras.

I commend the resolution to all of my colleagues.

● Mr. GILMAN. Mr. Speaker, I rise in support of House Concurrent Resolution 225 in recognition of the upcoming Presidential elections in Honduras.

At a time when violence and destruction threaten to engulf the entire Central American area, the Government and people of Honduras have offered a ray of hope in the struggle for freedom and democracy. While suffering from many of the same ills that have thrusted her neighbors into armed conflict, the Government of Honduras has shown a determination to pursue peace and democracy through the electoral process.

In April of last year, Honduras freely and democratically elected a constituent assembly. This momentus occasion was the prelude to this month's scheduled Presidential elections. As Assistant Secretary of State Thomas Enders recently stated—

> The courage of Honduran leaders in standing by their election commitments despite regional turmoil and economic difficulties deserves recognition as an important contribution to the advancement of peaceful political processes in their country and in the region as a whole.

House Concurrent Resolution 225 extends to the people of Honduras the best wishes of the Congress and our desire and hope that the scheduled Presidential elections will be conducted successfully and in the same openness and tranquillity that accompanied the constituent elections.

I urge accordingly my colleagues to support House Concurrent Resolution 225.●

Mr. BARNES. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the concurrent resolution.

The previous question was ordered.

□ 1330

The SPEAKER pro tempore (Mr. BENNETT). The question is on the concurrent resolution.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BARNES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the concurrent resolution just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

OLDER AMERICANS ACT AMENDMENTS OF 1981

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 279 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 279

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3046) to amend the Older Americans Act of 1965 to extend the authorizations of appropriations contained in such Act, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, and all points of order against said substitute for failure to comply with the provisions of section 401(a) of the Congressional Budget Act (Public Law 93-344) and clause 5, rule XXI are hereby waived. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. After the passage of H.R. 3046, it shall be in order to take from the Speaker's table and consider the bill S. 1086 in the House, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and to insert in lieu thereof the provisions contained in H.R. 3046 as passed by the House.

The SPEAKER pro tempore. The gentleman from Florida (Mr. PEPPER) is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from Missouri (Mr. TAYLOR) for debate only, pending which I yield myself such time as I may consume.

Mr. Speaker, the Members will recall that the White House Conference on Aging in 1961 brought forth some meaningful legislation for programs for older Americans, and then the White House Conference on Aging in 1971 amended the Older Americans Act, which has been a wonderful piece of legislation for providing assistance for the elderly people of this Nation.

This rule today is to authorize the consideration of the bill extending for a 3-year period the Older Americans Act.

This rule is an open rule, with a number of necessary waivers in it.

The resolution provides for 1 hour of debate, to be equally divided and controlled between the chairman and ranking minority member of the Committee on Education and Labor. The bill makes in order a committee amendment in the nature of a substitute to be considered as an original bill for purposes of amendment. The rule waives section 401(a) of the Congressional Budget Act against consideration of the substitute. Very simply, section 401(a) prohibits any legislation that provides contract or borrowing authority which is not made subject in advance to appropriations acts. This technical waiver is necessary because several sections of the bill relating to home maintenance and repair services, special projects in comprehensive long-term care, and other provisions of the reported bill provide new contract authority without limiting such new authority to amounts provided in appropriation acts. The Rules Committee was advised that the Education and Labor Committee intends to offer floor amendments curing the Budget Act violations. Thus, the waiver was granted. The rule also waives clause 5 of rule XXI against the substitute. Clause 5 of rule XXI very simply prohibits appropriations in a legislative bill by a committee not having jurisdiction to report appropriations. This waiver is necessary because section 17 of the bill authorizes States to transfer 20 percent of funds appropriated in any fiscal year between social services and nutrition services programs and thus constitutes an appropriation in a legislative bill in violation of clause 5, rule XXI.

The resolution also provides one motion to recommit, with or without instructions. Upon the passage of H.R. 3046, the resolution makes in order consideration of S. 1086 in the House, and a motion to strike out all after the enacting clause and insert the House-passed provisions.

Mr. Speaker, the purpose of this bill is, as you may well know, one that I strongly support. Under the Older Americans Act of 1965, the act sets out the policy goals aimed at improving the lives of older Americans in the areas of income, health, housing, employment, retirement, and community services; and provides a legislative

basis for the creation of the Administration on Aging within the Office of the Secretary of the Department of Health and Human Services.

This is the legislation that provides home-delivered meals to those who cannot come to a congregate place to enjoy those meals; those who need help for home maintenance and repair; the foster grandparent and senior companion programs, and other necessary but often overlooked services.

Cited as the Older Americans Act of 1981, H.R. 3046 would provide for a 3-year extension of the Older Americans Act.

Mr. Speaker, I urge the passage of this resolution, and I reserve the remainder of my time.

Mr. TAYLOR. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, since this rule on the Older Americans Act amendments has already been described, there are just a couple of points I will make. First, the bill will be open to amendment. Second, the rule includes two waivers of points of order. The first is a waiver of the Budget Act provision which prohibits new contract authority not subject to appropriations. The Rules Committee was advised that the Committee on Education and Labor intends to offer floor amendments correcting the Budget Act violations, and therefore, the waiver was included.

The rule also includes a waiver of points of order because the bill technically includes appropriations on a legislative bill.

Mr. Speaker, the bill made in order by this rule amends the Older Americans Act to extend the authorizations in the act.

As always, one of the main problem areas is how much money is to be authorized. The following figures, provided through the minority staff of the Committee on Education and Labor serves to put this bill in perspective.

The bill as reported back on May 19, 1981, authorized a total of $1,810 million for fiscal year 1982, according to the committee report. The budget reconciliation bill set a level of $992 million for fiscal year 1982. In September, the Reagan administration requested $899 million for fiscal year 1982, for these same purposes.

According to information provided to the Rules Committee an amendment will be offered with bipartisan support to at least bring the level down to the amount in the budget reconciliation bill.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. PEPPER. Mr. Speaker, I have no further requests for time.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. ANDREWS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3046) to amend the Older Americans Act of 1965 to extend the authorizations of appropriations contained in such act, and for other purposes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. ANDREWS).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3046, with Mr. RAHALL in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the first reading of the bill is dispensed with.

The gentleman from North Carolina (Mr. ANDREWS) will be recognized for 30 minutes, and the gentleman from Wisconsin (Mr. PETRI), will be recognized for 30 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. ANDREWS).

Mr. ANDREWS. Mr. Chairman, I yield myself such time as I consume.

Mr. Chairman, today the Committee on Education and Labor presents H.R. 3046, the Older Americans Act Amendments of 1981. Its purpose is to amend the Older Americans Act of 1965 to extend the authorization of appropriations for the act and for other purposes.

In presenting H.R. 3046, we are proud to present a bill which represents a strong, bipartisan effort. I am, in fact, pleased to be joined by 66 of my colleagues, Democrat and Republican alike, in sponsoring this bill. I should like to thank all of them for their contributions and would particularly like to note the hard work of each subcommittee member—Mr. CORRADA and Mr. WILLIAMS of Montana who join me as sponsors of H.R 3046, as well as Mr. PETRI, the ranking minority member of the Subcommittee on Human Resources and Mr. COLEMAN. I would of course be remiss at this point if I did not also express my deep appreciation to the distinguished chairman of our committee, Hon. CARL PERKINS, whose support of this bill and of this Nation's senior citizens has been tireless and immensely successful. In addition, the distinguished ranking minority member of the Committee on Education and Labor, Mr. JOHN ASHBROOK, has been a consistent supporter of H.R. 3046 and has worked hard on its development. I likewise wish to pay tribute to and to thank Mr. Gordon Roley, staff director of our subcommittee and the five members of that staff for their hard, conscientious work, friendship and support.

As you can tell from the rather long list of cosponsors, cooperation on both sides of the aisle has been considerable. As further evidence, may I note that H.R. 3046 was reported unanimously out of both the subcommittee and the full committee.

As reported out of committee, the Older American's Act Amendments of 1981 extend the Older Americans Act of 1965 for 3 additional years. The older American volunteer programs of the ACTION Agency are also extended.

While the bill proposes only a few changes in an act the committee believes is working well, it does strengthen the Administration on Aging within the Department of Health and Human Services, provide State and local service providers with additional administrative flexibility, and make other modest improvements. A new program to assist older Americans with home maintenance and repair, including weatherization activities, is also included.

Under H.R. 3046, Federal administration of the Older American's Act has been strengthened and streamlined. The bill proposes that the Commissioner of AOA report directly to the Secretary of Health and Human Services, rather than having to go through the Assistant Secretary for Human Development Services. This should increase the effectiveness of AOA within the Department of HHS, improve efficiency by cutting redtape, and demonstrate our resolve that our older citizens become a high priority within Department policy. The functions of the National Information and Resource Clearinghouse are transferred to the Office of the Commissioner on Aging. During the last several years the Clearinghouse has functioned inconsistently if at all. The repeal of the Clearinghouse authority can put the $2 million a year it cost to better use within AOA, actually serving the elderly. As a further streamlining initiative, the title IV research and demonstration program has been rewritten and streamlined generally along administration requests. The areas of mental health and long-term care have been reemphasized within the title.

The committee bill continues to recognize the important rule that State and local governments play in providing services through the Older Americans Act. With this in mind, H.R. 3046 proposes changes which would grant increased administrative flexibility to State and local service providers. The bill would remove the arbitrary "50 percent funding requirement" with regard to priority service allocations

within a given State. This would enable States to determine how much of their total allocation should go to priority services. The bill would give flexibility to local senior centers to use AOA funds to serve meals to handicapped individuals under 60 if those handicapped persons lived in the same senior center and if the senior center director deemed it appropriate. Perhaps most importantly, it allows a State the option of transferring up to 20 percent of its allocation between the part B—supportive service category, which includes transportation to and from meal sites, and the part C—nutrition category. This should work to the advantage of rural and urban States alike. Rural States need the flexibility to cover increasing transportation costs. Often they have the meals but cannot afford to get the people to the meal sites or the meals to the people. Conversely, in urban States where there may be high concentrations of older individuals in need of nutrition services, transportation may not be a problem—but additional moneys for food is.

In addition to these provisions, H.R. 3046 makes other modest amendments to the act which have been requested during committee consideration of the act's reauthorization and which I believe are noncontroversial. The bill would clarify and emphasize existing authorities within the act with regard to education and training services. It would place private profitmaking and private nonprofit organizations on equal footing with regard to contract negotiations in order to improve cost effectiveness. It clarifies that home-delivered meal providers do not necessarily have to serve congregate meals as well. It increases eligibility for older American Indians and it provides that private contributions for meals made by seniors themsleves can be used to help defray the cost of transportation as well as for additional meals.

Mr. Chairman, the committee is pleased to present what we believe is a strong bill today for consideration by the House. It continues a program that is important to older citizens throughout this country; it is a program that seems to be working well; it is a program that deserves the continued support of the Congress.

□ 1345

Mr. PERKINS. Mr. Chairman, will the distinguished subcommittee chairman yield to me?

Mr. ANDREWS. I am happy to yield to the distinguished chairman of the full committee.

Mr. PERKINS. Mr. Chairman, first I wish to compliment the distinguished chairman of the subcommittee, the gentleman from North Carolina (Mr. ANDREWS), and the entire subcommittee, including the gentleman from Wisconsin (Mr. PETRI) and all the other members on the minority who participated in bringing this legislation to the floor.

During my career in the Congress I cannot think of any legislation that has benefited the American people more than the enactment of the Older Americans Act. I recall that we put many of the ideas that were the forerunners of this legislation in the Economic Opportunities Act of 1964. Then, in 1965, we passed the first Older Americans Act, where we provided for transportation of the elderly, made opportunities available for them to assemble in certain places, and made available funds for housing, nutrition, and job training. To my way of thinking, this has been one of the most successful programs that the Congress has ever enacted.

In dealing with problems throughout the Appalachian area, I have observed, on hundreds of occasions, instances where the elderly were meeting, and I saw how their lives were changed and how those in need have benefited from the programs established by this act.

I just want to congratulate all the Members who brought the bill to the floor today and say that it represents money well expended. We can all be proud of this legislation, and I hope that we will have a unanimous vote in favor of extending the act for another 3 years. I know that many older Americans have benefited from the housing provisions of the act, from its nutrition programs, and from the employment opportunities it has made available, I know that these services would have been beyond their reach otherwise.

Mr. Chairman, in conclusion, I just want to again compliment the entire subcommittee for a job well done. I feel that the bill before us is a needed measure which will continue to help an ever-growing and very deserving segment of our population. I urge my colleagues to support passage of H.R. 3046 with their votes. It deserves the support of every Member of this House.

Mr. ANDREWS. Mr. Chairman, I certainly appreciate the remarks made by my committee chairman, especially in view of the fact that I know him to be essentially the original author of this legislation.

I know that early in this year there were many people of great influence who sought to drastically reduce the funds available for older Americans under this act and to block grant them out in such a way that we thought would virtually destroy the act. The chairman of the committee, the gentleman from Kentucky (Mr. PERKINS), was one of our stalwarts, and we on our subcommittee were certainly pleased to join with him in being able to defeat that effort and to cause this program, rather than being block granted out or killed or even reduced in funds, to be brought here today with good hope for some increase, not drastically but with some reasonable hope for the funds that are available under the act to be increased.

Mr. PETRI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 3046. this legislation continues for 3 additional years the programs operated by the Administration on Aging and the community service employment program for senior citizens at the Department of Labor.

Approximately 610 area agencies on aging, 1,185 nutrition service programs and 12,556 congregate nutrition sites operated under the Older Americans Act in fiscal year 1980. In addition, 54,200 senior citizens were employed part time in community service.

The legislation has bipartisan support. In the committee, my colleague from Ohio, JOHN ASHBROOK, facilitated speedy committee action.

One concern I have with the bill before us relates to title III of the act. The existing act places responsibility for meeting the needs of senior citizens at the State and local levels. In H.R. 3046, this structure is improved upon by allowing States to transfer up to 20 percent of their title III allotments between their social services and nutrition program accounts.

The amendment I intend to offer will build on the increased flexibility by consolidating the existing separate title III authorizations into a single authorization. Under this amendment, States will be freed from some existing but unnecessary reporting and record-keeping requirements resulting from the separate authorizations.

The amendment does not alter the requirement in H.R. 3046 that States provide an adequate portion of funds for priority services—such as legal, in-home, and transportation services. Nor does my amendment alter the existing USDA program of distribution of commodities or cash in lieu of commodities to elderly nutrition programs. The authorization figure set in my amendment is $685,100,000 which corresponds directly to the sum of the separate title III authorizations established in the amendment to be offered by the distinguished chairman of the subcommittee, Mr. ANDREWS.

Finally, I would like to mention that the administration is supporting a 3-year reauthorization of the Older Americans Act.

I urge my colleagues on both sides of the aisle to join in supporting this measure.

Mr. RINALDO. Mr. Chairman, will the gentleman yield?

Mr. PETRI. I am happy to yield to my colleague, the gentleman from New Jersey.

Mr. RINALDO. Mr. Chairman, I rise in support of H.R. 3046, the Older Americans Act Amendments of 1981.

As the ranking Republican member of the Select Committee on Aging, I have taken a strong interest in the needs and concerns of older Americans, who have made this country the great Nation it is today. And while we are a nation of different races, ethnic backgrounds, and religions, all of us share the common denominator that we will someday be old.

The Congress has responded to the often unique needs of the Nation's 24 million persons 65 and over—now nearly 11 percent of our population and expected to double to 22.1 percent of the population by the year 2030.

Social security, supplemental security income (SSI), medicare, medicaid, veterans' benefits, special housing, and transportation programs, are several of the vast array of Federal programs adopted to meet the needs of older Americans.

Just as important to millions of older Americans, however, are the programs created by the Older Americans Act of 1965.

Since coming to Congress in 1973, I have consistently supported the Older Americans Act and I have worked to strengthen it at every opportunity.

The 1973 amendments, which I supported, created the area agencies on aging, which now number 21 in my own State of New Jersey and over 600 nationwide.

These area agencies, which plan, coordinate, and advocate programs for the elderly, serve as a critical service and information link between the often bewildering Government bureaucracy and the older persons that same bureaucracy is supposed to help.

Mr. Chairman, I believe the 1981 amendments further refine and strengthen the act.

They provide increased flexibility for State and area agencies on aging to respond to the needs of their constituents by allowing them to increase the relative amount of funds for social services, group meals, or home-delivered meals according to local priority.

The bill authorizes the Commissioner on Aging to make grants for special projects in the important field of mental health care.

It allows older workers employed through the title V program to engage in weatherization activities, a major need in Northern States like New Jersey.

It gives area agencies the option to select home-delivered meals providers who may not also be congregate meal providers.

Thus, the bill reaffirms congressional intent that private nonprofit Meals on Wheels groups, funded in large part through charity and consisting of volunteers, play a valuable and necessary role in meeting the nutritional needs of the Nation's elderly and should not be displaced by Federal programs.

The Older Americans Act is a grassroots act. Older people are directly involved in the planning and execution of programs under the act through participation in needs assessment surveys, public hearings, program delivery, and advisory councils.

In fiscal year 1980 in New Jersey, 93,000 persons were provided transportation services; 4,000 people in-home services; 1,000 people home repair or renovation assistance; and 165,000 people information and referral.

Nearly 5 million hot meals were served to 90,000 persons in 25 nutrition projects and through home delivery for the infirm; 1,687 people 55 and over were given jobs through title V.

By approving H.R. 3046, the Congress will again go on record in support of a program that has proven success in aiding older Americans to lead independent, secure, fulfilling, and productive lives.

Mr. Chairman, I urge my colleagues to join me in voting for enactment of this legislation.

Mr. COLEMAN. Mr. Chairman, will the gentleman yield?

Mr. PETRI. I yield to my colleague, the gentleman from Missouri.

Mr. COLEMAN. Mr. Chairman, I rise to offer my support of H.R. 3046, the Older Americans Act Amendments of 1981.

We in Missouri are among the six States in the Nation with the highest concentration of senior men and women. More than 800,000 Missourians are 60 years of age and older and, unfortunately, of these, some 200,000 are at or below the poverty threshold. Mr. Chairman, Missouri counts its older Americans as one of its greatest resources.

As a member of the Human Resources Subcommittee, I am keenly aware that senior citizens everywhere are confronted with complex and interrelated problems which adversely and cruelly effect their ability to live out their lives in relative ease and comfort and with the full measure of personal dignity which they so richly deserve.

The Older Americans Act Amendments of 1981 alone—do not and cannot—address in a comprehensive fashion the wide range of difficult issues and problems which have an impact on the lives of our senior citizens. What these amendments do represent, however, is a continuing and compassionate commitment to provide this Nation's senior citizens with nutrition, social and support services, as well as community service-oriented employment opportunities. All of these elements are necessary for maintaining and improving the lifestyles of many of our senior men and women.

I have seen in operation many of the programs made possible thanks to the resources authorized by the Older Americans Act. And, Mr. Chairman, they are sound investments. They are working well.

In closing, Mr. Chairman, I wish to compliment Chairman PERKINS, Mr. ANDREWS, the chairman of our Subcommittee on Human Resources, together with my colleague from Wisconsin, Mr. PETRI, on a job well done. I urge all of my colleagues in the House to join me in supporting passage of H.R. 3046 and in so doing, renewing our longlasting commitment to this Nation's senior citizens.

Mr. PETRI. Mr. Chairman, I would just like to take a moment to commend my colleague, the gentleman from Missouri (Mr. COLEMAN), for his excellent work on this committee and on other committees in the House of Representatives in behalf of the older Americans.

Mr. JEFFORDS. Mr. Chairman, will the gentleman yield?

Mr. PETRI. I am happy to yield to my colleague, the gentleman from Vermont.

□ 1400

Mr. JEFFORDS. Mr. Chairman, as a member of both the Select Education Subcommittee and of the Select Committee on Aging, I have been involved in deliberations on H.R. 3046 since its inception, I can say without hesitation that this bill is in excellent shape, and should be passed without delay.

The bill, essentially, keeps intact the network of programs existing under the umbrella of the Older Americans Act. The changes are relatively minor, and for the most part designed to give more flexibility to people at the State and local levels in implementation of these important programs. That, of course, is the very constructive trend we are following in many legislative areas this year. But the Older Americans Act is already far ahead of most federally funded programs in that regard. Only minor changes are needed, because the priorities for spending the Federal funds authorized by the Older Americans Act have always been established by senior citizens and their advocates residing within our districts.

Another general point should be made: at a time when we are examining the cost effectiveness of all Federal programs, at a time when everything that the taxpayers are asked to buy needs examination to determine its value, the Older Americans Act programs are among our best bargains. These are programs which effectively provide people with whatever minimal help they need to remain independent in their retirement years. The value of that effort in maintaining essential human dignity cannot be measured in

dollars. But in a time when we must always be conscious of money, it is obvious that the financial cost of helping people remain self-sufficient is only a tiny fraction of what the cost would be if we abandoned that effort, and forced older Americans to become dependent upon society for their survival.

The bill before us, by reauthorizing the Older Americans Act programs for 3 more years, confirms our national commitment to improvement of the quality of life of America's senior citizens. The legislation recognizes that this is one area in which the Federal Government has performed extremely well, providing needed funding and guidelines, but with the major decisions made by local people who have understanding and insight into the real needs of their States and areas.

These programs reach huge numbers of Americans: over 9 million have participated in the social services programs over the past year, and 3 million have participated in nutrition services.

In my own small State of Vermont, over a third of the 79,000 residents over age 65 have been touched, in one way or another, by these programs. I should point out that my own enthusiasm for the Older Americans Act is based in part upon the enormous successes of the programs in Vermont, under the dynamic direction of Mary Ellen Spencer, director of the Vermont Office on Aging.

Those successes cannot be adequately described by statistics, but the statistics are impressive. The nutrition programs provide 2,700 meals per day in Vermont, and have served 16,000 elderly Vermonters. Other essential services, such as transportation, home health care, homemaker services, home repair, and legal counseling, have reached 18,000 Vermonters over the past year. In-home services have been provided for 1,100 Vermont households, whose elderly inhabitants in most cases could not otherwise have the means to maintain their independent lifestyles. Over the past year, 9,000 elderly Vermonters have participated in personal counseling programs. Services have been provided for 25 to 30 percent of the SSI recipients in the State. The numbers of Vermonters served may not seem impressive to my colleagues from big metropolitan areas, but in Vermont, these numbers represent significant and needed help for substantial numbers of all of our friends, neighbors, and relatives.

In support of a change to be offered in a portion of this act, I believe that we must vote to continue forward funding for title V, senior employment. The reason for this funding is to give advance funding for planning and administration purposes to nonprofit sponsors of the job positions in the workforce. It would also guarantee funding for the program in the event that appropriation bills do not pass the Congress and thus prevent workers in this program from being laid off. Proposals that would oppose this forward funding are actually hiding drastic cuts in title V. Therefore, it is imperative that we support the amendment, offered by my colleague Mr. BURTON, to insure the continuation of forward funding.

The Older Americans Act, as carried out by the State and area agencies on aging, has proven its worth. The programs stress self-reliance, encourage local communities to cast aside prejudices and fears of the aging population, and carry out a firm national commitment to improve the quality of life for a portion of the population that we all hope to be part of some day.

Mr. PETRI. I would like to thank my colleague for his concern and for his work on the Education and Labor Committee.

I yield such time as she may consume to my colleague from Maine (Mrs. SNOWE).

Mrs. SNOWE. Mr. Chairman, I rise in support of the Older Americans Act amendments. The life expectancy of Americans continues to grow, and so, correspondingly, does the senior population. The growing numbers and proportions of seniors is certainly a triumph for our Nation. It reflects the improved quality of life in America and allows it to continue to improve by using the knowledge and experience of our senior citizens as one of our greatest assets. We can expect great demographic changes by the end of this century as the Nation's senior population becomes a greater percentage of the population as a whole. The Older Americans Act was originally established in 1965 to meet the needs of the elderly community for community and social services. Our vote to reauthorize the Older Americans Act reaffirms this Nation's high sense of responsibility toward the well-being of the growing senior population.

The needs of the elderly are generally different from those of the rest of the population. And within the category "elderly" there are people with specific needs—some who are basically healthy and able, and others who are frail and dependent. The Older American Act addresses the needs of the entire elderly population because of the wide range of services which States may provide with funds authorized by this act.

The Older Americans Act has been very successful in its purpose of improving the quality of life for our citizens in the areas of income, housing, health, employment, and community services. The amendments of 1981 include some changes which will make it easier to achieve these goals.

Title V provides senior citizens with the opportunity to be employed in the community service if they desire to work and supplement their income. The 1981 amendments also include weatherization activities as an appropriate community service. In my home State of Maine, there are many citizens, particularly the elderly, whose homes are not energy efficient but who cannot physically manage to make such improvements to their homes. The winters in Maine are very cold, and these people continue to spend an increasing portion of their limited incomes on energy. With the reduction in funds this year for weatherization programs, I was pleased to see the community services employment program granted the option of placing able-bodied seniors in jobs where they can help other senior citizens fix up their homes and save money on heating bills.

An other important improvement to the Older Americans Act will help communities to transport senior citizens to congregate meal programs authorized under title III. For years, the Area Agencies on Aging in Maine have asked me about the possibility of using a portion of the funding under title III-C for transportation to the meal sites. Maine is a very rural State, and many or our elderly are isolated. The 1981 amendments will allow the use of contributions for meals to be used to pay some of the cost of a transportation network to bring seniors to the meal sites.

In addition to the many important services reauthorized under this act, there is also an extension of the Older Americans Volunteer Programs administered by the ACTION Agency. These include Foster Grandparents, Senior Companions, and the Retired Senior Volunteer Program (RSVP). This year marks the 10th anniversary of RSVP. These senior citizens volunteer their time to provide services which cover a wide range of community needs, including energy conservation, housing, health, nutrition, and education. These volunteer programs have been very successful in involving seniors in many different projects that help their local communities. Our vote to reauthorize the Older Americans Act will allow the volunteer programs to continue their good work.

The Older Americans Act gives senior citizens a number of avenues through which to help each other. The program is very cost effective because it allows many of the frail elderly to remain in their own homes by receiving help through the homemaker and home companion services provided in this act. It provides the elderly with meaningful work during their retirement years, and demonstrates that we value their experience and knowledge. A vote to reauthorize the Older Ameri-

cans Act is one to confirm our commitment to a high quality of life for the millions of senior citizens in America. I urge you to join me in support of this worthwhile endeavor.

Mr. PETRI. I would like to commend the gentlewoman from Maine for a very excellent statement and express my appreciation for her support for this important reauthorization.

I yield such time as he may consume to my colleague, the gentleman from Pennsylvania (Mr. CLINGER).

Mr. CLINGER. I thank the gentleman and would like to commend the chairman of the committee and the ranking member of the committee and all members of the committee for bringing this, I think, very significant legislation to the floor.

Mr. Chairman, I rise in support of the bill providing reauthorization for programs under the Older Americans Act.

As a Representative from a rural district in a largely rural State, I know how much these programs have meant to senior citizens living outside our major urban areas. In rural America, as their children grow up and move away, there is a tendency for older people to lose contact with their communities and to withdraw into themselves. Too many of them, losing spouses and friends as well, fall into patterns of solitude and restricted activity that are harmful to their physical and psychological health.

Older Americans Act programs work effectively to counter these tendencies, breaking the isolation that entraps many older citizens and drawing them back into the life of their communities. These programs provide the elderly with the comforts of society, companionship that can in many cases be lifesaving. It provides them with new interests and news ways in which to participate in the life of their communities, which also benefit from the gift of their time, their enthusiasm, and their valuable experience.

The Older Americans Act provides, at minimal experience, precious benefits for older Americans and for the communties of which they are a part. Knowing of their importance in rural areas especially, I urge support for these highly effective Older Americans Act programs.

Mr. ANDREWS. Mr. Chairman, I would just like to point out that I do not believe there is a subcommittee in the Congress wherein the members from the two parties work as well together. I truly do not believe that. We work as a Subcommittee on Human Resources with many programs that are vital to the poor, the young, the old, et cetera, and I find in our subcommittee absolutely no difference based on party whatsoever. I am just proud of that and our staff seems to share the same kind of relationship.

At this time I am pleased to yield 6 minutes to my friend from New York (Mr. PEYSER), a great champion of all agricultural programs.

[Mr. ANDREWS addressed the Committee. His remarks will appear hereafter in the Extensions of Remarks.]

Mr. PEYSER. Mr. Chairman, first of all let me say that obviously I support the legislation we have in front of us today. I have served on the Education and Labor Committee since 1971 and I was privileged to help John Brademas with the major amendment that brought about a tremendous change in this program in the early 1970's.

Having said that, I am inclined to end the lovefest that has been going on on the floor here because I think we better recognize what we are really doing to the elderly here. I am not totally supportive of what we have to work with because there were no options left for this committee to move within when the final reconciliations and the Gramm-Latta budgets were finished.

But the truth is our priorities in this Government today are not favoring the elderly. When I looked the other day and I saw that we appropriated twice as much money to build the B-1 bombers as we are authorizing in this bill today to serve over 9 million senior citizens in our country, something is out of kilter. I think that everyone should recognize this because we had better start working hard to turn some of these things around.

All of us in this Congress have senior citizen groups that we meet with, senior citizens that we know. And it is true, many senior citizens are reasonably well off, they are comfortable, they have decent places to live, they eat regularly. But I can tell you in my own area, and what I have learned in traveling to other areas in this country, there are millions of senior citizens who do not eat well, who do not have proper medical care, who do not have transportation, who live in homes that in many cases you would not have anybody in your family considering living in. And then at this time we are cutting back tremendously on these programs.

When this bill that we have in front of us right now is completed today we will be authorizing and keep in mind the difference between authorization and appropriation. There is a broad difference. An appropriation puts the money on the line and the authorization is the goal of what we would like to see. We are authorizing $400 million less than we did a year ago. That is not taking into account inflation. It is not taking into account that we have added many hundreds of thousands of new senior citizens to the senior citizen rolls.

So while everyone has worked well in putting this bill together, by God, we have not done a very good job for the senior citizens in this country, and that is really what we are talking about.

In this connection, I am beginning to wonder whether this last week or two has been an attack on the senior citizen week. Just a week ago a report was released by the Justice Department saying the elderly exaggerate the effect of crime on them. Unbelievable. They paid nearly a quarter of a million dollars for a report that said the elderly really do not suffer too much from crime. I do not happen to believe it, and I have registered that thought with the Justice Department, and also provided them with statistics as to what really is happening in crime to the elderly, particularly in the streets. Really the main target of crime in the streets are the elderly.

Ms. OAKAR. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentlewoman from Ohio.

Ms. OAKAR. That is an excellent point and I, too, refute the points made in that report. I had a resolution that asked the Justice Department to visit the communities, to interview the senior citizens.

I would absolutely refute that. Crime is one of their biggest problems and we all know that, but somehow these theoreticians still do not believe it.

So I really commend the gentleman on that point.

Mr. PEYSER. I thank the gentlewoman for her comment.

Today in the papers I read the results of another survey and it said the elderly are really pretty well off in this country. I said there are some elderly that are pretty well off, but it is the millions who are not well off, and that is what this legislation was all about. I think the Older Americans Act was one of the great pieces of legislation that this Congress enacted. But it really gets to me when I see us cutting back, and perhaps in the 1983 and 1984 years where there are no sums indicated in this legislation as to what it is going to be, but with the reports that are coming out now for 1983 and 1984 budgets, it is going to be even less than it is today. There will be more elderly and more inflation and less money.

I just hope that we can recognize we have to turn around this situation and really continue helping the older people in this country.

I thank the chairman for yielding.

□ 1415

Mr. ANDREWS. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut (Mr. RATCHFORD).

Mr. RATCHFORD. Mr. Chairman, I speak as a former commissioner on aging for the State of Connecticut and someone who has been a strong sup-

porter over these many years of the Older Americans Act.

In my State alone, there are 600,000 people over the age of 60, and I would say to you, through my direct involvement, that this legislation, first put on the books in 1965, has gone a long way toward allowing that age group to fulfill the American dream.

I would point out also that the Older Americans Act was a direct outgrowth of an earlier White House Conference on Aging. As we approach a conference at the end of this month, my hope would be that it would be open, freewheeling and an opportunity for the older American to express himself and herself.

This act has been the difference between allowing millions of Americans to live in decency and dignity, as opposed to being forced to live in isolation, insulation, and loneliness.

The programs are where they should be, at the State, regional and local level. They are well run. In addition, these programs serve the fastest-growing sector of America, that sector over the age of 60.

What type of programs do they offer? Nutrition programs, home care programs, transportation programs, health care programs and senior centers. These are necessary services. These are good programs. Therefore, the act we consider today deserves our support, and the subcommittee and the Select Committee on Aging, also heavily involved under the gentleman from Florida, deserve our commendation.

I would, however, alert the Members, both here and back in their offices, that I see a threat in one of the amendments that will be offered later this afternoon. It is offered by a gentleman who has made a very positive contribution at the level of the subcommittee and the committee, and I fear that the amendment offered by the gentleman from Wisconsin will have an effect that he does not envision.

Later this afternoon, under the rule, the gentleman from Wisconsin will offer an amendment to consolidate three separate services—congregate nutrition programs, home-delivered meals and other services.

My concern is that if this consolidation takes place that the focus on home-delivered meals and the other critical programs provided at the nutrition sites will diminish in their support.

Just last week the President of the United States spoke out in favor of home care. I would say to the Members that if we deemphasize home-delivered meals, home care in most States will not become a reality, because we need those home-delivered meals to sustain that person at home.

I would say to the Members also that if we are able to have only congregate meal sites, we are losing something. Health screening, medicare counseling, social security programs, and transportation services are all funded under that separate category that the gentleman would lump together with the congregate meals, with the home-delivered meals and the other services.

Mr. Chairman, if we do this, we have one melting pot, yes; but out of it, we have a diminished focus on homebound services and health services and transportation services and, in the long run, we will have, I predict, diminished appropriations, lessened commitment, and the older American will not advance under this program but will be the loser.

I commend the committee, I commend the efforts of the select committee. The bill itself is a good one. Let us not minimize that commitment by adopting an amendment the intent of which is good but the effect of which would be to step back on our commitment to the older American.

Mr. ANDREWS. Mr. Chairman, I am pleased to yield 5 minutes to a distinguished member of our subcommittee, the gentleman from Puerto Rico (Mr. CORRADA).

Mr. CORRADA. Mr. Chairman, I rise in support of H.R. 3046, the Older Americans Act Amendments of 1981. This piece of legislation provides the cornerstone of Federal assistance toward the elderly in all areas—income, health, housing, employment, retirement, and community services. It has proven itself to be a comprehensive and well-run package of programs providing essential service to older Americans.

Programs which affect the senior adults of this Nation are among the most important social programs considered by Congress. I am told that each day some 5,000 Americans celebrate their 64th birthday and that literally 1 out of 9 Americans is an older American.

We know that older Americans face many problems, for many of our senior adults have worked hard and contributed during their early adulthood and are now driven to a low-income status when inflation erases fixed incomes set by retirement and social security. While every ninth American is over 65 years, every seventh American over 65 years is poor. This problem is particularly acute among women and minorities, as one out of every four Americans of Hispanic origin is of low income, as are about one-third of all black older Americans.

In Puerto Rico, for example, the elderly community comprises more than 11 percent of our populace of 3.2 million. Of the island's 255,000 persons over age 65, fully 70.8 percent live under the poverty level. Few receive more than the minimum social security payment, and many are ineligible for even that. SSI is not at their disposal, and medicaid funds have long been restricted for Puerto Rico at a level much inferior to the needs of eligible beneficiaries. Health and housing costs in Puerto Rico are just as high as the mainland, and inflation is felt just as sharply there as anywhere in the United States.

In effect, the elderly in Puerto Rico suffer not only from the most devastating of hardships, but receive support from their Government at a lower real level than other Americans. This situation is compounded by the fact that high illiteracy and poor health are rampant among our aged, making entry into a labor market with a 20.7 percent unemployment rate impossible.

Puerto Rico is indeed a microcosm of the mainland, reflecting surprisingly accurately the status of older Americans around the country. Knowing that these difficulties confront persons in every State rather than being limited to elderly in my district, I join with the efforts of my good friend, the gentleman from North Carolina, in strongly supporting the amendments which make up H.R. 3046.

Living comfortably, even surviving, in this inflation-wracked world is extremely difficult for senior citizens, most of whom live on fixed incomes. Of course, it is even worse for those seniors whose income is below the poverty line.

As a result, the programs under the Older Americans Act are absolutely crucial to the Nation's elderly because they help save lives and money, and they enable senior citizens to continue to be active, productive members of society.

The nutritious meals, transportation to doctor's appointments and grocery stores, and assistance with chores and shopping help many senior citizens stay healthy and independent—thereby avoiding costly long-term illness and institutionalization in expensive nursing homes. They also provide opportunities for meeting new people, making friends, helping others, and learning new skills. This kind of personal enrichment is good for the body, mind, and spirit. It gives senior citizens a greater sense of belonging and self worth.

When we consider the serious impact cuts in other programs, such as food stamps, medicaid, social security, housing, and low-income energy assistance may have on the elderly, our determination to preserve the programs in the Older Americans Act becomes especially important.

Consider, for example, the variety of services received by the elderly through this act:

Supportive services, including transportation, outreach, legal services, and

information and referral for more than 9.3 million older persons. Two million of these were of minority background and 5 million were reported as low-income participants.

Nutrition programs, both congregate meals and home-delivery services, aided 3 million elderly at 12,556 local sites.

Employment opportunities were provided for 80,000 elderly in universities, private nonprofit agencies, city and county governments, and Indian tribal organizations.

In addition to these projects, the act would extend the Older Americans volunteer programs, including Foster Grandparents, Senior Companions, and retired senior volunteer program. Last year, almost 300,000 senior volunteers contributed 78 million hours of community service through these programs.

I find it sad that our society turns its back on persons over the age of 60, ignoring the wisdom, the experience, and more importantly, the human dignity of those reaching advanced ages. More and more they are being forced into retirement against their will, being placed on the shelf simply because of their age. The human capital we are wasting through this action is immense.

The volunteer programs for the aging provide a means for these people to continue to contribute to society. They are allowed to work, to be useful, and to reap the personal rewards that come from helping a fellow human being.

Mr. Chairman, also included in H.R. 3046 is a new title VII, which addresses the problems of senior citizens in maintaining their homes in a safe and inhabitable manner.

A recent congressional study has revealed that as many as one-third of the 25 million older Americans remain ill housed in substandard, deteriorating, or dilapidated housing. Yet although 70 percent of these elderly individuals live in their own homes, most Federal programs have been targeted to assist elderly renters, and little funding has been made available to help elderly homeowners. However, due to spiraling maintenance and energy costs, many homes owned by elderly headed households are falling into serious disrepair.

The need to assist many of these senior citizens who are unable to make the repairs themselves is great. Fifty-eight percent of the elderly own homes built before 1936. Furthermore, upon retirement, elder individuals are typically faced with a cut in personal income of one-third to one-half, and are often unable to afford to make needed repairs. Health and mobility are also important determinants of the ability to make repairs, and with the 75 and over age group being the fastest growing segment of the population, a vastly growing number of elderly are physically unable to make the repairs themselves.

Title VII of this act will provide a program to help for making needed repairs and will fill a large deficiency in the network of service provision for our elderly.

Our older citizens are, indeed, a valuable source of wisdom and knowledge, which is many times disregarded as outdated or irrelevant. I take issue with this view as I believe the experience they can offer is priceless and should be used to its greatest advantage. When senior citizens in Puerto Rico tell me repeatedly that it is essential that they be given increased incentives to live and learn and to help others, I can only admire them for their spirit and the continued enthusiasm they display for life. The programs of the Older Americans Act are a great beginning in addressing these needs. Our senior citizens are proud people—as they have a right to be—and they are independent. But these are difficult times, and sometimes they need a little help. The Older Americans Act programs have proven, time and again, their ability to provide that help. They have proven to be an unequaled success at helping to make life a little less difficult and a lot more enjoyable for our senior citizens.

Best of all, they have done so in a way that preserved the flexibility needed to make sure that decisions about local needs are made by local people. And perhaps the most important of all, they have done so in a way that allows senior citizens themselves to provide that help to each other.

These programs deserve to be continued. I therefore urge my colleagues to join me in support of H.R. 3046, the Older Americans Act Amendments of 1981.

Mr. ANDREWS. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from New York (Mr. WEISS).

Mr. WEISS. Mr. Chairman, I support passage of H.R. 3046, the 1981 Older Americans Act Amendments.

First, however, I want to pay special tribute to the distinguished chairmen of the Education and Labor Committee (Mr. PERKINS) and the Subcommittee on Human Resources (Mr. ANDREWS) for their leadership in bringing this important measure to the floor.

The Older Americans Act has enjoyed strong bipartisan support since Congress enacted this landmark legislation in 1965. The value and worth of the Older Americans Act for the elderly and our Nation have been amply demonstrated time and time again.

Mr. Chairman, I think that there is a tendency sometimes to believe that all of our work is done and that we can now relax our concern for the care and well-being of the elderly. The fact is, however, that although legislation adopted since the 1930's, starting with the Social Security Act, and up through the adoption of the Older Americans Act have played a very important role in improving the situation, the battle is by no means permanently won.

For example, while the 20-year period between 1959 and 1978 showed a reduction of that sector of the elderly community that is below the poverty level from some 39 percent to about 14 percent; yet in the years between 1978 through 1980, we began to backslide. In those 2 years an additional 700,000 older Americans slid below the poverty level for the first time. Clearly this is not the time to relax and to rest on our laurels and to believe that all of the work has been done. We must be aware of both the physical and psychological concerns of older Americans. They listen to all of the publicity about the cutbacks. They rely on the programs which this Congress has adopted over the years to help see them through the remaining years of their lives. And when the newspapers and radio and TV are filled with news of cutbacks in social security or medicare or medicaid or food stamps, they are affected very seriously because it places their very lives in uncertainty and perhaps in jeopardy.

So I would hope that what we would be doing by the adoption of the Older Americans Act Amendments of 1981 is to provide a sense of reassurance to older citizens and to demonstrate to them that, in spite of all of the damage that has been done to the so-called safety net, in spite of all of the purported attacks on the programs that the elderly desperately need, the Members of this House will not stand by and let those attacks continue. We will make sure that the elderly continue to receive the benefits which this Congress and the American people have promised them.

Today many older persons are able to live independently in their own homes because of the services they receive from the Administration on Aging network. Home health, homemaker, chore, friendly visitor, telephone reassurance calls, and other vital services have not only helped older persons psychologically but have also enabled them to remain in their own homes, instead of being placed in a nursing home at a much higher public cost.

Another major achievement is the nutrition program for the elderly. It not only delivers nutritious meals for older persons but provides an opportunity for the aged to meet and talk with others. This socialization function can be as important as the meal itself, especially for lonely shut-ins.

The nutrition program now provides meals for about 611,000 older persons on a daily basis. More than 528,000 are served in senior centers, schools,

churches, and other nonprofit settings. Nearly 83,000 homebound elderly receive home-delivered meals each day.

The Older Americans Act also responds to one of the most critical problems in the field of aging: The need for more trained personnel to deliver services to the elderly. During the 1977-78 academic year, for example, about 14,200 students took courses in aging, and 1,000 received degrees. Title IV demonstrations have produced many innovative developments under the Older Americans Act, including the nutrition program, Foster Grandparents, the retired senior volunteer program (RSVP), area agencies on aging, the nursing home ombudsman program, and others.

The title V senior community service employment program (SCSEP) provides jobs for about 52,250 low-income persons 55 or older in a wide range of useful and fulfilling activities, including community beautification, weatherization, home repairs, and others. Title V has enabled older Americans to help themselves while helping others in their communities at the same time.

THREE-YEAR EXTENSION

H.R. 3046 would build upon the earlier successful efforts of the Older Americans Act by extending the legislation for 3 years, through fiscal year 1984. This time frame would permit State and local offices on aging to engage in more long-range planning. This is essential if our Nation is to meet the challenges of an older population.

In addition, this extension will enable the older Americans network to adjust to the new regulations governing the act. A 3-year continuation will permit a more indepth review to determine whether the regulations are working properly.

And, it will also allow the Congress to review carefully the recommendations of the 1981 White House Conference on Aging. These proposals will probably not be available in final form until later in 1982—and quite likely after this Congress would have full opportunity to develop legislation to implement them.

Finally, a 3-year extension reaffirms congressional support for the Older Americans Act. This becomes all the more important now, since the administration proposes to cut the heart out of many programs or fold them into block grants to States with substantially reduced funding levels.

INCREASED FLEXIBILITY

The 1981 Older Americans Act also include several provisions to improve the administration of the act and provide greater flexibility for State and local offices on aging.

First, the act would continue the separate authorizations for social services, congregate meals, and home-delivered meals. But, local offices on aging would be able to shift 20 percent of the funds from one program to another. This would provide greater latitude for area agencies on aging in assessing the needs within their communities. At the same time, it would help to maintain the visibility of these programs.

Second, Meals on Wheels caterers would no longer be required to provide meals in a group setting. They would simply have to demonstrate their capability to deliver meals to the homebound elderly in an effective manner.

The existing requirement that home-delivered meals preparers must also provide congregate meals can create serious problems. Moreover, the ability to deliver Meals on Wheels may be quite different than the capacity to provide quality meals in group settings.

Third, H.R. 3046 would permit handicapped persons at senior centers to participate in the congregate meals program, regardless of age. As a practical matter, it is difficult to serve meals only to senior citizens when older Americans and disabled persons are receiving services at the same center.

Fourth, meal contributions from the elderly could be used under H.R. 3046 to purchase social services as well as additional meals. This would enable the nutrition program to carry out a broader purpose by improving accessibility for older persons. Some potentially eligible elderly persons do not eat at congregate meal sites because they are unable to obtain a ride. Social services can enable older persons to overcome other barriers which deny them the opportunity to participate in the nutrition program.

SERVING MINORITIES

I am especially pleased that the legislation would continue the existing requirement that social services must be delivered to older persons with the "greatest economic or social needs." This language was inserted in the law in recognition that there are simply not enough funds for the Older Americans Act to serve all elderly persons. The targeting of services is necessary to assure that appropriations are used most effectively. This has been achieved, I am pleased to say, without imposing a degrading means test for elderly persons.

Second, H.R. 3046 would require the Administration on Aging to consult with minority organizations in assessing personnel needs in gerontology. At present, minorities are underrepresented in the field of aging. This provision would help to encourage more minority students to pursue careers in gerontology.

ADMINISTRATION ON AGING

The bill also includes provisions to strengthen the role of AOA as a high-level advocate for the elderly. I want to commend my colleague from New York City (Mr. BIAGGI) for his efforts in winning approval of these measures.

AOA would report directly to the Health and Human Services Secretary under H.R. 3046, instead of the Assistant Secretary for Human Development Services. Congress intended AOA to be a high level advocate when it enacted the Older Americans Act in 1965. Sponsors of the legislation did not want AOA to become submerged in another HHS unit. Rather, they wanted AOA to be a high-level agency coequal in status with the Social Security Administration. This is why the Commissioner on Aging is a Presidentially appointed office subject to confirmation by the Senate.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM

H.R. 3046 would continue the highly successful senior community service employment program (SCSEP). Title V has been an extraordinarily effective program. It has worked well for the elderly participants, the communities served, and our Nation. Title V is probably the single most effective community service employment program ever enacted.

For many older Americans, title V has meant much more than a means to earn badly needed income to cope with rising prices. It has also provided an opportunity to engage in purposeful and gainful activity. For a substantial number of the enrollees, the SCSEP has provided a means to move on to employment in the private sector.

LIFELONG LEARNING

I support the clarifying language in the bill to emphasize that Older Americans Act funding is available for career-related educational opportunities as well as cultural enrichment. More and more older persons are entering or reentering colleges, universities, or community colleges for a career-related objective, such as brushing up on their existing skills, preparing for new employment or making a job switch. Moreover, many older Americans are receiving instruction at nontraditional academic centers, including senior citizen centers, labor unions, businesses, or private nonprofit organizations. Quite clearly, lifelong learning is an important need for aged and aging persons, and it must be responsive to changing developments and the goals of the elderly.

ACTION'S OLDER AMERICAN VOLUNTEER PROGRAMS

Finally, H.R. 3046 would continue ACTION's older American volunteer programs (OAVP)—Foster Grandparents, RSVP, and Senior Companions—for 2 years.

These programs have been enormously effective, and deserve to be extended.

In my home district of New York City, I have had an opportunity to see firsthand how Foster Grandparents have helped disadvantaged young children in institutional settings. They have produced remarkable changes through tender love and care for mentally retarded and otherwise disadvantaged children.

RSVP and Senior Companions have been equally effective in serving people in a community setting.

The Older Americans Act provides this wide variety of services for thousands and thousands of senior citizens across the Nation. The act has never received the funding which would enable all older Americans to avail themselves of these programs. And now, an attempt will be made to reduce the amount of moneys under the act by over one-quarter. The committee on which I serve, Education and Labor reported authorized all the titles of the act at over $1 billion. The senior community service employment program was authorized at $350 million. The amendment would reduce the authorization for all titles to $715 million and $277 million for title V. I strongly oppose this amendment, and urge my colleagues to join me in defeating it.

CONCLUSION

All Americans—whether they are young, middle aged, or old—have a direct and vital stake in assuring that our commitment in aging is built upon a solid and sound foundation.

The 1981 Older Americans Act amendments help to improve and perfect earlier efforts to enable more older persons to live independently in their homes, where most of them would prefer to be. This legislation also provides opportunities for them to improve their economic well-being by providing essential services in their communities.

For these reasons, I reaffirm my support for prompt approval of H.R. 3046.

Mr. PETRI. Mr. Chairman, I yield such time as he may consume to the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS. Mr. Chairman, I rise today in strong support for the bill, H.R. 3046, authorizing the Older Americans Act. I would like to commend my good friend, the distinguished chairman of the Education and Labor Committee, my colleague from Wisconsin, and the gentleman from North Carolina for their hard work in bringing this bill to the House floor today.

Because, despite the need to reduce the Federal budget, we must keep the programs this bill will continue. We need the senior citizens centers, we need the meals for the homebound, we need the buses and vans to take senior citizens to the doctor and to the store, and we need the senior citizens employment programs.

There are times, Mr. Chairman, when I am absolutely appalled by the way our Nation treats senior citizens. It is today's senior citizens who built our Nation into the strongest country on Earth. They built our schools, founded our businesses, ran our farms, raised our families, paid their taxes, and fought our Nation's wars. We owe these senior citizens a tremendous debt of love, gratitude, and profound respect. They deserve better than to be forgotten now that they are moving on in years.

If I were to ask any of my colleagues here on the House floor how they would like their own parents to be treated, I am pretty sure what the answer would be. They would say they wanted their parents to have a warm, well-tended home. They would want to make sure that there were groceries in the cupboards. And they would want to be absolutely certain that if their parents were to become ill, that there would be a good neighbor dropping by to bring them warm meals, take them to the doctor, and maybe just brighten up their day with a friendly visit.

Well, Mr. Chairman, the senior citizens centers, meal programs, and transportation assistance have done just this. They have helped us take care of senior citizens the way we should.

Now Mr. Chairman, there is not a Congressman here today who would vote to deprive his own parents. If that is the case, Mr. Chairman, we should never even think of cutting back the programs that senior citizens need.

And as the folks back in my district have been telling me, they absolutely need the senior citizen centers, meals, and transportation programs.

And since these people cannot tell you themselves, I would like to bring their message straight to the Congress. I want to tell you just how much we need these programs.

For instance, there was the 81-year-old lady in Irvine, Ky., who told me that the center keeps her from feeling old. Now if this one lady was helped, just think of how many senior citizens' lives have been improved by these centers.

And there was the widow who told me about the difficult years after her husband had died. She wrote to me:

I could hardly have gone through the days of loneliness and sorrow had it not been for a place to go and be with my friends.

And they told me about the home-delivered meals, too. One fine lady in Taylor County wrote to me:

I am a disabled person confined to my home. I depend on the hot meal I receive every day. I don't know what I would do if the program was taken away.

Well, let me tell you, the Congress never should take away these programs when senior citizens, such as this lady, are relying on them in order to eat.

These programs have proven their worth in each of the lives they have brightened, in each of the lives they have made healthier with the hot, balanced meals. We all have an obligation to our senior citizens, to make sure that they are not forgotten and that they are taken care of. The bill before us will help us to fulfill this essential obligation. I urge my colleagues to join with me in supporting this bill and continuing the senior citizens centers as well as the meal and transportation programs. Our senior citizens need them.

Mr. PETRI. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. MARKS).

Mr. MARKS. I appreciate the gentleman yielding.

Mr. Chairman, I rise to speak in favor of H.R. 3046, the Older Americans Act Amendments of 1981, and I do so both in my capacity as Representative of Pennsylvania's 24th Congressional District as well as my capacity as ranking Republican member on the Subcommittee on Health and Long-Term Care of the Select Committee on Aging.

I would like to commend Messrs. ANDREWS and PETRI for the long hours they contributed so that this bill could come before us today.

The older American is a special resource and this bill allows us to demonstrate our continuing commitment to them. Through reauthorization we are expressing our belief that old age should be rewarded with respect and dignity. By funding the programs for senior employment, extending the social service and nutrition program and the senior volunteer programs we are declaring that the senior citizen is one of our national priorities.

After extensive discussions with the secretary of my State's department on aging and the directors of the area agencies in my district, I also wish to speak in favor of the consolidation of social service and nutrition programs into one funding allocation. This will allow the area agencies to better establish local priorities and to spend the moneys in the most beneficial manner.

I also wish to speak in favor of the amendment which will extend the authority of the nursing home ombudsman to boarding homes. During the past year the Select Committee on Aging, on which I serve, held numerous hearings on the problems in boarding homes. I believe this extension of authority will go a long way in redressing the existing problems.

Finally, I wish to express my support for a study of the problems in

rural transportation. My district has vast expanses between towns and service centers. If we can demonstrate a more efficient means of providing transportation services, this would allow an expansion of other social and nutritional services.

We have all spoken of the need to maintain senior citizens as a vital part of the community. A vote in favor of H.R. 3046 will demonstrate conclusively our commitment to that goal.

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Mr. PETRI. I would like to commend my colleague from Pennsylvania for his excellent statement.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Ms. FIEDLER)

Ms. FIEDLER. Mr. Speaker, first, I, too, would like to rise in support of this bill and to commend the committee for the outstanding job that they have done.

I have had the opportunity of serving some of the medical needs of the seniors of our country and I would like to express my concern that we continue to make every effort to keep seniors and their families together. This is something that has not really been done over a period of years. There have been a good deal of division of the family. The family has become fragmented. Many of our senior citizens live isolated from both their community as well as their family.

I think that it is important as we begin to adopt this very important legislation that we make every effort within government policy to encourage the staying together of families and the support for our senior citizens. They have contributed a lot. They are the backbone of this country.

I look forward to supporting this bill and other efforts which will help to further the causes of supporting their continuing good health and good will.

Mr. PETRI. Mr. Chairman, I would like to commend my colleague, the gentlewoman from California, for her excellent statement in support of this legislation.

Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Kentucky (Mr. HOPKINS).

Mr. HOPKINS. Mr. Chairman, I want to join my colleagues in complimenting both the minority side and the majority side for their excellent work on this piece of legislation and I associate myself with their remarks.

I wonder if I might ask one brief question of either the chairman or ranking minority member.

We are all aware that the White House Conference on Aging is scheduled to begin its work, I believe, in about 10 days.

I was wondering if it would not have been perhpaps in their best interests and in the best interests of older persons of this country, if we did not wait until the White House Conference on Aging had completed its work, to consider this bill, so that perhaps we might incorporate their recommendations and suggestions into this piece of legislation?

Why did we not wait, I guess is what I am asking, until after the White House Conference on Aging had met and hear their recommendations?

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. HOPKINS. I yield to the gentleman from North Carolina.

Mr. ANDREWS. I apologize to the gentleman. I was disscussing a matter relating to the bill with the gentleman from Florida and I did not hear the question.

Mr. HOPKINS. What I am asking is, I do not want it to be misinterpreted, I am certainly in favor of this legislation and I compliment the gentleman on his work—my question is: I am aware that the White House Conference on Aging is scheduled to begin its work in I believe about 10 days.

Why did we not wait to consider this legislation until after the White House Conference on Aging had met? I think perhaps they might have had some recommendations or suggestions that we might have incorporated into this legislation.

Mr. ANDREWS. I might say to the gentleman that, first of all, the Senate has already passed the counterpart of the bill and we have held ours about as long as we can to try to get it in during this calendar year; but I believe that we will have an opportunity prior to the termination of this conference committee to consider in that conference committee any recommendations with respect to this legislation which might come from the White House Conference.

Mr. HOPKINS. I thank the gentleman.

Mr. ANDREWS. I appreciate the gentleman suggesting perhaps we should do that and I will make that effort.

Mr. PETRI. Mr. Chairman, will the gentleman yield?

Mr. HOPKINS. I yield to the gentleman from Wisconsin.

Mr. PETRI. I should also like to add that there was a commitment to get this reauthorization to the floor before the end of this calendar year so that we could have the basic program reauthorized. But I would imagine that the chairman of the subcommittee and I certainly would support and urge that any recommendations coming out of this conference be given every consideration, that appropriate hearings be held so that we could listen to the spokesmen for that group and get the benefits of what they come up with, and that we could have followup legislation to implement the recommendations if they did have general support in the country.

Mr. HOPKINS. I thank both the gentlemen for their participation.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. HOPKINS. I yield to the gentleman from Kentucky.

Mr. PERKINS. I thank the gentleman for yielding.

I think we have had at least two White House Conferences on Older Americans prior to the one scheduled for this year. I know because I have participated in those Conferences held heretofore. It was in 1978 that we authorized this White House Conference and we perhaps really should have had it before this time.

However, I know that in the recent past, we have held State conferences, and—like them—this White House Conference is just one of several ways to try to put some input by the elderly into solving their own problems. While I would like to have seen it completed before we brought up the legislation today, we reported the legislation out of the full committee on May 5 based not only on the evidence gained from past White House and State conferences, but also on considerable information gained through hearings. The committee felt that the needs of the elderly required immediate attention.

If we had available the recommendations of the Conference 2 or 3 months ago, perhaps, it would have been better. Nevertheless, they will be available to us next year, and can be included in future legislation relating to the Older Americans Act.

Mr. HOPKINS. I thank the gentleman.

Mr. ASHBROOK. Mr. Chairman, will the gentleman yield?

Mr. HOPKINS. I yield to the gentleman from Ohio.

Mr. ASHBROOK. Mr. Chairman, I rise to express my strong support for H.R. 3046, the Older Americans Act Amendments of 1981. As reported by the Committee on Education and Labor, this measure reauthorizes the major titles of the act through September 30, 1984. In addition, it incorporates a series of modest amendments designed to improve program coordination and implementation at the State and local levels.

Let me take this opportunity to commend our distinguished chairman, and subcommittee chairman, the gentleman from Kentucky (Mr. PERKINS), and the gentleman from North Carolina (Mr. ANDREWS), together with my friend and colleague from Wisconsin (Mr. PETRI), our ranking minority member on the Human Resources Subcommittee, for their untiring efforts in bringing a bill to the floor that enjoys broad, bipartisan support.

Under the auspices of activities authorized by the Older Americans Act,

a wide range of much-needed social, nutrition, and employment services are being afforded to thousands of deserving senior citizens, not only in my own State of Ohio, but across the Nation.

The Older Americans Act has proven to be a highly successful vehicle for providing millions of our most deserving citizens—our senior citizens—with a host of direct services that will improve the quality of their lives.

For these reasons, Mr. Chairman, I urge immediate and favorable consideration of H.R. 3046, as amended.

Mr. PETRI. Mr. Chairman, I have no further requests for time.

Mr. Chairman, I yield 5 minutes of my time to the gentleman from North Carolina (Mr. ANDREWS).

Mr. ANDREWS. Mr. Chairman, I yield such time as he may consume to one of the Nation's greatest champion of programs for the elderly, the gentleman from Florida (Mr. PEPPER).

Mr. PEPPER. Mr. Chairman, I very deeply thank the distinguished gentleman from North Carolina for yielding to me to say a word on this matter.

My primary purpose is to commend the distinguished gentleman from North Carolina (Mr. ANDREWS) and all those who have been working with him on his able and dedicated committee in bringing forth this new extension of the Older Americans Act.

Mr. Chairman, we all know that in 1961 the Medicare Act came out of the White House Conference on Aging, and the model, the act that we are basically amending or extending, the Older Americans Act, came out of the White House Conference in 1971.

Now, we are going to have another great White House Conference, I hope, this year, beginning the latter part of this month.

I wish that that great conference of older Americans come here with all their dedication to their better lives, might take all of the legislation that we now have for the aid of the elderly of this country, medicaid, medicare, housing legislation, the Older Americans Act, all of the legislation that provides for the betterment, the enrichment of the lives of the elderly people, and take a look at them and see in what respects, if any, the whole of the package is still deficient according to the elderly of America—the aid and assistance that they should have.

I am sure that in the field of medical care we can improve on what is available through medicaid and medicare and the private system that we have today.

So, I would like to express the hope that this White House Conference on Aging, the third in the great succession of these wonderful conferences, might rise to the majesty of the challenge of the present and make more perfect the legislative provisions of the Congress of the United States to provide more richly and fully to extend the lives and to make them healthier and happier for the elderly people of America.

In other words, Mr. Chairman, I would pray that this White House Conference on Aging will make more meaningful to this and succeeding generations of older Americans the dream of the poet Browning when he said:

Come grow old along with me, the best is yet to be, the last for which the first was made.

● Mrs. BOUQUARD. Mr. Chairman, I rise in support of the bill now under consideration. The Older Americans Act was designed to increase the opportunities for all older persons to provide services to those in need of assistance. It is proof of our Nation's commitment to its elderly. I feel the changes made in H.R. 3046 improve greatly the means of achieving these goals. As the Representative from a largely rural district, I strongly support those provisions, such as that permitting a transfer of funds between nutritional services and transportation, providing flexibility to area agencies to deal with problems unique to their locations.

I think it is important for us all to keep in mind that age does not necessarily mean one is infirm in either mind or body. Through the OAA, it is possible to deliver services to help the elderly in the activities of daily life. These programs make it possible for so many of our citizens to continue to live in their homes, work in their communities, to make a contribution to society that can come only from the experience of years. I urge my colleagues to support passage of H.R. 3046.●

● Mr. ZEFERETTI. Mr. Chairman, the bill we are considering today, which will extend the programs of the Older Americans Act for 3 years, is of vital importance to our Nation's senior citizens. As the basic Federal statute which deals with the problems of our seniors, the Older Americans Act continues to provide crucial Federal support for social, health, housing, employment, and nutrition programs at the community level.

In fiscal year 1980, approximately 9.3 million older persons participated in social service programs established by the act. Nearly 3 million seniors participated in nutrition projects operating at 12,556 local sites. This included delivery of 167 million meals.

I am proud to have been a cosponsor of legislation establishing a program of home-delivered meals for the elderly. I know that there are many older persons who face the prospect of institutionalization simply because they are unable to adequately provide meals for themselves. To the homebound older person, one meal delivered daily, 5 days a week, can make the difference between self-sufficiency and dependency. In terms of cost, congressional studies have shown that by adopting a meals-on-wheels program, as much as $400 million could be saved in nursing homes. The cost for this program is less than 25 percent of that figure.

Also of great importance is the ACTION older Americans volunteer programs which are designed to foster volunteerism among citizens aged 60 and over. This concept has proven to benefit multiple segments of society, both those serving and those being served. In a less tangible but no less meaningful way, sponsoring communities are benefited by the insight and perspective which older American volunteers contribute to civic life, resources too often left untapped.

In closing, I would like to pay tribute to Congressman CLAUDE PEPPER, chairman of the Select Committee on Aging, for the fine job he has done in helping to shape this extension of the Older Americans Act. By extending this legislation, the Congress will show our senior citizens that the Federal Government recognizes their needs and programs and will continue to address them.●

● Mr. BONKER. Mr. Chairman, I rise in support of the Older Americans Act. The Older Americans Act, enacted by Congress in 1965, provided for the first time a comprehensive program to benefit elderly people across the country. The act set out policy goals aimed at improving the lives of older Americans in areas of income, health, housing, employment, retirement, and community services.

The significant impact this act has made on the lives of the elderly puts it in the same league as other landmark programs, such as social security and medicare. Like these programs, the Older Americans Act's main objective is to provide for the independence and security of older Americans who have spent their lives making this country great.

The Older Americans Act was up for reauthorization in a year when fiscal conservatism is very popular and social programs' budgets are being drastically reduced. That is why it is so encouraging to see that both parties and both Houses of Congress have seen fit to reauthorize this vital program another 3 years at an adequate funding level. The legislation that we are voting on today shows that Congress can be fiscally responsible while at the same time be responsive to the basic needs of America's senior citizens.●

● Mr. HOLLENBECK. Mr. Chairman, as a member of the Select Committee on Aging, I have long advocated that our basic commitment to older Americans must be maintained. The Older Americans Act has served as a central policy vehicle through which the Federal Government has been able to allo-

cate valuable resources for a wide variety of social services for the elderly. The legislation has provided opportunities for the integration of all older people into the mainstream of American society, and it continues to assist those elderly who depend on these services to receive the support they require to lead their lives with dignity, security, physical, mental, and social well-being.

Given the present economic situation and the growing number of older people, the present and future well-being of today's senior citizen depends on the Government's ability to secure policy goals aimed at improving the lives of older Americans in areas such as income, health, housing, employment, retirement, and community services.

The Older Americans Act has been the major source of funding for social and nutritional service delivery programs for the elderly, and the 1978 amendments have strengthened both the advocacy and the service delivery provisions of the legislation in several critical respects. However, if older citizens are to continue to receive needed services, the Older Americans Act must be reauthorized.

Clearly, Mr. Chairman, the Older Americans Act has demonstrated its success in providing social services, employment, and information about services to the elderly. I strongly urge my colleagues' support for this legislation without weakening amendments.●

● Mr. WALGREN. Mr. Chairman, I am pleased today to support H.R. 3046, the bill before us to continue the programs authorized by the Older Americans Act. This is one of the Federal Government's most constructive programs because its thrust is to help elderly people remain healthy, productive, and active. It helps many older citizens stay in their own homes rather than live in institutions. It helps many to continue to be active in their communities.

In 1980, 9.3 million older people participated in the social service programs under the act and another 3 million older persons participated in the nutrition projects, which included the delivery of 167 million meals. A wide range of services are provided, among them nutrition counseling and meals, transportation, counseling, legal help, and aides in the home.

This bill would also continue several volunteer programs for older Americans. Under the foster grandparents program, for example, older people help children with problems resulting from physical, mental, or emotional disabilities who, without this help, might be institutionalized. The senior companions program helps many elderly citizens returning to community life from institutions to adjust to independent living. In my area, the Retired Senior Volunteer Program, which is also continued by this bill, has helped people with energy conservation, housing, health nutrition, and education.

In my district, Allegheny County has been able to provide a wide variety of services to older Pennsylvanians. We have both congregate meals and meals-on-wheels supported by the Older Americans Act. We have senior centers which provide both recreation and counseling in everything from how to get a rent rebate to filling out insurance forms. The act has helped us provide shuttle buses for seniors to go to the doctor. Most important, because of the Older Americans Act, we have homemaker services and health aides in the home. And finally, in Allegheny County, the Older Americans Act has helped low-income elderly people get part-time work.

Our elderly population is continually increasing and people are living longer and longer. We will all be older Americans soon and probably already have parents, relatives, and friends who are elderly. Programs like this one are vital in helping people live longer, live happily, and live securely. This is one area where I cannot support "getting Government off our backs," as some in Washington would urge us to do. This is a critical program and I hope my colleagues will join me in voting to continue it.●

● Mr. LOWERY of California. Mr. Chairman, it has been over 15 years since the enactment of the Older Americans Act of 1965. During that time, its programs have grown from a few small social service grants and research projects to a network of 57 State units on aging, over 600 area agencies on aging, and countless community organizations providing services on both a paid and volunteer basis. The size of the Older Americans Act budget has increased from $7.5 million in 1966 to almost $961 million in the present fiscal year. The act has been amended eight times, adding major new initiatives such as the nutrition program for the elderly and the senior community service employment program.

Mr. Chairman, the Older Americans Act is an extraordinary legislative document. This act is not simply a collection of unrelated titles. It is a comprehensive declaration of the long-term goals of American society with regard to our elderly citizens. The act commits us as a Nation to actively work to enhance the quality of life of older Americans.

In case after case, examples abound of hungry individuals being fed, loneliness being met with compassion and caring, and chronic health problems being ameliorated through concerted community efforts. This act has proven itself worthy of our continued support and its programs deserve full funding in the budget.

As we enter the eighties, we face an era of new fiscal realities and new public policy challenges. Our agenda for the 1980's should look toward a positive change in the direction of public policy for the aged. This is an excellent time to examine the success of the Older Americans Act in meeting its goals and in achieving the changes we have hoped to accomplish. Accordingly, I am looking forward to the 1981 White House Conference on Aging to be held after Thanksgiving here in Washington.

I am confident the White House Conference will result in constructive recommendations which streamline and improve the efficiency of Older Americans Act programs, increasing local flexibility to meet local needs, and increasing participation of older people in the operation of programs intended to serve them.

Finally, Mr. Chairman, let me say that our job as advocates and Representatives for senior citizens does not end with the Older Americans Act. Rather, it sets the benchmark that we will do no less for seniors, and we want to do more. We need to address the problems of income security and access to quality health care. We need to eliminate the fear and vulnerability of growing older. We need to nourish programs, both public and private, that allow each year of age to build richness and experience to lives well lived without fear of growing old. The Older Americans Act is just the beginning.●

● Mr. ASHBROOK. Mr. Chairman, I rise to express my strong support for H.R. 3046, the Older Americans Act Amendments of 1981. As reported by the Committee on Education and Labor, this measure reauthorizes the major titles of the act through September 30, 1984. In addition, it incorporates a series of modest amendments designed to improve program coordination and implementation at the State and local levels.

Let me take this opportunity to commend our distinguished chairman, and subcommittee chairman, the gentleman from Kentucky (Mr. PERKINS), and the gentleman from North Carolina (Mr. ANDREWS), together with my friend and colleague from Wisconsin (Mr. PETRI), our ranking minority member on the Human Resources Subcommittee, for their untiring efforts in bringing a bill to the floor that enjoys broad, bipartisan support.

Under the auspices of activities authorized by the Older Americans Act, a wide range of much-needed social, nutrition, and employment services is being afforded to thousands of deserving senior citizens, not only in my own State of Ohio, but across the Nation.

The Older Americans Act has proven to be a highly successful vehicle for providing millions of our most deserv-

ing citizens—our senior citizens—with a host of direct services that will improve the quality of their lives. For these reasons, Mr. Speaker, I urge immediate and favorable consideration of H.R. 3046, as amended.●

● Mrs. COLLINS of Illinois. Mr. Chairman, as a Representative from an urban area where the cost of living continues to rise very rapidly, I am fully aware of how much present programs actually mean to senior citizens.

The Older Americans Act, which sets 10 policy goals aimed at improving the lives of older Americans in the areas of income, health, housing, employment, retirement, and community services, has been a major asset for the elderly since its inception during the 89th Congress.

I am proud to rise in support of the amendments to this act. There are those who would castigate the bill for authorizing a higher level of funding than the administration had requested; this agreement is negligible when the positive attributes to be reaped from H.R 3046 are assessed. The amendments display an excellent effort to assist older citizens. Its programs endeavor to effectively provide people with whatever minimal help they need to remain independent in their retirement years. The bill we will be voting on is the greatest possible confirmation of our national commitment to improvement of the quality of life of American citizens.

I have based my own enthusiasm and advocacy for those amendments on the success of the Older Americans Act in my home State of Illinois. The essential services, such as home health care, homemaker services, and employment, have served to fill an economic void which the elderly could normally not have answered.

I believe that we must vote to approve H.R. 3046 because the Older Americans Act has more than proven its worth. These programs have made the best possible effort to encourage local communities to cast aside preconceptions and fears of the aging population. In addition, the act carries out a firm national commitment to improve the quality of life for a portion of the population which we will ultimately be a part of someday.

The Older Americans Act of 1965 was originally established to augment the fixed incomes of the elderly by providing necessary services. This is imperative because the needs of seniors are generally more intense than those of the rest of the population. Older Americans are plagued by unintentional solicitude and are inclined to be alone a great deal of the time which is physiologically and psychologically detrimental to their health. The amendments include provisions to rectify such dilemmas such as grants to States for community planning and services, the legislative basis for the Administration on Aging (AOA), grants to Indian tribal organizations, and community service programs for low-income persons.

Again, I support the Older Americans Act Amendments of 1981. These amemdments will probably mean the difference between deprivation and living at a standard level for the elderly. I am sure that my colleagues will recognize the need for H.R. 3046 and respond by lending it their support.●

● Mr. GILMAN. Mr. Chairman, I was pleased to support today the reauthorization of the very effective Older Americans Act, which provides for the funding of a wide variety of programs throughout our Nation which serve the elderly.

I am proud of the support that the House of Representatives has provided over the past few years to service programs for our older Americans, and I am particularly proud of the way that they have been carried into effect in our 26th Congressional District, which I am honored to represent in the House of Representatives.

For the information of our constituents, I ask that a summary of this measure, H.R. 3046, be printed at this point in the RECORD:

H.R. 3046 provides for a three-year extension of the Older Americans Act, making a number of significant changes in program operation:

ADMINISTRATION ON AGING

H.R. 3046 upgrades the Commissioner on Aging's role by requiring a direct line of authority to the Secretary of HHS and by clarifying and strengthening prohibitions against delegation of the Commissioner's functions;

Removes restrictions against contracting with or providing grants to profitmaking organizations; and

Deletes authority for the National Information and Resource Clearing House for the Aging.

GRANTS FOR STATE AND COMMUNITY PROGRAMS ON AGING

H.R. 3046 revises grant-program regulations to permit states to transfer not more than 20 percent of funds appropriated during any fiscal year between social services and nutrition services programs;

Define and emphasize education and training services for the elderly;

Strike the current law requirement that 50 percent of social service funds be spent on three priority services (access, in-home, and legal services) requiring instead only adequate funding;

Liberalize nutrition service program regulations to give area agencies the option to make grants to home-delivered-meal providers who may or may not also be congregate meal providers (priority goes to those with a demonstrated ability to provide services and solicit volunteer support) and to expand the program to include any handicapped or disabled person under age 60 residing in a residential senior center offering congregate nutrition services; and

Permit the use of contributions for meals to provide transportation to and from meal sites.

Training, research, and discretionary projects and programs.—H.R. 3046 repeals the current program, substituting provisions to permit the commissioner to make grants and contracts for education and training, multidisciplinary gerontology centers, research and development, demonstration projects, long-term care projects, mental health projects, and national impact activities relating to the elderly. The bill authorizes $45 million in fiscal year 1982 and "such sums" in fiscal years 1983 and 1984, not more than 15 percent of which may be used for national impact activities.

Community service employment for older Americans.—Current law governing SCSEPs is revised to include "weatherization activities" as an appropriate "community service" and the Northern Marianas under the definition of a state and authorize $350 million for fiscal year 1982 and such sums as may be necessary for fiscal years 1983 and 1984.

Grants for Indian Tribes.—H.R. 3046 authorizes $6 million in fiscal year 1982, $6.4 million in fiscal year 1983, and $6.8 million in fiscal year 1984 for grants to Indian tribes. The bill amends the Indian-grant program to broaden the scope of the program to include "older Indians" (current law restricts the program to Indians over age 60);

Strike provisions requiring Indian grantees to select an organization to evaluate the project and AOA-Interior consultation;

Make the provision of legal or ombudsman services permissive; and

Strike the requirement that the Indian population served directly be subtracted from base for purposes of determining the state's grant allocation.

Home maintenance and repair services.—H.R. 3046 establishes a new discretionary grant and contract authority to assist state agencies providing home maintenance and repair services for older individuals. "Such sums" are authorized through fiscal year 1984.

OLDER AMERICANS VOLUNTEER PROGRAMS

In addition, H.R. 3046 extends the foster grandparent program, the senior companion program, and the retired senior volunteer program all administered by ACTION, for an additional 2 years, through fiscal year 1983, authorizing $91.1 million in fiscal year 1982 and "such sums" in fiscal year 1983 for the other two programs.

BACKGROUND—OLDER AMERICANS ACT

The Older Americans Act of 1965 set forth objectives for assisting older Americans and established the Administration on Aging (AOA) as the primary federal service agency for older people. It also created three grant programs, authorizing grants to states for community social service projects, research and demonstration projects, and training in the field of aging.

Subsequent legislation revised and extended the program. Separate legislation in 1972 added a "Nutrition Program for the Elderly," which was in turn consolidated into Title III of the act in 1978.

Until 1973, the principal focus of activities under the act was title III, under which, at that time, funds were allotted to states for project grants, usually senior centers, within each state. By 1973, however, an office of aging had been established in every state, and some 1,500 projects had been funded under title III.

The 1973 amendments required division of states into separate planning and service areas and designation of an agency within the area for development and implementation of a plan for services to the aged. In addition, the amendments established a Na-

tional Information and Resource Clearing House to collect and disseminate information on the field of aging and a Federal Council on Aging to serve as an advocate and spokesperson on behalf of older Americans. The amendments also created the Senior Community Service Employment Program (SCSEP) to promote useful employment of the elderly.

The 1975 amendments extended the social services, nutrition, and community service employment programs and authorized provision of funds directly to Indian tribes for services to the elderly.

A major rewrite of the Older Americans Act of 1965 occurred in 1978. Amendments enacted that year provided for consolidation of the social services, senior centers, and nutrition services under a single administrative structure—the area agencies on aging. The amendments also added a separate authority under title III for home-delivered meals and provided new authority for separate social and nutrition services for federally recognized Indian tribes. In addition, a new provision required that 50% of each area agency's social services allotment be used for certain priority services including access services (transportation, outreach, and information and referral), legal services, and in-home care.

Other changes provided by the 1978 amendments included an increase, beginning in fiscal year 1981, of from 5% to 15% in the nonfederal matching requirement for social and nutrition services; institution of a three-year planning cycle for state and area agencies; establishment of a state nursing home ombudsman program using funds from the state's social services allotment; and a number of changes in the SCSEP, including improved coordination between state agencies on aging and national contractors. (This program is administered by the Department of Labor under Title V.)

OLDER AMERICANS VOLUNTEER PROGRAMS

The older Americans volunteer programs, which include the foster grandparent program, the senior companion program, and the retired senior volunteer program (RSVP), were first authorized under the 1969 Older Americans Act amendments. These three programs, administered by ACTION under title II of the Domestic Volunteer Services Act of 1973, were designed to promote volunteerism among citizens aged 60 and over and have met with moderate success.

Low-income volunteers aged 60 and over are eligible for foster grandparents and work under the sponsorship of nonprofit agencies and institutions such as schools, hospitals, and day-care centers to help children with problems resulting from physical, mental, or emotional disabilities. Volunteers work 20 hours per week and receive small financial stipends, annual physical examinations, accident and personal liability insurance, on-the-job meals, and transportation expenses.

Like the foster grandparent program, the senior companion program is open to low-income persons aged 60 and over. Senior companions provide assistance to homebound elderly citizens who, without such help, would face the possibility of institutionalization. Elderly citizens returning to community life from institutionalization are assisted by senior companions in making the adjustment to independent living. Senior companions receive the same compensation for their services as foster grandparents.

Participants in RSVP provide services which cover a wide variety of community needs, including energy conservation, housing, health, nutrition, and education. Projects are sponsored by local private and public nonprofit organizations and agencies. Participation in RSVP is open to persons aged 60 and over, regardless of income, and volunteers are entitled to reimbursement for transportation, meals, and out-of-pocket expenses related to their work.

All three volunteer programs received extension through fiscal year 1981 under the Older Americans Act amendments of 1978 (P.L. 95-478).

LEGISLATIVE HISTORY

Under the Omnibus Reconciliation Act of 1981 (P.L. 97-35) all Older Americans Act programs except senior community service employment were reauthorized for fiscal years 1982 and 1983, with $715 million provided for fiscal year 1982. A cap of $23.2 million was placed on R. & D. No changes in programs were made, but the conferees at the time stressed that revisions would be considered in later reauthorizations, leading to the current consideration of H.R. 3046.

The older Americans volunteer programs were also reauthorized for fiscal year 1982 and 1983 under reconciliation, which provided $95 million for fiscal year 1982.●

● Mr. HEFNER. Mr. Chairman, I rise in support of the Older Americans Act and commend my colleague from North Carolina (Mr. ANDREWS) for his efforts and staunch support of this legislation to continue the various programs which have meant so much to our senior citizens.

Mr. Chairman, it has been my privilege and pleasure to hold several Senior Citizens Days in my district during the past few months. This has given me a wonderful opportunity to talk personally with people and to determine what provides meaning for their lives. These are people who have worked hard all their lives to raise families but are now retired through choice or because they are physically no longer able to work at a job. They have all told me how important the meals program is to them. Many of them are unable to cook for themselves but because the meals program exists, they can receive the nutritional requirements necessary to maintain their health. The congregate meal sites also provide a place for people to get together for the warm fellowship which is so vital to all of us. Life can be terribly bleak and dreary when you live alone and when you seemingly have no further contributions to make to society. These opportunities for fellowship often mean the difference between carrying on and giving up altogether.

These elderly citizens have told me how vital the transportation system provided under the Older American Act is for them. It means that they have a measure of freedom and can take care of their business with a feeling of independence.

The opportunities for service to their community through participation in the community services employment program conveys to our senior citizens that we believe they are valuable citizens and can still make significant contributions to society.

The elderly in this country have provided leadership and guidance throughout these last years. It is because of their efforts and contributions that we can enjoy the security and prosperity we know today. Our country is still the greatest nation in the world and we cannot forsake those who have done so much before us to make it so.●

● Mr. ALBOSTA. Mr. Chairman, as a member of the Select Committee on Aging, I wish to emphasize the importance of maintaining the programs funded under the Older Americans Act. The overwhelming success and support of these programs is undebatable. This is evidenced by the senior citizens in my home district of Michigan and throughout the country who are leading fuller and more productive lives as a direct result of the programs under the Older Americans Act.

I am proud to represent a rural district of Michigan and have witnessed first hand some of the accomplishments of the Older Americans Act in my area. While rural senior citizens are by nature independent, they face some problems unique to the area in which they live. Priority services to the rural elderly should deal with access to such basic necessities as transportation and energy assistance. It is with these particular problems in mind that I look to the Older Americans Act's programs for special assistance to help alleviate this situation facing rural elderly. To help relieve the rural older American from the fear of not being able to keep a doctor's appointment or buy groceries for the coming week because no transportation is available. I commend the progress thus far and the attempts to assist the elderly with their transportation needs. But the job has just begun.

We will be closely monitoring in the months ahead where the funds earmarked for these services are going. The administration suggests that title III funds be consolidated into one grant to the States instead of three separate grants. The question that arises is if the funds are consolidated into one State grant will these moneys be used to assist seniors throughout an individual State, equally in both urban and rural areas. Or as in the State of Michigan today, will the funding be concentrated into the urban areas rather than equally distributed thoughout the State. I hope that my colleagues in the Congress will support the concept of equal distribution of these funds between rural and urban seniors alike. As a Member of this body, I pledge my full support and cooperation in advancing this principle of equal distribution of services under

the Older Americans Act. In doing so I feel that we should encourage careful review of the priorities of the act and where these moneys are directed. We all can realize through this process of reexamination and public comment that we can refine our plan for continuing the act, making it even more effective and successful. I believe it is important to retain the basic goals and existing structure of the Older Americans Act and to allow for equitable funding for both the rural and urban areas of this country.

Mr. Chairman, it is important to me and to the people of the State of Michigan that the Congress continue to focus their attention and actions to the improvement of programs such as the Older Americans Act for all seniors, urban and rural. It is only through this type of action can we enhance the achievements of the past and look toward the goals of the future of all our senior citizens.●

● Mr. BONER of Tennessee. Mr. Chairman, in 1980, there were an estimated 25 million people aged 65 or older living in the United States, and by the year 2000, it is estimated that 31.8 million Americans, or 12 percent of the Nation's population will be over the age of 65. We must be prepared to recognize and accept our responsibility to the elderly.

The Older Americans Act has provided a sense of independence and security for persons in their retirement years. The reauthorization of the Older Americans Act will allow us to renew our commitment to the elderly, who have contributed so much to our Nation.

One of the major fears of the elderly is inadequate income, and such economic pressures are forcing them to make sacrifices in such critical areas as nutrition and health care. The health and social services programs of this legislation help to provide a defense for our elderly population. The Older Americans Act has successfully provided certain home health care programs which have kept many individuals from being confined to nursing homes or hospitals. In addition, the meals program has provided for those who otherwise would not have a nutritional diet.

Of paramount importance among the many services funded through this legislation are senior citizen centers in our communities. These centers are an essential element in combating a serious problem of the aged—and that is the feeling of loneliness and isolation. The centers promote socialization with peers through congregate meals and other group activities.

Trained and experienced older people are one of our country's vast resources, and through grants to the States for elderly programs and community service employment programs, we enable them to continue to contribute and be active, participating members of society. Their involvement in programs such as Foster Grandparents, Senior Companion, and the retired senior volunteer program has benefited them as participants as well as those who they serve in our communities.

In closing, I am reminded of a statement made by former Vice President Hubert H. Humphrey, who said:

> The moral test of government is how it treats those who are in the dawn of life . . . the children, those who are in the twilight of life . . . the aged, and those who are in the shadow of life . . . the sick, the needy and the handicapped.

With the spirit of those words in mind, I urge my colleagues to join me in support of continuing the vital services provided for in the Older Americans Act.●

● Mr. EVANS of Delaware. Mr. Chairman, I rise in strong support of H.R. 3046, legislation to reauthorize the vitally important programs that serve our Nation's senior citizens, in the Older Americans Act.

Many of our older citizens are forced to live on fixed incomes, and are therefore most severely impacted by high inflation, high interest rates, and our general economic turndown. Accordingly, it is even more essential for us to maintain a strong and effective level of support for these important programs such as Meals on Wheels, Senior Centers, and other efforts to make life a little easier for our senior citizens.

In addition to these assistance programs, this legislation reauthorizes the Foster Grandparent program, Senior Companion program, and the retired Senior Volunteer program (RSVP). These efforts promote volunteerism among citizens aged 60 and over and have met with clear success. In particular, participants in the RSVP program in Delaware do an excellent job and cover an extremely wide variety of community needs, including energy conservation, housing, health, nutrition, and education. I am especially pleased to see this important program will be reauthorized and extended through 1983.

Mr. Chairman, Delaware is home for over 80,000 older Americans, and all of us in Delaware are extremely proud of their accomplishments. They have served our community and our Nation in the Armed Forces, in our schools, our hospitals, and our stores and factories as productive citizens of our country. We all owe a deep debt of gratitude to these outstanding Americans, and we should wholeheartedly support this essential measure to continue our effective Federal programs under the Older Americans Act.●

● Mr. BIAGGI. Mr. Chairman, as an original cosposor of the pending bill and a member of the Education and Labor Committee, I rise to lend my full and enthusiastic support to H.R. 3046, the Older Americans Act Reauthorization of 1981. For the past 16 years, and hopefully for many years to come—the Older Americans Act has been the centerpiece of this Nation's ppolicy for providing social and hyman services to millions of our older citizens.

We consider this legislation—and all of its key provisions—just days before the convening of the 1981 White House Conference on Aging. The fact is, the Older Americans Act grew directly out of the very first White House Conference conducted in 1961. Just 4 years later under the auspices of the Great Society programs of President Lyndon Johnson, the Older Americans Act of 1965 was enacted. It began as a $6 million social service program and today its funding level has grown close to $1 billion. It has also grown in the variety of services it offers to older Americans as well and now includes nutrition, employment, legal, and transportation, as well as educational and outreach services.

This bill H.R. 3046, will extend all programs of the Older Americans Act for an additional 3 years and will extend the number of titles in the act to seven. The length of the reauthoriazation is critical. Equally vital is the fact that passage of this legislation by the House will reaffirm total congressional support for the Older American Act remaining a categorical grant progrram as it has been from its inception. The significance of this is especially evident in 1981 with the new wave of "block grant fever" which has swept this Nation. The maintenance of the categorical status of this act is fundamental to its success.

The bill contains a number of improving amendments. The most critical of them is provision which permits State agencies to transfer up to 20 percent of its funds between title III-B and III-C. The purpose of this is to provide/needed flexibility to States in how they allocate their social service dollars. More specifically, the 1978 amendments to the Act called for title III-B to assume funding responsibilities for the supportive service related to the nutrition program under III-C. One of the most important of these services is transportation. A basic problem developoed when the funding levels for III-B did not grow at a rate sufficient to assume responsibility for services such as transportation

Consequently, States found themselves with adequate funds for nutrition but not enough money to get the people to the meal sites. The 20-percent transfer language—which I authored—should greatly relieve this problem.

In addition, H.R. 3046 eliminates one of the more contradictory provisions in the act which mandate that area

agencies on aging allocate 50 percent of their funds under title III-B for in-home access and legal services. While no one has ever disputed the importance of these services, a number of us always had problems with the Congress telling area agencies on aging how the had to spend their money. Earlier amendments to the act created the "aging network" which included area agencies as a concept. Today, there are more than 660 AAA's nationwide. They are the central focus on the local level for the development of social and human services to the elderly.

H.R. 3046 eliminates the 50 percent mandate and instead, urges that an adequate portion of funds be used. It would be my hope, as a cosponsor of this legislation, that the determination for the "adequate" portion will be that of the area agency.

Other important provisions of this legislation include an amendment which I authored in the Education and Labor Committee, which would greatly upgrade the status of the Commissioner on Aging. Presently, the Commissioner and her administration on aging is mired deep within the bureaucracy of the Department of Health and Human Services. My amendment would have elevated the Commissioner's position by giving the job directly line authority to the Secretary, rather than the Office of the Secretary, as is the present case. It is a long-overdue recognition of the importantce of this position and of course, the act, to older Americans. This amendment was approved in 1978 and almost made it into the final legislation. I contend that with older Americans being the fastest growing segment of this Nation's population—we must begin to give them something better than second-class treatment by the Federal Government.

This bill retains the grandfather clause which has helped to insure speedy delivery of nutrition services to millions under the act. The thousands of nutrition projects which provide one hot meal a day, 5 days a week, are a vital element in the overall Older Americans Act, I hope there can be a complete continuation of existing services without any major interruptions in whatever revised administrative structure is agreed upon as part of the reauthorized bill.

It is important to note that H.R. 3046 clearly rejects the so-called "consolidation" proposal proposed by the administration. Under this plan, authroizations for the home-delivered and congregate meals programs and the commodity foods program within the Department of Agriculture, would have been merged. This consoldiation would have not achieved better efficiency in terms of the delivery of nutrition services and might in fact lead to interruptions. The Committee on Education and Labor clearly went on record against a consolidation proposal and I hope that the House will accept the reported bill's language in this area.

I wish to not that the bill also allows contributions received at nutrition sites from participants to be used for both nutrition and supportive services. This is an important reform which should help us in our quest to provide a balanced and coordinated network of services to our seniors.

The committee bill also approved my amendment establishing special demonstration project in mental health. This amendment was offered on behalf of my colleague, Mr. HAMMERSCHMDT, and is reflective of the concern of the House Select Committee on Aging on which we both serve—about the mental health needs of our seniors. While the elderly make up just over 12 percent of our population—they have more than 25 percent of all the cases of mental illness in our Nation.

The authorizations provided in the committee-reported bill are a reflection of the high degree of support which our committee has for the various key service programs in the act. We felt that substantial growth in needed in these programs if we are to better fulfill the mandate of the Older Americans Act. I willl suport, with reluctance, the committee amendment which will lower the authorizations to be more in line with the Budget Reconiliation Act, but sincerely hope that we can maintain or increase appropriation levels.

Several other points in brief. While H.R. 3046 retains the 1 percent set-aside for a nursing home ombudsman program on the State level]the Senate passed Older Americans Act eliminates the specific set-aside amount. I wish to reiterate my total support for the nursing home ombudsman program and urge States to guarantee its continuation.

Finally I wish to bring to the attention of my colleagues a matter of profound concern to me. Under the terms of the Older Americans Act formula for the dstribution of funds under title III—States are awarded funds on the basis of their percentage of the 60 and over population. A total of 19 States in this Nation, including and especially my home State of New York, have registered increases in their 60 and over population—but not at a rate suficient to increase their percentage of older people thus increasing their portion of funds under the act. I am seeking to address this problem in one of two ways—either through earmarking funds from section 206(g) for a hold harmless for these States to avert service reductions, or a commitment from the administration that they will distribute some $1.4 million from these same funds, outside the existing formula to insure no reductions.

Mr. Chairman—I fully support this bill and urge its adoption.●

The CHAIRMAN. All time has expired.

Pursuant to the rule, the Clerk will read the committee amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

H.R. 3046

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Older Americans Act Amendments of 1981".

DEFINITIONS

SEC. 2. Section 102(3) of the Older Americans Act of 1965 (42 U.S.C. 3002(3)) is amended by inserting "the Commonwealth of the Northern Mariana Islands," after "Samoa,".

ADMINISTRATION ON AGING

SEC. 3. (a) The third sentence of section 201(a) of the Older Americans Act of 1965 (42 U.S.C. 3011(a)) is amended by striking out "the Office of".

(b) The last sentence of section 201(a) of the Older Americans Act of 1965 (42 U.S.C. 3011(a)) is amended by inserting after "Commissioner" the first place it appears therein the following: "under section 202 (including policymaking, programmatic, regional, fiscal, administrative, and personnel responsibilities)".

FUNCTIONS OF COMMISSIONER

SEC. 4. (a) The heading for section 202 of the Older Americans Act of 1965 (42 U.S.C. 3012) is amended by striking out "ADMINISTRATION" and inserting in lieu thereof "COMMISSIONER".

(b) Section 202(a) of the Older Americans Act of 1965 (42 U.S.C. 3012(a)) is amended—

(1) by striking out "Administration" and inserting in lieu thereof "Commissioner";

(2) in paragraph (5) thereof, by inserting "education and training services (including" after "hospitalization,", by inserting "and" after "training,", and by inserting a closing parenthetical mark after "education";

(3) in paragraph (8) thereof, by inserting before the semicolon at the end thereof the following: ", and take whatever action is necessary to achieve coordination of activities carried out or assisted by all departments, agencies, and instrumentalities of the Federal Government with respect to the collection, preparation, and dissemination of information relevant to older individuals";

(4) in paragraph (12) thereof, by striking out "nonprofit"; and

(5) in paragraph (16) thereof, by striking out "nonprofit".

FEDERAL AGENCY CONSULTATION

SEC. 5. Section 203(b) of the Older Americans Act of 1965 (42 U.S.C. 3013(b)) is amended—

(1) by striking out "and" at the end of paragraph (9) thereof;

(2) by striking out the period at the end of paragraph (10) thereof and inserting in lieu thereof a comma; and

(3) by adding at the end thereof the following new paragraphs:

"(11) title I of the Higher Education Act of 1965, and

"(12) the Adult Education Act.".

NATIONAL INFORMATION AND RESOURCE CLEARING HOUSE FOR THE AGING

SEC. 6. (a) Title II of the Older Americans Act of 1965 (42 U.S.C. 3011 et seq.) is amended by striking out section 204, and by redesignating section 205 through section 214 as section 204 through section 213, respectively.

(b)(1) Section 204(d) of the Older Americans Act of 1965, as so redesignated in subsection (a), is amended—

(A) by inserting "and" at the end of paragraph (4) thereof;

(B) by striking out paragraph (5) thereof; and

(C) by redesignating paragraph (6) as paragraph (5).

(2) Section 206(b) of the Older Americans Act of 1965, as so redesignated in subsection (a), is amended by striking out "section 208" and inserting in lieu thereof "section 207".

FEDERAL COUNCIL ON THE AGING

SEC. 7. (a) Section 204(c) of the Older Americans Act of 1965, as so redesignated in section 6(a), is amended by striking out "but not less often than four times a year" and inserting in lieu thereof "at least quarterly".

(b) Section 204(g)(1) of the Older Americans Act of 1965, as so redesignated in section 6(a), is amended by adding at the end thereof the following new sentence: "Such study shall be submitted to the Congress not later than March 31, 1982.".

(c) Section 204(h) of the Older Americans Act of 1965, as so redesignated in section 6(a), is amended by striking out "and", and by inserting "1982, 1983, and 1984," after "1981,".

ADMINISTRATION

SEC. 8. (a) Section 205 of the Older Americans Act of 1965, as so redesignated in section 6(a), is amended by striking out subsection (b) thereof, and by redesignating subsection (c) and subsection (d) as subsection (b) and subsection (c), respectively.

(b) Section 205(c) of the Older Americans Act of 1965, as so redesignated in section 6(a) and in subsection (a), is amended by inserting "to the Commissioner" after "appropriated".

APPLICATION OF OTHER LAWS

SEC. 9. Section 210(a) of the Older Americans Act of 1965, as so redesignated in section 6(a), is amended by striking out ", and of title V of the Act of October 15, 1977 (Public Law 95-134; 91 Stat. 1164),".

CONTRACTING AND GRANT AUTHORITY

SEC. 10. Section 212 of the Older Americans Act of 1965, as so redesignated in section 6(a), is amended by striking out ", where such organization" and all that follows through "such contract".

TECHNICAL ASSISTANCE AND COOPERATION

SEC. 11. Section 301(b)(2) of the Older Americans Act of 1965 (42 U.S.C. 3021(b)(2)) is amended by inserting "the Department of Education," after "cooperation of".

DEFINITIONS FOR TITLE III

SEC. 12. Section 302 of the Older Americans Act of 1965 (42 U.S.C. 3022) is amended by adding at the end thereof the following new paragraph:

"(9) The term 'education and training service' means a social service designed to assist older individuals to better cope with their economic, health, and personal needs through services such as consumer education, continuing education, health education, preretirement education, financial planning, and other education and training services which will advance the objectives of this Act.".

AUTHORIZATION OF APPROPRIATIONS FOR TITLE III PROGRAMS

SEC. 13. (a) Section 303(a) of the Older Americans Act of 1965 (42 U.S.C. 3023(a)) is amended by inserting "each of the" after "for" the third place it appears therein, by striking out "year" the last place it appears therein and inserting in lieu thereof "years", and by inserting "and 1982, and such sums as may be necessary for each of the fiscal years 1983 and 1984," after "1981".

(b) Section 303(b)(1) of the Older Americans Act of 1965 (42 U.S.C. 3023(b)(1)) is amended by inserting "each of the" after "for" the third place it appears therein, by striking out "year" the last place it appears therein and inserting in lieu thereof "years", and by inserting "and 1982, and such sums as may be necessary for each of the fiscal years 1983 and 1984," after "1981".

(c) Section 303(b)(2) of the Older Americans Act of 1965 (42 U.S.C. 3023(b)(2)) is amended by inserting "each of the" after "for" the third place it appears therein, by striking out "year" the last place it appears therein and inserting in lieu thereof "years", and by inserting "and 1982, and such sums as may be necessary for each of the fiscal years 1983 and 1984," after "1981".

ALLOTMENT; FEDERAL SHARE

SEC. 14. (a) Section 304(a)(1) of the Older Americans Act of 1965 (42 U.S.C. 3024(a)(1)) is amended by striking out "and" the second place it appears therein, and by inserting "1982, 1983, and 1984," after "1981,".

(b) Section 304(d)(1)(B) of the Older Americans Act of 1965 (42 U.S.C. 3024(d)(1)(B)) is amended by striking out "year" and inserting in lieu thereof "years", and by inserting "1982, 1983, and 1984," after "1981,".

AREA PLANS

SEC. 15. Section 306(a)(2) of the Older Americans Act of 1965 (42 U.S.C. 3026(a)(2)) is amended by striking out "at least 50 percent" and inserting in lieu thereof "an adequate proportion".

STATE PLANS

SEC. 16. (a) Section 307(a)(13)(A) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)(13)(A)) is amended by striking out the comma, and by inserting before the semicolon at the end thereof the following: ", and may be made available to handicapped or disabled individuals who have not attained 60 years of age but who reside in senior citizen centers at which congregate nutrition services are provided".

(b) Section 307(a)(13)(B) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)(13)(B)) is amended to read as follows:

"(B) such plan shall give primary consideration to the provision of meals in a congregate setting, except that each area agency (i) shall have authority to award funds made available under this title to organizations for the provision of home delivered meals to older individuals in accordance with the provisions of subpart 2 of part C, based upon a determination of need made by the recipient of a grant or contract entered into under this title, without requiring that such organizations also provide meals to older individuals in a congregate setting; and (ii) shall, in awarding such funds, select such organizations in a manner which complies with the provisions of subparagraph (H);".

(c) Section 307(a)(13)(C)(ii) of Older Americans Act of 1965 (42 U.S.C. 3027(a)(13)(C)(ii)) is amended by inserting ", and access to such meals when the use of such charges for access is deemed appropriate" before the semicoln at the end thereof.

(d) Section 307(a)(13) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)(13)) is amended—

(1) by adding "and" at the end of subparagraph (G) thereof;

(2) by striking out "and" at the end of subparagraph (H) thereof; and

(3) by striking out subparagraph (I) thereof.

(e) Section 307(a) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)) is amended—

(1) by striking out "and" at the end of paragraph (15) thereof;

(2) by redesignating paragraph (16) thereof as paragraph (17); and

(3) by inserting after paragraph (15) the following new paragraph:

"(16) provide that area agencies on aging may enter into grants and contracts with providers of education and training services which can demonstrate the experience or capacity to provide such services; and".

AVAILABILITY OF FUNDS FOR SOCIAL SERVICES AND NUTRITION SERVICES

SEC. 17. Section 308(b) of the Older Americans Act of 1965 (42 U.S.C. 3028(b)) is amended by adding at the end thereof the following new paragraph:

"(6) Notwithstanding any other provison of this title, with respect to funds received under subsection (a) and subsection (b) of section 303, a State may elect to transfer not more than 20 percent of the funds appropriated for any fiscal year between programs under part B and part C of this title, for use as the State considers appropriate. The State shall notify the Commissioner of any such election.".

AVAILABILITY OF SURPLUS COMMODITIES

SEC. 18. (a) The first sentence of section 311(a)(4) of the Older Americans Act of 1965 (42 U.S.C. 3030a(a)(4)) is amended by striking out "three" and inserting in lieu thereof "six".

(b) Section 311(b)(1) of the Older Americans Act of 1965 (42 U.S.C. 3030a(b)(1)) is amended by striking out "1981" and inserting in lieu thereof "1984".

SOCIAL SERVICES PROGRAMS

SEC. 19. Section 321(a) of the Older Americans Act of 1965 (42 U.S.C. 3030d(a)) is amended—

(1) in paragraph (1) thereof, by striking out "continuing education,";

(2) by striking out "or" at the end of paragraph (11) thereof;

(3) by redesignating paragraph (12) thereof as paragraph (13); and

(4) by inserting after paragraph (11) the following new paragraph:

"(12) education and training services; or".

REVISION OF TRAINING, RESEARCH, AND DISCRETIONARY PROJECTS AND PROGRAMS

SEC. 20. (a) Title IV of the Older Americans Act of 1965 (42 U.S.C. 3031 et seq.) is amended to read as follows:

"TITLE IV—TRAINING, RESEARCH, AND DISCRETIONARY PROJECTS AND PROGRAMS

"PART A—EDUCATION AND TRAINING

"TRAINING AND RECRUITING PERSONNEL FOR THE FIELD OF AGING

"SEC. 411. The Commissioner may make grants to any public or nonprofit private agency, organization, or institution, and may enter into contracts with any agency, organization, or institution, to assist the Commissioner in recruiting persons to enter the field of aging, training volunteers and persons employed in or preparing for employment in the field of aging (including such stipends to persons participating in training programs as the Commissioner may find appropriate), technical assistance, and other activities related to such training.

"MULTIDISCIPLINARY CENTERS OF GERONTOLOGY

"SEC. 412. The Commissioner may make grants to public and private nonprofit agencies, organizations, and institutions for the purpose of establishing or supporting multidisciplinary centers of gerontology, and gerontology centers of special emphasis.

"PART B—RESEARCH, DEMONSTRATIONS, AND OTHER ACTIVITIES

"RESEARCH AND DEVELOPMENT PROJECTS

"SEC. 421. The Commissioner may make grants to any public or nonprofit private agency, organization, or institution, and may enter into contracts with any agency, organization, institution, or individual to support research and development related to the purposes of this Act, evaluation of the results of such research and development activities, and collection and dissemination of information concerning research findings, demonstration results, and other materials developed in connection with activities assisted under this title, and conducting of conferences and other meetings for purposes of exchange of information and other activities related to the purposes of this title.

"DEMONSTRATION PROJECTS

"SEC. 422. the Commissioner may make grants to any public agency or nonprofit private organization, and may enter into contracts with any agency or organization to pay part or all of the cost of developing or operating model projects to demonstrate methods to improve or expand services to or otherwise promote the well-being of older individuals. Such projects may include projects for the development of comprehensive, coordinated systems of social services, community long-term care for older individuals, projects to meet the special housing needs of older individuals (including weatherization improvements), and other priority projects determined appropriate by the Commissioner.

"SPECIAL PROJECTS IN COMPREHENSIVE LONG-TERM CARE

"SEC. 423. (a)(1) The Commissioner may—

"(A) make grants to selected State agencies, designated under section 305(a)(1), and, in consultation with State agencies, selected area agencies on aging designated under section 305(a)(2)(A), institutions of higher education, and other public agencies and nonprofit private organizations; and

"(B) enter into contracts with any agency, organization, or institution;

to support the development of comprehensive, coordinated systems of community long-term care for older individuals, with special emphasis upon services designed to support alternatives to institutional living and the assessment of need, the development of a plan of care, and the referral of individuals, in the delivery of long-term care services, including noninstitutional and institutional services, where appropriate.

"(2) A grant under this section may be made to pay part or all of the estimated cost of the program (including startup cost) for a period of not more than 3 years, except that no funds may be used to pay for direct services which are eligible for reimbursement under title XVIII, title XIX, or title XX of the Social Security Act.

"(3) A grant made under this section shall be used for the development of programs which provide a full continuum of services. Such services may include adult day health care; monitoring and evaluation of service effectiveness; supported living in public and private nonprofit housing; family respite services; preventive health services; home health, homemaker, and other rehabilitative and maintenance in-home services; services provided by geriatric health maintenance organizations; and other services which the Commissioner determines are appropriate, and which at a minimum, provide for identification and assessment of the long-term care needs of older individuals, referral of such individuals to the appropriate services, and follow-up and evaluation of the continued appropriateness of such services with provision for re-referral as appropriate.

"(b)(1) In making grants to State under this section, preference shall be given to applicants which demonstrate that—

"(A) adequate State standards have been developed to ensure the quality of services provided;

"(B) the State has made a commitment to carry out the program assisted under this section with the State agency responsible for the administration of title XIX of the Social Security Act or title XX of the Social Security Act, or both such agencies;

"(C) the State will develop plans to finance the comprehensive program assisted under this section; and

"(D) the State agency has a plan for statewide or designated regions of the State containing provisions designed to maximize access by older individuals to long-term care services.

"(2) In awarding grants to or entering into contracts with agencies and organizations under this section, preference shall be given to applicants that possess the capability to establish community-based long-term care programs and demonstrate that a need exists for the establishment of such programs in the area to be served.

"(3) Agencies and organizations assisted under this section shall establish procedures for evaluating the program assisted under this section, with respect to the benefits accruing to persons receiving assistance, the feasibility of the administrative model used for comprehensive coordination of services including coordination with other local programs, and the comparative costs and quality of services provided, and shall submit such evaluation to the Commissioner on a periodic basis.

"(c) The Secretary shall involve appropriate Federal departments and agencies in carrying out the provisions of this section in order to assure coordination at the Federal level and to avoid duplication and shall include in the annual report to the Congress required by section 207, a report on the impact of grants made, or contracts entered into, on the experiences of grantees and contractors in meeting the requirements of this section, and on the comparative benefits and costs of projects assisted under this section.

"(d) Sums appropriated to carry out this section shall, to the extent feasible, be used to support programs equitably distributed throughout the Nation between urban and rural areas

SPECIAL PROJECTS IN MENTAL HEALTH CARE

"SEC. 424. (a) The Commissioner, after consultation with the Director of the National Institute of Mental Health and the Center for Studies of the Mental Health of the Aging, may make grants to, and enter into contracts with, any public or private nonprofit entity for projects under this section. Each such project shall include—

"(1) the location of older individuals who are in need of mental health services;

"(2) the provision of, or arrangement for the provision of, medical differential diagnoses of older individuals to distinguish between their need for mental health services and other medical care;

"(3) the specification of the mental health needs of older individuals, and the mental health and support services required to meet such needs; and

"(4) the provision of—

"(A) the mental health and support services specified in paragraph (3) in the communities; or

"(B) such services for older individuals in nursing homes and intermediate care facilities, and training of the employees of such homes and facilities in the provision of such services.

"(b) Funds may not be obligated to carry out this section for any fiscal year if funds are appropriated to carry out section 204 of the Mental Health Systems Act for such fiscal year.

"(c) For purposes of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1982, 1983, and 1984.

"NATIONAL IMPACT ACTIVITIES

"SEC. 425. The Commissioner may carry out directly or through grants or contracts—

"(1) innovation and development projects and activities of national significance which show promise of having substantial impact on the expansion or improvement of social services, nutrition services, or multipurpose senior centers, or otherwise promoting the well-being of older individuals; and

"(2) dissemination of information activities related to such programs.

"(b) An amount not to exceed 15 percent of any sums appropriated under section 431 may be used for carrying out this section.

"PART C—GENERAL PROVISIONS

AUTHORIZATION OF APPROPRIATIONS

"Sec. 431. (a) There are authorized to be appropriated to carry out the provisions of this title $45,000,000 for fiscal year 1982, and such sums as may be necessary for each of the fiscal years 1983 and 1984.

"(b) No funds appropriated under this title—

"(1) may be transferred to any office or other authority of the Federal Government which is not directly responsible to the Commissioner; or

"(2) may be used for any program or activity which is not specifically authorized by this title.

"PAYMENTS OF GRANTS

"SEC. 432. (a) To the extent he deems it appropriate, the Commissioner shall require the recipient of any grant or contract under

this title to contribute money, facilities, or services for carrying out the project for which such grant or contract was made.

"(b) Payments under this title pursuant to a grant or contract may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments and on such conditions, as the Commissioner may determine.

"(c) The Commissioner shall make no grant or contract under this title in any State which has established or designated a State agency for purposes of title III unless the Commissioner has consulted with such State agency regarding such grant or contract.".

(b)(1) Section 204(d)(2) of the Older Americans Act of 1965, as so redesignated in section 6(a), is amended by striking out "the appraisal of needs required by section 402" and inserting in lieu thereof "an appraisal of needs pursuant to the functions carried out by the Commissioner under section 411".

(2) Section 310 of the Older Americans Act of 1965 (42 U.S.C. 3030) is amended by striking out "section 421" each place it appears therein and inserting in lieu thereof "section 422".

EQUITABLE DISTRIBUTION OF ASSISTANCE

SEC. 21. (a) Section 506(a)(3) of the Older Americans Act of 1965 (42 U.S.C. 3056d(a)(3)) is amended by inserting "the Commonwealth of the Northern Mariana Islands," after "Samoa," each place it appears therein.

(b) Section 506(a)(4)(A) of the Older Americans Act of 1965 (42 U.S.C. 3056d(a)(4)(A)) is amended by inserting "the Commonwealth of the Northern Mariana Islands," after "Samoa,".

DEFINITIONS FOR TITLE V

SEC. 22. (a) Section 507(1) of the Older Americans Act of 1965 (42 U.S.C. 3056e(1)) is amended by inserting "the Commonwealth of the Northern Mariana Islands," after "Samoa,".

(b) Section 507(3) of the Older Americans Act of 1965 (42 U.S.C. 3056e(3)) is amended by inserting "weatherization activities;" after "efforts;".

AUTHORIZATION OF APPROPRIATIONS FOR TITLE V PROGRAMS

SEC. 23. Section 508 of the Older Americans Act of 1965 (42 U.S.C. 3056f) is amended by striking out "and" the last place it appears therein, and by inserting before the period at the end thereof the following: ", $350,000,000 for fiscal year 1982, and such sums as may be necessary for each of the fiscal years 1983 and 1984".

GRANTS AUTHORIZED UNDER TITLE VI

SEC. 24. Section 603 of the Older Americans Act of 1965 (42 U.S.C. 3057b) is amended by striking out "Indians who are aged 60 and older" and inserting in lieu thereof "older Indians".

APPLICATIONS UNDER TITLE VI

SEC. 25. (a) Section 604(a)(4) of the Older Americans Act of 1965 (42 U.S.C. 3057c(a)(4)) is amended by striking out "that" and all that follows through "conduct" and inserting in lieu thereof "for".

(b) Section 604(a)(10) of the Older Americans Act of 1965 (42 U.S.C. 3057c(a)(10)) is amended to read as follows:

"(10) provide that any legal or ombudsman services made available to older Indians represented by the tribal organization will be substantially in compliance with the provisions of title III relating to the furnishing of similar services; and".

(c) Section 604 of the Older Americans Act of 1965 (42 U.S.C. 3057c) is amended by striking out subsection (d) thereof, and by redesignating subsection (e) and subsection (f) as subsection (d) and subsection (e), respectively.

ADMINISTRATION OF TITLE VI

SEC. 26. Section 605 of the Older Americans Act of 1965 (42 U.S.C. 3057d) is amended by striking out "(a)", and by striking out subsection (b) thereof.

AUTHORIZATION OF APPROPRIATIONS FOR TITLE VI

SEC. 27. Section 608(a) of the Older Americans Act of 1965 (42 U.S.C. 3057g(a)) is amended to read as follows:

"SEC. 608. (a) There are authorized to be appropriated $6,000,000 for fiscal year 1982, $6,400,000 for fiscal year 1983, and $6,800,000 for fiscal year 1984, to carry out the provisions of this title (other than section 606).".

HOME MAINTENANCE AND REPAIR SERVICES

SEC. 28. (a) The Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) is amended by adding at the end thereof the following new title:

"TITLE VII—HOME MAINTENANCE AND REPAIR SERVICES

"CONGRESSIONAL FINDINGS

"SEC. 701. The Congress hereby finds that—

"(1) of the 25,000,000 older individuals living in the United States today, approximately one-third are housed in substandard, deteriorating, or dilapidated housing;

"(2) while 70 percent of such older individuals living in the United States reside in their own homes, most Federal housing assistance programs for older individuals focus on the problems of such individuals who rent their housing, and insufficient funding has been made available to assist such individuals who are homeowners;

"(3) 58 percent of older individuals who are homeowners own homes that were built before 1939;

"(4) continually increasing maintenance and energy costs have forced many older individuals to forgo necessary home repairs, thereby causing the condition of the homes of such individuals to deteriorate significantly and creating serious health and safety hazards;

"(5) upon retirement, older individuals generally undergo a reduction of income of one-third to one-half and are therefore less able to afford necessary home repairs; and

"(6) mobility and health are important determinants of the ability to undertake repairs, and, in light of the increasingly large segment of the population that is composed of older individuals, greater numbers of Americans become physically unable to make necessary home repairs each year.

"HOME MAINTENANCE AND REPAIR PROGRAM

"SEC. 702. (a) The Commissioner is authorized to make grants to, and enter into contracts with, any State agency designated under section 305(a)(1) for purposes of providing home maintenance and repair services to older individuals.

"(b) The Commissioner shall administer the program established in subsection (a) in accordance with regulations prescribed by the Commissioner and in a manner that ensures that—

"(1) in the provision of services under such program, a preference shall be given to low-income older individuals;

"(2) to an extent that the Commissioner determines to be appropriate, there shall be coordination with other Federal programs designed to provide home maintenance and repair services;

"(3) home maintenance and repair services provided under this section shall be accomplished by teams composed of individuals who are specialists in maintenance and repair and who are, to the maximum extent practicable, older individuals; and

"(4) older individuals receiving home maintenance and repair services under this section shall be provided with sufficient information to enable them to perform their own simple repairs in the future.

"HOUSING COUNSELING

"SEC. 703. The Commissioner shall administer, in coordination with the program established in section 702(a), a program of housing counseling for older individuals, which shall provide such individuals with information concerning home energy conservation, weatherization, and crime prevention programs and techniques.

"ANNUAL REPORT

"SEC. 704. The Commissioner shall annually prepare and submit to the Congress a comprehensive report concerning the housing needs of older individuals and the effectiveness of Federal housing programs in addressing such housing needs.

"DEFINITIONS

"SEC. 705. For purposes of this title—

"(1) the term 'home maintenance and repair services' means maintenance and repair of particular defects and hazards in any housing owned by, and serving as the primary residence of, any older individual, including maintenance and repair, and weatherization, designed to improve the health and safety conditions and increase the livability of such housing, but not including substantial remodeling of such housing;

"(2) the term 'low-income' means income that is not more than 125 percent of the poverty guidelines established periodically under section 624 of the Economic Opportunity Act of 1964; and

"(3) the term 'older individual' means any individual 60 years of age or older.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 706. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this title for each of the fiscal years 1982, 1983, and 1984.".

NATIONAL OLDER AMERICANS VOLUNTEER PROGRAMS

SEC. 29. (a) Section 502(a) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5082(a)) is amended by striking out "and" after "1980," and by inserting after "1981," the following: "$28,691,000 for the fiscal year ending September 30, 1982, and such sums as may be necessary for the fiscal year ending September 30, 1983,".

(b) The last sentence of section 502(b)(2) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5082(b)(2)) is amended by striking out "and" after "1980," and by inserting after "1981," the following: "$62,380,000 for the fiscal year ending September 30, 1982, and such sums as may be necessary for the fiscal year ending September 30, 1983,".

TECHNICAL AND CONFORMING AMENDMENTS

SEC. 30. (a) Section 102(1) of the Older Americans Act of 1965 (42 U.S.C. 3002(1)) is amended by striking out ", Education, and

Welfare" and inserting in lieu thereof "and Human Services".

(b)(1) Section 202(a)(1) of the Older Americans Act of 1965 (42 U.S.C. 3012(a)(1)) is amended by striking out ", Education, and Welfare" and inserting in lieu thereof "and Human Services".

(2) Section 202(c) of the Older Americans Act of 1965 (42 U.S.C. 3012(c)) is amended by striking out "Action" and inserting in lieu thereof "the ACTION Agency".

(c)(1) The last sentence of section 203(a) of the Older Americans Act of 1965 (42 U.S.C. 3013(a)) is amended by striking out "purpose" and inserting in lieu thereof "purposes".

(2) Section 203(b) of the Older Americans Act of 1965 (42 U.S.C. 3013(b)) is amended—

(A) by striking out "purpose" and inserting in lieu thereof "purposes";

(B) in paragraph (1) thereof, by striking out "of 1973"; and

(C) in paragraph (8) thereof, by striking out "section 222(a)(8)" and inserting in lieu thereof "section 222(a)(2)".

(d)j Section 206(b) of the Older Americans Act of 1965, as so redesignated in section 6(a), is amended by striking out "section 308 or", and by striking out "section or".

(e) Section 209(b) of the Older Americans Act of 1965, as so redesignated in section 6(a), is amended by striking out "the amendment made by".

(f) Section 337 of the Older Americans Act of 1965 (42 U.S.C. 3030g) is amended by striking out "National Association of Title VII Project Directors" and inserting in lieu thereof "National Association of Nutrition and Aging Services Programs".

(g) Section 503(b) of the Older Americans Act of 1965 (42 U.S.C. 3056a(b)) is amended by striking out "of 1973" each place it appears therein.

(h) Section 505(b) of the Older Americans Act of 1965 (42 U.S.C. 3056c(b)) is amended—

(1) by striking out ", Education, and Welfare" and inserting in lieu thereof "and Human Services"; and

(2) by striking out the second sentence thereof.

Mr. ANDREWS (during the reading). Mr. Chairman, I ask unanimous consent that the committee amendment in the nature of a substitute be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

AMENDMENT OFFERED BY MR. ANDREWS

Mr. ANDREWS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDREWS: Page 5, beginning on line 21, strike out "striking" and all that follows through line 23, and insert in lieu thereof the following: "inserting before the period at the end thereof the following: ", $200,000 for fiscal year 1982, and such sums as may be necessary for each of the fiscal years 1983 and 1984".".

Page 7, beginning on line 16, strike out "inserting" and all that follows through line 21, and insert in lieu thereof the following: "striking out "and", and by inserting after "1981" the following: ", $306,000,000 for fiscal year 1982, and such sums as may be necessary for each of the fiscal years 1983 and 1984,".".

Page 7, beginning on line 23, strike out "inserting" and all that follows through page 8, line 3, and insert in lieu thereof the following: "striking out "and", and by inserting after "1981" the following: ", $319,100,000 for fiscal year 1982, and such sums as may be necessary for each of the fiscal years 1983 and 1984,".".

Page 8, beginning on line 5, strike out "inserting" and all that follows through line 10, and insert in lieu thereof the following: "striking out "and", and by inserting after "1981" the following: ", $60,000,000 for fiscal year 1982, and such sums as may be necessary for each of the fiscal years 1983 and 1984,".".

Page 11, line 2, insert after "services" the following: "(except that such contract authority shall be effective for any fiscal year only to such extent, or in such amounts, as are provided in appropriations Acts)".

Page 14, line 24, insert after "institution" the following: "(except that such contract authority shall be effective for any fiscal year only to such extent, or in such amounts, as are provided in appropriations Acts)".

Page 18, line 4, insert before the period the following: "(except that such contract authority shall be effective for any fiscal year only to such extent, or in such amounts, as are provided in appropriations Acts)".

Page 19, line 21, strike out "$45,000,000" and insert in lieu thereof "$23,200,000".

Page 22, line 5, strike out "inserting before" and insert in lieu thereof "striking out".

Page 22, line 6, insert "and inserting in lieu thereof" after "thereof".

Page 22, line 6, strike out "$350,000,000" and insert in lieu thereof "$277,100,000".

Page 22, beginning on line 7, strike out ", and" and all that follows through line 8, and insert in lieu thereof the following: "(in accordance with the provisions of section 606(b)(1)(A) of the Omnibus Budget Reconciliation Act of 1981), $293,726,000 for fiscal year 1983 (in accordance with the provisions of section 606(b)(1)(A) of the Omnibus Budget Reconciliation Act of 1981), and such sums as may be necessary for fiscal year 1984. Amounts authorized for fiscal years 1982 and 1983 also shall include the additional sums specified in section 606(b)(1)(B) of the Omnibus Budget Reconciliation Act of 1981.".".

Page 23, line 15, strike out "$6,000,000" and insert in lieu thereof "$6,500,000".

Page 23, beginning on line 15, strike out "$6,400,000" and all that follows through "year" on line 16, and insert in lieu thereof the following: "and such sums as may be necessary for each of the fiscal years 1983 and".

Page 25, line 10, insert before the period the following: "(except that such contract authority shall be effective for any fiscal year only to such extent, or in such amounts, as are provided in appropriations Acts)".

Page 27, strike out line 16 and all that follows through page 28, line 2, and insert in lieu thereof the following:

SEC. 29. The appropriation of funds for fiscal years 1982, 1983, and 1984 to carry out title II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5001 et seq.) shall be made in accordance with the authorizations of appropriations contained in the amendments made by section 607(b) of the Omnibus Budget Reconciliation Act of 1981.

Mr. ANDREWS [during the reading]. Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

AMENDMENT OFFERED BY MR. JOHN BURTON TO THE AMENDMENT OFFERED BY MR. ANDREWS

Mr. JOHN L. BURTON. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHN L. BURTON to the amendment offered by Mr. ANDREWS: In the matter proposed to be inserted on page 22 of the bill, beginning on line 7, by the amendment offered by Mr. ANDREWS, insert after "Act of 1981." the following:

"Amounts appropriated under this section for any fiscal year shall be used during the annual period which begins on July 1 of the calendar year immediately following the beginning of such fiscal year and which ends on June 30 of the following calendar year. The Secretary may extend the period during which such amounts may be obligated or expended in the case of a particular organization or agency receiving funds under this title if the Secretary determines that such extension is necessary to ensure the effective use of such funds by such organization or agency. Any such extension shall be for a period of not more than 60 days after the end of such annual period."

Mr. JOHN BURTON. Mr. Chairman, this amendment would provide for what our colleague, the gentleman from Vermont (Mr. JEFFORDS) talked about—the ability to continue the employment progam for the elderly.

Mr. Chairman, this amendment would provide for forward funding to continue for the jobs program for the elderly, which is one of the few jobs programs and the only jobs program in this act.

I would like to commend both the chairman, the gentleman from Kentucky (Mr. PERKINS); the ranking member, the gentleman from Ohio (Mr. ASHBROOK); as well as the gentleman from North Carolina (Mr. ANDREWS); and the gentleman from Wisconsin (Mr. PETRI) for the work they have done on this bill. It is my understanding that the amendment is accepted both by the chairman and the subcommittee chairman as well as the ranking member.

Mr. Chairman, this amendment does not affect the committee's intent to bring the bill's authorization levels in line with the Budget Reconciliation Act. My amendment simply writes into law the forward-funding mechanism which the Appropriations Committee and the Department of Labor have used in title V for over 5 years. I should note that the Budget Reconciliation Act and the House appropriations bill include the full amount needed to continue advance funding for title V.

Title V provides work and wages to over 54,200 low-income older workers. These workers perform important public services that communities otherwise might not be able to afford. These services include work in senior centers, day care for children, weatherization programs, and public libraries and schools. Over the years, both the older workers and local communities have come to rely on the title V program. This reliance will increase as other State and federally funded service programs are cut back.

It is imperative that the program continue to assure older workers an uninterrupted income and their communities a steady source of supplemental public services. But the program's success depends on the advance planning which is made possible by forward funding.

Forward-funding insures that there will be no interruptions in title V jobs even when Congress does not complete appropriations bills by the start of the fiscal year. Most title V sponsors are nonprofit organizations which cannot afford to carry these jobs on their own budgets if appropriations are delayed. Without advance funding, the older people in these jobs might be laid off every time appropriations were late. Many workers would suffer because they need their title V wages to make ends meet. We would risk their economic security if we did not guarantee continued forward-funding for title V.

This amendment is supported by the seven national title V sponsors—National Farmers Union, National Council of Senior Citizens, the National Retired Teachers Association/American Association of Retired Persons (NRTA/AARP), the National Council on the Aging, Inc. (NCOA), National Urban League, National Association Pro Spanish-Speaking Elderly and National Center for Black Aged—and by the National Association of State units on Aging, which represents State agencies that also sponsor the program. I hope that the gentleman from North Carolina (Mr. ANDREWS), who has done such a fine job on the reauthorization bill, has no objection to my amendment.

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I will explain the reasons for this amendment

The Senate appropriation voted to eliminate the forward funding in the senior citizens service employment program which would threaten the continuity of the 54,000 part-time jobs for low-income older Americans. We can protect this program by this amendment. It is consistent with our budget reconciliation stand. It is consistent with the appropriation program that would guarantee there would be no interruption of the program.

I know that Mr. PETRI, and I would be happy to yield to the gentleman if he had a question on this; other than that, I know of no opposition to the amendment, except for a question as to why this program would be treated differently. The answer to that is that this is the only jobs program that is provided. Without forward funding, the jobs would be eliminated by the Senate action.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. JOHN L. BURTON. I would be happy to yield to my distinguished colleague from Illinois.

Mr. McCLORY. Is there an authorization funding? The gentleman mentioned the Senate Appropriation Committee. How much money is appropriated for this program that the gentleman is introducing through this amendment?

Mr. JOHN L. BURTON. This would be a continuation and a guarantee of the present program of forward funding. That would come out of the Appropriations Committee. What the Senate Appropriation Committee did is eliminated the forward funding potential, which means that the jobs program will stop and that the jobs will become unavailable.

The actual dollar amounts I do not know, but it affects 54,000 low-income elderly people who depend on this program for wages.

It is not a new action. It has always been a forward funded program.

Mr. McCLORY. If the gentleman will yield further, what was the funding then for the current year?

Mr. JOHN L. BURTON. I am getting that information in a moment.

Mr. PERKINS. Mr. Chairman, if the gentleman will yield, it is $277.9 million.

Mr. JOHN L. BURTON. The gentleman from Kentucky says it is $277.9 million.

I say that this does have the support of the gentleman from Ohio (Mr. ASHBROOK), because it would just totally disrupt the program if we do not have this provision.

Mr. McCLORY. If the gentleman will yield further, then without the gentleman's amendment, there would be no $277 million authorization or appropriation, but with the amendment it would require an appropriation of $277 million.

Mr. JOHN L. BURTON. It would allow the forward funding which is consistent with the bill that passed this House. It is consistent with the Budget Act. Without my amendment it would mean that 54,000 eligible elderly would be taking unemployment. Their jobs would be eliminated, and assuming the other body had a change of heart, they would have to start it up all over again.

It is supported by all the elderly groups, by a bipartisan group on the Aging Committee and the ranking Republican on the full committee, the gentleman from Ohio (Mr. ASHBROOK).

Mr. Chairman, I would ask for a loud "aye" vote when the time comes.

I yield back the balance of my time.

Mr. ANDREWS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I do have no objection. This side is pleased to accept the amendment to the amendment, as offered by the gentleman from California (Mr. JOHN L. BURTON).

As to the amendment which I offered and to which this amendment is applicable, may I say that my amendment is offered for the purpose of bringing the authorization levels for fiscal year 1982 in line with the Omnibus Reconciliation Act of 1981 and provides that any new contract authority shall be effective only to such extent as are provided in appropriations act. These amendments have been reviewed by my friends on the other side of the aisle and I believe acceptable to them and as far as I know to everyone.

Mr. JOHN L. BURTON. Mr. Chairman, will the gentleman yield for just one second?

Mr. ANDREWS. Yes.

Mr. JOHN L. BURTON. I would like to say to my good friend, the gentleman from Illinois, that this amendment does not affect the authorization levels from being in concert with the Budget Act.

Mr. PETRI. Mr. Chairman, I rise in opposition to the amendment to the amendment.

I differ from my distinguished ranking minority member on the full committee who is supporting this amendment.

I can understand the concern of my colleague, the gentleman from California, and the various organizations involved in this program; but I do not think it is good public policy for us to single out this particular program under the Older Americans Act for forward funding when we are not doing it for the other programs under this act.

I realize that there is some concern in the out years and I realize it would make it somewhat easier for planning, but I feel the same arguments could be made for many of the other programs under this act.

I think the merit of the program will mean that it will survive on its merits in competition with all the others for the funds that are available in future years. I do not think we should be tying our hands in this fashion.

Mr. JOHN L. BURTON. Mr. Chairman, will the gentleman yield just for one clarification?

Mr. PETRI. Yes.

Mr. JOHN L. BURTON. This program has been the only program that has always been forward funded, so we

are continuing the practice on the jobs program. Of all the programs in the act this has always received forward funding. It is not being singled out this year for special treatment. I just wanted to make that point and I thank my friend.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. JOHN L. BURTON) to the amendment offered by the gentleman from North Carolina (Mr. ANDREWS).

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. ANDREWS), as amended.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. ANDREWS

Mr. ANDREWS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDREWS: Page 11, line 24, insert "(a)" after "SEC. 19.".

Page 12, line 6, strike out "(13)" and insert in lieu thereof "(14)".

Page 12, line 8, strike out "paragraph" and insert in lieu thereof "paragraphs".

Page 12, line 9, strike out "or" and all that follows through the end of line 9.

Page 12, after line 9, insert the following:

"(13) a program, to be known as 'Senior Opportunities and Services', designed to identify and meet the needs of older, poor persons 60 years of age or older in one or more of the following areas: (A) development and provision of new volunteer services; (B) effective referral to existing health, employment, housing, legal, consumer, transportation, and other services; (C) stimulation and creation of additional services and programs to remedy gaps and deficiencies in presently existing services and programs; and (D) such other services as the Commissioner may determine are necessary or especially appropriate to meet the needs of the older poor and to assure them greater self-sufficiency; or".

(b) The heading for part B of title III of the Older Americans Act of 1965 (42 U.S.C. 3030d) is amended by striking out "SOCIAL" and inserting in lieu thereof "SENIOR CENTERS AND SUPPORTIVE".

Page 7, line 21, strike out the period and insert in lieu thereof the following: ", and by striking out "social" and inserting in lieu thereof "senior centers and supportive".".

Mr. ANDREWS (during the reading). Mr. Chairman, I ask unanimous consent that this amendment likewise be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. ANDREWS. Mr. Chairman, this second amendment is a minor, but important amendment to provide permissive language for States and localities, at their discretion, to carry out a program known as the senior opportunities program as part of their part B—senior center and supportive service activity.

This program would serve the elderly poor through the development of new volunteer programs; referral of existing services such as health, employment, and transportation services; and through the development of programs to fill gaps in services.

Again, my friends on the other side of the aisle have reviewed this amendment and, I believe it is noncontroversial.

Mr. CORRADA. Mr. Chairman, I rise in support of the gentleman from North Carolina's amendment to make the senior opportunity service program an eligible activity under the Older Americans Act.

This program has been in existence since 1967 when the Economic Opportunities Act was amended to include the service as a national emphasis program. This year, with the inception of the community services block grant the specific authorization for the SOS program was repealed. Although States may choose to continue funding for this activity, through community service projects, I believe that the Older Americans Act is the more appropriate vehicle for its administration.

Senior opportunity service programs maintain information and outreach networks which seek out the poor for assistance and provide information on where they can obtain services. At senior centers, the elderly share companionship and meals with peers. They can obtain some medical services as well as transportation to doctor's offices for more serious treatment. Special buses or taxi systems provide for trips to the market, church, or service agencies.

The 199 projects funded under these programs are currently in existence in 46 States, Puerto Rico, and the Virgin Islands, serving both urban and rural populations.

I urge my colleagues to support this amendment to further consolidate programs for the elderly under the umbrella of the Older Americans Act.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. ANDREWS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ANDREWS

Mr. ANDREWS. Mr. Chairman, I offer a third amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDREWS: Page 29, after line 23, ad the following new section:

ADDITIONAL AMENDMENTS

SEC. 31. (a) Section 673(1) of Public Law 97-35 (42 U.S.C. 2790(1)) is amended—

(1) by inserting ", and any program which received funds under section 221 or section 222 of such Act," after "Act of 1964";

(2) by inserting ", or such program lost its authority to receive funds under section 221 or section 222 of such Act," after "such Act" the first place it appears therein; and

(3) by inserting ", and such designation or authority was not reinstated before the end of such fiscal year" before the period at the end thereof.

(b) Section 675(c)(2)(A)(ii) of such public law (42 U.S.C. 9904(c)(2)(A)(ii)) is amended—

(1) by inserting "(I)" after "directly or to ";

(2) by striking out ", or to" and inserting in lieu thereof "; (II)"; and

(3) by inserting after "farm worker organizations;" the following: "or (III) any organization which administers a program which is treated as an eligible entity under section 673(1) as the result of the receipt of funds by such program under section 221 or section 222 of Public Law 88-452, as amended, for fiscal year 1981, regardless of whether such organization has a board which meets the requirements of clause (3);".

(c) Section 682(b)(4) of Public Law 97-35 (42 U.S.C. 9911(b)(4)) is amended by inserting before the period at the end thereof the following: ", to migrant and seasonal farm worker organizations, or to both such entities and such organizations".

Mr. ANDREWS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. ANDREWS. Mr. Chairman, this is simply a clarifying amendment. The amendment is merely one which makes clear the meaning of the definition of "eligible entities." It has broad support from both the majority and minority members of the Committee on Education and Labor as well, I believe, as all others. As a matter of fact, it is my understanding that there is no opposition and I move its adoption.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. ANDREWS).

The amendment was agreed to.

Mr. McCLORY. Mr. Chairman, I move to strike the last word.

Mr. McCLORY. Mr. Chairman, I want to express my general support of this legislation. I think it can contribute to the welfare of our older Americans, providing them with many opportunities for useful activity and meaningful lives in their later years.

I especially want to support the amendment of the gentleman from North Carolina which invites the States to provide opportunity programs for older Americans, particularly service in voluntary organizations and that sort of activity in which the experience and talents of older Americans can be utilized for their benefit and for the benefit of the entire Nation.

Mr. Chairman, the Older Americans Act of 1965 was a significant piece of legislation because it gave Federal recognition to the importance of senior

citizens in the fabric of American society.

Over the years, we have passed laws that impact heavily on this age group in one way or another, and it is good that we now have an agency of the Federal Government to which we can turn for a focus on the effects our laws are having on older Americans.

Older Americans have some unique problems; they also have some unique contributions to make to society. It would be not only a tragedy for the individuals but an inestimable loss to all of us to neglect the special attributes of older Americans, for in them—as strange as this may sound—lies the hope of the future.

For this generation of senior citizens is the survival generation par excellence in the history of the world. No other generation in the recorded history of mankind has seen as many challenges as this generation of grandparents, and that is why they are such marvelous educators of today's young.

As an older American myself, I can attest to the fact that we survived two world wars. We have been witnesses in the transition of the world from a collection of nations with parochial interests to an interconnected community of riders on the planet Earth together. Increasingly, happenings in one part of the world not only affect population centers on the opposite side of the globe but affect them instantaneously, thanks to the marvel of satellite television.

Our generation has gone from horseback to jet travel. We have been beneficiaries of spectacular improvements in science and have lived to share the excitement of putting our fellow beings on the Moon.

In surviving these tremendous changes, older Americans provide living examples for the young people of today of the resiliency, adaptability, and courage of the human spirit. To steal a metaphor from Pogo, we have met the Brave New World, and she is us.

Mr. Speaker, I support the legislation providing for extension of the Older Americans Act and of three older American volunteer programs administered by ACTION. I think it is vital to keep this focus of attention on the concerns of older Americans, and as the baby boom generation advances in age, it is critical that we engage in long-range planning that will take into consideration the financial as well as the social impact upon the society of the coming change in the demographic pattern.

AMENDMENT OFFERED BY MR. RINALDO

Mr. RINALDO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RINALDO: Page 7, after line 1, insert the following:

SEC. 12. (a) Section 302(3) of the Older Americans Act of 1965 (42 U.S.C. 3022(3)) is amended by inserting after "Social Security Act," the last place it appears therein the following: "any category of institutions regulated by a State pursuant to the provisions of section 1616(e) of the Social Security Act (for purposes of section 307(a)(12)),".

Page 7, line 2, strike out "SEC. 12." and insert in lieu thereof "(b)".

Mr. RINALDO. Mr. Chairman, the amendment I am offering would correct a glaring weakness in the long-term care ombudsman program authorized under section 307 of the Older Americans Act.

Under the law, States are required to operate an ombudsman program to protect elderly Americans living in nursing homes.

Unfortunately, however, Congress left to States the option of covering boarding homes under that program.

My amendment would strengthen the law by including boarding homes that come under the provisions of the Keys amendment to the SSI program.

That amendment requires States to regulate boarding homes where a significant number of SSI recipients reside, or are likely to reside.

As ranking Republican member of the House Aging Committee, I have looked closely at the problems in boarding homes, and there is no doubt in my mind that elderly boarding home residents need the protections afforded by the ombudsman program.

In fact, Mr. Chairman, you could say there is even more need with regard to boarding homes.

While nursing homes must meet the stringent statutory and regulatory requirements under medicare and medicaid, boarding home residents are completely unprotected by Federal regulations.

It is my understanding that this amendment has been reviewed by the majority and minority sides of the committee and is acceptable to them.

I would also like to add that it has the strong endorsement and support of the distinguished chairman of the House Aging Committee, CLAUDE PEPPER.

Mr. Chairman, I would also like to point out that the amendment I am offering has been perfected after a conversation between the Aging Committee staff and the staff of the Human Resources Subcommittee.

Mr. Chairman, my amendment would strengthen the Older Americans Act and the ombudsman program, and I urge its adoption.

Mr. DENARDIS. Mr. Chairman, will the gentleman yield?

Mr. RINALDO. I would be pleased to yield.

Mr. DENARDIS. Mr. Chairman, I rise in support of reauthorizing the Older Americans Act. I strongly and enthusiastically support the bill before us known as the Older Americans Act Amendments of 1981.

I look back on my 9 years as a Connecticut State senator and count as my most satisfying accomplishments those measures which I authored and sponsored dealing with older Americans. I am practicularly proud of being the original sponsor of the tax relief for elderly program, known as the circuit breaker, which was enacted in 1974. Today, thousands of citizens in my State, including my parents, benefit from that program. In later years, I sponsored medicaid and nursing home reform legislation, including the establishment of a health and nursing home ombudsman program for Connecticut, which was made possible under the national Older Americans Act.

Therefore, I would first like to commend my colleague from New Jersey, Mr. RINALDO, for his amendment today to broaden the definition of long-term care facility under the nursing home ombudsman program to include boarding homes. This amendment will greatly improve State programs, and I strongly support it.

With respect to the Older Americans Act in general, I would offer the following evaluation and support:

The Older Americans Act of 1965 contains 10 policy goals aimed at improving the lives of older Americans in areas of income, health, employment, retirement, and community services, and provides the legislative basis for the creation of the Administration on Aging (AOA) within the Office of the Secretary of the Department of Health and Human Services. The act also establishes an authority for the following: development of programs to assist older persons—especially those who have the greatest social or economic need—through grants to States, which in turn award funds to area agencies on aging; grants to Indian tribal organizations to assist older Indians; development of research, demonstration, and training programs in the field of aging; and development of community service employment programs for low-income persons 55 years of age or older.

H.R. 3046, the Older Americans Act Amendments of 1981 provides for a 3-year extension of this valuable act with a number of significant changes. Changes in title II—Administration on Aging, include the upgrading of the Commissioner's role by requiring a direct line of authority to the Secretary, the clarification and strengthening of prohibitions against delegation of the Commissioner's functions; the removal of restrictions on profitmaking organizations; and, the delegation of authority for the National Information and Resource Clearing House for the Aging.

Changes to title III—Grants for State and community programs on aging, include permitting States to transfer not more than 20 percent of funds appropriated during any fiscal

year between programs under part B, social services and C, nutrition services; defining and emphasizing education and training services for the elderly; striking the requirement that 50 percent of social services funds be spent on three priority services, access, in-home, and legal services; giving area agencies the option to select home-delivered meal providers who may or may not also be congregate meal providers; and, permitting the use of contributions for meals to provide transportation to and from meals.

Title IV—Training, research and discretionary projects and programs, permits the Commissioner to make grants and contracts for education and training, for multidisciplinary centers of gerontology, for research and development, for demonstration projects, for long-term care projects, for mental health projects, and for national impact activities relating to the elderly.

Title V—Community service employment for older Americans, was amended to include "weatherization activities" as an appropriate "community service" and to provide for an authorized ceiling of $350,000,000 for fiscal year 1982, and such sums as may be necessary for fiscal years 1983 and 1984.

The bill amended title VI—Grants to Indian tribes, to change the definition of Indians to be served from "Indians ages 60 or over" to "older Indians," by striking the provision that the Indian grantee will select the organization to evaluate the project, by making the provision of legal or ombudsman services permissive, and by striking the requirement that a State's title III allocation be reduced by an amount attributable to the number of Indians to be served.

In addition, this bill established a new title VII—Home maintenance and repair services, providing for discretionary grants and contracts to State agencies to provide home maintenance and repair services for older individuals.

H.R. 3046 also extends the Older Americans Volunteer Programs administered by the ACTION agency for 2 years. These programs include Foster Grandparents, Senior Companion, and the Retired Senior Volunteer Program, and are designed to foster volunteerism among citizens aged 60 and over. This concept has proven to benefit multiple segments of society—both those serving and those being served.

I strongly support H.R. 3046 which provides the continuation of the vital programs under the Older Americans Act. The amendments of 1981 continue a program which has proven its effectiveness since 1965 and represents the continuing commitment of our Nation to our senior citizens.

Mr. RINALDO. Mr. Chairman, I thank the gentleman for his support and note that I very much appreciate it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. RINALDO).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ERLENBORN

Mr. ERLENBORN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ERLENBORN: Page 29, after line 23, insert the following new section:

ADDITIONAL TECHNICAL AMENDMENT

SEC. 31. Section 439(1) of the Higher Education Act of 1965 is amended by adding at the end thereof the following new sentence: "The priority established in favor of the United States by section 3466 of the Revised Statutes (31 U.S.C. 191) shall not apply to indebtedness of the Association.".

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The CHAIRMAN. The gentleman from Illinois (Mr. ERLENBORN) is recognized for 5 minutes.

Mr. ERLENBORN. Mr. Chairman, this amendment is a minor technical amendment to the Higher Education Act relating to the Student Loan Market Association (Sallie Mae). This amendment clarifies the status of Sallie Mae debt in the event of liquidation or other reorganization under the Bankruptcy Code and corrects a technical error made during the Omnibus Reconciliation Act.

Sallie Mae is a federally chartered corporation in existence since 1972 charged with providing liquidity to financial institutions participating in the guaranteed student loan program.

During reconciliation, Congress sought to facilitate the transition of Sallie Mae from an entity totally financed through Federal Financing Bank (FFB) borrowing to one financed through the public market. Through September 30, 1982, Sallie Mae will borrow over $5,000,000,000 through the FFB. In March 1981, with the strong support of the administration, Sallie Mae agreed with the FFB, the Secretary of the Treasury and the Secretary of Education to begin borrowing in the public market. In May of this year, Sallie Mae began offering nonguaranteed discount notes directly through selected securities dealers.

As these notes were being introduced, Sallie Mae discovered a 1797 bankruptcy statute that gave the U.S. Government first priority for all debts owing it. The effect of this provision, found at 31 U.S.C. 191, is to subordinate all Sallie Mae's public borrowing to the debt owed the FFB. As a result of this provision, Sallie Mae feared there would be no market for their nonguaranteed notes.

To address this unfavorable situation, Congress amended the Higher Education Act during reconciliation, to provide that in the event of liquidation, Sallie Mae's property would be distributed according to the usual priorities established under the Bankruptcy Code. The amendment failed to address what priorities would be utilized in the event of a reorganization or other remedy for the benefit of creditors, whether under the Bankruptcy Code or otherwise.

My technical amendment would clarify the status of Sallie Mae debt and considerably ease its entry into the public marketplace.

Mr. FORD of Michigan. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the gentleman's amendment.

I would simply like to indicate that the amendment corrects an error in something that we did virtually by unanimous consent earlier this year in the reconciliation process.

The gentleman's amendment insures that Sallie Mae may continue to function as a private sector entity and be able to finance its needs in the public markets

The Reconciliation Act amendment, which was intended to correct the situation, failed to provide any certainty on the priorities in the case of reorganization or other such remedies for the benefit of creditors, whether under the bankruptcy code or other statutes. Because of this uncertainty, Sallie Mae effectively has been denied access to the public markets, which it was intended to use. This amendment merely clarifies the situation and the intent of the Higher Education Act.

● Mr. SIMON. Mr. Chairman, I rise in support of the amendment offered by my colleague, JOHN ERLENBORN of Illinois. The amendment is technical in nature and is designed to correct an error in the amendments affecting the Student Loan Market Association (Sallie Mae) which are included in the Omnibus Budget Reconciliation Act of 1981 (Public Law 97-35). The Sallie Mae amendments, which were supported by the administration and my colleagues on both sides of the aisle, were intended to assist Sallie Mae in fulfilling its original purpose—to enter the public borrowing market and cease borrowing from the Federal Financing Bank (FFB). The amendments were defective because they failed to take into account an obscure bankruptcy statute which gives the U.S. Government first priority for debts owed to it. The practical effect is to subordinate all of Sallie Mae's public borrowing to the debts owed the FFB. Unless the amendment offered by Mr. ERLENBORN is adopted, Sallie Mae will be denied access to public debt markets and will continue to be dependent upon FFB borrowing.

Sallie Mae is an integral and essential part of the federally insured student loan system. Without Sallie Mae's secondary market and warehousing capability, many small and

medium size banks would not participate in the guaranteed student loan program. In small cities and rural areas like my district in southern Illinois, no Sallie Mae means no guaranteed student loans which means no college education for many young people.

Since Congress clearly intended for Sallie Mae to function as a private corporation and to finance its needs through the public debt market, adoption of this amendment is essential. I urge my colleagues to support the Erlenborn amendment.●

● Mr. PEPPER. Mr. Chairman, I would like to take this opportunity to commend the distinguished ranking Republican member of the House Select Committee on Aging, Mr. RINALDO, for his excellent amendment to the Older Americans Act which has the effect of extending to boarding home residents protections in Federal law which were previously available only to nursing home residents. His amendment was accepted by the House on Friday, November 20.

Boarding homes are the newest class of institutional occupancy. They were created in effect by enactment of the supplementary security income program in 1972. Even though the Federal SSI provides the lion's share of the funds received by these facilities there are no Federal minimum standards which are applicable to them. The problem has become severe as every State in the Union launched an aggressive campaign to empty their State mental and other institutions and place residents in facilities which offered only board and room with SSI paying the bill.

Our committee has held numerous hearings on this topic. Our early hearings in 1975 and 1976 indicated significant poor care and abuse. Other hearings traced the movement of mental patients and the retarded into boarding homes where they often did not receive the care, services, and therapy that they needed.

In 1978 we held hearings which exposed other examples of physical abuse and neglect. A year later we began to investigate a series of boarding home fires. Some 130 people have lost their lives in such fires in 1979–81. In 1981 we began to focus on the financial abuse which takes place in some boarding homes. The U.S. General Accounting Office helped us document that there is widespread fraud and theft of patients' funds in many boarding homes because of a general lack of accountability.

As a result of these hearings our committee is currently considering legislative initiatives. Some time ago, I introduced legislation to require boarding homes to meet certain Federal minimum standards particularly relating to fire safety. We are also working on a proposal to require boarding home residents to file CPA audited cost statements with the Government in order to account for their use of Federal dollars. While this legislation waits for consideration in other committees of the Congress, Mr. RINALDO has found something that we can do which will have an immediate effect on improving the quality of life for residents in boarding homes. His amendment would extend the protections of the federally financed nursing home ombudsman program to boarding homes.

I cannot say enough about the importance of Mr. RINALDO's amendment. Even though the genesis of boarding homes is recent, there are already four times as many boarding homes as there are nursing homes and there are more people in boarding homes than in nursing homes. I would also emphasize that the States are moving the mentally retarded and children with developmental diseases and the handicapped into boarding homes at a rapid rate so that the protections offered in Mr. RINALDO's amendment have application well beyond the elderly.

I anticipate tremendous improvement in the quality of care offered in boarding homes as a consequence of the Rinaldo amendment. What this means is that for the first time a federally funded advocate will be on guard to protect the rights of the disadvantaged. This cannot but have a salutary effect.

Once again, Mr. Chairman, I would like to commend Mr. RINALDO and would like to make it known that I am strongly in support of his amendment. Mr. RINALDO is an extremely valuable member of our committee.●

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. ERLENBORN).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. OAKAR

Ms. OAKAR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. OAKAR: Page 10, line 20, strike out "(17)" and insert in lieu thereof "(18)".

Page 10, line 22, strike out "paragraph" and insert in lieu thereof "paragraphs".

Page 11, line 2, strike out "and" and all that follows through the end of such line.

Page 11, after line 2, insert the following:

"(17) provide assurances that, if a substantial number of the older individuals residing in any planning and service area in the State are of limited English-speaking ability, then the State will require the area agency on aging for each such planning and service area—

"(A) to utilize, in the delivery of outreach services under section 306(a)(2)(A), the services of workers who are fluent in the language spoken by a predominant number of such older individuals who are of limited English-speaking ability; and

"(B) to designate an individual employed by the area agency on aging, or available to such area agency on aging on a full-time basis, whose responsibilities will include—

"(i) taking such action as may be appropriate to assure that counseling assistance is made available to such older individuals who are of limited English-speaking ability in order to assist such older individuals in participating in programs and receiving assistance under this Act; and

"(ii) providing guidance to individuals engaged in the delivery of social services under the area plan involved to enable such individuals to be aware of cultural sensitivities and to effectively take into account linguistic and cultural differences; and".

Ms. OAKAR (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Ms. OAKAR. Mr. Chairman, this amendment would amend the Older Americans Act of 1965 to include older Americans who have been excluded from outreach services because they do not speak English. Specifically, there are more than 3 million American citizens who are foreign born and past the age of 65. For the most part, these are people who have immigrated from Europe and Asia many years ago, and still speak their native tongue, although most of them are American citizens. The language disabled and elderly cannot communicate with the providers of services, and therefore, very often go without them. Services such as nutrition, housing, transportation, health and social services are vital and necessary, especially for the elderly.

The amendment would provide assurances that if a substantial number of the older Americans, residing in any planning and service area in the State, are of limited English speaking ability, the State would assist the area agency to cooperate for each planning and service area to:

First, deliver outreach services by workers who are fluent in the language spoken by a predominant number of such people; and

Second, designate an individual employed by the area agency on aging to include as his or her responsibilities the providing of appropriate counseling assistance to these people and assisting them in receiving and participating in programs provided under the Older Americans Act.

Mr. Chairman, This would be a positive signal to our seniors who are Italian, Polish, Hungarian, Ukrainian and others in ancestry that we care about them and indeed want them to fully partake in this wonderful act. There is no budget impact and I urge the amendments adoption.

I would urge my colleagues to support the amendment, and I want to again congratulate the chairman of the subcommittee who has done such

a beautiful job with respect to the Older Americans Act, and thank him publicly for all the great work that he has done, and to express how grateful our older people are in Cleveland, Ohio, for the work that he has done in respect to this act.

Mr. ANDREWS. In view of the accolades of the gentlewoman, I could hardly oppose the amendment. But seriously, we think it to be a good amendment, and we appreciate your support.

Ms. OAKAR. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Ohio (Ms. OAKAR).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DAUB

Mr. DAUB. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DAUB: Page 12, line 6, strike out "paragraph (13)" and insert in lieu thereof "paragraph (14)".

Page 12, line 8, strike out "paragraph" and insert in lieu thereof "paragraphs".

Page 12, line 9, strike out "or" and the closing quotation marks and period which follow.

Page 12, line 9, insert the following:

"(13) crime prevention services and victim assistance programs for older individuals; or".

Mr. DAUB (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. DAUB. Mr. Chairman, the purpose of this amendment is to authorize crime prevention services and victim assistance programs for older individuals under the social services title of the Older Americans Act. No additional funding is being asked to implement this amendment. However, I believe we should give States and local area agencies on aging the flexibility and the option to spend their title 3B social services moneys on programs most needed at the local level.

Even in Nebraska, the fear of crime stalks the elderly. I am especially concerned about the devastating impact that crime and the fear of crime has on the lives of older Americans. In my view, an effective anticrime program would encompass stiffer penalities for those criminals who prey upon defenseless older people and more public community involvement in crime prevention. However, this amendment gives those charged with the responsibility to coordinate services for the elderly the opportunity to find creative uses for the Federal dollars we give them. Hopefully this amendment will be a step in the right direction toward restoring a sense of security in our local communities for our older citizens.

Mr. Chairman, this amendment is patterned after one offered in the other body by the distinguished chairman of the Special Committee on Aging. It is an addition which deserves to be added to our version of the Older Americans Act.

Mr. ANDREWS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, there is some confusion that I cannot clarify. Mr. TRAXLER, of Michigan, had, I believe, printed this amendment in the RECORD earlier this week and had spoken to me about it. We had agreed to accept his amendment.

Is this the same amendment?

Mr. TRAXLER. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Michigan.

Mr. TRAXLER. With one small difference. My amendment provides for personnel in addition to the provision for security devices.

Mr. DAUB. If the gentleman would yield, it is a different amendment under a different title.

Mr. TRAXLER. The gentleman's amendment is in title III, is it not?

Mr. DAUB. Title III-B.

Mr. TRAXLER. Could the gentleman reference me to the page and to the line that he is amending?

Mr. DAUB. Yes. Page 12.

Mr. TRAXLER. Line 2?

Mr. DAUB. It would be line 3, with a change of paragraph 14, and then at line 9, at point 12.

Mr. TRAXLER. The gentleman's amendment is essentially the same as mine, with one minor difference. I am not sure what kind of a parliamentary situation we find ourselves in as a result of that.

My amendment is to page 12, line 2.

I just want to compliment the gentleman for offering the amendment. We have no problem from a parliamentary standpoint. I congratulate the gentleman on his initiative. I would certainly join with him on his fine amendment. The gentleman will find that my amendment does just a bit more than his. I know he will join with me in mine.

Mr. DAUB. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The gentleman from North Carolina (Mr. ANDREWS) controls the time.

(On request of Mr. TRAXLER and by unanimous consent, Mr. ANDREWS was allowed to proceed for 1 additional minute.)

Mr. DAUB. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Nebraska.

Mr. DAUB. I thank the gentleman for yielding.

Mr. Chairman, I compliment the gentleman as well and, hoping there is no collision course, will support his initiative and commend him for his insight as well.

Mr. ANDREWS. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska (Mr. DAUB).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. PETRI

Mr. PETRI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PETRI: Page 7, strike out line 15 and all that follows through page 8, line 10, and insert in lieu thereof the following:

SEC. 13. (a) Section 303(a) of the Older Americans Act of 1965 (42 U.S.C. 3023(a)) is amended to read as follows:

"SEC. 303. (a) There are authorized to be appropriated $685,100,000 for fiscal year 1982, and such sums as may be necessary for each of the two succeeding fiscal years, for the purpose of making grants under this title.".

(b) Section 303 of the Older Americans Act of 1965 (42 U.S.C. 3023) is amended by striking out subsection (b), and by redesignating subsection (c) as subsection (b).

(c) Section 303(b) of the Older Americans Act of 1965, as so redesignated in subsection (b), is amended by striking out "parts B and C of".

Page 8, strike out line 12 through line 15, and insert in lieu thereof the following:

SEC. 14. (a) The first sentence of section 304(a)(1) of the Older Americans Act of 1965 (42 U.S.C. 3024(a)(1)) is amended by striking out "parts B and C for fiscal years 1979, 1980, and 1981" and inserting in lieu thereof "this title for each fiscal year".

(b) Section 304(b) of the Older Americans Act of 1965 (42 U.S.C. 3024(b)) is amended by striking out "part B or C" and inserting in lieu thereof "this title".

Page 8, line 16, strike out "(b)" and insert in lieu thereof "(c)".

Page 8, line 19, insert before the period the following: ", and by striking out "parts B and C" and inserting in lieu thereof "this title".".

Page 11, strike out line 3 through line 14 (and redesignate the subsequent sections, and any references to such sections, accordingly).

Mr. PETRI (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. PETRI. Mr. Chairman, this amendment will create a single authorization for all services provided to senior citizens under title III of the Older Americans Act. The purpose of the amendment is to simplify the existing Federal structure of the program, eliminate unnecessary reporting and paperwork requirements, and to increase program flexibility and coordination on the State and local level.

Under existing law, the act contains separate authorizations for social services (title IIIB), congregate nutrition programs (title IIIC-I), and home-delivered meals (title IIIC-II). Separate appropriations are made for these au-

thorizations which are then distributed to the States. The problem is that the needs of senior citizens in the various States differ greatly and the existing structure of separate allocations has sometimes inhibited the ability of State and local area agencies on aging to serve their elderly populations.

The committee reported bill makes a small, but significant step toward eliminating the inflexibility under existing law by permitting fund transfers between social services and nutrition up to 20 percent. Unfortunately, H.R. 3046 does not address the problem of unnecessary reporting and paperwork. In fact, because the 20-percent transfer provision would require additional accounting and reporting requirements, the paperwork burden on the Federal, State, and local levels would increase.

I would expect this added burden would act as a disincentive in some areas. My amendment would avoid this unnecessary expense by consolidating the title III authorizations into a single allotment to the States. With these funds, States would provide services to senior citizens in much the same way as under the existing program. One main difference, however, would be that coordination and effectiveness would be improved. Under existing law, for example, there may be funding available for serving a certain number of meals in the congregate nutrition program, but if there are not funds available for providing transportation to and from the meal site, the program will fail to meet the most isolated, needy persons. Social service funding is also used widely to provide nutrition-related services such as senior centers, homemaker services, home health care, and information and referral. Without these supportive services, a nutrition project becomes little more than a soup line.

One concern that has been raised regarding the title III consolidation is that some irresponsible State agencies on aging will abuse the new flexibility granted under this amendment to use all or practically all their funds for one social service, thus defeating the purpose of the act. I do not share this concern for the following reasons:

Experience under the act since 1965 suggests that State and area agencies on aging can be trusted not to abuse discretion granted under the act.

The existing recognition of priority social services under title IIIB, as amended by the committee reported bill is maintained. Thus, even though a transfer of all funds from social services to nutrition is conceptually possible, the requirement that "an adequate portion" of funds be spent on priority services would continue to be a restriction in State and local discretion.

The Administration of Aging in Washington will continue to have responsibility for reviewing State aging plans and thus will be able to deter a State from abusing its discretion.

Consolidation is in the best interest of our Nation's elderly population. I urge its adoption.

□ 1515

Mr. RINALDO. Mr. Chairman, will the gentleman yield?

Mr. PETRI. Yes, I will.

Mr. RINALDO. It is my understanding that the amendment offered by the gentleman from Wisconsin would increase the flexibility of State units on aging and local area agencies on aging; is that correct?

Mr. PETRI. That is absolutely correct, and that means we are going to be able to, in a time of some budget restraint, do a better job of stretching the dollars that are available to meet the needs as they develop from area to area and State to State across the country.

Mr. RINALDO. It is also my impression that, with this increased discretion and flexibility, local area agencies and the States themselves would be better able to meet the needs of the elderly in their areas; is that correct?

Mr. PETRI. I think that is right, and less money will be eaten up in meeting sterile paperwork requirements.

Mr. RINALDO. It is also my understanding that, through this amendment, Congress would be reducing the administrative costs and paperwork burdens on aging officials and increasing the effective use of title III funds. Would the gentleman agree with that statement?

Mr. PETRI. Yes I would, and I think it will mean more of the funds we will appropriate will go to reach the people we are appropriating the funds for, the elderly people, rather than being eaten up in administrative overhead.

Mr. RINALDO. Mr. Chairman, if the gentleman would yield further, I would like to read a statement from an area agency on aging in my State in response to a survey I conducted earlier this year. In that survey, I asked aging offices whether they supported the administration's proposal to consolidate parts B and C of title III of the Older Americans Act. Twenty out of twenty-two offices replied that they supported this change—virtually the entire aging network in my State. One office said specifically:

It would allow us the opportunity to allocate what we think should be going for nutrition, not what someone in Washington thinks they should get.

Mr. Chairman, I believe the gentleman's amendment would help us in our efforts to meet the needs of the elderly. I commend him for offering it and urge its adoption.

Mr. PETRI. I thank the gentleman.

Mr. RATCHFORD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, first of all, again, as I did during general debate, I would commend the gentleman from Wisconsin for his sensitivity, his concern, and his involvement in the development of the reauthorization of the Older Americans Act. He has made a major and positive contribution.

I feel, however, that the language sought here is a case of good intention and bad impact. Let me be very specific. What we are talking about is bringing together three categories, congregate meals of the type that are served in the senior centers or at meal sites; second, homebound meals; and third, other services. On the surface it looks fine, but what is the impact?

I found, as commissioner on aging in the State of Connecticut, that without the earmarking for homebound meals, the money simply would not go in that direction. The money would end up in the congregate sites. They are larger. They are more populous, more popular with the mayors and selectmen, and therefore, in that effect they are good, but there are other purposes to be served. If we do not earmark for homebound meals my concern is that the thrust for home services of the type referred to by President Reagan in his Presidential press conference of a week ago simply will not develop. If the meals are not earmarked for homebound, they are not going to go to homebound. If you do not have the meals, you are not going to have the home health care and you, therefore, are going to force, in my judgment as a former commissioner of these programs, more people into nursing homes and hospitals.

So, it has that negative effect. Second, you eliminate the thrust of other services at the meal site. Why is that significant? Meal sites are important, but so is health screening so is medical service, so is transportation, so is medicare counseling, so is advice on social security. Again, if you lump those other services, social services, if you will, into one pot, those services, in my judgment, are not going to be there.

So, the amendment on the face of it is positive, it is attractive in a period of consolidation, but I want to say to the Members that administrative costs in the aging network are low. The programs are run mostly at the regional and local level. We are not looking at a high percentage, but what we do here is to take away, in my judgment, a commitment to the development of home-bound services and an elimination of those other services that make congregate meals more than a good meal, as important as that is.

For these significant reasons I think the amendment would detract from a good act, and therefore I oppose it.

Ms. OAKAR. Mr. Chairman, I move to strike the requisite number of

words, and I rise in strong opposition to this amendment.

Mr. Chairman, I certainly agree with my colleague from Connecticut. One of the problems with block grant approaches is that you never know what they are really going to do with the money, and so we do not know, for example, if those people who must reside at home, who are people who are in terrific need of ambulatory care, and they are the ones that need to have that meal coming to their homes because maybe they are invalids, would even be able to participate any longer in the program, because this would be optional. The planners on the local level could decide what they wanted to do with the variety of specified programs that this act has.

I just want to tell the Members that is a very difficult thing to do because we are seeing—we are seeing—let us be honest about it, that our most vulnerable people like those who live on social security, and the poorest people who live on social security, like the ones who partake of the minimum benefit, are the ones who are really getting their kinds of income and services decreased the most. I want this committee to know that if we accept this amendment, I will really bet that the people who really lose these services and the people who really lose the health care and the meals, and so forth, are the ones who are our poorest elderly. Frankly, most of them happen to be women between 70 and 90 years old. I perceive this is a dangerous amendment, and I hope it is solidly rejected.

Mr. ERLENBORN. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, it seems to me that the objections to this amendment are based on the assumption that those who are the administrators of the programs for the aged are antagonistic to the needs of the aged. I just do not believe that that is true. I think that those at the area and local level who administer these programs are sensitive to the needs of the aged and the poor, and are trying in their best way to meet those needs.

Now, these separate, narrow, categorical programs, are based on the assumption that we in Washington know better how to assess the needs of each local and community level and how to allocate the funds for those needs. Again, I think this assumption is false. I think the local administrators can assess the needs of the poor, can allocate the resources in a better fashion than we of the Congress or Federal bureaucrats.

So, I strongly support the amendment offered by the gentleman from Wisconsin. It continues all of the programs currently within the law. It does not diminish the funds available, but actually will make more funds available for the delivery of services by reducing the cost of the overhead, reducing the paperwork, and will allow each of the local area administrations to design a program uniquely for the needs of the poor and the needy and the elderly in their local areas.

So, Mr. Chairman, I hope that the amendment is adopted.

Mr. PEPPER. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to this amendment.

Mr. Chairman, I will take only a minute. I am opposed to this amendment, as I think those are who want to see the elderly people of this country get all the assistance that can be provided to them. This amendment, although offered undoubtedly in good faith and with good intentions, weakens the present law and makes conditions less desirable, less meaningful for the elderly than they are under present law. I hope my colleagues will not agree to the amendment.

Mr. ANDREWS. Mr. Chairman, I move to strike the requisite number of words, and I rise to speak against the amendment.

Mr. Chairman, I, too, with some hesitancy speak against the amendment. I have such respect for its propounder that I regret to do so, but I do believe that it is a harmful amendment. I do not believe it is a destructive amendment, and I know it is not intended to be either. But, there are problems with it, and may I say that at one point it is my understanding—well, I know—the administration appeared before our subcommittee in favor of some further flexibility given to local authorities in terms of using certain moneys provided in each of these three sections, perhaps to be taken from there and put elsewhere.

So we did that. We have in the bill for the first time, there has been no flexibility until now. We agreed to a 20 percent local discretion flexibility which is in the present act, and since that time let me share with the Members that we have heard no objection to the current bill in this regard from the administration, from any State agency, from any area agency, from any local program. I know of no one other than the two gentlemen—three gentlemen I believe, who have spoken for it, who want this.

The problem is this, and if I may, I say this especially to Mr. ERLENBORN, for whom I have such great respect, and in terms of the remarks he made today giving the local authority—it is like the joke about LeRoy saying, "I don't want the ball." These local people are put under tremendous pressures because in many areas they do not have enough money to feed those who are knocking on the door at the congregate site. They can feed that person much cheaper than they can get the necessary vehicle and driver and go away from the site, perhaps many miles, to someone who is shut in, who is much more deserving perhaps. They make that decision still, but that costs more. So, just the politics of it are such that it is hard to turn away a person at the door. They could feed perhaps 20 of them for what it is going to cost us to deliver that one meal and health service out to that shut-in person.

So, I do not think these local people want the authority. It puts too much local pressure on them to serve more people and hence not serve those who are further away. I think this could be very harmful from that point. I know of no one who is for it except the distinguished three or four gentlemen, and I urge the committee to not accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. PETRI).

The amendment was rejected.

AMENDMENT OFFERED BY MR. COLEMAN

Mr. COLEMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLEMAN: Page 14, line 12, insert before "and" the following: "projects to improve transportation systems for the rural elderly,".

Mr. COLEMAN. Mr. Chairman, I have an amendment at the desk. This amendment adds improved transportation systems for the rural elderly to the list of eligible demonstration projects funded by the Commissioner under title IV. The purpose of the amendment is to strongly encourage the Commissioner to fund demonstation projects which can be replicated by local transportation projects serving the elderly. The amendment has no effect on the authorization for title IV.

As a member of the Subcommittee on Human Resources representing a large portion of rural north Missouri, I have long been aware of the severe lack of adequate public transportation in small towns and rural areas. During the 96th Congress, the subcommittee held a hearing in Kansas City focusing exclusively on the transportation problems of elderly persons. Among the findings of the hearing were the following:

That small towns and rural areas almost uniformly are not served by adequate public transportation systems.

Steadily rising costs of owning and operating a car have led an increasing number of the rural elderly to give up or severely limit driving their private cars.

Increasingly, older people want to stay in their own homes in their own communities rather than move to more urbanized areas or nursing homes. Providing adequate transporta-

tion in rural areas thus can actually reduce Government expenditures by reducing the number of people unnecessarily going into nursing homes or into other forms of institutionalized care.

The forced isolation of many rural elderly has had a devastating effect on their mental well-being. Providing transportation to enable isolated elderly persons to maintain friendships, participate in senior center social services, and remain active in their communities can thus play a vital role in the lives of isolated elderly persons.

These findings convinced me that transportation should continue to be a high priority under the Older Americans Act. Visits with a number of transportation providers, including the Older Americans Transportation Service and Metropolitan Dial-a-Ride in the Kansas City area, have convinced me that demonstration projects are needed. Such demonstration projects can help existing programs improve their services and can serve to encourage communities without transportation systems for older Americans to establish them.

Among the problems in rural elderly transportation, is one that I especially hope would be addressed in demonstration projects funded under this amendment. The problem is how to improve coordination of services. Transportation services for the rural elderly are often limited by extreme specialization of the transit provider. In other words, an organization may provide one type of transit service to a small population for a limited purpose, but may never consider offering other services to other populations. This results in downtime or ineffective use of transit vehicles. Coordinating efforts among transportation providers would be one solution to the problem of maximally utilizing available transportation resources.

Mr. Chairman, I urge adoption of the amendment.

□ 1530

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. COLEMAN. I yield to the gentleman from North Carolina.

Mr. ANDREWS. Mr. Chairman, this side has no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri (Mr. COLEMAN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TRAXLER

Mr. TRAXLER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAXLER: Page 12, after line 2, insert the following new paragraph (and redesignate the subsequent paragraphs accordingly):

(2) in paragraph (4) thereof—

(A) by inserting "(A)" after "including";

(B) by inserting "(i)" after "designed";

(C) by striking out "or" and inserting in lieu thereof "; (ii)"; and

(D) by adding at the end thereof the following: "or (iii) to prevent unlawful entry into residences of older individuals, through the installation of security devices and through structural modifications or alterations of such residences; and (B) the provision of security personnel who would be responsible for maintaining and monitoring security systems and for otherwise providing security against unlawful entry into residences of older individuals;".

Mr. TRAXLER (during the reading). Mr. Chairman, the amendment was printed in yesterday's RECORD, and, therefore, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. TRAXLER. Mr. Chairman, my amendment makes two simple changes that are designed to help protect older Americans from illegal breakins. It would allow title III part B social services funds to be used to strengthen security in senior housing through the installation of security devices and by providing for security personnel to monitor security systems and otherwise protect the residents from unlawful entry.

We hear more and more about senior citizens being the victims of crime. The rise of crime against older persons has had a devastating effect. In all too many cases, the fear of crime has made older persons prisoners in their own homes, and for many the fear does not subside once they are inside. Crime, and the fear of crime, is a greater problem in some areas than in others, but nonetheless, it is a growing problem for older Americans. It is certainly a problem which should be of concern to this Congress.

By this amendment, I am not mandating that funds be spent for these purposes, but I am allowing area agencies on aging to use social services funds for security purposes if they conclude that providing for this protection is one of the area's high priorities. For example, in some areas general police protection, and even security guards for senior housing complexes, have suffered personnel reductions because of the elimination of CETA public service jobs. In such cases, older Americans are being denied the protection against crime that they either used to have or have long been in need of. Breakins have occurred and many older persons no longer feel safe even within their homes. This is a tragic situation.

My amendment would enable area agencies to respond to critical needs for security devices (such as locks or alarm systems) and security personnel for senior complexes so that older individuals may at least feel safe within their own homes.

Mr. Chairman, I would like to point out that this amendment does not authorize any increase in funding levels, it does not create any new program, and it does not mandate that any funds be used for security purposes over other priority needs. It simply allows area agencies to devote social services funds to security needs if the agencies determine it is a priority within its own area.

I believe it is very important that area agencies be able to respond to the security needs of seniors and I hope that my amendment will receive the support of members of the Education and Labor Committee and of this entire House.

I am grateful to the senior citizens of Bay City, Mich., for bringing this problem to my attention and suggesting this amendment. I hope it becomes law.

Ms. OAKAR. Mr. Chairman, will the gentleman yield?

Mr. TRAXLER. I yield to the gentlewoman from Ohio.

Ms. OAKAR. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of Congressman TRAXLER's amendment to the Older Americans Act which would allow area agencies on aging to use funds to acquire security devices for individual homes and senior citizen's centers to hire security personnel for senior citizen's centers.

There is no question that incidents of crime are on the rise across our Nation. Furthermore, there is no disagreement that older Americans are the most common victims of senseless robberies and violent muggings. One out of five elderly who live in public housing can expect to be attacked. The likelihood of victimization is as high for older Americans who live alone.

Crime against one of the most vulnerable sectors of our society—senior citizens—is not a partisan issue. Rather, crime and the fear of crime is a potential threat to all Older Americans. It crosses political, socioeconomic, and cultural boundaries.

As you may be aware, as a member of the Housing Subcommittee, I introduced and had adopted public housing anticrime amendments to the 1980 Housing and Community Development Act. This is the only national crime prevention program that addresses the unconscionable crime rate in public housing estates. This program was supposed to combine Federal intragency cooperation with local contributions; $10 million is available. Mr. Chairman, for the record and as an aside to my support of Congressman TRAXLER's admirable effort to assist the older Americans of this Nation, the Secretary of HUD has not yet

chosen to spend 1 penny of the moneys provided.

As reprehensible as I find this nonaction which so unfairly impacts on the lives and safety of the elderly who reside in federally assisted housing, I enthusiastically support and ask all Members of this body to support my colleague from Michigan amendment to the Older Americans Act. Our endorsement of this provision will not only provide peace of mind for thousands of senior citizens, but also may serve to send a message that it is the sense of Congress that all of our elderly must be protected including those who reside in public housing estates.

Mr. TRAXLER. Mr. Chairman, I commend the gentlewoman from Ohio (Ms. OAKAR) for her fine statement, and I deeply appreciate her support. We are all acquainted with the tremendous support she has demonstrated for America's seniors.

Mr. DAUB. Mr. Chairman, will the gentleman yield?

Mr. TRAXLER. I yield to the gentleman from Nebraska.

Mr. DAUB. Mr. Chairman, I thank my colleague for yielding.

Not only do I thank the gentleman for his amendment but I appreciate its specificity and commend him for his intention. As I know my colleague recalls, the elimination of the Law Enforcement Assistance Administration moneys makes this particular amendment, as well as my amendment just passed, which I think we agree are mutually compatible and not exclusive, even more important.

So I commend the gentleman for his good work and urge my colleagues to support him in adopting this amendment to the act.

Mr. TRAXLER. Mr. Chairman, I thank the gentleman from Nebraska (Mr. DAUB) for his statement, and he certainly is totally correct. The amendments are compatible and not exclusive. I trust the conferees will agree on them, and I thank the gentleman for his endorsement.

Mr. ERLENBORN. Mr. Chairman, I move to strike the last word.●

Mr. ERLENBORN. Mr. Chairman, I would like to direct an inquiry to the gentleman from Michigan (Mr. TRAXLER), the author of the amendment.

From the colloquy that I heard earlier on the amendment offered by my colleague, the gentleman from Nebraska (Mr. DAUB), it sounded as though the gentleman from Michigan (Mr. TRAXLER) was of the opinion that the Traxler amendment and the Daub amendment were identical. Now, are we adopting two amendments that do the same thing, or was the gentleman possibly mistaken during the earlier colloquy?

Mr. TRAXLER. Mr. Chairman, will the gentleman yield?

Mr. ERLENBORN. I yield to the gentleman from Michigan.

Mr. TRAXLER. Mr. Chairman, I am pleased to report to the gentleman that I was mistaken. I did not, of course, have a copy of the gentleman's amendment, and I was basing my statement on his remarks.

The amendments are compatible; they are not exclusive. The gentleman and I both understand that we have a mutual concern and have sought different solutions for it and they track perfectly together. I appreciate the gentleman's clarifying that point.

Mr. ERLENBORN. Mr. Chairman, I thank the gentleman for that clarification for the record.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. TRAXLER).

The amendment was agreed to.

Mr. RATCHFORD. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I know that we are coming close to the vote on final passage, and I would commend the subcommittee chairman and the committee for the work they have done in a bipartisan fashion.

I know also that in one section of the bill, section 2069, we are proposing a new distribution of funds, and while I do not propose to offer an amendment to change that, I would point out that it would have the impact in about 19 States, including the State of Connecticut, of potentially reducing funding under that approach.

I would say to my good friend, the subcommittee chairman, who has done such a magnificent job, knowing that we are going to conference, that I would hope he will work with States like Connecticut and the administration to see to it that as we move forward, no one State is penalized in the process.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. If there are no further amendments, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. RAHALL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3046) to amend the Older Americans Act of 1965 to extend the authorizations of appropriations contained in such act, and for other purposes, pursuant to House Resolution 279, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. ANDREWS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 379, nays 4, not voting 50, as follows:

[Roll No. 329]

YEAS—379

Addabbo	Clinger	Evans (IN)
Akaka	Coats	Fary
Albosta	Coelho	Fascell
Alexander	Coleman	Fazio
Anderson	Collins (IL)	Fenwick
Andrews	Collins (TX)	Ferraro
Annunzio	Conable	Fiedler
Anthony	Conte	Fields
Applegate	Conyers	Findley
Archer	Corcoran	Fithian
Ashbrook	Coughlin	Flippo
Aspin	Courter	Florio
Atkinson	Coyne, James	Foglietta
Badham	Coyne, William	Ford (MI)
Bafalis	Craig	Ford (TN)
Bailey (MO)	Crockett	Forsythe
Bailey (PA)	D'Amours	Fountain
Barnard	Daniel, Dan	Fowler
Barnes	Daniel, R. W.	Frank
Bellenson	Danielson	Frenzel
Benedict	Daub	Frost
Benjamin	Davis	Fuqua
Bennett	de la Garza	Gaydos
Bereuter	Deckard	Gejdenson
Bethune	Dellums	Gephardt
Bevill	DeNardis	Gibbons
Bingham	Derrick	Gilman
Blanchard	Derwinski	Gingrich
Bliley	Dickinson	Glickman
Boggs	Dingell	Gonzalez
Boland	Dixon	Goodling
Boner	Donnelly	Gore
Bonior	Dorgan	Gradison
Bonker	Dougherty	Gramm
Bouquard	Dowdy	Gray
Breaux	Downey	Green
Brinkley	Dreier	Gregg
Brodhead	Dunn	Grisham
Brooks	Dwyer	Guarini
Broomfield	Dymally	Gunderson
Brown (CA)	Dyson	Hall (OH)
Brown (CO)	Eckart	Hall, Ralph
Broyhill	Edgar	Hall, Sam
Burton, John	Edwards (CA)	Hamilton
Burton, Phillip	Edwards (OK)	Hammerschmidt
Butler	Emerson	Hance
Byron	Emery	Hansen (UT)
Campbell	English	Harkin
Carman	Erdahl	Hartnett
Carney	Erlenborn	Hatcher
Chappell	Ertel	Hawkins
Chappie	Evans (DE)	Heckler
Cheney	Evans (GA)	Hefner
Clausen	Evans (IA)	Heftel

Hendon	Mikulski	Shannon
Hertel	Miller (CA)	Sharp
Hightower	Miller (OH)	Shaw
Hiler	Mineta	Shelby
Holland	Minish	Shumway
Hollenbeck	Mitchell (MD)	Shuster
Holt	Mitchell (NY)	Siljander
Hopkins	Moakley	Skeen
Horton	Molinari	Skelton
Hoyer	Montgomery	Smith (AL)
Hubbard	Moore	Smith (IA)
Huckaby	Moorhead	Smith (NE)
Hughes	Morrison	Smith (NJ)
Hunter	Mottl	Smith (OR)
Hutto	Murphy	Smith (PA)
Hyde	Murtha	Snowe
Ireland	Napier	Snyder
Jacobs	Natcher	Solarz
Jeffords	Neal	Solomon
Jeffries	Nelligan	Spence
Jenkins	Nelson	St Germain
Johnston	Nichols	Stangeland
Jones (OK)	Nowak	Stanton
Jones (TN)	O'Brien	Stark
Kastenmeier	Oakar	Staton
Kazen	Oberstar	Stenholm
Kemp	Obey	Stokes
Kildee	Ottinger	Stratton
Kogovsek	Panetta	Studds
Kramer	Parris	Stump
LaFalce	Pashayan	Swift
Lagomarsino	Patman	Synar
Lantos	Patterson	Tauke
Leach	Pease	Tauzin
Leath	Pepper	Taylor
LeBoutillier	Perkins	Thomas
Lee	Petri	Traxler
Lehman	Peyser	Trible
Leland	Pickle	Udall
Lent	Porter	Vander Jagt
Levitas	Price	Vento
Lewis	Pursell	Volkmer
Livingston	Rahall	Walgren
Loeffler	Railsback	Walker
Long (LA)	Rangel	Washington
Long (MD)	Ratchford	Watkins
Lowery (CA)	Regula	Waxman
Lowry (WA)	Rhodes	Weaver
Lujan	Richmond	Weber (MN)
Luken	Rinaldo	Weiss
Lundine	Ritter	White
Lungren	Roberts (KS)	Whitehurst
Madigan	Roberts (SD)	Whitley
Markey	Robinson	Whittaker
Marks	Rodino	Whitten
Marlenee	Roe	Williams (MT)
Marriott	Roemer	Wilson
Martin (IL)	Rogers	Winn
Martin (NC)	Rose	Wirth
Martin (NY)	Rosenthal	Wolf
Matsui	Rostenkowski	Wolpe
Mavroules	Roukema	Wortley
Mazzoli	Roybal	Wright
McClory	Russo	Wyden
McCollum	Sabo	Yates
McCurdy	Savage	Yatron
McDade	Sawyer	Young (AK)
McEwen	Scheuer	Young (FL)
McGrath	Schneider	Young (MO)
McHugh	Schroeder	Zablocki
McKinney	Seiberling	Zeferetti
Mica	Sensenbrenner	
Michel	Shamansky	

NAYS—4

Crane, Daniel	Dannemeyer
Crane, Philip	McDonald

NOT VOTING—50

AuCoin	Foley	Oxley
Beard	Garcia	Paul
Bedell	Ginn	Pritchard
Biaggi	Goldwater	Quillen
Bolling	Hagedorn	Reuss
Bowen	Hansen (ID)	Roth
Brown (OH)	Hillis	Rousselot
Burgener	Howard	Rudd
Chisholm	Jones (NC)	Santini
Clay	Kindness	Schulze
Daschle	Latta	Schumer
Dicks	Lott	Simon
Dornan	Mattox	Wampler
Duncan	McCloskey	Weber (OH)
Early	Moffett	Williams (OH)
Edwards (AL)	Mollohan	Wylie
Fish	Myers	

□ 1545

The Clerk announced the following pairs:

Mr. Biaggi with Mr. Edwards of Alabama.
Mr. Reuss with Mr. Kindness.
Mrs. Chisholm with Mr. Schulze.
Mr. Foley with Mr. Weber of Ohio.
Mr. Ginn with Mr. Duncan.
Mr. Mollohan with Mr. Latta.
Mr. Simon with Mr. McCloskey.
Mr. Dicks with Mr. Myers.
Mr. Jones of North Carolina with Mr. Rousselot.
Mr. Daschle with Mr. Oxley.
Mr. AuCoin with Mr. Lott.
Mr. Clay with Mr. Beard.
Mr. Howard with Mr. Burgener.
Mr. Santini with Mr. Hillis.
Mr. Garcia with Mr. Quillen.
Mr. Early with Mr. Pritchard.
Mr. Mattox with Mr. Paul.
Mr. Bowen with Mr. Hagedorn.
Mr. Moffett with Mr. Roth.
Mr. Bedell with Mr. Hansen of Idaho.
Mr. Fish with Mr. Wampler.
Mr. Brown of Ohio with Mr. Wylie.
Mr. Rudd with Mr. Goldwater.
Mr. Schumer with Mr. Williams of Ohio.

Mr. DANIEL B. CRANE changed his vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. ANDREWS. Mr. Speaker, pursuant to the provisions of House Resolution 279, I call up from the Speaker's table the Senate bill (S. 1086) to extend and revise the Older Americans Act of 1965, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. ANDREWS

Mr. ANDREWS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ANDREWS moves to strike out all after the enacting clause of the Senate bill (S. 1086) and to insert in lieu thereof the provisions contained in the bill, H.R. 3046, as passed, as follows:

SHORT TITLE

SECTION 1. This Act may be cited as the "Older Americans Act Amendments of 1981".

DEFINITIONS

SEC. 2. Section 102(3) of the Older Americans Act of 1965 (42 U.S.C. 3002(3)) is amended by inserting "the Commonwealth of the Northern Mariana Islands," after "Samoa,".

ADMINISTRATION ON AGING

SEC. 3. (a) The third sentence of section 201(a) of the Older Americans Act of 1965 (42 U.S.C. 3011(a)) is amended by striking out "the Office of".

(b) The last sentence of section 201(a) of the Older Americans Act of 1965 (42 U.S.C. 3011(a)) is amended by inserting after "Commissioner" the first place it appears therein the following: "under section 202 (including policymaking, programmatic, regional, fiscal, administrative, and personnel responsibilities)".

FUNCTIONS OF COMMISSIONER

SEC. 4. (a) The heading for section 202 of the Older Americans Act of 1965 (42 U.S.C. 3012) is amended by striking out "ADMINISTRATION" and inserting in lieu thereof "COMMISSIONER".

(b) Section 202(a) of the Older Americans Act of 1965 (42 U.S.C. 3012(a)) is amended—

(1) by striking out "Administration" and inserting in lieu thereof "Commissioner";

(2) in paragraph (5) thereof, by inserting "education and training services (including" after "hospitalization,", by inserting "and" after "training,", and by inserting a closing parenthetical mark after "education";

(3) in paragraph (8) thereof, by inserting before the semicolon at the end thereof the following: ", and take whatever action is necessary to achieve coordination of activities carried out or assisted by all departments, agencies, and instrumentalities of the Federal Government with respect to the collection, preparation, and dissemination of information relevant to older individuals";

(4) in paragraph (12) thereof, by striking out "nonprofit"; and

(5) in paragraph (16) thereof, by striking out "nonprofit".

FEDERAL AGENCY CONSULTATION

SEC. 5. Section 203(b) of the Older Americans Act of 1965 (42 U.S.C. 3013(b)) is amended—

(1) by striking out "and" at the end of paragraph (9) thereof;

(2) by striking out the period at the end of paragraph (10) thereof and inserting in lieu thereof a comma; and

(3) by adding at the end thereof the following new paragraphs:

"(11) title I of the Higher Education Act of 1965, and

"(12) the Adult Education Act.".

NATIONAL INFORMATION AND RESOURCE CLEARINGHOUSE FOR THE AGING

SEC. 6. (a) Title II of the Older Americans Act of 1965 (42 U.S.C. 3011 et seq.) is amended by striking out section 204, and by redesignating section 205 through section 214 as section 204 through section 213, respectively.

(b)(1) Section 204(d) of the Older Americans Act of 1965, as so redesignated in subsection (a), is amended—

(A) by inserting "and" at the end of paragraph (4) thereof;

(B) by striking out paragraph (5) thereof; and

(C) by redesignating paragraph (6) as paragraph (5).

(2) Section 206(b) of the Older Americans Act of 1965, as so redesignated in subsection (a), is amended by striking out "section 208" and inserting in lieu thereof "section 207".

FEDERAL COUNCIL ON THE AGING

SEC. 7. (a) Section 204(c) of the Older Americans Act of 1965, as so redesignated in section 6(a), is amended by striking out "but not less often than four times a year" and inserting in lieu thereof "at least quarterly".

(b) Section 204(g)(1) of the Older Americans Act of 1965, as so redesignated in section 6(a), is amended by adding at the end thereof the following new sentence: "Such study shall be submitted to the Congress not later than March 31, 1982.".

(c) Section 204(h) of the Older Americans Act of 1965, as so redesignated in section 6(a), is amended by inserting before the period at the end thereof the following: ", $200,000 for fiscal year 1982, and such sums

as may be necessary for each of the fiscal years 1983 and 1984".

ADMINISTRATION

SEC. 8. (a) Section 205 of the Older Americans Act of 1965, as so redesignated in section 6(a), is amended by striking out subsection (b) thereof, and by redesignating subsection (c) and subsection (d) as subsection (b) and subsection (c), respectively.

(b) Section 205(c) of the Older Americans Act of 1965, as so redesignated in section 6(a) and in subsection (a), is amended by inserting "to the Commissioner" after "appropriated".

APPLICATION OF OTHER LAWS

SEC. 9. Section 210(a) of the Older Americans Act of 1965, as so redesignated in section 6(a), is amended by striking out ", and of title V of the Act of October 15, 1977 (Public Law 95-134; 91 Stat. 1164),".

CONTRACTING AND GRANT AUTHORITY

SEC. 10. Section 212 of the Older Americans Act of 1965, as so redesignated in section 6(a), is amended by striking out ", where such organization" and all that follows through "such contract".

TECHNICAL ASSISTANCE AND COOPERATION

SEC. 11. Section 301(b)(2) of the Older Americans Act of 1965 (42 U.S.C. 3021(b)(2)) is amended by inserting "the Department of Education," after "cooperation of".

DEFINITIONS FOR TITLE III

SEC. 12. (a) Section 302(3) of the Older Americans Act of 1965 (42 U.S.C. 3022(3)) is amended by inserting after "Social Security Act," the last place it appears therein the following: "any category of institutions regulated by a State pursuant to the provisions of section 1616(e) of the Social Security Act (for purposes of section 307(a)(12)),".

(b) Section 302 of the Older Americans Act of 1965 (42 U.S.C. 3022) is amended by adding at the end thereof the following new paragraph:

"(9) The term 'education and training service' means a social service designed to assist older individuals to better cope with their economic, health, and personal needs through services such as consumer education, continuing education, health education, preretirement education, financial planning, and other education and training services which will advance the objectives of this Act.".

AUTHORIZATION OF APPROPRIATIONS FOR TITLE III PROGRAMS

SEC. 13. (a) Section 303(a) of the Older Americans Act of 1965 (42 U.S.C. 3023(a)) is amended by striking out "and", and by inserting after "1981" the following: ", $306,000,000 for fiscal year 1982, and such sums as may be necessary for each of the fiscal years 1983 and 1984," and by striking out "social" and inserting in lieu thereof "senior centers and supportive".

(b) Section 303(b)(1) of the Older Americans Act of 1965 (42 U.S.C. 3023(b)(1)) is amended by striking out "and", and by inserting after "1981" the following: ", $319,100,000 for fiscal year 1982, and such sums as may be necessary for each of the fiscal years 1983 and 1984,".

(c) Section 303(b)(2) of the Older Americans Act of 1965 (42 U.S.C. 3023(b)(2)) is amended by striking out "and", and by inserting after "1981" the following: ", $60,000,000 for fiscal year 1982, and such sums as may be necessary for each of the fiscal years 1983 and 1984,".

ALLOTMENT; FEDERAL SHARE

SEC. 14. (a) Section 304(a)(1) of the Older Americans Act of 1965 (42 U.S.C. 3024(a)(1)) is amended by striking out "and" the second place it appears therein, and by inserting "1982, 1983, and 1984," after "1981,".

(b) Section 304(d)(1)(B) of the Older Americans Act of 1965 (42 U.S.C. 3024(d)(1)(B)) is amended by striking out "year" and inserting in lieu thereof "years", and by inserting "1982, 1983, and 1984," after "1981,".

AREA PLANS

SEC. 15. Section 306(a)(2) of the Older Americans Act of 1965 (42 U.S.C. 3026(a)(2)) is amended by striking out "at least 50 percent" and inserting in lieu thereof "an adequate proportion".

STATE PLANS

SEC. 16. (a) Section 307(a)(13)(A) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)(13(A)) is amended by striking out the comma, and by inserting before the semicolon at the end thereof the following: ", and may be made available to handicapped or disabled individuals who have not attained 60 years of age but who reside in senior citizen centers at which congregate nutrition services are provided".

(b) Section 307(a)(13)(B) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)(13)(B) is amended to read as follows:

(B) such plan shall give primary consideration to the provision of meals in a congregate setting, except that each area agency (i) shall have authority to award funds made available under this title to organizations for the provision of home delivered meals to older individuals in accordance with the provisions of subpart 2 of part C, based upon a determination of need made by the recipient of a grant or contract entered into under this title, without requiring that such organizations also provide meals to older individuals in a congregate setting; and (ii) shall, in awarding such funds, select such organizations in a manner which complies with the provisions of subparagraph (H);".

(c) Section 307(a)(13)(C)(ii)) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)(13)(C)(ii)) is amended by inserting ", and access to such meals when the use of such charges for access is deemed appropriate" before the semicolon at the end thereof.

(d) Section 307(a)(13) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)(13)) is amended—

(1) by adding "and" at the end of subparagraph (G) thereof;

(2) by striking out "and" at the end of subparagraph (H) thereof; and

(3) by striking out subparagraph (I) thereof.

(e) Section 307(a) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)) is amended—

(1) by striking out "and" at the end of paragraph (15) thereof;

(2) by redesignating paragraph (16) thereof as paragraph (18); and

(3) by inserting after paragraph (15) the following new paragraphs:

(16) provide that area agencies on aging may enter into grants and contracts with providers of education and training services which can demonstrate the experience or capacity to provide such services (except that such contract authority shall be effective for any fiscal year only to such extent, or in such amounts, as are provided in approporations Acts);

"(17) provide assurances that, if a substantial number of the older individuals residing in any planning and service area in the State are of limited English-speaking ability, then the State will require the area agency on aging for each such planning and service area—

"(A) to utilize, in the delivery of outreach services under section 306(a)(2)(A), the services of workers who are fluent in the language spoken by a predominant number of such older individuals who are of limited English-speaking ability; and

"(B) to designate an individual employed by the area agency on aging, or available to such area agency on aging on a full-time basis, whose responsibilities will include—

"(i) taking such action as may be appropriate to assure that counseling assistance is made available to such older individuals who are of limited English-speaking ability in order to assist such older individuals in participating in programs and receiving assistance under this Act; and

"(ii) providing guidance to individuals engaged in the delivery of social services under the area plan involved to enable such individuals to be aware of cultural sensitivities and to effectively take into account linguistic and cultural differences; and".

AVAILABILITY OF FUNDS FOR SOCIAL SERVICES AND NUTRITION SERVICES

SEC. 17. Section 308(b) of the Older Americans Act of 1965 (42 U.S.C. 3028(b)) is amended by adding at the end thereof the following new paragraph:

"(6) Notwithstanding any other provision of this title, with respect to funds received under subsection (a) and subsection (b) of section 303, a State may elect to transfer not more than 20 percent of the funds appropriated for any fiscal year between programs under part B and part C of this title, for use as the State considers appropriate. The State shall notify the Commissioner of any such election.".

AVAILABILITY OF SURPLUS COMMODITIES

SEC. 18. (a) The first sentence of section 311(a)(4) of the Older Americans Act of 1965 (42 U.S.C. 3030a(a)(4)) is amended by striking out "three" and inserting in lieu thereof "six".

(b) Section 311(b)(1) of the Older Americans Act of 1965 (42 U.S.C. 3030a(b)(1)) is amended by striking out "1981" and inserting in lieu thereof "1984".

SOCIAL SERVICES PROGRAMS

SEC. 19. (a) Section 321(a) of the Older Americans Act of 1965 (42 U.S.C. 3030d(a)) is amended—

(1) in paragraph (1) thereof, by striking out "continuing education,";

(2) in paragraph (4) thereof—

(A) by inserting "(A)" after "including";

(B) by inserting "(i)" after "designed";

(C) by striking out "or" and inserting in lieu thereof "; (ii)"; and

(D) by adding at the end thereof the following: "or (iii) to prevent unlawful entry into residences of older individuals, through the installation of security devices and through structural modifications or alterations of such residences; and (B) the provision of security personnel who would be responsible for maintaining and monitoring security systems and for otherwise providing security against unlawful entry into residences of older individuals;".

(3) by striking out "or" at the end of paragraph (11) thereof;

(4) by redesignating paragraph (12) thereof as paragraph (15); and

(5) by inserting after paragraph (11) the following new paragraphs:

"(12) education and training services;

"(13) a program, to be known as 'Senior Opportunities and Services', designed to identify and meet the needs of older, poor persons 60 years of age or older in one or more of the following areas: (A) development and provision of new volunteer services; (B) effective referral to existing health, employment, housing, legal, consumer, transportation, and other services; (C) stimulation and creation of additional services and programs to remedy gaps and deficiencies in presently existing services and programs; and (D) such other services as the Commissioner may determine are necessary or especially appropriate to meet the needs of the older poor and to assure them greater self-sufficiency;

"(14) crime prevention services and victim assistance programs for older individuals; or".

(b) The heading for part B of title III of the Older Americans Act of 1965 (42 U.S.C. 3030d) is amended by striking out "SOCIAL" and inserting in lieu thereof "SENIOR CENTERS AND SUPPORTIVE".

REVISION OF TRAINING, RESEARCH, AND DISCRETIONARY PROJECTS AND PROGRAMS

SEC. 20. (a) Title IV of the Older Americans Act of 1965 (42 U.S.C. 3031 et seq.) is amended to read as follows:

"TITLE IV—TRAINING, RESEARCH, AND DISCRETIONARY PROJECTS AND PROGRAMS

"PART A—EDUCATION AND TRAINING

"TRAINING AND RECRUITING PERSONNEL FOR THE FIELD OF AGING

"SEC. 411. The Commissioner may make grants to any public or nonprofit private agency, organization, or institution, and may enter into contracts with any agency, organization, or institution, to assist the Commissioner in recruiting persons to enter the field of aging, training volunteers and persons employed in or preparing for employment in the field of aging (including such stipends to persons participating in training programs as the Commissioner may find appropriate), technical assistance, and other activities related to such training.

"MULTIDISCIPLINARY CENTERS OF GERONTOLOGY

"SEC. 412. The Commissioner may make grants to public and private nonprofit agencies, organizations, and institutions for the purpose of establishing or supporting multidisciplinary centers of gerontology, and gerontology centers of special emphasis.

"PART B—RESEARCH, DEMONSTRATIONS, AND OTHER ACTIVITIES

"RESEARCH AND DEVELOPMENT PROJECTS

"SEC. 421. The Commissioner may make grants to any public or nonprofit private agency, organization, or institution, and may enter into contracts with any agency, organization, institution, or individual to support research and development related to the purposes of this Act, evaluation of the results of such research and development activities, and collection and dissemination of information concerning research findings, demonstration results, and other materials developed in connection with activities assisted under this title, and conducting of conferences and other meetings for purposes of exchange of information and other activities related to the purposes of this title.

"DEMONSTRATION PROJECTS

"SEC. 422. The Commissioner may make grants to any public agency or nonprofit private organization, and may enter into contracts with any agency or organization to pay part or all of the cost of developing or operating model projects to demonstrate methods to improve or expand services to or otherwise promote the well-being of older individuals. Such projects may include projects for the development of comprehensive, coordinated systems of social services, community long-term care for older individuals, projects to meet the special housing needs of older individuals (including weatherization improvements), projects to improve transportation systems for the rural elderly, and other priority projects determined appropriate by the Commissioner.

"SPECIAL PROJECTS IN COMPREHENSIVE LONG-TERM CARE

"SEC. 423. (a)(1) The Commissioner may—

"(A) make grants to selected State agencies, designated under section 305(a)(1), and, in consultation with State agencies, selected area agencies on aging designated under section 305(a)(2)(A), institutions of higher education, and other public agencies and nonprofit organizations; and

"(B) enter into contracts with any agency, organization, or institution (except that such contract authority shall be effective for any fiscal year only to such extent, or in such amounts, as are provided in appropriations Acts); to support the development of comprehensive, coordinated systems of community long-term care for older individuals, with special emphasis upon services designed to support alternatives to institutional living and the assessment of need, the development of a plan of care, and the referral of individuals, in the delivery of long-term care services, including noninstitutional and institutional services, where appropriate.

"(2) A grant under this section may be made to pay part or all of the estimated cost of the program (including startup cost) for a period of not more than 3 years, except that no funds may be used to pay for direct services which are eligible for reimbursement under title XVIII, title XIX, or title XX of the Social Security Act.

"(3) A grant made under this section shall be used for the development of programs which provide a full continuum of services. Such services may include adult day health care; monitoring and evaluation of service effectiveness; supported living in public and private nonprofit housing; family respite services; preventive health services; home health, homemaker, and other rehabilitative and maintenance in-home services; services provided by geriatric health maintenance organizations; and other services which the Commissioner determines are appropriate, and which, at a minimum, provide for identification and assessment of the long-term care needs of older individuals, referral of such individuals to the appropriate services, and follow-up and evaluation of the continued appropriateness of such services with provision for re-referral as appropriate.

"(b)(1) In making grants to States under this section, preference shall be given to applicants which demonstrate that—

"(A) adequate State standards have been developed to ensure the quality of services provided;

"(B) the State has made a commitment to carry out the program assisted under this section with the State agency responsible for the administration of title XIX of the Social Security Act or title XX of the Social Security Act, or both such agencies;

"(C) the State will develop plans to finance the comprehensive program assisted under this section; and

"(D) the State agency has a plan for statewide or designated regions of the State containing provisions designed to maximize access by older individuals to long-term care services.

"(2) In awarding grants to or entering into contracts with agencies and organizations under this section, preference shall be given to applicants that possess the capability to establish community-based long-term care programs and demonstrate that a need exists for the establishment of such programs in the area to be served.

"(3) Agencies and organizations assisted under this section shall establish procedures for evaluating the program assisted under this section, with respect to the benefits accruing to persons receiving assistance, the feasibility of the administrative model used for comprehensive coordination of services including coordination with other local programs, and the comparative costs and quality of services provided, and shall submit such evaluation to the Commissioner on a periodic basis.

"(c) The Secretary shall involve appropriate Federal departments and agencies in carrying out the provisions of this section in order to assure coordination at the Federal level and to avoid duplication and shall include the annual report to the Congress required by section 207, a report on the impact of grants made, or contracts entered into, on the experiences of grantees and contractors in meeting the requirements of this section, and on the comparative benefits and costs of projects assisted under this section.

"(d) Sums appropriated to carry out this section shall, to the extent feasible, be used to support programs equitably distributed throughout the Nation between urban and rural areas.

"SPECIAL PROJECTS IN MENTAL HEALTH CARE

"SEC. 424. (a) The Commissioner, after consultation with the Director of the National Institute of Mental Health and the Center for Studies of the Mental Health of the Aging, may make grants to, and enter into contracts with, any public or private nonprofit entity for projects under this section (except that such contract authority shall be effective for any fiscal year only to such extent, or in such amounts, as are provided in appropriations Acts). Each such project shall include—

"(1) the location of older individuals who are in need of mental health services;

"(2) the provision of, or arrangement for the provision of, medical differential diagnoses of older individuals to distinguish between their need for mental health services and other medical care;

"(3) the specification of the mental health needs of older individuals, and the mental health and support services required to meet such needs; and

"(4) the provision of—

"(A) the mental health and support services specified in paragraph (3) in the communities; or

"(B) such services for older individuals in nursing homes and intermediate care facilities, and training of the employees of such homes and facilities in the provision of such services.

"(b) Funds may not be obligated to carry out this section for any fiscal year if funds are appropriated to carry out section 204 of the Mental Health Systems Act for such fiscal year.

"(c) For purposes of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1982, 1983, and 1984.

"NATIONAL IMPACT ACTIVITIES

"SEC. 425. The Commissioner may carry out directly or through grants or contracts—

"(1) innovation and development projects and activities of national significance which show promise of having substantial impact on the expansion or improvement of social services, nutrition services, or multipurpose senior centers, or otherwise promoting the well-being of older indviduals; and

"(3) dissemination of information activities related to such programs.

"(b) An amount not to exceed 15 percent of any sums appropriated under section 431 may be used for carrying out this section.

"PART C—GENERAL PROVISIONS

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 431. (a) There are authorized to be appropriated to carry out the provisions of this title $23,200,000 for fiscal year 1982, and such sums as may be necessary for each of the fiscal years 1983 and 1984.

"(b) No funds appropriated under this title—

"(1) may be transferred to any office or other authority of the Federal Government which is not directly responsible to the Commissioner; or

"(2) may be used for any program or activity which is not specifically authorized by this title.

"PAYMENTS OF GRANTS

"SEC. 432. (a) To the extent he deems it appropriate, the Commissioner shall require the recipient of any grant or contract under this title to contribute money, facilities, or services for carrying out the project for which such grant or contract was made.

"(b) Payments under this title pursuant to a grant or contract may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments and on such conditions, as the Commissioner may determine.

"(c) The Commissioner shall make no grant or contract under this title in any State which has established or designated a State agency for purposes of title III unless the Commissioner has consulted with such State agency regarding such grant or contract.".

(b)(1) Section 204(d)(2) of the Older Americans Act of 1965, as so redesignated in section 6(a), is amended by striking out "the appraisal of needs required by section 402" and inserting in lieu thereof "an appraisal of needs pursuant to the functions carried out by the Commissioner under section 411".

(2) Section 310 of the Older Americans Act of 1965 (42 U.S.C. 3030) is amended by striking out "section 421" each place it appears therein and inserting in lieu thereof "section 422".

EQUITABLE DISTRIBUTION OF ASSISTANCE

SEC. 21. (a) Section 506(a)(3) of the Older Americans Act of 1965 (42 U.S.C. 3056d(a)(3)) is amended by inserting "the Commonwealth of the Northern Mariana Islands," after "Samoa," in each place it appears therein.

(b) Section 506(a)(4)(A) of the Older Americans Act of 1965 (42 U.S.C. 3056d(a)(4)(A)) is amended by inserting "the Commonwealth of the Northern Mariana Islands" after "Samoa,".

DEFINITIONS FOR TITLE V

SEC. 22. (a) Section 507(1) of the Older Americans Act of 1965 (42 U.S.C. 3056e(1)) is amended by inserting "the Commonwealth of the Northern Mariana Islands," after "Samoa,".

(b) Section 507(3) of the Older Americans Act of 1965 (42 U.S.C. 3056e(3)) is amended by inserting "weatherization activities;" after "efforts;".

AUTHORIZATION OF APPROPRIATIONS FOR TITLE V PROGRAMS

SEC. 23. Section 508 of the Older Americans Act of 1965 (42 U.S.C. 3056f) is amended by striking out "and" the last place it appears therein, and by striking out the period at the end thereof and inserting in lieu thereof the following: ", $277,100,000 for fiscal year 1982, (in accordance with the provisions of section 606(b)(1)(A) of the Omnibus Budget Reconciliation Act of 1981), $293,726,000 for fiscal year 1983 (in accordance with the provisions of section 606(b)(1)(A) of the Omnibus Budget Reconciliation Act of 1981), and such sums as may be necessary for fiscal year 1984. Amounts authorized for fiscal years 1982 and 1983 also shall include the additional sums specified in section 606(b)(1)(B) of the Omnibus Budget Reconciliation Act of 1981. Amounts appropriated under this section for any fiscal year shall be used during the annual period which begins on July 1 of the calendar year immediately following the beginning of such fiscal year and which ends on June 30 of the following calendar year. The Secretary may extend the period during which such amounts may be obligated or expended in the case of a particular organization or agency receiving funds under this title if the Secretary determines that such extension is necessary to ensure the effective use of such funds by such organization or agency. Any such extension shall be for a period of not more than 60 days after the end of such annual period.

GRANTS AUTHORIZED UNDER TITLE VI

SEC. 24. Section 603 of the Older Americans Act of 1965 (42 U.S.C. 3057b) is amended by striking out "Indians who are aged 60 and older" and inserting in lieu thereof "older Indians".

APPLICATIONS UNDER TITLE VI

SEC. 25. (a) Section 604(a)(4) of the Older Americans Act of 1965 (42 U.S.C. 3057c(a)(4) is amended by striking out "that" and all that follows through "conduct" and inserting in lieu thereof "for".

(b) Section 604(a)(10) of the Older Americans Act of 1965 (42 U.S.C. 3057c(a)(10)) is amended to read as follows:

"(10) provide that any legal or ombudsman services made available to older Indians represented by the tribal organization will be substantially in compliance with the provisions of title III relating to the furnishing of similar services: and".

(c) Section 604 of the Older Americans Act of 1965 (42 U.S.C. 3057c) is amended by striking out subsection (d) thereof, and by redesignating subsection (e) and subsection (f) as subsection (d) and subsection (e), respectively.

ADMINISTRATION OF TITLE VI

SEC. 26. Section 605 of the Older Americans Act of 1965 (42 U.S.C. 3057d) is amended by striking out "(a)", and by striking out subsection (b) thereof.

AUTHORIZATION OF APPROPRIATIONS FOR TITLE VI

SEC. 27. Section 608(a) of the Older Americans Act of 1965 (42 U.S.C. 3057g(a)) is amended to read as follows:

"SEC. 608. (a) There are authorized to be appropriated $6,500,000 for fiscal year 1982, and such sums as may be necessary for each of the fiscal years 1983 and 1984, to carry out the provisions of this title (other than section 606).".

HOME MAINTENANCE AND REPAIR SERVICES

SEC. 28. (a) The Older Americans Act of 1965 (42 U.S.C 3001 et seq.) is amended by adding at the end thereof the following new title:

"TITLE VII—HOME MAINTENANCE AND REPAIR SERVICES

"CONGRESSIONAL FINDINGS

"SEC. 701. The Congress hereby finds that—

"(1) of the 25,000,000 older individuals living in the United States today approximately one-third are housed in substandard, deteriorating, or dilapidated housing;

"(2) while 70 percent of such older individuals living in the United States reside in their own homes, most Federal housing assistance programs for older individuals focus on the problems of such individuals who rent their housing, and insufficient funding has been made available to assist such individuals who are homeowners;

"(3) 58 percent of older individuals who are homeowners own homes that were built before 1939;

"(4) continually increasing maintenance and energy costs have forced many older individuals to forgo necessary home repairs, thereby causing the condition of the homes of such individuals to deteriorate significantly and creating serious health and safety hazards;

"(5) upon retirement, older individuals generally undergo a reduction of income of one-third to one-half and are therefore less able to afford necessary home repairs; and

"(6) mobility and health are important determinants of the ability to undertake repairs, and, in light of the increasingly large segment of the population that is composed of older individuals, greater numbers of Americans become physically unable to make necessary home repairs each year.

"HOME MAINTENANCE AND REPAIR PROGRAM

"SEC. 702. (a) The Commissioner is authorized to make grants to, and enter into contracts with, any State agency designated under section 1305(a)(1) for purposes of providing home maintenance and repair services to older individuals (except that such contract authority shall be effective for any fiscal year only to such extent, or in such amounts, as are provided in appropriation Acts.

"(b) The Commissioner shall administer the program established in subsection (a) in accordance with regulations prescribed by the Commissioner and in a manner that ensures that—

"(1) in the provision of services under such program, a preference shall be given to low-income older individuals:

"(2) to an extent that the Commissioner determines to be appropriate, there shall be coordination with other Federal programs designed to provide home maintenance and repair services.

"(3) home maintenance and repair services provided under this section shall be accomplished by teams composed of individuals who are specialists in maintenance and repair and who are, to the maximum extent practicable, older individuals; and

"(4) older individuals receiving home maintenance and repair services under this section shall be provided with sufficient information to enable them to perform their own simple repairs in the future.

"HOUSING COUNSELING

"SEC. 703. The Commissioner shall administer, in coordination with the program established in section 702(a), a program of housing counseling for older individuals, which shall provide such individuals with information concerning home energy conservation, weatherization, and crime prevention programs and techniques.

"ANNUAL REPORT

"SEC. 704. The Commissioner shall annually prepare and submit to the Congress a comprehensive report concerning the housing needs of older individuals and the effectiveness of Federal housing programs in addressing such housing needs.

"DEFINITIONS

"SEC. 705. For purposes of this title—

"(1) the term 'home maintenance and repair services' means maintenance and repair of particular defects and hazards in any housing owned by, and serving as the primary residence of, any older individual, including maintenance and repair, and weatherization, designed to improve the health and safety conditions and increase the livability of such housing, but not including substantial remodeling of such housing;

"(2) the term 'low-income' means income that is not more than 125 percent of the poverty guidelines established periodically under section 624 of the Economic Opportunity Act of 1964; and

"(3) the term 'older individual' means any individual 60 years of age or older.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 706. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this title for each of the fiscal years 1982, 1983, and 1984.".

NATIONAL OLDER AMERICANS VOLUNTEER PROGRAMS

SEC. 29. The appropriation of funds for fiscal years 1982, 1983, and 1984 to carry out title II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5001 et seq.) shall be made in accordance with the authorizations of appropriations contained in the amendments made by section 607(b) of the Omnibus Budget Reconciliation Act of 1981.

TECHNICAL AND CONFORMING AMENDMENTS

SEC. 30. (a) Section 102(1) of the Older Americans Act of 1965 (42 U.S.C. 3002(1)) is amended by striking out ", Education, and Welfare" and inserting in lieu thereof "and Human Services".

(b)(1) Section 202(a)(1) of the Older Americans Act of 1965 (42 U.S.C. 3012(a)(1)) is amended by striking out ", Education, and Welfare" and inserting in lieu thereof "and Human Services".

(2) Section 202(c) of the Older Americans Act of 1965 (42 U.S.C. 3012(c)) is amended by striking out "Action" and inserting in lieu thereof "the ACTION Agency".

(c)(1) The last sentence of section 203(a) of the Older Americans Act of 1965 (42 U.S.C. 3013(a)) is amended by striking out "purpose" and inserting in lieu thereof "purposes".

(2) Section 203(b) of the Older Americans Act of 1965 (42 U.S.C. 3013(b)) is amended—

(A) by striking out "purpose" and inserting in lieu thereof "purposes";

(B) in paragraph (1) thereof, by striking out "of 1973"; and

(C) in paragraph (8) thereof, by striking out "section 222(a)(8)" and inserting in lieu thereof "section 222(a)(2)".

(d) Section 206(b) of the Older Americans Act of 1965, as so redesignated in section 6(a), is amended by striking out "section 308 or", and by striking out "section or".

(e) Section 209(b) of the Older Americans Act of 1965, as so redesignated in section 6(a), is amended by striking out "the amendment made by".

(f) Section 337 of the Older Americans Act of 1965 (42 U.S.C. 3030g) is amended by striking out "National Association of Title VII Project Directors" and inserting in lieu thereof "National Association of Nutrition and Aging Services Programs".

(g) Section 503(b) of the Older Americans Act of 1965 (42 U.S.C. 3056a(b)) is amended by striking out "of 1973" each place it appears therein.

(h) Section 505(b) of the Older Americans Act of 1965 (42 U.S.C. 3056c(b)) is amended—

(1) by striking out ", Education, and Welfare" and inserting in lieu thereof "and Human Services"; and

(2) by striking out the second sentence thereof.

ADDITIONAL AMENDMENTS

SEC. 31. (a) Section 673(1) of Public Law 96-35 (42 U.S.C. 2790(1)) is amended—

(1) by inserting ", and any program which received funds under section 221 or section 222 of such Act," after "Act of 1964";

(2) by inserting ", or such program lost its authority to receive funds under section 221 or section 222 of such Act," after "such Act" the first place it appears therein; and

(3) by inserting ", and such designation or authority was not reinstated before the end of such fiscal year" before the period at the end thereof.

(b) Section 675(c)(2)(A)(ii) of such Public Law (42 U.S.C. 9904(c)(2)(A)(ii)) is amended—

(1) by inserting "(I)" after "directly or to";

(2) by striking out ", or to" and inserting in lieu thereof "; (II)"; and

(3) by inserting after "farm worker organizations;" the following: "or (III) any organization which administers a program which is treated as an eligible entity under section 673(1) as the result of the receipt of funds by such program under section 221 or section 222 of Public Law 88-452, as amended, for fiscal year 1981, regardless of whether such organization has a board which meets the requirements of clause (3);".

(c) Section 682(b)(4) of Public Law 97-35 (42 U.S.C. 9911(b)(4)) is amended by inserting before the period at the end thereof the following: ", to migrant and seasonal farm worker organizations, or to both such entities and such organizations".

ADDITIONAL TECHNICAL AMENDMENT

SEC. 32. Section 439(1) of the Higher Education Act of 1965 is amended by adding at the end thereof the following new sentence: "The priority established in favor of the United States by section 3466 of the Revised Statutes (31 U.S.C. 191) shall not apply to indebtedness of the Association.".

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend the Older Americans Act of 1965 to extend the authorizations of appropriations contained in such act, and for other purposes."

A motion to reconsider was laid on the table.

A similar House bill, H.R. 3046, was laid on the table.

APPOINTMENT OF CONFEREES ON S. 1086

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent that the House insist upon its amendment to the Senate bill, S. 1086, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? The Chair hears none, and appoints the following conferees: Messrs. PERKINS, BIAGGI, ANDREWS, CORRADA, WILLIAMS of Montana, RATCHFORD, ASHBROOK, COLEMAN, and PETRI.

AUTHORIZING CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF HOUSE AMENDMENT TO S. 1086

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent that in the engrossment of the House amendment the Clerk be authorized to correct section numbers, punctuation, and cross-references to reflect the actions of the House in amending the bill, H.R. 3046.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

GENERAL LEAVE

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 3046, just passed.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 3567, EXPORT ADMINISTRATION AMENDMENTS ACT OF 1981

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3567) to authorize appropriations for the fiscal years 1982 and 1983 to carry out the purposes of the Export Administration Act of 1979, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from New York? The Chair hears none, and appoints the following conferees: Messrs. ZABLOCKI, BINGHAM, ECKART, BONKER, WOLPE, SHAMANSKY, BROOMFIELD, LAGOMARSINO, ERDAHL, GILMAN, and Mrs. FENWICK.

PERSONAL EXPLANATION

(Mr. VOLKMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VOLKMER. Mr. Speaker, on Thursday, November 19, I missed sev-

eral votes because of previous commitments I had in my district.

However, had I been here I would have voted "aye" on House Concurrent Resolution 224, expressing the support of Congress for the President's peace initiative.

On the report to accompany H.R. 3413, the Department of Energy authorization for national security programs, I would have voted "aye."

On House Joint Resolution 349, to authorize the participation of the United States in a multinational force to implement the treaty of peace between Egypt and Israel I would have voted "aye."

On H.R. 3663. The Bus Regulatory Reform Act, I would have voted "aye" and on the subsequent votes to resolve into the Committee of the Whole and on passage of House Resolution 280, the rule under which H.R. 3663 was considered, I would have voted "aye."

□ 1600

MACON HIGH SCHOOL SENIORS AND SOCIAL SECURITY

(Mr. VOLKMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VOLKMER. Mr. Speaker, many articles and statements of late have shown the folly of Reaganomics but I would like to relate a situation which is deliberate and tragic.

Mr. Speaker, Macon High, a small high school in my district, has a graduating class of 120 seniors. These students are anxiously awaiting graduation and the opportunity to further their education at a university. However, 14 of these students are faced with a real problem.

Mr. Speaker, these 14 students, 11 percent of the graduating class, receive social security survivor benefits now, but will lose these benefits unless they are enrolled in and attending 12 college credit hours by May of next year. Their class does not graduate until May 21.

Mr. Speaker, this is a deliberate act of this administration to deny these 14 students in Macon, and untold numbers nationwide, the opportunity to further their education by eliminating their one source of money for tuition.

Mr. Speaker, how can we expect these young people to finance their education? We have limited student loans, grants, and work study so it is more difficult, if not impossible for many students, to get financial assistance. Then, the administration arbitrarily and deliberately deny some 10 percent of graduating seniors the opportunity of a college education by eliminating their one source of income, social security survivor benefits.

Mr. Speaker, maybe it is time we consider selling college credits like we have allowed IBM to buy tax credits from Ford Motor Co. It is a sad state of affairs when it is easy for multinational corporations to buy tax credits than it is a young person to finance a college education.

PROVIDING FOR CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 220, COMMEMORATION OF 100TH ANNIVERSARY OF BIRTH OF FRANKLIN DELANO ROOSEVELT

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 277 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to consider the concurrent resolution (H. Con. Res. 220) providing for the commemoration of the one hundredth anniversary of the birth of Franklin Delano Roosevelt in the House, and debate on said concurrent resolution shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Rules. The previous question shall be considered as ordered on said concurrent resolution to final adoption without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Florida (Mr. PEPPER) is recognized for 1 hour.

Mr. PEPPER. Mr Speaker, I yield the usual 30 minutes to the able gentleman from Arizona (Mr. RHODES), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 227 is the rule providing for the consideration of House Concurrent Resolution 220 which provides for the commemoration of the 100th anniversary of the birth of Franklin Delano Roosevelt.

Mr. Speaker, the concurrent resolution establishes a bipartisan joint committee on arrangements which is instructed to plan a joint meeting of the Congress honoring our 32d President. The joint committee is to be composed of 16 members: The Speaker of the House of Representatives, the President Pro Tempore of the Senate and seven Members from each of the two Houses. The joint committee is instructed to plan a program for the joint meeting and to issue appropriate invitations. The joint committee is authorized to spend not more than $25,000 for these purposes.

Mr. Speaker, the rule reported from the committee is a simple one. It provides 1 hour or general debate to be equally divided between the majority and the minority, permits one motion to recommit and provides for the consideration in the House of the concurrent resolution. In addition, the previous question is considered as ordered. While the effect of this rule is to preclude the offering of any motions or amendments, it is fully consistent with the practice of the Rules Committee in considering noncontroversial measures of this kind. The rule provides for the expeditious handling of House Concurrent Resolution 220 and also protects the traditional rights of the minority to offer a motion to recommit which in this instance could be with or without instructions.

Mr. Speaker, I urge the adoption of this rule.

Mr. RHODES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this rule provides 1 hour of general debate for the consideration of House Concurrent Resolution 220, providing for the commemoration of the 100th anniversary of the birth of Franklin Delano Roosevelt.

The rule provides for consideration in the House, rather than in the Committee of the Whole. The effect of using this procedure is to cut off all amendments to the resolution.

The rule does provide one motion to recommit.

Mr. Speaker, a few days ago, the Wall Street Journal ran a front page article entitled "All of Us are Busy, But Is This Any Way to Honor F. D. R.?" The author of this article argues that the Government is not doing enough to commemorate F. D. R.'s birthday.

The resolution made in order by this rule is an answer to some of the questions raised in the article. It does provide for the establishment of a joint committee to make arrangements to be held on Wednesday, January 27, 1982, or such other day as may be designated by the Speaker in the Hall of the House of Representatives in commemoration of the 100th anniversary of the birth of F. D. R.

Mr. Speaker, I will not go into the details of the resolution now, because we will have one hour to devote to the merits of the resolution under this rule.

Mr. Speaker, I yield back the balance of my time.

Mr. PEPPER, Mr. Speaker, I have no requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

(Mr. MICHEL asked and was given permission to address the House for 1 minute.)

Mr. MICHEL. Mr. Speaker, I have asked for this time for the purpose of inquiring of our distinguished majority leader what the membership might expect for the balance of the day or at least for the next several hours. I am

sure the gentleman has some information.

Mr. WRIGHT. If the minority leader will yield, I have had some conversations with the chairman of the Committee on Appropriations (Mr. WHITTEN). He has discussed matters with the chairman and ranking members of the Appropriations Committee in the other body. We felt, initially, that if it seemed possible at all that an agreement could be reached and the papers perfected to the point that we could have a vote here on the House floor on the conference committee report even as late as 11 o'clock tonight, the Members ought to hold themselves in readiness. The reality seems to be, however, that there are such a number of matters in disagreement that will have to be resolved, and will be resolved, that it will take quite considerably longer than that for it to be done and, after the conference has worked its will and come to an agreement, it will take a considerable amount of time, as the gentleman from Illinois would recognize and all other Members know, to perfect the papers and make certain that they fulfilled all of the technical qualifications. Under those circumstances, we think it is unnecessary to keep the Members around tonight on pins and needles, up late. It seems inevitable that it would be tomorrow morning, at the very earliest, before we could expect a vote on the conference committee report. Therefore, it would be our purpose to ask that when the House finishes its business, the business that the gentleman from Florida is about to commence, and any other business appropriately coming before us, we would come back at 10 o'clock tomorrow morning and hope that at that time we might be able to vote on the conference committee report.

□ 1610

Mr. MICHEL. If I might inquire, however, whether it would be possible that if there were a vote to be had by 11 o'clock that we would proceed along those grounds or is the majority leader just flatly accepting the fact that it is impossible to come to an agreement before, say, the hour of 11 o'clock this evening?

The SPEAKER. If the Chair might respond to that, if in the opinion of the Chair, at 9:30, that we would be able to vote by 11 o'clock, then the Members will be notified through the cloakrooms, the Democratic cloakroom, and the Republican cloakroom, 3 hours before. In other words, if we can be notified at 9:30 that they can have a vote, then the vote would be at 12:30 in the morning. If at 9:30 they cannot do that, we will recess until 10 o'clock the following morning.

Mr. MICHEL. I thank the Speaker.

The SPEAKER. In all probability, the Chair would have to agree with the majority leader that after the next matter we would be recessing most likely until 10 o'clock tomorrow morning.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4930

Mr. PETRI. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 4930, the National Petroleum Supply Evaluation Act.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

PROVIDING FOR THE COMMEMORATION OF THE 100TH ANNIVERSARY OF THE BIRTH OF FRANKLIN DELANO ROOSEVELT

Mr. PEPPER. Mr. Speaker, pursuant to the provisions of House Resolution 277, I call up the concurrent resolution (H. Con. Res. 220) providing for the commemoration of the 100th anniversary of the birth of Franklin Delano Roosevelt, and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 220

Whereas the year 1982 marks the one hundredth anniversary of the birth of Franklin Delano Roosevelt on January 30, 1882;

Whereas Franklin Delano Roosevelt was an inspiring leader during a great economic depression and a majestic Commander in Chief and was four times elected President of the United States; and

Whereas it is appropriate that the Congress should commemorate the centennial year of President Franklin Delano Roosevelt's birth: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That (a) in order to provide for an appropriate commemoration by the Congress of the centennial of the birth of Franklin Delano Rossevelt, thirty-second President of the United States of America, there is established a Special Joint Committee on Arrangements (hereinafter referred to in this concurrent resolution as the "joint committee") which shall be composed of sixteen members as follows:

(1) The President pro tempore of the Senate and the Speaker of the House of Representatives.

(2) Seven members of the Senate to be appointed by the President pro tempore of the Senate, four upon recommendation of the majority of the Senate and three upon recommendation of the minority leader of the Senate.

(3) Seven members of the House of Representatives to be appointed by the Speaker of the House of Representatives, three upon recommendation of the minority leader of the House of Representatives.

(b) The members of the joint committee shall select a chairman and a vice chairman from among its members. A majority of the members shall constitute a quorum for the transaction of business. Any vacancy in the membership of the joint committee shall be filled in the same manner in which the original appointment was made.

(c) For the purposes of paragraph 6 of rule XXV of the Standing Rules of the Senate, service of a Senator as a member or chairman of the joint committee shall not be taken into account.

SEC. 2. It shall be the duty of the joint committee to—

(1) make arrangements for a joint meeting of the Congress to be held on Wednesday, January 27, 1982, or such other day as may be designated by the Speaker, in the Hall of the House of Representatives in commemoration of the centennial of the birth of Franklin Delano Roosevelt;

(2) plan the proceedings of and issue appropriate invitations for such joint meeting; and

(3) coordinate the joint committee's arrangements with the activities of such organizations as it deems appropriate which have been established to observe such centennial.

SEC. 3. The joint committee may—

(1) appoint an Executive Director, who shall serve without compensation, and accept such other volunteer services of individuals as it deems appropriate;

(2) adopt rules respecting its organization and procedures; and

(3) sit and act at such times and places as it shall deem appropriate.

SEC. 4. The expenses of the joint committee under this concurrent resolution may not exceed $25,000 and shall be paid from the contingent fund of the House of Representatives upon vouchers approved by the chairman of the joint committee.

The SPEAKER. Pursuant to the rule, the gentleman form Florida (Mr. PEPPER) will be recognized for 30 minutes, and the gentleman from Arizona (Mr. RHODES) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. PEPPER).

Mr. PEPPER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Concurrent Resolution 220, which provides for the commemoration of the 100th anniversary of the birth of Franklin Delano Roosevelt, was introduced on November 16, 1981, by the distinguished majority leader, the gentleman from Texas (Mr. WRIGHT), for himself; the gentleman from Illinois (Mr. YATES), and for me.

The Committee on Rules reported this concurrent resolution on November 17 as a matter of original jurisdiction, by an unanimous voice vote.

There has long been a bipartisan consensus in this Congress of the importance of honoring the accomplishments of our former Presidents and leaders. In fact, it is difficult to understate the importance of recalling our own national history.

In the past, the Congress has created centennial commissions to plan national observances honoring Presidents from Washington and Lincoln to Theodore Roosevelt and Woodrow Wilson.

In addition, Congress has met in joint session to mark the 200th anni-

versary of the birth of George Washington in 1932, the Lincoln sesquicentennial in 1959, and, of course, the American Bicentennial in 1976. All represent Congress commitment to reminding the country of its vibrant national spirit and to bringing an important sense of history to all our lives.

The tribute to Franklin Roosevelt provided for in this concurrent resolution, by comparison, is a modest proposal.

House Concurrent Resolution 220 establishes a 16 member bipartisan joint committee on arrangements to provide for the centennial anniversary of the birth of Franklin Delano Roosevelt. The joint committee is instructed to arrange a joint meeting of the Congress on January 27, 1982, or on a day selected by the Speaker of the House of Representatives, issue appropriate invitations, and coordinate its functions with the activities of other centennial organizations as it deems appropriate.

The concurrent resolution further instructs the joint committee to appoint an executive director to serve without compensation and to accept other volunteer services at its discretion.

Finally, the joint committee is authorized to spend not more than $25,000, to be paid from the contingent fund of the House of Representatives.

Congress has frequently appropriated funds for a number of other Presidential memorials.

Most recently, it provided $121,000 for the printing of a collection of essays entitled "Herbert Hoover: Reassessed." The volume commemorated the 50th anniversary of Hoover's inauguration as President. In 1974, the Congress observed the centennial anniversary of President Hoover's birth by authorizing $7 million to construct a building at the Hoover Institute at Stanford University, and in 1974, the Congress established a $30 million scholarship program as a national memorial to President Harry S Truman.

Mr. Speaker, Franklin Delano Roosevelt was elected to the Presidency for an unprecedented four terms, serving from 1933 to 1945, longer than any other President.

I have with pride exhibited on one of the walls of my office a letter to me from President Roosevelt written in Warm Springs, Ga., and dated the 9th of April 1945, 3 days before he died. He said in the last paragraph, "I want to see you soon. I will certainly do so as soon as I return from the San Francisco parley * * * " meaning the United Nations. "Always sincerely, F. D. R."

So to the very end of that long period he was keenly alert and his first thoughts were to carry on his efforts to preserve peace for mankind.

Certainly he is among the most influential Presidents this country has ever had. Swept into office by an overwhelming vote, he led the Nation through two of the greatest crises in its history. He came to the White House at the peak of the world's worst depression and sponsored new programs to bring back economic prosperity. He served during the largest and most destructive war man has known, and helped lead democracy to victory.

Most importantly, Franklin Roosevelt led America into the modern era of the 20th century. He understood the urgent need for new economic ideas and social programs. He realized the new force of mass communication and the power of public opinion. He believed in the need for a strong Federal Government, planning for the good of the common man, in a world becoming increasingly complex.

Mr. Speaker, Franklin Delano Roosevelt was a man of the people: the little man, the man on the street, factory workers, farmers, members of minority group—it was these people he believed Government should serve.

□ 1620

The historian, Arthur Schlesinger, Jr., wrote, F. D. R. was a "natural President." Few men in history have dominated their times as did he. He relished being President and he loved to exercise power, but he was at ease in his role and comfortable with informality. For instance, as William Manchester has written:

> He always used first names. In the first week of his administration, before Washington had become accustomed to the Secretary of Labor, Frances Perkins' brown tricorne hat, or she to Washington, one of her assistants picked up the phone one day and heard a voice say, "This is Frank. May I speak with Miss Perkins?" The assistant relayed the message, whereupon Secretary Perkins said, "Frank? I don't know any Frank. Ask him who he's with." Questioned, the caller chuckled and said, "With the United States. This is the President."

Upon his election as President, Roosevelt told his countrymen, "I see one-third of a nation ill-housed, ill-clad, and ill-nourished * * *"

We remember the programs he created and the enduring effects many have had on our Nation. Yet perhaps no single program could be as enduring as his vision for America—a vision as vital to our times as it was to his and doubtless will be 100 years from now.

He warned:

> It is not enough to clothe and feed the body of this nation and instruct and inform its mind. For there is also the spirit, and of these three, the greatest is the spirit.

He gave his country hope—a gift which nourished an impoverished spirit—and that hope, a belief in ourselves and our great potential, is his legacy for generations to come.

Mr. Speaker, as long as America shall love liberty, as long as Americans shall be devoted to compassion for the needs of their fellow men, as long as Americans shall work for the great cause of peace, a brighter and a better world, they shall cherish the memory and honor the record of Franklin Delano Roosevelt.

Mr. RHODES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think it is particularly fitting and proper that the Member of this body who handles this particular piece of legislation should be the gentleman from Florida, who spent so much time in the other body during the first two Roosevelt terms and was so closely identified with many of the legislative proposals that President Roosevelt was able to get enacted into law.

The gentleman from Florida had a very prominent and important part in the New Deal legislation which came before the other body at the time that the gentleman from Florida was a distinguished Member of that other body.

I particularly congratulate him on what he has said and also on the vivid memories and direct recollections which he has of those very important days in the history of our country.

Mr. PEPPER. Mr. Speaker, if the gentleman will yield, I thank the distinguished gentleman for his kind remarks.

Mr. RHODES. Mr. Speaker, House Concurrent Resolution 220 does establish a joint committee on arrangements to provide for the commemoration of the 100th anniversary of the birth of President Franklin Delano Roosevelt. The joint committee will include the President pro tempore of the Senate and the Speaker of the House. In addition, there will be seven Members of the other body, four appointed from the recommendation of the majority leader and three upon the recommendation of the minority leader.

On the House side, a total of seven Members will be appointed by the Speaker, three upon the recommendation of the Republican leader.

Therefore, both parties will be equally represented.

The concurrent resolution instructs the joint committee to arrange a joint meeting of the Congress to be held on January 27, 1982, or on a day selected by the Speaker of the House.

The committee is also to issue appropriate invitations and coordinate its arrangements with the activities of other centennial organizations.

The committee is permitted to appoint an executive director to serve without compensation and to accept additional volunteer services.

The expenses of the committee are limited to $25,000, which is to be paid

from the contingent fund of the House.

Mr. Speaker, I also think that it is quite appropriate that the House take the lead in commemorating the birth of Franklin Delano Roosevelt due to the fact that two of this sons have served as Members of this body. I have the privilege, as did the gentleman from Florida who is now the occupant of the chair, in serving in the House with both Franklin D. Roosevelt, Jr., and James Roosevelt; so while the President himself never served as a Member of the Congress, certainly his sons did and the Roosevelt family is very closely identified with this body.

Mr. Speaker, I never voted for Franklin Delano Roosevelt; but I am very pleased to have the honor of handling this resolution on this side, because I have great admiration for him, for the foresight which he showed in preparing this country as best he could at a time of almost passivism for the advent of what I am sure he realized must occur, which was World War II. Having served for 5 years in the service during that war, Franklin D. Roosevelt was my Commander in Chief and I had great reverence not only for that office which he held, but for him as an occupant.

So, therefore, Mr. Speaker, I hope that the House will pass this resolution immediately.

Mr. Speaker, I now yield 2 minutes to the gentleman from Minnesota (Mr. FRENZEL).

Mr. FRENZEL. Mr. Speaker, I have no objection to the House and the Senate honoring the centennial of Franklin D. Roosevelt's birthday. There are some things about the resolution, however, which puzzle me.

I do note that there are six or eight Members from each body to be represented in the Commission and yet I notice the Commission's funding seems to come exclusively out of the House contingency fund.

I wonder if the distinguished gentleman from Florida, the representative of the Rules Committee, could explain to me why the House will be the sole financial angel for the Commission's work.

I yield to the gentleman from Florida.

Mr. PEPPER. Well, there is a total appropriation of $25,000. It is, of course, to be used at the discretion of the joint committee, primarily for the functions of the committee.

I guess this is one of the cheapest memorial provisions that has ever been made by the Congress. It is not a memorial in the sense that we have an extensive celebration and all that, but it is a joint committee and the concurrent resolution provides $25,000 as the maximum expenditure that they may have available.

Mr. FRENZEL. I thank the gentleman.

I wonder if the gentleman could tell me why the House is supplying the full $25,000 and the Senate is supplying zero funds for this Commission?

Mr. PEPPER. I am advised, I will say to my able friend, that the custom is that either one or the other of the Houses will pay the expenses. You do not take half the money from the contingent fund of one House and half from another; usually one House takes it from its fund. After all, it comes out of the same country's pocket.

Mr. FRENZEL. I see; so the House has decided that its enthusiasm is $25,000 worth.

Mr. PEPPER. I am also informed that the Senate paid for the bicentennial committee in 1975, so it has been sort of an alternating thing from one body to the other in taking care of these expenses, especially where the amount is small.

Mr. FRENZEL. I thank the gentleman.

I wonder if the gentleman would respond to another question, that would be how much is it going to cost to print the proceedings of this memorial and distribute it as the Commission might recommend?

□ 1630

Mr. PEPPER. Mr. Speaker, I must say to the able gentleman that I am not able to answer that question. I suppose that the proceeds of $25,000 would be used as far as they would go, and if the committee felt it was necessary to ask the House for some additional funds for some really necessary purpose, they might do so, or they might come out of some other funds. I do not know. I will ask the able gentleman from Illinois.

Mr. RHODES. Mr. Speaker, I yield 3 additional minutes to the gentleman from Minnesota (Mr. FRENZEL).

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. FRENZEL. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Speaker, the reason for requesting these funds is to provide a fitting memorial ceremony in the House of Representatives for both the House and the Senate as the center of celebrations which will be taking place throughout the country. There will be dinner. There will be cooperation with the States.

It is anticipated that in the course of the program that takes place on the floor of the House, there may be such distinguished artists as some who sing in the Metropolitan Opera or who grace the concert stage, and the purpose of that fund is to permit payment for their expenses in coming to the city of Washington in order to participate.

Mr. FRENZEL. I thank the gentleman.

I presume for this joint convention that we will have, there will be some printing of what takes place here, and that it will be distributed around the country. I was asking the gentleman from Florida if he might have any idea how much that would cost. I would ask the same question of the gentleman from Illinois. I am just trying to determine what our total costs are going to be here.

And the further question: If we put up the first $25,000, does the Senate supply additional funds that are needed?

Mr. YATES. Well, if the gentleman will yield, let me say to the gentleman that as contemplated presently, the amount made available of $25,000 will be used for a total program in connection with the ceremony that takes place in the House of Representatives. As far as I know, it is not contemplated that there should be printed and distributed booklets or pamphlets incorporating studies or statements or essays on this, as was done at the time of Herbert Hoover, when copies of his essays were distributed throughout the country. That is not contemplated at the present time.

Mr. FRENZEL. Mr. Speaker, I notice the committee report indicated that cost $121,000. I was going to ask how much the gentleman thought this might cost.

Mr. YATES. I think it is going to be a fairly negligible cost. It is not contemplated it be a grandiose program. It is just in the nature of a statement as to what transpires on the floor of the House on that day.

Mr. FRENZEL. I thank the gentleman.

Mr. Speaker, I yield to the distinguished majority leader.

Mr. WRIGHT. Mr. Speaker, I should like to call to the attention of the gentleman from Minnesota that never before has there been any question raised in a partisan sense about occasions of this kind, when we commemorate the centennial of the birth of our great Americans.

In the case of Herbert Hoover's centennial, which occurred just a few years ago, the Congress willingly and gladly appropriated $7 million, and not one voice of protest was raised from their side of the aisle. All we are asking is $25,000. I should think that is little enough.

Mr. FRENZEL. I thank the distinguished majority leader. If he thinks that I am complaining, I am sorry. I am trying to raise questions because I want to know what we are letting ourselves in for here.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RHODES. Mr. Speaker, I yield 1 additional minute to the gentleman from Minnesota.

Mr. FRENZEL. Mr. Speaker, I do believe we ought to know what we are about when we spend the people's

money. I prefaced my statement here by saying that I have no objection to the holding of this memorial ceremony, but I do want to know what is involved, and I am grateful to those who tried to supply information.

One further question I would like to direct to the gentleman from Illinois.

With respect to these travel expenses that might be paid, would they also apply to members of Mr. Roosevelt's family as well as to the artists who might participate?

Mr. YATES. As far as I know, that is not contemplated.

Mr. FRENZEL. I thank the gentleman for his response.

I yield back the balance of my time.

Mr. PEPPER. Mr. Speaker, I yield 6 minutes to the distinguished majority leader, the able gentleman from Texas (Mr. WRIGHT).

Mr. WRIGHT. Mr. Speaker, the centennial of the birth of Franklin Delano Roosevelt most certainly is an event that all of us as Americans should want to celebrate and commemorate. I had hoped initially that we might do something on a much grander scale than this resolution contemplated.

One hundred twenty-three of my colleagues joined me in the introduction of a resolution which would have authorized the Congress to purchase a scholarly work, a 6-volume chronology, by Pare Lorentz, which has been described by the curator of the Franklin D. Roosevelt Memorial Library as one which exceeds in quality the chronology on Abraham Lincoln which was purchased by this Congress in the 1950's, and the chronology on George Washington. But due to budgetary strictures, we acceded to the requests of those who pleaded with us not to spend money for this and have proposed a mere $25,000 for all the expenses of this commission.

It seems to me that what we need to focus on is the lesson that the life of Franklin Roosevelt taught us. Franklin D. Roosevelt came to office and into the leadership of this Nation at a time of great despair. I can remember it vividly. I was but 6 years of age when the stock market crash came about. I did not know much about that. But I was 9 years of age in 1932 when Franklin Roosevelt was elected, and I do have a very vivid recollection of that because fresh in my mind was the stark realization of what had happened to our family and to our family's standard of living in those intervening 3 years. We were not alone.

That same vivid reality was occurring to Americans all over the country.

Franklin Roosevelt came to office at a time when we teetered on the brink of despair. I do not believe Americans who did not live through that depression era can appreciate how near this Nation may have been to revolution. But Mr. Roosevelt spoke on that wintry March day of 1933 with a voice that bespoke confidence, and we breathed easier as he told us, "The only thing we have to fear is fear itself."

He set about doing those things that a nation would do to restore itself from the depths of the depression.

Then when war came, we remember how he stood in this chamber and uttered those memorable words, "Yesterday, December 7, 1941, a date which will live in infamy." And I can remember the thrill that beset all of us, the fear, again, but the determination to triumph when he said toward the conclusion of his speech, "We will gain the inevitable triumph. So help us God."

His was a leadership that was the prime exemplar and probably the greatest inspiration to people of my generation. I am old enough to have voted for Franklin Roosevelt. I cast my first vote for him in 1944. I was still in the military service at the time. And I am very proud that I had that privilege. I am not old enough to have known him personally, nor to have worked with him as our distinguished colleague, the gentleman from Florida (Mr. PEPPER) did, but I think I share with all those of my generation an admiration bordering upon reverence for the memory of this great American who led us when we so desperately needed leadership.

Sir Winston Churchill once wrote of him:

> His life must be regarded as one of the commanding events in human history.

I have always thought that the humanitarian approach which Franklin Roosevelt brought to the American Presidency was expressed superbly in his acceptance speech for renomination to that office on June 27, 1936.

□ 1640

It was on that occasion that President Roosevelt said:

> Governments can err, Presidents do make mistakes, but the immortal Dante tells us that divine justice weighs the sins of the coldblooded and the sins of the warmhearted in different scales. Better the occasional faults of a government that lives in a spirit of charity than the consistent omissions of a government frozen in the ice of its own indifference.

That, I think is a lasting lesson to all of us, and as I supported and joined in the commemoration honoring Theodore Roosevelt on his centennial in 1958, honoring Herbert Hoover when his centennial occurred in 1974, and honoring Abraham Lincoln on the occasion of his sesquicentennial in 1959, I do hope that all of us will join together with a spirit of pride as we honor the 100th anniversary of the birth of this greatest American of his time.

Mr. PEPPER. I yield 5 minutes to the distinguished gentleman from Illinois (Mr. YATES).

Mr. YATES. Mr. Speaker, I rise in support of the resolution to commemorate the centennial of the birth of President Franklin Roosevelt. I am proud to associate myself with the remarks of the distinguished gentleman from Florida, who so eloquently stated the place in history of this President who joins the greatest Presidents of our country in the shining pages of history.

It is fitting and proper that we should celebrate this occasion. Franklin Roosevelt took this Nation from the depths of despair and poverty, through war, and then into peace; in times of anguish into the light of hope and high idealism.

I look forward to the celebration by the House of this centennial. I am proud to be participating in formulating the activities that will take place.

Mr. RHODES. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. GREEN).

Mr. GREEN. Mr. Speaker, I rise to commend the distinguished majority leader, Mr. WRIGHT; the distinguished gentleman from Illinois, Mr. YATES; and the distinguished gentleman from Florida, Mr. PEPPER, for offering us this resolution, and also to commend the distinguished gentleman from Arizona, Mr. RHODES, for handling the resolution on our side of the aisle.

The resolution calls for what I think is a very modest celebration by the Congress of the Franklin Roosevelt centennial. A modest celebration I think is what President Roosevelt would have wanted. The amount involved, $25,000, is small. It should be noted, for example, that if the committee appoints an executive director, he serves without compensation.

So, I think all Members of the House can be satisfied that this resolution will produce a fitting memorial on the part of the Congress to the centennial, while at the same time observing a spirit of frugality in keeping with the budget problems we currently face.

Mr. PEPPER. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Speaker, I would be remiss if I did not say a few words on this occasion on the passage of this resolution commemorating the 100th anniversary of Franklin Delano Roosevelt.

I remember him only as a youngster. I was 12 years old when he died on April 12, 1945. Thus, I remember only his leadership as a wartime leader. I do not remember him, as others have portrayed him, as the leader, the spiritual leader of those economic problem-solving days in the early 1930's.

But, I had an unusual opportunity to get to know him through his friends. Nearly 2 years after President Roosevelt died, I went to Warm Springs, Ga., the foundation for polio

patients in Georgia, Warm Springs Foundation, that he and Basil O'Connor, his former law partner, had founded. There, through his associates and friends, many of us felt as though we knew him, not as a President, but as a warm, kind, and caring human being.

I also remember, Mr. Speaker, the day that the Little White House was dedicated in 1947. I remember not long thereafter seeing a speech that was written by President Roosevelt and meant to be given to the Nation on the annual Jefferson Day of April 13, 1945. That speech, as you know, was never delivered because he died the day before. But, knowing his friends and reading that speech that I copied as a teenager and committed part of it to memory, I realized that he gave us something more than material goods and wartime leadership. He gave us a spirit that we can draw upon today during our economic problems, during our international crises.

He reminded us of that thread of faith that our country has. I would like to recall those words that were never spoken by President Roosevelt, those words that were part of that undelivered address, that they should be part of the RECORD today, because they tell us of the faith and of the need to lay fear aside and to be positive in what we do as Americans.

President Roosevelt wrote these words:

> The only limit to our realizations of tomorrow will be our doubts of today. Let us move forward with strong and active faith.

Those words are a memorial to his entire life. Those words are found engraved in Georgia at the Warm Springs Foundation, and I think that they should be perpetuated in the RECORD today as a memorial to this great man.

Mr. PEPPER. I yield 4 minutes to the distinguished gentleman from Ohio (Mr. SEIBERLING).

Mr. SEIBERLING. Mr. Speaker, I want to commend the distinguished gentleman from Florida (Mr. PEPPER) for making this effort and taking this time to pay tribute to the man who was undoubtedly the greatest President in this century, and one of the three or four greatest leaders this country has ever produced.

I was a teenager, 14 years old, when Franklin Roosevelt became President, and I was a 26-year-old veteran of World War II when he died. Those of us who lived through that time felt his death as though a member of our family had passed away, such was his personal impact on every American.

I conducted some hearings last week on a bill I authored, which is now pending before my subcommittee, to create a new Youth Work Conservation Corps.

□ 1650

We had some wonderful testimony from young people about what their experience in the Youth Conservation Corps and the Young Adult Conservation Corps had done for them, working for our national parks, national forests, and other similar public projects. We also had testimony from some former members of the Civilian Conservation Corps, and they talked about what a wonderful thing President Roosevelt's CCC had done for the country and done for them personally. One of them said that he would have probably ended up in the penitentiary if it had not been for the CCC, which changed his whole outlook on life.

I got to thinking about Franklin Roosevelt and what a contrast we see today, compared to the days when he was President, with his ability to emphasize the positive and lift everyone up to share his aspirations for our country and for mankind. We need to recapture that kind of spirit today. Practically all we hear these days in this body and in this country are negative ideas—cut this, confront that person, and gut this program. We seem to be spending most of our time these days struggling to save the great humanitarian and conservation programs created in the days of the New Deal and since then against mean-spirited attacks and devastating cuts.

We need to get back some of the spirit of Franklin Roosevelt, a spirit that was perhaps best epitomized in his first Inaugural Address in 1933, a time of the darkest Depression, when he said, "The only thing we have to fear is fear itself." That is just as true today, I say to the Members, as it was when Franklin Roosevelt became President. God knows, if we are going to deal effectively and humanely with the tremendous problems we face today and for the remaining part of this century—the terrible threat of nuclear war that confronts mankind, the threat of mass starvation for one fourth of mankind, the threat of environmental destruction—we need something more than our fears. We need inspiration. We do not need just a movie type "sell." We need inspiration from the heart. We need from the highest office in the land a message of hope and humanity—and deeds to match the message. We need a showing of concern for all our people, not just the wealthy and the powerful.

When I was in Columbia Law School, I had the privilege to study corporation law under Adolph Berle, who was one of President Franklin Roosevelt's brain-trusters. We had an opportunity to get together with Mr. Berle sometimes after class, and on one occasion he told us that one time President Roosevelt asked him to prepare a draft for one of Roosevelt's famous fireside chat radio speeches to the American people. Berle said he put a lot of flowery language and lofty ideas in the draft and gave it to the President. The next day the President called him in and he said:

> Adolph, I want to tell you something. When I get ready to make a fireside chat, I try to envision the people who are listening to me. There will be a housewife cooking dinner, there will be a mechanic working in a garage, millions of individuals each going about his or her own personal affairs. If I am going to get their attention, I first have to tell them what I am doing about their problems and the things that concern them in their daily lives. If I succeed in that, then at the end I can talk about a few high-level concerns of my own.

Adolph Berle said:

> That is the best lecture in public speaking I ever had. Franklin Roosevelt always thought first about the people whom he was elected to serve. He never forgot them. And so they never forgot him.

Mr. Speaker, that is a challenge to us in this day and age, and I think this is a most appropriate time to be thinking about that great American, Franklin Roosevelt.

Mr. PEPPER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Virginia (Mr. DAN DANIEL).

Mr. DAN DANIEL. Mr. Speaker, I am very grateful to the able gentleman for yielding me this time.

I rise in strong support of this resolution. The gentleman from Ohio (Mr. SEIBERLING) mentioned in the course of his remarks that one of President Roosevelt's programs was the CCC (the Civilian Conservation Corps). I was an enrollee in the Civilian Conservation Corps, and I recall, Mr. Speaker, the events which led up to my acceptance.

During that period, as the son of a tenant farmer, I was living down in Mecklenburg County, Va., and for 2 years in a row our crop did not bring in enough to pay for the fertilizer. I recall that during the fall of 1932, I believe it was, basically what we had to eat we foraged from the creek banks and the floor of the forest.

I had never been away from home for any length of time. I recall that not only did that program keep a lot of us from developing malnutrition, but I think it also gave those of us who did not have the benefit of an education an opportunity to learn basic skills and also to associate with others from different sections of the country. This experience broadened my horizons and today I find frequent opportunity to apply the lessons learned.

There is no more fitting memorial to the memory of President Franklin D. Roosevelt than the parks, the highways, the power projects and the public buildings which stand as living and useful reminders of that terrible time and the man whose vision and compassion made him the leader for the time.

It appears to be a matter of divine will that in this Nation's time of need a leader is called forth who is equal to the need. When the Nation needed them, there was Abraham Lincoln and there was Franklin Roosevelt, John Kennedy and Dwight Eisenhower and Ronald Reagan, who shares their spark.

Mr. Speaker, I want to pay tribute to that great man of his time, Franklin Roosevelt, and I hope that all Members will support this resolution.

● Mr. O'NEILL. Mr. Speaker, today the House gives honor to the greatest American President of this century.

Franklin Delano Roosevelt was a giant.

He was a giant, most of all, in his compassion for the average working person. More than any other President he had the ability to touch the daily concerns of the average citizen. He knew what people felt. He knew what they needed. He knew what they feared. Most important of all, he knew their dreams.

For the average American working family, F.D.R. was a hero. He stood up for us. He fought the special interests. He created a broad national coalition dedicated to achieving economic opportunity for all Americans—not just the few.

Today, America reaps the benefit of what Roosevelt accomplished.

When F.D.R. was inaugurated, half the people in this country were living in poverty or close to poverty. Today, less than 10 percent are in that category. When F.D.R. was inaugurated, only a small fraction of Americans went on to college. Today, the doors of higher education are opened to the great majority of our people.

This is just part of the legacy this great man has left us. In a real sense, it was President Roosevelt himself—and the great coalition that he began—which created the American middle class.

Due to his great work and the great programs he inspired millions of Americans were able to find work, to educate their children, to achieve a new standard of living for their families. They were able to make good on their dreams.

Today, those millions of Americans still have their dreams—to get a job, to own a home, to educate their children, to provide for their retirement. That American dream is as alive today as it was in F.D.R.'s day.

Today, in honoring President Roosevelt we should remember his goals for our country. We should remember the cause for which he fought, the cause of the average American. That was a noble cause in Roosevelt's day. It is a noble cause today.●

● Mr. FISH. Mr. Speaker, I appreciate this opportunity to support House Concurrent Resolution 220, providing for a joint session of Congress to be held the week of January 30, 1982, to commemorate the 100th anniversary of the birth of one of the greatest statesman in the 20th century, Franklin Delano Roosevelt.

The joint committee recommendation—that expenses for this observance not exceed $25,000—is an embarrassment and indignity to the memory of a man who helped to restore faith in our country's institutions through two historic circumstances—the depression and World War II. This sum is completely inadequate to sufficiently provide for an appropriate memorial to F. D. R. Even in these times of budget austerity, there should be an exception made in this instance.

President Reagan has often spoken of the great influence President Roosevelt had on him. Franklin Delano Roosevelt had a profound effect upon this Nation, as few individuals whose memories go back to the 1930's and 1940's were not influenced by this great man. Under Roosevelt, the White House became the focus of all Government—the fountainhead of ideas, the initiator of action, and the representative of the national interest.

Franklin Delano Roosevelt, a resident of Hyde Park, N.Y., and a constituent of my father, Hamilton Fish, was a successful administrator because he gave people a fighting chance for lost causes. Articulating the dreams of the common man, his striking ingenuity and innovation in meeting the problems of governing had nearly everyone in the Government caught up to some degree by a sense of participation in something larger than themselves. It is not merely that the average person received benefits they had not had before—rather that they were recognized as having a place in the commonwealth.

I cannot overestimate the unifying force President Roosevelt had on this country; $1.8 million would have been a modest amount to spend—for the American people to participate in the commemoration of a great human being, who—regardless of his birth into privileged circumstances—strove with those in his party for more social and economic justice for the underprivileged. Disabled by poliomyelitis, Mr. Roosevelt himself became a symbol of hope for those similarly affected.

It is our responsibility that the American people are able to share—in the midst of all-encompassing budget cuts—in the commemoration of this great President who epitomized hope during most uncertain conditions.

The expenditure of $500,000 was originally proposed to cover the costs in paying tribute by acquiring from Mr. Roosevelt's great documentary filmmaker and author, Mr. Pare Lorentz, that academically acclaimed document: "The days of Franklin D. Roosevelt: a chronicle;" specifically coordinating a joint session of Congress to be held on January 29, 1982; and hearing a memorial address by a distinguished scholar. The failure to include money for this purpose is a personal disappointment and the Nation's loss.

Considering that the Congress allocated $7.5 million in 1974 on President Hoover's memorial, we would be spending much much less, even at $1.8 million. $25,000 is a total disgrace. It would be ironic to spend more on the President who helped create the depression than on the man who helped the country out of the depression. $1.8 million would have been a small price to pay to allow wide access of Mr. Lorentz' manuscript among the American public.

The Roosevelt Library in Hyde Park informs me that over 500,000 people visited the Roosevelt home and estate grounds in 1980 alone. The revenue collected goes to a land and conservation fund—a most appropriate allocation considering President Roosevelt was a leading conservationist and celebrated planter of trees on his estate.

Although I support the commemoration of F. D. R.'s 100th birthday, I strongly disagree with the committee's recommendation.●

● Mr. BENNETT. Mr. Speaker, I was a young man in college when Franklin Roosevelt was elected to the Presidency. I spoke for his election and cast my first vote for him. Later while still in college I traveled to Warm Springs to see him. I served in this House with two of his five sons. I often talked with and corresponded with his able wife and widow.

I experienced the dark years of the depression when my family lived in a garage on a dirt road in Tampa. He offered by generation hope from despair. I fought as an infrantryman in World War II when he was our Commander-in-Chief; and his able leadership in that war and in peacetime made life more certain and more meaningful.

At the end of the war, Mr. Speaker, I went back to Warm Springs to help me regain strength lost in the war, as well as to take there another who needed the help given there to those who were crippled by disease or injury. The warm waters were helpful but the warm spirit which made those springs famous was even more curative in my return to civilian life.

Mr. Speaker, I am so glad that with these personal experiences I have today the opportunity to speak here in tribute to the remarkable life of Franklin D. Roosevelt. He offered excellent leadership when it was desperately needed. I am grateful for that.

I am grateful that Franklin D. Roosevelt lived a life that brought hope to replace despair and the vision for a

better life for our Nation and for all mankind.●

● Mr. MOAKLEY. Mr. Speaker, I would like to take the opportunity to insert in the RECORD a brief response to the concerns raised by the gentleman from Minnesota (Mr. FRENZEL).

It has been the standard practice of Congress, for quite some years, to assign the expenses of joint committees, and some other joint entities, to the contingent fund of one House or the other.

The practice appears to stem from a parliamentary situation which dates from 1924. In that year, the Committee on Accounts reported a resolution—House Concurrent Resolution 19, 68th Congress—providing for a contract for extermination of pests at the Capitol, to be paid equally from the contingent funds of each House. Speaker Gillett sustained a point of order that the privilege of the resolution was destroyed by the inclusion of matter relating to the contingent fund of the other body. Although I would not venture to guess how the Chair would rule on a similiar question in the modern practice, it should be noted that the language of clause 4(a) of rule XI relating to funding resolutions is virtually the same as the language of the rule of 1803, on which Speaker Gillett relied in the prior ruling.

Mr. Speaker, in responding to the question raised by the gentleman from Minnesota, it would be untrue to say that we explored this question in the committee when considering House Concurrent Resolution 220.

The simple fact is that the practice of alternately assigning entities to the contingent funds was the obvious and simple response to the parliamentary difficulties encountered earlier in the century, and that the practice has become so routine by this time that the decision to pay the expenses of this joint committee from our contingent fund raised no question in our consideration, at all.

If the House wished to institute a new policy of apportioning the expenses of each joint item to each contingent fund, Mr. Speaker, it does not strike me that it is a policy that would be at all difficult for the Committee on Rules to implement by a minor change in the rules of the House. But, neither would it have been difficult to implement quite some years ago. I rather suspect that the custom has found favor more from pragmatic that procedural advantages.

The Committee on Rules has jurisdiction over the establishment of joint committee and, in the organic statutes, determines which contingent fund will be charged for its expenses. Although I cannot, in all candor, assert that we have any system for keeping the charges exactly equally, the Committee on Appropriation does monitor the joint committees closely through the annual funding process and, of course, we do consult with the committee. During recent years, the appropriations recommended for permanent joint committees have treated the two Houses roughly equally:

[In thousands of dollars]

	Fiscal year—		
	1980	1981	1982
House-funded joint committees: Joint Committee on Taxation (House total)	2,455	2,632	2,967
Senate-funded joint committees:			
Joint Economic Committee	1,806	2,150	2,250
Joint Committee on Printing	719	760	816
Senate total	2,525	2,910	3,066

Therefore, Mr. Speaker, in most years the expenses of joint committees charged to each House have differed by less than $100,000. But the balance appears to be somewhat in our favor, so I would expect that the House ought to be charged in the present case.

Even though the distribution appears to be roughly fair, there are other practical reasons for continuing the present practice and the most compelling is that the present system has enhanced financial management and supervision.

Under current law (2 U.S.C. 95), "No payment shall be made from the contingent fund of the House of Representatives unless sanctioned by the Committee on House Administration." Similar supervisory authorities exist in the Senate. These authorities have enabled each House to establish audit and control procedures and detailed regulations governing the nature of goods and services which can and cannot be charged to the respective contingent funds.

The regulations and the control procedures of the two Houses, however, are not completely uniform. And providing a committee with the ability to choose which guidelines it will be subject to, by virtue of being able to choose which House's voucher to use, could lead to some difficulties. The appropriate supervisory committees would find audit and control awkward unless new coordinating mechanisms could be established.

Although, Mr. Speaker, I would be reluctant to change the funding allocations now used, unless there were substantial changes in the fiscal management procedures, I do think the gentleman from Minnesota has raised an important question. I think it is long overdue for Congress to take a very close look at the way it establishes, funds, supervises, and controls those entities which are not directly subject to either House but which are not only charged to the budget of the legislative branch, but constitute a larger portion of that budget than the House and Senate combined.

Mr. Speaker, I think the gentleman has raised an important question that should be high on the agendas of the committees on which we each serve.

But, in all candor, I have little difficulty in separating House Concurrent Resolution 220 from that concern. The resolution presents little controversy in allowing Congress to discharge its responsibilities for the commemoration of this important anniversary, and it does so in a manner that fully protects the small Federal investment.●

Mr. PEPPER. Mr. Speaker, I yield back the balance of my time.

Mr. RHODES. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BENNETT). Pursuant to the provisions of House Resolution 277, the previous question is ordered on the concurrent resolution.

The question is on the concurrent resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RUSSO. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 344, nays 18, not voting 71, as follows:

[Roll No. 330]

YEAS—344

Addabbo	Brown (CO)	Derwinski
Akaka	Broyhill	Dickinson
Albosta	Burton, John	Dicks
Alexander	Butler	Dingell
Anderson	Campbell	Dixon
Andrews	Carman	Donnelly
Annunzio	Chappell	Dorgan
Anthony	Chappie	Dougherty
Applegate	Cheney	Dowdy
Aspin	Clausen	Downey
Atkinson	Clinger	Dwyer
Badham	Coats	Dymally
Bafalis	Coelho	Dyson
Bailey (MO)	Coleman	Eckart
Bailey (PA)	Collins (IL)	Edgar
Barnard	Collins (TX)	Edwards (CA)
Barnes	Conable	Edwards (OK)
Beilenson	Conte	Emery
Benedict	Conyers	English
Benjamin	Corcoran	Erdahl
Bennett	Coughlin	Erlenborn
Bereuter	Courter	Evans (DE)
Bethune	Coyne, James	Evans (GA)
Bevill	Coyne, William	Evans (IA)
Bingham	Craig	Evans (IN)
Blanchard	Crockett	Fary
Bliley	D'Amours	Fascell
Boggs	Daniel, Dan	Fazio
Boland	Daniel, R. W.	Fenwick
Boner	Danielson	Fiedler
Bonker	Dannemeyer	Findley
Bouquard	Daschle	Fithian
Breaux	Daub	Flippo
Brinkley	Davis	Foglietta
Brodhead	de la Garza	Ford (MI)
Brooks	Deckard	Ford (TN)
Broomfield	DeNardis	Forsythe
Brown (CA)	Derrick	Fountain

Fowler	Lowry (WA)	Roemer
Frank	Lujan	Rogers
Frenzel	Luken	Rosenthal
Frost	Lundine	Rostenkowski
Fuqua	Lungren	Roukema
Gaydos	Madigan	Roybal
Gejdenson	Markey	Russo
Gephardt	Marks	Sabo
Gibbons	Marriott	Savage
Gilman	Martin (IL)	Sawyer
Gingrich	Martin (NC)	Scheuer
Ginn	Martin (NY)	Schneider
Glickman	Matsui	Schroeder
Gonzalez	Mavroules	Seiberling
Goodling	Mazzoli	Sensenbrenner
Gore	McClory	Shamansky
Gradison	McCollum	Shannon
Gramm	McCurdy	Sharp
Green	McDade	Shaw
Gregg	McGrath	Shelby
Grisham	McHugh	Shuster
Guarini	McKinney	Skeen
Gunderson	Michel	Skelton
Hall, Ralph	Mikulski	Smith (IA)
Hall, Sam	Miller (CA)	Smith (NE)
Hamilton	Miller (OH)	Smith (NJ)
Hammerschmidt	Mineta	Smith (PA)
Hance	Minish	Snowe
Hansen (UT)	Mitchell (MD)	Snyder
Harkin	Mitchell (NY)	Spence
Hartnett	Moakley	St Germain
Hatcher	Molinari	Stangeland
Hawkins	Montgomery	Stark
Heckler	Moore	Staton
Hefner	Moorhead	Stenholm
Hendon	Morrison	Stratton
Hertel	Mottl	Studds
Hightower	Murphy	Stump
Hiler	Murtha	Swift
Holland	Napier	Synar
Hollenbeck	Natcher	Tauke
Hopkins	Neal	Tauzin
Hoyer	Nelligan	Taylor
Hubbard	Nelson	Thomas
Huckaby	Nichols	Traxler
Hughes	Nowak	Udall
Hunter	O'Brien	Vander Jagt
Hutto	Oakar	Vento
Hyde	Oberstar	Walgren
Ireland	Obey	Walker
Jacobs	Ottinger	Washington
Jeffords	Panetta	Watkins
Jeffries	Parris	Waxman
Jenkins	Pashayan	Weaver
Johnston	Patman	Weber (MN)
Jones (OK)	Patterson	Weiss
Jones (TN)	Pease	White
Kastenmeier	Pepper	Whitehurst
Kazen	Perkins	Whitley
Kemp	Petri	Whittaker
Kildee	Peyser	Whitten
Kogovsek	Pickle	Williams (MT)
Kramer	Porter	Winn
LaFalce	Price	Wirth
Lagomarsino	Pritchard	Wolf
Lantos	Pursell	Wolpe
Leach	Railsback	Wortley
Leath	Rangel	Wright
LeBoutillier	Rhodes	Wyden
Lee	Richmond	Yates
Lehman	Rinaldo	Yatron
Leland	Ritter	Young (AK)
Lent	Roberts (KS)	Young (FL)
Lewis	Roberts (SD)	Young (MO)
Loeffler	Robinson	Zablocki
Long (LA)	Rodino	Zeferetti
Lowery (CA)	Roe	

NAYS—18

Archer	Fields	Rousselot
Carney	Hansen (ID)	Shumway
Crane, Daniel	Holt	Siljander
Crane, Philip	Livingston	Smith (AL)
Dreier	Marlenee	Smith (OR)
Dunn	McDonald	Solomon

NOT VOTING—71

Ashbrook	Brown (OH)	Duncan
AuCoin	Burgener	Early
Beard	Burton, Phillip	Edwards (AL)
Bedell	Byron	Emerson
Biaggi	Chisholm	Ertel
Bolling	Clay	Ferraro
Bonior	Dellums	Fish
Bowen	Dornan	Florio
Foley	Mattox	Rudd
Garcia	McCloskey	Santini
Goldwater	McEwen	Schulze
Gray	Mica	Schumer
Hagedorn	Moffett	Simon
Hall (OH)	Mollohan	Solarz
Heftel	Myers	Stanton
Hillis	Oxley	Stokes
Horton	Paul	Trible
Howard	Quillen	Volkmer
Jones (NC)	Rahall	Wampler
Kindness	Ratchford	Weber (OH)
Latta	Regula	Williams (OH)
Levitas	Reuss	Wilson
Long (MD)	Rose	Wylie
Lott	Roth	

□ 1710

Mr. SILJANDER and Mr. MARLENEE changed their votes from "yea" to "nay."

Mr. FORD of Michigan changed his vote from "nay" to "yea."

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SENATOR STEVENS DESERVES GREAT CREDIT FOR SENATE EFFORT TO LIFT PAY CAP

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WOLF. Mr. Speaker, Senator TED STEVENS, chairman of the Senate Civil Service Subcommittee deserves great credit for the passage of the Stevens amendment to raise the cap on Federal executive salaries. This is the right thing to do, and I commend him for his courage and determination in sheparding his amendment through the Senate once again.

On November 18, 1981, the New York Times in its editorial indicated:

A decent raise would surely pay for itself in efficiency and morale. Federal executives deserve it, and so does the Nation.

On November 19, 1981, the Washington Post in its editorial indicated:

Early retirements among Federal executives in all agencies have reached such alarming proportions—over 95 percent of those newly eligible to retire are now doing so, compared with only 17 percent 5 years ago—that the General Accounting Office recently estimated that lifting the pay cap could actually save the Government money because of reduced pension costs. * * * it is time for Congress to release its federal hostages.

On November 20, 1981, the Wall Street Journal in its editorial indicated:

Today the Congress is face to face again with an issue it keeps trying to duck: raising the pay of top Federal officials. A House-Senate conference is going to consider an amendment to raise the pay cap from its present $50,000 level. It is hard to find an observer who will not agree that this should be done. * * *The conferees should do the right thing by the managers.

I urge my colleagues to support the Stevens language—it is right—and the time to act is now.

I include the editorials of the New York Times, the Washington Post, and the Wall Street Journal at this point in the RECORD.

[From the New York Times, Nov. 18, 1981]

THE TOP OFFICIALS NEED A RAISE

In the parlance of the moment, Congress ought to get off the back of senior Government officials. It needs once and for all to eliminate the link between their salaries and its own.

Increases in the top-level executive grades are urgent. Since 1977 the pay of the highest Federal officials has been raised 5.5 percent; other white-collar Federal employees meanwhile had raises that total 33.5 percent. That means more than 48,000 employees' pay has been leveled flat, eliminating distinctions between managers and those they manage.

That is no way to run a Government or hold superior talent. With executive pay now capped at $50,112 a year, senior managers are fleeing Federal service. Programs in health, education and space exploration seem typically hard hit. Whereas 15.5 percent of eligible executives retired in 1978, the current rate is above 90 percent. Replacing them is no easier than holding them.

The problem is rooted in politics. To camouflage its own pay raises, Congress over the years contrived to link its salary scales to those of the top people in the judicial and executive branches. But it also prohibited almost all of these officials from earning more than a member of Congress.

Now the cost of that folly is coming home. The legislators are embarrassed to raise their own pay while they cut most Federal budgets. And so some of the best talent in Government is deprived and driven away.

The House debate of the issue is not promising; it turns on a bill that would merely extend the cap for another year. The case for a fundamental change has never been stronger. But if that is rejected, Congress should at least provide some relief, by approving a proposal in the Senate to give senior executives an immediate 4.8 percent increase.

A decent raise would surely pay for itself in efficiency and morale. Federal executives deserve it, and so does the nation.

[From the Washington Post, Nov. 19, 1981]

FREE THE FEDERAL HOSTAGES

Congress has another chance today to do right by top federal officials. Sen. Ted Stevens, chairman of the civil service subcommittee, will be urging the Senate to raise the cap on federal executive salaries as part of the spending bill Congress must complete today to keep federal funds flowing.

We have heard from all sides that the problem of pay compression at the top levels of civilian and military pay is causing a massive loss of scarce talent. Pentagon officials are especially alarmed at the loss of technical and administrative personnel to high-paying defense contractors. Early retirements among federal executives in all agencies have reached such alarming proportions-over 95 percent of those newly elegible to retire are now doing so, compared with only 17 percent five years ago—that the General Accounting Office recently estimated that lifting the pay cap could actual-

ly save the government money because of reduced pension costs.

While other factors may contribute to this exodus, the pay cap must be a major contributor. Federal executives now earn only 5.5 percent more than they did five years ago. Over the same period, private-sector executive salaries rose 40 percent and cost-of-living adjustments pushed up federal pensions by 55 percent. For those who have stayed behind, the cap has caused severe management and morale problems. Pay increases at lower grade levels have forced more and more workers up against the pay ceiling. At the moment there is nothing beyond self-esteem to motivate workers to accept the added duties and pressures associated with a promotion within the top five civil service levels.

The Stevens amendment would not remove the pay cap entirely. It would, however, improve the competitiveness of top federal salaries somewhat and restore some incentive for promotion at the top grade levels. For several years now, Congress has held federal officials hostage to its own reluctance either to take the heat for raising congressional pay—to which federal pay is now tied—or allow federal executives to earn more than congressmen. Whatever the merits of a congressional pay raise—and there are many separate factors involved in that matter—it is time for Congress to release its federal hostages.

[From the Wall Street Journal, Nov. 20, 1981]

MANAGING THE DEMOCRACY

Today the Congress is face to face again with an issue it keeps trying to duck; raising the pay of top federal officials. A House-Senate conference is going to consider an amendment to raise the pay cap from its present $50,000 level. It is hard to find an observer who will not agree that this should be done. It is also quite possible that the congressional conferees will refuse to do it. The reasons say something about the limits on our ability to govern ourselves.

Some of the basic facts of the problem are plain enough. Since 1977, the pay of top federal officials has risen by 5.5 percent, while that of lower-level federal employees has gone up by 35.5 percent. The internal pay differentials, in other words, have been shrinking to insignificance. For high federal executives, who have skills salable on the outside, the gap between government and private salaries has been growing. Retirements among eligible top federal executives have increased to the point where it may actually be cheaper to raise their pay than to let them go and have to pay for both their replacements and their pensions at once.

Keeping the cap on at its present level is, in any event, not going to make a dent in the budget anywhere near large enough to justify the losses it will pretty surely continue to cause in the way of poor management. But Congress has so far failed to act. Why? Because at present these executive salaries and congressional salaries are pegged to one another's levels, and the Congress does not want to undergo the public embarrassment of raising its own pay.

So, you ask, why don't these understandably modest Congressmen simply break the executive salaries free of congressional pay and allow them to find a more appropriate level? Because the Congressmen really don't want to set loose the possibility that the managers will end up getting paid more than Congressmen.

You have here a bunch of Congressmen who are obviously incapable of talking about this issue except in the most inappropriate populist terms. If you're in a money-saving mood, they say, it has to come out of the hides of those who earn the most. If you're setting pay scales, the appointed bureaucracy cannot possibly be allowed to get more than the elected representatives of the people.

These are not very surprising arguments to hear in Washington, but they are truly lousy reasons for failing to take a patently sensible action like raising the pay cap. The conferees should do the right thing by the managers, and the rest of us should note the kind of simple-minded thinking about political rights and wrongs that gets us into this sort of mess.

TRIBUTE TO DR. FRANK S. ADAMO

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, Dr. Frank S. Adamo has served his fellow man in many different capacities during his long and distinguished career as a medical doctor. Because of this service he is being honored by the Hillsborough County Medical Association at a ceremony to take place on December 1 in Tampa, Fla.

Dr. Adamo distinguished himself as a member of the medical profession by his service to people in the Tampa Bay area prior to World War II. In 1940 he began his military career by joining the U.S. Army. When the Japanese attacked in 1941, Dr. Adamo was serving in the Philippine Islands and was immediately caught up in the terrible hostilities involving American and Philippine soldiers. During these days of adversity, Dr. Adamo rendered medical service, demonstrating his courage and skill in service to the sick and wounded during the conflict in the Philippine Islands. His service brought him distinction not only as an individual but as a medical doctor. He distinguished himself in the medical field by discovering and perfecting a new and innovative way to treat the wounded under extemely adverse circumstances. After his capture and internment by Japanese forces, Dr. Adamo continued administering to those who needed his service until the termination of the war. For this service he was awarded the Legion of Merit which reads as follows:

As Chief of the surgical service of General Hospital Number 2, on the Bataan Peninsula, Lieutenant Colonel Adamo, in spite of almost total lack of standard equipment and facilities, efficiently directed the surgical service and personally performed a large share of the surgical work with marked success.

Dr. Adamo returned to Tampa after the war to resume his medical practice and to be reunited with his wife and two daughters, Vivian and Mary Frances. He continued in the active practice of medicine until his recent retirement.

Dr. Adamo has always been respected and admired by those who know him, and he has been acclaimed by the citizens of Florida and of the Nation. It is appropriate that he be acclaimed and recognized by his fellow medical doctors on the occasion of December 1, 1981—almost 40 years after the outbreak of hostilities that marked our involvement in World War II. Dr. Frank S. Adamo, the Congress remembers what you have done for your country, its soldiers, and your fellow man. We thank you.

PERSONAL EXPLANATION

(Mr. PORTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PORTER. Mr. Speaker, it was necessary yesterday for me to be absent on rollcall No. 326 when the House was considering House Joint Resolution 349. At that time I was swearing in a new member of the Federal Maritime Commission, Mr. James Carey, and could not be present on the floor. Had I been present and voting, I would have voted in favor of the resolution.

I ask unanimous consent that this explanation be inserted in the permanent RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PERSONAL EXPLANATION

Mr. DENARDIS. Mr. Speaker, yesterday I was absent for rollcall No. 326 on House Joint Resolution 349, which is the resolution committing U.S. troops to the Sinai. Had I been here, I would have voted "yes." At the time I was at the Department of Transportation with constituents, visiting with the Federal Railway Administrator.

I ask unanimous consent that this explanation be inserted in the permanent RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

THE FEDERAL RESERVE BOARD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 60 minutes.

● Mr. GONZALEZ. Mr. Speaker, I continue, as I have twice before, on the subject leading to my introduction of two resolutions and three bills having to do in the case of one of the bills, the restructuring of the Federal Reserve Board; in the other, the elimination of the so-called Open Market

Committee; and in the case of the other, the actual elimination of the Board and placing it under the jurisdiction of the Department of the Treasury. And also two resolutions, one asking for the consideration of the impeachment of the Chairman of the Federal Reserve Board, and the other having to do with the Open Market Committee.

In the last discussion, I pointed out how necessary it is for us to understand the history involved in order to comprehend the precipice over which we hang suspended insofar as financial disaster is concerned.

□ 1720

Those businesses that are now bankrupt that were not at the time I started to discuss this issue, and particularly at the time that I introduced the resolutions, certainly they do not consider themselves to be suspended. They consider themselves to be right at the bottom of the pit. They are out of business. As a matter of fact, the way that small businesses are going out now, unquestionably will have to force the attention of not only this body, but the other on this level, on the congressional level, of a necessity, at this point nationally, it is still something that perhaps many can sleep on.

As I said the last time, there is an old Irish saying that goes to the effect that it is very easy to sleep on somebody else's wounds.

And I see that apprehension particularly because I find that everyone in and out of Congress seems to be under the impression that the limited resources of the FDIC, the Federal Deposit Insurance Corporation, and its counterpart, the Federal Saving and Loan Insurance Corporation, are sufficient to prevent what used to be called a monetary panic. And this is absolutely not true. We are not exempt from having the sorry and tragic experiences of the monetary panics of 1873, 1893, and 1907, and, as a matter of fact, as of the beginning of this autumn, and particularly after the meeting of the International Monetary Fund in September.

I am convinced, and I hope I am dead wrong, that it is inevitable that we have now set through happenstance in some cases and through design in others, all of those forces that I think now are irreversible and that we better be prepared and this is the reason I am rising to speak, because I am not only going into the extensive history of this to point out the reason I felt impelled to introduce this proposed legislation, but also the fears that I have as a member of the Banking Committee and the testimony that we have had all this year, from the regulators of the banking and savings institution industry.

From the very beginning of the origin of our Government as a national government, this question of banking and the methods that the Government will use to do its financing, the financing of the people, has been a question of most grievous concern. In fact, in the very first Congress, even though before in the Continental Congress we had the Bank of North America, but since the Continental Congress and particularly under the Articles of Confederation, were so weak there was a question about whether that Bank of North America was legal. So that a State bank in Pennsylvania had to be chartered to carry out those purposes.

But one the formality of the adoption of the Constitution came about, and the first Congress in 1792, and the need for the new government to show its strength by the assumption of the debts incurred during the Revolution, during the various and sundry States it found it necessary to provide for the legislation setting up the first Bank of the United States as it was called.

However, even then there was great dispute and so when the Congress debated the measure and passed it, there was very serious question about its constitutionality. So that President Washington appointed three men, James Madison, Thomas Jefferson, and Alexander Hamilton to give him an opinion on that first bank formation and they did.

And I recommend to my colleagues for reading—they read those opinions today. They are still timely in their own way.

President Washington, after great study, adopted the recommendation contained in Alexander Hamilton's report and so the first bank was created with a 20-year charter. It worked successfully and it expired in 1911. By 1916 the need for a bank of that nature, what we call central bank facilities today, was apparent. The second bank of the United States was formed. But when the attempt was made to renew its charter, in the early 1830's President Jackson vetoed that bill and therefore that second bank went out.

However, the reading of the history of that is very important. It became the biggest issue in the Presidential race of 1832. When he was reelected, then President Jackson withdrew all of the public moneys from that second bank and I am going to read to the Members the statement he made because if ever it was timely it is timely today, because the same thing is being said about these attempts to bring under control the Federal Reserve Board. Identical things.

Here is what President Jackson told his Cabinet:

It has been alleged by some as an objection to the removal of the deposits, that the bank has the power and in that event will have the disposition to destroy the state banks, employed by the government, and bring distress upon the country. It has been the fortune of the President to encounter dangers which were represented as equally alarming and he has seen them vanish before resolution and energy.

If indeed this corporation—the bank that is—now holds in its hands the happiness and prosperity of the American people, it is high time to take the alarm. If the despotism is upon us, and our only safety is in the mercy of the despot recent developments in relation to his designs and the means he employs show how necessary it is to shake it off.

The struggle can never come with less distress to the people of under more favorable auspices than at the present moment.

That is exactly, I think, what a second President Jackson would say today with relation to the Federal Reserve Board which indeed is a monetary despot. It has the whole fate of the country hanging in the balance right now and at this point I want to continue because by the time we came to 1912, because that second bank had failed, it was not until the National Currency Act of 1964 that an actual national banking system was set up and obviously by the turn of the century it was going to be proved just inadequate and the panic of 1907 confirmed.

In 1912, the House of Representatives, Mr. Speaker—not the Congress, not the House and the Senate—the House of Representatives appointed what later became known as the Pujo committee. This was a committee that, in 1912, was founded by virtue of a resolution passed in the House of Representatives on the concentration and control of money and credit.

□ 1730

The House directed the Committee on Banking and Currency, which I have had the honor to belong to in the 20 years I have been in the Congress, to investigate banking and currency with a view to necessary legislation.

It so happened that the subcommittee was headed by a gentleman by the name of Arsene J. Pujo and they investigated and came out with a report.

I ask that at this point in the record I insert an excerpt of that report into the RECORD.

THE CONCENTRATION OF CONTROL OF MONEY AND CREDIT

(Report of the Pujo Committee—1913)

SECTION 2—FACT OF INCREASING CONCENTRATION ADMITTED

The resources of the banks and trust companies of the city of New York on 1911 were $5,121,245,175, which is 21.73 percent of the total banking resources of the country as reported by the Comptroller of the Currency. This takes no account of the unknown resources of the great private banking houses whose affiliations to the New York financial institutions we are about to discuss.

That in recent years concentration of control of the banking resources and consequently of credit by the groups to which we will refer has grown apace in the city of New York is defended by some witnesses and regretted by others, but acknowledged by all to be a fact.

As appears from statistics compiled by accountants for the committee, in 1911, of the total resources of the banks and trust companies in New York City, the 20 largest held 42.97 percent; in 1906, the 20 largest held 38.24 percent of the total; in 1901, 34.07 percent.

SECTION 3—PROCESSES OF CONCENTRATION

This increased concentration of control of money and credit has been effected principally as follows:

First, through consolidations of competitive or potentially competitive banks and trust companies, which consolidations in turn have recently been brought under sympathetic management.

Second, through the same powerful interests becoming large stockholders in potentially competitive banks and trust companies. This is the simplest way of acquiring control, but since it requires the largest investment of capital, it is the least used, although the recent investments in that direction for that apparent purpose amount to tens of millions of dollars in present market values.

Third, through the confederation of potentially competitive banks and trust companies by means of the system of interlocking directorates.

Fourth, through the influence which the more powerful banking houses, banks, and trust companies have secured in the management of insurance companies, railroads, producing and trading corporations, and public utility corporations, by means of stockholdings, voting trusts, fiscal agency contracts, or representation upon their boards of directors, or through supplying the money requirements of railway, industrial, and public utilities corporations and thereby being enabled to participate in the determination of their financial and business policies.

Fifth, through partnership or joint account arrangements between a few of the leading banking houses, banks, and trust companies in the purchase of security issues of the great interstate corporations, accompanied by understandings of recent growth—sometimes called "banking ethics"—which have had the effect of effectually destroying competition between such banking houses, banks, and trust companies in the struggle for business or in the purchase and sale of large issues of such securities.

SECTION 4—AGENTS OF CONCENTRATION

It is a fair deduction from the testimony that the most active agents in forwarding and bringing about the concentration of control of money and credit through one or another of the processes above described have been and are—

J. P. Morgan & Co.

First National Bank of New York.

National City Bank of New York.

Lee, Higginson & Co., of Boston and New York.

Kidder, Peabody & Co., of Boston and New York.

Kuhn, Loeb & Co.

Combined Power of Morgan & Co., the First National, and National City Banks.—In earlier pages of the report the power of these three great banks was separately set forth. It is now appropriate to consider their combined power as one group.

First, as regards banking resources:

The resources of Morgan & Co. are unknown; its deposits are $163,000,000. The resources of the First National Bank are $150,000,000 and those of its appendage, the First Security Co., at a very low estimate, $35,000,000. The resources of the National City Bank are $274,000,000; those of its appendage, the National City Co., are unknown, through the capital of the latter is alone $10,000,000. Thus, leaving out of account the very considerable part which is unknown, the institutions composing this group have resources of upward of $632,000,000, aside from the vast individual resources of Messrs. Morgan, Baker, and Stillman.

Further, as heretofore shown, the members of this group, through stockholdings, voting trusts, interlocking directorates, and other relations, have become in some cases the absolutely dominant factor, in others the most important single factor, in the control of the following banks and trust companies in the city of New York:

[In thousands]

(a) Bankers Trust Co., resources	250,000
(b) Guaranty Trust Co., resources	232,000
(c) Astor Trust Co., resources	27,000
(d) National Bank of Commerce, resources	190,000
(e) Liberty National Bank, resources	29,000
(g) Chase National Bank, resources	150,000
(f) Farmers Loan & Trust Co., resources	135,000
In all, 7, with total resources of	968,000
Which, added to the known resources of members of the group themselves, makes	1,600,000
As the aggregate of known banking resources in the city of New York under their control or influence.	
If there be added also the resources of the Equitable Life Assurance Society controlled through stock ownership of J. P. Morgan	504,000
The amount becomes	2,104,000

Second, as regards the greater transportation systems.

(a) Adams Express Co.: Members of the group have two representatives in the directorate of this company.

(b) Anthracite coal carriers: With the exception of the Pennsylvania, the Reading, the Central of New Jersey (a majority of whose stock is owned by the Reading), the Lehigh Valley, the Delaware, Lackawanna & Western, the Erie (controlling the New York, Susquehanna & Western), and the New York, Ontario & Western, afford the only transportation outlets from the anthracite coal fields. As before stated, they transport 80 percent of the output moving from the mines and own and control 88 percent of the entire deposits. The Reading, as now organized, is the creation of a member of this banking group—Morgan & Co. One or more members of the group are stockholders in that system and have two representatives in its directorate; are stockholders of the Central of New Jersey and have four representatives in its directorate; are stockholders of the Lehigh Valley and have four representatives in its directorate; are stockholders of the Delaware, Lackawanna & Western and have nine representatives in its directorate; are stockholders of the Erie, and have four representatives in its directorate; have two representatives in the directorate of the New York, Ontario & Western; and have purchased or marketed practically all security issues made by these railroads in recent years.

(c) Atchison, Topeka & Sante Fe Railway: One or more members of the group are stockholders and have two representatives in the directorate of the company; and since 1907 have purchased or procured the marketing of its security issues to the amount of $107,244,000.

(d) Chesapeake & Ohio Railway: Members of the group have two directors in common with this company; and since 1907, in association with others, have purchased or procured the marketing of its security issues to the amount of $85,000,000.

(e) Chicago Great Western Railway: Members of the group absolutely control this system through a voting trust.

(f) Chicago, Milwaukee & St. Paul Railway: Members of the group have three directors or officers in common with this company, and since 1909, in association with others, have purchased or procured the marketing of its security issues to the amount of $112,000,000.

(g) Chicago & Northwestern Railway: Members of the group have three directors in common with this company, and since 1909, in association with others, have purchased or procured the marketing of its security issues to the amount of $31,250,000.

(h) Chicago, Rock Island & Pacific Railway: Members of the group have four directors in common with this company.

(i) Great Northern Railway: One or more members of the group are stockholders of and have marketed the only issue of bonds made by this company.

(j) International Mercantile Marine Co.: A member of the group organized this company, is a stockholder, dominates it through a voting trust, and markets its securities.

(k) New York Central Lines: One or more members of the group are stockholders and have four representatives in the directorate of the company, and since 1907 have purchased from or marketed for it and its principal subsidiaries security issues to the extent of $343,000,000, one member of the group being the company's sole fiscal agent.

(l) New York, New Haven & Hartford Railroad: One or more members of the group are stockholders and have three representatives in the directorate of the company, and since 1907 have purchased from or marketed for it and its principal subsidiaries security issues in excess of $150,000,000, one member of the group being the company's sole fiscal agent.

(m) Northern Pacific Railway: One member of the group organized this company and is its fiscal agent, and one or more members are stockholders and have six representatives in its directorate and three in its executive committee.

(n) Southern Railway: Through a voting trust, members of the group have absolutely controlled this company since its reorganization in 1894.

(o) Southern Pacific Co.: Until its separation from the Union Pacific, lately ordered by the Supreme Court of the United States, members of the group had three directors in common with this company.

(p) Union Pacific Railroad: Members of the group have three directors in common with this company.

Third, as regards the greater producing and trading corporations.

(a) Amalgamated Copper Co.: One member of the group took part in the organization of the company, still has one lead-

ing director in common with it, and markets its securities.

(b) American Can Co.: Members of the group have two directors in common with this company.

(c) J. L. Case Threshing Machine Co.: The president of one member of the group is a voting trustee of this company and the group also has one representative in its directorate and markets its securities.

(d) William Cramp Ship & Engine Building Co.: Members of the group absolutely control this company through a voting trust.

(e) General Electric Co.: A member of the group was one of the organizers of the company, is a stockholder, and has always had two representatives in its directorate and markets its securities.

(f) International Harvester Co.: A member of the group organized the company, named its directorate and the chairman of its finance committee, directed its management, through a voting trust, and markets its securities.

(g) Lackawanna Steel Co.: Members of the group have four directors in common with the company and, with associates, marketed its last issue of securities.

(h) Pullman Co.: The group has two representatives, Mr. Morgan and Mr. Baker, in the directorate of this company.

(i) United States Steel Corporation: A member of the group organized this company, named its directorate, and the chairman of its finance committee (which also has the powers of an executive committee) is its sole fiscal agent and a stockholder, and has always controlled its management.

Fourth, as regards the great public utility corporations.

(a) American Telephone and Telegraph Co.: One or more members of the group are stockholders, have three representatives in its directorate, and since 1906, with other associates, have marketed for it and its subsidiaries security issues in excess of $300,000,000.

(b) Chicago Elevated Railways: A member of the group has two officers or directors in common with the company, and in conjunction with others marketed for it in 1911 security issues amounting to $66,000,000.

(c) Consolidated Gas Co. of New York: Members of the group control this company through majority representation on its directorate.

(d) Hudson & Manhattan Railroad: One or more members of the group marketed and have large interests in the securities of this company, though its debt is now being adjusted by Kuhn, Loeb & Co.

(e) Interborough Rapid Transit Co. of New York: A member of the group is the banker of this company, and the group has agreed to market its impending bond issue of $170,000,000.

(f) Philadelphia Rapid Tansit Co.: Members of the group have two representatives in the directorate of this company.

(g) Western Union Telegraph Co.: Members of the group have seven representatives in the directorate of this company.

Summary of Directorships Held by These Members of the Group.—Exhibit 134-B . . . shows the combined directorships in the more important enterprises held by Morgan & Co., the First National Bank, the National City Bank, and the Bankers and Guaranty Trust Cos., which latter two, as previously shown, are absolutely controlled by Morgan & Co. through voting trusts. It appears there that firm members or directors of these institutions together hold:

One hundred and eighteen directorships in 34 banks and trust companies having total resources of $2,679,000,000 and total deposits of $1,983,000,000.

Thirty directorships in 10 insurance companies having total assets of $2,293,000,000.

One hundred and five directorships in 32 transportation systems having a total capitalization of $11,784,000,000 and a total mileage (excluding express companies and steamship lines) of 150,200.

Sixty-three directorships in 24 producing and trading corporations having a total capitalization of $3,339,000,000.

Twenty-five directorships in 12 public utility corporations having a total capitalization of $22,245,000,000.

In all, 341 directorships in 112 corporations having aggregate resources or capitalization of $22,245,000,000.

The members of the firm of J. P. Morgan & Co. held 72 directorships in 47 of the greater corporations: George F. Baker, chairman of the board, F. L. Hine, president, and George F. Baker, Jr., and C. D. Norton, vice-presidents, of the First National Bank of New York, hold 46 directorships in 37 of the greater corporations; and James Stillman, chairman of the board, Frank A. Vanderlip, president, and Samuel McRoberts, J. T. Talbert, W. A. Simonson, vice-presidents, of the National City Bank of New York, hold 32 directorships in 26 of the greater corporations; making in all for these members of the group 150 directorships in 110 of the greater corporations. . . .

This resulted in the 1913 Federal Reserve Board Act and today, of course, we are concerned, because we have a startling, awesome, troubling similarity.

DRASTIC CUTS TO THE ECONOMY OF THE NATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas Mr. (ALEXANDER) is recognized for 60 minutes.

Mr. ALEXANDER. Mr. Speaker, this week the House passed a continuing appropriations resolution which was acted on and sent to the other body. In effect, it contained provisions which were intended to fund the Federal Government for the balance of this fiscal year. Just last night, we are advised that the other body added 75 amendments to that continuing resolution (H.J. Res. 357). Since that time the House has appointed conferees that are meeting this hour with conferees from the other body in an attempt to resolve the differences which exist between the House and the other body.

In effect, what the other body has done is to make changes in the continuing appropriation for the balance of the fiscal year 1982, which will make some very dramatic and fundamental impact upon the economy at large.

Mr. Speaker, I think that it is important for the American people to know what these changes are, and we are prepared to discuss some of those changes at this time.

The appropriations that will result from an action by the House and the Senate will fund the operations of the Federal Government during the balance of this fiscal year. Those reductions which were made by the other body will dramatically impact upon the lives of those people who are dependent upon the Government, will impact upon those programs which this Congress has enacted that impact upon the lives of the American people.

All of the appropriations are extremely important, and at the top of the list are the appropriations for the Departments of Labor and Health, Education, and Welfare.

I see my good friend, the gentleman from Wisconsin (Mr. OBEY), who has arrived in the Chamber and has asked me to yield to him for the purpose of discussing those differences.

I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding.

I think it is important especially because most of the discussion in the public media has been on the aggregate issue involved.

I think it is important that we understand in somewhat more specific terms exactly what this approach to budgeting mean in specific terms. At NIH, which is the core agency for overseeing and leading most of the medical research in the country, you will see that we have in the Senate a suggestion of a $171 million reduction under the House bill. That means that for the National Cancer Institute, for instance, you will have a $40 million reduction.

We have been trying desperately to keep the number of new research grants at a decent level and yet if the Senate proposal passes, you will have $40 million less to provide research on one of the most dread diseases in the country.

I do not know how many Members saw this morning a story of a little boy who was about to leave this country with his parents to go to Moscow for an operation on his eyes because he is slowly losing his sight and there is no known cure for his disease here in the United States. We do not know whether the procedure which is performed in Moscow offers any hope for that little boy or not, but we do know there appears to be nothing that we know of here in this country that can deal with his problem.

Yet if you look at the budget recommendations of the Senate, you see that they are asking that we reduce the funding which was contained in the House bill for the Eye Institute by $5 million.

Now, for heart, lung, and blood disease, they are asking for a $34 million reduction. Again, we have made more progress in controlling cardiovascular disease than any other group of diseases in the country in recent years.

We are on the verge of really nailing down a good bit of information which is just starting to come through because of the years of emphasis in those areas. We are told we should drop $34 million from that item.

In vocational rehabilitation, they are suggesting for the State grant program that we have a $34 million reduction in that program. That means in real terms a drop in purchasing power for vocational rehabilitation of 12 percent, and for anyone who has bothered to talk in their districts with citizens who have had serious physical problems and need vocational rehabilitation, this is really a sad sight to see.

In youth employment training, they are suggesting that we accept a $208 million reduction from the House proposal. They are suggesting that we go from a base of $696 million down to a figure which is $208 million less than the House figure of $504 million. We would be over 50 percent below the amount we had in fiscal year 1981.

For community health centers, they are asking that we reduce $11 million from the House figure.

In fuel assistance, emergency fuel assistance, we had a wild storm which just went through the upper midwest today. It is continuing on to the eastern part of the country tonight. Last year we were at $1.85 billion for that. The House cut it by $50 million. The Senate has come in $216 million under the House. That means that there will be approximately 532,000 people who received help in 1981 who will receive no help under the Senate proposal. Forty-five percent of those people, 240,000 of them, are elderly.

In Head Start, the President made a grand announcement that he was asking for $950 million this year. The Senate is suggesting that we cut that to $912 million. That means because of the cost increases and recommended cuts in those programs we will lose 15,000 Head Start kids.

Take older workers programs like Green Thumb and Senior Aid; we debated a lot on this floor today about programs that affect senior citizens.

□ 1740

If we accept the Senate proposal, we will have to drop 2,200 workers 55 years of age or older from programs like Green Thumb and Senior Aid.

Elderly nutrition. If the Senate proposals are adopted, we will be dropping 25,000 meals a day at very minimal—25,000 meals a day.

I would like to bring again to the attention of the House an episode which occurred in our Appropriations Subcommittee a few weeks ago.

The Department of Labor came in, Secretary Donovan came in and suggested we ought to reduce the personnel for the Employment Service by 8,000 people. He suggested that would provide a savings of $120 million. I discovered that the Department of Labor has a document which indicates that if we accept the President's recommendations, we will experience a $1 billion overpayment problem next year because of money paid either to ineligibles for unemployment compensation or money paid in the wrong amounts to persons who are eligible.

Now, that $1 billion estimate is not my estimate. That is the estimate of the Department of Labor in a document which they now have, which they have refused to release to the House and which I will be asking the Appropriations Committee to subpena.

That means that if we accept the President's cut in that one area, which is contained in the continuing resolution, we will not save $120 million that is suggested. We will in actuality be experiencing a $1 billion increase in waste and fraud. And I hardly see how that makes the Senate package a very good deal for the American taxpayers.

Mr. ALEXANDER. It is difficult to place in focus and to understand the scope of what we are doing here in dealing with an enormous budget which purports to spend over $700 billion.

Now, there is a lot of rhetoric about saving money on the part of the administration when, in fact, I am advised, by these 75 amendments, even through they purport to reduce the amount of outlays which are intended by the House, that the amount of outlays are actually increased by the other body.

Now, we do not have the calculations from the various computer runs which give us a total sum, but how does the gentleman reconcile the dialog and the rhetoric of reducing the outlays for the Federal Government with the actuality and prospect that the other body is actually increasing the amount of funds which would be appropriated by the Federal Government over the House figures?

Mr. OBEY. I simply cannot answer that, unless someone is using doctored computer figures down at OMB again. It is obvious, if you take a look at a number of these items, we are not going to be saving money. We are going to be costing the taxpayer a good deal of money.

I would also suggest, as J. Richard Monroe, president of Time, Inc., brought to our attention last week, 1 out of every 6 of all American children, about 10 million of them, live in poverty; 1 out of every 6 children in the United States has no regular source of medical care; 1 out of 3 has never seen a dentist. Among black children, 2 out of 5 are poor. And yet we are focusing most of the cuts, again, on that portion of the budget that falls most heavily on the poor and that portion of the budget that provides the most by way of investment in the country's future.

I agree with Senator GARN, who observed the other day that it is unreasonable and unrealistic to expect that we can take another 12 percent out of programs which have already been reduced, when I would observe that there are programs that the President has left untouched and which certainly ought to be scrutinized as a number of our House committees did. Before we go to the same well a second time, we ought to go to the other well at least once.

Mr. ALEXANDER. I thank the gentleman for his contribution.

Mr. STOKES. Mr. Speaker, will the gentleman yield?

Mr. ALEXANDER. I yield to the gentleman from Ohio.

Mr. STOKES. I thank the gentleman for yielding.

Mr. Speaker, I would certainly like to commend the gentleman from Arkansas for taking this special order to give us an opportunity to discuss the differences between the House and the Senate bill. There are some significant differences. I would like to take just a few moments to point up a few.

The gentleman from Wisconsin (Mr. OBEY) and I happen to serve on the Labor, Health and Human Services, and Education Subcommittee on Appropriations. He has done an excellent job of pointing up some of the differences between the two bills.

I would like to go over the area of health, where I have a very special interest, and just point out some of the more salient differences that are not only significant but are going to make a tremendous impact upon the American people in our domestic side of the budget if the House side of the budget does not prevail.

For instance, in the area of community health centers, the House proposal is $258,750,000, the Senate has $243.9 million, a difference of $14.9 million. The House is requesting $14.9 million more than the Senate for these community health centers. Our amount will fund 710 projects and serve 4,360,000 people, as compared to 678 projects and 4,200,000 people under the Senate allotment.

Maternal and child health block grant, which is another very important area, the House is $9 million above the Senate figure of $340 million. The maternal and child health programs would allow comprehensive health services not only for pregnant women, but also for infants and school-age children.

In the area of the National Health Service Corps, the House is $52,000 above the Senate figure. These funds would enable the National Health Service Corps to achieve the administration's requested strength of 2,500 health providers in 1982.

We find a $10 million difference between the House and Senate figures in

the area of preventive health services block grant. The amount that was allowed by the House for the preventive health and health services block grant is an increase of $10 million over the Senate allowance. As Members know, this allowance is for grants to fund emergency medical services, health incentive grants, hypertension control, fluoridation, rodent control, home health services, health education, risk reduction, and services.

So here is another very important area where we find a $10 million difference between the House and Senate, with the House having the higher figure.

In the area of health maintenance organizations, HMO's, the House is $2,711,000 over the Senate figure. We find here that this reduction of technical assistance funding would reduce the level of technical assistance available for developing and operating HMO's by approximately 50 percent from what would be available under the budget request and the House action.

One area I am particularly concerned about, and hope that the House conferees will be able to prevail on is, of course, the financial distress area. The House proposal has $8.2 million, the Senate has $7.4 million, a difference of about $800,000. This is an area where the House allowed an increase over the Senate allowance and the President's request. These funds will support the four traditionally black schools—Tuskegee, Zavier, Mehary Medical, and dental schools.

□ 1750

Then, when we look at the curriculum development and conversion grants under the new special health initiatives program, we find the House with an appropriation of $1.8 million, and the Senate has made no provision in their bill here. These particular funds will support four grants to schools of podiatry, to improve the supply and distribution of podiatrists. It also approves a 1-year grant to More- house Medical School to assist in converting it from a 2-year medical school to a 4-year school.

Another area, of course, is that of mental health. The ADAMA block grant, the House has a figure of $485 million. Once again, we find the Senate below by $35 million. Their bill has only $450 million. These are the funds that provide for mental health service doctors for alcohol, drug abuse, mental health administration block grants. One of the particularly interesting areas where young people trying to get into school will be concerned is exceptional financial need scholarships, where the House has $6 million and the Senate only $5 million. Once again, it is $1 million below the House figure. The House allowed $6 million for the exceptional financial needs scholarship program, which is an increase of $1 million over the Senate allowance. The House action would provide for 380 scholarships as compared to only 317 provided by the Senate allowance.

Then, one last area I would refer to is that of health planning, which we know is so very, very important. In this area both the House and Senate, of course, have put in $50 million, but this area is so important because the funding appropriated at these levels for some 207 agencies will really not allow them to carry out their functions as stated by law.

This bill comes up for reauthorization in 1982, and of course is another one of the bills that has been targeted for elimination by the administration. So, I would just say to the gentleman in the well that there are some very serious and very substantitive differences between the House and Senate, and I think that Mr. OBEY and I have tried to point up some of those that come out of our subcommittee, which is a $86 billion bill that we spent several months on, and when we came to the floor of the House we were able to get that bill through in the House. It is one that we were all very, very proud of because, as BILL NATCHER always says, this is the people's bill, and those of us who happened to work in this subcommittee are very proud of these areas where we are able to appropriate to help people in the area of health and education and human services and welfare.

These are people who are really dependent upon Government and these are the kinds of programs that we often hear the Speaker speak of as the programs that the Democrats built over a period of 30 years for the American people.

Mr. ALEXANDER. I thank the gentleman for his valuable contribution, and I know of his concern for people, and I know very well that he has made a contribution in building all of these programs, and in fact, standing on the shoulders of those who have preceded him in order to help people more.

One of the people programs that I encounter a good deal of interest in and expressed concern about as I travel around the colleges and high schools throughout my congressional district is the student loan program. I have not heard anything said about the student loan program. I know that that is within the jurisdiction of the gentleman's committee. Does anyone, does the gentleman from Wisconsin know what the other body did to the student loan program which is a very important and vital program that this committee is very much concerned in?

Mr. OBEY. This Member is frankly unclear as to what the Senate has done on the guaranteed student loan program. But the intent of the subcommittee over there was to include the guaranteed student loan program at the administration level which, given the present interest rates, is far, far below a realistic number. It is also interesting that when you review the administration's concern about the cost of the guaranteed student loan program, to observe that more than three-quarters of the increase in the cost of that program has come simply because interest rates have increased. That means that it is the bankers who are collecting the money and are having to pay it out again because of the high interest rates, and it is not, as they would have us believe, students who are largely in default. Defaults under that loan program has come down a great deal. And as the gentleman indicates, there is no program that is more important to middle-class families in terms of sending their youngsters to school.

I would also point out that this year, on the Pell grants, the basic opportunity grant programs, the Senate proposal will require another 275,000 students be eliminated from that program in addition to those we have already eliminated because of cuts we have already made. If you take a look at title I of the Elementary and Secondary Education Act, we had already eliminated some 600,000 students from title I under past actions. The Senate proposal, as I understand it, would remove another 400,000 youngsters from title I participation which is, I believe, not the way we ought to be going.

Mr. ALEXANDER. Has the gentleman had access to any estimates on the percentage of reduction of the student population that is anticipated next fall as a result of these cuts that have been made? I have heard some varying estimates, but I wonder if the gentleman has heard any estimates?

Mr. OBEY. It is very difficult to tell. The problem is that, given the administration's unemployment situation, there will be an even greater demand placed on universities by young people who are seeking admission to the universities because they have concluded that, given the condition of the job market, they cannot find a good job, and they want to add skills and training to their background. And yet, with the guaranteed student loan opportunity shrinking, the basic opportunity grant program, with the elimination of thousands of shrinking, students from the work-study program, they are being caught in a crunch on both ends.

The administration admits there are going to be 1 million more people out of jobs, looking for work. A lot of those are going to be young people. They are not going to be able to get into universities or vocational or technical schools because they do not have the financial assistance available. I assume the administration has an easy

answer for that one, but I have not been able to find it.

Mr. ALEXANDER. I had occasion not too long ago to confer with a young constituent who had just gone into business last year that caters to students, and his business is entirely dependent upon the volume of students being maintained, that he has justified his gamble for going into private business. Would the gentleman have any advice as to the amount of reduction in students that he might expect? Is there any general figure, such as 10 or 20 percent fewer freshmen in some institutions that depend upon the student loan program?

In one of my colleges I know that over 65 percent of the students that attend this particular university receive some type of Federal student loan which enables them to attend that institution. What estimates does the gentleman have that might be of some advice and guidance to this particular businessman in planning his inventory and his actions for the ensuing year?

Mr. OBEY. I have heard estimates that range all the way up to 15 percent of those students who have been planning to attend schools, who would not be planning to attend through a combination of either decreased access, increased costs, or increased unemployment for family breadwinners. The cost of receiving an education just in 1 year's time at the average university in this country has gone up 13 percent. If you take the combination of increased costs and decreased opportunity because of student aid programs, more unemployment pressures on parents, which means they have less to contribute, it could mean a large number, but I do not really have an honest estimate. I doubt that OMB has either. I would like to cite my own personal example. My father lost his job the day I went away to college. I had been kind of counting on his having that job in order to get at least some help in going to the university.

□ 1800

It is a shock to a family to discover, when they are counting on that income, that the major breadwinner in the family is now out of work. There are going to be a lot of young people whose father or mother, depending on who the major breadwinner in the family is, will lose their jobs if the administration's economic predictions are correct. And if we do have increased unemployment, what we ought to be doing is increasing the educational opportunity available for people, not decreasing it at the same time.

If the administration's numbers were consistent, given rising unemployment figures, they certainly should be providing more in the way of student loans, for instance, to students of those families that do experience hardships because of the loss of income so they will have somewhere to turn in order to put their youngsters through college.

Mr. LOWRY of Washington. Mr. Speaker, will the gentleman yield?

Mr. ALEXANDER. I yield to the gentleman from Washington.

Mr. LOWRY of Washington. Mr. Speaker, I thank the gentleman in the well for yielding, and I would also compliment him on this complete explanation of what is going on now in this all-important conference.

As I was listening to the gentleman from Wisconsin (Mr. OBEY), I was thinking of the remarks he made last night that I thought were so apropos and so excellent about how, when we can have an understanding of the financial investment and financial capital necessary in building the productivity of this Nation, we could have such a small understanding of the people that are necessary to be available in the building of this Nation and increasing productivity.

For example, there are about 60,000 unfilled machinists' jobs in this Nation right now. If we had the skilled people, those people could be performing those jobs to increase the productivity that we all need.

When we put this massive increase in the defense budget to make these technological advances in the defense sector, how do we do that when we do not have the skilled labor necessary to do the job, and how do we do that when we do not have the physicists, the engineers, and the managers by which to run those programs?

As I was sitting here listening to this very important discussion, that came back to my memory after watching the gentleman from Wisconsin (Mr. OBEY) last night.

It is so important that in this conference the House does prevail on these important differences between what is a human, a people approach to rebuilding this economy and the approach presented by the other body.

Mr. Speaker, I thank the gentleman from Arkansas (Mr. ALEXANDER) for his leadership and for giving us this opportunity to make these points.

Mr. ALEXANDER. Mr. Speaker, I thank the gentleman from Washington (Mr. LOWRY) for his contribution.

Does the gentleman from Wisconsin (Mr. OBEY) wish to respond?

Mr. OBEY. Yes, Mr. Speaker. Will the gentleman yield?

Mr. ALEXANDER. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I would just like to repeat another set of numbers which I used last night. I mentioned last night that most of us in this Chamber—all of us, I guess—are old enough to remember when the Russians sent sputnik up around the globe. I remember the cry that went out, "We have to increase our emphasis on education, on mathematics, on science." In the 25 years since sputnik, the percentage of our national income which has been put into basic science research has dropped by 20 percent. Meanwhile, as to the percentage in Japan, that figure has gone up by 40 percent, in France it has gone up by 30 percent, and in Germany it has gone up by 20 percent.

I would suggest that that has a whole lot to do with our inability to compete in world markets today. And yet this administration in this budget, which it and the other body are asking us to adopt, will reduce overall basic scientific R. & D. in NSF, in the Education Department, in the Agriculture Department, and in the Energy Department by 13 percent below last year's base, which puts us in an even weaker position to compete economically and scientifically than we were in last year.

Mr. Speaker, we are not going to remain No. 1 in some very critical scientific areas if we do not turn those numbers around.

Mr. ALEXANDER. Of course, Mr. Speaker, the joint resolution for continuing appropriations for fiscal year 1982 goes far beyond the matters that we have already discussed: labor, health, education, and matters of productivity. It also includes agriculture and those programs that are embraced within those sections of the resolution that deal with programs that are important to farmers.

I see my good friend and colleague, the gentleman from Arkansas (Mr. ANTHONY), who has just completed a tour of his congressional district, standing and seeking recognition, so I yield to the gentleman from Arkansas.

Mr. ANTHONY. Mr. Speaker, I thank my colleague for yielding.

I have been listening to the discussion about other programs that are being cut, and the comment was made that these were people programs. I just want us to know that it takes people to operate this machinery, and it also takes people to operate the farms.

I would just like to talk to my colleague in the well for a minute about what may be in store for agriculture. I would like to read first a letter that I just received today from one of the more prominent farmers in my area, and then I would like to discuss a telephone call that I had with two of the farmers who are also very prominent in my district and point out some of the concerns they have expressed to me. Then I would just like to ask a question of the gentleman in the well as to whether or not there is any hope in the continuing resolution or even in the farm bill for those farmers.

George L. Pugh is a farmer from Portland, Ark., and he wrote me this letter. I will read the first paragraph because he does say some nice things to me. He wrote this:

DEAR BERYL: I appreciate the stand you have taken in agriculture for the last few years, and I feel you have done an excellent job of representing the Arkansas farmer.

This is the most critical part of the letter, and I say to my colleagues who are trying to decide on the farm bill in conference that I hope they will listen to this also:

This letter is simply to tell you that never in the last twenty-three years have I seen the agricultural economy in the shape we are in at the present. 1980 was a drought year with emergency loan baling out 75 percent of the farmers. 1981 was an average year overall in production, but high interest rates and devastating low prices have put Arkansas agriculture deep in debt. There is no way local financial institutions can approach and help these people.

We all want government out of agriculture. We all want free markets, but the problems that have been created are things farmers have little control over. Agriculture is all small towns like Portland have to look to for the future.

I might point out that Portland is a town of less than 500 population. The letter continues:

The only quick solution to our problem is a short term mandatory acreage reduction. Rice, soybeans, cotton, and corn are priced below cost of production. I support a short term mandatory 10 percent acreage reduction, for the Arkansas farmer can no longer plant and hope. Cotton that brought 75-80 cents in 1980 is selling in today's inflated market at 58 cents simply because the farmer is efficient!

We appreciate your help, and I hope you will discuss with the Secretary of Agriculture an acreage control solution.

Mr. Speaker, I know that my colleague in the well represents a farming community, and it is somewhat alarming when we hear farmers talking about mandated Federal Government acreage control. I think that shows us how serious the problem is.

Before I defer to the gentleman in the well for a response, I would just like to repeat a telephone call that I had with another gentleman, a farmer. He is 44 years old. He says that he has been farming since he was old enough to tie his shoes. He says that conditions are the worst that he has ever seen them.

He said that with cotton production return to break even set at 95 cents by the USDA, he sold his crop for 58 cents, and he said he is getting $160 per bale less. He owns a large farm. He is making $300,000 less. He pays no rent, he has a small indebtedness on the land, he has good equity, and he is just barely going to break even.

But, he said, he has been renting to a gentleman for 35 years. His family has been renting to this other farmer for 35 years 120 acres. He is going to make 95 bales, and he is going to sell at 58 cents. He has two sons in their midtwenties, and he said this year they are selling out. He said they own 80 acres that they also farm, but he is going to put that on the auction block. He is going to get about $2,000 per acre. He hopes to pay his bank off, he hopes to clear his house, and he said he probably will not be able to pay the Farmers Home Loan Association but perhaps they will give him a forbearance on it.

He said that with his wife working and with him going to a factory job, maybe they can make it.

This gentleman also talked about acreage controls. But, more importantly, both these farmers are representing a cross section of farmers who are asking, what is the Federal Government going to do to help the farmer in 1981.

□ 1810

My response has been that the other body's agricultural policy was a blueprint for disaster. We have an administration worried more about dollars than they are about policy. I have told them that there is not much they can look to as far as Government relief is concerned.

Does the gentleman see anything in the continuing resolution that could help these farmers?

Mr. ALEXANDER. I have here an analysis which compares the reductions that were made by the other body in the agricultural part of the continuing appropriations bill. I know from the experience that I have had that not only is that bill important to farmers, it is also important to everyone else who lives in small towns and rural communities in the countryside of this great land. I know that one of the very fundamental industries that affects the lives of every American living in smalltown America is the rural housing program. I just see a quick reference here that the other body has reduced the rural housing program by over $32 million. And I know, having served on the Appropriations Committee that deals with that subject, that it was already at a rockbottom figure.

I talked to a lifelong friend of mine just this week on the question of housing in small towns. He was telling me that he has only been able to build two houses in 1981, two houses, and, because of high interest rates brought upon by the monetary and fiscal policies of this administration, he has not been able to sell either one of those houses. He wants to know how he can plan for next year. The other body has not helped him in his planning. It has not provided him with the prospect of a better year that all of us want in this great land which is the American dream. All of us want a little better dream next year than we had this year or last year.

If we go into some of the other programs in the appropriations bill for agriculture I see that the water and sewer grant program has been reduced by more than $500 million. The small business and industrial loan program, the program that provides opportunities for young and old Americans alike that cannot receive credit at the bank to go to the Farmers Home Administration, the Business and Industrial Loan Division, and obtain a loan in order that they might start a business, that they might go into business for themselves and experience free enterprise that is so much a part of our great Nation—the other body has reduced that program by over $12 million. I know it was at a rockbottom level when it passed through the House.

I see that the rural community fire protection programs have been reduced. There are reductions in virtually every category of the Agriculture Department. The REA is reduced.

I see one of the best friends of the American farmer has come into the Chamber, a gentleman who is not associated with farmers but who is associated with representing the American people and who is as big a friend of the farmer as anyone else, the Speaker of the House, the gentleman from Massachusetts (Mr. O'NEILL).

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. ALEXANDER. I yield to the gentleman from Massachusetts.

Mr. O'NEILL. I thank the gentleman from Arkansas. I am delighted he has recognized me and yielded to me.

I have listened here with a great deal of interest to the dialog between the gentleman and his colleagues from Arkansas about the problems of the farmer. It is true that I am from a metropolitan area.

Some years ago, as a Member of Congress, I went out to South Dakota for 5 days. The purpose of that trip was for an urban Congressman to find out about the life of a farmer. Here we annually have the agriculture authorizations and appropriation bills, and I truly did not know the life of a farmer. I stayed at different farm houses 5 nights in a row, and one of my boys was with me, my son Christopher. We got an understanding and an appreciation of the farmer of America.

I wonder if America truly appreciates the debt of gratitude we owe the farmer and how hard the farmer works, getting up on that farm early in the morning to take care of the crops, to take care of the milking, and has a long day into the evening. It is a cruel, hard life, and we really owe the farmer an obligation.

I have tried with any legislation that has come through during the year to make sure that they get the benefit of my vote. As I say, they get the benefit of my vote, yet what does the farmer mean to me? We produce wire in my

area, and more wire is used on the farms of America than any other place in America. We manufacture rope. Other than the truckers, the farmers use more rope than anybody but the truckers. We make chocolate. Probably 25,000 people are in the confectionary business. It is the farmer that munches that chocolate and candybar that puts so many people to work in my area. So we have something mutual.

When they are cutting the programs that affect the farmer, and we are from an urban area, we, too, are concerned, because when you hurt one segment of America you hurt every segment of America.

The truth of the matter is that people scarcely know what this debate is all about. They see the headlines that the Government may stop. They read the figure as 4 percent or 5 percent, or the President wants a $16 billion cut, or a $6 billion cut, and now it could possibly be down to a $3 billion cut.

Believe me, it is not figures and, believe me, it is not numbers; believe me, it is not the budget. We are talking about people. That is what this debate is all about, people.

Reference was made today in a colloquy on the floor when we were speaking of the great President Roosevelt, and I remember during the days of the 1930's when we were in the darkness of the worst depression in the history of the world, when 25 percent of America was unemployed and 51 percent was impoverished. We have changed this through the years. America had 25 or 30 years of the greatest affluency any nation in the world ever had.

All of a sudden they want to change the fiscal responsibility and problems of this country, and they have done it. What has happened? We have more unemployment now than we have had since the days of the 1930's. We are at 8.3 percent, or expect to be before the end of the week. God forbid that this country would ever go to 25 percent again. The automobile industry, one of the bulwarks of making this Nation run economically, has had less sales in the last quarter than there has been for 24 years. Automobiles, along with housing starts, that is what keeps America moving, and what has happened there? We have less housing starts than there were in the 1930's when we were in the highest.

So it looks bad out there. But, on top of that, we have cut the budget so much, and now it comes to these figures. These figures represent people.

Already, according to the Wall Street Journal today, we have cut this year $6 billion out of training programs, out of job programs, out of summer job programs. The bill that was sent over from the other body, it is my understanding, they want to cut another $600 million. These are in programs for the elderly, programs for the handicapped, and programs of nutrition. But what we are interested in is that the elderly in the twilight of their lives, the career person who has made this country great, does not have to suffer.

Some agree it is a philosophical battle that is going on over there. It is not a battle of the budget, but it is a battle of the needy in America. You are standing here today and your colleagues are standing here today expressing your views because you want America to understand what is going on because truly America has care and concern. It is already showing in the newspapers and the polls as we see them show that people were 93 to 7 saying that we should not balance the budget at the expense of those that are on social security. They were 69 to 30-odd, or 65 to 30-odd, or 67 to 30-odd, with regards to whether we have gone too far in the nutrition cuts. We have gone too far on cutting of foster home programs.

Yet the budget that was sent over here today wants us to cut an extra $1 billion.

It is a question of people; it is not a question of figures.

I want to commend the gentleman and I want to thank the gentleman for bringing all of these people here to have a dialog on this great issue that is facing America today.

Mr. ALEXANDER. I thank the Speaker very much.

The Speaker asked a moment ago what it meant to the farmers for their programs to be cut and I would like to answer the question the Speaker asked.

□ 1820

So far as every American citizen who is living in a home, which home is provided with energy that is furnished by the REA, the Rural Electrification Association, their bills will go up next year, their energy bills will go up next year, maybe not because of the increase in the cost of energy, but because of the increase in the cost of money that is imposed upon them by reducing the loan program in the REA by this administration and by the other body.

When the light bills go up across America next year, it is because of the actions of this administration and the other body in reducing the REA loan program that will cause those independent REA's across this land to go to the private money market in New York and pay the exorbitant interest rates that are required in order to fund the operations of those REA's across this great land.

I know that the gentleman who is standing now is a friend of rural America. Not too long ago I had the opportunity to travel to his district with him, to McAlester, Okla., and to speak at a rural development meeting that he had assembled there, and it was a great experience for me and a wonderful opportunity that I had to get to know his people. I know the people of southeast Oklahoma love this gentleman, the gentleman from Oklahoma (Mr. WATKINS), to whom I yield at this time.

Mr. WATKINS. I thank my friend and colleague, the gentleman from Arkansas, for yielding. I do appreciate him coming to Oklahoma at that rural development conference I had there and listening to the concerns and the heartaches and the pains of a lot of farm and agricultural and rural people concerning the problems they are having.

I want to address the Speaker of the House, who just so eloquently said some remarks concerning rural America. Mr. Speaker, right before coming over to make these remarks, a fellow named Frank Wingfield, from Bryan County, down by Durant, Okla., my boyhood home, a county where I grew up on a little peanut and cattle operation, called me. I returned the call to Frank and visited with him. He said, "Wes, they are foreclosing."

Mr. Speaker, I will tell you how serious the situation is with this administration. The Farmers Home Administration has been directed to become a foreclosure agency instead of a loan agency. Farmers across this great land of ours have been told by Farmers Home Administration, "You have got to pay up now or we foreclose."

Now, at a time when they lost money last year because of a drought, and this year, in many of the areas of my district, from floods, they go in to try to renew or to refinance their farm loans, and they are told, "We cannot finance you anymore because we are ranked on a scale of 1 to 5," because they have been called in by this administration and told by the National Farm Home office that "You are ranked on a scale of 1 to 5, and if you do not improve your collections, your foreclosures, then you are going to lose your ranking and maybe even your job."

Now, the State Farm Home man, I have called him, they are county supervisors, and they said, "You are going to be ranked on a scale of 1 to 5 on how much you collect out there," at this time of crucial financing, at a time when there is less equity in the land. As the gentleman from Arkansas well knows, the farmer has been financing his operation in the past on the equity of his land, the value of his land. He has not been making a profit. But now they are saying, as Mr. Wingfield, my friend from the home county where I grew up, said, "They have said to me they are going to foreclose." I

said to Mr. Wingfield, "I will do whatever I can."

Why are they going to foreclose? Mr. Speaker, in the past, the farmers had emergency loans. That has been cut out by this administration. The farmer who goes to the Farm Home office will find no emergency loan money to assist him. Why will he be hurt? Mr. Speaker, there used to be disaster loans under the Farmers Home Administration. But under this administration, all disaster money has been stricken from the Farmers Home Administration. Not only that, they said, "You are going to have to take Federal crop insurance that you are going to have to pay yourself, and under the insurance program you are only going to be remitted only about 20 percent of your loss."

So the farmer looks at the situation, and he cannot afford to pay the insurance premium. So he cannot ever afford to take that insurance out in many of the farm communities in this area.

Not only that, Mr. Speaker, but the farm operating loans have been cut over 50 percent and the farmer ownership loans, the ownership of the new farmers, the young farmers trying to get started, has nearly been cut out.

That is what we are faced with in rural America. At a time when there is no farm credit out there and a farmer tries to refinance, he finds when he walks in the the Farm Home office that he is being turned down.

I would like to talk about one other thing, if the gentleman from Arkansas will allow me a couple more moments, and that is rural housing. Before I came to the Congress, I was a homebuilder, I was a homebuilder in rural America. I built homes over about a five- or six-county area because the small community where I lived could not afford that many homes.

Mr. Speaker, in rural America 50 percent of the counties do not have a savings and loan. There is no conventional, private financing out there in rural America for that little family to be able to finance a home. There are no savings and loans out there. In over 85 percent of the counties in this United States they do not have a mortgage banker. A mortgage banker is one who handles insured mortgage under FHA-HUD.

So what does that mean? It means discrimination against the farm people, the rural people in small towns. They cannot find the financing to even get a home, let alone, even, being confronted with high interest rates, as your individual from Arkansas said, Mr. ALEXANDER, that he only built two.

I mention these things because in rural America there are over 2 million families out there today, 2 million who do not even have running water in their homes. Two-thirds of the dilapidated housing in America happens to be located in rural America. Mr. Cavanaugh, the Farm Home Director, the National Administrator, last year said to me, in front of my committee, that they had a backlog of 350,000 applications of rural families wanting to have a home. Two thirds of the dilapidated housing is in rural America. Two million of the homes do not even have running water. Talk about ghetto. I know when I was a boy and I went to California in the old Okie-Arkie movement, I thought I was moving uptown because we moved into a place in Oakland, Calif., that was called a ghetto but they had running water.

I mention these things because, as we try to build rural America, I find that water and sewer loans have been cut over 60 percent, and EPA has said that you no longer make water and sewer loans in rural America.

What do we do in rural America? Are we second-class citizens?

I find, as I work to try to build jobs, needed jobs, to hold our young people in rural America, that the business-industrial loans have been cut from $741 million down to $288 million, an additional $12 million from the Senate bill, as we try to build jobs, as people outmigrate out of rural America.

In my area, every county I represent, 50 percent of the people have out-migrated in the last 50 years. And, Mr. Speaker, in two of the counties I represent, 68 percent of the people have left during the last 50 years.

□ 1830

Why? In a search for a job. In a search for a job. But, Mr. Speaker, by far the greatest majority of them have said they would like to come home if they could only find a job within commuting distance of where they grew up as a boy or girl.

As we work on this budget and try to pare back and try to shape a program, all I ask for in a budget, the Federal budget, as I look at the Senate figures, I do not find the fairness and equity that is deserving of the people in rural America.

I would like to commend my friend and colleague for his interest and concern and commitment to the people in rural America by having this special order tonight so that we can discuss some of these programs that have been cut out completely and are leaving our people hopeless out in rural America.

Mr. ALEXANDER. I thank the gentleman for his comments and for his dedication to all Americans and not only to those who he represents in southeast Oklahoma, because I know that the gentleman is working, trying to build a district and to build a rural America where people can return to their homeland so that they can have a future for themselves and provide opportunities for their children and for their grandchildren. One of the agencies, in addition to the Farmers Home Administration, that has worked I think with great achievement and success over the past decade to provide economic opportunities and to provide jobs for those people in small towns and large cities alike, is the Economic Development Administration.

What does this administration wish to do with the Economic Development Administration? In the words of Mr. Stockman, the Director of the Office of Management and Budget, they wish to zero out the Economic Development Administration.

In my judgment the EDA should be commended. It should be congratulated, it should not be zeroed out, it should not be canceled. It should not be abolished and sent off to oblivion. Thousands of people who work for the Economic Development Administration are likewise committed to building this country. They are likewise committed to providing job opportunities for Americans all across this great land, and I know that the gentleman from Minnesota (Mr. OBERSTAR) has worked hammer and tongue with the EDA through these years. First as a member of the staff of the Public Works Committee and later as a Member of Congress.

ECONOMIC DEVELOPMENT ADMINISTRATION

The SPEAKER pro tempore. Under a previous order of the House, the gentlemen from Wisconsin (Mr. OBEY) is recognized for 60 minutes.

Mr. OBEY. Mr. Speaker, I yield to the gentleman from Minnesota (Mr. OBERSTAR) so that he might continue the remarks he was going to make when the gentleman from Arkansas (Mr. ALEXANDER) ran out of time.

Mr. OBERSTAR. I thank the gentleman.

I thank the gentleman from Arkansas for his perception of the role of EDA and want to commend him for the tremendous effort that he has made persistently in the Appropriations Subcommittee on which he serves hammering away day after day on the successful role of EDA creating jobs, particularly in rural America, but elsewhere.

Mr. Speaker, I rise in great consternation over this continuing resolution and the provision that it has, the utter arrogance in assuming unto itself, which the other body does, power over the Economic Development Administration programs.

I note in the report of the subcommittee in the other body a reference to a savings of $53 million in the Senate bill below the House bill on the Commerce, Justice, State, Judiciary appropriations bill, a $53 million reduction.

They cut EDA $149,500,000. They took $149,500,000 out of EDA's hide. They sprinkled some of it around to some other agencies, and they came up with a $53 million savings.

But that is not all. I find it very difficult to determine what, if anything, the Senate means by their language in this continuing resolution as it refers to EDA.

Since the beginning of this year, this body and the other body, have gone on record in support of the programs of the Economic Development Administration. Both bodies have mandated a level of funding for EDA that is higher than that proposed in the bill of the other body.

The first budget resolution that this body passed and was ultimately accepted by both Houses of Congress, provided $360 million for EDA in fiscal year 1982.

Then the House Appropriations Committee came back with an appropriation of $315 million that passed this body overwhelmingly without a question on this floor.

Then in the reconciliation bill, both the House and the Senate came to an agreement on an authorization level for EDA programs of $290 million. That came back in the conference report and was not questioned. That was signed into law by the President.

Now along comes the Appropriations Committee in the other body and in total derogation of the will of both Houses of Congress, total derogation of the President who signed it into law, just cut and slashed in total disregard of the will of Congress.

Now, as I read it, it may be $139 million that the other body is providing for EDA and it may be $226 million if we are allowed to use the revolving funds out of the 203 section of EDA, but if not, and it is not very clear in their language, then we would have only $144 million in new appropriated funds.

Now, the bill dealing with the appropriations for EDA has not even passed the Senate and yet in the continuing resolution they presume to set a level of spending for EDA lower than that which has already passed the House, which is a level which has been only approved in committee, but has not passed that body.

That is just the height of arrogance of power.

Now, a message that has been delivered time and time again is that the Economic Development Administration program has succeeded.

In the hearings that we held in the Subcommittee on Economic Development, which I had the privilege to chair, we found earlier this year, back in March, after 3 days of hearings, 27 hours of testimony, witnesses from all over the country, those who were for and those against, that in the 15 years of the EDA program the Federal Government has invested $4,700,000 to generate 1½ million jobs, new jobs, direct jobs that are there, real now, working, creating each year, generating $6½ billion in Federal, State, and local taxes, a program that each year pays for itself, for its whole 15-year existence.

Now, what do they come back and do in this appropriations bill in the other body? All planning money for economic development districts throughout the country would be stopped. More than 200 local economic development districts would be terminated.

The Senate bill provides no planning money whatsoever. The House bill provides $2½ million in planning for economic development districts. There would be no new projects in public works, in planning, or loans, or technical assistance.

None of those would be funded because the other body has chosen to fund only those projects which are in the so-called pipeline, already in effect approved by the agency.

Now, after a yearlong battle of testimony in the Subcommittee on Economic Development of the House Public Works and Transportation Committee, testimony in the subcommittee on State, Justice, Commerce appropriations, which repeatedly and over and over again showed the worth, the value, and the success and the effectiveness of these programs in creating jobs, and a commitment by this administration to carry forth with the programs of EDA by the signature of the President, of that reconciliation bill into law, and the assurance that was given on a bipartisan basis, on both sides of the aisle of this body, you would think that they would have the sense of responsibility to carry forth, carry through with those assurances.

Yet, this bill represents strictly a closed down phaseout EDA position, since no new projects would be allowed, and development districts would be terminated by the end of the year—those districts that provide the expertise for planning.

For heaven's sake, even if they do not want to provide the funds for projects they would at least allow the local government units, who want to do some planning for the future, to take charge of their own destiny, at least give them the funds to keep a staff on hand to figure out how they were going to be innovative—as this administration is so fond of saying—innovative in planning for their own future; that is, do it without money.

□ 1840

At least the EDA program ought to be given that lease on life which this body has said it should have, which the facts, which the history and the record says it should have, but now those assurances that were given in the past are apparently meaningless; so I call upon our conferees in the House-Senate conference on the continuing resolution bill to reject the proposals of the other body. They are totally in derogation of the will of this body. They totally reject the assurances given by the administration, assurances that have been received in good faith by Members of this body to continue the programs of the EDA and allow the legislative process to review the programs of EDA in the future and decide upon a new course of action and whether we should have that program continue in its present or in some future state.

So I thank the gentleman for the opportunity for allowing me to make this statement, which I make with a great deal of enthusiasm, because I believe in the programs to which I am addressing myself.

Mr. OBEY. Mr. Speaker, I thank the gentleman for his comments. As the gentleman knows, we share the Lake Superior area together. We have adjoining districts on Lake Superior. We have held a number of joint hearings on the impact on local governments of reductions in and cutbacks for EDA.

I must say that reviewing the census numbers, the 1980 census versus 1970 and 1960, one pattern is extemely clear. In areas like my district where we had the job flight, which was mentioned by the gentleman from Oklahoma earlier, in areas like that the principal government agency that had the most to do with turning the economy of those areas around has been EDA. That is the agency which has been able to provide the seed money for planning and for economic development which has enabled the private sector to expand the job opportunities for workers in that area. That is the reason why in a district like mine for the first time I have seen a number of those rural counties begin to grow again. They were losing population for 30 years. All but two of the counties in my district have now turned that around and there is no county in my district that has lost more than 500 people and I think that EDA has more to do with that than any agency that you can name.

It is an example of the kind of assistance which is not going to be available to a great degree at all in the coming years under the administration's plans not only for this year, but next year.

I also think it is interesting to note, what the gentleman did on his bill, and I would make the same observation on the labor, health, education, and welfare appropriation bill. It is interesting to me to note that in the other body the product of the Labor-HEW Subcommittee was never brought to the floor for a vote. I have talked to a good many Members of the other body who have told me that

that product would never have survived had it had the opportunity to be discussed openly on the floor of the other body, so that you could have the entire membership addressing the proper levels.

I think procedurally we are on very shaky ground where we wind up with a situation in which subcommittee judgments become the base lines against which we judge competing claims, one House versus another. And in the process we deny to most Members of both parties an opportunity to exercise detailed judgments.

Any time, in my judgment, that you decide that you are going to be either cutting or increasing budgets by a flat percentage amount, what it means is that we have lost our intention to think and we simply react on the basis of slogans and numbers. The Congress does what it all too often does. It acts on the aggregate and the aggregate policy does not make sense when it is translated into specific terms.

Mr. ALEXANDER. Mr. Speaker, will the gentleman yield on the EDA?

Mr. OBEY. Certainly, I yield to the gentleman from Arkansas.

Mr. ALEXANDER. Mr. Speaker, I would like to speak on the EDA, because we are talking about generalities. I know from my own experience, had it not been for the Economic Development Administration providing opportunities in my home State of Arkansas for industrial employment to balance the needs that existed from mechanized agriculture which employed tens of thousands of people, I may not have had the opportunity to return to my home State to practice law and later to run for Congress and to be here this evening.

The role of the Economic Development Adminstration has not only helped nonmetropolitan areas like Arkansas, Minnesota, and Wisconsin, and all the States of the Union, it has helped other people in the cities. It has helped people in the cities and I hope that they are watching this debate this evening, because but for the Economic Development Adminstration offering help to cities to attract industry, to provide jobs for people that live in the small towns across America, those people would be required to move out of States like Oklahoma, as referred to a minute ago by our colleague, the gentleman from Oklahoma (Mr. WATKINS) where in all the counties of his region more than 50 percent had moved away and they would move into the cities. With all those tens and even hundreds of thousands and maybe even millions of Americans moving into the cities, that would mean that the taxpayers in cities like Chicago and New York, Milwaukee, St. Louis, Memphis, Dallas, Los Angeles, San Francisco, Denver, and all across this land, would have to dig deeper into their pockets for more tax money, more tax money to provide revenues to build schools and hospitals and to provide the social services that are necessary in order to provide for the needs of the people who move off the land, out of small towns, into the large metropolitan areas of this Nation.

The EDA and the Farmers Home Administration have provided a great service to all Americans, because it is trying to provide an opportunity for people who want to stay in their hometowns, in the small towns of America, in those hometowns, to provide jobs for them so that they can live where they want to live and not have to move out to the cities and to become a burden and to provide more of a need to raise revenues and taxes in the cities of our Nation.

The $5 billion EDA has invested in America since it began operations, 16 years ago, has generated or maintained 1.4 million jobs in the private sector and leveraged $9 billion in private sector investment. More importantly, the evidence shows that the total EDA investment is more than repaid annually by the $6.5 billion in local, State, and Federal taxes paid by holders of those jobs.

In Arkansas alone, the $127 million EDA has invested in these years has generated or maintained 167,000 jobs, with an annual payroll of $500 million and annual tax payments of $107 million.

I thank the gentleman for yielding. I appreciate very much the contribution that he has made this evening.

Mr. OBEY. Mr. Speaker, I thank the gentleman for his comments.

I just would like to observe one additional thing on this point. I think we ought to put into perspective the amount of money which is supposed to be saved by slowly strangling EDA, with the amount of money that was provided almost surreptitiously on the now famous $27 billion new welfare program for corporations, which was built into the tax program that passed last summer, under which corporations like Ford, for instance, can now sell their excess tax credits to another corporation for cash.

I would suggest that that is a device by which great subsidies are provided with no planning, with no judgments made as to the eventual economic value of that subsidy. All that happens is that two CPA's get together and work it out carte blanche. If you compare that to the orderly process by which EDA projects are supposed to be evaluated, if you compare the discipline in both systems, there is no question about how the taxpayers' interests are better served.

Mr. OBERSTAR. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. I thank the gentleman. He is absolutely correct on that point, that the tax law that we passed last summer just willy-nilly, without understanding the consequences of action giving away multibillions of dollars, but I want to come back to a point the gentleman made about process. In the consideration of the EDA programs in this body, we had in my subcommittee 3 intensive days of hearings and witnesses from all over the country, businessmen, public sector representatives, mayors, county commissioners, we had labor union representatives, we had economists, we had representatives of the current administration. When we went to conference on the reconciliation bill, a member of the conferees from the other body after I had detailed the specifics of our hearings, as I just summarized briefly at the outset of my remarks this evening, a member of the conferees of the other body turned to his colleagues and said, "Shame on the Senate, that we did not have 1 minute of hearings on the EDA program."

□ 1850

Look at the splendid record of the other body. And that is exactly the case. They closed their eyes; they closed their minds. And now they have closed their hearts on the problems and the needs of rural America.

I thank the gentleman.

Mr. OBEY. I thank the gentleman.

I would yield next to the gentlewoman from Louisiana, who I know is extremely interested in the implications for science in the continuing resolution which is now at issue between the House and the other body.

Mrs. BOGGS. I thank the gentleman for yielding and for taking this special order in order to give us an opportunity to examine what the other body has done in their continuing resolution suggestions, and for allowing me the privilege to say that we have talked tonight about Sputnik, about education, about agriculture, about economic development, and in all of these areas of science and technology touch them very, very severely. As a matter of fact, in every aspect of our national life, science and technology are going to play an increasingly important role.

Recently, one of our colleagues, the gentleman from Michigan (Mr. CONYERS) shared with us the story that Thomas Paine, who was a former Director of NASA and the head of Northrup Corp., said in an article in Omni magazine. He said:

> I believe that America's national security and economic well being depend upon our continuing technological leadership. As was shown a decade ago, NASA's clear lead in space operations is a sobering deterrent to Soviet miscalculation, and a major stabilizing force in maintaining peace.

He went on to say:

I believe that America's destiny is to demonstrate to a troubled world how people of diverse races and cultures can effectively work together and reach for the stars and that the future of humankind depends upon our skill and our success.

It was then with some very deep feelings of disappointment that I discovered that the other body had cut the NASA appropriations from the proposal of our first conference of $4,973,100,000 to $4,791,900,000, which is a loss of $181,200,000, and with a cap on the Shuttle development of $3,104,900,000; that they had also cut the construction of facilities from $99,800,000 to $80 million, and the research and program management program was cut from $1,114,300,000 to $1,099,300,000. That is a total of $216 million under the conference figures which appear in the continuing resolution of this body.

In the National Science Foundation, in the research department, it was cut from $1,040,000,000 to $950 million, and science education—I hate to say—was cut from the mere $27,450,000 that we had previously provided to $20 million.

Research and related activities down $90 million from the conference level, and science education is down $27,450,000, a drop of $97,450,000 from the original conference agreement.

Now, when we think of looking at the 1980 figures, we recognize that science education in this budget recommended by the other body of $20 million is a true disaster. It is $64.7 million less than the 1980 appropriations for science education.

I do not really think, I would like to say to the Speaker and to the gentleman in the well, that the Nation can afford this type of drastic cut in science education.

I would like to quote Trudy Bell, who in the very first issue of a new magazine called Woman's Life has a story called, "Threshold Space and the New Technologies." She relates that a Harris survey this past May with 1,250 voting-age adults involved, two-thirds of them believe that the United States should spend the billions necessary to develop the full potential of the Shuttle over the next 10 years. And it was a type of survey that has only about 3 percent, plus or minus, possible mistakes if it had been carried on over the entire United States.

And no wonder, she says, that the people are so supportive of this program, because space technology, exploration and industrialization are no longer in the realm of science fiction or marginal concern. They are squarely in the arena of economics and politics affecting our wallets, international balance of power, and quality of life.

Communications satellites annually return revenues of $7 billion, a figure rising each year, with a growing demand by burgeoning industries such as cable TV. Weather satellites show storm systems every evening on the TV news, warning cities and agricultural businesses of impending freak frosts and hurricanes. Earth observation satellites now monitor the health of forests and crops, and migration of airborne plagues. Soon, new satellites will also distinguish between geological formations of keen interest to petroleum and mineral companies, the focus of international politics of supply and scarcity.

Also, we know that new technologies of critical importance in medicine, aerospace, the green revolution of agriculture, with genetic engineering promising great new breakthroughs, industrial production, including computers and robotics, space communications, and new energy options, all of these will spark further rapid advances for the remainder of this century.

So how can we possibly, Mr. Speaker, reduce education and training in the National Science Foundation to a mere $20 million? We know that the barest amount that we could possibly have was this $27.5 million that we have in the House continuing resolution.

The National Science Foundation has said that science and engineering education is at the $27.5 million in the conference report and the continuing resolution. Funding for this activity would provide for about 1,500 National Science Foundation graduate fellowships, continuation of some of the most outstanding, ongoing projects like the "3-2-1 contact," among others, and a small amount to access future directions for science and engineering education at the National Science Foundation.

We also know that it costs the Government a great deal of money, because we are not having enough science education and extending it out to the proper areas.

We had in this body the chief of the Air Force Systems Command tell us that his organization is seriously handicapped by a shortage of qualified engineers. "And I see my problem is going to get even worse," he said.

What are the effects? One of our satellite programs recently suffered a technical problem which we believe could have been detected and corrected sooner, and less expensively, if only an experienced engineer had been available. Estimated cost, $7 million. An inexperienced officer allowed a conflict between associate contractors to linger longer than prudent. Impact? The delivery schedule slipped and the cost increased $2 million.

□ 1900

Air Force Logistics Command has not been able to develop new nondestructive inspection procedures for detection of fatigue damage in B-52 and A-70 aircraft. This has adversely affected the operational readiness of these aircraft.

AFLC also attempted to contract out 264 Minuteman missile circuit boards. No bids were received. The work had to be scheduled in-house, but, because of engineer shortages, the work will take 3 years versus the originally scheduled 2 years.

That is in the military and in our own Government expenditures, Mr. Speaker, but recently I was part of an American Productivity Center mission to Japan, and I can assure you that all of us who were on that mission were very impressed with the Japanese training and education of their scientists, their engineers, their technologists, so I would very much hope that we can do something to increase the amounts that are in the continuing resolution that the other body has sent to us, and I may say that as a grandmother of eight splendid young Americans that I believe that their future is in the hands of this body to increase those appropriations.

I thank the gentleman.

Mr. OBEY. I thank the gentlewoman. I think that is an excellent statement. I must say, as one who has been skeptical, as she knows, from time to time of expenditures made at NASA, I was intrigued by the fact that the value of the program has been sold through the years because of the argument that has been made by a lot of people that so much of what we learn in space exploration and in the NASA programs has a spillover effect in terms of the improvments that can be made in managing our own resources on Earth. I was therefore amazed to notice in the Gramm-Latta budget proposal that one of the areas of NASA which was clobbered the hardest was the portion which had to do with the "on Earth application" of information that was gathered in NASA operations.

It seems to me that if we allow the administration and the other body to further shrink that portion of NASA's budget, that we really do not have a strong justification for the continued investments we have been making, because if we are going to invest money in NASA development programs and then not spend the money to use the information that is learned there in ways which apply to resource management and discovery here on Earth, and in terms of pollution control, for instance, then we really are being pennywise and dollar foolish.

Mr. Speaker, the gentleman from Hawaii (Mr. AKAKA) I know is interested in some of the cost-ineffective reductions made at IRS, and I yield to him.

Mr. AKAKA. Mr. Speaker, I thank the gentleman very much for providing this time and for providing this opportunity to highlight the differences

between the proposals of the two bodies, and to express our feelings about the false economy that is coming about on the other side on the economic recovery program.

Mr. Speaker, in the continuing resolution Senate action reduces appropriations for salaries and expenses for the Internal Revenue Service by $25 million. It is little more than ridiculous to cut back operating funds for the IRS, given the fact that the IRS is an agency that brings in more money for the Federal Government than it spends. The IRS generates revenue for the Federal Government that the Federal Government would be hard pressed to find from other sources.

This particular budget cut is not only ridiculous from an economic point of view, but it is also inconsistent with the administration's new policy of revenue enchancement—a policy recently referred to by OMB as receipt strengthening. Most of us know this policy by the simple words tax increases.

If we accept this amendment, we are making sure that the IRS continues to lose billions of dollars each year in taxpayer noncompliance with IRS policies. It is estimated that the ratio of loss in tax revenue for every dollar we cut from IRS compliance efforts is 6 to 1. For every $1 we cut from the IRS for compliance, the IRS loses $6 in tax revenue.

Studies prepared by the General Accounting Office estimate that in 1981 alone, $30 billion in taxes owed the Federal Government will remain uncollected simply because the IRS cannot properly process and review the tax forms it now receives. To cut the appropriations for an agency already unable to meet its compliance responsibilities due to a serious shortfall in operating expenses makes no economic sense.

President Reagan should want to have that $30 billion that will go uncollected each year if he is really serious about wanting to balance the Federal budget.

The simple fact is that the Government needs these uncollected tax revenues and that is precisely why in this case I strongly urge my colleagues to support the House version of the continuing resolution.

Mr. OBEY. I thank the gentleman.

Mr. Speaker, I new yield to the gentleman from Colorado (Mr. KOGOVSEK), who I know has some observations to make about the Interior appropriation bill. We have had several references to the provisions which are revenue producers for the U.S. Government and its taxpayers. Certainly, the Interior appropriations bill is a very large revenue producer for the U.S. Government. I yield to the gentleman for whatever comments he would like to make.

Mr. KOGOVSEK. Mr. Speaker, I thank the gentleman in the well and the gentlemen from Arkansas for providing the time for all of us tonight to talk about some part of the budget that are near and dear to our hearts.

I would tell the gentleman in the well that each of us keeps an eye on those areas of the budget which most directly affect our States. I would like to briefly speak against the action which cuts funds for Interior Department agencies and water and power resources across the board. The Director of the Bureau of Land Management, recently testified before one of my interior subcommittees. He told us that his agency is taking an approach on budget cuts which allows for smaller cuts in high-priority programs and greater cuts in programs considered to be lower priority. During the last 10 months, these programs have accepted significant budget cuts, up to 25 percent and even 40 percent in the area of cultural resources. While a low-priority program may seem to be just that, these cuts will have a serious impact on their ability to function and to serve their original purpose because their budgets were so small in the first place. For instance, such cuts can cause delays in permit applications and program reviews because of low staffing levels, resulting in increased costs to energy programs and private and public investments. Additional across-the-board cuts are not savings in the Interior Department, instead they are cost ineffective. I would also like to mention the impact of cuts in the area of water and energy development, particularly on water development projects "already under construction" in the West and in Colorado. Projects in my district have already accepted deferral of some funding as part of the first budget resolution. They did so reluctantly but it was accepted as part of an effort to trim Government spending. However, additional across-the-board cuts can have an impact on the cost-benefit ratio which is crucial to the future funding of water projects. If the cost-benefit ratio swings to the cost side, it will be hard for westerners to convince an already reluctant Congress to continue funding for completion of projects in their early stages. These water projects are crucial not just to the West, our agricultural communities and our municipalities, they are crucial to industrial development which is expected by this administration to play a heavy hand in the rejuvenation of our economy. These projects are also crucial to private energy development in the West . . . and providing energy is expected of us as we make our contribution to U.S. energy independence.

Like many of our colleagues, I believe cuts made earlier in this session of Congress have gone far enough. They were made rapidly with little scrutiny in many cases. Before we cut further across the board in these and other programs, we should wait to see the effect previous cuts will have. After all, it has been stated many times in this Chamber that we must give the President's economic program a chance before we start criticizing it. We should also give its impacts a chance before we start adding additional impacts to these programs.

□ 1910

I would tell the gentleman in the well, Mr. Speaker, that prior to the election of the new President and prior to the Republican takeover of the Senate there were constituents of mine in the West who expected better things from the administration. They expected that things would get better under the new administration.

Unfortunately, this has turned out not to be true. There was a great deal of criticism of the Carter "hit list" as far as water projects were concerned, and yet under the new administration we in the West find we are receiving several million dollars less for water projects than we did under the Carter administration.

We had expected or many of my constituents had felt that under this administration we would be doing more for the enhancement of energy development, and so on, and yet we find an administration that is in my estimation pennywise and pound foolish when it comes to developing some of the energy that we can develop in the West.

What I would like to tell the gentleman from Wisconsin (Mr. OBEY) further is that this administration and the Republican Senate are missing a chance in not taking advantage of a lot of the things we have in the West, whether it is our national parks, whether it is energy, or whatever.

We have found—and I think we will find the gentleman from Ohio (Mr. SEIBERLING) will be saying this—that while the administration had suggested that they would do a better job in conserving our national parks, that in fact is not going to happen. We are going to find that people visiting the West to see some of our vast and great national parks are not going to be able to enjoy those national parks, once again because of budget cuts in staffing those national parks.

So, Mr. Speaker, all in all, I think this administration and the Republican Senate is not doing a good job, and once again, I thank the gentleman from Wisconsin (Mr. OBEY) for providing us the time to talk about some of these issues.

Mr. OBEY. Mr. Speaker, I thank the gentleman from Colorado (Mr. KOGOVSEK).

I yield now to the gentleman from Ohio (Mr. SEIBERLING), who has been indicated as sort of the overseer of our national parks.

I happened to be in Glacier National Park with my family when the gentleman was conducting hearings on the grizzly bear issue out there. I learned quite a bit more than I really wanted to know about grizzly bears after reading the Hungry Horse Times and some of the other newspapers.

Mr. Speaker, I yield to the gentleman from Ohio for whatever comments he has on the impacts of the actions of the other body on our public treasures such as the national parks.

Mr. SEIBERLING. Mr. Speaker, I thank the distinguished gentleman from Wisconsin for yielding.

Unfortunately, when I was in Glacier National Park, I spent the 1 day I was there in a hearing about the problems of preserving the grizzly bear population, and I did not get to see much of the park. I saw just enough to whet my appetite to get back there.

I suppose that is a good place to start. We had testimony that unless the grissly bear population has a habitat which is at least as large as Glacier National Park and the Mount Marshall Wilderness complex to the south, which total about 4 million acres between them, the grizzly bear will not survive in that part of the country. And that is the largest grizzly bear population in the country, in the lower 48.

Well, you might ask, what does that mean? Well, when you destroy a magnificant species of wildlife like the grizzly bear, some of the glory goes out of the world, some of the glory goes out of our heritage, and that is what the national parks and our wilderness system and our national forests is all about—preserving some of our natural heritage.

It was very interesting to me that after I went to the hearing, I went over and I looked at the Bob Marshall Wilderness and spent the night there and went up to the oil and gas operations on the eastern edge just outside the wilderness. That certainly confirmed to me and to the other people in that group that we were absolutely right in the Interior Committee when we directed Secretary of the Interior James Watt to withdraw that wilderness from oil and gas leasing, pursuant to a resolution that was introduced by the Congressman from that area, the gentleman from Montana (Mr. PAT WILLIAMS).

Putting together what we saw and what that hearing produced convinced us that if we had allowed oil and gas leasing in that wilderness area, there would go one-half of that crucial habitat to the grizzly bear and probably we would see the destruction of that magnificent species as far as the lower 48 is concerned.

Now, we have before us the proposed cuts in the National Park Service and the Department of Interior budget that have been promulgated by the other body. From the figure that was already cut by the House for the operation of the National Park Service, we find a further cut in the Senate budget proposals of $21,370,000 out of a total of $534 million for 1 year's operation of the National Park System.

I go around to the national parks, and I talk to the superintendents, and I talk to the rangers and to the tourists, and their greatest concern is that they do not have the manpower to provide the kind of service that the American people are entitled to and to even protect this tremendous resource.

This Nation invented the concept of national parks. We have been a forerunner in the development and the preservation of our natural heritage, and it is just a shame that we cannot provide even the minimum services to protect that great resource for the people who use it.

Secretary Watt, when he became Secretary of the Interior, made a great thing of apologizing for the state of the parks and the fact that some of the resources, the buildings and bridges and trails, needed to be put in better condition. Well, when he gets through with his job and we get through with this kind of budget cutting, he will really have something to apologize for because some of the parks will simply not be able to operate, and that includes those near our great cities, following the policy first adopted by Secretary Morton and Mr. Nixon of putting the parks where the people are.

We remember that when Mr. Watt took office, he wanted to deauthorize them, sell them off, get rid of them, and just go back to the remote parks like Yellowstone and Grand Canyon that most of our population will never see.

That is what this kind of cut is going to bring about even if we do not deauthorize them. Mr. Watt said that we—that is, the new administration—are going to use the budget process to change basic policy. And believe you me, that is just what is being done.

Let us look at some of these other figures. The administration came in and asked for only $4,700,000 for historic preservation in this country, and both the House and the Senate decided that that was not enough and we voted $25,400,000 for that purpose. But the budget resolution provides that that will be cut by $1 million. That still leaves a fairly substantial amount, but it is far, far more than what the Secretary originally wanted. But it is not enough to do the job.

The American people are trying to preserve their historic heritage as well as their natural heritage. For land acquisition and State assistance, the Senate resolution proposes to cut $4 million out of $103 million. That is what the conferees agreed to.

And for construction in the national parks—this is the thing that Secretary Watts said he wanted to apologize to the American people about—he wanted $105 million for this fiscal year, for construction and rehabilitation in the national parks. The appropriation bills voted $88 million and $85 million respectively in the House and Senate bills, and the new proposed resolution would cut that by $3.5 million.

So much for apologizing to the American people for the state of the parks.

I thank the gentleman from Arkansas for taking this time to educate the public on the implications of this budget resolution. And it is only the beginning, let me say. We have already seen that for fiscal year 1983 we are going to experience even more drastic cuts.

□ 1920

If I may have 30 seconds more, let me just say this: We saw in the tax bill the terrible consequences of irresponsible legislation in the tax field. We need to cut our budget. But if we do it in an irresponsible, sloppy, ill-thought-through way, we are going to pay a terrible price all across the board and not just the national parks.

Mr. ALEXANDER. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Arkansas.

Mr. ALEXANDER. I appreciate very much the remarks that were made by the gentleman from Ohio. He makes me proud to be a Democrat, because we are concerned about little children and grizzly bears.

This afternoon, it is late afternoon in Phoenix and in Denver and in the western part of our country, and I can see some of our good citizens that are returning from an afternoon of golf gathering at the 19th hole to talk about the big-spending Democrats. Just because we are concerned about little children and grizzly bears does not mean that we are necessarily irresponsible fiscally.

I point to the record of the appropriations in Congress since 1943. It is time to let the figures do the talking. Since 1943 the Congress has appropriated less money than requested by any President, save one, in every single year since 1943. This Congress, this House, is attempting to appropriate less money than requested by President Reagan. So the charge that Democrats are not concerned about the budget is not borne out by the facts.

I think it is important to say along with our concern for little children and grizzly bears that we are likewise concerned about fiscal responsibility

and that the three are not mutually exclusive.

I thank the gentleman very much for yielding to me.

Mr. OBEY. I thank the gentleman.

I think in closing what we ought to add, quite frankly, is why this proposal in the other body is before the Congress tonight. I think the answer is very simple. The administration is now recognizing that as a consequence of policies which it has insisted that this Congress adopt we are now facing deficits this year, even if all of the President's suggestions of September 30 were taken, of approximately $73 billion if we follow the President's program to a "T." That is $30 billion off from the President's estimates last January.

I would suggest that most of the difference in those numbers has occurred simply because of the administration's fiscal policy which has resulted in incredibly high interest rates which have added greatly to the amount in the Federal budget which we have to pay for interest, and also has resulted in the now much higher unemployment figures which are projected. Those also cost us a great deal in terms of both additional expenditure for unemployment and welfare, and fewer revenues because unemployed people do not pay taxes.

I think we have this proposal here simply because the administration was looking at its own program, admitting that its own program is now out of control, not knowing where to go, trying to appear that they are doing something, and because they will not face up to the major obligation that we have to correct the economic package or the economic problems we have, the administration is going after the minnows instead of the whales.

If the administration were looking at the major problem it would recognize, for instance, that the tax proposals which were adopted just last year were simply too expensive. People who make more than $50,000 a year make up 1 out of every 20 persons in this society. Yet they will get back $1 out of every $3 in that tax cut. That difference, the difference between the average dollars that we will pay out to the average taxpayer in tax cuts and the amount of tax relief we will provide people who make $50,000 a year or more will add $160 billion to the national debt over the next 5 years.

If we want to deal with the major problem that we have to face in balancing the budget, that is the number we ought to deal with. If we are going to deal with additional budget cuts, which we most certainly must, we ought not to provide, as I indicated earlier, that the programs which have already been reduced substantially be reduced once again while a good many other programs which were exempted the first time remain exempt.

Felix Rohatyn said something recently which I think we ought to remember in closing. He said:

> There is about, in the land today, a meanness of spirit that masquerades as conservatism. . . . This country was not built on meanness of spirit; it was built on a passion for freedom and fairness. Individual freedoms are not threatened by a government willing to intevene in the name of fairness; care and compassion can live alongside a balanced budget, a strong defense and a vigorous fight against crime. . . .

We ought to remember those words as we evaluate the difference between the House resolution and the Senate resolution which is at issue tonight.

I yield back the balance of my time.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Sparrow, one of its clerks, announced that the Secretary of the Senate be directed to request the House of Representatives to return to the Senate the bill (H.R. 3210) entitled "An act to amend the Surface Transportation Assistance Act of 1978, to establish obligation limitations for fiscal year 1982, and for related purposes," including the Senate amendment thereto.

DRAFT REGISTRATION SHOULD CONTINUE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi (Mr. MONTGOMERY) is recognized for 5 minutes.

● Mr. MONTGOMERY. Mr. Speaker, next Tuesday a Cabinet-level task force is scheduled to make a recommendation on selective service registration. Their decision will have a tremendous impact on the future of America's national security. The importance of an ongoing program of registration to our Nation's ability to mobilize in the event of an emergency cannot be overstated.

A recent editorial in the Los Angeles Times summed the situation up best when the editorial writer said:

> To scrap registration would undercut in the eyes of both the Soviet Union and the European allies, most of which have conscription, the Administration's professed belief in a stronger defense and a stronger Atlantic Alliance.

Mr. Speaker, I would also note that the All-Volunteer military is not working as well as some would have us believe. Yes, we are recruiting the quantity—getting the numbers—but it appears we are still not securing the quality we need.

This is especially true for the U.S. Army. During fiscal year 1981, 30.9 percent of recruits in the Army were in mental category IV and 29.1 percent were in category IIIb. This means fully 60 percent of the new recruits for the Army last year have less than the optimum potential to complete their original term of enlistment based on past experience.

I continue to believe that we must give serious consideration to a return to at least a limited draft to secure the type of personnel we need in the military and in order that the Armed Forces represents a cross section of out Nation. And at a very minimum we must continue draft registration in the interest of a strong national defense posture.

At this point in the RECORD, I would like to share with my colleagues the editorial from the Los Angeles Times.

[From the Los Angeles Times, Nov. 6, 1981]

THE SEMI-SECRET DRAFT

The news that more than 23% of the men born in 1963 had failed to register for the draft as of Sept. 1 has raised a ruckus in Washington. Anti-draft groups are claiming great success among the current 18-year-olds. Defense analysts are talking about harsh crackdowns on violators of the registration law. There have been suggestions to make registration voluntary, not mandatory.

And all this comes as a Cabinet-level task force is trying to decide whether to recommend that President Reagan continue registration, started by President Carter in 1980, or scrap it, as Reagan urged in his campaign.

There's good evidence to show that no one should leap to conclusions about the drop in registration. It appears that many young men aren't registering because the government hasn't been telling them that they should.

When registration began in 1980, men born in 1960 and 1961 were asked to register in one-week periods, back to back, in the summer. The Selective Service System had a $450,000 budget for public affairs, including advertising, and the media were full of stories about registration. Of the men born in 1960, 92% registered; of those born in 1961, 94% did.

The men born in 1962 were asked, with less fanfare, to register in one week in January this year; 87% did.

Content, apparently, to have 6.5 million names in its computers, Selective Service chose to revert to the old system of having men register on their 18th birthdays, at local Post Offices. The service has done little to tell the young men this, but says it will now begin, on a reduced public-affairs budget of $150,000 including staff salaries—a modest program of advertising that, it hopes, will bring registration by the end of the year up over the 90% level, with more expected to register later. Historically, Selective Service says, it took about 18 months for each previous group of 18-year-olds to reach its maximum registration of 95% or higher. That is the goal for the current group.

To reach it, the government should spend more money to tell the young men what the law requires of them; it cannot expect them to register, and certainly should not prosecute them for their failure to register, if they don't know that they should.

And the Administration should not take the figures as an excuse to abandon registration. It is, at best, a poor substitute for the draft that is needed to provide competent armed forces fairly and at an acceptable cost. To scrap registration would under-

cut in the eyes of both the Soviet Union and the European allies, most of which have conscription, the Administration's professed belief in a stronger defense and a stronger Atlantic Alliance.●

SMALL BUSINESS PROMPT PAYMENT ACT OF 1981

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. LAFALCE) is recognized for 10 minutes.

● Mr. LAFALCE. Mr. Speaker, I am introducing today the Small Business Prompt Payment Act of 1981. If adopted, this legislation would greatly improve the Federal Government's bill-paying habits and give small businesses a much-needed assist.

In these times of economic trouble and extraordinary interest rates, cash is extremely hard to come by, particularly for small businesses. Ironically, the Federal Government, as one of the Nation's largest buyers of goods and services, often makes matters even worse by excessively delaying payments to businesses from which it buys.

Managers of small firms that do business with Federal agencies have been quoted as saying that they are often forced to wait 90 to 120 days for payment of goods and services delivered. Because such payment delays cause severe cash flow problems and administrative headaches, the fear of late payments has further reduced the already low incentive small businesses have to bid for Federal procurement contracts.

The General Accounting Office studied the late payment problem in 1978 and discovered that one-third of all Federal bills were paid late, which represented about 20 percent of the money that the Government owed on a given date.

For example, the GAO found that GSA paid 73.6 percent of its invoices more than 30 days late; the Department of Transportation paid 62.6 percent of its bills late; the Department of the Army paid 34.9 percent of its invoices more than 30 days after they became due; the Department of Health and Human Services paid late for invoiced goods two-thirds of the time.

Last month, GAO issued an update of its late payment study. Unfortunately, it found that little has been done to remedy the problem since its initial report. The October report notes that the situation has been made more critical by high interest rates in the private sector and concludes:

If the situation is the same today as at the time of our previous review, we estimate—applying an interest rate of 12 percent and assuming annual Federal procurements of $100 billion—that contractors are possibly losing at least $150 million annually on late payments. The loss could be as high as $375 million. Delays in making payments also cost companies and the Government money in terms of additional time and effort spent tracking down unpaid bills and in resolving disputes over when payment is due.

The Small Business Prompt Payment Act would address these problems by requiring the Federal Government to include in every contract with a small business concern a provision requiring the Government to pay interest on any portion of the amount owed by the Government for more than 30 days. No amount of a payment would be considered as late until the agency received a proper invoice for goods or services furnished to the Government and substantiating documentation.

Moreover, Federal agencies would be allowed to take a discount on a payment to a small business only if the payment is made within a specified time period. Federal agencies would be required to file detailed annual reports with the House and Senate Small Business Committees on any interest payments made during the preceding year. The bill would achieve these purposes by amending the Small Business Act.●

TOWARD REASONABLE HEALTH CARE COSTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. WYDEN) is recognized for 5 minutes.

● Mr. WYDEN. Mr. Speaker, before coming to Congress last January, I spent 7 years working with senior citizens as director of the Oregon Gray Panthers.

During those 7 years, I witnessed one tragedy after another:

Seniors who went without two square meals in order to pay for needed medication.

Seniors who could not afford to heat their homes in the winter because all of their resources were going to pay for hospitalization and other medical care for their husbands or wives.

Seniors who ended up in nursing homes because they just couldn't pay their medical bills and still make ends meet.

I decided then that something had to be done about the skyrocketing health care costs that contributed to these tragedies. Today, I am delighted to introduce a bill that will help make health care affordable for seniors and other Americans.

What my bill does is change medicare regulations to reward hospitals for cutting back on escalating health care costs. Current data—as well as my past experiences—support this move.

Anybody who can read, can tell you that health care costs in this country are getting more and more out of hand with each passing day. Last year, Americans spent $1 out of every $10 on health care. The total tab was some $247 billion—up 15.2 percent over the previous year. This cost is clearly more than most pocketbooks—or the economy as a whole—can bear. And yet none of us really has a choice. Regardless of income, age or any other factors, all of us get sick—and all of us need medical care.

Unfortunately, to date precious little constructive action has been taken to help cut health care costs.

Without my legislation, most of the current proposals to trim back health care costs would do little more than shift the burden of payment onto the shoulders of the elderly and poor—the groups least able to pay.

And there are few, if any, incentives for health care providers to find less expensive ways to provide quality health care. Instead, the Federal Government chooses to cut corners, thus forcing health care providers to grab for every dime—and still lose.

So what can we do about it? My idea is to refuse to cry uncle and see if we can squeeze more from our health dollar—and still provide quality care.

My bill does this through changes in the medicare system. Under our current medicare system, we, in essence, hand health care providers a blank check to fill in—after the care has been provided. My bill would change this by offering incentives to set up a prospective reimbursement system.

We know this kind of a system works because States which use prospective reimbursement programs report a 2- to 4-percent decrease in health care costs. For example, the State of Maryland alone saved the American taxpayers $33 million in 1978 by employing prospective reimbursement.

And we know this kind of a system is needed because of what skyrocketing health care costs have done to medicare and medicaid—the programs which currently foot the bill for one-third of our Nation's health care. In 1967, the cost of medicare and medicaid was $6 billion. Today those programs cost the Federal and State Governments a staggering $60 billion—and, as a result, are hanging by a thin thread.

In fact, although the problems of social security's old age and survivors fund seem to get the most ink, medicare appears to be in equally serious straits.

One of the key factors behind the astronomical medicare and medicare cost increases? Rising hopital costs.

Hospital expenditures this year hit an all-time high of $99.6 billion, reflecting a rate increase of 16.2 percent between 1979 and 1980. This year the figures are even more alarming. Increases this year over last are hovering near 20 percent. A patient can now expect to pay an average daily rate of $217—just for room and board. This compares to a rate of $94 just 8 years ago.

In my own State of Oregon similar trends are evident. Oregon ranked 11th in the Nation in increase in total hospital expenses from 1975-79, with

an annual increase of 16.8 percent. The U.S. average was 14.1.

And although the rapid population growth in Oregon is partially responsible for the cost increase, it is not the sole factor. Discounting the population increase, Oregon would still rank in middle for cost hikes.

This is not to say that hospitals are the villains. They are not. Most of our Nation's 7,000 hospitals are operating on exceedingly slim margins. Many actually operate at a loss. If anything, hospitals—like the consumers—have been victims of the system.

And it is unfair to assume that the steep hike in hospital costs is due entirely to extravagance, waste or fraud. There are many reasons hospital rates increase: Catchup labor costs, new technology, change in acuity or utilization, and increased Government regulation.

Mr. Speaker, I would like to take a moment now to explain the historical precedents behind introduction of my bill. Then I will detail just how this legislation will insure the integrity of medicare and medicaid funds—and yet still recognize the plight faced by hospitals caught in an economic crunch and provide them with incentives to better their lot and that of consumers and taxpayers who pay for their services.

HISTORY OF COST CONTAINMENT

In the past, Congress attempted to place a lid on rapidly rising health care costs through top-down regulation. As a counter, hospitals entered into a voluntary effort to achieve the same goal. Both failed. The latest attack is something which is loosely called competition, and which might include such elements as vouchers and a change in tax policy.

While I laud the principle behind this approach—namely, that the American consumer should be allowed to make choices—and pay for them, I question whether any of these proposals by themselves will have any immediate positive effect on runaway health care costs. Furthermore, I question whether any of these proposals address the single most inflationary aspect of medicare—retrospective cost-based reimbursement.

COST-BASED REIMBURSEMENT

The Federal Government which currently picks up the tab for 40 percent of all hospital bills, reimburses through medicare on the basis of reasonable costs. This means a hospital is paid for the number of tests performed, physician visits recorded, injections given, or medication prescribed. In other words, cost-based reimbursement is retrospective payment for services or goods consumed.

However, as any hospital will quickly point out, medicare and medicaid reasonable costs do not pay all costs associated with hospitalization. Instead, these disallowd costs are shifted to the private-pay patient or absorbed through other programs.

Medicare/medicaid cost-based reimbursement neither pays hospitals their true costs nor provides incentives to the doctor or the hospital to increase efficiency by using less goods or performing services in a more cost-effective manner.

My legislation would encourage hospitals to behave differently—to lower hospital costs through efficiency. There would be an incentive, for example, to control overuse of ancillary services and overly long lengths of stay. There would be an incentive to make cost-effective decisions regarding new programs, equipment and services. There would be an incentive to share services with other hospitals and to develop more outpatient services.

The current medicare reimbursement system cannot encourage such efficiencies. If a hospital uses less ancillary services, it is paid less by medicare. If it uses fewer days in the hospital, it gets paid less by medicare. In other words, the more efficient a hospital becomes, the less it is rewarded by medicare.

THE VOLUNTARY EFFORT

In 1972, the medical community launched a much heralded private initiative to contain runaway medical costs—the voluntary effort. By anybody's yardstick, it has not proven to be the answer. Although many dedicated providers worked hard and were successful, overall, the effort was a disappointment. This year hospital rate increases will be nearly 20 percent. It is not that surprising, however, that the effort was unsuccessful. The framework was still cost-based reimbursement.

Only by changing retrospective cost-based reimbursement to something which rewards more efficient use of scarce resources in health care will there be an impetus to lower hospital rate increases. Prospective reimbursement would encourage such efficiency.

PROSPECTIVE REIMBURSEMENT

Prospective reimbursement is a simple system. It involves agreeing in advance upon an amount to be paid for specific services. It is used on a regular basis by private contractors when bidding on a project. After an agreement has been negotiated, the provider performs the task accepting the agreed upon amount as payment. If the provider is efficient, savings will accrue. If the provider is inefficient, losses will occur. This is a widely accepted business practice.

I do not wish to suggest here that health care can be marketed in exactly the same manner as a can of soup or a construction project. I am well aware of the complexities and anxieties that exist when one begins to readjust the health care financing mechanism.

However, I am also aware that there are currently nine States and several communities which have changed to a prospective reimbursement system for hospitals. The lower rates of increase in hospital costs in these States and communities is a dramatic illustration of how hospitals can react given incentives.

In 1978 the States with mandated cost-control programs averaged 9.7 percent increase in hospital revenue in contrast with a figure of 13.7 percent for the remaining States. This difference equaled a $2.5 billion savings nationwide. Maryland, alone, saved the taxpayer $15 million in medicaid and an additional $8 million in medicare.

EXPLANATION OF LEGISLATION

One. My bill recognizes the impracticality of mandating reimbursement change. It is a voluntary program.

Two. This legislation also recognizes that one community's success could be another's disaster. It does not prescribe the prospective method to be used.

Three. It further acknowledges the plight of the medicare trust funds and the straits of the medicaid program. It does this by limiting the amount of medicare/medicaid funds which could be involved in a plan to not more than what would have been expended under medicare/medicaid in the absence of the plan.

Four. Finally, my bill recognizes that most hospitals do not currently have the technical expertise to formulate such an entity. The legislation would allow for startup funding for technical assistance and planning.

PROVISIONS OF THE LEGISLATION

My legislation would allow for reimbursement under medicare and medicaid of hospitals on a prospective basis under a plan developed either by a State or by a unit of local government or a legal entity made up of—or representing—hospitals in one or more States serving the same geographical area.

An approved plan would exempt the participating hospitals from current medicare reasonable cost requirements such as limits referred to as "223" in the Social Security Act.

The plan also may apply to other hospital insurance or payment programs. Hospital participation in nongovernmental plans would be voluntary. The plan requirements are as follows:

One. In the case of a State plan, the plan must:

A. Be established by statute and operated directly by the State;

B. Assure HCFA that no more medicare and medicaid funds would be expended under the plan than would otherwise be expended.

C. Provide equitable treatment of all types of hospitals and insurers; and

D. Assure that hospitals will not change admissions practices in a manner that discontinues providing

emergency services or other critical services to indigent patients.

The State plan need not cover all hospitals in the State, and does not have to be the same for all hospitals.

Two. In the case of a plan by a local governmental unit or group of hospitals, the plan must be approved by the Secretary of HHS and must:

A. Provide for a prospective method of determining hospital payments and not apply to hospitals covered under a State plan;

B. Assure HCFA that no more medicare and medicaid funds would be expended under the plan than would otherwise be expended;

C. Either be approved by the Governor of each State in which it operates or, if not approved by a Governor, the Secretary of HHS must have determined that the Governor's disapproval was arbitrary and capricious;

D. Assure that hospitals will not change admission practices in a manner that discontinues providing emergency services or other critical services to the indigent patients;

E. Apply to a large enough hospital or a sufficient number of hospitals to assure that HCFA administrative expenses are not excessive; and

F. Have management capable of operating under such a plan.

The plans would be operated under contract with the Secretary of HHS for renewable 1-, 2-, or 3-year periods. The bill does not prescribe or provide for the Secretary of HHS to prescribe, the method to be used for prospective reimbursement of hospitals. This is left up to the State or other entity operating each plan.

The bill would provide for a one-time grant to provide technical assistance and initial administrative costs for States, units of local government, and legal entities to develop prospective hospital reimbursement plans.

Mr. Speaker, I support the goals of competition and will continue to work with my colleagues to develop legislation which would treat all parties in a way fair and equitable manner. My legislation is a necessary first step. Until the reimbursement system is changed, legislation to reorder health care packages will continue to fight a losing battle.

Clearly, the Federal Government must take immediate steps to insure the integrity of medicare trust funds, slow the growth in the medicaid drain, and, at the same time, recognize the economic plight faced by the hospitals.

My legislation does this.

While it is not the only solution for the medicare/medicaid crises, it offers concrete incentives to both providers and payors who wish to make these changes.

H.R. 5084

A bill to amend title XVIII of the Social Security Act to provide for alternative methods for payment of hospitals under the medicare program

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Medicare Hospital Reimbursement Reform Act".

ALTERNATIVE HOSPITAL REIMBURSEMENT PROGRAMS

SEC. 2. (a)(1) Section 1814(b) of the Social Security Act is amended by striking out "or" at the end of paragraph (2), by striking out the period at the end of paragraph (3) and inserting in lieu thereof "; or", and by inserting after paragraph (3) the following new paragraph:

"(4) in the case of a hospital which is subject to an alternative hospital reimbursement system under section 1886, the amount determined in accordance with such system.".

(2) Section 1833(a)(2)(B) of such Act is amended by striking out "; and" at the end of clause (iii) and inserting in lieu thereof ", or", and by adding at the end of the following new clause:

"(iv) if such services were provided by a hospital which is subject to an alternative hospital reimbursement system under section 1886, the amount determined in accordance with such system; and".

(b) Title XVIII of such Act is amended by adding at the end the following new section:

"ALTERNATIVE HOSPITAL REIMBURSEMENT SYSTEM

"SEC. 1886. (a)(1) A State may apply to the Secretary to have all hospitals in the State reimbursed under the system described in this subsection rather than on the bases otherwise provided under this title. The Secretary shall approve the request of the State if the system meets the following requirements, unless the Secretary reports to Congress the grounds for disapproval of such system:

"(A) The system must have been established by statute and must be operated directly by the State.

"(B) The State must provide assurances satisfactory to the Secretary that under the system and for each time period (of not longer than three years, selected by the State, over which the system's performance is measured) expenditures, for hospital services (including administrative services related to such services) for hospitals covered under the system in the State—

"(i) under this title in the aggregate (or on such other basis as the Secretary may provide) will not be greater than the expenditures which would have been made for those services in the State for such period under this title if the system was not in effect, and

"(ii) under the State's plan (if any) approved under title XIX in the aggregate (or on such other basis as the Secretary may provide) will not be greater than the expenditures which would have been made for those services in the State for such period under such plan if the system was not in effect.

"(C) The State must provide assurances satisfactory to the Secretary as to the equitable treatment under the system of all public entities and programs that pay hospitals for inpatient hospital services.

"(D) The State must provide assurances that operation of the system will not result in any change in hospital admission practices which result in—

"(i) a significant reduction in the proportion of patients (receiving hospital services covered under the system) who have no third-party coverage and who are unable to pay for hospital services,

"(ii) a significant reduction in the proportion of individuals admitted to hospitals for inpatient hospital services for which payment is (or is likely to be) less than the anticipated charges for or costs of such services,

"(iii) the refusal to admit patients who would be expected to require unusually costly or prolonged treatment for reasons other than those related to the appropriateness of the care available at the hospital, or

"(iv) the refusal to provide emergency services to any person who is in need of emergency services if the hospital provides such services.

"(E) Hospitals covered under the system will make such reports (in lieu of cost and other reports, identified by the Secretary, otherwise required under this title) as the Secretary may require in order to properly monitor assurances provided under this subsection.

"(2) The Secretary shall respond to requests of States under this subsection within 60 days of the date the request is submitted to the Secretary. If the Secretary does not approve such a request of a State, the Secretary shall inform the State, and the Congress, of the reasons for denial of the request.

"(3) In the case of an application filed under this subsection which would apply to services for which reimbursement is being made in accordance with a system under subsection (b), such application may not be approved so as to take effect before the beginning of the fiscal year after the date the application is approved.

"(b) A legal entity (which conducts operations in one or more States or parts thereof and which may itself be a hospital, association of hospitals, or a unit of State or local government) may apply to the Secretary to have hospital services (whether inpatient or outpatient) provided by specified hospitals serving the same geographic area or population (and related administrative expenses otherwise payable under this title and under title XIX) reimbursed under a system submitted to (and approved by) the Secretary under this subsection rather than on the bases otherwise provided under this title and title XIX. The Secretary shall approve the request of the entity if the system meets the following requirements:

"(1) The system must provide for payment of hospitals covered under the system under a methodology (which sets forth exceptions and adjustments, as well as any method for changes in the methodology) by which rates or amounts to be paid for hospital services during a specified period are established under the system prior to the defined rate period.

"(2) Except as may be provided through a waiver under a system approved under subsection (a), the system under this subsection will not apply to a hospital which is covered under an alternative hospital reimbursement system approved under subsection (a).

"(3) The legal entity must supply to the chief executive officer of each State in which a hospital covered by the system is providing services to have the system approved for use for reimbursement for such

services for such hospital under the State plan (if any) approved under title XIX, and—

"(A) such officer must have approved such request within 90 days of the date of its submittal to such officer, or

"(B) if such officer does not approve such request, the Secretary must have determined, based on the entity's appeal to the Secretary of the officer's determination, that the officer's denial of approval was arbitrary and capricious.

For purposes of this paragraph, an entity's request of an executive officer under this paragraph shall be deemed to have been approved unless the officer denies such request within 90 days after the date of its submittal to such officer. If the Secretary makes a determination described in subparagraph (B), the Secretary shall require that State plans approved under title XIX must provide for reimbursement of the entity for covered services in accordance with the system submitted by the entity.

"(4) The entity must provide assurances satisfactory to the Secretary that under the system and for each time period (of not longer than three years, selected by the entity, over which the system's performance is measured) expenditures, for hospital services (including administrative services related to such services) for hospitals covered under the system—

"(A) under this title in the aggregate (or on such other basis as the Secretary may provide) will not be greater than the expenditures which would have been made for those services in those hospitals for such period under this title if the system was not in effect, and

"(B) under the State's plan (if any) approved under title XIX, in the aggregate (or on such other basis as the Secretary may provide) will not be greater than the expenditures which would have been made for those services in those hospitals for such period under plan if the system was not in effect.

"(5) The system must apply to such a number or proportion of hospital services in an area as to indicate that the administrative expenses under this title associated with the operation of such system will not exceed such expenses for hospital services not under such system for the same quantity of services, providers, or population served.

"(6) If the application is approved, the entity must agree to enter into a contract with the Secretary and the chief executive officer of each State in which it operates under which the contract would run for a term of one, two, or three years, automatically renewable for such a specified term of years unless notice of nonrenewal is received 60 days before such renewal date.

"(7) The entity must provide assurances that operation of the system will not result in any change in hospital admission practices which result in—

"(A) a significant reduction in the proportion of patients (receiving hospital services covered under the system) who have no third-party coverage and who are unable to pay for hospital services,

"(B) a significant reduction in the proportion of individuals admitted to hospitals for inpatient hospital services for which payment is (or is likely to be) less than the anticipated charges for or costs of such services,

"(C) the refusal to admit patients who would be expected to require unusually costly or prolonged treatment for reasons other than those related to the appropriateness of the care available at the hospital, or

"(D) the refusal to provide emergency services to any person who is in need of emergency services if the hospital provides such services.

"(8) Hospitals covered under the system will make such reports (in lieu of cost and other reports, identified by the Secretary, otherwise required under this title) as the Secretary may require in order to properly monitor assurances provided under this subsection.

"(c) Payments made to States or legal entities with systems approved under this section may include payments with respect to administrative expenses of operating such systems to the extent that the applicable assurances described in subsections (a)(1)(B) and (b)(4) continue to be met.

"(d) The Secretary, not later than 90 days after the date of the enactment of this section, shall provide for the establishment of guidelines respecting the method for determining under subsections (a)(1)(B) and (b)(4) the amount of expenditures that would (in the absence of a system approved under this section) otherwise have been made under this title or under State plans approved under title XIX of this Act. These guidelines shall provide for taking account of inflation and demonstrated changes in patient case load or case mix.

"(e)(1) States, subunits of government in the States, and other legal entities may apply to the Secretary for a one-time grant which covers technical assistance and initial administrative costs associated with the establishment of an alternative hospital reimbursement system which can be approved under this section. Any grant under this subsection to a State or other entity shall be reduced to the extent that the entity (or any entity associated with the entity) has previously received assistance under this subsection, and a State or subunit of government of a State is eligible for only one grant under this subsection.

"(2) Payments under grants made under this subsection shall be made in appropriate part from the Federal Hospital Insurance Trust Fund (established by section 1817) and the Federal Supplementary Medical Insurance Trust Fund (established by section 1841) and from the funds appropriated under title XIX. Grants may be made either in advance or by way of reimbursement, as may be determined by the Secretary, and shall be made in such installments and on such conditions as the Secretary finds necessary to carry out the purposes of this section.".●

CONGRESS SHOULD REJECT FURTHER CUTS IN MEDICARE AND MEDICAID

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. WEISS) is recognized for 5 minutes.

● Mr. WEISS. Mr. Speaker, medicare provides invaluable protection against the high cost of hospitalization for 28 million aged and disabled Americans. In addition, medicare covers physician and other medical services.

But in many respects, medicare is like a leaky umbrella. Important gaps in coverage still exist, including out-of-hospital prescription drugs, eyeglasses, hearing aids, dentures, and physical checkups. Medicare reimburses only 44 percent of health care expenditures for the elderly and will cover even less once the cuts passed under reconciliation are implemented. The administration wants to whittle this protection further by proposing massive cuts in medicare and medicaid, the medical assistance for the poor.

These cuts would be in addition to the more than $2 billion reductions that these two programs have already sustained during fiscal year 1982. Earlier this year, I resisted the cuts the Congress approved as part of the Reconciliation Act. And, I shall oppose any further reductions in medical programs for the elderly and disabled.

Medicare and medicaid should be improved for the aged, disabled, and poor—not cut back. Their out-of-pocket expenses have already jumped sharply as health care expenditures continue to soar. Instead of forcing the sick, disabled, and aged to shoulder a greater burden, the administration should look for ways to reduce hospital, physician, and other health care provider costs.

I am greatly disturbed by recent press reports indicating that the administration is considering cutting medicare, medicaid, and public assistance benefits by more than $9 billion in fiscal year 1983.

Some of the proposals include:

Increasing the medicare part B premium charge for medical services from $11 a month to an estimated $19 a month by 1985;

Indexing the part B deductible—the front-end charge that medicare patients must meet from their own resources, private health insurance, medicaid, or othewise—to the inflation rate;

Limiting reimbursements for hospital ancillary care, such as laboratory tests and prescription drugs;

Limiting payments to radiologists and pathologists to 80 percent of their "reasonable charges" instead of the present full amount;

Postponing the time that a person would be eligible for medicare after making an application; and

Converting the medicaid long-term component—nursing homes—into a block grant with a fixed amount of money appropriated annually.

It is indeed ironic that these proposed options surfaced less than 1 month before the White House Conference on Aging. This represents another example of the administration's insensitivity to the needs of the elderly.

This past May, the administration announced proposals to cut social security benefits by about $82 billion over a 5-year period. Thus far, the Congress, along with the American people, has rejected that unfair and unsound package. I would urge that

the Congress resist further attempts to balance the budget on the backs of our Nation's elderly, disabled, and poor by slashing these two necessary programs.●

PAYNE, OHIO FARMER SPEAKS OUT ON FARM ECONOMY AT GRASSROOTS HEARINGS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island (Mr. ST GERMAIN) is recognized for 5 minutes.

● Mr. ST GERMAIN. Mr. Speaker, as I told the House earlier this week, the Banking, Finance and Urban Affairs Committee has heard some 259 witnesses in 4 cities as it continues its grassroots hearings on the economy.

We have heard from people from all walks of life—miners, lumbermen, owners of sporting goods stores, senior citizens, construction workers, auto workers, mill operators, farmers.

Mr. Speaker, in Chicago on November 9 we heard from three farmers, one each from Illinois, Indiana, and Ohio. Let me quote from the testimony of Virgil Thompson who operates a farm with his son near Payne, Ohio.

Mentioning that his note at the bank had jumped from a 7½ percent interest to 18½ percent on renewal, Mr. Thompson compared current economic policies to "slamming a car in reverse going 90 miles an hour. * * * We have aready torn the guts out of the transmission * * * "

He told the committee:

> Yes, I have been impacted by this complete reversal of policy. I have three sons-in-laws working for the automobile industry who have been laid off. They have little children . . . I'm just as concerned about the automobile and the tractor industry as my industry. It all is going together. They have home mortgages and skyrocketing utility bills to pay . . . I know of five families who have filed for bankruptcy in the last week, all in one farming operation alone. It is said that the sheriffs in Ohio are doing more business on the courthouse steps than the real estate people.
>
> We have 31 farm machinery dealer bankruptcies in Ohio this year. They estimated we are going to have an average of one a week when the year is through. I am not sure that your committee—and I want to emphasize this very strongly, the same thing the automobile people told you—I am not sure that your committee even has time to complete the series of hearings you have scheduled before this tidal wave of farming and business foreclosures burst upon us. . .●

STOP THE ELK CREEK DAM BOONDOGGLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. WEAVER) is recognized for 5 minutes.

● Mr. WEAVER. Mr. Speaker, a conference committee will be convened in the next few weeks to consider H.R. 4144, the energy and water development appropriations bill. The Senate version of this bill contains an item that greatly disturbs me: The Elk Creek Lake water project is given $1.3 million for a study of hydroelectric potential and to update and continue project design, planning, and specifications. The House version contains no similar provision. There is a very good reason that the House version contains no similar provision: The Elk Creek Dam is plainly and simply no more than an unnecessary, uneconomical, and ill-advised "pork-barrel" project. It will damage—not enhance—our water resources.

The Elk Creek Dam was originally authorized in 1962. Since that time, however, several changes have occurred that have effectively eliminated the purported needs for the project. I have opposed this boondoggle since coming to Congress in 1974 and the reasons for my opposition have not changed. The current recession only serves to underscore the validity of those reasons.

First, the asserted benefits of the Elk Creek project are entirely illusory. The primary purpose of the dam is flood control; no hydroelectric or irrigation benefits are planned. But, in the 20 years since the original authorization of this project, the State of Oregon has enacted comprehensive land use planning regulations. These regulations adequately protect the public and private property located in the flood plain. Therefore, there are, in fact, no flood control benefits to be realized from the Elk Creek Dam.

The water quality and fish run enhancement claims are not only inaccurate, they are a sham. The corps' temperature turbidity model and the conclusions drawn from it remain unsubstantiated. The projections were based on data collected during a low-water year. The Rogue River's already threatened salmon and steelhead fishery would be directly affected by releases of turbid water from the Elk Creek Reservoir. These anadromous fisheries are dependent upon a healthy river with clear, cold waters. It is outrageous to even consider appropriating funds for this project when the claim that these benefits will be enhanced is dubious and unsubstantiated.

In addition, the recreation benefits are vastly overstated. The corps' projection of 500,000 visitors per year means that an average of over 1,300 people would use the site every day. But, this area is available for recreation only 6 months of the year. That means that the corps expects nearly 2,800 people to use the site every day. Even if it were possible for this area to comfortably accommodate that unusually large number of daily visitors, the environmental impact statement grossly underestimates the costs that would be associated with development and management of a recreation facility of this magnitude.

A second reason for opposing the Elk Creek project—and this is far and away the most significant—is that it simply is not cost effective. The estimated costs have risen astronomically so that the latest projections put the price of completion at $108 million. Initially, Elk Creek Dam was part of a three-dam system. The first two parts—Lost Creek and Applegate River—are already in place. Yet, the corps continues to obscure the noncost effectiveness of the Elk Creek component by evaluating it as part of the entire "system." To make matters worse, its benefits/cost ratio is based upon an antiquated 3¼ percent interest rate; a rate which is, currently set at 7⅝ percent.

Even with the use of 20-year-old economic criteria and the burial of its costs in those of a three-dam system, Elk Creek's benefits barely exceed its costs by a factor of 1.06 to 1. When Elk Creek is analyzed as an independent project, accepting the outdated interest rate of 3¼ percent, its benefit/cost ratio is only 0.80 to 1. Worse still, when the more realistic 1980 project interest rate of 7⅛ percent is used—and, I remind you that the rate is even higher now—this dam will return only $0.32 of benefits for every taxpayer dollar invested.

Since these figures come from the Corps of Engineers own calculations, I find it shocking that they continue to favor the dam's construction. In fact, the U.S. Fish and Wildlife Service, after completing its own study of the plan, concluded bluntly "that construction of the Elk Creek Dam is unwarranted." In addition, the General Accounting Office is currently conducting a separate study of this project. With the results due in early 1982, it would be extremely premature to commit new funds to the project at this time.

Finally, serious concern has been voiced by Federal land management agencies, the local timber industry, and many others in the Rogue Valley about the effects of the dam on timber production. Because of the potential turbidity, many more restrictions will undoubtedly be placed upon timber harvest operations within the Elk Creek basin. This reduction will be aggravated by the need for special visual management of the basin due to the anticipated increase in recreational use of the area. It is estimated that more than 6,500 acres of BLM and Forest Service lands would be affected, resulting in an annual timber yield reduction of 373,000 board feet.

This dam project has a negative benefit-cost ratio—even when calculated using illusory benefits and understated costs. It will result in significant timber harvest reductions. Refusing to

continue funding the Elk Creek project is clearly consistent with the current administration's policies of fiscal conservatism. Appropriating this money would be inimical to the much heralded goals of reduced Government spending and a balanced Federal budget. Unless Elk Creek Dam is somehow made cost effective, I will continue to firmly oppose its construction. I ask my colleagues to join me in this effort.●

BIG GOVERNMENT SPENDING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. COLLINS) is recognized for 60 minutes.

Mr. COLLINS of Texas. Mr. Speaker, I have enjoyed very much the opportunity of listening to my colleagues on the other side of the aisle during this dinner period. It has been a refreshing evening conversation. It has been stimulating. For 2 hours they have raised many questions about the continuing budget that we have before us here in Congress and this budget certainly is the most important issue facing our entire country today.

As I listened to them, many thoughts came to my mind and I kept writing down this note, and I wrote down that note.

The first thing that is very strong in my mind is the fact that for 27 years this Congress has been controlled and been dominated, both the House and the Senate, by one political party, the Democrats. They have controlled Congress for 27 years. In fact, up until this year when we got a little relief, the Democrats controlled the House by 90 votes. With a 90-vote margin you can pass all of the bills you want to, and they did.

And they have also controlled the Senate. They controlled the Senate over there by 59 to 41 until this year.

Now they are talking here tonight about what have the Republicans in the Senate brought out to us. What have they brought before us in the way of suggestions on reducing the budget.

I listened to the gentlemen over here and they talked about what Government could do and Government could do this and Government could do that. I could not help but think about the only time that I had experience with what the Government could do for me. I enjoyed the Government for 3½ years and I wanted it. That was when I served in the Army and I wanted the opportunity to serve.

But when I went in the Army paid me $21 a month. If you talk to people on welfare today about $21 a month they will feel insulted. But they gave me a uniform and the Army gave me $21 a month. But once I was in that Army they expected me to take care of myself. I had been married for 4 months and my wife and I made out.

As they were talking here, I remembered one time when we were up against it and had it pretty tough. We were down at Tullahoma, Tenn. Most people have not heard of Tullahoma, Tenn., but I remember because that is where we staged and prepared the 1197th Engineers while we were getting ready to go and join Patton's 3d Army in Europe.

□ 1930

And I wanted Dee to be with me, but that was a little town, and we had thousands and thousands of troops, and the Government did not do anything for you. So I went down to the Baptist church and I talked to the chairman of the board, the head deacon, and I told him, I said, "I am just a Texas boy, and I do not know where to turn." And he found us a room. Some lady let us have a small room in her house. And when our outfit shipped out for Europe, Dee went back and lived with her folks in New Jersey.

You know, basically, when you get back down to the real tough situations in this world, you do not get the answer out of the Government; you get it out of your friends, you get it out of your neighbors, you get it out of your kinfolk, you get it out of good people in every community. It is not the Government that solves very much.

I heard an interesting remark this morning. My colleague, the gentleman from California, Mr. JERRY LEWIS, said, "Jim, I want to show you something that I just sent out to everybody back in my district."

I said, "What is it?"

And he showed it to me. And it was about a black woman who had absolutely nothing except pride and self-respect. She raised three boys who are all outstanding doctors in Chicago today, they have a big clinic, they have 62 people working in their clinic. She has two grandsons who are now finishing medical school. He said, "Just look what they have done."

Well, I will tell you. That woman is 95 years old. So obviously hard work did not affect her health. But the thing that really impressed me about it is that this woman did it and she did it by herself. And the reason I thought so much about that story, I had a group of people call on me yesterday. They were a real fine group of five women, who came up from Texas to tell me how we needed Government programs to take care of children and we needed this program and we needed that program to take care of children. And I told them about a survey that I saw recently, and I thought about it when he told me about this interesting lady up in Chicago.

They said, "For the needs to take care of children, we ought to have this Government group do that and that."

A few years ago they made a survey up in Harvard. They were trying to prove, as I understand it, that forced school busing would work. But they came up with another interesting conclusion, because busing will not work. But what they did find was this: They found that the greatest way to motivate children, what builds for children's success, what really builds for children's success. It is parents' love and interest, parents' motivation. That is not something that Government gives you; that is something you get from your parents in love and inspiration.

I was thinking, as they were talking about how could people make out, in fact, they were talking about college. I went to SMU. It is a school down in Texas. And when I was down there, one of the finest fellows—he is my very close friend today, one of the closest friends I ever had, old John—his dad said, "Son, I cannot give you much, but I am going to give you a name." So he named him John D., after John D. Rockefeller. Well, he was as poor as Jobe's turkey. He grew up over there in a little town named Mineola. He lived on a little old farm out from there. But he was a pretty good football player, and he came to SMU on a scholarship. Well, in those days if you did not make the team, they dropped you. And he did not make the freshmen team, so they dropped him. But that did not end it for John. John went down and got him a job down there at Ford, and he started working, and he also got a job in the dormitory working, by helping the athletes who were not too smart on their grades. Between helping with tutoring and helping out there, he made it. And then after he had been at Ford a while he got him a better job with a company called Core Laboratory. It was a little company analyzing oil wells. He went to work for them. Well, it is interesting about John. He worked his way completely through college. His daddy was dead when he was there, when he was trying to go through college, and he helped his mother out. He paid all of his expenses through college, he paid everything there was for an education. But working through college turned out to be a blessing, because after he got through doing 4 years in the submarines of the U.S. Navy, he came back and went to work for that same company, and today John is president of the Core Laboratories, which is the biggest oil research company in the world. They know more about geology and they do more petroleum geology work than any oil company in the world. John Wisenbaker is president of the company. And nobody gave

John any advantage. He just made it. He made it through hard work.

In fact, when we were in college back in SMU—we talk about all of these things we are going to do for kids today in college. The best thing we could do would be to give them an opportunity to work their way through college. When I was in college, half of my classmates there were making their way through college, and they were being paid 50 cents an hour if they were lucky.

There is nothing wrong with work. The Government cannot do much for you. It cannot do everything. There is not as much that the Government can do that the private citizen cannot do better.

I was interested in one other thing. It is about sewers. I thought about all the time I was in the Army. If you were ever in the service, you know that you did not have much inside plumbing. I remember that the healthiest I ever was in my life was the time I served under the 3d Army, General Patton. I slept outdoors, I slept in the rain, I slept in the mud, the snow, the ice, and I never had any of this modern sewer system which they keep worrying about. But what I thought about, as they talked about it, was a fellow named Tiger Teague. And the gentleman from Wisconsin sitting over there would remember Tiger Teague because there never was a finer man that ever served in Congress. He served on your side of the aisle over here. He got the name "Tiger" becaused he was such a Tiger when he was with that infantry outfit in Europe, and you remember he used to limp around here with all of that shrapnel that he still carried in his leg. But one thing that Tiger told me that I remember so well, one day when were talking about sewers he said, "Jim, I never knew we had inside plumbing until I went to Texas A. & M.," and he said, "I did not feel deprived in any way." He said, "I could hold my head as high as any man who was a freshman down there, because what my family gave me, they did not give me inside plumbing, but they gave me pride and self-respect."

I thought about that as we today talk about everything the Govenment can give people, everything we can do for everybody in this congressional spending. When we go home to our districts, when we finish this continuing resolution, I hope we talk to the folks back home and talk to them about Government spending, because 9 out of 10 of them will tell you—they will tell you that we have just got to cut back on all of this Government spending.

The other day someone summed it up pretty well. The question was asked, he said, "How can big government solve the problem?"

And the answer was, "Big government cannot solve the problem. Big government is the problem."

I hope everyone realizes that. Big government is the problem.

Mr. Speaker, when we go back to our districts in America, let us talk to folks about congressional excessive Government spending.

Today the savings and loan companies are in a financial crunch because of high interest rates. As we all know, they loaned out mortgage money on 30-year loan at 7 percent to build homes. Now they are in a crisis as their saving depositors are looking for 14-percent interest which is the high rate due to inflation. You cannot lend at 7 percent and then have to pay 14 percent to get your current funds.

The home building industry is in a depression because of high interest rates. How can they build if home prospects cannot get mortgage funds. Automobile sales are lagging because of high interest rates. The average citizen cannot buy a car on monthly payments because interest is too high.

A small businessman who is trying to make a 10-percent profit cannot operate his business because he is paying a 20-percent interest rate. This 20 percent interest is more expense than he can afford on 10-percent margin and still operate a break-even business.

The cause of high interest rates is the fact that the Federal Government is spending so much of the money which should be available in the private sector. In 1970 Congress was budgeting $196 billion. Right now, eleven years later, Congress is trying to finalize a budget of $724 billion.

What is it that Congress is doing for you today that they were not doing 11 years ago, besides spending nearly four times as much money? Big spending shows itself with high interest rates, just as a high temperature reflects sickness from pneumonia.

How does the average citizen feel the effect of this excess Government spending? The Housing industry feels the impact of Government spending as it has seriously limited Americans' ability to buy homes. The Government spending-caused inflation, combined with high interest rates which are also due to the fact that the Government is spending too much money, has caused this. The average cost of a home has gone from $44,600 in 1976 to $69,800 today. In this short period, the monthly mortgage payment skyrocketed from $316 a month to where it is today, $924 a month. And that is a mortgage payment they are going to pay for 30 years.

As you buy a new car today, you can really feel the pinch of inflated costs and tight money. In 1976 the average cost of a new car was $5,414 with most people paying for it with a 3-year loan. Now cars are much smaller. You would expect a lower price, but the average cost has gone up to $8,850. And it takes a 4-year loan with much high payments in order to pay for it.

The hardest hit by Government overspending are our senior citizens who are committed to live on fixed incomes. When they go to the grocery store, they can see the purchasing power of their dollar shrinking. What you could buy for $1 in 1967, it now costs $2.79 to buy those same groceries. And that is all due to inflation. It is not just the senior citizens who are hurting.

Look at the farmers. They are hurting today. These high interest rates are hitting them hard and in terms of real dollars they have less purchasing power than they had before.

Let us take the average intermediate income of a family of four—both man and wife probably working and today that is $23,000. That same family of four in 1970 had an average income of $10,664; $23,000 sounds like a lot more money, but actually, they could buy more with that $10,000 in 1970 than they can buy with $23,000 today. Actually, they were able to buy 5 percent more goods. So you are making twice as much, but it is buying less. And that is across the board for housing, transportation, groceries and medical care.

In 1970 they were making $10,600. Now they have gone from where they made about $10,000 up to where they are making $23,000, and you would say, Oh, glory, boy are they lucky, $10,000.

Did you know that you could buy more on that $10,000 in 1970 than you can buy on that $23,000 today?

Did you know that? In 1970 you could buy more for $10,000 of good American money than you can on $23,000 of American money today. You actually can buy 5 percent more.

In other words, if you are making $23,000 today and you made $10,000 you are 5 percent worse off. So do not kid yourselves. You are making more and you are buying less. That is the truth. You are making more. Why is it? Remember this, for 27 years you have had this country up here run by the Democrats. For 27 years they have been doing it and now President Reagan, the greatest man of courage that Washington has ever seen, and over in the other body, the U.S. Senate, which is now controlled by the Republicans, they are saying, cut that budget, cut that spending. They are so right.

I will tell you one thing that interested me the other day. I am a trustee of SMU now and they had Professor Slocum who quoted a survey by a man named Yankevitch. Mr. Yankevitch made a study about whether we are getting fulfillment out of our jobs today. Do you really get job satisfaction? He said they made that survey in

1960 and 50 percent of the people said, "We get job satisfaction. We enjoy what we are doing."

Well, today, people are better trained, people are better educated, we have better facilities, the office is air conditioned, everything is much better equipped. I could hardly wait to see what the job satisfaction was today.

Today, 25 percent of the people get job fulfillment. In other words, only 1 out of 4 people today are getting job fulfillment. Half of what it was before. So whatever it is, we are not doing something right.

Let me tell you something about this spending of the Government, which is a story which describes it better to me than everything I have ever heard. It is a story of the frog. Maybe you have heard the story of the frog. You can take a frog and just gently take that frog and very gently put it in a pan of very luke warm water, just luke warm, warm water, put the frog right there. Then take that pan of water and put it over on the stove and gradually turn up the heat, just do it gradually and that frog will just sit there and sit there and you could boil him alive.

Now I wonder if we have learned a lesson from the frog? I wonder how many of us have learned a lesson from that frog?

We are just sitting there on that pot and they are gradually turning up the heat on us. I am talking about all America and gradually they are burning you alive.

One time, when I was in history my teacher said something that has stuck with me all my life. She said, "James, I want you to remember this. Learn your history because history will repeat itself." I will tell you, she is right. She is right.

Let us not repeat the experience of the Continental Congress. During those days, the Government was faced with pressures for more spending. It is understandable because those were the days of the revolution between 1776 and 1781. During that 5-year period, the Continental Congress printed money to pay for the needed expenditures for carrying on the War for Independence. And they took in revenues from taxation of different types. But there was always so much pressure for spending money and the income to the Treasury kept lagging behind. No one fully realized what was happening but inflation kept growing. As we all know, when you print more paper money, money gradually loses its value. Finally, in 5 years the Continental Congress faced up to the startling realization that the Continental dollar had dropped in value to where it was worth only 1 cent. And that is where we got the old expression, "It isn't worth a Continental dollar." And even today you hear people shorten the statement so it will not reflect on the dollar and they say "It isn't worth a Continental." They are talking about a Congress that lacked the courage and let the dollar drop all the way to one cent.

□ 1940

If Congress continues this policy of free spending, not balancing the budget, issuing paper money, this policy will first bankrupt every savings and loan company. You will also ruin the tremendous automobile industry in our Nation, you will devastate the home building industry. With cash loan value established on insurance policies of 6 percent and the current interest rate being 15 percent, we will see people cashing out the insurance policies of America. And with the dollar declining in value you will see more and more pressure on our Nation's banks.

Five years ago Congress operated this country on a $360 billion budget. Right now we are talking about a $724 billion budget. That means we have doubled the spending in just 5 years.

Let's look at where the money should be going in this country. It needs to be going into jobs. We know that social security is on a cash flow basis which means the reserves have been exhausted. Social security payments depend upon people working and through their job salaries providing the income. Remember, that 7 percent of a workers salary is paid toward social security and his employer matches this and pays 7 percent of his salary toward social security. This means that when a person is working on a job that 14 percent of his salary is going into social security funding. We cannot let people lose jobs because America needs that 14 percent to be going into the social security fund to pay for social security.

But how can businessmen meet foreign competition if they do not have modern machinery and equipment. Because of congressional overspending, business is not able to keep up.

But you cannot keep jobs if you do not keep America prosperous, if you do not keep American business strong. What counts is to keep jobs, jobs, jobs.

One time this GM executive said, "What's good for General Motors is good for the country." Well, we could say that about every good company in the U.S.A. What is good to keep people in jobs is good for this United States.

I will tell you, we have got to make sure that people have jobs and that means keep business strong. I mentioned General Motors. I want to say something about Chrysler here. We reviewed the Chrysler situation a few years ago and we were all very concerned because Chrysler was in financial trouble. Now they all are, General Motors, what did they lose, some $400 million the third quarter; Ford had a working capital, I think of $300 million and a year ago they had over $1 billion.

Recently, when we reviewed the Chrysler automobile situation, we compared them to Japanese car manufacturers. Due to the taxes and cost pressure on Chrysler, they did not have the money in industry to pay for new machinery that they needed. Yet, every year the Japanese car makers were putting 60 percent more than Chrysler, in money spent for new machinery, new plants and new equipment.

We want our American automobilemakers to be strong, because their strength is essential to the strength of America. When we studied Chrysler, I wondered why does Chyrsler have a problem? Why is it that the Japanese competition is so strong? I will tell you, do not underestimate that Japanese competition. I was talking to a friend of mine that is a Chevrolet dealer down in Georgia. He told me, he said, "Jim, in our town the two Chevrolet dealers and the Ford dealer, our three combined sales, are less than the Toyota dealer." Boy, that shook me up. Did you hear that? Two Chevrolet dealers and one Ford dealer in this town could not sell as many cars as the one Toyota dealer.

When the Japanese automakers put in 60 percent more in 1 year it gave them an advantage. But when they put it in the next year and the next year and for 10 straight years, they put in 60 percent more each year, they have more modern production equipment than our automakers have. When the Government takes so much of the money, it makes it impossible for business to have captial to keep up with foreign competition.

Do you have any idea of how congressional overspending is putting the pressure on by limiting money available for private industry. I just sat down in my office and scratched down these basic figures. Our national debt is over $1 trillion. But this national debt is not being refinanced on 20-year loans. People want their money back quick on Government paper. So the average turnover of the Government debt is 2½ years. So to start with, $400 billion is needed each year to refinance the debt. Then we need to pay the interest on the debt each year, which takes another $125 billion. Then we are running this Government at the fast-spending pace of $724 billion. And remember $100 billion of that budget is an increase in the debt. Again this year Congress has a deficit budget. Add up that $724 billion with the $400 billion that the Treasury needs to refinance the debt and we are up to $1,124 billion. Then we have all of these guarantees that Congress has made which leave us with additional contingency liabilities. In addition, Congress adds many of these off-the-

budget items that are never shown, but just pass on to the national debt. If all the gobbledygook was put together and all the fancy refinance deals boiled down, the Government today is spending about half of the money that is available.

Who pays for the Government? It is the good people out there who are working for a living. We expect them to earn a living, provide for business modernization, support their families, and take care of the financial burdens of this country. Every working person in this country is carrying an overload on his aching back. And that overload is because we have too much Government and too much congressional spending.

Then what happens is we run this country at $724 billion. I hope everybody understands that this so-called continuing resolution we have got and so-called budget cuts, they are not budget cuts. What we are trying to do is to cut back on the amount of the increase. Last year the Democrats over here, it was an election year in 1980 and it was their budget, because we said it was not right, but they said $614 billion is the budget. They said that we are going to have a balanced budget in 1980. They said that we are going to take in $616 billion. We are going to spend $614 billion. That is a balanced budget.

Shucks, you read the national debt and you will see the national debt went up $100 billion last year.

I wrote a letter yesterday to a fellow that 20 years ago arrived in my hometown from Spain. He is now president of Frymire Engineering Co. He started in as a hand out in the field. Now he is president of the company, a big company, 900 employees. What he says about the opportunities in this country is that hard work pays off in America.

I just hope we have the same opportunities for the young men and women today who want to know where they are going to be 20 years from now. He did not do it with the help of the Government. He did not do it with the help of anybody but himself. People have got to help themselves.

What we want to do, we have got to take care of social security. We have got to take care of the people who are infirm and sick. That is our responsibility. We need to take care of the people who temporarily have lost their jobs. You know those situations we need to help.

I would like to summarize the way I began. When the fellow asked how could big government solve the problem, the answer was big government cannot solve the problem—big government is the problem. Let us take a step forward and let Congress cut the budget and cut the budget and give America the momentum to move forward again.

□ 2000

PRESIDENT REAGAN'S ARMS CONTROL INITIATIVES—FIRST STEP ON A DIFFICULT ROAD

The SPEAKER pro tempore (Mr. BENNETT). Under a previous order of the House, the gentleman from Wisconsin (Mr. ZABLOCKI) is recognized for 15 minutes.

Mr. ZABLOCKI. Mr. Speaker, the arms control initiatives announced by President Reagan in his speech before the National Press Club on November 18 deserve commendation and support. Most importantly, they reflect the President's personal commitment to arms reductions—a commitment long shared by all Americans. Yesterday the Congress overwhelmingly endorsed the President's initiative.

As one who has been calling for such a personal commitment by the President, I wholeheartedly welcome the President's initiatives.

Taking the negotiating high ground after nearly a year of uncertainty about U.S. seriousness regarding arms control is an essential step. The new proposals should help to dispel the growing perception among our European allies that the United States had only a passing interest in arms control. The American proposals should also have the honest effect of putting the onus of arms control intentions on the Soviet Union.

These encouraging developments warrant a guarded sense of optimism about the future of arms control for the first time since the signing of the SALT II Treaty in June 1979. But in welcoming such optimism, I must also temper those feelings with a sense of realism about the road ahead.

The theater nuclear force (TNF) negotiations that will begin in Geneva on November 30 will be extraordinarily complex and difficult. The two superpowers approach that meeting with significant disagreements. They differ not only about what should be negotiated but about what should be reduced.

The United States and our NATO allies will argue that only the planned TNF improvements on the Western side; that is, 572 ground launched cruise missiles and Pershing II missiles, and Soviet SS-4, -5, and -20 missiles should be the basis for negotiation.

The Soviet Union will argue that all American systems capable of striking Soviet territory from European bases, such as U.S. FB-111 bombers stationed in the United Kingdom or from aircraft carriers in the European region, as well as U.S. submarines deployed in European waters, should be included in the negotiations.

Compounding this problem are the differing perceptions on each side about the balance of theater nuclear forces in Europe. President Reagan eloquently presented the Western case. He made it clear that the continuing deployment of Soviet SS-20's has shifted that balance increasingly in favor of the Soviet Union. By contrast, President Brezhnev, looking at both sides' stockpiles of nuclear warheads in Europe, not just theater nuclear missiles, sees an approximate parity between the two sides.

What all this points up is that commendable though the President's proposal is, it will face certain Soviet rejection and counterproposals from Moscow that the United States will likely find unacceptable. Such a likely course of events indicates a protracted, difficult negotiation which will require the continued cooperation and support of our European allies. Considering the perception, confusion, and frustration on the part of our friends in Europe as a result of the lack of a clear U.S. policy, the necessary cooperation on the part of our allies may be hard and long in coming.

Regrettably, another failure on the part of the United States is to address an issue with which this administration has still not come to grips. That issue is the relationship between the TNF negotiations and strategic arms negotiations. Until that issue is accounted for in a totally integrated and comprehensive U.S. arms control and reduction policy, I fear that the TNF arms control discussions will be a nonstarter.

TNF arms control cannot be considered in a vacuum. These weapons in my opinion must be intrinsically linked, politically and militarily, to the strategic forces of the two superpowers. Soviet leaders insist that all weapons aimed at their territory as strategic regardless of where they are deployed. In addition, NATO strategy insists on a coupling of strategic and theater nuclear weapons to better insure deterrence against Soviet attack.

In short, it makes no sense to talk about TNF arms control without considering its ultimate dependence on progress in arms control efforts at the strategic level. Ironically, the Reagan administration itself has acknowledged this in agreeing to the TNF discussions, and has assured the NATO allies that such discussions will take place within the SALT framework.

In view of this fundamental linkage, what is a shortcoming in the President's speech is that it lacks any clear-cut indication of the future direction of our strategic arms control efforts and how the TNF discussions will be integrated with those efforts.

Such uncertainty was not necessary. Had the SALT II Treaty been ratified—which the NATO allies firmly supported—the TNF discussions would have been a part of SALT III. The linkage between TNF arms control

and strategic arms control would have been evident, and talks on both issues would have proceeded more smoothly.

In fact, this is what the NATO allies intended all along when they agreed to modernize theater nuclear weapons in December 1979. Sadly, the Reagan administration has rejected the SALT II Treaty, even though it has put nothing in its place and has stated it intends to abide by the treaty's terms.

And so, short of the President's statement that he will seek strategic arms reductions and will give the SALT process a new name, we have no indication that an overarching policy framework is being developed to integrate strategic and theater arms control efforts. Amid the optimism of the day, it must be said that far more questions than answers remain about U.S. arms control policy.

How will the administration link its TNF negotiating position to strategic arms discussions? When will the renegotiations for SALT/START II begin? Will the administration seek a total renegotiation of SALT II or will it merely attempt to fine tune a few of its elements? Will the United States continue to abide by SALT II even as it is being renegotiated, with the likely prospect being that the treaty will expire in 1985 before renegotiations are complete? How will this impact on key defense deployment decisions affecte SALT II? These are questions which require answers.

Mr. Speaker, as chairman of the Committee on Foreign Affairs, I pledge my willingness to assist the Reagan administration in moving toward the development of concrete answers to these key questions. The Committee on Foreign Affairs intends to exercise vigorous oversight on these important issues, in order to help bring about a coherent, comprehensive arms control policy that enhances U.S. national security and world peace.

When the key questions about strategic arms control policy are answered, the Reagan administration will have created the conditions for the realization of effective, meaningful, and verifiable arms control agreements that enhance U.S. national security. To date, these questions remain unanswered, and threaten to render meaningless the important momentum created by President Reagan's arms control initiatives. Nevertheless, we hope and pray the President's efforts in strategic arms reduction will succeed and we all support him in these difficult negotiations.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to: Mr. AUCOIN (at the request of Mr. WRIGHT), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Member (at his own request) to revise and extend his remarks:

Mr. ZABLOCKI, for 15 minutes, today.

(The following Members (at the request of Mr. TAUKE) to revise and extend their remarks and include extraneous material:)

Mr. REGULA, for 10 minutes, today.

Mr. COLLINS of Texas, for 1 hour, today.

Mr. GILMAN, for 5 minutes, today.

(The following Members (at the request of Mr. DYSON) to revise and extend their remarks and include extraneous material:)

Mr. ALEXANDER, for 60 minutes, today.

Mr. OBEY, for 60 minutes, today.

Ms. FERRARO, for 30 minutes, today.

Mr. GLICKMAN, for 10 minutes, today.

Mr. MONTGOMERY, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. LAFALCE, for 10 minutes, today.

Mr. FORD of Michigan, for 5 minutes, today.

Mr. WYDEN, for 5 minutes, today.

Mr. WEISS, for 5 minutes, today.

Mr. ST GERMAIN, for 5 minutes, today.

Mr. WEAVER. for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. OBEY.

Mr. HEFNER, in support of H.R. 3046 in Committee of the Whole today.

Mr. CORRADA, on the Andrews amendment to H.R. 3046, to make the senior opportunity service program an eligible activity under the Older Americans Act.

Mr. OBEY, to revise and extend his remarks and include extraneous material notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $1,680.

Mr. OBEY, to revise and extend his remarks in the RECORD today on chemicals and cancer.

(The following Members (at the request of Mr. TAUKE) and to include extraneous matter:)

Mr. PARRIS.

Mr. MCCLORY in two instances.

Mr. CONABLE.

Mr. JEFFORDS.

Mrs. HECKLER in two instances.

Mr. LEWIS in two instances.

Mr. ROUSSELOT in two instances.

Mr. COLLINS of Texas.

Mr. ATKINSON in five instances.

Mr. RAILSBACK.

Mr. HYDE.

Mr. WOLF.

Mr. BENEDICT.

Mr. GILMAN in two instances.

Mr. DAVIS in two instances.

Mr. COURTER.

Mr. EVANS of Delaware.

Mr. ROBERTS of South Dakota.

Mr. MARRIOTT.

Mr. GINGRICH.

Mr. DREIER in two instances.

Mr. KEMP in two instances.

Mr. JOHNSTON.

Mr. DOUGHERTY.

(The following Members (at the request of Mr. DYSON) and to include extraneous matter:)

Mr. LELAND.

Mr. MOFFETT in two instances.

Mrs. CHISHOLM.

Mr. RATCHFORD.

Mr. HAMILTON.

Mr. YATRON.

Ms. MIKULSKI.

Mr. HUBBARD.

Mr. LAFALCE in two instances.

Mr. SCHUMER in two instances.

Mr. SKELTON in two instances.

Mr. FITHIAN.

Mr. SHAMANSKY.

Mr. WYDEN.

Mr. MCDONALD in five instances.

Mr. BARNARD.

Mr. PEPPER.

Mr. BONKER.

Mr. OBERSTAR in three instances.

Mr. ST GERMAIN.

Mr. WEAVER.

ENROLLED BILLS SIGNED

Mr. HAWKINS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3413. An act to authorize appropriations for the Department of Energy for national security programs for fiscal year 1982, and for other purposes; and

H.R. 4522. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1982, and for other purposes.

RECESS

The SPEAKER pro tempore (Mr. BENNETT). Pursuant to the order of the House of November 19, 1981, the Chair declares the House in recess until 10 a.m. tomorrow, Saturday, November 21, 1981.

Accordingly (at 8 o'clock and 5 minutes p.m.), the House stood in recess until 10 a.m., Saturday, November 21, 1981.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2560. A letter from the Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting notice of the proposed conversion to contractor performance of the office equipment maintenance and repair function at the Marine Corps Base, Camp Lejeune, N.C., pursuant to section 502(b) of Public Law 96-342; to the Committee on Armed Services.

2561. A letter from the Principal Deputy Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting notice of the Navy's intention to enter into a contract without a cost-comparison analysis for certain civilian medical services at the Naval Submarine Medical Center, Groton, Conn., pursuant to section 502 of Public Law 96-342; to the Committee on Armed Services.

2562. A letter from the Principal Deputy Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting notice of the Navy's intention to enter into a contract without a cost-comparison analysis for aircraft maintenance services at the Naval Air Test Center, Patuxent River, Md., pursuant to section 502 of Public Law 96-342; to the Committee on Armed Services.

2563. A letter from the Director, Defense Security Assistance Agency, transmitting a report that the Defense Department has provided certain defense articles, services, and training to El Salvador under the authority of Presidential Determinations 81-2 and 81-4, pursuant to section 506(b)(2) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

2564. A letter from the Deputy Assistant Secretary of Defense (Administration), transmitting notice of proposed changes in an existing records system for the Army, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

2565. A letter from the Deputy Assistant Secretary of Defense (Administration), transmitting notice of a proposed new records system for the Navy, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

2566. A letter from the Assistant Attorney General for Legislative Affairs, transmitting a draft of proposed legislation to protect the confidentiality of information filed by individual taxpayers with the Internal Revenue Service, to promote the effective enforcement of Federal and State criminal laws, to facilitate judicial resolution of challenges to Internal Revenue Service summonses, and for other purposes; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 4001. A bill to authorize the exchange of certain land held in trust by the United States for the Navajo Tribe, and for other purposes; with amendments (Rept. No. 97-346). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 4364. A bill to declare that the United States holds in trust for the Pascua Yaqui Tribe of Arizona certain land in Pima County, Ariz.; with an amendment (Rept. No. 97-347). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 4894. A bill to authorize the Secretary of the Interior to disburse certain trust funds of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin, and for other purposes; with amendments (Rept. No. 97-348). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. House Joint Resolution 341. Joint resolution providing for a waiver of law pursuant to the Alaska Natural Gas Transportation Act (Rept. No. 97-350, Pt. I). And ordered to be printed.

ADVERSE REPORTS

Under clause 2 of rule XIII,

Ms. FERRARO: Committee on Post Office and Civil Service. H.R. 4448. A bill to amend title 10, United States Code, to increase the number of Assistant Secretaries in the Department of Defense, and for other purposes (Rept. No. 97-300, Pt. III). Referred to the Committee of the Whole House on the State of the Union.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. MITCHELL of Maryland: Committee on Small Business. H.R. 4326. A bill to amend the Small Business Act to strengthen the role of the small, innovative firms in federally funded research and development, and to utilize Federal research and development as a base for technological innovation to meet agency needs and to contribute to the growth and strength of the Nation's economy; with an amendment; referred to the Committee on Armed Services, to the Committee on Energy and Commerce, and to the Committee on Science and Technology for a period ending not later than March 1, 1982, for consideration of such portions of the bill and amendment as fall within the jurisdictions of those committees under clause 1(c), 1(h) and 1(r), rule X respectively (Rept. No. 97-349, Pt. I). And ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PATMAN:

H.R. 5063. A bill to provide that certain amounts of the revenues received by the United States under leases on the Outer Continental Shelf shall be used to acquire petroleum products for the strategic petroleum reserve and strategic and critical materials for the national defense stockpile; jointly, to the Committees on Interior and Insular Affairs, Energy and Commerce, Armed Services, and Rules.

By Mr. ALBOSTA:

H.R. 5064. A bill to amend title 49, United States Code, to insure that foreign countries grant entry to U.S. motor common carriers of property on substantially the same standards as foreign countries grant entry to their own motor common carriers of property; to the Committee on Public Works and Transportation.

By Mr. JOHN L. BURTON (for himself, Mr. FAZIO, Mr. STARK, Mr. PEPPER, Mr. WYDEN, Mr. BIAGGI, Mr. ROYBAL, Mr. VENTO, Mr. DOWNEY, Ms. FERRARO, Mr. EVANS of Indiana, Mr. SYNAR, and Ms. OAKAR):

H.R. 5065. A bill to protect retired and disabled persons by preserving the integrity of the Consumer Price Index; to the Committee on Education and Labor.

By Mr. CONYERS:

H.R. 5066. A bill to amend the Federal Reserve Act to provide for the increased responsiveness and accountability of the Federal Reserve System to Congress and citizens, to amend the Congressional Budget Act of 1974 to provide for the establishment of annual discount rate, interest rate, and monetary growth rate targets, and for other purposes; jointly, to the Committees on Banking, Finance and Urban Affairs and Rules.

By Mr. CONABLE (for himself and Mr. WRIGHT:)

H.R. 5067. A bill to amend sections 403(b)(2) and 403(b)(3) of the Internal Revenue Code of 1954 with respect to computation of the exclusion allowance for ministers and lay employees of a church; to add a new section 403(b)(9) to clarify that a section 403(b) annuity contract includes an annuity contract of a church, including a church pension board; to conform section 403(c) with recent amendments to section 402(a)(1); to amend section 415(c)(4) to extend the special elections for section 403(b) annuity contracts to employees of churches or conventions or associations of churches and their agencies; to add a new section 415(c)(8) to permit a de minimis contribution amount in lieu of such elections; and to make a clarifying amendment to section 415(c) by adding a new paragraph (9) and conforming amendments to sections 415(d)(1), 415(d)(2), and 403(b)(2)(B); to the Committee on Ways and Means.

By Mr. DORNAN:

H.R. 5068. A bill to amend the Internal Revenue Code of 1954 to allow individuals a refundable credit against income tax for security devices installed on their residences; to the Committee on Ways and Means.

By Mr. DREIER (for himself, Mr. CONTE, Mr. DOWNEY, Mr. FOGLIETTA, Mr. KEMP, and Mr. MARKEY):

H.R. 5069. A bill to impose an embargo on trade between Libya and the United States; jointly, to the Committees on Foreign Affairs and Ways and Means.

By Mr. FASCELL:

H.R. 5070. A bill to amend title 28, United States Code, to authorize the Attorney General to acquire and exchange information to assist Federal, State, and local officials in the identification of certain deceased individuals and in the location of missing children; to the Committee on the Judiciary.

By Mr. FOLEY:

H.R. 5071. A bill to provide coverage under the Federal old-age, survivors, and disability insurance system for all Members of Congress and other officers and employees in the legislative branch of the Govern-

ment; to the Committee on Ways and Means.

By Mrs. HOLT:

H.R. 5072. A bill to change from level IV to level III of the Executive Schedule the position of Special Representative for Arms Control and Disarmament Negotiations of the Arms Control and Disarmament Agency; to the Committee on Post Office and Civil Service.

By Mr. HOWARD (for himself and Mr. CLAUSEN) (by request):

H.R. 5073. A bill to require recovery of certain expenditures of the U.S. Army Corps of Engineers for operation, maintenance, and construction of deep draft channels and ocean and Great Lakes ports of the United States and to authorize such construction in specified circumstances; to the Committee on Public Works and Transportation.

By Mr. JONES of North Carolina (for himself, Mr. SNYDER, Mr. BREAUX, and Mr. FORSYTHE) (by request):

H.R. 5074. A bill to give effect to the Protocol Amending the Convention for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, signed at Washington, March 29, 1979; to the Committee on Merchant Marine and Fisheries.

By Mr. LAFALCE:

H.R. 5075. A bill to amend the Small Business Act to require the payment of interest by the Federal Government on any amount due for more than 30 days to any small business concern under the terms of a contract entered into by the Federal Government and such small business concern, and to require the Federal Government to take early payment discounts only when payment is timely made, and for other purposes; to the Committee on Small Business.

By Mr. LIVINGSTON (for himself, Mr. BEVILL, Mr. CORRADA, Mr. DAVIS, Mr. FIELDS, Mr. FOGLIETTA, Mr. FORSYTHE, Mr. SAM B. HALL, JR., Mr. HILER, Mr. HUGHES, Mr. LAGOMARSINO, Mrs. MARTIN of Illinois, Mr. NAPIER, Mr. PEPPER, Mr. PORTER, Mr. RINALDO, Mr. ROE, Mr. SHUMWAY, Mr. SMITH of Pennsylvania, Mr. WALKER, and Mr. WINN):

H.R. 5076. A bill to amend title II of the Social Security Act to insure that the Secretary of Health and Human Services is provided adequate information concerning the death of individuals necessary for determining benefits under such title; to the Committee on Ways and Means.

By Mr. LOWERY of California:

H.R. 5077. A bill to amend chapter 44 of title 18 of the United States Code to extend and strengthen the mandatory penalty feature of the prohibition against the use of firearms in Federal felonies, and for other purposes; to the Committee on the Judiciary.

By Mr. MARRIOTT (for himself, Mr. NOWAK, Mr. MCDADE, Mr. CONTE, Mr. WILLIAMS of Ohio, Mrs. SNOWE, Mr. EVANS of Georgia, Mr. ROEMER, Mr. LOTT, Mr. GINGRICH, Mr. BADHAM, Mr. DE LA GARZA, Mr. WILSON, Mr. DANIEL B. CRANE, Mr. STATON of West Virginia, Mr. DAUB, Mr. WEBER of Ohio, Mr. DREIER, Mr. HANSEN of Utah, Mr. BAFALIS, Mr. NEAL, Mr. FORSYTHE, Mr. ROTH, Mr. JEFFRIES, and Mr. MCEWEN):

H.R. 5078. a bill to amend the Small Business Investment Act of 1958, to provide incentives for investments in small business through small business participating loans, and for other purposes; jointly, to the Committees on Small Business and Ways and Means.

By Mr. MOTTL:

H.R. 5079. A bill to amend title 28, United States Code, to provide for the establishment of an arbitration system for the settlement of grievances resulting from violent conduct which occurs during certain professional sports events; jointly, to the Committees on Education and Labor and the Judiciary.

By Mr. RATCHFORD:

H.R. 5080. A bill to extend duty-free treatment to button blanks of casein; to the Committee on Ways and Means.

By Mr. SANTINI:

H.R. 5081. A bill to declare that the United States holds certain lands in trust for the Washoe Tribe of Nevada and California and to transfer certain other lands to the administration of the U.S. Forest Service; to the Committee on Interior and Insular Affairs.

By Mr. SMITH of New Jersey:

H.R. 5082. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income dividends and interest received by individuals who have attained age 62; to the Committee on Ways and Means.

By Mr. WON PAT:

H.R. 5083. A bill to authorize the appropriation of funds as an annual Federal payment to Guam; to the Committee on Interior and Insular Affairs.

By Mr. WYDEN:

H.R. 5084. A bill to amend title XVIII of the Social Security Act to provide for alternative methods for payment of hospitals under the medicare program; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. PARRIS (for himself, Mr. WAMPLER, Mr. ROBINSON, Mr. TRIBLE, Mr. BLILEY, Mr. BUTLER, Mr. ROBERT W. DANIEL, JR., Mr. DAN DANIEL, Mr. WHITEHURST, and Mr. WOLF):

H.J. Res. 364. Joint resolution designating February 22, 1982, the 250th anniversary of the birth of George Washington, a "Day of National Celebration"; to the Committee on Post Office and Civil Service.

By Mr. REUSS (for himself, Mr. ST GERMAIN, Mr. FAUNTROY, and Mr. D'AMOURS):

H.J. Res. 365. Joint resolution resolving that current economic policies must be reconsidered to bring and keep interest rates down, that the President and the administration and the Board of Governors of the Federal Reserve System shall discourage speculative lending, the Board of Governors of the Federal Reserve System shall reconsider its tentative decisions to reduce the targets for growth in money supply for 1982, and that the President shall comply with section 10 of the Federal Reserve Act; to the Committee on Banking, Finance and Urban Affairs.

By Mr. WATKINS (for himself, Mr. EDWARDS of Oklahoma, Mr. ENGLISH, Mr. JONES of Oklahoma, Mr. MCCURDY, and Mr. SYNAR):

H. Res. 283. Resolution to congratulate the State of Oklahoma on the celebration of its diamond jubilee; to the Committee on Post Office and Civil Service.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 4930: Mr. PETRI.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

290. By the SPEAKER: Petition of the Common Council, Buffalo, N.Y., relative to the Head Start program; to the Committee on Education and Labor.

291. Also, petition of the Grande Voiture du California, Societe des Quarante Hommes et Huit Chevaux, Stockton, Calif., relative to veterans' benefits; to the Committee on Veterans' Affairs.

EXTENSIONS OF REMARKS

AMEND INTERNAL REVENUE CODE

HON. BARBER B. CONABLE, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. CONABLE. Mr. Speaker, with my distinguished colleague, JAMES C. WRIGHT, of Texas, I today reintroduce legislation to amend several provisions of the Internal Revenue Code that unfairly deny reasonable retirement benefits to the majority of clergymen and lay employees of our Nation's churches. Victims of an unfortunate oversight in our tax laws, these church servants are inexplicably ignored by Internal Revenue Code provisions that permit reasonable contributions to the retirement annuities of certain other categories of employees who historically are also not well compensated. The bill corrects this omission by granting ministers and lay employees the same right of contribution to their retirement annuities now enjoyed by these other classes of poorly compensate pensions. It represents a large step toward assuring our ministers and lay employess of adequate retirement allowances. We invite our colleagues to join with us in sponsoring this legislation.

Our ministers and lay employees depend heavily on annuities described in section 403(b) of the Code for their retirement benefits. Our churches believe such annuity programs are perfect retirement systems. Most denominations have used them for decades—some for over a century. They are completely portable and let church workers move freely within their denominations without losing retirement benefits.

Some of the section 403(b) annuity arrangements of the churches are defined contribution programs, while others are defined programs. Section 403(b) imposes no requirement that the arrangement be of either kind. Most churches do not purchase retirement annuities from insurance companies. They administer and fund their own annuity programs. Some denominations fund their retirement annuities internally. But most have formed organizations called pension boards to administer and fund their annuity programs. These pension boards are usually separately incorporated to protect pension assets. Whether the provider of pension benefits is separately incorporated or not, it fulfills the functions of the church with which it is associated in providing retirement benefits for its ministers and lay employees and is, thus, entitled to classification as an integral and inseparable part of the church.

Since 1958, the "exclusion allowance" in section 403(b)(2) has limited the amount that an employer can contribute to an annuity for an employee under this section without income tax consequences. That amount is the excess of (1) 20 percent of the employee's includible compensation for the year times the employee's years of service with his or her employer over (2) the aggregate amounts contributed in prior years that have been excluded from income. Before the exclusion allowance, there were no limitations on contributions to section 403(b) annuities. The exclusion allowance was designed to prevent then-existing abuses by certain part-time employees. Senate Report No. 1983, 85th Congress, 2d session 36 (1958). The exclusion allowance was also designed to permit larger-than-usual retirement annuity contributions late in the employee's career to compensate for the years when contributions were low or not made at all. These are called "catchup" contributions. The capacity to make catchup contributions is extremely important to persons who are poorly compensated.

In 1974, we added a further, and perhaps unnecessary, limitation on contributions to section 403(b) annuities by enacting section 415. We arbitrarily classified section 403(b) annuities as defined contribution plans, whether or not they fit that description, and required that contributions be no greater than the limits under section 415(c)(1). This further limitation on employer contributions to section 403(b) annuities is the lesser of $25,000 (adjusted by the increases in the cost of living) or 25 percent of the participant's compensation. When we imposed those limitations, we realized that the 25-percent-of-compensation limitation would seriously hinder the ability of poorly compensated employees to make catchup contributions. So we devised in section 415(c)(4) certain elections a participant could make to override the 25-percent ceiling, except in the instance of the "(C)" election in section 415(c)(4), which substitutes the $25,000-25-percent limitation for the exclusion allowance. The elections permit relatively high contributions late in the career of an employee who typically has a pattern of low contributions in the early stages of his career. Joint Conference Report No. 93-1280, 93d Congress, 2d session 345 (1974). We made these elections available to employees of educational organizations, hospitals, and home health service agencies but completely ignored churches. We failed to realize that churches also use section 403(b) annuities extensively. We believe church employees need the elections as much as those classes of employees who now use them. It would be unfair to lock out the very kinds of people the law was designed to protect.

Few people are more poorly compensated than ministers and lay employees. A minister begins his career at a salary of only $5,000 to $10,000. Rarely will his salary exceed $15,000, or $20,000—and then only at the end of his career. Lay employees generally earn even less. Missionaries also receive low salaries.

A typical pension of a minister is only $2,000 to $3,000 a year. Lay employees retire on less. These inadequate pensions will continue if we do not amend the limitations we enacted in 1974.

Sections 403(b) and 415 create many problems for church employees. The compensation of many of them, particularly foreign missionaries, is so low that even the exclusion allowance makes worthwhile contributions impossible. They spend their lives in the mission field and expect to retire in the United States. But the combination of the exclusion allowance based on compensation and the high cost of living here makes retirement very difficult for these persons.

Second, because ministers and lay employees are so poorly compensated, catchup contributions are vital if they are to be assured adequate retirement benefits. But the 25-percent limitation renders adequate catchup contributions impossible. During the first years of a minister's career, contributions may be a function of salary and, hence be very small. The minister may be employed by a new or struggling church or church agency that cannot afford any plan contributions. Under section 403(b), the minister may take a reduction in salary to permit his employer to purchase annuity benefits. But salary reduction is usually impractical because for many years he will need every penny he earns to feed and clothe his family, and educate his children. When a minister has reached age 50 or so, his compensation may increase enough for him to purchase additional annuity benefits. Only then may his personal and family expenses have declined enough for him to use part of his salary to supplement his retirement annuity. A minister's church

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

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may also recognize that he is about to retire with a poor retirement income and, with help from the congregation, may contribute more funds to raise his annuity to an acceptable level. But because the 25-percent limitation of section 415(c)(1) is based on an extremely low salary, it frustrates any effort, by salary reduction or otherwise, to enhance the minister's retirement benefits meaningfully. We consider unfair any rule that denies ministers and lay church employees a chance to build reasonable retirement benefits.

A third problem is that the "years-of-service" factor of the exclusion allowance is limited to years of service with the employee's present employer. In computing the exclusion allowance for any year, an employee is not given credit for any years of service with prior employers. In our hierarchical denominations, an employee may be considered employed by the denomination, even though his technical employer may be another church organization. But in our congregational denominations, each organization is a separate employer. Many ministers and lay employees move frequently from one church to another within their denomination or among agencies of the denomination during their careers. In some denominations, a minister or lay employee will change employment every 3 to 5 years. In computing the exclusion allowance, a minister or lay employee of a congregational denomination is, thus, given no credit for past service with other employers in the denomination. For any such employee with frequent job changes, this rule severely reduces the exclusion allowance and the ability to make catchup contributions.

A fourth problem is an emerging policy in the Internal Revenue Service that only licensed insurance companies may provide annuity contracts described in section 403(b). No provision in section 403(b) limits the provider of annuity contracts described in that section to licensed insurance companies. The Service has agreed with this conclusion in published revenue rulings and private letter rulings to church denominations. Yet a growing judgment in the Service contends that churches and church pension boards should not be permitted to provide section 403(b) annuity contracts as they have for many years. We see no reason in logic or equity for denying churches the right to provide section 403(b) annuities for their workers.

A fifth problem is technical. Like many secular plans, some church plans condition the nonforfeitability of rights on a factor such as continued service for a period of time. Nonetheless, contributions are made to the plan on behalf of the participants during the period of forfeitability. In the case of a qualified annuity plan, it is clear in section 415(c)(1) that annual additions to a participant's account occur in the year to which a contribution is attributed, rather than lumped in the year in which the annuity contract becomes nonforfeitable. Similar treatment seems appropriate in the case of a section 403(b) annuity. However, in the case of a section 403(b) annuity, it is not clear whether the same rule would apply. It would be unfortunate if several years of contributions were deemed made in the year the annuity became nonforfeitable because of the likelihood the section 415(c)(1) limitations would be exceeded.

It is also unclear whether participants in such plans would have the right to the elections in section 415(c)(4) and the right to contribute the de minimis amount already discussed. We believe the law should be clarified in favor of giving such participants these rights.

Mr. Speaker, an important feature of our bill is that a minimum includable compensation is deemed for church employees. This is related to the income poverty guideline calculated yearly by the Office of Management and Budget for an average family size. This provision insures that a minimum exclusion allowance will be available for a church employee even though his actual includable compensation does not produce one under the present formula.

Our legislation corrects the inequity of the 25-percent limitation by extending the right to make the elections in section 415(c)(4) to employees of church denominations and their agencies. We believe these persons should have the same right to make the elections as employees of educational organizations, hospitals, and home health service agencies. This legislation also provides a de minimis amount of $10,000, which may be contributed without having to consider either the 25-percent limitation or the section 415(c)(4) elections. This de minimis amount is parallel to the de minimis amount for defined benefit plans in section 415(b)(4). Like other limiting figures in section 415, it is subject to adjustment for increases in the cost of living commencing with the calendar quarter beginning October 1, 1974. The de minimis amount will have a simplifying effect on the Code because the elections are difficult to understand and administer. It is intended that all limitations provided in section 415(c), including the de minimis amount, be subject to the further limitations of section 403(b)(2). Thus, under this bill an employee could not make a "(C)" election under section 415(c)(4)—which substitutes the $25,000—25-percent limitation for the exclusion allowance—and be permitted a contribution of the de minimis amount. Accordingly, the 1958 legislation establishing the exclusion allowance and subsequent legislation is in no way circumvented. The term "agency" of a church is defined in this legislation by reference to that term in section 414(e)(3)(B)(ii) and means an exempt organization either controlled by or associated with a church or a convention or association of churches.

Our legislation also would treat the service of a minister or lay employee with any church or church agency of a religious denomination as service with a single employer for purposes of computing the exclusion allowance. All years of service of a minister or lay employee for a church or a church agency, both of which must be described in section 501(c)(3), would be aggregated in determining the exclusion allowance for taxable years beginning after 1980. It would make no difference whether the years of service being aggregated occurred before or after 1980. Our legislation will enable section 403(b) annuity contributions to be made on behalf of ministers and lay employees in order to provide them with retirement benefits based on years of service with the denomination rather than with the present employer. This rule will make sure the employees of all the denominations of this country are treated equally in connection with the years-of-service factor.

This legislation also expresses in the statute the longstanding position under current law that section 403(b) annuity contracts may be provided by a church or a convention or association of churches, whether the annuity contract is provided internally by the church or by a separately incorporated entity such as a pension board. A pension board means an organization described in section 414(e)(3)(A). That is an organization, the principal purpose or function of which is the administration or funding of a plan or program for the provision of retirement or welfare benefits for the employees of a church if such organization is controlled by or associated with such church.

This legislation provides that annual additions to a forfeitable section 403(b) annuity are, for purposes of the section 415 limitations, treated like annual additions to a nonforfeitable annuity. Annual additions are, thus, deemed made for the year to which they are attributed, rather than lumped in the year the annuity contract becomes nonforfeitable. This rule is in keeping with that regarding contributions to qualified defined contribution plans before a participant's rights are fully nonforfeitable. This legislation also insures participants in a forfeitable section 403(b) annuity of the right to make the special elections and the de minimis contribution amount.

Finally, we make it clear that constructive receipt is not to apply to section 403(b) annuities by conforming section 403(c) to changes in section 402(a)(1) recently made by the Economic Recovery Tax Act of 1981. By removing the words "or made available" in section 403(c), we eliminate the unnecessary constructive receipt problems caused by them.

Mr. Speaker, we hope our colleagues will support this bill.●

THANKSGIVING: A TIME TO CELEBRATE THE SPIRIT OF AMERICA

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. LEWIS. Mr. Speaker and my colleagues, I have never before placed a column from my office in the RECORD but the following is the inspiration of my press director, Sue Turbes, and I believe it may be of special interest to my colleagues as we share Thanksgiving.

A few months ago the President addressed the Nation to give us a progress report on his four-part plan for the economy. At the end of his speech he spoke about the spirit of America and a people that has developed a proud tradition of generosity and courage. He said:

I believe the spirit of volunteerism still lives in America. We see examples of it on every hand—the community charity drive, support of hospitals and all manner of nonprofit institutions, the rallying around when disaster or tragedy strikes.

Thanksgiving is the day we recognize and pay tribute to the early Pilgrims who founded this country in a spirit of independence and pride that have become a part of each American citizen. Through generation after generation Americans have persevered and found much to give thanks for, just as did our Pilgrim forebears.

As we give thanks for the continuing spirit of our people I thought it would be interesting to look at an individual story—one of determination that exemplifies why our country is the greatest in the world. It is the story of Clara Williams, a 95-year-old black woman in Chicago who had a philosophy reflecting those early Americans.

Her memories are of an all white college, a husband, of hard times on a dusty farm in New Mexico, and three children who were all taught to be special. Clara says of her children:

They were all going to be something. None of them were going to be standing on the corner begging and none would be lazy.

Her zeal and drive were instilled in all three sons, Charles Williams, James Williams, and Jasper Williams—today all doctors. Charles credits his mother for much of his success. He said that she taught them how to work, how to study, and always encouraged them to keep trying because the sky's the limit if you try hard enough.

One by one, all three brothers moved to Chicago. In 1961, on the south side of Chicago a medical clinic was opened which now is staffed by 62 people. The person who guided its conception was Clara Williams. But the Williams Clinic is more than just the symbol of a mother's influence on her children. The legacy she established continues on with her grandchildren and a new generation—Jasper Williams, Jr., and Charles Williams, Jr.—both in medical school.

As for Clara, she received an honorary doctorate degree from her alma mater, New Mexico State University. And, at last a ceremony to go with it, one she did not have when she graduated back in 1937.

Although this story was originally aired on the NBC Today Show for Mothers Day, it is also a story of what has made America the greatest country in the world—the spirit of our people. The promise of opportunity continues to exist today and individuals like Clara Williams continue to achieve the American dream. That indeed, is something for which we, as a Nation, should be thankful.●

THE PLIGHT OF VLADIMIR TSUKERMAN

HON. FLOYD J. FITHIAN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 1981

● Mr. FITHIAN. Mr. Speaker, I join my colleagues in expressing frustration and anger regarding the plight of Vladimir Tsukerman, a Soviet citizen who has recently been sentenced to 3 years in a Soviet labor camp for peacefully seeking permission to join his wife and son in Israel. I am disturbed by the increasingly stringent Soviet response to individuals who seek exit visas. And I am concerned for those Soviet citizens who endure harassment and persecution by their neighbors and their government because they choose to practice their religious faith or seek to emigrate from the Soviet Union.

Particularly now, as Thanksgiving and the holiday season approach, many of us think of counting our blessings and giving thanks for all that we have. As Americans, we enjoy freedoms which most people around the world can only dream of. The freedom of worship and the right to emigrate freely are especially precious. I call upon the Soviet Union to honor its commitment to these principles as embodied in the Helsinki accords, and to cease its violation of the human rights of individuals such as Vladimir Tsukerman.●

DUTY-FREE TREATMENT FOR IMPORTS

HON. WILLIAM R. RATCHFORD

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. RATCHFORD. Mr. Speaker, today I have introduced legislation to provide duty-free treatment for imports of casein button blanks. It is essential that this House take such action to eliminate a gross inequity for U.S. producers of casein buttons that has resulted in extensive layoffs and financial hardship for the very few American manufacturers that remain.

Because there has been no domestic production of casein button blanks in this country since 1979, American producers of finished casein buttons have been forced to import casein button blanks primarily from three nations: Holland, Germany, and Italy. Finished casein buttons are then produced by machining, drilling, and finishing the imported blanks. Three northeastern firms, which account for roughly 95 percent of the total annual domestic production of casein buttons from imported casein blanks, are experiencing a tremendous competitive disadvantage with firms that only import finished casein buttons or garments with finished casein buttons since the current most-favored-nation (MFN) rate of duty on these casein buttons is 6.9 percent ad valorem, while that on casein blanks is 24.2 percent.

As a result of the Tokyo round of the multilateral trade negotiations, this same column 1 rate of duty for imported casein blanks will decrease in annual stages to 11.4 percent ad valorem at the beginning of 1987. The comparable rate of duty for finished casein buttons, however, will also decline until it reaches 4.9 percent in the same year. In other words, despite these dramatic reductions, the rate of duty for imported casein blanks will still be more than two times that of imported finished casein buttons—hardly an improvement in the competitive aspect of the market. This situation has resulted in employment terminations and a competitive pricing problem that does not bode well for the future of the domestic industry.

Such an inequity serves only to protect the firm that can import and market finished casein buttons at 30 to 35 percent less than casein buttons of comparable quality, which are domestically produced from imported casein blanks. We must act now, Mr. Speaker, to eliminate this inequity that both costs jobs in an area of the country already experiencing frightening unemployment rates and artificial-

ly drives up the price of finished casein buttons and garments with finished casein buttons. Customs revenue losses would be minimal under this legislation, and the domestic industry would receive a much needed shot in the arm. I look forward to early hearings by the Ways and Means Trade Subcommittee on this bill, and would welcome the support of my colleagues in this important matter.●

COALITION OF BLACK WOMEN GOES NATIONAL

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mrs. CHISHOLM. Mr. Speaker, I am pleased to introduce the Coalition of 100 Black Women, a new national organization, that has existed locally for 11 years. Originating in New York, the group presently has 825 members in 14 States and the District of Columbia. The coalition's objectives are to be a collective group focusing on the needs of black women and to be a vehicle of communication for black women. The Coalition of 100 Black Women will have a national voice and will address a multitude of issues facing black women. Some of the most troublesome issues to be addressed are the Federal budget cuts, lack of housing, child care, unemployment, and transportation, along with persistent racism.

This Nation, in representing all of its people, is now privileged to hear concerns from a national organization which represents black women. The Coalition of 100 Black Women is in a position to give our Nation guidance in enhancing the rights of all of its citizens. We welcome their input. I have enclosed a recent New York Times article on the coalition for my colleagues' review.

[From the New York Times, Oct. 26, 1981]

COALITION OF BLACK WOMEN GOES NATIONAL

(By Nadine Brozan)

Repeatedly, before small groups and large ones, in a soft voice and an impassioned one, Jewell Jackson McCabe said, "We always hear that behind every great man is a woman. I say that in this world behind every great effort is a black woman going unrecognized."

Certainly that was not the case this weekend for the Coalition of 100 Black Women which, with the addition of 14 states and the District of Columbia, was marking its transition from a local to a national association, nor for Mrs. McCabe, who was elected national president. The president of the New York Coalition since 1977, Mrs. McCabe is director of government/community affairs for WNET/Channel 13. Several hundred dignitaries, including many influential members of the public and private sectors, turned out for a party given by the coalition at the Hilton Hotel Friday evening. They included Mayor Koch; City Council President Carol Bellamy; Representative Charles B. Rangel, Democrat of Manhattan; former Manhattan Borough President Percy E. Sutton; New York Secretary of State Basil A. Patterson, and James D. Robinson 3d, chairman and chief executive of the American Express Company. Mr. Robinson, along with officers of Philip Morris Inc. and other individuals, received awards for financial and moral support of the coalition.

STARTED 11 YEARS AGO

The organization had its genesis in a small band of women meeting in one another's homes 11 years ago to address a multitude of troublesome issues. They chose their name because they hoped one day to have 100 members. The tributes to the group, which now has 825 members in New York, were voluminous and enthusiastic.

As David Dinkins, New York City Clerk and a candidate for Manhattan Borough President, put it: "Influence is power, and they clearly have it. Individually these women are influential in government and business positions, so they are persuasive in the larger sphere."

And now that their boundaries extend to California, Representative Rangel said, "There is no question that this organization will have a national voice. They have become a collective force of women who did not know each other in the past."

Besides throwing a jubilant party and holding a luncheon serious with talk of the goals of black women, the more than 40 women—lawyers, judges, educators, legislators, heads of corporations, social psychologists and community activists—from a variety of geographical areas rewrote and ratified a constitution, composed a resolution stating their mission and elected officers and a board.

Emphasizing that the women fully recognized the achievements of other black organizations, Mrs. McCabe explained the need for the national coalition. "Our biggest problem is that we have no forum; no one speaks specifically on our behalf. The women's movement defines itself by its achievers; why are we defined as domestic workers?"

In fact, when the representatives from each of the states joining the coalition were asked at a discussion to describe the most pressing problems for women in their states, they cited unemployment, Federal budget cuts, lack of housing, transportation and child care, along with persistent racism. But threaded through the problems specific to particular regions was a sense that black women lacked an effective vehicle of communication with one another.

Jatrice Gator, a lawyer and planning associate with the Community Service Council of Metropolitan Indianapolis, said, "Before black women can begin to address issues, they must overcome complacency, lack of organizational skills and conceptualize what things can be done. Legislation for battered women was written in our state by a black woman, but then there was no support expressed for it by black women. We must become aware that we can speak out."

Etrula R. Trotter, partner in a Memphis law firm, said, "There is simply a lack of unity. The only unity that exists in Tennessee is that of ignorant, apthetic, rural white males."

Edith B. King, supervisor of employee development and training for the Gulf Oil Corporation, said, "In Texas black women are auxiliarized to the extent that they are totally ineffective. Forums are needed to strengthen them, to help them break out. We could have power, but we have no forum to help us move into power."

Her colleague, Judge Gabrielle K. McDonald of the United States District Court of Southern Texas, who said she was the second black judge of either sex to be appointed to a Federal seat in the South, elaborated: "In Houston, there's a vacuum of women involved in anything but auxiliaries."

"The feminist movement hasn't hit black women in Texas," in part, she speculated, "because there is still the black-white problem, that keeps women intent on helping their men. They don't realize that you can both act. It's dumb to say that adult women should have role models but that's exactly what we need."

Delia Young, who heads her own public relations firm in Kansas City, Mo., said, "At last we will be structured for action. Until now we've had nothing. It's fine to have prophets; we have an abundance of those, but we need architects, too."

In the view of Yvonne Brathwaite Burke, a former United States Representative from California, who is now a partner in a law firm and was elected to the coalition's national board, the architects must turn their attention to economic advancement. "We are seeing black women move into political power," she said, "but they're missing in the corporate world. With all the outstanding black women, we simply don't have them in high places in private industry."

In fact, she continued, "Economic power has become even more elusive than it was 20 years ago for all blacks. For example, when white insurance companies wouldn't insure blacks, they formed their own companies, but when the white companies did, the black ones lost strength. Meanwhile the white companies haven't brought us in with any impact."

The possibility that budget cutbacks and Federal policies easing antidiscriminatory regulations would indisputably affect the black community was so taken for granted that it was rarely discussed at the meeting. But Mrs. Burke did attack the Reagan Administration strongly in her luncheon address Saturday.

Still the event ended in an optimistic mood that may be typical of the beginning of a mission in which strangers become allies. Evelyn Cunningham, who was director of the women's unit in the office of Gov. Nelson A. Rockefeller and is now senior editor of Elan, a monthly magazine that will be introduced in January, was supposed to describe the structure of the coalition for the closing luncheon audience. But when she rose to speak, she said simply, "Nobody is going to want to hear about committees and structure and budgets. This is simply a day of joy."●

AGAINST IMPORTED SOVIET AUTOMOBILES

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. SKELTON. Mr. Speaker, I rise today to urge the President to take immediate action to prevent the importing of Soviet vehicles. Our auto industry is experiencing the worst recession

in its history. The devastating effects of imported cars and trucks as well as skyrocketing costs have eliminated many American jobs and forced more American workers to be laid off. Incredibly, however, at what must be the worst possible time, certification procedures are being completed to permit Russian-built trucks to be imported and sold in the United States.

The Soviet Union continues to occupy Afghanistan and continues to take other actions which heighten world tension. I cannot believe that it is in our best interest to reward such behavior by making Soviet workers and the Soviet economy the beneficiaries of our generous, open market policy. Furthermore, we have been working for the past few years with our allies to establish an acceptable policy which curtails their exports to the United States. We cannot, in good faith, turn around now and open a completely new market for Russia.

We must insist that American jobs be protected from Russian imports and I call on my colleagues to join me in requesting that the President take the necessary action to prevent it.●

SPEAKER O'NEILL IS PREVENTING ACTION TO SAVE SOCIAL SECURITY

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. ROUSSELOT. Mr. Speaker, I would like to bring to the attention of the Members of the House of Representatives the November 6, 1981, Baltimore Sun editorial which highlights the politics that Speaker TIP O'NEILL is playing with the social security program.

As the editorial points out, the Speaker does not want to move on legislation which would help salvage the system. In reaction to a bipartisan amendment offered by Social Security Subcommittee Chairman J. J. PICKLE and ranking minority Member BARBER CONABLE which would begin to address the long-range financial problems of the social security system, the Speaker stated, "I do not think we ought to move hog wild." This is in light of the fact that the social security program has been operating in the red since 1975 and continues to lose $12,000 every single minute. Furthermore, recent information from the social security actuaries shows that with interfund borrowing the medicare fund will be exhausted as early as the end of 1983.

A November 5 Washington Post article on the Ways and Means Committee action suggested that the Speaker was determined to prohibit any House consideration of a comprehensive social security reform bill. The story indicated that Speaker O'NEILL and other Democratic leaders had warned Chairman PICKLE that even if the Pickle/Conable amendment was to succeed in committee, it would never be allowed to reach the House floor.

It should be noted that this is not the first time that the Speaker has stopped the consideration of a social security bill to save the system. Members will recall that at the end of the summer Speaker O'NEILL told Chairman PICKLE not to hold any further Social Security Subcommittee meetings on comprehensive reform legislation unless it dealt solely with interfund borrowing. This was after the subcommittee had been working since June in a bipartisan manner, under the leadership of Chairman PICKLE, to act favorably on social security reform legislation.

In light of these actions, it is all to clear that the Speaker and the Democratic leadership do not want to act to save social security program but rather they prefer to hold the social security program on the back burner as a hot political issue.

There is no doubt that some changes in the system will have to be made. But it is imperative that these changes result from bipartisan instead of partisan action. No political brownie points should be sought if it is at the expense of the social security program. We have several alternatives to choose from for social security reform. One can readily see that in the House of Representatives what is preventing any comprehensive reform of the social security system, not to mention any meaningful discussion, are the Speaker of the House and the Democratic leadership. For the sake of the system, I call upon the Speaker to allow that deliberation to occur.

The Baltimore Sun editorial follows:

O'NEILL'S IDEA OF HOG WILD

No stopgap measure involving inter-fund borrowing or the like is going to help the Social Security system out of its current difficulties. What is needed, and needed soon, is a commitment to make the system sound far into the future. A total overhaul of the Social Security system may not be needed, but sensible and modest changes are a must.

What we have in mind is something like the proposal that Representative J. J. Pickle (D, Texas) and Barber Conable (R, N.Y.) put before the House Ways and Means Committee day before yesterday. The central feature is to begin in 1990 to raise gradually the retirement age from 65 to 67, offer workers inducements to stay employed after that and reduce slightly future benefits. These changes would provide an estimated average of $20 billion annually for the retirement fund for the next 75 years.

That is the sort of medicine a patient like Social Security needs. It won't taste too bad and it will restore health. It would cause present and future retirees nothing like the abrupt distress the Reagan proposals earlier this year would have caused. It would cause almost no distress, in fact. But 18 of the 21 Democrats on the Ways and Means Committee followed the wishes of Speaker Thomas P. (Tip) O'Neill, Jr., and voted against it. It lost 14-18.

"I don't think we ought to move hog wild." Mr. O'Neill said. He said he favored setting up a study commission. Hog wild! More study! Somebody's been spiking his Geritol.

There has been more than enough study for this very modest change to be implemented. As Dwight Bartlett said after resigning as chief actuary of the Social Security Administration in September, "We don't need another study group. It's time to fish or cut bait on this issue." If the Democrats don't like the specifics of the Pickle-Conable approach, the responsible thing is to propose alternative changes now, not say let's wait till another study group can come up with recommendations—after the 1982 elections. Congress ducked the issue in 1980 because there was an election ahead, and 1984 will be ahead after a study commission report is digested.

There will never be an easy time to deal with Social Security's problems. The longer Congress waits, the harder it will be. The public sorely needs some peace of mind on this issue, and that is only going to come after a decision is finally made.●

H.R. 5066

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. CONYERS. Mr. Speaker, today I have introduced legislation—H.R. 5066—to make the Federal Reserve Board more accountable to the Congress and the public in its policy and operations. This bill is the most comprehensive and far reaching of many proposals which have been introduced this session to change the nature of the Fed.

The tight-money, high-interest policy of the Fed has caused substantial dislocation and hardship in key sectors of our economy. Dun & Bradstreet report that the bankruptcy rate is up 42 percent from last year, and if the current rate continues, more small businesses will go under in 1981 than in any single year but one since the Great Depression.

The automobile and housing industries, among others, have been devastated. Third quarter losses for the auto industry totaled $970 million, including a $468 million loss by General Motors. The Congressional Research Service has estimated that a 3-percent rise in the average financing rate is associated with a decline in sales of 1 million units. The average financing rate is currently 17.4 percent and there is no end in sight to the auto sales slump. Presently there are 170,000 autoworkers on indefinite layoff. In housing, it has been estimated that each 1 percent rise in the interest rate has placed 860,000 families out of the market for a medium-priced

home. Housing starts for single-family homes dropped to a historic low in October, while total housing starts dropped to a 15-year low. The official unemployment rate in the construction industry is now 16.3 percent. Current monetary policy has, in large part, created the crisis in the automobile, housing, and small business sector.

Monetary policy should be in the domain of elected representatives because it determines, to a great extent, the state of our economy. Citizens are demanding accountability and responsibility for the policies which affect them. It is timely for Congress to participate fully in monetary, as well as fiscal, policy.

This legislation will accomplish the following goals: First, coordinate and integrate monetary, fiscal, and budget policy through the budget resolutions; second, render Congress responsible for monetary as well as fiscal policy, along with the President and the Governors of the Federal Reserve Board, and provide Congress with powers to review and veto major changes in monetary policy; third, require that the Federal Reserve Board seek appropriations from Congress; fourth, require the Federal Reserve Board to furnish Congress with the data it employs to make policy and report semiannually on the economic impacts of monetary policies by sector and in the aggregate; fifth, reduce the tenures of Governors of the Federal Reserve Board to 5 years and make the term of Chairman more coterminous with the Presidential term; sixth, require a full and complete audit of the Federal Reserve Board and Open Market Committee by the General Accounting Office.●

THE CHILDREN NOBODY WANTED

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. SKELTON. Mr. Speaker, last night, my wife, Susie, and I had the privilege of hosting the premiere of a new television movie, "The Children Nobody Wanted." This is a true story about one young man and the children he helped. As a freshman attending Missouri Valley College in Marshall, Mo., Tom Butterfield discovered the problems of fosterlings, who have nowhere to go, and for whom the law makes few, if any, provisions. Boy by boy, he made a life for these homeless youngsters. Led only by his heart and an idea that he could help, Tom fought increasing odds, from the lack of money to outdated laws. Tom Butterfield became the first bachelor and the youngest single adult to become a legal foster parent in the State of Missouri. He and his boys rented a beat up old country club and, in time, turned it into their ranch—a refuge for homeless children. Today, there are four ranches, giving a homelife to over 100 youngsters.

All of us can learn from the perseverance of Tom Butterfield, the encouragement of those who helped him build his dream every day, and the generosity of the town of Marshall. It is a privilege for me to represent this man and this community in Congress.

"The Children Nobody Wanted," is to be televised December 5, at 9 p.m. eastern standard time, on CBS.●

SUPPORT THE U.S. COMMISSION ON CIVIL RIGHTS

HON. ANTHONY TOBY MOFFETT

OF CONNECTICUTT

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. MOFFETT. Mr. Speaker, I rise to draw my colleagues' attention to a bit of unfinished business, before we adjourn for the Thanksgiving vacation. Hopefully, we will be considering the U.S. Commission on Civil Rights authorization when we return. With the myriad executive actions to water down civil rights enforcement, I think it very important that we demonstrate strong support for the Commission and its efforts on behalf of basic human rights.

The Commission serves as our conscience when we assess the state of civil rights in this country. If there was ever a time in recent history when such a conscience was needed, it is today. Voting rights, affirmative action, access for the handicapped, and other fundamental civil rights policies are currently under review by Congress and the administration. We need to continue to hear from our conscience—the Commission—so that our pursuit of social justice remains unimpeded. I urge, therefore, that you all join me in strong support for the U.S. Commission on Civil Rights.

There is a growing concern across the land that the Federal Government is about to bring the wheels of progress on civil rights to a screeching halt. The administration is reviewing vital civil rights regulations and revising vital civil rights laws. Many fear that it will be reneging on the Government's promise to act as guarantor of these vitally precious rights. The issue of a color blind Constitution has been raised as a guiding spirit for insuring these rights. This would be an ideal solution, but it is woefully misguided. The realities of this world require a more aggressive response to centuries of discrimination.

We must see that the Government retains its efforts as watchdog and protector, that it continues systematically to attack discrimination through the adherence to and enforcement of current civil rights policy. We have a voting rights law and affirmative action regulations, which have benefited countless numbers of minorities and women, because the Federal Government responded with more than a bromide to genuine violations of constitutional rights. Past administrations and Supreme Court decisions have determined that when fundamental rights are violated, appropriate remedies must be engaged, including such measures as affirmative action and the busing of schoolchildren.

As the Civil Rights Commission's Chairman, Arthur S. Flemming, stated at recent hearings:

> Discrimination is a self-sustaining process that will persist even in the absence of intentionally discriminatory conduct unless systematically attacked. Discrimination is more than just individual prejudice. Although discrimination is maintained by individual actions, neither individual prejudices nor random chance can fully explain the persistence of national patterns of inequality.

The remedies which have been implemented to fight these patterns of inequality must be maintained, for without them, we will allow the Government's beacon of protection to dim. And, we are not yet out of the dark of social injustice.

Opponents of renewal or continuance of current civil rights policy point at statistics of progress on the parts of women and minorities in areas where they had been previously disenfranchised. The gains in such areas as employment, education, and political participation are remarkable, certainly. But we cannot let up now.

The poet Paul Laurence Dunbar stated, over 80 years ago, that black life in America is a promise and not a fulfillment. We still have an unfulfilled social agenda for minority and women's rights from which we cannot back away. The short time that we have had a civil rights legislation on the books is dwarfed by the centuries during which this Nation suffered legal bondage and legally sanctioned prejudice. Today, we must do more than give lip service to the concept of civil rights for all Americans. We must demonstrate our commitment to that concept by maintaining the teeth in civil rights law, regulation, and enforcement.

We were recently given the opportunity to show that commitment by overwhelmingly approving the Voting Rights Act reauthorization. Let us again display our support for social equality by approving, without weakening amendments, the U.S. Commission on Civil Rights authorization now before us.●

PARRIS INTRODUCES WASHINGTON COMMEMORATIVE

HON. STAN PARRIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. PARRIS. Mr. Speaker, today I am introducing legislation which proclaims February 22, 1982, a national day of celebration in honor of the 250th anniversary of George Washington's birth. George Washington was one of America's greatest leaders and who indeed set this Nation on a course of political stability unrivaled in the history of civilization. Each American, in fact, looks to this great Virginian as "the father of our country."

In 1932, the U.S. Commission on the Bicentennial for George Washington's birthday commemorated Washington's 200th birthday by a national celebration. The Mount Vernon Citizen's Association has observed Washington's birthday by sponsoring a ball in his honor for each of the past 35 years and every year the city of Alexandria recognizes his birthday by parades and various celebrations.

Senator WARNER and Senator BYRD are jointly introducing an identical resolution today in the Senate and I am being joined by the entire Virginia delegation in the House in sponsoring this legislation.

I urge my colleagues to join us in supporting this resolution so that we can insure a proper birthday commemoration throughout this Nation for this great man.●

MINIMUM BENEFIT CONFERENCE

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. PICKLE. Mr. Speaker, the President, the House and the Senate have all gone on record in favor of restoring the minimum social security benefit, at least to some degree.

But the fact is that this benefit has not been restored. The law is that this benefit be eliminated for new recipients right now, and for current recipients next April.

Furthermore, as of today we have not made progress toward restoring this benefit. The Senate has been slow to call meetings of the Conference Committee and has insisted on replacing this one misbegotten benefit cut with another.

Meanwhile, the law stays in effect and the conference agreement on reconciliation stipulates clearly that on December 3, three million current minimum beneficiaries are to receive notice that their benefits might be reduced next March. The notice, according to the agreement, is to read as follows:

This is to inform you that as a result of the elimination of the minimum benefit; your benefit may be reduced to some degree beginning with your April check. To determine the extent of the reduction, if any, and your possible eligibility for SSI and other assistance programs you may contact your local social security office.

Now I am told the Social Security Administration does not intend to send out these notices at all in December.

If we had some confidence of prompt action, that might be a humane and rational decision. But given the attitude of the Senate in this conference, I do not have that confidence.

Meanwhile, every old person receiving a small social security check who has heard a newscast, read a newspaper, or talked to a friend knows the minimum benefit was supposed to be eliminated by the Reconciliation Act.

Now they are left in limbo. They have no notice—and they have no action. How long will this go on?

Again and again I have said to this Congress, the worst thing we can do in social security is do nothing. Here is one more example of that fact. No civilization ought to subject its elderly and near elderly to the uncertainty that we have inflicted on ours by inaction in this vital area. What a thankless Thanksgiving and a cheerless Christmas our elderly must look forward to because we do nothing.●

THE UKRAINIAN ASSOCIATION OF MARYLAND, INC.

HON. BARBARA A. MIKULSKI

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 1981

● Ms. MIKULSKI. Mr. Speaker, I am pleased to take this opportunity to say a few words about a dedicated group of people and a book they have written which I feel deserves recognition. The book is "The Ukrainians of Maryland" and the group is the Ukrainian Association of Maryland, Inc. Long hours of planning, fundraising, and writing went into this entirely voluntary effort and the result is a significant contribution to the pluralistic heritage of our Nation.

As a second generation Polish American, I feel that books such as these are especially valuable to aid us in understanding the sociology of ethnic groups' experiences in this society. This informative book broadens our knowledge of the contributions of millions of East Europeans in the United States. It is an important scholarly achievement in the history of our culture, and is a worthy model for other areas and people.

The Ukrainian Association of Maryland, Inc., led by Paul Fenchak, is now approaching its 10th year of existence. Other outstanding accomplishments of this organization include persuading the Maryland Bicentennial Commission to place ethnic activities on their agenda and, in concert with the Polish Heritage Association of Maryland, working to bring to Maryland three Slavic Conferences in which dozens of recognized scholars of various disciplines and heritages participated.

I know that you will join me in applauding and supporting this association and others similar to it, in their efforts to bring greater awareness of ethnic contributions to this richly diverse country.●

AVERELL HARRIMAN

HON. WILLIAM J. HUGHES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 12, 1981

● Mr. HUGHES. Mr. Speaker, it gives me great pleasure to pay tribute to a partriotic American and a champion of constitutional government, former Governor Averell Harriman, He has served and advised American Presidents for nearly half a century. I can say unequivocally that I know of no other American who has served the Republic with more patriotism, wisdom, and honor. The Governor is indeed an exemplar of courageous public service based on honest convictions. Personal experience has taught him the futility of war, but also the urgency and wisdom of being constantly prepared for war so that it can be prevented. He knows that our strength and the maintenance of peace go hand and glove together. Over the years, the Governor has made a tremendous contribution to the welfare and security of our great country.

The Governor is a fine statesman, a man of singular characteristics—great ability, independent mind, and deep convictions—whose talents have been prized by American Presidents for nearly 50 years.

He has served his country well during his tenure as a State and Federal official. He has worked tirelessly and continues to do so, and now works even harder toward a strong democracy and free America.

I feel honored to be able to state that the Governor is my personal friend. He is a dedicated public servant and a sincere man of strong character, intense convictions, and great tenacity in pursuit of those convictions.

I wish him continued good health, happiness, and success over the years ahead, and a very, very happy birthday!●

SMALL BUSINESS INNOVATION ACT COSPONSORS

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. LaFALCE. Mr. Speaker, I am pleased to announce that H.R. 4326, the Small Business Innovation Development Act of 1981, now has over 100 cosponsors. Today, the number stands at 117. I am gratified to see such widespread support for this bill that would stimulate the growing small science and high-technology sector of our economy. I would like to urge all Members who have not yet cosponsored H.R. 4326 to do so. Moreover, I would urge them to read the committee report on the bill which is expected to be filed with the House today.

Those Members who have already joined as cosponsors of this important bill deserve special recognition. I want to extend a special appreciation to my colleagues on the House Small Business Committee for their strong support of H.R. 4326. Following is a list of the cosponsors of H.R. 4326:

1. Parren J. Mitchell, Maryland
2. Neal Smith, Iowa
3. Joseph P. Addabbo, New York
4. Henry B. Gonzalez, Texas
5. Berkley Bedell, Iowa
6. Frederick Richmond, New York
7. Henry J. Nowak, New York
8. Thomas A. Luken, Ohio
9. Andy Ireland, Florida
10. Ike Skelton, Missouri
11. Billy Lee Evans, Georgia
12. Charles W. Stenholm, Texas
13. Romano L. Mazzoli, Kentucky
14. Nicholas Mavroules, Massachusetts
15. George Crockett, Jr., Michigan
16. Charles Hatcher, Georgia
17. Ron Wyden, Oregon
18. Dennis E. Eckart, Ohio
19. Byron L. Dorgan, North Dakota
20. Gus Savage, Illinois
21. Buddy Roemer, Louisiana
22. John G. Fary, Illinois
23. Joseph M. McDade, Pennsylvania
24. Silvio O. Conte, Massachusetts
25. J. William Stanton, Ohio
26. William S. Broomfield, Michigan
27. Dan Marriott, Utah
28. Lyle Williams, Ohio
29. Olympia J. Snowe, Maine
30. Daniel B. Crane, Illinois
31. John Hiler, Indiana
32. David M. Staton, West Virginia
33. Vin Weber, Minnesota
34. Hal Daub, Nebraska
35. Christopher H. Smith, New Jersey
36. Ed Weber, Ohio
37. David Dreier, California
38. Guy V. Molinari, New York
39. Mark D. Siljander, Michigan
40. Daniel Akaka, Hawaii
41. Eugene Atkinson, Pennsylvania
42. Doug Barnard, Georgia
43. Michael Barnes, Maryland
44. Tom Bevill, Alabama
45. Don Bonker, Washington
46. David Bowen, Mississippi
47. Clarence Brown, Ohio
48. William Clay, Missouri
49. William Clinger, Pennsylvania
50. Tony Coelho, California
51. Baltasar Corrado, Puerto Rico
52. Norman D'Amours, New Hampshire
53. Thomas Daschle, South Dakota
54. Julian Dixon, California
55. Jim Dunn, Michigan
56. Bernard Dwyer, New Jersey
57. Bob Edgar, Pennsylvania
58. Walter Fauntroy (D.C.)
59. Geraldine Ferraro, New York
60. Hamilton Fish, New York
61. Thomas Foglietta, Pennsylvania
62. Harold Ford, Tennessee
63. Barney Frank, Massachusetts
64. Sam Gejdenson, Connecticut
65. Newt Gingrich, Georgia
66. Dan Glickman, Kansas
67. Bill Green, New York
68. James Hansen, Utah
69. Frank Horton, New York
70. Steny Hoyer, Maryland
71. William Hughes, New Jersey
72. Dale Kildee, Michigan
73. Ray Kogovsek, Colorado
74. Tom Lantos, California
75. Jim Leach, Iowa
76. Jerry Lewis, California
77. Bill Lowery, California
78. Stan Lundine, New York
79. Matthew McHugh, New York
80. Stewart McKinney, Connecticut
81. Edward Madigan, Illinois
82. Edward Markey, Massachusetts
83. Marc Marks, Pennsylvania
84. David Martin, New York
85. Lynn Martin, Illinois
86. Dan Mica, Florida
87. Barbara Mikulski, Maryland
88. G. V. Montgomery, Mississippi
89. Austin Murphy, Pennsylvania
90. Stephen Neal, North Carolina
91. James Nelligan, Pennsylvania
92. Jerry Patterson, California
93. John Porter, Illinois
94. Joel Pritchard, Washington
95. Nick Rahall, West Virginia
96. Tom Railsback, Illinois
97. Peter Rodino, New Jersey
98. Robert Roe, New Jersey
99. Toby Roth, Wisconsin
100. John Seiberling, Ohio
101. Gerald Solomon, New York
102. Arlan Stangeland, Minnesota
103. Fofo Sunia, American Samoa
104. Bruce Vento, Minnesota
105. James Weaver, Oregon
106. Charles Wilson, Texas
107. Timothy Wirth, Colorado
108. Howard Wolpe, Michigan
109. Antonio Won Pat, Guam
110. George Wortley, New York
111. Cardiss Collins, Illinois
112. Vic Fazio, California
113. Donald Mitchell, New York
114. Roy Dyson, Maryland
115. Louis Stokes, Ohio
116. John Myers, Indiana
117. Dan Coats, Indiana●

BEING TREATED UNFAIRLY

HON. CARROLL HUBBARD, JR.

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. HUBBARD. Mr. Speaker, many people have written to me questioning how the President can reduce or delay social security and other entitlement benefits as a way to help balance the Federal budget. One of those who has written to me on this important matter is Leona Campbell of Marion, Ky. I feel that her very thoughtful letter is one which should be shared with my colleagues, and I wish to do so at this time. The letter follows:

DEAR CONGRESSMAN HUBBARD: I am writing you in regard to President Reagan's program for cutting the budget. I, for one, certainly do not approve of his plans to cut the checks of the people on fixed incomes like myself. We can barely keep our heads above water now.

I have worked hard all my life—66 years. I have always been honest and more than fair in all dealings. I try to treat everyone the way I would like to be treated. I do not think I am being treated fairly in this matter.

It is plain to see his program is geared to help the rich get richer and the poor get poorer.

Congressman, don't you think we (the poor) have the right to a decent standard of living?

I get my social security check in the amount of $284.00 a month. I don't see how I can survive much longer at this rate of inflation. Take my word, it is very depressing.

I hope you can understand my circumstances and will be ready to stand up for us on this matter.

Thank you for taking the time to read this.

I remain respectfully yours,

LEONA CAMPBELL.●

IN PRAISE OF CARL GARRITANI

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. SCHUMER. Mr. Speaker, I am proud to have the opportunity to honor an individual who has devoted himself to the betterment of his community: Carl Garritani. Mr. Garritani is that special kind of individual whose service to his fellow citizens in my district in Brooklyn has been matched by few. His contributions to the people of Brooklyn have stretched over many years, and range from fighting crime to serving as a State committeeman.

Carl's concern for his family and for all the citizens living in the community led him to establish the United Community Association of Flatlands, an umbrella group of 40 block associations involving 3,000 families. Carl has worked for our youth in establishing the night youth center and the summer youth employment program; he has worked for our senior citizens by creating the outreach program for senior citizens, which serves the entire Brooklyn area. Carl also established the United Community Association of Flatlands real estate program, which provides free real estate services to prospective buyers. In addition, he is a member of community board No. 18, and serves on the advisory board for Community School District No. 22.

In 1978, Carl was elected to the postion of State committeeman. He has served as a full-time committeeman, and has gained the respect of civic and community leaders throughout the city.

As a police officer and detective, Carl has worked actively toward solving problems of crime in our Brooklyn neighborhoods. He has receive 24 medals for bravery, including two exceptional merit citations.

In spite of all the time Carl Garritani has devoted to his community, he is a model family man, dedicated to his wife, Amelia, and his children, Carl Anthony and Gina.

On behalf of all of those whose lives have been touched, and improved, by his selfless generosity, I would like to take this opportunity to salute Carl Garritani. Be it as a police officer, community activist, or district leader, Carl has always risen to the top of his field. We in Brooklyn are proud to call him one of our own.●

AVERELL HARRIMAN

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 12, 1981

● Mr. PEYSER. Mr. Speaker, it is a great privilege to honor a fellow New Yorker and an outstanding American—W. Averell Harriman. For over six decades, Governor Harriman has served his beloved country and State of New York during an unprecendented career as a statesman and public servant.

To articulate the one greatest achievement of this man's life would be difficult. Yet, the most noble may simply be his decision as a young man to dedicate his life to public service.

Since the 1930's, "The Governor" has served with highest distinction every American President both at home and around the globe. In 1954, he won the Democratic nomination for Governor of New York. In this capacity, he tackled the problems of New York with the same wisdom and insight he possessed with national and international affairs. Governor Harriman was a rare man in that he constantly sought new, innovative ideas instead of being complacent with the status quo.

Mr. Harriman has served his country as Ambassador to Russia and to Great Britain, Secretary of Commerce, Undersecretary of State, Governor of New York, and adviser to five Presidents. This list continues to grow. As President Kennedy aptly stated: "He has held as many important jobs as any American in our history, with the possible exception of John Quincy Adams."

It is difficult to express a fitting tribute to this extraordinary man. As in so many other instances, my best guidance comes from Ambassador Harriman himself, who once said: "In our short time on Earth, we have a choice about the kind of world we leave behind." To apply this to Mr. Harriman's 90 short years, he has given us a sense of patriotism, a standard of excellence for public service, and sense of a world at peace. In short, Mr. Speaker, he enkindled within this Nation a dedication to achievement, achievement of a better world.●

NAMIBIA

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. HAMILTON. Mr. Speaker, I would like to insert my foreign affairs newsletter for the month of November into the CONGRESSIONAL RECORD:

NAMIBIA

The protracted effort to bring independence to Namibia (South-West Africa) has moved forward after years of stalemate. Although there is reason for pessimism about a settlement in one of Africa's longest struggles for independence, there is also hope.

South Africa has ruled Namibia since 1920 when the League of Nations granted it a mandate to govern the former German colony. South Africa extended its domestic policy of apartheid to the territory, and that policy has become increasingly restrictive. Namibia has one milion black inhabitants and 100,000 whites, yet political, economic, and social power remains in white hands. Hospitals and schools are largely segregated. The government budget for white schooling and health is ten times higher than that for blacks. South Africa has established a system of homelands in Namibia which separates the races and confines large numbers of blacks to small areas of poor, arid land. Due to the system of contract labor that South Africa has imposed, the ratio of white to black wages is 12 to 1.

In large measure because of such policies, the United Nations General Assembly revoked South Africa's mandate in 1966 and established the U.N. Council for Namibia to administer the territory until independence. South Africa ignored the action, stayed in Namibia, and refused to let members of the council into the territory. In response to South Africa's refusal to leave Namibia, Africans organized themselves into political parties, the most important of which is the Southwest African People's Organization (SWAPO). SWAPO began armed action in 1966, and today it has more than 5,000 troops in the field. South Africa, however, has some 40,000 troops in Namibia.

A 1971 advisory opinion of the International Court of Justice held South Africa's occupation of Namibia illegal. In 1976, the U.N. Security Council demanded a U.N.-supervised election in the territory. The United States has supported the actions of the U.N. and the court. South Africa countered these moves in 1977 with the Turnhalle Plan, a constitution drawn up by selected ethnic groups in the area, but which excluded the participation of SWAPO. The Turnhalle Plan was rejected by the U.S., Great Britain, France, West Germany and Canada, who believed that a lasting settlement could not be secured without the agreement of South Africa and SWAPO, the two parties engaged in armed conflict. Progress seemed to be possible when South Africa and SWAPO accepted a western proposal which included an election under U.N. supervision, a ceasefire, phased withdrawal of South African troops, and restriction of SWAPO forces to their bases. South Africa later balked at the plan of implementation while SWAPO and the other Namibian political parties accepted it. Current efforts of the five-nation group have focused heavily on creating new movement toward implementation of their proposal.

The present atmosphere for a settlement is as positive as it has been at any time during the years of tangled negotiations. The western five have put forward "constitutional principles" to protect white inhabitants and property rights. South Africa and the internal parties it supports are on one side while SWAPO and its African supporters face them on the other. The western group seeks agreement on constitutional principles, various transitional arrangements, and a date for the election; but even under ideal conditions an election could not take place until 1983. Moreover, the extent of white and South African resistance is not yet clear. Although both sides have agreed in principle to a ceasefire and an election, implementation would be difficult because they disagree about the size and function of a U.N. peacekeeping force and the details of the election. South Africa's objection to what it regards as U.N. bias remains a serious obstacle, as does the disposition of Walvis Bay, a port critical to the economic well-being of Namibia.

Our involvement in the negotiations is significant. The U.S. has important interests in southern Africa. It wants to prevent the further expansion of Soviet influence in the area. Large deposits of key minerals are located there, and oil from the Middle East is transported around the Cape of Good Hope. Because of the importance it attaches to the region, the U.S. has also taken the lead in the search for a peaceful resolution to the Namibian conflict. It has discouraged investment in Namibia, and provides no aid for it. An important element in our policy has been the attempt to maintain improved relations with black-ruled African states which strongly support Namibian independence.

The U.S. has not recognized Angola. It argues that The Angolan government lacks effective control of the country and allows 20,000 Cubans to remain there. As one of the "frontline" countries where SWAPO bases are located, Angola has said it cannot reduce the Cuban presence as long as it is threatened by South African invasion and by South African support of UNITA, the main opposition to the Angolan government. The U.S. has dropped its demand for withdrawal of the Cuban troops from Angola as a part of the settlement, but it does say that it would facilitate a settlement.

The reason for some optimism at the moment is that no party appears to desire a breakdown of negotiations on constitutional questions. South Africa's willingness to negotiate in order to reach a settlement remains unclear. Many observers think that South Africa may simply be maneuvering for time, expecting rewards from the Reagan Administration in nuclear and military cooperation, while never intending to relinquish Namibia to African nationalists.

The U.S. can play a constructive role by fostering momentum in the negotiations and pressing for a final settlement.●

CONNECTICUT FAMILIES AND THE REAGAN BUDGET

HON. ANTHONY TOBY MOFFETT

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. MOFFETT. Mr. Speaker, this morning's Wall Street Journal provides compelling human testimony about the effects of the administration's economic program on family life in Hartford, Conn.

"Thank God my parents got divorced," says Holly Koch, a student from the University of Hartford. She recognizes that she could not receive the same level of financial aid if her parents were still married.

Danny Salb aspires to be a veterinarian. Now, he is in the ninth grade. A year earlier, he nearly flunked out of school. But, he was saved by the financial and personal rewards that flowed from his part-time CETA job. His work improved markedly after entering the "work experience" program with a job at the town of Vernon dog pound. His job has been terminated by the CETA cuts.

Evangie Bernal is a disabled, former practical nurse who has been told that she must vacate her apartment by its new owners. Although she desired to contest this action, the Legal Services budget has been so savaged that tenant eviction cases have been discontinued.

These case studies demonstrate the inhumane consequences of the administration's decision to cut programs regardless of their value to society and to the people served by them. Instead of useful benefits—benefits which merely keep these individuals in the ballgame instead of having them fall through the cracks—these people are asked to settle for promises. These promises include asking these citizens to wait until some indeterminate time in the future when the Reagan economic magic will take effect.

In the interim, the New England winter is approaching; the budget director admits the program is seriously defective; and, these Hartford citizens are asked simply to wait.

The article follows:

BUDGET CASUALTIES: IN HARTFORD, THE POOR ALREADY FEEL EFFECTS OF THE REAGAN BUDGET: BOY LOSES JOB, AND A MOTHER WAITS LONGER FOR HOME; THE WORST IS YET TO COME

PRESIDENT ATTACKED, PRAISED

(By Timothy D. Schellhardt and Burt Schorr)

HARTFORD, Conn.—Nationwide, President Reagan's budget cuts add up to a great deal of money—$1 billion less for welfare, $1.3 billion less for food stamps, $6 billion less for job training, and so on. They also add up to a great deal of difficulty for countless individuals.

In and around this capital city, budget cutting in Washington means that:

15-year-old Danny Salb has lost his $3.37-an-hour job feeding homeless dogs at the pound.

Cynthia Huff and her two children, living for the past four years with her sister's family in a cramped cottage, will have to wait three more years, at least, before thay can get a government-subsidized apartment.

College junior Holly Koch must work five hours more a week to earn the extra money needed to stay in school.

59-year-old Evangie Bernal, practically crippled from a bone disease and living on a low income, can't get free legal aid to try to avoid eviction from her apartment.

Former welfare recipients Sixto Moreles, Jessie Arrington and Arsula Little face unemployment again because the furniture-manufacturing company where they work has lost its federal funds and will close at the end of this month.

EASY TO FORGET

"Sometimes it's easy to forget that the budget-cut casualties are people, not simply programs," says Flora Parisky, an urban-policy consultant here. It has been only seven weeks since Mr. Reagan's fiscal-1982 budget ax began falling, but the casualties already are piling up here.

There aren't any firm estimates of how many Hartford's 136,400 residents—30% of whom get some kind of federal assistance, including Social Security benefits—are being hurt by budget reductions. But local and state officials believe they number in the thousands. Miss Parisky estimates, for example, that more than 10,000 youngsters under age 18 have been affected by cuts in child-assistance, job-training and other programs.

For most of this city's middle-class families, which make up the majority, the effects of the federal budget reductions aren't yet easily discernible. Gone, to be sure, is the 12:01 a.m. Amtrak to New Haven, forcing night travelers to catch the 8:41 p.m. train or wait until 3:52 a.m. Nine other trains also stop here no longer. And those who pay for school lunch are being charged a nickel more for it by public schools as officials try to make up for a cut in federal funds. But the main budget casualties are the poor.

SOFTENING THE BLOW

Even for them, local and state authorities say, the full effect won't be felt in Greater Hartford for several months. Officials have been able to make up for some of the cutbacks—somewhat softening, for instance, the blow to programs for expectant low-income mothers. At Martin Luther King Jr. Elementary School, principal Harold Barrow used $131.20 from his school's activity fund to pay for lunches of youngsters who have been removed from the free-lunch list or required to pay more for reduced-price meal tickets under the Reagan program.

But those resources are drying up fast. "People are going to get less service, and less people are going to be eligible for help," says Stephen Heintz, a state planning official. Echoing him is Marlene Berg, an official of the local United Way organization, which finances 65 Hartford-area agencies. She says: "There's going to be a cold, cold time for social-service agencies."

For many, the cold times are already here, and many of those who have been hurt are bitter and upset with President Reagan for slashing programs that aid them.

AN ANGRY MOTHER

"There are other things he should be doing instead of cutting able-bodied people who want to work," says Cynthia Huff. The 30-year-old Mrs. Huff, a welfare mother until she took a job as a school-bus attendant, finds her food stamp allotment has been pared by $22 a month and other federal benefits cut by $54 a month because of new, higher federal-aid standards.

But not all the budget victims blame the President. Some say the efforts to balance the federal budget are essential to the nation's economic vitality.

"It's got to be done. If Reagan had continued to go along the same old path, the results would have been disastrous," says J. James Asbeck, the President of Maverick Corp., a furniture producer that serves primarily as a job-training employer. Since 1975, Maverick has found other jobs in the area for 650 ex-convicts, welfare mothers and workers financed under the Comprehensive Employment and Training Act, or CETA. A $1.7 million cutback in its job-training and other federal funds is forcing Maverick to close Nov. 30, even though its sturdy pine bunk beds and accessories "are selling like hot cakes," grossing more than $525,000 in the first nine months of this year.

Whether cutbacks are necessary is beside the point to those—such as Maverick's Sixto Moreles, Jessie Arrington and Arsula Little—who are ultimately hurt by them. A $150,000 cutback in federal housing funds in Hartford, theoretically justified or not, means that fewer rent-subsidized apartments will be built here. The waiting list for such apartments already exceeds 5,000.

Ineffie Sargent, a Hartford caseworker, says that the federal cuts, or the fear of reductions, have increased "stress and depression" among her low-income clients. The number of mothers asking to have their children placed in foster homes has risen sharply, she says. Turning the pages of her notebook, she counts 23 children whom she herself placed in the past three months. A year ago, she says, her placements averaged only one a month. Reported cases of child abuse in Connecticut, which dropped to a three year low last April, have climbed in recent months.

The federal cutbacks, says Marlene Berg of United Way, have trimmed the staffs at many social agencies, reducing Hartford's ability to measure "internal domestic violence that could become street violence." For example, there is no one to answer the telephone anymore between midnight and 8:30 a.m. for people who call North central Infoline, the special state and United Way emergency number serving Hartford and surrounding communities. Infoline's callers have numbered 31,000 a year and the late-night callers often are potential suicides, runaway teen-agers, people who have overdosed on drugs and those needing emergency shelter. "We don't know how they're getting help," says Cheryl Berger, Infoline's assistant director.

Many Hartford residents no longer are getting the help they once counted on. Here is how the federal budget cuts have affected some of them.

THE JOBLESS TEENAGER

Danny Salb wants to be a veterinarian. That may be more fantasy than reality for a ninth-grade youngster from a welfare home,

but when the soft-spoken, bantam-sized boy says it, you believe him.

Danny's favorite school subjects these days are algebra and earth sciences, and he is doing well in them. Last fall, in the eighth grade, it was a different story. "I was flunking everything," Danny remembers.

One person who worried about Danny's future was his mother, who with her four children lives in an uninsulated rented house where the furnace remains off this chilly Connecticut autumn for lack of oil money. Danny's poor schoolwork, she believes, reflected his "frustration and anger" at being unable to earn money for his family. He was stymied by his inability to find work on his own.

It was Uncle Sam who offered Danny his first paying job. A local community-service agency, with a $32,000 Labor Department CETA grant, created a "work experience" program for low-income or handicapped people ages 14 to 21. Danny worked two hours a day after school, five hours a day during summer vacation, at the Town of Vernon dog pound.

John Cagianello, a high-school teacher hired to run the project, noted after a few weeks that "Danny felt better about himself." It spilled over to his schoolwork, He saved $320 from his earnings, giving money to his mother for groceries and using the rest to buy clothes for himself.

Danny knew from watching television news and talking with his mother that President Reagan intended to cut the federal budget. But he didn't connect that with his own life until a few weeks ago when Mr. Cagianello confirmed school rumors that the CETA jobs had been axed. "I was pretty upset," Danny recalls. His mother says he had counted on the income to buy the shoes he needs for this winter.

THE BUSINESSMAN

Teofilio Babun Jr. seems just the sort of voter President Reagan expected to please when he pushed his budget cutbacks through Congress. And the Cuban-born electrical engineer, at 33 well up the American business ladder, indeed thinks that the cuts were a swell idea—except for their effect on his life. That, he says, "was something I needed like a hole in the head."

When Mr. Reagan took office last January, Mr. Babun was pulling down over $40,000 a year as a marketing manager for Crouse-Hinds Co.'s Arrow Hart division here, which makes electrical switches. But he had bigger plans. Together with two partners, he was negotiating to buy a small electrical relay plant owned by a local unit of Western Pacific Industries Inc.

All he needed was a 90 percent guarantee from the Economic Development Administration for an $850,000 loan that a Hartford bank had agreed to make to finance the purchase. The federal agency appeared interested. It sent Mr. Babun the first draft of a proposed loan-guarantee pact and followed up with oral assurances of the application's ultimate success. In February, with the closing only weeks off, Mr. Babun gave notice at Arrow Hart.

Then came the bad news: Under White House orders, the EDA had frozen its business-aid programs, including loan guarantees. After unsuccessful appeals to Washington, Mr. Babun's only chance to save the deal was to line up his own financing, which he did—but at a price.

Instead of a single bank, he had four separate lenders to deal with and a variable interest rate that has ranged above 22 percent. (An interest rate on the single-bank loan hadn't been set but undoubtedly, with the federal guarantee, would have been far lower.) Things are working out okay, for now, with sales running about 250 percent higher than a year earlier. But the four separate loans, which require quarterly reports to each lender, "are expensive and confusing," say Mr. Babun. Looking ahead, he sees complex negotiations with the lenders over additional financing. Looking back, he wonders, "Can you trust your own government?"

THE TENANT

Evangie Bernal, the disabled former practical nurse, has been told she must vacate her two-bedroom $180-a-month apartment by Dec. 1. A new owner has purchased the house in which Mrs. Bernal lives and wants to raise the rent to $350 a month, which Mrs. Bernal is unable to pay. The owner says that her own $891 monthly mortgage and tax payment on the house requires the higher rental income.

Mrs. Bernal asked Neighborhood Legal Services for help, but a 30 percent reduction in the agency's $600,000-a-year federal funds forced it to stop handling tenant-eviction cases, effective Oct. 15. Mrs. Bernal applied after the cutoff date. She has submitted her case to Hartford's Fair Rent Commission, but the eviction threat remains. A neighborhood Legal Services attorney doubts that Mrs. Bernal, who is somewhat confused by her rent problem, would be able to represent herself effectively in court. Meanwhile, Mrs. Bernal has stopped going out of her apartment for fear that her landlord, who lives upstairs, "might lock me out."

THE WELFARE MOTHER

Bernice Roberts says that these days "all I do is cry." Seated at her dining-room table, the 37-year-old mother of eight sons fingers the letter she received recently from the state welfare agency. "You have been informed," the letter begins, that her public-assistance check this month will be slashed to $291.12 from $499.63 because her outside earnings have risen somewhat, thus reducing her federal benefits, and because federal eligibility standards have been raised to cut welfare costs.

Since April, Mrs. Roberts has worked as a home health aide, helping an invalid four hours a day, seven days a week. For that, she earns about $300 a month. Her welfare check and her salary barely cover her $220-a-month rent and heat bill, her grocery bill and the cost of her other essentials. "I have $14 in the bank," she says. The reduced welfare benefits, she says, will mean "there might not be any Christmas." She pauses, then adds: "There might not be a Thanksgiving, either."

THE COLLEGE STUDENT

"Thank God my parents got divorced," exclaims Holly Koch, a junior at the University of Hartford. Miss Koch, a business major, thinks that if her father's income had been considered in weighing her financial-aid request, she wouldn't have gotten the assistance she needs.

Because of federal cuts, Miss Koch's annual basic-aid grant has declined $50, to $996, and her work-study grant has been chopped in half, to $500 from $1,000, even though her university costs have increased by $1,530 this year. As a result, she works 15 hours a week in the university's financial-aid office this year instead of the 10 hours or so she averaged last year. "That increase doesn't sound like much," she says, "but it is when you're carrying a full load of courses."

Of the federal budget cuts, Miss Koch says President Reagan "has good intentions. I don't know what else he could have done." She adds, "We're all willing to scrimp a little around here, but if there's any more, forget it." If she could plan her college career over again, she says, "I'd go two years to community college" because it's cheaper.●

RINALDO AMENDMENT IMPROVES RIGHTS OF BOARDING HOME RESIDENTS

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. PEPPER. Mr. Speaker, I would like to take this opportunity to commend the distinguished ranking Republican member of the House Select Committee on Aging, Mr. RINALDO, for his excellent amendment to the Older Americans Act which has the effect of extending to boarding home residents protections in Federal law which were previously available only to nursing home residents.

Boarding homes are the newest class of institutional occupancy. They were created in effect by enactment of the supplementary security income program in 1972. Even though the Federal SSI provides the lion's share of the funds received by these facilities there are no Federal minimum standards which are applicable to them. The problem has become severe as every State in the Union launched an aggressive campaign to empty their State mental and other institutions and place residents in facilities which offered only board and room with SSI paying the bill.

Our committee has held numerous hearings on this topic. Our early hearings in 1975 and 1976 indicated significant poor care and abuse. Other hearings traced the movement of mental patients and the retarded into boarding homes where they often did not receive the care, services, and therapy that they needed.

In 1978 we held hearings which exposed other examples of physical abuse and neglect. A year later we began to investigate a series of boarding home fires. Some 130 people have lost their lives in such fires in 1979–81. In 1981 we began to focus on the financial abuse which takes place in some boarding homes. The U.S. General Accounting Office helped us document that there is widespread fraud and theft of patients' funds in many boarding homes because of a general lack of accountability.

As a result of these hearings our committee is currently considering legislative initiatives. Some time ago, I introduced legislation to require board-

ing homes to meet certain Federal minimum standards particularly relating to fire safety. We are also working on a proposal to require boarding home residents to file CPA audited cost statements with the Government in order to account for their use of Federal dollars. While this legislation waits for consideration in other committees of the Congress, Mr. RINALDO has found something that we can do which will have an immediate effect on improving the quality of life for residents in boarding homes. His amendment would extend the protections of the federally financed nursing home ombudsman program to boarding homes.

I cannot say enough about the importance of Mr. RINALDO's amendment. Even though the genesis of boarding homes is recent, there are already four times as many boarding homes as there are nursing homes and there are more people in boarding homes than in nursing homes. I would also emphasize that the States are moving the mentally retarded and children with developmental diseases and the handicapped into boarding homes at a rapid rate so that the protections offered in Mr. RINALDO's amendment have application well beyond the elderly.

I anticipated tremendous improvement in the quality of care offered in boarding homes as a consequence of the Rinaldo amendment. What this means is that for the first time a federally funded advocate will be on guard to protect the rights of the disadvantaged. This cannot but have a salutary effect.

Once again, Mr. Speaker, I would like to commend Mr. RINALDO and would like to make it known that I am strongly in support of his amendment. Mr. RINALDO is an extremely valuable member of our committee.●

VINCENNES UNIVERSITY

HON. JOEL DECKARD

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. DECKARD. Mr. Speaker, next Sunday, November 29, Vincennes University will commemorate a landmark in the history of the State of Indiana and of the old Northwest Territory. On that date 175 years ago, the first General Assembly of the Indiana Territory, meeting in the territorial capitol in Vincennes, granted a charter to a small frontier school founded 5 years earlier by William Henry Harrison, the first Governor of the Indiana Territory and the ninth President of the United States. That school, known from its founding in 1801 as the Jefferson Academy and from its chartering 5 years later as Vincennes University, would survive to become the first institution of higher learning in the State of Indiana and one of the first west of the Appalachians.

By the turn of the century, Vincennes University had emerged as the first junior college in the United States. It has since earned a high reputation for its imaginative and innovative approach to its educational mission, for the energy and efficiency of its administration, and for the quality of its programs. This is a tribute to the leadership of the college, from its first president of the board, William Henry Harrison, through the long and progressive presidency of Dr. Isaac Beckes, to today's president, Dr. Philip Summers. It is a tribute to the labor of dedicated and loyal faculty and staff and to the support of the people of Knox County. It reflects, finally, the energies and talents of Vincennes University's student body, whose success is the truest measure of the college.●

PAYMENT IN LIEU OF TAX FOR GUAM LANDS

HON. ANTONIO BORJA WON PAT

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. WON PAT. Mr. Speaker, I am today introducing legislation which seeks to correct a situation whereby the U.S. Government has locked up a third of Guam from commercial development and, in the process, denied the local Government valuable tax revenues.

The measure I introduce today will correct this condition by providing for an annual Federal payment to the government of Guam which can be considered in lieu of taxes that normally would be gained from such property.

I have given this problem great attention. We, on Guam, are proud to have major U.S. military facilities on our island and we want them to feel free to use the land presently under Federal control for this Nation's defense. It must be noted, however, that Guam is a small island. We have a total area of less than 212 square miles. The United States owns 31.5 percent, or roughly 42,750 acres of land, on Guam. Much of Guam's most useful land is in Federal hands, as is our only major source of fresh water, our harbor, and most of our flat arable lands. Our inability to utilize these areas for commercial development has badly hindered the island's economic development. We are further constrained by Federal laws and regulations, some of which arise from the presence of military bases on the island, which also hamper our ability to generate local taxes.

My bill offers a solution to this problem by calling for payment of $3.5 million next year and thereafter to Guam. This money is essentially going to offset the lack of tax revenue from the sizable Federal presence much in the same way that the United States provides the District of Columbia with over $300 million each year.

Several years ago, I was pleased to cosponsor legislation which provided States and the territories with a payment in lieu of taxes for tax-exempt Federal lands within their boundries. Guam received only $230 for fiscal year 1981, hardly an amount sufficient to offset the loss of revenues from federally owned tax-exempt property.

While we welcome the Federal Government as our neighbor, we want Washington to recognize that good neighbors do their fair share of maintaining roads, schools, and other facilities. This is not currently the case. It is unfair for the Federal Government to tie up thousands of acres of valuable lands and not expect to compensate the local government in any way. This measure is an important step in this direction and I hope that it will receive fair consideration by the Congress.

Thank you.●

FIRST AMENDMENT RIGHTS ARE THREATENED BY ABUSES

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. McCLORY. Mr. Speaker, there are increasing evidences of abuse of first amendment rights. Indeed, it appears that many misrepresentations projected by the media are known to be false and misleading.

A straightforward and courageous statement of the dilemma the media seems to have created for itself is set forth in a commentary by Mike McClory which appeared in the November issue of the Hill Rag. Mr. Speaker, I am pleased to attach Mike McClory's article "And Now the Noose." I believe his hard-hitting and eloquent words should arouse the media to a greater sense of responsibility at the risk of jeopardizing first amendment rights by reason of deliberate and egregious abuse.

AND NOW THE NOOSE

(By Mike McClory)

Political commentator Jack Anderson, contrary to what some people say, is not the biggest liar in America. But you might have a hard time explaining that to Senators Ted Stevens (R-Alaska) and Mark Hatfield (R-Oregon).

On ABC's "Good Morning, America" the other day, Anderson accused Senators Stevens and Hatfield of "conspiring" against President Reagan. "Conspiring" means "planning secretly with other to do something unlawful or wrong"—like committing a crime. Historically, the most famous con-

spirators were Senators Cassius and Brutus. Thus the term "conspiring" has particularly ugly connotations.

The truth, of course, is that both Stevens and Hatfield, along with many other senators who question some of President Reagan's defense-spending plans, are communicating quietly and reasonably with one another rather than spouting irresponsible rhetoric on network television.

Words can be weapons, and the word "conspiring" jumped out of Anderson's mouth as quick as a slug from a Saturday night special. According to Dwight Dyer, Staff Director of the Senate Defense Appropriations Subcommittee, "The senators agree on some points, disagree on others. Anderson's report is 100 percent false."

All lies are made of words, and the way that words are manipulated can lead people to believe all kinds of nonsense.

One popular nonsense word is "radical." The Washington Post printed a story a while ago saying that Cuba was trying to sway certain countries in a more "radical" direction, meaning toward the Soviet Union. The next day, the Post and all three networks reported that Polish union leader Lech Walesa was elected president of Solidarity over three candidates who were more "radical," meaning against the Soviet Union. Clearly, "radical" cannot carry both meanings.

Distorting the meaning of "radical," and its cousins "left-wing" and "revolutionary," has been common practice within the American media establishment for a long time. The predictable result is that most of the American public is utterly confused about what is really going on in the world.

"Radical" is generally associated with communism, which in its idealized form is supposed to place the means of production in the hands of the proletariat—the working people. Thus, "radical," "left-wing," and "revolutionary" societies should be those in which people enjoy the opportunity to oppose, and collectively replace, an unpopular government. Unfortunately, precisely the opposite is true.

In the Communist countries—most obviously the Soviet Union and Cuba—people become property. The communist governments operate more like fascist dictatorships or absolute monarchies than the perfect societies Karl Marx envisioned. They are, in fact, no more than self-perpetuating, tyrannical bureaucracies—that is, "right-wing."

In many circles "radical" and "left-wing" have become terms of intellectual approval. Those persons who want to appear enlightened, and who feel that "liberal" has come to mean simply following the political line of the AFL-CIO, will describe their politics as being "somewhat radical" or "leaning to the left." What they actually mean is that their views are "advanced," and "good."

Good guys "lean to the left" and feel sympathy for radical causes. Terrorists throughout the world figured out this "good guy" syndrome a long time ago. Wanton murder in the name of "radical opposition to oppression" is translated into legitimate political activity, and psychopathic criminals become idealistic political revolutionaries.

The good guys actively supported or went along with the "radicals" who overthrew the shah of Iran and formed a "revolutionary" government. Even now, when it is obvious that Khomeini's cruel, ayatollah-controlled government is trying to force upon that nation a hopelessly reactionary medievalism, news reports constantly refer to Iran's "revolutionary this" and "revolutionary that."

Distorting the meaning of words is a subtle form of disinformation—the art, long practiced by Soviet propagandists, of portraying the opposite of what is true. But propaganda is only one reason for reporting disinformation. It may also be done for profit. The Washington Post, for instance, recently—and reluctantly—apologized for publishing disinformation about former President Carter's bugging activities.

Jack Anderson's "conspiring" remark is clearly disinformation of a very low order. Now, what do you think the chances are that either Ted Stevens or Mark Hatfield will hear words of apology from ABC?●

VIEWS ON THE DEPARTMENT OF DEFENSE APPROPRIATIONS BILL

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. RAILSBACK. Mr. Speaker, I appreciate the opportunity to discuss my views about defense spending, especially in regard to the MX missile system and the B-1B bomber. While I believe we must support a strong defense and maintain nuclear parity with the Soviet Union, I am concerned about excessive increases in defense programs when important social programs are being cut.

Granted, we are not adequately prepared for either a conventional or nuclear war. However, rather than hoping an increase in spending will help solve the problem, we should encourage wise decisionmaking and procurement policies. Our forces are in need of spare parts and a generally upgraded conventional weapons system. Yet, I often feel the Pentagon puts too much emphasis on very complex and costly weapons. That is why I voted for an amendment to the Department of Defense appropriations bill which sought to reduce funding for military procurement and research and development (R. & D.) by 2 percent, while maintaining funding levels for spare and repair parts and ammunition.

Two items in the appropriations bill are of particular concern to me; namely, the MX missile system and the B-1B bomber:

MX missile: In the past few years, I have had serious doubts about the wisdom of basing MX missiles in a multiple protective structures (MPS) system that could become obsolete if the Soviets add enough missile warheads to destroy all shelters. So, I have consistently supported efforts to require a study of alternative basing modes rather than placing all research and development (R. & D.) money into one. The President is proposing a temporary plan to superharden 100 Titan silos to house MX missiles, while studies of basing modes are conducted. I agree with this approach and therefore voted against the amendment to delete $1,913,200,000 for MX R. & D.

B-1B bomber: The B-1B bomber is costly and may not give us enough advantage over the B-52 to warrant the cost. I understand that a CIA analyst indicated during hearings that the B-52 could penetrate Soviet air space until 1991 and, at another time, Defense Secretary Weinberger stated that flying a B-1B into the Soviet Union as early as 1990 would be suicidal. When I consider the fact that the first 12 B-1B's will not be ready until 1986 at the earliest and that the "Stealth" advanced technology bomber could be ready by 1989, I question the need for producing 100 bombers that may eventually be used only to carry cruise missiles and conventional weapons, a mission that could be carried out by the B-52's.

The B-1B's are expensive. In July, the Air Force estimated a cost of around $20 billion for the program, but I understand inflation could bring the figure close to $30 billion. That is $300 million for each plane—almost enough to fully fund the Legal Services Corporation. The House recently cut the budget for Legal Services from $341 million to $241 million. At a time when social programs are being cut dramatically, I do not feel a bomber that may only be used at its optimum for a short time should be built. So, I supported the amendment to delete $1.8 billion for B-1B procurement while maintaining $292 million for R. & D.●

FIFTH ANNIVERSARY OF THE UKRAINIAN HELSINKI GROUP

HON. DENNIS E. ECKART

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 1981

● Mr. ECKART. Mr. Speaker, once again the anniversary of the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords is passing by with the hopes of the group's leaders unrealized. While the express purpose of this admirable family has been undermined by the enemies of human rights, the group and its message are certainly not passing unnoticed.

In the free world, the heroic efforts and sacrifices of the Ukrainian group are an example we must remember. Our efforts must reflect their dedication. We must not condone the injustices of Soviet human rights violations through the silence of Congress, the collective voice of the United States. Certainly, the Soviet oppression of Ukrainians, Soviet Jews, Lithuanians, Afgans, and others is shocking, although the Soviet's actions, however

perverse, are not particularly surprising. Constant oppression is a fact of life for dissidents and their families.

Even in the Soviet Union, the efforts and ideas of the Ukrainian group are commanding attention. This fact is apparent in the continuous and diversified attempts to subvert the group's motives. The Soviet leaders must be confounded at the resilience of those under their heavy hand. To those of us whose ancestors and immediate families fought for natural rights, though, the spirit's strength is indomitable.

Mr. Speaker, I am honored to be able to speak for the rights of the people of the Soviet Union. I am even more honored to actively aid in the fight being waged by the members of the Ad Hoc Committee on the Baltic States and Ukraine.●

HUD MISMANAGEMENT IN THE ATLANTA AREA

HON. DOUG BARNARD, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. BARNARD. Mr. Speaker, for some time, I have been concerned about the vast amount of waste in many Federal projects. In one area in particular, my collegue, ELLIOTT LEVITAS, has been trying to end poor construction practices in HUD projects in the Atlanta area.

Several years ago, he made a major effort to end this shoddy work in a project in Rockdale County. This work was so poorly done that although it cost over $5 million by the time it was completed in 1972, it had to be torn down in 1976 because it was unsafe.

After a congressional investigation and a report by the HUD Inspector General, the Department agreed that it has been wrong, and promised to correct the policies. Now, I understand that a new report has been issued that shows few if any improvements, even though over 3 years have passed.

I want to congratulate my colleague on his continued efforts to eliminate Federal waste in Government, and to join his call for a complete investigation and the correction of these abuses.

The following article from the Atlanta Journal of November 5 details some of this controversy, and I would like to bring it to the attention of my colleagues.

[From the Atlanta Journal, Nov. 5, 1981]

LEVITAS' BATTLE WITH HUD

(By Durwood McAlister)

Fourth district Congressman Elliott Levitas is no babe in the woods when it comes to dealing with government agencies; he knows as well as anyone their capacity to resist change.

But even Levitas is astounded by the mule-headed refusal of the Department of Housing and Urban Development to do something about its gross mismanagement of public housing construction.

Levitas thought he had brought HUD to heel three years ago.

Armed with a "spectacular example of mismanagement" of a multifamily housing project, he had requested an Inspector General's investigation which resulted in a full hearing of the Subcommittee on Housing and Community Development.

That hearing detailed the almost unbelievable story of the Rockdale apartment project in Rockdale County. Almost $5 million of taxpayer dollars went down the drain because of HUD's failure to perform.

The project, completed and occupied in 1972, lasted only four years. It was totally demolished in 1976, under HUD's order, because it was no longer safe for occupancy.

Investigators told the subcommittee that they found faulty work by construction contractors, inadequate performance by the supervisory architect and improper approval of construction change orders.

All of those deficiencies could have been corrected if HUD inspectors and their supervisors had done their job; but the investigators reported that the inspectors failed to perform.

Stung by the Rockdale case, and by the Inspector General's report indicating that the project was not an isolated case but was indicative of a nationwide problem, HUD acknowledged its failure and promised to correct the situation.

That was more than three years ago. Now, there is a new report from the Inspector General's office and a disillusioned Elliott Levitas is hopping mad.

"We find to our disgust," he said, "that the new report yet again reveals serious mismanagement of funds in the construction and administration of housing projects."

He added, "What makes this situation so outrageous is the fact that HUD has had more than three years to correct these problems in oversight and management, yet has apparently done little or nothing to solve them. The problems were those identified three years ago, which HUD acknowledged and promised to correct, and, yet, the same abuse is still going on."

Levitas has called for new hearings by the Subcommittee on Housing and Community Development to air charges by the Inspector General that 16 housing projects in the Atlanta area have been plagued with more than 600 construction deficiencies.

More than 100 of those are considered serious enough to "adversely affect the health and safety of the residents," according to Levitas.

It is apparent by now that in trying to move HUD to change its ways Levitas is mud-wrestling with a hippopotamus in a gumbo swamp, but he is determined to stick with it.

He deserves all the help he can get.

Those who are profiteering at taxpayer expense and foisting their shoddy failures off on the poor ought to be punished.

And the HUD inspectors who, through carelessness or criminal neglect, have allowed abuses to occur should be fired and prosecuted for their dereliction of duty.●

LEGISLATIVE NEEDS AND USES OF TOXICOLOGICAL INFORMATION

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. WALGREN. Mr. Speaker, the Subcommittee on Science, Research and Technology has a great interest in the use of modern information technology in health and environmental monitoring. I would like to bring to the attention of the House a recent paper, "Legislative Needs and Uses of Toxicological Information," which is very informative on this matter. This paper was presented on September 17 at a National Library of Medicine Symposium on Information Transfer in Toxicology by Gilbert Gude, Director of the Congressional Research Service. Mr. Gude's paper not only reinforces the need for the best available information in the field of toxicology as well as other fields, but also the key role which professional researchers and information specialists play in making subject material most usable to all of us who work in the legislative branch.

There are vast resources of technical and research information available in every field, but its existence does not guarantee it will be used to best advantage, if properly used at all. Congress must have expert help in extracting what is significant and pertinent in every area.

LEGISLATIVE NEEDS AND USES OF TOXICOLOGICAL INFORMATION

(By Gilbert Gude)

The Congressional Research Service, one of four congressional support agencies, works exclusively for Congress—for all the Members and all the committees; and CRS work—information, reference and research—covers all subject areas of congressional interest. The inquiries from Members and staff—by phone, letter or in person—exceed 310,000 a year and the number of requests has increased at an average rate of 8.9% each year over the past decade. As in so many areas of domestic and international concern, Congress also has a substantial and growing interest in toxicological information and research.

Responses to congressional inquiries in this subject area are handled primarily by four units: the Reference Division, the Science Policy Research Division, the Environment and Natural Resources Policy Division; and the American Law Division. In addition, the Library Services Division receives some congressional inquiries for bibliographic information, but largely provides bibliographic support to all research and reference divisions and congressional offices through on-going programs.

Requests from the Hill for information on specific toxic materials or situations involving toxic materials can be handled by a reference librarian in one of four Reference Centers, by a telephone discussion with an analyst or by a several page memo prepared in one of the three indicated research divi-

sions; more complex requests requiring professional analysis and some hours, days or even weeks of research time would be assigned to a research division.

The CRS Reference Division handles the majority of inquiries and in most instances responds to the Member or committee office in less than twenty-four hours. A typical request recently received from a Senator's office and assigned to the Reference Division asked for "the official report of the studies made on polycarbonate resin." The question involved one of the Senator's constituents who was concerned that chemicals used in the manufacture of containers were migrating into the beverage. A reference librarian on the Science and Environment Team searched several data bases, including Chemical Abstracts, Scisearch, Enviroline, and Chemname; these searches were fruitless, so the staffer consulted the Food and Drug Administration. FDA staff indicated that the problem had been treated in a Federal Register report on chemical migration contaminating beverages in acrylonitrile plastic bottles.

CRS endeavors to respond to a repetitive number of similar questions with two types of publications—the Issue Brief and the CRS Report—and by means of the data base retrieval system, SCORPIO. Currently, the Service has eleven out of approximately 350 Issue Briefs which deal with particular toxic substances or toxic substance pollution problems.

A typical Issue Brief, "Agent Orange: Veterans' Complaints Concerning Exposure to Herbicides in South Vietnam," was first entered into the Issue Brief System on September 6, 1979; in addition to hard copy distribution, the pages of Agent Orange, like all Issue Briefs, can be scanned individually through the SCORPIO video consoles which are part of the equipment in more than half of the Member and committee offices. Issue Briefs are updated daily, if necessary, to reflect developments, new data, recent congressional activity and any other factors of importance. Agent Orange has been updated altogether sixteen times—the most recent updating was August 3rd of this year.

The Brief provides a detailed definition of the Agent Orange issue and the basis for congressional interest. Following the Issue Definition, a Background and Policy Analysis provides a history of the problems associated with Agent Orange and its toxic contaminant, dioxin (TCDD). The history begins with the summer of 1969 when the first reports of human birth defects allegedly attributed to Agent Orange exposure appeared in Vietnamese newspapers. It continues with the growing awareness of the problems associated with TCDD, and provides toxicity data on the substance for both animals and humans. The analysis also includes in tabular form, by site or location, data on workers who have been exposed to phenoxyacetic acids and their contaminants. The Background and Policy Analysis continues with the history of Agent Orange use in Vietnam with details as to the amounts of TCDD possibly released as a contaminant in various missions and the amount of land area treated by the defoliating herbicides. Included is a discussion of the number of personnel possibly exposed to the herbicide and an analysis of the Department of Defense and Veterans Administration efforts to deal with the problems of military personnel who were exposed or allegedly exposed to the material. The Policy Analysis ends with a succinct series of questions which highlights the issues confronting the Members of Congress when they consider policy options relating to this toxic substance.

The Issue Brief itself concludes with a summary of congressional action in the 96th Congress and the citation of specific legislation introduced in the 97th Congress to deal with Agent Orange problems; a list of congressional hearings, reports and congressional documents; and finally, a short list of additional reference material. Altogether the Agent Orange Issue Brief is only 25 pages in length, but it provides a legislative assistant or a Member of Congress, in just a few minutes reading, a good overview of a complex subject. As is the case with all CRS work the author or reference librarian who prepares the material is always cited so a Member or staffer can make easy contact with a knowledgeable source of information.

The CRS Reports, like the Issue Briefs, also deal with subjects of some general congressional concern or interest. Reports are produced in hard copy but are not available through the SCORPIO system; the subject matter is of such a nature that only occasionally are they revised. They generally examine one aspect of an issue or problem in greater depth than an Issue Brief and they do not have a structured format with such items as legislative histories and bibliographies. Reports may run from 15 to as high as 300 pages in length.

The Report, "Food Safety Policy Issues"—made available to Congress this last June—is typical of this type of CRS product; it deals in part with toxic substances. It was authored by two analysts—one from the Science Policy Research Division and one from Environment and Natural Resources Policy Division—and a Congressional Science Fellow working in the Science Policy Division. In addition to food regulations and laws and the administrative structure of Federal food agencies, the report also deals with toxic contamination of food. The document examines matters dealing with setting tolerance levels for animal drugs, pesticide residues, and environmental contaminants in food, and discusses the detection of violations and enforcement of standards. The section dealing with toxic contamination also provides the reader with an excellent overview of matters or questions concerning the food safety issues upon which Congress might legislate, or about which constituents might contact their Members.

For issues or subjects of intense congressional interest or public concern, the Reference Division often combines Issue Briefs and/or CRS Reports with other relevant material in a kit called an Info Pack. Currently the Reference Division maintains approximately 110 infopacks; eleven of these pertain to toxic substances or related problems. For example, the Air Pollution Info Pack includes the Issue Brief, "Clean Air Act: An Overview;" a committee print on the progress against air pollution; a League of Women Voters report—"Blueprint for Clean Air"—and a concise bibliography on air pollution. Research and Reference Division staff work together to assemble the highest quality, most pertinent, and most succinct material so that the Info Pack which CFS provides give a balanced and comprehensive picture of the subject matter.

The Service distributes CRS Reports, Issue Briefs and Infopacks only to its congressional clients but Members use these CRS products in performing part of their representative function—providing information requested by their constituents. However, a substantial amount of Congressional Research Service information and research work enters the public domain when published by the Government Printing Office as committee print reports, or as documents of the Congress. This activity is usually carried out by Service analysts and researchers who work very closely in conjunction with the staff of congressional committees. CRS staff often support committees in organizing hearings; they may assist in selecting appropriate witnesses, providing background material on the subject to be examined, drafting questions for the various witnesses and finally preparing the committee report.

CRS staff can be involved in the production of other types of committee publications which are designed to provide information or direction without benefit of a hearing. For example, "An Overview of Research in Biogeochemistry and Environmental Health" provides a comprehensive view of these science activities and makes recommendations as to executive department action. Published in March of 1979, the report was prepared for the Subcommittee on Science, Research and Technology of the House Committee on Science and Technology. A CRS senior specialist, an assistant chief of the Science Policy Division, a CRS visiting scholar, and two analysts of the Science Policy Research Division were involved in the preparation and review. The overall study was directed to the influences of the biogeochemical environment on human health and disease; it was to provide information background on the field of biogeochemistry, a summary of Federal research in biogeochemistry, an analysis of major unresolved problems, and an identification of the non-Federal agencies which provide funding for biogeochemical research. The report also provided a preliminary discussion of research objectives and priorities which the Subcommittee might appropriately examine.

In examining biogeochemistry and environmental health research, the report looks at the question of toxic effects of biogeochemical agents, particularly as to their role in disease causation and toxicological, mutagenic, teratogenic, carcinogenic, and genetic effects, The study concludes that there is less national coordination and emphasis being placed upon research in methodology and epidemiology in biogeochemistry than in biology, toxicology and nutrition. In particular, the conclusion notes, there seems to be little cooperation at the national level of the priority process determination and a potential for interdepartmental cooperation in project findings, particularly in ecology, biology and toxicology.

An example of another type of committee publication, designed for use in reference to pending legislation, was the report: "Six Case Studies of Compensation for Toxic Substances Pollution: Alabama, California, Michigan, Missouri, New Jersey, and Texas." This report was to provide information in connection with proposals dealing with the compensation of victims of toxic substance pollution and was prepared by the Washington D.C. Environmental Law Institute under a contract with CRS. Three CRS divisions suggested the analytical framework of the report and reviewed the final product. Specifically, the research was directed to achieve the Committee's objective by examining several incidents of toxic substance pollution and the adequacy of the legal framework. In each instance the study

delineates the existing State legal mechanisms which provides compensation to victims in the incidents; shows whether the parties that caused the incidents were held or could readily have been held liable for damages sustained; assesses the adequacy of compensation obtained; and identifies some legal and non-legal barriers to recovery in the cases reviewed. The toxic substances covered in the report include mercury; PCB's; pesticides such as DBCP, alpha-BHC and Lindane; radioactivity in ground water; chlorine; toxic chlorinated hydrocarbons; dioxin tainted oil; lead; and kepone.

Although a substantial segment of Congressional Research Service work goes into several types of publications—tailored to the various needs of Members, committees and their staff—a large amount of information and research transfer is carried on in a verbal mode. Researchers and analysts may provide the necessary information in telephone conversations, or briefings of Members and staff on a personal one-to-one basis. More formal oral information transfer takes place at CRS-organized workshops and seminars. Seminars and workshops are tailored to the varying needs of Members and committees and the breadth of the subject matter involved. Good examples are seen in two seminars which took place earlier this year—one on acid rain and one on perspectives on current food safety policy. Members and legislative staff are invited to these seminars, usually held in CRS facilities. CRS analysts served as moderators for both of these seminars; both were scheduled for three morning hours and employed panels of outside experts. Panelists in the Food Safety Policy program included officers or representatives of the Food and Drug Administration, the Department of Agriculture, the Community Nutrition Institute, the Grocery Manufacturers of America, and a law firm engaged in practice involving food safety laws and regulations. The acid rain seminar included distinguished experts from EPA, the Department of Agriculture, NOAA, and CEQ. Seminar presentations always have questions and answer periods and the opportunity for Members and staff to obtain other Reports, Issue Briefs, committee prints and materials on the subject area. Some seminars are open to Members only; they are scheduled either as breakfast events or dinner events, depending on the pace of business on the Hill.

On occasion seminar or workshop formats are opportunities for the preparation of TV or audio cassette presentations which can be utilized by Members and Hill staff. For example, one CRS audio cassette involves a 30-minute discussion of the background and present level of knowledge concerning the acid rain problem. These audio tapes can be played over the House closed circuit system or made available for Members or staff to play on home cassette players.

In supporting Congress with reference and information materials and research, the Congressional Research Service maintains a unique role in the interface between the world of information and research and the legislative milieu of Congress.●

PERSONAL EXPLANATION

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. McDONALD. Mr. Speaker, during the past 2 weeks I had the privilege to tour 19 cities in my State as a participant of the Georgia Chamber of Commerce's Prelegislative Forum. Because of this commitment, which was made when the House originally intended to adjourn the first of November, I regrettably missed various votes. I was paired on each vote but failed to receive a live pair on each vote. Therefore, in order to set the record straight, I would like to take this opportunity to explain how I would have voted had I been present.

"Yes" on rollcall No. 297, a motion to recommit the conference report on H.R. 4035, Interior and related agencies appropriations for fiscal year 1982, to the committee of conference. A live pair was received.

"No" on rollcall No. 299, ordering the previous question on the rule, House Resolution 271, to House Joint Resolution 357, making further continuing appropriations for fiscal year 1982. A live pair was received.

"No" on rollcall No. 300, the rule, House Resolution 271, to House Joint Resolution 357, making further continuing appropriations for fiscal year 1982. A live pair was received.

"Yes" on rollcall No. 305, committee amendments to H.R. 1797, authorization of coastwise trading privileges to the vessel *Capt. Tom.*

"Yes" on rollcall No. 309, the conference report to S. 815, the Department of Defense Authorization Act of 1982.

"No" on rollcall No. 310, passage of H.R. 4482, to establish a U.S. circuit appeals court and a U.S. claims court. A live pair was received.

"Yes" on rollcall No. 311, the conference report to H.R. 3454, the Intelligence Authorization Act.

"No" on rollcall No. 312, the conference report to H.R. 4522, District of Columbia appropriations. A live pair was received.

"No" on rollcall No. 313, a motion offered to the conference report on H.R. 4522 that the House recede from its disagreement and concur, with an amendment, to Senate amendment No. 42. A live pair was received.

"Yes" on rollcall No. 314, the rule, House Resolution 275, to H.R. 4995, Defense appropriations for fiscal year 1982.

"No" on rollcall No. 315, an amendment to H.R. 4995, to delete $1.79 billion in funding for Air Force aircraft procurement.

"No" on rollcall No. 316, an amendment to H.R. 4995 to delete $1.8 billion in funding for the B-1 bomber. A live pair was received.

"No" on rollcall No. 317, an amendment to H.R. 4995 to delete $1.9 billion in funding for the MX missile and its basing mode. A live pair was received.

"No" on rollcall No. 318, an amendment to H.R. 4995 to reduce by 2 percent funding for military procurement and research and development, excepting spare parts. A live pair was received.

"No" on rollcall No. 319, an amendment to H.R. 4995 to reduce by 2 percent funding for military procurement and research and development, excepting spare parts, repair parts, or ammunition. A live pair was received.

"Yes" on rollcall No. 320, passage of H.R. 4995, Defense appropriations for fiscal year 1982. A live pair was received.

"Yes" on rollcall No. 321, House Concurrent Resolution 224, expressing the support of the Congress for the President's initiatives for peace.

"Yes" on rollcall No. 322, the conference report to H.R. 3413, Department of Energy national security programs authorization for fiscal year 1982.

"No." on rollcall No 323, House Resolution 280, the rule to H.R. 3663, Bus Regulatory Reform Act of 1981. A live pair was received.

"No" on rollcall No. 325, passage of H.R. 3663, Bus Regulatory Reform Act of 1981. A live pair was received.

"No" on rollcall No. 326, House Joint Resolution 349, authorizing United States participation in implementation of the Egypt-Israel Peace Treaty. A live pair was received.●

NEW BREED OF ACTIVIST BUSINESSMEN

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1980

● Mr. HYDE. Mr. Speaker, there is an ever increasing role that businessmen are playing in helping shape not only our economy, but our political institutions as well. This role has heretofore confined to labor leaders and academics and the differing perspectives of businessmen are providing a needed balance to this important area. I share with my colleagues an excellent article by Columnist Bob Wiedrich, in the November 8 Chicago Tribune, dealing with this new development:

UNION DECLINE OPENS DOOR FOR BUSINESSMEN TO TAKE OVER

The declining membership and political clout of American unions are creating a new breed of activist businessmen.

Instead of waiting around for somebody else to make things happen, they are moving to make things happen themselves. Instead of serving as docile whipping boys for many of the nation's economic ills, they are starting to fight back.

If ever the day comes that politicians treat businessmen at least as equals with

labor leaders, prosperity may be just around the corner.

That is the message being spread by Calvin A. Campbell Jr. president of Goodman Equipment Co., a heavy mining machinery manufacturer on the South Side.

He is advising fellow private enterprise practitioners to stand up and be counted instead of cowing in the face of unionized political power, which he contends is rapidly becoming a myth.

Campbell said union workers have declined by 19 per cent in the last decade. There are fewer strikes than in recent years. There are more union decertification elections and more are being sustained.

"That's a trend," Campbell asserted, "and without the public worker unions, that percentage would be even dramatically less. . . .

"Further, there is a lot of union-breaking going on. There are private consultants to advise businessmen on how to prevent unions from being formed and how to get rid of them.

"The consultants put on seminars. They are flourishing. And the unions know it. So I'm suggesting that unions should change to prevent further erosion of their membership and strength.

"The thing that amazes me is that politicians, particularly liberal and Democratic Party politicians, continue to hold on to the view that unions have as much political clout as they once did. I don't think they do. And I don't think they'll hold on to what they have unless they reform.

"Coincidentally, the three industries that have had the toughest and most powerful unions are the industries in the greatest economic trouble today—the automotive, steel, and rubber industries."

Campbell maintains that he is not antiunion. He said his firm has good relations with the United Radio and Electrical Workers of America that represents more than 300 of his 500 employes.

Campbell believes unions have done much good for American workers and will continue to do so. But, he argued, union leaders and politicians must change their attitudes if the nation is to emerge from its economic morass.

"They have to recognize that businessmen are the people who create jobs," he said. "They have to recognize that if a businessman is successful, these jobs will become more secure and higher paying and will increase in number.

"That's why I believe the businessman will emerge as a stronger political force in relation to labor leaders. In the past, businessmen have commanded few votes. Now, the businessman will become a political activist.

"I see him advising his employes how to vote on certain issues that are in their best interest. He will speak out in behalf of his company and industry.

"In the last 30 years, the businessman has not contributed much politically. He has sat back and let labor leaders be vocal. He has been afraid of customers, employes, stockholders, and organized labor. Now, I believe the businessman recognizes he is the primary source of job creation.

"Labor has a role to play that is equally important. That's why I am not antiunion. And that role is teamwork and cooperation while still pursuing the goals of unionism.

"Let's assume I want to build a plant. Unions have to start promoting causes that will permit me to build that plant and create jobs. In years past, unions have supported a lot of causes that have worked to the detriment of business, tough occupational safety and health and environmental regulations that have stifled the desirability and profitability of building or expanding a business.

"Unions should assist in promoting the need for such expansion. I'm not asking them to compromise principle.

"I don't believe wages should be scaled back. What needs to be given up are certain job descriptions, the numbers of people assigned to certain jobs, as well as time worked and work rules. Job pay should be given up only when economics demands it for survival.

"What I'm talking about is things that inhibit cost-effective operation and bloat payrolls, which decrease productivity and destroy competitiveness.

"Labor leaders have to recognize that these changes have to be made. I believe many workers already recognize that reality. But the union leadership has to support these changes if American industry is to be competitive with itself and the rest of the world."●

THE MUSEUM FOR THE BOROUGH OF BROOKLYN, SHELLY MEHLMAN DINHOFER, DIRECTOR

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. SCHUMER. Mr. Speaker, I rise today to pay tribute to the newly developed Museum of the Borough of Brooklyn at Brooklyn College.

The museum and its archives will be devoted to the cultural and visual history of Brooklyn, to the preservation, conservation, and exhibition of works of arts relating to its past as a flourishing art center as well as its growing relationship to the contemporary art scene. The museum will no doubt become a cultural landmark serving students, professionals, the community, and all of Brooklyn.

The recent success of the museum's first show, "Erie Basin: Turney's View and Today" which focuses on the early work of artist, Winthrop Duthie Turney, can be attributed to the outstanding efforts of Shelly Mehlman Dinhofer. Shelly, an art historian and collector, as well as a devoted resident of Brooklyn, has excelled in her role as coordinator of Brooklyn College's Museum of Brooklyn.

The cultural flavor and ethnic diversity provided by the museum will go unmatched for years to come. Shelly's success in producing the Turney show and in coordinating the museum's programs and studies has already favorably affected the community. It is easy to foresee an extremely important exchange between local artists, historians, and students.

We in Brooklyn, welcome the Museum of the Borough of Brooklyn and commend Shelly Mehlman Dinhofer for her outstanding efforts.●

THE INTRODUCTION OF H.R. 5012 "THE EMERGENCY TIMBER SALE ACT OF 1981"

HON. JAMES WEAVER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. WEAVER. Mr. Speaker, high priced Forest Service and BLM timber keeps the western Oregon timber industry from competing in lumber markets, curtailing their operations, and adding drastically to the unemployment of mill workers, loggers, truckers, tree planters, and others.

I believe it is essential that existing high priced Forest Service and BLM timber sale contracts be terminated at the timber sale holders' option, and that these sales be placed up for sale immediately, under terms that would require their prompt harvest.

I am introducing a bill to accomplish this. As chairman of the House Forests Subcommittee, I will call a hearing immediately and will push for fast enactment. While BLM timber is not mentioned in the bill, I intend to add the BLM to the bill in a later stage of the legislative process. The bill reads as follows:

Any U.S. Forest Service timber sale contract holder may elect to terminate such contract without prejudice or damage, by notifying the Forest Service within 40 days of the enactment of this act.

The Forest Service shall expeditiously offer for resale by auction all such terminated contracts, and under terms which require prompt sale completion and harvest of the timber.

I will place in the committee report of the bill the following directions to the Forest Service.

First, that steps be taken to reform the bidding process to disqualify speculators.

Second, that terminated small business set a-side sales be replaced as small business set a-side sales.

Third, that sales processing costs be charged to any purchaser whose sale is terminated up to $10,000.

Fourth, that bidding procedures be reformed to require substantial guarantees of performance on future contracts.●

A TRIBUTE TO JOHN RAKER

HON. EUGENE JOHNSTON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. JOHNSTON. Mr. Speaker, I want to take this opportunity to salute the great spirit and contributions of one of the outstanding citizens of Davidson County—Mr. John Raker. Mr. Raker was born in Davidson County, and in over 80 years as a resident, he

has truly made a special mark on that community.

Mr. Raker's love of country and dedication to his community are total, and his involvement in local affairs prove this beyond a doubt.

As a businessman, John Raker has taken time away from his business to serve his community as a member of the Civitan Club, the Royal Order of Red Men, the Oasis Shrine, the Masons, and the Junior Order.

After joining the First Reformed Church in 1907, Mr. Raker has served as an elder and deacon of that church, which is now the United Church of Lexington.

In addition to his commitment to the community and his religious principles, Mr. Raker is one of America's great patriots. His steadfast belief in a strong government has been demonstrated time and time again by the fact that Mr. Raker has not missed a State or county convention since 1920.

Mr. Raker has worked tirelessly to enrich his community, his State, and his country. I would like to honor him for his outstanding achievements and inspiring contributions to Davidson County.●

REAGAN'S FRIENDS?

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. GINGRICH. Mr. Speaker, columnist Louis Rukeyser recently wrote an open letter to President Reagan about the Reagan economic program. Rukeyser's advice to the President is this: Rally your troops and stick to your guns, Mr. President.

I insert in the RECORD Rukeyser's column, "Reagan's Friends Doing Him In?", from the Atlanta Constitution of November 16, 1981.

The column follows:

REAGAN'S FRIENDS DOING HIM IN?

(By Louis Rukeyser)

An open letter to Ronald Reagan:

DEAR MR. PRESIDENT: You did a characteristically splendid job this past week of lambasting the opponents of your economic recovery program. Now do you think you could get your supporters behind it, too?

For the discomforting truth is that your greatest problem right now may be with those who are supposed to be on your own team, but whose display of disarray and pusillanimity threatens to shoot your program in the legs before it gets 12 inches from the starting line.

For example:

It might be well for everyone in your administration to be handed a nice old fashioned sampler, suitable for framing, bearing the words: "A tax increase is a tax increase is a tax increase."

Admittedly, it won't exactly replace Gertrude Stein, but it would be a useful reminder the next time somebody tries to con the American people into believing that a tax increase is suddenly not a tax increase if you call it something else, such as "loophole closing" or "revenue enhancement."

If money is transferred from the private sector to the government, that's a tax increase. And that's all she wrote. As you yourself have acknowledged, your initial tax-cut program barely offsets the impact of inflation and previously legislated tax increases over the next three years. Any attempt to play games with "revenue enhancement," now or next year, thus leaves the Reagan administration—despite all its fine words—in the position of having imposed one more net tax increase on the overburdened U.S. economy.

And if that prospect makes you more than a little uncomfortable, Mr. President, the time to call a halt is now.

The message to your budget team should be short and unsweet: Your assignment was to reduce the federal government's share of U.S. gross national product from 23 percent to 19 percent—not to alibi your failure to do so—and certainly not to make proposals that would enlarge the government's take even further. Please go back to your offices and get on with your assigned job.

Quick, before it's too late, break the word to the "leaders" in the Republican-controlled Senate that they are in danger of leading you, and themselves, into a political and economic quagmire.

Have a quiet word with Howard Baker about the perils of terming your economic program "a riverboat gamble," announcing in advance that your budget-cut requests can't be met—and, of course, periodically blaming it all on those nasty guys in Wall Street.

That kind of stuff might confuse people as to which party is running the Senate—or should.

Tell the White House staff that, while others may be wavering with each passing wind, you are still a Reaganite.

That means you still want to balance the budget as rapidly as possible, and to do so by reducing spending rather than raising taxes. (You might start by getting to the staffer who recently described would-be budget balances as "Neanderthals.") And that means a much greater, across-the-board assault on federal spending in the budget you will submit in January.

And if anyone who's supposed to be on your team still thinks the way to save the country is to adopt a moralistic posture toward alleged tax "loopholes," I suggest you send him out promptly—for a three-martini lunch.

Your worried friend,

LOUIS RUKEYSER.●

IN OBSERVANCE OF THE 100TH ANNIVERSARY OF RHODE ISLAND'S BLACKSTONE VALLEY CHAMBER OF COMMERCE

HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. ST GERMAIN. Mr. Speaker, let it be known that the Blackstone Valley Chamber of Commerce will mark its 100th year on the 23d day of November 1981. In observance of this milestone, the chamber will hold a gala anniversary dinner on this evening, said dinner being the culmination of events held over the past several months which have mirrored the days of yore when the chamber was first initiated.

The Blackstone Valley Chamber of Commerce is among the oldest and most respected chambers in the country. Far from being antiquated, the chamber has long been known for its quality service and for its advocacy of Rhode Island business and professional communities as well as the public at large.

Included in its long list of accomplishments is the creation and development of two industrial parks in Rhode Island which house 27 firms and have spawned thousands of jobs. The chamber also is responsible for much of the leg work involved in the construction of the Davies Vocational Technical School in Lincoln and also operates the first regional Crime Prevention Bureau ever to be instituted and run by any chamber of commerce in the Nation. All in all, the Blackstone Chamber of Commerce has added significantly to the economic, cultural and civic well-being of Rhode Island, operating both on the State and national level.

The celebration promises to combine aspects of the past, such as a salute to area organizations and businesses which have been in existence since the turn of the century, as well as a look to the future with the sealing of a time capsule, slated for opening in 99 years. The festivities commence at 6 and will be held at Providence's Biltmore Plaza Hotel. We congratulate our colleagues at the Blackstone Valley Chamber of Commerce and look forward to many more years of five-star service.●

AMERICA'S RACE AGAINST ITSELF

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. McDONALD. Mr. Speaker, there is a strange thread that runs through our relations with the Soviet Union. When forced collectivization and the ravages of war and civil war ruined the Soviet farmland, the United States stepped in and saved millions of Soviet citizens with food supplied by the Hoover relief mission. When the Soviet economy started to falter in the 1930's, we recognized their government and opened up trade which resulted in a giant boost for their industry. In World War II when the Soviets had their backs to the wall fighting off Hitler's armies, we supplied raw materials, ships, planes, trucks, jeeps, and food that helped to stave off disaster. Again, in recent years, the United States has supplied

technology to help modernize a faltering Soviet economy as well as food to feed a nation still carrying a badly producing farm sector. As the number one capitalist nation in the world, we have been and still remain enemy number one on the Politburo's list. In effect, we have been working against ourselves. Mr. M. Stanton Evans very precisely described this situation in recent times for the American Legion, October 1981. I commend this article to the attention of my colleagues. Will we ever learn?

[From the American Legion, October 1981]

AMERICAN'S ARMS RACE AGAINST ITSELF

(By Stanton Evans)

In one of the most incredible stories in the annals of diplomacy, the United States for upwards of a decade has been conducting a lethal arms race against itself.

Evidence accumulated by Congressional investigators makes it increasingly plain that the Soviet Union's recent military build-up, seen as threatening our strategic deterrent and survival, has been powerfully aided by U.S. industry. Numerous elements needed to build be Soviet war machine have been obtained, it now appears, from American and other Western business firms—with the approval of our government.

Among the most vivid examples of this process was the Soviet invasion of Afghanistan in December 1979. When Soviet troops rolled into Kabul to subjugate that hapless nation, they did so in vehicles produced at the enormous Kama River truck plant, built for the Kremlin with the help of 80 U.S. firms and an estimated $350 million worth of our technology.

When completed, Kama River will be the largest truck factory in the world, capable of producing 250,000 heavy-duty trucks annually (larger than the output of the entire U.S. truck industry), plus 100,000 diesel engines suitable for use in tanks. The plant is being built by free world firms as a result of "peaceful" trade between the East and West.

The Afghan invasion focused attention on something previously known to U.S. intelligence, but usually passed over in public debate: Kama River has been systematically used for military purposes. Six months prior to the invasion, it was known that a substantial part of the 50,000-a-year engine production was being installed in Soviet military trucks, armored personnel carriers and assult vehicles, and that Kama products were on line with Soviet military formations in Eastern Europe.

Kama River is one of dozens of examples of supposedly peaceful trade from U.S. and other Western firms being diverted to military purposes by the Soviets. Such diversion has a long history going back to the 1920s. In his monumental study, "Western Technology and Soviet Economic Development," Antony Sutton estimates that 90 percent of the advanced technology needed by the Soviets to pursue their military goals has come from the United States and its allies.

In the past decade, this process has vastly accelerated as U.S. administrations have pursued the notions of detente and bridge building with the Soviets. As a result, the United States and other Western nations have been systematically transferring to the Soviets the advanced technology that once provided the West its military "edge" essential to modern warfare.

Miles Costick, president of the Institute for Strategic Trade, which closely monitors such developments, sums up the process this way: "During the past decade the free world has been the source of much of the Soviet Union's electronic and computer technology and manufacturing 'know how.' Further, the West has supplied the Soviet industrial sector with over $50 billion worth of efficient machine tools, transfer lines, chemical plants, precise instruments and associated technologies . . . Seldom if ever has a country been able, as the Soviet Union has, to persuade the coutries against whom most of its military build-up is directed to finance so much of such a build-up."

Among the items traded to Moscow in this span have been laser technology, high-speed computers, semiconductors, jet-engine technology, advanced radar systems, inertial guidance technology and numerous other items needed to construct a modern military force. Far from applying these to peaceful commercial purposed, the Soviets have systematically used them to build their war-making potential—a situation that has set alarm bells ringing in Congress and caused Senators Jake Garn (R-UT), William Cohen (R-ME) and Henry Jackson (D-WA) to demand corrective action.

A foremost object of Congressional concern is the Soviets' gigantic SS-18 missile. According to U.S. intelligence, this missile comes equipped with 12 independently targetable warheads (MIRV), accurate enough to seek out and hit our fixed-base Minutemen. If true, this means the SS-18s can destroy a major component of our strategic arsenal.

Considering the fact that the Soviets have historically been backward in the technological areas needed for such weaponry, including computers and miniaturization, how could they have devised such an advanced system? The answer is that we provided it to them. Over the strenuous objections of the Pentagon, we permitted the sale of 164 precision ball-bearing grinders needed to manufacture gyros used in MIRVing—machinery capable of tolerances to a 25th millionth of an inch, far beyond the state of the art available to Moscow or anywhere alse outside America. As a result, says Garn:

"Not only have Soviet-MIRVed ICBM's reached accuracies previously undreamed of by U.S. strategic analysts, but all Soviet military systems and equipment requiring precision inertial guidance have also reached a new level of accuracy and sophistication. According to official U.S. government sources, we can expect Soviet advances in other areas as a result of the end products of this ill-fated sale that could be most crucial to the strategic balance, including advances in Cruise missiles and ABM technology . . ."

While the SS-18 is the most formidable of military devices apparently made available to the Soviets through technology transfer, there are many other developments in a similar vein injurious to our security interests. While many aspects of this subject have been mantled in official secrecy, transactions that have come to public view include the following:

A corporation in the Southwest has sold, either directly or through foreign subsidiaries, 36 array transform processor systems, needed for the development of advanced submarine detection. According to Costick, these systems are now being installed in Soviet ships used in anti-submarine missions and, along with other technologies provided by U.S. firms, are capable of threatening the Trident submarine—another key component of our strategic deterrent.

Between 1975 and '79, on the estimate of defense specialist Sean Randolph, U.S. computer and electronics firms sold the Soviets $300 million worth of computer and related equipment. Computer technology is essential to ICBM guidance, ABM warfare and numerous other aspects of modern warfare. The Soviet "Ryad" system, used in its ICBM and SLBM programs, is based on IBM 360 and 370 computers illegally diverted into the USSR in the early 1970s. The Kama River truck complex contains an IBM 370 computer. In 1976, Control Data sought to sell the Soviets an even more advanced computer—a transaction halted by an outcry in Congress.

In 1974, the U.S. government approved the sale to Poland by a French consortium of integrated circuits based on U.S.-licensed technology—miniaturized systems essential to ICBM guidance. These circuits, Costick notes, are typical "dual-use technology," used in pocket calculators, digital watches and TV sets, but also in ICBM guidance and aircraft fire control systems.

In like fashion, our government approved the sale to Moscow by a Swedish firm—again using U.S. technology—of the advanced air control system at Vnukovo airport in Moscow. This highly sophisticated system employing computer-guided radar can detect any kind of airborne object and calculate its future flight path with instantaneous accuracy.

The Soviets also obtained the RB-211 engine used to power widebodied jets and well suited to long range bombers. This engine was developed with $300 million in research and development grants from the U.S. government.

In 1980, the Carter administration approved the sale to Moscow of $144 million worth of technology for developing superhardened drilling bits for deep oil well drilling, technology that not only could augment the energy potential of the USSR, but also could be transferred to such uses as making armored projectiles.

These data from a burgeoning record would seem to bear out the grim conclusion of Senator Garn that "what remains of our once-vaunted military superiority, on which our national security increasingly depends, is in part being whittled away through a wide variety of technology transfer mechanisms . . . History will show that it was during the so-called period of detente that the Soviet Union began to challenge Western interests on a global scale and mounted its drive for total military superiority over the U.S."

The alleged rationale for this transfer of technology is that it builds bridges of mutual dependence between the U.S. and the USSR, and that as such contacts grow the Soviets will become more reasonable.

In this frame of mind, Western policy makers have accepted assurances that Kama River, though capable of manufacturing military vehicles, would be used for essentially peaceful purposes. And that the advanced Cyber 76 computer, 40 times faster than the computers now being used by the Soviet military, would be applied to "weather analysis" and "earthquake studies."

Such an outlook has never conformed to the reality of Soviet behavior. That the Soviet would gladly divert "dual use" technologies to military purposes should be apparent to anyone familiar with the tenets and performance of Marxism-Leninism. As

noted by defense intelligence specialist Jack Verona, the Soviets have the world's largest R&D force—an estimated 800,000 people—working overtime to make the USSR preeminient in military power, and bent on absorbing technology and information from the West.

"The Soviet Union," says Soviet historian Roy Medvedev, "is moving in one direction—toward the strengthening of our military might . . . We are going to overtake the United States, and that is inevitable—our country is a military machine . . . They don't realize that we put everything into rocketry, that the government does not care about whether or not anything is left over for the population."

The difference in mentality between American theorists of detente and their Soviet partners may be observed in another facet of the process, the exchange of "students" between the U.S. and USSR. Americans in Russia typically study social sciences, liberal arts or cultural subjects (same topics: "the Heroine in the Russian Fairy Tale" and "Performance Practices in Russian Choral Music in the Late 19th and 20th Centuries"), Soviet "students"—whose average age is 35—come to America and study aircraft design, optics, laser technology and computers.

These "students" and other Soviet visitors to our shores, whose numbers have increased dramatically in the era of detente, show an inordinate interest in technical institutions such as MIT and Cal Tech, scientific laboratories, airplane factories, electronics labs and the like. In one memorable case, Soviet visitors to Lockheed, Boeing and McDonnell Douglas plants wore special shoes that picked up metal filings from the floor—helping them solve a nagging problem in manufacturing alloys.

"Reverse engineering" from American processes and designs is a classic Soviet technique in weapons manufacture. The famous "Strella" missile used by the Communists in Vietnam and employed by Marxist guerrillas around the world was reverse-engineered from the U.S. "Red-Eye" missile, obtained by Moscow through A Scandinavian country. Airborne missiles used in Soviet MIGs were similarly reverse-engineered from the U.S. Sidewinder missile.

In addition to the technologies and processes they can obtain through purchase and "student" exchange visits, the Soviets also secure as much as they can through outright espionage and illegal purchases. Last year, the managers of a California optical firm were indicted for exporting sophisticated laser mirrors to the Soviets, technology now being used in the USSR's hunter-killer satellite program.

Such arrests and prosecutions occur because U.S. export law requires the Commerce Department to police—and prevent—the export of materials harmful to our national security interests. The U.S. government is thus in the schizoid position of taking punitive actions against the export of some strategic materials while strenuously encouraging the export of others.

The irony of the situation was aptly symbolized in 1972 when President Nixon announced the blockade of Haiphong Harbor and intensified bombing of North Vietnam to prevent the further influx of Communist men and material into South Vietnam. In support of this action, the Department of Defense released reconnaissance photos showing the Soviet cargo ship *Michurin* steaming toward Haiphong with dozens of Soviet ZIL trucks on deck, obviously intended for duty on the Ho Chi Minh trail.

What was not stated was that both the *Michurin* and the trucks were products of U.S. technology—built for Moscow courtesy of Western industry. We were stepping up our military pressure on the Communists to prevent the use of trucks supplied to them by us. While this was going on, we were simultaneously pressing forward with the Kama River deal to give them still more trucks, later used against Afghanistan.

Illustrating the mentality that has prevailed in some official circles was a 1977 proposal to approve the export of a computer to the ZIL plant. An interagency memo unearthed by this writer spelled out the differing attitudes toward this proposal among the four government agencies that participate in reviewing exports.

"Problem is," said the memo, "that a quarter of the 200,000 trucks ZIL produces annually goes to the military, including 100 missile launchers. State and Commerce support approval, on the grounds that U.S. government has licensed exports to it several times during the 1970s, that 100 missile launchers of a 200,000 vehicles annual production is small, and that the remaining trucks for the military are basically no different from heavy duty civilian trucks. Defense and ERDA support denial on grounds that ZIL's military contribution is unacceptably high, and past export approvals should not be dispositive of the instant case."

Also suggesting the outlook that has prevailed at Commerce in recent years was the official reaction to military use of products from the Kama River truck plant. In May 1979, Lawrence J. Brady, then acting director of the Office of Export Administration, testified that Kama River products were being used for military purposes and that further exports to the plant should be suspended.

Rather than acting on this recommendation, Brady's superiors argued that the Soviets had never actually promised to use Kama River trucks for exclusively civilian purposes and that military use was therefore not "diversion." Rather than cracking down on the Soviets, Commerce cracked down on Brady, relieving him of export duties and in effect forcing him out of the department.

Even in 1980, after a supposed tightening of export controls because of the Afghanistan invasion, Commerce approved the shipment of a diesel-engine assembly line that would have greatly enhanced the productivity of the Kama River plant. As with the Cyber 76, this was halted only by a vigorous protest in Congress. Nor did Commerce make any effort, in the aftermath of the invasion, to block shipments to Eastern Europe—where they could be easily diverted to the USSR.

A standard justification for such deals—above and beyond the supposed potencies of detente—is that if we don't sell advanced products and technologies to the Soviets, somebody else will. "Foreign availability," in fact, is the main argument used by Commerce to promote relaxed restrictions on exports to the East and push through disputed sales. If the Soviets can get it somewhere else, why shouldn't American firms reap the profits instead?

Such arguments ignore the fact that there is an international structure aimed at preventing strategic exports harmful to the interests of the West that could be utilized to reduce the "foreign availability" problem. This is the Co-ordinating Committee for Multilateral Export Controls—Cocom for short—which includes the NATO allies and Japan, and which is supposed to screen technology transfers to the Eastern bloc.

Since the objection of a single Cocom member can halt a transaction, the United States obviously could use its veto power—not to mention other kinds of leverage—to prevent the flow of critical technologies from our allies to the Soviets. Rather than do this, however, we have done exactly the opposite, using our influence to break down the system of controls. Instead of trying to prevent our allies from seeking exceptions, we have led the way in seeking them ourselves; in recent years an estimated 50 percent of Cocom exemptions have been requested by our government.

With increasing Congressional sensitivity to this problem, there are signs that a change of policy is under way. In the new Commerce Department under President Reagan, Lawrence Brady has been brought back and currently is the Assistant Secretary for Trade Administration. While House national security adviser Richard Allen is known to take a tough-minded view of the issue. Senator Garn and others in Congress are pressing for a much tighter set of controls on strategic exports.

Such moves are all to the good. The evidence is overwhelming that our technology is now arrayed against us in the strategic arms race, posing a deadly threat to our security. That process must obviously be halted. By the same token, however, the fact that the Soviets are so dependent on the products of our industry provides us with potentially enormous leverage in the other direction: by denying them access to our technological advances, while continuing to make strides ourselves, we can go far toward correcting the military balance in our favor.

"The Soviets," Garn concludes, "have obtained too many of the national security sensitive technologies and commodities that have provided the U.S. with a margin of military safety over the Soviet Union. Only a dramatic change in our export policy, combined with the administrative capability to protect our national security, will be sufficient to do the job."●

PERSONAL EXPLANATION

HON. WAYNE GRISHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. GRISHAM. Mr. Speaker, during consideration of the fiscal year 1982 defense appropriations bill on November 18 and on Friday, November 19, I was unavoidably absent from the House Chamber. Had I been present, I would have voted as follows:

Rollcall 315, "no."
Rollcall 316, "no."
Rollcall 317, "no."
Rollcall 318, "no."
Rollcall 319, "no."
Rollcall 320, "yea."
Rollcall 321, "yea."
Rollcall 322, "yea."
Rollcall 323, "nay."
Rollcall 324, "no."
Rollcall 325, "yea."
Rollcall 326, "yea."●

FOREIGN INVESTMENT IN THE UNITED STATES

HON. CHARLES F. DOUGHERTY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. DOUGHERTY. Mr. Speaker, foreign investment in America is of great concern to many. Some see this business activity as a first step toward foreign control of American interests. However, the benefits from the investments of other nations in America in our country and our people are abundantly clear. Such ventures further strengthen and develop our own resources and economic well-being. And, with careful guidance we can in fact insure that foreign investments in America are beneficial to us as well as our friends and our neighbors.

I would like to share a recent address before the Pennsylvania Council of Republican Women on this subject given by Mary F. Friedman. Ms. Friedman's views give some simple, practical ways in which all Americans can help in encouraging this mutually beneficial alliance with other nations.

The address follows:

ADDRESS BY MARY F. FRIEDMAN, PEAT, MARWICK, MITCHELL AND CO.

My purpose in being here today is to have you become as excited as I am about attracting foreign investment to the United States. I'm delighted to be here to share my enthusiasm with you. My experience at Peat, Marwick has demonstrated that there are many corporations around the world interested in investing in the United States. These corporations are asking—where can we invest? Our answer should be Pennsylvania. Pennsylvania has so much to offer to foreign investors—tremendous energy resources, a skilled labor force, a strategic location, and strong communities. Foreign investors have much to offer Pennsylvania—an influx of capital; new technologies, new jobs—increased tax revenues. Foreign investors can be a source of economic development for our cities and towns, at a crucial time when the old federal programs are being redirected. You are leaders in your communities and you are dedicated to maintaining and improving the quality of life in your communities. What you and I need to do in our time together today is to dispel some common myths about foreign investment; to look at what attracts investment in a community; and to tap into the collective creativity of this group. What I intend to accomplish is to spark your interest in attracting foreign investment to Pennsylvania and to give you some ideas to take home to your communities. At the end of my talk, I'll be glad to answer any questions, and hopefully, to hear your ideas, too.

When you hear the term foreign investor, what comes to mind? If you're like many people, you imagine a rich Arab sheik making billions of dollars a day. He buys up half the real estate in Arizona and lives in a mansion with twelve wives.

The sheik symbolizes a myth about foreign investment. A myth that is perpetuated despite the facts. Let me share some facts with you—facts that may surprise you.

No OPEC nations are in the list of top-seven U.S. investor countries. A July 1980 Forbes survey of foreign investments in the U.S. showed that 80 percent of all foreign investment in the U.S. came from the following seven countries. The Netherlands (24 percent) U.K. (18 percent) Canada (13 percent) West Germany (9.6 percent) Japan (6.6 percent) Switzerland (6 percent) and France (4 percent). Investors from all OPEC nations together, accounted for less than 1 percent of the total foreign investors.

Direct foreign investment in the U.S. is not all going to the Sunbelt. The Federal Reserve Bank of Boston conducted a study in 1980 which concluded that the Mid-Atlantic and New England areas had a far higher number of foreign manufacturing plants than other areas of the country including the Sunbelt. In another study, The Conference Board, a research organization that tracks investment in U.S. manufacturing, reported that the ten states most-favored by foreign investors included New York, Connecticut, Pennsylvania, Ohio and New Jersey, as well as California, Texas, North Carolina, South Carolina and Georgia. Significantly, however, in 1980, Pennsylvania and California were equal in the number of announced manufacturing investments from abroad.

Most direct foreign investment is not in real estate. Last year, the U.S. received $52.3 billion in direct foreign investment and less than 3 percent of that was in real estate. The major areas of investment were in manufacturing and petroleum industries (exploration, extraction and transportation). Manufacturing represented $20 billion of the foreign direct investment. The types of manufacturing investments were in: chemicals, machinery, primary and fabricated metals, and food products.

What are foreign investors looking for? Why do they want to invest in the U.S.?

If you believed everything you read in the newspapers, you would think our economy is crumbling, the dollar is getting weaker each day and labor unions are destroying our industries. Comparative statistics and government studies however, clearly show two important facts.

1. Things here are not as bad as we think.
2. Things are much worse in other countries.

To foreign investors, the U.S. is very attractive for a number of reasons: let me highlight a few key points.

The cost of labor in the U.S. is very attractive to foreign investors. A recent study by Citibank analyzed the growth in hourly wage rates among manufacturing workers during 1970-1977. The analysis found that the U.S. experienced the lowest percentage increase in manufacturing wages—only 11 percent in 9 years. in other nations, the increases were enormous: Canada, 30 percent; The Netherlands, 54 percent; West Germany, 63 percent; and an unbelievable 77 percent increase in Italy.

A second key point is that the U.S. offers political stability that is unavailable in other parts of the world. Developed countries with assets and facilities in the U.S. know that there is little chance that their company will be nationalized or that repatriation of their profits will be blocked. A third important point is that in the U.S. firms have accessibility to one of the largest and most lucrative consumer markets in the world. In a political climate of increased protectionism, foreign companies see that to secure a firm position in the U.S. marketplace, they must build facilities to employ American workers. Volkswagon achieved this security through their VW Rabbit plant at New Stanton.

WHAT CAN DIRECT FOREIGN INVESTMENT MEAN TO OUR COMMUNITIES

(1) Direct foreign investment can mean more jobs for our communities. A recent study by the Department of Commerce shows that employment in foreign firms is growing faster than by U.S. firms, rising 3% per year compared with a 1.6 per cent growth rate for U.S. employers.

Also, compensation paid by foreign-based companies rose faster than at U.S. companies, growing 13.2% per year compared with the 9.9% increases by U.S. firms.

(2) Direct foreign investment can introduce new technologies, and new job skills for our workers.

(3) Direct foreign investment can increase our tax revenues which, in turn, will provide better services, education.

This all sounds terrific—but, you ask, where do we start? Can one person make a difference? The answer is yes. Personal contacts are a key ingredient of attracting foreign investments.

You need to think very systematically and realisticly about what your community's assets are. What does your community have to offer? How does your community compare with other communities which may be competing with you. Discuss these issues with local bankers, real estate leaders, government officials, business leaders. Critical variables to consider are:

Resources—land, raw materials, energy sources, climate.

Markets—population, income, transportation.

Labor—wages, unionization, education and productivity.

Quality of life—cultural facilities, education, housing, public safety.

Government—attitudes, incentives, taxation.

Once you have a realistic idea of what your community can offer to foreign investors, make certain that your community is presenting itself in the most positive way possible to potential foreign investors.

Too many cities are used to getting money from federal programs in direct proportion to how many problems they had. They talked about indices of poverty, crime rates and substandard housing. Obviously, that is not the approach likely to attract foreign investment.

Peat, Marwick currently is working with the United States conference of Mayors on a very exciting project.

Next week, in Zurich, Switzerland more than 100 American cities will be participating at the Invest in America's Cities Exposition. Mayors, business and community leaders will be traveling to the Exposition to meet with an anticipated 2-3,000 Western Europeans who are interested in investing in the U.S.

This Exposition is planned as the first of a series of similar expositions. The next one will be in the fall of 1982. I hope that you will make sure that your town is represented at the next one. I look forward to seeing all of you next year in Switzerland.●

CONTINUE FUNDING LIMITED PURPOSE AGENCIES

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. WYDEN. Mr. Speaker, I rise today to express my strong support for the technical amendment to the Older Americans Act of 1981, pertaining to the community services block grants. This amendment would make many limited-purpose agencies eligible for funding.

Under the Budget Reconciliation Act, the only entities eligible for funding are those officially designated as community action agencies or programs under the provisions of section 210 of the Economic Opportunity Act of 1964.

I consider this an oversight in the development of the reconciliation package. The agencies that serve my district in the same capacity as community action agencies, are technically defined as limited purpose agencies. These LPA's in my district, all of which provide services in the primarily low-income urban areas of Oregon, depend on funding from this source. Thus this technical amendment is critical to their existence.

The city of Portland, Oreg., technically has no community action agencies—thus without this amendment, Portland would be left without the community services provided for in the budget.

In the past, Federal funding for the LPA's has provided seed money and has stimulated acquiring other resources. I am convinced that the services provided by these agencies are needed by the residents of our neighborhoods. I urge passage of this technical amendment, which would allow for the continuation of the programs.●

PLIGHT OF VLADIMIR TSUKERMAN UNDER SPECIAL ORDERS OF HON. CHARLES DOUGHERTY

HON. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 1981

● Mr. COUGHLIN. Mr. Speaker, I join my colleagues in an expression of mutual concern on behalf of Vladimir Tsukerman, a Soviet dissident who, for 4 years, has been denied permission to emigrate to Israel.

Recently, I had the opportunity to meet with Faina Tsukerman, the wife of Vladimir Tsukerman, and was touched by her personal appeal for help. Her story was not unfamiliar to me—like so many others, Vladimir Tsukerman's desire to leave the Soviet Union is not based on political considerations but rather is a matter of family reunification, a humanitarian appeal.

Since March 1977, Vladimir Tsukerman has been applying to Soviet authorities for permission to emigrate. Although his wife and son were granted exit visas in 1978, Vladimir has received numerous refusals to his applications and has been forced to remain behind in their home town of Kishinev. Soviet authorities have based their refusals on "security" because Vladimir had served in the Soviet Navy 6 years ago.

Having been promised an exit visa in April of this year and then, only a short time later, denied that visa, Vladimir became all the more determined to demonstrate to the Soviet Government his strong desire to leave that country to join his wife and son in Israel. These efforts, although peaceful in nature, were met with a charge of "disturbing public order" and a possible sentence of 3 years imprisonment or internal exile. It is this alarming situation that has forced Faina Tsukerman to turn to the Congress of the United States for assistance.

The exceptional strain of a marriage which spans thousands of miles and the harsh realities of Soviet internal politics is abundantly clear. That Vladimir Tsukerman should be arrested for expressing his own desire to emigrate merely compounds this disturbing situation.

While it is difficult to determine the exact impact of our appeals to the Soviet Government, I firmly believe that world opinion can force the Soviet Union to abide by the 1975 Helsinki Accord and live up to the responsibilities agreed upon by all signatory nations. Indeed we, too, have an obligation—an obligation to speak out against any such blatant violations of that agreement. The lives of Faina and Vladimir Tsukerman and thousands of men and women like them depend on our efforts.●

RED CROSS CERTIFICATES OF MERIT GIVEN FOR HEROIC RESCUE

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. YATRON. Mr. Speaker, through the kindness of the American Red Cross, it has been brought to my attention that two of my constituents, Mr. Thomas Michael Muir of Bernville, Pa. and Ms. Susan M. Boltz, of Reading, Pa. have been named to receive the Red Cross Certificate of Merit and accompanying pin. This is the highest award presented by the American Red Cross to an individual who "saves or sustains a life by using skills and knowledge learned in a volunteer training program offered by the Red Cross in first aid, small craft or water safety." Presentation of the certificate, which bears the original signatures of the President of the United States, honorary chairman, and Mr. Jerome H. Holland, chairman of the American Red Cross, will be arranged by the Berks County Chapter of the American Red Cross.

Mr. Muir and Ms. Boltz will receive this commendable award for their heroic rescue which resulted in saving a life on June 9, 1981. On that date, Mr. Muir and Ms. Boltz, who are trained in Red Cross water safety, along with Ms. Beverly J. Kline, who is trained in water safety, first aid and CPR, were at a lake when they observed a man unconscious in the water. Mr. Muir rescued the victim and took him to the beach. There he was joined by Ms. Kline, who began artificial respiration after she determined that the victim was not breathing. Subsequently, the victim suffered a cardiac arrest. Mr. Muir and Ms. Kline began two-rescuer CPR and were joined by Mrs. Boltz in their efforts. they continued this procedure until an ambulance arrived. It is certain that the use of CPR by these three compassionate individuals saved the victim's life.

I think that it is indeed fitting that the meritorious action of these three individuals is brought to the attention of this body. Mr. Muir, Ms. Boltz, and Ms. Kline have demmonstrated the highest ideals of concern for the well-being of their fellowman. I know that my colleagues in Congress will join me in honoring these individuals whose contribution to humanity is truly noteworthy.●

FIFTH ANNIVERSARY OF THE UKRAINIAN HELSINKI MONITORING GROUP

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 1981

● Mr. ZABLOCKI. Mr. Speaker, I am pleased to join the Honorable BERNARD J. DWYER and the Honorable CHRISTOPHER H. SMITH, and my other colleagues in the House in this special order observing the fifth anniversary of the Ukrainian Helsinki Monitoring Group. I commend Congressmen SMITH and DWYER for sponsoring House Concurrent Resolution 205, expressing the sense of the Congress with respect to violations of human rights by the Soviet Union in the Ukraine.

The 10 founding members of the Ukrainian Public Group to Promote

the Implementation of the Helsinki Accords were joined by others and increased their ranks to 37. Now, not one of these courageous individuals is free to work toward the objective which they set for themselves. All are either imprisoned or exiled.

Today we express our support for their bravery and their commitment to the ideals of fundamental freedoms for their fellow citizens. We also commend their determined and courageous act of risking their own liberties so that basic freedoms may be enjoyed by many.

The sad fact is that the valiant struggle of the Ukrainian monitors has not as yet effected the reforms they have been seeking. Their attempts, however, are asking an impression on their persecutor—the Soviet Government. This is clearly evidenced by the Soviet efforts to muzzle their detractors by incarceration or banishment.

It is therefore, most important for us to underscore our support for the Ukrainian and other Helsinki Monitoring Groups in the Soviet Union. We must once again condemn the Soviet Union's actions in suppressing the rights of its citizens, and for violating their international legal commitments.

Mr. Speaker, the Soviets have reneged on their pledge made at the Conference on Security and Cooperation in Europe. They have contravened the United Nations Charter, the Universal Declaration of Human Rights and even the Soviet Constitution. At this time, we strongly urge the Soviet Union to cease its persecution of its citizens, and to release those who have been jailed simply for trying to defend their basic human rights.●

INTERNATIONAL TERRORISM

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. DREIER. Mr. Speaker, international terrorism remains a fundamental threat to the peace and security of the free world. There exists a global network of violent criminals, supported by the government of Libya, which seeks to undermine legitimate regimes and terrorize those individuals who oppose their pernicious designs. We must combat these forces of terrorism with the full array of weapons available to a democratic society.

It is for these reasons that I am introducing legislation today which would impose a complete trade embargo with Libya. American dollars, personnel, and expertise must not continue to bolster the economic foundation for Libya's terrorist activities.

This legislation represents a truly bipartisan effort. The supporters of this bill are from both sides of the aisle and from both ends of the ideological spectrum.

All, however, are united in the belief that the United States must take immediate action to reduce the threat of international terrorism. We are convinced that a complete trade embargo is an effective means of accomplishing this goal. I would urge my colleagues to review this legislation and join with us in meeting this very serious threat to the international community.●

ONE SPEECH IS NOT ENOUGH

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. LaFALCE. Mr. Speaker, I welcome and applaud President Reagan's first major foreign policy speech, inviting Russia and the Atlantic Alliance to join him in a quest for peace. It was an excellent speech, tackling a critical aspect of foreign affairs, and since it was long overdue, it therefore has received much attention and positive response. But, it must be emphasized, one speech is not an end in itself. It can be, however, the beginning of a process that must be aggressively pursued.

One speech does not erase all past strident statements, contradictions, and inconsistencies that have characterized this administration's foreign policy to date. Not only must we expect and demand that the President pursue the positions he has outlined, during the arms talks scheduled for November and January, with as much vigor as he gave to his own talk, he must also take steps to be certain that all other aspects of his foreign policy house are in order.

There are a whole series of other foreign policy problems awaiting solution: The Middle East, South-West Africa, El Salvador, et cetera. If there is continuing disarray in the management of our foreign policy, the credibility of the administration will continue to be questioned both at home and abroad and our ability to solve difficult problems will be impaired.

We have been making commitments that we would find extremely difficult to carry out. For instance, the President said at a news conference that we will not "permit Saudi Arabia to be an Iran. * * * There's no way that we could stand by and see that (country) taken over by anyone that would shut off that oil." But that is a commitment, made off-the-cuff, without any consultation with Congress or without any indication of how we could fail to permit an internal uprising in Saudi Arabia.

These problems and others that continue to plague the foreign policy arena are brilliantly discussed by Arthur Schlesinger, Jr., in the November 18, 1981, Wall Street Journal.

I urge my colleagues to read "The Logic of Reaganomacy," which follows:

THE LOGIC OF REAGANOMACY

(By Arthur Schlesinger Jr.)

The recent performance of our agitated Secretary of State casts the most serious doubt on his judgment—and therefore on his suitability for a job in which good judgment is the prime requisite.

In quick succession, General Haig aimed an attack through the columnist Jack Anderson on unnamed enemies in the White House, phoned the White House to tell the national security adviser that he did not mean him, phoned the President to get him to call Anderson and stop a column suggesting that the Secretary was on the skids, told the Pentagon to prepare for American military intervention in Central America and told a Senate committee that NATO contingency plans contemplated the explosion of a nuclear bomb in the event of conventional war in Europe.

Having put on this extraordinary display of a man who had totally lost his own cool, our irrepressible Secretary of State then sent a message to the pre-eminently cool British Foreign Secretary, Lord Carrington, to "cool it"—that is, his effort to seek a resolution of the Palestinian problem in the Middle East.

The Reagan administration took the usual damage-limiting actions. The Defense Secretary rejected the idea of the nuclear explosion, and his subordinates threw cold water on the idea of sending U.S. troops into combat in El Salvador. But many people are bound to wonder whether a man who reacts so excitably to minor public issues is quite the sort of fellow we want at the helm in case of a major international crisis.

Beyond General Haig's personal aberrations lies a larger problem. The State Department is the agency in our government for the diplomatic approach to international relationships. Remembering George C. Marshall, one cannot say that generals should therefore be disqualified for appointment as Secretary of State; but Marshall was exceptional among generals (or any other group) in his broad understanding of human affairs. The Marshall Plan was notable, among other reasons, because it was a nonmilitary response to a situation for which lesser men were proposing a military remedy.

General Haig is a different case. He reaches instinctively for the military solution. His subordinates, if they wish to survive, must listen to their master's voice. The Defense Department is institutionally committed to the military approach. With the State Department no longer in business as the champion of diplomacy, the whole foreign policy apparatus of the government becomes dangerously out of balance.

The result is a disquieting militarization of U.S. argument and action in world affairs. The issue is not the strengthening of our military position. It is rather whether military strength exhausts our whole idea of foreign policy. The Reagan crowd, for better or worse, is well on the way to persuading the world that it regards military power as its primary instrument in the conduct of foreign relations.

ASSISTING SOVIET PROPAGANDA?

It is conventient for President Reagan to attribute the wave of antibomb, anti-American demonstrations in Europe to Soviet propaganda. But do our leaders not recognize how their own words and deeds assist the Soviet propagandists? "At a time when fears about nuclear war are proliferating in Europe," the London Sunday Times said on Nov. 8 (in an editorial entitled "Lest We Forget, America Is On Our Side"), "Mr. Reagan and his team seem hell bent on stoking the fire."

Mr. Reagan's carefree chat about limited nuclear exchanges in Europe gave Brezhnev an opportunity (that Soviet propaganda experts could never have contrived) to pose as the foe of nuclear war and the apostle of peace. If serious arms control negotiations were now taking place between the U.S. and the Soviet Union, we can be reasonably sure that half a million Europeans would not have taken to the streets the other weekend. American bravado contributes far more than Soviet deviltry to the rise of neutralism and unilateral disarmament in Europe.

Calvin Coolidge once said, "One of the first lessons a President has to learn is that every word he says weighs a ton." Mr. Reagan professes to admire Coolidge, but he has been lamentably slow to learn that particular lesson. Only the other day our genial President said that the U.S. would make sure that what happened to the shah in Iran would not happen to the feudal monarchy in Saudi Arabia.

This is an example of what Prof. Inis Claude Jr. has called the practice of "casual commitment"—the "assertion of obligation without the seriously considered resolve to perform the actions that may be required to fulfill the obligation." The Carter administration went plenty far in proposing a guarantee for the Persian Gulf that far exceeded our military capacity to discharge, but the Reagan administration seems ready to make Mr. Carter seem a piker in the field of casual commitment.

And whatever happened to the old idea that military commitments require congressional assent? Even the imperious Franklin D. Roosevelt in 1940, when pressed by the prime minister of France for American aid against the Nazi blitzkreig, replied that American supplies would continue so long as the French continued their resistance and then added, "I know that you will understand that these statements carry with them no implication of military commitments. Only the Congress can make such commitments." Has President Reagan said as much to the Saudi Arabians?

No doubt, should trouble come to Saudi Arabia, the President will haul out his Awacs argument and claim that, if Congress does not support a presidential commitment, American credibility will be undermined and we will suffer a great setback in the world. This is a self-serving Executive Branch line that, if carried much further, would render the President the dictator of foreign policy. Mr. Reagan understood this when he saw no problem about opposing President Carter on the Panama Canal and Salt II treaties.

One may wonder in addition how much it really sustains American credibility for the world to suppose that any presidential initiative, however rash and ill-considered, is final. Perhaps our foreign policy is more credible when it proceeds from mature deliberation, has a solid basis in congressional and popular consent and addresses real problems in what others will regard as a realistic way.

Thus far President Reagan has conducted foreign policy without much congressional consultation or interference. Because the administration feels more comfortable with domestic issues, and because its foreign policy figures shoot off on tangents of their own, one has the impression of policy made ad hoc rather than in response to a larger design. Yet the policy has, whether or not intended, an inner consistency. It is above all a nationalist policy. Its pervading thrust is toward the self-isolation of the U.S.

PROFOUNDLY SHAKEN OUR ALLIES

Our military preoccupation, our truculence of language and our happy-go-lucky attitude about nuclear war have profoundly shaken our NATO allies. So too has our persistence in a high-interest-rate policy that has had a devastating impact on European economies.

For a time Europeans had faith in General Haig as at least a man who understood their problems, but his recent shenanigans have created grave doubts. Nor is Mr. Reagan's budgetary assault on our educational and cultural exchange programs calculated to help the American cause in the battle of ideas.

The pattern of estrangement runs around the globe. Our clumsy effort to tell the Arabs that they should worry more about the Russians than about the problems of the Middle East has been a flop. In Latin America the tilt against human rights and in support of military dictatorship is driving our natural friends to the left. Ambassador Kirkpatrick's recent suggestion that Costa Rica, the only democracy in Central America, could best meet its problems, which are primarily economic, by reestablishing the army it proudly abolished over 30 years ago, is one more example of the administration's conviction that all problems have military solutions.

Ambassador Kirkpatrick quoted one of her predecessors at the UN as saying that "we were reduced to voting on most issues in a bloc that consisted of the United States, Chile and the Dominican Republic." Mrs. Kirkpatrick added, "Now we usually lose those two countries, too." One presumes that she is joking, but it is a belligerent joke, as if the isolation of the U.S. were proof of the wisdom of American policy.

One can only suggest that most of our objectives in foreign affairs are hard enough to attain even with the wholehearted collaboration of allies and friends—and that they will become entirely unattainable if we reduce ourselves to a party of one. And self-isolation would, of course, accomplish a major Soviet objective, which is to divest America of all its friends and allies.

I am no great fan of President Reagan's domestic policy. But, as Adam Smith used to say, "There is a lot of ruin in a nation"; and wrong-headed domestic policies, pursued too far, tend to be self-correcting, at least in a democracy. Foreign policy is different. Here mistakes, once made, are too often irretrievable. That is why foreign affairs seem to me the really scary part of the terrain ahead. Nor do General Haig and the rest of the clamorous Reagan foreign policy team strike one as reliable guides. They cannot even guide each other.

As John Kennedy used to tell us at the White House 20 years ago, "Domestic policy can only defeat us. Foreign policy can kill us."●

HOUSING START

HON. THOMAS A. DASCHLE

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. DASCHLE. Mr. Speaker, I am sure that everyone in Congress is by now heartily sick of numbers. At times, we seem to have projected ourselves into a kind of futuristic fantasyland where ideas are no longer expressed by words, but by bar graphs, pie charts, and computer printouts. But every once in a while, a number jumps out at you that sets itself apart, because it brings into very clear focus the nature of the economic crisis that we are undergoing, and makes us step back and say: "Is this the road we really want to be taking?"

Such a number is the one that tells us that new housing starts nationwide are now 43 percent lower than they were at a comparable time last year. And let me remind you that last year itsef was a terrible year for the housing industry. That's a stark number, that 43 percent, but behind it is even a starker picture. It's picture of construction companies shutting their doors. It's a picture of construction workers leaving the job force to stand in the unemployment line. It's a picture of unsold appliances, furniture, and household goods. It's a picture of a self-perpetuating cycle of economic disaster and despair. And it's a picture that we won't be able to change unless we can get the Federal Reserve Board to adopt a realistic monetary policy, and this administration to live up to its promise of a balanced Federal budget.

The old saw is that a picture is worth a thousand words. In this case, a number, 43 percent is worth a thousand pictures. And none of them are very pleasant to look at.●

IN DEFENSE OF DAVE STOCKMAN

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. GINGRICH. Mr. Speaker, much has been written about the David Stockman article in the Atlantic Monthly magazine. Most of the commentary, not surprisingly, has been negative. But not all of it has been. Atlanta Journal Columist Dick Williams has written the best appraisal of the problems Stockman was grappling with at the time he granted the Greider interviews.

Williams writes:

In reading and rereading William Greider's masterful piece in the upcoming Atlantic Monthly, the result is a crushing

sadness. Not anger at either Stockman or Greider or tax cuts or defense spending. Just sadness that no one really knows how to stop the Marion Motley-Jim Brown-Herschel Walker that is the expense line of the federal budget.

Williams' masterful column appeared in the November 14, 1981, Atlanta Journal/Constitution, and I recommend it to my colleagues.

The column follows:

AN APOLOGIA FOR DAVID STOCKMAN

Sometimes things are too important to be left to the press. David Stockman, for instance. And the federal budget.

Simple things, such as President Reagan and this gang of Cabinet coyotes, or Brooke Shields or the Falcons—those things maybe we can handle.

But it's clear the press has had no real handle on Jimmy Carter and his real policies and who sank him. And the press has nary a clue so far as to Stockman and the budget fight we thought was over, but is just beginning.

We're just not good at gray, you see, and like television crime show producers, we like tidy endings. Fact is there's not a person among us who really understands the federal budget. Unless it's David Stockman or Bert Lance. And Stockman may soon meet Lance's fate. More's the pity.

In reading and rereading William Greider's masterful piece in the upcoming Atlantic Monthly, the result is a crushing sadness. Not anger at either Stockman or Greider or tax cuts or defense spending. Just sadness that no one really knows how to stop the Marion Motley-Jim Brown-Herschel Walker that is the expense line of the federal budget.

That sadness overwhelms the anger at the press for the superficiality with which it reported Greider's reporting of Stockman's ebbs and flows.

Greider is the one who should be angry. His balanced and subtle examination of the federal budget through the eyes of its chief warden has been picked apart by quote thieves on both sides of our partisan debate.

The December Atlantic Monthly ought to be required reading for every voter. It shows us not that Stockman betrayed his leader or that his leader and his cronies were cynically robbing the poor to aggrandize the rich. It shows us not that reporters burn sources.

It shows us that Congress is a self-perpetuating gang of dilletantes leading us to national bankruptcy.

Context, please.

"None of us," Stockman was widely quoted as saying, "really understands what's going on with all these numbers."

Greider's reportage is chronological. It hears the federal budget director in good moments and bad and, most importantly, of the moment. When Stockman made the remark above, he was talking not about Reagan philosophy but of the moment last spring when Democrats were offering budget alternatives to his that were based on Carter projections, congressional guesses and Kentucky windage.

Mythical beasts such as gryphons mated with the phoenix and the unicorn to produce numbers with no real base.

Even the oft-quoted "Trojan horse" description of the tax cuts is hardly a shocker in Greider's and Stockman's context. Republicans were aware that soaking the rich could not continue. And since we have no track record on "supply-side economics," the old "trickle-down theory" would be the closest analogy.

Interesting, isn't it, that when John F. Kennedy said "a rising tide lifts all boats," the nation believed? Call it "trickle-down" and it's grand larceny of the poor.

Greider and Stockman also point out that the supply-siders cared not a whit about budget cuts—only tax cuts. Both sides' positions were thus open to mauling, tied together as they were.

There isn't room here to go much further. To do so would be to continue the pillage of Greider's work and Stockman's beliefs.

But it is important to stress Stockman's continued belief that anything taken from the poor in the name of fiscal sanity would have to matched by reductions in tax benefits and subsidies for the strong. "Rejecting the weak claims of powerful clients," he calls it.

The fight and the debate aren't over yet. And all sides in it will be well served by reading the infamous article, not just the excerpts.

For as Stockman says "The budget is sort of rolling history of decisions. All kinds of decisions made five, 10, 15 years ago, are coming back to bite us unexpectedly."

He wonders if anyone can maintain the political momentum to fight the beast for the necessary three to five years. It will be a national shame if Stockman is lost to that fight.●

NORMAN W. WORTHINGTON

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. WOLF. Mr. Speaker, I want to draw to the attention of my colleagues the contribution that has been made by Mr. Norman W. Worthington to Arlington County and the entire Metropolitan area on the occasion of his retirement from the Arlington Chamber of Commerce.

Over 13 years ago, in September 1968, Norman Worthington arrived in Arlington to take on the responsibilities of the top staff position at the Arlington Chamber of Commerce. He was uniquely qualified to become executive vice president. Mr. Worthington graduated magna cum laude from the University of Miami in business administration, attended Harvard Graduate School of Business Administration and also attended New York University's School of Retailing. Before coming to the chamber, Mr. Worthington spent more than 10 years with Miller and Rhoads Department Store in Richmond.

Professional and civic participation by Mr. Worthington has included serving on the board of directors of the Newport News Merchants Association, Virginia Retail Merchants Association, Central Richmond Association, Southampton Citizens Association, executive committee of the Downtown Richmond Retail Association, Kiwanis Club of Arlington, and the Arlington Challenger's Tostmaster Club.

Norm Worthington's performance as executive vice president of the Arlington Chamber of Commerce has proven many times over that he was the right man, at the right place, at the right time. He has been an instigator, a mover and a doer, with that rare, selfless ability to spark actions for the good of the chamber's membership and Arlington's business community. His accomplishments are legion. He has been on the firing line lobbying at the Arlington County Board, the State general assembly and on Capitol Hill. He has consistently pursued legislative action that would best benefit the economic growth of Arlington and recently, on November 17, he was recognized and commended for his efforts by the Arlington County Board.

Norman Worthington's selfless devotion to his chamber of commerce responsibilities in behalf of the important county of Arlington, Virginia, neighboring our Nation's Capital, has been truly unique and deserving of this special recognition.

I want to join all of Norm's many friends in wishing him well in his future endeavors.●

SOVIET MILITARY EXPERTS WILLIAM F. AND HARRIET F. SCOTT—PART I

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. McDONALD. Mr. Speaker, Col. Bill Scott and his wife Harriet are widely recognized as two of the Nation's leading experts on the Soviet military. Their articles appear in many military and strategy publications. In addition, they have authored several books on the subject. Drawing on two tours in the U.S.S.R., plus numerous followup visits to the U.S.S.R., they keep up with their subject by participating in numerous scholarly functions as well as devouring every conceivable publication from the U.S.S.R. relating to the Soviet Armed Forces. The Scotts were interviewed by Dr. Eugene Griessman for the Atlanta Weekly on September 13, 1981, and what they had to say is very important to our Nation's future. I commend this first part of the interview to the attention of my colleagues.

WILLIAM F. SCOTT

HARRIET FAST SCOTT

(By Dr. Eugene Griessman)

Dr. William F. Scott, previously a colonel in the United States Air Force, served as senior air and defense attache at the U.S. Embassy in Moscow for two tours during the 1960's and 1970's.

"At the time of their return from the Soviet Union," a former intelligence officer said, "Dr. Scott and his wife, Harriet Fast Scott, were probably the most thoroughly informed and competent people on the military capability of the Soviet Union we have

had. There never has been a husband-wife team like them." They both speak and write Russian and they know many leaders and top advisers in the Soviet Union. "They're both very competent," an aide to Senator Sam Nunn said recently. "They're not doves, you know."

Presently Dr. Scott is a lecturer at Georgetown University; Harriet Fast Scott, like her husband, is a consultant to a number of research institutes. Their book The Armed Forces of the U.S.S.R. is used as a text at a number of universities and war colleges. The 1975 book, Soviet Military Strategy, third edition, by Marshal V. D. Sokolovsky, edited with analysis and commentary by Harriet Fast Scott, is regarded as a standard reference work on Soviet military affairs. The Scotts continue to publish regularly in major military journals.

Their assessment of Russian military capability doesn't always jibe with the government's standard line.

Do we have anything like the Soviet research institutes that study our society?

Harriet Scott: We have no equivalent of their (Soviet) Institute of the U.S.A. and Canada. Our experts are separated, under different groups, and often do not exchange data, nor do the heads of our groups have a significant place in government. If they take a governmental post, they typically relinquish their center or institute posts.

What is your opinion of the potential of the MX missile system to neutralize the capability of the Russian nuclear capacity?

Dr. Scott: It would be more survivable than what we have now. Our missiles are very old.

Is it (the MX missile) really essential?

Dr. Scott: An improved missile system is essential, whether MX or not.

Why are the Soviets so irritated about the Cruise Missile System?

Dr. Scott: They wanted to slow it down until they've got something better. They would have to build a new defense system against the Cruise Missile.

In times of military crisis, most societies choose hawks, not doves. If we adopt a threatening military posture, won't we inhibit the likelihood that more dovish leaders will come to power (in the Soviet Union)? Russian society, like ours, has the capacity to produce peace-loving men and women. It produced a Tolstoy; we produced a Thoreau.

Dr. Scott: You believe there are hawks and doves over there in high official positions? There aren't. Those men are watched and graded by their peers at all times. There are no hawks and doves in their military. In the confines of their home, they might have a different view. There are not two parties there; there is one party only. The press has created the impression that some leaders are more reasonable than others. The Russians are charming people, and when Americans meet the Russians they are disarmed.

But there has to be some diversity of thought.

Harriet Scott: In their private deliberations before reaching a decision, there is a wide spectrum of opinion. If there are 18 different members of the Politburo, there will be 18 different opinions. However, once the Politburo reaches consensus, everyone has to fall into line. The Russians don't have a system of equality in interrelations between people. One has to get the upper hand. They have a saying Ktokovo—which translated literally means "who dominates whom?" The saying expresses the question, who is the servant and who is the master? The trouble in negotiating with Russians is that we assume they use Western logic, but they don't. They don't use Western modes of thought even though they may wear Italian-designed custom suits. They have difficulty understanding that more than one view can be correct, that several views may be partially correct. They have real problems tolerating diversity. . . . Some of the intellectual currents that moved through Europe from the Reformation on missed the Russians.

Is there any point at all in negotiating with the Soviets?

Harriet Scott: This is a philosophical irreconcilability, you know; the Soviets say history is going in their direction and we can't stop it and they can't stop it . . . it's the way that they see history; they're going to win. Their society is the wave of the future and we are dinosaurs, you know, going to our doom; but they don't see any point in not having peaceful coexistence while this process is going on. They're all for that.

Dr. Scott: It would not be a waste of time if we had trained professionals negotiating with the Soviets. Too often, we will send over a new group who will be negotiating with the Soviet professionals, who have studied this country and know its military capabilities probably more thoroughly than you or I do. Their professionals will speak English. We send over people going in for the first time against the Soviets; they feel that they are supposed to come up with some treaty or some agreement. The Soviets do not feel that they have to come up with an agreement within a given time. So if we would negotiate with the Soviets from a point of view of understanding what the Soviets are doing, understanding how they work, understanding what their position is; if our negotiators were thoroughly familiar with the Soviet writings, not just what is printed by the Institute of the U.S.A. primarily for Western consumption, but what is in the Soviet Party platforms, congresses, and so on; and if our negotiators knew these things and were real professionals dealing with the Soviet professionals, I think that negotiating could well be worthwhile. We should not, however, expect to gain a lot from negotiating.

What do you think we can look for when the guard [leadership] changes in the Soviet Union? They're all old.

Dr. Scott: The leaders in the Soviet Union now were all in World War II. They understand what happened in World War II, how the United States fought as an ally with the Soviets, even though it is not often reported in their books or in their press. Many of the people in the Soviet Union are still aware of the fact that we provided them with tremendous amounts of aid, food, weapons, and did a great deal toward helping forces in France. We did the same thing in World War II. We probably had the greatest capability the world has ever known for the projection of military power, as witness—what we did in Southeast Asia, what we did in the Pacific, and then with the forces we put into the European theater.

Do we have anything in production to match the Backfire—the Soviet's long-range aviation aircraft? Do we need anything?

Dr. Scott: If we do, it is the best-kept secret in the U.S. People keep thinking we have something up our sleeves. . . . We probably have some R and D [research and development] coming along. Yes, we need them because they can be dispersed.

Do we have anything to match their S-18's, which I understand are the largest ICBM's in the world with twice the throw weight of the Titan? Do we have anything like that?

Dr. Scott: As before, it would be the best-kept secret in the. . . .

We have nothing like it? Do we have anything on the drawing board? We must.

Dr. Scott: You could talk about the MX, but that, of course, is a little different category.

Do we need to match the Soviets weapon for weapon?

Harriet Scott: No. We have different problems.

Could you elaborate?

Dr. Scott: The U.S. Army must be designed to move out of this country and fight overseas . . . that is, the U.S. Army is not designed to fight Canada or Mexico. It has to be formed, organized, and equipped so that it can move out and deploy wherever it might be needed in the world. The Soviets traditionally have been fighting either on their borders, inside the country, or immediately outside. They have a completely different problem in designing forces. They have not even thought, until fairly recently, of designing forces that could be lifted by ship or by aircraft to fight battles thousands of miles away, together with the logistical support that goes with it.

And you think, that the building of these new aircraft carriers signals a change in their thinking?

Dr. Scott: Yes. It has come out in their writings where they talk about the external role of the Soviet armed forces.

I read that the Soviet Union's heavy bomber force is small, yet it can easily be augmented by various medium-to-long-range bombers or even by cargo aircraft. The reason is simple. Soviet aircraft seeking to drop bombs in the United States do not need speed, low-altitude, or deception to counteract American air defenses because none exist. Do we have any defenses?

Dr. Scott: We have a very limited air defense. It's very limited. You will note that aircraft taking off from Latin America loaded with marijuana and cocaine and so on do not have any trouble coming into the country.

One article I've read suggests a scenario of nuclear attack different from the one I've grown up with. That scenario is that the Soviets would not wipe out large segments of the civilian population or destroy the economy. Their nuclear strike objective * * *.

* * * them survive. With the men who fought in the war—the men who are rapidly dying off now—when they see a U.S. officer, at least there is some acknowledgment that at one time we'd fought as allies. With the younger group coming up, it's different. The younger group is growing up isolated. Only a very, very few have had any contact with the West. It [the situation] could be dangerous.

Soviet consumer goods, as you well know, are often not very impressive—clumsy, bulky, not very sophisticated. What about their military hardware?

Dr. Scott: It's good.

It is as good as ours?

Dr. Scott: In many cases, yes. You can talk with Israeli officers who have fought with both U.S. equipment and Soviet equipment, and they have a very, very high regard for Soviet equipment. While we're on equipment . . . take our tanks. They have automatic shift, air conditioning, and all of the things we expect, or many of the things

we expect in a passenger car. Our tanks that fought in World War II did not have all of this gadgetry on them and they fought quite well. The Soviet tanks are simple, they are rugged and. . . .

Not air-conditioned?

Dr. Scott: Nothing fancy. If it has to be air-conditioned, it will be air-conditioned. But remember that the Soviet tanks are designed to fight in a nuclear environment and ours are not.

What do you mean by that?

Dr. Scott: Well, their tanks are lead-lined.

And ours are not?

Dr. Scott: No. The Soviets have the BMP, an armored personnel-vehicle carrier that is designed to cross chemically- and biologically-contaminated areas as well.

And we do not have anything like that?

Dr. Scott: No, we do not.

Do they have many of them?

Dr. Scott: They have a lot of them.

Well, like how many? Hundreds? Thousands?

Harriet Scott: I would say thousands.

Dr. Scott: Yes. This started in the '60's, when they began to equip their tanks to fight in a nuclear-biological-chemical environment.●

FIREFIGHTER CONTRACTING OUT

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. HUNTER. Mr. Speaker, on Wednesday, November 18, the House failed, by a division vote of 83 to 85, to adopt an amendment to the defense appropriations bill, fiscal year 1982, which would have placed a 1-year moratorium on the contracting out of firefighting and security services at military installations. I supported the amendment offered by my colleague and regret that such an important issue received so little attention during the debate.

In accordance with OMB Circular A-76, which directs the various agencies of the executive branch to use private contractors in the provision of certain goods and services, the Navy has decided to contract out firefighting functions at the various military installations around the country. Contracts for fire protection have been let at some locations and cost comparison studies are underway at many other bases. While I think the goal of OMB Circular A-76 is laudable when it states that in a free enterprise economic system, the Government shall not compete with its citizens, I do not believe that these goals apply to fire protection at Navy installations.

When a fire breaks out in a $25 million aircraft, it is not appropriate to call on the ACME Fire Co. The Navy civilian firefighters must react quickly. The current force is highly trained and can react to an emergency in less than a minute. To depend on contract personnel, which are not controllable by the base commander in such a situation is unthinkable. If a base commander has a problem with a contractor, he must operate through a contract officer who then deals with the contractor. Effective control is removed from the base commander. In an emergency situation, where quick reaction is a necessity, it is ridiculous for a base commander not to have the ability to control the firefighting personal.

The proponents of contracting out fire protection claim that to do so may well save money. Indeed, in some instances it has been shown that a private contractor can provide fire protection more cheaply than can the Navy itself. But in a situation where a private contractor might not act as quickly or as efficiently, it is quite possible that a $15 or $20 million jet aircraft could be destroyed. Indeed, if the employees of a private fire protection company were to go on strike, it is possible that millions of dollars of sophisticated equipment could be destroyed should a fire break out. Where, then, would the savings be?

Navy firefighting personnel must perform a range of tasks, some of which are inappropriate for private personnel to carry out. The mission of firefighters at the naval air station at North Island, in my district in San Diego, is representative. This fire department is required to provide support in the nuclear weapons program. They are responsible for establishing an emergency command post in the event of a nuclear accident or incident. A work force which is not under military control would clearly be detrimental to our national security.

It is my understanding that the Armed Services Committee will be conducting a thorough investigation of the contracting out of fire protection services at Navy bases around the country early next year. We must be absolutely sure that if we are going to proceed with the contracting out of fire protection, that it is done so in a rational manner which meets the objections which I have outlined above. I will be participating in the investigation to insure that superficial economics do not damage our national security.●

IN MEMORY OF AL DeFIORE

HON. JAMES A. COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. COURTER. Mr. Speaker, I would like to say a few words in memory of a man born and raised in Morris County, a man well-liked and respected by those who knew him, a man who will long be remembered by his friends and neighbors—Mr. Al DeFiore.

Al's long and dedicated career as a public servant in the New Jersey State government spanned over 50 years. During that time, he served under several distinguished legislators: former Assemblyman Joseph J. Maraziti, State Assemblyman Arthur Albohn, and State Senator John H. Dorsey.

He was a long and tireless supporter of his party as a member of the Morris County Republican Committee and as Morris Township Municipal Republican chairman. Al was known as a man whose word was his bond—and he was a man who always kept his word.

During his 40 years as an active member of the Benevolent Protective Order of Elks, Al once served as the exalted ruler of the Boonton chapter and as State vice president of the order.

Al died suddenly last October leaving his wife of 38 years, Genevieve, and his two children, Richard and Mary Ann.

I would like to extend my deepest sympathy to his family, and to those fortunate enough to have known Al DeFiore, that they may find solace in their memories of him.

Thank you, Mr. Speaker.●

SHAMANSKY CONDEMS CZECH REPRESSION

HON. BOB SHAMANSKY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. SHAMANSKY. Mr. Speaker, I am gravely concerned about the latest wave of arrests in Czechoslovakia. In recent months, Czechoslovak authorities have rounded up dozens of citizens associated with the Charter 77 movement, a group which has been pressing for compliance with the Helsinki accords. Six Catholic activists were sentenced last month, and 14 men and women are soon to be tried at what may be the largest show trial since 1972. A statement by the Committee to Defend the Unjustly Prosecuted (VONS—the Czech equivalent of "Helsinki Monitor") has just reached the West. This is one of the grimmest reports to come out of Czechoslovakia in many years. The U.S. Helsinki Watch Committee has forwarded this material to delegates to the Madrid Conference on Security and Cooperation in Europe. I would like to take this opportunity to commend to the attention of my distinguished colleagues this recent statement by the VONS Committee:

For at least a year we have been watching the steadily increasing judicial and extra-judicial repression against people in various spheres of non-conformist activity. The spectrum of those affected is unusually broad and encompasses all elements. Since May 1981, 15 people [of these, 14 will be

tried in connection with the case known as "Siklova et al." and one defendant will be prosecuted separately], 8 of whom are in pre-trial detention, have been charged with subversion of the Republic and face sentences ranging from 3 to 10 years. Last July, Jiri Gruntorad was sentenced to 4 years and Rudolf Battek to 7½ years (reduced on appeal to 5½ years by an appellate court in October). At the end of this month (September 1981), a Catholic priest, Josef Kordik, and a group of 6 Moravian Catholics will go on trial. Remanded in custody and awaiting trial are: Jan Litomisky, Frantisek Lizna and Jaroslav Duka (Fr. Kordik received a suspended sentence of one year; the 6 Moravian Catholics received sentences ranging from 10 months to 3 years.) In all these cases the judiciary tends to act with complete arbitrariness, selecting the criminal charges and the appropriate provisions of the penal code at random. Cases of brutal treatment during investigations, indiscriminate raiding of apartments, repeated and groundless detentions for 48 hours, withholding of correspondence and systematic surveillance of people by groups of policemen in civilian clothes have increased. We would like to mention some of the most serious cases: Zbynek Benisek was repeatedly beaten and throttled until he lost consciousness; Vlastimil Tresnak was tortured until he lost consciousness (he was beaten and burned with a lighter); Petr Pospichal was beaten 3 times in the fall of 1980 and last December Vaclav Maly was brutally beaten. Last week, Karel Freund was brutally beaten during interrogation. This week the police in East Bohemia detained Karel Soukup and a Catholic priest, Andrej Lukasek. Karel Soukup was systematically beaten for 4 hours and tortured in a way we have not witnessed before. We also know of a number of people beaten during questioning who are understandably afraid to make their experience public.

The indiscriminate violations of privacy of the home, the arrests of people in their homes and their detention for 48 hours have lately become so frequent that a nonconformist cannot invite a few friends over without incurring risk. Raids on apartments are usually followed by house searches and confiscation of property. There is at present no defense against such actions and on the contrary, any references to such behavior are met with cynical derision. We have reason to fear that the brutal and indiscriminate behavior of the police appears to have no bounds. At present 15 VONS members are either serving prison sentences, are in pre-trial detention, or are being prosecuted while still free. Another 8 VONS members have emigrated. In the current situation it is almost impossible for the remaining VONS members to arrange meetings. In these circumstances we do not know if and for how long we shall be able to continue our activities.

PRAGUE CZECHOSLOVAKIA, *September 20, 1981.*●

A TRIBUTE TO JAMES YAMAMOTO

HON. GLENN ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. ANDERSON. Mr. Speaker, on December 3 the Wilmington Chamber of Commerce will hold its "Harbor Holidays" dinner dance. At this function, the honorary mayor of Wilmington for 1982 will be announced. But I would like to highlight for my colleagues some of the facts about this year's honorary mayor, James Yamamoto.

James Yamamoto was born right here in the South Bay, Terminal Island to be exact. His family founded a ship chandlery in the area 50 years ago, and for 30 of those years James has been an integral part of Yamamoto Bros. as its vice president and general manager. The business was settled in Wilmington in 1959.

This company has been a contributing member to the Wilmington Chamber of Commerce for approximately 20 years, and James Yamamoto currently serves on the chamber's board of directors. Other affiliations include the Boys Club of Wilmington, which my wife Lee and I are also very involved with. Here, James also serves on the board. We have witnessed his fine service time and time again, and other recipients of his goodwill include the Japanese American Citizens League, the Long Beach Buddhist Church, and the Wilmington Rotary Club.

Last year at this time, the title of honorary mayor of Wilmington was bestowed on Jim Yamamoto, under the aegis of the Rotarians, and Jim has served the community very honorably in this capacity. As tribute is made to him for his continued record of service, my wife Lee and I would like to join the many well-wishers in saying a great big thank you to Jim for all that he has done and will surely continue to do for the residents of the entire South Bay area. We congratulate Jim and his lovely wife Ann, their children Mark and Susan, their daughter-in-law Colleen and their grandchildren, Jennifer and Markie, on this most auspicious occasion. We wish them all the best in the future, and hope that they will be among us for a very long time.●

OLDER AMERICANS ACT AMENDMENTS OF 1981

HON. THOMAS A. DASCHLE

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. DASCHLE. Mr. Speaker, unfortunately I was unable to be present to vote on H.R. 3046, the Older Americans Act Amendments of 1981. If I would have been present, I would have voted in favor of final passage for this most important bill.

There are several important programs which will be reauthorized in this legislation that I wish to point out.

One is the Green Thumb program. Over 300 South Dakotans are employed in Green Thumb which targets lower income elderly Americans for public service work in their local communities. On several occasions I have had the opportunity to visit these programs in South Dakota and I have always been impressed by the dedication of these workers and their desire to perform public service work. I am most pleased that this legislation will enable existing programs and services to be maintained.

Another program which has been of considerable value in South Dakota is the retired senior volunteer program (RSVP). RSVP seeks to encourage elderly persons to perform volunteer work in their local communities. RSVP participants play an active role in working with school age children.

The Senior Companion program provides meaningful opportunities for low-income elderly persons to help other elderly persons with special needs, especially in the areas of health, education, and welfare. Senior Companions have been most valuable in helping their fellow elderly citizens in preventing or delaying institutionalization.

This 3-year reauthorization strengthened many of the programs under the act and will enable virtually all of the current services being offered to be maintained. The programs and services reauthorized in the Older Americans Act will encourage elderly citizens to remain active and in the workforce when possible. Their wisdom and experience benefits many of the less fortunate of our citizens and I am convinced that these programs are cost effective and worthy of reauthorization.●

F.B.I. USER FEE LEGISLATION

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. FISH. Mr. Speaker, although I am in strong support of the effort to cut unnecessary Government spending, I firmly believe that we should preserve and enhance the resources needed by our Federal law enforcement agencies to perform their important duties and to provide assistance to their State and local counterparts.

One of the unfortunate results of budgetary constraints has been the recent temporary suspension of certain fingerprint services by the Federal Bureau of Investigation. Under the Department of Justice Appropriation Act of 1974, the FBI may, in its discretion, make certain identification and fingerprint records available to banking institutions and, where authorized by State law and approved by the Attorney General, to officials of State and local governments for licensing

and employment purposes. Obviously, Mr. Speaker, such services must be available if we are to insure that convicted felons are not placed in sensitive banking positions or licensed by the States in violation of law. For instance, I have been contacted by constituents who are concerned that New York's gun licensing requirements will be undermined if the FBI's fingerprint services are suspended.

Mr. Speaker, I believe that our budgetary and law enforcement needs can both be met by the institution of a user's-fee system, which will pass the cost of these services on to those who benefit from them. To that end, I am today introducing legislation which would require the Attorney General to establish and collect fees for the processing of requests for identification records by banks, to promote their security, and the States and local governments, for employment and licensing purposes. My bill would also authorize appropriations to fund the implementation of this system which would reflect the fees collected.

Mr. Speaker, it has been proposed that the FBI establish a user's fee system effective October 1, 1982. Because I am deeply concerned about the potential for disastrous consequences from postponing fingerprint services for such a long period, my bill would take effect immediately upon enactment. If the Congress acts promptly, we will be able to reinstitute these important services far in advance of the FBI's projected date. I am firmly committed to that goal and I ask my colleagues to join me in this endeavor.●

CLEAN AIR ACT REVISION

HON. CLEVE BENEDICT

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. BENEDICT. Mr. Speaker, over the past 2 months I have presented my colleagues in the House of Representatives with proposals to revise the Clean Air Act. The changes I support provide the structure necessary for the further development of new industrial facilities; for cleaner plant emissions from newer equipment; and for greater employment opportunities for Americans. I have tried to make clear that constructive changes will strengthen, rather than weaken the act and that industrial growth, instead of requiring a sacrifice from our clean air goals, will help in achieving and exceeding these goals. I would once again like to bring these changes to your attention.

While I have continually supported an air quality management program at the Federal level and adherence to established standards for air quality, the current law restricting authority over setting these standards to the EPA Adminstrator does not insure the validity and scientific acceptability of the process involved. The existing, but strictly advisory, Clean Air Scientific Advisory Committee, should be expended to provide a broader base of input and review and be given decision authority equal to the Administrator's in setting air quality standards. Both the Administrator and the Committee should then maintain adequate primary health standard levels without regard to economic cost.

In meeting these standards, the existing regulatory burdens and conflicts can be eliminated. There is no need for, or benefit from, additional regulations beyond the requirements of the New Source Performance Standards. These standards are set at a level sufficient to insure progress toward cleaner air and protect public health and should remain as the basic regulation for air quality. Under the prevention of significant deterioration program in attainment areas, the additional tertiary restrictions in class II and III areas, which are not related to public health and general welfare or to visibility considerations, may be safely eliminated, along with the associated preconstruction reviews. The concern to protect pristine areas designed as class I, which include large national parks and wilderness areas, is a legitimate focus of stricter pollution control requirements. The emission increments protecting air quality in these regions should continue. Best available control technology is a suitable requirement in those cases where new source performance standards do not exist or are not applicable.

In nonattainment areas, requirements for lowest achievable emission rate technology and construction moratoriums can be eliminated to allow progress toward modernization of our industrial base and cleaner air. Since NSPS and BACT will always result in lower emissions from new, more efficient facilities, these standards should prevail.

At the State level, adequate flexibility to address air quality questions arising from local needs and concerns must be granted. Different solutions and schedules appropriate to different areas need to be viewed as acceptable as long as reasonable further progress toward attainment of ambient standards is being made. This change applies to both initial State implementation plans and subsequent revisions. To avoid delays and confusion, plans should be deemed approved if not reviewed by EPA within the time frame designated by law, and the duplication at the Federal level of the notice and public comment process should be eliminated.

These are some of the changes which are essential to a successful clean air program which will maximize protection of the public health, spur new investment, and foster economic growth. Current law is not acceptable—more suitable means are at hand to address the various concerns involved in meeting our clean air goals. Again, I urge my colleagues to move forward the consideration of needed changes. Inaction will insure a continuation of the problems which lead to economic stagnation, higher prices to consumers from utilization of imported oil rather than domestic coal, and which hinder greater progress toward cleaner air.●

FAIR TRADE WITH JAPAN

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. HUNTER. Mr. Speaker, recent discussion of United States-Japanese trade relations has focused on the growing amount of Japanese imports into the United States. Traditionally, this trade debate has centered on two rather differing points of view.

Some have advocated such overtly protectionist measures as strict import quotas on some products such as automobiles or electronic goods. Others have maintained strict principles of free trade. But recently, increasing attention, both in the United States and Europe, has focused on a problem which cuts across the lines of past trade debates. Those who support free trade and those who support protectionist measures have become aware of nontariff barriers to trade.

Just this week, in the November 23, 1981, issue of Newsweek magazine, such trade barriers received attention. The magazine article correctly states that nontariff barriers keep foreign firms out of Japanese markets without technically violating international trade agreements. For example, every automobile imported into Japan is subject to an individual inspection, instead of granting blanket permission for importing entire lines of cars as is done in the United States.

Yesterday, I introduced legislation, together with my colleague, Congressman JIM DUNN of Michigan, designed to combat these non-tariff barriers and enable American auto manufacturers to compete more fairly with the Japanese. My bill, H.R. 5050 would establish a two-way street wherein U.S. auto firms would have a fair chance to sell their products in Japan.

H.R. 5050, the Two-Way Street Act, would impose parity fees on automobiles imported from Japan in the same proportion as the fees and costs which are added to our cars sold in Japan which are due to nontariff trade barriers.

Last year, more than 1.9 million Japanese cars were imported into the United States, up 111 percent from the 1975 level. Japan's share of the U.S. auto market now approaches 25 percent, dramatically up from 9 percent in 1976. Meanwhile, our share of Japan's auto market stood at less than one half of 1 percent. All foreign made vehicles captured a meager 1.2 percent of the Japanese auto market. This year, that figure will fall to 0.9 percent.

The Japanese, of course, will tell you that poor workmanship of U.S. made vehicles explain their poor showing. They will also claim that American companies only want to sell large gas-guzzlers that Japanese consumers do not want to buy. But that does not explain the decline in sales of European automakers who have enjoyed a reputation for quality. Moreover, if the Japanese really believe that American cars cannot compete in Japan, why have they imposed such staggering import barriers on us instead of letting the marketplace take its natural course.

Let me give you one current example. The Ford Motor Co. is now marketing the new Escort model, a car that, in my opinion, can compete head on with the compact, fuel efficient Japanese models. While the Escort is off to a brisk start on European roads, competing very well against comparable European models, it is, according to Ford, stalling out in Japan. Why? Because of nontariff barriers. The price of the Escort GL model which retails for about $7,400, including options, in the United States, carriers a sticker price of about $11,700 in Japan. Only about $200 of this markup is attributable to the freight costs. The rest is due to such things as a $1,000 commodity tax, homologation costs, and other nontariff barriers.

Further barriers result from the Japanese safety and pollution standards. Every year, Ford brings a team of Japanese engineers to the United States to spend 2 months witness testing vehicles designed for the Japanese market. Even after these tests are completed, and the results certified, each car must individually undergo a rigorous inspection.

Additionally, there is the high cost of opening a dealership in Japan. Japanese custom forbids autodealers to share facilities with importers. It was just this sort of piggybacking that allowed Japanese manufacturers to get a foothold in American markets. American companies do not have a high enough volume of sales in Japan to open dealerships, but without dealerships, sales volume cannot grow. Thus this nontariff trade barrier creates a vicious circle preventing fair competition.

H.R. 5050 would establish a bipartisan Commission appointed by the President to levy a parity fee on all Japanese cars that enter the United States. This parity fee would be an amount equal to the product of a multiplier—percentage—times the average selling price of the Japanese made car when sold in Japan. The percentage, which is calculated for each class of automobiles, is an amount equal to the excess of the average selling price of the particular class of U.S. vehicle in Japan, over the average selling price of such vehicle type in the United States. In a nutshell, we are imposing Japanese taxes and costs on Japanese cars sold in this country.

The Commission will have the power to adjust, or even eliminate, this parity fee when they deem it appropriate. They may lower the parity fee in the same proportion that Japan lowers the taxes and costs it imposes on our cars. Japan, in effect, will control the amount and duration of this fee since it is to be based on the amount of the costs Japan places on U.S. cars sold in Japan.

Finally, any automobile manufacturer located in the United States may import one Japanese car free of the parity fee for each automobile manufactured in the United States.

As Japan floods our market with their cars, only a trickle of U.S. built automobiles are sold in Japan. The Japanese have created a one-way street. The flow of cars across the Pacific is one-sided. The time has come to turn the tide. The time has come to remove these nontariff barriers and initiate fairness in international trade. The time has come to create a two-way street.●

A BIRTHDAY TRIBUTE TO GOVERNOR HARRIMAN

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 12, 1981

● Mr. GILMAN. Mr. Speaker, November 15, marks the 90th birthday of one of the truly great men of the 20th century—Gov. W. Averell Harriman. Heir to the Union Pacific railroad fortune, Governor Harriman turned to public service in 1933, joining President Franklin D. Roosevelt at the beginning of the New Deal. For the next 48 years, Governor Harriman served his nation, advising five Presidents, and fulfilling the responsibilities of numerous governmental positions, including: Ambassador to the Soviet Union, Ambassador to Great Britain, Secretary of Commerce, Undersecretary of State for Political Affairs, and Governor of the State of New York. Governor Harriman has been one of our Nation's most prominent figures in world diplomacy.

Governor Harriman's service to the cause of the Allies in World War II cannot be overstated. He was a close personal friend of Winston Churchill, and knew Josef Stalin more intimately than any other Westerner. He had a difficult task in allaying the Soviet leader's suspicion of American and British intentions in the war.

Though starting as a "confirmed optimist" about Stalin's postwar intentions, he soon realized that "our objectives and the Kremlin's objectives are irreconcilable." He stressed, however, the need to reach some type of understanding to avoid another war. This didn't mean that he favored giving in to Soviet demands. A blunt-speaking diplomat and tough negotiator, Governor Harriman fought hard for U.S. interests on the negotiating table. He cautions us today that he feels the Soviets are as dangerous as they were at the end of World War II, when he predicted that the Soviet Union would become "a world bully." In our negotiations with the Soviet Union, we would be well-advised to heed his word. Governor Harriman, who has had talks with every Soviet leader since Stalin, feels that the Soviets desire a reduction in nuclear weapons, but nevertheless are dedicated to reshaping the world after their own model of communism.

Governor Harriman's superb diplomatic skills and international reputation made him a popular choice for numerous significant roles. At an age at which most people retired, Governor Harriman continued his difficult work—he was 72 when he went to Moscow to negotiate a nuclear test ban treaty with Khrushchev in 1963; and he was 77 when he served as chief U.S. negotiator at the Paris peace talks in 1968.

Governor Harriman, said President John F. Kennedy, has held "as many important jobs as any American in our history, with the possible exception of John Quincy Adams." Governor Harriman has provided, and continues to provide, a valuable continuity for U.S. Governments. One price of our democracy is that by changing the top leadership periodically, we sacrifice the positive aspects of a continuity in leadership. Our democratic system is, however, incomparably preferable to a self-maintaining regime, and the wisdom and experience of men like Governor Harriman enable us to better protect ourselves in an often hostile environment.

A man of peace, a man of principles and truly one of the leading figures of our time—we honor Gov. W. Averell Harriman on his 90th birthday, and look forward to his enjoying many more years in the service of his beloved Nation.●

CULTURAL ENRICHMENT AT MUHLENBERG COLLEGE

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. RITTER. Mr. Speaker, I would like to share with my colleagues an experience I recently had at Muhlenberg College in Allentown, in the Lehigh Valley of Pennsylvania. This experience was a festival entitled "An Enrichment of American Culture: Russian Emigrees/American Immigrees." This month-long event celebrated two traditions: The American tradition of welcoming foreigners to our shores and the Russian tradition of intellectual and esthetic cultivation. The merger of these two traditions and cultures, as was demonstrated by this festival, results in the invigoration of the former.

The relationship between Russia and the United States has been fraught with the tension of opposing social visions, confrontations, attempts at cooperation, and competition. Most often, this relationship has been considered within the context of economics, politics, and military preparedness. The Muhlenberg College Festival shifted this emphasis to culture.

Participating in this event were a group of highly distinguished representatives of each of the major art forms being demonstrated at the festival. Such notables as Joseph Brodsky, the great poet; Alexander Godunov, the ballet star; Mark Peskanov, Olga Rostropovich, and Alexander Peskanov who are all skilled musicians. Ernst Neizvesty, the well-known painter and sculptor, had an extensive display of his artworks. In addition, work was displayed by Mikhail Chemiakin, Anatoly Krinsky, Lev Meshberg, and five other distinguished artists.

While the roster of highly distinguished artists, musicians and poets comprises a virtual "Who's Who" in the Russian emigree community, their visit and participation in the event was not solely for the entertainment of the college's students and visitors. Instead, it was to provide those who came to view the event with a firsthand encounter of the new shifts in the Russian artistic movement. It showed a distinctly Russian contemporary culture, one that somehow flourishes in spite of Soviet rule. More than that, it conveyed to the viewer the latest enrichment of our own culture, a culture which has greatly benefited from the many ethnic groups who have come to the United States to cultivate their artistic expression. The Lehigh Valley of Pennsylvania reflects many Central and East European cultures and has been enriched by all of them. How ironic that one nation's tragedy can be another's gain.

I had the distinct pleasure of attending this event and, as a result of Russian language and culture, I felt the festival did much to break down the barriers between our two people. Having lived in the Soviet Union, I had the opportunity to speak with the artists in the Russian language. I will long cherish the thoughts we shared and, even in that short time, felt kinship with them.

The festival gave the people of the Lehigh Valley a firsthand exposure to a culture that few have the opportunity to see, a culture that, in its own homeland, nonetheless achieves greatness. We had the privilege of exposure to a group of people to whom freedom is like a powerful elixir.

I am proud to represent a district in which people like Dr. John Morey, Muhlenberg College president; and Linda Weintraub, Muhlenberg College gallery director and art department lecturer, have the vision to see the world in a different light, a world where we strive for understanding through a language common to the human spirit, the language of art and creativity.●

THE MORAL IMPLICATIONS OF ENERGY

HON. MARILYN LLOYD BOUQUARD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mrs. BOUQUARD. Mr. Speaker, one of the aspects of the national debate on energy that has received little attention recently is the moral implications of energy. Historically those who have been adamantly opposed to one form of energy or another have used moral arguments to justify their position while those taking a more balanced perspective on energy issues have generally not emphasized specific moral issues in their spoken and written arguments. As a result, many people have come to believe that some forms of energy currently being used are immoral and therefore unacceptable. This is, of course, far from the truth and ignores the moral implications of a more balanced perspective. Recently a number of thoughtful and perceptive articles on this topic have been prepared from this refreshing and important perspective. These articles were presented at two symposiums of the John Lafarge Institute in 1980 and 1981 and recently appeared in the magazine Catholic Mind, October 1981.

The first of the articles that I wish to bring to the attention of my colleagues is by Dr. William G. Pollard who for many years has been both a physicist and an Episcopal priest. He was a member of the Manhattan District Project at Columbia University and in 1947 became Executive Director of the Oak Ridge Institute of Nuclear Studies, a post he held until retirement a few years ago. It was while he was at Oak Ridge that Dr. Pollard was also drawn to the services of the church culminating in his ordination in 1954 as a priest.

Dr. Pollard approaches the subject from a theological viewpoint and makes an interesting observation about the naturalness of nuclear energy in the universe as compared to other forms of energy and correctly notes that the others are all derived from it. Dr. Pollard is not blind to the destructive as well as constructive potential of nuclear energy, but notes "it is essential that we devote our best efforts to finding ways to prevent the misuse of nuclear energy. We must work tirelessly to prevent the potential curse from being realized, but a refusal of its blessings is not one of them."

I have excerpted Dr. Pollard's paper which follows and I urge my colleagues to take the time to look at this matter from a fresh moral perspective:

SOME THEOLOGICAL REFLECTIONS ON NUCLEAR POWER

(By William G. Pollard)

THE CREATOR OF ALL THAT IS

We begin this paper with the contrast between the way nuclear power appears when viewed from the vantage point of God, who sees His creation as a whole, and from the vantage point of man, who looks out upon it from that tiny speck, the earth, which he inhabits. The contrast between these two views is extreme; what is common and universal in one is extremely rare and esoteric in the other.

Consider man's view first. He thinks of wood and the fossil fuels—coal, oil and natural gas—as common and universal. They are, or at least have been, universally available on his planet earth; always there standing ready for exploitation whenever it became possible for him to use them

Nuclear power, on the other hand, was a very recent addition; the product of a technological elite which had been foisted on a natural order not intended to contain it. Its very possibility was unknown to the vast majority of mankind a short 50 years ago. Nuclear power had, moreover, the potential for destruction on an unimaginably vast scale; besides which, its potential for generating useful electricity, though it was said to be equally vast, was surely not necessary. God is good, merciful and loving; it was the exact opposite of His intention and purpose for His creature man to apply his cleverness to the development of nuclear power. Nuclear power was the ultimate in human hubris; man should forsake it and turn his talents instead to work on the natural sources of energy with which God had provided him from the earliest days.

It is my contention that these attitudes are the result of our earthbound and limited perspective. If we free ourselves from it, and view the whole of God's creation from His vantage point rather than ours, we come out with exactly the opposite conclusions. With respect to wood and fossil fuels, we realize that both they and we ourselves are particular manifestations of the phenomenon of

life. But life is the peculiar property of the earth which is but one member, and a relatively insignificant one at that, among an unimaginably vast array of astronomical objects. And in that vast array, the earth is well nigh unique. Fossil and biomass fuels are certainly extreme rarities in creation as a whole!

But if this is true of what we regard as "natural" sources of energy, the exact opposite is true of nuclear energy, which from our standpoint was so recently introduced by man into the natural order. If we were to take an imaginary space flight out among the stars, we would be totally surrounded at all times by natural nuclear power plants. It is a sobering thought that God has made more nuclear power plants than anything else! A universe from which nuclear power had been outlawed would be a dead universe, with no warmth, light or life in it; and one completely devoid of any creative potential.

Nuclear energy is the universal, common and natural kind of energy in creation as a whole. Indeed, the other forms of energy are all derived from it. All the wood, coal, oil and gas man has ever burned came from our natural nuclear power plant, the sun, through that basic process of life, photosynthesis. Without realizing it until this century, we have really been dependent on nuclear energy all along. Now that we have begun to generate electricity directly in nuclear power plants of our own design and construction, we are merely tapping directly the universal energy source for all of creation that previously we have used only indirectly and derivatively.

Similar considerations apply to radioactive wastes. Our solar system was formed as the result of a cataclysmic explosion of a collapsing star, a supernova, which generated enormous quantities of highly radioactive atoms of all the chemical elements through uranium and plutonium to californium. The wastes from this explosion were spewed out into the surrounding gas and dust from which the sun and its family of planets were formed four and a half billion years ago. The earth and all the other planets were loaded with radioactive waste at their formation. Most of the original radioactivities, including plutonium, have long since decayed in the intervening four and a half billion years, but some with half lives of a billion years or more, such as uranium, thorium and a form of potassium, are still present. The heat generated by their decay has given the crust of the earth its plasticity and geologic dynamism; evident in the drift of continents and earthquakes, and most visibly, in volcanos.

When we bury deep in the earth's crust the radioactive wastes we generate, we shall not be adding anything foreign to it, nor will we ever add more than a minute fraction of what is already there. Radioactive waste, too, is an integral part of the created order.

One cannot reject nuclear energy as something introduced into the scheme of things by man contrary to God's purpose. Nuclear power is too basic and universal to the whole operation of the universe for that. From God's standpoint it is clearly a great good and so, in the words of 1 Timothy, is to be gratefully accepted: For everything created by God is good, and nothing is to be rejected if it is received with thanksgiving (1 Tim. 4:4). There is no way we can claim that nuclear power was not intended by God, or that some power other than God is responsible for it.

THE BLESSING AND THE CURSE OF DOMINION

There is a most perceptive insight into the uniqueness of man compared with every other creature created by God at the beginning of the Torah. The ancient story of creation in the first chapter of Genesis concludes with a summary of what God accomplished when He created man as His crowning achievement: So God created man in His own image . . . and God said to them, "Be fruitful and multiply, and fill the earth and subdue it; and have dominion over the fish of the sea, and over the birds of the air (Gen. 1:27, 28), and over the cattle, and over all the earth" (Gen. 1:26). But this statement is qualified near the end of the Torah by another, making a kind of parentheses to all the Pentateuchal law in between, in Deuteronomy: I call heaven and earth to witness against you this day, that I have set before you life and death, blessing and curse; therefore choose life, that you and your descendants may live (Dt. 30:19).

The power of man in the exercise of his dominion to subdue the earth has had to wait 2,500 years since this was written to reach its full potential. The author of the first chapter of Genesis could have had no premonition of the heights of man's dominion over nature which would be reached in the 20th century, which seems to be the one finally destined to see the fulfillment of this statement of God's plan for man. Man has been fruitful and multiplied, thanks to his dominion over his body through modern medicine, and by the end of the century, he will just about have filled the earth. Man is rapidly approaching the limit of both his fruitfulness and his dominion.

But man's impressive dominion over all the rest of creation is inescapably linked to his freedom, and therein lies his dilemma. From the earliest times he has agonized with the dilemma that he could exercise his God-given dominion either to bless or to curse his life and that of all his fellows on the earth. Agricola, in his great treatise De Re Metallica, reviews the arguments that raged in ancient times with respect to man's use of iron, whether for swords or for ploughs, quoting Ovid, Pliny and others. Every advance that man has made in the exercise of dominion over new elements of nature has confronted him with the choice of the blessing and the curse. From the invention of gunpowder, through napalm, to thermonuclear weapons, the potential curse has grown by enormous steps, but equally the potential blessing of dynamite for excavation, gasoline for transportation and electricity from nuclear power has also grown. Now that man has learned to tap the universal energy source that powers the universe, the magnitude of both the curse of destructive power and the blessing of abundant energy have reached an ultimate magnitude involving the entire earth and all its creatures.

Man cannot escape exercising dominion, but because he is free, the consequences of his choices are his alone. When his choices are self-centered and self-serving without regard for the welfare of others or responsibility for the earth and its creatures, they lead to destruction and a curse of awesome proportions. Many despair of man now that he wields the ultimate power of nuclear energy and are convinced that because of his unredeemed sinfulness, he cannot be trusted to exercise dominion over it. Perhaps they feel that god erred in giving mankind this power to begin with. But rightly or wrongly, man has it and has no other choice but to accommodate himself to the reality of his situation.

Now, however, a growing number of voices are being raised against this effort. They fear that man cannot be trusted to develop its blessing for fear that it would simply encourage him to develop its curse. It is essential that we devote our best efforts to finding ways to prevent the misuse of nuclear energy. We must work tirelessly to prevent the potential curse from being realized, but a refusal of its blessing is not one of them. Whether we develop the blessing or not will not affect either the continued spread or development of the curse. The genie is long since out of the bottle and there is no way he can be put back in.

ENERGY AND THE CONQUEST OF FEAR

For a very long period of his evolution, primitive man shared with all other animals of forest and steppe a paralyzing fear of fire and fled in mortal terror from it whenever it broke out. Fire was then exclusively a curse with no blessing in it. But at a crucial turning point in his evolution, of which we have little information but which was of incalculable importance for his future, man turned and, instead of fleeing in terror from fire, brought it right into his living quarters and thereafter tended and nurtured it. Man had come through to the other side of fear to the incalculable benefit of his future. Today no one questions the validity of this first energy choice, but initially there must have been numerous fearful voices raised against it, or at least howls of dismay.

Fear produces a paralysis of action and must be overcome by a confident acceptance of life as it is given man to be lived in spite of all its risks. Since the Industrial Revolution, the introduction of other energy sources has been accompanied by widespread fears that were eventually overcome. When railroads were first introduced in the last century, they were met by extreme fear reactions. A steam locomotive belching smoke and fire, hissing loudly and puffing steam was a terrifying sight when first experienced. Electricity, as a natural phenomenon in lightning, was viewed for centuries only as a curse. When it began to come into general use as a technology at the turn of this century, it too was accompanied by widespread fear. It was a new and strange phenomenon, invisible and mysterious. It was a new way of dying, and it inspired deep, subliminal fear. There was, of course, a real basis for some of this fear. Electricity is quite dangerous, and a healthy fear of it has resulted in great strides in ensuring its safe use. Man has found ways of conquering his natural fear of steam and electricity so that they no longer paralyze him into rejecting these gifts. He has chosen to reap their blessings while at the same time laboring to reduce their curse.

We stand today on the threshold of reaping the blessings of nuclear energy. It is a gift many times more ample than any of the other energy gifts buried in the crust of the earth. Moreover, as we have seen, we have reached a maturity of knowledge by which we now see that it is God's prime energy choice for His whole creation. As with man's earlier energy choices, fearful voices are raised against it, and we are urged to reject its blessing because its curse is so unimaginably catastrophic. People fear for the safety of nuclear electric generating plants, imagining awful consequences if they really get out of hand. They fear plutonium as such, as well as the possibility that it might be diverted from electric power to weapons.

They have a pathologic fear of radiation and radioactivity. They conjure up in their minds fearful scenarios of what might happen accidentally or by evil intent. No contemporary topic has been the subject of so much misinformation and downright fearmongering as has nuclear energy.

Many of these fears have some basis in fact, and these are continuously the object of sober and informed concern of the engineers designing the plants and those in charge of their operation. The real fears will always be there because nuclear power is inherently very dangerous. Some of them are misplaced, as with the accident at the Three Mile Island plant, which did not endanger the health of anyone, but which is a continuing dreadful financial burden on those dependent on it for electricity. Some are simply imaginary, as in the case of the disposal of high-level wastes from nuclear power. Nuclear power has already demonstrated a much better safety record and a far better environmental record than its only long-range alternative, coal, and this record will steadily improve with experience. A large portion of the fears in the general public that bedevil the nuclear industry are irrational, grossly exaggerated and unnecessarily paralyzing. These fears, as with others in the past with new forms of energy, will gradually moderate and be overcome as nuclear power assumes its destined and essential role in the future course of humanity. Let us hope that the time required will not be long, because the world energy problem worsens with every passing year.

We can do no better at this juncture than to heed the admonition in the Wisdom of Solomon: for fear is nothing but a surrender of the helps that come from reason (Wis. 17:22).●

SECOND ANNUAL LEADER LUNCHEON

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mrs. HECKLER. Mr. Speaker, on November 4 I was privileged to attend the second annual leader luncheon of the West Suburban Branch of the Boston YWCA, in Framingham, Mass. This annual celebration, established to further the advancement of women in the business world, honored more than 40 extraordinary women from the suburban Boston area.

The recipient of the Leader of the Year Award for 1981, presented at the luncheon, was Marilyn Zann—an outstanding woman whose work as a business leader, artist, community leader, wife, and mother has earned her a place among the first rank of the Commonwealth's private citizens. The founder of an innovative personnel agency designed to help women and minorities find their place in the workplace, Marilyn Zann is also well known and respected for her tireless work with community groups, her achievements as an accomplished sculptress, and her selfless efforts as a hosptial volunteer.

Mr. Speaker, I am proud to bring to the attention of all my colleagues in this House the dynamic record of Marilyn Zann, and also to list here the names of the 39 other extraordinary women honored at the west suburban YWCA's leader luncheon. All of them have played a major role in increasing the role of women in the business community, and their participation in this awards luncheon was a fitting celebration of the contribution of women to our society.

Those 39 women are:

Ann Arvedon, chair of the Framingham Board of Health and HMO planner for Blue Cross of Massachusetts;

Mary Beth Bauman, mechanical systems engineer for the Raytheon Co., Equipment Division;

Susan Bistany, department administrator for the Raytheon Co., Equipment Division;

Cecilia Bland, program manager for Computer Aided Design & Manufacturing;

Patricia Brown, office manager for Roberta M. Kenney Advertising;

Ann S. Broyer, personnel administrator for the Raytheon Co.;

Shirley Chorney, district training center manager for Digital Equipment Corp.;

Jean Coviello Cohen, assistant general manager of the Sheraton Tara Hotel in Framingham, Mass.;

Nan Collins, manager of administration for ARCHITECH Corp;

Michelle L. Cunha, executive vice president of the South Middlesex Area Chamber of Commerce;

Patricia Di Ruscio, employment manager/recruiter for the Leonard Morse Hospital;

Adrienne Dorfman, founder of Women West/South/North;

Marietta Ethier, corporate counsel for the Digital Equipment Corp.;

Ruth A. Farrell, executive assistant to the president of the Perini Corp.;

Betty Funk, executive director of the Greater Framingham Mental Health Association.

Seba K. Gaines, manager for education package development, Honeywell Information Systems Division;

Rose Ann Giordano, manager, Large Computer Product Group, Digital Equipment Corp.;

Jo-Ann Gladstone, manager of TAC/TEMPS Trainer;

Roberta Golden, director of sales, Sheraton Tara Hotel;

Jacqueline Greenlie, manager of the Data Management Group, Prime Computer;

Paula F. Henry, career developer, Work Systems Associates;

Mayling Ju Hutchinson, operations analyst, Digital Equipment Corp.;

Roberta M. Kenney, president, Roberta M. Kenney Advertising;

Pamela A. Maddalena, manager of marketing support for office automation, Prime Computer;

Margaret Martin, merchandise manager, Zayre Corp.;

Sara A. McNichols, education manager for marketing support, Honeywell Information Systems;

Phyllis M. Morcone, assistant treasurer and clerk of the corporation, Koehler Manufacturing Co.;

Bette Nockles, section manager of board assembly, Prime Computer;

Joanne T. O'Brien, R.N., supervisor of the continuing care planning unit at Massachusetts General Hospital;

Kathleen A. Powers, consultant, Marketing Reporting and Analysis Department, Prime Computer;

Sally Pratt, employment counselor, Opportunities Unlimited of New England;

Ann-Marie Rauliniatis, producer and host for the 3-hour news and public affairs radio talk show "Mornings," on WKOX Radio in Framingham;

Mary Schaeffer, marketing manager of engineering systems, Prime Computer;

Dorothy J. M. Schlegel, personnel management, Prime Computer;

Claire Sherman, executive housekeeper, Sheraton Tara Hotel;

Marjorie Smith, personnel director for the town of Framingham, Mass.;

Janine A. Thomas, international tax manager, Prime Computer;

Cindy Tokarz, associate human resources representative, Prime Computer; and

Ana Yacobian, president and treasurer of ARA's, Inc., one of the most renown clothing firms in New England and an institution in my hometown of Wellesley, Mass.

Each of these women has every right to be extremely proud of her record of achievement. I for my part, am extremely proud to have taken part in the ceremony that honored them, and I ask all my colleagues to join me in this tribute to these outstanding women leaders.●

DISTRICT OF COLUMBIA SALUTES SAMUEL H. JORDAN

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. FAUNTROY. Mr. Speaker, Samuel H. Jordan, Acting Deputy Director of the Office of Emergency Preparedness/Mayor's Command Center, will be honored for his invaluable service to the residents of the District of Columbia on the occasion of a "D.C. Salutes Sam Jordan Day" which will be held November 24, 1981.

Mr. Jordan is indeed deserving of the recognition which will be bestowed on him by his fellow citizens next Tuesday, and I would like to outline for my colleagues the range of services

provided by this dedicated public servant.

Mr. Jordan is required to be on call for 7 hours a day, 7 days a week to respond to emergency situations in the city. A family left homeless as a result of fire, children without food, emotional situations culminating in suicidal/barricade situations, those who assemble to petition their government; all rely on the professionalism, compassion, and dedication of Sam Jordan. Indeed, I am certain that nearly every one of my colleagues has constituents who have benefited from the service of Mr. Jordan. I have in mind those national occasions such as when we inaugurate a President, welcome foreign dignataries, and assemble for a Solidarity Day; all are occasions on which Sam Jordan insures the safety and well being of hundreds of thousands of our citizens.

Samuel H. Jordan can be looked to as one who exemplifies the best in a public servant, and I know that my colleagues join me in commending him for his outstanding service and in wishing him well in his future years of service to the District of Columbia, the Capital City of our Nation.●

ABUSES IN LEGAL SERVICES CORPORATION

HON. ALBERT LEE SMITH, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. SMITH of Alabama. Mr. Speaker, unfortunately, I am continually being made aware of the abuses of the Legal Services Corporation and its affiliates which often result in great harm and expense to society.

Recently, Pennsylvania Governor Thornborgh stated that one of the reasons for the recent escape and hostage taking at Pennsylvania's Graterford Prison was the result of the efforts of Community Legal Services in Philadelphia to have the ringleader and three-time convicted murderer placed back in the general prison population at Graterford. The Pennsylvania Legal Services group received $2,277,972 in Federal funds in 1980.

I have also read with disgust a report from the Southern District Court of Texas which found that the Texas Rural Legal Aid was guilty of the abuse of legal process by its attempt to create a potential charge of discrimination where one did not exist. The Texas Rural Legal Aid received $3.9 million from the Legal Services Corporation last year.

It has been alarming to me to read statements of many of the people who direct Legal Services activities. Recently the Cleveland, Ohio, Plain Dealer quoted the director of the Cleveland Legal Aid Society in her defense of Kathy Boudin, notorious member of the Weather Underground, who was arrested recently in connection with the $1.6 million Brinks robbery in New York. Marge Grevatt, a close friend of Boudin's, stated that the American system had pushed Boudin into her role of violence and terror. "I think it is a terrible commentary on our society when someone with her sensitivity and commitment becomes frustrated to the point that she did," said Grevatt. The Cleveland Legal Aid Society received $1.5 million from Legal Services Corporation in 1980.

I offer for the record the first installment of an excellent monograph on the Legal Services Corporation entitled "Missionaries for Liberalism: Uncle Sam's Established Church" by Michael E. Hammon:

MISSIONARIES FOR LIBERALISM: UNCLE SAM'S ESTABLISHED CHURCH

(By Michael E. Hammond)

INTRODUCTION

Since the beginning of the Republic, Presidents and officers within each administration have engaged in activities which could legitimately be classed as "advocacy." This advocacy—which has frequently dealt with issues involving great controversy—was considered not only the right, but even the responsibility of the President.

Recently, however, recipients of Federal largesse have engaged in a form of advocacy which is qualitatively different from the "bully pulpit" which Roosevelt knew. The difference between Alan Houseman and Thomas Jefferson goes beyond Houseman's relative inarticulateness and the banality of his ideas.

Houseman's statements represent a new form of advocacy—an advocacy which is unresponsive to and uncontrollable by elected executive authority, attacks the religious beliefs of a substantial portion of Americans, is violative of the laws governing the program Houseman supervises, and consistently represents a specific ideological point of view.

This new form of "government ideology," transcending electoral results, is not unique to any single Federal agency.

Congress has established various "intervenor funding" programs for the purpose of financing studies and appearances by "consumer advocates" before agencies. The Federal Trade Commission's program, for example, has handed millions of dollars to groups which are almost without exception, ideologically liberal, and which, in most cases, have substantial financial resources available. This appears to be in direct violation of the FTC's charter, which prohibits "intervenor funding" for any group which could otherwise afford to participate in FTC proceedings.

In areas such as Federal funding intended to benefit the handicapped, "protection and advocacy" mechanisms have been established by statutes like the Developmental Disabilities Act and the Rehabilitation Act of 1978. Under these programs, outside groups are funded for the purpose of litigating and lobbying on behalf of what has turned out to be a consistently liberal set of ideological premises. Although most "protection and advocacy" programs explicitly or implicitly prohibit lobbying the Federal government, the recipients of "P&A" monies freely acknowledge that they have ignored these statutory restrictions.

In addition to those programs expressly authorized to fund advocacy activities, there are many others which have had that unintended result.

For example, a House Appropriations Committee report found that Sam Brown's ACTION had supported union organizing, funded a training institute for community activists to the tune of $432,235, and assigned volunteers to work in the 1979 Arkansas primary election.

LEGAL SERVICES ADVOCACY

But the Legal Services Corporation (LSC) is probably more extensively and exclusively involved in ideologically premised advocacy than is any other agency.

In 1981, this government-created, semi-autonomous entity received $321,300,000 in taxpayer funding. Like other advocacy programs, which operate through extra-governmental non-profit corporations, it is characterized by an organic statute which, while not saying so, has the effect of channelling funding to individuals and organizations on one end of the ideological spectrum.

It is an instructive indication of ideological coloration that a representative of the LSC-allied Food Research and Action Center, went unchallenged when she stated at a November, 1980 conference of the National Legal Aid and Defender Association:

What all of us ultimately . . . care about—ultimately, is meaningful welfare reform, and a meaningful redistribution of wealth and income in this country. Well, getting from here to there is easier said than done. It so happens that there's not a maturity in this country or in Congress for doing that right now, and, what Congress has responded to is not giving low-income people dignity that comes with meaningful cash assistance—what they've responded to is these individual needs. We'll hand them some food stamps—we'll give them a section 8 certificate, . . . which all of us get frustrated about sometimes, because that's not really doing anything to eliminate poverty or change the conditions of poverty. In any event, you have Congress responding to individual needs. They're not responding to a Poor People's Platform—they're responding to individual needs. And, whether I like it or not because of my own personal political and social views I know that on the food issue I get the most mileage out of doing a bleeding heart, kind of churchie, feed-the-poor, kind of thing.

Legal services attorneys have lobbied or litigated to secure disability payments to individuals because they were homosexuals, the cessation of technological development of farm machinery because it would put migrant workers out of work, the imposition of racial quotas in medical school admissions, the turnover of large portions of the Eastern United States to persons of Indian ancestry, the payment of supplemental social security benefits to alcoholics, the establishment of "black English" as a separate language, and the upgrading of Armed Forces discharges for persons thrown out of the service because of homosexuality.

Most of these activities are not within the scope of litigation envisioned by Congress when it passed the Legal Services Corporation's 1974 charter. This intent was most clearly stated by Senator J. Glenn Beall (R.-Md.) when he said: "[The type of cases which the Legal Services Corporation will be handling] are not cases which reach headlines or front pages of newspapers. But

to the poor, every one of these cases is important, whether it be the family being evicted or a mother having her child taken away. Thus the poor (will be) provided representation in difficult day-to-day problems in such areas as family law, landlord-tenant problems with employment and consumer cases."

Whether various activities by Legal Services recipients are actually illegal under the specific prohibitions of the Act is difficult to judicially establish. In 1977, Congress added a provision to the Legal Services Act to prohibit a litigant against a Legal Services client from raising the validity of that representation in connection with the pending lawsuit. Instead, representation questions were to be referred to the Corporation for resolution and, presumably, were to be judicially reviewed, if at all, only under standards which assumed the validity of the Corporation's very broad determination of the scope of its jurisdiction.

Suffice it to say that this costly and partial procedure for challenging LSC jurisdiction had virtually assured that representation decisions, however unlawful, have gone largely unchallenged.

In spite of the dearth of judicial decisions to provide guidance, however, there are a vast number of cases in which involvement by Legal Services recipients would seem to be clearly in direct violation on any of a dozen specific statutory restrictions.●

WOODROW WILSON BRIDGE

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. HOYER. Mr. Speaker, I rise in support of the proviso in the Senate version of the continuing appropriations resolution which would fully fund the reconstruction of the Woodrow Wilson Bridge. This is the only bridge in the country owned by the Federal Highway Administration, and it is only fitting that we provide the $60 million needed to repair it.

The proviso, as introduced by Maryland Senators Mathias and Sarbanes, and Virginia Senator Warner, is supported by the State of Maryland as being critical to solving the safety problems of the bridge.

Conditions on the bridge have become an increasingly important issue for its more than 104,000 daily users. The structure has three serious problems: a severe deterioration of the concrete deck portion of the structure, a lack of shoulder areas for disabled vehicles, and the existing six lanes cannot accommodate the present 100,000 vehicles which pass over the bridge each day.

Mr. Speaker, one of every four accidents occuring on the Washington Beltway takes place on the Woodrow Wilson Bridge. Of the 103 accidents on the bridge in 1980, 56 resulted in injury or death.

The Maryland State Police of the Forestville Barracks, who are charged with traffic control on the bridge, have incurred substantial losses in man-hours and equipment because of the poor condition of the bridge. In 1975, Trooper Mark Hudson was killed coming to the aid of a motorist. From 1976 to 1979, two troopers were injured in the line of duty while aiding accident victims on the bridge. This year TFC Vernon Herron and CPL. William Vogel were injured in separate incidents.

The Senate version of the continuing appropriations resolution contains the vitally needed funding that will allow the complete redecking which includes shoulder areas in both directions to accommodate disabled vehicles. The engineering plans are complete and await the necessary funding. Every delay will only add to the cost of this project—not only in dollars and in the amount of time wasted by millions of commuters each day through traffic tieups, but also in the lives that have been taken as a result of the horrendous condition of this bridge.

I urge the conferees to support this provision in toto. Anything less will only cause confusion and delay.●

WORLD-CLASS MARITIME MAN

HON. ROBERT W. DAVIS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. DAVIS. Mr. Speaker, a respected Great Lakes seafarer recently retired after more than 40 years of dedicated service to the maritime industry that has recognized him as a "World-Class Maritime Man" and that was instrumental in the recent dedication of the John L. Horton Conference Room at the Great Lakes Maritime Academy. It is my pleasure to submit the following article about "Red" Horton from the Cliffs News, while suggesting that this man was the epitome of productivity, efficiency, innovation and sensitivity to the needs of his men and to changing economic conditions within the reaches of the Eighth Sea.

"WORLD-CLASS MARITIME MAN" RETIRES

(By Dave Hoek)

HE WAS "RED" HORTON WHEN, AS A TALL, LANKY REDHEAD, HE REPORTED TO WORK

He sat tall behind his desk, talking intently into the telephone and jotting notes on a legal pad. The call was important and the caller was receiving the man's full attention, even as he leaned back in his chair and rested his feet on a corner of the desk. The conservation would be a long one.

It was a typical pose for the energetic, delightfully youthful man who has been involved in most of the progress of the Cleveland-Cliffs Marine Division for 40 years.

John L. Horton was doing what he liked best in the months just before his scheduled reitrement July 1, 1981. He was spearheading a major project, reaching out across the nation to ask advice and to absorb information from marine industry experts he has cultivated as friends and colleagues during four decades. As assistant to Senior Vice President M. Thomas Moore, John Horton had a front-line responsibility in examining alternative fuel sources for the Great Lakes maritime industry and designing the Great Lakes' first coal-fired vessel in many years.

He was "Red" Horton when, as a tall, lanky redhead, he reported to work February 1, 1941 at Cliffs' Cleveland office. He was entering a career that was a tradition in his family. The lure of the sea had been established early. His grandfather, a construction and marine contractor who helped build Cleveland's breakwall in Lake Erie, had moved his family to Vermilion aboard one of the family's package flat tugs. His father had been a captain on the Great Lakes for the Pittsburgh Steamship Co. (U.S. Steel). Years later, Horton would return to a building the family had owned—now a popular French restaurant on the Vermilion River—and point out splotches of white paint he had dobbed on bare wood when, as a boy, he had cleaned brushes for his father.

At Cliffs, Horton was barely into a routine when he was excused for military duty during World War II. He served as a deck officer on hospital and troop ships in the U.S. Army's Transportation Corps. He returned November 4, 1946, as a senior clerk in Marine Personnel.

Horton's career was shaped by his determination, his inaginative goals, his great sense of vessel service to basic industries, his unequaled knowledge of the Great Lakes, and a number of "colorful" marine department managers who guided Cliffs' fleet over the years.

"John always has certain goals he will drive for in a very determined way," one former Cliffs executive said. "They have always been for the betterment of the industry and the men who work in it."

Horton was named marine superintendent in 1950, and manager in 1976.

"Horton studies things very thoroughly and follows through on every aspect of a project—really keeping on it until he knows all the answers."

Described as a great idea man, Horton is one never satisfied with the ordinary. He is known for his "crusades" for safety or improved operations and for urging industry people to study new concepts. His persistence in the face of skepticism led to Cliffs' current coal-fired vessel project, the first project of its kind started in the U.S. and one of the first in the world.

Horton's love for the lakes and his determined way of working have gained the respect of leaders throughout the marine industry. He is well-known and frequently consulted by people in Washington, D.C. at the Maritime Administration, the Coast Guard, the Corps of Engineers, the Environmental Protection Agency, and the Navy.

Horton has traveled "to see for myself" how others operate in the maritime industry. "He decides who he has to get to know to investigate a particular project and then he lines up his contacts. People at all the agencies know and like him," another colleague said. As a result of his pursuits, Cliffs has received more than its share of government grants and funds.

Horton's personality and interests "are the start of a good book," said one colleague, who like many others in Cliffs' Cleveland office, have "Horton anecdotes" to share.

"He loves strawberries and claims he timed a business trip to Europe one time to

correspond with the strawberry season there."

"Did you know he's a vexillologist? That's someone who researches the history of flags. He makes flags too." (His latest is a Cliffs' fleet safety flag.)

"He loves chocolate—can smell it out anywhere in the office. Open a box and he'll appear."

"He likes to think of himself as a lover—a lover of life and variety, of his wife, Florence, their family, and of people."

"John is a dreamer in the very best sense of the word. He has vision and is always concerned about the future of the industry and the quality of the people, their training and skills."

"He enjoys asking people 'What have you done for me today?' to keep the Marine Division foremost in their minds, I guess."

"He wrote a book on seamanship in 1942—still hands it out to people and signs their copies with wild inscriptions."

These human qualities never overshadow John Horton's commitment to the management of the fleet. He played a major role in the design and construction of the three largest vessels in the Cliffs' fleet—the S/S Cliffs Victory, the S/S Walter A. Sterling, and the flagship, the S/S Edward B. Greene.

Construction of the Cliffs Victory is a story in itself. Horton, faced with an immediate need for another ship in 1951, conceived an unheard of plan to convert an ocean-going ship to a lake vessel within 90 days. It called for modifying the hull in Baltimore and towing the vessel to New Orleans and up the Mississippi River to Chicago for completion—in only nine feet of water with only inches to spare under 115 bridges. Cliffs' success with the venture prompted others to later follow the plan and led to the making of a movie "A Victory for Cliffs" that was distributed to service groups for 25 years.

Horton's plans converted the Cliffs' fleet from coal to steam turbines, led to the first automated single boiler ships in the world in the 1950s and to the first oil-fired fleet which resulted in crew reductions and important economies for the company.

His significant accomplishments also include successful testing of oil from shale as a transportation fuel on the S/S Edward B. Greene. He also negotiated construction contracts for Cliffs' first self-unloaders and managed the Sterling's conversion. He is known for his expertise in other areas too, including food costs and navigation conditions at each port.

Horton was the key man in establishing Cliffs' technical reputation with Detroit Edison Company for the first 1,000-foot vessel project. In short, his contributions to the company and to "my fleet" are important and numerous.

No single cause has motivated him more, however, than fleet safety. His deep involvement in shipboard safety practices and improved equipment positioned Cliffs as a leader in Great Lakes safety. Prior to statutory requirements and as a direct result of his efforts, Cliffs initiated the use of monkey ropes on lifeboats and VERY (flare) pistols. It added lights and whistles to life jackets to aid night recovery and modified jacket design to prevent men from slipping out of them. Through Horton's efforts, a ladder with non-skid steps rather than rungs was develoed for Great Lakes boats.

He became "Mr. Safety" on the Great Lakes, a reputation earned even before 1976 when he was named the first recipient of the Shepheard Award for Achievement in Merchant Marine Safety, the nation's highest marine safety award. He also served as Chairman of the Marine section of the National Safety Council and was Chairman of the Welfare Committee of the Lake Carriers Association for many years.

Moore summed up the admiration John Horton has earned: "This man cannot be neatly categorized. He is competent, imaginative, sensitive, respectful, persistent—a world-class maritime man.

"John's sense of sailing life and traditions and his lifelong devotion to the service mission of the Great Lakes vessel industry are unequalled. He has made tremendous contributions to the industry and to Cliffs. I'm grateful for his counsel and assistance. We're going to miss having him here."

Curiosity about safety, efficiency and people have been John Horton's career concerns as he has maneuvered Cliffs' fleet into many firsts in the company's pioneering tradition.

Curiosity and a sense of adventure will continue to be part of his retirement too. Horton, a graduate of Miami University in Oxford, Ohio, plans to enroll in graduate level courses at Cleveland State University and to continue vacationing at favorite places in the Caribbean.

His love of the Great Lakes hasn't diminished since his childhood. He and his wife will continue to live near Lake Erie in Rocky River, Ohio and sail their 21-foot Lightning class sailboat out of the Cleveland Yachting Club.●

AIR TRAFFIC CONTROLLER PROPOSAL

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. FORD of Michigan. Mr. Speaker, last night, as an amendment to the continuing resolution, the Senate adopted the entire air traffic controller legislative proposal just recently submitted by Secretary of Transportation Lewis. This proposal was introduced in the House only yesterday (H.R. 5038) by Mr. DERWINSKI, the ranking minority member of the committee, at the request of the administration, and was referred to the Committee on Post Office and Civil Service for its consideration. The administration and the other body are clearly trying a legislative end run around the House and its committee system. This is unfortunate.

This proposal requires careful consideration before enactment. It singles out one small group of employees for special pay and benefits at a time when all other Federal employees; for example, FBI agents, Defense scientists, NASA engineers, are being asked to sacrifice. Its special treatment is not limited to air traffic controllers. It applies to many other FAA employees. It would provide additional pay. Although we have not yet obtained a cost estimate of the bill from the Congressional Budget Office, we estimate that the cost of implementing the administration's proposal will be in excess of $50 million in the first year and more than that amount in succeeding years.

The proposal contains several very controversial provisions. For example, it exempts FAA employees from the premium pay cap. It exempts them from duel compensation laws relating to military retirees, and it exempts them from the reemployed annuitant provisions of existing law thereby permitting a Federal retiree to collect both his full salary and his full annuity.

These proposals may be meritorious, or they may not. Clearly, they deserve careful consideration. An initial analysis by the committee staff suggests the legislative proposal may contain numerous technical flaws.

The members of this committee are anxious to do whatever we can to facilitate the recovery of the air traffic control system. We have held discussions with Secretary Lewis regarding the administration's air traffic controller pay legislation, and we have held, and will continue to hold, extensive hearings on the air traffic controller work force. This end-run approach however is not an appropriate way to address this problem. In my view, it is an irresponsible way to legislate and makes a mockery of the legislative process.●

AMERICA'S INFRASTRUCTURE IS WEARING OUT

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. OBERSTAR. Mr. Speaker, this week the House Public Works and Transportation Subcommittee on Economic Development, which I have the honor to chair, held 2 days of hearings on economic development policy for the decade of the 1980's.

Our distinguished witness list included Dr. Pat Choate, senior policy analyst, Economics, TRW, who is known to many of us as the coauthor of "America in Ruins," perhaps the definitive documentation of the wearing out of this Nation's infrastructure.

Mr. Speaker, this Nation's future economic growth is fully dependent on viable infrastructure: The transportation, communications, water supply, wastewater, and other public capital investments in which we have previously invested so much national treasure.

This treasure has been neglected to the point where, soon, we will face insuperable replacement costs, if we do not pay the replacement costs, if we do not pay the repair bills now.

I invite my colleagues to read Dr. Choate's full, illuminating, and alarming analysis of the current condition of America's infrastructure, and actions for the future which he recommends.

TESTIMONY OF PAT CHOATE, SENIOR POLICY ANALYST—ECONOMICS, TRW

Mr. Chairman, it is a pleasure to be here today to discuss with you a topic of such vital importance to our nation and its communities.

Throughout America—North, South, East, West, urban, suburban and rural—the basic public facilities that underpin our economy are wearing out faster than they are being replaced and repaired. Thus, a large and growing number of communities are now hamstrung in their economic revitalization efforts because their basic public facilities—streets, roads, water systems and sewerage treatment plants—are too limited, too obsolete or too worn out to sustain a modernized economy.

For example, a Department of Commerce survey of the wastewater treatment capacities of 6,870 communities found that over 3,000—46 percent—of these systems were operating at 80 percent or more of capacity. A system operating at this level of capacity generally cannot accommodate additional industrial load. The same survey indicated that water treatment and distribution systems were operating at effective full capacity in a third of these communities. Other studies by the Department of Transportation have documented that one in every five bridges now require major rehabilitation or closure and that as much as twenty percent of the Interstate Highway System is beyond its designed engineered life, is worn out and now requires total rebuilding.

A number of studies have attempted to measure the importance of these public works on the investment and location decisions of individual firms. The most comprehensive of these studies was a Census Bureau survey conducted in the mid-1970's. Over 2,000 firms operating in 254 distinct product classes were examined. For virtually all 254 industry categories studied, the survey found that the availability of public works facilities was either of critical or significant importance to investment and location decisions by the private firms. While not a sufficient condition for private investment, the availability of public facilities was virtually always a necessary condition—an important distinction for public policy.

Moreover, the survey revealed that public facilities were almost always a very much more important locational consideration to firms than were the more visible federal, state and local tax incentives or the availability of industrial revenue bond financing.

Thus, when the deteriorated condition of all these public facilities essential to private sector investment are considered, it becomes clear that the overwhelming majority of the nation's communities—perhaps as much as three quarters—will be unable to support modernized development until major new investments are made in the basic public facilities that undergird their economy.

Well-conceived public works are not pork-barrel. Indeed, investment in public facilities is as essential for national and local economic renewal as investment in a renewed industrial plant. Indeed, public works, along with public education and publicly sponsored research, are the only "supply-side" investments that government itself makes.

Yet in the case of public works, the nation is simply not making those public work investments that are necessary to underpin the revitalization of our economy. For at least two decades, all levels of government have reduced public works expenditures on maintenance, rehabilitation and new construction in order to balance budgets, reduce taxes and finance a growing array of social programs. In spite of clear evidence of deterioration, the non-inflated value of public works investments by all levels of government declined from $33.7 billion in 1965 to less than $24 billion in 1980—a 30 percent real decline.

To rebuild America's essential public facilities, substantially more funds will be needed in the 1980's than have been available in the 1970's. The better and more creative use of financing techniques—such as more extensive use of user fees, privatization or public/private leasing—can raise some of these funds. At the same time, more purchasing power can be obtained from those funds that are available through the elimination of waste and fraud—efficiencies that can flow from improved management and aggressive Congressional oversight.

Yet even with the extensive use of imaginative financing and honest, competent management, simply will not be possible to generate the $2-3 trillion needed to rebuild America's public facilities. There are too many other compelling public and private demands on the limited capital that will be available in the 1980's. To put the issue in perspective, the Department of Transportation reports that over $800 billion will be required in this decade to retain just the present levels of service on the nation's non-urban highways; yet this is an amount greater than all of the public works investments made by all levels of government in the decade of the 1970's.

Clearly, difficult choices must be made—choices that will exert profound influences on the national economy, the quality of life of all citizens and the shape and direction of virtually every community's development.

The principal barrier to making these choices in a considered manner is the absence of a public works investment strategy as embodied in a national capital budget. Today, the United States has no inventory of its public facilities; there is no assessment of the condition of existing facilities; there are no standards for the services to be provided by public facilities; there are no investment strategies and no investment priorities; there is no uniform estimate of future investment requirements; there is no basic agreement among the federal, state and local governments on the allocation of authority and responsibility for the financing, construction and operation of specific types of projects; and there is only the most limited oversight by the federal government over those federal public works expenditures that are made—particularly those made in the form of block grants or revenue sharing.

In the absence of such basic policy and management information and a national capital budget, many unintended and unwanted consequences are produced.

First, no overall view is taken of the nation's public works needs, the role of the respective levels of government in meeting these needs, or how individual federal investments relate to each other or to any long-term strategy.

Second, the short term is favored over the long term. Budgets operate on a two to three year cycle which thus biases the budget process towards projects that can be financed in one or perhaps two appropriations. Moreover, in the absence of a longer term strategy, it is often difficult to maintain a coalition that can sustain a long-term project no matter how vital it may be. Unfortunately, many of the nation's most important public works challenges—such as rebuilding the Interstate Highway System and assuring clean and adequate water supplies—will take a decade or more to finance and construct.

Third, in the absence of a coherent national public works investment strategy (which sets investment needs and the ways to meet them) investment requirements for the nation's public facilities cannot be systematically and thoughtfully considered against other important public investment responsibilities such as defense and social requirements—areas where there are consolidated budgets and long-term investment estimates.

Finally, as public facility investments were ignored and deferred in the 1970's so that the limited public funds could finance a growing list of social expenditures, public works investments could again be ignored and deferred in the 1980's because of other more visible calls on the public treasury.

The time has come for the federal government to bring coherence and stability to its public works activities. The first and most important step in this process is the creation and use of a national capital budget.

A national capital budget would consist of six basic components:

An inventory of the nation's public facilities, coupled with an assessment of their physical condition. An estimate of capital investment needs. An estimate of required operation and maintenance expenditures. The identification of sources of financing. The specification of priorities. The identification of the responsible institutions.

By providing a framework in which policy, legislative and management decisions can be considered, a national capital budget can help the President and Congress bring coherence to the nation's difficult public works investment decisions. Such a basic management tool can also help bring stability and certainty to federal decisions—a stability that will permit state and local governments to better plan and manage their public works responsibilities.

But most important, a national capital budget can permit the President and Congress to carefully consider the nation's aggregate public works needs against the nation's aggregate defense and social needs—permitting a balance in investments not now possible.

The rebuilding of the nation's public works is a difficult but critical task that must be faced. Our success in meeting this challenge will largely determine our success in rebuilding our economy and maintaining even the present quality of life of our citizens. The most fundamental step in meeting this challenge is the creation and use of a national capital budget.

Thank you for the opportunity to share my views with you this morning.●

FINANCIAL CIRCLE LEADER

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mrs. HECKLER. Mr. Speaker, since colonial days the progress and pros-

perity of New England have been closely linked with the development of a thriving financial community in our region. Not only in an economic sense, but also as a driving force in civic and cultural advancement, New England's financial community has for centuries been an integral partner in providing a better life for millions of people.

One of the undisputed leaders of New England's financial circle is a man who epitomizes the long traditional of active concern and involvement in civic affairs—Richard D. Hill, chairman of the board of the First National Boston Corp.

For 10 years the chairman of the parent company of the First National Bank of Boston, Dick Hill has rightly earned the reputation of being "the most influential bank president in New England." A far-seeing and brilliant businessman, he has in the last decade worked to strengthen and modernize the bank's operations—and in those 10 years has presided over a quadrupling of the First National Boston Corp.'s assets.

At the same time Dick Hill has devoted himself to helping the people of Boston build a better life for themselves. He is a central figure not only in economic development—as a former head of the Vault, an unofficial financial coordinating committee that brings together the heads of Boston's largest and most influential firms—but also in countless civic projects. His work as a member of the Boston Committee, established by the mayor of Boston to ease racial tensions within the city, is only one example of his active concern in facing the crucial issues of our time.

Throughout his life, Dick Hill has shown that hard work and a keen intellect remain the keys to success in our society. As a businessman as chairman of the board of trustees of his beloved alma mater, Dartmouth College—as a public figure—and as a devoted husband to his lovely wife, Polly, and father to three fine children—he typifies the ideal of the complete citizen.

Dick Hill's accomplishments are a valuable example of the American system at its best. I wish to call to the attention of my colleagues the following profile of Richard D. Hill—published in the October 25 edition of the Boston Sunday Globe—which captures the spirit of this outstanding man:

"DICK, I THINK YOU OUGHT TO BE A BANKER"

(By Donald Lowery)

Several days after he should have, in the spring of 1941, Richard Devereux Hill went to see a placement officer at the Amos Tuck School of Business at Dartmouth College. His aim was to secure one of the jobs students were required to take in the summer between their two years in the program.

The New Hampshire school "had two jobs left in Boston, one with the First National Bank and one with the National Shawmut," Hill recalled recently. The placement officer "looked at me and said: 'Dick I think you ought to be a banker.' He didn't have the faintest idea of who I was."

Hill had never heard of either bank. But after going home to Salem he headed for Boston. "When I got off the subway I just happened to turn right and this was the first bank I came to. That's how careers are made," Hill said in one of his frequent exhibitions of dry humor and quips.

Since the day he landed the $15-a-week job at the First, Hill has become the most important banker in the most important bank in New England. It is a position, he says convincingly, on which he never had designs.

"I never planned to become president or chairman but I had hoped I would be a senior officer. In terms of planning ahead for my career, I think I would have been perfectly satisfied with a job at a lower level and obviously at somewhat lower compensation," said the 62-year-old Hill, who last year received remuneration in excess of $330,000.

In the 10 years Hill has been head of the First National Boston Corp., the bank's parent, the assets of the company have grown four-fold, from slightly more than $4 billion to today's total of $16.2 billion. The bank has developed a number of new sophisticated banking services, including its computer leasing operations, and it has expanded its locations to the point where it is a truly international bank.

Along with running the bank and its holding company, Hill has been a central figure in most major developments involving the economic health of Boston and Massachusetts. He recently stepped down as the head of The Vault, an unofficial financial coordinating committee whose members are the heads of the largest and most influential businesses in Boston. He is a member of the Boston Committee, a four-member group appointed by Mayor Kevin H. White to help lessen racial hostilities in the city.

A man of average height and medium build, Hill is noted for his understated attire and a subdued manner, attributes uncommon to big bank chief executives, who often appear paranoid.

In describing the role and the influence of the institution he heads, Hill says he does not believe the company has as much power in the city as is generally believed.

"It's a perception on the part of others that may not be absolutely accurate.

"We do not have very many votes either in Boston or in Massachusetts and we have a great deal of competition both within New England and from institutions outside of New England. To the extent that we unwisely or unfairly try to exercise this power we're talking about. I'm sure our competition would come in and take some of it away from us."

As to how he fits in the affairs of the city and the region, Hill said: "I really look at my own role as having a great deal of responsibility and a rather limited amount of power."

Mayor White, who has known Hill the entire time the two have served in their respective posititions, said: "I like Dick Hill. It's both affection and admiration. He's a man with an independent mind. I consider this rare in both politics and business." White compared Hill favorably with past heads of Boston businesses who have taken leadership roles in civic activities. "I think he really cares about the city." White said.

David T. McLaughlin, the recently appointed president of Dartmouth College, was the immediate predecessor to Hill as chairman of the college's Board of Trustees and has worked closely with him for five years.

"I find him to be extremely quick, he has a fine intellect and he knows exactly how to apply it to substantive issues in a very efficient and productive manner. He's fun to work with," McLaughlin said of Hill.

Asked what he likes most about Hill, McLaughlin responded, "His humanness. He's a very natural person with a great interest in others."

Hill grew up in Salem where his father was a lawyer and a district court judge. His early schooling was slightly marred by a teacher who said he was bright enough to skip the fifth grade. "That was the year they taught long division and I've had trouble with it ever since," said Hill, who now lives in Marblehead.

As a student in Salem, Hill recalls, "I got reasonably good marks but never in the valedictory level. I was kind of a lazy student because things came to me easily and I didn't work terribly hard."

In high school in Salem, Hill was active in various extracurricular activities and his talent as a clarinet player helped him become the leader of the school's symphony orchestra.

He then went to Phillips Exeter Academy "because my mother thought I was too young to go to college." At Exeter, Hill was part of a dance orchestra that was good enough to get a contract to play on Cunard passenger ships between New York and Liverpool during the summer following his graduation.

Although his father was a trustee of Tufts University and Hill had always thought he would go there, he ended up at Dartmouth, a school his mother liked because it was all male.

While completing his major in economics at Dartmouth, Hill continued his musical activities, founding a dance orchestra called "The Green Collegians", which played big band and swing music at local high school and fraternity gatherings.

Looking back at his college days, Hill said he regrets choosing a "three-two" plan which gave him three years of undergraduate liberal arts studies and two years at the Amos Tuck School. "It was a mistake for me. The trouble with that system is that I missed my fourth year of liberal arts. The senior year is the time when you really should get the most out of liberal arts. That's when you've grown up enough to know what courses you should select and I missed that."

Spending his senior year at the business school did allow Hill to complete college because the Navy recruited his class to serve as ensigns in World War II, contingent on their graduation from Tuck.

During his naval training at Dartmouth, Hill decided he would join the newly formed bomb disposal forces after hearing the sales pitch of a young lieutenant.

"He made it sound very difficult to get into and he also pointed out it was a small group with a great deal of espirit de corps and we could participate in picking our assignments."

Hill spent most of his time in the Solomon Islands and says the only time he was ever worried about his safety was when he was ordered to defuse Japanese bombs that were resting in shallow waters off the shore of a South Pacific Island.

"They had a barge up above me with the air pump that supplied me air through a

hose. When I got down to where I thought the bomb was located, the barge all of a sudden moved away just about as far as they could move it, as far as they could stretch the air hose. It indicated to me they didn't have much confidence in my ability to deal with that bomb.

After his tour of duty, Hill received a special citation from Admiral W. F. Halsey, commander of the South Pacific Fleet, for developing a fuse for personnel mines as an emergency defensive measure in the field during the Solomon Island campaign.

Hill returned to the bank after the war and about three years later made the move that began his corporate ascent. He organized an operation at the bank that enabled independent trucking company franchises to bypass the normal time-consuming settlement of accounts between themselves when carrying freight through each other's territory. The bank established accounts with the companies and settled accounts between the trucking companies.

As he worked on that operation, the bank handled a credit request for what today is the Ryder Systems Inc. truck rental and leasing company, and Hill handled the credit request.

"Because it was a new field for banking and we got there first, it was a great opportunity for us. We became known as a bank with a lot of expertise in the trucking industry." The trucking business mushroomed in subsequent years and Hill earned a reputation as one of the more able young bankers at the First.

Hill became a loan officer at the bank in 1948, a full vice president in 1955 and president in 1966.

"Banking was always fun," Hill said. "Right from the start, the thing I liked most about banking, and still do, is the fact that it brings us into daily association with high-ranking businessmen. In a bank you are dealing with people who make policies in a company. You are dealing with the heart and soul of a company and that's fun," he said.

Along with his dealings with executives of other businesses, Hill said his most rewarding personal experiences in his career have been the friendships developed with other international bankers, including Sir Anthony Tuke, former chairman of Barclay's Bank Ltd. of London; Isao Masanune, chairman of the Industrial Bank of Japan; and Akira Kawasaki of the Bank of Tokyo.

Hill is the father of a daughter, and two sons, the youngest of whom is a banker in the Seattle office of the Continental Illinois National Bank & Trust Co. Pursuit of his career, he said, was not to the detriment of his family life.

"I made it kind of a rule to try not to be out more than two nights during the week. Because we had the same sporting interest, we all like to ski, we all like to sail, when the kids were college age and beyond we saw a lot of them because we rented a ski place in New Hampshire and they'd come up almost every weekend."

Today, Hill is still a fan of swing and big band music, and his fellow clarinet players Benny Goodman and Artie Shaw are among his favorites. Although he no longer plays for money, Hill does occasionally join friends to play Dixieland music.

A recreational sailor since his early teens, Hill once was very active in competitive racing but he had to drop it because of the lack of time. He continues to pleasure cruise on his 40-foot Concordia yawl.

Three years before he reaches official retirement age, which coincides with the 200th anniversary of the First National Bank, Hill does not hesitate when asked what he hopes will be said about him when he departs.

"I hope they say that he left behind a good bank with good successor management and possibly, in the process, contributed something to the improvement to the place we live.

PUTTING A CAP ON LEADERSHIP

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. WOLF. Mr. Speaker, an excellent editorial appeared in the November 1981 issue of Sea Power magazine. As the article points out not only do those in government service deserve better, but above all, so do the taxpayers and citizens, deserve the best. We cannot allow the exodus of top management talent from the Federal Government to continue. I ask that the text of this article be printed at this point in the RECORD.

PUTTING A CAP ON LEADERSHIP

Few Americans realize it, but unrealistic compensation limits imposed by Congress on the rest of government virtually guarantee that the most talented people in our naval and military forces, and in the federal civilian work force as well, will leave government service and seek employment in the private sector instead.

Thousands already have. Many more thousands are likely to join them in the very near future unless immediate remedial action is taken.

Now, while I have great respect for the men and women of the U.S. Congress, and for the weighty and sometimes intractable problems that they have to solve, I think that on occasion they seem to "take their eyes off the ball." The recent "pay cap" issue is, in my opinion, such an occasion, and I believe it is time for someone to speak out about it.

While it has not been stylish for the past 50 years to worry about raising compensation levels at the "high end" of our society—quite the contrary sometimes—and while it may be hard to feel concerned about the economic conditions of people making $50,000 a year, let's turn it over and look at the other side. Business and industry have long since learned that intelligent compensation administration is the cornerstone for retaining and motivating the outstanding performer. Far from establishing policies which result in a flattening or leveling off as one is promoted to higher and higher responsibility, they try to bend the curve in the other direction and provide extraordinary compensation for those who perform in an extraordinary manner—in the intelligent self-interest of the company.

Throughout its history, our country has been most fortunate in attracting to public service outstanding, capable men and women whose talents contributed immensely to our attaining—and maintaining—greatness in the world. Perhaps even more remarkable is the fact that so many elected to make a career of service to their country—in and out of uniform—despite being compensated for their labors at rates that rarely matched those in the marketplace. One can only wonder where America would be today had it not been able to turn in time of crisis to these selfless, dedicated leaders—people such as Eisenhower, Nimitz, Bohlen, and countless others, both civilian and military.

Still, in days past those who toiled for the government did have the satisfaction of knowing that increased responsibility brought with it more pay—as elsewhere. If an up-and-coming Navy captain was selected for promotion to rear admiral, not only did two stars replace his old insignia of rank, but his paycheck and other forms of compensation received a sizable boost. To be sure, much more was demanded and expected of him, but at least he had more than a title and his new insignia to show for his accomplishments.

Who would believe, though, that under today's ridiculous-beyond-belief ground rules regulating pay for our government executives the same up-and-coming captain later could become the Chief of Naval Operations, a pinnacle five promotions up the ladder, and not receive an additional dollar in base pay? Or that by the fall of 1982, under current pay-increase plans for both civilians and the military, which put an upper limit or "cap" on compensation for senior executives, his pay—as CNO—would be surpassed by that of a middle grade GS-14, a Civil Service rating ranked as the protocol equivalent of a Navy commander? To say the least, that kind of practice hardly serves as an incentive to continue serving the government in uniform!

In fact, a recitation of the havoc pay caps are wreaking might commence with those words we came to know as children—"Once upon a time . . ."—because it sounds almost like a fairy tale. And not one that ends happily, either! Here are some of the more chilling examples of the results of this shortsighted, poliitically expedient policy which a combination of executive and legislative branch decisions have inflicted upon government executives:

The pay at five—repeat, five—levels of government service is frozen at the same dollar level.

Some 33,000 civilians and slightly over 1,000 generals and admirals are included in the freeze. And, as Congress legislates new pay increases for those on the lower end of the scale, that number obviously will grow.

In the past 11 years, government executives affected by the pay cap have received but three pay raises, amounting to a collective total of 43 percent. In that same time span, private-business-sector executives have averaged pay increases of 116 percent and General Schedule (GS) government employees 118 percent—and the government's hourly-earning index and Consumer Price Index both increased by more than 130 percent.

At least partly as a result, the retirement rate for career government employees whose pay is capped has soared—from 17.6 percent of those eligible to retire in March 1978 to 57.1 percent of those eligible to retire in March 1980.

Any colonel or captain drawing bonus pay of any kind makes more than any flag or general officer in the armed services who is not drawing bonus pay.

What causes all this is that, by act of Congress, the pay of senior military and civilian executives in the government cannot exceed Executive Level V (currently $50,112). This has caused increasing numbers of senior people each year to be caught in a pay squeeze which makes it more attractive to take early retirement and go on to more lu-

crative jobs elsewhere, while drawing retirement pay that soon rises to the level of the pay they received while working in the government.

Sound strange? It is—and it is driving good people out of the government in droves. Senior military officers are also affected, and only a sense of duty and loyalty to the organization has made some of them stay on longer. But retired pay is tied to the cost of living and rises automatically as the cost of living rises. Many senior people are now in the odd position, therefore, of making more on their retired pay than they would be making if they had stayed on in the government. Legislative relief is obviously needed—and has not been forthcoming.

And yet, on the very day the recent federal spending cuts took effect, the Congress voted itself a bigger operating budget, in addition to a package of personal tax breaks, expense-account advantages, and other financial benefits. While not termed a "pay raise," that package certainly puts more money in the pockets of the country's lawmakers.

Shocking as those examples cited earlier are, though, they don't even come close to this magnificently ironic one which says a lot about our priorities: The six officers who shoulder the greatest burden in connection with the defense of our nation—the Chairman of the Joint Chiefs of Staff and the five service chiefs (including the Coast Guard Commandant)—all receive roughly 17 percent less pay than does the social secretary to the wife of the President of the United States! And that situation is not new; it has continued for several administrations!

In sharp contrast, according to a U.S. News & World Report survey completed in 1979, the median pay among 356 chairmen of the boards of major corporations was $399,349, that of 325 company presidents was $373,649, and that of 370 company vice presidents was $228,187. And none of those individuals has the life and death responsibility for the country and its people that our service chiefs and their senior colleagues have.

On their wisdom and military experience hangs, literally, the fate of the country, for they constitute the senior military advisers to our civilian commander-in-chief, the President.

Still another fascinating contrast is provided by scrutinizing the differences in pay of junior and senior executives working for Uncle Sam and those drawing paychecks in the corporate world. The monthly pay of the Commandant of the Marine Corps, for example, is barely four times that of a newly commissioned second lieutenant, and only 2.6 times that of a civilian who enters government service after acquiring a master's degree in college. But senior General Motors executives are paid 20 to 30 or more times the salary of the average executive trainee.

Is there any wonder that career employees—in and out of uniform—are leaving government service in droves? But why stay after reaching the peak level in pay if your demonstrated talents bring you nothing but more work and greater responsibilities? Why not hang it up early and enter corporate life, where those same talents will not only earn more remuneration for what you are doing but also permit you and your family to enjoy your retired pay while you're still young enough to make the best use of it? And if you have children to educate, why scrimp on their tuition when you can draw on two sources of income for it?

What is perhaps most insidious about the pay cap phenomenon is that it affects only the senior people in the government—those at the top of the ladder—so does not create the groundswell of public and media sympathy evoked by the plight of the sailor on food stamps who could not make ends meet. Recent pay raises helped him—and he more than deserves that help—but they didn't help senior people at all. But the pay cap will affect younger personnel, if key leaders in the government and military continue to be under-compensated, and retire, at the present rate. There already are 451 key Department of the Navy civilian jobs vacant. They cannot be filled because competent people are looking elsewhere for better pay. This is a shameful situation.

But the real danger to our society and to our country is not the injustices we do our senior civil service and military executives by such a short-sighted executive pay policy. It is in the effect of that policy upon the "comers"—the young men and women who have moved along rapidly, ahead of the pack, and who are the potential outstanding leaders of the future. They take a look ahead and see that for the next few years they will be getting compensation increases, but, if they really make it to the top, all that will increase will be the hours of work, the crushing responsibilities, and the worries and concerns. How much better, they will say, to "split off" now, while the kids are still young and while a full career can be obtained elsewhere. Far better to leave the service of your country after 10 or 15 years and march down a new path, than to spend 25 or 30 years with no further growth or rewards—and then be in a much less advantageous position in seeking a job in business or industry.

What this kind of compensation pattern does is counterproductive: It motivates the top performers, whom you most want to keep, to leave and leaves you with the journeyman performer, who is necessary in some numbers but will never provide the top leadership that is critical.

Now consider this: Under current law an officer can hope to reach the O-6 level—captain or colonel—at the 22-year mark in his career, at about 43. After 30 years of service, he would have to retire, unless selected for continuation for up to five years. If he were selected for promotion to flag or general officer rank he would have the potential of another 19 years of service before reaching mandatory retirement at age 62. On the civilian side, a young man fresh out of college and entering government service could aspire to reaching GS-15 (where the pay cap now hits) after 15 years of service. Theoretically, he could continue serving his government as long as his health and desire hold out, since there is no mandatory retirement age at present for government civilian employees. However, no matter how high either the captain or the GS-15 ultimately advances to, under current law he couldn't make any more money!

It must be obvious to anyone watching a news telecast or reading a newspaper or news magazine that this is no time for mediocrity to be the principal characteristic of our government. But in large measure that's precisely what we shall have if the current pay cap policy, and the resulting drain of talent and brains, are permitted to continue. Excellence of performance is based on both incentive and need. But if incentive is stifled and in turn causes need not to be met, then those affected will put their talents to use elsewhere. And those who might otherwise wish to serve their government will for the most part elect not to do so. Cold hard statistics already are proving that.

Nevertheless, Congress recently voted to continue the pay cap, then exactly one week later approved and sent to the President a pay bill increasing military pay substantially. The main purpose of the pay bill is to attract to—and keep in—the military services those talented men and women who are so badly needed. Are those two actions consistent? Hardly!

At the time the second vote was taken, the one on the pay bill, those legislators knew full well that, despite all the magnificent rhetoric extolling the bill that would appear in the Congressional Record, none of those officers now serving at the highest five levels of our military leadership—colonels, captains, and above—would receive any additional pay! They also knew that the next lower echelon of our military services, the commanders and lieutenant colonels who will be our future naval and military leaders, would also realize that fact, and perhaps plan their own futures accordingly. How hypocritical can we be? And how shortsighted?

Certainly the current tenor of government and mood of the country is for economy. But I believe that the people of this country want intelligent savings, not savings which are shortsighted and which really cost us more money in the total picture.

And just what are we talking about? Supposing we were to postulate added pay—ranging from an additional $5,000 to perhaps even $30,000—for all of the very top people in the civil and military service of their country? Since the number of people affected would be larger at the lower end of the spectrum, let's assume that the average increase would be around $10,000 per year per person. What we are talking about, then, is a total annual cost amounting to less than 0.05 percent—less than one twentieth of one percent—of our federal budget, or, another way to look at it, less than half of what we spend on health and welfare every day!

If you want to look at a popular vote on this issue, consider how the shareholders—the owners—of large industrial corporations have voted time after time when some shareholder owning eight shares or so has attempted to impose a pay cap on top corporate salaries. Recognizing that if the pay of all the senior officers in a company like General Motors were eliminated entirely it would permit something like a one-penny-per-share increase in earnings, and realizing that these people are responsible for the success—indeed, for the very life and death—of their corporation, shareholders have always voted overwhelmingly, by well over 90 percent, to defeat such pay caps. Can't the members of the Congress and the administration who believe that it is politically expedient to cap our top people see that they are wrong? And not only wrong, but stupid?

As a businessman, as a taxpayer, and as an American who has high hopes that his government will be led and defended by able, dedicated leaders, I am appalled by such an abysmally stupid policy. And I am angry at those who—shortsighted, politically cowardly—perpetuate it.

What needs to be done?

On 1 October, Congress approved a continuing resolution (Public Law 97-51) which maintained the current pay rates for senior

level executives (and thus continued the pay cap) until 20 November, 1981. At that time, either another continuing resolution—or remedial legislation authorizing new, higher pay rates—must be approved. Proposed new rates for senior civilian executive service have already been developed. If enacted into law and funded by Congress, they would automatically raise the pay cap significantly. What is needed now is public support on this vitally important issue. Congress must take some form of definitive action by 20 November, and if the cap is at least raised it will send a much-needed positive signal to the leaders of our government and military.

At this crucial juncture in American history, our nation needs outstanding leaders—in Congress, in our government agencies, in the military. But if members of Congress, whose votes can be the determining factor on whether talented people will be available for those other key positions of our national leadership, worry more about enhancing their own compensation with tax advantages and avoiding any possibility of a political flap rather than worrying about America, then the ultimate cost to our country will be frighteningly high. The time has come for Congress to wake up, to face the facts, to cease and desist. And it also is time for its members to be told by their constituents to alter this ridiculous policy. For not only do those in government service deserve better, but above all so do we, as taxpayers and citizens, deserve the best!●

BISHOP McSHEA: A MAN OF VISION

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. RITTER. Mr. Speaker, the Lehigh Valley of Pennsylvania, whose people I am proud to serve, is an area rich in tradition. A melting pot of many ethnic groups, it has developed a religious heritage which is as diverse as it is devout.

Among those in the religious community, as in the larger community of which we are all a part, a select few shine above the rest. The Most Reverend Joseph McShea, first Bishop of the Diocese of Allentown, is one of those few whom God has blessed with special gifts and talents to better serve His people.

As the founding bishop of the Diocese of Allentown, Bishop McShea has used those gifts wisely to benefit not only the people of his own church and diocese, but also Catholics and non-Catholics alike in the five-county diocese area.

On December 6, Bishop McShea will celebrate the 50th anniversary of his ordination. In recognition of this occasion, Bishop McShea will celebrate a Pontifical Mass of Thanksgiving at the Cathedral Church of Saint Catharine of Siena in Allentwon. The celebration will continue with a Golden Jubilee Banquet in his honor.

Born on February 22, 1907, in Lattimer, Pa., he entered Saint Charles Borromeo Seminary in Philadelphia in 1923. He was sent to Rome in 1926 to complete his studies for the priesthood, being ordained on December 6, 1931. A year later, he completed his studies at the Pontifical Roman Seminary and the Lateran University in Rome, receiving doctorates in philosophy and theology. Named titular Bishop of Mina and Auxiliary Bishop to the Archbishop of Philadelphia, John Cardinal O'Hara, on February 8, 1952, he was consecrated a bishop on March 19, 1952.

In February 1961, Archbishop Egidio Vagnozzi, Apostolic Delegate to the United States of America, announced that "His Holiness, Pope John XXIII, has divided the archdiocese of Philadelphia * * * to form the new Diocese of Allentown." At the same time, the Holy Father named the Most Reverend Joseph McShea to be Bishop of the new See of Allentown.

Two months later, on April 11, Bishop Joseph McShea was installed as the founding bishop of the new Diocese of Allentown in the Cathedral of St. Catharine of Siene.

"This diocese begins its life with countless resources, but most of all it has almost a quarter of a million Catholic souls," Bishop McShea said, adding:

"This is a day of birth. The Diocese of Allentown springs forth as another flowering of the Catholic Church, the mighty tree born of the smallest seeds * * *"

Twenty years later, a combination of work and prayer has had marvelous effects on the growth of those seeds which have become the Diocese of Allentown. Much of that work and prayer has come from Bishop McShea's own hands and heart—a heart which is always willing to give and to do good for his fellow man.

An April 9, 1981, editorial in the Philadelphia Catholic Standard and Times states that "in a world and in a church rocked by turmoil during the past two decades, the Diocese of Allentown has shown an enviable stability and progress."

Under Bishop McShea's leadership in the early 1960's, a $7.5 million education expansion program was undertaken, a goal exceeded by more than $4 million. An editorial in the secular press called it "a new standard for supporting worthwhile causes * * * a magnificent tribute to the vision, courage, and leadership of Bishop McShea."

More than 200 buildings have been constructed, purchased, or completely renovated in the diocese. In 1963, Holy Family Manor was opened in Bethlehem to care for the elderly. In 1964, Allentown College was established in Center Valley through the inspiration of Bishop McShea. In 1968, Archbishop Luigi Raimondi, then Apostolic Delegate to the United States of America, dedicated a $2.8 million extended care facility wing to the Holy Family Manor, increasing the capacity to 200 beds and expanding care possibilities. In 1974, Holy Family Villa, a home for retired priests, was opened adjacent to the manor.

"Today's intellectuals sneer at bishops who build," Bishop McShea wrote in 1969, "but these buildings are the indispensable tools of every form of apostolate. Thank God that the generosity of our people and the dedication of our priests and religious make these works possible."

Throughout the past 20 years, Bishop McShea has become known as a leader as well as a builder. In 1966, Bishop McShea called for a diocesan modernization plan which included the convocation of a diocesan synod to shape the diocese in light of the teachings of the Second Vatican Council. On May 1, 1968, after 18 months of preparation, the First Synod of Allentown was celebrated, establishing a set of 110 general norms and regulations to govern its maturing life. This synod has been hailed as one of the first and most successful diocesan synods in the Nation after the Second Vatican Council.

In addition to its building and educational programs, the Diocese of Allentown has been the center for two national movements.

The first, National Shut-In Day, was founded in Reading in October 1970. It gained nationwide recognition in 1972 when President Nixon signed a congressional resolution establishing the third Sunday of October as Shut-In Day.

The second, Operation Rice Bowl, was founded in the Allentown area in 1975 by clergymen of varying faiths. It has spread to Catholic dioceses throughout the United States, raising several million dollars during the past 5 years, of which $700,000 was contributed by Catholics of the Allentown Diocese alone.

In August 1980, Bishop McShea mandated that a basic catechism would be used in all religion classes in the diocese. The Standard and Times called the bishop's decision "an action which could and should set a pattern for diocese throughout the United States."

In 1961, Bishop McShea called the Catholic families of the diocese to work and pray for the sake of the new diocese. In 1981, he calls the Catholic families to work and pray for the sake of the families themselves, saying, "Family life, of course, is the key to good community, civil, and political life."

As for the future, Bishop McShea stated in February that he is focusing especially on three areas of pastoral care: Campus ministry, ministry to the Hispanics, and pastoral hospital ministry.

"Much has been accomplished up to the present," he said, "but I would think that in the next year or so we can do even more."

During the past 20 years, the Diocese of Allentown has grown from 243,260 in a total population of 897,325 to 260,157 Catholics in a total population of 1,032,343. Much of this growth can be attributed to the wisdom and courage of Bishop McShea. His foresight has allowed those few seeds of 20 years ago to blossom into a prosperous and faithful Catholic community whose members work and pray together as the larger family of Christ of which they are all a part.

I am happy to serve Bishop McShea as a Congressman, and I am proud to call him my friend. His 50 years of service should serve as an inspiration to us all.●

FUTURE OUTLOOK—NATURAL GAS

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. COLLINS of Texas. Mr. Speaker, America is seriously concerned about the future of natural gas. A sound evaluation of the outlook was made in a recent speech by Secretary of Energy, James B. Edwards. He spoke before the American Gas Association in Washington, D.C.

He emphasized the need for America to be realistic and for Congress to take the leadership in moving toward immediate deregulation of natural gas. Here are the major sections from the speech of November 18, by Secretary of Energy Edwards.

I suspect that early on after the election last year, many of you were not yet convinced that this Administration was really going to keep its promises. Or that our efforts to deregulate our Nation's energy market would really work. By now, I think most of you are firm believers in our commitment.

Everyone—even the critics who predicted no one would be able to afford gasoline—can see that oil decontrol has been a smashing success. In most parts of the country, gasolines costs less now than it did earlier in the year. And, for the first time in recent memory, the average cost of home heating fuel actually declined a little last month.

But, Washington is undergoing a major transformation. There's a new spirit in the capital these days. I'm sure all of you realize that this President is different from other presidents we've had. Even the bureaucracy is finding that out. He's made promises that he intends to keep. He's given us marching orders that he expects us to follow. And he's set the Nation on a course from which he has no intention of deviating. This President isn't just a man you work for. He's an inspiration. He inspires ordinary men and women to greatness. He wants us to put our narrow interests aside and to stop playing politics with the Nation's future.

He is going to keep on driving down inflation. He is going to keep on cutting the government down to size. And he is going to keep right on dismantling the regulatory apparatus that has stifled our Nation's progress, weakened our resolve and dimmed the light of leadership to which so many other countries look for solace, support and security.

We think we are doing our share. We're not so sure sometimes if industry is always accepting its share. After years of coddling, some sectors of American industry are a little afraid of competition. This Administration believes that competition is in everyone's interest. The oil companies are back in the business of competing with each other; other sectors, including the gas industry, we hope will accept the same set of rules.

The national debt has just exceeded a trillion dollars. That's more money than even a New York banker can comprehend. Think of it this way: If we sold every acre of farmland in America, all the grain and livestock, all the machinery—everything—the proceeds would just about cover our debt.

We've already taken the ax to the Department of Energy's paperwork requirements. More reductions in paperwork are on the way. But just because industry doesn't have to fill out as many government forms—that doesn't mean anything goes. There are plenty of risks. Some of them are already evident. Very few oil companies are making money these days in their downstream business. In order to compete, gasoline is sometimes being sold under cost. Who would have thought even a year ago that the government was not going to perpetually guarantee dealers and oil companies a comfortable rate of return through the Department of Energy's price controls?

The gas industry, too, needs to realize that controls on the price of gas aren't going to last much longer. We can't afford to keep paying a subsidy everytime a Btu of natural gas is burned in America. Correcting the deficiencies in the Natural Gas Policy Act is still on our agenda. I know a few of you are not convinced that decontrol is in your best interests. We're convinced that it is in the Nation's best interest.

The President is as committed to getting the government out of regulating the price of natural gas as he was during the campaign. I expect to continue consultations with Congress and look forward to being able to submit legislation early next spring. We don't intend to call for a windfall profits tax.

The Cabinet Council's proposal to the President, which he has under consideration, is to correct the deficiencies in the present NGPA. Now, what are these deficiencies? First, price. The experts projected that the price of oil in 1985 would be about 16 dollars a barrel. We all know what has happened in that market. Second, after the NGPA runs its course, 40 percent of the old gas will still remain controlled. We recommend that all old, as well as new gas, be decontrolled over a three-year period. The third item to correct is restrictions to the use of natural gas under the Fuel Use Act and incremental pricing. Fourth, we have recommended that a new category be created for newly discovered gas, but the price will be capped off at the Btu equivalent of oil. This discourages a person from discovering new gas and holding it off the market until decontrol is completed. We're proposing to set the maximum price at about 70 percent of the oil equivalent.

There are other non-price issues that must be considered, and these we expect the Congress to take up. The main issues are redetermination clauses and the most-favored-nation clauses in contracts and the access to offshore gas in both interstate and intrastate markets.

Now, what will this do for you? Our studies show that there will be increased conservation that will help us back out of the use of imported oil.

The price will go up moderately but at a manageable rate. The residential price of natural gas is already climbing at 5 to 10 percent a year in real terms. Our study, released last week, provides examples of the impact of decontrol options. We estimate that under phased decontrol the price would go up 10 to 15 percent. That means the average residential buyer will pay 40 to 80 dollars a year more for gas. In the long-run, the consumer will pay roughly the same for gas. And we'll avoid the sudden, sharp price hike in 1985 that is built into the NGPA. That hike would directly cost the consumer about $170 in one year plus the inflationary effects that such a price shock to the economy would cause. Our proposal will have a minimal impact on inflation and on the Gross National Product and a negligible impact on unemployment.

We realize that some of the pipelines will—in the short-run—find that decontrol puts a crimp in their way of doing business. And we realize that some gas distribution companies are afraid that higher prices will reduce demand for gas.

It comes down to all of us paying a little more for natural gas on an interest-free installment plan, or facing a politically unacceptable crisis in 1985.

No one should think that come 1985 we'll just roll over and let the NGPA be fixed up so gas remains subsidized. If we don't start fixing the NGPA now, there *will* be a spike in 1985. That will throw the market into disarray. In addition, some consumers will be hurt a lot more than others because of inequitable access to cheaper price-controlled gas.

President Reagan is asking all of us to make sacrifices; that includes not just the consumer and the taxpayer, but the producers, transporters and distributors of our energy. There may be a few gas companies for whom accelerated decontrol would cause genuine hardship; but, while there will be some shifts in the market, no catastrophes await any of the pipelines and distributors.

Our studies show that the production of gas will not slacken immediately because of decontrol. Instead, the assurance of decontrol will provide the market incentive to develop new fields and to explore for more gas. And we're pursuing passage of the Alaska Natural Gas Pipeline waiver package in Congress. If built, it will expand the amount of gas available in the lower 48.

In short, this Administration is doing its utmost to see to it that there will be plenty of energy available. We think the gas industry has a bright future—but only if the government gets out of the way and leaves it up to industry to match supply and demand. Decontrol will create a stable, predictable market, one where the rules of the game aren't subject to change everytime a bunch of bureaucrats and liberal congressmen decide to interfere.

I realize it isn't easy for a company to sacrifice short-term earnings because of a long-term promise from the government. These days, we are all in the habit of being too present-oriented. Rest assured that the liberal's roller coaster ride is over. The rules

aren't going to keep on changing, and the economy isn't going to keep on declining.

This President realizes that if we don't turn the country around now, if we don't stop bickering among ourselves about who is going to accept the responsibility, and if we don't restore our confidence in ourselves, this country is lost. America is not yet out of the woods. We need incentives to conserve more while at the same time producing more gas, oil, coal, renewable resources and other types of energy. Decontrol will spur conservation and production.

Oil drilling in this country is up nearly 40 percent this year because of decontrol. Gas drilling nudged ahead only six percent. If the gas industry wants to restore its lost share of the energy market—which has gone down from a third to a quarter—we need to do more drilling and more finding. Decontrol will assure that.

The quarter century of experience we've had with manipulating the price of gas by government fiat ought to be proof enough that the market is a far better taskmaster than the government. The government, I'm afraid, has often been too easy on industry. It has become easier to adjust to regulation that to fight it. It is easier to be told what to do than to accept the responsibility for voluntarily assuming a share of the Nation's burden.●

IRVING KRISTOL TELLS THE TRUTH ABOUT REAGANOMICS AND THE FACTS BEHIND THE BIRTH OF "SUPPLY-SIDE" TAX CUTS

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. KEMP. Mr. Speaker, as it becomes increasingly clear that the economy entered a recession before the administration's delayed tax cuts could take effect, it is also increasingly clear how absurd it would be to further delay the tax cuts. The simple fact is that you do not raise taxes during a recession; at least, we haven't since the days of Herbert Hoover.

In fact, we should accelerate the cuts in individual tax rates. As Irving Kristol explained in today's Wall Street Journal, this is a point on which both Keynesians and supply-siders can agree, although for sharply different reasons. The Keynesians think we need to increase demand during a recession. The supply-siders, on the other hand, see increased after-tax incentives as a way to increase output and saving.

Kristol presents a convincing argument in favor of accelerating the Reagan tax cuts. I commend his excellent article to my colleagues and ask them to join Bob Walker and those of us who want to accelerate the tax cuts so as to meet the growing problems of unemployment and negative growth.

The article follows:

THE TRUTH ABOUT "REAGANOMICS"

(By Irving Kristol)

Mr. Kristol is professor of social thought at the NYU Graduate School of Business, a senior fellow of the American Enterprise Institute and a member of the Journal's Board of Contributors.

On or about Oct. 1, the American economy fell off a cliff. So, unsurprisingly, did interest rates. And so, unwittingly, did most of the critics of the administration's economic program.

It is true that even now one hears politicians, in a state of free fall, declaiming to empty space that what this shattered economy needs is either a rollback in President Reagan's tax cuts or a whole new set of taxes. But it is reasonable to assume that such declamations will cease once it occurs to these falling bodies that a tax increase is an absurd prescription for a recession.

Why did the economy collapse? The answer is obvious and has no connection with "Reaganomics." It was the collision between the swollen Carter budget for fiscal 1981 (which ended Sept. 30) and the tight money policy of the Fed, which combined to push interest rates sky-high and the economy into a decline.

It had nothing to do with Mr. Reagan's tax cuts, which are only now beginning to be phased in, and in a minimal way at that. It had nothing to do with Mr. Reagan's budget cuts, which are still largely on paper. And it certainly had nothing to do with an increase in defense expenditures, which are as yet a gleam in the Pentagon's eye.

One might ask: What would have happend if Jimmy Carter had been reelected? Government spending would have been unaffected, since he would have been presiding over his own budget, already promulgated. The Fed would have kept money tight—this policy had been se prior to the election—in an effort to prevent run-away inflation. We would have been exactly where we are today, and for exactly the same reasons.

What might have changed this scenario? Well, if the tax cut had been put in force earlier and to a more substantial degree, it would at least have made the economy's fall less precipitous and even (as "supply-siders" hoped) might have prevented it altogether. It was a major point of the "supply-side" thesis that the negative effects of tight money could be muted, if not annulled, by the positive effects of tax cuts. But conservative Republicans in the Senate, hypnotized by the size of the Treasury's deficit—they have neither learned nor forgotten any economics since the days of Herbert Hoover—insisted on the tax cuts being phased in more gradually.

So where do we go from here? There are three alternatives open to the administration.

RECOMMEND COURSE OF INACTION

First, it can do nothing and just wait for the economy to right itself. Most conservative economists would strongly recommend this course of inaction. As interest rates tumble, as the inflation rate continues to decline and as we approach the 10% tax cut scheduled for July 1, the economy ought to show signs of life—by the second quarter of 1982 perhaps, by the third quarter probably.

Even if interest rates should then start picking up along with economic activity, the increase in corporate cash flow as a result of accelerated depreciation, along with the increased savings and investment created by the tax cut and the flow of funds into Individual Retirement Accounts should moderate the rise.

Second, the government could increase its spending in order to stimulate the economy. The logical candidate for such an increase would be in the area of defense expenditures—since we're going to spend that money in any case, why not spend more of it now rather than later? The trouble with this strategy is that government spending takes its time to have any effect, and it usually starts to stimulate economic activity when the economy no longer needs it.

Third, the administration can try to persuade Congress to move forward—say, to Feb. 1—the 10% tax cut now due on July 1. At the moment this would be difficult, in view of the rhetorical fog exuded by the media and sundry politicians about "Reaganomics." But after a dismal Christmas, the mood of the country could be such as to welcome it.

Incidentally, and ironically, this last strategy—clearly my own choice—is one that any liberal-Keynesian economist would endorse, for reasons having nothing to do with "supply-side" economics. On their analysis, the economy is suffering from "fiscal drag," and the "full employment" budget is actually in surplus. But after having publicly vilified "Reaganomics" so enthusiastically, the Democrats in Congress have made it close to impossible for the party to accept a quickening of the 1982 tax cut. And the Republicans' emphasis on a balanced budget makes it equally difficult for them to do so. So unless or until the recession worsens, Congress is committed to inaction.

Meanwhile, we may as well clear our minds about the issue of "Reaganomics." One of the most distressing aspects of David Stockman's unfortunate interview is the distorted history of "Reaganomics" that it presents, one that is now being gleefully accepted and promulgated by Mr. Reagan's detractors. On this topic I can speak with an authority equal to David Stockman's—we were both there in the early days of the creation—and, for reasons beyond my comprehension, he has got it wrong.

Actually, "Reaganomics" as it finally took shape was the result of a confluence of two streams of economic thought—the "supply-side" school and the "capital formation" school.

The "supply-side" approach was (and is) essentially populist in its approach—which is the reason Ronald Reagan instinctively found it so appealing. Kemp-Roth called simply for a 30% tax cut on all income tax rates for all taxpayers. There was no cut in business taxes, no cut in inheritance taxes. Only individual taxpayers benefited, and all in the same proportion.

This last aspect of the bill upset liberals who seem to feel that any tax cut that does not aim at the redistribution of wealth favors the more affluent. Kemp-Roth was certainly nonegalitarian in this sense. But it did not "favor" anyone. It was simply indifferent to the issue of income distribution. There is plenty of evidence that such indifference is more widespread among Americans than are any egalitarian passions.

But it was not only liberals who disliked Kemp-Roth. The majority of conservative economists—including such distinguished men as Arthur Burns, Herbert Stein, Charls Walker, among others—thought it a misguided effort at tax reform. They believed that any tax cut should aim more directly at the problem—a very real problem—of capital formation. Instead of a cut in tax rates for everyone, which they opposed, they openly pressed for accelerated depreciation, a lower capital gains tax, a reduction in the

top rate of income tax and so forth. The "supply-siders" thought these were all worthy goals, but believed strongly that income tax relief for all tax payers must precede tax cuts for business and the more affluent.

The original tax cut that President Reagan sent to Congress was little more than Kemp-Roth, pure and simple. But then something bizarre happened. The Democratic leadership in the House, desirous of passing "its own" tax bill rather than the administration's, started tacking on the capital-formulation agenda to the "supply side" bill.

UNHAPPY "SUPPLY-SIDERS"

The White House watched with incredulous satisfaction as both agendas were merged into one piece of legislation, and then overwhelmingly passed. The only ones who were unhappy were the "supply-siders"! Their individual tax cut was lowered from 30 percent to 25 percent and was phased in much more gradually than they had hoped.

So there was no "Trojan Horse," no deception, no conspiracy. What is now called "Reaganomics"—the totality of those tax cuts—was a bipartisan creation. And in the long view, the totality of those tax cuts represents the most progressive piece of tax legislation in our history—"progressive" in the sense that it lays the groundwork for sustained and superior economic growth in the years ahead.

In that same interview, Mr. Stockman used the phrase "trickle down" to describe the administration's economic policy, and this has served as a red flag to all those of an egalitarian inclination, who believe that the fruits of economic growth should be equally shared from the outset by everyone.

The phrase, in fact, is an inaccurate one—"trickle out" would better describe the process, since the initial beneficiaries from economic growth are not necessarily and are never exclusively the existing rich. The U.S. has many thousands of businessmen and inventors who have become very rich in the past decade through entrepreneurial innovation. In the course of becoming rich, they have created new jobs (and new careers) for tens of thousands of employes. Is the fact that these employes are today less rich than their employers to be deplored as an inequity? Of course not.

It is inherent in the dynamic process of economic growth that, while everyone benefits over the long term, not everyone benefits equally, and most certainly not in the shorter run. The very incentives that lead to economic growth run counter to any such egalitarian results. What liberals and socialists really want are entrepreneurs and innovators who are selflessly dedicated to their tasks, and who seek no material rewards as a token of their success. Perhaps the world would be a better place if such people existed in larger numbers—but they don't exist in such numbers, never have and (one may fairly presume) never will.

Which is why people who inveigh against "trickle down" are, wittingly or not, committed to a utopian economics. They say they want economic growth but are hostile to the necessary preconditions for economic growth. It is that hostility which accounts for their animus toward "Reaganomics." They are so fearful it might work that they are rushing to discredit it before it has even been tried.●

THE SMALL BUSINESS INVESTMENT INCENTIVES ACT

HON. DAN MARRIOTT

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. MARRIOTT. Mr. Speaker, unless we act quickly, we may have the dubious honor of standing watch over the demise of much of America's small business community. The ability of this Nation's sole proprietorships, partnerships, and small corporations to provide jobs, ideas, and a foundation of strength for our economic system is being swept away by a combination of long-term high inflation, huge increases in energy costs, heavy regulatory burdens, a tax system biased against the smaller firm, and unexpectedly high interest rates.

The good news, of course, is that all of these areas have been addressed: For the first time in memory, an administration has taken serious aim at its own regulatory arsenal and put much of it in mothballs, particularly where small business is concerned; moreover, another precedent was set earlier this year when both parties finally gave the small business something more than lip service in their tax packages.

In recent days, both inflation and interest rates have shown moderate declines; unfortunately, for far too many small firms, the improvement is a case of too little, too late, as shown by the following excerpt from recent testimony of the National Small Business Association before the Subcommittee on Tax, Access to Equity Capital and Business Opportunities of the House Committee on Small Business:

SMALL BUSINESSES ARE HURT FIRST AND HARDEST

It is almost universally recognized that small businesses bear the greatest burden of any credit squeeze.

Council of Ecomomic Adviser's Chairman Murray Weidenbaum told the Wall Street Journal: "In periods of monetary restraint, the smaller, weaker borrowers suffer most."[1]

In an attempt to measure the financial impact of high rates in detail, our association recently completed a report on business bankruptcies.[2]

BANKRUPTCIES

We found a dramatic rise in business failures that has been parallel to interest rate movements. From mid-1980 to mid-1981, business bankruptcies tabulated by the U.S. courts increased 30.1 percent over the previous year. That is the second largest year-to-year rise of the past 20 years, exceeded by only the 45.2-percent increase occurring between 1974 and 1975.[3] Court-filed bankruptcies have thus been running at an alltime record rate of more that 4,000 per month since January, 1981.

Even more current and more alarming are figures from Dun & Bradstreet for January 1 through September 3, 1981, which reflect that business bankruptcies increased from 7,812 to 11,076, a jump of 41.8 percent compared with the same 35-week period in 1980.[4]

Smaller businesses (defined as those with liabilities of $100,000 or less) comprised 50.53 percent of the 1981 total, and reportedly businesses with $1 million or less accounted for about 90 percent.

It is also well known that certain industries are particularly sensitive to interest rates, and have therefore taken a beating from high rates. These include home building, construction, automobile, and farm implements.[5]

An industry breakdown of the D&B figures for the 35-week period is as follows:

1981 compared to 1980

Construction	+48.5
Services	+37.6
Retailing	+41.4
Manufacturing	+36.9
Wholesaling	+30.1

Since many small businesses are undercapitalized to begin with, owners are often required to put up personal assets such as their homes as additional security for business loans. If a bankruptcy follows, an owner can also have his family life shattered, exacting a "toll of personal tragedy."[6]

We must also emphasize to this subcommittee the many reports of well-managed, hitherto sound businesses which are at the end of their rope, and which will not be able to continue in the face of persistent rates in the neighborhood of 20 percent.[7]

IMPACT OF INTEREST RATES ON SMALL BUSINESS CAPITAL FORMATION AND SURVIVAL

In the best of times, capital formation is more difficult for smaller firms than for larger ones.

A fresh study by the Reagan administration clearly establishes anew the disadvantage of smaller size.

The Commerce Department utilized five banks in various regions across the country to take samples of the business community and survey the unmet needs for capital.[8]

This study concluded:

Capital gaps are a reality (page 4);

Gaps as to borrowed funds occur primarily in the intermediate to long-term maturities (page 4);

Independent firms are at a disadvantage in capital markets (page 5); and

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[1] "Surge in Interest Rates Puts Squeeze on Already Ailing Economic Sectors," be Tom Herman and Edward P. Foldessy; May 7, 1981; first page of second section; page 29.

[2] "Report on Business Bankruptcies," National Small Business Association, September 21, 1981.

[3] Court filings are on the basis of the "statistical year" of the U.S. Courts which record the information. For the past 2 years the figures have been as follows: Statistical year July 1, 1979 to June 30, 1980—36,433: statistical year July 1, 1980 to June 30, 1981—47,414 (Excluding joint petitions).

[4] "Business Failures Increase," New York Times, September 13, 1981.

[5] Herman and Foldessy; op. cit.

[6] Interviews with Samuel Greenbaum, Esq. and Charles A. Doctor, Esq., Washington, D.C., September-October, 1981.

[7] See Testimony of William D. Barth, Director of Small Business Practice, Arthur Andersen & Co. before the Senate Finance Committee in behalf of NSB's Small Business Legislative Council, May 20, 1981.

[8] "An Empirical Analysis of Unmet Demands in Domestic Capital Markets in five U.S. Regions," U.S. Department of Commerce, February, 1981.

Small firms have the most difficulty obtaining capital (page 5).

In the area of equity capital, hearings in the Senate have documented similar difficulties of smaller and even medium-sized businesses, especially at the bottom of difficult economic cycles.[9]

These problems are dramatized by the statistics for the mid-1970's, which show that small firms (worth $5 million or less) were able to sell only nine registered stock issues in 1974 and four in 1985.[10]

This subcommittee, chaired by Mr. Nowak, and on which I am the ranking Republican, heard from many others whose testimonies reflected the same concern. The National Federation of Independent Business, for example, told us,

The state of small business is dangerously weak. Over the last year, thousands of small firms have gone out of business, and today many more are just barely holding on. * * * As the interest rates paid by these reluctant borrowers has risen with anticipated inflation, cash flows have been squeezed even further.

In fact, the NFIB concluded that, "for many firms, this prolonged period of high interest rates has been the 'knockout' blow after having been severely debilitated by the adverse effects of years of unsound government policies."

M. Eamonn McGeady, speaking on behalf of the Chamber of Commerce of the United States, noted,

For many businesses, especially the small ones that are relatively more dependent upon short-term debt, effective defensive measures have long since been exhausted in this 3-year battle with high and rising interest rates.

Incredibly, our past tax policies have forced investors to weigh the tax shelter benefits of a venture before they even consider its potential profit or productivity. There is something terribly wrong when an investor can receive tax credits for putting money into an oil well with little probability of oil production, or into a shopping center that is never fully occupied, but not for providing badly needed capital to a promising small business. It is time to rechannel investment money from tax shelters, where the success of the business is not the primary consideration, to areas where success is actually a prerequisite for the best return.

For that reason, I, and 24 of my colleagues, Mrs. SNOWE, Messrs. WILSON, BAFALIS, FORSYTHE, DE LA GARZA, HANSEN of Utah, BADHAM, GINGRICH, ROTH, JEFFRIES, MCDADE, MCEWEN, CRANE, DREIER, WILLIAMS of Ohio, CONTE, NEAL, DAUB, WEBER of Ohio, LOTT, STATON, EVANS of Georgia, and ROEMER, are today introducing the Small Business Investment Incentives Act.

First, the bill amends the Small Business Investment Act by removing the $35 million ceiling on leverage to any one small business investment company (SBIC). The ceiling, which has been in effect since 1976, is inconsistent with the purposes of the 1958 act. It discourages the formation of new, large SBIC's and stunts the growth of existing SBIC's.

Second, it allows SBIC's to make loans to their employees to buy stock options. This will make SBIC laws consistent with Public Law 96-477. Allowing such option plans will enable SBIC's to attract more talented management and could allow them to give the employees a stake in the business.

Finally, it establishes a small business participating loan, with special incentives for loans to minority and disadvantaged businesses.

Under this program, the loan would be made to a company with equity capital of less than $10 million. It would not be subject to Securities and Exchange Commission regulation. And, it would bear a stated rate of interest—at least 6 percent—plus pay a negotiated percent of the profits for a negotiated period of time.

The advantages to the lender are as follows: (1) The stated interest paid by the borrowing business would be taxed as ordinary income to the lender; (2) the share of the borrowing business' profits would be taxed at the preferential capital gains rate; (3) the lender would be entitled to deduct any losses incurred as ordinary losses; (4) an investment tax credit (ITC) of 20 percent of the amount of the SBPL, or $20,000—whichever is less—would be allowable to the lender; in the case of a joint return, the limit would be $40,000, and (5) on a loan made to a minority or disadvantaged business—as defined by the SBA—the lender would qualify for an ITC of 30 percent of the amount of the loan, or $30,000, whichever is less. In the case of a joint return, the limit would be $60,000.

There are clear advantages to the small business borrower as well: (1) Interest payments would be a deductible expense; (2) obtaining growth capital through the SBPL would not require giving up a share of the business' equity to an outsider—something small businessmen and women are extremely reluctant to do; (3) the SBPL is self-administering—no additional Government redtape would be required; and (4) since return on investment depends on the small firm's profitability, the business would have a lender with a vested interest in its success.

I submit that this approach is far superior to any direct grant or loan of the taxpayers' money. It relies on the private sector almost entirely. Moreover, it should redirect investment capital from dead end investments, tax shelters that cause a "revenue loss" to the Treasury without any recapture of new tax revenues, to areas that will spur job creation, innovation, and productivity. Finally, it recognizes the fact that, for the past decade, well over 95 percent of the capital obtained by small businesses has come in the form of loans, since most small companies are not incorporated and so do not issue stock.

The record makes it abundantly clear that this kind of creative approach is overdue. A lot of people have recently taken to quoting John F. Kennedy's observation that "A rising tide lifts all the boats." That's no consolation to a boat already driven onto the rocks or in dry dock for repairs. Unfortunately, that is the state of many of America's battered and bankrupt small businesses. This proposal is one step we can take to prevent even more small firms from joining their ranks.

I would urge my colleagues to join the rest of us, who represent both parties and a broad spectrum of political philosophies, in this effort to avoid tinkering with monetary policy while we seriously attack the problem of high interest rates as they affect our small business community. The history of this Nation—economically, socially, and politically—demonstrates that it is a worthy cause indeed.●

[9] See 31st Annual Report, Senate Small Business Committee, Chapter III, pp. 29-62.

[10] 31st Annual Report, loc. cit, page 34.

HOUSTON ELECTS FIRST WOMAN MAYOR

HON. MICKEY LELAND

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. LELAND. Mr. Speaker, today I am proud to be a Houstonian. I am proud that my city has elected Kathy Whitmire, the first woman mayor of Houston. Kathy received 62 percent of the runoff vote and won in virtually every election precinct. The fact that every important ethnic and socioeconomic group gave her strong support is very significant. She appealed to the wide diversity of Houston voters because of her mixture of fiscal conservatism and social progressivism. While she stressed both her ability as the former city controller to save the taxpayers millions of dollars, and her ability as a certified public accountant to manage the city, she certainly did not win the election because of money. Her opponent, Jack Heard, spent more than three times as much money as she did. Heard spent $1.5 million while Kathy spent only $650,000. To counterbalance her lack of funds, Kathy used the volunteer support of hundreds of people from all walks of life throughout the city.

Kathy Whitmire's victory is a sterling example of the power of the people. She ran her campaign with great integrity and I am certain she will bring the same degree of integrity

to her new job as mayor of Houston. Kathy's style of management will bring together the many diverse groups that live in Houston. I recommend that my colleagues take a few minutes to read the following two inspiring articles:

[From the New York Times, Nov. 19, 1981]

FEMINIST MAYOR FOR HOUSTON

(By William K. Stevens)

HOUSTON.—She beat them all: the Mayor, who in the voters' minds had apparently allowed the quality of public services in explosively growing Houston to slip badly; the sheriff, who called his 5-foot opponent "that little lady," and the bankers and lawyers and developers and big-money people who once largely decided who was elected to public office in Houston.

Kathy Whitmire, who was married at the age of 20, widowed at 30 and a seasoned politician and dedicated feminist at 35, won a stunning victory Tuesday to become the first woman to be elected Mayor of this boisterous, muscular city, a city long seen from afar as a masculine preserve of Big Oil, country-Western music and good-ol'-boy ways of looking at the world.

Mrs. Whitmire, after four years as City Controller, defeated Sheriff Jack Heard in a runoff-election landslide, just as together they had resoundingly sent Mayor Jim McConn toward unwilling retirement two weeks before. Final unofficial returns gave Mrs. Whitmire 62.5 percent of the runoff vote. She won in virtually every election district and ran strongly among every important ethnic and socioeconomic group in this increasingly polyglot city.

In January, Houston will join the company of three other big cities with mayors who are women: Chicago, San Francisco and Phoenix. "I'm proud of that," Mrs. Whitmire says. But in terms of Houston itself, the nation's fifth largest city, both she and others see a greater significance.

THERE'S ROOM FOR DIVERSITY

What it means, the Mayor-elect said, is that Houston is growing up. "there's room for diversity in this city, and I think that's good," she said in a relaxed conversation a few days ago. "Nobody has control. I think what my administration will represent is the idea that Houston can be managed like a business and that it doesn't have to be the captive of a few power brokers."

Mrs. Whitmire won the mayoral race with almost no support when it counted from the moneyed power brokers. But, even after her impressive victory, political analysts were already saying that to avoid a strong challenge in 1983 she would have to convince those same interests that she could deliver on her overriding election promise: to apply the principles of sound business management so as to improve basic city services.

It is hardly a revolutionary manifesto, and Kathryn Jean Whitmire is no revolutionary. But she is a deeply committed feminist. She learned to speak in public by stumping against repeal of Texas' ratification of the proposed equal rights amendment. As early as 1973, she was an active member of the National Women's Political Caucus.

She has taken strong stands in favor of nondiscriminatory hiring policies in city agencies, including the hiring of homosexuals as police officers if they apply and are qualified. In matters of human rights and equal opportunity, she would be called a liberal elsewhere. She shies away from the term, however, because it is anathema in Texas politics; she prefers to call herself a "progressive."

SUBDUED CAMPAIGN STYLE

But in money matters Mrs. Whitmire is an out-and-out conservative, and in this fusion of fiscal conservatism with an otherwise generally liberal outlook she may be representative of many rising politicians of her generation. She is a Democrat, although the mayoral election is nonpartisan.

Her Texas-accented campaign style is subdued, even bland, but she is somewhat more animated in private. Until recently she wore her hair in a platinum, shoulder-length pageboy. She has changed it now to a curlier, shorter style in its natural honey color. It is less flamboyant, more in keeping with the tailored suits she wears and the moderate, sensible image she tries to project.

She was born Kathryn Niederhofer in Houston on Aug. 15, 1946, the daughter of Karl and Ida Niederhofer. Her father, a retired electrical contractor, and mother are now divorced.

The Mayor-elect has been interested in politics "as far back as I can remember," she said. She "always figured I would marry somebody in politics," and did. She met Jim Whitmire when they were both students at the University of Houston, from which she holds an accounting degree, in the mid-1960's. By all accounts the relationship was very close, almost to the point where the two were alter egos. She became a certified public accountant, rising to audit manager for the firm of Coopers & Lybrand.

PREOCCUPATION WITH POLITICS

But politics was the Whitmires' preoccupation and hobby. He ran twice for the City Council and lost. Her own ambition was growing in those years. And when her husband died of complications of juvenile diabetes in 1976, she took up the mantle the next year and ran successfully for Controller. In that post she established a reputation as an aggressive guardian of the city's financial health who did not hesitate to cross swords with Mayor McConn or anyone else.

The Whitmires had no children, and Mrs. Whitmire has been devoting her full energies to politics and government. Her reputation is that of a tough administrator who will brook no frustration or tolerate ineffective performance by a subordinate, an adroit infighter whose every important move is made with one eye on politics.

Mrs. Whitmire lives in half of a duplex in Southwest Houston that she co-owns with her brother, Tom, and sister-in-law. They have installed a swimming pool, and Mrs. Whitmire likes to go to the beach, but, as for hobbies, the Mayor-elect asks with a laugh, "What are those?"

[From the Washington Post, Nov. 20, 1981]

MAYOR-MANAGER—HOUSTON'S NEW CHIEF EXECUTIVE WANTS TO MAKE FIFTH BIGGEST CITY RUN BETTER

(By Dan Balz)

HOUSTON—She is barely 5 feet tall in a city of soaring expectations, a 35-year-old accountant in a den of dealmakers, and the first woman elected mayor in the history of brawling Houston. But if any of that overwhelms Kathy Whitmire, she isn't letting on.

She won a landslide victory Tuesday, swamping her opponent with 62 percent of the vote, and as a horde of reporters camped outside her city hall office awaiting her first official press conference as mayor-elect, Whitmire stared straight at the problems that confront her.

"I'm not a no-growth candidate and I didn't think my opponent was a no-growth candidate," she said, "so it wasn't a referendum on growth. People in Houston have had a lot of opportunities that have been brought on by the economic boom, and I don't think there are very many people who want to do away with that kind of opportunity.

"But I think the growth would stifle itself if the city government is not about to do something about the traffic and the flooding and the crime."

She has none of the flippant feistiness that marks her mayoral sister to the north, Jane Byrne of Chicago, but there's a steeliness about Whitmire's conviction that what this fast-growing city needs more than anything now is good management in city hall.

"That's what I ran on," she interjected when asked whether management reforms alone were enough to overcome the monumental traffic jams, inadequate public transportation, rising crime and deterioration of city services that mark daily life in Houston. "In Kathy Whitmire's opinion, that is what's needed. Absolutely."

She is trying to devise a tricky formula to guide the city in the next two years—an attack on the effects of growth without wrecking the growth climate that has made Houston the nation's fifth-largest city. But Whitmire sees the formula from the other side. Solving the problems of growth, she says, is what it takes to avoid inhibiting growth.

Whitmire has yet to persuade skeptics that reforming the local bureaucracy is the kind of leadership that Houston wants or needs. "Many of the traditional power-brokers in the city that did not support Whitmire will have to be convinced that she can do a competent job as mayor or they're going to start looking for an attractive candidate to run against her in 1983," said Richard Murray, a political scientist at the University of Houston.

"I think Dick's just wrong," Whitmire said, characterizing her election as representing "a new direction at city hall."

Whitmire was born and raised in Houston, the daughter of working-class parents. She remembers when the first freeways were built, how she used to get around on the bus and that she never worried about locking her doors at home, but she shares the view of many local residents that Houston today is a better city than when she was young.

Married at age 20, she got involved in local politics through her husband. "I've always been interested in politics," she said, "and I always expected to be involved in politics, except that I expected to be the wife of a politician or a candidate rather than to be one myself."

But in 1976, her husband died, and shortly after that the office of city controller was vacated. Whitmire, a certifed public accountant, jumped into the race, and because Houston had never elected a woman to any elective office, her campaign became a crusade that attracted thousands of volunteers.

As controller she became a visible critic of incumbent Mayor Jim McConn, opposing pay raises for city employees, and denouncing a $1.35 million street inventory as a "pothole study." She also reformed the pension program in the city and reworked the financing of the city water system to head off tax increases.

Whitmire is a Democrat, but she seeks to avoid political labels. "I think that every-

body recognizes that on financial matters I am very conservative," she said. "But when you say conservative . . . people extend that into a lot of other things like being against women's rights and against individual liberties.

"I don't subscribe to any of those philosophies," said the woman who won the active support of the city's gay community. "I'm not in favor of the government trying to control anyone's life. I'm really even a strong defender of property rights in that I don't favor zoning. So how you classify that in terms of liberal and conservative, I don't know."●

WORKING AMERICANS: THEIR NEEDS FOR THE FUTURE

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. OBERSTAR. Mr. Speaker, the House Public Works and Transportation Subcommittee on Economic Development, which I have the honor to chair, held hearings this week on economic development policy. We will draw heavily on the wealth of factual information developed at these hearings when we write our legislation next year.

One of our most informative witnesses was Dr. Janet L. Norwood, Commissioner of the Bureau of Labor Statistics, U.S. Department of Labor. She gave us a truly eye opening and enlightening picture of today's diverse labor force, one which I would like to share with my colleagues.

STATEMENT OF DR. JANET L. NORWOOD, COMMISSIONER, BUREAU OF LABOR STATISTICS

Mr. Chairman and Members of the Subcommittee, I am pleased to be here this morning to review with you some labor force issues involved in economic development. Before we look at developments for the future, however, we must be sure to understand where we are today. A number of developments have occurred over the last few decades which must be considered in labor market planning for the future.

UNEMPLOYMENT

Unemployment has been considerably higher in recent years than it was in the 1950's and 1960's. The overall jobless rate averaged 6.2 percent during the 1970's, compared with less than 5 percent in each of the previous 2 decades. Changes in the age composition of the labor force as well as social and legislative changes that affect the supply and demand for labor have contributed to this pattern. While the exact causes of the rise in unemployment are complex and discussion of them tends to arouse considerable controversy, the one unquestioned fact is that there are now many more young workers than there were previously. Millions of children born during the post-war baby boom have grown up and entered the labor force. As a result, the labor force now contains a higher proportion of young people than it used to, and teenagers always have higher than average jobless rates.

But we know that the impact of unemployment has never been evenly distributed across demographic groups. Blacks and other minorities have always been worse off than whites, women have typically had higher jobless rates than men, and youth unemployment exceeds that for more mature workers.

In general, unemployment rates for black Americans typically are at least twice the rates for whites, and jobless rates for the Hispanic population fall between those of whites and blacks. But black teenagers fare the worst of all worker groups. In October, the jobless rate for black and other minority workers was 15.5 percent, the highest on record. The rate for teenagers in this group was 43 percent.

It is not surprising that young people have higher unemployment rates. Youngsters need time to explore the job market and to gain the experience and training that will lead to future success. Furthermore, many young people combine school and work. They often experience a period of joblessness as they move in and out of the labor force. It is true that young people have the highest incidence of unemployment, but they also experience the shortest periods of joblessness.

Moreover, the policy implications are quite different when the unemployed are students—who often seek part-time work—or when they are young people who have dropped out of school without completing their education credentials. Among persons 16 to 24 years of age, the jobless rate for drop-outs runs roughly twice the rate for those who completed high school.

Cyclical movements in the economy tend to affect certain labor force groups and geographic areas more than others. Since economic recessions tend to affect employment in manufacturing and construction most severely, men generally are harder hit than women, because most factory and construction workers are male. In addition, those geographic areas that are heavily dependent on durable goods manufacturing are affected more sharply than other areas. In recent years, the old industrial areas of the Midwest and Northeast have suffered as people have moved to new jobs in the South and West and as cyclical reductions have occurred in the demand for manufactured goods. It is, therefore, not surprising that Michigan's unemployment rate is now the highest in the Nation.

In addition to these recent economic developments, the composition of unemployment reflects long-term labor force trends. In October, 44 percent of the unemployed were adult men, 35 percent were adult women, and the remaining 21 percent were teenagers. While the female share of unemployment has been generally rising over time as women's labor force participation has increased, the cutbacks in the goods-producing sector have caused a relatively greater increase in joblessness among men. Among all demographic groups the vast majority of the unemployed are seeking full-time jobs: four-fifths of the adult women, three-fifths of the teenagers, and 95 percent of the adult men want full-time work.

We must remember, too, that considerable turnover occurs in the ranks of the unemployed from month to month. Typically, even in a month when the unemployment level is unchanged, about half of the unemployed were not unemployed in the previous month. A little more than a quarter of those who were unemployed in the previous month will have found employment, and a little less than a quarter will have left the labor force, perhaps to attend school, devote full time to other activities, or go into retirement.

UNDEREMPLOYMENT

Underemployment is also a worrisome problem, although it is not easily defined. "Visible underemployment" as defined by the International Labour Office refers to people who do not have a sufficient amount of work. In the United States, we regularly measure and publish statistics on the number of persons who are working part time but who want to work full time. This statistic has been rising recently as the labor market situation has deteriorated. In October, a record 5 million persons were working part-time because their hours were cut back or because they were unable to obtain full-time work.

The more classic concept of underemployment was that used by the Gordon Committee in 1962. The Committee referred to the "employment of persons at jobs that call for less than their highest level of skill (and at wages less than those to which their skills if fully utilized, would normally entitle them)." In this sense, underemployment is the relationship between the quality of the job and the ability and skill of the incumbent. The trouble is that scaling these abilities and skills is very difficult.

Education is, of course, desirable in and of itself. But education also brings with it an expectation of obtaining a particular type of job. The National Center for Educational Statistics projects that in each year of the decade of the 1980's about 1.1 million people will graduate from college. But we in BLS project that only about 850,000 openings will occur each year in jobs which traditionally have been held by college graduates—that is, professional, technical, managerial, and administrative jobs. This imbalance suggests that nearly 1 graduate in 4 will probably have to enter an occupation not previously requiring a college degree.

LABOR FORCE COMPOSITION

Women.—Let's turn now to demographic changes in the profile of the U.S. labor force. The most striking change, of course, has been the increased participation of women in the labor force. Today, more than half of all women are in the labor force. This compares to one-third in 1950. While women over age 35 made the greatest strides in the 1950's and 60's, the last 10 years have been characterized by phenomenal advances in labor force participation among younger women. The participation rate of women in the 25- to 34-year age group was 34 percent in 1950, rose to 45 percent by 1970, and reached 66 percent in 1980.

As more and more women enter the labor force, the proportion of multi-earner families increases. Looking at data just for wives, we find that fewer than 1 of every 4 was in the labor force in 1950, compared with 1 of every 2 wives today. What this means is that the "traditional" family, in which a working husband supports his homemaker wife and two children, is no longer typical. In 1980, this type of 4-person family represented only 6 percent of all American families. The increase in labor force activity has been particularly strong among wives with children. In 1980, 4 out of every 10 preschoolers had a mother who worked outside the home. The proportion is even higher among school-age children—6 out of 10 of them had a working mother in 1980.

Another demographic change with important social implications is the dramatic increase in the number of families maintained entirely by women. Currently, there are about 9 million such families, one out of

every six families in the Nation. Women who maintain families tend to face severe problems in the labor market—their unemployment rate in recent months has exceeded 10 percent. Moreover, these women are much more likely than other workers to be the sole family earner. When unemployment strikes, the family has fewer options and tends to be very hard hit.

Minorities.—During the 1970's, the share of black and other minority races in the labor force rose to 12 percent. This increase resulted entirely from population growth; the participation rate for black men declined even more than that for their white counterparts, while the participation of black women rose less than that for white women.

Blacks are expected to continue to increase their share of the labor force in the 1980's. These gains will occur both because of population growth and because of rising labor force participation rates for minority women. Because the birth rates among black and other races did not decline as soon nor drop as much as among whites—blacks are expected to account for 1 of every 5 additions to the labor force during the 1980's. This compares to 1 in 10 additions in the 1960's and 1 in 7 in the 1970's. We all know that blacks have not fared as well as whites in the labor market; their jobless rates are very high. If we are to succeed in narrowing the large differential in black and white unemployment rates, these projections imply that blacks must obtain more than 1 of every 5 additional jobs generated during the 1980's.

Youth.—We expect the rate of labor force growth to slow during the 1980's because of the reduced birth rates during the 1960's and early 1970's. The youth labor force (16–24 years of age) will actually decline during the next decade. This will reduce the number of young people available to join the Armed Forces or accept employment in those industries that draw their workforce primarily from this age group. It will also reduce the market for educational institutions and those industries that produce goods and services for youth. As the youth share of the labor force declines, of course, the adult share will increase. This means that we can expect a future work force that is, on average, more skilled, more experienced, and potentially more productive than we have had in the recent past. This development can be expected in spite of the long-term secular decline in the labor force activity of adult men. As early retirement has become more prevalent, the decline in labor force participation rates has been especially large among men over 55 years of age.

INDUSTRY COMPOSITION

Workers of the future will work in different industries than workers of the past. Thirty years ago, one in every 2 workers was employed in agriculture, mining, construction, or manufacturing; the other worked in the service sector—transportation, public utilities, trade, finance, insurance and real estate, services, or government. In the last 3 decades, however, 90 percent of all new jobs were in the service-producing sector. By 1980, only 3 out of every 10 jobs were in the goods-producing sector.

Within the service-producing sector, business services, amusement and recreation services, legal services, social services, and, especially, health services expanded their work forces. The private health industry alone added more than 2 million jobs during the 1970's.

Factory jobs continued to increase, but very slowly. And employment in such important industries as autos, steel, railroads, and textiles actually declined. Nevertheless, the oil and gas extraction industry (in mining) and the electronic computer equipment industry just about doubled their job counts.

The industrial composition of employment differs from place to place. New England and the East-Central regions of the Nation have the highest share of goods-producing jobs, while the Middle Atlantic States have the highest share of service-producing jobs. All areas have, however, participated in the rapid growth of service jobs.

The States with the most rapid employment growth between 1950 and 1980 were generally in the South and West. Nevada, Arizona, and Florida were the three States with the highest percentage growth. Slow-growing States were concentrated in the north-central and northwestern areas of the country. West Virginia, New York, Pennsylvania, and Rhode Island registered the smallest percentage increase in jobs.

During the next 10 years, we expect continued employment growth in the services industry as medical, business, and other services generate many jobs. State and local government's share of total employment will probably decline during the 1980's.

Factory jobs are projected to hold their own during the next decade because of an acceleration of investment and an increased emphasis on defense expenditures.

Since I have covered a great deal of material, let me conclude by summarizing some major points:

The burden of unemployment is not shared equally among all groups of our society. If the historically-wide dispersion between blacks and whites is to be reduced, it is estimated that more than one in five of the additional jobs generated between 1980 and 1990 will have to go to black workers.

With the rapid increase in the labor force participation of women, the multi-worker family has become the norm—at least among married couple families. Families maintained by women, however, face serious problems in the marketplace.

Seven out of ten jobs are now in the service-producing sector and job growth is expected to continue to be stronger in this component of the economy.

Mr. Chairman, thank you for inviting me to testify today and I would be pleased to answer any questions which you or the Committee members might have.

APPENDIX: SOURCES OF DATA

The labor force data come from the Current Population Survey (CPS), a monthly sample survey of about 60,000 households, representative of the civilian noninstitutional population of the Nation. The CPS provides a large amount of detail on the economic and social characteristics of the population. It is the source of monthly estimates of total employment, both farm and nonfarm, and total unemployment, whether or not covered by unemployment insurance. It is a comprehensive source of information on the personal characteristics of the population, such as age, sex, race, educational attainment, and marital and family status.

Counts of nonfarm payroll jobs, hours, and earnings, come from the Current Employment Statistics program, a cooperative Federal-State venture which collects data from a sample of establishments employing over 30 million wage and salary workers. The data relate to all workers, full- or part-time, who received pay during a specific payroll period, and are available by considerable industrial detail for the Nation as a whole and by State and metropolitan areas.

Employment and wage data for workers covered by unemployment insurance laws are compiled from quarterly tax reports submitted to State employment security agencies. These reports provide a virtual census of workers (and their wages) of private nonagricultural employers and the Federal Government. The majority of State government employees are also included.

Local area labor force and unemployment estimates are a product of a Federal-State cooperative program in which State employment security agencies prepare estimates under concepts, definitions, and technical procedures established by BLS. The monthly estimates for 10 large States are obtained directly from the Current Population Survey. Estimates for smaller areas are based on administrative statistics from State unemployment insurance operations and other sources.●

FUTURE OF THE SECURITY OF THE WORLD

HON. ROBERT W. DAVIS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. DAVIS. Mr. Speaker, this week two very important events took place which will bear directly on the future of the security not only of the United States, but of the world.

The first was the speech by the President proposing reductions in strategic and theater nuclear weapons, conventional forces and also increased discussion of ways to prevent war. The second was the passage by this body of the fiscal 1982 defense appropriations bill containing funds for the B-1 bomber and MX missile. I would like to express my strong support for both of these actions and explain why I believe the two are not inconsistent.

I don't believe there is anyone among us that could not feel a sense of hope being stirred by this major foreign policy initiative. It was truly a historic occasion and may one day be marked as one of the significant turning points in our quest of a more peaceful world.

On the same day, the House of Representatives turned back by wide margins attempts to delete funds from the defense appropriations bill for two major strategic nuclear programs, namely the MX and B-1B. I am sure that opponents and cynical observers would attribute this to "business-as-usual" or political considerations by the Congress on a day which also marked the beginning of a major peace effort aimed at reducing the chance that such weapons ever are used. If Congress had really wished to make a sincere statement of support for the President's speech, the opponent would say, funds for these new,

costly, destructive nuclear weapons would have been cut.

Such a view does not consider, however, the factors which allowed the President to offer such a policy in the first place. As President Reagan pointed out in his speech, these issues must be kept in their proper perspective and be considered in the context of the military build-up by the Soviet Union. they have made tremendous improvements in all phases of their military forces, nuclear and conventional, offensive and defensive, air, land, and sea-based. Let us not kid ourselves; Soviet leaders are deadly serious about their nation's military forces. These forces have been increased and improved and the potential threat which they pose to the national security of the United States and our allies cannot be ignored.

The Reagan administration took office with the intent of addressing a number of serious problems in our Nation's defenses. I believe we have made progress in less than a year in some of these areas although much remains to be accompliished. Perhaps the most important is the effort to rectify the perceived strategic imbalance. It has been a part of accepted American military doctrine that military weakness, or even perceived weakness is the surest way to invite aggression. In fact, it has been a part of military thought for thousands of years. In terms of 20th century strategic nuclear doctrine, this concept has evolved into a policy insuring stability; that neither superpower shall ever be able to perceive a benefit greater than the cost of initiating a nuclear war. The validity which each of us attaches to this policy is closely tied to the assumptions we make regarding the intentions of Soviet policymakers. When mistaken assumptions could well result in nuclear war, it seems wise, to my way of thinking, to move very carefully. Allowing our strategic forces to become ineffective based on hope is not careful in my view.

Improvements in Soviet strategic nuclear forces coupled with the growing obsolescence of American strategic nuclear forces has created a threat to the strategic stability or balance. The B-1B and the MX are the results of programs to upgrade our forces to regain that balance. I am aware of the numerous arguments that have been presented on both sides of these issues relative to the merits of the programs. Personally, I am convinced by the arguments in favor of the programs and this House is on record strongly supporting both. The point which I would like to stress in this statement is that going ahead with these programs is not incompatible with the goals outlined in the President's speech.

Many opposed to the MX and B-1 programs have focused on the seemingly never ending build-up of strategic nuclear forces and asked how continued spending on such programs can possibly lead us to a more peaceful world. To respond to that, I would again paraphrase the President and state that such decisions must be viewed from the proper perspective; the programs are in response to a perception of a potential danger, a danger which cannot be ignored. There is a period approaching of instability in the strategic balance which if we do nothing to avert, may result in the perception, whether real or imagined that there is a vulnerability. Our efforts to "close the window", in terms of these specific programs are therefore short-term and should not be viewed as a regressive step to our long-term goal of negotiating an end to the threat of nuclear destruction.

To continue to pursue our long-term goal, we must indicate that we sincerely seek to pursue reductions of military forces and that the door back to the negotiating room is always open. This the President has done in the most visible and direct fashion.

We cannot, however, seek to negotiate from a position of weakness. We cannot allow our military forces to deteriorate from insufficient attention and resources. We cannot use our long-term goal as our excuse for not doing what must be done in the short-term to keep ourselves strong. We cannot gamble on negotiation because in the world of negotiation, there is no guarantee.

In a more pragmatic sense, if we do not fulfill our short-term goals, we will actually set back our long-term effort. If both sides do not similarly perceive the threat posed by the existence of nuclear weapons, what incentive remains to proceed to the negotiating table?

These short-term goals must be kept in their proper perspective, however. Because our country will continue to rebuild our defenses and maintain our stength, it is not a signal that our long-term goals are false or merely rhetorical. Let no one underestimate the sincerity of our intention in seeking a more peaceful world. A world without war, as difficult as it is to imagine at times, is one of the most powerful motivations there is.

We will continue to pursue our long-term goal, but we will proceed carefully. The stakes are too high to follow any other course than this.●

CHEMICALS AND CANCER

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, November 20, 1981

● Mr. OBEY. Mr. Speaker, the following article by Dr. Samuel Epstein provides an important perspective on two of the most important health questions of our time: What causes cancer and how can it be prevented? The two questions are related. They are the focus of a heated debate between those who stress the importance of involuntary exposure to environmental carcinogens and those who emphasize lifestyle factors such as smoking while suggesting that environmental causes like carcinogenic chemicals in the workplace are relatively unimportant. The argument revolves around the relative importance that one ascribes to either environmental carcinogens or lifestyle factors. In the debate in this area, like many other health areas, the scientific evidence is incomplete and sometimes contradictory. I believe that Dr. Epstein makes a useful contribution to the debate by pointing up the scientific problems with the data used by some lifestyle proponents. I certainly don't believe that the last word is in, and I personally don't even agree with some of Dr. Epstein's arguments on the role of diet, but I do think that he puts his finger squarely on the way the chemical industry uses the lifestyle argument to take the public's eye off their own contribution to the problem of cancer causation.

FALLACIES OF LIFESTYLE CANCER THEORIES

Peto's article, purporting to be a review of the book The Politics of Cancer, is largely a restatement of the lifestyle theory of cancer causation. This theory postulates that if you get cancer it is essentially your own fault, and that the causal role of past involuntary exposure to environmental and occupational carcinogens is trivial. Not surprisingly, the lifestyle theory has emerged as the major professed basis of the chemical industry's objections to the regulation of its carcinogenic products and processes. As an enthusiastic proponent of this theory, Peto asserts that smoking-derived and fat-associated cancers "collectively account for more than half of all cancer deaths." As a corollary, of Peto's emphasis on lifestyle factors, he denigrates the role of occupational and environmental carcinogens and the need for their effective regulation, claiming that there has been no recent increase in cancer mortality rates other than that due to smoking. We shall demonstrate that there is scant scientific basis for the lifestyle theory, and that it is in fact contradicted by a substantial body of published evidence.

CANCER RATE TRENDS

Peto justifies his emphasis on lifestyle factors by dismissing evidence for recently increasing cancer rates, apart from "that due to the massive effects of smoking on lung cancer". However, there is substantial evidence to the contrary. Standardized cancer death rates, adjusted to the 1940 age structure of the total United States population, show a progressive overall increase of about 7 percent from 1935 to 1970 (ref. 4) despite marked reductions of stomach cancer rates for unexplained reasons and of cervix cancer rates for reasons including the frequency of elective hysterectomy for non-malignant disease and the success of screening programmes. These trends are consistent with standardized mortality data for the United States (Table 1), where they are even more marked in black males, and with

crude mortality data for the United Kingdom (Table 2). The overall rate of increase in US cancer mortality in the 7-year period from 1969 to 1976 (5.5 percent), adjusted to the 1970 age structure, is substantial and comparable with that for the preceding 35 years, 1935 to 1970 (7 percent). The overall increase in incidence rates is even more marked than mortality rates in the past decade, involving a wide range of organs besides the lung (Table 3). Moreover, the increase in incidence for all sites is comparable with that when lung cancer is excluded (Table 4).

Reliance on overall age-adjusted incidence or mortality rates alone is simplistic, as such rates can mask steep increases in organ-specific cancers in high risk population subgroups, such as asbestos insulation workers or menopausal women treated with oestrogen replacement therapy. The overall probability, at today's death rates, of a person born now getting cancer by the age of 85 is 27 percent for both men and women; this is increased from the 19 percent for men and 22 percent of women born in 1950. Furthermore, recent cancer rate trends reflect exposures and events beginning some 20 or 30 years ago, when the production of synthetic organic chemicals was relatively trivial compared with the present levels. The production of synthetic organic compounds in the United States in 1935, 1950 and 1975 was about 1, 30 and 300 billion pounds per annum, respectively; sharp increases have also been observed for a wide range of derived industrial products such as chlorinated hydrocarbon solvents, plastics and resin materials, and of industrial carcinogens, such as vinyl chloride and acrylonitrile. It is resonable to anticipate that greater production has been paralleled by increased exposure of increasing numbers of both the workforce an the general public, which is likely further to accentuate increasing trends in cancer rates. It must also be recognized that before the 1976 Toxic Substances Act, which the chemical industry so effectively stalled for so long, there were no requirements for testing chemicals before their introduction into commerce (with the exception of special-purpose legislation for drugs, pesticides and food additives). Thus, the overwhelming majority of industrial chemicals now in use have never been tested for chronic toxic and carcinogenic effects, let alone for ecological effects.

ROLE OF SMOKING

As emphasized in The Politics of Cancer (p. 178), "Smoking is the single most important cause of lung cancer, as well as of cancer at other sites, chronic bronchitis and emphysema, and cardiovascular diseases". Less well appreciated by lifestyle advocates is that overemphasis on smoking is widely used to divert attention from occupational causes of lung and other cancers. Of the approximately 100,000 annual lung cancer deaths in the United States, at least 20 percent occur in nonsmokers. It is relevant that lung cancer death rates in nonsmokers approximately doubled from 1958 to 1969, an increase maintained since. Furthermore, the role of occupational exposure to carcinogens was not recognized in most of the classic epidemiological studies which linked lung cancer with smoking. This led to overestimation of the contribution of smoking compared with occupational risks or to their possible interactions.

TABLE 1—AGE-ADJUSTED CANCER MORTALITY RATES PER 100,000 U.S. POPULATION FOR SELECTED SITES BY SEX AND YEAR 1969–76, AND AVERAGE PERCENT CHANGE [1]

Site	Sex [2]	Mortality rate per 100,000		Average percent change 1969–76	
		1969	1976	Annual	7-year
All sites	WM	195.0	210.2	0.9	7.8
	WF	129.0	133.8	0.5	3.7
Stomach	WM	10.6	8.7	−2.9	−17.4
	WF	5.3	4.1	−3.6	−22.6
Colon	WM	18.7	20.7	1.3	10.7
	WF	16.2	16.5	0.0	1.9
Rectum	WM	6.9	5.6	−3.0	−18.8
	WF	3.9	3.2	−3.1	−17.9
Pancreas	WM	11.0	11.0	0.0	0.0
	WF	6.6	6.8	0.3	3.0
Lung	WM	55.0	66.7	2.6	21.3
	WF	10.2	17.8	7.6	74.5
Melanoma	WM	2.0	2.6	4.0	30.0
	WF	1.4	1.6	0.8	14.3
Breast	WF	26.2	27.2	0.3	3.8
Cervix	WF	5.5	3.9	−4.9	−29.1
Uterus	WF	4.6	4.2	−1.7	10.5
Prostrate	WM	19.0	21.0	1.2	8.7
Bladder	WM	7.1	7.5	0.6	5.6
	WF	2.1	2.0	−1.4	−4.8
Kidney	WM	4.3	4.5	0.6	4.7
	WF	2.0	2.1	0.7	5.0
Leukemia	WM	9.4	9.2	−0.4	−2.1
	WF	5.7	5.2	−1.7	−8.8

[1] For age adjustment the 1970 U.S. population was used as standard.
[2] WM, white male; WF, white female.

TABLE 2.—CRUDE CANCER MORTALITY RATES PER 100,000 POPULATION FOR SELECTED SITES BY SEX AND YEAR, ENGLAND AND WALES, 1971–77, AND AVERAGE PERCENT CHANGE

Site	Sex	Mortality rate per 100,000		Average percent change 1971–77	
		1971	1977	Annual	6-year
All sites	M	265	283	1.1	6.8
	F	215	233	1.3	8.4
Stomach	M	30	28	−1.2	−6.7
	F	21	19	−1.7	−9.5
Large intestine and rectum	M	30	32	1.1	6.7
	F	34	35	0.4	2.9
Respiratory	M	106	112	0.9	5.7
	F	22	29	5.3	31.8
Breast	F	45	47	0.7	4.4
Uterus	F	15	16	1.1	6.7
Prostate	M	17	19	1.9	11.8
Bladder	M	12	12	0.0	0.0
	F	4.1	5.1	3.7	24.4
Leukemia	M	7.0	7.2	0.4	2.9
	F	5.5	6.0	1.5	9.1

TABLE 3.—AGE-ADJUSTED CANCER INCIDENCE RATES PER 100,000 U.S. POPULATION (WHITES) FOR SELECTED SITES BY SEX AND YEAR, 1969–76, AND AVERAGE PERCENT CHANGE [1]

Site	Sex	Incidence rate per 100,000		Average percent change 1969–76	
		1969	1976	Annual	7-year
All sites	M	346.6	374.0	1.3	7.9
	F	271.5	301.2	2.0	10.9
Stomach	M	15.4	12.6	−2.3	−18.2
	F	7.1	5.6	−3.7	−21.1
Colon	M	34.5	36.9	1.5	7.0
	F	30.6	31.4	0.7	2.6
Rectum	M	17.5	19.4	1.3	10.9
	F	11.1	11.4	1.2	2.7
Pancreas	M	12.1	11.5	−0.5	−5.0
	F	7.5	8.0	0.9	6.7
Lung	M	70.6	77.8	1.4	10.2
	F	13.3	23.7	8.6	78.2
Melanoma	M	4.4	6.8	6.8	54.5
	F	4.1	6.1	6.2	48.8
Breast	F	73.9	83.5	1.8	13.0
Cervix	F	16.0	10.6	−5.9	−33.8
Uterus	F	22.6	31.2	5.9	38.1
Ovary	F	14.9	13.6	−0.4	8.7
Prostate	M	59.0	68.6	2.3	16.3
Bladder	M	23.8	26.4	2.3	10.9
	F	6.3	7.3	2.5	15.9
Kidney	M	9.0	9.6	1.2	6.7
	F	4.3	4.8	1.3	11.6
Leukemia	M	13.2	13.1	−0.2	−0.8
	F	8.0	7.1	−1.0	−11.3

[1] The 1970 population was used as standard for age-adjustment.

Thus, "we are unable to say how much of the risks attributed to cigarettes is a 'pure' cigarette risk and how much is cigarette times another, possibly on the job hazard". Moreover, smoking and occupation are confounded variables, smoking among men being more prevalent in 'blue-collar' workers than in professional and managerial classes. Occupational causes of lung cancer, include asbestos, radon daughters, nickel ores, chromium, arsenic, beryllium, mustard gas, vinyl chloride and bischloromethyl ether, apart from incompletely identified carcinogens in a wide range of industries such as rubber curing, tanning, steel (coke ovens), foundries, automobile, and petrochemicals. Thus, lung cancer rates in asbesto insulation and topside coke oven workers are as much as 10 times greater than general population rates.

Underestimation of the role of such occupational carcinogens has been assisted by the fact that lung cancer mortality rates, based on the International Classification of Diseases, fail to distinguish pleural mesotheliomas from lung cancers; there is evidence of substantial under-reporting of mesothelimoas (by about 75%) in high risk groups, and even more so in occupations, such as automobile mechanics, where asbestos exposure has not been well recognized. There is a further lack of distinction between lung cancers of different histological types, some of which, such as adenocarcinomas, are less likely to be due to smoking than to occupational carcinogens. In several instances where the risk of bronchogenic carcinoma has been shown, to be increased among occupationally exposed groups, there has been an accompanying shift in the distribution of histologic types of tumours", away from the small-cell undifferentiated and squamous cell carcinoma of the lung, the principal types whose frequency is increased by smoking, in the direction of other types, particularly adenocarcinoma. "This (shift) has been noted among metal miners, uranium miners, copper smelter workers, vinyl chloride polymerization workers, chloromethyl methyl ether production workers, and mustard gas manufacturers."

Possible variations of smoking patterns fail to account for the marked excess in U.S. lung cancer rates identified in specific occupational exposures, particularly among ethnic minorities and migrants from southern states. A further challenge to the dominant role ascribed to smoking seems to be provided by observations that the risk of lung cancer in certain occupational groups, such as American Indian uranium miners, Swedish zinc-lead miners, mustard gas workers, copper smelters exposed to arsenic, and chloromethyl methyl ether workers, is about as high among nonsmokers as smokers, although the latency period is reduced in smokers, suggesting a possible promotional effect of smoking. It appears that the relative risks of lung cancer for smokers as against risks for nonsmokers may have been overestimated, particularly in less than lifetime studies. Variations in smoking do not account for geographic excesses in lung cancer rates in U.S. males and females, which overall reflect proximity of residence to petrochemical and certain other industries; there are also data showing associations between levels of atmospheric carcinogens and lung cancer mortality rates. It may be noted that a report from Peto's own institution demonstrates that the correlation coefficient between lung cancer and smoking internationally explains only one-third as much of the variation as does the correla-

tion between lung cancer and solid fuel consumption (0.4 versus 0.7; r^2 = 0.16 versus 0.49).

TABLE 4.—CHANGES IN U.S. CANCER INCIDENCE RATES FROM 1970 TO 1975

Groups	Average percent increase in incidence rates, 1970–75			
	Cancers of all sites		Cancers of all sites except lung	
	Annual	5-year	Annual	5-year
White male	0.9	4.7	0.9	4.6
Nonwhite male	2.3	11.9	2.7	14.3
White female	2.2	11.6	1.8	10.2
Nonwhite female	6.1	34.6	5.7	32.2

TABLE 5.—INTERNATIONAL CORRELATIONS BETWEEN BREAST, COLON, AND LIVER CANCERS AND POSSIBLE ACTIOLOGICAL VARIABLES [1]

	Correlation coefficients			
	Consumption of—		Gross national product	Total energy production
	Fat	Animal protein		
Breast cancer:				
Incidence	0.79	0.77	0.83	0.70
Mortality	.89	.83	.72	.60
Colon cancer (M):				
Incidence	.74	.74	.81	.68
Mortality	.85	.86	.77	.69
Colon cancer (F):				
Incidence	.78	.80	.82	.67
Mortality	.81	.84	.69	.62
Liver cancer (M): Incidence	−.49	−.59	−.42	−.25
Liver cancer (F): Incidence	−.59	−.67	−.53	−.31

[1] Liquid energy.

Overemphasis on the carcinogenic effects of smoking, and ignoring or discounting the role of occupational and other exposures, is extended by Peto and others to cancers of the bladder and pancreas which are variously characterized as related to or caused by smoking. However, the relative risks for these cancers are several times less in smokers compared with nonsmokers than is the case for lung cancer. Excess bladder cancer rates have been identified in several occupational categories, including rubber, paint manufacturing and textile dyeing workers, and among residents in highly industrialized counties, particularly those with large chemical industry complexes. Excess pancreatic cancer rates have also been reported in various occupations including steel and metal workers and organic chemists.

Recognition of the important role of occupational exposures in lung cancers previously ascribed, exclusively or largely, to smoking in no way detracts from the recognition, emphasized in The Politics of Cancer, that the impact of smoking constitutes a "national disaster". There is no basis for regarding the smoking/lifestyle and occupational theories as mutually exclusive, particularly as these exposures may operate interactively. Furthermore, lifestyle is a somewhat misleading rubric for smoking as it restrictively implies voluntary personal choice. Placing responsibility for personal choice of an addictive lethal habit on young teenagers, the fastest growing group of new smokers, seems inappropriate. Failure to control smoking reflects a wide range of political and economic constraints, including massive press advertising by the industry which omits the word 'death' from the guarded small print warning of danger, massive revenues to federal, state and local government from tobacco taxes, federal subsidies to the industry and unwillingness of governments to increase tobacco taxation or to develop incentives to tobacco farmers to diversify. It is also important that the industry has moved to open up massive new markets with high-tar cigarettes in less developed countries, where the population is poorly informed on the hazards of smoking.

ROLE OF DIET

Lifestyle proponents are on less sure ground when they bracket diet, excess fat and overnutrition with smoking as the casues of the majority of cancer deaths. This claim is based largely on international correlations between consumption of total fat and rates of cancer of the breast and colon; however, such correlations by themselves are not proof of causality. Similar correlations were found, in the same study from Peto's institution, between breast and colon cancers and other variables, such as Gross National Product and consumption of animal protein, which also appear to reflect industrialization (Table 5). Furthermore, "epidemiologically, the case against fat is weak because there are populations that have a high fat intake and little bowel cancer . . .". Of two case control studies on the association between diet and breast cancer, one found no effect and the other found trivial effects of fat and caloric intake, concluding that ". . . recommendations of major dietary modification as a possible preventive measure for breast cancer are clearly premature".

Equally unconvincing are the studies, cited by Peto as corroborative evidence on the experimental effects of diet, which were largely concerned with the influence of fat on the incidence of tumours induced by chemical carcinogens and ionizing radiation, and the influence of caloric intake on the incidence of spontaneous and induced tumours. Not only were different variables defined in the animal and human studies—percent fat in the diet and total dietary fat, respectively—but increasing fat levels in the animal experiments were associated with increased incidence of skin, liver and breast cancers, whereas the reported correlations between fat consumption and liver cancer mortality are negative for both men and women (Table 5). Moreover, these experiments often failed to differentiate between variations of total dietary fat and caloric intake in test animals and to adjust caloric intake in controls to reflect dietary fat variations in test animals; the magnitude of the variations in fat and caloric intake required substantially to influence the incidence of induced and spontaneous tumours in experimental animals is generally far in excess of the dietary differences observed among the various human populations studied. These experiments invariably failed to adjust the intake in controls of fat soluble carcinogens, present in fat as accidental environmental contaminants, to reflect variations of fat intake of test animals.

Peto's claim for the causal role of dietary fat in human cancer overstates the conclusions of those cited as the basis for his claims. Armstrong and Doll, for instance, merely suggest that dietary fat levels may influence the incidence of colon and breast cancers, without asserting causality. Doll considers that diet may act by modifying the incidence of tumours induced by carcinogens or by acting as a vehicle for exogenous carcinogens—a suggestion also made in *The Politics of Cancer* which Peto dismisses as "implausible". Carrol concludes that "although caloric intake may be a factor in human carcinogenesis, it does not appear to offer a practical approach to the problem". As recognized by current concepts on the multifactorial aetiology of cancer, there is a subtantial probability that a wide range of influences, diet and other lifestyle factors included, modify individual responses to carcinogenic agents. To ascribe causality to any particular modifying factor requires a degree of scientific evidence that has not yet been presented for dietary fat.

ROLE OF OCCUPATION

Peto associates himself with the insistence by the chemical industry and other lifestyle proponents that occupational exposures account for about 5 percent or "a very small proportion" of all cancers. This view is based on ascribing given percentages to known or alleged lifestyle factors, including smoking, fatty diet and sunlight, leaving a small unaccounted for residue to which occupational factors are arbitrarily assigned by exclusion. The authors of this simplistic hypothesis compensate for its tenuous basis by reliance on 'educated estimates' and by making circular references to each other, often by 'personal communication', as the responsible authority.

However, there are problems with such 'guesstimates'. First, they fail to consider the multifactorial aetiology of cancer and the role of multiple causal agents, such as asbestos and smoking; thus, the summation of known causes of cancer should properly exceed 100 percent. As one of the lifestyle authors recently stressed[36], "there is now strong evidence to suggest that the risk of cancer is commonly increased by interaction of two or more factors". Second, current cancer rates reflect exposures 20 to 30 years ago, when production levels of occupational carcinogens were a small fraction of the present; such estimates should thus now be adjusted to reflect increasing numbers of workers exposed. Third, the authors of these guesstimates failed to consider the very limited nature of the data base on exposure to occupational carcinogens. Nor have they at any stage protested or even commented on the persistent refusal of the chemical industry to make such critical data available. In the absence of exposure data, it is even less clear how the 'lifestylers' confidently arrive at their estimate of less than 5 percent.

Rather than addressing himself to such problems, Peto dismisses recent estimates of the importance of occupational carcinogens in a report by the U.S. Public Health Service as exaggerated, unsound and unreasonable. This report, prepared by nine named and internationally recognized experts in cancer epidemiology, statistics and carcinogenesis from three federal research agencies, is based on a National Occupational Hazard Survey which between 1972 and 1974 surveyed nearly 5,000 workplaces chosen to provide a cross-section of industry in the United States. The report estimated the total number of workers exposed to asbestos, nickel ores, chromium, arsenic, benzene and petroleum fractions, including aromatics. The excess cancers attributable to each of these carcinogens were derived by multiplying the number of exposed workers by known risk ratios and subtracting the "normal incidence" of the cancer.

The report concluded that "as much as 20 percent or more" of cancers in the near term and future may reflect past exposure to the six carcinogens considered. The uncertainties and limitations in these conclusions, including the possibility that expo-

sures and risk ratios may have been overestimated in some instances, were clearly stated in the report, as were other considerations including the multifactorial aetiology of cancer, and the role of lifestyle factors and their possible interactions with occupational exposures.

The possibility that this government report underestimates rather than overestimates the role of occupational exposures, for several reasons some of which are recognized in the report, has not been considered by its denigrators, including Peto. First, the calculations in the report ignore the role of radiation and of some ten epidemiologically recognized occupational carcinogens, other than the six considered. Second, the risk ratios considered may be artificially low as they were largely derived from less-than-lifetime epidemiological studies, which may thus underestimate the true risk in view of the long latencies commonly involved. Third, the report does not consider the many statistical and methodological constraints common to most occupational epidemiological studies such as relatively small numbers of workers in many locations, changes in exposure patterns over time due to employee turnover, plant shutdown, process and production changes and changes in management, all of which lead to fragmentation of health and exposure records, access to which is often restricted by industry. Fourth, the estimates fail to take account of the many chemicals recognized as carcinogenic in animals for which there are no exposure or epidemiological data. Thus, of 442 chemicals and industrial processes recently evaluated by the International Agency for Research on Cancer (IARC), epidemiological data are available for only 60 (14 percent), although evidence of experimental carcinogenicity was considered to be sufficient for 143 (32 percent). Fifth, the estimates exclude high risk occupations with incompletely defined carcinogens, such as the steel, rubber and tanning industries. Sixth, the estimates do not adequately reflect conditions in small business where exposure levels are likely to be higher than in major chemical companies. Seventh, the report does not reflect major increases in the production of the occupational carcinogens it considered such as benzene, with the likelihood of recently increasing exposures. Eighth, the study examined only a limited numberd of sites, excluding cancers such as skin and bladder which are known to be occupationally related. Finally, the estimates neglect the possible role of fugitive point-source emissions of industrial carcinogens as causes for the excess of overall and organ-specific cancers, including lung, bladder, colon, pancreas and breast, in residents of certain highly industrialized counties.

This government report has received extensive support from various expert bodies, such as the Toxic Substances Strategy Committee, whose position has been endorsed by 17 federal agencies, and international groups, such as the International Labor Organization, and the US and British trades union. The report has also received additional support in the critique of two consultants to the chemical industry's American Industrial Health Council which concluded that ". . . the full range (of total cancer attributable to occupational exposure) using multiple classifications may be from 10 to 33 percent or perhaps higher if we had better information on some other potentially carcinogenic substances . . . The annual number of cancer deaths attributable to asbestos is in the range from 29,700 to 54,000, which corresponds to a percentage range of the total cancer of 7 to 14 percent * * * Any argument over these numbers cannot detract from the fact that asbestos exposure was, as the authors (of the Government report) state, a major public health disaster * * *. We also believe that reduction of exposure to carcinogens in the course of employment can certainly be expected to affect major reductions in the frequencies of occurrence of cancer and is one of the most promising applications of preventive medicine." The American Industrial Health Council failed to release this critique until the record of the recent Occupational Safety and Health Administration hearings on regulation of occupational carcinogens closed.

Finally, there is no basis whatsoever for recent unsubstantiated allegations by Peto and others that all or most authors of the government report have disowned or rejected it or its conclusions (K. Bridbord, M. Schneiderman and A. Upton, personal communication). It should be further emphasized that this 50-page report was prepared as a government document specifically for inclusion in public hearing records, and not for submission to a scientific journal.

CONCLUSIONS

Cancer is a disease of multifactorial aetiology to which occupational exposure and smoking can contribute importantly, sometimes interactively. There have been substantial recent increases in cancer rates which cannot be accounted for by smoking alone. Smoking is the major lifestyle factor of importance in cancer, and evidence for the causal role of other lifestyle factors, particularly, diet, is slender. The role of lifestyle factors has been exaggerated, by those with an economic or intellectual investment in this theory, by largely excluding involuntary exposures to carcinogens and minimizing the role of occupational carcinogens. These considerations further illustrate the primary thesis of The Politics of Cancer: cancer is essentially a preventable disease which requires intervention and regulation at several levels, particularly the occupational and smoking. Failure to prevent cancer reflects major political and economic constraints which have hitherto been largely unrecognized or discounted.

(NOTE.—Samuel S. Epstein, professor of occupational and environmental medicine and Joel B. Swartz, assistant professor of occupational and environmental medicine, School of Public Health, University of Illinois, coauthored this article.)●

SENATE—*Saturday, November 21, 1981*

(Legislative day of Monday, November 2, 1981)

The Senate met at 12 meridian, on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, the Reverend Richard C. Halverson, LL.D., D.D., offered the following prayer:

Let us pray.

Gracious Father of us all, we pray for all who suffer disappointment because of changed plans due to this Saturday session. We think especially of families who sometimes hurt deeply under such circumstances. This has been a difficult week, Father, in which everyone involved in Senate business has put in long, hard hours under great pressure. They will not have their normal weekend respite. Grant, dear Father, that whatever time they have will be free from stress.

We pray for those family members who may find it difficult to accept these forced interruptions in their plans even though they know this weekend work is necessary and important. Give to them a special measure of Thy grace and tranquillity which will compensate for expectations frustrated, plans set aside, and perhaps some hours of loneliness.

And, gracious Father, vouchsafe to those who work here extraordinary blessing that will provide an extra quality of renewal to their shortened hours of rest and relaxation. Fill our hearts and homes and offices with special peace and love. In Jesus' name. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

Mr. BAKER. I thank the Chair.

THE JOURNAL

Mr. BAKER. Mr. President, I ask unanimous consent that the Journal of the proceedings be approved to date.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that after the recognition of the two leaders under the standing order, there be a period for the transaction of routine morning business to extend not past the hour of 1 p.m., in which Senators may speak for not more than 5 minutes each.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CONTINUING RESOLUTION CONFERENCE CONTINUES

Mr. BAKER, Mr. President, it appears that the conference on the disagreeing votes of the two Houses on the continuing resolution making appropriations for the agencies and departments of the Government of the United States is not going well. I am sorry to report that, but at last inquiry, it did not appear to me that we are likely to get an early resolution of the differences between the two Houses on the conference report any time soon. It seems increasingly likely that we shall be in much of the day today, maybe late today, and perhaps on tomorrow. Once again, I urge Members to consider the possibility of a Sunday session and to make their plans accordingly.

On a personal note, Mr. President, I wish to say that I have had to alter my plans, as I expect has every Senator. I especially regret that because my only nephew is to be married in Memphis, Tenn., today and I had very much hoped to be there. But I am sure he will understand and his new wife will understand, as the family, friends, and acquaintances of other Members will understand the necessity to rearrange the most sensitive, personal and important engagements in order to be present in the House and Senate at this time. We are trying desperately to complete action on the bill that will enable use to continue the orderly operation of the Government.

A COLLECTIVE APOLOGY

Mr. BAKER. Mr. President, it is part of the responsibility of public service, especially that of service in the Congress of the United States, that personal life is often inconvenienced. Difficult times are the rule rather than the exception in terms of the orderly planning of one's life. I think people too infrequently realize the terrible burden that public service places on the families of public officials. I am not complaining.

I am a volunteer in the service of my country, as we all are. As my wife reminds me from time to time when I complain about late sessions or missed appointments or canceled vacations, nobody made me run. But we are here, Mr. President, and it is an accolade to all Members that they expressly, by their actions, implicitly understand the sacrifice that goes with this service. Families do, as well.

So, on this occasion, I am sure I speak for every Member of the Senate when I express our collective apology to families, to friends, to organizations, to those to whom we have made commitments for speeches, for social occasions, for gatherings of one sort or the other, that we will not be there present. All we can ask is that everyone understands, as I am sure they will understand, as I am sure we want them to understand.

ORDER FOR RECESS TODAY UNTIL 9 A.M. TOMORROW

Mr. BAKER. Mr. President, I shortly intend to ask the Senate to stand in recess pending the call of the Chair. Before I do so, however, I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 9 o'clock Sunday morning.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. PROXMIRE. Will the Senator yield for 1 minute?

Mr. BAKER. Let me finish this 1 second Mr. President. After I yield, so the acting minority leader may claim his time, I may say to any Member that if they have routine business they wish to transact, I am prepared to extend the time for morning business if that will serve a good purpose, or to proceed to the consideration of any matter on the calendar—either calendar, the legislative or executive calendar—that we can do by unanimous consent. I believe it will not be wise for the Senate to take up any matter that is bound up in any controversy.

I yield to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, I apologize to the majority leader. I thought he was about to recess.

GOOD NEWS FOR THE WORLD ON GENOCIDE

Mr. PROXMIRE. Mr. President, I want to say that at long last there may be light at the end of the tunnel. I understand the Foreign Relations Committee may have a hearing in the near future on the Genocide Convention and I think this is very, very good news. President Reagan made what I think was an outstandingly fine speech just the other day on the nuclear situation in Europe. It was a speech that commanded great respect from people—Democrats, Republicans, liberals, conservatives—all over our country. It was a speech of peace and reconciliation, and I think the Genocide Convention, of course, is aimed at exactly the same purpose. I think if this administration would support it—which they do, I understand, but if they would enthusiastically support it and push it, we have a good chance of getting it enacted. I think that is good news for all of us.

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

ORDER OF BUSINESS

Mr. BAKER. Mr. President, I thank the Senator. I have no further need for my time under the standing order and I am prepared to yield it to any Senator or to the control of the acting minority leader.

Mr. CRANSTON. I have no need of it for my time, Mr. President. I was tempted to object, for all the reasons the leader gave, to the Sunday session, but of course, I did not.

Mr. BAKER. Mr. President, I yield back my time under the standing order.

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDING OFFICER (Mr. HATCH). The acting minority leader is recognized.

Mr. CRANSTON. Mr. President, I yield our time to the minority leader.

SOVIET UNION CENSURED ONCE AGAIN IN THE UNITED NATIONS

Mr. ROBERT C. BYRD. Mr. President, on Wednesday of this week, the United Nations once again voted overwhelmingly in opposition to the Soviet Union's continued occupation of Afghanistan. One hundred sixteen nations voted in support of the resolution, 23 opposed and 12 abstained.

This was the third time since the Soviet invasion of Afghanistan in December 1979, that the United Nations has overwhelmingly voted against Russian intervention in that small nonaligned nation.

According to an article appearing in the November 19 New York Times:

> An unofficial breakdown of the ballots showed that what has frequently been a majority of the Soviet Union, its allies and nations professing nonalignment again did not hold together on Afghanistan. Of 78 nonaligned countries that expressed themselves today, 65 voted for the resolution and 13 voted against.

Mr. President, it is apparent that Soviet propaganda has not made a dent in world opinion regarding the brutal occupation of Afghanistan. The world community is to be commended for not turning its back on Afghanistan and for not accepting continued Soviet occupation of that country. As the New York Times article noted:

> The outcome is widely regarded as a substantial political defeat for Moscow, which objects to any United Nations discussion of the issue.

Mr. President, it should be pointed out that the General Assembly resolution calling for the withdrawal of "foreign troops" from Afghanistan was drafted by the Secretary General of Pakistan's foreign ministry, Mr. S. Shah Nawaz, with strong support from the so-called "Third World." Thus, the Soviets can hardly assert that the United States is the primary source of opposition to their actions in Afghanistan.

I ask unanimous consent that the New York Times article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Nov. 19, 1981]

U.N. ASSEMBLY, FOR THIRD TIME, BIDS "FOREIGN TROOPS" QUIT AFGHANISTAN

UNITED NATIONS, N.Y., Nov. 18—The General Assembly renewed its demand today that "foreign troops" leave Afghanistan.

This was the third time since Moscow's military intervention in that country in December 1979 that the Assembly issued such a call, and the vote was again lopsided. Today, 116 nations supported the resolution, 23 were opposed and 12 abstained.

The document does not mention the Soviet Union by name and urges a pullout of "foreign troops." But the three days of debate left no one in doubt that the 85,000 Soviet soldiers in Afghanistan were the object of the resolution.

No diplomat here expects that the action will move a single Soviet soldier. But the outcome is widely regarded as a substantial political defeat for Moscow, which objects to any United Nations discussion of the issue.

An unofficial breakdown of the ballots showed that what has frequently been a majority of the Soviet Union, its allies and nations professing nonalignment again did not hold together on Afghanistan. Of 78 nonaligned countries that expressed themselves today, 65 voted for the resolution and 13 voted against.

The Assembly also called on "all parties" to seek a political solution that would enable the Afghans to choose their own government. Since early this year, Javier Pérez de Cuéllar of Peru, a special representative of Secretary General Kurt Waldheim, has been visiting the Soviet Union, Afghanistan and Pakistan in an attempt to reach a peaceful settlement. Mr. Pérez de Cuéllar's efforts have met with little success.

The Chief architect of today's resolution was Pakistan. S. Shah Nawaz, secretary general of the Pakistani Foreign Ministry, told the Assembly that the intervention had undermined détente between the United States and the Soviet Union.

"The central fact is the national resistance of the Afghan people to the continuing foreign military intervention," he said. "As long as attempts are made to ascribe the resistance to outside instigation, a political solution will remain beyond our grasp."

Oleg A. Troyanovsky, the Soviet delegate, complained of "the fuss surrounding the so-called Afghanistan question." He attributed the conflict there to "counterrevolutionaries" who he said were financed and armed by the United States and China.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. There will now be a period for the transaction of routine morning business.

Mr. BAKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MATHIAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY DEPENDENCE

Mr. MATHIAS. Mr. President, it is accepted wisdom that the Lord helps those who help themselves. And I regret to say that in some respects today we in the United States are not helping ourselves and, therefore, we cannot expect the Lord's help.

We are denying ourselves markets in the world which could improve our own economic situation and we are denying our friends in Europe access to America's vast resources in energy which would relieve them of dependence on OPEC sources in the Middle East and on sources in Soviet Siberia.

All of this is brought into very sharp focus by the news from Europe yesterday. There it was announced that the Soviet Union and Ruhrgas, a corporation in the Federal Republic of Germany, have signed an agreement for a multibillion dollar pipeline for natural gas.

Mr. President, I do not think we can criticize our friends in Germany nor can we criticize the Soviet Union for entering into an agreement which, on the surface at least, has many obvious benefits. We would prefer that they had not done it. We can point out to our friends in Western Europe that they may get hooked on natural gas from the Soviet Union, that when they try to withdraw they may have all the problems of withdrawal; that they may find they have developed a dependence on the Soviet Union as the source of a vital form of energy.

I say we cannot criticize them because we have not offered them an alternative which it is in our power to offer them and that is a reliable source of energy from the United States.

It is, I think, important that we look at the agreement signed yesterday. That agreement calls for Western companies to provide financing and technology for a 3,000-mile pipeline in exchange for natural gas, at a price which has been fixed on 10½ billion cubic meters annually, which will be purchased by the Federal Republic of Germany and by six other Western European nations.

Ruhrgas estimates that the total value of the natural gas to be purchased over a period of 25 years will be something in the neighborhood of $45 billion. This is a massive transaction. I think we have to look beyond these statistics to see what this means for Western Europe and what it means for the United States.

As I have suggested, it shows at least the potential for developing a dependence on the Soviet Union for energy.

I think we have to look at that potential as we consider the broader kinds of security questions within NATO. The Soviet Union already provides 16 percent of the natural gas requirements of the Federal Republic of Germany, and this project obviously will increase that dependence as well as that of the other participating nations.

Of course, the argument is made in Europe, to counter this concern, that it is decreasing their dependence on oil

from the Middle East; it is decreasing their dependence on OPEC. That is, of course, not subject to argument. It is at least a new source.

But then the question arises, is it a better source? Is it a more dependable source or is it a source which ultimately may make the recipients more vulnerable, which may lead to concessions, not merely concessions in the matter of price, but concessions in totally unrelated areas, such as trade and other economic issues or even arms control?

In the event, which I hope will never occur, but in the event, of a major confrontation between the NATO nations and the Warsaw Pact nations, the possibility of an invasion of Poland suggests itself in that regard, is it likely the Soviet Union would turn off the tap? Or, if, in fact, we placed an embargo on East-West trade, would the response be turning off the natural gas pipeline valves? These are all serious questions.

Of course, our friends in Europe find this transaction beneficial in more ways than one because, at a time of rising unemployment, they see the potential for many new jobs. They also see construction contracts for years ahead, and on the Soviet side of course, the sale of natural gas means access to hard currency, which will be extremely valuable at a time when the Soviet economy has been slowing down, according to the official reports of the Soviet Government.

But all of that, as important as it is for use as members of the North Atlantic Treaty Organization, all of that involves decisions which are beyond the control of the United States. Those are decisions that are being made by the Federal Republic of Germany as a sovereign nation, and decisions that are being made by the Union of Soviet Socialist Republics.

What we really need to worry about now are the decisions that are within our own ability to make and to execute. We need to worry about our failure to take the steps to put ourselves in a position to meet the energy needs of our friends in Europe. Our failure to prove that we are an adequate and a reliable supplier of coal seems to indicate that we are missing a very great opportunity.

It is sometimes forgotten right here in this Chamber that the United States is the Saudi Arabia of coal. Our coal can meet two-thirds of the world's additional energy demands—and there will be an additional energy demand—by the year 2000.

By the end of this century, the United States can be exporting as much as 215 million tons of steam coal to an energy-thirsty world, and energy is the lifeblood of society today, here in the United States and in every other part of the developed and developing world.

Increased U.S. exports of coal would not only help our domestic economy by providing jobs in the mines, jobs on the railroads, jobs in the ports, but in addition to that it can help us in executing our foreign policy all around the world.

Those who buy American coal and who engage in other reciprocal trade with us as a result of our coal exports can become our partners on a whole range of economic and political and social issues.

So I think the news yesterday of the Soviet-European natural gas agreement underscores the need for a vigorous program to promote the export of American coal.

Increased American coal exports would go a long way toward providing a stable and secure source of energy to our friends in Europe and to many other countries while, at the same time, help our own balance of trade.

But in order to do this we have to provide the means to get the coal to the rest of the world.

I would suggest that today, November 21, 1981, the most important single thing we need to do in this regard is to get out the dredges and to start making American ports adequate to receive the modern colliers that are capable of carrying vast cargoes of coal in an efficient and economic way.

The Congress and the administration should give the development of port facilities the highest priority to meet what is far more than just an economic need, a commercial need, but which touches upon the most vital interests of the United States in dealing with the rest of the world.

The pipeline deal between the Soviet Union and Western Europe raises some very grave issues, but it also sends us some signals that can be very useful to us if we are wise enough to read the signals and smart enough to respond.

The question that is before us is whether we are going to stay on the sidelines and merely watch these developments taking place in the rest of the world, whether we are going to be passive observers of important developments or whether we are going to participate in the future, whether we are going to prepare ourselves to be active partners in the future, by preparing ourselves now to play the role we are capable of playing as an important source of energy for our friends in many parts of the world.

To do this, Mr. President, we have to act very fast. We have lost years in delay in the improvement of port facilities.

Yesterday's announcement in Europe makes it clear that far more than a few profits hang in the balance. National security questions of the highest order are involved in the simple process of mining coal and shipping it to a world that is waiting for it. And I hope that our successors in this Chamber in the year 2000 will not be asking, "Why did not the United States go to work in 1981 and put this great country in a position to lead the world, as they were capable of having done?"

Mr. President, I urge Congress and I urge the President of the United States to place this issue at the top of our national agenda.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HAYAKAWA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MATHIAS). Without objection, it is so ordered.

SUMMARY OF CANCUN SUMMIT

Mr. HAYAKAWA. Mr. President, the leaders of 22 nations—14 developing and 8 industrialized nations—met in Cancun, Mexico, October 22–24, to discuss the economic plight of the Third World. The main course of the talks involved the establishment of future global negotiations between the industrialized and developing nations on solving the world hunger problem.

Not only was the Cancun Summit successful in creating a good beginning for more constructive relations between the rich and poor nations, but it gathered the leaders that comprise two-thirds of the world population and allowed informal dialog to take place. These talks provided the opportunity for those leaders to lay a base for better understanding by becoming acquainted with the problems of other nations.

Mr. President, although the developing nations were basically interested in securing economic aid from the rich countries, the United States presented other alternatives. The United States stated that a positive program in dealing with the hunger problem in the Third World depends upon "a coherent view of what is essential to the development—namely political freedom and economic opportunity," stressing the necessity of free enterprise. The most effective way to achieve a system of free enterprise in the Third World, the United States emphasized, is through free trade and private investment.

The United States held a firm stand against increasing development aid, pointing out that there was no nation at the summit who has contributed more in foreign aid than the United States—$57 billion in the past decade. However, many of the developing nations noted that the United States was behind "percentage-wise according to GNP"—0.27 percent in foreign aid contributions compared to some of the other industrialized nations. The poor nations felt that at least 1 percent of the rich nations' GNP should be donated to them. The United States, on the other hand, stressed that development aid was not the answer and supported a program to teach the poor nations to take care of themselves. The U.S. proposal included the sending of American agriculturalists and farmers to the developing nations to teach them how to become self-sufficient.

Mr. President, since the World Bank and the International Monetary Fund play such an important role in foreign aid affairs, the developing countries emphasized that they should be represented in these agencies on a one-nation-one-vote basis, the same procedure as in the

United Nations, rather than the existing format of proportional representation based on the amount of contributions made by a country. The United States backed the present procedures of these agencies, insisting that they should be obeyed. However, the United States stated that the agencies should focus more on the developing countries in the future.

Mr. President, it is a pleasure to summarize the discussions at Cancun.

Perhaps the most surprising factor of the summit was the presence of the United States to begin with. Although the U.S. delegation tended to be isolated on many of their views, their ideas to stimulate economic growth in the Third World were agreed upon with "a broad acceptance of many approaches." President Reagan was praised on his willingness to listen to the economic problems of the developing nations.

The President was also confronted by several Third World leaders on international security matters; Chinese Prime Minister Zhao Ziyang expressed his opposition to the U.S. proposed sale of military aircraft to Taiwan and Indian Prime Minister Indira Gandhi stated her disapproval of the U.S. proposed sale of F–16's to Pakistan.

Despite these disagreements, Mr. President, it was agreed upon by all nations that attended the summit in Cancun that global negotiations will be the main goal toward solving the problems of world hunger in the future. There was no definite date set as to when these talks would take place, but the developing countries expressed hope that they will begin by next year at the latest.

Mr. President, this is a very felicitous beginning. I am glad to report this short summary to my colleagues. I thank the Chair.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. BAKER. Mr. President, I remain hopeful that something will result from the conference efforts that are now in progress. If there is a conference agreement, the report must be considered, of course, by the House before it can reach the Senate for consideration here.

There are two other matters that I hope to deal with today, Mr. President. One is the HUD conference report and the other is the energy-water resources conference report. I understand both of them have been cleared, with one exception, which we are trying to pursue at this time.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate now stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 1:09 p.m., recessed awaiting the call of the Chair; whereupon, at 6:02 p.m. the Senate reassembled when called to order by the Presiding Officer (Mr. HATCH).

The PRESIDING OFFICER. The majority leader is recognized.

ORDER OF PROCEDURE

Mr. BAKER. Mr. President, I understand we are in a position to take up the conference report on energy and water development for the fiscal year ending September 30, 1982, and perhaps the HUD conference report as well. I believe the chairman of the Committee on Appropriations is ready to come out of the conference for a brief time to do that and should be able to do that in just a moment. If that measure is cleared now on the minority side, we shall proceed.

Mr. CRANSTON. Mr. President, the conference report on energy and water is cleared.

Mr. BAKER. In a moment, Mr. President, I shall ask that the Chair lay before the Senate the conference report on energy and water but, awaiting the attendance of the principals, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I see the minority leader is here. May I inquire if we are in a position now to clear the energy-water conference report?

Mr. ROBERT C. BYRD. Mr. President, the energy-water conference report is ready on this side and we are presently working to see if the HUD conference report is ready.

Mr. BAKER. I thank the minority leader.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS—CONFERENCE REPORT

Mr. BAKER. Mr. President, I submit a report of the committee of conference on H.R. 4144 and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4144) making appropriations for energy and water development for the fiscal year ending September 30, 1982, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of November 19, 1981.)

Mr. HATFIELD. Mr. President, I bring before the Senate today the conference report on H.R. 4144, the Energy and Water Development Appropriations Act for fiscal year 1982. The conferees resolved the differences between the House and Senate on this bill early Wednesday, November 18. The conference report and statement of managers have been filed as House Report 97–345 and it has been printed in the RECORD. Therefore, I shall not elaborate on all the items which were in disagreement, but I do want to sketch an outline of some of the important elements of the proposal which is before us today. In any event, Mr. President, I believe we have reached, through long hours of negotiation, a reasonable and prudent agreement which can be cleared by the Senate and sent immediately to the President for his signature.

As recommended by the committee of conference, the conference agreement provides $12,472,025,000 in new budget authority for energy and water development through the activities of the Department of Energy, Corps of Engineers, Bureau of Reclamation, and several independent agencies. The amount of the conference agreement is $938,262,000 below the March budget estimate, and only $375,478,000 above the revised September budget estimates. The Congressional Budget Office advises us that this conference total is about $92,000,000 in budget outlays over the revised budget estimates.

In other words, the conference report is less than $100,000,000 in outlays over the revised budget request.

To reach this level of savings, the conferees were faced with some extremely difficult decisions. In many cases, after careful consideration, we agreed to the lower amounts for many programs and activities.

Because of the downward impact of the second round of budget cuts, the Senate allowance usually was much lower than the House recommendation. As a result, the conference agreement in total is much closer to the Senate proposal than to the House bill. And although the total level for each account is between the Senate and House allowance, the total amount of the conference report is below both the House and Senate totals for the entire bill.

While this is not a common occurrence, it has happened on occasion in the past. But more importantly, Mr. President, I believe that arriving at this lower total amount clearly shows our determination and commitment in both the House and Senate to reduce the growth in Federal spending.

Mr. President, the conference report and statement of managers provide much detail, and therefore, I shall summarize in rather general terms the appropriations provided for in the conference agreement.

Title I of the conference agreement provides appropriations for the U.S. Army Corps of Engineers civil works program. The conference report provides a total of $2,914,666,000 which is an increase of $22,845,000 over the Senate level and a reduction of $248,536,000 below the House bill.

The Corps of Engineers funding level is $161,674,000 above the revised budget and $213,734,000 below the March budget estimates. Of the total amount, about half, or $1,416,992,000 is provided for 227 on-going construction projects. The bill contains no new construction starts for either the Corps of Engineers or the Bureau of Reclamation.

For title II, the Bureau of Reclamation, the conferees recommend a total of $760,161,000, which is only $2,500,000 more than the Senate bill, and $78,427,000 less than the House-passed bill.

The conference agreement contains $8,044,766,000 for Department of Energy programs in title III. This includes $2,303,126,000 for energy supply, research and development activities; $529,360,000 for general science and research activities; $243,318,000 for power marketing administrations and $76,177,000 for the Federal Energy Regulatory Commission. The energy accounts include $341,316,000 for solar, geothermal and renewable energy development; $327,274,000 for conventional nuclear reactor systems development and nuclear waste management; $687,016,000 for breeder reactor systems including $195,000,000 for the Clinch River breeder reactor project; and $456,000,000 for fusion energy development.

Mr. President, the conference agreement includes $752,432,000 for seven independent agencies and commissions in title IV, including $150,000,000 for the Appalachian regional development program, $465,700,000 for the Nuclear Regulatory Commission, $129,162,000 for the Tennessee Valley Authority, and $3,888,000 for the Water Resources Council.

As always, I congratulate and commend our distinguished colleagues in the House who served as conferees on this bill for their wonderful cooperation in resolving these differences. Special recognition, thanks and appreciation is due the Representative from Alabama (Mr. BEVILL), who was the chairman of the House conferees and chairman of the conference. I also wish to thank the Representative from Indiana (Mr. MYERS), the ranking minority member, for his support and valuable contributions.

Mr. President, I want to express my thanks and deep appreciation to my friend and colleague, the distinguished Senator from Louisiana (Mr. JOHNSTON), who is the ranking minority member of this committee. I want especially to commend him for his dedication and support. It is a great pleasure to work with him, and I think the final product of our committee shows the cooperation we have had. I extend my personal thanks to him.

Finally, Mr. President, both the majority and minority staff of this committee come in for special thanks—on the minority side, of course, Proctor Jones, and our majority staff members. Steve Crow, David Gwaltney, and Gloria Butland. I think they are especially to be commended for their diligent work on this bill.

Mr. President, I indicate one very significant fact, and that is that the nuclear weapons program is in this budget and that it is in excess of a billion dollars over last year's level of spending.

When we consider that kind of increase in one part of the budget and the fact that we ended up in the total view of the budget being so close to the September budget requests, I think it is great testimony not only to the staff but also to the ranking minority leader, who formerly was chairman of this committee, and to the House Members as well, that we are able to bring this report to the floor and ask for its adoption.

I yield to the Senator from Louisiana.

Mr. JOHNSTON. Mr. President, I thank my distinguished chairman for his kind remarks. I commend him for his leadership, which has been excellent in this area.

It has been very difficult to cut back on what we consider to be a most important—indeed, essential—function of Government, which is providing the water resources infrastructure for our country. Of course, on that water infrastructure the commerce of the Nation moves, or a very large percentage of it; floods are controlled; water is brought to the parched West and Southwest and other water-short parts of our Nation; hydroelectric electricity is produced among other benefits.

With those very important functions, the percentage of our gross national product, the percentage of the Federal budget—indeed, the amount of dollars in nominal terms—continues to go down. When we look at the stark figures in nominal dollars, this bill is $162 million over last year's bill.

However, as our distinguished chairman pointed out, we have an increase of over a billion dollars in nuclear weapons and related activities. So when you take the billion dollar increase in nuclear weapons, the bill, on its essential energy and water functions, outside of weapons, is actually over $800 million less than last year in nominal dollars; and when inflation is added to that, it is even much more than that. I suppose it is an accomplishment for which we can commend ourselves.

However, at this time, commendation for cutting the essential services of the Nation is hardly a deserved exultation. Perhaps what we should do is be a bit more sad that we must go in this direction of severe budget cuts.

Mr. President, I should like to call attention to one item of the conference report, on page 5, where it is stated as follows:

No funds are included for a study to determine the feasibility of constructing a project at Lincoln School, Maine.

The reason that phrase is in this report is that between the time the bill left the Senate, where there was money to study the project at Lincoln School, Maine, and the time we got to conference, an authorization bill was passed which we erroneously believed deauthorized the whole Dickey-Lincoln project. However, we now learn that what was deauthorized was the Dickey part of the project and that the Lincoln School continues to be authorized. So this statement really is in error.

In order to correct it, now that it has left the conference, I hope the distinguished chairman will join me, at the request of the distinguished Senator from Maine (Mr. MITCHELL), in correcting that in the conference committee now going on. We have report language prepared that will read as follows:

The Corps of Engineers is directed to carry out the Lincoln School, Maine, study as proposed on page 24 of Senate Report 97-256

We understand that that is agreeable to the House conferees, and it will restore us to the same position we were in when this bill left the Senate.

Mr. HATFIELD. Mr. President, I would approve the proposed amendment.

Mr. MOYNIHAN. Mr. President, will the Senator yield?

Mr. JOHNSTON. I yield.

Mr. MOYNIHAN. As a member of the Subcommittee on Water Resources of the Committee on Environment and Public Works, I say that that is precisely my understanding. The intention of the committee was to delete the Dickey dam but not the Lincoln School dam.

Mr. JOHNSTON. I thank the Senator.

Mr. President, with commendation for my chairman, I yield the floor.

Mr. MOYNIHAN. Mr. President, I wonder if I may address a few brief words to the distinguished managers of this bill, who, in defying the laws of nature, are still on their feet and still able to think of something other than the committee conference they are in at the moment.

This is the appropriation for energy and water development. But would I be wrong in my impression that no new water development projects are in this bill?

Mr. HATFIELD. The Senator is correct.

Mr. JOHNSTON. The Senator, unfortunately, is correct.

Mr. HATFIELD. No new construction projects.

Mr. MOYNIHAN. No new construction projects.

I cannot fail to note that the Tennessee-Tombigbee rolls along, with allocations of $189 million to Alabama and Mississippi, and so forth.

Mr. JOHNSTON. The Senator is correct. I know he will be glad that we are winding down to the final stages of that wonderful project.

Mr. MOYNIHAN. We are winding down slowly.

I want to make a point which I believe should be a concern of the Senate, and it is that water development in this country has halted. We can continue with some old projects. Indeed, some of the projects, such as the Tennessee-Tombigbee, in all truth, are a source of the discrediting of a good deal of this enterprise; but this Nation, for practical purposes, in the 1970's, ceased to develop its water resources.

A combination of the environmental impact statement and the budget crisis and the extraordinary regional imbalance of these programs have effectively stopped them.

One of the oldest domestic functions—the first domestic function—of Congress was the development of inland waterways, a debate that took us through much of the 1930's until it was resolved.

The Senator from New Mexico (Mr. DOMENICI) and I have been hard at work in the effort to produce a national water program which we say would be national and rational: That rather than making these free goods for those who have the congressional influence or good fortune to obtain them, and thereby casting doubt on their utility, we simply allow, each year, a certain portion of money to water projects, divided among the States on a formula based half on population and half on size. Let the States save their allocations for large projects, diffuse it among small, do as they will, and no longer go through the absurd pretense. The Senator knows we can produce a water project to water cattle but not for people to drink. We can wash coal but not babies with water developed by the Federal Government. Single purpose water supply projects are not considered legitimate Federal projects. The process no longer works.

What you have here are the projects of another generation, finally authorized. It was pointed out in the Tennessee-Tombigbee debate that George Washington had approved the Tennessee-Tombigbee and well he might. It was a good 18th century canal. But we are going to have to do more.

Water is precious. There are parts of the country where it is scarce. There are parts of the country where geologic water is running out. Our agriculture, to an extent we do not comprehend, is based in the high plains on geologic water; this is also true in parts of the Southwest and the new cotton growing areas. Either we attend to this subject or we shall look up 20 years hence and say why did we not do what needed doing?

I simply point out it is not in any sense responsibility of the Senator's committee. It is the authorizing committees that cannot reach agreement but the effect is in this bill.

Mr. JOHNSTON. Mr. President, if I may reply to my distinguished friend, first of all with respect to some kind of formula that would spread water dollars across the country on some kind of even basis, per capita, or square miles, that would be an excellent idea if the blessings and ravages of water were also equally shared around the country.

But they do not need beach erosion dollars in Arizona. They do not need hurricane protection in New Mexico. They do not need to levee the Mississippi River where the Mississippi River does not flow.

These great and powerful rivers, coastlines, and oceans must be tamed and harnessed to protect the people where they occur. And that, of course, is the very obvious reason that there is an imbalance in dollars.

Now there are some very legitimate areas that the Northeast particularly should be protected on and which we have tried to give dollars in that direction. For example, the Tocks Island project involving the State of the distinguished Senator from New York was authorized and planned and ready to go, and it was about a billion dollar project, but it was killed and not by Congress but by the Representatives from New York——

Mr. MOYNIHAN. And Pennsylvania, but it is the Delaware River. It rises in my county.

Mr. JOHNSTON. It was to provide some of the water supply for New York.

Mr. MOYNIHAN. Yes.

Mr. JOHNSTON. The point is it has not been the venality and selfishness of those on the committee that has at times resulted in an imbalance in Federal dollars.

Mr. MOYNIHAN. Tocks Island, just to make the point, was a downstream project on the Delaware River. It had nothing to do with water supply for my State. But could I make a point?

Mr. JOHNSTON. I believe it was possibly in exchange for 300 million gallons a day for the great city of New York and northern New Jersey.

Mr. MOYNIHAN. We would eventually, I guess, have gotten some. We have adequate water supply.

Mr. JOHNSTON. The point is whether or not Tocks Island was a good project or not. These projects should be spread around based on need.

I hope that we do not find the mighty Mississippi failing to be leveed because we are sending that levee money out to some dry State in the Southwest that does not have the same kind of need.

Mr. MOYNIHAN. I say to my friend that the legislation which Senator DOMENICI and I have introduced specifically provides for multi-State programs where they have a river such as the Mississippi. There is no other river such as the Mississippi, but there are rivers that move from one State to the other.

I make the point that I do not rise in any sense of hostility to what is going on. I rise to point out to him that nothing is going on. This is not a situation which I had anything to do with creating. Five years ago I became a member of the Committee on Environment and Public Works.

My previous interest had been primarily with the State highway program. I came upon the water program, a program that has never touched my part of the country. Ever so often the Corps of Engineers puts up $20,000 to dredge Buttermilk Channel between Red Hook and Governors Island in New York Harbor. It is at about the level that was done in 1830.

But I came upon a stalemate of a former function of Government, which was a driving animating force in this body, but which has ceased to function It does not work. I tell the Senator the Mississippi River one day may change its course and go down the Atchafalaya and leave New Orleans high and dry. It will be God's own work to get anything through this process we now have because this process is stalemated. I did not stalemate it. I had nothing to do with it. I encountered it and am trying to resolve it. That is all.

Mr. JOHNSTON. I agree with the distinguished Senator. I hope we can turn that around.

I read, for example, in the morning paper where the Germans have just effected a contract with the Russians to bring natural gas from Siberia.

We have a competing form of energy which I think would have been very much in our interest to supply to Western Europe and obviate the need for this natural gas, and that is coal. The only thing is our coal is not cost competitive and it is not cost competitive because we cannot bring the deep draft collier, the big 200,000 deadweight ton colliers into our ports because we cannot dredge them and we cannot dredge them because the committee will not report legislation to have it done even though in the case of the port of New Orleans, for example, the benefit-cost ratio is some 8.5 to 1.

I can only say I agree with the Senator very much that we need to unhook this stalemate and to get the legislation flowing as well as the rivers.

Mr. MOYNIHAN. Does the Senator know—he perhaps would be interested—the Subcommittee on Water Resources, of which I am the ranking minority member, of the Committee on Environment and Public Works earlier this week reported a bill by the chairman of the subcommittee, the Senator from South Dakota (Mr. ABDNOR) and me by a vote of 6 to 1 to do exactly that. Our bill will establish a port development program and a port maintenance program that will in fact produce some of those coal ports. We are no longer going to get them through this body as free goods. We must get them somehow.

We must build at least three, one on the east coast, one on the gulf, and one on the west coast, in this decade to capture those long-term coal contracts or they will not come to handle the extraordinary international trade. It is not just a coast-wise activity. It goes into the mines, into the Powder River Basin of the Rockies, these coal supplies, as well as Appalachia, and such like. We have to learn to do this. We have not.

Mr. JOHNSTON. I look forward to seeing that legislation reported to the floor.

Mr. HEFLIN. Mr. President, will the Senator yield?

Mr. JOHNSTON. Yes.

Mr. HEFLIN. I would like to congratulate both the distinguished Senator from Louisiana and the distinguished Senator from New York on their remarks about the need for the development of our water resources. I am convinced that our water resources, next to our human resources, are our greatest resources in this Nation today, and will continue to be such in the future. Needless to say, we must plan for the future.

The vision of some very elder statesmen, such as Washington, was mentioned. Perhaps, our distinguished historian does not realize it, but in 1809, I believe, Thomas Jefferson came forth with the idea of joining the upper waters of the Tombigbee with the Tennessee River. I certainly feel that there are many, many, fine water projects and resources that should be developed.

I want to cooperate, and I hope that we will not follow what has happened in history where we have been so greatly delayed in carrying out the vision of our great forefathers and the wisdom that they saw at that early stage.

But I do feel both of you are correct. These are resources that need to be developed, and I certainly appreciate the statement of the distinguished Senator from New York. I am glad to state that he speaks with no hostility toward the Tenn-Tom. I, for one, want to cooperate in helping to develop one of our great resources, water.

Mr. MOYNIHAN. I thank the distinguished Senator from Alabama. I have observed in the course of a brief period when I was chairman of the Subcommittee on Water Resources that you can live without oil and you can even live without love, but you cannot live without water. This is something—I come from a region which has basically not looked to the Federal Government and historically it has not done so.

But I made the point to my friend from Louisiana that there has not been a single water project provided for in a decade.

Mr. HEFLIN. It certainly concerns me, and that is why I was congratulating the distinguished Senator from New York on his foresight and his desire to move forward. I hope we will be able to move forward much more rapidly in the future than we have in the past.

Mr. MOYNIHAN. I thank the Senator.

Mr. JOHNSTON. I thank the distinguished Senator from Alabama. I am persuaded more now than ever now that I know the Tennessee-Tom is a legacy of Thomas Jefferson, and we are doing the right thing in proceeding toward its completion.

Mr. MOYNIHAN. I would like to interrupt the Senator. It is actually a project of the French imperialists, if you would like to know the fact, in 1740. We drove them to it.

Mr. JOHNSTON. Being from a francophile State that is another good reason.

Mr. HEFLIN. Mr. President, if you want to go back further in history. I have heard rumors to the effect that the proposal to build the Tennessee-Tombigbee Waterway was to be the 11th commandment, however, it is further rumored that some obstructionists prevented it from flowing down from the mountaintop.

Mr. JOHNSTON. I must say to my distinguished friend that with all the writing we hear about water, and with all the money invested in water, it has really been rather small. In all of these years we have invested about $8.5 billion under the Reclamation Act in all the West, with the tremendous dividends that has paid; billions upon billions of benefits and only $8.5 billion invested. You compart that with the Washington Metro System where more than that was spent in 3 years, and you get the real imbalance in what we are failing to do for water in this country

Mr. MOYNIHAN. I wonder if I can address one question—not a question but to ask him to go over it once again—to my chairman.

Do I understand him to say that the appropriation for nuclear weapons in this legislation is $1 billion more than it was a year ago, I mean in the last such appropriation?

Mr. HATFIELD. Let me give the Senator a precise figure. This is a 21-percent increase over last year or translated into dollars it is $1,004,514,000, and let me give a further figure which is offered gratuitously, that is $174,481,000 or 4 percent below the President's September budget request.

Mr. MOYNIHAN. There is no one in this body who is more sensitive than he to the import of those numbers. After a decade of strategic arms negotiations, in 1 year we increase by 20 percent the expenditures which now routinely go to $1.4 billion a year, which cannot simply be for the maintenance or replacement of existing nuclear warheads, so they have to constitute a continuing growth in that arsenal.

The Soviets have four warheads for every county in the United States now. and we have the equivalent for their form of government that corresponds to a county, and it is madness, and I only can express appreciation that the chairman of the Appropriations Committee knows it better than anybody in this body and can take no pleasure in it. But it does need pointing out.

Mr. HATFIELD. I thank the Senator for his remarks. He has raised, of course, that part of this budget that I do not bring here with great pride. But I am one vote on the committee, and the fact that we were able to shave 4 percent, which is under the September request, I think is in itself only an indication of the magnitude of the task we are dealing with and the momentum behind it.

I suppose the only philosophical consolation one can derive out of this experience is that it is much like a freight train that is rushing down the track, roaring down the track. You have to slow it before you can reverse it. I suppose 4 percent is sort of a slowing, but it is a very minuscule impact upon the direction of the velocity.

Mr. MOYNIHAN. You have slowed the rate of acceleration.

Mr. HATFIELD. Yes; there is not much solace in that.

Mr. President, I yield to the Senator from North Dakota.

Mr. ANDREWS. Mr. President, I thank my colleague, the distinguished chairman of the Appropriations Committee, for yielding, and I want to thank him and the other members of the Appropriations Committee who were so accommodating to the senior Senator from North Dakota and myself for the amendment we offered in the committee concerning a very vital water project, the Garrison Diversion project in North Dakota. We are also pleased that our conferees in the House, who know these kinds of projects best, and who know their value, accepted the Burdick-Andrews amendment in conference.

Unfortunately, a strange thing happened to the conference report. In the legislative process it got somewhat derailed on the floor of the other body yesterday, and looking at the record I began to wonder whether they were talking about my State and the project that I know as Garrison Diversion. They talked about the Canadian worries about water quality, and they talked about some terrible biota and the poor quality water that was coming off of these Rocky Mountain slopes.

Frankly, Mr. President, the Senate knows, and I appreciate that, and the conferees know, that there is no purer water in the North American Continent than that which comes off those Rocky Mountain slopes. It flows across the State of Montana and is impounded in the western part of North Dakota.

If some of these people who bring the misinformation into play have repealed the law of gravity so that the water flows uphill from the bottom of the river, so to speak, maybe something could have happened to that water quality. But the last time I was in North Dakota no one had repealed that law of gravity.

Let me point out again, Mr. President. that the chairman and the members of this committee were wise, as was the Senate, in adopting the Burdick-Andrews amendment because it would have allowed this project to go forward. Water quality in that project is, of course, first rate. The landowners-protection that was there for mitigation acres, where we said that mitigation acres could not be acquired by condemnation, was removed by the action of the House. That was an important safeguard. Why, you would have thought in reading the record that somehow or other our landowners in North Dakota are not active outdoorsmen, are not active environmentalists. Of course, they are.

During the last two decades tens of thousands of acres have been purchased from willing sellers to provide waterfowl refuges, and the main purpose of the Garrison Diversion project, or one of its three main purposes, is to provide water during extended drought periods to

maintain that base waterfowl production flock for the central flyway.

During the disastrous droughts of the thirties there came two decades where you would not hunt a duck or goose in North Dakota because we did not have that water resource. Now our hunting is great. Only with Garrison Diversion can we protect these waterfowl they talk so much about.

I think another thing that is strange is that the greatest environmental problem we have in North Dakota arises from our continually and critically low streamflows and that those calling themselves environmentalists attack the only project that can restore those streamflows. They attack the only project, Mr. President, where the Public Health Service reports that the fish you catch in the Red River between Grand Forks and Fargo are unsafe to eat, because of low streamflows, and the only way you can help that is to put more streamflow into that water, into that river, so there is not the stagnation that arises.

Canadian objections have come over history for the Souris River as it returns to Canada. Why? Because it goes through a duck refugee, and the combined defecation of hundreds of ducks adds to the nitrates of the stream, and the Canadians have protested it. Again, we want to restore streamflow.

The only way you can upgrade the quality of that water, as any scientist knows, is to increase the streamflow, and the only way you can increase the streamflow, Mr. President, is through Garrison Diversion.

Strange, too, the National Taxpayers Union took an interest in our project. They said that you are going to save taxes if you stop this project somehow or other. What they failed to realize is that the majority of the major cities in eastern North Dakota need this project as it is their only source of water over future decades.

Without water, municipal taxes will have to be raised at a fantastic rate and the overall tax needed to furnish this type of water supply will triple or quadruple over what could be done through the transfer of this water east.

Yes, Mr. President, North Dakota owes a great deal to the Senate and to the conferees and the people who shepherded this through as far as it went. And the people of North Dakota have a challenge now to make sure that this false information, which misled so many, is corrected, and it will be over the next few months.

In the meantime, we cannot get away from the basic issue. The basic issue in this was that parts of the amendment that did not deal with mitigation acres had to do with the court decision. And a society that is, shall we say, a lobbying group—I guess it is a lobbing group, because they registered to lobby in the Congress on environmental issues—convinced a judge that he should stop an authorized project of Congress because the then Secretary of the Interior said we should not proceed with it.

Mr. President, the people spoke in an election a little over a year ago, and they changed these officials who made that deal. Part of the language that was put in the Senate says that the people's right to vote to change the course of an administration is an inviolate right and it cannot be abridged. Saying that a new Secretary of the Interior cannot move ahead with an authorized project because a previous Secretary of the Interior did not want to, violates one of the basic tenets under our Constitution.

It is much as though they said the President could not abrogate the wheat embargo on sales to the Soviet Union because the prior President had put in place a wheat sales embargo.

So the people lost in this strange action. And I hope that we can change that course during the next 2 or 3 months.

In the meantime, Mr. President, the thanks of the people of North Dakota, its Governor and legislators, and those of us who are privileged to serve in the Senate, goes to the chairman of this great committee and the committee members themselves for the job they did and the conferees for recognizing the significant need of the State of North Dakota. And I wanted to express their thanks here on the floor tonight.

Mr. HATFIELD. Mr. President, I express my thanks to the Senator from North Dakota for his kind remarks. Both Senator JOHNSTON and I have been associated with this project for the many years now that we have served together on this Appropriations Committee.

We are certainly not the experts that the Senator from North Dakota is on the project, for I know of no one who has more ably articulated this project and defended it, advocated it, supported it, and given leadership to it than the Senator from North Dakota, both as a Member of the House and now as a member of the Senate Appropriations Committee.

I think most people understand, too, that we have to rely upon the good judgment and the capability of our colleagues. We cannot be experts on everything. And because of the high integrity and the high admiration that the Senator from North Dakota is held in, I must say much of my support was based upon that kind of personal confidence in the Senator.

But, in addition to that, from the staff level and from those who testified before our committee and the so-called experts, we gained the base, the support base for this action on the part of the committee and we felt comfortable in carrying the burden in the conference on behalf of the people of North Dakota.

I might say to the Senator, as he was describing the detail of the impact of this project on wildlife and on the needs of human beings in his State. It reminded me of a similar experience I had in my own State a number of years ago where some of the so-called experts in environment and wildlife presented a bill that would establish a wilderness in what is now a wildlife refuge providing habitat for antelopes. Their view was that they wanted to protect those antelopes and, therefore, the best way to do it was to declare that wildlife refuge a wilderness.

In asking questions of these so-called wildlife and environmental experts, I asked them what the purpose was. They said, "To retain the natural, original character of this area to feed the antelopes." I said, "Have you visited the area?" Well, some had and some had not. I said, "If you visit there, you will find it is today predominantly sagebrush."

Antelopes cannot live very long off of sagebrush. And if you know the historic perspective and the historic origin of this area, it was originally bunch grass. And in those days before overgrazing, it fed and provided the habitat or the sustenance of not only antelopes but many other wildlife.

So the purpose being served in that proposal was in effect to deny a food base for the antelope which would eventually have killed off the herd. On the other hand, by holding it as a classified wildlife refuge, we could go in and reclaim that sagebrush wasteland and replant the bunch grass and create a constant expanding food base for an expanding antelope herd.

But the simplistic idea that somehow that classification of wilderness was going to maintain or restore, in itself, a primitive original character and provide forever a refuge and protection for the wildlife was incorrect. It was going to do precisely the opposite.

I draw the analogy only to underscore this Garrison Division project as it relates not only to the wildlife of this Nation, but also as a migratory wildlife treasure of the whole continent, and the needs of the people and the fact that water impoundment is going to be the key to the future of the human race, not just wildlife. I think this illustrates and underscores the support that I have had in the past and continue to offer in the future to the Senator from North Dakota on this project.

Mr. ANDREWS. I appreciate the remarks of my colleague. He says it so well.

Those of us who understand the land, those of us who know our State know that the environment is, indeed, a fragile thing and extremely important to us. And no one knows that environment better than those of us who live there.

We have had the same experts in western North Dakota who come in to classify land and they tell the ranchers who are grazing cattle there what the proper way is to maintain the grass, and that if they have a sickly steer, they cannot take a four-wheel drive vehicle in. They have to take that steer out without the benefit of the four-wheel drive vehicle.

Mr. President, I would point out to the chairman of the committee, and I am sure he knows, that the only way you can remove a disabled steer or heifer from a pasture without a 4-wheel drive vehicle is on a travois behind another horse. And the sticks of the travois drag ruts through the fragile ground that does far more environmental harm than a 4-wheeled vehicle. Yet someone from a thousand miles away arrogates onto himself the ability to tell us that they know far better about our environment than we do. It is really ridiculous. And as probably the only Member of the

Congress who got his degree in agronomy and studied the ecology and environment before it was a fashionable thing to do, I kind of resent that, and the people of North Dakota do, also.

Back in pre-statehood days, back when we had that Eastern expert named George Custer who came out to our area, he was told by some Eastern reporters and big shot politician types that: "General, go West and raise a little heck with the natives out there and, young man, we will make you the next President of the United States."

He believed them. And he came out there with a whole host of reporters or his story would not have been nearly as well written up as it is. Unfortunately, the natives of North Dakota had a little different feeling and General Custer came to grief. Those natives of North Dakota back in those days, of course, were the original Americans. But they modified their environment to make it better to live in. They built their teepees, which was a modification of the environment. And the North Dakotans who are now there who came in the 1880's recognized the need to change the environment. And they petitioned Congress when they were still a territory over a hundred years ago on the needs for survival out there. The only way was to divert the life-giving flow of the Missouri River eastward into the four streams that form the eastern part of the State, the Souris, the Red, the James, and the Sheyenne.

That has been the dream of North Dakota for many years.

Again, Mr. President, might I commend my good friend and colleague, Senator HATFIELD. We have probably gone on far too long on this. We could wax eloquent about the nature of our two States. Oregon is a fantastically beautiful State. Oregon for years has said, "Stay home. We do not want any more to come here. We like it the way it is."

North Dakota has a little edge on them, might I say, because we have 40 below zero sometimes and that helps eliminate the riff-raff and we get along pretty well managing our own environment, Mr. President.

Again, my thanks to my colleague.

Mr. HATFIELD. Mr. President, I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. HATFIELD. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. HEFLIN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HATFIELD. Mr. President, I ask that the Chair lay before the Senate the amendments in disagreement.

The PRESIDING OFFICER. The clerk will state the amendments in disagreement.

The assistant legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 14 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

SEC. 110. Funds herein or hereinafter appropriated in this title for the Chetco River, Oregon navigation project, authorized by the 1945 River and Harbor Act, as amended and modified, shall be used to design and construct further modifications to that project in accordance with the Report of the Chief of Engineers, dated May 2, 1977.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 17 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

SEC. 111. The Chief of Engineers is hereby directed to raise the dam at Lake Darling, North Dakota, by approximately four feet and to implement upstream and downstream flood control measures.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 18 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

SEC. 112. No funds appropriated in this Act may be used to construct channel realignment work on the Ouachita and Black Rivers navigation project in Arkansas and Louisiana until such time as the Chief of Engineers has completed a restudy of the various options for navigation above Crossett, Arkansas, including the two barge abreast configuration, with a view toward reducing the number of cutoffs and bend widenings required. The results of this restudy should be reported to the respective Appropriations Committees of both Houses of the Congress for review, and should accurately reflect the economic and environmental tradeoffs of providing greater than two-barge navigation.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 33 to the aforesaid bill, and concur therein with an amendent as follows:

In lieu of the matter proposed by said amendment, insert:

: Provided, That of the funds appropriated herein, $9,000,000 is to be derived by transfer of unobligated balances from the funds appropriated under the heading "Operation and Maintenance, Southwestern Power Administration", and $16,000,000 is to be derived by transfer from funds appropriated under the heading "Plant and Capital Equipment, Departmental Administration": *Provided further*, That $1,300,000 of the funds provided herein shall be for the Region X wood-derived fuels program and transferred to the Bonneville Administration for obligation and expenditure.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 47 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

URANIUM SUPPLY AND ENRICHMENT ACTIVITIES

For expenses of the Department of Energy in connection with operating expenses; the purchase, construction, and acquisition of plant and capital equipment and other expenses incidental thereto necessary for uranium supply and enrichment activities in carrying out the purposes of the Department of Energy Organization Act (Public Law 95-91), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; purchase of passenger motor vehicles (not to exceed 23 for replacement only); $1,806,000,000, to remain available until expended: *Provided*, That revenues received by the Department for the enrichment of uranium and estimated to total $1,805,000,000 in fiscal year 1982, shall be retained and used for the specific purpose of offsetting costs incurred by the Department in providing uranium enrichment service activities as authorized by section 201 of Public Law 95-238, notwithstanding the provisions of section 3617 of the Revised Statutes (31 U.S.C. 484): *Provided further*, That the sum herein appropriated shall be reduced as uranium enrichment revenues are received during fiscal year 1982 so as to result in a final fiscal year 1982 appropriation estimated at not more than $1,000,000.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 52 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

For administrative expenses of the Geothermal Resources Development Fund, $200,000, to remain available until expended; and for carrying out the Geothermal Loan Guarantee and Interest Assistance Program as authorized by the Geothermal Energy, Research, Development and Demonstration Act of 1974 (Public Law 93-410), $2,000,000, to remain available until expended: *Provided*, That not to exceed $2,000,000 from the Fund shall be available for interest differential payments in fiscal year 1982: *Provided further*, That the amounts remaining in the Fund shall be used as a default reserve for loan guarantees issued pursuant to section 201 of title II of Public Law 93-410, as amended.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 57 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment, insert: "official entertainment expenses (not to exceed $1,500);".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 64 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

WATER RESOURCES PLANNING

For the Water Resources Council for salaries and related expenses necessary in carrying out the provisions of the Water Resources Planning Act of 1965 (42 U.S.C. 1962-1962d-3), as amended, including services as authorized by 5 U.S.C. 3109 and 42 U.S.C. 1962a-4(5), $3,888,000 including $658,000 for expenses in administering the Act (42 U.S.C. 1962(b)), and $3,230,000 for preparation of assessments and plans (42 U.S.C. 1962d(c)): *Provided*, That none of the funds included herein shall be used for an Independent Project Review, for expenses of River Basin Commissions or for Grants to States.

Resolved, That the House insist upon its disagreement to the amendment of the Senate numbered 23 to the aforesaid bill.

Mr. HATFIELD. Mr. President, I ask unanimous consent that the Senate concur in the amendments of the House to the amendments of the Senate numbered 14, 17, 18, 33, 47, 52, 57, and 64.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATFIELD. Now, Mr. President, I ask unanimous consent that the Senate recede from its amendment No. 23.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATFIELD. Mr. President, I yield the floor.

THE PROPOSED SALE OF F-16'S TO PAKISTAN

Mr. HATFIELD. Mr. President, the Senate some time this evening will take up a Foreign Relations Committee report dealing with the matter of the F-16's to Pakistan, that is being promoted and advocated by this administration.

Mr. President, I had introduced a resolution of disapproval. As you know, Mr. President, if either body refuses to act on that, or acts on such a resolution in the negative, that is sufficient to give the President the signal to proceed.

The House of Representatives took such a vote and in that vote the administration position prevailed. But being one of strong spirit, I pursued this subject even though it is technically mootish, and had intended to ask for a rollcall and give thereby an opportunity for extended debate on this subject on the Senate side.

The Senate Foreign Relations Committee has seen fit to recommend for the President's policy on this package. Again, I emphasize the fact that this is a moot issue from a technical, legal point of view. But out of the discussions and the intention that I had expressed in the introduction of the resolution of disapproval, I have had the opportunity of extended discussions with representatives of the State Department.

Mr. President, it is again one of those unfortunate situations that I find myself in where I have been willing to receive a letter from the Secretary of State on a confidential basis and I am not able to therefore violate that trust or that relationship by disclosing the contents of the letter in specifics.

But let me merely share with the Senate and the record two observations relating to this subject.

I had raised, amongst others, the question: What would be the position of this administration if the Pakistanis, who would be the recipients of these sophisticated weapons, detonated a nuclear device? What would be the position of continuing the delivery of these planes if a detonation of some nuclear device by the Pakistani Government were to occur?

That was one major concern.

Another major concern was, what would the administration's attitude toward human rights in Pakistan? I do not have to recite the sad record of the political situation in Pakistan vis-a-vis the execution of former President Bhutto and the way that was handled, and other executions.

I suppose one could call those political killings. I do not think there was due process that one could justify in any sense, a legal procedure that guaranteed any rights to President Bhutto or to any of those people associated with him. But I shall not go into the sorry chapter of Pakistanian history. I only raise it for the simple reason that I think it indicates that here is a nation of poverty-stricken people who are desperately in need of a subsistence agricultural base and we are sending them $4 billion of military equipment and sophisticated weapons.

Mr. President, I think that we have seen the misuse of American weaponry when a regime was replaced by an unfriendly regime such as in the case of Iran. I am not certain what kind of political stability the Zia government represents. General Zia, from everything I can understand, happened to be in the right place at the right time. That does not in any way indicate that he carries with him a substantial political constituency base except through force of his position of power.

I think, therefore, that in this material—by the way, Mr. President, I think it is interesting to note that this is the second anniversary of the burning of the American Embassy in Pakistan under this same government, when there was such a dilatory response to the call for assistance that it permitted the actual destruction of the American Embassy. There could have been some response if they had had any desire to respond to the call.

Mr. MOYNIHAN. Will the distinguished Senator yield for a question at that point?

Mr. HATFIELD. Yes, I yield.

Mr. MOYNIHAN. I am so happy the Senator brought up the incident of the burning of our Embassy at Islamabad. As the Senator knows, Islamabad is a new city built alongside the old city of Rawalpindi. Rawalpindi is a series of military installations. The government has in the neighborhood of half a million troops within 5 miles of the American Embassy. It took them 10 hours to get there and only a sheer miracle saved the lives of the many Americans who were in the top floor where they had taken refuge. And that government has still not paid us for the damages.

Mr. President, can you imagine the Capitol surrounded by a mob, the Senators up in the library, and the Pentagon not noticing it for 10 hours, or no one at the Forrestal Building observing anything untoward on Independence Avenue?

It was deliberately done and at the risk of the horrible death of our people there. And the Pakistanis have not paid a cent, nor have they agreed to.

Mr. HATFIELD. They have made no restitution.

Mr. MOYNIHAN. None, sir.

Mr. HATFIELD. They have not given any satisfactory explanation.

Mr. MOYNIHAN. And we are proving to them that the way you deal with Americans is to threaten to burn their Embassy to the ground and, then, they will listen.

Mr. HATFIELD. The same government that, when they were offered $400 million by an earlier administration, said, "that is peanuts."

Mr. MOYNIHAN. Not enough. We are teaching them how to deal with the American Government.

Mr. HATFIELD. Mr. President, the Senator has added to this interesting development that has occurred in Pakistan.

Mr. President, what I wish to do tonight is indicate that I shall not pursue the rights that I have at this time to try to stop or in any way hinder the report of the Committee on Foreign Relations that has been filed. I only say that I have been given very strong assurances by the Secretary of State that this Government's policy, which is being determined and evolving, is to be fully cognizant of this question that I raised about the continuation of supplying arms under the scenario of a detonation of a nuclear device by Pakistan.

I am satisfied by the strong assurances given to me by Secretary Haig that the policy would be very cognizant of that circumstance and would have in place positions and responses that would answer some of my deep concerns.

On the question of human rights, again, I have had good assurances from the Secretary that this Government is conscious of those problems in Pakistan and that this Government is concerned, deeply concerned, about human rights—not only in Pakistan but elsewhere in the world, and it is understanding of how to use influence to raise the human rights of people and, therefore, will assist in any way they can to influence and press for reforms.

As to those assurances, without disclosing the details or the commitments in these letters—I have had an exchange—I want to say that I shall reserve for the future, again, my right to not agree with this policy in any way and use whatever vehicles may come along to further express my concern.

As far as the vehicle now before the Senate—that is, the Senate report from the Committee on Foreign Relations—even if we had had a vote on it, it would not have stopped the sale. But I do think there will be other vehicles down the road that can again permit the Senate to address this subject and perhaps to interdict this policy in some more meaningful way than merely speaking to it and exercising rhetoric concerning the subject matter.

Mr. President, I wanted to explain to my leader and to the Senator from Illinois, who has been very cooperative, as chairman of the Senate Foreign Relations Committee, why I have receded from my previous position without in any way diminishing my concern or interest, but feeling more assured that the administration is fully aware of my concerns and, I believe, really is pursuing ways to be affirmative in its response to such scenarios and to handle them in an appropriate way.

I thank the Senator from New York (Mr. MOYNIHAN). From the very beginning, when I raised this matter a number of weeks ago, the Senator was on the floor and engaged in colloquy and cosponsored the resolution of disapproval. I am really grateful for his loyalty to this concern that we share and for his eloquent statements in relation thereto.

Mr. BAKER. Mr. President, I thank the Senator from Oregon for his concern, for the statements which he has made, which are so appropriate to the circumstances now and those that have preceded this time.

I wish also to express my appreciation to him, for indicating that he does not wish to go forward with a vote on a resolution of disapproval at this time. I can assure him, when he wishes in the future to make any speech on this subject or take any further action in the Senate, I shall see that he has every opportunity to do that.

Mr. President, I express my appreciation and admiration to the Senator from New York and others who have expressed their concern in this respect as well.

Mr. President, there is another conference report.

Mr. MOYNIHAN. Will the majority leader yield for a moment? Before the Senator from Oregon leaves the floor, may I ask him two questions?

First, did the Secretary of State, in his bizarre behavior of sending you a confidential letter about public policy, on which the U.S. Congress had expressed itself by statute, assure you that Pakistan is not building a nuclear weapon? You might have noticed the article in yesterday's New York Times about the seizure, on October 31, of an illegal shipment of zirconium, a key metal used in the construction of nuclear weapons, to Pakistan. Second, did the distinguished Senator ask—and did the Secretary tell the Senator—if the administration had made any effort to obtain a commitment from the Pakistani Government that these weapons would not be used against India? It is inconceivable from the point of view of New Delhi, that they would not be.

There have been two Indo-Pakistani wars in this generation. In both cases, Pakistanis invaded India with American weapons that they had been given to fight Russians. They have never yet fought a Russian. They keep fighting the Indians. And they keep getting whipped.

Mr. HATFIELD. To respond to the Senator, we did not explicitly get into that part of the issue. I did again raise that issue in conversation with the representatives of the Secretary, that two-thirds of the Pakistani Army today is not on the Afghanistan border; it is on the Indian border.

Mr. MOYNIHAN. On the Punjab border.

May I make a point? We necessarily think of the world from the part of it we occupy. And that is normal. But we are a world power and are obligated to know what we are doing in other places.

Let me offer you a scenario. Pakistan has produced a nuclear weapon. That weapon is delivered by an F–16. We have unwittingly given Saudi Arabia, which has close military contact with Pakistan, the F–15, the AWACS, and the sidewinders to protect the bombing missions. That is a nuclear weapons force.

The Pakistanis are financing the establishment of the nuclear weapons force with Saudi money. The Pretorian Guard in Jidda is Pakistani. That government of 2,000 cousins, as the distinguished ranking minority member of the Foreign Relations Committee described it, certainly would not want itself protected by its own country.

We are giving the Saudis and the Pakistanis together a nuclear weapons system, and I am sorry to tell you that before it is consummated, the Indians will go to war. We will have a nuclear war in the subcontinent.

In his confidential letter, did Secretary Haig raise that thought? I just put it to you: We do not know what it looks like out there.

I am not sympathizing with the Indians. When that bomb went off in 1974, I was in New Delhi serving as our Ambassador. I recall saying to the Foreign Secretary and to the Prime Minister, "You have just done something disastrous. You have absolute hegemony in South Asia today, and yet you set off this bomb." The day will come in 10 years' time when there will be a mogul general in power in Islamabad and he will call you up one day and say, "I have four bombs, one for Madras, one for Calcutta, one for Bombay, and one for New Delhi. We would like to have the Punjab and Kashmir back by Thursday, or we'll all meet in Heaven on Friday."

That is geopolitics for you.

Mr. HATFIELD. I thank the Senator.

SENATOR GLENN ASSESSES ADMINISTRATION NONPROLIFERATION EFFORTS

Mr. CRANSTON. Mr. President, many of us here in the Senate continue to look to JOHN GLENN for thoughtful analysis and leadership on the vexing problem of controlling the spread of nuclear weapons. I know I welcome his thoughts and contributions in the Senate Foreign Relations Committee, which is chaired by another Senator who is keenly sensitive to proliferation dangers, my friend CHUCK PERCY.

Because of my deep interest in the subject of nonproliferation, I was eager to read the statement made by Senator GLENN yesterday during Senate hearings on nuclear nonproliferation policy. I am submitting the full text of this statement for the attention of my colleagues and ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY JOHN GLENN

Mr. Chairman, the Reagan Administration has now been in office for nearly a year and I think there is an unmistakable pattern that emerging regarding their efforts in the field of nuclear nonproliferation. To sum it up in a few words, just as Reaganomics has been trying to turn back the clock some 40 years on domestic social programs, so the Reagan nonproliferation policy would turn the clock back to the day of laissez-faire nuclear commerce of the early 1970's. Over and over again, we have seen this Administration attempt to undermine the restraints that we have built up over the last five or six years and even at this early stage, the negative effects of our obviously weakened interest in nonproliferation, are beginning to manifest themselves around the world.

Let me just go over some of the highlights of what this Administration has been doing. on the highly visible question of arms transfers to Pakistan, for example, the original position of the Administration was to try to do away completely with the so-called Symington Amendment, one of our earliest nonproliferation laws, whose purpose was to restrict the spread of sensitive nuclear technologies. The Administration consistently opposed all of my efforts to temper their original proposal in this regard and only by strong congressional opposition have we been able to salvage this vital provision of law. Moreover, this Administration has still refused to state explicitly and for the public record that it would terminate assistance to Pakistan even if that country went so far as to detonate a nuclear device.

Then there was the State Department memorandum of October 2, 1981 which went out over Mr. Malone's signature to the interagency group reviewing changes in nuclear nonproliferation law. The paper listed the areas where modifications of the Nonproliferation Act ought to be considered and an attachment contained what amounted to recommendations that certain of these changes be implemented. These changes include substantial undercutting of the full-scope safeguards criterion, elimination of sanctions provisions for nuclear violators, and elimination of truly independent review of executive branch nuclear export decisions. Under these circumstances, how can other nations that we are trying to get to accept full-scope safeguards take us seriously. We have given a new lease to their hopes that if they hold out a little longer, they will be able to renew trade with the United States without submitting to IAEA safeguards across-the-board.

This brings me to the question of the Tokai-Mura Plant, and U.S. policy on reprocessing, in general. We are now approving pell-mell every transfer of spent fuel from Japan, Sweden, Spain, and Switzerland for reprocessing in Great Britain and France; and, as far as the Japanese Tokai plant is concerned, we have basically given them carte blanche. How can we discourage the export of this technology to sensitive regions, or persuade countries like India to forego reprocessing when, with every ounce of strength, it seems, we are telling the world that reprocessing makes sense and is a legitimate part of civilian nuclear programs? And let me add, that we are doing this when we know full-well that the IAEA has had great difficulty in safeguarding these facilities—I don't think they have ever achieved their safeguards objectives with these plants.

The most recent Tokai-Mura arrangement raises questions as to whether the United States would acquiesce in the reuse of plutonium in light-water reactors, that is plutonium "recycle." For a number of years the United States has strenuously opposed the use of plutonium in this fashion out of concern that it might result in premature widespread use of plutonium with its attendant nonproliferation and domestic security problems. Yet, as I understand it, the United States has not in its understanding with Japan ruled out the possibility of plutonium being used in this fashion, even though this possibility had, in fact, been eliminated in the wording of our prior understandings with the Japanese.

And then there is the case of Brazil. Here we have been trying over a number of years to gain that country's acceptance of the terms of the Nuclear Nonproliferation Act which require that it accept safeguards on all of its nuclear activities as a condition for receiving nuclear fuel from the United States. Now, however, we have made it easier for the Brazilians to obtain that fuel elsewhere, from other suppliers, by telling the Brazilians that we will not enforce penalty clauses against them that are contained in our fuel supply contracts.

The effect of this, of course, is to encourage them to seek fuel from other suppliers whose export controls are less strict than ours. But our action in this case goes beyond that, because it also gives a signal to those other suppliers, and here I am thinking about the British-Dutch-West German Consortium, Eurenco—and the French-led Consortium, Eurodif, that is okay with the United States

if they export to Brazil even though that country has not accepted full-scope safeguards. That signal to the other suppliers is directly contrary to the efforts we have been making over the past several years to get them to adopt the same strict export controls that we have. Again, we have undermined the efforts to get the suppliers to accept strengthened and uniform export controls.

As I said at the outset, the impacts of these policies are already being felt in a very negative way. Mexico, for example, in soliciting bids for the construction of two power reactors is openly trying to set up competition among the nuclear suppliers to see who will be willing to supply sensitive nuclear technology—enrichment and reprocessing facilities—as part of the package to sweeten their offers. We have not seen this kind of blatant search for such sensitive equipment since the Brazilian deal with West Germany in 1975. Over the past 7 years France and West Germany, as well as the United States, had made it clear that they would not supply sensitive technology to nonnuclear weapon states, but now it appears that Mexico believes our collective resolve on this score has eroded and that it may well be able to obtain these dangerous plants.

And finally, there is the example of South Africa's end-run around U.S. export controls about which I will say more later.

When one adds to this record the insensitivity shown by the administration to the nonproliferation aspects of its statements on domestic and foreign reprocessing, its statements on the use of civilian reactor spent fuel for the weapons program, and its obsession with the "reliable supplier" argument, one might be excused for thinking that maybe this administration feels non-proliferation is none of its business.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES APPROPRIATION CONFERENCE REPORT

Mr. BAKER. Mr. President, I submit a report of the committee of conference on H.R. 4034 and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated.

The assistant legislative cleark read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4034) making appropriations for the Department of Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1982, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of September 11, 1981.)

Mr. GARN. Mr. President, today I am proposing that we accept the agreements arrived at in the conference on House Joint Resolution 357 as they affect the HUD-Independent Agencies appropriations bill for fiscal year 1982 and incorporate those agreements into the bill. I know that the distinguished chairman of the Committee, Senator HATFIELD, as I am, is anxious to assure that the appropriations process acts as quickly as possible on regular fiscal year 1982 bills.

On Tuesday, November 17, I proposed in full committee a series of 44 changes to the conference agreement in H.R. 4034. These changes, as amended in committee, were incorporated in the second continuing resolution.

On Thursday, November 19, I included in the RECORD a detailed description of these specific changes.

These proposals were debated in conjunction with House Joint Resolution 357 and further modified on the floor of the Senate. During our conference with the House, we made some additional changes in the Senate-passed version of the continuing resolution and those changes, of course, are contained and accompany the continuing resolution.

Before the application of the Baker amendment, the committee amendments on the HUD-Independent Agencies appropriations bill reduced the House level contained in the continuing resolution by $1 billion, after including the full year costs for the veterans entitlement programs in the House-passed version as was done in the Senate version.

The result of the conference agreement, excluding any across-the-board cuts, reduced the House-proposed level by $900 million and increased the Senate level by $700 million. After the application of the across-the-board cuts contained in these amendment, we will have achieved a $1.6 billion reduction in the House proposal level for the programs and activities contained in the HUD-Independent Agencies Appropriations Act.

Mr. President, what I am proposing here is to modify the conference report on H.R. 4034 to conform in every respect with the agreeemnt reached in House Joint Resolution 357. The effect of this would be to produce a regular fiscal year 1982 appropriations bill for HUD-Independent Agencies at the level and under the terms and conditions provided in the continuing resolution under section 101(f).

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. GARN. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. PROXMIRE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The clerk will report the amendments in disagreement.

The assistant legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 4 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert: *Provided further*, That of the budget authority provided herein, $2,354,400,000 shall be allocated for public housing new construction other than for low-income housing for Indian families.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 5 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

PAYMENTS FOR OPERATION OF LOW-INCOME HOUSING PROJECTS—FISCAL YEAR 1981

For an additional amount for "Payments for operation of low-income housing projects", $148,000,000 to remain available until December 31, 1981.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 13 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum inserted by said amendment, insert: "$3,666,000,000.".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 23 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum inserted by said amendment, insert: "$65,456,000.".

Mr. GARN. Mr. President, I ask unanimous consent that it be in order to consider amendments 5, 13, and 23 en bloc and that it be in order to concur en bloc in these amendments of the House to the amendments of the Senate en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HEFLIN. Mr. President, in recent months, we have had two outstanding events occur in the history of space exploration by the United States. We have had two successful flights of the shuttle, Columbia. In my judgment, we have made real progress in the NASA program and in the field of space. There are many military benefits and byproducts that can result from our further space efforts. There can be little doubt that great progress is being made in our space program.

If there is a percentage reduction, such as the Baker proposal of 4 percent, it is certainly my hope that the President and OMB or both, or all who are concerned, will not attempt to reduce the funds appropriated to NASA under this legislation. And if any cuts have to be made, I hope that they will not unduly affect NASA.

The chairman of the conference committee, Mr. GARN, and I have spoken about this. Perhaps he would like to speak to this suggestion.

Mr. GARN. That is correct. I agree with the Senator from Alabama. I feel very strongly about the importance of NASA and the work they are doing.

We are adopting an agreement with the House in percentage reductions, and there is some flexibility for the President. I agree that he should not use all that flexibility in cutting NASA. Beyond the colloquy we are having here, I will make that known, as the chairman of the Subcommitte on NASA, to the administration; and I will work with them carefully as to where these cuts would be made. We have a great deal of back-

ground information on the various programs, and I assure the Senator from Alabama that I will watch the program carefully.

Mr. HEFLIN. I hope the head of OMB will read these words.

Mr. GARN. Mr. President, I move that the Senate concur in the amendments of the House to the amendments of the Senate numbered 5, 13, and 23.

The PRESIDING OFFICER. The question is on agreeing to the amendments.

The amendments were agreed to.

Mr. GARN. Mr. President, I move to reconsider the vote by which the amendments were agreed to.

Mr. PROXMIRE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GARN. Mr. President, I move that the Senate concur in the House amendment to the amendment of the Senate numbered 4, with the following amendment, which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Utah (Mr. GARN) proposes an unprinted amendment numbered 704.

Mr. GARN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the amendment add the following new title:

TITLE V

SEC. 501. Notwithstanding any other provision of this Act—

(1) The amount of the increase in contract authority under the heading "HOUSING PROGRAMS, ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING", shall be $897,177,848, and the amount of the increase in budget authority under such heading shall be $17,373,528,040.

(2) The amount appropriated under the heading "HOUSING PROGRAMS, HOUSING COUNSELING ASSISTANCE", shall be $3,520,000.

(3) The amount appropriated under the heading "SOLAR ENERGY AND ENERGY CONSERVATION BANK, ASSISTANCE FOR SOLAR AND CONSERVATION IMPROVEMENTS", shall be $23,000,000.

(4) The amount appropriated under the heading "COMMUNITY PLANNING AND DEVELOPMENT, COMMUNITY DEVELOPMENT GRANTS", shall be $3,600,000,000.

(5) The amount appropriated under the heading "COMMUNITY PLANNING AND DEVELOPMENT, URBAN DEVELOPMENT ACTION GRANTS", shall be $458,000,000.

(6) The amount appropriated under the heading "POLICY DEVELOPMENT AND RESEARCH, RESEARCH AND TECHNOLOGY", shall be $20,000,000.

(7) The amount appropriated under the heading "FAIR HOUSING AND EQUAL OPPORTUNITY, FAIR HOUSING ASSISTANCE", shall be $5,016,000.

(8) The amount appropriated under the heading "MANAGEMENT AND ADMINISTRATION, WORKING CAPITAL FUND", shall be $528,000.

(9) The amount appropriated under the heading "DEPARTMENT OF DEFENSE—CIVIL, CEMETERIAL EXPENSES, ARMY, SALARIES AND EXPENSES", shall be $4,476,000.

(10) the amount appropriated under the heading "ENVIRONMENTAL PROTECTION AGENCY, SALARIES AND EXPENSES", shall be $562,837,000.

(11) The amount appropriated under the heading "ENVIRONMENTAL PROTECTION AGENCY, RESEARCH AND DEVELOPMENT", shall be $167,759,000.

(12) The amount appropriated under the heading "ENVIRONMENTAL PROTECTION AGENCY, ABATEMENT, CONTROL AND COMPLIANCE", shall be $395,000,000.

(13) The amount appropriated under the heading "ENVIRONMENTAL PROTECTION AGENCY, BUILDINGS AND FACILITIES", shall be $3,621,000.

(14) The amount appropriated under the heading "EXECUTIVE OFFICE OF THE PRESIDENT, COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY", shall be $919,000.

(15) The amount appropriated under the heading "EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF SCIENCE AND TECHNOLOGY POLICY", shall be $1,578,000.

(16) The amount appropriated under the heading "FEDERAL EMERGENCY MANAGEMENT AGENCY, FUNDS APPROPRIATED TO THE PRESIDENT, DISASTER RELIEF", shall be $301,694,000.

(17) The amount appropriated under the heading "FEDERAL EMERGENCY MANAGEMENT AGENCY, SALARIES AND EXPENSES", shall be $93,879,000.

(18) The amount appropriated under the heading "FEDERAL EMERGENCY MANAGEMENT AGENCY, STATE AND LOCAL ASSISTANCE", shall be $121,829,000.

(19) The amount appropriated under the heading "FEDERAL EMERGENCY MANAGEMENT AGENCY, EMERGENCY PLANNING AND ASSISTANCE", shall be $67,906,000.

(20) There are appropriated, out of any money in the Treasury not otherwise appropriated, for the repayment of notes dated April 17, 1979, and September 28, 1979, issued by the Director of the Federal Emergency Management Agency to the Secretary of the Treasury pursuant to section 15(e) of the Federal Flood Insurance Act of 1956 (42 U.S.C. 2414(e)), $328,240,000.

(21) The amount appropriated under the heading "DEPARTMENT OF HEALTH AND HUMAN SERVICES, OFFICE OF CONSUMER AFFAIRS", shall be $1,760,000.

(22) The amount appropriated under the heading "NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, RESEARCH AND DEVELOPMENT," shall be $4,973,100,000 of which not to exceed $3,104,900,000 shall be available for the Space Shuttle including space flight operations: *Provided*, That the limitations subject to the approval of the Committees on Appropriations contained under this heading shall not be affected by this subsection.

(23) The amount appropriated under the heading "NATIONAL SCIENCE FOUNDATION, RESEARCH AND RELATED ACTIVITIES", shall be $1,010,000,000.

(24) The amount appropriated under the heading "NATIONAL SCIENCE FOUNDATION, SCIENCE EDUCATION ACTIVITIES", shall be $22,000,000.

(25) The amount appropriated under the heading "NATIONAL SCIENCE FOUNDATION, SCIENTIFIC ACTIVITIES OVERSEAS SPECIAL FOREIGN CURRENCY PROGRAM)", shall be $3,080,000.

(26) The amount appropriated under the heading "SELECTIVE SERVICE SYSTEM, SALARIES AND EXPENSES", shall be $18,633,000.

(27) The amount appropriated under the heading "DEPARTMENT OF THE TREASURY, OFFICE OF REVENUE SHARING, SALARIES AND EXPENSES", shall be $6,148,000.

(28) The amount appropriated under the heading "DEPARTMENT OF THE TREASURY, NEW YORK CITY LOAN GUARANTEE PROGRAM", shall be $822,000.

(29) The amount appropriated under the heading "VETERANS ADMINISTRATION, COMPENSATION AND PENSIONS", shall be $13,824,000,000.

(30) The amount appropriated under the heading "VETERANS ADMINISTRATION, READJUSTMENT BENEFITS", shall be $1,938,800,000.

(31) The amount appropriated under the heading "VETERANS ADMINISTRATION, MEDICAL AND PROSTHETIC RESEARCH", shall be $128,215,000.

(32) The amount appropriated under the heading "VETERANS ADMINISTRATION, MEDICAL ADMINISTRATION AND MISCELLANEOUS OPERATING EXPENSES", shall be $57,700,000.

(33) The amount appropriated under the heading "VETERANS ADMINISTRATION, CONSTRUCTION, MAJOR PROJECTS", shall be $378,338,000.

(34) The amount appropriated under the heading "VETERANS ADMINISTRATION, CONSTRUCTION, MINOR PROJECTS", shall be $102,942,000, of which not to exceed $30,018,000 shall be available for the Office of Construction.

(35) The amount appropriated under the heading "VETERANS ADMINISTRATION, GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES", shall be $15,840,000.

(36) The amount appropriated under the heading "DEPARTMENT OF THE TREASURY, INVESTMENT IN NATIONAL CONSUMER COOPERATIVE BANK", shall be $43,000,000: *Provided*, That the final Government equity redemption date for the National Consumer Cooperative Bank shall occur on December 31, 1981.

(37) During fiscal year 1982, gross obligations of not to exceed $75,960,000 are authorized for payments under section 230(a) of the National Housing Act, as amended, from the insurance fund chargeable for benefits on the mortgage covering the property to which the payments made relate, and payments in connection with such obligations are hereby approved.

(38) The amount appropriated under the heading "HOUSING PROGRAMS, PAYMENTS FOR OPERATION OF LOW-INCOME HOUSING PROJECTS—FISCAL YEAR 1981", shall remain available until September 30, 1982: *Provided*, That any part of the foregoing amount which has not been obligated before the forty-fifth calendar day following the enactment of this joint resolution, shall be deemed obligated notwithstanding the provisions of 31 U.S.C. 200(a).

(39) The Congress also approves the deferral under the heading "VETERANS ADMINISTRATION, (DISAPPROVAL OF DEFERRAL)", of the Washington, D.C., and Long Beach, Calif., projects as contained in deferral notice D82-140.

(40) Notwithstanding any other provision of this Act, including any other provision of this title, any agency may before December 31, 1981, transfer to salaries and expenses from other sources made available to it by this Act, such amounts as may be required if the aggregate amount available for salaries and expenses, after such transfer, does not exceed the amount contained for such purposes in this Act before the application of the changes contained in title V: *Provided*, That such transfers shall be subject to the approval of the Committees on Appropriations: *Provided further*, That in the Department of Housing and Urban Development not to exceed (1) $34,000,000 shall be available for data processing services, (2) 12 full-time permanent positions and 16 staff years shall be available for the Immediate Office of the Assistant Secretary for Administration, and (3) 26 full-time permanent positions and 27 staff years shall be available for the Office of the Assistant Secretary for Legislation and Congressional Relations: *Provided further*, That in the National Aeronautics and Space Administration not to exceed (1) 150 full-time permanent positions shall be available for the Office of the Comptroller and (2) 120 full-time permanent positions shall be available for the Office of External Relations: *Provided further*, That in the Veterans Administration not to exceed (1) $1500.000 shall be available for the Office of Planning and Program Evaluation and (2) 649 staff years shall be available for the Supply Service.

(41) Notwithstanding any other provision of this Act, Section 140 of H. J. Res. 357, as passed by the Senate on November 20, 1981 shall apply to programs, projects or activities contained in this Act: *Provided*, That section 140 shall remain in effect through September 30, 1982.

Mr. GARN. Mr. President, I ask for the immediate consideration of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Utah.

The amendment (UP No. 704) was agreed to.

Mr. GARN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BUMPERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The motion to concur in the House amendment to the amendment of the Senate numbered 4, with UP amendment No. 704, was agreed to.

(Later the following occurred:)

Mr. GARN. Mr. President, earlier this evening, we agreed to the HUD appropriations conference report and sent it to the House.

In the last paragraph, No. 41, of unprinted amendment No. 704, a few words were omitted. I believe it is important that we put those words back in, to clarify the amendment. It is short enough that I think it would be best to read it, so that there is no misunderstanding.

(41) Notwithstanding any other provision of this Act, section 140 of H.J. Res. 357, as passed by the Senate on November 20, 1981, shall apply to programs, projects, or activities contained in this Act: *Provided*, That section 104 shall remain in effect for the programs, projects, or activities in this Act through September 30, 1982.

Mr. PROXMIRE. Mr. President, I agree with my good friend from Utah. He is correct, of course. His amendment will make sure that this applies only to the HUD bill and does not apply to supplementals. It does not apply to other legislation we may pass. That was certainly the intention on both sides.

So I am happy to support the amendment.

Mr. GARN. I thank the Senator from Wisconsin.

The PRESIDING OFFICER. Without objection, the change will be made, as requested.

(Conclusion of earlier proceedings.)

Mr. PROXMIRE. Mr. President, Senator GARN has done an excellent job along with the members of the subcommittee on the Appropriations Committee on this appropriations bill.

We all know how difficult it is to cut spending and automatically for many years we have had increases in all these appropriations bills of 10, 15, or 20 percent.

This appropriations bill this year is $9 billion, as I understand it, below 1981 roughly. It is also about 15 percent below 1981—15 percent. That is, I think, an unusual accomplishment under very, very difficult circumstances. It is 5 percent below the President's request of last March and while it is slightly above what the President requested in September, I think all in all it shows a remarkable diligence and effectiveness on the part of Senator GARN, Senator HUDDLESTON, and other members of the committee and subcommittee.

So I think that congratulations are certainly in order.

For years I had the honor to serve as chairman of this subcommittee. It is one of the most complicated and difficult subcommittees that the Appropriations Committee has. It covers housing, NASA, the Veterans' Administration, the National Science Foundation, and the Environmental Protection Agency. It is a very important, extremely comprehensive, and extremely varied appropriations bill.

So I think all of us owe a debt in this year when it is so important that we hold down spending and so important that we move as quickly as we can toward a balanced budget and to fiscal responsibility because of high interest rates and inflation that the distinguished Senator from Utah has done so well.

I might also mention that this was the first appropriations bill enacted. It passed the Senate in July and it has been waiting as a conference report for a couple of months.

The Senator from Utah has not only done a remarkable job along with a really brilliant chairman in the House of Representatives, Congressman BOLAND, but he has done it with great promptness and if all of the appropriations bills are handled with this alacrity we would not be here tonight and we would have no problem with balancing the budget and moving in the fiscally responsible direction we should.

So I am delighted to have the opportunity to congratulate my good friend from Utah on a topflight job and also the excellent staff that has worked with him, Wally Berger and others.

Mr. GARN. I thank the Senator from Wisconsin very much. It has been a pleasure for me to work on this committee and the Banking Committee with Senator PROXMIRE for many years now.

I wish to say that there are a lot of people who deserve credit for this. Wally Berger certainly does for his excellent work.

Senator HUDDLESTON, who is the ranking majority member, has been incredibly cooperative this year, proceeding to the point where we could pass the appropriations bill in July and get a conference report back by September 15, well in advance of the normal October 1 deadline. This is the only bill that took place.

But also Congressman BOLAND deserves credit. I have never had the pleasure of working with anyone who is more cooperative on the other side of the aisle of the other side of the Capitol than Congressman BOLAND.

So it certainly is not just Senator JAKE GARN'S achievement. There were a lot of people on both sides, Democrats and Republicans in the Senate and in the House of Representatives and Chairman BOLAND who made it possible to do this.

I regret the fact that we had to hold the conference report at the desk since September 15 because I would have liked to have enacted it rapidly and sent it to the President for signature.

But in this case the delay has been helpful. As the Senator from Wisconsin mentioned we are over $9 billion under last year's budget. But the delay from September 15 until now has allowed us to take $1.6 billion more out of the bill than in the conference report agreed to on September 15.

So in this case I believe the delay was worth it.

Mr. President, I believe that finishes the action on this bill and all of the motions necessary to send it back to the House of Representatives have been made. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

CANADIAN-USA RELATIONS: THE CANADIAN PERSPECTIVE

Mr. STEVENS. Mr. President, as I am sure many of my colleagues are aware, the Canadian Ambassador to the United States for the past 4 years, Mr. Peter M. Towe, will be leaving soon. He will be succeeded by Ambassador Allan Gotlieb.

Ambassador Towe recently addressed the Carnegie Endowment and American Foreign Service Association in a speech entitled, "Canadian-USA Relations: The Canadian Perspective."

The Ambassador makes two main points in his speech which I think are worth mentioning. The first is that the current rhetoric flowing between our two nations goes beyond what real tensions exist between them. The second point, and it relates to the first, is that there are differences between the United States and Canada because of culture and historical events which both nations need to keep in mind when disagreements—and thus tensions—arise.

There is a close friendship between the United States and Canada. Alaskans, because of Alaska's geographical location, are very close to their friends and neighbors in British Columbia and the Yukon Territory. At times, I think we Alaskans feel closer to our Canadian friends than we do to our fellow countrymen. There are constant exchanges among the State, provincial, and territorial governments. Alaskan and Canadian citizens interrelate on all levels as a normal course of business and everyday life.

Alaskans and Canadians will meet in Fairbanks for the Arctic Winter Games next year from March 14 to 18 as part of the friendship between Canadians and Alaskans. This will be the seventh meeting of athletes from Alaska, the Yukon Territory, and the Northwest Territories. The games have been held five times in Canada. This is the second time they will be held in Alaska.

I wish my good friend, Peter Towe, good luck in his new assignment and welcome his successor, Allen Gotlieb.

I ask unanimous consent that Ambassador Towe's speech be printed in the RECORD following these remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CANADA-U.S.A. RELATIONS: THE CANADIAN PERSPECTIVE

(Notes for an address by Peter M. Towe, Ambassador of Canada)

The first words I have for you today are not my own. However, in tone and in content, they are very familiar.

"The relations of few countries are as intimate and important as those between Canada and the United States. They loom far larger in the eyes of a Canadian than of an American. That is natural.

"It may be expected that the relations between the two states will become increasingly important and that the problems arising therefrom will grow in magnitude."

Those must be the sage observations of a Canadian political figure, you might conclude. Or of an Ambassador to the United States.

They are.

Lester Pearson—who, of course, was both.

And what might be illuminating to you is that they are from a letter he wrote in January 1932.

You know, Canadian Ambassadors here have been saying that sort of thing for as long as there have been Canadian Ambassadors here. Because it's true. We are two nations sharing a continent. We share prosperity; fears; and many values. We also share a great deal of history. Some of this history is not at all about sharing.

I enjoyed the festivities celebrating the 200th anniversary of the battle of Yorktown earlier this month. I was the one at the ceremony thinking that the American victory at Yorktown made superfluous General Washington's plan for another expedition in 1782 or '83, this one of enormous strength, to take Canada.

I was also thinking, as your President exchanged toasts with President Mitterrand, of how Canada fitted 200 years ago into that triangle. The French did, of course, support the American Revolution against their English enemies. The Congressional leaders in fact expected their French allies to invade Lower Canada. But the French did not attack Canada. The official explanation was that the first priority was to assist the Americans to liberate the colonies in the Southern part of the continent. The actual policy of Versailles was to leave Canada in the hands of the British so as to drive the newly independent state into friendship and expanded trade with France.

To a large extent, French policy was foiled. General Washington, in peace negotiations with the British asked that Canada be ceded to the U.S. which, if the request had been taken seriously, would have enabled you to spend this lunch hour listening to someone else. It wasn't, but the British concessions to the new Republic were meant to counter French influence—and they were made to a large extent from what eventually became Canada. Such was—and remains—the rather seamy stuff from which history is shaped.

Canada. Not yet a country. Still a colony. But with a growing number of inhabitants of many different kinds. Whose own views were mired—Canadians in fact fought on both sides at Yorktown—and naturally, were not considered by these big powers.

Who were they? They were the original French-speaking habitants. Still resentful of the British conquest but determined to survive culturally. Then, the Loyalists to the British Crown, many in fact refugees from the Revolutionary War to the South. And there were others—in Montreal, particulary—who had been impressed by the philosophical values of the American Revolution. In a Canadian way, these values worked their way into our own nation-building process, and became the basis of the political values we share in common, even if our political systems are in so many ways quite different.

Indeed, that nation-building process goes on today. Its effects, stemming from the very fact that we are different nations, seem to be what the present fuss in Canada-U.S. relations is all about. But its description is not so different from what Lester Pearson sensed 50 years ago.

My first posting to the Canadian Embassy here came at a time of unprecedented cooperation between us. We worked together even when the issues were difficult, through such huge undertakings as the construction of the St. Lawrence Seaway. Also, at that time, having years before dropped our defences against each other, we joined in defence against others, through the creation of the Permanent Joint Board of Defence in 1940 which led after the war to the Pinetree Line and the Dew Line, and eventually to joint defence of the continent through NORAD.

During my next posting to this city, a decade and more ago, the mood was dramatically different. The U.S. was briefly and aberrationally in trade deficit with Canada. The measures taken in 1971 to protect the American dollar, measures which had a grievous, and disproportionate effect on Canada, were not the object of any prior consultations. Canadian pleas that account be taken of our historically special relationship with the USA went unheeded.

This is, I suppose, a contradiction, but it is one Canadians are used to. You were much bigger and stronger and could speak of retaliation much more credibly than we could. As my historical reflections today indicate, we in Canada are aware that it was ever thus. Successive Administrations here have had, perhaps, a shorter-term view of what's been going on. There is after all a tendency here to think that history re-begins every four years.

I don't mean to suggest that as Ambassador here, or earlier, as an officer in our Embassy—where, incidentally, I've spent almost half my working career—I've been stewing in the acid of 200 years of accumulated grievance.

Far from it. Most of my time has, in fact, been spent on the things we've worked out together, in the development since the war of the most complex, and concentrated relationship which exists between any two nations.

I recall those very creative post-war years when international institutions emerged from a common sense of hope or of peril: The resolution among the three countries which had cooperated in developing the atomic bomb to see atoms used henceforth only for peace; the founding of the United Nations; and when the Cold War shocked us all into insecurity again, the creation of the Atlantic Alliance.

In these experiences, our common and enduring view of the world's perils became shaped. It became natural for Canada to think of itself as an ally of the U.S.; in responding to Secretary Acheson's special plea to send ground troops to Korea; in Canada making a special effort to respond to the Suez crisis, where Canadians could play a peacekeeping role from which the larger powers were disqualified, in a sort of complementarity to U.S. big power leadership—and one which at that time kept the good relations between the U.S. and the U.K., as well as France, on the rails.

So I preface my remarks by taking a long view. Not of antagonism. But of history, the history of two nations, each, in its way, pursuing its own aspirations.

And now I turn to today.

We are told that relations between Canada and the United States have entered a difficult and dangerous phase. Americans in both the public and private sectors bewail the so-called new nationalism of Canadian government policies. In Canada many complain loudly about recent American statements, describing them as alternately patronizing or imperialistic. Looming over all the rhetoric is the perception on both sides of the border that we are locked into an inescapable spiral of retaliation and counter-retaliation, to the eventual disadvantage of both countries.

A dramatic picture—but is it accurate? I think not. It exaggerates current tensions in a few areas at the expense of an overwhelmingly positive relationship and it implies that until recently the bilateral relationship was devoid of substantive issues and difficulties.

Quite frankly, relations between Canada and the United States are always delicate.

It is not hard to see why. Interdependence is the watchword of the present age. Academics describe it, politicians espouse it, and the common man confronts it in his daily life. Imports and exports, balance of payments, the value of the dollar, the shock of escalating energy prices. We have all become part-time international economists. The lesson is clear to us all—no nation's economy is a secure fortress. We must struggle to find accommodations with our economic partners or we will all suffer.

For Americans this is a relatively recent experience. To Canadians this "modern reality" has been a feature of our national life for generations. We have had historically to be more sensitive than most to the economic policies of foreign governments. At the present time fixed U.S. capital investment in Canada is greater than in any other country, as is Canadian investment in the U.S., where we are the third largest source of foreign investment. Trade between our two countries totals almost (Can) $100. Billion annually.

It is important, I believe, not to over stress the negative. It is not surprising to me that many commentators express real anguish over what they perceive to be a deterioration in our bilateral relations. After all, for many years relations between Canada and the U.S.A. as countries and, more importantly, between Canadians and Americans as individuals, have been warm and genuine. There is an easy familiarity between our two countries which is, perhaps, unequalled in the world. In fact, the similarities between us are so great that we often overlook the differences which make us distinct. And we do so at our peril. Our strength as nations depends not only on our shared qualities but also on those qualities which are unique and lend variety and richness to our national lives.

It is not an easy task to specify these differences: some are very obvious while others are rather abstract and difficult to define with precision. I do not want to provide an exhaustive list for you, but I would like to suggest a few items which contribute to a deeper understanding of Canada.

Our geography and population. Although Canada is larger in area than the U.S., we have a population only one-tenth as large, and almost all of it located within 100 miles of the frontier with the U.S. These facts create special problems such as the vast transportation and communications systems which must be maintained in support of a relatively small economic market.

Our bicultural and bilingual identity, the fact that Canada has two founding cultures and official languages—French and English—creates special national riches but also special and unavoidable costs.

Our federal political system. Canadian provinces exercise jurisdiction over social and economic sectors to a much greater extent than the individual states in the U.S.A. The Canadian federal government's powers

are correspondingly more limited than those of its American counterpart.

These, and other, factors taken together have created a distinctively Canadian political culture, a blend of our respect for and dedication to free enterprise and individual initiative with our recognition that government involvement in the economic, social and cultural life of Canada is demanded by the imperatives of our national heritage.

Canadians expect their governments to develop and execute policies which are responsive to their needs and interests. This expectation, by itself, is not unique. Americans also expect their governments to pursue policies which maintain national security, encourage social and political stability and promote economic prosperity. Bluntly put, Canadians and Americans look to their governments to articulate and defend their respective national interests.

And this is as it ought to be. To demand otherwise would be foolish and unrealistic. But it is not the end of the matter for the term "national interest" is infinitely elastic and can be stretched to justify almost any action. Therefore, Canadians and Americans make an additional demand on their governments which reflects their shared belief in democratic political principles—we demand that our governments pursue our national interests in a responsible manner.

When we look at foreign policy we see that responsible governments adjust their policies to suit changing circumstances. This is not opportunism or cynicism; rather we must continually make judgments about how best to pursue our national interest in a manner consistent with our international obligations and responsibilities. At times we must summon up the national will to act boldly while at other times prudence and patience provide the sternest tests of our national resolve.

It is balance we seek and, when I reflect on over three decades of personal involvement in the Canada-U.S.A. relationship, I am struck by the balance we have achieved in the management of this relationship. I cannot think of two other countries which have so effectively pursued their national interests in such a harmonious and mutually beneficial way.

I am deeply troubled, therefore, by the recent charges in the United States that Canada has embarked on a new—and dangerous—course of economic nationalism. Nationalism, I hasten to add, is not used by those making the charge as a neutral description of the reasonable pursuit of national interest. No, we are speaking here of nationalism which conjures up images of folly, irresponsibility and anti-Americanism. It is our emotions which are being appealed to—not our reason. Against the backdrop of such a long and fruitful bilateral relationship, I find the invocation of the term "nationalism" entirely inappropriate.

When the United States Government argues (as does Canada) in favour of fair international trading practices, it does so because it believes such practices benefit the U.S. economy. Similarly, when the Administration and Congress state they will pursue fair trading practices, even if it means "getting tough" with trading partners, they do so because they believe this is necessary to achieve vital national objectives. There is nothing wrong with this: indeed, it would be exceedingly odd if the U.S. government pursued policies which it believed were inimical to American national interests. But we should not delude ourselves into thinking that pursuit of these interests, however reasonable they may be, is cost-free; voluntary restrictions on automobile exports may be a necessary element in the revitalization of the domestic automobile industry, but they do impose a cost on Japanese producers. There have been, and continue to be, debates within the United States on the best ways to pursue trade objectives and yet, throughout these debates, I cannot recall a single reference by any of the participants to the new "nationalism" of the United States Government, not even when such blatant acts as buy-American legislation are enacted by the Congress or, increasingly, by State governments. Perhaps it is the case that one nation's "nationalism" is another nation's "patriotism."

The point is that labels, by themselves, are not really helpful and may even prove damaging. We should be prepared to look behind the labels if we wish to gain a richer understanding of each other. All nations—even Canada and the United States—make mistakes. When we do we expect you to point them out; I know we do not hesitate to point out your mistakes to you. If we cannot resolve our problems through bilateral discussions we have recourse to multilateral instruments such as the GATT, instruments we both helped to create and continue to sustain.

Historically, we have acted responsibly toward each other and we can continue to do so if we do not lose our nerve. It takes political courage to exercise patience, to calmly assess the costs and benefits of foreign policies. In the United States, President Reagan has embarked on a dramatic economic program. Its success will be vital to the recovery of the global economy. We know the measures will take some time to work through the economy and so we have refrained from excessive criticism of the program for its short-term consequences, such as high interest rates, which have a dramatic impact on Canada. Similarly, Canada's National Energy Program has as its primary objectives the achievement of energy security and, by 1990, providing for ownership by Canadians of 50 percent of our own oil and gas industry. Surely few Americans will find these goals objectionable. The Program's measures are designed not to punish foreign investors but to encourage Canadians to invest in the energy sector and to bear the costs necessary to achieve national energy objectives. Some have taken issue with the means. But it is by now I hope clear, that Canada has and will continue to implement this policy in a manner consistent with our obligations to you and our other economic partners.

If the Program works—and we believe it will—Canada will be off the world oil market by the early 1990's. This clearly serves not only Canadian interests but also global interests. Your economic recovery program and our National Energy Program are bold policies designed to meet extraordinary circumstances. Both governments agree and support the long-term objectives of both programs; we must avoid allowing our short-term anxieties to thwart the achievement of those objectives.

I also want to touch on another Canadian policy which has been frequently criticized. I want to demonstrate that this policy, once it is understood, is a most reasonable response to a difficult and precarious situation. I refer to Canada's policy on foreign investment.

Canada is a major importer of capital. Throughout our history we have actively sought foreign investment and created the domestic conditions which make Canada so attractive to investors from abroad. We would not have achieved, nor could we maintain, our high standard of living without major infusions of foreign investment capital. We have not pursued this policy for selfless reasons; we do it because it serves our interests. Similarly, foreign investors find Canada an attractive country to invest in because they make a profit. Foreign capital investment, like domestic investment, demonstrates the free enterprise maxim that pursuit of private benefit contributes to the public good.

But this is not holy scripture. All modern nations recognize that the marketplace is not perfect and some government role is necessary if market imperfections are to be prevented from becoming gross economic distortions. Antitrust laws, for example, are not predicated on the simplistic notion that big is bad but rather on the hard economic evidence that monopolies can stifle competition, encourage inefficiencies and lower general economic performance. Where natural monopolies are necessary, as in the utilities sector, we regulate them to ensure they operate in the public interest.

Foreign investment is not exempt from this type of scrutiny; if anything, there is greater public demand in this country for your government to become involved in foreign investment issues. And the demand increases in direct proportion to increases in the level of foreign investment. To be sure, some of the complaints reflect little more than xenophobia, a belief that foreign investment is, by virtue of its origin alone, undesirable. But there are grounds for some serious worries as well. For example, are head offices in foreign countries sufficiently sensitive to domestic realities? Do they offer domestic companies a fair opportunity to bid on branch plant procurement? Or do they purchase goods and services from traditional sources located near the head office? Do decisions about corporate marketing and investment made on a global scale ignore domestic concerns such as the desire to raise the level of research and development activities of branch plants? Are subsidiaries subject to the extraterritorial application of foreign laws?

Successive Canadian governments had to face these issues at a time when foreign investment had risen to extraordinarily high levels and there were real fears in Canada that control of the economy was in foreign hands. We could have chosen to ignore this, but that would have allowed the legitimate concerns of Canadians to fester and, perhaps, explode in an unpredictable manner at some future time. It could have chosen to drive out foreign investment, even though this would have damaged severely the Canadian economy. Instead, in 1974, the government chose to steer a middle course between the two extremes of inaction and over-reaction—it established a mechanism to screen new foreign investment in Canada.

Canada requires foreign investors to demonstrate that their investment proposals confer "significant benefits" on Canada. Is this an irresponsible demand? I think not. Of course, our screening mechanism is not perfect—not everyone, even in Canada, believes it is necessary. No mechanism created by government and implemented by bureaucrats can or should claim omniscience. But minor difficulties should not be used to destroy the reasonable objectives of the policy. Canada will continue to need vast amounts of capital beyond our own ability to save; by reassuring Canadians about the economic benefits of foreign investment, the government ensures that Canada remains an open and hospitable environment for foreign investors.

I've spent a lot of time lately explaining Canadian positions but in doing so I don't want to imply that the U.S. has a monopoly on grievances—far from it. I have already referred to the proliferation of "Buy America" legislation, but there are other trade issues such as the DISC legislation where Canada has serious disagreements with American policy. On investment issues, the Jones Act and the Communications Act among others prohibit or strictly limit foreign investment in certain sectors. You too have notable exceptions to the principle of national treatment. Perhaps I don't need to recall that there was deep disappointment in Canada at the failure by the Senate to ratify a treaty which would have created an equitable joint management scheme for our East Coast fisheries. As for the environment

there are a number of areas where we must develop cooperative programs if we are to avoid the destruction of irreplaceable resources in both countries. These problems—ours and yours—will not be solved by mere finger-pointing, much less exaggerated claims and counter-claims. We must strengthen our commitment at the highest level to finding appropriate solutions.

Now let me conclude by trying to project a bit into the future. I believe that your President struck a very appropriate note when early on, he stressed the importance of establishing an accord with his northern and southern neighbours. By that I don't mean—nor I think did he—that we had to build new institutions into the relationship or to depart from the multilateralism which has shaped our respective foreign economic policies. I can't speak for your President, but what I think we need to strive for is to accord to each other the respect we are due as sovereign nations.

You have global responsibilities beyond the reach of my or other foreign democratic governments and we have, historically, supported you and will continue to do so whenever possible. Indeed I venture to say that the level of understanding and support given the United States by Canada is unequalled by any other nation. We do so not out of any sense of altruism, but because of shared values and common perceptions of the world and when we want to achieve. Economically we support you as well, again not out of a sense of altruism, but as a natural outcome of the intermeshing of our economies. Canada historically runs an overall balance of payments deficit with you and this contributes to offset the imbalance you face with other countries. In turn, you are the main means of our defence, our vital market and the source of our much-needed investment capital and technology. It is a mutually rewarding relationship.

What we need to ensure is that it remains so. Early on in my remarks I noted that we are still in the process of nation-building. And that is so and will be so for many decades to come. We need space to work out our problems—to forge our destiny. Obviously I don't expect the U.S. to do other than protect and advance its interests with us as this process occurs. In the current crisis, however, if crisis it is, I do expect you to take the longer view and to accord to us the respect that is due us—recognition of our differences and of the right, even the desirability of following different paths when national interest dictates.

INTELPOST EXPANDS TO ADDITIONAL CITIES

Mr. STEVENS. Mr. President, I was pleased to note that the U.S. Postal Service is expanding its Intelpost service into four major U.S. cities: Boston, Detroit, Houston, and San Francisco. Citizens in these four metropolitan areas will join those living in the Washington, D.C., and New York areas in having available high-speed international electronic mail service between the United States, Canada, England, and the Netherlands.

The Postal Service has a mandate from Congress to provide the most modern and efficient postal service anywhere in the world and I believe the move to expand the Intelpost system is in keeping with that mandate. I urge the Postal Service to continue to go forward as is economically prudent in expanding even further the present Intelpost system.

Mr. President, I ask unanimous consent to have printed in the RECORD the complete text of an article on this service which appeared in the recent edition of the Postal Leader.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INTELPOST SERVICE EXPANDS TO ADDITIONAL CITIES

Four additional U.S. cities—Boston, Detroit, Houston and San Francisco—have been added to the U.S. Postal Service's Intelpost network.

The high-speed international electronic mail service currently operates between the United States and Canada, the United Kingdom and The Netherlands.

When the service began in 1980, only Washington, D.C., and New York City served as service centers.

Expansion of Intelpost within the United States is now possible by linking the service with Express Mail, a service that offers same-day or overnight delivery within the United States.

For example, a letter can be mailed by 11 a.m. in San Francisco and delivered the following morning in London or Amsterdam. The message will travel from the West Coast to Washington, D.C., arriving the same day. The letter will then be transmitted by Intelpost, using facsimile transmission, to its final destination abroad. The cost is $5 per message page plus the normal Express Mail Charge.

The facsimile system offers exceptional accuracy in the transmission of complex documents such as statistical tables, artwork and correspondence written in languages such as Arabic or Chinese.

Sophisticated equipment scans letters and documents converting their contents into electronic signals which are relayed to Canada via land lines. Messages to London are directed to Toronto where a switching arrangement allows further transmission via satellite to the United Kingdom. Messages destined to The Netherlands also travel through London.

Once the signals are received at their destinations, equipment capable of printing an 8½ in. x 11.7 in. page in seconds will convert the electronic impulses into black and white facsimile copies of the original documents.

The message may be picked up in person within an hour after receipt at any Intelpost service center. If "pick-up" service is not requested, the message will be placed in an envelope and delivered to its addressee by regular mail. Special delivery is provided to selected U.S. and foreign post offices at an extra charge.

The Postal Service plans to expand Intelpost service to other foreign countries.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LEVIN (for himself, Mr. COHEN, Mr. HART, Mr. PRYOR, Mr. ROTH and Mr. RUDMAN):

S. 1882. A bill to prohibit Federal agencies from soliciting offers from, awarding contracts to, extending contracts with, or approving subcontracts for, any person who has been debarred or suspended by another agency; to the Committee on Governmental Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEVIN (for himself, Mr. COHEN, Mr. HART, Mr. PRYOR, Mr. ROTH, and Mr. RUDMAN):

S. 1882. A bill to prohibit Federal agencies from soliciting offers from, awarding contracts to, extending contracts with, or approving subcontracts for, any person who has been debarred or suspended by another agency; to the Committee on Governmental Affairs.

AWARDING OF CONTRACTS

● Mr. LEVIN. Mr. President, in March 1981, the Subcommittee on Oversight of Government Management held 2 days of hearings on Federal debarment and suspension procedures. I am the ranking member of that subcommittee and my colleague from Maine, Mr. COHEN, chairs it.

The hearings culminated a year-long investigation by the subcommittee into how effectively agencies use debarment and suspension procedures to protect themselves and the Federal Government from dealing with fraudulent and irresponsible contractors. Debarment and suspension procedures should enable the Government to protect itself while at the same time insuring that the Government acts fairly and openly in the process.

Debarment is the exclusion of a firm from entering new contracts or subcontracts with the Federal Government for a specified period of time, usually not to exceed 3 years, based on an administrative finding of fraud or a history of poor performance. Suspension is a temporary exclusion of a firm pending an investigation into allegations of wrongdoing or inadequate performance.

Our investigation and hearings into debarment and suspension procedures revealed several very disturbing facts. First, most agencies showed little aggressiveness in initiating and pursuing debarments and suspensions. Second, notification to other agencies that a firm had been debarred or suspended was sadly lacking, and even where given, the information was often incomplete or dated. Third, and most shocking, even after contractors were formally and properly debarred or suspended by one Federal agency, other agencies continued to award contracts to those firms, either out of ignorance of the action or out of refusal to give any need to the other agency's findings.

During our investigation, we examined every agency's individual debarment and suspension regulations and procedures. We discovered a hodgepodge of unclear and vague procedural requirements. Some agencies had no written procedures at all, and others had no understanding of how a debarment or suspension action would proceed if initiated. Clearly, this confusion worked a disservice both to the Government and to contractors. Without clear procedures, many agencies were hesitant to take any action at all when faced with a firm alleged to be fraudulent or incompetent. In some cases, agencies simply denied contracts to suspected firms without ever giving them any opportunity to meet questions about their honesty or capacity.

Even where the actions were taken, the listing and notification of debarments was insufficient, providing very little notice to anyone of anything. The list did not even include suspensions; it was updated only twice a year and its distribution was limited and sporadic.

The hearings unveiled several very costly examples where a contractor properly debarred or suspended by one agency

continued to get new contracts from other Federal agencies. This made no sense to us. Just as a private corporation would be foolish to continue dealing with a supplier proven to have defrauded or reneged on a contract with one of its divisions, so too would the Federal Government, in the absence of some compelling reason to do so.

As a result of our hearings, we made a series of very specific recommendations, including many which were directed to the Office of Federal Procurement Policy (OFPP) Task Force on Debarment and Suspension. It had become clear to us that a single, standard written procedure for debarment and suspension would eliminate the confusion and hesitancy we had found while also strengthening the protections afforded both the Government and contractors. We recommended such a uniform procedure and emphasized that it should incorporate adequate due process protections, without becoming cumbersome or overly legalistic. Specific ways of insuring prompt and accurate reporting of debarment and suspension actions to all Federal agencies were also included in our recommendations.

Significantly, we also recommended that debarments and suspensions properly made through uniform procedures by one agency be given Government-wide effect, unless some compelling reason required otherwise. Of the problems considered during the hearings, perhaps the most disturbing was the degree to which agencies resisted following or paying any heed to other agencies' debarments and suspensions. While some of this resistence grew out of the variances in agency procedures, much of the failure could often be explained only by agency chauvinism.

The Federal Treasury as a whole will be protected only if individual agencies coordinate and accord presumptive validity to actions other agencies take to protect themselves from dishonest and incompetent firms. Common business sense dictates no less. Agency autonomy and independence are not threatened by a Government-wide acknowledgement that corrupt and irresponsible contractors have no business doing business with any Federal agency, again in the absence of some compelling reason to do so.

The OFPP Task Force has since drafted and published for public comment an Office of Management and Budget (OMB) policy letter which would incorporate many of our recommendations and remedy many of the problems raised at the hearing. While the OMB policy letter would seek to impose standard debarment and suspension procedures for all agencies and require Government-wide acceptance of the decisions which result, we still see a need for legislation to insure uniform and prompt acceptance of this change.

It is for that reason that today I am introducing, along with Senators COHEN, HART, PRYOR, ROTH, and RUDMAN, a bill which simply requires that debarments and suspensions, arrived at after following proper administrative procedures, would be effective throughout the Federal Government, unless a compelling reason required an agency to contract with that firm. Where such a compelling reason exists, the agency head would be required to explain the specific reasons in writing and send that explanation to the General Services Administration where it would be filed in a place available for public inspection.

This commonsense practice must apply to the Federal Government as a whole. Without it, debarment or suspension by one agency does little to protect all the other Federal agencies from pouring more taxpayer money into fraudulent or incompetent firms. With uniform debarment and suspension procedures which include adequate due process protections, separate agency determinations on the same facts would be superfluous and a waste of Federal and contractor resources and time. At the same time, because the procedure is formal and open rather than one of whispers and secrecy, contractors are justly afforded an opportunity to refute questions raised about their conduct or performance.

We are mindful that on occasion the best interest of the Government could very well require contracting with a suspended or debarred contractor. This could be the case, for example, where the contractor is the sole source for a much needed service or product, or where national security requires. It is for that reason that the bill specifically provides an exception to the Government-wide effect of a debarment or suspension, so that the national interest is protected.

Senator COHEN and I offered an amendment to the DOD fiscal year 1982 authorization which would impose this requirement on that Department. The amendment passed the Senate and has been accepted by the House-Senate conference now considering the bill. The legislation we offer today would impose the very same requirement on all Federal agencies, so the Federal Government as a whole can better protect itself and the Federal Treasury from wasteful spending scarce dollars on firms which cheat the Government or which are unable to meet their contractual obligations. Certainly, in these days of tightened budgets and spending slashes, we can do no less.

I ask that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1882

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) an agency shall not solicit an offer from, award a contract to, or extend a contract with an offeror or contractor who is debarred or suspended by another agency and shall not, in any case in which the approval of such an agency is required for the award or extension of a subcontract, approve the award or extension of a subcontract, approve the award or extension of a subcontract to a subcontractor who is debarred or suspended by that agency or another agency, unless—

the head of the agency concerned determines that there is a compelling reason to solicit such an offer, award such a contract, extend such a contract, or approve the award of such a subcontract and—

(1) promptly notifies the Administrator of the General Services Administration in writing of such determination, and

(2) includes in the notice a statement of the specific reasons for such determination.

(b) The Administrator of the General Services Administration shall maintain each notice received pursuant to subsection (a) in a file available for public inspection.

(c) For purposes of this section—

(1) the term "debar" means to exclude, pursuant to established administrative procedures, a person from contracting and subcontracting with the Government for a specified period of time;

(2) the term "suspend" means to disqualify, pursuant to established administrative procedures, a person from contracting and subcontracting with the Government for a temporary period of time;

(3) the term "offeror" means any person who submits or proposes to submit an offer on a contract or on a subcontract to a contract;

(4) the term "contractor" means any person who has entered into a contract with an agency;

(5) the term "contract" means a written agreement, including amendments and modifications thereto, between an agency and a contractor for the procurement of goods or services;

(6) the term "subcontractor" means any person who submits or proposes to submit an offer to a contractor for a subcontract to perform all or part of a contract;

(7) the term "agency" has the same meaning as in section 551(1) of title 5, United States Code; and

(8) the term "person" has the same meaning as in section 551(2) of such title.●

● Mr. COHEN. Mr. President, I am pleased to join my distinguished colleague, Senator LEVIN, in sponsoring legislation to strengthen Federal contracting procedures by requiring the Government to stop doing business with contractors known to be undesirable.

Our bill would require Federal procurement officials to recognize actions taken by other agencies against contractors who have defrauded the Government, performed poorly on Federal contracts, been indicted or convicted, or who are under investigation for serious offenses. It would prohibit a Federal agency from soliciting offers from, awarding contracts to, or extending contracts with a contractor that has been suspended or debarred by another Federal agency, unless a compelling reason justifies the contract award.

This legislation is similar to an amendment that I offered to the fiscal 1982 Defense Authorization Act on May 13. Accepted by the full Senate, that amendment prohibits the Department of Defense from knowingly contracting with businesses that have been debarred or suspended by another agency, absent a good reason for doing so. The broader legislation we are introducing today would apply the same restriction to all Federal agencies.

The purpose of debarments and suspensions, which are used to disqualify contractors for specified periods, is to protect the Government's investment. The evidence demonstrates, however, that the Government often fails to protect itself from undesirable contractors. In my judgment, the Government does not sufficiently weigh a contractor's past performance in determining his present responsibility. Given the serious grounds for debarment, this problem is compounded when a debarred firm continues to receive new contracts from another

agency that is either unaware of the debarment or has ignored it.

It is important to understand that agencies do not invoke their suspension or debarment procedures lightly. In every agency, these procedures are used as a last resort and are employed infrequently. In fact, over half of the agencies surveyed by the Oversight of Government Management Subcommittee had not suspended a single contractor during the last 5 years. To underscore just how serious a debarment or suspension is, I would like to briefly list some of the grounds for these procedures.

A firm may be debarred for: embezzlement, theft, forgery, bribery, falsification or destruction of records, an offense indicating a lack of business integrity and directly affecting the question of present responsibility to perform on the contract, or serious violations of contract provisions, including a willful failure to perform. A firm may be suspended while an agency investigates any of the charges that are grounds for debarment. So we are not discussing minor problems that would lead to a firm's disqualification for bidding on Government contracts.

Mr. President, this legislation will not be burdensome; it only makes good business sense. Although the vast majority of contractors perform both honestly and admirably on Government work, a small minority do not. To assure the best performance and fullest return on its investment, the Government must effectively eliminate those cnotractors who have defrauded the Government, proven to be irresponsible, or demonstrated in others ways that they are bad actors with whom the Government should not do business.

Permitting irresponsible contractors to receive Federal dollars not only jeopardizes the Government's investment, but is also unfair to those reputable, capable firms who should be the recipients.

I would like to make one final point. There is nothing in this legislation that would prevent any agency from awarding a contract to a debarred or suspended firm as long as it is warranted. Cases will occur in which an agency would be justified in contracting with a business, despite the fact that another agency had found the firm to be an unsatisfactory performer. In such cases, the agency could go ahead with the contract as long as it filed a written statement with the General Services Administration outlining the reasons for contracting with the firm. Reasons of national security or sole-source would be examples of adequate justification for awarding a contract to a debarred or suspended firm.

Based on hearings held by the Oversight of Government Management Subcommittee, I have concluded that the Federal Government has acted neither efficiently nor vigorously to cease its business relationship with firms that clearly have lacked integrity in their past dealings with the Government. The failure of some agencies to accord presumptive validity to other agencies' debarments and suspensions contributes to this problem. I believe that this legislation will benefit Federal agencies by alerting their contracting officials to the dangers of contracting with irresponsible or fraudulent contractors and by providing them with the statutory authority to avoid such contracts whenever possible.●

● Mr. HART. Mr. President, this year we have focused great attention on formulating a lean, responsible Federal budget. We have an equally important responsibility, however, to insure that budget is properly and efficiently managed. Senators COHEN and LEVIN, as chairman and ranking minority member of the Subcommittee on Oversight of Government Management, have distinguished themselves for proposing concrete ways to reduce wasteful Federal procurement practices. I am pleased to join them today in introducing legislation to improve Federal debarment and suspension rules as one important step toward achieving that goal.

Fraud and waste in Government procurement is still extensive, despite the attention it has received in recent years. "Hurry-up" spending, the process by which agencies obligate billions of dollars in the final weeks of the fiscal year to avoid cuts in future appropriations, costs the taxpayer an estimated $2 billion each year. Sole-source contracting by agencies in response to unsolicited work proposals or procrastinated policy decisions serve no public interest but waste millions more. And haphazard purchasing planning and auditing make very poor use of scarce public funds.

An especially blatant example of poor business practice by the Federal Government is demonstrated by the use of the debarment and suspension process. When a private business fails to perform in accordance with a contract with a Federal agency, that agency can impose sanctions against the company by debarring or suspending further business activity with it. This is a powerful tool, yet it is used infrequently and inconsistently. When one agency acts to debar or suspend, other agencies are not adequately informed. Even when they are informed, they fail to impose similar sanctions against the fraudulent firm.

The legislation we are introducing today simply requires that when one agency debars or suspends a company, all other agencies are prohibited from awarding contracts to that company unless sufficient justification—such as national security—exists, and the company is the only one that can perform the work.

This proposal represents one small step toward reducing the millions of dollars lost every year on wasteful procurement practices. But it is a real step which can achieve a real difference. I urge its prompt consideration.●

● Mr. PRYOR. Mr. President, I am proud to join Senator LEVIN today in the introduction of legislation which will provide that agencies and departments cannot continue contracting with firms which have been shown to have perpetrated fraud against the Government, or failed to perform according to their agreements with the Government.

During the course of 2 days of hearings before the Subcommittee on Oversight of Government Management it was pointed out that application of the present Government regulations governing debarment and suspension of contractors is deficient. Contractors, debarred or suspended by one agency, move to a second agency and that agency often ignores the fact that the contractor defrauded the first agency or simply is unaware of the relevant facts. This is a poor reflection on the Government's management and dedication to insuring that the taxpayer's dollars are spent wisely. The taxpayers deserve that the Government get a dollar's worth of value for a dollar spent, and this legislation will help to make this the rule rather than the exception.

Let me draw a parallel to the private sector. To prevent or minimize consumer fraud, an organization called the Better Business Bureau came into being. Now, every day, consumers call upon this bureau to check on businesses and contractors and their past dealings to find out whether the business or contractor is legitimate and responsible. Almost every State has created a consumer agency to prevent fraud. Should the Federal Government require any less in its business dealings?

This legislation attempts to correct the situation which allows a contractor to continue commiting fraud or irresponsible performance at more than one agency or department. We are creating a presumption that when a contractor commits such fraudulent or irresponsible acts he should not be allowed to continue doing so simply by moving on to a different agency or department. This is good management and we owe the taxpayer no less.

Today, within the Department of Defense, if a contractor is debarred or suspended by one of the services a presumption similar to one created by this legislation does now exist. The remaining services may not contract with that firm unless compelling reasons exist to do so. DOD should be commended for this approach but they, also, do not follow this business principle to its logical end. By this I mean that a presumption does exist within the services of DOD but this principle does not apply where the debarment or suspension was made by a non-DOD Federal agency. Thus, fraud against the Department of Energy would not raise a presumption applicable to any of the military services.

Sound business principles need to be encouraged within the Government if we are to ever really achieve reductions in waste and abuse. This legislation embodies one such sound business principle and I am hopeful the Congress will recognize it as such and act swiftly to insure its enactment. Every day we delay such action, the taxpayer suffers. I commend Senator LEVIN for his leadership in this area and hope that we may soon see progress toward making the system of Government procurement more efficient.●

SENATE RESOLUTION 246—RELATING TO THE HUNGER STRIKE OF ANDREI SAKHAROV AND YELENA BONNER

Mr. MOYNIHAN submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 246

Whereas, Andrei Dimitriyevich Sakharov has worked tirelessly and courageously for many years to secure basic human freedoms for citizens and residents of the Soviet Union, particularly those rights and freedoms proclaimed and guaranteed by the Final Act of the Conference on Security and Cooperation in Europe, signed, at Helsinki, August 1, 1975;

Whereas, Andrei Sakharov was awarded the 1975 Nobel Prize for Peace for "his love of truth and strong belief in the inviolability of human beings . . . his courageous defense of the human spirit . . .", and for his role as the "conscience of mankind";

Whereas, Andrei Sakharov has been an eloquent and outspoken champion of dissidents in the Soviet Union who have sought to have their government abide by its formal commitments to protect human rights, and who have suffered at the hands of the Soviet State in consequence;

Whereas, Andrei Sakharov has been subjected to villainous harassment, punishment, loss of his livelihood, and acts of physical violence by agents of the Soviet State in retaliation for his activities in defense of human rights;

Whereas, the harassment and persecution of Andrei Sakharov by the Soviet State has been aggravated by the refusal of Soviet authorities to allow Yelizaveta Alekseyeva, his stepson's fiancée, to join her intended husband, Aleksei Semyonov, in the United States, in flagrant violation of the Helsinki Accords signed by the Soviet Union;

Whereas, Andrei Sakharov and his wife Yelena Bonner, have announced their intention to commence a hunger strike on Sunday, November 22, 1981 in protest of this refusal by Soviet authorities because in Dr. Sakharov's words, they have found the "exploitation of the fates" of Mr. Semyonov and Miss Alekseyeva "for revenge and pressure against me to be mean, illegal and intolerable."

Whereas, the American people share the outrage of Dr. Sakharov and his wife at this illegal refusal of Soviet authorities to allow Miss Alekseyeva to emigrate;

Whereas, the government of the Soviet Union is responsible and accountable for the fate of Andrei Sakharov and his wife, Yelena: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Congress associates itself fully and completely with the hunger strike protest by Andrei Sakharov and urges the government of the Soviet Union to abide by its commitments and to permit Yelizaveta Alekseyeva to emigrate.

SEC. 2. The Secretary of State is requested to transmit to the government of the Soviet Union a copy of this Resolution.

Mr. MOYNIHAN. Mr. President, I do not believe it is widely known or that it has been widely reported in the United States that tomorrow Dr. Andrei Dimitriyevich Sakharov and his wife, Yelena Bonner, have announced that they will begin a hunger strike as a consequence of the refusal by the Soviet authorities to allow Yelizaveta Alekseyeva, Dr. Sakharov's stepson's fiance, to join her intended husband in the United States. This refusal is done in flagrant violation of the Helsinki accords.

It is only the most recent humiliation, although, Mr. President, I would wish to withdraw that word. I was about to say the humiliation imposed upon this extraordinary man and his wife by the Soviet authorities. It is not because of the capacity of the Soviet Government to humiliate Andrei Sakharov.

He is the youngest member ever elected to the Soviet Academy, denied the company of his friends and the society in which he lived all his life, but now his family is being persecuted.

He has resorted to every possible effort to call attention to the nature of the Soviet regime by words and by actions. Having failed to move them, he now resorts to the final effort a person can undertake: he proposes to starve himself and his wife, with him, proposes the same.

This would be an event beyond imagination in the brutality it would entail.

The Soviets have only to issue an emigration visa, only to follow their commitments in the Helsinki agreement. They have not done so because they wish to persecute further this extraordinary person who, when he won the Nobel Peace Prize in 1975, was commended for "his love of truth and strong belief in the inviolability of human beings."

Yet the Soviet regime violates those rights, Mr. President, as much as it can, and as much as it can with impugnity.

I have a resolution, Mr. President, which I offer to the Senate for consideration next week, should this event develop now. It stresses the sense of the Senate that the Congress associate itself fully and completely with the protest by Andrei Sakharov in urging the Government of the Soviet Union to abide by its commitments.

ADDITIONAL STATEMENTS

HANDGUN CONTROL

● Mr. KENNEDY. Mr. President, Pete Shields, the chairman of Hangun Control, Inc., has recently authored an important book on one of the truly indefensible American tragedies—the escalating handgun violence that plagues our land. In "Guns Don't Die—People Do," Mr. Shields gives a personal and factual account of the urgent need to control the proliferation of handguns in the United States.

Last Sunday, the Washington Post carried a highly favorable review of Mr. Shields' book by Edwin M. Yoder, the former editorial page editor of the Washington Star. I share Mr. Yoder's view that this book should be in every home in America. Its powerful message should be heard and heeded by every citizen throughout the Nation. Most important for us in Congress, as Mr. Yoder writes, it is a book that "lays out the compelling case for realistic legislation."

In the same review, Mr. Yoder scathingly discusses a separate book that purports to defend the position of the National Rifle Association and others who oppose handgun control. On few, if any, issues that we face in Congress, are the facts and logic so overwhelmingly on one side. By a large majority, the American people favor realistic handgun control, and it is long past time for Congress to exercise its responsibility.

Mr. President, I hope all of my colleagues will take the opportunity to read Mr. Shields' book. I commend Mr. Yoder's thoughtful review to Members of the Senate, and I ask that it may be printed in the RECORD.

The review follows:

[From the Washington Post, Nov. 15, 1981]

THE AMERICAN WAY OF DEATH

(By Edwin M. Yoder, Jr.)

To disclose my bias at the outset, the handgun issue ceased to be an abstraction for me on that bleak early-December night almost a year ago when my friend Dr. Michael Halberstam was shot and killed by a burglar. Not that my experience is unusual. Having a friend or relative assaulted by handgun is now so commonplace in this country that 10,000 people acknowledged as much in response to the queries of Handgun Control Inc. last year.

The story of Handgun Control Inc. is in large measure the story of Nelson (Pete) Shields III. If there is a principle of justice in this naughty world, we may look forward to the day when a sensible president, having just signed an effective federal handgun-control law, will present the Medal of Freedom to Pete Shields: not only because he is one of the remarkable citizen-activists of our time but because his labor aims to renew that most essential of the four freedoms, freedom from fear.

Shields' passionate involvement in the crusade against the great U.S. handgun madness began, as so many deep commitments do, in personal sorrow. On a spring night in San Francisco seven years ago his 23-year-old son and namesake perished of random gunshot wounds in one of the malicious "Zebra" killings. Soon thereafter Shields took early retirement from his comfortable career as a du Pont marketing executive and enlisted in the effort to pass an effective federal handgun-control law. He was then 50. He quickly became its driving force.

In "Guns Don't Die—People Do," Pete Shields tells his story and lays out the compelling case for realistic legislation. It is a story, and a case, that every thoughtful citizen needs to examine with care.

Pete Shields knows as well as anyone that cold statistics rarely make people march, that the mobilization of a citizen's lobby demands that "victims" like the Shields' bear public witness to their losses and hurts. But if statistics alone could persuade, the statistics on the American handgun-death epidemic would do so. It is a national scandal. Every year, year upon year, some 10,000 Americans (immensely more than in any other country on earth) are murdered by handguns, while an equivalent number die of accidental or self-inflicted wounds from the same source. In the seven peak years of the Vietnam War (1966–72), U.S. handgun murders exceeded Asian combat deaths by some 20 percent: 52,000-plus to 42,300. Twelve of 13 U.S. presidential assassinations or attempted assassinations (including attempts upon presidential candidates) were with handguns. In 1973 alone, 751 people were victims of criminal homicide in Detroit (the vast majority by concealable pistol or revolver). That was more than the total number of civilians killed between 1969 and mid-1974 in strife-torn Northern Ireland. (The populations of Detroit and Northern Ireland are about the same.)

Thanks to the tireless obstruction of the National Rifle Association (which Shields and his allies have rightly come to think of and call "the pistol lobby") the congressional response to all this is disgracefully pussillantious. Indeed Congress is not merely passive: even today there is a bill (known as McClure-Volkmer) that would gut the modest law passed in 1968 after the shooting of Sen. Robert F. Kennedy.

The case for an effective federal handgun law, apart from the scandal of slaughter,

is essentially the wild variation in state and local laws. This patchwork assures a continuing traffic which, through laxity, theft and illicit sale, places cheap, concealable pistols and revolvers in the hands of criminals, lunatics, potential suicides and overexcitable people who kill one another in crimes of passion.

One gauge of the intellectual dishonesty of the pistol lobby is that the alleged ineffectiveness of state and local laws is ritually cited as the reason why federal law would be vain. But as Shields demonstrates, it is precisely the absence of uniform national standards (registration, a waiting period between purchase and delivery allowing law-enforcement officials to check character and criminal records, detailed record-keeping, etc.) that renders local and state efforts ineffective. For instance some Virginia suburbanites feel smug about the assault rates on the nearby streets of Washington. How many of them realize that about a third of the handguns that find their way to mischievous and deadly uses in the nation's capital are bought across the Potomac in Virginia? And no wonder, since the Old Dominion's firearms laws are as lax as any in the Union. Similarly, the tough strictures of New York's Sullivan Act, as amended, are undercut by the interstate traffic. Writes Shields: "A Treasury Department study in the early 1970s showed that over 90 percent of the handguns used in crime in New York came from out of the state. . . . For example, the handgun used to kill John Lennon was acquired in Hawaii and that used to kill former congressman Allard Lowenstein came from Connecticut."

Actually, the views, strategies and political successes of the pistol lobby remain a bit mysterious. For years polls have confirmed the belief of a majority of Americans (even among gun owners) in sensible federal handgun control. But the National Rifle Association, like many single-issue lobbies, seems to reflect almost exclusively the views of its most intense and militant minority; and indeed, the NRA is so structured that signs of softness or sense in its national headquarters are aggressively nipped. By distorting or ignoring the history and meaning of the Second Amendment; by conflating efforts to register handguns with imaginary plots to confiscate all firearms; by lavish campaign subsidies to congressional friends and fellow-travelers; by all these means and others the NRA and its allies manage still to swing a weight disproportionate to numbers and certainly to the merits of their case.

Some notion of the classic anti-control mentality is to be gained from Alan Gottlieb's. "The Rights of Gun Owners," presumably intended to act as a timely antidote to Handgun Control Inc. Since no good case is to be made, in fact or logic, against the moderate and limited legislative goals of Shields and his allies, the pistol lobby must necessarily resort to what one English statesman has called, in another connection, "suggestio falsi, suppressio veri and plain damned nonsense." There is much of all three in Gottlieb's book.

Under suggestio falsi (more commonly known as attacking straw men), it is the constant intimation of Gottlieb's book that the "gun-controllers," as they are scornfully called, believe they can reduce or even eliminate crime itself (not just gun-assisted or homicidal crime), that private pistol ownership is a constitutional right, not a privilege; that government is poised for some sort of "handgun confiscation program"; that otherwise sensible people regard gun ownership per se as the "real cause of crime in America."

Under suppressio veri (overlooking relevant truth), Gottlieb's whopper is the careful concealment of the discreditable truth that orginizations like his own "Citizens Committee for the Right to Keep and Bear Arms" rarely if ever support any federal gun-control legislation, however limited, and usually obstruct it at every turn.

As for the plain nonsense, take your choice. Gottlieb has the slippery habit of making the Founding Fathers (especially those who drafted the Second Amendment) sound like precocious lobbyists for the National Rifle Association. My history books, curiously, rarely if ever mention Thomas Jefferson's obsession with firearms. I wonder, too, whether George Washington actually said that "firearms stand next in importance to the Constitution itself" and "deserve a place of honor with all that's good." (He seems to have thought otherwise when he sent an army under Alexander Hamilton to disarm and disband rebellious moonshiners in Pennsylvania.) But in any case, the searcher for verification of these and other quotations will be in deep trouble unless he keeps a library of pistol-lobby books and periodicals. The statement attributed to Washington is footnoted, so help me, to an editorial in Vigilante, "Summer 1977, p. 6." Alas, I do not subscribe to that publication, nor in fact to American Rifleman, Rifle, or Gun Week, some of Gottlieb's other references.

Not without reason do such mischievous and mendacious screeds as this breathe a certain air of beleaguered desperation, along with their weird rhetorical tactics. The march of Pete Shields' growing hosts can be heard in the distance and maybe the pistol lobby is scared. It ought to be.●

CONGRESS MUST SUPPORT THE PRESIDENT

● Mr. SYMMS. Mr. President, my good friend, Ralph Smeed, writes a weekly provocative and entertaining column in my hometown newspaper, the Idaho Press-Tribune of Nampa and Caldwell, Idaho. I found Ralph's column which was published on October 25 of particular importance.

He points out the dangers in the Congress losing the courage to back President Reagan's program, indeed his mandate, to provide less government. To abandon now the President's program of reduced Federal spending, reduced Federal taxes and reduced Federal Government regulation would surely lead to the destruction of the road which the President is constructing to bring about the restoration of individual freedom in this country.

I urge my colleagues to read this column carefully. Mr. President, the Congress must remain firm in its support of President Reagan's efforts to get this country moving in the right direction once again. I ask that this column be printed in the RECORD.

The column follows:

CONGRESS ALL BUT SOLD US OUT

(By Ralph Smeed)

If there is anybody in the state of Idaho who has had better conservative credentials than Ralph Smeed I don't know who such a person is. There are those who credentials are as good, but, in my opinion, none better.

I say this because I fear we conservatives may not have all the answers, at least politically speaking, that I once thought we had. I once thought all our country's problems each had a simple solution—elect a conservative. He was more apt to have common sense, be fiscally conservative, be honest and sincere, cut out waste and, generally speaking, make government efficient. (For this last, forgive me).

As things were and had been for over 30 of the last 35 years the liberals had things so terribly screwed up that almost any change, I thought, was certain to be a tremendous improvement.

Well, I still think the liberals were and are, in fact, big spending if not irresponsible idealists whose political panacea for every problem is to throw a bundle of government money (not theirs) at it and it would sure go away. If it did not go away, well, "We just didn't throw enough money at it," they'd retort. This danger is still with us, I'm afraid, but not all on account of the liberals.

President Reagan's election, if it said anything at all, told us that the American public wanted "less government and more defense." After all, President Lyndon Johnson convinced us that we could have both guns and butter so we did not raise taxes for a pay-as-you-go war. Now we're being coaxed to go in a similar direction by almost everybody but Reagan himself and a pitifully few others. The rest of the congress has all but sold us out, saying: "Because of the political difficulty of real budget control there is no alternative but to postpone the scheduled tax rate cuts, allow inflation once again to boost taxes surreptitiously and go back to all of the old liberal ways."

Today the national debt is a liberal trillion dollars—that's one followed by 12 zeroes. The interest alone (and don't kid yourself, this will be paid by someone by blood, by guts or by a dictator) computed at today's 20 percent rate is $20,000,000,000. That's 20 billion dollars—each year. Just think how hard it would be to get the congress to vote a one-time billion dollar appropriation (not to mention 20) today, even for, say, highway repair. And the interest is each and every year and getting worse.

Also each year is the military appropriation, not just a one-time appropriation. That's $130 or $140 billion each year. Ye gods! But, you may say, not all the debt pays 20 percent interest. True enough. But just how long do you think it will be before it does?

Comes now those baddies, the liberals. I thought some years ago, they were all bad, remember? Well now they are screaming "hold that line, hold that line, hold that line." I wonder why, of course, but I'm glad—I guess. I think they begin to fear something.

Maybe, just maybe, they fear we might be losing our freedom(s). To their everlasting credit the liberals seem to have a sixth sense about freedom, especially the loss of it. At least in the abstract they sense it.

Oh, sure, they don't usually see the connection between private ownership and freedom. Certainly the news media liberals don't see it. If they do, they're against it. But some of the liberal intellectuals are beginning to see it. And it is those idea-people, mostly liberals I'm afraid, whose articulate spokesmen led us into this mess who may now hold the way out—in their very capable hands. Capable, at any rate, when it comes to leading the great "unwashed" masses who may vote for the leaders who love liberty and, God help us, now responsibility.

It was the late, great liberal George Orwell, himself a genuine socialist, who long ago gave us his famous books: "Animal Farm" and the now famous, because it's here, "1984," that so vividly explained the tyranny of modern big government—communism. (Where were the conservative authors then?) I know but few conservatives, even today at this late date, who have read both of Orwell's classics.

Thank Heaven Reagan is one of those conservatives who reads. He's read Orwell, too, but he isn't getting much help—at least not enough—from conservatives who claim to love economic liberties and property rights, nor liberals who claim to love personal liberties and human rights. Neither side wants to give an inch.

But what is a human right without a property right? And how long can the former last without the latter? Not long—as we're beginning to find out.

The great libertarian scholar, Murray Rothbard, explains that a property right is merely the extension of a human right. So perhaps we should help Reagan get the liberals to run the U.S. foreign policy and push human rights—without the federal checkbook.

Unfortunately, if they agreed to do that, he'd probably expect us conservatives to run the domestic policy and push property rights—without a subsidy for business.●

PRIVILEGE OF THE FLOOR

Mr. ARMSTRONG. Mr. President, I ask unanimous consent that two members of my staff, Robert Potts and Richard Billmire be accorded the privilege of the floor during the remainder of today's session and throughout the session tomorrow if any such session occurs.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, earlier today I obtained an order for the Senate to convene in the morning at 9 a.m. After consulting with a number of Senators and with the Chaplain I think it might be wise to change that hour.

ORDER FOR RECESS UNTIL 1:30 P.M. TOMORROW

Mr. BAKER. Mr. President, I ask unanimous consent now that when the Senate completes its business today it stand in recess until the hour of 1:30 p.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BAKER. Mr. President, the conferees are still at work. There is still hope that they can complete their work yet this evening and that the House of Representatives can act and transmit the message to the Senate for our action this evening.

I cannot be sure of that. But there is a sufficient basis to hope for that.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. BAKER. Mr. President, while we wait the further action of the conference, I ask unanimous consent that the Senate now stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 7:28 p.m. took a recess, subject to the call of the Chair.

The Senate reassembled at 9:11 p.m., when called to order by the Presiding Officer (Mr. BAKER).

(Remarks of Mr. GARN at this point are printed under the proceedings on the HUD conference report.)

RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. The Senate will stand in recess, subject to the call of the Chair.

Thereupon, at 9:13 p.m., the Senate recessed, subject to the call of the Chair.

The Senate reassembled at 10:27 p.m., when called to order by the Presiding Officer (Mr. RUDMAN).

ORDER OF BUSINESS

Mr. BAKER. Mr. President, the House of Representatives has recessed over until tomorrow at 1 p.m., I am informed. The conference on the disagreeing votes of the two Houses is still in progress.

I am still hopeful that the conference committee can resolve the differences in the two bills and be in a position to report the bill first to the House of Representatives tomorrow.

There is no possibility that the Senate can act on the conference report tonight under these circumstances.

There is already an order for the Senate to convene tomorrow at 1:30 p.m.

RECESS UNTIL TOMORROW AT 1:30 P.M.

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate now stand in recess until 1:30 p.m. tomorrow.

There being no objection, at 10:28 p.m., the Senate recessed until Sunday, November 22, 1981, at 1:30 p.m.

HOUSE OF REPRESENTATIVES—*Saturday, November 21, 1981*

Legislative day of Friday, November 20, 1981

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 10 a.m., Saturday, November 21, 1981.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

The land has produced its harvest; God, our God, has blessed us. God has blessed us; may all people everywhere honor Him.—Psalm 67: 6, 7.

Almighty God, we thank You for the abundant gifts You have bestowed upon us and upon our Nation. With the advent of the season of Thanksgiving make us aware of how we may use our blessings for the benefit of all people. May we be good stewards of the harvest of the Earth that the needy among us will be satisfied and the hungry will not be turned away. May we know the joy that comes when we reach out to the least among us for in so doing we reach out even to You. In Your name, we pray. Amen.

ENCOURAGING WORDS FOR CONTINUING RESOLUTION CONFEREES

(Mr. CONABLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONABLE. Mr. Speaker, I want to encourage the conferees on the continuing resolution to hang in there and to try to preserve the basic direction that the majority of the House and the majority of the Senate have established during the early life of the 97th Congress.

At a time when we seem to have increasing doubts about our capacity for self-government, maintenance of basic fiscal discipline in the face of all these pressures for uncontrolled Government spending is critically important. I know it is a tough job they have, and I would only wish to encourage them now to do what they can to preserve control rather than dashing the hopes of change which are not only the administration's, but the Congress mandate.

I regret that this effort is necessary in a continuing resolution, which is in itself a copout of sorts, but we have to do what we can at this point to retain the confidence of the people.

CONFERENCE REPORT ON S. 1098, NASA AUTHORIZATIONS, FISCAL YEAR 1982

Mr. FUQUA submitted the following conference report and statement on the Senate bill (S. 1098) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 97-351)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 1098 to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration to become available October 1, 1981:

(a) For "Research and development", for the following programs:

(1) Space Shuttle, $2,189,000,000;

(2) Space flight operations, $907,900,000;

(3) Expendable launch vehicles, $31,200,000;

(4) Physics and astronomy, $333,400,000;

(5) Planetary exploration, $215,300,000;

(6) Life sciences, $43,500,000;

(7) Space applications, $398,600,000;

(8) Technology utilization, $12,600,000;

(9) Aeronautical research and technology, $284,800,000;

(10) Space research and technology, $129,300,000; and

(11) Tracking and data acquisition, $408,180,000.

(b) For "Construction of facilities", including land acquisition, as follows:

(1) Modification of 12-foot pressure wind tunnel, Ames Research Center, $18,500,000;

(2) Modifications to space flight operations facility, Jet Propulsion Laboratory, $9,300,000;

(3) Rehabilitation of utility control system, various buildings, Lyndon B. Johnson Space Center, $680,000:

(4) Construction of waste material incinerator, John F. Kennedy Space Center, $895,000;

(5) Repair of operations and checkout building roof, John F. Kennedy Space Center, $825,000;

(6) Modifications for enhanced 20-inch supersonic wind tunnel, Langley Research Center, $2,950,000;

(7) Modifications for high pressure turbine corrosion and thermal fatigue testing, Lewis Research Center, $1,200,000;

(8) Modification and relocation of 26-meter antenna, STDN, Goldstone, California, $4,700,000;

(9) Relocation of DSS-44 antenna to Tidbinbilla, Australia, $2,200,000;

(10) Space Shuttle facilities at various locations as follows:

(A) Construction of solid rocket booster processing and segment storage facilities, John F. Kennedy Space Center, $12,400,000;

(B) Modifications to firing rooms, John F. Kennedy Space Center, $3,100,000;

(C) Modification of manufacturing and final assembly facilities for external tanks, Michoud Assembly Facility, $2,785,000;

(D) Modifications to Building 30 for Shuttle operations, Lyndon B. Johnson Space Center, $650,000;

(E) Minor Shuttle-unique projects, various locations, $1,115,000;

(11) Repair of facilities at various locations, not in excess of $500,000 per project, $12,800,000;

(12) Rehabilitation and modification of facilities at various locations, not in excess of $500,000 per project, $17,700,000;

(13) Minor construction of new facilities and additions to existing facilities at various locations, not in excess of $250,000 per project, $2,320,000; and

(14) Facility planning and design not otherwise provided for, $10,000,000.

(c) For "Research and program management", $1,114,300,000 and such additional or supplemental amounts as may be necessary for increases in salary, pay, retirement, or other employee benefits authorized by law.

(d) Notwithstanding the provisions of subsection 1(g), appropriations hereby authorized for "Research and development" may be used (1) for any items of a capital nature (other than acquisition of land) which may be required at locations other than installations of the Administration for the performance of research and development contracts, and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant.

None of the funds appropriated for "Research and development" pursuant to this Act may be used in accordance with this subsection for the construction of any major facility, the estimated cost of which, including collateral equipment, exceeds $250,000, unless the Administrator or his designee has notified the Speaker of the House of Representatives and the President of the Senate and the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the nature, location, and estimated cost of such facility.

(e) When so specified and to the extent provided in an appropriation Act, (1) any amount appropriated for "Research and development" or for "Construction of facilities" may remain available without fiscal year limitation, and (2) maintenance and operation of facilities, and support services contracts may be entered into under the "Research and program management" appropriation for periods not in excess of 12 months beginning at any time during the fiscal year.

(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed $25,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

(g) Of the funds appropriated pursuant to subsections 1(a) and 1(c), not in excess of $75,000 for each project, including collateral equipment, may be used for construction of new facilities and additions to existing facilities, and for repair, rehabilitation, or modification of facilities: Provided, That, of the funds appropriated pursuant to subsection 1(a), not in excess of $250,000 for each project, including collateral equipment, may be used for any of the foregoing for unforeseen programmatic needs.

SEC. 2. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1) through (13), inclusive, of subsection 1(b)—

(1) in the discretion of the Administrator or his designee, may be varied upward 10 percent, or

(2) following a report by the Administrator or his designee to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the circumstances of such action, may be varied upward 25 percent,

to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed the total of the amounts specified in such paragraphs.

SEC. 3. Not to exceed one-half of 1 percent of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the "Construction of facilities" appropriation, and, when so transferred, together with $10,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (14) of such subsection) shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b)), if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of 30 days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Technology of the House of Representatives and to the Committee on Commerce, Science, and Transportation of the Senate a written report containing a full and complete statement concerning (i) the nature of such construction, expansion, or modification, (ii) the cost thereof including the cost of any real estate action pertaining thereto, and (iii) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SEC. 4. Notwithstanding any other provision of this Act—

(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Technology or the Senate Committee on Commerce, Science, and Transportation,

(2) no amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by subsections 1(a) and 1(c), and

(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee,

unless (A) a period of 30 days has passed after the receipt by the Speaker of the House of Representatives and the President of the Senate and each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SEC. 5. It is the sense of the Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

SEC. 6. Section 7 of title 18, United States Code, is amended by inserting at the end thereof the following new paragraph:

"(6) Any vehicle used or designed for flight or navigation in space and on the registry of the United States pursuant to the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies and the Convention on Registration of Objects Launched into Outer Space, while that vehicle is in flight, which is from the moment when all external doors are closed on Earth following embarkation until the moment when one such door is opened on Earth for disembarkation or in the case of a forced landing, until the competent authorities take over the responsibility for the vehicle and for persons and property aboard.".

SEC. 7. The National Aeronautics and Space Act of 1958, as amended, is amended by inserting at the end of section 305, the following new subsections:

"(k) Any object intended for launch, launched, or assembled in outer space shall be considered a vehicle for the purpose of section 272 of title 35, United States Code.

"(l) The use or manufacture of any patented invention incorporated in a space vehicle launched by the United States Government for a person other than the United States shall not be considered to be a use or manufacture by or for the United States within the meaning of section 1498(a) of title 28, United States Code, unless the Administration gives an express authorization or consent for such use or manufacture.".

SEC. 8. Section 6 of the National Aeronautics and Space Administration Authorization Act, 1970, as amended (42 U.S.C. 2462), is repealed.

SEC. 9. Appropriations hereby authorized for space transportation system upper stages in section 1(a)(2) shall not be used to initiate sole-source procurement of a new upper stage until NASA in cooperation with other agencies has reviewed alternative systems and assessed competitive procurement of a new upper stage to satisfy national requirements, and until 30 days after reporting its findings to the authorizing committees of the House of Representatives and the Senate.

SEC. 10. This Act may be cited as the "National Aeronautics and Space Administration Authorization Act, 1982".

And the House agree to the same.

DON FUQUA,
GEORGE E. BROWN, JR.,
RONNIE G. FLIPPO,
DAN GLICKMAN,
BILL NELSON,
LARRY WINN, JR.,
BARRY M. GOLDWATER, JR.,
H. C. HOLLENBECK,
Managers on the Part of the House.

BOB PACKWOOD,
BARRY GOLDWATER,
HARRISON H. SCHMITT,
HOWARD W. CANNON,
HOWELL HEFLIN,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 1098 to authorize appropriations to the National Aeronautics and Space Administration for fiscal year 1982 for Research and Development, Construction of Facilities, and Research and Program Management, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the disposition of the differences agreed upon by the managers and recommended in the accompanying conference report.

The NASA original request for fiscal year 1982 totaled $6,725,700,000 and the revised

request totaled $6,122,200,000. The Senate authorized $6,222,900,000 and the House amendment authorized $6,122,120,000. The committee of conference agrees to a total authorization for fiscal year 1982 of $6,172,200,000 as follows:

SUMMARY OF ADJUSTMENTS TO S. 1098—NASA FISCAL YEAR 1982 AUTHORIZATION

[In thousands of dollars]

	Budget request	Revised budget request	House action	Senate action	Committee of conference
Research and development:					
Space Shuttle	2,230,000	2,194,000	2,134,000	2,189,000	2,189,000
Space flight operations	1,043,000	910,900	903,900	914,900	907,900
Expendable launch vehicles	31,200	31,200	31,200	31,200	31,200
Physics and astronomy	451,400	325,400	350,400	333,400	333,400
Planetary exploration	256,100	215,300	215,200	215,300	215,300
Life sciences	49,200	43,500	49,200	43,500	43,500
Space applications	472,900	372,900	410,900	398,600	398,600
Technology utilization	14,600	4,600	12,600	12,600	12,600
Aeronautical research and technology	323,600	264,800	264,800	316,000	284,800
Space research and technology	141,000	125,300	129,300	130,300	129,300
Energy technology	4,400	0	2,000	0	0
Tracking and data acquisition	435,200	415,200	400,200	415,200	408,180
Total	5,452,600	4,903,100	4,903,700	5,000,000	4,953,780
Construction of facilities	136,800	104,800	104,120	104,800	104,120
Research and program management	1,136,300	1,114,300	1,114,300	1,118,100	1,114,300
Grand total	6,725,700	6,122,200	6,122,120	6,222,900	6,172,200

The Conferees are concerned about the continuing downward trend (in real dollars) of the NASA budget. A strong civilian science and technology base to which NASA is a major contributor is essential to sustaining a strong economy and a credible national defense. Federal expenditures on our national space program are an investment in our future and lead to increased productivity, increased employment and contribute greatly to a positive balance of trade.

As a result of budget constraints that have been placed on NASA over the past few years, additional reductions in this and future fiscal years threaten even further the ability of the agency to fulfill the mandate of the National Aeronautics and Space Act of 1958. The conferees strongly believe that a balanced civilian space program as set out in the National Aeronautics and Space Act of 1958 is even more relevant today and direct NASA to do everything possible to maintain an effective balanced space program.

The Conferees realize that under the current budgetary situation priorities must, however, be set. Consequently, the Committee of Conference recognizes that the space shuttle program is the highest priority and therefore expects NASA to maintain its current delivery schedule for orbiter vehicle 104 and proceed with the current flight rate.

The points in disagreement and the conference resolution of them are as follows:

1. NASA requested $2,194,000,000, a reduction of $36 million from the original budget request, for the Space Shuttle program.

The House authorized $2,134,000,000, including a reduction of $60 million in changes and systems upgrading activities.

The Senate authorized $2,189,000,000, a reduction of $5 million from the revised budget request, reducing funding for the fifth orbiter.

The Committee of Conference adopts the Senate position to assure that the delivery schedule for orbiter vehicle 104 is maintained. The Conferees further direct that, within available funds, NASA should procure long-lead materials necessary to maintain the most efficient production schedule for a fifth Space Shuttle orbiter.

2. NASA requested $910,900,000, a reduction of $132.1 million from the original budget request, for the Space Flight Operations program.

The House authorized $903,900,000, a reduction of $7 million from the NASA revised request. This reduction is the net result from a decrease of $7 million in STS upper stage development, an increase of $8 million for solar electric propulsion (SEPS) advanced technical development, an increase of $5 million for advanced program studies, and a reduction of $13 million in upper stage operations.

The Senate authorized $914,900,000, an increase of $4 million from the NASA request. This additional funding continues SEPS advanced technical development and design activities.

The Conference substitute authorizes $907,900,000 including $12,800,000 for advanced programs and $4,000,000 for solar electric propulsion advanced technical development activities. The Conferees expect NASA to maintain as highest priority the orbiter delivery schedules and flight rates proposed in the March revised 1982 budget request. Although the Conferees recognize the broad capabilities that a Centaur upper stage would provide, the immediate driver for Centaur development is the Galileo mission launch in 1985. Consequently, commitment to launch Galileo in 1985 is essential before proceeding with Centaur development.

3. NASA requested $325,400,000, a reduction of $126 million from the original budget request, for the Physics and Astronomy program.

The House authorized $350,400,000, increasing the revised request by $25 million. The House included $15 million to allow development of the International Solar Polar Mission (ISPM) in a timely manner for a two-spacecraft mission, and $10 million for increased support for Shuttle/Spacelab instrument development.

The Senate authorized $333,400,000, an increase of $8 million over the NASA revised budget request to provide additional support for Shuttle/Spacelab instrument development and included adequate funding for ISPM to maintain the option for a two-spacecraft mission.

The Conferees adopt the Senate position and strongly encourage the NASA Administrator to honor U.S. commitments with respect to the ISPM mission. If the full mission cannot be supported, the United States should honor its international commitments for instrument development, launch, and tracking and data services for the European spacecraft.

4. NASA requested $215,300,000, a reduction of $40.8 million from the original budget request, for the Planetary Exploration program.

The House authorized $215,200,000, reducing the revised request by $0.1 million. The House reduced the funds for the Galileo program by $5.1 million and included a contingent authorization of $5 million to retain an option for a Halley Comet mission. The House authorized NASA, within available funds and after appropriate notification, to proceed with the Infrared Telescope Mid-Level Facility.

The Senate authorized the revised budget request, $215,300,000.

The Conferees adopt the Senate position but authorizes NASA to proceed with the Infrared Telescope Mid-Level Facility within available funds. The Conferees in providing for a fully funded Galileo mission want to reemphasize the importance of a vigorous planetary exploration program. This is an area in which the U.S. has led the world yet, looking ahead, the planetary science community needs new missions to maintain a viable program. The United States faces a 50 month gap during which no new planetary data will be returned from United States spacecraft thus relinquishing our leadership to other countries. For example, the Soviets, the Japanese and the European Space Agency are all planning Halley Comet missions. While it is recognized that NASA must set internal priorities within current budget constraints; the conferees expect NASA to maintain a balance among space science and planetary exploration and the overall objectives of the agency.

5. NASA requested $43,500,000, a reduction of $5.7 million from the original budget request, for the Life Sciences program.

The House authorized $49,200,000, restoring the funding to the level of the original request.

The Senate authorized the revised budget request, $43,500,000.

The Committee of Conference adopts the Senate position but is concerned that continuing reductions in these efforts will delay the availability of live support technology to support future long-duration manned space flight.

6. NASA requested $372,900,000 for the Space Applications program, a reduction of

$100 million from the original budget request.

The House authorized $410,900,000. This funding allows for initiation of a geological applications program ($10 million) in the resource observations area; development of upper atmospheric research satellite experiments at a reduced level ($15 million); continued work in technology transfer ($9 million); an increase in materials processing activities ($4 million), and an increase for communication and information system activities ($5 million).

The Senate authorized $398,600,000 which allows for development of upper atmospheric research satellite experiments at a reduced level of $15 million, continued technology transfer work at a level of $8 million, an increase in materials processing activities of $4 million, and an increase of $3.7 million for the proposed operational evaluation of the search and rescue project.

The Committee on Conference adopts the Senate position. The Conferees recognize that NASA's space applications program has significantly contributed to our understanding of weather and climate process's and atmospheric changes, enabling better forecasting; monitoring of agricultural production; identifying fuel and non-fuel minerals; and improved land use management. These benefits, in addition to research and development in materials processing and communications are critical elements of utilizing space technology for direct terrestrial applications.

The Conferees are concerned about any de-emphasis of civil space applications technology and therefore urge NASA to continue to maintain a strong research and technology program and ensure that these technologies are effectively made available for use of other government agencies and for private sector commercialization.

7. NASA requested $264,800,000 for the aeronautical research and technology programs, a reduction of $58.8 million from the original budget request.

The House authorized the revised budget request, $264,800,000.

The Senate authorized $316,000,000 for the aeronautical research and technology program, increasing the revised request by $51.2 million. This increase will be applied to various areas including advanced turboprop (or prop-fan), advanced aircraft composites, high speed aircraft technology, commuter aircraft technology, critical aircraft resources, active controls, technology, and laminar flow control technology.

The Conferees are conerned with a recent trend toward lower levels of Federal support for aeronautical research and technology development. NASA's research and technology for decades has been the wellspring for U.S. aviation development from which the nation's military, commercial and general aviation leadership has evolved. This has meant millions of jobs for Americans with a wide range of trade and professional skills in every region of the country. It has meant billions in favorable balance of trade over the years. In 1980 alone the aviation industry's net contribution to foreign trade has been $13 billion. It has meant billions of dollars returned to the Federal treasury in tax revenues.

The Conferees believe that the Nation's economic recovery program will be served best by moderating the proposed reductions in those highly selective areas where government outlays actually constitute an investment in future international competitiveness. The aviation industry stands out as a clear case in point. Its ability to maintain its preeminent position in the world should be strengthened, not weakened. That leadership is now for the first time in the history of aviation severely threatened by advanced technology developments through consortia of governments and industry in Europe and Japan. The Conferees are unwilling to risk future disaster in this industry of the kind already encountered in several of the Nation's strongest industries.

Accordingly, the Conference substitute authorizes $284,800,000, with the increase above the revised request to be used for acceleration of advanced turboprop technology, large composite primary aircraft structures, high speed transport technology (structures, aerodynamics and propulsion), commuter aircraft technology, critical aircraft resources, active controls technology, and exploratory or feasibility studies pertaining to a possible future numerical aerodynamic simulator.

8. NASA requested $125,300,000 for the space research and technology program, a reduction of $15.7 million from the original budget request.

The House authorized $129,300,000, increasing the revised request by $4 million. This includes increases of $2 million in each of the two following areas: Advanced chemical propulsion and information systems technology.

The Senate authorized $130,300,000, increasing the revised request by $5 million in the research and technology base.

The Conference authorizes $129,300,000, including $4 million for advanced chemical propulsion, information systems, space power, and electric and laser propulsion technologies.

9. NASA requested no funding for the Energy Technology program, a reduction of $4.4 million from the original budget request.

The House authorized $2,000,000, an increase of $2 million over the NASA revised request, to continue energy technology at a reduced level.

The Senate authorized the revised budget request for no funding.

The Committee on Conference adopts the Senate position. The Conferees recognize past contributions of space technology to solve some of our energy problems and the potential for continued contributions in the area of solar technologies, fuel cell technologies and energy conversion efficiencies. Therefore, the conferees request NASA to review its role in conducting its own research on energy technologies that result from space related research and development.

10. NASA requested $415,200,000 for the Tracking and Data Acquisition program, a reduction of $20 million from the original budget request.

The House authorized $400,200,000, a reduction of $15 million from the revised request in operations activities.

The Senate authorized the revised budget request $415,200,000.

The Committee on Conference authorizes $408,180,000 for tracking and data acquisition activities.

11. NASA requested $104,800,000 for Construction of Facilities, a decrease of $32 million from the original budget request.

The House authorized $104,120,000, a $0.68 million decrease from the revised request resulting in deferrals in the following three projects: (a) The Construction of an Addition to the Rehabilitation of Environmental Research Laboratory, Building 2423 for $190,000; (b) The Construction of an Occupational Health Facility Addition to Build 1100 for $245,000; and (c) Construction of Engineering Services Building for $245,000.

The Senate authorized the revised request.

The Conferees authorized $104,120,000 for construction of facilities activities including $2,320,000 for minor construction of new facilities and additions to facilities.

12. NASA requested $1,114,300,000 for Research and Program Management activities, a decrease of $22 million from the original request.

The House authorized the revised request.

The Senate authorized $1,118,100,000, an increase of $3.8 million over the revised request.

The Committee of Conference adopts the House position.

13. NASA recommended the inclusion of section 7 which amends section 305 of the National Aeronautics and Space Act of 1958.

In agreement with NASA the House amended section 7 to clarify its provisions and to conform them to existing law.

The Senate adopted the original NASA language.

The Committee of Conference adopts the House language.

14. The House amendment included a new section 9 which would prohibit the use of funds for the sole source procurement of a new upper stage until NASA reassesses the requirements of other agencies; reassesses the viability of competitive procurement; and reports its findings to the authorizing committees of the House and Senate.

The Senate bill did not include the foregoing language.

The Committee of Conference adopts the House language but includes a 30 day reporting period before NASA may proceed with a new upper stage development after reporting its findings.

15. The House amendment included a new section 10 which would permit use of $5 million of the funds authorized in Section 1(a)(5) for the Halley Intercept Mission only if such funds were requested in a message to Congress from the Administrator.

The Senate bill did not include the foregoing section.

The Committee of Conference adopts the Senate position.

16. The House amendment included general provision language as provided in the original bill submitted by NASA.

The Senate bill included a number of technical amendments to the bill submitted by NASA.

The Committee of Conference adopts the House language.

DON FUQUA,
GEORGE E. BROWN, Jr.,
RONNIE G. FLIPPO,
DAN GLICKMAN,
BILL NELSON,
LARRY WINN, Jr.,
BARRY M. GOLDWATER, Jr.,
H. C. HOLLENBECK,
Managers on the Part of the House.

BOB PACKWOOD,
BARRY GOLDWATER,
HARRISON H. SCHMITT,
HOWARD W. CANNON,
HOWELL HEFLIN,
Managers on the Part of the Senate.

COMMUNICATIONS FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communications from the Clerk of the House of Representatives:

WASHINGTON, D.C.,
November 19, 1981.

Hon. THOMAS P. O'NEILL, Jr.,
Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: On November 12, 1981, compliance with a subpoena to testify or produce documents or things for long distance telephone toll records issued upon application of the United States Attorney for the Eastern District of Pennsylvania by the United States District Court for the District of Columbia in *United States* v. *Joshua Eilberg,* Civ. Action No. 79-1623 (E.D. Pa.) was effected. In addition, the deposition of W. Raymond Colley, Deputy Clerk, was taken adducing testimony concerning the custodianship and handling of these records by my office.

This is to notify you, pursuant to the provisions of section 5 of House Rule L(50) of the Rules of the House of Representatives so that you may so inform the House.

Prior to compliance, this office attempted to make the necessary determinations concerning jurisdiction, materiality and relevancy and whether the subpoena was consistent with the rights and privileges of the House.

Sincerely,

EDMUND L. HENSHAW, Jr.,
Clerk, House of Representatives.

WASHINGTON, D.C.,
November 19, 1981.

Hon. THOMAS P. O'NEILL, Jr.,
Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: On or about November 11, 1981, I was served with a deposition subpoena to testify or produce documents and things issued by the United States District Court for the Eastern District of Virginia, commanding production of documents, including all correspondence, memoranda, reports within my possession and control relating to the conduct of an investigation by the House Select Committee on Aging in connection with a civil action into abuses in the sale of supplemental health insurance to the elderly in which several House employees are named defendants. *Glenda Brown* v. *American Broadcasting Companies, Inc., et al.,* Civ. Action No 81-0871-A (E.D. Va.). The subpoena was caused to be issued by American Broadcasting Companies, Inc., also a defendant in the above entitled action.

Pursuant to the provisions of Rule L(50) of the Rules of the House of Representatives, this is to notify you of receipt of the subpoena, and that I will be making the determinations required by Rule 50 concerning jurisdiction, materiality and relevancy and whether the subpoena contravenes the rights and privileges of the House.

Because the subpoena demands production of documents relating to an action in which employees of the House are named defendants relating to the performance of official investigative functions of the House Select Committee on Aging, it will be necessary for me to consult with the Committee as well in making the necessary determinations.

The subpoena is available in my office for inspection by Members.

Sincerely,

EDMUND L. HENSHAW, Jr.,
Clerk, House of Representatives.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make the following announcement:

Yesterday it was announced that Members would be given 3 hours notice when the conference had been completed. In view of the fact that the Members had been notified last night that the House would be in recess until 10 o'clock this morning, we can forgo that, so the Chair asks the Members to be on alert, and when the conference committee report has been completed and written, the report will be filed and called up in the House with only the customary 15 minutes formal notice, and not necessarily 3 hours.

Mr. BRODHEAD. Mr. Speaker, can someone give us some idea of where things stand at the moment, or whether we should plan for this afternoon and this evening?

The SPEAKER. At 10 o'clock this morning the conferees have resumed deliberations. The Chair has also received notification from Mr. ROSTENKOWSKI that the social security conference could meet today, and he and Senator DOLE have high hopes that they can complete that. There could be a possibility that the House could bring that conference report up.

The Members themselves would have to watch the conferees as they are deliberating. They go into session at 10 o'clock this morning, so the Chair has no knowledge as to when they might conclude. Members will just have to play it by ear.

Mr. LAFALCE. Mr. Speaker, the Chair has indicated that he would give us 15 minutes notice after the conference report is written. Can we get some prior notice upon completion of the conference itself?

The SPEAKER. That would be common knowledge as to when the conference will be completed. Then, it normally takes at least a couple of hours to write the report. Then, the leadership will notify Members informally through the whip organization on both sides when the conference report has been completed. Then, 15 minutes after the report has been completed, the House will reconvene.

Mr. LAFALCE. Thank you, Mr. Speaker.

RECESS

The SPEAKER. Pursuant to the order of the House of November 19, 1981, the Chair declares the House in recess subject to the call of the Chair.

Bells will be rung 15 minutes before the House reconvenes.

Accordingly (at 10 o'clock and 8 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 2000

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 10 p.m.

LEGISLATIVE PROGRAM

(Mr. WRIGHT asked and was given permission to address the House for 1 minute.)

Mr. WRIGHT. Mr. Speaker, the conferees on the continuing appropriation bill are still meeting. There have been several offers back and forth and I think one now is pending that is being considered seriously. I do not know whether it bodes well for an agreement later tonight. If it is, it will be much later tonight.

Therefore, there is not any reason for us to stay around. It has been generally agreed that whatever happens will take so long to get put together that it would not serve anybody's purpose to bring people in early tomorrow. Many of us would want to attend church and so we are going to recess in a little bit here until 1 o'clock tomorrow. We hope that we will have a conference committee report on which to vote.

If we do not have a conference committee report on the continuing resolution, we expect that we will have one with a Senate amendment on the HUD appropriations and we can vote on that tomorrow while awaiting for further action of the conferees.

So if the Members have planes leaving around noon or early afternoon, it may be well to cancel them, I would suppose, because we will be in session tomorrow afternoon unavoidably.

Mr. ROUSSELOT. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from California.

Mr. ROUSSELOT. I thank the gentleman for yielding.

If there is not an agreement is there any possibility we could have a continuing resolution for say 60 days or something?

Mr. WRIGHT. Until after Thanksgiving.

The SPEAKER. The Chair thinks that is a pretty good idea.

Mr. WRIGHT. Does the gentleman from California wish to make a unanimous-consent request?

Mr. ROUSSELOT. Do not tempt me, I may do it.

Mr. DANIELSON. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from California.

Mr. DANIELSON. Mr. Speaker, I know of one person who has an air-

plane reservation tomorrow night at 5:30 and would have to leave here at 4 o'clock. Is there any chance that might be able to be honored? Would it be prudent to move it over to Monday?

Mr. WRIGHT. Well, if I were guessing, I would say move it to Monday.

The SPEAKER. The Chair hopes to be able to keep an 11 o'clock appointment on Monday with his dentist.

Mr. DANIELSON. Would that be in Washington, D.C., or up in the bay area?

The SPEAKER. In Boston.

Mr. WRIGHT. That is a clue.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ASHBROOK, special order for today for 30 minutes.

RECESS

The SPEAKER. Pursuant to the order of the House of November 19, 1981, the Chair declares the House in recess until 1 p.m., tomorrow, Sunday, November 22, 1981.

Accordingly (at 10 o'clock and 3 minutes p.m.), the House stood in recess until 1 p.m. Sunday, November 22, 1981.

EXECUTIVE COMMUNICATIONS, ETC.

2567. Under clause 2 of rule XXIV, a letter from the Secretary of Health and Human Resources, transmitting the semiannual report of the Office of Inspector General, Community Services Administration, for the period ended September 30, 1981, pursuant to section 5(b) of Public Law 95-452, was referred to the Committee on Government Operations.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER (for himself, Mr. MARTIN of North Carolina, Mr. VANDER JAGT, Mr. MOORE, and Mr. SCHULZE):

H.R. 5085. A bill to amend the Internal Revenue Code of 1954 to eliminate the double tax on dividends, to allocate corporate income tax revenues for payments to qualified registered voters, and for other purposes; jointly to the Committees on Ways and Means and Rules.

By Mr. BAILEY of Pennsylvania (for himself and Mr. MATSUI):

H.R. 5086. A bill to amend the Internal Revenue Code of 1954 to provide uniform periods for returns and payments of coal excise taxes; to the Committee on Ways and Means.

By Mr. FISH:

H.R. 5087. A bill to amend title 28 of the United States Code to authorize the collection of fees for the processing of certain requests for identification records, and for other purposes; to the Committee on the Judiciary.

By Mr. GLICKMAN (for himself, Mr. FORSYTHE, Mr. NEAL, Mr. CONTE, Mr. RODINO, Mr. DENARDIS, Mr. JEFFORDS, Mr. FAZIO, Mr. SIMON, Mr. GEPHARDT, Mr. COELHO, Mr. LEACH of Iowa, Mr. BONKER, Mr. WON PAT, Mr. HARKIN, Mr. LEHMAN, Mr. DOWNEY, Mr. DORGAN of North Dakota, Mr. HUGHES, Mrs. SCHNEIDER, Mr. SEIBERLING, Mr. HORTON, Mr. OBERSTAR, Mr. BARNES, Mr. HEFTEL, Mr. MITCHELL of Maryland, Mr. BROWN of California, Mr. ERDAHL, Mr. WOLPE, Mr. AKAKA, Mr. DELLUMS, Mr. TAUKE, Mr. MARKEY, Mr. LOWRY of Washington, Mr. WEISS, Mr. YOUNG of Missouri, Mrs. SCHROEDER, Mr. EDGAR, Mr. KILDEE, Mr. MCCLOSKEY, Mr. BEDELL, Mr. AUCOIN, Mr. LANTOS, Mr. DWYER, Mr. FAUNTROY, Mr. CLAY, Mr. OTTINGER, Mr. SUNIA, Mr. ASPIN, Mr. JOHN L. BURTON, Mr. DASCHLE, Mr. ROSENTHAL, Mr. ROE, Mr. SHAMANSKY, Mr. CONYERS, and Mrs. COLLINS of Illinois):

H.R. 5088. A bill to establish the U.S. Academy of Peace and Conflict Resolution whose function shall be to develop and implement programs to promote the peaceful resolution of international conflicts through the use of conflict resolution techniques; to the Committee on Foreign Affairs.

By Mr. MCGRATH:

H.R. 5089. A bill to authorize the issuance of variable-rate debentures by the Federal Deposit Insurance Corporation and Federal Savings and Loan Insurance Corporation; to the Committee on Banking, Finance and Urban Affairs.

By Mr. MOLINARI (for himself, Mr. ADDABBO, Mr. SMITH of Pennsylvania, Mr. BENEDICT, Mr. SCHUMER, Mr. ROE, Mr. SCHEUER, Mrs. ROUKEMA, Mr. DENARDIS, Mr. DREIER, and Mr. CARMAN):

H.R. 5090. A bill to remove the limitation on the number of families with incomes between 50 percent and 80 percent of median-area income who are eligible for federally assisted housing; to the Committee on Banking, Finance and Urban Affairs.

By Mrs. SCHNEIDER:

H.R. 5091. A bill to amend section 205 of the Flood Control Act of 1948 (Public Law 858, 80th Congress), relating to small flood control projects not specifically authorized by Congress; to the Committee on Public Works and Transportation.

By Mr. SOLARZ (for himself and Mr. BARNES):

H.R. 5092. A bill to place restrictions on military assistance and sales for Guatemala; to the Committee on Foreign Affairs.

By Mr. WAXMAN (for himself, Mr. TAUKE, Mr. FLORIO, Mr. LELAND, Mr. LUKEN, Mr. MARKEY, Ms. MIKULSKI, Mr. MOFFETT, Mr. MOTTL, Mr. OTTINGER, Mr. SCHEUER, Mr. SHARP, Mr. SWIFT, Mr. SYNAR, Mr. TAUZIN, Mr. WALGREN, Mr. WYDEN, Mr. COLLINS of Texas, Mr. COURTER, and Mr. MARKS):

H.R. 5093. A bill to amend title XIX of the Social Security Act to require medicaid coverage of certain disabled children for care at home who are otherwise entitled to such coverage only if provided in a costly medical institution; to the Committee on Energy and Commerce.

By Mr. SKELTON (for himself and Mr. WRIGHT):

H. Con. Res. 227. Concurrent resolution providing for the commemoration of the 250th anniversary of the birth of George Washington; to the Committee on Rules.

By Mr. GONZALEZ:

H. Res. 284. Resolution expressing the sense of the House of Representatives that the President of the United States and the Secretary of Housing and Urban Development should not restrict the Federal Housing Administration's mortgage insurance programs or the Government National Mortgage Association's mortgage-backed securities program below the levels authorized for such programs by the Congress; to the Committee on Banking, Finance and Urban Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. LEWIS:

H.R. 5094. A bill for the relief of John Delgado Adams; to the Committee on the Judiciary.

By Mr. PETRI:

H.R. 5095. A bill for the relief of Cesar Noel Orantes; to the Committee on the Judiciary.

By Mr. SOLARZ:

H.R. 5096. A bill for the relief of Li Nam Ping; to the Committee on the Judiciary.

By Mr. VANDER JAGT:

H.R. 5097. A bill for the relief of Lt. Col. Matt Urban; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

LEGISLATION ESTABLISHING U.S. ACADEMY OF PEACE AND CONFLICT RESOLUTION

HON. DAN GLICKMAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Saturday, November 21, 1981

● Mr. GLICKMAN. Mr. Speaker, I am pleased to introduce today for myself and 55 other Members of the House, legislation that would establish a U.S. Academy of Peace and Conflict Resolution. The bill would implement the recommendations of the U.S. Commission on Proposals for the National Academy of Peace and Conflict Resolution. The Commission's final report, entitled "To Establish the U.S. Academy of Peace" was presented to the President and the Congress on October 20.

The proposed Academy would be an interdisciplinary institution devoted to international peace studies and research to advance conflict resolution methods and skills. Key to its operation would be the training of individuals in conflict resolution skills. The Academy would serve institutions and individuals in both the private and public sectors. It would be a federally created, nonprofit, independent corporation. Its core budget would come from Federal appropriations, but it would also solicit private financial support.

The establishment of an Academy is a pragmatic step that does not preempt existing defense policy. It is recognition of the fact that growing world tension cannot be controlled by military might alone. President Reagan has acknowledged this by seeking arms reduction in Europe. There is no doubt that increases in military spending improve the ability of the U.S. armed services to protect the Nation's vital interests, but additional spending itself provides no assurance or guarantee of lasting peace without being considered in connection with the principles enumerated in this legislation.

An Academy to advance conflict resolution techniques does not threaten the continuation of a responsible military program. It only strengthens that program. The existence of an Academy would comport with carefully crafted defense policy thus enhancing the Nation's overall security. The few efforts at nonmilitary conflict resolution bear this out. The Camp David accord, a most notable recent example of conflict resolution techniques, proves that traditional enemies such as Egypt and Israel can settle their differences in a mutually acceptable manner. But the Camp David accord is an exception not a rule. Too few individuals trained in conflict resolution skills are available to make such settlements more common. The existence of an Academy could correct this deficiency.

Use of the Academy's facilities would not be limited to the public sector. Clearly, Department of State employees and others who work for the Federal Government in an international capacity would be eligible, but the private sector could avail itself to the Academy as well. It is significant to note that private sector interest in the establishment of an Academy already exists. In testimony received by the Commission during its nationwide hearings, officials of multinational corporations said that an Academy could provide skills for their employees that are not currently available. Specifically, employees could be equipped with the necessary conflict resolution skills to handle confrontations that occur between the company and the host country. That could certainly lessen the sometimes strained relations between multinationals and their host countries and enhance the operation of international business concerns on an overall basis.

An Academy for Peace and Conflict Resolution is a small investment that will yield a tremendous return—individuals in Government and business who are trained to resolve conflicts before they become armed confrontations. Through that development, the United States, and indeed the entire world, stands a better chance to achieve the goal of enduring peace.

The bills, initial cosponsors are: Messrs. FORSYTHE, NEAL, CONTE, RODINO, DENARDIS, JEFFORDS, FAZIO, SIMON, GEPHARDT, COELHO, LEACH of Iowa, BONKER, WON PAT, HARKIN, LEHMAN, DOWNEY, DORGAN of North Dakota, HUGHES, Mrs. SCHNEIDER, Messrs. SEIBERLING, HORTON, OBERSTAR, BARNES, HEFTEL, MITCHELL of Maryland, BROWN of California, ERDAHL, WOLPE, AKAKA, DELLUMS, TAUKE, MARKEY, LOWRY of Washington, WEISS, YOUNG of Missouri, Mrs. SCHROEDER, Messrs. EDGAR, KILDEE, MCCLOSKEY, BEDELL, AUCOIN, LANTOS, DWYER, FAUNTROY, CLAY, OTTINGER, SUNIA, ASPIN, JOHN L. BURTON, DASCHLE, ROSENTHAL, ROE, SHAMANSKY, CONYERS, and Mrs. COLLINS of Illinois.●

RESTRICTING MILITARY ASSISTANCE TO GUATEMALA

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, November 21, 1981

● Mr. SOLARZ. Mr. Speaker, earlier this year, Amnesty International published a report entitled "Guatemala—A Government Program of Political Murder." This study, which documents a number of horrifying case histories of torture and murder by the Guatemalan Government, states that nearly 5,000 Guatemalans have been seized without warrant and killed since Gen. Lucas Garcia became President in 1978.

I have seen no effective refutation of any of the charges raised by Amnesty International. Nevertheless, despite the abysmal human rights record of the Lucas regime, the Reagan administration is now seriously considering the sale of military equipment to Guatemala. Specifically, the Congress may shortly be notified of the administration's intent to sell $1.7 million of helicopter spare parts to Guatemala.

I believe that the provision of military equipment to Guatemala, without making the receipt of this equipment conditional on a substantial improvement in the human rights situation, would be a tragic mistake. It would send the wrong signal to the extreme right in that country, and would likely lead to an escalation in violence. I have, therefore, introduced a resolution today with Congressman BARNES, the chairman of the Subcommittee on Inter-American Affairs of the House Foreign Affairs Committee, which places three strict conditions on the provision of U.S. military equipment to Guatemala. Specifically, the resolution requires the President to certify to the Congress that the Guatemalan Government:

First, is not engaged in a consistent pattern of gross violations of internationally recognized human rights;

Second, is achieving substantial control over all elements of its own armed forces, so as to bring to an end the indiscriminate torture and murder of Guatemalan citizens by these forces; and

Third, is ending the indiscriminate torture and murder of Guatemalan citizens by any paramilitary organization which receives assistance or support from the Government of Guatemala or over which the Government

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

of Guatemala is otherwise able to exercise control.

In the absence of a Presidential certification that these three conditions have been satisfied, no FMS cash or credit sales could be made to Guatemala.

This amendment is consistent with the action the Foreign Affairs Committee took earlier this year when it overwhelmingly adopted an amendment to the foreign aid bill offered by Congressman BINGHAM and Congresswoman FENWICK and me, that made the provision of U.S. military equipment to El Salvador contingent upon the fulfillment of six tough conditions. The Senate has recently adopted similar legislation with respect to El Salvador.

It would be both ironic and counterproductive if at the same time the Congress was moving to impose restrictions on military aid to El Salvador, it refused to place any restrictions on a renewed arms flow to Guatemala. The human rights situation is certainly worse in Guatemala. If there are no political prisoners in Guatemala, which on the face of it appears to be an improvement over the situation in El Salvador, it is only because all political opponents have been systematically killed or driven into exile. The Guatemalan Armed Forces and paramilitary forces are, if anything, even more brutal than their counterparts in El Salvador. And, whereas the Duarte government has at least made some efforts to implement a comprehensive land reform and other badly needed reforms, the Lucas regime has made no such redeeming commitments.

I urge my colleagues to join Congressman BARNES and me in our effort to prevent an unrestricted flow of U.S. arms to Guatemala that can only worsen an already intolerable level of violence and abuse of basic human rights.

Mr. Speaker, I ask that the text of this resolution be reprinted at this point in the RECORD:

H.R. 5092

A bill to place restrictions on military assistance and sales for Guatemala.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) funds may be obligated for assistance for Guatemala under chapter 2 or 5 of part II of the Foreign Assistance Act of 1961, letters of offers may be issued and credits and guarantees may be extended for Guatemala under the Arms Export Control Act, licenses may be issued under section 38 of the Arms Export Control Act, and members of the United States Armed Forces may be assigned or detailed to Guatemala to carry out functions under the Foreign Assistance Act of 1961 or the Arms Export Control Act, only if within six months prior to such obligation, issuance, extension, or assignment, the President has certified to the Speaker of the House of Representatives and to the Committee on Foreign Relations of the Senate that the Government of Guatemala—

(1) is not engaged in a consistent pattern of gross violations of internationally recognized human rights;

(2) is achieving substantial control over all elements of its own armed forces, so as to bring to an end the indiscriminate torture and murder of Guatemalan citizens by these forces; and

(3) is ending the indiscriminate torture and murder of Guatemalan citizens by any paramilitary organization which receives any assistance or support from the Government of Guatemala or over which the Government of Guatemala otherwise is able to exercise control.

Such certification shall discuss fully and completely the justification for making the determinations required by paragraphs (1) through (3).

(b) Not later than 6 months after submission of the first certification pursuant to this section and at the end of each succeeding six-month period thereafter, the President shall make the certification described in subsection (a) if he is able to make the determinations required by paragraphs (1) through (3) of that subsection. If at any of the times specified in the preceding sentence of this subsection the President does not make such a certification, then the President shall immediately—

(1) suspend all expenditures of funds and other deliveries of assistance for Guatemala which were obligated under chapters 2 and 5 of part II of the Foreign Assistance Act of 1961 after the date of the enactment of this Act;

(2) withhold all approvals for use of credits and guarantees for Guatemala which were extended under the Arms Export Control Act after the date of enactment of this Act;

(3) suspend all deliveries to Guatemala of defense articles, defense services, and design and construction services, which were sold under the Arms Export Control Act after the date of the enactment of this Act;

(4) suspend all licenses for the export of defense articles and defense services which were issued under section 38 of the Arms Export Control Act after the date of enactment of this Act; and

(5) order the prompt withdrawal from Guatemala of all members of the Armed Forces performing defense services, conducting international military education and training activities, or performing management functions under section 515 of the Foreign Assistance Act of 1961.

Any suspension of assistance pursuant to paragraphs (1) through (5) of this subsection shall remain in effect until such time as the President makes a certification in accordance with subsection (a).●

CONDEMNATION OF PLO TERRORISM

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Saturday, November 21, 1981

● Mr. FINDLEY. Mr. Speaker, I deplore and condemn the attempted assassination of Yousef Khatib, a West Bank Palestinian, and the murder of his 23-year-old son, Kazim, allegedly by the PLO. Just as I have condemned the PLO assassination of Israelis, I feel a great sense of horror and disgust when the PLO takes the life of a Palestinian.

The PLO apparently perpetrated this act because it considered Mr. Khatib to be "collaborating" with Israeli authorities in the West Bank.

Such acts of terrorism only undermine the PLO's contention that it is the sole legitimate representative of the Palestinians. To the extent that it keeps the allegiance of Palestinians through a campaign of fear and assassination, many will not take the PLO seriously as a political, as opposed to a military, force in the Middle East. And it belies the possibility, on which a just and lasting settlement in the Middle East must one day rest, that Israelis and Palestinians can live together in a cooperative and peaceful fashion.●

GARY, IND.'S DIAMOND ANNIVERSARY

HON. ADAM BENJAMIN, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Saturday, November 21, 1981

● Mr. BENJAMIN. Mr. Speaker, proud of its past, confident of its future, the Steel City of Dunes Country has been a welcoming haven to men and women of all nationalities, races, and creeds.

At the beginning of the 20th century, the area now known as Gary was an uninhabited region of sand dunes and scrub oaks located 25 miles from Chicago at the southern tip of Lake Michigan.

The land was first chartered by 17th century Jesuit Missionaries Jean Nicolet and Jacques Marquette, who explored much of the Great Lakes area and the upper Mississippi River. It was the burial ground of the Potawatomi Indians, and the home of Joseph Bailly, who established a trading post in the vicinity during the 1820's.

Gary, among the first communities to be shaped from undeveloped land, planned in detail and developed with care was launched together with the world's largest steelmaking complex. Work on the new mill was started on March 12, 1906, when the ground was broken for the plant's first blast furnace.

Gary Land Co. was formed in May 1906 to oversee the development of the city, to administer the sale of property, to approve plans for home construction, and arrange financing for potential owners. By the year's end, the town was incorporated and boasted its own administrative government. Gary had an assessed value of over $3 million and a population numbered in the thousands.

The first heat of steel was tapped in 1909. As of today, it has produced more steel than any other steelmaking facility in history.

Businessmen, civic and political leaders, and townspeople are proud of the progress they have made but are still aware of the problems to be resolved. They are working together to return Gary to its former preeminence as a proud, midsize industrial town known around the world as a city of opportunity.

Mr. Speaker. I am delighted to have the opportunity to include the remarks of my dear friend and constituent, Frank Roman on the occasion of Gary's Diamond Anniversay.

I have known Frank for more years than we are both willing to admit and I congratulate him on his ongoing archivist activities. Frank is an emeritus Gary—23 years—educator, librarian, former president of the Polish American Historical Association, and a contributing editor to the Polish American Journal. He is married to the former Sally Legowski.

A TRIBUTE AND SALUTE TO GARY'S DIAMOND ANNIVERSARY 1906–81

(By Frank B. Roman)

Celebrating 75 years of opportunity in 1981, with our Mayor Richard Gordon Hatcher, let's reflect for a short period of time on our roots and heritage:

Full seventy-five years ago, amid the Hoosier Winter's snow, these groves, this sandy, prairie land, our northern Lake Michigan Shore strand, were bare, bleak, and wild: But white, black man, wife and child, tarpaper shack dwelling place had found—(1,400 isolated homesteaders)—there resting, sleeping sound.

These 75 years of time, passing o'er every Northern Indiana clime, have wondrous changes made wherever man has strayed. Within our borders small, changes have passed o'er all. Many are now deceased, while others, who shared happy childhood then, are now gray-haired men and women.

Of children, men, women, in years now seven times ten (those years of wars and peace), have seen a large increase: some 175 thousand citizens here, rent or own solid homes, not tarpaper shacks, this Happy 75th Year.

The year 1981 which we celebrate a half-century plus 25 years, in our date, the Ottawa tribes are no more, upon our Hoosier Lake Michigan shore. With birchen bark canoes, they trap no more the rat and mink, along our Grand Calumet River's grassy brink. Their tomahawks are found imbedded in our sandy ground. Their spear and arrow heads are in the lowly beds. Yes, the Red race from us has gone, to live but in our song, and our historic page, in records of our earliest age.

The tread of juvenile or adult busy feet is now on many a "City of Opportunity" street. Voices of girls and boys, the homes of household joys, where late was a nature's solitude, or where Potawatomi wigwam stood are the busy "City of Opportunity" marts of trade, or professional activity. Prominent among them are: Bank of Indiana, U.S. Steel, Budd Company, Anderson Company, Post Tribune, Info. Crusader, Means Developers, WWCA Radio Station, WLTH Radio Station, Gary Public Transportation Co., Gary National Bank, Ellas Construction, Indiana University (Northwest), Employees of the Methodist and St. Mary Medical Centers, School City of Gary, members of local Chamber of Commerce and others. Their houses and stores are filled with goods and services made by hard labor, toil, and not paid with hay or soil. These give us our town and city hill, since white, Black men came, built the U.S. Steel Mill.

Now rise the metropolis spires, mid all our household fires. For men of every race, creed, acknowledge human need. This is the birthplace of Economist Paul Samuelson, the world renowned Jackson Five, Tony Zale (once Middle-Weight Boxing NBA Champion of the World), Footballs' Hank Stram, Don Elser, Tom Harmon, Alex Karras, the Met's Jack McCracken and Charlie Finley, former owner of Oakland A's. Also Frank Borman (NASA Astronaut), Congressmen Adam Benjamin and others. The "City of Opportunity" is also the home of the Northwest Indiana Symphony, The Senior Little League World Series (headed by "Mr. Baseball"—Joe Eckert), Gary's Polish Chopin Chorus and Millenium Choir, the Annual Founder's Day Festival, public libraries and information centers. We have wide variety of civic and fraternal organizations like the American legion, Kiwanis, Rotary, NAACP, Jaycees, the Urban League, Frontiers Club, Polish National Alliance, Polish Women's Alliance, Silver Bell Club (PNA), Knights of Columbus, Knights of Pythias, YWCA, Fraternal Order of Eagles, Alcoholics Anonymous, American Russian League, Boys Club of N.W. Indiana, Croatian Club, Gary Country Club, Ghetto Getters Club, Puerto Rican Benefit Society, Slovak Club, Sociedad Mutalista Mexico, Police American Congress, Indiana Division and others.

Men of every race, creed acknowledge human need, worship Him above, the one true God of Love, where late Pere Jacques Marquette, the Red men bowed and prayed, on sandy dunes, prairie wild, in forest shade. Next to the church, where under gentle rule, devised by Dr. Wirt, our children knowledge gain, gives proof of white, black, brown man's brain.

In all our districts stands our heritage from African, Latin, Caucasian, Continental, or Oriental cultures and lands.

From early dawn till night, and oft by NIPSCO light, the foundry, blast furnace, and the loom joined by AFL-CIO like a bride and groom, are symbols of a toil, bringing by Indiana Tollroad, highways, and railroads, a richer spoil. Where each mechanic and artistic art of labor claims its part. Our true wealth is made not by means of trade. "Man does not live by bread alone"—although he cannot eat a stone.

While we hope, we work, we wake and sleep. We pray dreaming that with federal and other leaders, we shall reap, overcome all hardships—be No. 1; and in good fix—come our Centennial-Two-Thousand and Six.

In the words of the late P-T scribe-Edward R. Brennan, let's conclude this tribute and salute to the "City of Opportunity" with words:

"We Hail Thee Gary—on thy Diamond Anniversary."

"City of Heroes, Saints and Bums—product of steel and sand, seventy-five years old and not a grey-hair showing."

We hail thee Gary "City of Opportunity," because you're rambunctious, rough around the edges, yet, with a heart as warm as a salamander's belly.

We hail thee Gary "City of Opportunity"—because you're not jelly. You face the future boldly, without rue and the sins of omission forgiven. Let your detractors stew in their unpleasant juices.

We hail thee Gary "City of Opportunity"—for as Garyites we expect with the Genesis Center, our Civil Rights Hall of Fame, a more glorious metropolis yet—comes the 21st Century upon the winding Grand Calumet.

Finally: (holding our heads and chalices high)—We Hail Thee "City of Opportunity"—Gary, Indiana.

With Our Mayor, Richard Gordon Hatcher and others (We'll build a fabulous city and a new man to inhabit it!).

We love you and are proud of our town, and more proud to be Americans. We love our abode and country. We believe in the dreams of our founding fathers. Above all—We Believe: "If there is any city or country, worth living in and worth fighting and dying for, it is Gary, Indiana, and the United States of America."

Long live the "City of Opportunity," God Love and Bless You Always—Diamonds and Gary are forever.●

THE IRS DOES NOT ASK, THEY JUST TAKE

HON. GEORGE HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Saturday, November 21, 1981

● Mr. HANSEN of Idaho. Mr. Speaker, in response to a November 15 program on IRS abuses by CBS-TV's "60 Minutes," which was produced with my assistance, the following reaction from a Texas citizen was received illustrating the typical unhappy attitude of a great number of American citizens toward this agency.

NOVEMBER 16, 1981.

Re pay up or else
60 MINUTES,
c/o CBS,
New York, N.Y.

DEAR BROADCASTERS: First order of business—Bravo! Your broadcast as mentioned above was courageous and informative. Courageous for speaking out regarding the "untouchables" and hopefully one of many steps toward informing the American citizens on this, as stated "pernicious" and out of control agency the IRS/KGB.

Volumes could and should be said, but this agency intimidates and retaliates mercilessly. Therefore, instead of we, the people, being informed enough to take needed lawful action, we stay afraid through enforced ignorance and the IRS methodical plan to spread and perpetuate fear through manipulative retaliation.

It is time the ripple effect be reversed and this bureaucratic monster, the epitome of diminishing returns (no pun intended) no longer be allowed to scandalize, terrorize and ruin the citizens of this country. Contrary to their manifesto, those who get behind are not all cheats and criminals. Most people clearly understand the need to support their country and their government.

If the present administration would look to the IRS for spending cuts it would find a

gold mine. This agency spends thousands of thousands to collect hundreds or less. For that and the immoral actions it perpetuates, IRS costs billions. When confronted with its acts it offers excuses and suppression until a new regulation can be drafted to protect the IRS, not the taxpayer. The existing regulations are stiffling and overbearing with more and more forever bearing down on us. Simplification of the tax system would ensure the ability to cut operating and enforcement costs. One almost needs a separate degree just to understand what all the responsibilities are and how every move affects their tax.

Taxes are too high and too unequal. Business has been forced to collect the taxes creating more expense for them yet no reason is applied on the behalf of business. Productivity suffers because not only are markets depressed but half the earnings can be taken in taxes and a great deal of cash flow is tied up in the collection of taxes. Lord help the business whose cash schedule differs from "the regulaton", the fines are outrageous. Someone should also address the add-ons of fines, penalties and interest charged arbitrarily in this insensitive system. They are of criminal proportion.

I was blissfully ignorant for most of my work life, but no more. I have dealt with this insane agency and felt the helplessness of no recourse.

My experience was voluntary (move over Pandora) and though frustrating and enlightening, is fortunately not as terrifying as many. I first became concerned when IRS conducted a fishing expedition into what I considered quite personal—a checking account. They removed only a small sum, less than $35, and except for their administrative costs (they not only took it they returned it) it was as simple as writing a personal check. That was only one step in the intimidation process.

The IRS doesn't ask, they just take. Right or wrong, they take. After all, they don't have to prove anything, you do. That is if you're lucky enough that they listen before they destroy you and yours. Somehow, this seems in conflict with something I read somewhere in school.

There are concerned people out there as shown on your broadcast. Congressman George Hansen, Idaho has written a very true, very scary book, "How the IRS Seizes Your Dollars and How to Fight Back."

I've read the book, worded diligently within the system; yet still been intimidated and treated like a criminal. It appears to me that Congress and the media must work together to inform the public of this malignant agency so that the public can help those in power to gain control and reform.

The so called "tax revolt" is a symptom of this diseased, insensitive system. It is a few frustrated individuals among many who want change but cannot achieve change without informed, lawful, concerted action.

Please pursue this issue.

Respectfully,

(Name on file.)●

PROVIDE MEDICAID COVERAGE FOR DISABLED CHILDREN AT HOME

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, November 21, 1981

● Mr. WAXMAN. Mr. Speaker, I am introducing legislation today to provide medicaid coverage of disabled children at home when it can be demonstrated that such home care is no more costly than institutional care. I am pleased to announce that joining me as cosponsors are Mr. TAUKE, Mr. FLORIO, Mr. LELAND, Mr. LUKEN, Mr. MARKEY, Ms. MIKULSKI, Mr. MOTTL, Mr. MOFFETT, Mr. OTTINGER, Mr. SCHEUER, Mr. SHARP, Mr. SWIFT, Mr. SYNAR, Mr. TAUZIN, Mr. WALGREN, Mr. WYDEN, Mr. COLLINS of Texas, Mr. COURTER, and Mr. MARKS.

This bill addresses a problem that was raised to national attention by the President at his news conference on November 10. At that time, he discussed the case of a disabled child, Katie Beckett of Cedar Rapids, Iowa, who was referred to him by my cosponsor, Mr. TAUKE. My colleague from Iowa went to extraordinary efforts to bring this case of inequitable treatment to the President's attention. Katie was eligible for medicaid while receiving expensive inpatient hospital care, but was not eligible if she rejoined her family for care at home, even though such home care was both more appropriate and less costly.

Last week, the White House announced that the Department of Health and Human Services had granted a special waiver allowing Katie to return home and still receive care financed by medicaid. While the White House has managed to take care of this particular case, other disabled children are in comparable situations, and they have not been helped. To remedy this, I have developed legislation to cover these children.

The bill I am introducing today provides that coverage. It mandates medicaid in the home for disabled children who would be eligible for SSI if they were in an institution.

I would like to stress that this bill does not create any expanded entitlements under medicaid. States which have opted not to cover SSI disabled children under their medicaid program would not be affected. The bill simply says that if such a disabled child would have been eligible for medicaid while institutionalized, then they are eligible at home, if the home care is determined to be both appropriate for the child and no more costly than institutional care. The bill meets the joint objectives of more appropriate care for the disabled child and more cost-effective expenditures for the Government.

I look forward to working with all of you in enacting this legislation.●

VOICING OUR STRONG INDIGNATION TO THE SOVIETS

HON. BRIAN J. DONNELLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Saturday, November 21, 1981

● Mr. DONNELLY. Mr. Speaker, I bring a matter of urgent importance to the attention of my colleagues. Andrei Sakharov and his wife, Elena Bonner, intend to begin a hunger strike this Sunday, November 22. This decision has not been made lightly by Sakharov, a Nobel Peace prize winner and renowned physicist, and his wife. They find themselves in a desperate situation. By way of background, Sakharov's stepson, Aleksei, emigrated to the United States 3½ years ago, and attends Brandeis University in Massachusetts. Aleksei's wife, Liza Alekseyeva, has been turned down repeatedly over the last 3 years in her efforts to obtain an emigration visa from Soviet authorities, and rejoin her husband. The young couple were engaged before Aleksei left the Soviet Union, and then in June 1981 they were married by proxy as a sign of their love and commitment to one another. It is despicable that the Soviets are punishing Aleksei and Liza in a cynical attempt to gain revenge on Sakharov, a man who has already suffered much for his beliefs and integrity. I would like to read into the RECORD a brief passage from Sakharov's recent letter to his colleagues in the international science community.

The tragedy of Liza and Aleksei continues and perhaps—if nothing changes—will last even longer. In this extreme position, after long and painful reflection, my wife, Elena Bonner, a veteran wounded in the Second World War, and I have made the decision to begin a hunger strike on November 22 to demand that Liza be granted permission to emigrate from the U.S.S.R. In communicating this decision I hope that you will understand the motives behind this step we are taking, its inner necessity for us in this tragic situation. I consider the defense of our children just as rightful as the defense of other victims of injustice, but in this case it is precisely me and my public activities which have been the cause of human suffering. I also think that this step is a continuation of my many years of speaking out in defense of the right to freely choose one's country of residence, the lack of which in our country leads to many tragedies. I am counting on your help.

We cannot let this family's continuing tragedy pass without at least voicing our strong indignation to the Soviets. I respectfully encourage my colleagues to write letters of protest to Soviet President Leonid Brezhnev and Ambassador Dobrynin about their Government's refusal of an exit visa for Liza Alekseyeva. All possible pres-

sure must be brought to bear so that Liza and Aleksei can be reunited. I cannot stress the seriousness of this situation enough. It is critical that we lend our support to Nobel Peace prize-winner Andrei Sakharov and his wife Elena in their efforts to end the terrible impasse affecting their family.●

GEORGE WASHINGTON'S 250TH BIRTHDAY

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Saturday, November 21, 1981

● Mr. SKELTON. Mr. Speaker, February 22 of the coming year will mark the 250th anniversary of the birth of our first President, George Washington. In honor of this occasion, I am today introducing a bill to establish a House-Senate committee to make arrangements for a joint meeting of Congress on that day. The majority leader, Mr. WRIGHT, of Texas, joins me in the introduction of this bill.

George Washington was a heroic military man, a great leader, and a loyal citizen. He lived a life of service to our infant Nation. Washington served as the Commander in Chief of the Continental Army in the American Revolution, presided over the Constitutional Convention in 1787, was unanimously chosen first President of the United States in 1789 and was re-elected for a second term.

Mr. Speaker, the accomplishments of George Washington can be exemplary to today's youth, and should serve as a reminder to all citizens of their obligation to make their own contribution to our democratic system of government. I hope that my colleagues will agree and cosponsor this legislation.●

UNDERMINING SOCIAL SECURITY

HON. HAROLD E. FORD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Saturday, November 21, 1981

● Mr. FORD of Tennessee. Mr. Speaker, I would like to share a statement by Mr. Vernon Jordan, president of the National Urban League, which appeared in several newspapers around the country, with my colleagues. His statement on the undermining of social security is one many of us will agree with.

I insert in the RECORD the remarks of Mr. Jordan for my colleagues to read:

UNDERMINING SOCIAL SECURITY

Social Security is the most popular federal program and has been since it was started back in the 1930s. Now it is being undermined by widely-backed proposals to cut back benefits, and by scare tactics used by the system's opponents that suggest imminent bankruptcy for the Social Security trust funds.

The constant barrage of reports that "Social Security is in trouble" are wrong. The system is not in trouble, and it won't be if Congress resists the plans to cut it.

A short-term deficit is likely in the trust fund that finances pension payments. That can easily be dealt with by shuffling money between the various funds making up Social Security or by using general revenue.

There is no reason to overhaul a system that works because of a temporary cash flow problem that is easily resolved. By 1986, for demographic reasons, the funds will be solvent again. After that, trouble is not expected until well into the next century, leaving plenty of time to work out long-range answers to long-range problems.

So it is just plain wrong to frame the system's problems in grossly exaggerated terms designed to scare people into losing confidence that they will ever collect their retirement benefits.

And it is wrong to try to correct the system's minor problems through major surgery affecting the most vulnerable of the elderly. But that is what many current proposals amount to.

Last summer, the Administration rammed through one such idea. It persuaded Congress to drop the minimum benefit, a measly $30 per week. That was a terrible blow to the poorest of the elderly—many of them women who typically worked in low-paying jobs or in non-covered employment.

They were told that if they can't make it without the minimum benefit, they could always apply for welfare. That insulted elderly people who worked hard for low wages all their lives just to keep off the welfare rolls.

With Congress moving swiftly to rescind that callous move, the President has decided to join in asking for restoration of the minimum benefit—a wise decision. But the flap over that issue has severely damaged his credibility in the coming debate over the future of social security.

After all, people heard him say he would not take any benefits away from current recipients, and then he proposed a measure that would strip away the minimum below which no elderly person could fall.

So while the Administration is to be commended for now attempting to put social security on a permanently sound footing, its track record in dealing with the poor and the elderly engender great suspicion.

Those doubts were only reinforced by the President's continued backing for drastic benefit reductions for those retiring at age 62.

People taking early retirement already get reduced benefits. The majority choose to retire early because they are in poor health or because they can't find work.

We can expect further attacks on benefit levels as political leaders seek spending cuts to absorb the hugh deficits caused by tax cuts and military spending.

We must be on guard against any attempt to change Social Security from a universal insurance system to a means-tested welfare program for the elderly. Warnings of impending bankruptcy for the Social Security system and suggestions that people rely on personal savings for retirement only inspire fear.●

CONGRESSMAN WHITTEN CELEBRATES 40 YEARS IN HOUSE

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Saturday, November 21, 1981

● Mr. PEPPER. Mr. Speaker, I would like to take this opportunity to recognize and congratulate my good friend JAMIE WHITTEN, dean of the House and chairman of the Appropriations Committee, who celebrates this month the 40th anniversary of his election to this body.

Mr. WHITTEN's public service began in 1931 when he was elected, at the age of 21, to the Mississippi State House of Representatives. Today, at the young age of 71, he continues to serve his constituents and all Americans with endless dedication.

As chairman of the Appropriations Subcommittee on Agriculture, the gentleman from Mississippi has contributed to the creation of an agricultural system that is the envy of the world. Mr. WHITTEN's long hours and hard work over the years have greatly facilitated the ability of American farmers to perform their most important work without having to face financial disaster.

By assuming the chairmanship of the Appropriations Committee, the distinguished gentleman from Mississippi offered his talents to one of the most influential and important committees of this House and he has ably and efficiently performed that role for the benefit of us all.

Mr. WHITTEN has always stood for the best interests of this House and the United States and I extend to him a most sincere tribute of gratitude and respect for his service as he enters his fifth decade of membership in the House of Representatives.

Mr. WHITTEN is an honor to his district, to the House of Representatives, and to his country.●

IRS DEMANDS—PAY UP OR ELSE

HON. GEORGE HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Saturday, November 21, 1981

● Mr. HANSEN of Idaho. Mr. Speaker, several months ago, Mr. Ira Rosen, a CBS-TV News associate producer for the program "60 Minutes" came to my office to verify or challenge the findings of Internal Revenue Service abuses revealed in my recently published book.

This publication by Simon & Schuster, entitled "How the IRS Seizes Your Dollars and How To Fight Back," was released in April 1981 and draws "from several large file drawers

of documents and testimony collected from frustrated Government employees and indignant citizens."

The book was written as a result of considerable research, data-collection and ad hoc hearings accumulated for presentation to congressional committee hearings and investigators, and to the Justice Department and IRS officials; and was finally published to better achieve this purpose through an expanded public information program calling for needed reform.

Mr. Rosen informed me that IRS and congressional committee staff rejected my contentions as "never happening" or "no longer happening." He wanted to know whether I could prove otherwise. Here we were with the pious, never-do-wrong bureaucrats sitting in front of the innocent-looking, but locked agency door challenging anyone to prove that they are harboring a hidden stable of man-eating fiscal alligators.

Well, they are doing just that, and I provided the documents and proof, with assistance from other concerned people, to convince "60 Minutes" they had a reliable story to tell on the abusive behavior of the IRS.

Over a period of months, I continued to provide documents and witnesses and interviews, and to validate information to assist an exhaustive effort by Mr. Rosen and "60 Minutes" host Morley Safer to achieve maximum credibility. This unusually painstaking exercise in accuracy become necessary because of the very nature of the IRS itself, its demonstrated ability to retaliate against its critics, no matter how powerful, and actual threats of such retaliation from IRS officials and other defenders in certain staff positions in the Congress.

The program resulting was good in its accuracy and its confirmation by reliable people, both inside and outside the agency, of scandalous abuse of citizens at all levels in IRS tax collection practices. However, the resulting program, for the same reason, was so restrictive that the full magnitude of IRS abuses remained untold. Hopefully, this can be more adequately done in the days ahead.

Many taxpayers are suffering at the hands of the IRS. Unfortunately, however, Congressmen, Government executives, and judges can also be audited, investigated, and intimidated without good cause, as can people in the media. Thus, a fearsome creature has been created which too many want to avoid tangling with. But the awesome powers of the IRS, not only to act under the law, but to act above the law, must finally be curtailed by a Congress made to realize that they have more to fear from their unhappy constituents, than they do from the self-serving intimidating ways of the IRS.

The following transcript (Vol. XIV, No. 7) of the November 15, 1981, "60 Minutes" program entitled "Pay Up or Else" is included here for the benefit of my colleagues and all citizens interested in knowing what the IRS is doing that is causing such a groundswell of complaints among Americans everywhere:

AUDIT THE TAX MAN

CHARLES SHEFKE: The IRS is probably the most pernicious organization that the Federal Government, our legislators, have ever created. And if I had to parallel it with any other kind of organization in the world, I would parallel it with the KGB, probably the Gestapo.

MORLEY SAFER: We talked to a revenue agent still working for the IRS and four other agents who recently left the service. Jack Elliott was an agent for the IRS for more than twleve years. Gary Dutloff left after seven years. Sharon Fields resigned after six years. Bob Braun is still a working revenue agent in a Pontiac, Michigan office. And Charles Shefke who quit he says because he, like the others, was being asked to intimidate relatively innocent small fry.

CHARLES SHEFKE: The poor taxpayer who wants to come up and be up front and tell you his story and tell you what's wrong literally exposes himself to getting the worst treatment that IRS can lay on him.

GARY DUTLOFF: If the revenue agent wants to, he or she can attach any property publicly available belonging to the taxpayer who is more than ten days delinquent in paying the taxes.

SAFER: So, in effect, does not need a warrant?

DUTLOFF: Does not need a warrant, does not need to see a judge.

BOB BRAUN: The revenue officer is essentially, when it comes down to a bottom line on it, a prosecutor, a judge, and a jury, and then he's the cop that goes out and executes it also.

SHEFKE: Justice Marshall said that the power to tax includes the power to destroy and we enforce the tax laws and we go out and destroy people. We literally destroy their life, their livelihood, everything.

SAFER: That almost happened to this man, Maurice Bishop, owner of All-Time Pest Control of Benton Harbor, Michigan. The IRS made an agreement with him under which he was to pay off his forty thousand dollar tax debt over a two year period. Bishop was paying on schedule and one day the IRS walked into his office and he says, like skilled shakedown artists, demanded the entire amount in cash there and then.

MAURICE BISHOP: He took his finger and struck it in my chest.

SAFER: You mean he was doing that sort of thing?

BISHOP: Right, he stuck his finger in my chest and told me, I done told you what I want you to do, and you're going to do it, otherwise we're going to, he kept saying, take your stuff and sell it for nothing and apply it to the debt.

SAFER: Several days after the meeting the IRS practically put Bishop out of business. They put a lien on all his business assets, nearly four hundred thousand dollars worth for that forty thousand dollar debt. Bishop feels it wasn't just the money the IRS was after.

BISHOP: They was trying to show me, since it was well known in the community, how they could really treat me so terrible and not tell everybody else about it, and that's what they were doing. They really didn't care whether I paid the taxes or not. That's just the way I feel, felt about it at that time.

SAFER: Fear, they wanted to spread some—.

BISHOP: They wanted to throw fear into the community. They did, because I told everybody I came in contact what was happening with me and the IRS.

SHEFKE: The revenue officer on the front line can go out and do that to people and in point of fact, if he's the kind of revenue officer they want, that's what he will do. They do want to intimidate the American people. They do want to scare them.

BISHOP: At one point I thought about leaving the country. I used to get up and walk the floor at night because I could see ever since I left Detroit in 1958 I worked about eighty to a hundred hours a week, and I'm going to, they're going to destroy all of this for me, and I have no way to, what could I do if they took my business and sold it? I had a family involved there, the people that are working for us are involved, the people that we owe, they would have all been losers. That's why I couldn't understand why they did what they done and I never will live long enough to understand that.

SAFER: Why such brutish behavior when the IRS had already made an agreement with Bishop to pay off his tax debt? An internal IRS memorandum, for example, shows the kind of pressure that is exerted on its men in the field. From Manchester, New Hampshire—"look over your inventory select one good taxpayer account for seizure action." A Grand Jury in Fort Worth recently indicted two IRS officers on charges of falsifying nearly two hundred federal tax records in order to meet office production quotas.

You still work for the IRS, Bob?

BOB BRAUN: I do.

SAFER: Is all this familiar stuff to you?

BRAUN: Absolutely.

SAFER: Does it still go on?

BRAUN: To a very great extent, yes. The, the whole idea of things being done for their statistics, for the number. If you want to move ahead, and go into management, which supposedly where all good revenue officers are supposed to wish to be, the way to get there is to have a good track record in seizures.

GARY DUTLOFF: Eighty percent to eighty five percent of the management meetings would deal with comparative statistics. Each manager would wear those statistics on their, on their sleeve.

CHARLES SHEFKE: In all the time I was in the service, I probably made fifty or sixty seizures. I can think of only two cases where a seizure was really warranted. And in point of fact, had I not seized the property, had I given the taxpayer an opportunity to pay the taxes, we would have collected more than I got in the seizure.

ROSCOE EGGAR: But we go to great lengths to avoid seizure. We go to great lengths to make sure that every single consideration has possibly been given the taxpayer that could be given to him in order to avoid that kind of drastic action.

SAFER: Roscoe Eggar is Commissioner of the IRS. He's been on the job since last March.

And you say that promotion, advancement, and even salary are not contingent on producing numbers?

EGGAR: Absolutely not. We have very strict rules against it.

SAFER: But it wouldn't surprise you if I told you that it continue to go on?

EGGAR: It would surprise me if you said that it continues to go on because I don't think in recent years it has gone on other than those exceptions where somebody fails to follow the rules. After all, we're interested in collecting the tax and we're surely not interested in putting people out of business.

RON NICHOLSON: They told us right when they came in, if we had the money fine, they would be gone. If not they were going to close us up, we were out of business.

SAFER: Just like that?

NICHOLSON: Just like that.

SAFER: Nicholson Machine Products Incorporated of Trenton, Michigan had been in business for thirty-nine years until the IRS seized the business for back taxes of around thirty thousand dollars. Ron Nicholson ran the business. Virginia Moore was his Office Manager.

VIRGINIA MOORE: We have parts that we need for Ford Motor Company that should now be in production. We cannot produce because we can't get out into the shop.

SAFER: Why not?

NICHOLSON: Because the United States Government owns it right now, as such, until we pay that money, we can't get back there.

SAFER: But don't you have the keys?

NICHOLSON: No, they locked up everything.

SAFER: Would you be trespassing now if you went into your own back shop here?

NICHOLSON: Certainly would.

SAFER: Unlike Maurice Bishop and his extermination firm, Nicholson Machine couldn't work out a partial payment agreement. Ron Nicholson just didn't have the money. His business, like other suppliers to the auto industry, is in bad shape.

It is the duty of governments, or albeit part of government to collect taxes. You would agree, no?

NICHOLSON: Certainly would. The only thing there we've been in business for thirty nine years, we've paid millions of dollars worth of taxes I'm sure, and not that we're going to, all we wanted was a chance.

SAFER: The IRS man is the arresting cop, the judge and the jury all wrapped up in one. Nowhere else in our society does this sort of thing happen.

ROSCOE EGGAR: We are properly examined and reviewed by more members of Congress and more committees of Congress than any other agency and if the Congress really believed that we were abusing those powers, I can't, for a moment, think that they wouldn't be doing something about it.

SAFER: But Congress has tried. Several pieces of tax reform legislation have been proposed over the last four years, not a single one has passed into law. One Senator who held hearings last year into IRS practices, is Carl Levin of Michigan.

CARL LEVIN: I think this is the only agency that I know of in this democracy of ours that has such dictatorial powers. They must have powers, they must have powers to seize assets under certain circumstances. But there is no reason to give them powers beyond those needed to carry out their job. There is no reason why, in this democracy of ours, we have a little Kremlin that goes on and on, as far as I'm concerned, without adequate controls. The question is how can we get that money into the Treasury best? And the use of quotas for seizures has never been shown to be the best way to do it and it has very harmful effects and violates their own rules.

SAFER: If it is a power unto itself, a renegade, how did it get this power?

LEVIN: I would say it's the natural power to give our tax collector as many powers as possible to increase the yield of the treasury.

SAFER: But you legislators have sat on the FBI, on the CIA, some would say you put too many restrictions on what they can do. And yet, the IRS, still runs wild and free.

LEVIN: [cross voices] . . . Well they're collecting money for us. They are collecting money for us is the only explanantion I can give for this go-along attitude.

SAFER: Does the IRS hold the power of fear over the Congress to some extent?

LEVIN: I think it does.

SAFER: And there are some examples to back up what Levin says. The late Senator Edward B. Long of Missouri held these hearings on IRS methods back in 1965. Agents and taxpayers testified on the abusive nature of the service.

Senator EDWARD LONG: There appears to be a festering infection in the IRS which must and shall be corrected.

SAFER: Shortly after, tax information about Senator Long was leaked to *Life Magazine* and he was defeated in the '68 election. In the mid-70's Senator Joseph Montoya of New Mexico also had hearings into IRS abuse.

VICTIM: I said I don't understand. You made me sell a house, get rid of my home that I didn't have to get rid of. I said now you're going to send me the money back? I said there has got to be something wrong with you. I said the whole darn Internal Revenue Service.

SAFER: Around the same time as these hearings, confidential information about Senator Montoya's taxes was leaked to the Washington Post by the IRS. Senator Montoya was defeated in his re-election campaign. The IRS later admitted it was in error and in fact paid him a refund. And there was Jack McDonald, former Congressman from Michigan. Ten years ago when he was in Congress, he was a member of a House Public Works Sub-Committee. The committee held hearings into a request by the IRS to move its Detroit computer office out into the suburbs. The committee in general, and McDonald in particular, was against the move.

JACK MCDONALD: We told them no, they couldn't move the facility and to find a facility within the city which they did some six months later.

SAFER: So the IRS went away from, with its tail between its legs, from the committee, correct?

MCDONALD: Only for twenty four hours.

SAFER: Because, then what happened?

MCDONALD: Then, the following day, my tax was called in for audit and my committee chairman's tax was called in for audit, and members of his family's tax was called in for audit.

SAFER: And what was the result of that audit?

MCDONALD: The audit came out with no change. However, I was audited for the next five years.

SAFER: What was the IRS's response to, I would guess, your accusation that you were being audited purely because you turned them down in sub-committee?

MCDONALD: Their response was it was just a coincidence.

SAFER: And Congressman George Hansen of Idaho was the subject of an IRS investigation that was leaked to the press and eventually dropped. That experience is not unrelated to his becoming the IRS's toughest congressional critic. Congressman Hansen's staff counsel, Jim McKenna, has been working on legislation to reform the IRS.

JIM MCKENNA: The fact of the matter remains that you have a coercive system without recourse, run by people who have no sensitivity to the rights of the citizens, and it has been, for twenty years, an impossible task to get any meaningful reform to protect the citizens.

SAFER: So how do they get away with it? Where have you guys been in all these years?

Congressman HANSEN: Everytime you allege they're doing certain things, by the time you prove it, they say, oh well, if we did that we've changed our policy.

SAFER: Just one of the things the IRS did do, and there's a pictorial record of it, is the case of Mona Oliver, a tax protester from Fairbanks, Alaska. The IRS came to seize her car. She locked herself inside. Agents proceeded to smash through the windows and dragged her away through broken glass. They subsequently sold the car for five hundred dollars.

ROSCOE EGGAR: In this particular case we mde judmental errors, errors of just human judgment, under what ever the circumstances were. As a direct result of this, we have changed our procedures. We now require that no revenue officer use force in making a collection unless either his personal safety is jeopardized or that of a third party.

SAFER: What would happen if you just dropped those tough nut cases?

EGGAR: If we made it known that we would never take that drastic action, then it wouldn't be long until those taxpayers, the hard core, who want to resist payment of their taxes in all events, would use that as a way of doing so.

SAFER: So in less oritund language, it's fear?

EGGAR: Well that's your term, not mine. I just chose to say that it's a part of our review program.●

HOUSE OF REPRESENTATIVES—*Sunday, November 22, 1981*

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 1 o'clock p.m., Sunday, November 22, 1981.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

God, be merciful to us and bless us; look on us with kindness, so that the whole world may know Your will; so that all nations may know Your salvation.—Psalm 67: 1, 2.

O God, as we approach our national day of thanksgiving, keep us to be aware of how each of us has been blessed. In spite of problems and pressures from every side, cause us, in this moment of prayer, to recall the liberties and freedoms that have encompassed our Nation. May not the difficulties or anxieties of any time make us forget the gifts that have been given to the people of our land. For Your mercy and providence to us, and for the presence of Your loving spirit that is with us every day of our lives, we offer this our prayer of thanksgiving. Amen.

MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Sparrow, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4144) entitled "An act making appropriations for energy and water development for the fiscal year ending September 30, 1982, and for other purposes."

The message also announced that the Senate agree to the amendments of the House of Representatives to the amendments of the Senate numbered 14, 17, 18, 33, 47, 52, 57, and 64 to the above-entitled bill.

The message also announced that the Senate recede from its amendment numbered 23 to the above-entitled bill.

The message also announced that the Senate agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4034) "An act making appropriations for the Department of Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1982, and for other purposes."

The message also announced that the Senate agree to the amendments of the House to the amendments of the Senate numbered 5, 13, and 23 to the above-entitled bill.

The message also announced that the Senate agree to the amendment of the House to the amendment of the Senate numbered 4, to the above-entitled bill, with an amendment.

CONFERENCE REPORT ON HOUSE JOINT RESOLUTION 357, FURTHER CONTINUING APPROPRIATIONS, 1982

Mr. WHITTEN submitted the following conference report and statement on the joint resolution (H.J. Res. 357) making further continuing appropriations for the fiscal year ending September 30, 1982, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 97-352)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H.J. Res. 357) making further continuing appropriations for the fiscal year ending September 30, 1982, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 24, 27, 56, 58, and 59.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 16, 19, 20, 21, 30, 31, 33, 34, 35, 38, 41, 42, 46, 51, 55, 64, 65, 66, and 72 and agree to the same.

Amendment numbered 1:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows:

Funds provided in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriation Act, 1982, notwithstanding section 15(a) of the State Department Basic Authorities Act of 1956 and section 701 of the United States Information and Educational Exchange Act of 1948, as amended; subject to any rates provided for in section 101(k) of this joint resolution as follows:

TITLE I

Department of Commerce: General Administration, "Salaries and Expenses", $28,407,000;

Bureau of the Census: "Salaries and Expenses", $57,200,000; "Periodic Censuses and Programs", $92,898,000;

Economic and Statistical Analysis, "Salaries and Expenses", $25,490,000;

Economic Development Administration, "Salaries and Expenses", $25,000,000;

Minority Business Development Agency, "Minority Business Development", $56,641,000;

Maritime Administration, "Research and Development", $8,491,000;

Marine Mammal Commission, "Salaries and Expenses", $672,000;

except that for the following items funding shall be at the rate specified herein

Economic Development Administration, "Economic Development Assistance Programs", $198,500,000;

Federal Trade Commission, "Salaries and Expenses", $68,774,000;

Small Business Administration: "Salaries and Expenses", $207,945,000; "Small Business Development Centers", $14,000,000 which shall be available only for grants for Small Business Development Centers as authorized by section 20(a) of the Small Business Act, as amended;

United States Metric Board, "Salaries and Expenses", $2,000,000;

TITLE II

Department of Justice: General Administration, "Salaries and Expenses", $42,233,000;

Office of Justice Assistance, Research, and Statistics: "Research and Statistics", $35,000,000;

Legal Services Corporation, "Payment to the Legal Services Corporation", $241,000,000;

And the Senate agree to the same.

Amendment numbered 12:

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert: *: Provided further, That for the purposes of this joint resolution the Senate reported level of H. R. 4121, entitled the Treasury, Postal Service, and General Government Appropriation Act, 1982, shall be the level reported by the Senate on September 22, 1981 (S. Rept. No. 97-192);*

And the Senate agree to the same.

Amendment numbered 14:

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

(6) In addition to any sums otherwise appropriated there is appropriated an additional sum of $25,000,000 which shall be made available for training, job search allowances, and relocation allowances, under sections 236, 237, and 238 of the Trade Act of 1974.

And the Senate agree to the same.

Amendment numbered 17:

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

(c) Such amounts as may be necessary for projects or activities provided for in the District of Columbia Appropriation Act, 1982, at a rate for operations and to the extent and in the manner provided for in the conference report and joint explanatory statement of the committee of conference (H.

Rept. No. 97-327) as agreed to by the House of Representatives on November 18, 1981, and the Senate on November 19, 1981, as if such Act had been enacted into law.

And the Senate agree to the same.

Amendment numbered 18:

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert: for in the conference report and joint explanatory statement of the committee of conference (H. Rept. No. 97-345) as approved by the House of Representatives on November 20, 1981, as if such Act had been enacted into law.

And the Senate agree to the same.

Amendment numbered 22:

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

"(1) The amount of the increase in contract authority under the heading 'HOUSING PROGRAMS, Annual Contributions for Assisted Housing', shall be $897,177,848, and the amount of the increase in budget authority under such heading shall be $17,373,528,040.

"(2) The amount appropriated under the heading 'HOUSING PROGRAMS, Housing Counseling Assistance', shall be $3,520,000.

"(3) The amount appropriated under the heading 'SOLAR ENERGY AND ENERGY CONSERVATION BANK, Assistance for Solar and Conservation Improvements', shall be $23,000,000.

"(4) The amount appropriated under the heading 'COMMUNITY PLANNING AND DEVELOPMENT, Community Development Grants', shall be $3,600,000.

"(5) The amount appropriated under the heading 'COMMUNITY PLANNING AND DEVELOPMENT, Urban Development Action Grants', shall be $458,000,000.

"(6) The amount appropriated under the heading 'POLICY DEVELOPMENT AND RESEARCH, Research and Technology', shall be $20,000,000.

"(7) The amount appropriated under the heading 'FAIR HOUSING AND EQUAL OPPORTUNITY, Fair Housing Assistance', shall be $5,016,000.

"(8) The amount appropriated under the heading 'MANAGEMENT AND ADMINISTRATION, Working Capital Fund', shall be $528,000.

"(9) The amount appropriated under the heading. 'DEPARTMENT OF DEFENSE—CIVIL, CEMETERIAL EXPENSES, ARMY, Salaries and Expenses', shall be $4,476,000.

"(10) The amount appropriated under the heading 'ENVIRONMENTAL PROTECTION AGENCY, Salaries and Expenses', shall be $562,837,000.

"(11) The amount appropriated under the heading 'ENVIRONMENTAL PROTECTION AGENCY, Research and Development', shall be $167,759,000.

"(12) The amount appropriated under the heading 'ENVIRONMENTAL PROTECTION AGENCY, Abatement, Control and Compliance', shall be $395,000,000.

"(13) The amount appropriated under the heading 'ENVIRONMENTAL PROTECTION AGENCY, Buildings and Facilities', shall be $3,621,000.

"(14) The amount appropriated under the heading 'EXECUTIVE OFFICE OF THE PRESIDENT, Council on Environmental Quality and Office of Environmental Quality', shall be $919,000.

"(15) The amount appropriated under the heading 'EXECUTIVE OFFICE OF THE PRESIDENT, Office of Science and Technology Policy', shall be $1,578,000.

"(16) The amount appropriated under the heading 'FEDERAL EMERGENCY MANAGEMENT AGENCY, Funds Appropriated to the President, Disaster Relief', shall be $301,694,000.

"(17) The amount appropriated under the heading 'FEDERAL EMERGENCY MANAGEMENT AGENCY, Salaries and Expenses', shall be $93,879,000.

"(18) The amount appropriated under the heading 'FEDERAL EMERGENCY MANAGEMENT AGENCY, State and Local Assistance', shall be $121,829,000.

"(19) The amount appropriated under the heading 'FEDERAL EMERGENCY MANAGEMENT AGENCY, Emergency Planning and Assistance', shall be $67,906,000.

"(20) There are appropriated, out of any money in the Treasury not otherwise appropriated, for the repayment of notes dated April 17, 1979, and September 28, 1979, issued by the Director of the Federal Emergency Management Agency to the Secretary of the Treasury pursuant to section 15(e) of the Federal Flood Insurance Act of 1956 (42 U.S.C. 2414(e)), $328,240,000.

"(21) The amount appropriated under the heading 'DEPARTMENT OF HEALTH AND HUMAN SERVICES, Office of Consumer Affairs', shall be $1,760,000.

"(22) The amount appropriated under the heading 'NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, Research and Development', for the Space Shuttle including space flight operations shall not exceed $3,104,900,000: Provided, That the limitations subject to the approval of the Committees on Appropriations contained under this heading shall not be affected by this subsection.

"(23) The amount appropriated under the heading 'NATIONAL SCIENCE FOUNDATION, Research and Related Activities', shall be $1,010,000,000.

"(24) The amount appropriated under the heading 'NATIONAL SCIENCE FOUNDATION, Science Education Activities', shall be $22,000,000.

"(25) The amount appropriated under the heading 'NATIONAL SCIENCE FOUNDATION, Scientific Activities Overseas (Special Foreign Currency Program)', shall be $3,080,000.

"(26) The amount appropriated under the heading 'SELECTIVE SERVICE SYSTEM, Salaries and Expenses', shall be $18,633,000.

"(27) The amount appropriated under the heading 'DEPARTMENT OF THE TREASURY, Office of Revenue Sharing, Salaries and Expenses', shall be $6,148,000.

"(28) The amount appropriated under the heading 'DEPARTMENT OF THE TREASURY, New York City Loan Guarantee Program', shall be $822,000.

"(29) The amount appropriated under the heading 'VETERANS ADMINISTRATION, Compensation and Pensions', shall be $13,824,000,000.

"(30) The amount appropriated under the heading 'VETERANS ADMINISTRATION, Readjustment Benefits', shall be $1,938,800,000.

"(31) The amount appropriated under the heading 'VETERANS ADMINISTRATION, Medical and Prosthetic Research', shall be $128,215,000.

"(32) The amount appropriated under the heading 'VETERANS ADMINISTRATION, Medical Administration and Miscellaneous Expenses', shall be $57,700,000.

"(33) The amount appropriated under the heading 'VETERANS ADMINISTRATION, Construction, Major Projects', shall be $378,338,000.

"(34) The amount appropriated under the heading 'VETERANS ADMINISTRATION, Construction, Minor Projects' shall be $102,942,000, of which not to exceed $30,018,000 shall be available for the Office of Construction.

"(35) The amount appropriated under the heading 'VETERANS ADMINISTRATION, Grants for Construction of State Extended Care Facilities', shall be $15,840,000.

And the Senate agree to the same.

Amendment numbered 23:

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

"(36) The amount appropriated under the heading 'DEPARTMENT OF THE TREASURY, Investment in National Consumer Cooperative Bank', shall be $43,000,000: Provided, That the final Government equity redemption date for the National Consumer Cooperative Bank shall occur on December 31, 1981.

And the Senate agree to the same.

Amendment numbered 25:

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows:

In lieu of the subsection number named in said amendment insert 37; and the Senate agree to the same.

Amendment numbered 26:

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows:

In lieu of the subsection number named in said amendment insert 38 ; and the Senate agree to the same.

Amendment numbered 28:

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows:

In lieu of the subsection number named in said amendment insert 39 ; and the Senate agree to the same.

Amendment numbered 36:

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

(k) Such amounts as may be necessary for projects or activities provided for in the Departments of Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Act, 1982, shall be at the rate provided in H.R. 4169 as reported to the Senate on October 30, 1981, as amended by the Senate through November 16, 1981, and under the authority and conditions provided in the applicable appropriation Act for fiscal year 1981; notwithstanding section 15(a) of the State Department Basic Authorities Act of 1956 and section 701 of the United States Information and Educational Exchange Act of 1948, as amended, subject to any rates provided for in section 101(a) of this joint resolution as follows:

TITLE I

National Oceanic and Atmospheric Administration: "Operations, Research, and Facilities" (by transfer), $10,000,000; "Fish-

ing Vessel and Gear Damage Compensation Fund", $3,500,000; "Fishermen's Contingency Fund", $900,000; "Fishermen's Guaranty Fund", $1,800,000;

Patent and Trademark Office, "Salaries and Expenses", $118,961,000;

Department of Transportation: Maritime Administration: "Operating—Differential Subsidies (Liquidation of Contract Authority)", $417,148,000; "Operations and Training", $74,898,000;

Department of the Treasury: Chrysler Corporation Loan Guarantee Program, "Administrative Expenses", $1,356,000;

Federal Communications Commission, "Salaries and Expenses", $76,900,000;

Federal Maritime Commission, "Salaries and Expenses", $11,225,000;

International Trade Commission, "Salaries and Expenses", $17,200,000;

Office of the United States Trade Representative, "Salaries and Expenses", $9,000,000: Provided, That not to exceed $60,000 shall be available for official reception and representation expenses;

Small Business Administration: "Salaries and Expenses" (by transfer), $19,200,000; "Disaster Loan Fund", $0; "Lease Guarantees Revolving Fund", $3,000,000; "Surety Bond Guarantees Revolving Fund", $19,000,000;

except that for the following items funding shall be at the rate specified herein:

International Trade Administration, "Operations and Administration", $160,700,000: Provided, That during fiscal year 1982 and within the resources and authority available, gross obligations for the principal amount of direct loans shall not exceed $29,000,000: Provided further, That during fiscal year 1982, total commitments to guarantee loans shall not exceed $38,250,000 of contingent liability for loan principal;

United States Travel and Tourism Administration, "Salaries and Expenses", $7,600,000;

National Oceanic and Atmospheric Administration: "Operations, Research, and Facilities", $820,455,000; "Coastal Zone Management", $7,415,000; "Coastal Energy Impact Fund", $0: Provided, That obligations under the Coastal Energy Impact Fund for payments pursuant to subsections 308(c), (d), and (f) of the Coastal Zone Management Act of 1972, as amended, shall not exceed $9,000,000: Provided further, That unobligated balances previously available for section 308(d)(4) shall be used for administration of the Act of October 27, 1972, as amended; "Foreign Fishing Observer Fund", $4,000,000;

Science and Technical Research, "Scientific and Technical Research and Services", $125,528,000;

National Telecommunications and Information Administration: "Salaries and Expenses", $16,483,000; "Public Telecommunications Facilities, Planning and Construction", $18,000,000;

Securities and Exchange Commission, "Salaries and Expenses", $82,906,000;

Small Business Administration, "Business Loan and Investment Fund", $326,000,000;

TITLE II

United States Parole Commission, "Salaries and Expenses", $6,200,000;

"Salaries and Expenses, Foreign Claims Settlement Commission", $705,000;

"Salaries and Expenses, Antitrust Division", $44,000,000;

"Salaries and Expenses, United States Attorneys and Marshals", $291,950,000;

"Support of United States Prisoners", $24,100,000: Provided, That not to exceed $3,000,000 shall be available for the purpose of renovating and equipping State and local jail facilities which confine Federal prisoners, as may be authorized by law:

"Fees and Expenses of Witnesses", $27,921,000;

"Salaries and Expenses, Community Relations Service", $5,500,000;

Federal Prison System: "National Institute of Corrections", $11,186,000; "Buildings and Facilities", $13,731,000, including $1,920,000 for the plannng, design, acquisition, and preparation of a site for a Federal Correctional Institution to be located in central Arizona and any necessary relocation or replacement of existing site structures or other improvements, as well as the grading and development of utility distribution systems; "Federal Prison Industries, Incorporated: (Limitation on Administrative and Vocational Training Expenses)", $5,066,000;

Commission on Civil Rights, "Salaries and Expenses", $12,318,000; except that for the following items funding shall be at the rate specified herein:

Department of Justice: Legal Activities, "Salaries and Expenses, General Legal Activities", $123,200,000;

Federal Bureau of Investigation, "Salaries and Expenses", $739,609,000;

Immigration and Naturalization Service, "Salaries and Expenses", $428,557,000;

Drug Enforcement Administration, "Salaries and Expenses", $230,849,000;

Federal Prison System, "Salaries and Expenses", $353,000,000;

Office of Justice Assistance, Research, and Statistics, "Law Enforcement Assistance", $95,923,000. Provided, That $70,000,000 of said amount shall be available only for grants and administrative expenses authorized by title II of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended: Provided further, That $2,369,000 of said amount shall be allocated for undercover property recovery programs operated by State and local governments under the supervision of the Department of Justice: Provided further, That $4,000,000 of said amount provided for the program "Treatment Alternatives to Street Crime" shall be allocated solely to implement Part E of the Justice System Improvement Act of 1979;

Equal Employment Opportunity Commission, "Salaries and Expenses", $139,889,000 of which not to exceed $18,500,000 is for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act, as amended and sections 6 and 14 of the Age Discrimination in Employment Act;

TITLE III

All of title III, the Department of State and Related Agencies Appropriation Act, 1982, except that for the following items funding shall be at the rate specified herein:

Department of State: Administration of Foreign Affairs: "Salaries and Expenses", $898,258,000; "Acquisition, Operation, and Maintenance of Buildings Abroad", $185,970,000; "Buying Power Maintenance", $1,500,000;

International Organizations and Conferences, "Contributions to International Organizations", $415,240,000: Provided, That $28,566,865 shall be available only for the Pan American Health Organization for the payment of 1982 assessed contributions and to reimburse the Pan American Health Organization for payments under the tax equalization program for employees who are United States citizens;

International Communication Agency: "Salaries and Expenses", $443,286,000; "Aquisition and Construction of Radio Facilities", $19,000,000;

TITLE IV

All of title IV, the Judiciary Appropriation Act, 1982, except that for the following item funding shall be at the rate specified herein:

Supreme Court of the United States, "Salaries and Expenses", $11,208,000: Provided, That not to exceed $10,000 shall be for official reception and representation expenses.

And the Senate agree to the same.

Amendment numbered 45:

That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

Sec. 114. Notwithstanding any other provision of law, funds provided under this joint resolution for the special supplemental food program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), and the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c (note)) shall not be withheld from obligation unless and until a special message specifying a deferral or rescission of budget authority for such programs is officially submitted to the Congress, when the Congress is in session.

And the Senate agree to the same.

Amendment numbered 47:

That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

Sec. 116. Nothwithstanding any other provision of law or of this joint resolution, the funds provided for section 18 nonurban formula grants and section 5 urban formula grants in this joint resolution shall be apportioned and allocated using data from the 1970 decennial census for one-half of the sums appropriated and the remainder shall be apportioned and allocated on the basis of data from the 1980 decennial census.

And the Senate agree to the same.

Amendment numbered 50:

That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

Sec. 119. There are appropriated $750,000 to continue the operations of the Office of Adolescent Pregnancy Programs of the Department of Health and Human Services.

And the Senate agree to the same.

Amendment numbered 52:

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

Sec. 121. Amounts at the level provided in H.R. 4560 as passed by the House are available for general departmental management, Department of Health and Human Services, and the program direction and support services activity, Assistant Secretary for Health.

And the Senate agree to the same.

Amendment numbered 54:

That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

Sec. 123. Funding for sections 501(a), (b), and (c) of the Refugee Education Assistance Act of 1980 and for the Refugee Act of 1980 shall be at levels and under the terms and conditions of the Labor Health and Human Services Education Act, 1982, as passed by the Senate.

And the Senate agree to the same.

Amendment numbered 60:

That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

Sec. 129. There is appropriated $69,800,000 for section 611 of the Education of the Handicapped Act which is in addition to amounts appropriated under this joint resolution which would otherwise be made available under H.R. 4560, the Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriation Act, 1982, as reported to the Senate on November 9, 1981, for such section 611.

And the Senate agree to the same.

Amendment numbered 61:

That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

Sec. 130. for carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, as amended, and the International Health Research Act of 1960, $991,845,000, of which $892,865,538 shall be for allotments under section 100(b)(1), $6,134,462 shall be for activities under section 110(b)(3), $650,000 shall be made available to the Navajo Tribal Council for activities under section 130, and $18,000,000 shall be for activities under section 711 of the Rehabilitation Act of 1973.

And the Senate agree to the same.

Amendment numbered 62:

That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

Sec. 131. The Attorney General shall exercise his best efforts to ensure that none of the funds appropriated by this joint resolution may be obligated or expended after March 1, 1982, for the detention of any entrant, any applicant for political asylum or for refugee status, or any other alien which would cause the total number of aliens to exceed five hundred and twenty-five at the facility known as Krome North, located in the State of Florida, or to exceed five hundred and twenty-five at any other facility in the State of Florida for the detention of aliens awaiting exclusion, deportation, or resettlement which is not used for such purpose on the date of enactment of this joint resolution.

And the Senate agree to the same.

Amendment numbered 63:

That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

Sec. 132. There is appropriated an additional $45,000,000 for the payment of windfall benefits, as provided under section 15(d) of the Railroad Retirement Act of 1974, which, together with the amounts appropriated under this joint resolution which would otherwise be made available under H.R. 4560, the Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriation Act, 1982, for the payment of such benefits, shall be the maximum amount available for payments through September 30, 1982.

And the Senate agree to the same.

Amendment numbered 67:

That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

Sec. 136. There is appropriated the sum of $362,000,000 for the Maternal and Child Health Care Block Grant Act.

And the Senate agree to the same.

Amendment numbered 68:

That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

Sec. 137. There are appropriated to the Department of Health and Human Services $61,180,000 for activities under the Developmental Disabilities Assistance and Bill of Rights Act of 1981.

And the Senate agree to the same.

Amendment numbered 69:

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

Sec. 138. There is appropriated $10,000,000 for Part B of Title IV of the Comprehensive Employment and Training Act relating to the Job Corps which is in addition to the amounts appropriated under this joint resolution which would otherwise be made available under H.R. 4560, the Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriation Act, 1982, as reported to the Senate on November 9, 1981, for the Job Corps.

And the Senate agree to the same.

Amendment numbered 71:

That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert the following:

Sec. 140. (a) Notwithstanding any other provision of this joint resolution and in order to execute Congressional responsibilities udner the Constitution to provide specific items of expenditures, appropriations made available by this joint resolution shall be reduced proportionally by 2 percent for programs, projects, or activities for which provisions would be made in the following appropriation Acts:

District of Columbia Appropriation Act, 1982;

Energy and Water Development Appropriation Act, 1982;

Department of Housing and Urban Development-Independent Agencies Appropriation Act, 1982;

Department of the Interior and Related Agencies Appropriation Act, 1982;

Departments of Labor, Health and Human Services, and Education, and Related Agencies, 1982;

Military Construction Appropriation Act, 1982; and

Treasury, Postal Service and General Government Appropriation Act, 1982.

(b) Total appropriation made available in this joint resolution under the Department of Defense Appropriation Act shall be reduced by 2 percent: Provided, That such reductions in total appropriation shall be applied proportionally only to projects and activities in Titles IV and V of such Act: Provided further, That after the conclusion of the 1st Session of the 97th Congress, the level of budget authority for the Department of Defense shall be the level of the conference agreement on the Department of Defense Appropriation Bill for fiscal year 1982. If such agreement has not been reached by the conclusion of the 1st Session of the 97th Congress, the level shall be as set forth by section 101(a)(3) of this joint resolution.

(c) Appropriations made available to the Department of Agriculture in this joint resolution are hereby reduced in the following amounts:

Public Law 480, $80,000,000;

Rural Housing Insurance Fund, reimbursement for losses in prior years, $97,000,000;

Agriculture Credit Insurance Fund, reimbursement for losses in prior years, $56,000,000; and

Rural Development Insurance Fund, reim bursement for losses in prior years $24,000,000.

(d) Appropriations made available for the projects or activities provided for in the Department of Transportation and Related Agencies Appropriation Act, 1982, in this joint resolution are hereby reduced in the following amounts:

Department of Transportation:

Office of the Secretary, salaries and expenses and transportation planning, research, and development, $4,000,000;

Coast Guard, operating expenses, $20,000,000, of which $5,000,000 shall be deducted from the amounts made available for recreational boating safety; acquisition, construction, and improvements, $10,000,000; alteration of bridges, $4,000,000; research, development, test, and evaluation, $2,000,000; offshore oil pollution compensation fund, $3,000,000; and deepwater port liability fund, $3,000,000;

Federal Aviation Administration, operations, $20,000,000; facilities, engineering and development, $5,000,000; facilities and equipment (Airport and Airway Trust Fund), $18,000,000; research, engineering and development (Airport and Airway Trust Fund), $6,000,000; and construction, Metropolitan Washington Airports, $5,000,000;

Federal Highway Administration, highway safety research and development, $2,000,000; highway beautification, $1,000,000; territorial highways, $1,000,000; and interstate transfer grants—highways, $18,000,000;

National Highway Traffic Safety Administration, operations and research, $5,000,000;

Federal Railroad Administration, office of the administrator, $500,000; railroad safety, $1,000,000; railroad research and development, $5,000,000; rail service assistance, $4,000,000, of which at least $2,000,000 shall be deducted from amounts made available for the Minority Business Resource Center; Northeast corridor improvement program; $6,000,000; and redeemable preference shares, $5,000,000;

Urban Mass Transportation Administration, administrative expenses, $1,500,000; research, development, and demonstrations and university research and training, $4,000,000; urban discretionary grants,

$14,750,000; non-urban formula grants, $2,000,000; urban formula grants, $14,250,000; and interstate transfer grants—transit, $12,000,000;

Research and Special Programs Administration, research and special programs, $3,000,000, of which $1,000,000 shall be deducted from the amounts made available for research and development and $300,000 shall be deducted from amounts made available for grants-in-aid as authorized by section 5 of the Natural Gas Pipeline Safety Act of 1968;

Related Agencies:

Interstate Commerce Commission, salaries and expenses, $3,000,000;

Department of the Treasury, Office of the Secretary, investment in fund anticipation notes, ($5,000,000); and

United States Railway Association, administrative expenses, $3,000,000.

(e) Reductions made by this section shall not apply to appropriations for those activities involving new spending authority described in section 401(c)(2)(C) of the Congressional Budget Act of 1974 including revenue sharing under the Payment to State and Local Government Fiscal Assistance Trust Fund, activities supported under the budget account entitled "Social Security Administration, Limitation on Administrative Expenses" or from funds available for the administration of the Medicare program, the food stamp program, and Veterans' medical care.

(f) Reductions made by this section shall not apply to any account, activity, program or project for which funds are provided by a 1982 appropriation Act enacted into law subsequent to the enactment of this joint resolution.

(g) No account, activity, program or project may be terminated as a result of reductions made pursuant to this section.

(h) Notwithstanding any other provision of this joint resolution, this resolution (other than sections 101 (l), 142, and 144) shall expire on July 15, 1982.

And the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 11, 15, 29, 32, 37, 39, 40, 43, 44, 48, 49, 53, 57, 70, 73, 74, and 75.

JAMIE L. WHITTEN,
EDWARD P. BOLAND
(except No. 37),
WILLIAM H. NATCHER,
NEAL SMITH,
JOSEPH P. ADDABBO
(except No. 37),
CLARENCE D. LONG,
SIDNEY R. YATES
(except No. 37),
EDWARD R. ROYBAL,
TOM BEVILL
(except No. 37),
ADAM BENJAMIN, Jr.
(except No. 37 and 73),
BO GINN
(except No. 37),
JULIAN C. DIXON,
VIC FAZIO,
SILVIO O. CONTE,
JOE MCDADE,
JACK EDWARDS,
J. K. ROBINSON,
LAWRENCE COUGHLIN,
Managers on the Part of the House.

MARK O. HATFIELD,
TED STEVENS,
JAMES A. MCCLURE,
PAUL LAXALT,
JAKE GARN,
HARRISON H. SCHMITT,
THAD COCHRAN,
MARK ANDREWS,
JAMES ABDNOR,
BOB KASTEN,
ALFONSE D'AMATO,
MACK MATTINGLY,
WARREN B. RUDMAN,
ARLEN SPECTER,
JOHN C. STENNIS,
DANIEL K. INOUYE
(with reservations on No. 15, foreign assistance),
LAWTON CHILES
(except No. 37),
DALE BUMPERS,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H.J. Res. 357), making further continuing appropriations for the fiscal year 1982 and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

RATE OF OPERATIONS

Amendment No. 1: Restores language proposed by the House which provides funding under Sec. 101(a) of the continuing resolution for the Departments of Commerce, Justice, and State, the Judiciary and Related Agencies Appropriation Act, 1982, amended to provide for only certain items in said Act, as follows:

Title I

Department of Commerce: General Administration, "Salaries and Expenses", $28,407,000;

Bureau of the Census: "Salaries and Expenses", $57,200,000; "Periodic Censuses and Programs", $92,898,000;

Economic and Statistical Analysis, "Salaries and Expenses", $25,490,000;

Economic Development Administration, "Salaries and Expenses", $25,000,000;

Minority Business Development Agency, "Minority Business Development", $56,641,000;

Maritime Administration, "Research and Development", $8,491,000;

Marine Mammal Commission, "Salaries and Expenses", $672,000;

except that for the following items funding shall be at the rate specified herein:

Economic Development Administration, "Economic Development Assistance Programs", $198,500,000;

Federal Trade Commission, "Salaries and Expenses", $68,774,000;

Small Business Administration: "Salaries and Expenses", $207,945,000; "Small Business Development Centers", $14,000,000 which shall be available only for grants for Small Business Development Centers as authorized by section 20(a) of the Small Business Act, as amended;

United States Metric Board, "Salaries and Expenses", $2,000,000;

TITLE II

Department of Justice: General Administration, "Salaries and Expenses", $42,233,000;

Office of Justice Assistance, Research, and Statistics: "Research and Statistics", $35,000,000;

Legal Services Corporation, "Payment to the Legal Services Corporation", $241,000,000;

REPRESENTATION ALLOWANCES

The conferees are agreed that the authorized ceilings for official representation allowances in H.R. 4169 as passed by the House, shall apply unless specified otherwise.

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

The conferees are agreed that $198,500,000 shall be available for economic development assistance programs in the following manner:

	Thousands
Public works	$130,000
Planning assistance	25,500
Districts	(15,000)
Indians	(3,000)
States	(2,900)
Urban	(4,600)
Technical assistance	8,000
University centers	(3,000)
Research and evaluation programs	2,000
Economic adjustment	33,000
Total	198,500

The conferees are further agreed that direct loans of $30,000,000 and any payments for loan defaults shall be derived from the Economic Development Revolving Fund.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides $207,945,000 in new budget authority for salaries and expenses of the Small Business Administration and an additional $19,200,000 by transfer from the Disaster Loan Fund, as specified in Senate Report 97-265. The conference agreement also provides $14,000,000 for Small Business Development Centers. A total of $18,376,000 is provided under Salaries and Expenses for management assistance programs, including SCORE/ACE, Small Business Institutes, junior college training programs, general contractual assistance, as specified in House Report 97-180, and the Office of International Trade as detailed in Senate Report 97-265. The conferees are agreed that $6,600,000 shall be provided for advocacy programs including $1,000,000 for establishing an indicative data base, as specified in House Report 97-180, and $1,000,000 for development of an external small business economic data base, as specified in Senate Report 97-265. The conferees are agreed that the rate provides $300,000 in additional funds for the Office of the Inspector General and $175,000 in additional funds for technology transfer programs, as specified in Senate Report 97-265.

Amendment No. 2: Deletes House reference to the "District of Columbia Appropriation Act, 1982;" from section 101(a)(1) which provides funding for activities in the D. C. Appropriation Act at the lower of the current rate or the rate provided for in the House-passed version of the Act as proposed by the Senate. See amendment No. 17 for the funding rate agreed to by the Committee of Conference.

Amendment No. 3: House recedes to Senate language including Department of Defense Appropriation Act, 1982, under Sec. 101(a)(1) establishing Defense availability rate at the lower amount passed by the two Houses.

Amendment No. 4: Inserts language proposed by the Senate which provides funding for Military Construction at a rate for projects and activities under the lesser or more restrictive authority of the Senate or House passed bill, with the Senate reported bill considered to have passed.

Amendment No. 5: Includes the word "and" as proposed by the Senate.

Amendment No. 6: Deletes language proposed by the House which would have funded the projects or activities provided for in the Department of Transportation and Related Agencies Appropriation Act, 1982, at the lower of the House passed bill or the current rate.

Amendment Nos. 7, 8, 9, and 10: Provide technical adjustment as proposed by the Senate.

Amendment No. 11: Reported in technical disagreement. The managers on the part of the House will move to recede and concur in the Senate amendment amended to read as follows:

In lieu of the matter stricken by said amendment, insert the following: *Provided further, That, in addition to the sums otherwise made available by this paragraph the following additional sums are hereby appropriated:*

for low income home energy assistance program, $140,000,000;

for the foster care program authorized by Title IV of the Social Security Act, $75,000,000: Provided, That the provisions contained in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriation Act for Fiscal Year 1982 (H.R. 4560), as reported by the Senate Committee on Appropriations on November 9, 1981, related to a limitation on entitlement to payments under parts A and E of title IV of the Social Security Act and transfer of funds under parts B and E of such title (contained in H.R. 4560 as so reported beginning with "provided" on page 39, line 17, and ending on page 40, line 8) shall not be applicable with respect to any sums appropriated pursuant to this joint resolution;

for the family medicine residency training programs authorized by Section 786 of the Public Health Service Act, $10,000,000;

for the Community Services Block Grant, $62,552,000;

for the State Block Grant authorized by Chapter 2 of the Education Consolidation and Improvement Act of 1981, $140,000,000: Provided further, That the College Housing Loan Program shall operate under the terms and conditions as contained in H.R. 4560 as passed the House October 6, 1981 except that the gross commitments for the principal amount of direct loans shall not exceed $75,000,000

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees wish to clarify that the College Housing program is intended to function at a level of $75 million for direct loan commitments. The revolving fund is to be used to first fund the balance of any approved applications of fiscal year 1981 that were not fully funded because of a deficiency in budget authority.

The conferees direct the Secretary of Health and Human Services, through the Office of Community Services, to continue to use his existing authority to make loans and loan guarantees through the rural development loan fund authorized under Section 681 of the Reconciliation Act of 1981. The conferees are agreed that the Secretary shall adhere to the terms and conditions of the House Committee Report on H.R. 4560 in allocating discretionary funds under the community services block grant.

The conferees intend that for the "Bilingual education" appropriation the annual rate of operations under the Continuing Resolution is $143,810,000, the amount contained in both the House and Senate versions of the Labor, Health and Human Services, and Education appropriation bill for 1982. The conferees are agreed that the rate of operations for the activities under the total amount available shall be as follows:

	Thousands
Grants to school districts	$82,523
Training grants	30,038
Support services	19,747
Bilingual desegregation grants	7,662
Bilingual vocational training	3,840

Any Federal agency has statutory authority to restrain spending of funds made available by the Continuing Resolution only after the President has, in accordance with the Impoundment Control Act of 1974, sent to the Congress a report which indicates which deferrals or rescissions are being proposed.

During the period in which this Continuing Resolution is in effect, the conferees expect the General Accounting Office to continue to monitor the deferral and rescission process to assure that the proper notices are sent to the Congress before funds for specific programs are impounded. In addition, the GAO should determine whether violations of the Impoundment Act took place during the period between October 1 and November 20, 1981, when the First Continuing Resolution was in effect, regarding whether illegal withholding of funds to States occurred and assure that funds to which States are now entitled, regardless of whether or not they elected to take any of the block grants, are returned to them within a reasonable period of time.

RATE OF OPERATIONS IN H.R. 4121

Amendment No. 12: Amends language proposed by the Senate to delete reference to the date of November 17, 1981. The conferees are agreed that $1,100,000 of the funds made available to the U.S. Secret Service by this Continuing Resolution are to be used to make necessary and needed improvements at the instinctive range at Beltsville, Maryland. The conferees are further agreed that the Assay Office in New York City should not be closed.

Amendment No. 13: Provides technical adjustment as proposed by the Senate.

Amendment No. 14: Appropriations $25,000,000 for training, job search allowances, and relocation allowances under the Trade Act of 1974, instead of $50,000,000 as proposed by the Senate. The House included no specific funding for this.

Amendment No. 15. Reported in disagreement.

Amendment No. 16: House recedes to Senate deletion of House language which had established Defense availability rate at the lower amount of either the current rate or the budget estimate.

Amendment No. 17: Amends Senate language so that activities in the District of Columbia Appropriation Act, 1982, (H.R. 4522) will be funded at the rate provided for in the Conference Report and amendments in disagreement as agreed to by the House on November 18, 1981, and the Senate on November 19, 1981. The Senate proposal funded these activities at the rate agreed to by the Committee of Conference as reflected in House Report No. 97-327 filed in the House on November 12, 1981. Both bodies subsequently rejected the conference action on amendment no. 42 which dealt with the salary of the City Administrator and the per diem rate for Board members of the D.C. Redevelopment Land Agency.

Amendment No. 18. Provides that the rate of expenditures for the Energy and Water Development Appropriations Act of FY 1982 (H.R. 4144) shall be as provided for in the conference report and joint explanatory statement of the Managers (H. Rept. No. 97-345) as approved by the House of Representatives on November 20, 1981, rather than as filed in the House on November 19, 1981.

The Corps of Engineers is directed to carry out the Lincoln School, Maine, study as proposed on page 24 of Senate Report 97-256. Funds are included for the north branch of the Chicago River, Illinois, and the Cape May Inlet to Lower Township, N.J. project. The Department of Energy is directed to provide $1 million of the funds provided in the Solar Reserve Account for solar international activities as discussed during the floor debate on H.R. 4144 in the House of Representatives on July 23 and 24, 1981.

Amendment No. 19: Deletes language proposed by the House.

Amendment No. 20: Inserts language as proposed by the Senate establishing the rate of operations for the projects or activities provided for in the Department of Transportation and Related Agencies Appropriation Act, 1982, at the conference agreement level.

Amendment No. 21: Includes language providing that agencies carried in the 1982 HUD-Independent Agencies Appropriation Bill (H.R. 4034) be funded at a rate for operations and to the extent and in the manner provided for in the conference report and joint explanatory statement of the Committee of Conference (H. Rept. 97-222) with the addition of a new title V as proposed by the Senate instead of providing for the agencies exclusively as provided for in House Report 97-222 as proposed by the House.

Amendment No. 22: Includes language changing certain amounts and provisions in the conference agreement on the HUD-Independent Agencies Appropriation Act, 1982 as proposed by the Senate and modified by the conference column in the following table. The House resolution contained no comparable provision.

Agency/Account	House	Senate	Conference
Department of Housing and Urban Development:			
1. Annual contributions for assisted housing—Annual contract authority	($916,233,800)	($897,177,848)	($897,177,848)
Budget authority	17,939,370,000	17,373,528,040	17,373,528,040
2. Housing counseling assistance	5,000,000	3,520,000	3,520,000
3. Solar Energy and Energy Conservation Bank	25,000,000	22,000,000	23,000,000

Agency/Account	House	Senate	Conference
4. Community development grants	3,666,000,000	3,450,000,000	3,600,000,000
5. Urban development action grants	500,000,000	440,000,000	458,000,000,
6. Policy development and research	23,000,000	20,000,000	20,000,000
7. Fair housing and equal opportunity	5,700,000	5,016,000	5,016,000
8. Working capital fund	600,000	528,000	528,000
Department of Defense—Civil:			
9. Cemeterial Expenses, Army	5,086,000	4,476,000	4,476,000
Environmental Protection Agency:			
10. Salaries and expenses	583,747,000	512,837,000	562,837,000
11. Research and development	181,250,700	167,759,000	167,759,000
12. Abatement, control and compliance	421,840,500	377,194,200	395,000,000
13. Buildings and facilities	4,115,000	3,621,000	3,621,000
Executive Office of the President:			
14. Council on Environmental Quality and Office of Environmental Quality	1,044,000	919,000	919,000
15. Office of Science and Technology policy	1,793,000	1,578,000	1,578,000
Federal Emergency Management Agency:			
16. Funds appropriated to the President, disaster relief	369,000,000	301,694,000	301,694,000
17. Salaries and expenses	83,369,000	93,879,000	93,879,000
18. State and local assistance	134,789,000	121,829,000	121,829,000
19. Emergency planning and assistance	65,456,000	67,906,000	67,906,000
20. National Flood Insurance Fund	373,000,000	328,240,000	328,240,000
Portion applied to debt reduction	−373,000,000	−328,240,000	−328,240,000
Department of Health and Human Services:			
21. Office of Consumer Affairs	2,000,000	1,760,000	1,760,000
National Aeronautics and Space Administration:			
22. Research and development	[1] 4,973,100,000	[2] 4,791,900,000	[3] 4,973,100,000
23. Construction of facilities	99,800,000	80,000,000	99,800,000
24. Research and program management	1,114,300,000	1,099,300,000	1,114,300,000
National Science Foundation:			
25. Research and related activities	1,040,000,000	950,000,000	1,010,000,000
26. Science education activities	27,450,000	20,000,000	22,000,000
27. Scientific activities overseas	3,500,000	3,080,000	3,080,000
Selective Service System:			
28. Salaries and expenses	20,000,000	18,633,000	18,633,000
Department of the Treasury:			
29. Office of Revenue Sharing, salaries and expenses	6,986,000	6,148,000	6,148,000
30. New York City loan guarantee program	934,000	822,000	822,000
Veterans Administration:			
31. Compensation and pensions	12,881,600,000	13,824,000,000	13,824,000,000
32. Readjustment benefits	1,638,300,000	1,938,800,000	1,938,800,000
33. Medical and prosthetic research	150,699,000	128,215,000	128,215,000
34. Medical Administration and miscellaneous operating expenses	62,400,000	51,392,000	57,700,000
35. Construction, major projects	434,603,000	378,338,000	378,338,000
36. Construction, minor projects	110,000,000	102,942,000	102,942,000
Limitation on Office of Construction	(30,279,000)	(30,018,000)	(30,018,000)
37. Grants for construction of State extended care facilities	18,000,000	15,840,000	15,840,000

[1] Contains no comparable provision.
[2] Contains the following provision: "of which not to exceed $3,104,900,000 shall be available for the Space Shuttle including space flight operations: Provided, That the limitations subject to the approval of the Committees on Appropriations contained under this heading shall not be affected by this subsection."
[3] Retains Senate provision.

The Administration transmitted to the Congress on November 19, 1981, an amended budget request for the Federal Emergency Management Agency. The budget amendment redistributes resources among Agency accounts. The effect of the latest proposal is to reduce the disaster relief fund by $23,027,000 to cover shortfalls in the Agency's operating accounts. Tariff rates for the civil defense and national security telecommunications systems were recently increased substantially. This requires the realignment of $10,000,000 in 1982. Of that total, $8,990,000 is reflected in the emergency planning and assistance account and $1,010,000 is included under salaries and expenses. The conference agreement provides for the tariff increase.

The budget amendment increases the salary and expenses request by $10,510,000 above the restructured March proposal. The revised total is $93,879,000. The major reason for the increase is to cover a $7,500,000 salary shortfall. The other components of the increase are the tariff adjustment addressed above and $2,000,000 for additional space rental charges. The salary shortfall is the result of an inexcusable error in budget preparation. When the 1982 Congressional budget submission was developed, the Agency never properly accounted for the October 1980 9.1 percent pay raise. The Agency's internal financial controls were so inadequate that the error was not discovered until nearly nine months later. Further evidence of the problems the Agency is experiencing is the fact that the financial records for fiscal year 1980 were not made final with the Treasury until more than 12 months after the end of the year. Because denial of the increase could severely hamper Agency operations for disaster mitigation and responses, the conferees have provided the additional funds requested. However, the Agency is advised that mistakes of this magnitude are unconscionable and will not be condoned. During hearings on the 1983 budget estimate, officials of the Federal Emergency Management Agency will be expected to demonstrate the managerial and procedural improvements which have been instituted to ensure better Agency operations.

The Committee of Conference agrees that within the total provided for emergency planning and assistance, the Agency shall make available $4,000,000 to the National Bureau of Standards for the continued operation of the Center for Fire Research. This is the amount requested in the March budget estimate.

The conferees have provided $57,700,000 for the medical administration and miscellaneous operating expenses account in the Veterans Administration. Included within the total is $4,000,000 above the budget estimate for the nurse scholarship program.

The Conferees have restored funds above the amended September budget estimate in the research and development account of the National Aeronautics and Space Administration for the following program areas:

	Thousands
Space sciences	+$37,000
Space applications	+36,000
Aeronautics	+41,000
Space research and technology	+14,000

In addition, the Conferees agree to add $70,000,000 for application in accordance with the directions set forth in regard to Amendment No. 27 in H. Rept. 97-222, accompanying H.R. 4034. The balance of the increase above the budget estimate may be distributed at the discretion of the agency with notification by December 31, 1981, and approval of the Committees on Appropriations.

Finally, the Conferees direct that these amounts may not be used for purposes other than that enumerated above without the approval of the Committee on Appropriations.

Amendment No. 23: Inserts language proposed by the Senate amended to provide that the amount appropriated for investment in National Consumer Cooperative Bank shall be $43,000,000 instead of $41,360,000, and to establish the equity redemption date as December 31, 1981 and to change the subsection number. The conference agreement deletes language regarding the purchase of stock.

Amendment No. 24: Inserts language proposed by the Senate to provide that the amount appropriated for salaries and expenses shall be $564,776,000, and that $15,640,000 shall be transferred from the unearned fees and charges account.

Amendment No. 25: Inserts language proposed by the Senate that provides $75,960,000 for a temporary mortgage assistance payments program, amended to change the subsection number.

Amendment No. 26: Inserts language proposed by the Senate extending the availability of payments for operation of low-income housing projects—fiscal year 1981 until September 30, 1982, and providing for the obligation of such funds, amended to change the subsection number.

Amendment No. 27: Deletes language proposed by the Senate providing that the amount appropriated under the heading

"payments for operation of low-income housing projects" shall be $1,060,048,000.

Amendment No. 28: Inserts language proposed by the Senate to disapprove $33,800,000 of the proposed deferral D82-140 relating to construction, major projects, amended to change the subsection number.

Amendment No. 29: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

(40) Notwithstanding any other provision of this Act, including any other provision of this title, any agency may before December 31, 1981, transfer to salaries and expenses from other sources made available to it by this Act, such amounts as may be required if the aggregate amount available for salaries and expenses, after such transfer, does not exceed the amount contained for such purposes in this Act before the application of the changes contained in title V: Provided, That such transfers shall be subject to the approval of the Committees on Appropriations: Provided further, That in the Department of Housing and Urban Development not to exceed (1) $34,000,000 shall be available for data processing services, (2) 12 full-time permanent positions and 16 staff years shall be available for the Immediate Office of the Assistant Secretary for Administration, and (3) 26 full-time permanent positions and 27 staff years shall be available for the Office of the Assistant Secretary for Legislation and Congressional Relations: Provided further, That in the National Aeronautics and Space Administration not to exceed (1) 150 full-time permanent positions shall be available for the Office of the Comptroller and (2) 120 full-time permanent positions shall be available for the Office of External Relations: Provided further, That in the Veterans' Administration not to exceed (1) $1,500,000 shall be available for the Office of Planning and Program Evaluation and (2) 649 staff years shall be available for the Supply Service.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendments Nos. 30 and 31. Provides the rate for the Department of the Interior and related agencies Appropriation Act, 1982 shall be as provided for in the Conference report (H. Rept. No. 97-315) as approved by the House on November 12, 1981 rather than as filed in the House on November 5, 1981.

Amendment No. 32. Reported in disagreement.

Amendment Nos. 33 and 34: Changes the paragraph designation and includes language proposed by the Senate related to the operation, transfer or closure of the Public Health Service Hospitals and clinics. The conference agreement accepts all of the terms of the President's proposal contained in his request to the Congress of November 9, 1981 (H. Doc. 97-107). This language will facilitate the orderly closure of most of these facilities during fiscal year 1982 and the transfer of four of the hospitals to community use and control.

Amendment No. 35: Changes subsection designation.

Amendment No. 36: Inserts language which provides funding under Section 101(k) of the continuing resolution only for certain appropriation items in the Departments of Commerce, Justice, and State, the Judiciary and Related Agencies Appropriation Act, 1982, instead of all appropriation items in said Act as proposed by the Senate, as follows:

TITLE I

National Oceanic and Atmospheric Administration: "Operations, Research, and Facilities" (by transfer), $10,000,000; "Fishing Vessel and Gear Damage Compensation Fund", $3,500,000; "Fishermen's Contingency Fund", $900,000; "Fishermen's Guaranty Fund", $1,800,000;

Patent and Trademark Office, "Salaries and Expenses", $118,961,000;

Department of Transportation: Maritime Administration: "Operating—Differential Subsidies (Liquidation of Contract Authority)", $417,148,000; "Operations and Training", $74,898,000;

Department of the Treasury: Chrysler Corporation Loan Guarantee Program, "Administrative Expenses", $1,356,000;

Federal Communications Commission, "Salaries and Expenses", $76,900,000;

Federal Maritime Commission, "Salaries and Expenses", $11,225,000;

International Trade Commission, "Salaries and Expenses", $17,200,000;

Office of the United States Trade Representative, "Salaries and Expenses", $9,000,000: Provided, That not to exceed $60,000 shall be available for official reception and representation expenses;

Small Business Administration: "Salaries and Expenses" (by transfer), $19,200,000; "Disaster Loan Fund", $0; "Lease Guarantees Revolving Fund", $3,000,000; "Surety Bond Guarantees Revolving Fund", $19,000,000;

except that for the following items funding shall be at the rate specified herein:

International Trade Administration, "Operations and Administration", $160,700,000: Provided, That during fiscal year 1982 and within the resources and authority available, gross obligations for the principal amount of direct loans shall not exceed $29,000,000: Provided further, That during fiscal year 1982, total commitments to guarantee loans shall not exceed $38,250,000 of contingent liability for loan principal;

United States Travel and Tourism Administration, "Salaries and Expenses", $7,600,000;

National Oceanic and Atmospheric Administration: "Operations, Research, and Facilities", $820,455,000; "Coastal Zone Management", $7,415,000; "Coastal Energy Impact Fund", $0: Provided, That obligations under the Coastal Energy Impact Fund for payments pursuant to subsections 308(c), (d), and (f) of the Coastal Zone Management Act of 1972, as amended, shall not exceed $9,000,000: Provided further, That unobligated balances previously available for section 308(d)(4) shall be used for administration of the Act of October 27, 1972, as amended; "Foreign Fishing Observer Fund", $4,000,000;

Science and Technical Research, "Scientific and Technical Research and Services", $125,528,000;

National Telecommunications and Information Administration: "Salaries and Expenses", $16,483,000; "Public Telecommunications Facilities, Planning and Construction", $18,000,000;

Securities and Exchange Commission, "Salaries and Expenses", $82,906,000;

Small Business Administration, "Business Loan and Investment Fund", $326,000,000;

TITLE II

United States Parole Commission, "Salaries and Expenses", $6,200,000;

"Salaries and Expenses, Foreign Claims Settlement Commission", $705,000;

"Salaries and Expenses, Antitrust Division", $44,000,000;

"Salaries and Expenses, United States Attorneys and Marshalls", $291,950,000;

"Support of United States Prisoners", $24,100,000: Provided, That not to exceed $3,000,000 shall be available for the purpose of renovating and equipping State and local jail facilities which confine Federal prisoners, as may be authorized by law;

"Fees and Expenses of Witnesses", $27,921,000;

"Salaries and Expenses, Community Relations Service", $5,500,000;

Federal Prison System: "National Institute of Corrections", $11,186,000; "Buildings and Facilities", $13,731,000, including $1,920,000 for the planning, design, acquisition, and preparation of a site for a Federal Correctional Institution to be located in central Arizona and any necessary relocation or replacement of existing site structures or other improvements, as well as the grading and development of utility distribution systems; "Federal Prison Industries, Incorporated: (Limitation on Administrative and Vocational Training Expenses)", $5,066,000;

Commission on Civil Rights, "Salaries and Expenses", $12,318,000; except that for the following items funding shall be at the rate specified herein;

Department of Justice: Legal Activities, "Salaries and Expenses, General Legal Activities", $123,200,000;

Federal Bureau of Investigation, "Salaries and Expenses", $739,609,000;

Immigration and Naturalization Service, "Salaries and Expenses", $428,557,000;

Drug Enforcement Administration, "Salaries and Expenses", $230,849,000;

Federal Prison System, "Salaries and Expenses", $353,000,000;

Office of Justice Assistance, Research, and Statistics, "Law Enforcement Assistance", $95,923,000: Provided, That $70,000,000 of said amount shall be available only for grants and administrative expenses authorized by title II of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended: Provided further, That $2,369,000 of said amount shall be allocated for undercover property recovery programs oeprated by State and local governments under the supervision of the Department of Justice: Provided further, That $4,000,000 of said amount provided for the program "Treatment Alternatives to Street Crime" shall be allocated solely to implement Part E of the Justice System Improvement Act of 1979;

Equal Employment Opportunity Commission, "Salaries and Expenses", $139,889,000 of which not to exceed $18,500,000 is for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act, as amended and sections 6 and 14 of the Age Discrimination in Employment Act;

TITLE III

All of title III, the Department of State and Related Agencies Appropriation Act, 1982, except that for the following items funding shall be at the rate specified herein:

Department of State: Administration of Foreign Affairs: "Salaries and Expenses", $898,258,000; "Acquisition, Operation, and Maintenance of Buildings Abroad", $185,970,000; "Buying Power Maintenance", $1,500,000;

International Organizations and Conferences, "Contributions to International Organizations", $415,240,000: Provided, That $28,566,865 shall be available only for the Pan American Health Organization for the payment of 1982 assessed contributions and

to reimburse the Pan American Health Organization for payments under the tax equalization program for employees who are United States citizens;

International Communication Agency: "Salaries and Expenses", $443,286,000; "Acquisition and Construction of Radio Facilities", $19,000,000;

TITLE IV

All of title IV, the Judiciary Appropriation Act, 1982, except that for the following item funding shall be at the rate specified herein:

Supreme Court of the United States, "Salaries and Expenses", $11,208,000: Provided, That not to exceed $10,000 shall be for official reception and representation expenses.

And the Senate agree to the same.

REPRESENTATION ALLOWANCES

The conferees are agreed that the authorized ceilings for official representation allowances in H.R. 4169 as passed by the House, shall apply unless specified otherwise.

REPROGRAMMING POLICY

The conferees are agreed that Section 508 of H.R. 4169, as reported by the Senate, concerning reprogramming policy shall govern the Departments, agencies, commissions, and administrations funded in the Departments of Commerce, Justice, and State, the Judiciary and Related Agencies Appropriation Act, 1982.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

The conferees are agreed that of the $160,700,000 provided for the International Trade Administration, funding for trade adjustment assistance programs shall be at the rate set forth in Senate Report No. 97-265, and that $1,000,000 shall be used to fund the small business export expansion program in fiscal year 1982. The conferees note that the Department of Commerce did not carry out this program in fiscal year 1981 with the $1,000,000 provided for that purpose, and fully expect the Department to obligate a total of $2,000,000 in FY 1982 for small business export expansion activities.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The conferees intend that of the $820,455,000 provided herein for "Operations, Research, and Facilities", the rate for those projects and activities listed in Senate Report No. 97-265 shall apply with the following exceptions: Anadromous fishery grants, $3,375,000; Sea Grant, $35,000,000; Commercial Fisheries R&D, $4,000,000; Sand Point (EXAD), $450,000; Climate data activities, $11,100,000; AFOS, $11,730,000; GOES Satellite, $15,870,000; Weather modification (NOAA), $669,000; LANDSAT, $1,100,000; Fur Seals, $-0-; Habitat monitoring, $-0-; North Dakota/Utah weather modification, $300,000. In addition, the conferees are agreed that $926,500 is provided for the 38 weather stations proposed for termination.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

The conferees are agreed that of the total amount provided for the National Telecommunications and Information Administration, "Salaries and Expenses", funds shall be allocated to retain twelve of the nineteen employees scheduled for termination as proposed in the March 10 budget estimates.

FEDERAL COMMUNICATIONS COMMISSION

The conferees are agreed that the Federal Communications Commission shall not move any of its offices in the District of Columbia from their present locations until approval is secured from the Committees on Appropriations of the House and Senate. The conferees are further agreed that the Commission should provide adequate staff and other necessary support for research and other activities for the Temporary Commission on Alternative Financing for Public Telecommunications.

SCIENCE AND TECHNICAL RESEARCH

The conferees are agreed that within the total amount provided for "Scientific and technical research and services", funds shall be allocated as prescribed in House Report No. 97-180. The conferees are further agreed that with regard to the closeout of the Smithsonian Science Information Exchange, the Department of Commerce shall provide to those employees separated from SSIE due to the closeout all rights, benefits, severance pay and other considerations that would be extended and afforded any group of Federal employees under the same conditions.

SECURITIES AND EXCHANGE COMMISSION

The conferees are agreed that of the $82,906,000 provided for the Securities and Exchange Commission, the Commission shall endeavor to achieve the objectives and carry out the activities, within the resources available, detailed in Senate Report No. 97-265. The conferees are further agreed that the SEC shall not move any of its offices in the District of Columbia from their present locations until approval is secured from the Committees on Appropriations of the House and Senate.

SMALL BUSINESS ADMINISTRATION

Business loan and investment fund

The conference agreement provides a rate of $326,000,000 for the Business Loan and Investment Fund of the Small Business Administration. The conferees are agreed that the rate provided shall support a total of $3,300,000,000 in guaranteed loans, as specified in Senate Report 97-265, and a total of $225,000,000 in direct loans as detailed in Senate Report 97-265, except that $120,000,000 will be available for direct business loans. The conferees are agreed that $31,000,000 in unanticipated, unobligated balances shall be used to support the loan levels provided.

DEPARTMENT OF JUSTICE

ADMINISTRATIVELY UNCONTROLLABLE OVERTIME

The conferees are agreed that the rate of funding provided for the Federal Bureau of Investigation, the Immigration and Naturalization Service, and the Drug Enforcement Administration included the full amount requested for Administratively Uncontrollable Overtime (AUO) as set forth in Senate Report 97-265.

UNITED STATES ATTORNEYS AND MARSHALS

The conferees are agreed that the $291,950,000 provided for the United States Attorneys and Marshals include $5,000,000 which shall be available for the United States Bankruptcy Trustees. The conferees are futher agreed that this program is to be financed out of savings realized for the U.S. Attorneys and U.S. Marshals and that in no event are personnel levels for these activities to be reduced in order to fund the U.S. Trustees.

FEDERAL BUREAU OF INVESTIGATION

The conferees are concerned about recent action taken by the Federal Bureau of Investigation which suspended fingerprint identification services provided to states and local authorities, banking and other financial institutions. The conferees expect that the Director will make every effort to restore such service within the current fiscal year.

IMMIGRATION AND NATURALIZATION SERVICE

The conference agreement provides $428,557,000 for the Immigration and Naturalization Service. This amount is $41,421,000 higher than that in H.R. 4169 as passed by the House of Representatives but is $45,000,000 less than the level in H.R. 4169 as amended by the Senate. The conference agreement includes funds for enforcement and detention, but does not provide $35,000,000 added by the Senate for the construction of a permanent new detention facility. The conferees are agreed that the rate of funding provided is sufficient to maintain the number of Border patrol and investigations positions provided in House Report 97-180. In addition, the conferees are agreed that INS provide positions detailed in Senate Report 97-265 for the Charlotte and Atlanta offices.

FEDERAL PRISON SYSTEM

Buildings and facilities

The conference agreement provides that $1,920,000 of the $13,731,000 provided for buildings and facilities for the Federal Prison System shall be used for the acquisition of land, engineering studies, and design of a new correctional facility in Phoenix, Arizona, as provided in Senate Report 97-265.

DEPARTMENT OF STATE

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The conference agreement provides that of the funds provided for contributions to international organizations, not less than $28,566,865 shall be made available to the Pan American Health Organization (PAHO) for calendar year 1982 assessments and tax equalization fund expenditures.

INTERNATIONAL COMMUNICATION AGENCY

The conferees are agreed that of the $443,286,000 provided for Salaries and expenses, $100,000,000 shall be used for educational and cultural exchange activities as defined in the Mutual Educational and Cultural Exchange Act of 1961, as amended. The conference agreement provides $7,465,000 above the March budget estimate for academic exchange programs.

Amendment No. 37: Reported in technical disagreement. The managers on the part of the House will move to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

(l)(1). It is the purpose of this Act that appropriations to implement the Federal Pay Comparability Act of 1970, the Executive Salary Cost-of-Living Adjustment Act of 1975, and every other related provision of law, which would provide pay for certain federal officials shall be limited to the amounts stipulated below: Provided, That appropriations already made for such purpose shall become effective January 1, 1982 instead of October 1, 1982 as heretofore provided by Public Law 97-51: Provided further, That any funds made available pursuant to this section shall not be used to pay any federal official whose rate of pay is at Level I or Level II of the Executive Schedule under title 5, United States Code, any sum in excess of 4.8 percent increase (rounded to the next highest multiple of $100) in existing

pay and such sum if accepted shall be in lieu of the approximate 23.4 percent which is otherwise due and payable under existing law and in recognition of the limitation on outside income as applied to the Members of the House of Representatives which does not apply to the Members of the Senate: Provided further, That notwithstanding the provisions of section 305 of H.R. 4120 made applicable by subsection (j) of this section, but subject to paragraphs (2), (3), and (4) of this subsection, nothing in this Act shall (or shall be construed to) require that the rate of salary or basic pay, payable to any individual for or on account of services performed after November 20, 1981, be limited or reduced to an amount which is less than 104.8 percent of the rate (or maximum rate, if higher) of the salary or basic pay payable for such office or position for November 20, 1981, (rounded to the next highest multiple of $100) or, if greater—

(A) $59,500, if such individual has an office or position the salary or pay for which corresponds to the rate of basic pay for level III of the Executive Schedule under section 5314 of title 5, United States Code;

(B) $58,500, if such individual has an office or position the salary or pay for which corresponds to the rate of basic pay for level IV of the Executive Schedule under section 5315 of title 5, United States Code; or

(C) $57,500, if such individual has an office or position the salary or pay for which corresponds to the rate of basic pay for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(2)(A) For purposes of paragraph (1), any rate of salary or pay shall be considered to correspond to the basic pay for a level of the Executive Schedule if the rate of salary or pay for that office or position is (i) fixed at a rate which is equal to or greater than the rate of basic pay for that level of the Executive Schedule or (ii) limited to a maximum rate which is equal to or greater than the rate of basic pay for such level (or to a percentage of such a maximum rate) by reason of section 5308 of title 5, United States Code, or any other provision of law (other than the provisions of such section 305 made applicable by subsection (j) of this section) or congressional resolution.

(B) In applying paragraph (1) for any office or position for which the rate of salary or basic pay is limited to a percentage of such a maximum rate, there shall be substituted, in lieu of the amount specified in paragraph (1) for that office or position, an amount equal to such percentage of the specified amount.

(3) If the rate of salary or basic pay, payable on account of services performed for any period by an individual in any office or position, (or maximum rate, if higher) is by reason of the provisions of paragraph (1) of this subsection increased over the rate of salary or basic pay which would have been payable on account of such services if such paragraph (1) had not become law, then, notwithstanding any other provision of law, beginning with the first day of such period the rate of salary or basic pay (or maximum rate, if higher) for such office or position—

(A) shall be the rate (or maximum rate, if higher) payable for such services in such office or position, as increased by reason of the provisions of paragraph (1) of this subsection, and

(B) shall not be subject to any increase (other than the increase brought about by reason of the provisions of paragraph (1) of this subsection) by reason of salary adjustment, which become effective prior to the date this joint resolution became law under the Federal Pay Comparability Act of 1970, the provisions of subchapter 1 of chapter 53 of title 5, United States Code, relating to pay comparability, or any related provision of law.

(4) The preceding provisions of this subsection shall not apply with respect to the office of Senator, President pro tempore of the Senate, or the majority or the minority leader of the Senate.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement applies a 4.8 percent limitation in the cost-of-living adjustment for certain officials in lieu of the 23.4 percent increase that otherwise could occur by statute in addition to the limitation adjustment proposed for certain other officials by the Senate. The new rates would become the statutory rates payable, thus eliminating and foregoing all previously accrued adjustments. Members of the Senate are excluded from the adjustments.

Amendment No. 38: Inserts language as proposed by the Senate appropriating $35,790,000 for construction or expansion of two teaching facilities under section 720(a)(1) of the Public Health Service Act. The conference agreement includes $20,790,000 for the construction or expansion of a teaching facility, the Institute for Advanced Biomedical Research at the University of Oregon Health Science Center, School of Medicine, Portland, Oregon, and $15,000,000 for the construction or expansion of a teaching facility, the Health Sciences Education Building, at the Tufts University School of Medicine, Boston, Massachusetts.

UNITED STATES POSTAL SERVICE

Amendment No. 39: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

"Notwithstanding any other provision of this joint resolution, except sec. 140, $869,240,000 is appropriated under this joint resolution for payment to the Postal Service Fund, of which $230,000,000 shall be available for public service costs and $639,240,000 shall be available for revenue forgone on free and reduced rate mail.

"Notwithstanding any other provision of law, the Postal Service shall promptly adjust preferred rates so as to recover the difference between the amount which would have been authorized to be appropriated under section 2401(c) of title 39, United States Code had this provision not been enacted, and the $639,240,000 hereby appropriated. Such adjustments shall be made in accordance with the following subsections:

"(a) As provided in Section 1723 of the Omnibus Budget Reconciliation Act of August 13, 1981, the first $104,000,000 of the difference in appropriations is to be recovered by adjustment of the rates for the class of mail under former sections 4452(b) and 4452(c) of title 39, United States Code.

"(b) $56,760,000 is to be recovered through proportional adjustment based on the remaining phasing appropriation for any class of mail sent at a free or reduced rate under section 3217 or section 3626 of title 39, under the Federal Voting Assistance Act of 1955 or under the Overseas Citizens Voting Rights Act of 1975.

"(c) The adjustments made under subsections (a) and (b) shall be further adjusted so that $20,000,000 is applied to lessen the adjustment under subsection (b) for any class of mail or kind of mailer under former sections 4358, 4554(b), and 4554(c) of title 39, United States Code."

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

DEPARTMENT OF THE TREASURY

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

Amendment No. 40: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

"SEC. 109. No funds made available pursuant to this continuing resolution may be used to accomplish or implement a proposed reorganization of the Bureau of Alcohol, Tobacco and Firearms before March 30, 1982. Such reorganization plan may be implemented after March 30, 1982, unless disapproved by the House and Senate Committees on Appropriations: *Provided further,* That of the funds made available by this Continuing Resolution for the Bureau of Alcohol, Tobacco and Firearms, $15,000,000 shall be available solely for the enforcement of the Federal Alcohol Administration Act during fiscal year 1982."

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 41: Provides transfer authority between appropriations within the Treasury Department as proposed by the Senate.

GENERAL SERVICES ADMINISTRATION

Amendment No. 42: Provides that construction of federal building projects included in H.R. 4121 as passed by the House, or in H.R. 4121 as reported by the Senate on September 22, 1981, may be initiated under this continuing resolution as proposed by the Senate.

IRS REVENUE RULING

Amendment No. 43: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the language proposed in (b)(1)(A) by said amendment insert the following: *all of the obligations of which are directly or indirectly guaranteed or secured in whole or in part by—*

And after section (b)(2)(B)(ii)(II) insert the following:

(III) One or more financial institutions which are not related persons (within the meaning of section 103(b)(6)(C) of such Code) to the user of the proceeds of the issue.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No 44. Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate stating that it is the sense of the Senate that the President should not include recommendations for revenue enhancements that would have the effect of reducing Federal tax incentives for energy conservation or the development of renewable energy sources.

Amendment No. 45: Amends language proposed by the Senate regarding the withholding of funds under the supplemental

food programs for women, infants and children program (WIC and SCFP).

The conference agreement requires that the funds provided by this joint resolution be obligated to the extent and manner provided for in House Report 97-313, and that no funds be withheld from obligation unless and until a special message specifying a deferral or rescission for such programs is submitted while the Congress is in session. It should be clear that any withholding during such time as the Congress may be unable to act on a special message will not meet the spirit nor the intent of this conference agreement; however, no withholding is anticipated.

The conferees strongly support these programs and note that during the period which a previous deferral message had been pending before the Congress, based upon the amounts provided in H.J. Res. 325, the administration maintained participation in these programs as had been required in the joint explanatory statement of the committee of conference on that joint resolution. The conferees repeat the direction made in that statement that "any efforts to reduce funding allocations to the States, thereby affecting levels of participation, would be clearly contrary to the provisions of this joint resolution."

Amendment No. 46: Inserts language as proposed by the Senate limiting the railroad branchline abandonments in the State of North Dakota to 350 miles.

The conferees understand that the Illinois Central Gulf Railroad has agreed to cooperate with the State in the continued operation of their railroad lines in North Mississippi.

The conferees reiterate the language appearing on page 28 of the joint explanatory statement of the committee of conference on the Department of Transportation and Related Agencies Appropriation Act, 1982 (H.R. 4209), relating to surcharges, rate increases, and assistance from the Section of Rail Services Planning.

Amendment No. 47: Inserts language reiterating the conference agreement and joint explanatory statement of the committee of conference on the Department of Transportation and Related Agencies Appropriation Act, 1982, concerning the use of census data in apportioning and allocating funds for section 18 non-urban formula grants and section 5 urban formula grants. The conferees direct that the funds made available by this resolution be apportioned and allocated as soon as possible.

Amendment No. 48: Reported in technical disagreement. The managers on the part of the House will move to recede and concur in the Senate amendment with an amendment as follows:

Sec. 117. Notwithstanding any other provision of this joint resolution, the funds made available by this joint resolution which would be available under H.R. 4560, entitled "Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriation Act, 1982", for school assistance in federally affected areas under title III of such Act shall be available under the authority and conditions set forth in H.R. 4560 as passed the House on October 6, 1981: Provided, That the total amount available for entitlements under section 3(a) of the Act of September 30, 1950, as amended, is amended so as to permit payment to any local educational agency under such section 3(a) not to exceed 90 per centum of the amount of such payment for fiscal year 1981, unless the entitlement for such agency is determined under Section 3(d)(2)(B) of such Act: Provided further, That the provisions of section 3(d)(2)(B) shall be fully funded and not subject to ratable reduction: Provided further, That the provisions of section 5(c) shall not apply.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides that the payments to any local educational agency under section 3(a) shall not exceed 90 percent of such payments for fiscal year 1981, instead of 85 percent as proposed by the House and 95 percent as proposed by the Senate. In determining payments under section 3(b) the Secretary should give priority to local educational agencies in which 20 percent or more of the total number of children in average daily attendance are determined eligible under section 3(b) of Public Law 874. The conferees have provided full funding for section 3(d)(2)(B) of Public Law 874 which gives the Secretary of Education authority to balance the current budgets of qualified, heavily impacted school districts—after regular impact aid payments have been computed.

Amendment No. 49: Reported in technical disagreement. The managers on the part of the House will move to recede and concur in the Senate amendment which provides that all Medicaid payments to the States for Indian health service facilities as defined by section 1911 of the Social Security Act shall be paid entirely by Federal funds and that these amounts shall not be included in the computation of the target amount of Federal Medicaid expenditures under section 1903.

Amendment No. 50: Appropriates $750,000 to continue the operations of the Office of Adolescent Pregnancy Programs in the Department of Health and Human Services, instead of $1,000,000 as proposed by the Senate. The House resolution included no funding for this office.

Amendment No. 51: Inserts language as proposed by the Senate prohibiting the Mine Safety and Health Administration from classifying a mine in the potash industry as gassy based upon air samples containing concentrations of methane gas.

Amendment No. 52: Inserts language as proposed by the Senate to provide that amounts at the level provided in H.R. 4560 as passed by the House are available for general departmental management, Department of Health and Human Services, and the program direction and support services activity, Assistant Secretary for Health, but deletes language proposed by the Senate which would have appropriated an additional $3,900,000 for administrative costs of the Health Care Financing Administration.

Amendment No. 53: Reported in technical disagreement. The managers on the part of the House will move to recede and concur in the Senate amendment with an amendment as follows:

Sec. 122. Notwithstanding any other provision of this joint resolution, appropriations for salaries and expenses in this joint resolution for the Department of Health and Human Services are hereby reduced by $21,800,000: Provided, That none of this reduction shall be taken from activities supported under the budget account entitled "Social Security Administration, Limitation on Administrative Expenses" or from funds available for the administration of the Medicare program.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 54: Modifies language proposed by the Senate to provide that funding for all refugee, including Cuban and Indochinese, programs shall be at the levels and under the terms and conditions of H.R. 4560 as passed by the Senate.

Amendment No. 55: Inserts new section as proposed by the Senate providing that funds available for student financial assistance shall be subject to the following additional conditions:

(1) The maximum Pell Grant a student may receive in the 1982-1983 academic year is $1,800.

(2) The cost of attendance used for calculating eligibility for and amount of Pell Grants shall be established by the Secretary of Education.

(3) The Secretary may establish or approve separate systems of need analysis for the academic year 1982-83 for the programs authorized under subpart 2 of part A, part C, and part E of title IV of the Higher Education Act.

(4) The family contribution schedule for the 1981-82 academic year shall be the schedule for the 1982-83 academic year, modified by the Secretary to exclude payments under the Social Security Act and title 38, U.S. Code.

(5) No Pell Grant shall exceed the difference between the cost of attendance and the sum of the expected family contribution and amounts paid to, or on account of, a student under the Social Security Act and under title 38, U.S. Code, and if, with respect to any student, it is determined that the amount of the Pell Grant plus the expected family contribution and payments under the Social Security Act and title 38, U.S. Code exceeds the cost of attendance for that year, the amount of the Pell Grant shall be reduced until the combination of expected family contribution, the amount of the Pell Grant, and payments under title 38, U.S. Code does not exceed the cost of attendance.

The Conference agreement requires that the Secretary of Education defer the use of a single need analysis system as authorized by the Education Amendments of 1980. Rather, for academic year 1982-83 the Secretary has the authority to establish or approve separate systems of need analysis for Federal campus-based student aid programs and to continue to use the Family Contribution Schedule for the Pell Grant program. It is the expressed intent of the conferees that the campus-based programs continue to operate under the current system of "sample cases and benchmark figures." The conferees understand that this provision will not require students filing any additional forms or data.

For the purposes of the Pell Grant program, the Conference agreement defers the provisions of the Family Contribution Schedule in section 482 of the Higher Education Act of 1965. In its place the academic year 1981-82 Pell Grant Family Contribution Schedule will be the schedule for academic year 1982-83. However, the conferees make certain exceptions to the schedule. Veterans and Social Security student benefits are to be excluded from treatment as effective family income; rather, they will now be considered as student assistance to preclude Pell Grant overawards. The Secretary is authorized to adjust the schedule to reflect the most recent and relevant data. For example, these adjustments could include updating base year income used to establish Pell Grant eligibility; updating the years used to calculate independent student

status; adjusting the amount of support by a parent which cannot be exceeded in determining independent student status to $750; adjusting for dependent student taxes; and/or adjusting the farm/business asset reserve. The conferees intend that the Secretary set a series of assessment rates applicable to the discretionary income of families of dependent students that seeks to meet the funding level provided in this resolution. For the purposes of section 482(a) of the Higher Education Act of 1965, this modified schedule is to be considered as a resubmission of that schedule and will be subject to Congressional review as a resubmitted schedule. It is the itent of the conferees that the Pell Grant cost of attendance criteria used in academic year 1981-82 be the academic year 1982-83 Pell Grant cost of attendance criteria. This criteria is to be used for all references to Pell Grant program cost of attendance in this resolution.

Amendment No. 56: Deletes language proposed by the Senate authorizing the Attorney General to acquire and exchange information regarding certain deceased individuals and missing children. The conferees are in full support of the objective of this provision which is the establishment of a national computer information network to assist law enforcement agencies in locating and identifying missing children and in identifying deceased persons who are found without enough evidence to establish their next of kin. However, the conferees believe that enactment of this provision into law should be accomplished through the regular authorization process and urge the appropriate committees of the House and Senate to consider this matter expeditiously so that appropriate legislation can be submitted to the full House and Senate as soon as possible. In the meantime, the conferees are agreed that the Attorney General should expand, to the extent possible, the computerized information system of the Federal Bureau of Investigation, which currently includes information submitted on a voluntary basis from 47 States on missing persons within such States' borders.

Amendment No. 57: Reported in technical disagreement. The managers on the part of the House will move to recede and concur in the amendment of the Senate with an amendment which changes only the section number. Inasmuch as this amendment related solely to the Senate and in accord with long practice, under which each body determines its own housekeeping requirements and the other concurs therein without intervention, the managers on the part of the House will move to recede and concur in the Senate amendment No. 57.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 58: Deletes language proposed by the Senate which would have voided the limitation contained in section 324 (amendment 99) as set forth in the conference report and the joint explanatory statement of the committee of conference on the Department of Transportation and Related Agencies Appropriation Act, 1982 filed in the House of of Representatives on Novembver 13, 1981.

Amendment No. 59: Deletes language proposed by the Senate which would have provided $60,000,000 for the reconstruction, resurfacing, restoration, or rehabilitation of the Woodrow Wilson Bridge.

Amendment No. 60: Appropriates an additional $69,800,000 for education for the handicapped, as proposed by the Senate. The House bill contained no special provision for these activities.

Amendment No. 61: Appropriates $991,845,000 for Rehabilitation Services and Handicapped Research, as proposed by the Senate. The House bill made no special provision for these activities.

Amendment No. 62: Inserts language providing that the Attorney General shall exercise his best efforts to ensure that after March 1, 1982, the number of aliens detained at the Krome North facility in Miami, Florida who are seeking entry into the country shall not exceed 525 and that the number of aliens detained at other facility in the State of Florida who are awaiting exclusion, deportation, or resettlement shall not exceed 525 instead of language mandating these requirements as proposed by the Senate.

The conferees are agreed that the Attorney General must take action to reduce the alien population detained at the Krome North facility and other detention facilities in Florida to no more than 525 persons. This continuing resolution provides funding necessary to finance expenses at Krome North and to activate another detention facility, Fort Drum, in Watertown, New York which will relieve crowding at Florida detention facilities. It is the understanding of the managers that this facility can be activated within two months. Therefore, the conference has provided that the Attorney General shall exercise his best efforts to reduce the population of detainees at Krome North and other Florida detention facilities to 525 persons by March 1, 1981. The Conference directs the Attorney General, in carrying out the provisions of this section, to provide monthly reports to the Appropriations Committees detailing all efforts and progress in carrying out the intent of the managers that this limitation be achieved.

Amendment No. 63: Appropriates an additional $45,000,000 for the payment of windfall benefits under section 15(d) of the Railroad Retirement Act of 1974, instead of $90,000,000 as proposed by the Senate. The House bill contained no similar provision.

Amendment No. 64: Inserts language proposed by the Senate relating to the low-income energy assistance program. The House bill contained no similar provision. This language provides that assistance can only be provided to individuals or families who meet the eligibility requirements established in the law and that payments may only be used for energy needs. This language is not intended to prohibit retroactive cash payments to individuals which legitimately relate to energy costs. The conferees are anxious that this program be closely monitored by the executive branch in order to insure that federal funds are spent responsibly. This oversight should include unannounced spot audits as well as the normal review.

Amendment No. 65: Inserts language proposed by the Senate which makes the provisions of section 210 of the Departments of Labor, Health and Human Services and Education and Related Agencies Appropriation Act, 1982 (H.R. 4560), as passed by the House of Representatives on October 6, 1981 and the provisions of section 209 of such Act as reported by the Senate Committee on Appropriations on November 9, 1981 applicable only during the period ending March 31, 1982.

Amendment No. 66: Adds new section as proposed by the Senate providing that notwithstanding any other provision of law, none of the funds appropriated for the Department of Labor, Mine Safety and Health Administration shall be obligated or expended to prescribe, issue, administer or enforce any standard, rule, regulation or order under the Federal Mine Safety and Health Act of 1977 with respect to any independent construction contractor who is engaged by an operator for the construction, repair or alteration of structures, facilities, utilities or private ways or roads located on (or appurtenant to) the surface areas of any coal or other mine, and whose employees work in a specifically demarcated area, separate from actual mining or extraction activities: Provided, That no funds shall be obligated or expended to prescribe, issue, administer or enforce any standard, rule, regulation or order under the Federal Mine Safety and Health Act of 1977 on any State or political subdivision thereof.

The conferees are agreed that the Continuing Resolution incorporates bill language in the House-passed version of H.R. 4560, which provides that none of the funds appropriated for the Mine Safety and Health Administration shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Federal Mine Safety and Health Act of 1977 with respect to any person engaged in the surface mining of stone, clay, colloidal phosphate, sand, or gravel.

Amendment No. 67: Appropriates $362,000,000 for the Maternal and Child Health Block Grant, as proposed by the Senate. The House bill contained no special provision for this program.

Amendment No. 68: Appropriates $61,180,000 for activities under the Developmental Disabilities Act, as proposed by the Senate, and deletes appropriations proposed by the Senate of $1,754,000 for health promotion and disease prevention activities of the Office of the Assistant Secretary for Health. The House bill contained no special provisions for these activities.

Amendment No. 69: Appropriates an additional $10,000,000 for the Job Corps, as proposed by the Senate, providing a total appropriation of $610,000,000 for the Job Corps.

It is the intent of the conferees that Job Corps staff not be reduced by more than 10 percent from the number actually onboard on September 30, 1981.

Amendment No. 70: Reported in disagreement. This amendment is reported in disagreement without prejudice to the merits of the issue.

Amendment No. 71. Amends Senate language to provide specific reductions for each of the covered appropriation bills rather than an across-the-board reduction of 4 percent in total budget authority. The conference agreement provides that reductions shall not apply to entitlement programs as defined by the Congressional Budget Act of 1974, revenue sharing, the social security program, the food stamp program, and veterans' medical care. In addition, no account, activity, program or project may be terminated as a result of reductions made pursuant to this provision.

The conference agreement also provides that the entire continuing resolution terminate on July 15, 1982, instead of March 30, 1982, as proposed by the Senate, or September 30, 1982, as provided for by the House in section 102.

Under the agreement, in order to execute Congressional responsibilities under the Constitution to provide specific items of ex-

penditures, appropriations made available by this joint resolution shall be reduced by 2 per cent for programs, projects, or activities for which provisions would be made in the following appropriation Acts:

District of Columbia Appropriation Act, 1982;

Energy and Water Development Appropriation Act, 1982;

Department of Housing and Urban Development-Independent Agencies Appropriations Act, 1982;

Department of the Interior and Related Agencies Appropriation Act, 1982;

Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriation Act, 1982;

Military Construction Appropriation Act, 1982; and

Treasury, Postal Service and General Government Appropriation Act, 1982.

DEPARTMENT OF AGRICULTURE APPROPRIATIONS

Appropriations made available to the Department of Agriculture are reduced in the following amounts:

Public Law 480, $80,000,000;

Rural Housing Insurance Fund, reimbursement for losses in prior years, $97,000,000;

Agriculture Credit Insurance Fund, reimbursement for losses in prior years, $56,000,000; and

Rural Development Insurance Fund, reimbursement for losses in prior years, $24,000,000.

The conferees wish to stress that the reduction in the reimbursement for losses to the loan funds will have no impact on the loan levels authorized by this joint resolution.

DEPARTMENT OF DEFENSE APPROPRIATIONS

The Conferees agree to reduce the level of spending for the Department of Defense by 2 percent from the level which otherwise would be available under the Resolution, that is $196.7 billion.

This reduction amounting to $3.9 billion, is to be levied only against the Procurement and Research, Development, Test and Evaluation titles.

The conferees further agree that the level of Defense budget authority shall be at this reduced level until the Fiscal Year 1982 Department of Defense Appropriations Bill has been enacted into law or the end of the 1st Session of the 97th Congress. If a conference agreement has been reached but not enacted into law by the end of the 1st Session of the 97th Congress, the level of the budget authority in the conference agreement shall be the operating level of the Department of Defense. If no conference agreement on the Defense Appropriation Bill for 1982 has been reached by the end of the 1st Session of the 97th Congress, the level of budget authority shall be at the House passed level or the Senate passed level, whichever is lower, as set forth in Section 101(a)(3) of the Resolution.

The conferees affirm the commitment of the House and Senate Appropriations Committees to seek and attain an early conference agreement on the fiscal year 1982 Defense Appropriations Bill (H.R. 4995) before adjournment *sine die* of the first session of the 97th Congress.

DEPARTMENT OF THE INTERIOR APPROPRIATIONS

The managers agree that reductions made against the Department of the Interior and Related Agencies Appropriation Act shall be applied evenly to all activities, subactivities, or projects within each appropriation account. In instances where construction or land acquisition projects cannot be carried out at the reduced level, reprogramming procedures should be followed to permit them either to be accomplished or to be eliminated.

MILITARY CONSTRUCTION APPROPRIATIONS

The 2% reduction to the Military Construction Appropriations Act amounting to $127 million is to be applied to the following accounts in the following amounts:

Military Construction, Army:	
Planning and Design	−$8,000,000
Minor Construction	−3,000,000
Military Construction, Navy:	
Minor Construction	−4,000,000
Military Construction, Air Force:	
Air Force Shortfall	−64,000,000
Minor Construction	−3,000,000
North Atlantic Treaty Organization Infrastructure	−45,000,000
Total	−127,000,000

The conferees agree that reductions within each account are to be taken from non-domestic projects.

The conference agreement includes a reduction of $206,000,000 from the amounts which would otherwise be made available by this resolution for the projects or activities provided for in the Department of Transportation and Related Agencies Appropriation Act, 1982. In making this reduction the conferees expect that, to the maximum extent feasible, the earmarkings and directives contained in the conference report and joint explanatory statement of the committee of conference on the Department of Transportation and Related Agencies Appropriation Act, 1982, will be implemented. Any deviation from the language contained in that report should receive the prior approval of the House and Senate Committees on Appropriatons.

Under the reduction contained in this amendment the following amounts would be available for Interstate Transfer Grants.

Location	Highway	Transit
New Jersey	$9,000,000	$25,000,000
Washington, D.C.	9,000,000	290,000,000
Philadelphia	22,000,000	9,000,000
Oregon	60,000,000	45,000,000
Northeast Illinois	125,000,000	25,000,000
Hartford	13,000,000	.....
Tucson	10,000,000	.....
Denver	10,000,000	.....
New York	8,000,000	15,000,000
Baltimore	3,000,000	7,000,000
Memphis	17,000,000	.....
Hennepin County	10,000,000	.....
Duluth	1,000,000	1,000,000
Indianapolis	10,000,000	.....
Boston	.....	125,000,000
San Francisco	.....	3,000,000
Sacramento	.....	2,000,000
Minneapolis-St. Paul	.....	1,000,000
Total	307,000,000	548,000,000

The conferees direct that none of the reduction proposed by this amendment for Federal Railroad Administration, railroad research and development be allocated to the East St. Louis Metropolitan Gateway Area railroad restructuring project. The reduction of $5,000,000 from the appropriation redeemable preference shares shall be derived from the amount not specifically earmarked for any project in the statement of the managers accompanying the conference report on the Department of Transportation and Related Agencies Appropriation Act, 1982.

The conference agreement includes reductions under this amendment of approximately one percent for the urban discretionary and urban formula grant appropriations. The conferees direct that these reductions be applied equally to each activity and new start project identified in the statement of the managers accompanying the conference report on the Department of Transportation and Related Agencies Appropriation Act, 1982. Any personnel reductions in UMTA required by this amendment shall be taken from the Washington, D.C. headquarters office.

Amendment No. 72: Includes language proposed by the Senate providing that Executive Branch officials shall make commitments on applicable programs to guarantee or insure the full amounts made available for such programs covered by the continuing resolution. Commitments could not be reduced unless there were not sufficient qualified applicants.

Amendment No. 73: Reported in technical disagreement. The managers on the part of the House will move to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

Sec. 142. (a) Subsection (f) of section 280A of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following paragraph:

"(4) Coordination with section 162(a)(2), etc.—Nothing in this section shall be construed to disallow any deduction allowable under section 162(a)(2) (or any deduction which meets the tests of section 162(a)(2) but is allowable under another provision of this title) by reason of the taxpayer's being away from home in the pursuit of a trade or business (other than the trade or business of renting dwelling units).".

(b) The amendment made by this section shall apply to taxable years beginning after December 31, 1980.

(c) In section 139(b)(3) of Public Law 97-51, strike "1981" and insert "1980".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement incorporates the Senate language which conforms Section 280A of the Internal Revenue Code to Section 162(a)(2) of the Internal Revenue Code regarding certain business tax deductions. The conference agreement stipulates the amendment to 280A shall apply to taxable years beginning after December 31, 1980, instead of December 31, 1981 as proposed by the Senate. In addition, the conference agreement stipulates that the amendment made to Section 162(a) of the Internal Revenue Code by Section 139 of Public Law 97-51, Continuing Appropriations for Fiscal Year 1982, shall apply to tax years beginning after December 31, 1980.

Amendment No. 74: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

Sec. 143(A) Notwithstanding any other provision of law or of this joint resolution, of the fiscal year 1982 Highway Trust Funds available for emergency relief, $17,000,000 shall be made available for damaged highways or for the prevention of damage to highways in the area affected by eruptions of the Mount St. Helens volcano.

Sec. 143(B) Notwithstanding any other provision of title 23, U.S.C., or of this joint resolution, the Secretary shall approve, upon

the request of the State of Indiana, the construction of an interchange to appropriate standards at I-94 and County Line Road at the Porter-La Porte County Line near Michigan City, Indiana, with the Federal share of such construction to be financed out of funds apportioned to the State of Indiana under section 104(b)(5)(A) of title 23, U.S.C.

Sec. 143(C) Notwithstanding any other provision of the law, or of this joint resolution, any proposal for deferral of budget authority under section 1013 of the Impoundment Control Act of 1974 (31 U.S.C. 1403) with respect to budget authority for expenses related to the Northeast Corridor Improvement Project authorized under title VII of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210) shall, upon transmittal to the Congress, be referred to the House and Senate Committees on Appropriations and any amount of budget authority proposed to be deferred therein shall be made available for obligation unless, within a 45-day period which begins on the date of transmittal and which is equivalent to that described in section 1011(3) and (5) of the Impoundment Control Act of 1974 (31 U.S.C. 1401(3) and (5)), the Congress has completed action on a bill approving all or part of the proposed deferral.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 75: Reported in technical disagreement. The managers on the part of the House will move to recede and concur with the amendment of the Senate regarding future salary increases for Federal judges or Supreme Court justices.

JAMIE L. WHITTEN,
EDWARD P. BOLAND
(except No. 37),
WILLIAM H. NATCHER,
NEAL SMITH,
JOSEPH P. ADDABBO
(except No. 37),
CLARENCE D. LONG,
SIDNEY R. YATES
(except No. 37),
EDWARD R. ROYBAL,
TOM BEVILL
(except No. 37),
ADAM BENJAMIN, Jr.
(except Nos. 37 and 73),
BO GINN
(except No. 37),
JULIAN C. DIXON,
VIC FAZIO,
SILVIO O. CONTE,
JOE McDADE,
JACK EDWARDS,
J. K. ROBINSON,
LAWRENCE COUGHLIN,
Managers on the Part of the House.

MARK O. HATFIELD,
TED STEVENS,
JAMES A. McCLURE,
PAUL LAXALT,
JAKE GARN,
HARRISON H. SCHMITT,
THAD COCHRAN,
MARK ANDREWS,
JAMES ABDNOR,
BOB KASTEN,
ALFONSE D'AMATO,
MACK MATTINGLY,
WARREN B. RUDMAN,
ARLEN SPECTER,
JOHN C. STENNIS,
DANIEL K. INOUYE
(with reservations on No. 15, foreign assistance),
LAWTON CHILES
(except No. 37),
DALE BUMPERS,
Managers on the Part of the Senate.

SMALL BUSINESS COMMITTEE HEARING IN ATLANTA CANCELED

(Mr. MITCHELL of Maryland asked and was given permission to address the House for 1 minute.)

Mr. MITCHELL of Maryland. Mr. Speaker, a subcommittee of the Small Business Committee had planned a hearing in Atlanta tomorrow. Because of the uncertainty of our timetable a number of Members have canceled out. Therefore, the hearing that was scheduled for Atlanta tomorrow is canceled. We will try to reschedule that in January.

CONFERENCE REPORT ON HOUSE JOINT RESOLUTION 357, FURTHER CONTINUING APPROPRIATIONS, 1982

Mr. WHITTEN. Mr. Speaker, pursuant to the order of the House of November 20, 1982, I call up the conference report on the joint resolution (H.J. Res. 357) making further continuing appropriations for the fiscal year ending September 30, 1982, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of today, November 22, 1981.)

Mr. WHITTEN (during the reading). Mr. Speaker, I ask unanimous consent to dispense with further reading of the statement.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. FRENZEL. Mr. Speaker, reserving the right to object, this report was apparently worked out late last night. The House, of course, has had very little opportunity to get into the printed material which has just been made available to us. I am wondering if the distinguished chairman, the gentleman from Mississippi, will tell us before we begin the debate on this resolution how he intends to proceed and how many options the House is going to have for separate votes, and so forth, so that we would have some sort of idea of the procedure before we move forward.

If the gentleman would care to respond, I would continue my reservation and yield to the distinguished gentleman from Mississippi.

Mr. CONTE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 6, rule XV, the Chair cannot recognize the gentleman for that point of order at this time.

Mr. CONTE. Mr. Speaker, I move a call of the House.

The SPEAKER. The Chair does not recognize the gentleman for that purpose.

Mr. FRENZEL. Mr. Speaker, I reserve the right to object, and request a response to my query from the distinguished gentleman from Mississippi.

Mr. WHITTEN. May I say in response to the inquiry that I hope the gentleman realizes the problems we have had. We have been up 2 nights to bring this together, and it is natural that he would like to know what is in the conference report and what we have agreed to.

There will be 1 hour of debate divided between the two sides. There will be a vote on the conference report, and there may be votes on amendments reported in disagreement.

Mr. FRENZEL. Further reserving the right to object, could the distinguished Chairman tell me how many amendments were in disagreement?

Mr. WHITTEN. There were 75 Senate amendments to the House joint resolution, and 17 are in disagreement, most of them in technical disagreement. Probably one or two are controversial and the others were agreed to by the conference and are in technical disagreement and should not consume much time.

Mr. FRENZEL. Further reserving the right to object, Mr. Speaker, I yield to the distinguished gentleman from South Carolina (Mr. CAMPBELL).

ADJOURNMENT

Mr. CAMPBELL. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The question is on the motion.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. CAMPBELL. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 1, nays 370, not voting 62, as follows:

[Roll No. 331]

YEAS—1

Crane, Philip

NAYS—370

Addabbo	Atkinson	Bennett
Akaka	Badham	Bereuter
Albosta	Bafalis	Bethune
Alexander	Bailey (MO)	Bevill
Anderson	Bailey (PA)	Blanchard
Andrews	Barnard	Bliley
Annunzio	Barnes	Boggs
Anthony	Bedell	Boland
Applegate	Beilenson	Boner
Archer	Benedict	Bonior
Ashbrook	Benjamin	Bonker

Bouquard	Gingrich	Mikulski
Breaux	Ginn	Miller (CA)
Brinkley	Glickman	Miller (OH)
Brodhead	Gonzalez	Mineta
Brooks	Goodling	Minish
Broomfield	Gore	Mitchell (MD)
Brown (CA)	Gradison	Mitchell (NY)
Brown (CO)	Gramm	Moakley
Brown (OH)	Gray	Moffett
Broyhill	Green	Molinari
Burgener	Gregg	Montgomery
Butler	Guarini	Moore
Byron	Gunderson	Moorhead
Campbell	Hall (OH)	Morrison
Carman	Hall, Ralph	Murphy
Carney	Hall, Sam	Murtha
Chappell	Hamilton	Napier
Chappie	Hammerschmidt	Natcher
Clausen	Hansen (UT)	Neal
Clay	Hartnett	Nelligan
Clinger	Hatcher	Nelson
Coats	Hawkins	Nichols
Coelho	Heckler	Nowak
Coleman	Hefner	O'Brien
Collins (IL)	Heftel	Oakar
Collins (TX)	Hendon	Oberstar
Conable	Hertel	Obey
Conte	Hightower	Ottinger
Conyers	Hiler	Oxley
Corcoran	Holland	Panetta
Coughlin	Hollenbeck	Parris
Courter	Holt	Pashayan
Coyne, James	Hopkins	Patman
Coyne, William	Horton	Patterson
Craig	Howard	Pease
D'Amours	Hoyer	Pepper
Daniel, Dan	Hubbard	Perkins
Daniel, R. W.	Huckaby	Petri
Danielson	Hunter	Peyser
Daschle	Hutto	Pickle
Daub	Hyde	Porter
de la Garza	Ireland	Price
Deckard	Jacobs	Pritchard
Dellums	Jeffords	Pursell
Derrick	Jeffries	Quillen
Derwinski	Jenkins	Rahall
Dicks	Johnston	Railsback
Dixon	Jones (TN)	Rangel
Donnelly	Kastenmeier	Ratchford
Dorgan	Kazen	Regula
Dowdy	Kemp	Rhodes
Downey	Kildee	Richmond
Dreier	Kindness	Rinaldo
Dunn	Kogovsek	Ritter
Dwyer	Kramer	Roberts (KS)
Dymally	LaFalce	Roberts (SD)
Dyson	Lagomarsino	Robinson
Early	Latta	Rodino
Eckart	Leach	Roe
Edgar	Leath	Roemer
Edwards (AL)	LeBoutillier	Rogers
Emerson	Lee	Rosenthal
Emery	Lehman	Rostenkowski
English	Leland	Roukema
Erdahl	Lent	Roybal
Erlenborn	Levitas	Rudd
Ertel	Lewis	Russo
Evans (DE)	Livingston	Sabo
Evans (IA)	Loeffler	Sawyer
Evans (IN)	Long (LA)	Scheuer
Fary	Long (MD)	Schneider
Fascell	Lott	Schroeder
Fazio	Lowery (CA)	Schulze
Fenwick	Lowry (WA)	Schumer
Ferraro	Luken	Seiberling
Fiedler	Lundine	Sensenbrenner
Fields	Lungren	Shamansky
Findley	Marks	Shannon
Fish	Marlenee	Shaw
Fithian	Marriott	Shelby
Flippo	Martin (IL)	Shumway
Florio	Martin (NC)	Shuster
Foglietta	Martin (NY)	Siljander
Foley	Matsui	Skeen
Ford (MI)	Mavroules	Skelton
Ford (TN)	Mazzoli	Smith (AL)
Forsythe	McClory	Smith (IA)
Fountain	McCollum	Smith (NE)
Fowler	McCurdy	Smith (NJ)
Frank	McDade	Smith (OR)
Frenzel	McDonald	Smith (PA)
Frost	McEwen	Snowe
Gaydos	McGrath	Snyder
Gejdenson	McHugh	Solarz
Gibbons	Mica	Solomon
Gilman	Michel	Spence
St Germain	Udall	Whitten
Stangeland	Vander Jagt	Williams (MT)
Stanton	Vento	Wilson
Stark	Volkmer	Wolf
Staton	Walgren	Wolpe
Stenholm	Walker	Wortley
Stokes	Washington	Wright
Stratton	Watkins	Wyden
Studds	Waxman	Wylie
Stump	Weaver	Yates
Swift	Weber (MN)	Yatron
Synar	Weber (OH)	Young (FL)
Tauzin	Weiss	Young (MO)
Taylor	White	Zablocki
Thomas	Whitehurst	Zeferetti
Traxler	Whitley	
Trible	Whittaker	

NOT VOTING—62

Aspin	Edwards (CA)	McCloskey
AuCoin	Edwards (OK)	McKinney
Beard	Evans (GA)	Mollohan
Biaggi	Fuqua	Motti
Bingham	Garcia	Myers
Bolling	Gephardt	Paul
Bowen	Goldwater	Reuss
Burton, John	Grisham	Rose
Burton, Phillip	Hagedorn	Roth
Cheney	Hance	Rousselot
Chisholm	Hansen (ID)	Santini
Crane, Daniel	Harkin	Savage
Crockett	Hillis	Sharp
Dannemeyer	Hughes	Simon
Davis	Jones (NC)	Tauke
DeNardis	Jones (OK)	Wampler
Dickinson	Lantos	Williams (OH)
Dingell	Lujan	Winn
Dornan	Madigan	Wirth
Dougherty	Markey	Young (AK)
Duncan	Mattox	

□ 1315

Messrs. ROBERTS of South Dakota, ROBERT W. DANIEL, JR., SHUSTER, SPENCE, GONZALEZ, and WAXMAN changed their votes from "yea" to "nay."

Mr. FOUNTAIN changed his vote from "present" to "nay."

So the motion was rejected.

The result of the vote was announced as above recorded.

The SPEAKER. Does the gentleman from Minnesota (Mr. FRENZEL) still reserve his right to object?

Mr. FRENZEL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi (Mr. WHITTEN) to dispense with further reading of the statement?

There was no objection.

The SPEAKER. The gentleman from Mississippi (Mr. WHITTEN) will be recognized for 30 minutes, and the gentleman from Massachusetts (Mr. CONTE) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Mississippi (Mr. WHITTEN).

Mr. WHITTEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me say to my colleagues that I would be remiss if I did not say to the Members that the last 2 days makes me fully appreciate the staff and the employees of the Committee on Appropriations. Throughout the day and the night they have been able to bring together facts and figures to explain and support the position of the House conferees. The staff has done it in such a manner so as to earn respect not only here in the House but on the other side of the Capitol, too.

This has been the most trying year that I think I have ever heard of in the history of the Congress. We have had numerous different budgets, and our Committee on Appropriations has been dealing with them in detail. We have had 33 different actions at different times that have affected our work, and then we are expected to get our appropriation bills finished. Despite all of these changes, we got our appropriations bills to the Senate, and none of them had been signed into law by the Executive.

In the continuing resolution which we passed in the House we wrote a bill that had a different approach for just about every department and agency because we expected to protect the House position and write a bill that was responsible.

I would like to say that I am proud of what we have done, and I am proud of the conferees, because we have retained the right of the legislative branch to determine what the money is for and how much money is appropriated. We have retained the right of the House of Representatives to be the originator of money bills. Money bills are to originate in the House and not as was tried in the Senate where the foreign aid appropriation bill had been passed prior to action on this side.

Not only that, but we have met the requirements of the Office of Management and Budget with regard to the total level of spending. As I said before, we had each subcommittee deal with the requests by item as they saw fit based on their knowledge and understanding.

When our bill went to the Senate, there were 75 amendments put on the bill, they used it as a "Christmas tree." Throughout 2 days it was very evident that their support on these various add-ons was not to be found in facts that were available to them.

We have brought to the Members a bill here that not only meets the same dollar totals as the Senate-passed bill but slightly more than was requested by the President in his final statement.

□ 1330

We accomplished this by assigning the task to the various subcommittees that understand the subject matter.

SPENDING MAINTAINED AT REDUCED LEVELS

I would like to direct the attention of my colleagues to a very critical element of this conference report—the bottom line. Everyone involved in the appropriations process must consider the bottom line, and your conferees stayed under the bottom line. From the very beginning of the conference

it was my intention to stay within the spending limits reflected by the Senate-passed resolution. However, I was also committed to do this in a responsibile way that exercised my duties and responsibilities as a Representative to the Congress—the people's branch of the Government.

One of the Senate amendments was the so-called Baker amendment which was characterized as an across-the-board cut of 4 percent. In addition, this amendment included a very dangerous precedent. It turned over to the executive branch of government a small slice of legislative responsibility. But however small, it could have been another step in what I consider to be a very dangerous trend recently of turning over the power of the purse to the Executive.

I personally could not agree to an amendment that allowed the Office of Management and Budget to determine spending priorities, administer cuts, and potentially overturn the intent of Congress. The compromise we agreed to allows for a broader based reduction, administered equitably and preserving legislative directives.

Overall this conference report is below the Senate-passed funding levels and below the House-passed resolution.

The conferees not only came to compromises on the various items added by the Senate but in addition, they took a 2-percent across-the-board reduction in spending. This reduction is actually more than the Senate reduces with their 4-percent reduction due to the way the House conferees insisted it be applied.

Each of the various subcommittees involved decided on their own whether they wanted an across-the-board reduction of 2 percent or whether they preferred to target their reduction in specific areas. Four of the subcommittees chose the targeted approach: Transportation, Commerce-Justice-State, Defense, and Agriculture. The remaining subcommittees chose the pro rata approach. These choices were made by those most knowledgeable in the programs, the subcommittee members who have spent hundreds and thousands of hours taking testimony on these matters.

DURATION OF THIS RESOLUTION

The conferees agreed to a compromise on the termination date of this continuing resolution of July 15, 1982. The House bill provided a September 30 date and the Senate bill provided a date of March 30, 1982. I cannot say it often enough or strongly enough, but this continuing resolution applies only by default—only if you do not act on the regular bills. Remember that as each of the individual bills are signed into law they drop out from coverage under the resolution. We are merely backing up the individual bills so we can provide for the orderly flow of Government services. Now that we have agreed to an earlier termination date, no one can claim that we are forcing any bill, on anyone, for the full fiscal year. And I repeat again, that when a bill is signed into law it is provided for at the rate specified in that act, rather than under the coverage of this resolution.

RATES OF OPERATION

This resolution provides funding for the following six appropriations bills at the rate of operations provided for in the conference agreement: HUD-Independent Agencies, as amended, Interior, Agriculture, Energy and Water Development, Transportation, and the District of Columbia. The resolution provides that the rate of operation for the following four bills be the lower of either the House or the Senate rate: Treasury-Postal Service, Commerce-Justice-State, Labor-HHS, and Military Construction.

Defense appropriations are provided for at the lower of either the House-passed, or the Senate-reported bill rate, minus 2 percent, whichever is lower, until the sine die adjournment of this session of the 97th Congress. At that time, the 2-percent reduction drops off. I understand from the chairman of the Defense Subcommittee (Mr. ADDABBO) that it is likely the Defense bill will go to conference before Christmas.

FOREIGN AID

Finally, my colleagues should know, that one of the hardest battles of this conference was the question of foreign aid. I have always felt that as a strong Nation we must have a strong presence in the world community; however, I believe with all my heart that we should not do this at the expense of the people at home. The Senate was asking us to increase foreign aid by $1.9 billion, at the same time we were being asked to reduce domestic spending by another 4 percent. In light of this situation the House conferees are going to insist on the lower House numbers.

Until such time as the House has an opportunity to consider the foreign aid bill and work its will in the regular order, I believe we must insist on the House numbers. I understand that the House leadership has stated that they will bring the foreign aid bill before this House in the near future. I hope my colleagues will vote with me to insist on the House level for foreign aid.

PRODUCTIVE INVESTMENT

Mr. Speaker, it is just as essential to maintain investments as it is to eliminate waste. It is just as essential to keep those programs where you get your money's worth for your dollar, as it is to cut out wastes. I say that I think we have now reached the point where what we are doing to the American people is to ask them to pay for nonproductive spending—inflationary spending. When you push back programs on the States and push back programs on the counties, and when you eliminate all these essential programs it just means you are shifting the place where they pay the costs. It is because of this shifting of costs that we have made an exception here for revenue sharing. Most States and local governments have their budget set up, if they have their programs going, they are dependent on this, and it would be most unfair in the middle of the game for us to let that not go forward.

We have prohibited reductions in the mandatory grants made to States because there again they have commitments themselves.

So let me repeat again. We have come up with the amount of dollars that was requested by the President and the Bureau of the Budget. We have retained the right of the legislative body to be the sole judge of what is appropriated and how it will be handled. Furthermore, we have retained the right of the House to originate money bills.

Mr. Speaker, I would like to conclude my remarks today by summarizing what is in this conference report that we bring before you. I introduced this resolution on November 10 with the cosponsorship of Mr. CONTE, the ranking minority member. The full committee approved the resolution on November 12 without amendment. The resolution provides funding through July 15, 1982. When regular appropriation bills are signed into law, the provisions of the continuing resolution automatically disengage, and the regular bill then becomes the funding device. This resolution covers 12 of the 13 regular appropiation bills. Since the legislative branch appropriation bill was provided for in the previous continuing resolution for the full year, it is not provided for in this measure. This resolution carries existing provisions and limitations on abortions, school prayer, and the tax-exempt status of private schools.

During this conference it was our burden as legislators to make government work for the people. In Congress, we are directly responsible to the people and the committee's appropriations bills are responsive to their needs as justified in the hearings. The conferees wisely rejected those aspects of the Baker amendment that would have turned our power of the purse to the executive branch. The Office of Management and Budget does not have to answer to the people and should not be granted blanket impoundment authority over discretionary funds.

CONSTITUTIONAL RESPONSIBILITY

Members of this body have sworn an oath to support and defend the Con-

stitution—the same Constitution which vests the power of the purse in the House of Representatives. If the Members of this body were to relinquish this power, they would be shirking their constitutional responsibility. Remember we have already cooperated with the executive branch far beyond any point in history, and we have cooperated again in this conference agreement.

So I urge my colleagues to go along with us. We have spent 2 full nights at this. Something is going to have to give or we cannot keep Government going.

We did the best we could. But I am proud of the finished product and I hope you will stand behind our conferees. I think they will stand together on the items we have. I hope you will stand by us all the way because we have won the victory, as I see it, for the U.S. House of Representatives. We have saved our place in the orderly process of Government.

Mr. ADDABBO. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I am happy to yield to the gentleman.

Mr. ADDABBO. I thank the gentleman for yielding. I wish to commend my chairman for the exemplary way that he has handled this conference. In 2 days I think we met with the Senators a total of maybe 5 hours. Most of the time they were off in four different rooms, listening, waiting for Mr. Stockman, or Mr. BUSH, or Mr. Meese, to give them marching orders, and they had four different figures to work with, and we were sitting there for 2 days with the chairman and with the other House conferees, and we waited, and we waited, in many instances.

One point, Mr. Speaker, would the gentleman clarify the fact if this conference report is rejected by the House, will it not be a fact that another continuing resolution would then be in order, that you might bring back another conference report or continuing resolution, but the spending level would have to be at the lower level between the House and the other body, and because the other body has the lower figure that we will actually be spending at $1.5 billion less than what is in the conference report for those programs?

Mr. WHITTEN. The gentleman is correct.

Mr. ADDABBO. I would also point out to my colleagues who have asked me about the defense portion of the bill, in the bill there calls for a 2-percent reduction. There was an amendment we had offered at the beginning of the conference to put some dollars on the line, but it would be only a very temporary reduction. It would have been a cosmetic reduction because it only affected procurement and R. & D., and would come out of the moneys the chairman spoke about, unobligated balance, and which would make no actual cut at all. But it would only be until the House and the other body had adopted a conference, and we would be at that conference by the second week in December. So the cut for defense, the 2 percent, would have been actually cosmetic.

But under the bill we will be spending at the lower level and in the bill the Senate is lower, so we will be spending at the lower level of $196 billion.

Mr. WHITTEN. I thank the gentleman. He is correct. And may I thank him for his work here and in the conference, because he, too, believes that we need to get our dollar's worth from defense, and he has worked in that direction.

Could I finish with one statement? I want my colleagues to listen to this. Unless we get together with the other body, practically all the Government will not be able to go to work tomorrow morning.

Having had some experience with this before, I want to tell my colleagues that I did introduce back in October a second continuing resolution which would just extend the date under the present resolution under which we were operating up to November 20. If this resolution fails we may be forced to bring up the other resolution to enable the Government to just keep going.

We have brought you a good bill. We have met the requirements so far as money is concerned. We have saved all of your rights as best we know how and I hope you back us 100 percent.

Thank you.

Mr. PEYSER. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to my colleague from New York.

Mr. PEYSER. I thank the chairman for yielding.

Mr. Speaker, I merely want to make reference to the fact that I was privileged to spend nearly 9 hours yesterday observing our House conferees, and in all of the conferences I have seen over the years I have never seen a group, and this is on the Republican and Democratic side alike, who were willing to stand up and fight as hard for the House position as this group did. When you look at it objectively, with the Senate, the other body, I can tell you you could be very proud that you are a House Member, and these were our conferees. They were led by the chairman, who did just an outstanding job, and I thank him.

Mr. WHITTEN. I thank my colleague.

Mr. LONG of Maryland. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. I want to compliment the chairman. The chairman took a very strong position and I think a wise position. That was when we are cutting all kinds of domestic programs, including programs that are very dear and important to the American people, it would have been unconscionable to have accepted a 20-percent increase in foreign aid in the continuing resolution. That also in the same step would have given no incentive at all to go for a regular foreign aid bill and continue the whole idea of operating year after year under continuing resolutions. I applaud the gentleman.

Mr. WHITTEN. Mr. Speaker, how much time do I have?

The SPEAKER pro tempore (Mr. RANGEL). The gentleman has 14 minutes remaining.

Mr. CONTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, your conferees have reached agreements on almost all matters in disagreement on the extension of the continuing resolution for 1982.

There were 75 amendments in disagreement, and many more individual items within those amendments. We met virtually nonstop for 3 days, and we were highly conscious of the imminent shutdown of many Federal activities.

I support the conference agreements, and urge you to do likewise. There are several items in true disagreement, and I will speak to one or two of those items in a moment.

But first, I want to outline the conference agreements on several matters of general interest.

The conferees recommend a 2-percent spending cut, which applies proportionally to all programs, projects, and activities funded by the continuing resolution in seven appropriation bills: District of Columbia; energy and water development; Housing and Urban Development; Interior; Labor, Health and Human Services, and Education; military construction; Treasury; and Postal Service.

Individual reductions were made in three bills—Agriculture, Commerce-Justice-State-Judiciary, and Transportation. These cuts equaled or exceeded the cuts that would have been made under the 2-percent formula.

A 2-percent cut was made in the Defense bill, to be applied to Procurement and Research and Development. After the end of this session of Congress, the rate for the Defense bill will be the conference agreement, if we have one by that time, and if not, the level will be the lower of the House or Senate figure.

We excluded entitlements, general revenue sharing, the food stamp program, and veterans medical care, and we provided that the 2-percent cut could not be used to terminate any project or activity.

The 2-percent cut applies only to funds made available by the continuing resolution, and therefore stops if and when the appropriation bill for fiscal 1982 is enacted into law.

It is important that the House understand that, although the language of the 2-percent cut appears to apply to Defense, and the statement of managers refers to a cut in Defense, $3.9 billion, in fact, the amendment is worded so that the cut could operate, at most, until sine die adjournment, and the actual cut would be insignificant. And to his credit, the chairman's estimates of the 2-percent cut do not include any cut in Defense.

The expiration date of the continuing resolution is July 15, 1982. The chairman and I fought and argued for the House date of September 30, 1982, which would have provided continuing appropriations for the full fiscal year.

We finally had to compromise with the Senate, which had voted overwhelmingly for a termination date of March 30, 1982. Although I was willing to compromise, I am still convinced that an extension for a full year would have been in the best interests of the Congress and the appropriations process.

Members of the other body argued that a continuing resolution for a full year made a mockery of the appropriations process. What nonsense—with only one bill enacted, they were saying in effect that a continuing resolution for 9 months is all right, but that a continuing resolution for an additional 3 months is a "mockery." A continuing resolution for a full year does not in any way preclude the Congress from final action on any of the 1982 appropriation bills.

In fact, by extending the resolution only through July 15, we have guaranteed ourselves the ordeal of another extension, which will interfere with our work on the 1983 budget, and make it more difficult for us to enact appropriation bills for 1983, and require an extensive continuing resolution for 1983.

To put it bluntly, the Members of the other body who fought so hard for a shorter extension, in the name of the appropriations process, have made it more difficult for us to operate that process in a timely and responsible manner next year.

We estimate that budget authority provided by the conference agreement totals $427.9 billion, which is $530 million under the amount that would have been available based on the provisions of the Senate continuing resolution, and $764 million under the President's September budget estimates.

I wish I could tell you that we have cut enough so that the President will sign the bill. However, we can estimate budget authority, but we cannot provide you with reliable outlay estimates for a bill of this magnitude where the conference agreement was reached only hours ago.

I am sure that at this very moment Budget Director Dave Stockman has his staff hard at work estimating outlays from the conference agreement. Dave is rightly concerned about the Federal deficit, and the related problems of cash management and debt financing.

However, I would presume to offer him some advice. This continuing resolution is not the place for a fight to the death over outlay estimates.

We are talking about funding for the entire executive branch and the judiciary.

We are talking about social security, veterans' benefits, medical care, housing, education, and health programs.

We are not talking about the budget margin or growth rate for these programs, but rather whether they will continue to operate at all after the next few days.

I hope the administration will not roll the dice for outlay estimates when the stakes are this high.

We are $764 million under the President's September estimates in budget authority, and while I am sure that some of those cuts will not produce corresponding cuts in outlays, I am also sure that the differences cannot possibly justify a confrontation over the continued operation of virtually the entire Federal Government.

Assuming that the other body sustains the conference agreement, I urge the President to sign this bill.

It is time for the President and the Congress to clear the decks for the 1983 budget, and the inevitable supplementals and rescissions for 1982.

We can proceed with consideration of the remaining bills for 1982 as circumstances permit.

We do not have the same luxury where the day-to-day functions of Government are concerned.

I say to the President, sign this bill, and let us both get on with the business at hand during the next session of Congress and the next fiscal year.

Mr. EDWARDS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to my good friend, the gentleman from Alabama.

Mr. EDWARDS of Alabama. I thank the gentleman for yielding, and I agree with his comments that we have worked long and hard and, I believe, have come up with a conference report that makes sense, everything considered.

I would like to engage the gentleman in a colloquy, just briefly, about Defense, so that there is no question about what we have done.

Just sort of reviewing the bidding, the House number on defense was $197.4 billion, and the Senate number on defense was $208.4 billion. They threw everything in but the kitchen sink.

When the continuing resolution came out of the Senate, it provided that the lesser of the two numbers for Defense would apply in the continuing resolution, and that was done on a program-by-program basis, as opposed to the House number versus the Senate number.

The point here is that when you apply those programs of the House against the programs of the Senate, you come out with $800 million less than the House figure.

Mr. CONTE. That is correct.

Mr. EDWARDS of Alabama. That is not done with mirrors. That is done by our own computing people here in the Appropriations Committee, and I think it is important that Members understand that.

So in the continuing resolution that you have before you today, the Defense number is listed at $196.7 billion, which is in fact $800 million less than the House number which you voted for only this past Wednesday. It is also 2.1 percent below the President's budget figures of $200.8 billion.

Now, if nothing else happens between now and the time this House quits for this session of Congress, that will be the number for Defense, $196.7 billion. If we go to conference, as we expect to do, and if we come out with a conference report in December, as we expect to do, then the conference number would become the Defense number; is that correct?

Mr. CONTE. The gentleman from Alabama, as usual, is absolutely right.

Mr. EDWARDS of Alabama. And so nothing is done here with mirrors. We show a 2-percent cut, although in reaching the bottom-line total, we do not even count the Defense 2-percent cut to reach that total; is that correct?

Mr. CONTE. That is exactly right.

Mr. EDWARDS of Alabama. So I want anybody who has any confusion in their minds, if they do not understand what I am saying, to at least read the record and see that this thing is done in the proper way. I predict that by the middle of December we will have a good Defense bill, one that will be very near the House bill and one that we can all support.

Mr. CONTE. I might add one thing to the gentleman's statement.

The chairman of the Defense Appropriations Committee (Mr. ADDABBO) and the gentleman from Alabama (Mr. EDWARDS) stated in that conference many times that you planned to go to conference on December 9. I imagine we will have a bill that week.

Mr. KEMP. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from New York.

Mr. KEMP. I appreciate my friend yielding.

Mr. Speaker, as ranking minority member of the Foreign Aid Appropriations Committee, I would have appreciated being in on the conference, but recognizing the problems that not all Members could be included, I understand. And, not being privy to what the conference did on foreign security assistance, can the gentleman tell us what happened to the President's budget with regard to providing security assistance to some of our friends and allies in that part of the world that is so precarious today?

Mr. CONTE. First of all, let me say I am sorry that we did not get as many slots as I would like to have had in the conference, because I know the gentleman would have been a very valuable addition, especially in that field where he is the ranking member and serves so well.

Mr. Speaker, I will say to the gentleman that I tried to offer a substitute motion on the foreign aid section which was, in essence, the Kasten proposal over in the Senate. That would have taken care of many of the commitments, not all of them. We only had $500 million where the administration wanted $700 million in that proposal. We lost out, that is unfortunate.

What happened was that the chairman of the committee, the gentleman from Mississippi (Mr. WHITTEN), accepted an amendment offered by Mr. LONG, the chairman of the subcommittee, for $500 million additional over the formula that we had in our continuing resolution, which was the House or the 1981 figure, whichever was lower. Chairman LONG put in an amendment for $500 million; $300 million for military assistance, and $200 million for economic assistance, which I amended and split the $200 million for economic assistance into $100 million for the Economic Support Fund and $100 million for the Export-Import Bank.

So all that we got was the $500 million; $300 million for military assistance, $100 million for the Export-Import Bank, and $100 million for economic assistance.

Mr. KEMP. If the gentleman will yield further, I think the gentleman and I would concur on at least one aspect and that is the figure is too low with regard to not only the President's budget, but it is too low with regard to the vital security needs of our friends in those parts of the world in which there are so many dangers.

Security assistance programs are an integral part of the overall defense efforts of this country. We do not have the resources nor the inclination to act as the world's policeman, yet this Nation has vital interests that extend worldwide. Our security is inextricably linked with the strength and security of key nations which, without U.S. military assistance, would be subject to intimidation or worse by unfriendly foreign powers.

Just as the unprecedented Soviet military buildup has threatened U.S. national defense, so have massive Soviet arms shipments to client states escalated the threat to the security of pro-West governments in many regions of the world. Over the last 10 years, Soviet bloc arms exports have undergone a dramatic increase, as the bloc's share of the total world arms exports has grown from 23 percent to over 40 percent. At the same time, U.S. military assistance has been declining.

These shifts in the pattern of United States and Soviet arms exports have been accompanied by paralled shifts in the number of military advisors and technicians each side deploys in developing countries, and the number of military forces from developing countries trained in the United States and Soviet bloc. The number of foreign personnel trained in the United States has declined by at least two-thirds in the last 10 years, even after adjusting for the conflict in Southeast Asia, while the numbers trained in the Soviet bloc have increased tenfold.

Accordingly, the President has requested Security Assistance and Economic Support Fund appropriations totaling $7.05 billion. But under the continuing resolution, only $5.24 billion would be available for these vital programs—nearly $2 billion less than the President has determined is necessary to support our broad international security interests.

Hardest hit under the continuing resolution funding levels are six strategically important U.S. allies, which are expecting to receive urgent military assistance through the FMS direct credit program. Those countries are: Egypt, $400 million; Turkey, $250 million; Sudan, $100 million; Thailand, $50 million; Kenya, $51 million; and Portugal, $50 million.

Can the gentleman tell us how the low military assistance levels in the continuing resolution will affect our allies so desperately in need of U.S. security assistance?

□ 1400

Mr. CONTE. I have got to be honest with the gentleman, I am not happy. Of course a little bit is better than nothing and we are glad to get that little bit. But it is not going to have an impact.

However, I might say here that repeatedly through that conference the chairman of the committee kept saying that he met with the Speaker of the House yesterday and the Speaker of the House assured him that we will have a foreign aid bill on the floor of the House before we go home in December.

Then, of course, the administration is going to really have to go to work on that bill and we will have to get that bill through the House to take care of some of these areas that we have mentioned.

The gentleman is so right. It is just unfortunate we did not do it last night.

Mr. KEMP. One last question. The gentleman remembers that in the full Appropriations Committee the gentleman from Massachusetts, the gentleman from Texas (Mr. WILSON) and myself offered an amendment to add $300 million to the appropriations bill for that aspect of the President's budget which would have allowed Egypt and Turkey and Sudan and Somalia, Kenya, North Yemen, Portugal, and Thailand the assistance that is so desperately needed. And it seems to me that the proposed level of funding for military aid is one aspect of this conference, which I am going to have to strongly disagree with, particularly because at this vital time subsequent to the assassination of Mr. Sadat, and the threat to Sudan and Turkey it is shortsighted to cut our assistance. We met the other day with President Numeiri of the Sudan and believe me, his life is on the line as he is under attack, if not overtly at least by threats of terrorism from Qadhafi of Libya. Turkey, Egypt, and others deserve our efforts to rectify what I believe to be a big mistake in terms of cutting back on vital military assistance.

It seems to me a terrific mistake if we allow this work of the conference to go forward without restoring those funds so necessary to our allies and friends. I submit, it is in the interest of our Nation's defense interests to restore at least the Kemp-Wilson-Conte amendment to provide a more nearly adequate level of military assistance for these countries.

Mr. LONG of Maryland. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. I thank the gentleman for yielding.

The whole colloquy here seems to be running in terms of, gee, we are not giving enough money for vital security needs of our various allies and friends around the world. But there is no intention of dealing with this as a complete foreign aid bill.

The whole purpose of this continuing resolution is to carry on with the minimum needs of the Government and give the real incentive to get a bill. That is the whole aim.

If the gentleman is discontented with the sums of money provided here for all these requirements of Government, get behind a foreign aid bill. That is what we have been pleading with the gentleman for sometime.

I have written the President, written to Secretary Haig and never got an answer, and I think the whole game

was to get along with a backdoor foreign aid continuing resolution.

Now the burden is on the gentleman's shoulders. Get behind a foreign aid bill and have it taken care of.

Mr. CONTE. I have to get moving here because I have to save time for my leader.

Mr. JOHNSTON. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from North Carolina.

Mr. JOHNSTON. Mr. Speaker, a few questions.

This conference report does contain $241 million for the Legal Services Corporation which was not requested by the administration; is that correct?

Mr. CONTE. That is correct.

Mr. JOHNSTON. It does contain funding for the Consumer Cooperative Bank which was not requested by the administration; is that correct?

Mr. CONTE. Let me tell the gentleman this: That right after this bill I understand that we are going to take up the conference report for HUD and that contains it and the gentleman can make his pitch there.

Mr. JOHNSTON. Under amendment 47, why were the grants allocated on the basis of 1970 census rather than 1980 census?

Mr. CONTE. That is a good question.

Mr. JOHNSTON. Funding for the bilingual education program was against the administration request and was put at $143 million; right?

Mr. CONTE. Yes.

Mr. JOHNSTON. This conference report does contain a pay increase for Members of this House, does it not?

Mr. CONTE. Yes.

Mr. JOHNSTON. I thank the gentleman.

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for yielding.

I would like to go back to the conversation that the gentleman in the well was having with the gentleman from New York and the gentleman from Maryland and say first to the gentleman from New York that his position was very well represented in this conference by the gentleman from Massachusetts and others, and, as usual, the subject of any foreign assistance took more time of the conference than anything else, and that is the way it usually is.

I would say to the gentleman from New York that I agree with the concerns that he has expressed. I think we made one mistake in even talking about these economic security programs as foreign aid programs, because they basically are extensions of our own national security interests.

I would like to have another second if I could to say to my distinguished friend from Maryland (Mr. LONG), that he tended to imply that the reason the foreign aid appropriations bill has not been on this floor for the last 3 years was because of something we have done on this side.

I would like to say to my dear friend, the gentleman from Maryland (Mr. LONG), that for the last 3 years we have been cajoling the gentleman, pleading with the gentleman, to bring that bill out so that the House could work its will. It is not our fault the bill was never brought out. I do not know whose it was. But it certainly was not our fault. We are ready to go to work on it.

Mr. CONTE. Further answering the gentleman, the gentleman mentioned there was a pay raise for the legislative branch of 4.8 percent, the same as the executive branch.

Mr. REGULA. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Ohio.

Mr. REGULA. I have three questions. On the 2-percent cut, will the administration do this on a program-by-program basis across the board?

Mr. CONTE. Proportionately.

Mr. REGULA. On each program?

Mr. CONTE. That is right.

Mr. REGULA. Second, if the conference agreement is reached, such as on military construction, does that become a controlling figure; in other words, does it come out from under the continuing?

Mr. CONTE. It comes out from under the continuing.

Mr. REGULA. The third question: In the event there is not a conference agreement, what happens in the language provisions in any of the bills that have been adopted by the House and/or the Senate? Do these language provisions prevail?

Mr. CONTE. I would say yes.

Mr. REGULA. I thank the gentleman.

Mr. CONTE. Mr. Speaker, looking at the Labor, Health and Human Services and Education chapter of this conference agreement, I am sure all of us here know how difficult it has been to reach agreement on these vital human programs.

This conference agreement provides total budget authority of $85,134,135,000. The key component of that total is $27,850,691,000 in discretionary programs. Funding for mandatory programs totals $57,284,000,000.

When you compare these totals to the House-passed Labor-HHS bill—H.R. 4560, this conference agreement is $2,177 million below the House-passed Labor-HHS bill in discretionary funding.

It is even more astounding to note that this conference agreement is $8.8 billion below the original fiscal 1981 approriations level for these discretionary programs. That is a tremendous reduction. That is absolutely as far as we could go in finding savings in this bill.

As you know we applied the 2-percent reduction to virtually every program in this chapter. That 2-percent reduction produced savings of $572 million.

It is important to note as well that a few programs were appropriately exempted from the 2-percent reduction. Among these were the Social Security Administration limitation on administration expenses and funds for administration of the medicare program.

One other funding item that was excluded from the 2-percent reduction in this chapter was the funds provided for construction or expansion of two teaching facilities under section 720(a)(1) of the Public Health Service Act.

The conferees agreed that of the total of $35,790,000 appropriated, $20,790,000 is for the construction or expansion of the teaching facility, the Institute for Advanced Biomedical Research at the University of Oregon Health Science Center, School of Medicine, Portland, Oreg., and $15,000,000 for the construction or expansion of the teaching facility, the Health Sciences Education Building, at the Tufts University School of Medicine, Boston, Mass.

I would like to take a few moments to touch on a few of the program highlights of the conference agreement for this chapter. As I have already mentioned we achieved savings of $810 million over the House-passed version of the continuing resolution, and nearly $2.2 billion in savings over the level provided by the regular Labor-HHS appropriations bill for fiscal year 1982 as passed the House.

While we achieved those savings, and we think we did a fine job of reaching this conference agreement—it is a good agreement—we also restored some funding to very vital human service and education programs that represent the very heart of our investment in humanity.

For instance:

For the low-income energy assistance program we added $140 million to the Senate level bringing it to an annual rate before the 2-percent reduction of $1,790 million.

For the community services block grant we added $62.6 million.

For the education block grant under chapter 2 of the Consolidation Act we added $140 million to the Senate level.

For handicapped education the conferees agreed to add an additional $69 million to the basic continuing resolution rate in order to fund the program at a level of $1 billion, $85 million less 2 percent.

Two other important ones are:

The maternal and child health block grant which the conferees agreed to

bring up to the level of $362 million, and rehabilitation services which was increased by $44 million.

The agreement also provides an additional $64.3 million for the closure and transfer of the Public Health Service hospitals as provided by the President's revised budget request.

Let me just quickly mention before summing up this chapter that we also agreed to an additional $11 million for the developmental disabilities program, $10 million for Job Corps, $45 million for the railroad retirement benefits, and $25 million for trade adjustment assistance training—all of which are of course subject to the 2-percent provision.

I think you can see that while we have produced tremendous savings totaling more than $2 billion over the level provided in the House-passed Labor-HHS bill on October 6, 1981, we also did not turn our backs on our key investments in humanity.

TRANSPORTATION

As regards the Department of Transportation and related agencies, the resolution provides for a bottom line reduction of 2 percent in spending from the House-Senate Transportation appropriations fiscal year 1982 conference.

The 2-percent reduction of spending from the conference level of $10,673,138,000 is a total of $206,565,000. The reductions represent selective cuts, rather than merely across-the-board reductions.

The total spending level provided Transportation programs under this resolution is now $10,466,573,000.

For the Coast Guard, there is provided a total of $2,132,000,000. The operating expenses account is funded at $1,385,000,000; the acquisition, construction, and improvements program is at $390,000,000; the retired pay account is provided $279,000,000.

The Federal Aviation Administration receives a total of $2,602,000,000 in new appropriations under this continuing resolution. The operations program funding level is $2,180,000,000; the facilities and equipment level, $266,874,000, the airport development and planning program is capped at $450,000,000 under the legislation.

Amtrak is the recipient of a total allocation of $735,000,000; $569,000,000 of which is in new appropriations and $166,000,000 appropriated earlier this year for this necessary National Passenger Transportation System. I am pleased to report that the conferees realized the wisdom of this level of spending. Anything less would have been very difficult for Amtrak to perform its responsibilities.

The Northeast Corridor improvement project is appropriated $170,000,000; redeemable preference shares, $37,500,000.

In terms of Conrail labor, the conference report provides for a transfer of $210 million from an unobligated Conrail account: $100 million for work force reduction, $85 million for labor protection payments to terminated Conrail employees, and $25 million for rail labor assistance payments.

The Federal-aid highway and highway safety construction obligations are limited to $8,000,000,000 for fiscal year 1982. The interstate transfer grants for highways is allocated $307,000,000.

The Urban Mass Transportation Administration is funded at a level of $3,578,500,000. Of the amount, $1,413,250,000 is for the urban discretionary grants program plus an additional $231,000,000 in unused carryover funds and available for the same grant program; urban formula grants, $1,366,750,000; interstate transfer grants for mass transit, $548,000,000, with Boston, Mass., receiving $125,000,000 of the total amount.

Mr. WHITTEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas (Mr. ALEXANDER).

Mr. ALEXANDER. Mr. Speaker, I appreciate the work that the gentleman has done and I do not want to take much time, but I do want to ask the gentleman a question.

Is this total amount appropriated under this continuing resolution below that amount requested by the President's budget?

Mr. WHITTEN. It is below the President's budget as I understand it. It is considerably below the amount that was approved by the Senate, which I understood was satisfactory to the President. We are about half a billion dollars below the Senate reduction, so we are below what I understood to be the request.

Mr. ALEXANDER. The Congress is trying to do it again. We are adding another year to our record for appropriating less money to run the Government than Presidents wanted to spend. We are managing this even while giving the President the additional $500 million that he wants for foreign aid.

The President sent word that he wanted the $428.5 billion spending level that the Senate-passed appropriations continuing resolution contained, even though the House resolution was already below his last budget. And, he insisted we reach that figure while giving him that additional $2 billion for foreign aid, a request congressional Republicans backed him on at the expense of programs for our people here at home.

This conference report before us now is $500 million below the figure the President told us he wants. It is $7.4 billion below the Senate-approved or recommended $445.4 billion level on regular appropriations bills. It is $6 billion below the House recommended or approved $433.9 billion level on regular appropriations bills.

With the passage of this conference report Congress will have pushed its record for having appropriated less money than Presidents have told us they wanted from 37 years to 38 years since 1943.

Mr. WHITTEN. In answer to the statement, may I say that rumors are all around me, and I am sure the gentleman has heard them, too.

Mr. Speaker, I would like to say to my colleagues that this seems to be a very political year in many, many respects. But in the event that we do not support the actions of this committee, or in the event that the other body does not accept it, or in the event both accept it and it is vetoed, we would be forced to wait until such a veto occurred which would mean a further breakdown in the Government. Then we would have to act to pick up the pieces.

If we are caught in that unfortunate position because of any misunderstandings, the volume of things that could happen are unfortunate.

We brought to the floor a conference report which has the support of the conferees of both houses.

I want to call attention to the fact that if we fail to adopt this conference agreement, and the Senate accepts it, and then if it is vetoed we will have a breakdown in the Government, and we will do our best to pick up the pieces.

We brought to the House a good bill. We are below the President's request. We are below the Senate's cut. We have protected the rights of the legislative branch to determine spending priorities. We have brought out a good bill and we hope the Members will stick with us down the line and not be party to any efforts that might result in a breakdown of the operations of Government.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. In answer to a question a couple of minutes ago, I think some Members might have been a bit misled.

As I understood the question and the answer, it indicated that a department, for example, the executive branch would be able to make 2-percent cuts across the board.

Now as to the Commerce, the part I handle, for example, we made 43 individual cuts to arrive at an equivalent of 2 percent, but they will not be able to make cuts across the board on every program. I believe that is the way it is with 10 of these bills.

Mr. WHITTEN. I think that is true. We wrote into the act that any reduction had to be proportionate so that the executive could not eliminate an activity.

In the past there have been instances where they have claimed that right but where I believe they do not have such authority to make such reductions and ignore the legislative directive. This resolution requires the cuts to be applied proportionately.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Illinois.

Mr. YATES. That is certainly true in the Interior bill as well, which has been approved by the conference report and which has been approved by this House. The conference report that was approved provides for a 2-percent reduction across the board on the items that make up the Interior bill, and we have already in the conference decided where those cuts should be.

The 2 percent will be applied correspondingly to those cuts.

Mr. Speaker, the continuing resolution includes the conference report for the Department of the Interior and related agencies agreed to by the House on November 12, 1981, but does reduce the bill by 2 percent. The decrease of 2 percent reduces the bill by approximately $150 million from the conference report total of $7,541,651,000. The decrease has been applied evenly to all activities, subactivities, or projects within the various appropriation accounts. In instances where construction or land acquisition projects cannot be carried out at the reduced level, it is the intention of the managers that reprograming procedures be followed to permit such projects either to be accomplished or to eliminate them.

The conferees agree that when the Senate takes up the conference report on the Interior and related agencies bill, across-the-board reductions will be made to conform the bill to the level of the continuing resolution. At that time, the reductions and the levels to which they are controlled will be presented in detail.

Mr. WHITTEN. May I call attention to one other fact; our resolution does not change anything that affects the right under the law of a Chief Executive to defer or rescind. So if there are any items in this resolution or in any bill that we pass, that the Executive may differ with he retains the right in law to send up a request for a rescission or for a deferral.

I plead with the Members for their sake and for the sake of the Congress of the United States to stand with the committee.

Mr. PANETTA. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from California.

Mr. PANETTA. To clarify the figures again, what the House passed initially in the continuing resolution was $430.8 billion; is that correct?

Mr. WHITTEN. That is right.

Mr. PANETTA. What the Senate passed with the Baker amendment reducing the amount there by roughly 4 percent, the figure on the Senate side was $428.4 billion?

Mr. WHITTEN. That is correct.

Mr. PANETTA. What the conference agreement has come to and what the gentleman brings here is $427.9 billion?

Mr. WHITTEN. That is right.

Mr. PANETTA. Which is half a billion dollars less than what the Senate had proposed in terms of reductions?

Mr. WHITTEN. That is right; and it leaves me hard to understand any basis for either recommittal or for failure to sign the bill, unless it is because we have retained in the legislative body the right to exercise our constitutional right to determine what the money goes for.

Mr. PANETTA. I might say it is not only below the Senate target as proposed by Senator BAKER, but it is far below the budget resolution target which was established by the Congress.

Mr. WHITTEN. Yes.

Mr. MITCHELL of Maryland. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Maryland.

Mr. MITCHELL of Maryland. I thank the chairman for yielding.

In this printout that is being distributed, it appears to me at first reading that two areas sustained the burden of the cuts. Labor, Health and Human Services, from this reading is down significantly and also HUD.

It looks like the bulk of the cuts were sustained in two programs, although the gentleman said that there was a 2-percent across the board.

Mr. WHITTEN. No; there is not a 2-percent across-the-board cut, entitlements were exempted. In rough figures we determined what the equivalent of 2 percent would do in discretionary programs. If the gentleman looks at it we applied a 2-percent reduction, but we cut by item.

Mr. MITCHELL of Maryland. Am I right in assuming, if the chairman will continue to yield, that these two programs did sustain the heaviest cuts; is that correct?

Mr. WHITTEN. They did sustain cuts, and as the gentleman knows we were under heavy pressure to make more reductions. To the degree that we could, we protected those agencies, but the total volume that is in those two areas is huge. So the dollar amount would appear large, but percentagewise it was treated as fairly as we could under the conditions we were faced with.

Mr. MITCHELL of Maryland. I thank the gentleman. He does not quite resolve my problem.

Mr. MONTGOMERY. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. I thank the gentleman for yielding and I commend the gentleman on the hard work he and the committee and staff have done.

Mr. Speaker, as chairman of the Veterans' Affairs Committee I take this time to convey to my colleagues a discussion I had a few minutes ago with the distinguished chairman of the Subcommittee on HUD-Independent Agencies (Mr. BOLAND), with respect to the appropriations for Veterans' Administration health-care staffing. Section 5010(a)(4) of title 38, United States Code, requires the Director of the Office of Management and Budget, after the enactment of each law making appropriations for the Veterans' Administration, to provide the agency with authority to employ under the three health-care accounts the number of employees for which funds have been appropriated.

The accounts are the medical care account, the medical and prosthetic research account, and the medical administration and miscellaneous expenses account. I would also note that section 601 of the Veterans' Disability Compensation, Housing, and Memorial Benefits Amendments of 1981, Public Law 97-66, makes clear that the obligation of the Office of Management and Budget Director to provide those employment levels exists with respect to laws, such as continuing resolutions, making appropriations for periods of less than 1 full year.

Since VA appropriations laws do not themselves specify employment levels for that agency, it is important that the legislative history of any law making appropriations for the VA be clear and specific as to the number of employees for which appropriations have been made in these accounts. I asked Mr. BOLAND what employment levels for the three medical accounts are intended to be funded under the conference agreement. He stated that with respect to the medical care account, funding is provided in the pending measure at the same annual level as was provided in the first continuing resolution for fiscal year 1981, Public Law 97-51, and the employment level intended to be funded under that account during the period covered by this resolution is the same, 186,287 full-time equivalent employees (FTEE's). It should be noted, Mr. Speaker, that this figure does not include the so-called common services adjustment FTEE's. Those FTEE's are in addition to the 186,287 according to Mr. BOLAND.

With respect to the other accounts, the medical and prosthetic research account and the medical administration and miscellaneous operating expenses—MAMOE—account, the overall

funding levels are somewhat lower than was provided under the first continuing resolution. The funding level provided in this resolution for personnel under the research account is thus also reduced to some extent as I understand. Specifically, according to Mr. BOLAND, funds appropriated for the research account are intended to be made for 4,113 FTEE's.

However, despite the reduced level of the appropriations being made for the MAMOE account, no reduction is intended to be made in the personnel area. Thus, in this resolution, according to my understanding, funds are being appropriated for the same FTEE level as in the first continuing resolution, that is, 866 FTEE's.

Mr. Speaker, when I inquired of Mr. BOLAND as to whether it is intended that the overall reduction in appropriations accounts provided for in the pending measure is intended to have any effect on the personnel funding levels for the latter two VA health-care accounts, research and MAMOE, he stated that, to the maximum extent practicable, the reduction is intended to have no effect on appropriations for personnel under those accounts. Any funding reduction in the research account or MAMOE account is intended to be made primarily from nonpersonnel budget categories.

Finally, Mr. Speaker, recognizing that the personnel levels that we have discussed up to this point were based on personnel costs prior to the October 1981 Federal civilian pay raise going into effect, I have also discussed with Mr. BOLAND the effect, if any, the pay raise costs would have on the levels of employment intended to be funded under this resolution. According to the distinguished gentleman from Massachusetts (Mr. BOLAND) with regard to personnel costs in this or any other appropriations act, pay raise costs have no effect whatever on the number of FTEE's for which appropriations are being made in the three VA health-care accounts. The intention is that the additional personnel costs for the number of FTEE's that I have previously specified will be met though some combination of deficiency apportionments in anticipation of a supplemental appropriation and the use of nonpersonnel funds.

If I may make two additional comments, Mr. Speaker, as my colleagues are aware, the medical care account is exempted from the scope of the reduction provision contained in the pending measure. In addition, it should be noted that the agreement reached with the other body in the VA appropriations will provide $4 million to fund the scholarship program for nurses in fiscal year 1982.

Mr. Speaker, I regret the very able chairman of the Subcommittee on HUD-Independent Agencies is not on the floor at this time. He is extremely busy with matters other than the Veterans' Administration. But I have had an opportunity to discuss these matters with him on the floor earlier and am most grateful to the gentleman from Massachusetts for the clarifications he has provided. Based on my analysis of VA operations under the three health-care accounts, the personnel levels that he has specified would be adequate for the continued effective functioning of the VA's Department of Medicine and Surgery.

I would also like to point out that the distinguished chairman continues to be most cooperative with us on the Veterans' Affairs Committee and he continues to evidence a deep concern for the well-being of our Nation's veterans. I deeply appreciate his outstanding attention to the needs of all veterans.

Mr. CONTE. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. MICHEL).

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Mr. MICHEL. Mr. Speaker, it is only at the end of a session or near adjournment time, I guess, where we would begin by wishing each and every one of you a happy Sunday afternoon. It seems strange that the Government could come to a halt and the Congress reach an impasse over spending issues that do not amount to any more than 1½ percent of the total Federal budget for this fiscal year. It can happen, though, because this conference report is getting to be more a product of symbolism than substance. It represents more a conflict of principles than of programs or their costs. No one seems to agree on the numbers of their impact. They have been imprecise, unpredictable, and unstable; but then we are not accountants around here. We are policymakers and the bottom line here is the reduction of Government spending and, therefore, the reduction in size and scope of Government itself. Therein lies our conflict.

Now, I have been striving all through this process over the weekend to achieve a suitable resolution that the President would sign. I have attended most of the conference meetings in company with my colleagues. Unfortunately, because I am no longer a member of the Appropriations Committee where I served for 20 some years, I did not have a voice. That was rather frustrating, for at times I would like to have spoken up, particularly since here in the House less than a week or so ago we offered a 5-percent across-the-board cut making some meaningful reductions which lost by only 12 or 13 votes. That seemed to say something about the position of this House on making some really substantive cuts.

During the conference my friend, the gentleman from Massachusetts (Mr. CONTE) was preempted by a Member of the other body from offering a 4-percent across-the-board amendment that would also have made substantial reductions in spending.

Then we had the proposal of the gentleman from Mississippi (Mr. WHITTEN) which cut the reduction to only 2 percent across the board. That is what the conference adopted. In my view, that was not sufficient.

One of the main problems is that the continuing resolution shows reductions below the budget which simply will not hold up.

If you take, for example, medicaid alone, in this resolution it is funded at a level of $938 million below the President's budget. The additional funds thus will almost certainly have to be provided in a supplemental.

The guaranteed student loan program is $633 million below the President's budget. It also will have to be made up in a supplemental.

Now, if you take those two, plus military pay and all the rest, you come up to a March supplemental that will be in double digit figures.

We are not kidding anybody with these phony figures around here. We are going to have to face up to the real ones sometime or another or come back and face the music in the spring.

The conference report is over the President's budget in budget authority, in eight domestic appropriation bills. Let me tick them off to you:

Agriculture, $812 million plus.

Commerce, State, Justice, and Judiciary: $383 million plus.

Energy and Water: $375 million plus.

HUD: $1,626,000,000.

Interior: $1,104,000,000.

Labor, Health and Human Services, and Education: $1,041,000,000.

Transportation: $690 million.

Treasury and Post Office: $482 million.

Now, as I said, the President has not had an opportunity at all to express himself on those individual bills, most of which would be vetoed, and I submit sustained by this House of Representatives on the strength of the kind test votes we have had here in this body. I do not believe we should be writing into a continuing resolution levels of spending much higher than what the President would accept if the normal appropriations process ran its course.

Now, I had intended when I came to the floor here to offer a straight motion to recommit, not with any feeling that it would automatically pass or be adopted, but that we could at least give the President the flexibility of getting a sufficient number of votes in support of that motion to recommit to sustain a veto if that was his choice.

That is the way I came to the floor this morning.

Now, in view of the conversation I just had with the President within the last 10 minutes, we may want to take a different course.

I note that the distinguished chairman of the Appropriations Committee made mention in the conference that he had waiting in the wings some form of continuing resolution covering some shorter span of time. Let me advise you that the President told me quite frankly that there is no way he can sign this continuing resolution in its present form. He did indicate and suggest the possibility of a simple 15-day extension of the current continuing resolution, so that we might have that opportunity in the interval period of time to develop something which he might find more acceptable.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. CONTE. Mr. Speaker, I yield 2 additional minutes to the gentleman from Illinois.

I hope that the chairman will ask for another half hour. We are getting so many requests, we are down to the wire here.

Mr. WHITTEN. We have an agreement about time on this side.

Mr. CONTE. Would you give our leader a couple more minutes? I have given him 2.

Mr. MICHEL. I might make the observation before yielding to the distinguished majority leader that I told the President that it would be a good thing for him to advise the Speaker, and I am sure that in that period of time between when I talked to him that he has, indeed, called the Speaker.

I personally think the President's suggestion is a reasonable one that would keep the Government operating, but I would be happy to yield to the distinguished chairman of the committee at this juncture.

Mr. WHITTEN. Mr. Speaker, I made the statement earlier, and I have the highest respect for the President as an individual and as my President; but may I say, the legislative body is a coequal branch, we will have to wait and see what he does. We cannot be reacting to these things and waiting and delaying to see what the executive branch wants us to do.

I understand that the Budget Director is saying that these figures do not fit and they are not satisfactory; but I would like to repeat to the gentleman in the well, this resolution is $900 million below the budget request. It is $600 million below the Senate request.

What does the gentleman expect us to do? How much below the President's budget are we expected to go?

Mr. MICHEL. Would the gentleman suggest that there would be no request for significant supplementals next spring?

Mr. WHITTEN. We will have to wait and see what happens.

Mr. MICHEL. Yes, that is exactly right, we will have to wait and see and they will be significant numbers. How long do we want to put off the day of judgment?

Mr. WHITTEN. I say for 2 days we have been over there and the other body did not have any numbers at all to work with. They asked Mr. Stockman down, according to the press, but his figures were different each and every time. Our figure have been carefully compiled and were used finally by the Senate when we got together. Our figures clearly show what I am telling the gentleman.

Mr. MICHEL. Well, I understand our problem on appropriations. We deal in budget authority rather than outlays and when you get into that controversy between those two, I am just as frustrated, as I am sure most Members of this body are, over the failure of our being able to have one uniform base line from which all of us are talking the same tune.

Somehow, to make this budget process work correctly, we are going to have to work to achieve a common base.

I would be happy to yield to the majority leader, if he is asking me to yield.

Mr. WRIGHT. Well, I am really very much amazed and I am just deeply troubled by what the gentleman has just said.

Mr. MICHEL. Well, the gentleman knows I was operating from good faith. I had no reading whatsoever, but there was always a good possibility that the President would veto this resolution.

Mr. WRIGHT. Now, the gentleman was present throughout most of yesterday and the day before. The gentleman knows that Senator BAKER, the majority leader in the Senate, was present. We had every indication and every reason to believe that the President was satisfied with every one of these figures, save one. He wanted a billion dollars or a billion and a half dollars lower in foreign aid.

Mr. MICHEL. No; there was never any indication that that was the case.

Mr. WRIGHT. Now, Mr. Stockman was there. There was never any hint that there was anything wrong with the figures that were coming out.

These figures have a great deal more integrity than some of the figures that were offered to this Congress earlier this year by the executive branch.

Mr. MICHEL. Well, I want to say to the gentleman that when I fashioned my 5 percent across the board, I made the point that I had gone to our own Committee on Appropriations to fashion those figures, because personally I felt comfortable with them all through the years which I had to deal with them.

I think we have a highly professional staff on our committee and certainly would want to do nothing but to applaud their efforts over a period of years. But there was still a question of what base was used and what the outlay impact was, and we did not have this information last night. The fact is that the domestic bills are funded at a level in this resolution some $6.5 billion or more than what the President proposed in his budget.

Mr. WHITTEN. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, for 2 days we have met on this resolution and I have been with my associates, including the minority leader, the gentleman from Illinois (Mr. MICHEL).

As our majority leader said, we have cooperated in every way that we could with the budget bureau, with our President, with our colleagues on the left and our colleagues on the right.

The only thing that I can say is that mention has been made about the 5-percent cut across the board which was voted on in the House. It did not carry. The House turned it down; but I want to repeat that after 2 days and 2 nights we have agreed on a good resolution and we thought that the President would sign the bill. One major proposal was a request made over there that we add $2 billion to foreign aid and then go back and make further cuts in domestic programs. We turned that down.

I thought we were wise not to cut more from the American people. I said so then. I am not going to be a party to increasing foreign aid in a bill that originated on the Senate side at the expense of the American people.

Now at the same time, where the President's problems have arisen resulting from Mr. Sadat's death, I went out of my way to provide an additional $500 million, which I understood was adequate to help our President meet his problems.

So we have brought you a good bill, but we must work together because our Government is like the troika, the three-horse Russian chariot. If we do not pull together, we do not get anywhere.

I want to say here and now that we would have gotten through with our conference, in my opinion, in one-fifth the time if we had not had our colleagues on the other side consulting with Mr. BAKER or Mr. Stockman.

I hope to call the President when I feel I should. I hope he will call me when he feels he should, but if the legislative body ever gets to where it has to call the Executive about what it can do, the horses are not pulling in the same direction.

So whatever he feels that he should do, I feel that he should do it; but we should wait and see what he does and reserve the right to the Congress to

discharge its own functions in its own way, because we are right.

Mr. WATKINS. Mr. Speaker, would my chairman yield?

Mr. WHITTEN. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma.

Mr. WATKINS. Mr. Speaker, I would like to ask the chairman, did I understand correctly that the problem in this conference is that the President is asking more for foreign aid for foreign countries at a time when he is cutting the Farmers Home Administration, the elderly programs, and many other things, did I understand that correctly?

□ 1430

Mr. WHITTEN. The gentleman could have drawn that conclusion. What really happened amounts to that. The majority leader, Senator BAKER, in the Senate, favored adding $2 billion to foreign aid, and in his motion to cut 4 percent, he reduced domestic programs.

Mr. WATKINS. Basically, the conflict is the President wants more foreign aid in this continuing resolution.

Mr. WHITTEN. I cannot put words in his mouth. I am just telling the gentleman that is what happened. They did have that problem on the Senate side. We refused to go along.

Mr. LOTT. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Mississippi.

Mr. LOTT. Mr. Speaker, clearly in the conference that went on last night there were a lot of other issues other than foreign aid. In Labor-HHS there were a number of issues in dispute and considered. Would the chairman confirm that?

Mr. WHITTEN. The gentleman is correct. And I made the statement that the foreign aid increase of $2 billion was favored by the majority leader in the Senate. That is as far as I can go.

● Mr. DERWINSKI. Mr. Speaker, the existing ceiling on Federal executive pay is a problem for effective pay administration. Because there is a cap on executive pay and because the salaries of General Schedule employees increase each year, we now have a situation where there are approximately 46,000 employees functioning at eight different levels of responsibility, but they all receive the same salary of $50,112.

Understandably, many middle-managers and executives are reluctant to accept promotions when there is no additional pay, but that is only one part of the problem. It is becoming increasingly more difficult to attract and retain highly qualified personnel, particularly in such technical fields as engineering, science, and medicine.

Since March 1977, our senior officials in the executive branch have received only a 5.5-percent salary increase. In that same period, the Consumer Price Index has increased nearly 57 percent. It also is worth noting that in that same period Federal annuities have increased 42 percent, private sector pay 36 percent, and private sector executive salaries 49 percent. Largely, for those reasons, 67 percent of the career employees at the pay ceiling who were eligible to retire exercised that option.

If we are to arrest the erosion in the quality of our top Federal managers and executives, we have to offer them some incentives. We cannot afford to continue to lose the employees who have major responsibilities for Government administration.

On another subject, I am strongly opposed to any increase in pay for Members of the House and Senate. I supported the move to lift the limit on outside income, but I believe that the drive for legislative economy in Government would be contradicted by any increase in fringe benefits or salary for Members of Congress.●

● Mr. GAYDOS. Mr. Speaker, the administration's first round of budget cuts passed through the House with almost all questions unanswered because the ruling coalition was in no mood to answer, and now we are pressed for deeper cuts across the board.

It is time for questions, and some answers.

Is the second round a problem of economics or of politics?

Well, nobody said we needed to go as far as round 2 goes until Wall Street vetoed the administration's economic package; nobody even mentioned a second round until it became clear that what the administration promised was not going to happen.

So, it has all the trappings of a political problem.

Therefore, round 2 has little to do with industrial production, demand, investment, reinvestment, efficiency, incentive or disincentive. Those are economic problems.

It seems to have a lot to do with stalling for time, setting up strawmen, and avoiding embarrassment. These are political problems.

I do not pretend outrage at this, Mr. Speaker, because all leadership must have the latitude to maneuver toward goals, but I do think that what is going on now should be pointed out clearly.

This is the point at which Congress has an obligation to put aside unthinking enthusiasms and stand up to pressures created by masterful public appeals. It is the point at which we must begin sorting out what works from what does not work so that effective things may be preserved.

Among the things that work must be listed the Occupational Safety and Health Administration (OSHA) and the Mine Safety and Health Administration (MSHA).

I do not contend these agencies have been popular.

I do claim that they have been effective.

MSHA's efforts reduced miner deaths in 1980 to a 10-year low of 236, for example. Mining deaths are down 44 percent from the days before good safety regulation.

Since OSHA's establishment, the death rate among all workers has fallen 28 percent, according to the National Safety Council.

Even though the work force has grown by 22 percent since OSHA was established, we have a reduction in the total number of deaths of 6 percent.

Had the pre-OSHA death rate for all workers held true during 1980, there would have been nearly 17,500 deaths on the job. The Council reported there were 13,000.

MSHA and OSHA met their mandates to reduce death in the workplace; and this, not popularity, is the basis on which they should be judged.

Yet a second round would rip away, without the exercise of any judgment the enforcement and training programs that have brought about these reductions.

And it would sweep them away despite the fact the second round cuts are such a small percent of the $40 to $65 billion deficit that the number cannot be found until you move four places to the right of the decimal point. To my mind that is too far to the right to have any relationship to the problem, even a political one.

Furthermore, even the administration's managers at the Department of Labor acknowledge that these reductions are big ones in relation to the work these agencies will be able to do, and that the cut will be of muscle and bone, not fat.

Secretary of Labor Raymond Donovan has told subcommittees of the Congress what will have to be cut.

For OSHA it includes the elimination of:

Nine million dollars for the new directions grants program that benefits management, labor, and academia, and fosters safety and health training; and another $11 million in contracts, acquisition of technical equipment and grants;

One hundred and sevety-nine jobs in Federal enforcement, about 10 percent of the whole, which in turn means 3,500 fewer inspections and 3,000 fewer chemical samplings;

And about 258 positions overall.

For MSHA it means:

Five hundred fewer employees, which is a scattering of a highly trained and effective work force that will not be easily reassembled;

A shorter work week for those who remain;

A trust-me program for correcting dangerous conditions when inspectors find them; the administration calls it "self-certification of violation abatement."

And a 10-percent reduction in the number of inspectors in mines.

Meanwhile, the real goal of all this budget and tax cutting is supposed to be increased mineral and industrial production.

Success here would mean more miners in mines, particularly coal mines, the most dangerous, and more workers in the factories, foundries, and mills.

Meanwhile, we have reduced, and are asked to reduce further, the provision made for worker safety and health because the people demanded it.

Will these cuts mean we can expect the once-shrinking death rate in our factories and foundries to rise as activity increases and enforcement decreases?

With more miners in the mines, particularly coal mines, the most dangerous, and less attention given to perfected and proved enforcement, what will happen to the truly successful 44-percent reduction in mine deaths? Can we grimly anticipate self-certified disasters and roof falls?

The United Mine Workers are so concerned about the situation that President Sam Church has raised the possibility of a safety strike.

So this too is a problem, although not of the same political nature as the one brought on by an overgenerous tax cut, which caused a bigger than expected deficit, which caused the Wall Street veto.

In the context of the budget and the deficit, some who helped plan the economic program now are talking about "revenue enhancements" because they need more tax income; it is a way of avoiding the mention of their tax cuts and tax increases in the same fiscal year.

What term will their phrasemakers dream up to disguise the increase in the deaths in the mines and factories and foundries?

I agree with those who would call it needless tragedy.

Such an increase would be the effect of a cause we should understand now—an unreasoned attempt to avoid political embarrassment.

OSHA and MSHA work, and this is the point for Congress to step in to see that they continue to work.●

● Mrs. SCHROEDER. Mr. Speaker, as chairwoman of the Subcommittee on Civil Service, I am acutely aware of the problems caused by the continuation of the pay cap. I am also aware of the fact that our employers, the taxpayers, do not think any of us, Member of Congress, Cabinet officials, or career civil servants, deserve a raise. I am also aware of the fact that the conference committee has presented us with another one of their familiar packages, containing both justifiable changes and ridiculous boondoggles. For these reasons, I must oppose the pay raise.

So the record is clear, let me list some of the problems with the pay cap. One, the cap has resulted in compression, which means that four, five, or six levels of agency management are paid the same amount of money. This is deterimental to management. It also makes it hard to convince employees to take promotions and greater responsibilities. Two, since retirement payments are adjusted for the Consumer Price Index and salary is capped, we pay people more to retire. When someone retires, we have to pay him both as a retiree and his replacement as an employee. So, the taxpayer pays twice. Three, the basic concept behind the Civil Service Reform Act of 1978 was that pay was supposed to be based on performance. The Senior Executive Service and merit pay were both established on this idea. The cap, obviously, defeats this purpose and undermines civil service reform. Four, capped pay means the best leave Government and recruitment becomes more difficult.

Yet, the package contains not only the lifting of the cap for career civil servants, but also raises the pay of everyone on the Executive Schedule, including Cabinet Secretaries, and Members of the House—but not of the Senate. Further, it makes the limitless tax deduction for Members of Congress retroactive to January 1. Obviously there is something a little bit hokey about a pay raise for Members of the House, but not Senators. The retroactive application of the tax deduction will make Members of Congress and corporations the two tax-free entities in the country. The whole deal smells funny and my constitutents are not going to buy it.

The taxpayers have not been convinced that any of us deserve a raise. I think they can be convinced, but only one person has the clout to do that. President Reagan not only could sell a pay raise, he also has the organizational responsibility to do so. The executive branch is his. Those under the cap are his employees. If they need a raise, commonsense and decency suggest that the President should ask for one. So far, he has not done so. He has sent representatives to do so. Yet this issue is sufficiently controversial and public for the President to use some of his prestige to argue for a raise.

I do not intend to vote for a pay raise until the mood of taxpayers changes. President Reagan is the one person who can change that mood. It is time for him to stop playing coy and start the selling job that is needed.●

● Mr. JEFFORDS. Mr. Speaker, although I will vote for the conference report on the continuing resolution, I feel that overall it was a reasonable attempt to provide additional cuts; I will vote with serious reservations.

My most serious reservation was in the employment training programs. I have set forth below language a table that illustrates how drastic the cuts are that were made this year. I intend to bring this serious matter to the attention of the next set of conferees, as I expect this conference is not yet over. I would hope that in view of the rising unemployment in America in general, and of our youth in particular, that they will reconsider these horrible cutbacks.

Employment and training, title II-A, B, and C: 1981 level, $2,101 million; 1981 reconciliation, $1,430.8 million; conference report $1,176 million.

CETA, title IV-A: 1981 level, $825 million; 1981 reconciliation, $576.2 million; conference report, $194 million.

Mr. Speaker, I sincerely hope that in the next conference meeting this grave situation will be rectified.●

● Mr. McHUGH. Mr. Speaker, I would like to point out to my colleagues that this conference report maintains the integrity of some important nutrition programs. The conference agreement on the continuing resolution reaffirms our national commitment to supplemental feeding of women, infants, and children through the WIC program and the commodity supplemental food program (CSFP).

The resolution maintains without additional cuts the funding levels for WIC and CSFP provided by the conference agreement on the fiscal year 1982 agricultural appropriations bill (H. Rept. 97-313). The resolution provides $942 million for WIC, which must be combined with fiscal year 1981 carryover funds and fully used during the current fiscal year to bring overall fiscal year 1982 average participation as close to 2.2 million persons as possible. As a result, the Secretary must restore WIC participation to the 2.2-million level promptly and then maintain it at this level. The resolution provides $31 million for CSFP.

The resolution also incorporates the directions in the appropriations conference agreement that one-quarter of the $942 million be allocated to States promptly at the beginning of each fiscal quarter. Since the beginning of the first quarter is behind us, all remaining first quarter funds—about $145 million—would have to be allocated immediately upon enactment.

This immediate allocation is needed to avoid possible closings of many WIC programs shortly after November 20. Any such shutdown of a WIC program or any caseload reductions would clearly be contrary to the joint resolution. Consequently, if apportionment of funds is required before the funds are allocated to States, the apportion-

ment must be done immediately in order that the allocations can be readily dispatched to the States. It is clear that any interruption in WIC funding would not be consistent with the resolution.

I am also pleased that the conferees included a provision regarding a deferral or rescission in the WIC and CSFP programs. The provision specifies that the program must be operated at the funding level and in the manner provided for by the resolution; that is, at a participation level of close to 2.2 million, unless and until such time as a rescission or deferral is officially transmitted. In addition, the provision specifies that a rescission or deferral may only be transmitted at a time when Congress is in session and is able to act on such a request. A deferral or rescission for WIC or CSFP may not be transmitted while Congress is out of session. Similarly, any deferral or rescission transmitted while Congress is in pro forma session or when Congress is in the final days of a session prior to an adjournment sine die will have no effect until such time as Congress reconvenes in a regular session. This assures that no deferral or rescission regarding these programs shall take effect until such time as Congress can expeditiously consider and respond to the matter. As a result, if a deferral or rescission is requested when Congress is out of session for its Christmas recess, or in the final days before a recess begins, the reduced funding levels sought by the administration would not take effect until Congress returned from its adjournment.

In addition, the conference report requires that during any time in which a rescission or deferral is in effect, the Secretary must allocate States enough funds to maintain current participation. The first continuing resolution required the maintenance of participation levels, and while the administration did submit a deferral earlier this month for the WIC program, it did so in such a manner that current participation levels—September 1981 levels—were maintained. The conference report takes note of this fact, and requires that sufficient funds be allocated so that participation levels are maintained during any future deferral or rescission. In other words, only that portion of the funds appropriated which are not required to maintain September 1981 participation levels may be withheld during the period that a deferral or rescission may take effect.

Finally, I am grateful that the conferees have noted that no withholding for these programs is anticipated. These are excellent programs. They have a proven track record. They deserve the strong congressional support that has been exhibited all year long and is demonstrated again in this joint resolution.●

● Mr. FRENZEL. Mr. Speaker, it is not unusual for the House to find itself in the situation that confronts us today. We have done it before, and we shall undoubtedly do it again.

The impasse is not entirely of our making. There are at least two other major players in this game; namely, the Senate and the President. Each has strong feelings about Federal spending for fiscal year 1982.

Our process is designed to delay important decisions until the last minute, and more often than not, it results in at least a temporary stalemate.

On this particular stalemate, there are more sticking points than usual. The disagreement over the various figures used by various parties to the dispute is a good case in point. The administration thinks the resolution is more expensive than the House managers claim. I agree with the administration.

The Appropriations Committee uses budget authority, while the Budget Committee and the administration use outlay numbers. The Appropriations Committee, in addition and as usual, has failed to fund salary increases, principally for military, which it knows will have to be paid. Moreover, it reduced mandatory entitlement funding items like medicaid, which also will have to be paid.

Obviously, the committee, in bringing us this resolution, is not telling us much if anything, about the supplemental appropriation that will be needed next year to cover those wage expenses and those entitlements. I do not know whether it will be $10 billion or more, but I do know it will be huge.

That big, additional appropriation is part of the problem that worries the administration. It worries me, too. Our outlays this year are clearly going to exceed by a substantial amount the figure we approved in the first budget resolution. For that reason, I shall support the threatened veto, if it is in fact, cast.

It is a little difficult to sort out the various figures. Nonetheless, it is clear that our spending is out of control again, and our deficit for this year is likely to be more than twice the $42.5 billion we voted for in the first budget resolution. That means we must make more reductions.

I urge a vote for the motion to recommit so our conferees can make more careful reductions. If that fails, I urge a "no" vote an the continuing resolution.●

● Mr. SMITH of New Jersey. Mr. Speaker, I rise in opposition to the continuing resolution conference report and cite two principal reasons for doing so.

First, I object to the inclusion in the continuing resolution of a substantial congressional pay raise, a raise of almost 5 percent for Members of this body. At a time when we are struggling to reduce Federal expenditures, I believe we are sending precisely the wrong message and signal to the people back home if we adopt this pay hike.

Second, Mr. Speaker, I cannot accept the additional cuts to health and human services and educational programs as the conference report would do. It is my understanding that the conferees agreed to slash an additional $780,730,000 off the House-passed HHS-Education appropriations measure. I believe this action to be ill advised and not in the best interests of those dependent on the myriad of social programs that come under the auspices of these Federal agencies.●

● Mr. HOLLENBECK. Mr. Speaker, I rise to note my concern over circumstances surrounding House Joint Resolution 357, the continuing resolution for fiscal year 1982. A resolution of this type is necessary because the Congress has been unable to complete final action on a number of appropriation bills. I am deeply concerned over the fact that with greater frequency Congress is addressing spending matters through continuing resolutions and, in reality, ducking its responsibility on spending public moneys.

I would like to point out that expeditious passage of a resolution or an extension of the current measure is essential because it becomes technically impossible for the Federal Government to open its doors. In addition, some strain will be placed on Federal workers who are threatened with not receiving paychecks. I, for one, place part of the blame for this unfortunate situation on the vacillating viewpoints emenating from the White House. Over the weekend, original indications were that the conference agreement was acceptable to the President. As a result most Republican conferees from the House and all from the Senate signed the conference report which adopted a continued funding plan. However, yesterday we learned that the President was threatening a veto. That threat has now become a reality, even though the spending figures in the measure are substantially those urged by the President at one time or another.

Mr. Speaker, this is not a very commendable record of performance. I firmly believe that the public will soon tire of the buck passing games the executive branch and Congress are playing. As the first session of the 97th Congress draws to a close we see Government by default, default caused by inconsistency, inaction, and constantly shifting direction. Again, I view this last minute resolution as a prime examply—a resolution necessary because of legislative inaction, largely on the part of the Senate, which until recent-

ly had not even passed one appropriation measure. Mr. Chairman, one might observe after nearly 5 years in the House watching the Budget process that my Senate colleagues sometime overlook their primary responsibility to the people who elect them. And one might also observe that using the tactic of frightening public employees and those in need of Federal assistance is hardly statesmanlike or true leadership.

I supported the continuing resolution extending to December 15, 1981, the temporary spending levels. I did so with reluctance because of my above stated concerns. But I should add that I feel strongly that the December 15 date is far superior from a policy standpoint than that of February 3, 1982, as proposed by the majority. That latter date would push important decisions into a time of involvement with the fiscal year 1983 budget and other issues which could further complicate matters.

I will not, at this juncture, commit myself to a favorable vote on a further continuing resolution except to say that I will only support a resolution which is balanced and fair with regard to all segments of the budget and, most important, the public.●

RECESS

The SPEAKER. Pursuant to the order of the House of November 19, 1981, the Chair declares the House in recess until approximately the hour of 3:30 p.m.

Accordingly (at 2 o'clock and 30 minutes p.m.), the House stood in recess.

□ 1510

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 3 o'clock and 15 minutes p.m.

The SPEAKER. The gentleman from Massachusetts (Mr. CONTE) has 1 minute remaining.

Mr. CONTE. Mr. Speaker, if I could have the attention of the chairman, I wonder is there any possibility of asking unanimous consent to go for another 10 minutes, 5 minutes for the majority and 5 minutes for the minority?

Mr. WRIGHT. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Texas.

Mr. WRIGHT. Mr. Speaker, I had thought that we might ask unanimous consent for an additional 30 minutes to be equally divided, 15 minutes to the side.

Mr. CONTE. That would be great.

Mr. WRIGHT. I do, Mr. Speaker, if I am recognized for that purpose, ask unanimous consent that there may be an additional 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. CAMPBELL. Mr. Speaker, reserving the right to object, I reserve the right to object to inquire first as to whether the length of time of 30 minutes is not unduly long since we are in a procedural problem as to what is going to take place. Could we not accomplish the same thing with a shorter period of time and not prolong?

The SPEAKER. In the opinion of the Chair, we are going to be here for hours. I do not think a half hour makes that much difference.

Mr. CAMPBELL. Would it be all right if I inquired?

The SPEAKER. I would tell the Members of the House that they ought to be prepared for a long session into the same hours of the night and in the morning as we went yesterday, as I read it right now.

Mr. CAMPBELL. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that there may be allowed 20 additional minutes to be equally divided, 10 minutes to the side, on this motion.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. SENSENBRENNER. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that we proceed for 10 additional minutes.

I have so many requests on my side that I would ask for 5 minutes for the majority and 5 for the minority.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. DANNEMEYER).

Mr. DANNEMEYER. Mr. Speaker, I am privileged to represent in this Chamber one of the most famous tourist attractions of the world, Disneyland USA. When I came here 3 years ago I was firmly convinced that make-believe was at Anaheim, Disneyland, and this was reality. I can tell you my initial perception was all wrong. My friends, it is just the opposite. This is make-believe.

We are about to consider the adoption of a proposal that will fund the functions of the Central Government for 8 months. If we approve this proposal, what we are doing is abdicating our responsibility as Members of the 97th Congress to establish levels of spending for the programs essential to this country to the level of those spending levels which were adopted by the 90th, 91st, 92d, and all through the 96th Congresses.

□ 1520

Now, as for you, my friends, I am not about to do that. There was an election in November 1980 when the people of this country said they wanted a different direction. And I think we should give them that different direction. And how do we do it? We have a President downtown who has the courage of his convictions to say we must rein in irresponsible spending and the duration of the continuing resolution.

What really is at the bottom of this whole drill we are going through? It is very simple. The barons of the Congress of the United States are determined that this President will not have the ability to lower levels of spending by this Congress.

These barons say, "Who is he to suggest that the levels of spending should be lowered?" Why else would these barons want to remove from the President's consideration the review of appropriation bills which is his responsibility?

A proper duration for this continuing resolution would be 15 to 30 days. Anything beyond this short period is an effort to frustrate the efforts of a determined President to closely review individual appropriation bills and veto them where they exceed reasonable limits.

While the final version of the continuing resolution is economically unacceptable because it fails to make the additional budget cuts necessary for a sustained economic recovery effort, I will leave it to others to discuss the dollars and cents of the resolution. Rather, I speak in opposition not to concentrate on the contents of the resolution, but to discuss the fact that we are considering a continuing resolution and what this means for future economic policy.

Earlier this year it appeared that Congress was reluctantly doing what needed to be done for a long time—check the rate of increase of Federal spending. The perception was created that, albeit reluctantly, Congress could invoke some fiscal discipline with the help of a determined President and a vociferous public. Through the reconciliation process a total of $35 billion was cut from the fiscal year 1982 budget. It looked as though we were finally turning the corner—a process that began with the passage of the Budget and Impoundment Control Act of 1974. The new congressional budget process was supposed to reverse the pattern of bottom-up budgeting whereby the House and Senate considered individual spending decisions in isolation and hence without regard for the impact of the total level of spending on the national economy.

The budget and appropriations processes were supposed to work together. The two budget resolutions were designed to establish upper limits and the appropriations bills were to fit within the ceilings of the budget resolutions. In this manner, rational decisionmaking would produce a final product that took into account the overall economic picture as well as the perspective of narrow interests bent on more Federal spending.

Earlier this year the whole process seemed to come together for perhaps the first time. A first budget resolution was enacted that reflected the need for spending reductions in order to reduce Federal borrowing, and in turn the level of high interest rates. Reconciliation instructions from the first budget resolution produced a package of cuts to bring the budget in line with economic reality.

Since then, however, the process has slipped—and slipped badly. The second concurrent resolution on the budget for fiscal year 1982, the final binding ceiling on the aggregate budget, was supposed to have been passed by September 15, 1981. We are now standing a full 2 months and 6 days later—and no second budget resolution. Despite that fact, the House went ahead and passed all but two of the regular appropriations bills. These bills were considered and adopted as if we had never gone through the process earlier in the year of trying to come to grips with excessive Federal spending. The cart and the horse were reversed. The second budget resolution is now a paper tiger, at best. Rather than the appropriations bills reflecting the aggregate limits of the economic needs of the Nation, the second budget resolution will merely be the sum of the individual decisions already made to date. It will be merely a formality and nothing more than that—unless we seize upon its consideration as an opportunity make a statement about spending in fiscal years 1982, 1983, and 1984.

Now we come to the continuing resolution. For the third time in this calendar year, and for the second time in the short period elapsed to date in the new fiscal year, we are resorting to a mechanism that is supposed to be used sparingly and only as a stop-gap means of funding the Government. Yet we will fund all or most of the Government with this device for the third time in calendar year 1981. The use of continuing resolutions is a shameful exercise in economic brinksmanship. It represents the last ditch attempt of the big spenders in this institution who have yet to appreciate the need for less Federal spending, rather than more. The continuing resolution is a perversion of the legislative process. It makes the consideration of the regular appropriations bills academic. It locks in high rates of spending, if only for a short period of time. No matter, the damage will have been done.

Mr. Speaker, many Members of this institution are fond of falling back on the provisions of article I of the Constitution wherein the House of Representatives is given the "power of the purse." With power, comes responsibility. With responsibility comes the duty to exercise it in a prudent manner consistent with the national interest. Passage of this continuing appropriations resolution for a substantial period of time is a fiscally irresponsible act and a dereliction of duty.

The long-term implication results from the shifting of the process back to the days when spending was not properly restrained. The nature of the process helps to shape the outcome. Failure to pass, and abide by, a restrictive second budget resolution—and now both the content and consideration of this continuing resolution for fiscal year 1982 appropriations—reveals that the 1980 election and its mandate have failed to teach the old dog of Congress any new tricks.

Once again, we have yielded to the temptation to spend other people's money without regard for the consequences of that decision. And, once again, the economy and the Nation will suffer.

Mr. WHITTEN. Mr. Speaker, I yield 2 minutes to the majority leader, the gentleman from Texas (Mr. WRIGHT).

Mr. WRIGHT. Mr. Speaker, this is an unfortunate pass that we have come to. All of us who participated, even vicariously, in that conference are shocked and disappointed.

I have in my hands the signatures to the conference committee report. Every Senate Member of the conferees signed the conference committee report. All of them had every reason to believe that the President would sign it.

The President called and talked with me yesterday morning. He asked if I would help him to get a little bit more money for some of the critical, crucial needs of foreign operations. I talked with the gentleman from Mississippi (Mr. WHITTEN), to whom the President also had talked. Efforts were made to do what he requested.

In direct response to the President's request $500 million more was provided for the immediate foreign assistance needs that exist today. The House conferees stood ready, at one point, to raise that to $700 million.

Last night I was asked by a representative of the State Department if House conferees could not give a billion and a half more for foreign assistance. I said, "There is no way we could take that much more out of the domestic programs that already have suffered as much as they have. If the President were willing for the total cost of the bill to go up in order to accommodate that much more foreign aid, perhaps we could."

He called me back, after having talked with the White House, and said that would be all right, "You could raise the total if you wanted to put it all in foreign aid." That, apparently, was all right as recently as midnight.

And so today we are told that there is too much money being spent. That claim is as phoney as a $3 bill. It is just not true. There cannot be any honest apprehension on the part of the White House that there is too much money in this bill. The conference report that comes before us now, contains less than the Senate bill which the President reportedly was ready to sign. It is $427,875,510,000: That is $600 or $700 million less than the Senate bill of $428,465,319,000.

So I do not understand, unless the President simply wants the theatrics of bringing the Government to a halt. Well, let us not be parties to that.

If the gentleman from Illinois has a motion to recommit, I think he has the responsibility to place in that motion whatever it is that the President demands so that we can know exactly what he is insisting upon. And, absent that, I implore my colleagues to respect the integrity of this Chamber and of the Congress to the extent that we do not just absolutely surrender our total prerogatives, allowing the White House and David Stockman who, ironically, represents that our figures are not sufficiently believable, to dictate to us exactly what we may and may not do.

Never has that power lain with any President. Never has any President presumed to assert the right to tell Congress how much it may and may not spend on each line item. The Constitution clearly preserves that for the Congress of the United States. The very first article of the first section of the Constitution preserves those rights to the Congress of the United States.

Now, we have fulfilled those rights in good faith. We in the House have passed 12 of the 13 regular appropriations bills and have waited only for the President to give us some indication as to what he wants on the 13th. That one is the foreign assistance bill.

Eight of those appropriations bills that have been passed by this House have been awaiting action in the Senate for more than 3 months—more than 3 months. Three of them have been awaiting action for more than 2 months. How can the President imply, then, that we in the House have been less than responsible?

The total spending authorized by those bills comes to some $3.5 billion less than the amount that was requested of us for those exact functions by the President last March.

What does he demand? He has not told us wherein he finds these figures in this bill unacceptable to him. Would he not be willing to allow this bill to go into effect, that being the manifest will of the Senate, as well as the House, for a period of time that preserves the Government from falling over the precipice?

If we had other figures, if we knew what the President would accept, perhaps we could consider them. And I think the minority leader has that responsibility if he offers a motion to recommit. In the absence of such information, we have no honorable choice but to support the product of the conference.

Mr. CONTE. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. MICHEL).

Mr. MICHEL. Mr. Speaker, if I might engage the distinguished chairman of the committee in a simple exchange here, as the gentleman knows, I would be prepared to offer a straight motion to recommit. There have been those who have inquired why it would not be with instructions of some sort, to bail us out of this situation.

We have a scope problem here, if we were to take the current continuing resolution and extend it for 15 days. We also have a scope problem if we were to take the resolution that has been before us today and extend it for 15 days. That could be obviated, however, if the motion to recommit would prevail. The committee would go back and, of course, then we would have to fashion a rule quickly. That takes two-thirds, and I know there would be little notice, but it could be done.

I would like to ask the distinguished chairman of the committee what his feelings are on a short-range extension?

□ 1530

Mr. WHITTEN. May I say to my colleague, the minority leader, with whom I have worked very closely through the years, I speak from my heart when I say that the most serious thing facing me and facing us, in my opinion, is the executive branch and the legislative branch getting at loggerheads. I am talking about not this particular action, but just getting to where we are completely at cross purposes.

If we can prevent that, I think we render a great service.

I was asked just a moment ago by one of my colleagues from Tennessee about the possibility of extending the resolution now before us and changing the date of July 15 to a short period while we find out what the objection is. I am serious when I say if we can prevent a complete breakdown between the executive and the legislative, I think we will render a great public service.

If the Speaker saw fit to have a brief recess, where I could talk to the leadership on this side and see what they thought about it, I think it is worth considering.

Offhand I am not in any shape to say yes or no, but it does offer some possibility of perhaps preventing what looks like a complete stalemate between the executive and the legislative. I do not know whether the Speaker will see fit to have a short recess while we discuss other alternatives.

Mr. CONTE. Mr. Speaker, I want to ask my chairman a question.

I do not feel that there is a scope problem. We could offer a motion to recommit for a continuing resolution to a date certain, December 15. As I see it, under amendment 71, section 140, it says:

> Notwithstanding any other provision of this joint resolution, this resolution, other than section 101, 142, 144, shall expire on March 30, 1982.

Therefore, that is standing there naked and it would be in order to amend that to make it December 15 or December 18, 1981.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Mississippi.

Mr. WHITTEN. What I was saying and I should not take the view of ruling it out but other alternatives are possible.

Mr. WRIGHT. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Texas.

Mr. WRIGHT. I thank the gentleman for yielding.

My suggestion of a moment ago that we ought to have some instructions in the motion to recommit does not deal with the date. It is not a question of the date, it is a question of the substance. What is it that the President wants us to do?

Mr. CONTE. I would like to get from my chairman whether he feels—and I know there is no one that knows more about parliamentary rules than the gentleman from Mississippi, being here 40 years—it would be in order to have a motion to recommit with instructions to make the continuing resolution until December 15?

Mr. WHITTEN. In the first place, the gentleman is asking me about the rules. I am not an expert on the rules, but I presume any motion to recommit with instructions could go to any part of the instrument we are dealing with.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Illinois.

Mr. YATES. The gentleman was in the conference. The gentleman was one of the leaders to get the conference report signed. Everybody followed the gentleman's leadership. Why does the gentleman want a change at this time? What is it that the President wants? Nobody knows what he wants.

Mr. CONTE. Listen, I spoke on my feelings on this conference report and they have not changed a bit. But I think that we should know, and now I ask, in view of the fact that I did not get an answer, Mr. Speaker, I ask a parliamentary inquiry.

PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman from Massachusetts (Mr. CONTE) will state his parliamentary inquiry.

Mr. CONTE. Mr. Speaker, the parliamentary inquiry is that on a motion to recommit can the date for the continuing resolution, the expiration date of July 15, be changed to an earlier date before July 15?

The SPEAKER. That motion could only be considered by unanimous request because it would not be within the scope of the differences between the two Houses which have been committed to conference regarding termination dates.

Mr. CONTE. I thank the Chair. That is the answer I want.

Mr. WHITTEN. Mr. Speaker, I do not feel that I could recommend that. I would be glad to discuss it if we had a brief recess but the Members do not seem to wish that. I personally would not be in a position to agree.

Mr. DAUB. Mr. Speaker, I rise today in vigorous opposition to the proposal included in the conference report on the continuing resolution which would give the Members of this body a raise in pay.

How can we ask our constituents to sacrifice for the good of a Nation—while—at the same time we raise our salaries. This proposal amounts to a cynical confidence trick on the American taxpayer.

Mr. Speaker, the power of this body to enrich its Members at public expense is an awesome one. When this power is exercised—the issue ought to be faced squarely, and publicly—not as it is presented here today, buried in the back pages of a budget document filled with the real issues of the day.

I recognize the gravity of the situation we find ourselves in today. The funding deadline draws dangerously near. How easy it would be to take advantage of this situation—which, frankly, we have created—and hide behind the budget deadline while voting our personal wallets—rather than the public will.

Mr. WHITTEN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

MOTION TO RECOMMIT OFFERED BY MR. MICHEL

Mr. MICHEL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the conference report?

Mr. MICHEL. I am, Mr. Speaker.

The SPEAKER. Did the gentleman sign the report?

Mr. MICHEL. The gentleman did not have a chance to.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. MICHEL moves to recommit the conference report on the joint resolution, House Joint Resolution 357, to the committee of conference.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes appeared to have it.

RECORDED VOTE

Mr. MICHEL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 184, noes 215, not voting 34, as follows:

[ROLL No. 332]

AYES—184

Archer	Evans (IA)	Martin (IL)
Ashbrook	Fenwick	Martin (NC)
Atkinson	Fiedler	Martin (NY)
Badham	Fields	McClory
Bafalis	Findley	McCollum
Bailey (MO)	Fish	McDade
Beard	Forsythe	McDonald
Benedict	Frenzel	McEwen
Bereuter	Gilman	McGrath
Bethune	Gingrich	McKinney
Bliley	Goodling	Michel
Broomfield	Gradison	Miller (OH)
Brown (CO)	Gramm	Mitchell (NY)
Brown (OH)	Green	Molinari
Broyhill	Gregg	Moore
Burgener	Grisham	Moorhead
Butler	Gunderson	Morrison
Campbell	Hall, Ralph	Mottl
Carman	Hammerschmidt	Napier
Carney	Hansen (UT)	Nelligan
Chappie	Hartnett	O'Brien
Cheney	Heckler	Oxley
Clausen	Hendon	Parris
Clinger	Hiler	Pashayan
Coats	Hollenbeck	Petri
Coleman	Holt	Pickle
Collins (TX)	Hopkins	Porter
Conable	Horton	Pritchard
Conte	Hunter	Pursell
Corcoran	Hyde	Quillen
Coughlin	Ireland	Railsback
Courter	Jeffords	Regula
Coyne, James	Jeffries	Rhodes
Craig	Johnston	Rinaldo
Crane, Philip	Kemp	Ritter
Daniel, R. W.	Kindness	Roberts (KS)
Dannemeyer	Kramer	Roberts (SD)
Daub	Lagomarsino	Robinson
Davis	Latta	Roemer
Deckard	Leach	Rogers
DeNardis	LeBoutillier	Roukema
Derwinski	Lee	Rousselot
Dickinson	Lent	Rudd
Dougherty	Lewis	Sawyer
Dreier	Livingston	Schneider
Dunn	Loeffler	Schulze
Edwards (AL)	Lott	Sensenbrenner
Edwards (OK)	Lowery (CA)	Shaw
Emerson	Lujan	Shelby
Emery	Lungren	Shumway
Erdahl	Marks	Shuster
Erlenborn	Marlenee	Siljander
Evans (DE)	Marriott	Skeen
Smith (AL)	Stanton	Whitehurst
Smith (NE)	Staton	Whittaker
Smith (NJ)	Stump	Wolf
Smith (OR)	Taylor	Wortley
Snowe	Thomas	Wylie
Snyder	Trible	Young (AK)
Solomon	Walker	Young (FL)
Spence	Weber (MN)	
Stangeland	Weber (OH)	

NOES—215

Addabbo	Foglietta	Nelson
Akaka	Foley	Nichols
Albosta	Ford (MI)	Nowak
Alexander	Ford (TN)	Oakar
Anderson	Fountain	Oberstar
Andrews	Fowler	Obey
Annunzio	Frank	Ottinger
Anthony	Frost	Panetta
Applegate	Garcia	Patman
Bailey (PA)	Gaydos	Patterson
Barnard	Gejdenson	Pease
Barnes	Gephardt	Pepper
Bedell	Gibbons	Perkins
Beilenson	Ginn	Peyser
Benjamin	Glickman	Price
Bennett	Gonzalez	Rahall
Bevill	Gore	Rangel
Bingham	Gray	Ratchford
Blanchard	Guarini	Richmond
Boggs	Hall (OH)	Rodino
Boland	Hall, Sam	Roe
Boner	Hamilton	Rosenthal
Bonior	Hance	Rostenkowski
Bonker	Harkin	Roybal
Bouquard	Hatcher	Russo
Bowen	Hawkins	Sabo
Breaux	Hefner	Savage
Brinkley	Heftel	Scheuer
Brodhead	Hertel	Schroeder
Brooks	Hightower	Schumer
Brown (CA)	Holland	Seiberling
Burton, John	Howard	Shamansky
Byron	Hoyer	Shannon
Chappell	Hubbard	Sharp
Clay	Huckaby	Skelton
Coelho	Hutto	Smith (IA)
Collins (IL)	Jacobs	Smith (PA)
Conyers	Jenkins	Solarz
Coyne, William	Jones (TN)	St Germain
Crockett	Kastenmeier	Stark
D'Amours	Kazen	Stenholm
Daniel, Dan	Kildee	Stokes
Danielson	Kogovsek	Stratton
Daschle	LaFalce	Studds
de la Garza	Leath	Swift
Dellums	Lehman	Synar
Derrick	Leland	Tauzin
Dicks	Levitas	Traxler
Dingell	Long (LA)	Udall
Dixon	Long (MD)	Vento
Donnelly	Lowry (WA)	Volkmer
Dorgan	Luken	Walgren
Dowdy	Lundine	Washington
Downey	Markey	Watkins
Dwyer	Matsui	Waxman
Dymally	Mavroules	Weaver
Dyson	Mazzoli	Weiss
Early	McCurdy	White
Eckart	McHugh	Whitley
Edgar	Mica	Whitten
Edwards (CA)	Mikulski	Williams (MT)
English	Miller (CA)	Wilson
Ertel	Mineta	Wirth
Evans (GA)	Minish	Wolpe
Evans (IN)	Mitchell (MD)	Wright
Fary	Moakley	Wyden
Fascell	Moffett	Yates
Fazio	Montgomery	Yatron
Ferraro	Murphy	Young (MO)
Fithian	Murtha	Zablocki
Flippo	Natcher	Zeferetti
Florio	Neal	

NOT VOTING—34

Aspin	Hansen (ID)	Reuss
Aucoin	Hillis	Rose
Biaggi	Hughes	Roth
Bolling	Jones (NC)	Santini
Burton, Phillip	Jones (OK)	Simon
Chisholm	Lantos	Tauke
Crane, Daniel	Madigan	Vander Jagt
Dornan	Mattox	Wampler
Duncan	McCloskey	Williams (OH)
Fuqua	Mollohan	Winn
Goldwater	Myers	
Hagedorn	Paul	

□ 1550

The Clerk announced the following pairs:

On this vote:

Mr. Vander Jagt for, with Mr. Biaggi against.

Mr. Madigan for, with Mr. Mollohan against.

Mr. Myers for, with Mr. Lantos against.

Mr. Paul for, with Mr. AuCoin against.

Mr. Wampler for, with Mr. Mattox against.

Mr. Winn for, with Mrs. Chisholm against.

Until further notice:

Mr. Reuss with Mr. Phillip Burton.

Mr. Jones of Oklahoma with Mr. Simon.

Mr. Fuqua with Mr. Santini.

Mr. Hughes with Mr. Aspin.

Mr. Rose with Mr. Jones of North Carolina.

Mr. HEFTEL changed his vote from "aye" to "no."

Mr. YOUNG of Alaska changed his vote from "no" to "aye."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the conference report.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. LOTT. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 205, nays 194, answered "present" 1, not voting 33, as follows:

[Roll No. 333]

YEAS—205

Addabbo	Daschle	Gephardt
Akaka	de la Garza	Gibbons
Albosta	Dellums	Ginn
Alexander	Derrick	Glickman
Anderson	Dicks	Gonzalez
Andrews	Dingell	Gore
Annunzio	Dixon	Gray
Anthony	Donnelly	Guarini
Bailey (PA)	Dorgan	Hall (OH)
Barnard	Dougherty	Harkin
Barnes	Dowdy	Hatcher
Bedell	Downey	Hefner
Beilenson	Dwyer	Heftel
Benjamin	Dymally	Hertel
Bevill	Dyson	Hightower
Bingham	Early	Holland
Blanchard	Eckart	Howard
Boggs	Edgar	Hoyer
Boland	Edwards (AL)	Hutto
Boner	Edwards (CA)	Jacobs
Bonior	Ertel	Jeffords
Bonker	Evans (GA)	Jenkins
Bouquard	Evans (IN)	Jones (TN)
Bowen	Fary	Kastenmeier
Breaux	Fascell	Kazen
Brinkley	Fazio	Kildee
Brodhead	Ferraro	Kogovsek
Brooks	Fithian	LaFalce
Brown (CA)	Flippo	Lehman
Burton, John	Florio	Leland
Byron	Foglietta	Levitas
Clay	Foley	Long (LA)
Coelho	Ford (MI)	Long (MD)
Collins (IL)	Ford (TN)	Lowry (WA)
Conte	Fountain	Luken
Conyers	Fowler	Lundine
Coughlin	Frank	Markey
Coyne, William	Frost	Matsui
Crockett	Garcia	Mavroules
D'Amours	Gaydos	Mazzoli
Danielson	Gejdenson	McDade

McHugh	Price	Swift
Mica	Rahall	Synar
Mikulski	Railsback	Traxler
Miller (CA)	Rangel	Udall
Mineta	Ratchford	Vento
Minish	Richmond	Volkmer
Moakley	Robinson	Walgren
Moffett	Rodino	Washington
Murphy	Roe	Watkins
Murtha	Rosenthal	Waxman
Natcher	Rostenkowski	Weaver
Neal	Roybal	Weiss
Nelligan	Sabo	White
Nelson	Scheuer	Whitley
Nichols	Schroeder	Whitten
Nowak	Schumer	Williams (MT)
Oakar	Seiberling	Wilson
Oberstar	Shamansky	Wirth
Obey	Shannon	Wolpe
Ottinger	Skelton	Wright
Panetta	Smith (IA)	Wyden
Parris	Smith (PA)	Yates
Patman	Solarz	Yatron
Patterson	St Germain	Young (MO)
Pease	Stark	Zablocki
Pepper	Stokes	Zeferetti
Perkins	Stratton	
Peyser	Studds	

NAYS—194

Applegate	Gradison	Morrison
Archer	Gramm	Mottl
Ashbrook	Green	Napier
Atkinson	Gregg	O'Brien
Badham	Grisham	Oxley
Bafalis	Gunderson	Pashayan
Bailey (MO)	Hall, Ralph	Petri
Beard	Hall, Sam	Pickle
Benedict	Hamilton	Porter
Bennett	Hammerschmidt	Pritchard
Bereuter	Hance	Pursell
Bethune	Hansen (UT)	Quillen
Bliley	Hartnett	Regula
Broomfield	Heckler	Rhodes
Brown (CO)	Hendon	Rinaldo
Brown (OH)	Hiler	Ritter
Broyhill	Hollenbeck	Roberts (KS)
Burgener	Holt	Roberts (SD)
Butler	Hopkins	Roemer
Campbell	Horton	Rogers
Carman	Hubbard	Roukema
Carney	Huckaby	Rousselot
Chappell	Hunter	Rudd
Chappie	Hyde	Russo
Cheney	Ireland	Savage
Clausen	Jeffries	Sawyer
Clinger	Johnston	Schneider
Coats	Kemp	Schulze
Coleman	Kindness	Sensenbrenner
Collins (TX)	Kramer	Sharp
Conable	Lagomarsino	Shaw
Corcoran	Latta	Shelby
Courter	Leach	Shumway
Coyne, James	Leath	Shuster
Craig	LeBoutillier	Siljander
Crane, Philip	Lee	Skeen
Daniel, Dan	Lent	Smith (AL)
Daniel, R. W.	Lewis	Smith (NE)
Dannemeyer	Livingston	Smith (NJ)
Daub	Loeffler	Smith (OR)
Davis	Lott	Snowe
Deckard	Lowery (CA)	Snyder
DeNardis	Lujan	Solomon
Derwinski	Lungren	Spence
Dickinson	Marks	Stangeland
Dreier	Marlenee	Stanton
Dunn	Marriott	Staton
Edwards (OK)	Martin (IL)	Stenholm
Emerson	Martin (NC)	Stump
Emery	Martin (NY)	Tauzin
English	McClory	Taylor
Erdahl	McCollum	Thomas
Erlenborn	McCurdy	Trible
Evans (DE)	McDonald	Vander Jagt
Evans (IA)	McEwen	Walker
Fenwick	McGrath	Weber (MN)
Fiedler	McKinney	Weber (OH)
Fields	Michel	Whitehurst
Findley	Miller (OH)	Whittaker
Fish	Mitchell (MD)	Wolf
Forsythe	Mitchell (NY)	Wortley
Frenzel	Molinari	Wylie
Gilman	Montgomery	Young (AK)
Gingrich	Moore	Young (FL)
Goodling	Moorhead	

ANSWERED "PRESENT"—1

Hawkins

NOT VOTING—33

Aspin	Hagedorn	Myers
AuCoin	Hansen (ID)	Paul
Biaggi	Hillis	Reuss
Bolling	Hughes	Rose
Burton, Phillip	Jones (NC)	Roth
Chisholm	Jones (OK)	Santini
Crane, Daniel	Lantos	Simon
Dornan	Madigan	Tauke
Duncan	Mattox	Wampler
Fuqua	McCloskey	Williams (OH)
Goldwater	Mollohan	Winn

□ 1600

The Clerk announced the following pairs:

On this vote:

Mr. Lantos for, with Mr. Hughes against.

Mr. Biaggi for, with Mr. Daniel B. Crane against.

Mr. AuCoin for, with Mr. Duncan against.

Mrs. Chisholm for, with Mr. Hagedorn against.

Mr. Mollohan for, with Mr. Myers against.

Mr. Mattox for, with Mr. Roth against.

Until further notice:

Mr. Reuss with Mr. Phillip Burton.

Mr. Santini with Mr. Fuqua.

Mr. Rose with Mr. Jones of North Carolina.

Mr. Simon with Mr. Aspin.

Mr. EMERY changed his vote from "yea" to "nay."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENTS IN DISAGREEMENT

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 11: Page 3, line 16, strike out all after "House" down to and including "1981" in line 22.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 11 and concur therein with an amendment, as follows: In lieu of the matter stricken by said amendment, insert the following: ": *Provided further*, That, in addition to the sums otherwise made available by this paragraph the following additional sums are hereby appropriated:

"for low income home energy assistance program, $140,000,000;

"for the foster care program authorized by title IV of the Social Security Act, $75,000,000: *Provided*, That the provisions contained in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriation Act for Fiscal Year 1982 (H.R. 4560), as reported by the Senate Committee on Appropriations on November 9, 1981, related to a limitation on entitlement to payments under parts A and E of title IV of the Social Security Act and transfer of funds under parts B and E of such title (contained in H.R. 4560 as so reported beginning with "provided" on page 39, line 17, and ending on page 40, line 8) shall not be applicable with respect to any sums appropriated pursuant to this joint resolution;

"for the family medicine residency training programs authorized by section 786 of the Public Health Service Act, $10,000,000;

"for the Community Services Block Grant, $62,552,000;

"for the State Block Grant authorized by chapter 2 of the Education Consolidation and Improvement Act of 1981, $140,000,000: *Provided further*, That the College Housing Loan Program shall operate under the terms and conditions as contained in H.R. 4560 as passed the House October 6, 1981, except that the gross commitments for the principal amount of direct loans shall not exceed $75,000,000".

Mr. WHITTEN (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, I want to make certain that I clearly understand the final decisions regarding child welfare and foster care payments in the continuing resolution. It is my understanding that the Senate receded to the House and agreed to maintain the provisions in Public Law 96-272, the Adoption Assistance and Child Welfare Act of 1980, regarding titles IV-B and IV-E. This means that the Senate language which put a cap on foster care, far below the reconciliation provisions, and made changes in the allocation formula and the requirements for transfer of funds were dropped, and the House provisions prevailed. Specifically this means:

First. An appropriation for title IV-B, child welfare services, of $163.5 million;

Second. Funds for titles IV-A/E of $246 million with the entitlement language retained; and

Third. Funding for adoption assistance of $5 million with entitlement language.

This final agreement maintains the flexibility in Public Law 96-272 and protects implementation of the changes in the child welfare system which Congress worked on for 5 years. These changes have already proven cost effective in demonstration projects conducted at the State and local levels and have supported the basic premise in Public Law 96-272 that the provision of specified services can reduce the need for costly out-of-home care for dependent, neglected, and abused children.

The provisions in this law have been reaffirmed many times by Congress: In the overwhelming vote for final passage, in approval of the full appropriation for the law in 1981, and in fully protecting the law and its funding levels in the Omnibus Reconciliation Act. I am pleased that once again

Congress has reaffirmed its commitment to this important piece of legislation by protecting the law in the continuing resolution.

□ 1610

And we overcame that on our bill that we passed in 1980?

Mr. WHITTEN. We did, yes.

Mr. ROUSSELOT. So in this conference we are not changing our 1980 law on foster care; is that correct?

Mr. WHITTEN. That is correct.

Mr. ROUSSELOT. Did the conferees also remove the cap?

Mr. WHITTEN. That will be done.

Mr. ROUSSELOT. Mr. Speaker, I thank the gentleman from Mississippi (Mr. WHITTEN), and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Mississippi (Mr. WHITTEN).

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 15: Page 4, strike out all after line 19 over to and including line 4 on page 5 and insert:

"Such amounts as may be necessary for projects or activities provided for in the Foreign Assistance and Related Programs Appropriations Act, 1982, at a rate for operations and to the extent and in the manner as provided for in such Act as passed the Senate on November 17, 1981, as if such Act had been enacted into law, notwithstanding section 10 of Public Law 91-672, and section 15(a) of the State Department Basic Authorities Act of 1956."

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 15 and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert the following:

"(b) Such amounts as may be necessary for continuing programs and activities, not otherwise provided for, which were conducted in the fiscal year 1981, for which provision was made in section 101(b) of Public Law 96-536 regarding foreign assistance and related programs, notwithstanding section 10 of Public Law 91-672, and section 15(a) of the State Department Basic Authorities Act of 1956, at a rate for operations not in excess of the current rate or the rate provided for in the budget estimate, whichever is lower, and under the more restrictive authority: *Provided,* That the following additional sums are hereby appropriated: $300,000,000 for Foreign Military Credit Sales, $100,000,000 for the Economic Support Fund, and $100,000,000 for the Export-Import Bank of the United States."

Mr. WHITTEN (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. LONG of Maryland. Mr. Speaker, this amendment restores the House position on foreign assistance programs, which passed the House at a spending rate of either the current level, or the budget request, whichever is lower.

This approach results in probably the lowest spending level that is reasonably possible.

In addition to maintaining the House position the amendment adds $500 million—$300 million for critically needed military assistance programs, $100 million for the Economic Support Fund, and $100 million for the Export-Import Bank.

I did not support this amendment in conference, but rather supported the approach of the chairman of the committee, Mr. WHITTEN. His approach, which I understand was at the request of the President, was to provide the entire $500 million for critically and urgently needed security assistance needs.

However, a majority of the House conferees preferred the amendment that is now before the House. In an effort to compromise I would urge that the amendment be adopted. The amendment can take care of the immediate security assistance needs of such countries as Egypt, Sudan, Turkey, Portugal, and others on a temporary basis until a regular bill is enacted. I believe that a large majority of conferees on both sides of the aisle and in both bodies believe this is an absolute minimum.

Mr. Speaker, even if this amendment is adopted, it will fall far short of the funds which the administration and the other body think are absolutely necessary for the conduct of U.S. foreign policy and support of the Export-Import Bank.

And frankly, I believe these low levels are our best assurances for bringing a foreign assistance bill to the House floor for consideration. During the last 2 days, the chairman of the committee has received specific assurances from the House leadership that a foreign assistance bill will be called up during the time we are in session in December.

This will give the administration time to do the things that are absolutely necessary to secure vital support for the bill from this side of the aisle.

Mr. Speaker, a foreign assistance bill did not come to the House floor last year and thus far has not been scheduled this year. These events have placed the other body in an understandably difficult and frustrating position.

In large part because of this frustration the other body passed the foreign assistance appropriation bill, an act which contravened longstanding practices and constitutional interpretations and an act which I totally oppose. However, I do understand why they did this.

We need a regular Foreign Assistance Appropriations Act—one that is fully debated and open to amendment in both bodies. I intend to do everything I can to achieve this and I hope I will be joined in this by my colleagues on both sides of the aisle in both bodies and by the administration whose active work and support will be essential.

The SPEAKER. The question is on the motion offered by the gentleman from Mississippi (Mr. WHITTEN).

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 29: Page 6, line 15, after "law" insert:

"(44) Notwithstanding any other provision of this Act, including any other provision of this title, any agency may, before December 31, 1981, transfer to salaries and expenses from other sources made available to it by this Act, such amounts as may be required if the aggregate amount available for salaries and expenses, after such transfer, does not exceed the amount contained for such purposes in this Act before the application of the changes contained in title V: *Provided,* That such transfers shall be subject to the approval of the Committees on Appropriations."

Mr. WHITTEN (during the reading). Mr. Speaker, I ask unanimous consent that the amendent be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN Moves that the House recede from its disagreement to the amendment of the Senate numbered 29 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert the following:

(40) Notwithstanding any other provision of this Act, including any other provision of this title, any agency may before December 31, 1981, transfer to salaries and expenses from other sources made available to it by this Act, such amounts as may be required if the aggregate amount available for salaries and expenses, after such transfer, does not exceed the amount contained for such purposes in this Act before the application of the changes contained in title V: *Provided,* That such transfers shall be subject to the approval of the Committees on Appropriations: *Provided further,* That in the Department of Housing and Urban Development not to exceed (1) $34,000,000 shall be available for data processing services, (2) 12 full-time permanent positions and 16 staff years shall be available for the Immediate Office of the Assistant Secretary for Administra-

tion, and (3) 26 full-time permanent positions and 27 staff years shall be available for the Office of the Assistant Secretary for Legislation and Congressional Relations: *Provided further*, That in the National Aeronautics and Space Administration not to exceed (1) 150 full-time permanent positions shall be available for the Office of the Comptroller and (2) 120 full-time permanent positions shall be available for the Office of External Relations: *Provided further*, That in the Veterans' Administration not to exceed (1) $1,500,000 shall be available for the Office of Planning and Program Evaluation and (2) 649 staff years shall be available for the Supply Service.

Mr. WHITTEN (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 32: Page 7, strike out lines 7 to 15, inclusive.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 32 and concur therein with an amendment, as follows: Restore the matter striken by said amendment, amended to change section "(i)" as follows: "(ii)".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 37: Page 7, after line 24, insert:

(l) Notwithstanding those provisions of section 305 of H.R. 4120 made applicable by subsection (k) of this section, nothing in such provisions shall (or shall be construed to) require that the rate of salary or basic pay, payable to any individual for or on account of services performed after November 30, 1981, be limited or reduced to an amount which is less than—

(A) $59,500.00, in case such individual has an office or position the salary or pay for which is (I) fixed at a rate which is equal to or greater than the rate of basic pay for level III of the Executive Schedule under section 5314 of title 5, United States Code, or (II) limited to a maximum rate which is equal to or greater than the rate of basic pay for such level III (or to a percentage of such maximum rate) by reason of any provision of law (other than any of the provisions of section 305 of H.R. 4120 made applicable by subsection (k) of this section) or congressional resolution:

(B) $58,500.00, in case such individual has an office or position the salary or pay for which is (I) fixed at a rate which is equal to or greater than the rate of basic pay for level IV of the Executive Schedule under section 5315 of title 5, United States Code, or (II) limited to a maxmum rate which is equal to or greater than the rate of basic pay for such level IV (or to a percentage of such maximum rate) by reason of any provision of law (other than any of the provisions of section 305 of H.R. 4120 made applicable by subsection (k) of this section) or congressional resolution; or

(C) $57,500.00, in case such individual has an office or position the salary or pay for which is (I) fixed at a rate which is equal to or greater than the rate of basic pay for level V of the Executive Schedule under section 5316 of title 5, United States Code, or (II) limited to a maximum rate which is equal to or greater than the rate of basis pay for such level V (or to a percentage of such a maximum rate) by reason of section 5308 of title 5, United States Code, or any provision of law (other than any of the provisions of section 305 of H.R. 4120 made applicable by subsection (k) of this section) or congressional resolution.

Mr. WHITTEN (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

MOTION OFFERED BY MR. FAZIO

Mr. FAZIO. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FAZIO moves that the House insist on its disagreement to the amendment of the Senate numbered 37.

The SPEAKER. The question is on the motion offered by the gentleman from California (Mr. FAZIO). All those in favor say "aye," opposed "no."

The ayes have it. The motion is agreed to.

The Clerk will report the next amendment in disagreement.

Mr. CONTE. Mr. Speaker, I have a motion at the desk. I have a motion. I was standing, Mr. Speaker.

The SPEAKER. To what amendment does the gentleman have a motion?

Mr. CONTE. Senate amendment No. 37.

The SPEAKER. The Chair will state that the House has already disposed of that amendment.

Mr. CONTE. I was standing here seeking recognition, Mr. Speaker.

Mr. Speaker, what was the decision?

The SPEAKER. The gentleman may have been standing, but he was not seeking recognition, in the opinion of the Chair.

Mr. CONTE. What was the outcome of that, Mr. Speaker?

The SPEAKER. Senate amendment No. 37 was disagreed to.

Mr. CONTE. And I was standing with a motion, Mr. Speaker.

The SPEAKER. The Chair recognized that there were three or four others standing, and the gentleman was in a conversation with one of his colleagues, and was not asking for recognition.

Mr. CONTE. Mr. Speaker, I am sorry about that.

The SPEAKER. Well, the Chair is sorry.

The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 39: Page 9, after line 5, insert:

SEC. 108. Notwithstanding any other provision of this joint resolution, $869,240,000 is appropriated under this joint resolution for payment to the Postal Service Fund, of which $230,000,000 shall be available for public service costs and $639,240,000 shall be available for revenue foregone on free and reduced rate mail, of which $20,000,000 shall be available for revenue foregone under section 3626 of title 39, United States Code, with respect to the rates of postage for any class of mail or kinds of mailer under former sections 4358, 4554(b), and 4554(c) of such title.

Mr. WHITTEN (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. ASHBROOK. Mr. Speaker, I object. If we do not know what is going on here, I object.

The SPEAKER. Objection is heard. The Clerk will read the amendment.

The Chair understands that the reading of the amendment has been completed, and the Chair recognizes the gentleman from Mississippi (Mr. WHITTEN) for a motion.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 39 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following:

"SEC. 108. Notwithstanding any other provision of this joint resolution, except sec. 140, $869,240,000 is appropriated under this joint resolution for payment to the Postal Service Fund, of which $230,000,000 shall be available for public service costs and $639,240,000 shall be available for revenue forgone on free and reduced rate mail.

"Notwithstanding any other provision of law, the Postal Service shall promptly adjust preferred rates so as to recover the difference between the amount which would have been authorized to be appropriated under section 2401(c) of title 39, United States Code had this provision not been enacted, and the $639,240,000 hereby appropriated. Such adjustments shall be made in accordance with the following subsections.

"(a) As provided in Section 1723 of the Omnibus Budget Reconciliation Act of August 13, 1981, the first $104,000,000 of the difference in appropriations is to be recovered by adjustment of the rates for the class of mail under former sections 4452(b) and 4452(c) of title 39, United States Code.

"(b) $56,760,000 is to be recovered through proportional adjustment based on the remaining phasing appropriation for any class of mail sent at a free or reduced rate under section 3217 or section 3626 of title 39, under the Federal Voting Assistance Act of 1955 or under the Overseas Citizens Voting Rights Act of 1975.

"(c) The adjustments made under subsections (a) and (b) shall be further adjusted so that $20,000,000 is applied to lessen the adjustment under subsection (b) for any class of mail or kind of mailer under former sections 4358, 4554(b), and 4554(c) of title 39, United States Code."

Mr. WHITTEN (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 40: Page 9, after line 5, insert:

SEC. 109. No funds made available pursuant to this joint resolution may be used to accomplish or implement a proposed reorganization of the Bureau of Alcohol, Tobacco and Firearms before March 15, 1982. Such reorganization plan may be implemented after March 15, 1982, unless disapproved by the House and Senate Committees on Appropriations.

Mr. WHITTEN (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mrs. FENWICK. Mr. Speaker, I object. We cannot hear the amendment. We do not know what it is.

The SPEAKER. The Clerk will continue to read the amendment.

The Clerk concluded the reading of the amendment.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 40 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following:

"SEC. 109. No funds made available pursuant to this continuing resolution may be used to accomplish or implement a proposed reorganization of the Bureau of Alcohol, Tobacco and Firearms before March 30, 1982. Such reorganization plan may be implemented after March 30, 1982, unless disapproved by the House and Senate Committees on Appropriations: *Provided further*, That of the funds made available by this Continuing Resolution for the Bureau of Alcohol, Tobacco and Firearms, $15,000,000 shall be available solely for the enforcement of the Federal Alcohol Administration Act during fiscal year 1982."

Mr. WHITTEN (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 43: Page 9, after line 5, insert:

SEC. 112. (a) None of the funds appropriated by this Act may be used to—

(1) enforce Revenue Ruling 81-216 or the proposed amendments to Income Tax Regulations § 1.103-7 and § 1.103-10 which were published in the Federal Register on October 8, 1981, or

(2) propose, promulgate, or enforce any ruling or regulation reaching the same result as, or a result similar to, such Revenue Ruling or Regulations, in connection with a qualified issue, or

(3) issue rulings or regulations which treat as exempt from taxation under section 103(b)(6) of the Internal Revenue Code of 1954 any interest earned on an obligation the proceeds of which are used for a disqualified facility.

(b)(1) For purposes of subsection (a), the term "qualified issue" means a single issue (whether or not part of a composite or multiple series of issues)—

(A) all of the obligations of which are directly or indirectly guaranteed or secured by—

(i) a State or political subdivision thereof or an instrumentality of either, or

(ii) in the case of an issue all of the proceeds of which are used for agricultural purposes, a qualified person (within the meaning of section 46(c)(8)(D) of the Internal Revenue Code of 1954 determined without regard to clauses (iii) and (iv) thereof), and

(B) none of the proceeds of which are used in connection with a disqualified facility or a facility with respect to which, at any time before January 1, 1987—

(i) any disqualified person used more than 5 percent of the facilty, or

(ii) more than 25 percent of the facility is (in the aggregate) used by disqualified persons.

For purposes of subparagraph (B), use by a related person (within the meaning of section 103(b)(6)(C) of such Code) shall be treated as use by the disqualified person.

(2)(A) For purposes of paragraph (1), the term "disqualified person" means a person (other than an exempt person within the meaning of section 103(b)(3) of such Code) which has aggregate capital expenditures for any purpose which, for the period beginning October 1, 1979, and ending September 30, 1982, exceed $25,000,000.

(B) For purposes of determining the aggregate capital expenditures of any person under subparagraph (A), there shall be taken into account the capital expenditures of all persons which are—

(i) related persons (within the meaning of section 103(b)(6)(C) of such Code) with respect to such person; or

(ii) guarantors of any portion of the issue with respect to which a determination is being made under this subsection other than a guarantor which—

(I) is a State or a political subdivision thereof or an instrumentality of either, or

(II) in the case of an issue all of the proceeds of which are used for agricultural purposes, a person described in paragraph (1)(A)(ii).

(C) For purposes of this paragraph, the term "capital expenditures" has the meaning given such term by section 103(b)(6)(D) of such Code, except that such term shall not include any amount paid or incurred by the taxpayer which constitutes a qualified research expense (within the meaning of section 44F(b) of such Code).

(c) For purposes of subsection (a) and subparagraph (b)(1)(B), a "disqualified facility" is any private or commercial—

(i) golf course,

(ii) country club,

(iii) massage parlor, or

(iv) tennis club.

(d) It is the sense of the Senate that after August 23, 1981, and until Congress enacts legislation which affects section 103(b)(6) of such Code, the Secretary of the Treasury or his delegate should in all cases enforce any ruling or regulation described in subsection (a) (1) or (2) in a manner consistent with the provisions of subsection (a).

Mr. WHITTEN (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 43 and concur therein with an amendment, as follows: In lieu of the language proposed in (b)(1)(A) by said amendment insert the following: "all of the obligations of which are directly or indirectly guaranteed or secured in whole or in part by".

And after section (b)(2)(B)(ii)(II) insert the following:

"(III) One or more financial institutions which are not related persons (within the meaning of section 103(b)(6)(C) of such Code to the user of the proceeds of the issue."

The SPEAKER. Without objection, the motion is agreed to.

Mr. ROSTENKOWSKI. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. ROSTENKOWSKI. Mr. Speaker, I rise to express strong reservations about this amendment.

The SPEAKER. The Chair understands this is a matter in which the gentleman from Illinois is interested.

Mr. ASHBROOK. A point of order, Mr. Speaker. The gentleman could not hear the Speaker's important announcement.

Mr. ROSTENKOWSKI. Mr. Speaker, I reserve the right to object on the last amendment.

The SPEAKER. The Chair recognizes the gentleman from Mississippi (Mr. WHITTEN).

Mr. WHITTEN. Mr. Speaker, I yield to the gentleman from Illinois (Mr. ROSTENKOWSKI).

Mr. ROSTENKOWSKI. Mr. Speaker, I rise to express my strong reservations with respect to the matter contained in Senate amendment No. 43 on which the conferees are recommending that the House recede and concur

with an amendment. My objections are both procedural and substantive in nature.

The amendment attempts to prohibit in certain circumstances the enforcement of revenue ruling 81-216, and regulations reaching the same result.

The amendment would prohibit the enforcement of the ruling in the case of bonds which are backed by a State or locality where the proceeds of the bonds are not to be used by very large corporations—with more than $25 million in capital expenditures, worldwide, in a 3-year period.

First of all, on procedural grounds, we have a Senate floor amendment which attempts to negate a proper interpretation by the Internal Revenue Service of a substantive provision of the tax laws by limiting the discretion of the Service in its internal use of its administrative moneys.

Not only is the amendment not properly within the purview of the appropriations process, but the conferees have even gone to the point of expanding its scope to broaden its impact. Those of us on the tax writing committees find this to be improper and, in a sense, irresponsible inasmuch as the matter addressed by the amendment is a complex one with policy implications which should be carefully reviewed by the tax-writing committees prior to the taking of congressional action.

In a more important sense, I would like to inform my colleagues that it is my view that the action recommended by the conferees in accepting this amendment will have no substantive effect. It will not result in the issuance of bonds which would be prohibited absent the existence of this appropriations rider. It should be pointed out that, inasmuch as this language in no way amends the Internal Revenue Code, it cannot affect the legal basis under which bonds can be issued under existing law. Since it is customary for bond counsel to issue opinions on the legal basis for the tax exemption of the bonds in question, I wanted to make this statement at this time so that no bond counsel or potential purchasers would improperly construe that this simple funds limitation has the effect of legalizing the bonds in question. Once the continuing resolution expires, the IRS will be able to enforce the revenue ruling in question, revenue ruling 81-216, even as to the interest earned on bonds issued during the period of this appropriations freeze.

I would want to inform my colleagues that I have discussed this issue at great length with the chairman of the Senate Committee on Finance who shares my view that this language is ineffectual in achieving the purpose which it seeks to accomplish. The sole effect of this language is to delay IRS action in this area. It cannot and does not, the sense of the Senate language relating to future periods notwithstanding, change the underlying law which in the end controls the legal basis for the granting of the tax exemption.

It is unfortunate for the entire legislative process that one or two law firms specializing in the processing of these transactions have attempted to modify the tax laws without going through the appropriate committees which Congress established to deal with the tax laws. In so doing, they have added nothing—except confusion to the whole area of tax-exempt bonds.

Mr. WHITTEN. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I have no knowledge of the item the gentleman has discussed. I would ask the subcommittee chairman, the gentleman from California (Mr. ROYBAL), if he has any comments.

Mr. ROYBAL. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from California.

Mr. ROYBAL. Mr. Speaker, this matter was discussed thoroughly in conference. The reason that we brought it back in disagreement is because we have agreed with the arguments just presented by the chairman of the Ways and Means Committee. We thought we would give him an opportunity to present the facts with regard to the situation.

I really do not know what can be done at this particular moment. However, that will depend entirely upon the chairman of the committee. Again I must repeat that there was a great, long discussion, and we were assured by the conferees from the other body that this matter had been taken up, that the vote on their side was 97 to 2. Therefore, they were adamant in their position.

Since we could not meet with an agreement, we brought it back in disagreement giving the chairman of the committee an opportunity to present some views.

Mr. ROSTENKOWSKI. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Illinois.

Mr. ROSTENKOWSKI. Mr. Speaker, the conference committee has not only accepted the amendment but has broadened the scope of the amendment that was offered on the Senate floor. Let me reiterate that the amendment really does not have any effect. It does not change the law, only the ability of the IRS to enforce it for the short run. Bond counsels should still not issue any opinions that these are tax-exempt bonds.

I appreciate the understanding of the gentleman from California on this matter. He understands the jurisdiction of the Committee on Ways and Means on this issue and has been quite cooperative with us notwithstanding the persistence of the other body.

Mr. CONTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I hope the House can support the House conferees on this matter and agree to recede to the amendment of the Senate. This amendment pertains to multiple lots of small-issue industrial revenue bonds. I believe many Members of the House are aware of Revenue Ruling 81-216 which was issued by the IRS this past August and which was followed by a rulemaking notice issued in the October 8 Federal Register, the effect of which has been to deny tax exemption for multiple lots of small-issue industrial revenue bonds. The proposed amendment would prohibit the IRS from enforcing Revenue Ruling 81-216 and the subsequent rulemaking.

Mr. Speaker, it is our intention in agreeing to this amendment to preempt either the authority of the IRS or the jurisdiction of the legislative committees. Rather it is our intention to preserve prerogatives of the Congress in this matter.

This past spring the Ways and Means Oversight Subcommittee held a series of hearings on issues pertaining to the use of small-issue industrial revenue bonds. As we moved into the summer months and began work on the tax bill, many Members thought that the small issue IRB question would be addressed in that bill. However, time constraints and the complexity of the issue resulted in a decision not to try to work small issue IRB's into the tax bill but rather to take the matter up separately later in this session.

Unfortunately, following on the heels of this congressional decision to put off consideration of small issue IRB's until later in the year, the IRS on August 24 issued Revenue Ruling 81-216 and followed this with a rulemaking notice, which has cast a serious shadow of doubt in the financial community about the tax status, and therefore the marketability, of multiple lots of small issue IRB's.

Small issue IRB's which are bonds of less than $1 million, have been used very effectively by State and local economic development agencies to attract new business. Conversely these small issue IRB's have proven to be a useful tool for small businesses who might otherwise be locked out of the capital markets because of high interest rates. In the last 3 years in my State alone some $1 billion in industrial revenue bonds have helped small businesses and local development projects add 40,000 jobs. And this experience in my State is not unique. This has been happening across the country. Clearly small-issue industrial revenue bonds

have become an important mechanism for keeping small businesses in the private capital market.

During the April Ways and Means Committee hearings many witnesses testified that small-issue industrial revenue bonds are needed perhaps now more than ever in the face of recent cutbacks in other Federal assistance programs for small business, distressed areas, and rural localities.

Moreover as high interest rates continue to force commercial banks to seek shorter maturation in their portfolios, it is becoming increasingly difficult for small businesses to find affordable long term financing. Small issue IRB's are one way small businesses have been able to remain in the market.

The Treasury Department has argued against the IRB program because of the revenue losses to the Federal Treasury due to the nontaxable nature of interest paid to the purchasers of these bonds. Many different sets of figures, all reported to be the most accurate, have been floated as to the amount of these losses. However, what would be just as interesting but which the Treasury has not produced are estimates of the amount of revenues received by the Treasury Department as a direct result of the increased economic activity generated by IRB-financed projects. The economic activity generated by these projects in the form of wages and company profits helps the Treasury directly in additional tax collections and indirectly through lower spending for unemployment compensation and other forms of public assistance. These gains to the Federal Treasury are an offset to the revenue losses from the Federal taxes foregone on bond interest income.

However, the amendment before you does not require you to make a decision today about the merits of small-issue industrial revenue bonds as a financing mechanism. The amendment before you has only one purpose and that purpose is to buy time for the Congress to work its own will on this matter.

This amendment does not change existing law. It simply prohibits the IRS from enforcing its own interpretation of the law. Without this amendment to prohibit enforcement of IRS Ruling 81-216, we will be allowing the IRS to do our legislating for us.

Again let me say that we are not trying to preempt the prerogatives of the legislative committees. What we are trying to do is to insure that the future of small-issue industrial revenue bonds is determined by the legislative committees and the Congress as a whole and not by the IRS.

I urge my colleagues in the House to accept this amendment in the same good faith in which your managers on this continuing resolution have agreed to it.

Mr. Speaker, I would like to mention that on amendment No. 37 on which I rose and had hoped the Chair would recongize me, I must explain why I rose. I rose because I had a motion at the desk to have the 4.8-percent pay increase apply to the executive branch of the Federal Government.

The SPEAKER. The gentleman is aware that a motion to reconsider is in order at an appropriate time prior to disposition of all the amendments?

Mr. CONTE. I thank the Speaker. I may do that if I can work it out.

Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. MILLER).

Mr. MILLER of Ohio. I thank the gentleman for yielding. As far as amendment 43 is concerned, the amendment we are talking about right now, whereby the conference would stop IRS from putting into effect the regulatory change prohibiting the clustering of small issue industrial revenue bonds, all we do is tell the IRS "You shall not put that regulation into effect." I would think the chairman of the Ways and Means Committee would like the idea because it will give him time to hold the hearings, to make the final determination as to what should be done, and it would not be done by regulation by IRS.

Mr. ROSTENKOWSKI. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Ohio. I yield to the gentleman from Illinois.

Mr. ROSTENKOWSKI. I should imagine that the gentleman would agree that the Ways and Means Committee, the tax-writing committee, should write this language and should look at this. All I want to reiterate is that any tax bond issue tomorrow is not going to be exempt as a result of this language.

What this does, it just curtails the dollar flow in the enforcement of this provision until such time as the continuing resolution is concluded and then the law is not changed. That is why I see no reason for this. I think it is unnecessary, and I thank the gentleman for yielding.

Mr. MILLER of Ohio. The gentleman is, of course, correct that substantive law is not changed by this amendment. That would, I think, make the amendment less offensive to the chairman of the Ways and Means Committee. We are not writing tax law here. We are simply sending an executive branch agency a message through the vehicle of this amendment. Admittedly, an appropriations bill is not the ideal vehicle for sending this message. But what we are saying is that we do not want money appropriated in this bill to be used to enforce Revenue Ruling 81-216 or the proposed regulations. Such instructions have been sent to executive branch agencies in the past through appropriations bills, and they have been successful.

I yield back the balance of my time.

The SPEAKER. The question is on the motion offered by the gentleman from Mississippi (Mr. WHITTEN).

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 44: Page 9, after line 5, insert:

SEC. 113. It is the sense of the Senate that the President of the United States should not include in his recommendations for revenue enhancements any recommendations which would have the effect of reducing Federal tax incentives for energy conservation or the development of renewable energy sources.

Mr. WHITTEN (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 44 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate Amendment No. 48: Page 9, after line 5, insert:

SEC. 117. Notwithstanding any provision of this joint resolution, the funds made available by this joint resolution which would be available under H.R. 4560, entitled "Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriation Act, 1982", for school assistance in federally affected areas under title III of such Act shall be available under the authority and conditions set forth in H.R. 4560 as reported to the Senate on November 9, 1981.

Mr. WHITTEN (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 48 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

SEC. 117. Notwithstanding any other provision of this joint resolution, the funds made available by this joint resolution which would be available under H.R. 4560,

entitled "Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriation Act, 1982", for school assistance in federally affected areas under title III of such Act shall be available under the authority and conditions set forth in H.R. 4560 as passed the House on October 6, 1981: *Provided*, That the total amount available for entitlements under section 3(a) of the Act of September 30, 1950, as amended, is amended so as to permit payment to any local education agency under such section 3(a) not to exceed 90 per centum of the amount of such payment for fiscal year 1981, unless the entitlement for such agency is determined under section 3(d)(2)(B) of such Act: *Provided further*, That the provisions of section 3(d)(2)(B) shall be fully funded and not subject to rateable reduction: *Provided further*, That the provisions of section 5(c) shall not apply.

Mr. WHITTEN (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 49: Page 9, after line 5, insert:

SEC. 118. Notwithstanding section 1903(s) of the Social Security Act, all medicaid payments to the States for Indian health service facilities as defined by section 1911 of the Social Security Act shall be paid entirely by Federal funds and notwithstanding section 1903(t) of the Social Security Act, all medicaid payments to the States for Indian health service facilities shall not be included in the computation of the target amount of Federal medicaid expenditures.

Mr. WHITTEN (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 49 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 53: Page 9, after line 5, insert:

SEC. 122. Notwithstanding any other provision of this joint resolution, appropriations for salaries and expenses in this joint resolution for the Department of Health and Human Services are hereby reduced by $21,800,000.

Mr. WHITTEN (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 53 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

SEC. 122. Notwithstanding any other provision of this joint resolution, appropriations for salaries and expenses in this joint resolution for the Department of Health and Human Services are hereby reduced by $21,800,000: *Provided*, That none of this reduction shall be taken from activities supported under the budget account entitled "Social Security Administration, Limitation on Administrative Expenses" or from funds available for the administration of the Medicare program.

Mr. WHITTEN (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 57: Page 9, after line 5, insert:

SEC. 126. For each fiscal year (beginning with the fiscal year which ends September 30, 1982), the Secretary of the Senate is authorized to expend from the contingent fund of the Senate such amount as may be necessary to enable the Secretary to obtain from the General Services Administration the services of a professional archivist. Such services shall be obtained on a reimbursable basis and shall not be obtained except with the consent of the General Services Administration and the Committee on Rules and Administration.

Mr. WHITTEN (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 57 and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "125-128".

Mr. CONTE. Mr. Speaker, I seek recognition to speak on amendment No. 57.

The SPEAKER. The gentleman from Massachusetts is recognized.

Mr. CONTE. I yield such time as he may consume to the gentleman from California (Mr. ROUSSELOT).

Mr. ROUSSELOT. Mr. Speaker, let me discuss on the basis of clarifying the position of the conferees a provision in the conference report dealing with the Mine Safety and Health Act.

The conference report includes a provision, added by the other body, which has the effect of transferring safety and health enforcement from MSHA to OSHA over the surface construction activities of independent contractors at minesites. This provision is a refinement of an amendment which I offered on the Labor-HHS appropriations bill, H.R. 4560. My amendment, which passed the House by a vote of 254 to 165, did two things. First, it transferred from MSHA to OSHA enforcement over surface construction at a minesite. Second, it transferred from MSHA to OSHA safety and health enforcement over surface mining of stone, clay, collodial phosphate, sand, and gravel.

It is my understanding that my amendment to the Labor-HHS appropriations bill, since it represented a restriction on authority, was incorporated by reference into the continuing appropriations resolution. Thus, the conference report on the continuing resolution does two things:

First, it provides that no funds shall by used by MSHA with respect to regulating surface mining of stone, clay, colloidal phosphate, sand, or gravel.

Second, it reflects a modification of the other part of my original amendment to the Labor-HHS appropriations bill, so that now no funds shall be used by MSHA to regulate the surface construction activities of independent contractors at minesites.

Is this a correct interpretation of the conference report?

Mr. CONTE. The gentleman from California (Mr. ROUSSELOT) is correct in his interpretation of the conference report.

It is noted that the other body in considering the continuing resolution viewed the resolution as incorporating your MSHA amendment to the Labor-HHS appropriations bill, H.R. 4560. The Senator from Pennsylvania, Mr. SPECTER, offered an amendment to in effect strike out the amendment of the gentleman from California (Mr. ROUSSELOT). The other body, however, by a 35-to-63 vote, rejected the amendment of the Senator from Pennsylvania, Mr. SPECTER.

As the gentleman from California (Mr. ROUSSELOT) correctly observed, the other body did modify his amendment somewhat with respect to surface construction. This was done through an amendment offered by the Senator from Montana, Mr. MELCHER.

The conferees intend that the conference report will have the effect of requiring the Occupational Safety and Health Administration to assume enforcement responsibility over the surface mining of stone, clay, colloidal phosphate, sand, and gravel as well as over the construction activities of independent contractors at the surface of minesites. It is the intention of the conferees that the funding limitation in the continuing resolution effectively precludes MSHA from exercising its statutory authority with respect to these activities. Accordingly, the provision—section 4(b)(1)—of the Occupational Safety and Health Act which now operates to preclude OSHA from applying to such activities would in a sense be deactivated. OSHA would indeed assume safety and health enforcement responsibility.

Mr. CONTE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER. The question is on the motion offered by the gentleman from Mississippi (Mr. WHITTEN).

The motion was agreed to.

□ 1630

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 70: Page 9, after line 5, insert:

SEC. 139. Notwithstanding any other provision of law or of this joint resolution:

(a)(1) Subchapter V of chapter 55 of title 5, United States Code, is amended by adding the following new section 5546a after section 5546:

"§ 5546a. Operational responsibility differential for employees of the Federal Aviation Administration

"(a) An employee of the Federal Aviation Administration, as such term is defined in subsection (b) of this section, shall be eligible for an operational responsibility differential equal to five percent of his rate of basic pay, and such differential is in addition to and not in lieu of any other premium pay to which the employee may be entitled.

"(b) For purposes of this section, the term 'employee' includes:

"(1) persons occupying positions not lower than the GS-9 level in the air traffic controller series in air traffic control centers or terminals or in flight service stations, persons occupying positions not lower than the GS-9 or WG-10 level in airway facilities sectors, and persons occupying flight inspection crewmember positions not lower than the GS-11 level in flight inspection field offices,

the duties of whose positions are determined by the Federal Aviation Administrator to be directly involved in or responsible for the operation or maintenance of the air traffic control system; and

"(2) persons occupying flight test pilot positions not lower than the GS-12 level in regions or centers, the duties of whose positions are determined by the Federal Aviation Administrator to be unusually taxing and critical to the advancement of safety in the national airspace system.

The Federal Aviation Administrator may prescribe regulations to determine the application of this subsection.

"(c) The provisions of section 5547 of this title relating to limitation of premium pay shall not apply to an employee of the Federal Aviation Administration who is eligible for the operational responsibility differential authorized by this section.".

(2) The analysis of subchapter V of chapter 55 of title 5, United States Code, is amended by inserting the following new item after section 5546:

"SEC. 5546a. Operational responsibility differential for employees of the Federal Aviation Administration.".

(b)(1) Subchapter V of chapter 55 of title 5, United States Code, is amended by adding the following new section 5546b after section 5546a:

"§ 5546b. Operational currency pay for air traffic controllers

"An employee of the Federal Aviation Administration, classified in the air traffic controller series, who is employed in an air traffic control center or terminal and who is not required as a condition of his employment to be certified by the Federal Aviation Administrator as medically qualified for and proficient in the separation and control of air traffic shall be eligible to receive upon attaining such certification of medical and proficiency qualifications an operational currency differential of 1.6 percent of his rate of basic pay while so certified.".

(2) The analysis of subchapter V of chapter 55 of title 5, United States Code, is amended by inserting the following new item after section 5546a:

"SEC. 5546b. Operational currency pay for air traffic controllers.".

(c)(1) Subchapter V of chapter 55 of title 5, United States Code, is amended by adding the following new section 5546c following section 5546b:

"§ 5546c. Pay for on-the-job training by air traffic controllers

"An air traffic controller selected by the Federal Aviation Administration and assigned to provide on-the-job training to another air traffic controller who is directly involved in the separation and control of live air traffic shall be eligible to receive premium pay at a rate equal to 10 percent of his rate of basic pay for the time that he provides such training, and such premium pay shall be in addition to and not in lieu of any other premium pay to which the air traffic controller may be entitled.".

(2) The analysis of subchapter V of chapter 55 of title 5, United States Code, is amended by inserting the following new section after section 5546b:

"Sec. 5446c. Pay for on-the-job training by air traffic controllers.".

(d)(1) Subchapter V of chapter 55 of title 5, United States Code is amended by adding the following new section 5546d after section 5546c:

"§ 5546d. Premium pay for loss of meal period

"An air traffic controller or a flight service station specialist, employed by the Federal Aviation Administration, working a regularly scheduled 8-hour period of service and who is required by his supervisor to work that 8-hour period without a 30 minute meal break shall be paid one-half hour at the rate of one and one-half times his rate of basic pay. The meal period shall be granted during the fourth through sixth hour of such 8-hour period.".

(2) The analysis of subchapter V of chapter 55 of title 5, United States Code, is amended by inserting the following new item after section 5546c:

"Sec. 5546d. Premium pay for loss of meal period.".

(e) Section 5532 of title 5, United States Code, is amended by adding a new subsection (f) to read as follows:

"(f) Notwithstanding any other provision of law, retired members of a uniformed service who are temporarily employed in an air traffic control function or in a related training function during a period determined by the Federal Aviation Administrator to require special air traffic recruitment efforts shall be entitled to continue to receive full retired or retainer pay in addition to the salary for the position occupied. The provisions of this subsection shall be effective until December 31, 1984.".

(f) Section 8344 of title 5, United States Code, is amended by adding a new subsection (f) to read as follows:

"(f) Notwithstanding any other provision of law, an annuitant, receiving an annuity from the Fund, upon appointment to a position in an air traffic control function or in a related training function during a period determined by the Federal Aviation Administrator to require special air traffic recuitment efforts, shall be entitled to continue to receive the full amount of the annuity in addition to the salary for the position occupied. The provisions of this subsection shall only be applicable to annuitants who filed an application for retirement with their employing agency before August 3, 1981 or whose retirement from the Civil Service occurred before August 3, 1981. The provisions of this subsection shall be effective until December 31, 1984.".

(g) Section 4109 of title 5, United States Code, is amended by adding a new subsection (c) to read as follows:

"(c) Notwithstanding subsection (a)(1) of this section, the Federal Aviation Administrator may pay a person undergoing training as an air traffic controller at that employee's rate of basic pay for time the employee is assigned to training in excess of 40 hours in a workweek.".

(h) Section 8339(e) of title 5, United states Code, is amended by striking the period at the end of the second sentence and adding the following in lieu thereof: ", except that this provision shall not apply to an individual who has received a refund of civil service retirement deductions pursuant to section 8342 of this title covering any period in which he was employed as an air traffic controller, unless the individual redeposits the amounts refunded pursuant to section 8334(d) of this title.".

(i) The amendments made by subsections (a), (a)(2), (e), and (f) of this joint resolution shall take effect as of August 3, 1981, commencing with shifts beginning on or after 5:00 a.m. eastern daylight time. The amendments made by other subsections of this joint resolution shall take effect on the first day of the first applicable pay period which begins after the date of enactment of this joint resolution, except for subsection (h) which shall be effective upon enactment.

Mr. WHITTEN (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House insist on its disagreement to the amendment of the Senate numbered 70.

PREFERENTIAL MOTION OFFERED BY MR. COUGHLIN

Mr. COUGHLIN. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. COUGHLIN moves that the House recede from its disagreement to the amendment of the Senate numbered 70 and concur therein.

Mr. FORD of Michigan. Mr. Speaker, I demand a division of the question.

The SPEAKER. The question will be divided.

The gentleman from Mississippi (Mr. WHITTEN) is entitled to 30 minutes.

Mr. WHITTEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. FORD).

Mr. FORD of Michigan. Mr. Speaker, this nongermane amendment added by the other body, more than any in recent memory, deserves to be soundly defeated.

This amendment represents a backdoor, end-run, slip-it-through-in-the-middle-of-the-night effort by the Secretary of Transportation. This is an effort to circumvent the House and its committee system and preclude Members of this body from giving careful consideration to some very controversial matters.

Just Thursday, the ranking minority member of the Committee on Post Office and Civil Service, the gentleman from Illinois, introduced this proposal at the request of the administration. This introduction followed a meeting he and I had that same day to discuss plans for hearings and expeditious consideration of the legislation. Only hours later, that very same day, the whole package was added to the continuing resolution with virtually no debate in the other body.

The Secretary told me last night he had nothing to do with the action of the other body. I find that hard to believe. I understand from many of my colleagues he has also been implying that neither I nor the ranking member of the committee have any objection to this legislative end run. This is not true. This proposal has many controversial parts. It should be considered under the usual procedures. Let me tell you what it does.

First, it adds at least $57.5 million in pay and benefits to this year's budget. And remember, the offer made last June to the controllers was only $40 million. If that was sufficient last June, why do we need to provide more now? This needs to be studied.

The proposal sets a very dangerous precedent in that it would permit civil service and military retirees who return to work at the FAA to collect both full pay and a full annuity. This is a door we may not wish to open, for once opened it may be hard to close.

The bill also provides new pay differentials and exempts many FAA employees from the premium pay cap.

I have never been one to oppose additional pay and benefits for Federal workers. Quite the contrary, I always support those proposals. I also am confident that the members of my committee are anxious to do whatever is necessary and responsible to facilitate recovery of the air traffic control system. But, at the same time we must carefully consider the effect that singling out one small group of employees for special treatment can have on the other 2 million Federal employees whose pay has been capped and whose benefits have recently been reduced by this Congress. Let me point out the dichotomy we will create if we agree to this amendment.

Under the Lewis bill, a GS-15, step 1, supervisory controller, airways facilities engineer servicing computers, or flight service station specialist providing weather information to general aviation pilots, who works the evening shift next Thursday (Thanksgiving) will be paid at an annual rate of pay for that day determined as follows:

Base pay	$46,685
5-percent "responsibility" differential	2,334
10-percent "night shift" differential	4,668
Holiday premium pay	46,685
Total	100,372

If the individual happens to be a former retired civil servant or retired member of the Armed Forces, he will receive his pension on top of his pay for that day.

In contrast, a GS-15 FBI agent or NASA engineer, or a four-star general working the same day and the same hours will be capped at $50,112.50, or $57,500 if the pay cap is adjusted in the conference report.

This additional pay may be nice but will not solve the problems facing the air traffic control system. Enactment of the Lewis bill will not result in a single, new, fully checked out controller manning a scope in a center or tower next month, in time to help out with the winter crunch we all know is coming. It will not shorten the 4- to 5-year period required to train controllers for major air traffic control centers. In fact, it excludes instructors at the FAA Academy from the special pay provisions, and this has caused a serious morale problem among those who must train the 7,000 or 8,000 new recruits needed to eventually rebuild the system. This proposal is not a quick fix for the problems facing the FAA, no matter what anyone says.

Every provision in this complicated, complex proposal may be meritorious. We simply do not know if this is the case. The proposal simply deserves more than a few brief minutes of consideration in the other body and the brief time we can give it here.

Why are we suddenly in such a rush? Ask yourself this. If the August 3 strike truly created an emergency situation requiring this legislation, why did the Secretary wait a full 3 months, until November 2, before ever sending a proposal to the Congress? And having sent it, why did he then wait another 3 weeks before asking the ranking minority member of the House committee with jurisdiction, the gentleman from Illinois, to introduce it? The Secretary has hardly behaved like a man faced with an emergency.

Finally, and I am sure my colleagues will agree with me on this, the Secretary has made a serious error in the way he has handled this matter. There are no better friends of Federal workers than the members of the Committee on Post Office and Civil Service. No committee is more sympathetic to their concerns and their needs. By trying to circumvent the committee, the Secretary has certainly made it more difficult for us to handle this legislation.

If after appropriate and thorough consideration, the committee brings this legislation to the floor, it will have the extra burden of showing why it now supports legislation it opposed as part of the continuing resolution. This will be a difficult burden to bear, and if it proves too great and the Lewis bill does not become law, the responsibility for that will rest with the Secretary, not the Congress.

Mrs. SCHROEDER. Mr. Speaker, will the gentleman yield?

Mr. FORD of Michigan. I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. Mr. Speaker, I rise in strong opposition to the motion to recede and concur to the Senate provision on air traffic controller pay. At very least, including this provision in the continuing resolution is a terrible way to legislate.

The provision added in the other body is the complete text of H.R. 5038 introduced by Mr. DERWINSKI on Thursday. The proposal came up as a recommendation from the administration to deal with one of the problems currently facing the air traffic control system. Nevertheless, the legislation does not deal with the most serious problems facing the system, costs a great deal to implement, and provides such a wide range of new benefits to employees that serious legislative consideration is a must.

The Federal Aviation Administration says the provision will cost nearly $60 million in fiscal year 1982. The long-term costs to the retirement system and the budget have not yet been computed. Since no new money is

provided for FAA in this bill, this $60 million will have to come out of its already tight budget. Where will it come from? My information is that passage of this provision will result in an enormous reduction in force at FAA. Who will go, I don't know. Will it be the employees who make sure that the in-flight radar and ground guides are functioning properly? Will it be the employees who make sure that airports are kept in a safe condition? Will it be the employees who test all this equipment from the air? The dangers of a RIF in FAA are so great to the flying public that I will not support this legislation until I know where the money to pay for it is going to come from.

Currently, within the air traffic control system, we have 6,000 or 7,000 very tired air traffic controllers. Virtually all of them have been working 48 hours a week since August 3. No letup is in sight. Training of new controllers will, under the best circumstances, take a couple of years before the first new trainee is able to operate on a full performance level. The results from the first class at Oklahoma City are much worse than anyone expected. Seventy-two entered the class. Twenty-four made it past their first exams. While this means that FAA has kept up standards, it also means that replacing the fired controllers will be a much more long-term occupation than promised.

Providing those working with extra compensation is a short-term way of improving their morale. But, it is just a tiny part of what has to be done to restore the system. Since we are under severe budgetary constraints, I want to make sure that the $60 million this provision will cost is the best use of $60 million for the safety of the flying public. The legislative process is ideally suited for the task of finding out whether this program of benefits is the best use of the money. Why not let it work? Oppose this motion.

Mr. CONYERS. Mr. Speaker, will gentleman yield?

Mr. FORD of Michigan. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Speaker, I would like to compliment my colleague, the gentleman from Michigan, for casting the understanding of this amendment separate from the air traffic controllers strike and the differences that arose out of it. I think common good judgment about how we structure the Federal pay system is behind the gentleman's motivation, and I totally support him in that regard.

Mr. FORD of Michigan. Mr. Speaker, I would like to say, in defense of the administration who concocted this, that I do not accuse them for 1 minute of trying to do anything special for air traffic controllers. This has nothing to do with the strike, it has nothing to do with any union. There is, as a matter of fact, no union representing these employees any longer. That union has been disbarred.

Mr. OBERSTAR. Mr. Speaker, will the gentleman yield?

Mr. FORD of Michigan. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Speaker, the gentleman has properly pointed out the manifest unfairness of this attempt to fund a pay increase for the air controllers; it certainly is unfair to other Federal employees. But there is another matter here that I think is important, which should be pointed out, that this whole package totals up to $57.5 million, which is about $18 million more than they were willing to offer the PATCO people a couple of months ago. The administration, which took a strike rather than offer a dollar more than their $40 million package to PATCO 4 months ago, is now asking Congress to appropriate a 40-percent increase over that package for less than half as many controllers.

Look at the figures: 6,000 air controllers today are being offered $57.5 million, while 16,000 controllers were offered $40 million a few months ago. And this new package is not going to get the Nation's air traffic system a single new controller. All we will be doing with this pay and benefits increase is to give a bonus to a select class of Government employees, some of whom are strikebreakers.

Mr. Speaker, I dislike this backdoor approach to the air controller issue. Instead of trying to slip a pay package through in the dark and waning hours of this session, the administration ought to take a forthright approach. They ought to come up before the authorizing committees of Congress and testify on the legislation they want, and answer the hard questions about the condition of the air traffic system.

The administration wants to have it both ways. On the one hand, they have been telling us for weeks that the system is safe. Now they have passing the word that there is an emergency out there, and they need this pay package to keep the system going. This midnight bonus is not going to make the system safer by one iota.

Other speakers will point out other inequities of this proposal, so I will not go into more detail, with time limited as it is.

I urge defeat of the motion to recede and caucus.

Mr. FORD of Michigan. The accurate figures are that this would apply to about 6,000 controllers. You can take your own pencil and divide $57.5 million by 6,000 controllers and you get some idea of what the impact is.

But the important consideration is that we are operating on a budget resolution that set expenditure levels for 3 years, and that is the estimated cost for the first year. Presumably, if we are successful in getting the system back up to speed, we will have twice as many controllers in a couple of years as we have now, and the cost for those controllers will be in proportion to that increase.

Mr. UDALL. Mr. Speaker, will the gentleman yield?

Mr. FORD of Michigan. I yield to the gentleman from Arizona.

□ 1640

Mr. UDALL. I want to associate myself with the remarks of the gentleman from Michigan and congratulate him on getting on top of this thing quickly. This illustrates everything that is bad about these midnight conference reports. Somewhere, somebody has a little old amendment. It takes one little group of Federal employees who have already had the 4.8 percent that everybody else is getting and takes the people who are under the pay cap now and sets them aside and said for this little special group here is a goodie and it is not Christmas yet.

This amendment ought to be defeated.

Mr. PANETTA. Mr. Speaker, will the gentleman yield?

Mr. FORD of Michigan. I yield to the gentleman from California.

Mr. PANETTA. I thank the gentleman for yielding.

Mr. Speaker, regardless of how Members decide, they ultimately are going to vote; there is a serious budget problem that is involved with this amendment.

This amendment would provide for $57½ million to be paid, but the language of the amendment says, "shall be eligible."

That establishes an entitlement. The Parliamentarian has indicated that that is essentially a new entitlement that we are providing here.

The first budget resolution requires that if there is going to be a new entitlement, it has to be within the ceilings established by the committees. The committee in this case has not established a new entitlement to allow for this $57½ million. Therefore, under section 305 of the budget resolution, the entire resolution would be held at the desk as required by 302 and would not be passed because there is no entitlement that allows for this provision.

Members ought to be aware of that fact in the event that the resolution does reach the point of passing both Houses.

Mr. TAYLOR. Mr. Speaker, will the gentleman yield?

Mr. FORD of Michigan. I yield to the gentleman from Missouri.

Mr. TAYLOR. I thank my chairman for yielding.

There is one point I would like to clarify. I believe the chairman indicated that this cost would be approxi-

mately $900. That was based on the division of the air traffic controllers into the amount of money; is that true?

Mr. FORD of Michigan. Well, the bill does not apply just to air traffic controllers, it applies to many more employees of FAA than air traffic controllers.

We can only estimate, because the Congressional Budget Office has not had time to cost this out for us, and the administration has no cost figures for it, except the figures in an earlier conference report, which is $7.5 million and we worked it out on the basis of 6,000 controllers to whom we know it would be applicable, some will get a little increase and some will get a large increase. When we average $57 million out by 6,000 controllers, it comes out to $9,500.

Mr. TAYLOR. Is it not also true that this will be spread among more than 6,000 people? Actually we are talking about 24,000 people, because it includes, under the scope of this amendment, as I understand, and of the bill that was originally intended for the committee, and I tend to agree with the gentleman's reservation on that. Actually we are talking about 24,000 people, which included the flight service station, professional specialists, and other groups. That brings that total to which this money would be divided, not among 8,000 employees, but among 24,000 employees and, in fact, would amount to $2,200 per employee instead of $9,700?

Mr. FORD of Michigan. The gentleman may be correct. But, we are not talking about $57 million to pay the salary of these people. We are talking about an increase of $57.5 million in benefits over the present level, which is already in this year's budget.

This $57.5 million is not to pay for new controllers. It is to pay additional compensation to people already on the job.

So we probably cannot divide the $57.5 million among the number of people who, by definition, are affected by the amendment, since we do not know all classes of FAA employees involved.

Mr. TAYLOR. It is to pay those who stayed on the job, who did not strike, together with the other classified people who work——

Mr. FORD of Michigan. It is also to pay the managers and other employees who did not belong to the union.

It may pay everybody over there except the employees who punch the typewriters.

Mr. TAYLOR. But the point remains there are 24,000 union employees who will benefit by this amendment if it is passed?

Mr. FORD of Michigan. No.

Mr. TAYLOR. About 17,000?

Mr. FORD of Michigan. No; there are no longer any union employees who are air traffic controllers.

Mr. TAYLOR. Are not the flight service station specialists and the professional air specialists AFL-CIO union employees?

Mr. FORD of Michigan. The gentleman is a member of my committee. He may have contact with such a union. I could not answer that.

Mr. TAYLOR. I assure the gentleman that those people are members of the union and they support it also.

Mr. FORD of Michigan. I have no idea how many other FAA employees are involved.

Ms. OAKAR. Mr. Speaker, will the gentleman yield?

Mr. FORD of Michigan. I yield to the gentlewoman from Ohio.

Ms. OAKAR. I thank the gentleman for yielding.

I certainly want to join the gentleman in supporting the gentleman's opposition to amendment No. 70. It is very controversial. It would benefit only a handful of Federal employees. It grants these employees special pay and special benefits that have been denied other Federal workers. It appears to provide an 11.4-percent pay increase for some while at the same time more than 2 million other Federal employees this year alone experienced $6 billion in cuts in pay and benefits for fiscal year 1982.

Now, I know that the Secretary of Transportation has been calling day and night on this issue, because we have not had one hearing on this issue and we have not had a minute of debate until this time today. I know he is characterizing this amendment as a simple procedural change in pay and benefit structure for these employees.

Believe me, it is not simple. It is not a procedural change. It is a major—and I want to repeat this—and if this is the way we want to legislate without any congressional hearing, for a handful of Federal employees at the dismay of the rest of the Federal employees, fine, but it is a major departure from the established pay and benefit system that Congress is supposed to establish.

Secretary Lewis claims this extraordinary method of passing legislation is necessary to reward these controllers who stayed on the job. But, for the record, Secretary Lewis did not submit this legislation to my subcommittee, nor to the full committee for consideration. And the legislation was only introduced on the House side last Thursday. And as the chairman pointed out, it has not even been introduced at all on the Senate side.

So, let us not usurp proper proceedings of our House's jurisdiction. This is a comprehensive change in the Federal salary schedule and the House deserves oversight and deserves a markup of a bill. And I certainly urge the rejection and join my chairman in his eloquent comment concerning this.

Mr. FORD of Michigan. I would like to ask the Members of the House to vote "no" on the Coughlin motion to recede.

Mr. WHITTEN. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. SAVAGE).

Mr. SAVAGE. Mr. Speaker, I just wanted to join in support of the gentleman from Michigan (Mr. FORD) because this proposal is indeed a deceit not to benefit our controllers but to encourage retirees and others to strike break, to take away benefits for which the air controllers are fighting. And it is interesting that the President, who was supported by the air controllers union, is now opposed to them, and I am in support of them despite the fact that the air controllers need an affirmative action program to increase the proportion of blacks among its membership.

I only hope that in all good faith and fair reciprocity if they do win they remember that Gus SAVAGE spoke for them and will consider some affirmative action in the future.

We must know that prices have gone up more rapidly than wages in this country, and if we are going to worry about the defense of America we must provide the working people, who built this Nation, with a reason to defend it. And without unions, with union busting, prices will either further outstrip wages at the time when families have both husband and wife working and cannot make ends meet. This body should not permit the President to turn it into a union-busting body.

Mr. COUGHLIN. Mr. Speaker, I yield 5 minutes to the distinguished ranking minority member of the Appropriations Committee, the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Speaker, on August 3 of this year, air travelers of this Nation experienced a shock to their flying lifestyle. This country's air traffic controllers for a number of reasons made a very agonizing decision to walk off their jobs, and whether we agree with the more than 11,000 men and women who have participated in this action or not, the fact remains that some 5,400 controllers, 3,000 supervisory personnel, decided to remain in their positions.

Mr. Speaker, many of those dedicated men and women, at great personal sacrifice, worked very long, hard, arduous hours. Many picked up their families, many moved to different locations where the staffing needs were the greatest. The pay package before us—these are the facts—represents an average of 6.6 percent—not 50 percent—6.6-percent pay improvement for working controllers and not 50 percent.

□ 1650

Mr. Speaker, all of us here go home nearly every weekend, some all the

way to California, me to Massachusetts. We fly in those airplanes. We made a deal, the Government made a deal with those controllers in those towers. When I fly home, I want those controllers to know that I am going to carry out my part of the bargain and I am not going to shirk it here today and not give them their pay raise. I think that every one of your constituents feel the same way.

So today, let us live up to their expectations, give them what they have coming, give them their 6.6 percent and the other fringe benefits, whether you agree or disagree with the strike, give them what they have coming to them.

The pay package before you today represents an average 6.5-percent pay improvement for working controllers. In fact, it equals the tentative contract that was agreed to by PATCO negotiations in June of this year. I respect and honor the objections of my colleagues that say the manner in which this package is before us violates the committee system. There is no question that exceptions to our normal legislative process should not be taken lightly.

But the outstanding and dedicated work of those people who have kept our air traffic system operating should also not be taken lightly. They have given much of themselves, they have quickly adapted to changes in their routines, they should not be denied this modest pay package which averages some 6.6-percent pay increase. The package also provides coverage for air traffic control specialists in terminals, centers, and flight service stations, flight inspection crew members, electronic technicians, engineers, and related employees.

There may be some in this Chamber who say that we need not feel pressured into acting on this proposal just because the other body included it into the continuing resolution. I agree that we should not enact the proposal in deference to the Senate; rather, we should enact it because it is the right thing to do at this time.

As many of you are aware, the transportation appropriations conference report, which is referenced in this resolution, provides for $58 million for this pay package; it had already been considered.

We certainly could wait and allow this package to take the normal course of events, but what would be gained? We could congratulate ourselves that the process has been served, but we certainly would not be congratulating those who have sacrificed so much.

Mr. Speaker, I urge the membership to recede to the Senate on this amendment.

Mr. ROUSSELOT. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to my good friend, the gentleman from California.

Mr. ROUSSELOT. I thank my colleague for yielding.

Is it not true that this is basically what the union leaders had originally agreed to? Additionally several of those air controllers agreeing to abide by the law and not strike were promised that same raise.

Mr. CONTE. Exactly.

Mr. ROUSSELOT. Well, then, I cannot understand why we are not then just going right ahead with the raise. I think my colleague, the gentleman from Michigan, is terribly confused again.

Mr. FORD of Michigan. Mr. Speaker, will the gentleman yield, since the gentleman referred to me?

Mr. CONTE. Yes, I yield to my good friend, the gentleman from Michigan.

Mr. FORD of Michigan. The confusion is on that side. The people that are covered by this never have belonged to a union, unless they did in years gone by. This covers managers, the managing people.

Mr. CONTE. Well, let me say this. Again, I repeat, for you and your people back home, who are going to do a lot of traveling for Thanksgiving to see their children and grandchildren; I ask this question: Do you want those controllers up there mad at you?

All right, let us make it safe for them and give them what they have coming.

Mr. WHITTEN. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. FORD).

Mr. FORD of Michigan. Mr. Speaker, I want to compliment the gentleman from Massachusetts for that outstanding display of loyalty to his administration. I take his comments with that thought in mind.

I would like to say, however, that if he can find one nickel in this amendment that will put one additional controller in a control tower between now and the expiration of this resolution, I will walk off and congratulate him.

It does not add one single body to the force of people who are supposed to protect our safety. If it did, we would be on this floor taking a much different position.

Mr. WHITTEN. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio (Ms. OAKAR).

Ms. OAKAR. Let me just make one point of clarification. I fully concur with the chairman of the full committee.

Mr. Speaker, I rise in opposition to amendment No. 70 to the continuing resolution. This nongermane amendment to the continuing resolution makes substantive changes in the air traffic controllers' pay and benefit system and should not be approved without any hearings or indeed one moment of debate.

Amendment No. 70 is a very controversial and complex change in the pay and benefit system for a handful of Federal employees. It grants those employees special pay and special benefits that have been denied other Federal workers. It appears to provide for an 11.4-percent pay increase for some while, at the same time, more than 2 million other Federal employees have lost almost $6 billion in pay and benefits for fiscal year 1982.

This amendment exempts certain FAA employees from the premium pay cap, exempts them from the dual compensation laws relating to military retirees, and it exempts them from the reemployed annuitant provisions of existing law.

As most Members realize, the Committee on Post Office and Civil Service has been trying for months to solve the air traffic control problems in a reasonable, responsible manner. Our committee knows only too well what is needed to bring the system back to full strength in a prudent, safe way. Certainly, the House does not wish to move in a manner that might jeopardize our efforts to resolve this potentially explosive situation. Certainly, the House does not want to spend $58 million to implement this amendment without any more deliberation than what has taken place so far.

As chair of the Subcommittee on Compensation and Employee Benefits, the subcommittee that would have jurisdiction over the proposal, I believe amendment No. 70 is bad legislation. It contains technical flaws and totally circumvents the authority of the authorizing committee. It is an outrageous way to pass legislation, regardless of the merits of the amendment.

I know the Secretary of Transportation is characterizing this amendment as a simple procedural change in the pay-and-benefit structure for FAA employees. Believe me, it is not a simple procedural change. It is a major departure from the established pay-and-benefits system for Federal workers.

Secretary Lewis has claimed this extraordinary method of passing this legislation is necessary to reward air traffic controllers who stayed on the job and because this matter has been dragging on since the August 3 strike. For the record, Secretary Lewis did not submit this legislation to my subcommittee for consideration and the legislation was only introduced in the House on Thursday of this week by request of the administration (H.R. 5038).

The Secretary knows only too well what a complex, controversial piece of legislation this amendment really is and I urge its rejection.

Let us not usurp proper proceedings of the House jurisdiction. This is a comprehensive change in the Federal salary schedule and deserves House oversight and a markup of bills. Therefore, I urge rejection of this amendment.

Mr. McEWEN. Mr. Speaker, will the gentlewoman yield?

Ms. OAKAR. I will be happy to yield.

Mr. McEWEN. Following the gentlewoman's comments, am I correct in assuming that it is her position that the 4.8-percent increase for the air traffic controllers is more than sufficient and adequate?

Ms. OAKAR. No. That is not what I am saying. The issue is not whether these FAA employees deserve more than a 4.8-percent pay raise. We would like to have a hearing on this issue.

What I am saying, I am a Member of Congress and I believe we have the right to legislate and it is our jurisdiction to set up a salary scale, not to have it tagged on by the Secretary of Transportation who is afraid to have a congressional hearing on an issue that is very sensitive. Let us not shirk our duties as Members of Congress. We certainly promised early hearings on the administration's pay package.

Mr. WHITTEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, may I say the committee's motion was to insist. What we are debating now is a preferential motion, and my all means we should vote against the perferential motion.

In addition to the other things which have been pointed out, if this matter were to carry, it would have the effect of hampering the operation of Congress because the resolution would have to remain at the Speaker's desk under the provisons of the budget resolution.

Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. BENJAMIN).

Mr. BENJAMIN. Mr. Speaker, I urge my colleagues to reject the preferential motion and insist on the House disagreement to Senate amendment 70 and join with me to oppose that provision of the Senate version of the continuing resolution which incorporates the provisions of H.R. 5038, a bill introduced in the House on November 19, just 3 days ago.

That bill, submitted at the request of the administration, proposes up to 11.6 percent in additional pay for certain air traffic controller personnel and includes several very controversial provisions. For example, in the bill and under the Senate provision, a GS-15, step 1, supervisory controller, airways facilities engineer servicing computers or a flight service station specialist providing weather information to general aviation pilots, who works the evening shift on Thanksgiving Day will be paid at an annual rate of pay for that day determined as follows:

Base pay	$46,685
5 percent responsibility differential	2,334
10 percent night differential	4,668
Holiday premium pay	46,685
Total	100,372

Under this same Senate provision, if the employee is a former retired civil servant or retired member of the Armed Forces, he will also receive his pension in addition to the above-outlined pay scale.

In contrast, a GS-15 FBI agent on an investigation, a NASA engineer working on the Columbia Space Shuttle, or a four-star general in charge of a NATO maneuver on Thanksgiving Day during the same hours is capped at $50,112.50—or $57,000 if the pay cap is adjusted in this conference report.

In addition, the Senate provision would allow a retired air traffic controller to return to his position at the Federal Aviation Administration and receive a full salary in addition to his full annuity through December 31, 1984. This same provison applies to retired military controllers.

In summary, this proposal exempts certain FAA employees from the premium pay cap, from dual compensation laws relating to military retirees, and from the reemployed annuitant provisions of existing law. How is it possible to defend these broad exemptions without a full examination in the hearing process and in light of the sacrifices being asked of all other Federal employees?

While no cost estimate is yet available from the Congressional Budget Office, it is estimated by the Committee on Post Office and Civil Service that the cost of implementing the administration's proposal will be in excess of $50 million in the first year and more than that amount in succeeding years. I am sure that my colleagues agree with me that a full and detailed testimony from the administration is necessary as to why on July 31, 1 day before the beginning of the air traffic controller's strike, the administration would require a $40 million pay package for approximately 16,000 controllers as partial settlement of the contract while the present Senate provison is requesting in excess of $50 million for approximately 7,000 to 8,000 controllers and other facilities employees.

Finally, there appears to be a difference of opinion between the administration officials and our principal colleagues in the House. Both Chairman FORD and Chairlady OAKAR share my view that the continuing resolution is an inappropriate vehicle for legislation which is as complex and far-reaching as that of H.R. 5038 and Senate amendment 70.

The administration has been less than candid in its approach to the enactment of a benefit package for air controllers. They now urge us to act on an emergency basis. The emergency, if any, is created by certain Department of Transportation policymakers who demonstrated an ability to fire but not to properly and appropriately prosecute a pledge through the legislative channels. We will count this as practice without prejudice—let them try again with the authorizing committees.

Mr. PEYSER. Mr. Speaker, will the gentleman yield?

Mr. BENJAMIN. I yield to the gentleman from New York.

Mr. PEYSER. I thank the gentleman for yielding.

I want to understand, as the continuing resolution now stands is there any money for this payment in this present continuing resolution as it now stands?

Mr. BENJAMIN. What we have done is reduce the FAA account and then upon the insistence of the gentleman from Pennsylvania (Mr. COUGHLIN), we earmarked $57½ million for controller pay. However, in the continuing resolution, this account was reduced by $20 million and our approach in the conference was to disagree with our Senate colleagues.

Mr. PEYSER. Basically, if we vote to put these people in, we are going to be spending more money than we had anticipated basically in spending. We have already defeated this.

Mr. BENJAMIN. There is no doubt that if we adopt the conference motion, that we will have to come back with a supplemental appropriation.

Mr. COUGHLIN. Mr. Speaker, I yield 8 minutes to the gentleman from Illinois (Mr. DERWINSKI).

Mr. DERWINSKI. At the administration's request, I introduced legislation to increase pay and benefits for air traffic controllers and other airways systems personnel. Obviously, on Senate initiative, there was to be a new game plan—a plan which has complicated the legislative process.

The amendment in question was one of the multiple 11th-hour additions to the continuing resolution adopted by the other body. Specifically, the amendment added to the resolution the entire air traffic controller package which I introduced in this body Thursday. I do not believe that any substantive changes were made.

I applaud and support the air traffic controllers, supervisors, flight station personnel, and technicians who have continued to perform in admirable fashion despite difficult circumstances. I, for one, believe they merit increased compensation.

The legislative proposal I introduced is important and deserves support. The package includes a 6.6-percent increase for working air traffic controllers. That 6.6-percent improvement equals the tentative contract that was agreed to by the PATCO negotiations in June 1981.

The chairman of the Post Office and Civil Service Committee and I were prepared to implement what we considered was the correct procedure for processing this legislation.

I support the administration's effort to rebuild the air traffic control system and to restore it to prestrike capacity.

Mr. Speaker, this is not an easy subject, so without meaning to imply any attitude of disrespect for any previous speakers, let me first set the record straight.

It is true, as the gentleman from Michigan (Mr. FORD) said, that legislation had been introduced and we had reached a tentative agreement as to hearings which would be held in the second week of December.

We also agreed in general as to some of the witnesses that we would call. We understood, frankly, between us the sensitivity of the issue.

□ 1700

Then the Senate acted and incorporated the bill that was introduced in the House, into the Senate bill. So I find myself in a position of questioning whether my loyalty lies to House procedures or whether my loyalty lies to the legislative goal. And obviously, once one separates oneself from the detached world of the legislative arena, one realizes that it is the final goal that is important, not any addiction to procedure. So I have to reach my conclusion in that fashion.

Now, let us get a few other facts straight, because the debate has been handled with cleverness, not necessarily with facts.

Let me remind the Members that on August 3 PATCO commenced an illegal strike. I assume nobody will challenge that statement because it was illegal.

Second, at that point approximately 3,000 PATCO members continued to work, along with approximately 2,500 non-PATCO controllers. That is approximately 5,500 people. They were joined by supervisors, military personnel, and some retirees called back to duty. That new collection of manpower has very effectively and safely handled the airlanes.

The proposal in the bill which I introduced, which the Senate adopted, merely provides for all the workers who continued to work, the same pay package that Mr. Poli, on behalf of PATCO, signed on the 22d of July and then repudiated in their vote. I may have the date wrong, but the point is, they signed the agreement, then rejected it, then staged an illegal strike. And the figures contained in this Senate proposal are identical to the package that had been negotiated and signed.

At this point, these figures would apply to everyone now manning the FAA responsibility in the airlanes, which would mean traffic control specialists in terminals, flight inspection crews, technicians, and people doing the training in addition to their normal workload.

The figure, again I emphasize, is what would have been in force if the contract had been accepted.

Now, here is where we get to what I think is the guts of the issue.

First, public opinion is completely behind the President in continuing the services provided by our airlines. I think Members who come from the most union-oriented districts find little sympathy for the striking PATCO members.

Second, in my opinion, PATCO has set back the cause of public unionism at least 25 years. They have harmed every public employee union in the country by their arrogance and the attitude they took. There is no public sympathy for them.

Third, we are in an unusual situation. Here we are struggling through this awesome piece of legislation when most Members have one ear tuned to the Redskins-Cowboy game. So it is an unnatural atmosphere to begin with, plus this nail-biting as to whether the Government will go on tomorrow morning with any sort of official budget.

Then we, of course, also live in an artificial world of our committees, where we sit in solitary splendor thinking every judgment we make is the most awesome in the world. I understand that, since I think my two committees are the two greatest that a legislative body ever had.

But the reality is this: We have a safely functioning air control system. We have people who have labored under great pressure to keep it so. They are being offered a pay package consistent with previous decisions. They are entitled to it. And then, because we are caught in an unnatural budget problem of our own, we are turning our backs on the realities of the air traffic issue.

The issue is simply this: Do we want the continued, effective service of the present air traffic system? If we do, we must support the Senate position. If we do not, and we want further responsibility for possible chaos in that area, or if we want to take the position that we are going to force the Government to take these strikers back even when they flagrantly violated the law, support the Ford position.

I would like to close by making a necessary comment about the Secretary of Transportation.

Mr. PEYSER. Mr. Speaker, will the gentleman yield?

Mr. DERWINSKI. In just a moment. The last time I recognized the gentleman he was on this side of the aisle. Oh, no. That was years ago.

I would just like to make this point. One Member questioned the good faith of the Secretary. I happen to think he has good faith. I happen to think he is an amateur when it comes to judging legislative problems, and part of the problem we have is the Secretary's overeagerness to cooperate with the Senate. But if we were in his shoes, I would probably do the same thing.

There was a statement that he was afraid of a hearing. He is not. He makes an excellent witness. He has been before our committee, and nobody could lay a glove on him, and they will not when he comes again in few weeks.

Then the reality of my committee, frankly, the Committee on Post Office and Civil Service, is this. Those Members who were here when we passed Civil Service reform and, years ago, post office reform, recall the procedure. The committee is slightly unbalanced in its legitimate bias. As a result, it always produces, on a major gut issue like this, an imperfect instrument, which we then correct on the floor. So my expectation was that we would cooperate in the timetable, bring an imperfect instrument to the floor, correct it, and then we would have true reform of the benefits package for air traffic safety employees.

But that issue did not come quite that way. It is here today. And if we accept the Senate position, we are voting for the effectiveness of the safety conditions in the air. We are saying that we, as a Congress, understand that the law does not permit Federal employees to strike. We are saying we knew these people brazenly defied that law, thinking they could bring the Government and the country to a standstill. They badly miscalculated. And if we insist on the House position as opposed to the Senate position, we are the ones who are risking the safety of air travelers.

Mr. GLICKMAN. Mr. Speaker, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Kansas.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. COUGHLIN. Mr. Speaker, I yield 2 additional minutes to the gentleman from Illinois (Mr. DERWINSKI).

Mr. GLICKMAN. Mr. Speaker, while I do not agree with the gentleman in his attitude about perhaps the brazen attitude of the strikers, I would have to tell the Members that there are a lot of very overworked human beings in these air traffic control towers right now. And starting tonight, these people face perhaps the most hectic period of their time.

I do believe that the Secretary of Transportation had promised some benefits, and from what the gentleman from Illinois was saying, those benefits are substantially included in the Senate package.

Mr. DERWINSKI. Completely.

Mr. GLICKMAN. So I would say that while I also respect the problems of people on the Post Office and Civil Service Committee who have some jurisditional problems, I think that these are benefits these traffic controllers need and deserve, apart from the strike issue. I think the administration may have mismanaged part of the strike issue, but we have these people now working in every airport in the country, they are overworked, and they will be way overworked when the snows hit O'Hare Airport between now and Christmas Day. I think the Senate provision should prevail.

Mr. DERWINSKI. Mr. Speaker, let me just take the inspiration given me by the gentleman from Kansas.

That is the point. The issue here is not the nobility of the Post Office and Civil Service Committee chairman. I would attest to that nobility. The issue here is not the wisdom and strength of the gentleman from Indiana (Mr. BENJAMIN). I will attest to his wisdom and strength. But we are not voting on that.

What we are voting on is a package to give the honorable, loyal, hard-working air traffic controllers a pay package that their striking brethren could have had if they obeyed the law. And that is the issue that is going to come across to the country in the next few days, if we wind up in an impasse on this issue.

The SPEAKER pro tempore. The time of the gentleman has again expired.

The gentleman from Pennsylvania (Mr. COUGHLIN) has 15 minutes remaining, and the gentleman from Mississippi (Mr. WHITTEN) has 6 minutes remaining.

Mr. COUGHLIN. Mr. Speaker, I yield 3 minutes to the gentleman from Kentucky (Mr. SNYDER).

Mr. SNYDER. I thank the gentleman for yielding.

□ 1710

Mr. SNYDER. Mr. Speaker, I think a couple of things need to be put in proper perspective, and perhaps they have been. The question was raised as to what this does to the budget. Let me say that this does not increase the Federal spending, but this cost is going to be absorbed by the FAA's operating budget for fiscal year 1982, and is already included in its total.

Mr. ROUSSELOT. Mr. Speaker, will the gentleman yield at that point?

Mr. SNYDER. Surely.

Mr. ROUSSELOT. It does not increase the cost of Government, is that correct?

Mr. SNYDER. That is what I said.

Mr. ROUSSELOT. Then we have heard another false statement.

Mr. SNYDER. That is right. It is not a question of balancing the budget, it is not a question of cutting the spending. It is in there, in the operating part. But, it is a question of equity; it is a question of honor. It is simply a question that 5,400 air traffic controllers, 3,000 supervisory personnel, the people who work on the equipment, the flight service station personnel, they have maintained our system, working together under very difficult circumstances since last August when we had that unauthorized and illegal strike.

If there had been no strike there would have been many more thousands who would have gotten this under the package that the Secretary of Transportation offered. So, this is what the deal is. It is the deal negotiated with the Secretary of Transportation when the PATCO people also signed onto and, which they subsequently had them to reject.

If the House in its weary wisdom, and I know that we are all tired here at 5 o'clock on Sunday afternoon, chooses to reject this amendment, we are thumbing our noses literally at the very people who defied enormous peer pressure, patriotic Americans who obeyed the law, who abided by their contracts, stayed on the job, who kept our airways open and safe for the past 16 weeks; we are going to say to them, "It doesn't pay to stand by your word, to stand by your Government and to work your butts off to keep our airways safe for those people going back and forth."

Like the gentleman from Kansas alluded to, these people were required early on to work 60 hours a week, and that is tough. We can understand that the last couple of days around here. They are down now to 42 or 44 hours. With the holidays coming on, they are going to have to go back to 60 hours.

I do not like legislating on an appropriation bill. That is a legitimate complaint, but this problem is with us now and needs to be solved now. That legislative committee can have its hearings. If they determine that this action is wrong they can amend it, they can up it, they can lower it, whatever is proper within the next couple of months. Sixteen weeks ago the air traffic controllers who defied their union, stayed by their contract, and by their oath and by the United States Code, stayed on the job, they did not say, "Wait." They did not say, "We are going to have hearings to see whether we are going to keep your airlines running." They went ahead and worked and stayed at their positions and did what they were supposed to do.

The SPEAKER pro tempore. The time of the gentleman from Kentucky has expired.

Mr. COUGHLIN. Mr. Speaker, I yield 1 additional minute to the gentleman from Kentucky.

Mr. SNYDER. This is just an attempt to reward those people for dedication in an honorable way, to say, "Yes, you did what was right, and we are going to give you what we promised you."

That is all it is, and I want to say that they stayed on the job, and those who are becoming controllers deserve this inducement. They received the compensation that they were agreed to by the Department of Transportation subject to the approval of Congress and I hope that Members will support the gentleman's motion to recede and concur and agree in the Senate's proposition to keep our commitment to these people who kept their commitment to us.

Mr. VOLKMER. Mr. Speaker, will the gentleman yield?

Mr. SNYDER. I yield to the gentleman from Missouri.

Mr. VOLKMER. Mr. Speaker, I initially heard, did the gentleman say 3,000 supervisors and 5,400 controllers?

Mr. SNYDER. They are included in the group.

Mr. VOLKMER. That is what the gentleman said?

Mr. SNYDER. That is not the total number, because it also includes about 24,000 or 25,000. The other 17,000 belonged to other unions.

Mr. VOLKMER. But there are 3,000 supervisors for 5,400 controllers. That is almost 1 supervisor for 2 controllers.

Mr. COUGHLIN. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. LIVINGSTON).

Mr. LIVINGSTON. Mr. Speaker, I doubt that I will even take the full 2 minutes. I just want to point out that this is a procedural vehicle. The gentleman on the other side who spoke and said that they should not bring this matter up now may be right, but this is a procedural vehicle to do what is right, to compensate those people who stood by this Nation in a moment of crisis, at a time when the entire air transportation network threatened to close down, when the doomsayers throughout the country said the entire country would collapse because we had no air traffic. A handful of controllers and operators worked overtime and did what was necessary to keep the country operating.

If we refuse to recognize those people, if we turn this motion down, if we attempt to deprive them of what is rightfully theirs, what they have earned over the last trying months and will continue to earn into the next few weeks, into the Thanksgiving and into the Christmas holidays, then we are not doing our job in living up to our responsibilities.

Mr. PEYSER. Mr. Speaker, will the gentleman yield for a question?

Mr. LIVINGSTON. I yield.

Mr. PEYSER. I would just like to know, because I am curious: What is the median pay scale of the people we

are talking about now? How much do they earn?

Mr. LIVINGSTON. The amendment before us, if I can reclaim my time——

Mr. PEYSER. What is the answer?

Mr. LIVINGSTON. I only have 2 minutes.

The SPEAKER pro tempore. The gentleman in the well has the time.

Mr. EDWARDS of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. LIVINGSTON. I yield to the gentleman from Oklahoma.

Mr. EDWARDS of Oklahoma. Mr. Speaker, just because I have heard so many times now the argument about how we have not had hearings, something being brought to this floor without hearings, I have been a Member of this body for 5 years, and as Members on the other side of the aisle know, that has been a very frequent thing.

Mr. LIVINGSTON. I would just like to sum up by saying that these people deserve what we are talking about, that they have earned it. Let us give it to them.

Mr. WHITTEN. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. JENKINS).

Mr. JENKINS. Mr. Speaker, Members of the House, I oppose the preferential motion and support the chairman of the Education and Labor Committee, but probably for different reasons than have been expressed. First of all, I want to answer the gentleman from Louisiana. What he is really asking us to do is to vote for a bonus for people who have obeyed the law. That is really what he is asking us to do, to give a bonus to people who have obeyed the law. I do not know that that is a good precedent for us to set.

Second, for all of the people who are now working or are good employees, I understand that there are thousands and thousands of applications of people who are trying to become employees of the FAA at existing economic salaries. I do not know that the demand is there.

Third, I would have to agree with the committee that in an issue like this, however emotional, that maybe on the House floor we ought to at least have the opportunity to consider this in a committee so that we can make a reasoned determination as to whether or not they deserve the increase.

Mr. CONYERS. Mr. Speaker, will the gentleman yield?

Mr. JENKINS. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Speaker, I think the gentleman makes a good point. Is it fair to assume that the more money they make, the more hours they are going to work?

Mr. JENKINS. I really do not know. I would like to make one other point, also. There are a lot of military people working out there who have been called in. Do they get the 6.5 percent? No; they do not. So, I just do not think this legislation has been reasoned out, and I urge the Members of the House to support the gentleman from Michigan, the chairman of the Education and Labor Committee.

Mr. COUGHLIN. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. GINGRICH).

Mr. GINGRICH. Mr. Speaker, I thank the gentleman for yielding. Some Members may be confused about the issue at stake here. For example, there are some politicians who seem shocked that we might want to provide a bonus for people who obey the law. This is a change for some politicians who have believed in bonuses for breaking the law rather than obeying the law, and they may be shocked that we would reinforce and applaud people who stayed on the job and tried to help America.

What is really at stake, and I think it is important to focus on this because there has been misinformation in this debate, there are two unions who belong to the AFL-CIO, whose members are involved, watching. There are over 6,000 men and women who were controllers, who are controllers, who chose to obey the law, and they are watching. The people who kept the airlines safe are watching.

Now, it is true that some pro-PATCO Congressmen have no interest in passing a pay raise unless they can set up standards that guarantee rehiring striking controllers.

□ 1720

It is true there are some Members who favor Mr. Poli and the right of certain employees to strike and who want to block any effort to help the people who stayed on the job. We have heard Members complain about the Secretary of Transportation, Drew Lewis, but this Congress has had 4 months to pass a pay bill to reward the people who helped America. Congress did not act.

Now we can act. The burden is on us, not on Drew Lewis. An "aye" vote on this proposal will be seen by the American people as a vote for the controllers who obeyed the law and worked to keep the traffic moving and operating safely. A "no" vote on this proposal will be seen by the American people as a vote for breaking the law, for illegal strike by Federal employees, and against the men and women who served America in a crisis.

I say to the Members who will be flying home for Thanksgiving, is it not time to help those people who helped us in a time of crisis?

Mr. REGULA. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Speaker, the gentleman used the word, "bonus." As I understand it, this is not retroactive, and a bonus normally implies something paid for past services.

I just want to be sure that I understand this. This would simply implement a contractual relationship made many, many months ago and would be entirely prospective, in other words, for the services; is that correct?

Mr. GINGRICH. Mr. Speaker, the gentleman, who is a member of the Appropriations Committee, is exactly correct. I was only pointing out that psychologically I feel it is time that we helped the people who helped us in this crisis.

Mrs. FENWICK. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I yield to the gentlewoman from New Jersey.

Mrs. FENWICK. Mr. Speaker, I thank my colleague for yielding.

Let me ask, who is covered in this in addition to the air controllers and the supervisors mentioned? Are any of the other people covered?

The SPEAKER pro tempore (Mr. KAZEN). The time of the gentleman from Georgia (Mr. GINGRICH) has expired.

The Chair recognizes the gentleman from Mississippi (Mr. WHITTEN).

Mr. WHITTEN. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I would like to call the attention of my colleagues here to the fact that this provision would not have been permissible, under the rules in the House. It was written in the other body. It changes a number of laws without hearings as far as we are concerned, without any information. We are advised that they are changing law in a half dozen other directions.

This procedure would have been out of order had it been offered in the House, but it was written in the Senate. Had we done these things, according to the statement before us, it would have complicated a matter that should be taken care of by other means; it would be before a legislative committee whose business it is, and they would have looked at all angles of it.

This is in complete violation of the rules of the House. It would not be before us except that the Senate put it in.

Mr. Speaker, I urge the Members to vote down the pending amendment and call on the gentleman from Michigan (Mr. FORD) to take care of the matter properly, as he will do. I hope the Members will vote this down and let us proceed to other matters.

Mr. COUGHLIN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I urge my colleagues to vote to recede to the Senate amendment. In the other body this was not a partisan question; it had very broad bipartisan support.

The object was to give those men and women who stayed on the job the

pay that was agreed to and had been agreed to previously by the Secretary of Transportation and by the Air Traffic Controllers Union, to give them that break and to keep faith with those people who stayed on the job and did the job.

Mr. DERWINSKI. Mr. Speaker, will the gentleman yield for one question?

Mr. COUGHLIN. I am happy to yield to the gentleman from Illinois.

Mr. DERWINSKI. Mr. Speaker, these figures contained in the Senate amendment would in fact have been the pay scale for the PATCO employees had they not gone on that illegal strike; is that not correct?

Mr. COUGHLIN. The gentleman is absolutely correct.

Mr. Speaker, let me make it clear in addition that this does not involve additional money. There is already money earmarked in the bill for this pay package. All this does is permit the Department to go ahead and apply the pay package that they had previously agreed to with the PATCO people. It provides a 6.6-percent raise across the board, the same raise that was agreed to in the negotiations between PATCO and the Department of Transportation initially.

The package that we are talking about—and that is a part of the continuing resolution through the Senate amendment—was in fact submitted to the authorizing committees back in the first part of November. It was reviewed with the chairman of the authorizing committee. It is not something that has just come down.

I say to my colleagues that if the authorizing committees and the Congress in their wisdom seek to change the package, it can be changed at any time, and that action would supersede the action of the Appropriations Committee. This is a stopgap proposition we are talking about. It is a stopgap proposition to permit the Department to pay the people who stayed on the job what they deserve and what they are entitled to.

Mr. ROUSSELOT. Mr. Speaker, will the gentleman yield?

Mr. COUGHLIN. I yield to the gentleman from California.

Mr. ROUSSELOT. Mr. Speaker, I thank my colleague for yielding. One of my colleagues on the other side mentioned a moment ago that this was not fair to those from the military who had agreed to participate as air controllers. The military just received a 14-percent increase, so I really do not feel they were put in an unfair position by this amendment. I merely wanted to add that to this discussion because I do not believe that is an adequate reason for opposition to the raise.

Additionally, I am surprised that my good colleague, the gentleman from Mississippi (Mr. WHITTEN), raised the issue of nongermaneness. There are all kinds of major issues here and they are in this bill that would not be germane in this bill before us if House Members were able to make those points of order.

Mrs. FENWICK. Mr. Speaker, will the gentleman yield?

Mr. COUGHLIN. I yield to the gentlewoman from New Jersey.

Mrs. FENWICK. Mr. Speaker, I think I have found the answer to the question I was trying to pose earlier.

We were told on the floor of this House that only 6,000 people were involved, and if we divide 50 some million by 6, that means $9,000 for each of them.

I would like to know if my information is correct. Is it or is it not correct that there are 17,000 other people belonging to AFL-CIO unions who would be covered by this legislation?

Mr. COUGHLIN. Mr. Speaker, the gentlewoman is absolutely correct.

When the agreement was originally negotiated, it was just with the air traffic controllers, but it was always the intention of the Department that when that agreement was finalized, it would have to apply to the other employees in the Department, the air traffic control specialists, as well as the people who operate the flight service stations, the flight crew inspectors, and others.

Mr. FORD of Michigan. Mr. Speaker, will the gentleman yield so I may give a response to the gentlewoman from New Jersey?

Mr. COUGHLIN. I think the gentlewoman has received her response. Let me finish my statement, and I will then gladly yield to the gentleman.

Mr. FORD of Michigan. The gentleman has made his remarks. I might start calling for a quorum.

Mr. COUGHLIN. Mr. Speaker, it is my time.

Mr. FORD of Michigan. Now, Mr. Speaker, I yielded to all the gentlemen on the other side.

The SPEAKER pro tempore. The House will please be in order.

Mr. FORD of Michigan. Mr. Chairman, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The gentleman in the well does not yield to the gentleman from Michigan.

Mr. COUGHLIN. I do not yield, Mr. Speaker.

The SPEAKER pro tempore. The gentleman in the well has the time.

Mr. COUGHLIN. Mr. Speaker, the controllers who stayed on the job, as well as those who have come aboard since the strike, did that in reliance on the fact they would get the pay package that had been agreed upon between the Department and PATCO originally.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania (Mr. COUGHLIN) has expired.

Mr. COUGHLIN. Mr. Speaker, I yield myself 1 minute.

The SPEAKER pro tempore. The gentleman from Pennsylvania (Mr. COUGHLIN) has 1 minute remaining, and he is recognized for that 1 minute.

Mr. COUGHLIN. Mr. Speaker, I urge my colleagues to support the controllers, the men and women who stayed on the job.

Let me say that this package also includes provisions for overtime and the temporary hiring of retirees, which is absolutely vital as we come to the holidays. If we do not want to have a major crisis with our airlines during the holiday season, we have got to pass this package and permit that to be done.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania (Mr. COUGHLIN) has expired.

The Chair will state that the gentleman from Mississippi (Mr. WHITTEN) has 1 minute remaining.

Mr. WHITTEN. Mr. Speaker, I yield my remaining 1 minute to myself.

Mr. Speaker, may I say to my colleagues that involved here is not the merits of rewarding these people who have done such a good job; involved is not the question of whether we should do it on this bill which would be a violation of the rules if offered in the House.

□ 1730

Involved is the fact that you have a continuing resolution that, unless we get it adopted, or something like it adopted, we will have a closed Government tomorrow. You are involved in a very complex question, a legal question with entitlements that are created here, and if you should adopt this amendment you are seriously jeopardizing the one way we have of keeping the Government in business tomorrow.

I ask my colleagues to vote down this amendment and do not complicate a continuing resolution. Let us go ahead and count on the gentleman from Michigan (Mr. FORD) and the others doing this in a proper way. I may agree with the gentleman as to what should be done, but let us not do it here in a continuing resolution and jeopardize the very operations of the Government tomorrow.

Let us turn this down and put it in the proper place and write it into the law like it ought to be.

The SPEAKER pro tempore. All time has expired.

The question is, Will the House recede from its disagreement to the amendment of the Senate numbered 70?

The question was taken; and on a division (demanded by Mr. COUGHLIN) there were—yeas 121, nays 87.

RECORDED VOTE

Mr. FRENZEL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device and there were—ayes 213, noes 183, answered "present" 1, not voting 36, as follows:

[Roll No. 334]

AYES 213

Anderson	Forsythe	Moore
Andrews	Fountain	Moorhead
Applegate	Frenzel	Morrison
Archer	Gibbons	Mottl
Ashbrook	Gilman	Napier
Atkinson	Gingrich	Nelligan
Badham	Glickman	Nelson
Bafalis	Goodling	Nichols
Bailey (MO)	Gradison	O'Brien
Barnard	Gramm	Oxley
Beard	Green	Parris
Benedict	Gregg	Pashayan
Bennett	Grisham	Patman
Bereuter	Gunderson	Petri
Bethune	Hall, Ralph	Porter
Bliley	Hamilton	Pritchard
Boland	Hammerschmidt	Quillen
Bowen	Hansen (UT)	Railsback
Breaux	Hartnett	Regula
Brinkley	Heckler	Rhodes
Broomfield	Hendon	Rinaldo
Brown (CO)	Hightower	Ritter
Brown (OH)	Hiler	Roberts (KS)
Broyhill	Holt	Roberts (SD)
Burgener	Hopkins	Robinson
Butler	Horton	Roemer
Byron	Hunter	Rogers
Campbell	Hyde	Roukema
Carman	Ireland	Rousselot
Carney	Jeffords	Rudd
Chappie	Jeffries	Sawyer
Cheney	Johnston	Schneider
Clausen	Kastenmeier	Schulze
Clinger	Kemp	Sensenbrenner
Coats	Kindness	Shamansky
Coleman	Lagomarsino	Shaw
Collins (TX)	Latta	Shelby
Conable	Leach	Shumway
Conte	Leath	Shuster
Corcoran	LeBoutillier	Siljander
Coughlin	Lee	Skeen
Courter	Lent	Smith (AL)
Coyne, James	Levitas	Smith (NE)
Craig	Lewis	Smith (NJ)
Crane, Philip	Livingston	Smith (OR)
Daniel, Dan	Loeffler	Snowe
Daniel, R. W.	Lott	Snyder
Dannemeyer	Lowery (CA)	Solomon
Daub	Lujan	Spence
Davis	Lungren	Stangeland
Deckard	Marks	Stanton
DeNardis	Marlenee	Staton
Derwinski	Marriott	Stenholm
Dickinson	Martin (IL)	Stratton
Dougherty	Martin (NC)	Stump
Dreier	Martin (NY)	Tauzin
Dunn	Mazzoli	Taylor
Edwards (AL)	McClory	Thomas
Edwards (OK)	McCollum	Trible
Emerson	McCurdy	Vander Jagt
Emery	McDade	Walker
English	McDonald	Weber (MN)
Erdahl	McEwen	Weber (OH)
Erlenborn	McGrath	White
Evans (DE)	McKinney	Whitehurst
Evans (IA)	Mica	Whittaker
Fenwick	Michel	Wilson
Fiedler	Miller (OH)	Wolf
Fields	Mitchell (NY)	Wortley
Findley	Molinari	Wylie
Fish	Montgomery	Young (FL)

NOES—183

Addabbo	Blanchard	Collins (IL)
Akaka	Boggs	Conyers
Albosta	Boner	Coyne, William
Alexander	Bonior	Crockett
Annunzio	Bonker	D'Amours
Anthony	Bouquard	Danielson
Bailey (PA)	Brodhead	Daschle
Barnes	Brooks	de la Garza
Bedell	Brown (CA)	Dellums
Beilenson	Burton, John	Derrick
Benjamin	Chappell	Dicks
Bevill	Clay	Dingell
Bingham	Coelho	Dixon
Donnelly	Hoyer	Rangel
Dorgan	Hubbard	Ratchford
Dowdy	Huckaby	Richmond
Downey	Hutto	Rodino
Dwyer	Jacobs	Roe
Dymally	Jenkins	Rosenthal
Dyson	Jones (TN)	Rostenkowski
Early	Kazen	Roybal
Eckart	Kildee	Russo
Edgar	Kogovsek	Sabo
Edwards (CA)	LaFalce	Savage
Ertel	Lehman	Scheuer
Evans (GA)	Leland	Schroeder
Evans (IN)	Long (LA)	Schumer
Fary	Long (MD)	Seiberling
Fascell	Lowry (WA)	Shannon
Fazio	Luken	Skelton
Ferraro	Lundine	Smith (IA)
Fithian	Markey	Smith (PA)
Flippo	Matsui	Solarz
Florio	Mavroules	St Germain
Foglietta	McHugh	Stark
Foley	Mikulski	Stokes
Ford (MI)	Miller (CA)	Studds
Ford (TN)	Mineta	Swift
Fowler	Minish	Synar
Frank	Mitchell (MD)	Traxler
Frost	Moakley	Udall
Garcia	Moffett	Vento
Gaydos	Murphy	Volkmer
Gejdenson	Murtha	Walgren
Gephardt	Natcher	Washington
Ginn	Neal	Watkins
Gonzalez	Nowak	Waxman
Gore	Oakar	Weaver
Gray	Oberstar	Weiss
Guarini	Obey	Whitley
Hall, Sam	Ottinger	Whitten
Hance	Panetta	Williams (MT)
Harkin	Patterson	Wirth
Hatcher	Pease	Wolpe
Hawkins	Pepper	Wright
Hefner	Perkins	Wyden
Heftel	Peyser	Yates
Hertel	Pickle	Yatron
Holland	Price	Young (MO)
Hollenbeck	Pursell	Zablocki
Howard	Rahall	Zeferetti

ANSWERED "PRESENT"—1

Hall (OH)

NOT VOTING—36

Aspin	Hansen (ID)	Paul
AuCoin	Hillis	Reuss
Biaggi	Hughes	Rose
Bolling	Jones (NC)	Roth
Burton, Phillip	Jones (OK)	Santini
Chisholm	Kramer	Sharp
Crane, Daniel	Lantos	Simon
Dornan	Madigan	Tauke
Duncan	Mattox	Wampler
Fuqua	McCloskey	Williams (OH)
Goldwater	Mollohan	Winn
Hagedorn	Myers	Young (AK)

□ 1740

Mr. ANDREWS changed his vote from "no" to "aye."

So the House receded from its disagreement to the amendment of the Senate numbered 70.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is, Will the House concur in the amendment of the Senate numbered 70?

The House concurred in the amendment of the Senate numbered 70.

□ 1740

PARLIAMENTARY INQUIRIES

Mr. NEAL. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. NEAL. Mr. Speaker, I am told by a member of the Budget Committee staff that under Gramm-Latta I, section 305, any conference report which exceeds allocations in the budget resolution cannot be enrolled, therefore cannot be sent to the President for signature until Congress adopts a second budget resolution. I am further told what we just adopted exceeds those budget resolutions. It essentially kills the conference report.

The effect of what I am saying is that we have just killed the conference report.

The SPEAKER pro tempore. The Chair will advise the gentleman that that result is not inevitable. There are ways to waive that provision.

Mr. GLICKMAN. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. GLICKMAN. Mr. Speaker, has a motion to reconsider been laid on the table with respect to that amendment?

The SPEAKER pro tempore. The Chair will advise the gentleman that it has not.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 73: Page 9, after line 5, insert:

SEC. 142. (a) Subsection (f) of section 280A of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following paragraph:

"(4) COORDINATION WITH SECTION 162(A)(2), ETC.—Nothing in this section shall be construed to disallow any deduction allowable under section 162(a)(2) (or any deduction which meets the tests of section 162(a)(2) but is allowable under another provision of this title) by reason of the taxpayer's being away from home in the pursuit of a trade or business (other than the trade or business of renting dwelling units).".

(b) The amendment made by this section shall apply to taxable years beginning after December 31, 1981.

Mr. WHITTEN (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

Mr. CONTE. Mr. Speaker, reserving the right to object, I yield to the gentlewoman from Rhode Island (Mrs. SCHNEIDER).

Mrs. SCHNEIDER. Mr. Speaker, while I believe Federal spending must be reduced, the conference report on the continuing resolution is an inadequate, irresponsible approach. Therefore, I intend to vote for a motion to recommit and against the conference report.

My reasons are straightforward. I cannot in good conscience vote for a stop-gap funding measure that axes

domestic programs, applying an across-the-board 2-percent cut, with reckless disregard for human needs and priorities. At the same time, the measure as proposed fails to attack waste, abuse, and generous subsidies of other programs.

I happen to believe that some Government functions such as education and energy assistance, are more important than others, such as pork barrel water projects, tobacco subsidies, and Government perks. Yet the spending proposal before us sets no priorities and exercises no discretion. Many of the human service programs that fall under the 2-percent cut have already been cut to the bone.

How can Congress in good conscience cut spending on the Nation's education programs by $1 billion, while granting itself a 4.8-percent pay raise? I cannot support a measure that includes a pay raise when there is no assurance of a subsequent vote to strike the pay raise.

How can Congress see fit to keep alive and kicking farm support and loan programs that we simply cannot afford: $79 million for tobacco, $75 million for sugar, and $500 million for dairy supports, just for starters. Taxpayers foot the bill not once but twice—with the higher prices we pay at the grocery store as a result.

Meanwhile, pork barrel survives in its glory. Congress has seen fit to slate $195 billion for the Clinch River breeder reactor in Tennessee and $189 million for the Tennessee-Tombigbee Waterway. Both projects are prime examples of blank checks written on the American taxpayer's account.

Government frills stay in place, as well. We spend $25 million a year for garage attendants for the House of Representatives, a generous budget at best. We spend $5 million a year on the use of enlisted personnel as personal servants for high-ranking military personnel.

And, while I believe we must improve our military, I have long maintained that a lean and mean, deterrent-oriented force requires paring of fat and waste and a more thoughful, coordinated overall defense spending strategy. Defense has in fact been exempted from the close scrutiny applied to Government spending in other areas. The 2-percent cut proposed in defense spending is temporary and cosmetic. It applies only to unobligated funds until December 9, or until Congress completes action on the Defense appropriations bill for fiscal year 1982.

The budget approach presented to us today is clearly shortsighted and unbalanced. There is no doubt in my mind that Government spending must be reduced, with the end goal of achieving a balanced budget and revitalizing our economy. But better judgment in terms of fairness and human need must be applied. There are too many fat cats, while, for example, children are asked to eat smaller school lunches and Americans in the frostbelt get little relief from higher and higher fuel bills. Equity must be the bottom line to any economic policy.

Mr. CONTE. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi (Mr. WHITTEN)?

There was no objection.

MOTION OFFERED BY MR. FAZIO

Mr. FAZIO. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FAZIO moves that the House insist on its disagreement to the amendment of the Senate numbered 73.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 74: Page 9, after line 5, insert:

SEC. 143. Notwithstanding any other provision of law or of this joint resolution, of the fiscal year 1982 Highway Trust Funds available for emergency relief, $17,000,000 shall be made available for damaged highways or for the prevention of damage to highways in the area affected by eruptions of the Mount St. Helens volcano.

Mr. WHITTEN (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 74 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

SEC. 143 (a) Notwithstanding any other provision of law or of this joint resolution, of the fiscal year 1982 Highway Trust Funds available for emergency relief, $17,000,000 shall be made available for damaged highways or for the prevention of damage to highways in the area affected by eruptions of the Mount St. Helens volcano.

SEC. 143 (b) Notwithstanding any other provision of title 23, U.S.C., or of this joint resolution, the Secretary shall approve, upon the request of the State of Indiana, the construction of an interchange to appropriate standards at I-94 and County Line Road at the Porter-La Porte County Line near Michigan City, Indiana, with the Federal share of such construction to be financed out of funds apportioned to the State of Indiana under section 104 (b)(5)(A) of title 23, U.S.C.

SEC. 143 (c) Notwithstanding any other provision of law, or of this joint resolution any proposal for deferral of budget authority under section 1013 of the Impoundment Control Act of 1974 (31 U.S.C. 1403) with respect to budget authority for expenses related to the Northeast Corridor Improvement Project authorized under title VII of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210) shall, upon transmittal to the Congress, be referred to the House and Senate Committees on Appropriations and any amount of budget authority proposed to be deferred therein shall be made available for obligation unless, within a forty-five-day period which begins on the date of transmittal and which is equivalent to that described in section 1011 (3) and (5) of the Impoundment Control Act of 1974 (31 U.S.C. 1401 (3) and (5)), the Congress has completed action on a bill approving all or part of the proposed deferral.

Mr. WHITTEN (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The clerk read as follows:

Senate amendment No. 75: Page 9, after line 5, insert:

SEC. 144, Notwithstanding any other provision of law or of this joint resolution, none of the funds appropriated by this joint resolution or by any other Act shall be obligated or expended to increase, after the date of enactment of this joint resolution, any salary of any Federal judge or Justice of the Supreme Court, except as may be specifically authorized by Act of Congress hereafter enacted: *Provided further,* That nothing in this limitation shall be construed to reduce any salary which may be in effect at the time of enactment of this joint resolution nor shall this limitation be construed in any manner to reduce the salary of any Federal judge or of any Justice of the Supreme Court.

Mr. WHITTEN (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 75, and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the

consideration of the conference report and amendments reported in disagreement on House Joint Resolution 357, and that I may include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PARLIAMENTARY INQUIRY

Mr. GLICKMAN. Speaker, I have a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GLICKMAN. Mr. Speaker, if I voted on the prevailing side on the last amendment, would a motion to reconsider that vote lie?

The SPEAKER. The Chair would advise the gentleman that had he sought recognition at the right time, the gentleman could have moved for reconsideration, all motions to reconsider have been laid on the table by unanimous consent.

AUTHORIZING SPEAKER TO SIGN ENROLLMENT OF HOUSE JOINT RESOLUTION 357, NOTWITHSTANDING PROVISIONS OF HOUSE CONCURRENT RESOLUTION 115

Mr. CONTE. Mr. Speaker, I ask unanimous consent that notwithstanding the provisions of House Concurrent Resolution 115, the Speaker be authorized to sign the enrollment of House Joint Resolution 357.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts that the Clerk be permitted to enroll House Joint Resolution 357 if finally passed by both Houses?

Mr. PANETTA. Mr. Speaker, reserving the right to object, does the gentleman refer to section 315 or 305?

Mr. CONTE. Really all the provisions of the House concurrent resolution.

Mr. PANETTA. The gentleman is moving notwithstanding all the provisions of House Concurrent Resolution 115?

Mr. CONTE. Yes, in particular House Joint Resolution 357.

Mr. PANETTA. Mr. Speaker, further reserving the right to object, as I understand it, this provision would then allow for the continuing resolution to be enrolled.

Mr. CONTE. That is right, and go to the President.

Mr. PANETTA. Mr. Speaker, I withdraw my reservation of objection.

Mr. SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PARLIAMENTARY INQUIRIES

Mr. CONTE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CONTE. Mr. Speaker, is there any idea how we proceed from here?

The SPEAKER. The conference report and motions that were just passed will be sent to the other body. When it is completed by the other body, if there are any amendments added in disagreement, it would have to come back to this body. If they were to accept the legislation as sent to them, then it would have to come back here for enrollment.

If they were to complete the bill and send it for enrollment, it could take up to 4 hours for enrollment. It would be enrolled and signed by the Speaker, in the Senate signed by the Vice President and then would go to the White House for the signature of the President.

The Chair has been informed by the President that he would veto it. If such a procedure takes place, then the House would probably be in recess until 10 o'clock tomorrow morning, for any formal work.

When the House recesses, we will recess subject to the call of the Chair, because the Chair is not aware of what the Senate may do, whether they will disagree to or amend some of our amendments. If they do, the minute the papers come, we will call the House in session and give a 15-minute notification.

If they accept everything, it will come back for enrollment and as the gentleman knows, that would be pro forma.

The Speaker would be here, but he cannot predict until such time as we have further information from the Senate how long the Members should stay, so we would be only speculating.

It appears to the Chair that Members ought to make plans to be back here at 10 o'clock tomorrow morning.

Mr. CONTE. Mr. Speaker, one further question, if I may. Assuming that the Senate defeats the House concurrent resolution, the continuing resolution, what would happen?

The SPEAKER. Then the House could bring up a further joint resolution, a continuing resolution to a time certain.

Mr. CONTE. One further question. I have had Members on my side request that instead of a 15-minute notice, if they could have a half an hour notice so they can get in here from their homes.

The SPEAKER. The Chair sees no objection to that.

Mr. CONTE. I thank the Chair. The Speaker is most fair, as usual.

Mr. WATKINS. Mr. Speaker, if it is in order, did the President indicate why he was going to veto the bill? It was below the Senate figure which he said it was going to be. He said he would pass anything with the Senate figure.

The SPEAKER. In order for the Chair to discuss that, he would have to take the floor.

RECESS

The SPEAKER. The House will stand in recess subject to the call of the Chair.

Accordingly (at 6 o'clock and 5 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2300

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 11 p.m.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.J. Res. 357) entitled "An act making further continuing appropriations for the fiscal year 1982, and for other purposes."

The message also announced that the Senate agree to the amendments of the House to the amendments of the Senate numbered 11, 15, 29, 32, 39, 40, 43, 48, 53, 57, and 74 to the above-entitled bill.

The message also announced that the Senate recede from its amendments numbered 37 and 73 to the above-entitled bill.

ENROLLED BILLS SIGNED

Mr. HAWKINS, from the Committee on House Administration, reported that that committee had examined and found truly an enrolled bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4144. An act making appropriations for energy and water development for the fiscal year ending September 30, 1982, and for other purposes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. AuCoin (at the request of Mr. Wright) for November 21 and 22 (legislative day of November 20), on account of illness.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Daub, immediately before the vote on the conference report on Housing Joint Resolution 357, today.

RECESS

The SPEAKER. The Chair declares the House in recess until 10 a.m. tomorrow.

Accordingly (at 11 o'clock and 1 minute p.m.), the House stood in recess until 10 a.m., Monday, November 23, 1981.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[*Omitted from the Record of November 21 (legislative day, November 20), 1981*]

Mr. WHITTEN. Committee of conference. Conference report on House Joint Resolution 357 (Rept. No. 97-352). And ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GILMAN:

H.R. 5098. A bill to amend title VII of the Civil Rights Act of 1964 to prohibit employment discrimination on the basis of political preference; to the Committee on Education and Labor.

By Mr. KOGOVSEK:

H.R. 5099. A bill to provide for the enforcement of State laws upon the acquisition of lands by the Federal Government; to the Committee on Interior and Insular Affairs.

By Mr. MOORE:

H.R. 5100. A bill to amend section 62 of the Internal Revenue Code of 1954 to make the treatment of business expenses of ministers under such section consistent with the treatment of such expenses for purposes of social security taxes; to the Committee on Ways and Means.

By Mr. SMITH of Oregon:

H.R. 5101. A bill to authorize the Secretary of the Treasury to issue bonds that may be redeemed for gold; to the Committee on Ways and Means.

By Mr. MICHEL:

H.J. Res. 366. Joint resolution making further continuing appropriations for the fiscal year 1982; to the Committee on Appropriations.

By Mr. WHITTEN:

H.J. Res. 367. Joint resolution making further continuing appropriations for the fiscal year 1982; to the Committee on Appropriations.

SENATE—*Sunday, November 22, 1981*

(Legislative day of Monday, November 2, 1981)

The Senate met at 1:30 p.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, the Reverend Richard C. Halverson, LL.D., D.D., offered the following prayer:

Let us praise the Lord in the words of the Psalms.

Praise the Lord! Praise the Lord from the heavens, praise Him in the heights! Praise Him, all His angels, praise Him all His host! Praise Him, Sun and Moon, praise Him, all you shining stars! Praise Him, you highest heavens, and you waters above the heavens! Let them praise the name of the Lord! For He commanded and they were created. And He established them for ever and ever; He fixed their bounds which cannot be passed.

Praise the Lord from the Earth, you sea monsters and all deeps, fire and hail, snow and frost, stormy wind fulfilling his command. . . . Kings of the Earth and all peoples, princes and all rulers of the Earth! Young men and maidens together, old men and children! Let them praise the name of the Lord, for His name alone is exalted; His glory is above Earth and heaven.—Psalm 148.

O give thanks to the Lord, for He is good, for His steadfast love endures forever.—Psalm 136:1.

I give Thee thanks O Lord with my whole heart.—Psalm 138:1.

Blessed be the name of the Lord from this time forth and for evermore! From the rising Sun to its setting the name of the Lord is to be praised! The Lord is high above all nations, and His glory above the heavens.—Psalm 113:2–4.

Receive our praise and thanksgiving, Lord. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

Mr. BAKER. Mr. President, I thank the Chair.

THE JOURNAL

Mr. BAKER. Mr. President, I ask unanimous consent that the Journal of the proceedings of the Senate be approved to date.

The PRESIDENT pro tempore. Without objection, it is so ordered.

A NECESSARY SUNDAY SESSION

Mr. BAKER. Mr. President, I apologize to Members of the Senate, and staff, officers, and employees of the Senate for the necessity for this Sunday session. They are rare and infrequent, but when they are held, they are necessary, as indeed it is necessary to ask the Senate to convene today.

The House of Representatives convened at 1 o'clock. They are now about the business of taking up the conference report which was agreed to late last evening, shortly after midnight. It is my understanding that a rule has been given that permits 1 hour's debate on the conference report and 1 hour on each of the three items in disagreement. If the full time for debate is utilized on the House floor, it would be at least 5 o'clock before the House completes action on the conference report and is in a position to send it to the Senate for further action.

Mr. President, I intend, shortly, to ask the Senate to create a time for the transaction of routine morning business and then to make provisions for the Senate to recess subject to the call of the Chair. I will make that request at this time.

ORDER FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS AND RECESS SUBJECT TO CALL OF THE CHAIR

Mr. BAKER. Mr. President, I ask unanimous consent that, after the recognition of the two leaders under the standing order, there be a period for the transaction of routine morning business to extend not longer than 2 hours in length in which Senators may speak.

Mr. President, I further ask unanimous consent that, at the expiration of the time for morning business or at the end of morning business, the Senate automatically stand in recess subject to the call of the Chair.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I have no further need for my time under the standing order. I am prepared to yield it to another Senator or to the control of the minority leader, if he wishes the time.

Mr. ROBERT C. BYRD. I thank the distinguished majority leader.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. Under the standing order, the minority leader is recognized.

Mr. ROBERT C. BYRD. Mr. President, I yield to the Senator from Alabama.

THE CONFERENCE REPORT ON THE CONTINUING RESOLUTION

Mr. HEFLIN. Mr. President, I wonder if there is anything available, Mr. President, in writing where we can start studying the results of the conference report. Is there a prepared document which is now available?

Obviously, there must be for the House. I wonder, if we do not have them, if we can get copies of whatever is available.

Mr. BAKER. Mr. President, conference documents have been transmitted to the House. I will make every effort to obtain a copy of the conference report and make it available to the Members. I will try to have copies duplicated and made available to the cloakrooms.

Mr. MOYNIHAN. Mr. President, may I say, I took on myself to visit the House floor. I have returned with two documents which purport to be the agreement reached during the night. I will be happy to provide them to my friend from Alabama, if the pages will make copies.

Mr. HEFLIN. The Senator from Alabama appreciates the hospitality of the Senator from New York.

Mr. MOYNIHAN. Wait until the Senator from Alabama sees the numbers.

Mr. BAKER. Mr. President, there are a number of other documents involved. The two tables supplied by the Senator from New York are two documents that have been involved in the conference, but the documents are far more numerous than just those two. I will try to have the full package duplicated.

Mr. President, I yield the floor.

Mr. ROBERT C. BYRD. Mr. President, does any Senator wish to have me yield at this time under the standing order?

Mr. President, I yield to the distinguished Senator from New York.

The PRESIDENT pro tempore. The Senator from New York.

SENATE RESOLUTION 246—RELATING TO THE HUNGER STRIKE OF ANDREI SAKHAROV AND YELENA BONNER

Mr. MOYNIHAN. Mr. President, I thank the distinguished minority leader for giving me this opportunity which I would use only to draw attention to the fact reported in this morning's press that a group of American citizens, Nobel Prize winners, and scientists, generally speaking, have appealed to the Soviet Union, the authorities in Moscow, on behalf of Andrei Sakharov and Yelena Bonner, who began today the hunger strike that they announced last week as a consequence of the refusal of the Soviet authorities to allow their daughter-in-law to emigrate.

Mr. President, yesterday I introduced in the Senate a sense-of-the Senate resolution that would call upon the Soviet authorities to grant this right guaranteed under the Helsinki accords. Clearly, the Soviet Union has driven Andrei Sakharov, one of the great men

of our age, to this final extremity of putting in danger his own life in protest against the conduct of his government. We can only admire him and can only hope that the government listens to the American scientists who are appealing. If they do not, I shall ask the majority leader, the minority leader, the chairmen, and the ranking minority members of the respective committees if they can take up the resolution I introduced in behalf of Andrei Sakharov.

I thank the Senator for yielding.

Mr. ROBERT C. BYRD. Mr. President, I yield back the remainder of my time.

ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I am now prepared to put the Senate in morning business.

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business.

AUTHORITY FOR COMMITTEE TO MEET

JUDICIARY COMMITTEE

Mr. BAKER. Mr. President, I ask unanimous consent that the Judiciary Committee be authorized to meet during the session of the Senate at 2 p.m. on Monday, November 23, to discuss these nominations:

Jesse E. Eschbach, of Indiana, to be circuit judge for the seventh circuit court of appeals.

Richard A. Posner, of Illinois, to be circuit judge for the seventh circuit court of appeals.

Clyde H. Hamilton, of South Carolina, to be U.S. district judge for the district of South Carolina.

David O'Brien, of the Virgin Islands, to be U.S. district judge for the district of the Virgin Islands.

John Moore II, of Florida, to be U.S. district judge for the middle district of Florida.

James Cacheris, of Virginia, to be U.S. district judge for the eastern district of Virginia.

Robert Miller, of Colorado, to be U.S. attorney for the district of Colorado.

Ronald Daniels, Jr., to be U.S. Marshal for the district of New Hampshire.

Jim Marquez, of Kansas, to be U.S. attorney for the district of Kansas.

James Rosenbaum, of Minnesota, to be U.S. attorney for the district of Minnesota.

The PRESIDENT pro tempore. Without objection, it is so ordered.

HOUSE CONCURRENT RESOLUTION REFERRED

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 225. Concurrent resolution with respect to the scheduled Presidential elections in Honduras; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HATCH, from the Committee on Labor and Human Resources:

Special report entitled "Report of the Committee on Labor and Human Resources pursuant to Section 302(b) of the Congressional Budget Act of 1974" (Rept. No. 97-278).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. PACKWOOD (for himself, Mr. MOYNIHAN, Mr. ROTH, Mr. DANFORTH, Mr. SYMMS, Mr. CHAFEE, Mr. DURENBERGER, Mr. LONG, Mr. BENTSEN, Mr. BAUCUS, Mr. MATSUNAGA, Mr. MITCHELL, Mr. GARN, and Mr. LUGAR):

S. 1883. A bill to amend the Internal Revenue Code of 1954 to conform the net operating loss carryback and carryforward treatment of the Federal National Mortgage Association to that of other financial institutions; to the Committee on Finance.

By Mr. MATSUNAGA:

S. 1884. A bill to amend the Internal Revenue Code of 1954 with respect to refunds relating to the repeal of the excise tax on buses; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PACKWOOD (for himself, Mr. MOYNIHAN, Mr. ROTH, Mr. DANFORTH, Mr. SYMMS, Mr. CHAFEE, Mr. DURENBERGER, Mr. LONG, Mr. BENTSEN, Mr. BAUCUS, Mr. MATSUNAGA, Mr. MITCHELL, Mr. GARN, and Mr. LUGAR):

S. 1883. A bill to amend the Internal Revenue Code of 1954 to conform the net operating loss carryback and carryforward treatment of the Federal National Mortgage Association to that of other financial institutions; to the Committee on Finance.

FEDERAL NATIONAL MORTGAGE ASSOCIATION LEGISLATION

● Mr. PACKWOOD. Mr. President, today, with Senator MOYNIHAN and several other Senators, I am introducing a bill to help insure the continuation of the availability of mortgage money to homebuyers.

This bill can have an important impact on the ability of the Federal National Mortgage Association—the Nation's largest single holder of residential mortgages—to continue to buy mortgages on the secondary market, thereby enabling primary lending institutions, such as savings and loans and commercial banks, to place new mortgage loans.

This bill changes the net operating loss carryback and carryforward rules for the Federal National Mortgage Association to that available for other financial institutions.

Under current law, financial institutions other than the Federal National Mortgage Association have a 10-year carryback and 5-year carryforward.

Also, under current law, most other businesses, currently including the Federal National Mortgage Association, have a 3-year carryback and 15-year carryforward.

This bill properly changes the classification of the Federal National Mortgage Association to that of a financial institution.

The FNMA is a vital part of mortgage finance in the United States. It now holds $60 billion in residential mortgages, or about 5 percent of all home mortgages in the United States.

The impact on my home State of Oregon is dramatic. The FNMA reports that, as of September 1981, it holds $274 million in mortgages on homes in Oregon, covering about 9,800 homes. This figure includes $141 million of mortgages on Oregon homes which the FNMA purchased since 1979, covering about 3,000 Oregon homes.

Recent high interest rates have caused the FNMA sizable losses, which can cripple their ability to serve the Oregon home buyer and home buyers around the country.

The FNMA, like other financial institutions dealing in residential mortgages, has faced mounting losses because of the increase in the cost of borrowing to raise funds to buy mortgages.

The bill enables the FNMA to take into account tax payments during the 1970's, beginning with 1972, in figuring its net operating loss deductions. The bill produces tax savings for the FNMA for their 1982 tax returns, with the revenue effect felt by the U.S. Treasury in fiscal year 1983.

Assuming future profitability of the FNMA, the revenue loss caused by this bill represents merely a shift in the year in which the tax benefit associated with the net operating loss occurs. Without this bill, the FNMA could deduct operating losses incurred in the early 1980's throughout the 15-year carryforward period.

However, with this legislation, the opportunity to deduct these losses occurs in fiscal year 1983. In any event, the revenue loss of the bill represents a shift in the timing of tax savings, not a permanent additional revenue loss to the Treasury.

Mr. President, I am delighted to report that the distinguished chairman of the House Ways and Means Committee, DAN ROSTENKOWSKI, and the distinguished ranking minority member of the Ways and Means Committee, BARBER CONABLE, have introduced identical companion legislation, H.R. 5013.

H.R. 5013 is scheduled for a hearing in the Ways and Means Committee on December 9, 1981. I expect that we can also schedule this Senate bill promptly for hearings.

Mr. President, I request unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1883

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That

(a) 10-YEAR CARRYBACK AND 5-YEAR CARRYFORWARD.—Paragraph (1) of section 172(b) of the Internal Revenue Code of 1954 (relating to net operating loss carrybacks and carryovers) is amended by redesignating subparagraphs (H) and (I) as subparagraphs (I) and (J), respectively, and by inserting after subparagraph (G) the following new subparagraph:

"(H) In the case of the Federal National Mortgage Association, a net operating loss for any taxable year beginning after December 31, 1981, shall be a net operating loss carryback to each of the 10 taxable years preceding the taxable year of such loss and shall be a net operating loss carryover to each of the 5 taxable years following the taxable year of such loss."

(b) CONFORMING AMENDMENTS.—

(1) Subparagraph (A) of section 172(b)(1) of such Code is amended by striking out "(H), and (I)" and inserting in lieu thereof "(H), (I), and (J)".

(2) Subparagraph (B) of section 172(b)(1) of such Code is amended by striking out "and (I)" in the second sentence and inserting in lieu thereof ", (H), and (J)".

(3) Paragraph (3) of section 172(i) of such Code is amended by striking out "subsection (b)(1)(H)" each place it appears and inserting in lieu thereof "subsection (b)(1)(I)".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to net operating losses for taxable years beginning after December 31, 1981.●

● Mr. MOYNIHAN. Mr. President, I am delighted to join Senator PACKWOOD. Our bill would let the Federal National Mortgage Association—Fannie Mae, for short—carry back its net operating losses for 10 years, and carry them forward for 5 years.

The general rule today is that a net operating loss may be carried back 3 years and forward 15 years. Thus, we would lengthen the carryback for Fannie Mae, but shorten the carryforward period.

Three observations about the bill: First, there are many exceptions to the general rule. This would not be the first. For example, in 1962, Congress extended whose losses were due to the general liberalization of trade. In 1964, a special rule was adopted for companies whose property was expropriated by foreign governments. They were given an extra carryforward period, but no carryback. And even this was amended later to provide more favorable treatment for companies whose property was expropriated by the Cuban Government, rather than the government of some other country. In 1967, the American Motors Corp. was given a special 5-year carryback. Three years was the rule for other companies at the time.

If there is a common theme in the debates about special rules, it is that special rules are justified when dealing with abnormally large, nonrecurring losses. A company needs extra time to average these in. Also, Congress has sometimes felt it desirable in the past to lengthen the carryback period when the United States is in a recession, because this "provides for a refund shortly after the loss is incurred, instead of requiring the business to wait and obtain the benefit of paying lower taxes in subsequent years." As the House Ways and Means Committee explained, during the recession in 1958:

Your committee believes that this current refund, rather than subsequently reduced taxes, is particularly appropriate at the present time as a means of placing funds in the hands of business(es) in a year when many of them are incurring losses.

Second observation. One of the existing exceptions is for financial institutions. Commercial banks, trust companies, mutual savings banks, and building and loan associations may carry their net operating losses back 10 years and forward 5 years. The same rule applies to banks for cooperatives—13 special banks set up by the Federal Government as part of the farm credit system. All we are asking is that Fannie Mae, which is itself a kind of financial institution, be treated the same.

Third observation. I am interested in doing something more than the administration is doing now to help thrift institutions. The New York Times reported on November 10, that nine savings banks in New York City are in danger of exhausting their surpluses within the next year. Three will run out of surplus within a few months. One of these, the Greenwich, has already been merged. A story in the Wall Street Journal this morning discloses that before the Federal Home Loan Bank Board stopped keeping a tally in July, the Bank Board had a list of 404 savings and loan associations that it considers in serious trouble.

The bill we are introducing may be a crude device, because it is indirect. But the Treasury does not oppose it.

Fannie Mae is a private corporation. It was not always private, but it has been since 1968. It borrows money from commercial lenders, institutional investors, and the public—usually at short- and medium-term rates—and uses it to purchase long-term mortgages in the secondary markets. Today, Fannie Mae owns $60 billion in mortgages, one-twentieth of all residential mortgages in the country. About 70 percent of the mortgages it purchases are originated by mortgage bankers. Seventeen percent are originated by savings banks and savings and loan associations.

Fannie Mae serves two functions, both related. It offers mortgage lenders a way to hedge against changes in interest rates. It does this by making commitments to buy mortgages, at a fixed price 4 months in the future. From the standpoint of a banker, a "commitment" is more like a "put" and he pays Fannie Mae a small fee for it, just as if he were buying a put in the stock market. A put is an option to sell. Four months in the future, if interest rates are down and mortgages are worth more, the banker simply keeps his mortgages. But if rates rise, he can sell the mortgages to Fannie Mae and, in effect, transfer his losses.

Fannie Mae's other function is to help housing. The idea was that by keeping the secondary market for mortgages liquid, banks and thrifts would be more likely to lend. Also, where mortgage banks are concerned, Fannie Mae serves almost as a source of primary financing, since mortgage banks are not depository institutions and make loans only if they have commitments from Fannie Mae to buy them.

In the last 2 years, Fannie Mae has had all of the problems of a thrift institution. Like a thrift, it borrows short and lends long. With interest rates up, the value of the mortgages it holds is down. On October 16, the Wall Street Journal reported than Fannie Mae suffered a record loss in the third quarter this year of $79.5 million. The chairman of Fannie Mae, David Maxwell, told the Journal that he expects to see red ink "for several quarters to come."

I repeat, the Treasury does not oppose this bill. A companion measure has already been introduced in the House by Congressmen ROSTENKOWSKI and CONABLE. It is H.R. 5013.

Mr. President, I ask unanimous consent for a New York Times article about Fannie Mae to be prnited in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STEPS TAKEN TO COPE WITH HIGH INTEREST

(By Karen W. Arenson)

The Federal National Mortgage Association, the Government's answer to the mortgage financing scarcity of the Depression years, is facing its greatest challenge yet in dealing with the housing problems of the 1980's.

For the first time since Fannie Mae was founded in 1938, its ability to continue to support the housing market has been called into question. The soaring interest rates that have strapped savings institutions and other mortgage lenders have left Fannie Mae vulnerable too. This year it reported its first quarterly loss in 12 years. And the Fannie Mae board raised some hackles in Washington recently when it appointed David O. Maxwell to succeed Allan Oakley Hunter as chairman next year without consulting Congress or the Department of Housing and Urban Development.

"Fannie Mae just has to have a complete change in the way it does business," said James Murray, its executive vice president and general counsel. "It's obvious we can't go on refinancing 8 percent mortgages at 11 or 12 percent. We are at a crossroads."

Fannie Mae's original mandate was to buy mortgages from lenders to provide them with more funds with which to make additional mortgages. For 42 years the organization has done just that, accumulating $56 billion for mortgages in the process, or about 5 percent of the total residential mortgages held in this country.

Along the way, it changed from a governmental agency to a quasi-governmental corporation. Its shares are traded on the New York Stock Exchange, but it is monitored by H.U.D.

Fannie Mae is beginning to take steps to realign its financial structure. Last Thursday, for instance, it declared that conventional mortgages it commits itself to buy after Nov. 10 may not be "assumed" by new homebuyers. Until now, mortgages held by Fannie Mae at perhaps a 7 or 8 percent interest rate could be assumed, or taken over, at that rate by a new buyer—a substantial attraction in an inflationary economy. If the mortgage is not assumable, a new buyer must

go to a bank or savings and loan association for a mortgage, which will carry a higher interest rate—now 13 to 16 percent in most areas.

In the 11 states that require lenders to permit the assumption of mortgages, Fannie Mae will retain the right to call in its mortgages after seven years, whether or not the homeowner is selling the house at that time.

"That will cause some consternation," conceded a Fannie Mae spokesman. "But it is the only way we have to insure that we are not carrying mortgages with very low yields relative to the market."

Fannie Mae also has other innovations in mind, including variable-rate mortgages and new methods of selling off mortgages.

The need for such changes is shown by figures. In the three months ended June 30, for example, the organization had a loss of $16.5 million. In the following quarter, in inched into the black with a $5.9 million profit, nearly 90 percent below the level of a year before.

A DIVERSITY OF GOALS

But Fannie Mae has more to worry about than its profitability. Under its charter, it is expected to run against the wind by supplying funds to the mortgage market when funds are hardest to come by. At the same time, HUD expects it to pay attention to special housing problems, such as those of inner-city residents. After fierce battles between the two organizations and their leaders—Mr. Hunter and Patricia Roberts Harris, who was then Secretary of HUD—Fannie Mae apparently met the department's guidelines specifying that 30 percent of its mortgage purchases be for low- and middle-income housing. An uneasy truce has existed ever since.

Bert Mason, an executive assistant at HUD, said of Fannnie Mae: "They have not refused to do anything we wanted, but they have not been aggressive enough in exploring what they might do."

Politics once loomed as Fannie Mae's largest concern, but finances clearly have taken center stage now. Mr. Hunter, who is retiring as Fannie Mae's chairman next June after 10 years at the organization, said: "I feel comfortable leaving now because we are not under attack. We do have financial problems, but no one is after my scalp."

There was some consternation, particularly in the Government, at Fannie Mae's apparent independence in choosing Mr. Maxwell to succeed Mr. Hunter. And many eyebrows were raised at the $225,000 annual salary he will receive, including perquisites. (Some critics noted that the President is paid only $200,000.) Mr. Hunter made $184,000 last year.

But most housing experts concede that Mr. Maxwell, now chairman and chief executive officer of the Ticor Mortgage Insurance Company, appears to be a solid choice.

"Dave is the right guy at the right time," said Anthony M. Frank, chairman and chief executive officer of the Citizens Savings and Loan Association in California. "His innovativeness will be useful in a volatile period."

Mr. Maxwell sees the financial challenge at Fannie Mae as bringing its assets and liabilities into better balance.

Fannie Mae now resembles an overgrown savings and loan association. It simply buys mortgages and holds them until they mature. With shareholder equity of only $1.5 billion, it must borrow heavily to finance its $55 billion mortgage portfolio.

The problem for Fannie Mae, as for thrift institutions, begins when its costs of financing mortgages outstrip the interest on them.

Because of its quasi-governmental status, Fannie Mae pays less for its funds than most private corporations. (Many assume that the Government would not let Fannie Mae fail, even though its bonds are not guaranteed by the Government.)

Fannie Mae also tries to undertake its long-term financing when interest rates fall.●

By Mr. MATSUNAGA:

S. 1884. A bill to amend the Internal Revenue Code of 1954 with respect to refunds relating to the repeal of the excise taxes on buses; to the Committee on Finance.

REPEAL OF EXCISE TAXES ON BUSES

Mr. MATSUNAGA. Mr. President, before enactment of the Energy Tax Act of 1978, a 10-percent manufacturers excise tax was imposed on buses sold by a manufacturer, a producer, or an importer. In the Energy Tax Act of 1978, the Congress sought to encourage the use of energy-efficient transportation through repeal of the manufacturers excise tax on buses. In effect, this repeal was to apply to all sales of buses made to ultimate purchasers on or after April 20, 1977, the date on which the repeal was proposed.

The Energy Tax Act contained provisions which effectively allowed, under certain conditions, exemption from the excise tax for buses sold to ultimate purchasers after April 19, 1977, and before November 10, 1978, the act's effective date. Under these provisions, a manufacturer, a producer, or an importer was allowed a credit or refund, without interest, for the tax paid on a bus if:

First, the manufacturer, and so forth, possessed evidence of sale to the ultimate purchaser and of reimbursement of tax to that purchaser;

Second, the manufacturer, and so forth, filed a claim for credit or refund with the Secretary of the Treasury before September 5, 1979; and

Third, the manufacturer, and so forth, reimbursed the ultimate purchaser for the tax paid on qualified sales of buses before September 5, 1979.

A number of bus purchasers, through no fault of their own, were not able to utilize this provision for buses purchased between April 20, 1977, and November 10, 1978. Their supplier was not in a financial position to refund the excise tax to the purchasers in advance of receipt of the tax refund from the Treasury. Other bus suppliers similarly hard-pressed financially, met the reimbursement requirement by borrowing funds; the funds were borrowed on the strength of a refund claim which had been audited by the Internal Revenue Service.

While other IRS district offices cooperated with financially strapped bus suppliers, one office did not. Consequently, the required audit was not performed to secure the loan of funds for reimbursement prior to the statutory deadline. As a result, the bus purchasers from this particular supplier were deprived of their funds of the excise tax. This bill intends to correct this unfortunate inequity.

The bill would amend section 231(c) of the Energy Tax Act of 1978 to broaden the conditions under which a manufacturer, a producer, or an importer would be eligible for a credit or refund of the manufacturer's excise tax paid on buses that were sold to ultimate purchasers after April 19, 1977, and before November 10, 1978. Under my bill, the date before which the ultimate purchasers must have been reimbursed is extended from September 5, 1979, to January 1, 1983. The bill would not, however, amend the requirement of present law that the party should have filed a claim for credit or refund with the Secretary of the Treasury before September 5, 1979.

In addition, the bill would relax the present stringent requirement that the manufacturer, producer, or importer possess evidence of reimbursement of the tax to the ultimate purchaser. Under the bill, the party would be allowed to make reimbursement at the same time it receives the refund. Such simultaneous reimbursement must occur under an arrangement, such as an escrow, satisfactory to the Secretary of the Treasury.

Assistant Secretary John Chapoton, speaking for the Treasury Department in testimony before the House Ways and Means Subcommittee on Select Revenue Measures stated that the Treasury did not oppose this measure. The House Select Revenue Measures Subcommittee has subsequently reported the measure favorably to the full Ways and Means Committee.

My bill is intended to expedite action on the Senate side to correct an inequitous situation, and I urge speedy Senate action on this proposal.

ADDITIONAL STATEMENT

JACK RANSOM BELL

● Mr. HELMS. Mr. President, perhaps it is because of the fleeting years, but the older I get the more persuaded I become that the fame so many seek is often irrelevant when laid alongside the quality of life exemplified by men and women whose names are never in the headlines.

For example, Mr. President, the sad news reached me over the weekend that Jack Ransom Bell had died. Who, you may ask, was Jack Ransom Bell? The answer would best come from the hundreds of people who have known him as a true friend.

Jack Ransom Bell operated a general store in North Carolina patronized by the people in the Occoneechee Neck community. But he did not merely operate a store; it has been a sort of a fellowship center for the community where people could buy groceries, receive a helping hand, converse with a delightful man—Jack Ransom Bell—who never knew a stranger. Mr. Bell was genuinely cordial to everyone, whether it was a prominent fellow from upstate in the area to do some hunting, or a customer who needed a bit of credit to tide him over until the next payday.

Mr. President, I stopped by to visit for a few minutes with Mr. Bell this past January. As I departed his store, I was mindful that I had visited with a sincerely friendly gentleman, and I emphasize the word. He was a gentleman.

He knew the difference between things that are urgent and things that are important. It was important to him, and it should be important to all of us, that true friendships are built on patience and sincerity and compassion. That is why so

many mourn the passing of this fine and decent man.

To the family, and to all the other friends of Jack Ransom Bell, I extend my deepest sympathy in the loss of a good man who kept his priorities straight. He will be missed.●

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Is there further morning business? There appears to be none. Morning business is closed.

RECESS SUBJECT TO THE CALL OF OF THE CHAIR

The PRESIDENT pro tempore. Under the previous order, the Senate now stands in recess subject to the call of the Chair.

Thereupon, the Senate, at 1:40 p.m., took a recess, subject to the call of the Chair.

The Senate reassembled at 7:53 p.m., when called to order by the President pro tempore (Mr. THURMOND).

MESSAGE FROM THE HOUSE

At 7:54 p.m., a message from the House of Representatives, delivered by Mr. Gregory, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H.J. Res. 357) making further continuing appropriations for the fiscal year 1982, and for other purposes; it recedes from its disagreement to the amendments of the Senate numbered 44, 49, 70, and 75 to the bill, and has agreed thereto; it recedes from its disagreement to the amendments of the Senate numbered 11, 15, 29, 32, 39, 40, 43, 48, 53, 57, and 74 to the bill, and has agreed thereto, each with an amendment, in which it requests the concurrence of the Senate; and that it insists upon its disagreement to the amendments of the Senate numbered 37 and 73 to the bill.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 225. Concurrent resolution with respect to the scheduled Presidential elections in Honduras.

ENROLLED BILL SIGNED

The message further announced that the Speaker has signed the following enrolled bill:

H.R. 4144. An act making appropriations for energy and water development for the fiscal year ending September 30, 1982, and for other purposes.

SECOND CONTINUING APPROPRIATIONS 1982—CONFERENCE REPORT

Mr. BAKER. Mr. President, it is probably no surprise to anyone in this Chamber to know that the President of the United States has indicated that he will withhold his signature from this measure, that he will veto it. I think, however, in view of the circumstances of the moment—that is to say, the previous continuing resolution expired, by its terms, at midnight this past Friday, and this is now Sunday, at almost 8 p.m.—the only course open to the Senate is to take up this matter and deal with it.

I hope we can get a time limitation on the debate on this conference report, and I hope my friend the minority leader and the managers of the bill will inquire as to that possibility.

I say to my colleagues that I will vote for the conference report, but I think it should be clearly understood that I am doing so only because it is necessary to get this measure to the President, and I can assure Senators that he will veto it.

Mr. President, that means that if the situation develops as I have just described it, another step will have to be taken in order to continue the functions of Government or many of the functions of the Government, beginning at the opening of business tomorrow. I hope and I expect that the House of Representatives, when the President vetoes this measure, would send us a resolution—they must originate it—and I would expect to deal with it when we receive it.

Once again, I wish to announce that the President has informed me that he will veto this measure if it reaches him. Notwithstanding that, I will support the conference report, so that we can terminate this impasse and get on with the business of the country.

Mr. ROBERT C. BYRD. Mr. President, will the distinguished majority leader yield?

Mr. BAKER. I yield.

Mr. ROBERT C. BYRD. I have not been privy to what the President has said. The distinguished majority leader has very kindly told me from time to time that the President was going to veto this measure, but I have not been told what his reason will be. I have heard that he has spoken on the radio and television. I have not seen this.

Can the distinguished majority leader state on what the President bases his prospective veto?

Mr. BAKER. Mr. President, I cannot state that officially, of course, because we have not yet received the veto message, nor do I have a copy of any message he might give us. But in conversations with the President and his principal staff, it is my clear impression that he will veto this measure because, first, the amounts involved exceed those which he indicated he thought were appropriate for this continuing resolution; and, second, because the allocation of resources of money within this measure is not in accordance with the President's wishes and requests.

Mr. ROBERT C. BYRD. I thank the distinguished majority leader.

Mr. HATFIELD. Mr. President, I submit a report of the committee of conference on House Joint Resolution 357 and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. HATCH). The report will be stated.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H.J. Res. 357) making further continuing appropriations for the fiscal year 1982, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of today, November 22, 1981.)

Mr. HATFIELD. Mr. President, as our extraordinarily able majority leader has indicated, the President has signaled that he finds House Joint Resolution 357 unacceptable and that he will veto the joint resolution if it is sent down to the White House. I regret this.

The Senate Committee on Appropriations labored long and hard all week long to produce a continuing resolution to provide a stop-gap funding program for the necessary functions of the Government. We spent all night here on the floor Thursday and two long nights in conference with our colleagues from the House of Representatives.

The President indicated that he would sign the resolution as it passed the Senate, and the resolution as it is before this body represents an agreement which the Senate conferees felt would meet the target figures of the resolution as amended by the Baker across-the-board reduction, while preserving the integrity of Congress in the performance of its constitutional responsibilities and the integrity of the Appropriations Committee, in which those responsibilities mainly reside.

Apparently, the continuing resolution in the form now before this body does not meet the test of the Senate-passed resolution. I want the Members of this body to know that the conferees engaged in no chicanery or an exercise in phony numbers. We honestly believed that the resolution the conferees agreed upon was within the overall target, with variances on particular accounts, perhaps, as is within our constitutional rights—but, nonetheless, within the overall target.

Apparently, according to information supplied by OMB, your conferees were right: We are within the target. This document shows that the continuing resolution, as reported from the conference is $400 million below the Senate-passed resolution, including the Baker amendment.

The problem, it would appear, is that the conferees have made reductions in areas where OMB would prefer additions, and increases where OMB would prefer to see reductions, and there is an honest difference of viewpoint of the data base from which we began and as to the application and as to the results of the application of that data base.

Mr. President, I do not believe that OMB is any less honest and forthright with its computations than we are. This has really, unfortunately, been reduced to a confrontation not between the executive branch and the congressional

branch, but a confrontation between computers. It is computer versus computer. Unfortunately, in many instances the people have slipped out.

Mr. President, if the recommendation to veto this resolution is based on this document, I find it totally unacceptable and offensive to the Congress, this body and the Appropriations Committee. Mr. President, Congress makes spending decisions. We decide where dollars from the Treasury are to be spent. The President certainly has a responsibility to maintain vigilance over the total, and establish his own priorities. But we should not tolerate a veto of a bill funding virtually the entire Government, 2 days after existing authority has expired, simply because the line items do not precisely conform to OMB's wishes.

Mr. President, we are being subjected to a tyranny of numbers. The constitutional responsibilities of the Congress are imperiled by ephemeral estimates, scorekeeping issues, and definitional differences. Those are the targets of the bureaucrats who are programmers and basically technicians.

Computers have overtaken the people and the everlasting bottom line has supplanted good judgment, in my belief.

I do not wish to delay the Senate. We have had a long, exhausting week. So I will refrain from my usual discussions of outrageous defense funding levels, of runaway entitlements, and the futility of trying to balance the entire Federal budget on the very narrow base of the controllable spending levels.

But, Mr. President, I am very proud of the Senate Appropriations Committee. I want to say this, even though it is oftentimes only the tradition, perhaps, to mention it: The members of the committee, Democrats, Republicans, and those able and outstanding staff people, have been operating around the clock, and even where the members have been able to go home and get 3 or 4 hours of sleep, the staff people have continued on throughout the night, throughout the day, getting the paperwork done and the computations and the refinement of the figures and the data.

No committee staff, I think, in this Senate, perhaps in the last 20 years, have labored more diligently around the clock for so many hours than the staff, the majority and the minority staff, of the Appropriations Committee of the Senate. I am very proud of their work. A lot of hard work has been accomplished in a very short time.

Let me remind the Senate that since October 1, we have brought every single one of the appropriations bills to the floor, after long hours of markups.

I might say there has always been a very gracious, cooperative, bipartisan spirit that has prevailed in this committee. It is a high honor and privilege to serve as chairman. I want to thank all the members.

I support the conference report and urge its adoption.

Mr. ROBERT C. BYRD. Mr. President, if the majority leader will yield, I congratulate the chairman of the committee and the conferees who worked long and hard to resolve the differences between the two Houses. After all this time they brought back a conference report whose overall total is below the amount in the Senate-passed bill. Is that correct?

Mr. HATFIELD. Yes.

Mr. ROBERT C. BYRD. The distinguished chairman put it into the context of a war between computers, a confrontation between computers.

A computer only puts out what is put into it. If incorrect information is put into the computer, then the computer results are not going to be accurate.

I would not say a confrontation between the computers. It would be perhaps the persons who are feeding the data into the computers are feeding the kind of data that will give them the results that they want to see.

We understand that to have been the case, those of us who read the Atlantic Monthly article containing Mr. Stockman's astonishing revelations.

May I ask, if it is a foregone conclusion that the President is going to veto this measure, then why do we call it up and seek to adopt it? I would assume that if the conference report is voted down, the Speaker of the House would be in a position, then, I would think within a half hour, to call his people together and send over another resolution extending the time for the continuing resolution that expired as of midnight on the day before yesterday. That should not take very long.

The conference report could be in this body within an hour at least and we could vote on that and go about our business. But if this measure is voted up and goes to the President and the President vetoes it, with the President's veto message that would be sent up, it would appear to me that that would require hours. And I would strongly suspect that it would be 10 o'clock tomorrow morning or after before we would then vote on what we would otherwise have to vote on in any event, and expect over this evening. We could adopt that and go about our business.

If we vote this out and if we adopt it and the President vetoes it. then hours are going to transpire. And I have no way of knowing that the Speaker will keep the House in tonight. I would assume he would simply recess the House over until 10 o'clock tomorrow morning and we will be tomorrow afternoon voting on what we would otherwise vote on tonight.

Will the distinguished chairman respond to that?

Mr. HATFIELD. I am happy to respond.

No. 1, as chairman of the committee, we had engaged in an effort to try a compromise in the two House renditions of this resolution and we have labored, as I indicated in my opening remarks, for that product. Once we get a product, it would seem to me we ought to permit the Senate to work its will.

I have indicated a personal viewpoint relating to the product. Others may have debate, differences and inquiry and questions to find a different conclusion, but that is part of the process that we feel, part of the appropriation process, we want to get back on track, and that is to get this resolution behind us, get back into the appropriation process and get on with the normal constitutional way of doing things.

Mr. ROBERT C. BYRD. I thank the Senator.

Mr. HATFIELD. That is No. 1.

The second one is that the Speaker of the House has indicated, to my understanding, at least, that he will have an action by 10 o'clock in the morning. If we could dispose of this tonight, the Speaker will have that action in the House, which must be initiated in the House, and have it over to the Senate side for us to take our action on that tomorrow.

So I do not think in any way we are impeding the process. I really feel, I say to the distinguished Senator from West Virginia, that a good night's sleep would give us all a better perspective in handling this matter tomorrow morning than it would be to try to linger on into the evening.

Mr. CRANSTON. Will the Senator yield?

Mr. HATFIELD. Yes.

Mr. CRANSTON. The distinguished chairman, in his statement, seemed to place responsibility for the recommendation that there be a veto on the Office of Management and Budget.

Mr. HATFIELD. No. I merely said that there was a difference of views in the way in which we computed these figures between the Congressional Budget Office, the House computer system, and the computer system downtown in OMB. I indicated very carefully that those were honest differences and they were honest differences of baselines and data baselines and so forth in an application of the Baker amendment, where it would be applied and where it would not be. This is all part of the complexity of what the computer age has brought.

Mr. CRANSTON. OMB is the body headed by David Stockman, is that correct?

Mr. HATFIELD. The last I knew, it was. [Laughter.]

Mr. CRANSTON. So the decision for a veto was based upon more figures coming from David Stockman? The decision to recommend a veto is once again based upon figures fed into a computer by David Stockman or his office?

Mr. HATFIELD. As in each administration, each President has had to have the counsel and advice of the office of the Director of Management and Budget. Mr. Stockman occupies that position in this administration, as previous administrators have occupied that position in counseling previous Presidents on how to handle budget questions and actions; yes.

Mr. CRANSTON. The chairman of the Appropriations Committee questions those figures, I gather?

Mr. HATFIELD. I do.

Mr. CRANSTON. I thank the Senator very much.

Mr. McCLURE. Will the Senator yield?

Mr. HATFIELD. Yes, I yield to the Senator from Idaho.

Mr. McCLURE. Mr. President, I do not think we ought to leave that last statement hanging there, as was intended with the inferences that were so obvious.

I was somewhat involved personally in the explanation on the floor of the Senate when we went through what was meant by the savings clause in the Baker amendment. If the Senator will recall, I say to my friend from California, we talked about a savings clause that said, when we made the 4-percent across-the-board reduction, that would not be applied to any bill, title, or account which was already at or below the September budget request.

It was the belief that if, as a matter of fact, we had already reduced those matters to the point that the President had requested, they ought not to be reduced further by the across-the-board cut.

And Senator BAKER and I had a colloquy on the floor to explain that language in the Baker amendment also excluded entitlements.

When we were last night and yesterday handed computer printout sheets that emanated from the House Appropriations Committee, being the most complete set of computer programing that we could get and therefore the most detailed information that we could get in the appropriations process, they compared some figures based upon the House approach or the conference approach to cutting the budget and a bottom line figure and they also had on that computer printout sheet the amounts that would be computed based upon the Senate figures and the Baker amendment.

In doing that, they made an assumption—an honest assumption—that the entitlements would come out of those bills before they were judged against the separate budget figures. So they left in only those amounts which were the discretionary items within that bill to determine whether or not they were above or below the latest budget request figures. That is not, however, what the colloquy says.

And I would refer the Senator from California, or anyone else who is interested, back to the discussion that Senator BAKER and I had. The last paragraph in that discussion said:

> Finally, all of the above comparisons are based only on those elements of the continuing resolution that are not explicitly exempted from the 4 percent cut.

I do not believe any of the members of the conference were aware of that basic assumption on the part of those who were programing the computers in the House Appropriations Committee.

So if there was an error made, let us not say it was done at OMB. Let us recognize that it was on a basic assumption fed into the computers used by the Appropriations Committees in the conference.

It was that distinction, that difference, that led us into the belief that the formula adopted in the conference would yield virtually the same dollar savings that would be the case under the Baker amendment here in the Senate continuing resolution. That turns out not to be the case. And that difference is enough to have led the President to make the decision that since we had not come close to the Michel amendment in the House, the Baker amendment, as applied, would have done so except for the fact we judged the Baker amendment, in essence, to adopt the House formula and it simply did not do what we had been led to believe that it would do.

Mr. DOMENICI. Will the Senator yield?

Mr. McCLURE. I am happy to yield to the Senator.

Mr. DOMENICI. Mr. President, I have the greatest respect for the chairman of the Appropriations Committee and he knows that. And his interpretation of what occurred and why we are here is certainly a valid interpretation. But I want to tell the Senate that it is improper and wrong to assume that there is not another proper interpretation of the effect of the Baker amendment. And that is what this whole discussion is about: How much money did the Baker amendment save?

Now, when they finally got into the waning hours of the conference, the conclusion was that the Baker amendment would only save about $2.7 billion. Consequently, the House offered a proposal that saves at least that much, therefore, saying, "Accept it, we have done as well as the Baker amendment did."

Now that is a valid interpretation, if one wants to put information into the computer that makes certain assumptions about the Baker amendment. The problem is if you make another assumption about the Baker amendment, you had to save at least $4 billion. I submit that is a proper assumption and I will tell you why in a minute.

The White House has made the assumption that the Baker amendment would save at least $4 billion, and I repeat—I repeat—I make the same assumption. I did not tell them that they ought to veto the bill or not, but I assumed that the McClure amendment on our resolution which addressed itself to a floor beyond which we would not cut, I assumed that that amendment, which was interpreted on the floor with a dialog between Senator McCLURE and Senator BAKER, clearly meant that you would measure bills, title and then account, that you would clearly measure them taking entitlements out first and leaving them out, because that was what the amendment said—"We are not going to count entitlements: take them out."

What happened is the House validly ran a set of computer runs and put the entitlements back in in determining floors. And the House has very low entitlement numbers. Now if you put them back in at a low number, you pulled out whole sections of the appropriation bill and said it was not subject to our leader's 4-percent cut. Therefore, you can assume you are complying with the Baker amendment with a much lower figure.

Now the Senate can work its will. And I repeat the appropriators in the House and the House computers made a valid assumption. I am not arguing with it. I am not a conferee. I only stand here to tell you that it is not some kind of a chicanery dreamt up down there at the White House by the OMB Director or anyone else.

I would assume that you could put 50 Senators in a room and give them the McClure amendment, which was intended to be a floor, and you could say: "Read this dialog and the entire resolution. How do you interpret it?" And I guess you could get two interpretations. No question about it.

I will tell you again, I never thought you would count entitlements in this bill once you took them out, because it said for purposes of determining the 4-percent savings we are taking entitlements out. I would assume you would have left them out for any other interpretation. And in particular when the McClure dialog closed with a statement:

> Finally, all of the above comparisons are based only on those elements of the continuing resolution that are not explicitly exempted from the 4 percent.

So I stand here to tell you that under a very valid interpretation, this continuing resolution does not save, in budget authority, what the President had told Senator BAKER, our leader, he would accept. Under another interpretation, perhaps it saves as much. And the issue is one of, why do we go through all of this exercise? But it is somewhere between $1.3 and $2.5 billion in difference between what the President assumed the Baker amendment does and what this continuing resolution brings to the Senate.

So it is not insignificant, it is rather significant.

Mr. CRANSTON. Will the Senator yield?

Mr. DOMENICI. I am pleased to yield to the Senator.

Mr. CRANSTON. I would like to point out that the bill that we are considering, the conference report, deals with budget authority only; only budget authority.

The Senator from Oregon was speaking of outlays. That is a different matter. The Senator from New Mexico was speaking of budget authority, outlays, and entitlements. Of course, entitlements are a part of the measure that we are considering now.

The document that I have in my hand, which the Senator from Oregon referred to, is an OMB document, which shows that the Senate-passed bill called for the expenditure of $428,465,000,000. The conference report calls for $428,065,000,000—$400 million less than the bill that passed the Senate. That is an OMB document. It does cover entitlements, but it does relate only to budget authority, not to outlays.

We were told, it was strongly indicated to the Senate by the majority leader that the President would sign a bill based upon that figure. Now we have a bill before us with a lower figure and we are told, through OMB—headed by David Stockman—that the President now will not sign this.

No one is suggesting chicanery. I have not used that word. I have heard it twice from the Republican side of the aisle. We are suggesting that a position taken at one point by the administration has now been reversed by the administration, although better figures are now available for the administration's purposes and for the country's purposes, seeking to make a cut in what we are spending.

The sadness of all of this is that we are talking about a very small part of the great problem that we face. We face a deficit, quite conceivably, of over a hundred billion dollars for this year and quite conceivably, $300 billion over the next 2 or 3 years and we are here arguing about $2 or $3 billion.

Two or three billion are not insignificant, but they are not the heart of the problem. The heart of the problem is an economic game plan, based in part upon figures that came from David Stockman's OMB, and they are not working. We the part of the problem we are now wrestling with.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, first, I want to pay tribute to my friend from Oregon. I am going to be brief, but I do want to take a minute to say that this was the most frustrating——

Mr. STENNIS. Mr. President, we need to have quiet here. This is awfully important.

The PRESIDING OFFICER. The Senate will be in order.

Mr. PROXMIRE. This was an extraordinarily frustrating and disorderly kind of operation—not because the Members did not do their best, but because we were faced with an almost impossible task. We had all the appropriations, 12 at least of the 13 appropriations bills, that we had to handle in a couple of days. We had to work very late at night. At times, it was almost like a Marx brothers comedy. It was very disorganized.

The one steady note of dignity and force that we had in that conference constantly was the chairman of the Senate Appropriations Committee, the leader we had on our side. I thought that MARK HATFIELD did a superb job under very difficult circumstances. Again and again, he brought us back on the point and moved the conference ahead in a way in which—I think we would still be in conference if it had not been for the remarkable Senator from Oregon and the fine job he did under difficult circumstances.

Now, Mr. President, let me say that I do think we should spend at least a minute or two recognizing that this is a process we must not permit ourselves to get into in the future. We must not have continuing resolutions that carry virtually the entire appropriations process over for month after month. We agreed on a date that was 9 months into the fiscal year, the best we could do. That was very difficult to achieve. But that made it extremely difficult.

Of course, it aborts the opportunity of Members of the Senate who are not on the Appropriations Committee to have a chance to discuss, for example, Health and Human Services, because we may not get, probably will not get, an appropriation bill on the subject before us until July—if then—because of this procedure.

Let me say, Mr. President, that I agree with the distinguished Senator from Oregon and with the minority leader and with Senator CRANSTON in pointing out that we are, as a matter of fact, in budget authority, overall, under the Senate and we are told by the document that I have here from the Office of Management and Budget that the President indicated a willingness to meet Congress halfway and accept a $4 billion outlay saving as achieved by the Senate continuing resolution with the Baker 4-percent amendment. I have that letter here and it is a fact. We were told that.

I do not say that the administration is wrong to change its mind, but it is sad, it is unfortunate that they were not able to work out an agreement with their own excellent leadership so we could have acted on this.

Mr. BAKER. Will the Senator yield?

Mr. PROXMIRE. Before I yield, Mr. President, let me say that I do hope that the Senate will give consideration to following the implications, at least, of the minority leader's question: Does it make any sense for us to go ahead and pass this, knowing that the President is going to veto it, knowing there is no shadow of a possibility of passing it over his veto, no way? The House will not pass it over his veto, will not begin to; this body certainly will not. We are simply creating a situation in which we will, at the very least, have on Monday morning, when the Government goes back to work, a situation where they can do nothing but start to close down under the opinions that have been set down in the past.

So I hope that, under these circumstances, the Senators will give consideration to defeating this resolution and permitting the House to send us a continuing resolution which we are going to act on anyway, we know that, 3 or 4 days from now or sooner, and be able to terminate this much more quickly and in a much better way.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. BAKER. Mr. President, may I say that I do not believe the President changed his mind. On the contrary, I think he has been constant throughout. I believe I should refer once again to a statement that was referred to by the distinguished chairman of the Budget Committee. This is from the OMB paper.

On September 24, the President asked for a 12-percent reduction in discretionary appropriations—

Discretionary appropriations—

for domestic agencies. This would have saved $8.5 billion in fiscal year 1982 outlays and additional amounts in future years.

In a letter to Senator Baker earlier this week, the President indicated a willingness to meet Congress half-way and accept a $4.0 billion outlay savings as achieved by the Senate Continuing Resolution with the Baker 4 percent amendment.

The Continuing Resolution Conference Report now pending will save only $2 billion in discretionary outlays, or less than one-fourth of the original request.

Mr. President, it is clear to me that no one ever intended that the 4 percent in the Baker amendment would be applied to the overall sums including entitlements. It is clear from the colloquy I conducted with the distinguished Senator from Idaho (Mr. MCCLURE) that the 4 percent was to be applied only after we had taken out the exempted items, which were principally entitlements. If that is so, these numbers are precisely on it.

As the Senator from New Mexico pointed out, maybe somebody else has a different opinion, but that is the fair and reasonable interpretation of the amendment itself, in my judgment, and of the colloquy which was made in connection with this adoption.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ARMSTRONG. Mr. President, in Lewis Carroll's "Alice in Wonderland", the White Queen says to Alice at one point, "What is one and one, and one, and one, and one, and one, and one?" Does anyone recall what Alice responds? She says, "I don't know. I have lost count."

I say to my colleagues, we are about to lose count of where we are in this process. I would like to take a moment to just recap the events of these last hectic few days, to attempt, at least from the perspective of the Senator from Colorado, to express concern about not only where we are and where we are going, but indeed where we have been this last week or so and to suggest some thoughts about where we might go in the next 2 weeks.

Before I do so, Mr. President, I should like to express my utmost appreciation to the members and staff of the conference committee. I have been around here long hours these last 3 and 4 days, though I have not been a conferee, but I have watched with mounting admiration the skill and patience and stamina which they have displayed in representing the interests of the Senate in this most difficult conference.

In fact, I must say, Mr. President, it appears to me that some of the members of that conference must have some sort of superhuman stamina to be able to have gone through what they did and still be in as good physical and mental condition as they appear to be. I think we all owe them a debt of gratitude.

Mr. President, let me recap recent events. On September 24, the President submitted to the Congress revised budget proposals which had the effect of lowering his March budget estimates. It was the President's recommendation at that time, on September 24, that we effect a savings in the projected 1982 deficit of approximately $16 billion, composed of the following items: President Reagan, on September 24, suggested for 1982 a $3 billion increase in revenues through tax code changes, which have been variously described as revenue enhancements.

Second, the President proposed $2.6 billion in entitlement reforms to be effected in 1982. The President suggested $2 billion in defense slowdowns—that is, simply changes in the rate at which defense programs were funded.

Finally, and most germane to the continuing resolution before us, the President suggested outlay reductions in nondefense appropriation accounts of $8.4 billion.

To achieve the $8.4 billion in outlay savings that the President recommended, it is believed that budget authority sav-

ings of from $17 to $19 billion would be required. There is some confusion about the magnitude of BA savings which would be necessary to achieve an $8.4 billion outlay reduction in 1982, but clearly, it is in the range of $17, $18, $19 billion.

The President at that time in his message suggested that the effect of the changes which he proposed would be to provide revenues in fiscal 1982 of $606.62 billion, outlays of $709.3 billion, and a deficit of $43.1 billion for the fiscal year.

On October 1, with the President's recommendations before us, Congress passed a stopgap continuing resolution running from the beginning of the fiscal year to November 20. In many ways it was a completely unsatisfactory budget resolution. It was not intended, nor was it interpreted by anyone as a permanent continuing resolution or the shape of proper funding for the new fiscal year.

It would provide, if permitted to run for a full year, spending rates and priorities widely at variance with the President's program, with the recommendations of the Reagan administration, indeed, with the new mood of the country and the majority of this body. It was in effect because it was a continuation of the prior year, a reaffirmation of the prior administration's program, and just to cite two examples of the inversion of priorities contained in that continuing resolution, it would have funded Labor and Health and Human Services, the LHHS, budget at a rate $5 billion above the September 24 recommendations of the President. And it would have funded defense at a rate $7 billion below that requested by the President.

This week the Senate adopted a continuing resolution which we sent to the House of Representatives and subsequently to conference, the effect of which would have been as follows: If the Senate's version had prevailed in conference, the continuing resolution thereby adopted at annualized rates would have been $6.5 billion in budget authority and $4.4 billion in outlays above not below but above the President's request of September 24.

Or to look at it from another perspective it is true that this resolution would have achieved savings of $4.1 billion as compared to the President's March request, but only about half, I stress, of the savings which were proposed by the President in his message of September 24.

These figures are, of course, based on the notion of an annualized basis: whereas, of course, the resolution which we sent to the House of Representatives for consideration called for termination on March 30.

The conference report which has been returned to us adds back to the Senate version as best as the Senator from Colorado is able to understand $3.5 billion in budget authority and $2 billion in outlays, again on an annualized basis.

Now these comparisons are very tricky. Because the resolution fortunately does not provide for a full year of continuation, but only an annualized basis, I believe it is fair to say that the effect of the conference report would be to achieve only $2 billion of the $8.4 billion of nondefense savings which were recommended to the Senate on September 24 by the President.

Mr. President, I have said nothing about the other aspects of the $16 billion which the President expressed the hope of savings in his message which he sent to the Senate on September 24.

I am not going to take the time of Senators to do so at this time, but I would submit for the RECORD and shall ask unanimous consent that we print at this point in the RECORD a brief summary of the President's proposal and I just note in passing especially given all the difficulty we are having in achieving $2 or $3 or $4 billion out of the $8 billion in nondefense saving, it is difficult for me to see how we are going to achieve a large fraction of the other $8 billion which the resident has asked for, but just so the RECORD is complete I ask unanimous consent that this be printed in the RECORD at this point.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

REVISED BUDGET OUTLOOK

[Dollar amounts in billions]

	Fiscal year		
	1982	1983	1984
1. September revised outlay estimates	$722.3	$769.0	$818.8
2. New savings proposals:			
12-percent across-the-board fiscal year 1982 cut	8.4	5.3	3.8
Defense slow-down	2.0	5.0	6.0
Entitlements reform	2.6	10.0	15.0
Subtotal	13.0	20.3	24.8
3. Revised outlay estimates, net of new savings	709.3	748.7	794.0
4. September revised receipt estimates	663.2	706.1	760.0
5. Proposed revenue enhancement through tax code changes	3.0	8.0	11.0
6. Revised receipt estimates, with new proposals	666.2	714.1	771.0
7. Future savings to be identified for fiscal year 1983–84	0	11.7	23.0
8. Deficit targets	43.1	22.9	0

Mr. ARMSTRONG. Mr. President, I come to the following conclusion: First of all, this conference report is completely unacceptable because we are really not achieving even the modest rate of savings which was suggested in the Senate-passed version under the terms of the amendment offered by the majority leader and accepted by the Senate. I must say, very frankly, that even the President's recommendations on September 24 were very, very modest and restrained in view of the staggering deficits which are in prospect for the next 3 fiscal years.

He was talking about saving $16 billion with the possibility that we may face deficits ranging from $280 billion to $394 billion between now and the close of fiscal 1984. That is a very, very modest response, clearly only the downpayment on the kind of savings that we are going to have to have. The Senate then cut it down to $4 billion. Now the conference report has cut it down to $2 billion. This is not progress. This does not make sense to me.

The report is also unacceptable to me because the defense appropriation has been reduced unrealistically so that when the regular appropriations are finally passed hopefully in the near future we will probably increase spending over the conference report by an additional $4 billion or so. In addition from the brief study which I have had the opportunity to give to this conference report, it appears to me that entitlement appropriations, that is appropriations for items which are in essence uncontrollable, have been reduced to unrealistic levels to necessitate supplemental appropriations approximately $1.7 billion.

At the same time, the conference report increases discretionary budgets by $1.5 billion. Increases in discretionary appropriations have been concealed to some extent by what appears to me to be unrealistic defense and entitlement figures so that to the best reconciliation I can achieve at this moment, this continuing appropriations actually contemplates spending in 1982 approximately $435 billion for these accounts instead of the approximately $427.8 billion shown in the agreement. That is a gap of some $7 billion which is certainly a source of additional concern.

I expect that this conference report contains a number of unknown provisions—at least I have to confide to Senators that they are unknown to the Senator from Colorado, and I just note in passing my traditional complaint that we must not adopt conference reports which contain complicated and unknown provisions. Now we do this over and over again and we should get out of this habit. That is really a very poor policy.

I also note in passing that it contains at least one provision which is known and which to me is odious and that is the suggestion that we would raise the pay of some Members of Congress by I believe 4.8 percent. In my judgment that is not wise, not because those Members of Congress who would be so affected are unworthy of the pay increase but simply because in the judgment of the Senator from Colorado it is not a timely matter.

Nor in my opinion is it wise to raise the pay of Members of one House while not raising the pay of both.

Mr. President, this bill is nothing but veto bait.

Mr. McCLURE. Mr. President, will the Senator yield on one point?

Mr. ARMSTRONG. Yes, I am happy to yield.

Mr. McCLURE. Maybe I did not hear quite correctly what the Senator said, but the pay provision was knocked out in the other body.

Mr. ARMSTRONG. I thank the Senator for that explanation.

Mr. McCLURE. That is not before us.

Mr. ARMSTRONG. Which relieves my mind as to that point although it emphasizes the difficulty of understanding the contents of this conference report. That is a matter which escaped my attention after several hours of study, but I thank the Senator for his explanation.

I will say that in reviewing this with different people not on that particular point I have been given conflicting advice about some provisions.

Mr. President, to sum up, it seems to

me that this bill is little more than veto bait. The majority leader has assured us that it is going to be vetoed by the President and with good reason perhaps for some of the same reasons that I have suggested. Personally I think it would probably be better not to give him the opportunity to veto it and just go ahead and turn it down. I will tell the Senate, very frankly, I am very reluctant to follow the majority leader's recommendation and vote for this conference report. I do not think it is good legislation. I do not think it is a good appropriation.

I do not wish to have it on my voting record that I voted for this monstrosity nor, may I say, that I think it is a good policy to vote for legislation on the assurance that it is about to be vetoed. That seems to me to be an extraordinary form of recommendation. Nonetheless, Mr. President, I am going to vote for it. I am going to vote for it—I shall explain why—with clear understanding that it is in my view a defective piece of work; nonetheless, I am going to concede that the issue of how we get out of this horrible mess really is a tactical decision.

The majority leader has managed this situation with infinite patience, infinite cheerfulness, infinite good humor, and infinite courtesy and at least on this occasion it seems to me that I can swallow my pride and vote for this thing simply out of affection and regard for him and to give him a chance to maneuver us into a position which I believe we should be in.

So I am going to do so, but before I take my seat I shall explain to the Members where I think we should be going and where with the forbearance and leadership of the Senator from Tennessee, the President, and Speaker of the House of Representatives, and everyone else I hope we will end up.

First, I hope that before the evening is over or sometime early tomorrow we will adopt a very brief extension of the prior continuing resolution, something like 15 days. I am told that is contemplated by the other body, and it is acceptable to the President and that will buy us a little breathing time to straighten this mess out.

Mr. President, I hope we will use that 2 weeks or so wisely. I hope that we will first resolve to never again permit ourselves to be put in a position of acting upon such an important issue in haste late at night without proper documents and without sufficient opportunity to study the measure that is before us. We have done that over and over again, and at some point it seems to me we must simply say we are not going to do this anymore. I think we have reached that point.

There is a tradition around here that holds these marathons all night, all day conferences are a test of dedication or commitment to the process. It is a test all right. But I think it is an intelligence test, not a test of dedication, and I think when the Senate as a body and its conferees and staff participate in that process they are failing the test of intelligence. I think it is the dumbest thing we can do. I think it is the sorriest atmosphere in which to try to make important decisions which should be properly manageable. When we send a bunch of conferees and staffers in the committee to negotiate and bring things back at odd hours of the day or night, and we come in here looking and sometimes acting like zombies, unable to comprehend what is going on and in many, many cases my colleagues that is exactly the situation, we do not know in many instances what we are voting on, I think that is a poor policy and I think we should break that habit.

Third, I think we should use the next 15 days to rationalize the misunderstanding among the CBO, OMB, and the Appropriations Committee.

I think the administration should send us new figures. In the numbers which I have sent to the desk and which will appear in the RECORD at an earlier point, there is a 3-year projection of revenues, outlays, and deficits submitted by the President of the United States on September 24; and I have to tell my colleagues that those numbers are from fantasy land. They are so far at variance with the real circumstances which are acknowledged by everybody that for them to be on the public record, I think, is an embarrassment. We should get our numbers up to date within the next 2 weeks.

Second, I wish to elaborate on the point raised by Senator CRANSTON and discussed by others, and that is the question of outlay projection. Somehow, we have to reach agreement on fundamental questions about how a given rate of budget authority will spend out—that is, what rate of outlays will result from a certain rate of budget authority. Our policymaking is absolutely knocked into a cocked hat when we cannot agree on that, and it arises from three or four reasons.

First, different assumptions about the spendout rate on current year spending. When we appropriate for VA, as the Senator from California pointed out, it is the outlays that ultimately determine whether we are in surplus, balance, or deficit. Somehow, we have to reach agreement on our estimates of how outlays will be achieved.

Second, we need to have at least a common basis on the understanding of adequacy of provision for the uncontrollables—food stamps, for example. When we say that food stamps are going to spend out at a certain rate during the year, if we estimate too low, we are building into the system an uncontrollable item.

Finally, we have to do something that gives us a better handle on the budget authority in the pipeline. I wonder how many Senators know the amount of unspent budget authority in the pipeline that will result over the next several weeks in outlays. Does anybody have a guess as to how much it is? It is over $800 billion. Over $800 billion has been appropriated and remains unspent and will trickle or gush into the system at various rates over the next several years and even decades.

This, I suggest, is an intolerable situation and makes it impossible for us to know where we are going, because that kind of sloshing around can affect outlays of $10 billion or $20 billion in a particular year.

Finally—and I appreciate the patience of my colleagues in giving me an opportunity to discuss these matters with them—I suggest that in the next 2 weeks and the period beyond, while we work on a new continuing resolution, we also devote ourselves to the question of institutional reform. We should learn something from the mess we are in. We should learn that the budget process must be simplified. The budget, authorization, and appropriation process is so complicated that there is scarcely a Member in this Chamber who really understands it in detail. I do not say that to criticize any Member, but simply to say that we have created something so complicated that it is virtually impossible for the human mind to comprehend. It is unnecessarily complicated. It is complicated to the point that it truly obscures the policy alternatives before us. We must simplify it.

Second, we must discipline ourselves to act in a timely manner.

Third, we must grant to the President the authority to control the rate of spending necessary to meet congressionally mandated outlay targets. In other words, we should give the President rescission authority limited in some way, perhaps limited to the exercise of such rescission authority as needed to achieve congressionally mandated budget resolution targets.

Finally, I think Congress should begin to appropriate outlays. All we really appropriate is budget authority. No company in the world would do that. I see in the Chamber the Senator from Illinois, who was the leader of a great company before he came to the Senate. I am sure that he and other businessmen and women in the Chamber will agree that no organization in the world, other than the U.S. Government, would let its board of directors say to the executive officer, "We are going to appropriate this much budget, and you can spend it any time you want—5 minutes from now, 2 days from now, next week, next year, 20 years from now." Of course not. They would appropriate it and say it is to be spent at the following outlay rate.

Only Congress would do this, and it has run up $800 billion in unspent budget authority. We need to get control of that.

Mr. President, I hope that in the next couple of weeks, as we extend the old continuing resolution and go through this process, we will devote ourselves to institutional reform in solving some of these basic problems and that we will not find ourselves 10 days or 2 weeks from now back here in the same deadline pressure and making the same mistakes.

Mr. PERCY. Mr. President, I commend my distinguished colleague.

If the saying goes, "Never on Sunday," maybe we can change that to "Only on Sunday" do we speak against a resolution so strongly as has the distinguished Senator from Colorado and then turn around and say he is going to vote for it.

I am in the same position, but for somewhat different reasons. I intend to vote for the continuing resolution but will do so only as a procedural matter

in order to send the resolution to the White House and because we have the assurance of the President that he will veto it. I think that to enact this measure into law would be an utter disaster for the national security interests of the United States of America.

This resolution achieves less than 25 percent of the goal that was established by the President to reduce this fiscal year 1982 budget level by $8.5 billion. That is hardly even going half way, as did the Senate bill, when we are working toward a balanced budget sometime in the future. If we do not do this now symbolically and try to meet at least the Senate level of a $4-billion reduction, there is going to be no hope for an ultimate objective, and the signal we are sending out is that we really are not serious about balancing the budget.

However, even more important, I am concerned about the impact on our security and economic assistance program that is in this resolution.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield?

Mr. PERCY. I yield for a question.

Mr. ROBERT C. BYRD. Mr. President, I have been inclined to vote for this conference report, but I am utterly confounded by the astonishing statement that the distinguished Senator just made—namely, that he will vote for this conference report, but only because the President has said he will veto it.

I cannot understand the Senator's rationale, and I am truly shaken in my own judgment, which I thought I had arrived at pretty firmly, that I would probably vote for this conference report. Now I am confounded 10 times over.

Will the Senator explain to me his rationale as to why he will vote for this conference report, after he so solemnly condemned it, and only on the basis that the President is going to veto it?

Mr. PERCY. I will do so simply because it is desirable that we get the measure to the President. He will then send a loud and clear message back quickly to the country as to the significance of what we have done.

This measure reduces the Senate foreign assistance and military and economic assistance by over $1.3 billion. That is a crucial decision of the conference and a position that undercuts the original Senate position. That action will seriously jeopardize the entire program started by a preceding President, President Carter, for rapid deployment of our forces and to better secure the oil interests of this country and the free world in the Persian Gulf.

According to the State Department figures, this will seriously undercut our security assistance programs in Kenya, in Oman, in Sudan, in Somalia, and in Egypt. Those are the heart of the security programs started by a previous President and strengthened by President Reagan.

That $1.3 billion cuts the Senate bill. In the Foreign Relations Committee, Senator PELL and I offered an amendment, unanimously supported by the committee, that reduced the Reagan budget by $900 million for foreign assistance programs. That position was subsequently sustained in the Senate.

I point out to my colleagues that the Senator from Wisconsin (Mr. KASTEN), the chairman of the Foreign Operations Appropriations Subcommittee, and Senator INOUYE, the ranking minority member, did an absolutely masterful job throughout the conference in attempting to sustain the Senate position. That position was lost, and we are down $1.3 billion by this conference resolution. I leave it to my distinguished colleague, the chairman of the subcommittee, to explain the entire detail of what that does to our own national security interests. I will only point out what we utterly decimate our ability to protect our oil interests in the Persian Gulf by this action, and that position that I take was certified to by the President, the Secretary of State, and the Secretary of Defense.

Mr. JOHNSTON. Mr. President, will the Senator yield?

Mr. PERCY. I yield the floor.

Mr. JOHNSTON. Will the Senator yield for a question?

Mr. PERCY. I yield for a question.

Mr. JOHNSTON. I thank the Senator.

A number of us on this side of the aisle have tried to be a friend and supporter of the President. What I should like to know is this: Do you vote for or against this conference report if you are trying to be a friend and supporter of the President? [Laughter.]

Mr. PERCY. Every Senator can make up his own mind as to how he does it. I intend to vote for the conference report in order to have it sent to the President so it will be vetoed. [Laughter.] With a strong veto message alerting the country as to the economic and foreign security consequences of our action.

Mr. KASTEN. Mr. President, I commend Senator Hatfield for the heroic job he has done on this continuing resolution. We have worked long and hard all weekend and have made substantial progress. But two very serious problems remain.

First, there is the technical "numbers" problem, which several Senators have talked about, particularly where the entitlement programs are concerned. According to the Office of Management and Budget, the continuing resolution contains $1.7 billion in essentially fake savings due to an underfunding in the entitlement programs. The point is we are going to have to pay for these entitlement programs whether we appropriate the money now or later. We should all realize that this conference report saves $2 billion less than it purports to, in that one particular area of Labor-HHS.

The other area, which the Senator from Illinois referred to, is the funding level for foreign assistance. The House insisted on underfunding by $1.6 billion the foreign assistance program, and adding this money to the other sections of the bill which are already substantially over the President's budget.

Once more, it is clear that this administration is going to meet its commitments overseas and it is clear to me that this Senate is going to vote for the Sinai peacekeeping money, that this Senate is going to vote for aid to Israel, that this Senate is going to vote for aid to Egypt, that this Senate is going to vote for these programs. The conference committee knocked these numbers down knowing full well that we are going to have to vote to pick them up. But we are never going to find those dollars that have been redistributed out into all these different accounts.

The demagoguery surrounding the question of the U.S. foreign assistance program is just incredible. Both in conference, especially late last night for those of you who were there, and on the House floor it has been simply astonishing. With blatant political motives, the rhetoric has been nearly nonstop about efforts to increase foreign aid at the expense of domestic programs. But what are the facts?

The Senate position in the conference for foreign assistance and related programs totaled $11.2 billion in budget authority. The House position in conference was $9.6 billion, an unrealistic figure based on a previous stopgap funding measure. These figures compare with a level of funding, enacted, of $11.4 billion in fiscal year 1981, of $11.5 billion in fiscal year 1980, of $11.2 billion in fiscal year 1979, and of $10.6 billion in fiscal year 1978.

Where is the increase?

In fact there is not any. In fact, the Senate bill is below the 1981 level. It is below the 1980 level. It is only in comparison to 1978 that we show an increase, and then only an increase of $600 million. There is simply no way that one can dispute these comparisons. Those who have been shouting about great increases in foreign aid know this and they also know that we are going to vote to put that money back in at some point in the future.

Mr. President, what would the effect on U.S. foreign policy be if the House numbers were to prevail?

I just want to show you why we are so certain to put the money back in.

Broadly stated, the House position would jeopardize nearly every single bilateral relationship the United States has, particularly, and most distressingly, in every current critical area of U.S. foreign policy interests.

For example, the House position would eliminate all direct military credits except for Israel. In other words, there would be no military credit program for Egypt, none for Turkey, none for Portugal, no military credit program for the Sudan, for Somalia, for Kenya, and Liberia.

How many of you believe that we are going to end up with no military programs for any of these countries? The fact is we are going to add that money back in.

Economic assistance to Egypt and Israel would be cut by $42 million. How many of you believe that we want to have a $42 million cut from those programs? Not one of you. We are going to have to add that money back in.

Funding for the Export-Import Bank, so important to U.S. exports and American jobs, would be cut below the fiscal

year 1981 levels by $2,589,000,000. And we have voted to increase Ex-Im right here on the floor.

Mr. President, what kind of a message does this send to our friends and allies? What does this say about the commitments of the United States? What does this say about the U.S. commitment to the peace efforts in the Middle East?

The correct course for us to take now would be to back the foreign assistance security programs. I recognize, however, that we have a slightly different agenda and I am going to support it.

I am going to vote for the conference committee report but not because I agree in any way that those numbers are the numbers that we are going to end up with over the long haul. We have simply through fake accounting, especially in the area of foreign aid, made savings that will not be realized, and in the process I believe we have hurt our credibility. I will vote for this conference report only because I know the President will veto it. I will support that veto.

We have endeavored to take a responsible course in the Senate on foreign assistance. We will not be waylaid from that course by the irresponsible actions of the other body.

I yield now to the chairman of my committee, the Senator from Oregon.

Mr. HATFIELD. Mr. President, I move adoption of the conference report on House Joint Resolution 357 and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. Mr. President, I find myself terribly confused with the debate. I think this is an important vote. I would like to ask questions of those who are supposedly in the know.

I join my colleagues in saluting our friends who served into the wee hours of the morning to try to work out the conference report when some of us were home getting a little sleep.

Mr. RIEGLE. Mr. President, the Senate is not in order. Could we have order so we can hear the Senator from Nebraska?

The PRESIDING OFFICER. The Senate will be in order.

The Senator from Nebraska.

Mr. EXON. Mr. President, I was trying to get the floor when the majority leader was present.

Is the majority leader on the floor at the present time?

Yes, he is on the floor.

Would the majority leader answer a question for me to try to straighten out something in my mind? I am confused as I listen to the debate. Sometime about 3 or 4 o'clock Saturday morning I asked the question if we basically adopted the Baker amendment, would the President of the United States, if those figures were accepted, not veto the bill, and the reply was, "I am in a position to advise the Senate that if this bill passes with the Baker-Byrd amendment attached and survives the conference, the President will sign the bill."

Would the majority leader advise me whether the President changed his mind after this or before or were the figures simply inaccurate?

Mr. BAKER. Mr. President, the President did not change his mind at all. It is my judgment that the President has been absolutely constant and totally consistent in the statement he has made in respect to his budget request. He started with the request for a savings in his September message of $8.5 billion. I make no secret of the fact that I was among those who told him, "I do not think you are going to get $8.5 billion, but we will do the best we can."

He then sent me a letter saying that he was willing to accept something in the range of $4 billion and that he believed that that figure had been achieved by the Senate continuing resolution with the Baker-Byrd amendment attached.

Mr. President, the reason I do not think the President ever changed his mind was notwithstanding the claims by our good friends in the House of Representatives that the 2 percent of the House cut is the same as the 4 percent in the Senate cut is this: You are simply working with different figures. If, indeed, you take out the entitlements, which never were intended to be cut—some day, I say to my colleagues, we are going to have to get to this business of what we are going to do about entitlements, we will have to grasp that, but we did not in the continuing resolution or the Byrd amendment—if you take out entitlements, if you take out the exemptions we drafted onto that amendment and then apply the 4 percent you come up with the figures I am speaking of, the Senate figures, the $4 billion savings.

If, on the contrary, you leave those entitlements in there and apply 2 percent to it, you have twice as big a base and you get essentially the same figure. There is nothing secret about it. Nobody is feeding bad information to the computer. Nobody is alleging that the House of Representatives or the Appropriations Committee in that body were in error in their computations. It is simply a difference of opinion. Did the Baker-Byrd amendment for a 4-percent across-the-board cut mean that you take that 4 percent on the net or on the gross?

It was my purpose, my intention, and I believe the Senate's intention, and I am sure the President's understanding, that the 4 percent applied against the net. That is to say, you take out the exemptions, you take out the entitlements, and then you apply the 4 percent. Then you get the number of net savings, the $4 billion.

The House of Representatives, on the other hand, simply took a bigger base. They left the entitlements in there, they left the exemptions or most of the exemptions in that we took out and then applied 2 percent and came up with essentially the same number.

Mr. President, that is how you got the Alice in Wonderland situation that my friend from Colorado spoke of that 2 percent equals 4 percent. Obviously 2 percent does not equal 4 percent unless you take 4 percent of one figure and 2 percent of a different figure.

Mr. President, the President of the United States has never changed his position. He has been loyal to this commitment he made to me and to the Senate that he would sign a bill that represented the savings that were advanced and we thought accomplished by the Baker-Byrd amendment if they survived the conference. The key phrase is they did not survive the conference.

Mr. EXON. May I inquire further of the distinguished majority leader, is it fair to say that the President did not like the mix of the cuts although the total in budget authority indeed met the figures in the Baker amendment?

Mr. BAKER. May I respectfully say to my friend from Nebraska, who is a dedicated Senator and extremely capable—I wish he were on my side of the aisle—I respectfully disagree with the statement that he just made.

I believe that one of the major defects in the House proposal and in the conference report as adopted was that when they failed to take out the exemptions and the entitlements that I spoke of earlier and applied their 2 percent to it, then later when they did take them out there was more money to distribute against other titles.

Bear in mind, the defense item is not there. But the net result was to reduce foreign assistance, to increase Labor-HHS, and to have a further impact on other programs. The difference in computation produced the different mix. I do not believe the different mix was produced as a change in priorities in the House of Representatives. Perhaps it was. If it was, it was not a direct and frontal assault on those priorities but a change in the way the computation was made. It is true that by changing the method of computation as I described, it had the inevitable effect of changing the amount of money that went to the several accounts that are involved in the eight domestic programs affected by the Baker-Byrd amendment.

Mr. EXON. I would like to inquire further, if I might, because I respect his judgment, as he knows. Is the majority leader voting for the conference report on the basis that he believes that while it is not his amendment that basically he thinks it is close enough to it, or is he voting for the conference report because of the fact that the President has agreed to veto it?

Mr. BAKER. Mr. President, before I answer the Senator's question, let me say that there is a great range of opinions on this side of the aisle about whether we should vote for or against the conference report. Within that range are some who think that the conference report is indeed a good work product; and others who think it is perhaps the best that can be done under the circumstances. Some think it is perhaps midway where we should be. Some think it is not too good and some think it is awful.

Mr. President, there is no effort on the part of the leadership on this side

to tell people that they should abandon their appraisal of this conference report. They are free to make their judgments as they please and indeed to vote as they please.

To answer the Senator's question, I will tell him that I am in that third category. I think maybe it is not such a bad conference report, but at 9:10 on Sunday night, and it is now almost 48 hours since the Government theoretically went broke—at 9:10 on Sunday night it is time to liquidate this issue. It is time to crystallize this and get it to the place where we can deal with it.

So, Mr. President, my answer is, I will vote for it with the full expectation that the President will veto it and the great hope and expectation that the House of Representatives then will send us some temporary measure making continuing appropriations for a limited period of time that we can adopt yet tonight.

Now, let me tell you what the alternative would be. I must tell you that I received a good bit of advice from this side of the aisle and a fair amount from downtown, meaning at the White House, on the idea that we ought to reject the conference report because it is not terribly good in the view of many.

But let me say, as a procedural matter, what happens if we do that. As the distinguished majority leader pointed out, if we reject this conference report, this bill, this conference report, this resolution does not go away. It does not evaporate and disappear. Presumably the two bodies would go to conference once more on that same measure.

Now, I do not know how long that will go on. I do not know what the end result will be. What I know is, I do not want the Government of the United States to face in the morning, at the beginning of business, the uncertainty of whether or not we could pay our bills.

Mr. President, there are half-a-dozen ways we could approach this issue. But the one I choose and the one I recommend is that we go ahead and adopt this, with the full foreknowledge that the President of the United States will withhold his approval and with the hope and expectation that we can get on with the temporary measure.

Mr. EXON addressed the Chair.

Mr. ROBERT C. BYRD. Will the Senator allow me to ask a question?

Mr. EXON. Certainly.

Mr. ROBERT C. BYRD. May I say to the distinguished majority leader, most respectfully, he misrepresented what I had said, but he misrepresented it because he misunderstood it. Let me clarify what I said earlier.

If the Senate rejects this conference report, it does not mean that we do go back and forth with the conference again and again and just extend the work on it. That is not the case. If we reject this conference report, that is the end of the conference report, period. It is dead.

Now, if that happens, the Speaker will send over another resolution, the House will send over another continuing resolution extending the date 15 days or a month or 6 weeks or whatever, and then the Senate will have an opportunity to vote that up or down. And I assume that the Speaker could call the House together and get another resolution over here.

Mr. BUMPERS. Will the minority leader yield?

Mr. EXON. I believe I have the floor.

Mr. ROBERT C. BYRD. So I say to the distinguished majority leader, most respectfully, that he misunderstood my position.

Mr. BAKER. If the Senator would permit me to say a word?

Mr. EXON. I am happy to yield to the majority leader.

Mr. BAKER. Indeed, the minority leader is correct. If we decide that is the end of it, it is.

But I cannot visualize, on a matter of this sort, if we reject this conference report, that we would not ask for another conference or proceed in that way. Something has to be done.

Mr. ROBERT C. BYRD. In rejecting the conference report, that is the end. The House conferees have already been disbanded. When this conference report is voted down, it is as dead as last year's Christmas turkey. [Laughter.]

But I am sure that the Speaker would immediately initiate the action on a new resolution making an extension.

Mr. BUMPERS. Will the Senator yield?

Mr. EXON. Yes.

Mr. BUMPERS. Will the minority leader yield for a question?

Mr. ROBERT C. BYRD. The majority leader has the floor.

The PRESIDING OFFICER. The Senator from Nebraska has the floor.

Mr. EXON. Do not forget.

[Laughter.]

Mr. BUMPERS. My question to the majority leader is this: If we want to expedite this matter, as the leader has indicated, would it not be infinitely better for us to vote this conference report down now in the certain knowledge that the President is going to veto it and no override is possible and possibly within the next hour pass a continuing resolution, which the majority leader over there, Mr. WRIGHT, has told me they can get to us within 30 minutes after we vote this conference report down? If everybody really wants the Government to continue to function, I think we could probably arrange that in the next 60 minutes, if we vote this conference report down.

If we do not vote it down, then it is going to the White House, the President is going to have to issue a veto message, and it is going to have to come back over here, and I assume we are going to have to try to override it or go through the procedure again.

Would the majority leader not agree that the quickest way to resolve this matter is simply to defeat this conference report and let the House send us another continuing resolution?

Mr. BAKER. If I may answer, will the Senator from Nebraska yield?

Mr. EXON. Glad to yield. [Laughter].

Mr. BAKER. To tell you the truth, Mr. President, I do not care which way it goes. [Laughter].

I want to tell you something. All I want to do is get this thing out of here. Now, some of my friends apparently are under the misapprehension that the President is just busting his suspenders to veto something. That is not right. And maybe I am trespassing on Presidential confidentiality when I say what I am about to say next, but it is true.

I talked to the President on the telephone just a little while ago. He asked me to make a recommendation on which way we proceed and I made this recommendation. His remark to me was: HOWARD, I am perfectly willing to do it that way or I am perfectly willing for the Senate to reject that if they prefer. If you think that is a bad bill, reject it. I am not teething at the bit—those were not his words, those are mine—to veto something.

Now, I am going to tell you right now, I say to my friend from Nebraska and my friend from Arkansas, that it does not make a particle of difference to me which way we go with this. All I want to do is make sure we get rid of this thing once and for all. As far as I am concerned, we could have a vote and you can vote it up or you can vote it down, but just vote it and get it over with.

SEVERAL SENATORS. Vote!

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska has the floor.

Mr. EXON. I appreciate the great consideration my colleagues have given this freshman U.S. Senator, but I am going to ask one more question. Is the majority leader still on the floor?

Mr. BAKER. Yes, sir.

Mr. EXON. One more question I have of the majority leader. Since I try and follow the recommendations of committees when I think they are right and generally I try and follow the majority when I can on conference reports, there were 15 Members that signed the conference report at 1:30 this morning on that side of the aisle. Can the majority leader advise me as to whether there will be any defections of those 15 when we vote in just a moment?

Mr. BAKER. I do not have the foggiest idea.

Mr. EXON. I thank the majority leader for his patience.

SEVERAL SENATORS. Vote!

Mr. HATCH. Mr. President, it is with a great deal of reluctance that I will vote for this resolution, since the spending levels that it contains are clearly in excess of the levels requested by the President.

Even though the President has shown a willingness to compromise at some savings level below the 12 percent he originally requested, the savings in this resolution is approximately $2 billion. The President was willing to accept a $4 billion savings.

I have concluded that the President's warning on runaway spending has generally been ignored by the Congress, and that the only way that the issue can be clearly addressed is by sending House Joint Resolution 357 to the White House and giving the President a chance to veto it.

At this time, the focus of discussion is revolving around the outlay estimates generated by OMB and those calculated by the House Appropriations Committee staff. I will support this resolution as a

means of permitting the light of a new day to fall on both sets of estimates and as a means of allowing the President to clear the air on the issue of the runaway spending in the numerous entitlements program, at least two of which are at issue in spending estimates included in this resolution.

Also, to set the record straight, I will then vote to sustain the President's veto as a long overdue rebuke of the Congress.

Mr. KENNEDY. Mr. President, I commend all the Senate and House Members of the Conference Committee for their good faith effort to reach an acceptable resolution of this controversy on the continuing appropriations bill. They have worked hard days and long hours throughout this weekend to achieve reductions in spending that will satisfy the President without crippling vital programs that are a lifeline to countless Americans in every section of this country.

I had thought that an understanding had been reached with the administration in the early hours of this morning. But now we are told that there is no understanding, that more spending cuts are needed, and that this bill once more stands in the shadow of a veto—unless, says the administration, we go back to the well again for more cuts and deeper cuts.

But I say to you, the well is already dry. The budget cuts we have made already are too deep. They are written, not in the numbers of David Stockman's balance sheet, but in the tears and pain of millions of our citizens who must bear the brunt of these harsh and unfair budget cuts.

As the first snowstorms of winter arrive, how shall we tell families, trying to heat their home, that low-income fuel assistance has been cut by $90 million from a year ago?

What shall we tell a mother seeking health care for herself and her newborn child, when she learns that maternal and child health funds have been slashed by $100 million.

Worst of all, what shall we tell the young persons in our cities, when their rate of unemployment touches 50 percent or higher, when they realize that job training funds for youth have been cut by $500 million—or an incredible 70 percent—just as the economy is sinking into a severe recession.

There are no adequate answers to questions like this. The cuts adopted in this measure are already unacceptable. We must not compound this crisis of human misery by asking even harsher slashes in these programs. We have done too much damage already.

David Stockman himself has exposed the Reagan economic program for what it is—a classical example of trickle down economics, a program that blesses the rich with massive tax benefits and condemns the poor and the middle class to insufficient tax relief and endless spending cuts.

Nor is there any justification in economic theory for the administration's demand. Their policies have already pushed the economy over the brink of recession. The administration has wisely agreed to drop the tax increases they proposed as recently as September—as everyone knows, you do not raise taxes in a recession, because it will only make the recession worse.

That was Herbert Hoover's policy in the early 1930's, and it brought us the Great Depression. But if you listen closely today, you can hear the echoes of Herbert Hoover.

The same rules of fiscal policy that tell us not to raise taxes in a recession also tell us not to cut spending. It has the same devastating economic impact. It will only make the recession worse. This is elementary economics, and if Congress violates this basic fiscal principle, we will only deepen our current distress, and make the current budget deficit even greater.

As a rule of thumb, each increase of 1 percent in the unemployment rate causes an increase of $25 billion in the Federal deficit. Unemployment in this country is now at 8 percent and rising. It has gone up 1 full percentage point since July. So the recession their policies have caused has already increased the deficit by $25 billion. Yet all we hear from the President is to keep on cutting spending and keep on making the recession worse.

It is difficult to imagine a more untenable position for a President than to shut down the Federal Government over this issue. That action would be contrary to the most fundamental principles of fairness and of sound economic policy. I urge the President not to do further damage to the economy by insisting on deeper spending cuts at this highly inappropriate time.

● Mrs. HAWKINS. Mr. President, the economic recovery program of the President deserves the continued, full support of the Senate.

Because I support the President in his effort to reduce Federal spending, restore the economic health of America, and strengthening our Armed Forces, I will vote for passage of House Joint Resolution 357, the continuing appropriations resolution.

At this time the most expeditious means of resolving the current budget impasse is to refer to the President this continuing appropriation bill although it falls short of his spending targets while making unacceptable cuts in the defense budget. This parliamentary procedure allows the President to veto House Joint Resolution 357, sending it back to the House which has a constitutional duty to initiate a revised continuing appropriations bill. I trust this new bill will gain the support of the President and the American people by making the additional cuts necessary to restore our economic health.●

● Mr. GRASSLEY. Mr. President, under President Reagan's leadership, we have enacted two major components of his economic recovery plan this year—the tax and spending cuts—which will enable us to return this country to the course of economic growth and strength. This is obviously the mandate given to us just over a year ago in the 1980 elections.

This bill, which makes continuing appropriations for this entire fiscal year, completely contradicts all the effort that both the President and Congress have expended over the past 11 months. We have made history by passing the omnibus reconciliation bill of 1981, which saved the American people $36 billion this year. As we all know, the reconciliation bill forced us to make some, difficult decisions, but we made them in an effort to bring Government spending and our economy under control. This bill that we are now deliberating completely negates those decisions that we made this year, however. By passing this bill in its current form, we would in effect be continuing the spending priorities of the previous administration.

The President has agreed that the Senate version of the continuing resolution, though still $1.1 billion over his latest budget request, would be acceptable to him. I would wish that he would not even compromise this far. The version we are now discussing, however, is $3.5 billion more than he had requested, and $2.4 billion over the compromise position. Of the $3.5 billion in excess spending, $1.7 billion are the result of blatant underfunding of entitlements by the conferees. This action should not fool anyone, for we all know that what we underfund today will return to haunt us in a supplemental. The President is certainly not fooled by this gambit, and I agree with his judgment that the entire bill as it now stands is unacceptable.

What we have here is a test of strength for the President. Against what seem to be overwhelming odds, he is battling the business-as-usual approach to Government that has gotten us into so much trouble. The President has made a significant effort to accommodate those that have different ideas with regard to fiscal policy, while maintaining the integrity of his economic program. I applaude his efforts so far, and encourage him to take whatever actions are necessary to stand his ground. He is prepared to veto this resolution, and I am prepared to support him in this action. I, therefore, vote against this conference report in an effort to insure a better resolution that adequately reflects our responsibility to the Nation.●

SERVICE FUNDING FOR VICTIMS OF RAPE

● Mr. MATHIAS. Mr. President, I am pleased that the Labor, Health and Human Services appropriations measure contains a small level of support for rape crisis centers in their important work of aiding rape victims.

The preventive health care block grant earmarks $3 millon for funding services to victims of rape.

I thank my colleagues on the Appropriations Committee for recommending this funding, which has been needed for such a long time.

The 95th and 96th Congress funded existing rape crisis centers, of which there are more than 300 nationwide. I was joined in sponsoring that legislation by Senators HEINZ, JACKSON, STAFFORD, BAYH, RIEGLE, RANDOLPH, LEAHY, INOUYE, TSONGAS, WILLIAMS, WALLOP, MOYNIHAN, and the chairman of the Senate Appropriations Committee, Sen-

ator HATFIELD. On the House side, a companion bill was shepherded through that body by Representatives WALGREN and WAXMAN.

In the course of 4 years of fine tuning that legislation, several features of a service program for rape victims became clear. One was that rape crisis centers, which, by and large, are volunteer-run peer counseling and victim accompaniment centers, are perceived by a majority of rape victims as a safe place to turn to in their most traumatic time of need. Crisis centers are viewed by raped victims as places of shelter where the victim's privacy will be protected and where she will be treated sensitively by her community-based peers.

The legislative history of my bill (S. 621) makes clear that the intended recipients of those funds were to be existing rape crisis centers. Eligible services were to include victim counseling and followup counseling with the victim and her family; the operation of telephone hot lines; victim accompaniment to the hospital or doctor, to the police, and to court; continuing professional development of crisis counselors, and community education by crisis centers into methods of preventing rape.

Community-based rape crisis centers have been forced to devote as much as 50 percent of their time to fundraising to pay for space, lights, telephone, heat, and carfare. This service funding provision is intended to lessen the time those crisis centers devote to fundraising, so that their talents and energies may be focused more properly on the victim and her needs.

Early indications are that several State plans for the preventive health block grant are proposing to divert funds from existing rape crisis centers to other institutions such as police departments, hospitals, and departments of social services. This is a clear thwarting of congressional intent. I, therefore, would ask my colleagues on the Appropriations Subcommittee on Labor, Health and Human Services to review carefully the use of these block grant funds with the Center for Disease Control, which is charged with administering the block grant.●

● Mr. LEAHY. Mr. President, almost a year has passed since President Reagan put his supply-side economic theories to work on the American economy. As we debate this spending resolution, 4 months have passed since the stunning and complete Reagan administration tax and budget victories of August. We are just 2 months into the first Reagan fiscal year, fiscal year 1982, and yet the major economic goals of the administration have been adjusted, readjusted, and in many instances, abandoned.

Dashed are the hopes of the countless small business people, homeowners, and families who believed that the single-digit interest rates forecast by the Reagan economists would relieve their life threatening financial pressures. Today's double-digit prime rate and mortgage rates remain well above last year's levels.

Lost are the ambitions of the jobless who have witnessed 9-percent unemployment instead of the millions of new jobs promised by the craftsmen of Reaganomics. More Americans are jobless today than at any time since the Great Depression of the 1930's.

Revised and now abandoned is the administration's forecast for rapid economic growth in 1982—growth without which the shrinking deficits and balanced budget promised by the President cannot possibly be achieved. The administration's GNP growth forecasts for 1982 have proceeded like a countdown—first 5.2 percent in March, then 4.1 percent in July, then 2 percent, now 1 percent—and there is no telling when the recession-mired economy will begin a sustained recovery.

The President has reacted to all this troubling economic news by officially withdrawing his promise to balance the budget in 1984. The official administration deficit projections have swelled with each public appearance. Congressional budget experts and leading private and Government economists now predict deficits of $300 billion plus over the next 3 years—deficits of $100 billion or more annually.

Mr. President, it is within this economic context—recession, rising unemployment, high interest rates and inflation, and growing Federal budget deficits—that we are debating the stopgap spending resolution before us today.

The whole Nation is standing by, practically breathless, awaiting final action by Congress on the spending measure now before us. The possibility that the Federal Government will come to a screeching halt if we fail to act has raised public interest, if not alarm. The threat of a Presidential veto has heightened the drama.

And what are the great issues that have piqued the interest of the often apathetic American public? What are the great policy questions which have stirred so many impassioned speeches here on the Senate floor? What are the high stakes which have prompted the Senate to ignore and violate the careful timetables and procedures set forth in the Congressional Budget Act—and which have led us to pass on to the administration many of the spending authorities and responsibilities vested in Congress by the Constitution?

Mr. President, I challenge every Member of this body to come up with honest and satisfactory answers to these questions. I submit that there are no such answers. I submit that we have swept the real economic problems facing this Nation aside for another time. And we have masked our unwillingness to confront the real problems with a big show over nothing.

Mr. President, budget deficits of $300 billion or more will result from the Reagan administration's tax cuts and defense buildup unless the administration and Congress change the direction of current economic policy. More high interest rates and inflation, unemployment, and stagnant economic growth will be the unfortunate result of continued inaction.

The bill before us today would make a $6 billion, or 2-percent dent in a $300 billion deficit problem. What is worse, the small advance toward lower deficits would be achieved largely at the expense of the domestic spending programs—education, health, energy, and transportation programs—which have already been slashed by as much as 30 to 50 percent earlier this year.

We cannot correct the budget problems caused by the carelessly crafted tax and defense bills by zeroing in, time and again, on the same 10 or 15 percent of the Federal budget. We and the Reagan administration must acknowledge that more revenues will be needed to contain the growing budget deficits. We and the Reagan administration must agree that no waste can or will be tolerated in Federal programs—not in domestic programs and not in defense programs.

We and the Reagan administration must recall two words used by the administration from the outset—"balance and fairness"—and we must apply these words as we redirect the course of the Nation's economic policies.

Mr. President, one serious and negative consequence of this year's budget stampede has been the damage done to the congressional budget process.

After enacting the first concurrent budget resolution at the appropriate time, the process has been undermined and delayed to the point where the very future of the Congressional Budget and Impoundment Act now stands in question.

The second concurrent budget resolution establishing a spending ceiling, revenue floor, and target budget deficit or surplus for fiscal year 1982 was to have been enacted by September 15. After numerous starts and stops, the Budget Committee finally gave up. Earlier this week they reported a resolution identical to the first budget resolution, though admittedly unrealistic given today's budget outlook, and they reported it without recommendation to the full Senate.

Given the severity of present economic conditions, and given the many unanswered concerns and questions the American public has with current tax and spending policies, I believe it is unforgivable that we should conclude this session of Congress without debating and passing a budget resolution.

The appropriations bills have suffered no better fate. When the continuing resolution now before us was called up on Wednesday, only 8 of 13 appropriations bills had passed the Senate. Only one had become law, and as my colleague from Wisconsin noted, that one is the bill which pays congressional expenses.

Why have these bills been delayed? They are late because the Appropriations Committee honored the request of the President that no action be taken on them until his newest budget cutting proposals could be considered. Unfortunately, those proposals were forwarded to the committee on September 30, just 1 day before the beginning of the new fiscal year.

Although it was not possible to have each of the 13 appropriations bills in place by October 1, or by November 20, the expiration date of the first stopgap continuing appropriations resolution, I believe Congress must make every effort to finish each separate bill before we ad-

journ for the December holidays. Careless spending decisions, waste and skewed spending priorities will clearly result if these bills are not considered separately and near the beginning of the fiscal year.

I favored an amendment which would have forced us to do just that by changing the expiration date of this second continuing resolution to December 18. I regret that that amendment was not accepted, although I am pleased that the September 30, 1982 expiration date originally contained in this resolution was changed to July 15.

Mr. President, I regret that my injury and hospitalization has prevented me from participating in the Senate debate and the conference committee on House Joint Resolution 357, and that it will also prevent me from voting on this measure. I do wish to summarize here several of the concerns I have with the resolution in its present form.

First, I believe it represents an unfair and inadequate response to our growing economic problems and to the worsening deficit situation. The Reagan administration and Congress should act swiftly to identify the specific tax and spending changes that will be necessary to restore fiscal order and a healthy economy.

Second, I believe that July 15 expiration date of this resolution further erodes the congressional budget process by encouraging delay and inaction on the regular appropriations bills. We must learn from this year's missed deadlines, and from the confusion and harm we have caused the public, businesses, and State and local governments, and we must return next year to the regular budget and appropriations timetables which in the past have served us well.

Finally, I have sharp disagreements with a number of the specific spending levels established by this resolution.

During previous debate on this measure, I outlined many of my concerns—my concern that the cuts in the Environmental Protection Agency (EPA) budget of 30 percent in 1982, and 50 percent in 1983, would effectively repeal the public health and environmental legislation enacted over the last decade. My outrage that the proposed $40 billion expenditure for the soon-to-be obsolete B–1 bomber may prevent us from meeting other essential defense and domestic needs. My disbelief that a nation as wealthy as ours would reverse its commitment to the special education and vocational rehabilitation programs which offer hope and opportunity to so many handicapped American children and adults.

My alarm that Congress would court disaster and personal tragedy with insufficient funding allowances for the emergency low-income energy assistance and community services block grant programs. Finally, my disapproval of the deep reductions in funds for the urban development action grant (UDAG) and community development block grant (CDBG) programs which have helped so many Vermont cities and communities to help themselves.

Modest gains were made in support of the emergency energy assistance and community services block grant programs in the House-Senate conference committee.

When the Senate considers the remaining appropriations bills for 1982, and begins work in January on the budget for fiscal year 1983, I will continue to press my concerns in these and other areas.●

● Mr. CHILES. Mr. President, this continuing resolution provides $428 billion of funding for thousands of items. I have already expressed myself on some of these items, and about the continuing resolution's harm to the legislative process. Many of the items in the resolution are funded at lower levels than I would like; some are higher.

I do want to go on record at this point in opposition to one amendment added by the House conferees at a time I was out of the room, at about midnight Friday night. In that amendment the House Members gaves themselves a 4.8-percent pay raise.

Fortunately they did not try to give Senators a pay raise as well. I do not think it is wise at this time to raise the pay of any Member of Congress, when we are trying to fight inflation by cutting back on spending. We are cutting back on programs for the poor, programs for education and job training. We have taken a 2-percent cut across all programs to save $4 billion. There could not be a more inappropriate time to raise congressional pay.●

Mr. ARMSTRONG addressed the Chair.

Mr. CRANSTON. Will the Senator yield for 1 minute?

Mr. ARMSTRONG. Mr. President, I will take only a moment. While the majority leader was off the floor a few moments ago, I expressed my doubts and reservations about this bill, I would say to the majority leader, and then explained, somewhat to the amusement of Senators and the gallery, that despite the fact that I think it is a poor bill, a poor policy, a poor practice and a poor precedent, that I was going to vote for it because the majority leader had asked us to do it and had recommended that it was the best way to get us out of the bind we are in.

Let me repeat a portion of what I said earlier, because I feel this. The majority leader had managed this issue, I say to the majority leader, with such courtesy and patience and cheerfulness in a difficult situation that it seemed to me Senators ought to at least accommodate him in a tactical matter and follow his leadership in that respect. In light of what you have said I take it that we are all free to do as we think best.

Mr. BAKER. You are exactly right; you are off the book.

Mr. ARMSTRONG. Thanks; I appreciate that.

Mr. BAKER. If the Senator would yield to me, I am prepared to say that we can all vote against it or all vote for it and it will produce the same equivalent.

Several Senators addressed the Chair.

Mr. ARMSTRONG. Mr. President, I believe I still retain the floor.

Mr. BUMPERS. Will the Senator yield?

Mr. ARMSTRONG. I am going to take less than 10 seconds more. I simply again wish to thank the majority leader for his courtesy and for the clarification on this. I, of course, will vote against the resolution. [Laughter.]

The PRESIDING OFFICER. The Senate will be in order, and so will the gallery.

Mr. CRANSTON. Mr. President, now that the majority leader has stated that he does not care which way Senators vote, I just want to strongly urge Senators to vote against passage of the continuing resolution. We have heard it called a monstrosity, an absurdity, ridiculous, a poor bill, poor policy, poor practice for a President. Why vote for it?

Let me give one reason beyond those that have been mentioned for voting against this measure: We have assurances from the other body that if this measure is defeated, they will pass a short-term continuing resolution swiftly, tonight, that will enable us to follow suit and the Government to stay in business tomorrow morning. We have no assurances that that will happen tonight and I do not believe it will happen tonight if we pass the bill and it goes down to the President for a veto. I think that there will be a delay and there will not be action until tomorrow.

Do you know what that will cost? We have been arguing about $2 or $3 billion. The cost of this Government on an annual basis is $600 billion. Take 1 day. Suppose for 1 day, people go to work and are not able to work. They are told to sit there, but do not do anything. Great productivity. That will cost $1.75 billion to pay people not to work for 1 day.

If you go in to get it done in half a day, it will cost seven-eighths of a billion dollars. Why waste that money? Vote down the resolution and they will be working tomorrow.

Mr. BAKER. Mr. President, will the Senator let me make an inquiry of him?

Mr. CRANSTON. Yes.

Mr. BAKER. I am greatly reassured by the statement of the Senator from California that there is going to be something tonight. But the distinguished minority leader of the House is here. I have not understood that that was going to occur until morning. I am in no position to make a direct inquiry at this moment of the Speaker, but it is clear to me, at least, that we ought to get something from the House yet tonight, get it passed if it is possible to do. If we are not going to do that, we need to know that so we can decide and arrange our schedule of the Senate.

Mr. HARRY F. BYRD, JR. Mr. President, I shall take only a moment. During the 10 months that Ronald Reagan has been President of the United States. he has made a determined effort to get Federal spending under control. I applaud his endeavors. I admire him for the determination that he has shown in an effort to control spending. The President has asserted that the conference report now before the Senate provides for too much spending and he will veto the conference report. I shall support the President in this position by voting against the conference report.

Mr. MOYNIHAN. Mr. President.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, I wonder if I could ask the distinguished majority leader whether it is the view of the President of the United States that the appropriation for the foreign assistance portion of the measure before us is too small?

Mr. BAKER. Mr. President, I cannot speak for the President directly. I can speak for responsible officials of the administration who do, indeed, think that the levels in the conference report for foreign assistance are too low.

Mr. MOYNIHAN. So, there is some point in this matter where the President would wish us to increase the expenditures?

Mr. BAKER. Not above the Senate level, I say to my friend from New York. The Senate level on foreign assistance was acceptable to him and is fairly—$11,600,000,000. It was reduced in the House bill to $9,500,000,000, and in the conference, $500 million was added back.

May I point out, Mr. President, this is not foreign aid as such, but foreign assistance. The conference report, in removing these sums of money from foreign assistance, will indeed seriously impair the ability of the United States to perform on the commitments it has made in Egypt, in Israel, most recently in the Sudan and elsewhere.

Mr. MOYNIHAN. So, one would not be wrong in thinking that part of the administration difficulty with this measure is that there is some portion of it which poses too low a level of expenditure?

Mr. BAKER. Mr. President, I am afraid I must say to the Senator, that is torture. There is no way I can say that, nor do I believe my friend from New York can say that.

Mr. MOYNIHAN. This whole matter is torture.

Mr. BAKER. There is no way my friend from New York can say that. Indeed, the $12 billion level in the Senate was approved by the Senate. He agreed that was the appropriate level, not by item but by titles in the Senate-passed resolution with the Baker-Byrd amendment applied. The President has not assigned the reduction of that level as a reason for his veto. He has not. I am simply saying that responsible officials of the administration feel that the Senate level was more appropriate than the House level and I may say, parenthetically, I agree with them. But he has never said that a threat to veto this measure is based on a level of spending for foreign assistance.

Mr. MOYNIHAN. May I say that I agree with the majority leader, but I also point out that there is a difference of direction in this body on this matter and a great coalition was formed a generation ago for defense, for foreign assistance, for domestic social programs which is being wrecked.

Mr. BAKER. Not by this Senator and I believe not by this President.

Mr. MOYNIHAN. Certainly not by this Senator.

Mr. DODD. Will the Senator from New York yield?

Mr. MOYNIHAN. I am happy to yield to my distinguished colleague from Connecticut.

Mr. DODD. I thank the Senator for yielding. Possibly I can shed a little light on this discussion. I have in my hand the talking points which the Director of the Office of Management and Budget used in the discussions on exactly where cuts should occur and where they should not occur. I think it is intriguing to note that when talking about foreign assistance and foreign aid, it was the position of the Director of the Office of Management and Budget that the figure was $1.3 billion too low.

In the area of total budget authority for eight domestic agency bills, he said the figure was too high. What we are talking about here tonight is not the level of spending but the priorities of spending. The $400 million that was saved in the conference report below the Senate figures are the savings here. These differences between domestic spending and foreign assistance is really where the contest is and in fact, the Director of the Office of Management and Budget thinks we are spending too little in foreign assistance and foreign aid and too much on the American people. That is the heart of the matter.

Mr. MOYNIHAN. I thank the distinguished Senator because the day will come when we wish we had not destroyed the unity of those who believe in defense, in foreign assistance, and in social programs as well. When we begin to think one is a tradeoff from the other, we shall have lost the unity of this body that may not come again in a generation.

Mr. BAKER. Mr. President, may I point out that the figures that the distinguished Senator from Connecticut was dealing with read as follows: The Senate level for foreign assistance was $11,400,000,000. The conference report was $10,075,000,000. The difference between the two was $1,325,000,000. The Senate adopted the $11,400,000,000 level, which, by the way, is lower than it was last year. I believe it is the appropriate level and I think that it should have been sustained in conference and I regret that it was not.

Mr. STEVENS. Mr. President, I might say to my good friend, the majority leader, that if he wishes us to vote for this report and send it to the President, I shall join that. If we are not going to do that for the purpose of terminating procedure in that matter, I would prefer to vote against it.

I would prefer to vote against it because the House has taken out of this again the executive pay raise. Every time I say that, the majority leader wishes I would shut up, but I find it to be a very incongruous thing that we cannot get this subject settled. There are literally thousands of jobs now that are vacant. We are going to give the Department of Defense more money than it has ever had in peacetime and it is going to be run from the 14th stool.

You know, grade 14 is where the decisions are made, because no one above that level gets any additional compensation.

Mr. President, I tell you that the Government is going to come to a halt not because we fail to give it money but because we cannot get people of competence or keep people of competence in Government once they get the experience level that makes them more valuable to the private sector. They are leaving the Government in ever-increasing numbers and we cannot find a way to break this nexus between congressional pay and executive pay.

Mr. President, I think I understand the majority leader's weariness of my mentioning this, time and time again, but someone has to talk about it.

If I am really free to vote against this in spite of the fact that my name, I say to the Senator from Nebraska, is on this report, I would vote against it because of what was done in the House with executive pay. If we are going to send this down to the President so he can veto it, I would be glad to do that. But one way or the other, I do not want to support this action of the House in once again refusing to recognize what I consider to be the most pressing problem of Government. That is the problem of how to keep the career service into the senior executive level when, after grade 14, they get no additional compensation.

Mr. BAKER. Mr. President, I shall take only a moment.

Every cause has a champion. I must say that the Federal employees of the United States of America should elect TED STEVENS their champion because he is absolutely right. I cannot remember a single meeting when he has not pointed out recently the difficulty that the Federal employees have as a result of the pay cap on executive positions.

Indeed he is correct, but he also knows that I have not encouraged him to do that, which is a mild way to put it, I suppose.

But I recognize the concern of the distinguished assistant majority leader in his zeal and it should be recognized as a voice to be spoken and properly so and in a cause that must be served at some point. I have no criticism of it.

Mr. President, may I simply say somewhat facetiously, I guess, that the conference report that has no more friends than this one does should have some body.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. DOLE. Mr. President, if I may address a question to the majority leader, I am a little late and I am confused.

Mr. BAKER. The Senator from Kansas is at his very best when he is confused.

[Laughter.]

Mr. DOLE. I heard the distinguished Senator comment earlier in my office. He sounded great. He was voting for it, and then I come over here and I find he is voting against it.

I wonder what happened on the subway when I came over.

[Laughter.]

Mr. DOLE. Is there a signal of any kind?

[Laughter.]

Mr. DOLE. I will vote either way.

[Laughter.]

Mr. BAKER. Mr. President, the Senator from Kansas reminds me of the applicant for a teaching job in Tennessee who was asked how he felt about evolu-

tion. He said, "How do you feel about it? I can teach it either way."

Mr. DOLE. That clears it up for me. [Laughter.]

The PRESIDING OFFICER. The question is on agreeing to the conference report.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from Arizona (Mr. GOLDWATER), the Senator from Delaware (Mr. ROTH), and the Senator from Texas (Mr. TOWER) are necessarily absent.

Mr. CRANSTON. I announce that the Senator from Texas (Mr. BENTSEN), the Senator from Delaware (Mr. BIDEN), the Senator from Florida (Mr. CHILES), the Senator from Arizona (Mr. DECONCINI), the Senator from Missouri (Mr. EAGLETON), the Senator from Colorado (Mr. HART), the Senator from Montana (Mr. MELCHER), the Senator from Ohio (Mr. METZENBAUM), the Senator from Arkansas (Mr. PRYOR), the Senator from Nebraska (Mr. ZORINSKY), and the Senator from Oklahoma (Mr. BOREN) are necessarily absent.

I also announce that the Senator from Vermont (Mr. LEAHY) is absent because of illness.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 46, nays 39, as follows:

[Rollcall Vote No. 424 Leg.]

YEAS—46

Abdnor	Hatch	Packwood
Andrews	Hatfield	Percy
Baker	Hawkins	Quayle
Boschwitz	Hayakawa	Rudman
Chafee	Heinz	Schmitt
Cochran	Jackson	Simpson
Cohen	Kassebaum	Specter
D'Amato	Kasten	Stafford
Danforth	Laxalt	Stevens
Denton	Lugar	Symms
Dole	Mathias	Thurmond
Domenici	Mattingly	Wallop
Durenberger	McClure	Warner
East	Moynihan	Weicker
Garn	Murkowski	
Gorton	Nickles	

NAYS—39

Armstrong	Glenn	Mitchell
Baucus	Grassley	Nunn
Bradley	Heflin	Pell
Bumpers	Helms	Pressler
Burdick	Hollings	Proxmire
Byrd, Harry F., Jr.	Huddleston	Randolph
Byrd, Robert C.	Humphrey	Riegle
Cannon	Inouye	Sarbanes
Cranston	Jepsen	Sasser
Dixon	Johnston	Stennis
Dodd	Kennedy	Tsongas
Exon	Levin	Williams
Ford	Long	
	Matsunaga	

NOT VOTING—15

Bentsen	Eagleton	Metzenbaum
Biden	Goldwater	Pryor
Boren	Hart	Roth
Chiles	Leahy	Tower
DeConcini	Melcher	Zorinsky

So the conference report was agreed to.

Mr. MOYNIHAN. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

Mr. MOYNIHAN. I ask for the yeas and nays.

Mr. DOLE. I move to table.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. HATFIELD. I move to table the motion to reconsider.

Mr. BAKER. Mr. President, I ask for the yeas and nays on the motion to table.

The PRESIDING OFFICER. There is not yet a motion to reconsider.

Mr. BAKER. There was a motion by the Senator from New York.

Mr. HATFIELD. I move to reconsider the vote by which the conference report was agreed to.

Mr. MOYNIHAN. I moved to reconsider the vote. [Laughter.]

Mr. BAKER. Mr. President, I seek recognition.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. BAKER. Mr. President, I move to lay that motion on the table, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. RANDOLPH. Mr. President, I suggest that Senators clear the well as we vote.

The PRESIDING OFFICER. The Senate will be in order. Senators will take their seats. The well will be cleared. The galleries will remain quiet. The Senate will be in order, including House Members. Senators will please take their seats and clear the aisles.

The question is on agreeing to the motion. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MOYNIHAN. Mr. President, a point of order. We do not have order in the Chamber.

The PRESIDING OFFICER. The Senator is correct. The Senate is not in order. The Senate will be in order.

The assistant legislative clerk resumed the call of the roll.

Mr. MOYNIHAN. Mr. President, a point of order. The Senate is not in order.

The PRESIDING OFFICER. The Senate will be in order.

The assistant legislative clerk resumed and concluded the call of the roll.

Mr. STEVENS. I announce that the Senator from Arizona (Mr. GOLDWATER), the Senator from Delaware (Mr. ROTH), and the Senator from Texas (Mr. TOWER) are necessarily absent.

Mr. CRANSTON. I announce that the Senator from Texas (Mr. BENTSEN), the Senator from Delaware (Mr. BIDEN), the Senator from Oklahoma (Mr. BOREN), the Senator from Florida (Mr. CHILES), the Senator from Arizona (Mr. DECONCINI), the Senator from Missouri (Mr. EAGLETON), the Senator from Colorado (Mr. HART), the Senator from Montana (Mr. MELCHER), the Senator from Ohio (Mr. METZENBAUM), the Senator from Arkansas (Mr. PRYOR), the Senator from New Jersey (Mr. WILLIAMS), and the Senator from Nebraska (Mr. ZORINSKY) are necessarily absent.

I also announce that the Senator from Utah (Mr. LEAHY) is absent because of illness.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 50, nays 34, as follows:

[Rollcall Vote No. 425, Leg.]

YEAS—50

Abdnor	Grassley	Nickles
Andrews	Hatch	Packwood
Armstrong	Hatfield	Percy
Baker	Hawkins	Pressler
Boschwitz	Hayakawa	Quayle
Chafee	Heinz	Rudman
Cochran	Helms	Schmitt
Cohen	Humphrey	Simpson
D'Amato	Jepsen	Specter
Danforth	Kassebaum	Stafford
Denton	Kasten	Stevens
Dole	Laxalt	Symms
Domenici	Lugar	Thurmond
Durenberger	Mathias	Wallop
East	Mattingly	Warner
Garn	McClure	Weicker
Gorton	Murkowski	

NAYS—34

Baucus	Ford	Mitchell
Bradley	Glenn	Moynihan
Bumpers	Heflin	Nunn
Burdick	Hollings	Pell
Byrd, Harry F., Jr.	Huddleston	Proxmire
Byrd, Robert C.	Inouye	Randolph
Cannon	Jackson	Riegle
Cranston	Johnston	Sarbanes
Dixon	Kennedy	Sasser
Dodd	Levin	Stennis
Exon	Long	Tsongas
	Matsunaga	

NOT VOTING—16

Bentsen	Goldwater	Roth
Biden	Hart	Tower
Boren	Leahy	Williams
Chiles	Melcher	Zorinsky
DeConcini	Metzenbaum	
Eagleton	Pryor	

So the motion to table was agreed to.

Mr. HATFIELD addressed the Chair.

The PRESIDING OFFICER. If the Senator would withhold, the clerk will report the amendments in disagreement.

The legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 11 to the aforesaid resolution, and concur therein with an amendment as follows:

Strike out the matter stricken by said amendment, and insert:

Provided further, That, in addition to the sums otherwise made available by this paragraph the following additional sums are hereby appropriated: for low income home energy assistance program, $140,000,000;

for the foster care program authorized by Title IV of the Social Security Act, $75,000,000: *Provided*, That the provisions contained in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriation Act for Fiscal Year 1982 (H.R. 4560), as reported by the Senate Committee on Appropriations on November 9, 1981, related to a limitation on entitlement to payments under parts A and E of title IV of the Social Security Act and transfer of funds under parts B and E of such title (contained in H.R. 4560 as so reported beginning with "provided" on page 39, line 17, and ending on page 40, line 8) shall not be applicable with respect to any sums appropriated pursuant to this joint resolution;

for the family medicine residency training programs authorized by Section 786 of the Public Health Service Act, $10,000,000;

for the Community Services Block Grant, $62,552,000;

for the State Block Grant authorized by Chapter 2 of the Education Consolidation and Improvement Act of 1981, $140,000,000:

Provided further, That the College Housing Loan Program shall operate under the terms and conditions as contained in H.R. 4560 as passed the House October 6, 1981 except that the gross commitments for the principal amount of direct loans shall not exceed $75,000,000.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 15 to the aforesaid resolution, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

(b) Such amounts as may be necessary for continuing programs and activities, not otherwise provided for, which were conducted in the fiscal year 1981, for which provision was made in section 101(b) of Public Law 96–536 regarding foreign assistance and related programs, notwithstanding section 10 of Public Law 91–672, and section 15(a) of the State Department Basic Authorities Act of 1956, at a rate for operations not in excess of the current rate or the rate provided for in the budget estimate, whichever is lower, and under the more restrictive authority: *Provided*, That the following additional sums are hereby appropriated: $300,000,000 for Foreign Military Credit Sales, $100,000,000 for the Economic Support Fund, and $100,000,000 for the Export-Import Bank of the United States.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 29 to the aforesaid resolution, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

(40) Notwithstanding any other provision of this Act, including any other provision of this title, any agency may before December 31, 1981, transfer to salaries and expenses from other sources made available to it by this Act, such amounts as may be required if the aggregate amount available for salaries and expenses, after such transfer, does not exceed the amount contained for such purposes in this Act before the application of the changes contained in title V: *Provided*, That such transfers shall be subject to the approval of the Committees on Appropriations: *Provided further*, That in the Department of Housing and Urban Development not to exceed (1) $34,000,000 shall be available for data processing services, (2) 12 full-time permanent positions and 16 staff years shall be available for the Immediate Office of the Assistant Secretary for Administration, and (3) 26 full-time permanent positions and 27 staff years shall be available for the Office of the Assistant Secretary for Legislation and Congressional Relations: *Provided further*, That in the National Aeronautics and Space Administration not to exceed (1) 150 full-time permanent positions shall be available for the Office of the Comptroller and (2) 120 full-time permanent positions shall be available for the Office of External Relations: *Provided further*, That in the Veterans Administration not to exceed (1) $1,500,000 shall be available for the Office of Planning and Program Evaluation and (2) 649 staff years shall be available for the Supply Service.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 32 to the aforesaid resolution, and concur therein with an amendment as follows:

Restore the matter stricken by said amendment, amending section designation to: (11)

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 39 to the aforesaid resolution, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

"Notwithstanding any other provision of this joint resolution, except section 140, $869,240,000 is appropriated under this joint resolution for payment to the Postal Service Fund, of which $230,000,000 shall be available for public service costs and $639,240,000 shall be available for revenue forgone on free and reduced rate mail.

Notwithstanding any other provision of law, the Postal Service shall promptly adjust preferred rates so as to recover the difference between the amount which would have been authorized to be appropriated under section 2401(c) of title 39, United States Code had this provision not been enacted, and the $639,240,000 hereby appropriated. Such adjustments shall be made in accordance with the following subsections.

(a) As provided in Section 1723 of the Omnibus Budget Reconciliation Act of August 13, 1981, the first $104,000,000 of the difference in appropriations is to be recovered by adjustment of the rates for the class of mail under former sections 4452(b) and 4452(c) of title 39, United States Code.

(b) $56,760,000 is to be recovered through proportional adjustment based on the remaining phasing appropriation for any class of mail sent at a free or reduced rate under section 3217 or section 3626 of title 39, under the Federal Voting Assistance Act of 1955 or under the Overseas Citizens Voting Rights Act of 1975.

(c) The adjustments made under subsections (a) and (b) shall be further adjusted so that $20,000,000 is applied to lessen the adjustment under subsection (b) for any class of mail or kind of mailer under former sections 4358, 4554(b), and 4554(c) of title 39, United States Code.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 40 to the aforesaid resolution, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

"SEC. 109. No funds made available pursuant to this continuing resolution may be used to accomplish or implement a proposed reorganization of the Bureau of Alcohol, Tobacco and Firearms before March 30, 1982. Such reorganization plan may be implemented after March 30, 1982, unless disapproved by the House and Senate Committees on Appropriations: *Provided further*, That of the funds made available by this Continuing Resolution for the Bureau of Alcohol, Tobacco and Firearms, $15,000,000 shall be available solely for the enforcement of the Federal Alcohol Administration Act during fiscal year 1982."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 43 to the aforesaid resolution, and concur therein with an amendment as follows:

In lieu of the language proposed in (b)(1)(A), insert:

(A) all of the obligations of which are directly or indirectly guaranteed or secured in whole or in part by—

After (b)(2)(B)(ii)(II), insert:

(III) one or more financial institutions which are not related persons (within the meaning of section 103(b)(6)(C) of such code to the user of the proceeds of the issue.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 48 to the aforesaid resolution, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

SEC. 117. Notwithstanding any other provision of this joint resolution, the funds made available by this joint resolution which would be available under H.R. 4560, entitled "Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriation Act, 1982", for school assistance in federally affected areas under title III of such Act shall be available under the authority and conditions set forth in H.R. 4560 as passed the House on October 6, 1981: *Provided*, That the total amount available for entitlements under section 3(a) of the Act of September 30, 1950, as amended, is amended so as to permit payment to any local educational agency under such section 3(a) not to exceed 90 per centum of the amount of such payment for fiscal year 1981, unless the entitlement for such agency is determined under Section 3(d)(2)(B) of such Act: *Provided further*, That the provisions of section 3(d)(2)(B) shall be fully funded and not subject to rateable reduction: *Provided further*, That the provisions of section 5(c) shall not apply.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 53 to the aforesaid resolution, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

SEC. 122. Notwithstanding any other provision of this joint resolution, appropriations for salaries and expenses in this joint resolution for the Department of Health and Human Services are hereby reduced by $21,800,000: *Provided*, That none of this reduction shall be taken from activities supported under the budget account entitled "Social Security Administration, Limitation on Administrative Expenses" or from funds available for the administration of the medicare program.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 57 to the aforesaid resolution, and concur therein with an amendment as follows:

In lieu of the section number named in said amendment, insert: 125–128.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 74 to the aforesaid resolution, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

SEC. 143(A). Notwithstanding any other provision of law or of this joint resolution, of the fiscal year 1982 Highway Trust Funds available for emergency relief, $17,000,000 shall be made available for damaged highways or for the prevention of damage to highways in the area affected by eruptions of the Mount St. Helens volcano.

SEC. 143(B). Notwithstanding any other provision of title 23, U.S.C., or of this joint resolution, the Secretary shall approve, upon the request of the State of Indiana, the construction of an interchange to appropriate standards at I–94 and County Line Road at the Porter-La Porte County Line near Michigan City, Indiana, with the Federal share of such construction to be financed out of funds apportioned to the State of Indiana under section 104(b)(5)(A) of title 23, U.S.C.

SEC. 143(C). Notwithstanding any other provision of law, or of this joint resolution any proposal for deferral of budget authority under section 1013 of the Impoundment Control Act of 1974 (31 U.S.C. 1403) with respect to budget authority for expenses related to the Northeast Corridor Improvement Project authorized under title VII of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210) shall, upon transmittal to the Congress, be referred to the House and Senate Committees on Appropriations and any amount of budget authority proposed to be deferred therein shall be made available for obligation unless, within a 45-day period which begins on the date of transmittal and which is equivalent to that described in section 1011(3) and (5) of the Impoundment Control Act of 1974 (31 U.S.C. 1401(3) and (5)),

the Congress has completed action on a bill approving all or part of the proposed deferral.

Mr. HATFIELD addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. HATFIELD. Mr. President, I have cleared this on the minority side. Therefore, I now move that the Senate concur in the amendments of the House of Representatives to the amendments of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. HATFIELD. I move to reconsider the vote by which the motion was agreed to.

Mr. JOHNSTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MOYNIHAN. Parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. MOYNIHAN. Has the Senate just agreed to the House disagreements?

The PRESIDING OFFICER. The Senate has agreed to the House amendments to the Senate amendments.

Mr. MOYNIHAN. The amendments in disagreement.

The PRESIDING OFFICER. Yes.

There are two amendments in disagreement remaining, which the clerk will now report.

The legislative clerk read as follows:

Resolved, That the House insist upon its disagreement to the amendments numbered 37 and 73 to the aforesaid resolution.

Mr. HATFIELD. Mr. President, this has been cleared with the minority side. I now move that the Senate recede from its amendments.

Mr. ROBERT C. BYRD. Reserving the right to object.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROBERT C. BYRD. May I say that this has not been cleared on this side of the aisle. This request has not been cleared on this side of the aisle.

Mr. PROXMIRE. The Senator talked to me.

Mr. HATFIELD. I spoke to the Senator from Wisconsin.

Mr. PROXMIRE. I did not have a chance to speak to the other Members. I apologize.

Mr. ROBERT C. BYRD. I personally have no objection. If other Senators wish to reserve the right to object, they now have the opportunity to do so.

Mr. MOYNIHAN. Mr. President, I reserve the right to object. I would like to address, if I may, a question to the distinguished manager of the joint resolution, if the Senator from Oregon would respond to a question.

Mr. HATFIELD. Yes. I am happy to.

Mr. MOYNIHAN. Amendment No. 11 reported in the technical disagreements reduces the $75 million in the funds provided for title 4 of the Social Security Act, which is the Child Welfare and Adoption Act, as such. Am I wrong in thinking that this is to be a number well below the House proposal and yet further below the Senate proposal?

Mr. HATFIELD. Mr. President, I am happy to respond. We have already disposed of that particular amendment, but I would be happy to respond.

Mr. MOYNIHAN. I am aware that we did, but it went quickly and there are orphans and foster children at stake.

Mr. HATFIELD. I am fully aware of that. The Senate had an amendment in our bill. In the conference, the House made some report language, some language to the bill that we are now concurring with the language that was offered by the House.

Mr. MOYNIHAN. Would I be correct in thinking that the amount of money involved, $75 million, is half of what the House originally proposed

Mr. HATFIELD. It was an add-on, I say to the Senator from New York. The Senate had made an add-on.

Mr. MOYNIHAN. The Senate?

Mr. HATFIELD. Out of the conference, we had an additional amount.

Mr. MOYNIHAN. I thank the Senator.

Mr. HATFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HATFIELD. Did I make the motion that the Senate recede from its amendments 37 and 73?

The PRESIDING OFFICER. The Senator has.

Mr. SARBANES. Will the manager of the bill give us an explanation of what those amendments involve and what it is he is asking the Senate to do?

Mr. HATFIELD. I would be very happy to. We are now moving that the Senate recede from its amendments, the two amendments that we added to our continuing resolution. One had a pay cap that is referred to as the Stevens amendment. I think the Senator from Maryland is very familiar with that one because so many of the constituents that he represents are affected by the Stevens pay cap removal.

The second one is in the No. 73, which was referred to again as the Stevens amendment on tax deduction. This was in reference to the away-from-home tax status that we are to be included in, that we passed before as a Senate amendment. We had to make a technical amendment to that action that had been taken previously.

The House has defeated both of those amendments and now we are, in a sense, merely acting on a technical matter of receding from those Senate amendments that have been defeated in the House today.

Mr. President, I move that the Senate recede——

Mr. TSONGAS. Mr. President.

The PRESIDING OFFICER. The Senator from Oregon has the floor.

Mr. TSONGAS. Will the Senator yield?

Mr. HATFIELD. I am very happy to yield.

Mr. TSONGAS. I would like to make two points: One, we assume that the President is going to veto this message. In the normal course of events, one would assume those who voted for the resolution would vote to override the veto. It is the normal practice.

Assume, for the sake of argument, that those who voted for the resolution vote tomorrow to sustain the veto; is there any way we could get advance notice as to the logic so we can mull it over in the interim?

Mr. HATFIELD. Yes, Mr. President. I say to the Senator from Massachusetts that his question really is irrelevant, for the simple reason that the House will sustain the veto and tomorrow, we shall never get to it.

Mr. TSONGAS. That is the reason we have here that those who voted for the resolution will vote to override the veto?

Mr. HATFIELD. If by some scenario, the Senate should have to cast a vote on this question tomorrow, I would imagine that the only way we will know is when that motion is put and the rollcall is held.

Probably some Senators will have tonight to think about it and some Senators will have their minds made up now. I just want to make one thing very clear:

Even though this bill was identified by some as sort of an illegitimate child in search of a parent here on the floor tonight, I say to the Senator from Massachusetts that I take great pride in this workmanship. I think this is a very good bill; consequently, that is my view. That is all I can give to the Senator.

Mr. TSONGAS. Mr. President, let me say if this is an example of the majority leader not caring which way it goes, I would hate to see what would happen on a bill on which he really cared which way it went.

The final point I make is that I regret the Senate's receding from the pay increase for Federal employees. I just want that to be on the record.

Mr. HATFIELD. Mr. President, I move that the Senate recede from its amendments.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oregon. Is there any objection?

The motion was agreed to.

Mr. HATFIELD. I move to reconsider the vote by which the motion was agreed to.

Mr. McCLURE. I move to lay that motion on the table.

Mr. PROXMIRE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HATFIELD. Mr. President, I am very happy to yield the floor at this point.

Mr. DOLE. Mr. President, will the Senator yield?

Mr. HATFIELD. All right, I had indicated before that I would be happy to yield to the Senator from Kansas to make a statement relating to one of the amendments we have acted on.

Mr. DOLE. Mr. President, I would like to make a brief statement about the House amendment to Senate amendment No. 43 dealing with multiple lot industrial development bonds.

As I said on the floor when the Senate version of this amendment was adopted, the Senate amendment was the result of a negotiated compromise among several Senators.

This Senator stands behind that agreement. Unfortunately, the conference has changed the carefully drafted language

of our amendment and attempts to broaden it.

In spite of this, I will not repudiate the agreement and will not oppose this House amendment, though I strenuously oppose the changes.

I do, however, want to repeat what I said when this provision passed the Senate. I do not believe that this appropriation rider changes the underlying tax code. It affects only the enforcement of the code. Unless we amend the code, we have not said that this type of bond is tax exempt.

I have been asked by the chairman of the Ways and Means Committee, Mr. ROSTENKOWSKI, to express his views on the amendment. I ask unanimous consent to have his remarks printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

REMARKS OF REPRESENTATIVE DAN ROSTENKOWSKI

Mr. ROSTENKOWSKI. Mr. Speaker, I rise to express my strong reservation with respect to the matter contained in Senate amendment numbered 43 on which the conferees are recommending that the House recede and concur with an amendment. My objections are both procedural and substantive in nature.

The amendment attempts to prohibit in certain circumstances the enforcement of Revenue Ruling 81-216, and regulations reaching the same result.

The amendment would prohibit the enforcement of the ruling in the case of bonds which are backed by a State or locality where the proceeds of the bonds are not to be used by very large corporations—with more than $25 million in capital expenditures, worldwide, in a 3-year period.

First of all, on procedural grounds, we have a Senate floor amendment which attempts to negate a proper interpretation by the Internal Revenue Service of a substantive provision of the tax laws by limiting the discretion of the Service in its internal use of its administrative moneys.

Not only is the amendment not properly within the purview of the appropriations process, but the conferees have even gone to the point of expanding its scope to broaden its impact. Those of us on the tax-writing committees find this to be improper and, in a sense, irresponsible inasmuch as the matter addressed by the amendment is a complex one with policy implications which should be carefully reviewed by the tax-writing committees prior to the taking of congressional action.

In a more important sense, I would like to inform my colleagues that it is my view that the action recommended by the conferees in accepting this amendment will have no substantive effect. It will not result in the issuance of bonds which would be prohibited absent the existence of this appropriations rider.

It should be pointed out that, inasmuch as this language in no way amends the Internal Revenue Code, it cannot affect the legal basis under which bonds can be issued under existing law.

Since it is customary for bond counsel to issue opinions on the legal basis for the tax exemption of the bonds in question, I wanted to make this statement at this time so that no bond counsel or potential purchasers would improperly construe that this simple funds limitation has the effect of legalizing the bonds in question.

Once the continuing resolution expires, the IRS will be able to enforce the Revenue Ruling in question, Revenue Ruling 81-216, even as to the interest earned on bonds issued during the period of this appropriations freeze.

I would want to inform my colleagues that I have discussed this issue at great length with the Chairman of the Senate Committee on Finance who shares my view that this language is ineffectual in achieving the purpose which it seeks to accomplish. The sole effect of this language is to delay IRS action in this area. It cannot and does not, the sense of the Senate language relating to future periods not withstanding, change the underlying law which in the end controls the legal basis for the granting of the tax exemption.

It is unfortunate for the entire legislative process that one or two law firms specializing in the processing of these transactions have attempted to modify the tax laws without going through the appropriate committees which Congress established to deal with the tax laws. In so doing, they have added nothing—except confusion to the whole area of tax-exempt bonds.

ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, has the distinguished manager completed?

Mr. HATFIELD. I have completed.

Mr. BAKER. Mr. President, I urge Senators to remain, if they will. The Senator from Alabama has a statement he wishes to make on the occasion of the 18th anniversary of the assassination of President John F. Kennedy. So he may do that at this time, I ask unanimous consent that there be a brief period for the transaction of routine morning business not to extend past the hour of 10:40 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS UNTIL TOMORROW

Mr. BAKER. Mr. President, I have had no reading from the other body on what their intentions are. It is not likely they will act tonight. I cannot tell Senators there will be no more votes tonight. I shall try to do that as soon as possible.

I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 12 noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ANNIVERSARY OF THE ASSASSINATION OF PRESIDENT KENNEDY

Mr. DENTON. Mr. President, though fully aware of the pressing importance of the business that brought us into session today, I rise on another matter of great, and not unrelated, significance. I am moved to ask that this Chamber take appropriate notice that on this date, 18 years ago, the 35th President of the United States, John Fitzgerald Kennedy, was assassinated in cold blood.

President Kennedy's imagery has come to connote integrity in Government and self-subjugated devotion to the common good. This image should inspire us as we confront the difficult decisions before us. It should temper the temptation for us, and for our colleagues in the other House, to be swept up too much in the passions of expediency or partisanship as we deal with parts of the multifaceted crisis confronting this Republic, indeed a crisis which, in all its aspects, confronts the march of civilization itself.

Since President Kennedy's death, the pressures of events at home and abroad, the divisions they have introduced into our attitudes and our institutions, have caused many of our compatriots to lose sight of the perspective from which he acted in his devotion and service to his country.

As we recall his death, we also recall how, in his inaugural address, President Kennedy called upon us all, saying: "Ask not what your country can do for you; ask what you can do for your country."

Mr. President, at this time of difficult decisions for our domestic welfare and economy, as we face deadly danger from inimical forces abroad, that sentiment is particularly required again. It calls us whether we are Republican or Democrat, conservative or liberal, but Americans all, whatever our views on the issues of the moment. We must meet these crises with the nonpartisan unity we shared during the fateful Cuban missile crisis of October 1962.

President Kennedy would, I am confident, share the determination of President Reagan, and of my colleagues in the Senate and in the House, to restore America's strength, confidence, and concern for the liberty and welfare of all men everywhere.

President Kennedy's mother, Rose Kennedy, and her family should today be in our thoughts and our prayers. Few families have sacrificed so much in the service of their country. The eldest son died fighting in World War II to preserve our freedom and values against aggressive tyranny. The second was assassinated 18 years ago. The third fell tragic victim to the gunman's bullet only 5 years later. The last, despite the danger his position brings to himself and to those close to him. serves with devotion as a Member of this Chamber.

Mr. President, as a tribute to President Kennedy and to the hope that we can recapture the spirit of his times. I ask unanimous consent that all of the Members of this august Chamber observe a moment of silence.

The PRESIDING OFFICER. Without objection, it is so ordered.

(There was a moment of silence in the Chamber.)

Mr. KENNEDY. Mr. President, I would like to express my very deep sense of appreciation for the thoughtfulness of the generous comments of the Senator from Alabama. I am sure that members of my family will value this expression, as my mother and all of our family will.

I thank the Senator from Alabama.

Mr. BAKER. Mr. President. I too wish to congratulate the Senator from Alabama for his thoughtfulness and sensitivity in bringing this matter to the attention of the Senate at this hour on this sad occasion.

I express to him my admiration for his undertaking in this respect, and my

apology for not having thought of such a gesture on my part.

ORDER OF PROCEDURE

Mr. BAKER. Mr. President, I do not know yet what action the House of Representatives will take in respect to further votes tonight. Therefore, I once again am not in position to advise Members certainly that there will be no further rollcall votes tonight. But I am prepared to say that I will arrange for an hour's notice before any rollcall vote would be ordered in the course of this evening, which will allow Senators to leave the Hill and go home if they wish to and leave their telephone numbers with their respective cloakrooms.

Mr. SARBANES. Mr. President, on what would the majority leader anticipate possibly a vote later on?

Mr. BAKER. Mr. President, the only matter that would come up tonight would be on the remote possibility that the House would yet send us something tonight requiring our attention in respect to the continuing resolution.

Mr. BUMPERS. Mr. President, will the majority leader yield for yet another question?

Mr. BAKER. I yield.

Mr. BUMPERS. Has the majority leader not been in contact with the Speaker in the last hour?

Mr. BAKER. The distinguished assistant majority leader has done that, and the last information I have from him and from others is that a decision has not yet been made on the course of action with the House. I will check again in the next few moments.

Mr. SARBANES. Is the matter upon which we just completed action now on its way to the President for a veto?

Mr. BAKER. Mr. President, it is on its way back to the House where it has to be enrolled, and as soon as it is enrolled, it will be transmitted to the White House for the President's consideration.

Mr. SARBANES. If it were vetoed, would there be some other resolution?

Mr. BAKER. Well, there is no intent or purpose here. It is that I am just reluctant to tell Senators there will be no more votes until I know what the House has in mind.

Mr. President, the minority leader advises me that he has now talked to the Speaker of the House and the Speaker indicates that he will not be sending a resolution to the Senate until tomorrow.

In light of that, Mr. President, there will be no more record votes this evening.

A CONTRADICTION IN AMERICAN TREATY HISTORY

Mr. PROXMIRE. Mr. President, as indicated by the President's speech earlier this week, talks will soon resume concerning strategic arms limitation, or more optimistically, arms reduction. Great controversy and bitter debate have always surrounded the issue of arms limitation. And yet the United States has signed and ratified a significant number of treaties which provide for bans on nuclear testing in the atmosphere, the presence of nuclear weapons on the seabed, in outer space, and in Latin America. Of greatest significance, the United States has signed and ratified the SALT I accords which have the distinction of essentially preventing the widespread deployment of a potentially catastrophic weapons system, the ABM.

Acrimonious negotiations which stretched over years were required to produce these agreements. Further, even more bitter debate often preceded the ratification of these treaties. But, Mr. President, look at the record. Arms control agreements were concluded, signed, and ratified by the Senate—even with the admission by supporters and opponents alike that loopholes remain, that the job of arms limitation is not yet completed. However, this process continues, gaining strength and growing, one treaty building upon the foundations set up by its predecessors. Now, we await with hope and optimism the resumption of the SALT or START talks, looking to once again widen the scope of agreement.

At first glance, this same type of building process exists concerning human rights treaties. The United States has signed and ratified a number of treaties and declarations which have strengthened and broadened the body of international law dealing with human rights issues. These include the Slavery Convention and its supplementary agreements, the Convention on the Political Rights of Women, the Universal Declaration of Human Rights, and many others.

But, Mr. President, a contradiction exists in this vital area. The Genocide Treaty has languished in the Senate for over 30 years, and still awaits ratification. Admittedly, the negotiation process in the area of human rights is also one of controversy and disagreement. Yet, the charges against the Genocide Treaty have clearly been answered; there no longer remain doubts concerning the treaty's legality or constitutionality.

The Genocide Treaty is not a panacea to the problems of protection of human rights around the world. It was not designed to be, nor could it have ever been such a cure-all. However, it is a worthy and vital attempt to affirm the value of human life. More importantly, the treaty stands as a vital building block in the human rights area. When the treaty is ratified, the United States can continue to take its position of leadership in the fight for human rights. As long as the Genocide Convention remains unratified, the process of international human rights protection is impeded. Mr. President, we have somehow found the basis for agreement on a topic as volatile as arms limitation; now we must solidify this same consensus and ratify the Genocide Convention.

AUTHORITY FOR THE SECRETARY OF THE SENATE, THE VICE PRESIDENT, THE PRESIDENT PRO TEMPORE, AND THE ACTING PRESIDENT PRO TEMPORE TO TAKE CERTAIN ACTION

Mr. BAKER. Mr. President, I have now cleared this with the minority leader, and I make the following request:

Mr. President, I ask unanimous consent that during the recess of the Senate over until Monday, November 23, 1981, messages from the President of the United States and the House of Representatives may be received by the Secretary of the Senate and appropriately referred, and that the Vice President, the President pro tempore, and the Acting President pro tempore be permitted to sign duly enrolled bills and joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, is there further morning business?

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

RECESS UNTIL TOMORROW

Mr. BAKER. Mr. President, I move, in accordance with the order previously entered, that the Senate now stand in recess until the hour of 12 noon on tomorrow.

The motion was agreed to; and the Senate, at 10:34 p.m., recessed until Monday, November 23, 1981, at 12 meridian.

79-059 O-85-10 (Pt. 22)

EXTENSIONS OF REMARKS

SECOND INTERIM REPORT ON THE 36TH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY BY THE CONGRESSIONAL MEMBERS OF THE U.S. DELEGATION

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Sunday, November 22, 1981

● Mr. GILMAN. Mr. Speaker, on behalf of the gentleman from Florida (Mr. IRELAND) and myself, I submit herewith our second interim report of the work of our U.S. delegation at the U.N. General Assembly.

The 36th U.N. General Assembly (UNGA) has now steered itself through two-thirds of its fall course. Some call what is going on here a "world political happening." Just last week the General Assembly welcomed the new Caribbean state of Antigua and Barbuda as the 157th member of the world Organization. And at a recent meeting, the Gambian Ambassador confirmed a New York Times report that his country and Senegal may amalgamate, stating that the respective authorities are preparing necessary papers to create a co-federal arrangement to be called Senegambia, and this will determine whether they will maintain separate U.N. Ambassadors or will consolidate.

This month, the African-Asian Legal Consultative Committee celebrated its 25th anniversary, and the High Commissioner, whose Office of Refugees won the 1981 Nobel Peace Prize, came to the General Assembly to mobilize financial support for his Office's efforts to provide humanitarian assistance to millions of refugees across the world.

The UNGA has been debating a number of highly charged political issues, including armed Israeli aggression against Iraq's nuclear facility and the situation in Afghanistan. Despite insistence by our United States delegation that the proper forum for discussing "armed Israeli aggression" was the Security Council; that the Council had previously acted fully on this issue, and despite the U.S. strong objection to such words as "aggresion," ours was a voice in the wilderness, with a substantial majority approving the resolution, 108-2-34. Only the United States and Israel voted against the resolution and the Western European and other group (WEOG) abstained.

With relation to Afghanistan, an even larger majority, including the United States, supported a Pakistan-sponsored resolution calling for immediate withdrawal of all foreign troops and the restoration of sovereignty, territorial integrity, and nonalinement of Afghanistan and of the right of the Afghan people to choose their own form of government free from outside intervention. Speaking for the United States, Ambassador Kirkpatrick called the invasion a "grave violation of the U.N. charter that shook the very foundation of world order." Besides its shattering effect on the prospects for continued stability of South Asia and the Persian Gulf, she said, "the invasion marked a watershed in the postwar era * * * and ended the optimism regarding the evolution of Soviet policy and intentions." The final vote was 116 for, 23 against, and 12 abstentions.

The UNGA is also debating another question related to self-determination, Namibia. While the Western powers—the United States, United Kingdom, France, Federal Republic of Germany, and Canada—have been meeting to try to work out an acceptable political settlement that would provide for a peaceful transition of authority in Namibia, the majority of U.N. members clearly want to have a say in this matter, and their preferred forum is the U.N. General Assembly, the political umbrella of the U.N. system where they have clear majority on certain matters.

Underlying this series of seemingly unplanned and diverse events is an agreed procedure for managing consideration by the 157 members of the 140-plus agenda items. The "Rules of Procedure of the General Assembly" regulate the plenary debate as well as the work of the seven standing committees. Items considered too important to refer to one of the committees are often left to plenary; the remainder are allocated by agreement of the members to one of the seven standing committees. In turn, the officers of each committee propose a schedule of work with due time for representatives to speak on a particular item, to propose—table—a resolution, to offer amendments, or exercise the right of reply, and make decisions on the future course of action by adopting resolutions.

In plenary, once all representatives have been given the opportunity to deliver their statements, they act on the pending resolution before going on to the next item. Thus the UNGA plenary, after numerous speeches on armed Israeli aggression, adopted a resolution on that topic before moving on to consider the situation in Afghanistan. But the process is not always so well organized in the committees. Often representatives, having finished statements on one topic will go on to another before acting on the resolution of the earlier item. The lagtime is often unavoidable, particularly when conflict over the terms of the resolution is acute. A case in point is the Special Political Committee. After concluding statements on the item of the question on information, during which the Group of 77 introduced a draft resolution, the committee moved on to discuss and review U.N. peacekeeping operations, then on to the report of the U.N. Relief and Works Agency and subsequently to Israeli practices in the occupied territories. Meanwhile, interested parties have continued to negotiate their differences in the draft resolution on information and on the UNWRA report. In the latter, the sticking point is the effort by the Islamic nations to shift the funding of UNWRA to the U.N. regular budget. The Western donors hotly contest this proposal, stating that their parliaments are likely to cut the funds altogether should this result from a vote on the matter.

As the formal debate of this session continues, considerable staff work goes on behind the scenes—in the trenches—where staff takes soundings from a network of contacts in other delegations, consults like-minded delegations to gain support for emerging compromises, and meets with opposing representatives to negotiate preferred language to achieve an acceptable outcome. The process is complicated by the fact that there may be two, three, or more resolutions or parts of resolutions floated on one item, each reflecting the position of different interests, be they the West, the Eastern bloc, the Africans, Asians, Latins, or Arabs, or some combination of these regional groupings. Needless to say, to be successful, such diplomatic efforts require a high degree of interpersonal skill as well as substantive knowledge of the issue and patterns of world political relations.

As a result of these committee efforts, the United States does not always find itself alone in committee or plenary. On the votes on Israeli aggression and on the situation in Afghanistan, previously noted, the United States stood alone on the first; and was joined by a majority on the second. In committee, three—social and humanitarian matters—of 22 draft resolutions adopted thus far, 14 have been adopted by consensus, without a vote, and 8 by a recorded vote. Of the

eight resolutions on which a recorded vote was taken, the United States stood alone on four of the votes, on the report of the Committee on the Elimination of Racial Discrimination, the status of the Convention on the Elimination of Apartheid, and on two resolutions on national experience in social and economic progress. Our delegation objected to some of the language in these resolutions; for example, criticism of South Africa, referring to apartheid as a crime against humanity and in the latter cases, the distasteful tone of the resolutions. We abstained on another because of reference to "the New International Economic Order." The United States does not support the use of the word "the," preferring to use "a"; we did not participate in an Algerian-sponsored resolution on the implementation of the program for the U.N. Decade to Eliminate Racial Discrimination because of the program's reference to "Zionism as a form of racism."

While much is said of the United States standing alone—and the above are representative examples—it should be noted that there are many resolutions that are adopted by a consensus, without any vote. Among those resolutions are the questions of the elderly and the aging, the world assembly on the aging, international youth year, physical education and sports exchange of youth and channels of communication among youth, a directive to the U.N. Human Rights Commission to complete drafting a convention outlawing torture and an admonition to government to outlaw arbitrary executions. The most significant resolution adopted so far in the Third Committee was the one concerning the Declaration on the Elimination of Religious Intolerance, which was adopted without a vote on November 9, and now awaits final approval, expected to be pro forma, by the General Assembly. This action is a major achievement and marks the culmination of almost 30 years of discussion and negotiations among U.N. members on this important subject. In fact, as early as 1955, the matter of religious rights and practices as first raised in Subcommission on the prevention of Discrimination and Protection of Minorities, and by 1959, and Special Rapporteur concluded a special study on this topic. The UNGA then agreed that a declaration and convention should be prepared on eliminating religious tolerance as called for in article 18 of the Universal Declaration on Human Rights. However, in the 1960's the General Assembly preferred to emphasize the preparation of the Declaration and Convention on the Elimination of Racial Discrimination, and in the U.N. Commission on Human Rights members debated whether they should first draft a convention or a declaration on religious intolerance and then ran into difficulty defining the freedoms to be protected.

Finally, the Commission on Human Rights during its 1978, 1979, 1980, and 1981 sessions persevered in its drafting and adopted the draft declaration last spring.

The religious freedom declaration consists of 10 preambular paragraphs and 8 articles setting forth national obligations respecting the individual's freedom of religion. Article I proclaims that everyone shall have the right to freedom of thought, conscience, and religion. Articles II and III define religious discrimination as any distinction, exclusion, restriction, or preference based on religion or belief that impairs the recognition, enjoyment, or excercise of human rights and an affront to human dignity. Article IV calls on states to take measures to prevent and eliminate discrimination on grounds of religion or belief and to enact or rescind legislation if necessary to prohibit discrimination.

In other articles, religious freedom is defined as including inter alia the right to write, publish, and disseminate relevant publications related to rites or customs of a religion or belief, to teach a religion or belief in suitable places, to worship or assemble in regard to a religion or belief.

Unlike a convention, the Religious Intolerance Declaration does not require ratification by national parliaments. It represents an excellent example of the General Assembly's fulfillment of its responsibility to promote the progressive development of international law as well as fundamental human rights and freedoms. Beyond this, the UNGA's adoption of this declaration will henceforth enable the matter of religious freedom to be discussed as a legitimate concern in the U.N.'s human rights agenda.

In the Second Committee—on economic and financial matters—most draft resolutions are still in various stages of being negotiated. However, 15 resolutions have been adopted so far, 3 by recorded vote and 12 by consensus.

In recorded votes, the United States joined a large majority, 120-0-7, in supporting special action related to problems of land-locked countries; we abstained on "the remnants of war," 97-0-28, which calls on governments to clear minefields and stood alone with Israel on "the living conditions of the Palestinian people," 98-2-26. We opposed this because it condemned Israel for the deteriorating living conditions of Palestinians in the occupied territories and for refusing to permit the group of experts on the social and economic impact of the Israeli occupation to visit the occupied territories and called on the Secretary General to prepare a report in consultation with the PLO on the deteriorating living conditions for the 37th UNGA.

Notably, the large majority of resolutions adopted by consensus related to relatively noncontentious matters: an international year of shelter for the homeless; implementation in the Sudan-Sahel region of a plan of action to combat decertification; the world tourism organization; world communications year; health for all by the year 2000; U.N. University; and mobilization for personal savings.

The latter, sponsored by Barbados, Jamaica, Malaysia, and Sweden, affirms the need to encourage development of appropriate indigenous financial institutions and to foster government and institutional exchanges of information on mobilizing personal saving; it also requests the Secretary General to report on the Second International Symposium on the Mobilization of Personal Savings in Developing Countries, to take place in Kuala Lumpur, March 1982, The first symposium took place in 1980. This resolution reflects the conviction by U.N. members of the need and importance of personal savings in maximizing financial resources available for development.

Finally, the question of who will occupy the 38th floor of the U.N. Secretariat as Secretary General for the next 5 years is still undecided. At this time only two official candidates—Kurt Waldheim and Salim Salim—are in the running, and the balloting continues because neither have been able to muster the required support in the Security Council. The U.S. official position has been to express admiration for the qualifications of both Waldheim and Salim. However, due to this deadlock, a number of compromise candidates from Latin America are being informally considered.

Mr. Speaker, we will try to keep our colleagues informed of developments in committee and in plenary in future reports.●

THE UNITED STATES GOLD BOND ACT

HON. DENNY SMITH

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Sunday, November 22, 1981

● Mr. SMITH of Oregon. Mr. Speaker, it is with increasing concern for the survival of our Nation's long-term capital markets that I rise to introduce the United States Gold Bond Act.

If our free market system is to survive the ravages of inflation and high interest rates, investors must be assured that the money they invest today will be as good as gold tomorrow. In recent months investors have been reluctant to invest in long-term instruments, because they have seen their return dwindle due to inflated dollars. My bill will alleviate this criti-

cal problem by authorizing the Secretary of the Treasury to issue bonds that may be redeemed for gold.

My bill would allow the Secretary to issue gold bonds in denominations of 1, 5, and 10 kilograms of gold, bearing interest at the rate of 2 percent per year. The bonds would mature 50 years after the date of issuance, and could be redeemed before maturity under such conditions as the Secretary may prescribe. The Secretary, with the approval of the President, may provide by regulation that holders of U.S. gold bonds may, at the option of such holders, retain the bonds after maturity and continue to earn interest upon them at the same rate of 2 percent per year. Any payment of interest, or any redemption of any such bond shall be made in bold or its dollar equivalent, whichever the holder of the bond prefers.

Savers and investors must be given the opportunity to minimize the risk associated with their investment. Under the present unstable monetary conditions, institutions and individuals can no longer be certain that their long-term investments will remain secure. The advantage to pension funds, university endowments, and financial institutions provided by gold bonds is self-evident. I urge my colleagues in the House to cosponsor my bill to provide a secure alternative to investors and savers.●

NATO IS THE PEACE MOVEMENT

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Sunday, November 22, 1981

● Mr. WHITEHURST. Mr. Speaker, I am pleased to include in the RECORD for the benefit of my colleagues an article which appeared in the London Daily Telegraph on October 26. The author of this article, Julian Critchley, is a colleague of mine in the North Atlantic Assembly. He has been a stalwart defender of the NATO pact, and he has written what I regard as a thoughtful and persuasive column, one that refutes the misguided individuals now promoting the so-called peace movement in Europe and the United Kingdom.

I commend it to the careful attention of all of my colleagues.

Thank you, Mr. Speaker.

NATO IS THE PEACE MOVEMENT

While the Conserative party was attracting attention to itself at Blackpool, a small party of its MPs travelled to Munich to take part in the 27th Annual Assembly of the Nato Parliamentarians. This was not because we lacked stomach for the fight—we, too, can dance upon the head of the monetarist pin—but because we wanted to assist the Western Alliance, however modestly, to meet and overcome the most serious challenge presented to it: the alternative politics of the Peace Movements, which would have Europe neutral in the East-West conflict.

The Peace Movements are particularly strong in Germany, Britain and Holland. Only the French, protected by their robust nationalism, seem relatively immune. We met in Munich the day after a quarter-of-a-million young people had demonstrated for peace and against Nato—in Bonn. Why had they done so, and how can they be reassured and then recaptured?

In Europe the climate is one of fear and of wishful-thinking. Fear of nuclear war is greater today than fear of Soviet power and ambition. Electorates are obliged to consider Nato's nuclear policy after a lapse of 20 years. Those who doubt have latched on to Nato's ambiguities, for example the first-use of nuclear weapons in the event of a Soviet conventional attack, and the American strategic nuclear guarantee. The arguments deployed by the Peace Movements are both subtle and sophisticated, and it will not be enough to mutter publicly about Communist influence and exploitation—which do exist. The arguments have to be refuted.

NATO has to defend collective security before an increasingly agnostic Europe. There is fear of the Soviet Union as an aggressive imperialist power bent on impossing its will upon Europe. There is fear of an erratic, unpredictable United States which might, through accident, weakness, overconfidence, or unnecessary confrontation, precipitate a nuclear war. And finally fear that both powers would share an interest in limiting war to Europe, this further reducing the inhibition of confrontation. And there is wishful thinking that somehow, through demonstrations of good-will towards the Soviet Union, even at the price of distancing oneself from the United States, Europe can make itself more secure. A neutral Europe—so say the siren voices—can avoid the consequences of a nuclear war which many believe to be inevitable.

To make its case the Peace Movements press upon the points of Nato's ambiguity. For as long as the Soviets enjoy superiority in conventional forces. Nato is forced to threaten the first-use of its battlefield nuclear weapons in order to avoid defeat. But, such an act would devastate West German territory and invite Soviet retaliation in kind. Who can believe that the German Government would ever be likely to give Gen. Rodgers permission to fire first? And would the Russians believe it?

The achievement of parity between the strategic nuclear arsenals of Russia and the United States has made the first-use of American missiles in response to a Soviet conventional invasion of Europe seem unlikely? Can we be certain that Chicago would be swapped for Hamburg or would the Soviet leaders calculate that America was bluffing? Has not Soviet superiority succeeded in separating Europe from America?

The fact is that Nato has no choice but to live with both these ambiguities. First-use of battlefield nuclear weapons in Europe could be made less crucial were allied nations willing to meet the cost of an improved conventional defence, but they are not. In the case of the strategic nuclear guarantee, it is precisely because of European anxieties as to its validity that Eu:opean leaders have asked the United States to station American Cruise and Pershing missiles in bases on Britain and on the Continent.

Europe must build a bridge to America's strategic nuclear forces. To do so we must implement the decision taken by Nato in December 1979 to modernise its theatre nuclear forces. The stationing of the Tomahawk (Cruise) and the Pershing missiles in Europe is the way to counter the Soviet Union's acquisition of the means to devastate or intimidate Europe with its SS20s, while holding the United States at bay with its strategic forces. Theatre nuclear force modernisation in Europe will put an end to Soviet hopes of limiting a nuclear conflict in Western Europe based upon an ability to strike the European allies from a Russian sanctuary.

Nations that value their independence must sustain the means to defend it. The fact that the socalled Peace Movements are in favour of peace means nothing. So, too, is Nato. In fact, Nato is the most successful peace movement in Europe. The disarmers talk of peace, brandishing the word as a weapon, but they are in the business of politics. They are setting out to change the foreign and defence policies of the countries of Nato Europe by abandoning collective security and substituting for it a policy of neutralism. Most disarmers feel neutral as between East and West. Some would wish to change sides. All feel that nuclear war is inevitable.

It is precisely upon these points that Nato should go over to the attack. We have stayed for too long upon the dialectical defensive. Is nuclear war really inevitable? It is not. It is not even probable. What we have to fear is not the holocaust, but the Gulag Archipelago.

Would a neutral Europe retain its political independence: It would not. The Soviet Union has long harboured the hope that the United States would be effectively removed from the European scene, leaving Soviet military supremacy as the backdrop of European politics. A neutral Europe would be the eunuch in the harem of the great powers. Even were the Soviets not to invade, every political dispute that surfaced in Europe between Europe and an all-powerful Soviet Union would be settled to the latter's advantage.

It is true that Europe would be permitted to become neutral, but would Europe be allowed to stay neutral in a continuing Russian-American conflict? It would not. For as long as Nato—and Nato governments—fight the Peace Movements on the ground of their choosing "peace," we shall get the worst of the argument. We should shift the ground to where the debate properly belongs, namely to politics, and the case for collective security would become overwhelming. But we have little time to lose.●

REVISING THE CPI

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Sunday, November 22, 1981

● Mr. McEWEN. Mr. Speaker, during the past year, there has been considerable discussion about the figures the Bureau of Labor Statistics uses in compiling the monthly Consumer Price Index and whether the index accurately reflects the true cost of living.

In this connection, I would like to share with my colleagues a most interesting and enlightening editorial that

recently appeared in the Columbus, Ohio, Citizens-Journal on this subject.

The editorial follows:

REVISING THE CPI

For years, mainstream economists have agreed that the Consumer Price Index, issued monthly by the Labor Department, is a faulty measure of the cost of living and is itself an engine of inflation.

Social Security benefits, federal pensions and many union wage-hike agreements are tied to the CPI. Since it overstates price increases, it causes more money to be pumped into the economy than an accurate index would.

Bureaucrats at the Bureau of Labor Statistics, who compile the CPI, are aware of its faults and, with a sense of urgency worthy of the U.S. Postal Service, have been planning to revise it—by 1985 or 1986.

Something happened to speed them up—we suspect a quiet order from the White House. In any case, Janet Norwood, commissioner of the bureau, said a new index will be ready in January 1982. Of course, 1982 would be preferable, but federal agencies do not move like wide receivers.

The main thing wrong with the CPI is its housing component. For reasons that are unclear to non-bureaucrats, the index assumes that all families buy a new house every month. In times of high home prices and mortgage rates that seriously exaggerates inflation.

The change in the CPI will come none too soon. Under current law, income tax rates are to be indexed to the cost of living starting in 1985. The CPI now in use would cause the tax rates to overcompensate for inflation and cost the treasury many billions a year.

Whether the new index indeed will measure price levels more accurately than the present one is an open question. Nevertheless, Commissioner Norwood's efforts, however belated, should be appreciated.

We welcome her, the bureau and their statistical offspring to the real world and hope they will remain there.●

TRIBUTE TO DR. JOHN PRESTON MILLER

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Sunday, November 22, 1981

● Mr. LEWIS. Mr. Speaker, on December 2, the Board of Education of the San Bernardino City Unified School District will honor a very close personal friend and former colleague of mine, Dr. John Preston Miller. Dr. Miller was first elected to the school board in 1965 and has served admirably for 16 years. During 5 of those years, he led the board as its president.

The last decade and a half have not been easy years for those in public service. Together, Dr. John and I shared experience with the Community League of Mothers and the difficult days of developing a system of effective voluntary integration of our schools. The advent of teacher militancy during the 1960's and increased separation of 'school district managers' and 'professional educational associations' has been a challenge to all who care about public education.

Dr. John Miller served so well because he never took his eye off the mark—quality basic education for each and every child. Standing tough in budget session after budget session, Dr. John always fought for quality results for every dollar spent.

One example of his success is illustrated by the fact that Dr. Miller was a key person in putting together the City-County School District Cooperative Center for individuals with disabilities where he has since served on the board of directors. Dr. Miller's leadership has been recognized far beyond the district, as his fellow California School Board have chosen him time and again to serve on the important delegate assembly of the California School Boards Association.

Dr. Miller received his medical degree in 1947 from Marquette University. After graduation and internship, he spent 2 years as resident in general surgery at the Evangelical Deaconess Hospital and 3 years as resident in obstetrics and gynecology at Milwaukee Hospital. While at Milwaukee Hospital, Dr. Miller was chief resident from 1952 to 1953.

Serving in the military from 1943 to 1956, Dr. Miller was chief of obstetrics and gynecology at Wright Patterson Air Force Base and Norton Air Force Base.

From 1956 to the present, Dr. Miller worked as an assistant clinical professor at Loma Linda University School of Medicine, while providing service to virtually thousands of families in his private practice.

All who are privileged to work with Dr. Miller recognize and admire his dedication and contribution to our community. His humor and humanity are appreciated by those of us who consider Dr. John our friend.

Mr. Speaker, volunteer local public service is the life blood of our national system that depends so upon effective local government. Dr. John P. Miller's service is a shining example that each of us should hope to emulate. He will continue to serve as an inspiration. It is my pleasure to commend him to the House of Representatives for his well recognized contribution as an outstanding physician and for his contributions to the San Bernardino City Unified School District, the county of San Bernardino, and the entire State of California.●

THE SOUTH CAROLINA HALL OF FAME

HON. JOHN L. NAPIER

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Sunday, November 22, 1981

● Mr. NAPIER. Mr. Speaker, in January 1982, United States Senator STROM THURMOND and the late Governor of South Carolina, James F. Byrnes, will be inducted into the South Carolina Hall of Fame in a special ceremony at Myrtle Beach, S.C.

Senator THURMOND will be the first living South Carolinian holding a current elective office to be inducted into the Hall of Fame. This, in itself, says something of the nature of a man who is a living legend in South Carolina and throughout the Nation.

Governor Byrnes was one of our most outstanding public figures. He has many friends who will recall the powerful influence he exerted in national political life.

Knowing of the many friends of the late Governor and our distinguished Senator, I just wanted to call this matter to the attention of the House and insert the press release prepared by the South Carolina Department of Parks, Recreation and Tourism, and the account which appeared in the November 3, Myrtle Beach, S.C. Sun News in the CONGRESSIONAL RECORD.

The press release follows:

U.S. Sen. J. Strom Thurmond and James Francis Byrnes, noted statesmen, have been selected as the 23rd and 24th inductees into the South Carolina Hall of Fame.

The Hall of Fame, located in a special alcove in the Myrtle Beach Convention Center, was established in 1973 to recognize and honor those living and deceased South Carolinians who have made outstanding contributions to the state's heritage and progress.

Each year the Board of Trustees of the Hall of Fame selects one living and one deceased South Carolinian for induction from a group of 10 living and 10 deceased nominees selected by the Confederation of South Carolina Local Historical Societies. Both Thurmond and Byrnes will be officially enshrined during ceremonies at Myrtle Beach on Jan. 11, 1982.

Thurmond, the contemporary nominee, was born in Edgefield in 1902. He graduated from Clemson University and was admitted to the South Carolina Bar in 1930. Thurmond served in the South Carolina Senate from 1933-1938, as a circuit judge from 1938-1946, and as governor of South Carolina from 1947-1951. In 1954 he was elected to the U.S. Senate as a write-in candidate, the only successful candidate in the nation to be so elected, and has served continuously since then.

During World War II, Thurmond served in both the European and Pacific theaters and participated in the Normandy invasion with the 82nd Airborne Division. He was awarded five battle stars and 18 decorations including the Legion of Merit with Oak Leaf Cluster, Bronze Star Medal with "V", Purple Heart, French Croix de Guerre and Belgian Order of the Crown.

He was a recipient of the Congressional Medal of Honor Society National Patriot's Award in 1974; the American Legion National Distinguished Public Service Award in 1975 and the VFW Dwight D. Eisenhower National Distinguished Service Award in 1977.

In 1948, Thurmond was the States' Rights Democratic candidate for president. Currently, he is President Pro Tempore of the U.S. Senate and chairman of the Judiciary Committee.

Thurmond was chosen for induction into the South Carolina Hall of Fame from among the following distinguished nominees: Mary C. Simms Oliphant, Mark Wayne Clark, Anne Worsham Richardson, Donald Stuart Russell, John Birks "Dizzy" Gillespie, William C. Westmoreland, Bobby Richardson, John Mauldin Lesesne and Arthur Magill.

Byrnes, the deceased inductee, was born in Charleston in 1879. He studied law and was admitted to the Bar in 1903. In 1908 he was elected solicitor of the Second Judicial Circuit and two years later was elected to Congress. Byrnes served in the U.S. House of Representatives until 1925. In 1930 he was elected to the U.S. Senate and re-elected in 1936. He served there until 1941, when he was appointed associate justice of the U.S. Supreme Court.

With the outbreak of World War II, Byrnes was selected by President Roosevelt to serve as director of economic stabilization, a title that was later changed to director of war mobilization. In this office he exercised authority second only to that of the president, who referred to him as "Assistant President."

In 1945 President Truman appointed him secretary of state and he served in this position until 1947, when he resigned and returned to South Carolina. In recognition of his contribution to the winning of World War II as Economic Stabilization and Mobilization Director, President Truman awarded him the Distinguished Service Medal. Byrnes was elected governor of South Carolina in 1950 and served from 1951-1955.

He established the Byrnes Foundation for the education of orphans in 1949 with royalties from his first book, "Speaking Frankly." Byrnes died in 1972 and willed his entire estate to the foundation that bears his name.

Besides Byrnes, other deceased South Carolinians nominated for induction were: Ann Pamela Cunningham, Mary McLeod Bethune, Joel Poinsett, Elliott White Springs, Thomas Green Clemson, William Moultrie, William Gilmore Simms, David DuBose Gaillard and Bernard M. Baruch.

[From the Myrtle Beach (S.C.) Sun News, Nov. 3, 1981]

HALL OF FAME ADDS THURMOND, BYRNES

(By Coyte White)

U.S. Sen. J. Strom Thurmond, R-S.C., and the late James F. Byrnes, a former governor, statesman and a powerful influence in the presidential administration of Franklin D. Roosevelt, have been nominated for the South Carolina Hall of Fame for 1982.

Thurmond and Byrnes were selected at an annual luncheon meeting Monday by the trustees of the Hall of Fame at Myrtle Beach Convention Center.

Robert J. Pryor, president and founder of the Hall of Fame, said the nominees would be inducted in ceremonies Jan. 11.

The selection of Thurmond and the late Mr. Byrnes were taken from a list compiled by the Executive Council of the Federation of South Carolina Local Historical Societies.

Contemporary citizens nominated for induction were Mary C. Simms Oliphant, historian and author; Mark Wayne Clark, soldier and educator; Anne Worsham Richardson, artist and ornithologist; Donald S. Russell, governor, lawyer and judge; John Birks "Dizzy" Gillespie, jazz musician and composer; William C. Westmoreland, soldier; Bobby Richardson, former baseball player and coach; John Maudlin Lesesne, educator; Arthur Magill, businessman and philanthropist; and Thurmond.

Deceased nominees include Anne Pamela Cunningham, preservationist; Mary McLeod Bethune, educator; Joel Poinsett, diplomat; Elliott White Springs, author and manufacturer; Thomas Green Clemson, diplomat and philanthropist; William Moultrie, Revolutionary soldier and statesman, William Gilmore Simms, novelist and essayist; David DuBose Gaillard, engineer; James F. Byrnes, statesman; and Bernard M. Baruch, financier and statesman.

The South Carolina Hall of Fame in the convention center was founded to recognize and honor those living and deceased citizens who have made outstanding contributions to the state.

Twenty-two distinguished South Carolinians are presently honored there and admission is free to the public from 9 a.m.-5 p.m. Monday through Friday.

Persons born in the Palmetto State who obtained recognition and esteem elsewhere and persons born elsewhere but who made their home in South Carolina and obtained recognition in this state, as well as persons born here and who earned fame here, are eligible for induction.

Nominees should be sent to the member historical society in the district of which the nominee is a native. Nominations of persons not native to South Carolina should be sent to the historical society where he or she lived while in the state.●

FEDERAL FUNDS TO REPAIR WOODROW WILSON MEMORIAL BRIDGE REJECTED

HON. STAN PARRIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Sunday, November 22, 1981

● Mr. PARRIS. Mr. Speaker, I am extremely disappointed that the conferees on the continuing resolution have rejected a Senate proposal that would have provided Federal funds for the repair of the Woodrow Wilson Memorial Bridge. This bridge is a Federal bridge—a Federal responsibility—and it serves as a vital transportation link over the Potomac River. It was hoped that once the Federal Government repaired the bridge the State of Maryland would assume future responsibility for its operation. The State of Maryland has, unfortunately, refused that offer and the conferees have therefore not provided the necessary funds. Over 100,000 vehicles cross over the bridge daily and all of those who use the bridge know that it is in desperate need of repair and is approaching the point where it will have to be closed for safety reasons. I have been working with other Members of Congress in an effort to get the bridge repaired and I will continue to work toward that goal. This is the only U.S. Government-owned bridge in the country and Congress has an obligation to provide the funds for its repair. I am greatly disappointed that the conferees have decided not to provide the necessary funding at this time but the fight is not over. There will be other opportunities for Congress to provide these badly needed funds for the repair of the Woodrow Wilson Bridge.

I commend the conferees for supporting language which will give a salary increase to top Government workers. Although the increase is not as much as I would have liked, I believe it is a step in the right direction. The cap on salaries has had a devastating impact on the Federal Government. Nine out of ten top Government officials are retiring as soon as they become eligible and employee morale is at an alltime low. Our Government is no longer able to retain its top officials or attract qualified people from the private sector to fill a vacancy in the top ranks of Government. This situation has occurred because executives in the top seven civil service categories are now getting the same maximum pay. By the action the conferees have just taken, they are letting us know that they now recognize the seriousness of this problem and are acting to correct it. We still have a long way to go to correct the inequity that faces senior executives but I feel that Congress has begun to recognize the problem and is moving in the right direction.

Mr. Speaker, there is one item that I have found contained in the conference report which I believe to be absolutely reprehensible. Hidden in the conference report, at this late hour and with the fate of the continued operation of the Federal Government in question, is a pay raise for Members of Congress.

This hidden pay raise for the Members of this House is a classic example of legislative greed. I have always opposed this kind of pay increase for Members of Congress during my service in this House. I am adamantly opposed to granting Members of Congress a raise during the session which they are serving. I believe a congressional increase, if approved at all, should take effect at the beginning of the next Congress, so as to afford the voters an opportunity to determine whether or not they feel their Representative is entitled to an increase in his salary.

I will reluctantly vote for the passage of this conference report. I have no choice. The continued operation of the Federal Government and the lifting of the pay cap for Federal employees mandate this action. But I am not

pleased at having to take this action. In fact, I am angry, very angry, that some of my colleagues in this body persist in trying to increase their salary through backdoor maneuvering. This is not, gentlemen, the way we should handle a matter of this importance.●

SOCIAL SECURITY

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Sunday, November 22, 1981

● Mr. GOODLING. Mr. Speaker, 45 years ago our predecessors in Washington began an insurance program that has given the workers of our Nation a sound financial basis for supplementing a pension plan. Until the last decade, this social security program has provided us with a strong foundation on which we could build our future. It has represented a secure investment opportunity into which many have placed their trust.

In the last few years, however, this foundation, which the workers have supported with financial contributions, as well as confidence and trust, has shown signs of crumbling. Millions of retired Americans now receiving their benefits are understandably afraid of losing their pensions. Working Americans are becoming more aware of the crushing financial burdens that threaten the program's solvency and credibility. The ominous menace of social security's insolvency has a shocking effect on young and old alike. It threatens the confidence our constituents have in both the program and in their elected representatives.

We realize the many factors which have had an adverse affect on social security. Demographic changes, skyrocketing inflation, the expansion of social security benefits and programs, and the recent economic trends have all contributed in draining the trust funds. These are only a few of many possible factors which collectively have taken a toll on the financial soundness of the program. I am sure there are those among us who could also place the blame on just about every administration or Congress that has graced Washington in the last 50 years.

I believe however, that it is time to assume a more responsible position on this issue. Now is the time to try to correct the faults and insure the program's solvency. Pointing fingers and engaging in shouting matches will not help, but perhaps a genuinely combined effort by everyone will save this program that means so much to so many of us.

Earlier this year President Reagan had introduced a proposal which provided one alternative in dealing with this situation. There have also been many proposals introduced by our colleagues in both the Senate and here in the House. This matter is now threatening to become a heated political issue, causing a larger schism between our parties. Using the problems of social security to win votes will not impede the impending financial catastrophe.

Social security affects everyone, the young and the aged, the worker and the retired. Its end will, therefore, hurt everyone. The only way to correct this catastrophic situation is through a united effort. Congress and the administration must work together to insure the programs' short- and long-term success.

I support the administration's proposal that Congress unite in a bipartisan effort to formulate a solution to the social security systems financial problems. Turning social security into a political issue will do neither party any good. In fact, such myopic action will surely seal the program's doom. The collapse of social security will affect millions, and will stigmatize any future social program this Congress would try to implement. The millions of our constituents who confide in us and trust us to maintain the program are a large factor to ignore. There is no compromise in such a situation.

A bipartisan effort to insure social security's future existence will, however, benefit all of us. Consider the actual alternatives we, as responsible and reasonable leaders, really have. Let us unite and save this institution that millions depend on, and to which millions of Americans contribute.●

COMMENT ON CANCÚN

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Sunday, November 22, 1981

● Mr. McDONALD. Mr. Speaker, on October 9, 36 Members of Congress issued a "Statement of Concern" dealing with the apparent increase in Mexican Government leanings toward Castro and his Communist government in Cuba. And only days ago, President José López Portillo reiterated his view that American policies in the Caribbean ought to include an end to the isolation of Cuba; in fact, that American economic aid should flow as generously to Fidel Castro as to anyone else.

Another reason for issuance of the statement last October was the imminence of the Cancún Conference, which we knew to have as its objective the extraction of ever more money from the American taxpayers for the support of Marxist mismanagement around the world.

In any event, Cancún did not work out as planned. The following commentary on what happened is of interest.

Particularly recommended is the revelation, published in Barron's of October 26, that the nine largest American banks have loaned twice their assets to Third World countries; many, if not most of these governments have a slim to zero chance of repaying said loans.

Therefore, much of the pressure for "foreign aid" comes from banks who expect that foreign aid to be, in effect, endorsed over to them as interest payments.

The following article appeared in the The Review of the News of November 14, 1981.

THE MENDICANT CON GAME FAILS AT CANCÚN

(By Susan L. M. Huck)

The summit conference at Cancún, Mexico, in October must be considered a disappointment to its architects and a plus of some as yet unmeasured degree for America. It would be nice to imagine that it represents a turning point in U.S. foreign-aid policy. It is, at any rate a bend in the road.

No need to examine the basic hypocrisies of wealthy socialist intellectuals and politicians who berate the productive middle class for presuming to possess more than the masses and almost as much as they. We will merely point out that there is nothing these people like better than to gather at some plush waterhole like Cancún and wallow in creature comforts while loudly deploring poverty and hunger. It is not the first time Cancún has been used this way. A few years ago there was a United Nations conclave there at which the overpaid drones also feasted and imbibed while deploring hunger.

And so they would gather again at this resort complex which is said to have cost $1,100,000,000, and sit around a table costing a quarter-million dollars. We mention this because all of us have endured the piteous wailings of U.N.I.C.E.F., the United Nations Children's Emergency Fund, according to which the price of Cancún could have drowned the population of the world in milk.

Altogether, a conference inspired by former Socialist International president Willy Brandt, godfathered by U.N. Secretary General Kurt Waldheim, and hosted by Fiedel Castro's big admirer, Mexican president José López Portillo, did not look like a winner. Not only was its ancestry entirely socialist, but the pre-conference propaganda to which we were subjected by the mass media was designed to sandbag the Reagan Administration into yielding to the socialist agenda.

Ah, but changes have taken place. Jimmy Carter would have crawled to Cancún in sackcloth and grinned through the flagellations, but Ronald Reagan wasn't having any of that. He laid certain things on the line. Number one was that host López Portillo had a clear choice between Ronald Reagan and Fidel Castro—essentially between bucks and bombast. It turned out to be no choice at all. Poor López Portillo had to disinvite Fidel without telling him directly that the leaders of 22 nations wouldn't gather at the gates of Heaven to hear one of his famous day-long speeches.

And, well in advance of the meeting, the Administration sent signals loud and clear to the effect that the days of easy handouts

were over, that we had plenty of problems here at home, so don't kid yourselves.

Furthermore, said Reagan, this was going to be an agreeable meeting at which people were going to be polite. It was not going to be a Hate America Festival. The turning of the worm, which took the whole United Nations gang so unawares, occurred in September when our United Nations Ambassador stunned the place by objecting to the latest bucket of abusive verbiage cooked up by the Soviets and served up by no less than 93 delegations. Ambassador Kirkpatrick pointed out that the statement was full of lies and they knew it.

Of course the delegates were stunned. Since when had that mattered? And since when did they have to worry about losing American favor by manifesting hostility? No fair, they seemed to think, changing the rules in the middle of the game.

Nevertheless, the tough line worked. Notably waspish nasties like Indian Prime Minister Indira Gandhi and Tanzanian President Julius Nyerere practically faded into the palm thatch at Cancún. President Reagan, in effect, was enabled to hold court at the Mexican President's expense, and things did not work out at all the way that the Socialist International had planned.

It is generally counted as a plus that President Reagan was afforded the opportunity to conduct one-on-one meetings with so many Heads of State and Foreign Ministers in so short a time. It has been suggested, since the expected vituperative row did not occur, that this represents more points for our team. Lovers of the World Bank were pleased that President Reagan supported existing international finance institutions as against the creation of new ones. Those of us less pleased with the World Bank's previous enthusiastic support of socialism around the world are not inclined to award points for that one. But, in the view of Julius Nyerere, for example, the World Bank is an imperialist skinflint outfit, and one of the fantasies entertained by representatives of the least productive countries was that they might be given their own fully funded development bank to play with. These people already have their own nationalized banks, but it is difficult to induce anyone to give dollars for kwachas or ougiyas or their four dozen other kinds of wooden nickels.

Instead, President Reagan offered nothing but the opportunity for individual governments to discuss specific problems with us "in a cooperative spirit." And he firmly recommended that the delegates presiding over the most threadbare economies on earth give Free Enterprise a try. To the socialists, that is making a rude sound.

What was so satisfying about all of this is that the "Liberal" press nearly choked on it. At enormous expense, some 2,000 journalists and communications technicians had gathered to beam to a yawning world what they thought would be the usual "Liberal" message. Lengthy but remarkably insubstantial reports were all that came of it. The problem lay in the fact that President Reagan refused to walk into a well-publicized ambush. The Leftist propaganda line was not well served by a U.S. President who told the world's mendicants to shape up and try freedom.

Intellectuals who sniff "oversimplification" whenever an obvious explanation threatens to override their sophistries, or whenever the basic economic facts of life are set forth, were left to amplify the most birdbrained "Liberal" catch-phrases ever given space in the public prints. It was not the first time, they chirped, that "rich" nations were arrayed against "poor" nations. This was made ludicrous by the fact that in the much-touted lineup at Cancún the "poor" 14 included the four rolling-in-oil-money O.P.E.C. states of Algeria, Venezuela, Nigeria, and Saudi Arabia. Along with the Persian Gulf states, "poor" Saudi Arabia is a heavy donor of foreign aid—to Moslems, including some not-so-nice Moslem governments and the Palestine Liberation Organization.

The other three O.P.E.C. states present at Cancún feature plenty of poor people, but they are run by a political elite which disports itself on oil money the way our celebrities snort coke—that is, with little restraint. They rarely "aid" others.

One non-oil-producing country which should have served as a good example—and perhaps did, with the media choosing not to notice—was the Ivory Coast. This is a tropical African country which has rejected Marxism and is in consequence going great guns economically, to the chagrin of neighboring pestholes.

* * * * *

That we will continue to disgorge foreign aid, that we still feed the World Bank, that we still support and host the United Nations—all these remain unsatisfying aspects of Reagan policy, just as they have been under so many previous Presidents of both parties. Yet Reagan is the first to slap down the acid-throwers at the United Nations; the first who has smiled while Congress cut their allowance; and, the first who has, most importantly, seen to it that the mendicant nations know it has entered our mind that we just might "get the U.S. out of the United Nations and the U.N. out of the United States."

Let that horde of freeloaders contemplate the possibility that they could smart-mouth themselves clear out of the Good Life.

Newsweek let at least one cat out of the bag in October. Speaking of Bangladesh, it noted that the government there is pained by the fact that the country has had several good harvests in a row. How is this bad, you ask? Well, when pictures of stick-limbed kiddies can be flashed around the world, the free grain pours into government warehouses, and the government then sells this grain to the people, and finds itself with a comforting flow of revenue. In good years, government revenue must come from the tedious process of taxation, of shaking down tens of millions of farmers, one by one.

Isn't it time to say, now that we understand this game, we aren't going to play it any more?

And what was Mexican President José López Portillo selling at Cancún? The Mexican ruling party wants Americans to regard Castro's enslavement of the Cuban people as "an alternative development model." Mexican officials trot out the old line about how we forced Fidel to adopt Communism, just as we are now forcing the poor abused Sandinistas to embrace Moscow. They will even tell you that Mexico's offer to supply Castro with his oil needs has led Fidel to gush gratitude for the prospect of liberation from Moscow. You can believe all that if you really want to.

What else were the Mexicans selling? Well, their own "development model," which is a mixed economy indeed. Mexican politicans are absolutely torn between prosperity and socialist monopoly. Mexican politicos who fairly glow with the personal benefits of a single-party system coo about the virtues of "joint enterprises." Private investors must cut in a hand-sorted batch of ruling-party regulars and render them sleek. The Mexicans have learned how much can be bled off without the host enterprise becoming fatally anemic; they may be able to give lessons in this technique to the huddled mass of "Third World" governing parties who wonder why every productive enterprise they drain eventually develops rigor mortis.

The Mexican government, nonetheless, doesn't really appreciate Private Enterprise. For example, Sri Lanka (formerly known as Ceylon) is said to be ready to give Free Enterprise a whirl, after socialism has run the country into the ground. But, Mexican officials believe, the Sri Lankans don't have the "infrastructure" of Private Enterprise to do the job. Apparently this means that entrepreneurs of the proper scale and variety have not popped from the ruins overnight, after 20 years of flattering themselves into the ground under the grazing fire of a determinedly socialist government.

America suggested that, if people were allowed to make and keep some profits, the word would get around. Ceylonese, like Indians, like Chinese, do not lack the spirit and knack for Private Enterprise. But, like most citizens of the "Third World," they have learned the sad and destructive lesson that to produce a surplus of anything is to invite its confiscation by a voraciously parasitic political structure. In fact, having once produced a surplus, you become an object of special attention.

The problem is as old as human society, but socialism simply butters this type of parasitism with layers of bureaucracy and ideological blather heretofore missing. What is really new and progressive is the deliberate maintenance of Free Enterprise in the teeth of the known tendency of government to use force to grab the products of producers.

You are beginning to see why there was a terrible temptation to entitle this piece, "Can't We Can The Cancún Cant?" The "pitch" to be used against us hasn't changed in decades. There is always the "widening gap between rich and poor," the ill-disguised accusation that we are guilty of prosperity, while the absolutely timeless poverty of the world is one of our vicious plots. If "racism" can be worked into the formula, all the better.

The only way for us to atone for having built our own roads and railroads, learned to grow food in abundance, allowed people to prosper by providing for the needs of others in a free market, and so on, is to provide the fruits of this effort, without the effort, to the governments of "the poor." To attach any conditions, or to ask for anything in return, is an affront to the national sovereignty of the recipient. Surely you can see that.

In fact, that master of mendicancy, Julius Nyerere, routinely takes the matter one step further. Nyerere is a Marxist beggar of the aggressive school, the type who shoves his face into yours and demands the price of his keep. When Nyerere speaks, every second word is "socialism" and every third word is, of all things, "self-reliance"! His pitch includes the notion that failure to supply him with a continuous and generous flow of funds is a nefarious scheme to deprive him of self-reliance.

In astronomical terms, a "black hole" is something so dense that light itself is drawn into it and disappears without a trace. Well,

Nyerere's Tanzania is the Black Hole of Foreign Aid, certainly for Africa, probably for the world as a whole.

In fact, so many of the "poor" countries at Cancún were Marxist-dominated that one might even come away with the idea that "poor" equals "Marxist." There were Yugoslavia and India and Algeria and Tanzania and Guyana and Bangladesh. Without surveying the economies of each, one test might be whether any sane person would attempt to go into business in any of these countries without official patronage in high places.

Conspicuously absent was the Soviet Union. Moscow refused to come. When Treasury Secretary Donald Regan was asked by a television interviewer why the Soviets were not at the Cancún conference, he responded: "That's easy. They have nothing to offer." Soviet "aid" goes overwhelmingly to its two neediest client states, Cuba and Vietnam, so that their puppet armies are in turn available for duty in Africa, Asia, and Latin America on behalf of Moscow. To the Soviets, idealistic humanitarian aid is inconceivable; every kopek has its political objective. There is nobody home in Moscow when it comes to feeding refugees.

But there was one more aspect of the propaganda surrounding this show which merits very serious consideration by Americans. I refer to Presidential support of the U.S.-backed lending agencies. True, credit moves in mysterious ways, but the notion that we should be grateful for the opportunity to "sell" our products to those we have loaned the money to, in the knowledge that the "loan" will never be repaid, just defies logic. Where would a farmer be if he paid people to carry off his crop? Where would you be if you paid your boss to make use of your labor?

We are supposed to be grateful to the Soviet war machine for allowing us to feed and equip its troops on credit; indeed, we must express delight that our bankers have cleared the way for us to build up Red China just the way they built up the Soviet war machine; we must thank the Communist foreign legions in Africa for providing all those millions of refugees for us to feed. Where do you see any sense to it?

No, the only people who find virtue in this argument are the people who skim off a percentage every time money changes hands—regardless of purpose, and regardless of who wins and who loses.

A blockbuster of sorts on this subject appeared in Barron's for October 26, 1981. Try the end of the column by James Grant on Page 55: "Lending by the nine largest American banks to the world's pith-helmet countries was on the rise through 1980. The ratio of such loans to the banks' capital last year exceeded two to one. That is, Third World loans on the books of nine banks were more than twice the sum of the banks' equity, subordinated debt, and reserves for loan losses." There is nothing "prudent" about a loan policy which results in absurd debt levels. There comes a point when it is clear that there is no way even the interest can be paid.

An array of tricks may then find employment. "Rescheduling" interest payments is one method, and floating loans for the purpose of paying interest on previous loans is another; but, a moment's thought indicates that this is no long-term solution, and the lender can see disaster looming at the bottom of his bag of tricks.

In the case of international bankers and foreign governments, does it not then make sense for them to join forces in clamoring for a bailout? What better solution is there than to have the government of a "rich" country plunder its taxpayers for "aid" to be sent to "poor" countries—so that they can pay interest to the bankers?

Could this not be the origin of Establishment media clamor for the transfer of money from your pocket and mine to the coffers of America's nine largest banks? When we placed that question before an honest and perceptive government economist, he could only say: "Well, you're about three steps ahead of the American public."

Washington knows that "foreign aid" is as popular as the plague with the taxpayers. That is why, under "Liberal" dominance, it was never permitted to become a clearcut political issue. Americans have been incredibly generous, and too often have taken a thumb in the eye in exchange. Now, seriously pinched at home, Americans are less than ever disposed to make sacrifices on behalf of ingrates with permanently deployed begging bowls.

Those governments, those countries which have frittered away decades of American-financed opportunity, will have to absorb the message that the party is coming to an end. That is the message Ronald Reagan delivered last month at Cancún. Let us hope that the cowboy President dares stick by his guns.●

IN PRAISE OF FEDERAL EMPLOYEES

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Sunday, November 22, 1981

● Ms. OAKAR. Mr. Speaker, I would like to make a few comments in praise of the dependable and dedicated work performed by Federal employees. In a year when the Federal work force has been made the target of disproportionate and discriminatory budget cuts by the administration, I wish to commend Federal workers for their invaluable contribution to the Government and to our country. I, for one, deplore the unjustified harassment of Federal employees and retirees and demand that this administration refrain from further criticism of Federal employees and from further cuts in their pay and benefits.

If we compare the Federal Government to a large building, then we would logically expect the building to be only as strong and durable as its foundation. The Federal work force is the foundation of our Government. It makes absolutely no sense, therefore, for the temporary occupant-owners of the building—the administration—to chip away needlessly at the foundation.

The Federal workforce is responsible for the day-to-day operation of our Government, something all of us tend to take for granted. There is a direct correlation between the morale and productivity of this workforce and the efficient and effective operation of the Government. I am angry and apprehensive that this administration risks alienating a very large proportion of the Federal workforce, with the result of poorer employee morale, lower employee productivity, and the loss of talented civil servants to the private sector. Does Mr. Stockman's "Trojan Horse" economic assumptions take these considerations into account? I doubt it.

When we speak of Federal employees, we are not referring to a vast gray mass of overpaid and underworked faceless bureaucrats. We are speaking of those employees whose scienfitic skills made possible the launch, orbiting, and landing of the *Columbia* Space Shuttle that the world marveled at. We are speaking of those employees who put their lives on the front line every day in the protection of our President. We are speaking of countless doctors, nurses, technicians, secretaries, clerks, accountants, scientists, and many others who work for our Government and who deserve and ask for nothing more than fair pay and benefits.

And, yet, what have they received in return for their quiet and daily dedication and dependable performance of their duties?

Just this past year, at the hands of an administration misguided in its zeal and obsessed with false budgetary savings, Federal employees have had their cost-of-living adjustment capped at 4.8 percent—even though the President's own pay agent recommended a 15.1 percent increase to keep pace with the rise in inflation and the CPI. Federal retirees—who have given the most productive years of their adult working lives to our Government and who ask for no more than what was assured them in retirement income—have had one of their COLA's taken away, with the implied threat from the administration to delay the new once-a-year COLA guaranteed them in March 1982.

Federal employees and retirees—some 10 million, including their dependents—have seen the Office of Personnel Management recklessly and callously attempt to dismantle their health benefits program, causing potentially serious damage to their ability to receive adequate health care coverage at an affordable price.

As chair of the House Subcommittee on Compensation and Employee Benefits, I renew my solemn pledge to all Federal employees and retirees that I will continue undeterred in my opposition to administration efforts to further reduce personnel and benefit levels. Let this administration know—as well as other administrations to come—that Federal employees and retirees are human beings with needs like everyone else and should not be made the scapegoat for attempts to solve our country's economic ills. Fed-

eral employees and retirees shall not be sacrificed on the altar of false budgetary savings.

Finally Mr. Speaker, we live in the greatest country in the world. We owe a debt of gratitude to those who operate our Government—the Federal employees of this great country.●

EDWARD J. DeBARTOLO, JR., A SPECIAL MAN

HON. JOHN L. BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Sunday, November 22, 1981

● Mr. JOHN L. BURTON. Mr. Speaker, as one of San Francisco's Members of the House of Representatives, I am pleased to join with my colleague, LYLE WILLIAMS of Youngstown, Ohio, in offering this tribute to our friend, Edward DeBartolo, Jr., who among other things is owner and chief executive officer of the San Francisco 49'ers.

At the invitation of my old buddy, Ken Flower, I was going to spend the evening with a person described by the San Francisco media as "a rich young kid from Youngstown, Ohio." I was stunned to find instead of the rich out-of-towner with a silver spoon, a warm outgoing person who could have hung out with me, Geoge Moscone and the rest of the gang at Polk Gulch and North Beach.

When I met Eddy he was in town for the 49'ers-Redskin game with his close friend, Carmen Policy. They were watching "Boom Boom" Mancini fight Alex Arguello on television. Afterward we talked and I was amazed that he could keep up with the chatter of an old North Beach "Lean and Tender"—bartender—with the same ease that allows him to deal in the world of corporate board rooms.

I knew we were kindred souls when Eddy's only criteria for a restaurant was that they serve good baccala and require no neckties. By the end of the evening I felt as if I had known him all my life.

When Eddy first took over the 49'ers he was the victim of bum raps in the media, "a rich kid with a new toy," "he ain't even from the Bay Area," and "an outsider."

Although his family home is in Youngstown, Ohio, I know Eddy DeBartolo loves our city and the people.

When he became owner of the 49'ers, he made only one promise that within 5 years they would be competitive in the league. This promise has been more than kept and, along with coach Bill Walsh, he has given us exciting, gutsy team play every week.

He has provided 49'ers fans with the finest team in the history of the franchise.

To see Eddy in the locker room hugging, slapping hands, joking with the players, stopping to say a kind word to each team member shows he recognizes his players as people rather than beef of the hoof. To have seen the tears of joy after the Pittsburgh game as he hugged his dad and family then thanked each player was proof of his emotional and personal feelings about our 49'ers. The team is not a toy but part of his very being; far from being a spoiled kid with a new toy, Eddy DeBartolo is a beautiful human being who possess the unique combination of his father's business acumen and inner strength, the emotional warmth and commonsense of his mother, Marie, as well as the street smarts of the common person. These traits are what makes Edward DeBartolo, Jr., a cut above most of his NFL peers.

Nineteen eighty-one marks a significant year, significant because this is Edward Jr.'s fifth season as the team's owner and chief executive officer. Five years have passed since the National Football League's San Francisco franchise became a vital acquisition of the nationwide DeBartolo Corp., and for the team's president, stability now has fully arrived on his football club. DeBartolo points with pride to the settling effect that has permeated the organization since 1979 when he hired Bill Walsh, a leading football tactician and a great human being with the ability to bring individuals together as a team on and off the field, as head coach and general manager.

The 49'ers were a team in transition during 1977 and 1978, but that transition began to diminish with the arrival of Walsh and and his staff. DeBartolo says the turnaround came because "all of us have a singleness of purpose" where the 49'ers are concerned. He adds,

> The people presently guiding the team under Bill's direction are the people who will be operating the team for a long time. I have pledged my total support to their efforts.

The 49'ers 35-year-old president serves the DeBartolo Corp. as president and chief administrative officer, a role that demands nearly all of his attention and time. The corporation's home offices are located in Youngstown, Ohio, the DeBartolo family hometown.

Founded in 1948 by Edward J. DeBartolo, who is the father of the 49'ers president, the DeBartolo Corp. has become one of America's great business success stories. It is the leading planner, builder, owner, and operator of enclosed regional shopping malls in the world, malls that total more than 74 million square feet of retail space.

In addition, the corporation owns thoroughbred racetracks, including luxurious Louisiana Downs, hotels, industrial and executive office parks, the Pittsburgh Penguins hockey franchise, the Pittsburgh Civic Arena, and holds many commercial bank interests, including its role as majority stockholder in three banks.

Ed Junior not only is one of America's fastest rising young executives for a major corporation, but he also is the youngest owner in the 28-team National Football League. His rise began upon graduation from Notre Dame in 1968 when he joined the company full time, moving from department to department learning the many facets of the company which, by then, had grown into a national corporation and had become recognized as the largest shopping center firm in the United States. In 1971 he was appointed a vice president.

Five years later he was named executive vice president while taking over the in-house DeBartolo staff of some 300 engineers, architects, designers, financiers, leasing agents, lawyers, management and operations teams, along with advertising, public relations, and marketing personnel. He was appointed president and chief administrative officer in July of 1979.

Working a demanding 7-day-a-week schedule that he has continued to today, Ed Junior found little time for those pursuits he still lists as hobbies—golf and football—or returning my phone calls. Football, the dominant interest in his life, would become more than just a hobby when he became the 49'ers president and general partner. In that capacity he controls 90 percent of the club, with limited partners Jane Morabito and Franklin Mieuli, who each own 5 percent.

Edward Junior gives generously of his time and influence when it comes to charitable endeavors. He is highly active in the St. Jude Children's Research Hospital, having directed the Youngstown effort for national chairman Danny Thomas, an effort that netted the greatest sum of any city its size in the Nation.

He also has for several years directed the Youngstown Cancer and Heart Fund Drives, served as director of a local youth center, and served as a member of the board of trustees at Youngstown State University.

His wife, Candy, was his childhood sweetheart, and they are the parents of three daughters, Lisa Marie 11, Tiffanie Lynn 10, and Nicole Ann 6.●

I.R.A. MURDER CAMPAIGN CONTINUES

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Sunday, November 22, 1981

● Mr. McDONALD. Mr. Speaker, the amazing amount of media sympathy accorded to the I.R.A. hunger strikers earlier this year, a sympathy never before or since matched by any concern for their victims, demonstrates

once more the cynical manipulation of public emotion.

That the hunger strike failed because British Prime Minister Margaret Thatcher would not yield to demands—Mrs. Thatcher was perhaps remembering the I.R.A. murder of Lord Mountbatten and of her own friend and adviser, Airey Neave—left the managers of this macabre affair in a less advantageous situation than had been planned. There was indeed a propaganda windfall, yet other objectives were not achieved.

A subsequent campaign led to violence in London, including a particularly atrocious nail-bomb attack against a busload of Irish Guardsmen, as a result of which two passersby were killed and a large number of young men were hideously maimed by 6-inch nails hammered home by high explosives. This sort of nauseatingly brutal and cowardly attack has become a hallmark of the I.R.A.

The latest tactic has been escalating attacks against leaders of the majority population in Ulster—the majority which does not wish to become part of a "united Ireland," most particularly not an Ireland dominated by the likes of the I.R.A. leadership.

The murder of a clergyman Member of Parliament, the Reverend Robert Bradford, was carried out in a typically cowardly and cold-blooded manner. The Reverend Bradford was making himself available to his constituents when he was approached by two men and simply shot down.

According to the New Yorks Times of November 17:

> In Belfast, the I.R.A.'s publicity bureau issued a statement on the killing . . . saying that people who whipped up anti-I.R.A. sentiment "cannot expect to be immune forever."

The statement was hardly out of character for an organization which arrogates to itself the power of life and death over the people of all Ireland. This is, after all, an organization so fond of maiming that its own members are disciplined by blowing away their kneecaps to cripple them for life. The notion that any people, of any persuasion, would voluntarily subject themselves to the governance of terrorists is simply absurd.

But examine the above account once more. A publicity bureau in Belfast? Imagine, if you will, the American people being required to tolerate the existence of a publicity bureau for an organization which assassinates Members of Congress.

This sort of thing explains the growing cold fury of Ulster against the British rule which requires toleration of this and much more. It requires toleration of a sieve-like border where farmers must go about their chores protected by shotgun-carrying womenfolk—and the womenfolk must protect themselves from journalistic identification by some sort of mask, since gun control means that non-I.R.A. civilians have difficulty in acquiring the means to protect themselves.

There is developing an Ulster nationalism which sees no way out of the more than 10 years of I.R.A. terror than through independence. These people will not accept absorption into the Republic of Ireland, which is foreign to them, and they are ever more suspicious of eventual British sellout.

In these pages we have frequently set forth the Communist connections of the present-day Irish Republican Army. It requires a great deal of credulity to imagine that Moscow has the best interests of Ireland at heart, when unleashing deliberate campaigns of violent destabilization—or, for that matter to believe that Mu'ammar Qadhafi is concerned about the welfare of the Catholics and Protestants of Ireland.

There are specialists in the creation of misery and chaos who find all too many willing employers. Their work is not merely aimed at physical destruction of life and property, but at the destruction of the very fiber of the targeted society, by destroying trust and friendship and replacing them with suspicion and hatred.

Any people who have been subjected to more than 10 years of indiscriminate assassination and bombing by a foreign-directed terrorist organization must be expected to become short-tempered, to say the least. The outburst against British Administrator James Prior, when he recommended that all remain calm following the Bradford murder, was an entirely human reaction. There is wide general dissatisfaction with the manner in which successive British Governments have failed to end the terrorism. No people can be expected to remain calm and idle under the circumstances.

It is time, I believe, that emotion give way to sense. The majority population of Ulster has rights too. They have taken huge casualties, including the murder of thousands of people in no way engaged in political games. The population of the Republic does not hunger to incorporate a hostile minority into its own political body. And above all, the present Communist-directed Irish Republican Army does not really care what anyone in Ireland wants. It is a terrorist organization which would like to govern a typical "people's republic" of the Soviet model.●

WEEKEND OF WINS BY DeBARTOLO FAMILY A FIRST IN PROFESSIONAL SPORTS

HON. JOHN L. BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Sunday, November 22, 1981

● Mr. JOHN L. BURTON. Mr. Speaker, three professional sports teams owned by the Edward J. DeBartolo family of Youngstown, Ohio were victorious in one weekend, in one city. All three teams have emerged from difficult pasts; thus, the pride that surfaced in Pittsburgh the weekend of October 31 and November 1 represented several years of sweat, investment, diligence, and grit.

The Spirit, of the Major Indoor Soccer League, beat the St. Louis Steamers 3-2 in an exhibition game October 31. The soccer team sat out the 1980 season when its former owner suspended play due to financial difficulties and the realization that more intense management was needed. Edward J. DeBartolo, Sr., purchased the Spirit in June of this year after his firm assumed management of Pittsburgh's Civic Arena, home of the Spirit and Penguins.

Mr. DeBartolo, Sr. also owns the Penguins, Pittsburgh's National Hockey League team. That same evening, October 31, the Penguins beat the Buffalo Sabres in the Civic Arena 3-1. The team in its first 9 years suffered mismanagement and hopeless records. DeBartolo took control of the Penguins in 1977, and experts are now looking for a comeback.

The proving victory came the next day as the San Francisco 49ers swept past the Steelers 17-14. It was the first time since 1971 that an NFC team won a game in Pittsburgh. The 49ers left the stadium with a 7-2 record, six straight wins and a two-game lead in the National Conference West.

This was a very satisfying win for the DeBartolo family and their friends because it came in their own backyard against the area's prized and feared Steelers.

As one of the few San Franciscans in the stand that day, I could feel the local and familial pride that for a brief moment allowed a franchise switch where the San Francisco 49ers became the Youngstown 49ers. As one of San Francisco's Congressmen and one of the handful of people who saw the 49ers first game in 1946, I even felt like a Youngstowner.

The 49ers team is owned by Edward J. DeBartolo, Jr., a person I am proud to call my friend. He has diligently maneuvered management since 1977 when he took control of the team's operation as owner, president, and chief executive officer. In 1979 he hired Bill Walsh, one of the finest football

minds as well as a great human being, as head coach. The combination represents a turnabout, and today the 49ers are considered "the hottest team in pro football."

I am pleased to be joined in these comments by our colleague LYLE WILLIAMS.●

TRIBUTE TO JACK RAFTER

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Sunday, November 22, 1981

● Mr. SMITH of New Jersey. Mr. Speaker, I rise this afternoon to honor my good friend Jack Rafter for his remarkable work and contribution to high school girls' athletics over the last two decades.

An outstanding track coach who can boast of nearly 300 victories at Red Bank Catholic High School in Red Bank, Coach Rafter was New Jersey's pioneer—literally the man who made it all happen—in girls' track and cross country.

Mr. Speaker, like all great men, Coach Rafter saw things that were not and said "why not." He saw high school girls, blessed with abundant energy, strength, ability, agility, endurance, and pride, relegated to the sidelines to just watch the boys play. Twenty years ago, you might recall, girls were excluded from participation in most sports. Many assumed that girls were just not competitors. Or that they were too fragile. Or that they lack interest. Or that they would get hurt. Or that the rigors of athletic competition were unladylike. Almost alone in the crowd stood Coach Rafter, who dared to disagree. "I believe girls can do it," he would often say. "And I am going to devote a great deal of my time and effort to prove that they can—to give them their shot."

So against all the odds, Coach Rafter set out to convince a skeptical world.

Coach Rafter began by organizing a girls' track team at Red Bank Catholic. To everyone's surprise, except the coach, the response was overwhelming. The girls came out to run, to have a good time and to win. It was not long before the cynics acknowledged the success of Coach Rafter's program.

Anxious to pit his harriers against some competition, Coach Rafter soon discovered that none was to be found—anywhere. So he organized the first invitation girls track meet in the State of New Jersey appropriately called "A Sadie Hawkins Day Race."

He contacted every high school in the State. He encouraged them to organize a girls' track team. He pleaded his cause with passion and conviction. Seven schools sent squads to the meet and statewide girls' track competition was born.

A few years later, Coach Rafter decided it was time to topple another barrier in women's sports—cross country. Everyone who has run cross country knows that cross-country competition is no picnic and requires a runner to complete a long distance race over a hilly, rugged course. I know the challenge of cross-country competition personally, Mr. Speaker, having lettered 4 years straight at St. Mary's High School in Perth Amboy, N.J. Indeed it is tough. It is physically demanding. It teaches one the rewards of training and discipline. It strengthens the body and sharpens the will. So there were many back in 1966 who thought Coach Rafter's idea of a girls' cross-country team was preposterous. But again, he stuck to his guns and proved them wrong. He stuck by his girls and they proved him right. The female dalers showed themselves to be every bit as determined, able, fit, and competitive as the boys. Girls' cross country in New Jersey then took off like a rocket.

Mr. Speaker, the rest is history. One man's dream, one man's vision, one man's determination, has blossomed into one of the most respected statewide girls' track programs in the country. Right now, over 290 New Jersey high schools have girls' track teams. Thousands of New Jersey girls have, are, or will participate in track or cross country. And they have one coach to thank, Jack Rafter, a guy who is my candidate for Coach of Two Decades.

I am pleased to inform my colleagues that Coach Rafter's tremendous contribution to the world of sports has not gone unnoticed by his peers. On December 7, he will be honored at the New Jersey State Interscholastic Athletic Association dinner, to be held at the Pines Manor in Edison.●

PROTECTING THE POLITICAL RIGHTS OF WORKERS

HON. BENJAMIN A. GILMAN,

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Sunday, November 22, 1981

● Mr. GILMAN. Mr. Speaker, it may surprise some of my colleagues to know that there are serious legal impediments to an individual's freedom to contact his Congressman or to contribute to his—or his opponent's—campaign or to decline to take such actions. In my view, these are decisions that should be solely matters of individual choice, and we should take steps to make certain that the political process, is not subverted by inappropriate pressures on workers to participate, or to refrain from participating, in politics.

Common law provides, in general, that an employee may be terminated at the will of his employer. Congress has, however, restricted the right of an employer to discriminate on the grounds of race, religion, sex and so forth.

We have not adequately protected the right of an individual to petition the Government for the redress of grievances—a right enshrined in the first amendment. The fact that we have not protected this right has led to instances where firms have, in the words of Business Week, engaged in "browbeating employees into lobbyists," and, as the Wall Street Journal put it, opened themselves to charges of coercion with respect to solicitations for Political Action Committee contributions.

I don't believe that my colleagues welcome any political contributions that have been coerced by an employer of by a PAC, nor receive a letter that has been written against the will of the correspondent. We need to take action to protect the political process and the freedom of conscience of our constituents.

The bill I am introducing today amends title VII of the Civil Rights Act of 1964 by including "political preference" as an additional factor defining what employment discrimination would be illegal. The current procedures and protections for employer and employee, now part of title VII, would be continued, and the "bona fide occupational qualification" escape hatch would still exist for individuals whose job includes the duty to communicate with legislators.

The time has come for Congress to assert itself, making it clear that there should be no discrimination against any person because of writing, or declining to write to an elected official, nor for making or failing to make a political contribution.

Mr. Speaker, I am inserting at this point in the RECORD a copy of my bill, H.R. 5098, a Business Week article dated March 10, 1980, and an analysis of the political rights of workers by the Congressional Research Service. I invite my colleagues to join me in cosponsoring this legislation.

H.R. 5098

A BILL to amend title VII of the Civil Rights Act of 1964 to prohibit employment discrimination on the basis of political preference.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 701 of the Civil Rights Act of 1964 (42 U.S.C. 2000e) is amended by adding at the end thereof the following:

"(l)(1) The term 'political preference', as used with respect to an individual, means a political preference of such individual, as expressed—

"(A) by making, or declining to make, a contribution of anything of value (including

services) for the benefit of any candidate, political party, or political committee, or

"(B) by attempting, or declining to attempt, to influence—

"(i) the passage or defeat of any legislation, or

"(ii) the outcome of any referendum, initiative, or recall proceeding of a State or of a political subdivision of a State,

other than through an act prohibited by law.

"(2) For the purposes of paragraph (1)—

"(A) the term 'candidate' shall have the meaning given such term by section 601(b) of title 18, United States Code;

"(B) the term 'political committee' shall have the meaning given such term by section 301(4) of the Federal Election Campaign Act of 1971; and

"(C) the term 'legislation' means any bill, resolution, amendment, nomination, or other matter pending or proposed in, or which may otherwise be the subject of action by, either House of Congress, or a legislative body of a State or of a political subdivision of a State.".

SEC. 2. (a) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e and following) is amended—

(1) by inserting "political preference," after "sex," each place it appears in sections 703(a), 703(b), 703(c), 703(d), 703(e), 703(h), 704(b), and 706(g);

(2) by inserting ", political preference," after "religion, sex" in section 703(h); and

(3) by inserting in section 703(j)—

(A) "political preference," after "sex," the first place it appears;

(B) "(or the total number or percentage of persons having any particular political preference)" after "national origin" the second place it appears; and

(C) "(or the total number or percentage of persons having such a political preference)" after "national origin" the third place it appears.

(b) The section heading for section 703 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-2) is amended by inserting "Political Preference," after "Sex,".

SEC. 3. The amendments made by this Act shall apply with respect to employment practices occurring after the 180th day following the date of the enactment of this Act.

BROWBEATING EMPLOYEES INTO LOBBYISTS

A truism of political life is that mail moves politicians. But how does a legislator respond to 500 preprinted postcards from the employees of XYZ Corp. or to 200 letters written on company stationery?

The question is far from academic to the growing number of corporations that use their employees as political lobbyists. In industries ranging from oil to aerospace, workers have been urged—and sometimes marshaled into boardrooms, offices, and cafeterias—to write to their elected representatives, recommending action that the company wants. One senator, Carl Levin (D-Mich.), estimates that up to 10 percent of his mail is identifiably from employees writing in their companies' interest.

INTRUSION

Predictably, the practice has inspired employee grumbling that "managed" letter-writing is not part of their jobs, complaints from civil libertarians that it invades the writers' privacy, and attempts by political theorists, in and out of Congress, to curb the trend. Professor David W. Ewing, of the Harvard Business School, who dubs the workplace "the black hole in American rights," calls for a movement to give employees the constitutional guarantees they have as citizens. Noting that some 50 major companies (including IBM, Citibank, and Bank of America) have issued guidelines protecting employees from coercion or intrusion upon their privacy, Professor Alan F. Westin, a political scientist at Columbia University, says: "Management must see that the choice lies between making the effort themselves and government regulation."

In Congress, Representative Frank Thompson Jr. (D-N.J.) has introduced a bill to give the National Labor Relations Board jurisdiction over supervisory employees—admittedly only a first step toward their protection against political arm-twisting. Supervisory employees would still have to form unions and file grievances under NLRB-protected union contracts providing for arbitration, or possibly win an NLRB hearing by approaching the board as a unit to protest such action as a mass firing for refusing to write letters. Moreover, a similar bill introduced by Thompson in the 1974-75 session died in committee.

But the Thompson bill—and other bills on employees rights currently being considered by potential sponsors—may have better luck this time, in part because Congress has become aware of the quantum increase in its company-inspired mail. There is no question, says a congressional aide, that more companies "have realized that their employees represent electoral power."

Operating on that realization, Fluor Corp., of Irvine, Calif., urged its 20,000 employees to write to their congressmen in support of arms sales to Saudi Arabia in 1978. Fluor holds multimillion-dollar contracts to design and construct oil refineries and other projects in Saudi Arabia. Rockwell International Corp., of Pittsburgh, provided preprinted postcards to its headquarters employees so that they could petition Congress in support of the B-1 bomber in 1977. Rockwell was the primary bidder for production of the B-1, a program whose lowest estimate was $10 billion. For most of the last year, the major oil companies have used company newsletters, pep talks over plant intercoms, and fliers posted on department bulletin boards to persuade employees to send lawmakers the message that proposed taxes on "windfall profits" would unjustly hurt the companies.

LABOR'S EFFORTS

Unions, too, have pitched in on occasion. Last year the Federation of Grain Millers urged its 3,000 members in Battle Creek, Mich., to write letters objecting to an antimonopoly suit brought against the cereal industry by the Federal Trade Commission. More recently, the United Auto Workers organized a campaign to support a bid by Chrysler Corp. for federal loan guarantees. Senator Levin reports that he received some 7,000 letters clearly stemming from that campaign.

While corporations that sponsor letter-writing campaigns stress that participation is voluntary, even voluntary action must be motivated. When 22 specialty steel companies, backed by the United Steelworkers, joined in a push for continuation of the specialty steel import quotas last year, an industry brochure hammered home the warning, "Your job is at stake!" Says Hubert W. Delano, assistant vice-president of Cyclops Corp., a Pittsburgh-based diversified steelmaker: "Our people realized what the import-restraint program meant to them. The plant here in Pittsburgh had a 40 percent unemployment rate a couple of years ago."

THE JOB THREAT

Sometimes, however, the threat to a worker's job becomes more personal. A worker in Cyclops' Specialty Steel Div. felt that his job was at stake when he balked at joining in the second of the division's two letter-writing sessions. A technician in a nonunion job, the employee had dutifully appeared in the company board room as requested in 1978 and had written a letter supporting quotas. When asked to make a return appearance last summer, he refused. "I lost my cool," he says. "I didn't agree with the company's position, which I thought was very self-serving." Instead, he offered to write a letter at home and mail it privately.

The result, he says, was a visit from his supervisor, who told him that everyone had to write a letter on the premises. "He said, 'Go up and write something. Nobody's ever refused to do it,' " the employee says.

At that point the technician turned to his local chapter of the American Civil Liberties Union, only to be told that the company was within its rights in using him as a lobbyist. The Constitution protects an American from political pressures by the government but is silent on the subject of employer pressures, the ACLU said.

Specific laws restrain companies from acting freely in specific areas—for instance, the Equal Employment Opportunity Act and the Occupational Safety & Health Act—but in areas that are left uncovered by law, "the power of a large corporation over the worker is fairly unlimited," confirms Ira Glasser, the ACLU's executive director. This is particularly true if he does not belong to a union, Glasser says.

PROTECTION

Almost all union contracts specify that firings must be for just cause and provide grievance procedures culminating in arbitration; an arbitrator is unlikely to find that refusing to write to a congressman is just cause for dismissal. And if the union, sympathetic to the company, drags its feet on processing the grievance, the member can sue it under the Landrum-Griffin Act for failing to represent him. But in the absence of union or legislative protection, Glasser says, employees must weigh the economic consequences of refusing to act on the company's behalf. These economic considerations are "more effective political inhibitors than even the fear of arrest," he says.

In the Cyclops case, the technician finally wrote the letter. The experience left him shaken. "I felt my constitutional right to privacy had been violated," he says. "I wanted to refuse, but I didn't because I am the main support of my family."

Cyclops' Delano denies that the specialty steel campaign was coercive. "We were certainly very anxious that our employees write, so a strong effort was made," he says. But Delano stresses that nobody was forced.

EFFICACY

Company-inspired mail campaigns have met with varying degrees of success. The specialty steel campaign apparently persuaded Congress but not the President, who vetoed the bill. In general, says Representative William S. Moorhead (D-Pa.), a 22-year congressional veteran, he is most persuaded by "the one letter that analyzes and presents a problem logically," and he discounts postcards and petitions. Moorhead quotes the late Senator Sam Rayburn to the effect

that "a letter written with a stub pencil on a scrap of paper counts for more than a fancy letterhead because it probably comes from someone who has never written to his congressman before."

In any case, says Moorhead, "I am not elected to tote up letters and find out how many people in my district are for or against an issue. People back home rely on me to study the question and vote accordingly."

Other congressmen, often with less secure political bases, feel that even coordinated letter-writing has some value. When weekend vehicle gas restrictions were proposed last year, first-term Representative Howard E. Wolpe (D-Mich.) received two dozen identical letters on company stationery from employees of a small supplier of brass fittings for recreational vehicles. The letters noted that restricted gas sales would hurt the makers of snowmobiles and other recreational vehicles, ultimately producing layoffs in the supplier company.

THE PERSONAL TOUCH

James D. Margolis, Wolpe's executive assistant, believes that even this obviously orchestrated effort was effective because "it clued us into the ramifications of those restrictions." Even so, Margolis says that Wolpe prefers the personal touch. "I'd say he gives two points for sending anything, but 10 for a personal letter," he says.

Company-inspired employee lobbying can also generate undesirable side effects. When Fluor Chairman J. Robert Fluor wrote to employees and shareholders in 1978 to ask them to petition legislators in support of the sale of military jets to both Saudi Arabia and Israel, he drew widespread criticism, especially from the Jewish community.

"We took a lot of heat on that," says Thomas C. Ellick, vice-president of corporate relations, who supervises such activities. Fluor seldom uses grass-roots lobbying, Ellick says, but "we felt strongly about the bill and saw that it was in trouble," so Fluor made a conscious decision to try to use the political clout of its 20,000 employees. The effort, however, involved "no coercion and no attempt to follow up on who wrote letters and who didn't" Ellick says.

THE SOFT SELL

That kind of company attempt to inspire employee lobbying violates no one's privacy "if it is truly voluntary, with no threat of sanctions," says Columbia's Westin. Moreover, says William R. Maloni. a former aide to Representative Moorhead, "better efforts at internal corporate communications would produce better results than blackjack letter-writing sessions" because they would generate more spontaneous letters.

In fact, Illinois State Senator Dawn Clark Netsch insists that she can identify the effects of a company newsletter in the letters she receives. She finds such obviously voluntary expressions of concern more persuasive than "200 organized letters," she says.

CONGRESSIONAL RESEARCH SERVICE,
THE LIBRARY OF CONGRESS,
Washington, D.C., June 24, 1980.

To Hon. BENJAMIN A. GILMAN.
From American Law Division.
Subject: Protecting Employees' Right of Political Expression.
Attention: Hillel Weinberg.

At common law, an employee could be dismissed for any reason, with or without cause, at the whim of his or her employer. Now, however, the Federal Equal Employment Opportunities Act prohibits employment discrimination on account of an individual's "race, color, religion, sex, or national origin" (42 U.S.C. § 2000e-2). Age discrimination in employment is prohibited by 29 U.S.C. § 623(a). The majority of States have adopted legislation along these same lines.[1] The Labor Management Relations Act (29 U.S.C. §§ 141 et seq.) provides certain protections to those engaged in union activities, and many union contracts provide additional protection (union related and/or general) to covered employees.

However, there are still some gaps in coverage. For example, there appears to be nothing in Federal or State law[2] to prohibit an employer from forcing an employee to write, or refrain from writing, a letter to a Member of Congress expressing his or her views on a pending issue or piece of legislation. An employee refusing to take such an action could thus be dismissed or otherwise disciplined as a result. Such employees have First Amendment rights of free speech and political association, but asserting them can be expensive and time consuming.

All States prohibit election coercion or intimidation, and 34 (all except Alaska, Georgia, Hawaii, Illinois, Iowa, Louisiana, Maine, New Hampshire, New Mexico, North Dakota, Oklahoma, South Carolina, Texas, Vermont, Virginia, and Washington) specifically prohibit election coercion by an employer.[3] However, contacting a Member of Congress, or refusing to do so, does not strictly speaking come within the realm of an election. (Although it may tangentially, no cases were found where such an interpretation of any of the above statutes was offered.)

Although arguments can be offered in support of employees' rights in these areas, these rights would be greatly strengthened through a statutory enactment specifically providing for such protection. Adverse actions and lawsuits might still be required in some instances (for example, to determine if exercising the protected right has in fact led to disciplinary action), but the basic right of employees to be free from harassment because of such action would be settled.

We hope this information will be helpful.

RITA ANN REIMER,
Legislative Attorney.●

[1] The Government Division of the Congressional Research Service is presently conducting a telephone survey of 250 less-than-statewide entities to determine what, if any, affirmative action rights are covered by their enactments (municipal codes and ordinances, etc.). Other than through that procedure, these are not readily available for research purposes.

[2] Standard reference works, the Scorpio computer citation file, the Chamber of Commerce of the United States, and the National Council of State Governments were consulted on this point, without finding any such enactments.

[3] See Senate Election Law Guidebook 1980, S. Doc. 96-45 (1980), pp. 304-305.

HERBERT WEHNER PART II: LEADING GERMANY TO OBLIVION

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Sunday, November 22, 1981

● Mr. McDONALD. Mr. Speaker, Americans, whose educational system fails to give them a sense of history, are always in need of useful reminders of the deep roots of living actors upon the political stage.

In view of the current renewed Communist drive for the neutralization of Europe, and particularly West Germany, it is well to set forth the background of a man who might easily be mistaken for a German elder statesman by now, having been assured of a seat in the Bundestag from 1949 onward.

Herbert Wehner, now 75 years old, has been described as the "grey eminence" of the Social Democratic Party (SPD) of West Germany. He has, as we noted in these pages on July 29, authored a plan for the neutralization of Germany which was actually an improvement, from the Soviet point of view, upon the original Rapacki plan of Polish Communist origin. Wehner appears to owe his position in German politics to the favor he receives from outside of Germany.

Wehner is nowadays at pains to conceal his long and fervid years as a Communist and turncoat, and reference to this background in the mass media of Germany today is about as likely as reference in our own mass media of the close and helpful relationship between Mr. Harriman and the Soviet Government, dating back to 1924.

An example of the sanitizing of official biographies is presented in the case of Herbert Wehner. Note the thoroughly "respectable" sound of the following official biography, every other word oozing propriety.

Wehner, Herbert, editor, born July 11, 1906 in Dresden; Protestant-Lutheran; married. Seminary preparatory school, high school, graduation 1924. Training as industrial merchant. Political-economic and industrial-economic studies. Commercial activity. Since 1925, first part-time and then full-time journalist. Before 1933, author and publisher of publications in the field of law concerning work councils and trade union practice. Politically active since 1923, trade union membership since 1924. 1930-31, member of the Diet of Saxony. 1933, active in the resistance movement. 1935, emigration. Owing to continued connection with the resistance movement, repeatedly arrested and interned abroad during the war.

Let us pause for a moment and see what has been concealed and disguised thus far. The least deceptive statement above is "politically active since 1923." That is the year in which Herbert Wehner joined the Socialist Workers' Youth.

His "training as an industrial merchant" must have taken place while he was a factory apprentice until 1926. His "political-economic and industrial-economic studies" were pursued by absorbing revolutionary propaganda; in 1925 he joined the Syndicalist Workers' Federation and embarked upon his career as "journalist" by working on syndicalist and anarchist publications. By 1927, Herbert Wehner had

"graduated" to the Communist Party proper (KPD).

It was then, as a Communist Party apparatchik, that he became "author and publisher of publications in the field of law concerning work councils and trade union practice."

In 1930-31, as Wehner neglects to inform readers of his official biography, he was a Communist member of the legislature of Saxony. Nowhere in his biography could one ever imagine that the subject was an enthusiastic Communist.

Wehner's journalistic career involved such effusions as the following, published in Revolutionary Action in May of 1926:

> The first necessity is the destruction of the state . . . The armed rebellion is inevitably necessary in order to put an end to what exists . . . All forces must be concentrated in the fight against the Republic and the government as such, against Parliament and all other institutions.

Later, as a Communist member of the Saxony legislature, he said:

> Soviet Russia is the only country in which we have no crises because the workers and farmers dominate . . . where the red flag with the hammer and sickle is flying.
>
> We (German Communists) will see to it that a clean sweep will be made here with the bourgeoise, as in the case of Soviet Russia, and the shouting of the middle class . . . will be proof of the trembling fear of this bankrupt bourgeoise society.

It may be argued that these were the effusions of youth. However, in view of the fact that the Swedes caught Wehner meeting with a KGB general in 1970, one must conclude that Wehner has merely disguised his views, not changed them. The serious intentions of Adolf Hitler were also overlooked, in his early writings.

Indeed, during 1929-31, when Wehner was rising fast in the KPD, his task was to foster the penetration of the trade unions by Communists, and in 1931 he was brought to the Central Committee of the German Communist Party. There, he became editor of the official KPD magazine, the Party Worker, and served as personal secretary to Party Chairman Ernst Thälmann.

When the KPD was outlawed in 1933, Wehner's "resistance" activities amounted to the party-directed task of completing networks of agents all over Western Europe. In 1934, on party orders, he tried to engineer the permanent detachment of the Saar from Germany. Wehner was arrested in 1935, not in Germany but in Czechoslovakia, and "released to the Soviet Union," where he could hardly complain of persecution. He became assistant to the noted head of the Comintern, Dimitrov. After years of further training, he was dispatched to Sweden as a Soviet spy. He was convicted of espionage on behalf of the Soviet Union in 1942.

This episode casts further discredit upon Wehner's character. The Communist Party asked its Social Democratic allies for legal defense of Wehner, and the Social Democrats obligingly provided the son of the Swedish Foreign Minister, Dr. Georg Brantig, as his lawyer. When Brantig discovered that Wehner, who was scarcely in the hands of the Gestapo, had blown his entire network under interrogation, Brantig stated:

> This man is neither a Communist nor an anti-Fascist. Wehner is a provocateur and a traitor. I must reject his defense.

More accurately, he was a coward and an opportunist. German Communists who were victimized by Wehner assert that he began working as a double agent for the British as early as his arrival in Sweden in 1941, that it was at British instigation that he wormed his way back into KPD circles after his release, and that his British intelligence connections saw to his return to Germany in 1946.

Since Germany was an occupied country, Wehner was far from the only turncoat German to be boosted into high political position under the occupation. Wehner served who knows how many of the occupying powers, and in 1949, when the Bundesrepublik was formed, he was already deputy chairman of the Social Democratic Party.

The chairman of the party was, of course, Willy Brandt. Wehner and Brandt had long experience in joint Communist-Social Democratic popular front politics dating back to France in 1936. At that time, Wehner was serving the Comintern and provided a strictly party line popular front declaration which Brandt signed on behalf of the Social Democrats, committing them without hesitation to the Communist cause.

Wehner, by the way, fulfilled his other task in prewar France, also in accordance with Comintern instructions, by directing local Communist activities aimed at the subversion of the French Armed Forces.

In postwar Germany, this known Soviet spy and double agent became, according to Wehner's official biography, "German advisor in prisoner-of-war questions at the General Assembly of the United Nations" in the early 1950's. It is difficult to imagine an individual who would have less sympathy than Wehner for loyal and courageous men who had fought against his employers.

For the next decade, Wehner and his nominal superior, Willy Brandt, became exponents of German reunification largely on Soviet terms. The Wehner proposals always involved German withdrawal from NATO, the removal of NATO forces—and the disarmament of Germany itself, the disbanding of the German Armed Forces. The cynical deal has always been intended to leave Germany open and helpless to the type of subversive warfare which Wehner well knows to be a Communist specialty. He brings to the matter a lifetime of experience.

When a shift of strategy was indicated, Wehner proved himself as supple as ever. Patriotic speeches came to flow lightly from his lips; more than that, Wehner learned to give hard-line speeches to the millions of Germans who had been driven from their homes by policies which he and Brandt had enthusiastically embraced at the time.

Even as the speeches were being made, the Social Democrats were meeting in Italy with Italian Communist Party representatives detailed to present to them the new Communist position on the fate of Germany. It is apparently necessary, in the Western media, to preserve Willy Brandt's tattered reputation by implying that he has been unaware of the fact that his closest associates have been longstanding trusted agents of the Soviet Union. Yet Brandt himself has a turncoat background lacking little but Wehner's actual conviction for espionage.

Nonetheless, Brandt's close associate, Egon Bahr, had been the subject of surveillance for years, and had spent the entire period of the midsixties in working out a common position with the Soviets as to Germany's future as a divided and neutralized land.

When Herbert Wehner chose Sweden, in 1970, as a place to meet a certain Soviet KGB general, the Swedes, who had not forgotten his unsavory nature, were not amused. They tipped off German intelligence and advised Wehner to conduct his business elsewhere in the future.

This is essential background to the understanding of the policies of Social Democrat Willy Brandt, including his "opening to the East" policies when he became Chancellor of West Germany. Brandt is a power in the Socialist International and thus still very much in a position to push Soviet policies in the Western world. And Herbert Wehner can hardly be imagined as changing his spots at this late date. We must expect that he and his party will collaborate with Moscow as openly as is politically feasible.●

SENATE—*Monday, November 23, 1981*

(Legislative day of Monday, November 2, 1981)

The Senate met at 12 noon, on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

The PRESIDENT pro tempore. Our opening prayer will be given by the Reverend Richard Christian Halverson, Jr., associate pastor, North Avenue Presbyterian Church, Atlanta, Ga. He is the son of the Senate Chaplain.

PRAYER

The Reverend Richard Christian Halverson, Jr., associate pastor, North Avenue Presbyterian Church, Atlanta, Ga., offered the following prayer:

Let us pray.

Father in Heaven, these days on the Hill have been long, arduous, and perhaps even somewhat frustrating to those who labor here. Yet we know in Thy sovereignty it is no accident that we wrestle with these difficult circumstances peculiar to our day, nor is it by chance that each man and woman who occupies a position of influence in this body has been called to serve our country at this time.

Inasmuch as those who labor here have been ordained by You, a truth made known by the very Bible on which their oath of office is taken, grant with this divine calling the godly wisdom and fortitude to continue the hard work of plowing up fallow ground and planting seeds of peace that by faith what is said and done here, if under Thy guidance, may yield a rich harvest of righteousness across the land.

This we pray in the name of Him from whom we receive wisdom, Jesus Christ our Lord. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

Mr. BAKER. Mr. President, I thank the Chair.

THE JOURNAL

Mr. BAKER. Mr. President, I ask unanimous consent that the Journal of the proceedings of the Senate be approved to date.

The PRESIDENT pro tempore. Without objection, it is so ordered.

WHEN I GET TIME

Mr. BAKER. Mr. President, Thomas Masson wrote a poem entitled "When I Get Time," and I could not imagine a better Monday morning than today to include it in the RECORD.

WHEN I GET TIME

(By Thomas L. Masson)

When I get time—
  I know what I shall do:
I'll cut the leaves of all my books
  And read them through and through.

When I get time—
  I'll write some letters then
That I have owed for weeks and weeks
  To many, many men.

When I get time—
  I'll pay those calls I owe,
And with those bills, those countless bills,
  I will not be so slow.

When I get time—
  I'll regulate my life
In such a way that I may get
  Acquainted with my wife.

When I get time—
  Oh glorious dream of bliss!
A month, a year, ten years from now—
  But I can't finish this—
I've no more time.

ORDER FOR ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, is there an order for morning business today?

The PRESIDENT pro tempore. There is no order.

Mr. BAKER. Mr. President, I ask unanimous consent that, after the recognition of the two leaders under the standing order, there be a period for the transaction of routine morning business to extend no longer than 30 minutes in which Senators may speak for no more than 5 minutes each.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SCHEDULE

Mr. BAKER. Mr. President, the House of Representatives is in session considering matters in relation to the continuing resolution. I hope to be able to inform the Senate in greater detail of what action may be taken by the House and what further action may be available to the Senate in the course of the day. I cannot do that at this moment.

I had hoped today to take up the small business bill, S. 881. Before I do that, Mr. President, I should like to explore the possibility of a unanimous-consent agreement that we might lay aside that measure temporarily to take up whatever comes over from the House in connection with the continuing resolution, since that is our first obligation. I shall not now make that request, but I inquire of the minority leader if he would be willing to see if we could get such an agreement later this afternoon.

Mr. ROBERT C. BYRD. Will the Senator repeat the statement? I am sorry; I beg his pardon. I was distracted.

Mr. BAKER. Yes. Mr. President, I said I had hoped today and previously announced that the Senate would be asked to proceed to the consideration of S. 881, the small business bill, but that I do not feel that I can or should do that unless I can get an agreement that if and when we receive something from the House in connection with the continuing resolution that we can temporarily lay aside that measure and proceed to the other matter as it comes to us from the House. I then indicated I will not now make that request but I inquire of the minority leader if he would be willing to consider such a request later in the afternoon.

Mr. ROBERT C. BYRD. Yes.

Mr. BAKER. I thank the minority leader.

Mr. President, there is one other matter we can proceed with today, I believe, and I hope it has been cleared on both sides, and that is the Foreign Corrupt Practices Act. If that is cleared on the minority side, I would propose that, at the close of morning business and no earlier than 1 o'clock, we proceed to the consideration of that measure.

Mr. ROBERT C. BYRD. There is no objection on this side to proceeding to that measure.

Mr. BAKER. I thank the distinguished minority leader.

Mr. President, I do not foresee any great difficulty with that. I understand there is no great controversy involved. But I have the same problem with that; that is, to lay aside that measure, if necessary. I will not make that request at this time.

I ask the minority leader to consider, as well, the possibility of such unanimous consent request later.

Mr. ROBERT C. BYRD. That will be done.

Mr. PROXMIRE. Will the majority leader yield?

Mr. BAKER. Yes.

Mr. PROXMIRE. On the Foreign Corrupt Practices Act, I was the author of the original bill last year and I was one of the opponents of the bill in the committee. But I think we have worked something out that accommodates both sides. I think we can dispose of that within a very short time and pass it by a voice vote.

Mr. BAKER. I thank the Senator. I am pleased for that evaluation.

Mr. President, let me put the unanimous consent request now and then I will yield to the distinguished Senator.

ORDER TO CONSIDER S. 708

Mr. President, I ask unanimous consent that, after the expiration of time allocated for the transaction of routine morning business but no earlier than 1 p.m., the Senated proceed to the consideration of the Foreign Corrupt Practices Act, Calendar Order No. 301, S. 708.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BAKER. I yield to the Senator from South Dakota.

S. 1692—IMPACT REPORT

Mr. ABDNOR. I thank the majority leader for yielding.

Mr. President, the Subcommittee on Water Resources, which I am proud to chair, has reported an amended version of S. 1692 to the full Committee on Environment and Public Works. This bill will help the Nation meet the President's goals for economic recovery, while accelerating the Nation's port development effort.

Unfortunately, a number of inaccuracies have been circulated regarding the impacts of this legislation. I would urge that my colleagues examine the bill with care, rather than to depend on outside characterizations of its impact.

To assist Members of the Senate and the public, the staff of the Committee on Environment and Public Works has prepared a report using data supplied by the U.S. Army Corps of Engineers and the Maritime Administration. This report analyzes the impact of S. 1692, along with other harbor cost-recovery options.

I would urge anyone interested in this issue to contact the Committee on Environment and Public Works in order to obtain a copy of this report. I will, of course, provide a copy of it to each of my colleagues for their personal review.

Mr. BAKER. Mr. President, I have no further need for my time under the standing order. I am prepared to yield to any Senator or to the minority leader.

RECOGNITION OF THE MINORITY LEADER

Mr. ROBERT C. BYRD. Mr. President, I thank the majority leader.

The PRESIDING OFFICER (Mr. ABDNOR). The minority leader is recognized.

THE CONTINUING RESOLUTION CONFLICT

Mr. ROBERT C. BYRD. Mr. President, the continuing resolution which the President vetoed this morning, passed the Senate last night because 44 Republicans voted for it and only 6 Republicans voted against it. Two Democrats voted for it.

Another salient fact: Senator BAKER's amendment which included a 4-percent across-the-board cut to certain programs was supported by the President. Senator BAKER told the Senate that the President would sign the continuing resolution if it included Senator BAKER's cuts. Senator BAKER's cuts amounted to $3.2 billion. By OMB's own estimates, the conference report cut $2 billion.

Therefore, this entire dispute hinges on $1.2 billion out of a bill providing funding for approximately $430 billion. In other words, this entire so-called crisis, with the tremendous inefficiencies in Government which it has created, is over a cut amounting to one-quarter of 1 percent of the bill.

This should suggest something about the nature of the dispute. It is clearly a tempest in a teapot. It is a manufactured shootout at the OK Corral. It is an attempt to divert attention from the real pressing issues of the day—a tremendous slowdown in economic activity, and a possible deficit in excess of $100 billion in fiscal year 1982.

The budget cut which the President says he wants from this bill will barely be a drop in the bucket. The source of the problem is not Government spending, but a Kemp-Roth tax cut which was both irresponsible and unfair.

Another salient fact: The conference report contained a funding level of $10.1 billion in foreign assistance. The administration has let it be known that it prefers the level of foreign assistance funding contained in the Senate bill, approximately $11.5 billion.

So, while on the one hand the President is talking about deeper domestic budget cuts, his administration is also advocating significant increases in foreign military assistance.

How can we explain to the American people that fewer kids will get school lunches, college loans become more and more difficult to obtain, our roads and bridges will continue to fall in disrepair, and, yet, we want to increase the amount of money we send to foreign countries, principally to buy arms?

NO VALID OBJECTIONS REMAIN TO GENOCIDE TREATY

Mr. PROXMIRE. Mr. President, the Genocide Treaty has awaited Senate ratification for over 30 years, and for over 30 years that ratification has been withheld. After reviewing the numerous objections which have been raised against the treaty, I am struck by the fact that no valid objections remain.

Over the past 30 years, the proponents of the treaty have refuted all objections raised against it time and time again. The Genocide Convention has been proven to be well within American legal and constitutional bounds.

What, then, is the Genocide Convention? Mr. President, the Genocide Treaty is nothing more than an affirmation of the value of human rights and human life. It constitutes a vital base from which international agreements to protect human life and political freedoms can proceed and expand. Over 80 nations have signed and ratified this worthy document, and yet, the United States remains conspicuously absent from that list.

We all know genocide is the planned, premeditated murder of an entire ethnic group.

The classic example was Hitler's virtual extermination of Jews in Europe during and before World War II. That is what we want to outlaw.

It is appalling, Mr. President, that there should be any resistance to that kind of agreement, especially since all our allied countries have ratified the treaty that we have pushed.

Why is there any objection? Is there any validity to these seemingly perpetual objections which have prevented ratification of the treaty for so many years? The obvious answer is no. Whatever technical objections have been raised against the treaty are far outweighed by its advantages, and should no longer stand in the way of ratification.

Louis Henkin, a noted constitutional and international law expert, has eloquently summed up the impetus for the United States to pursue human rights legislation. I present his statement here, as it echoes my own feelings on this subject:

> The United States, then, does not adhere to human rights covenants in order to distort or circumvent our constitutional system, to legislate greater human rights for its own citizens by treaty rather than by act of Congress or to take additional matters from the states into the federal domain; she adheres to such covenants in order to modify the behavior of other governments in ways that affect American interests.

What more can be said, Mr. President? The Genocide Convention has been shown to be in the interests of the United States. All charges against it have been refuted. I urge the Senate to ratify the Genocide Convention.

Mr. President, I yield the floor.

Mr. ROBERT C. BYRD. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from West Virginia does have 8 minutes remaining.

Mr. ROBERT C. BYRD. Mr. President, does the distinguished Senator from New Mexico wish to have some of my time?

Mr. SCHMITT. That will not be necessary, Mr. President. I can speak in morning business. I thank the minority leader for his courtesy.

Mr. ROBERT C. BYRD. Mr. President, I yield back the remainder of my time.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. There will now be a period for the transaction of routine morning business.

The Senator from New Mexico is recognized.

THE PRESIDENTIAL VETO OF THE CONTINUING RESOLUTION

Mr. SCHMITT. Mr. President, last night the Senate—correctly, I believe—passed the continuing resolution for fiscal year 1982 in order that the President could fully exercise his constitutional prerogatives in matters of this sort. I fully support the President's veto of that

continuing resolution as a means by which the vote of the American people entered the Halls of Congress. Members of the Committee on Appropriations, upon which I serve and upon which the distinguished Senator from Georgia (Mr. MATTINGLY), who is on the floor, serves, did the best they could in 56 hours of almost continuous negotiation with the House of Representatives on this continuing resolution. However, Mr. President, the spending levels in the bill which passed the Congress and now has been vetoed are at $3.5 billion outside the levels the President could agree to in the earlier Senate version and $6.5 billion higher than he had asked for in his September budget request.

Clearly, the American people would not expect the President to sign this legislation and set back the clock in efforts to bring Federal spending under control.

Mr. President, I worked, as others did, to mobilize support on the floor for passage of the continuing resolution even though we realized that the President had committed himself to veto that measure. I worked for passage of this legislation to give the President his constitutional veto opportunity to follow the mandate given to him by the American people, which, by every survey that I have seen, including some very recent ones in New Mexico, he still has.

This also gave the American people the opportunity to have their vote and their opinion felt in the Halls of Congress. The Presidential veto represents the actual interjection of the vote of these people directly into the congressional consideration of the continuing resolution. Now, with veto in hand, those of us in the Senate on this side of the aisle will have added leverage in the negotiations with the House on future spending measures that are outside the bounds necessary to bring the economy under control.

This will assist our efforts to control the unbridled growth of unnecessary Federal spending. Such unnecessary spending has been the principal cause of the persistently high inflation and interest rates.

Mr. President, recent surveys on issues among my constituents in New Mexico show the overwhelming majority of New Mexicans support the President in his budget reform efforts. There really was no other way to give President Reagan his constitutional opportunity except through last night's Senate passage of the continuing resolution. I not only support his veto action, I applaud the courage he has shown in taking that action in the face of the unbelievable pressures that come at a time when many of the functions of Government must grind to a halt. Now Congress must do its job in cutting unnecessary spending that it has tried to avoid for so long.

Mr. President, in that context, the Senator from Georgia and others and I have consistently said that no solution to this problem will be possible until we are willing to cap the growth of entitlement programs however genuinely necessary they may be which are, in fact, growing without control of any kind. One of the principal reasons that the continuing resolution was $3.5 billion above what the President had requested and agreed to finally was that the House version of the bill left out at least $1.7 billion worth of entitlement funding that was going to be necessary and is going to be necessary in this fiscal year. They just left it out, assuming that they could do that and have it considered in a supplemental request and it would not be counted against this continuing resolution.

Actually, Mr. President, I am afraid that that number is going to end up something like $2.5 billion unless we do something very quickly about entitlement programs.

In the consideration of the Senate bill on Labor, Health and Human Services, Education, and related agencies, the Appropriations Committee did consider at my request, although they did not act on it, a package of entitlement caps that generally would have returned to the States more of the responsibility to control spending on programs that they administer—unemployment compensation, medicaid, aid for dependent children, child support payments, and so forth.

In addition, as an illustration of another entitlement program that is growing totally out of control, it would have begun the process of capping the growth of guaranteed student loans. A portion of that total package my colleagues might be interested in would have provided in fiscal 1982 alone a saving of about $1.3 billion. That number should illustrate just how rapid the growth of these entitlements has been.

One final illustration would be that in the budget before that subcommittee that I chair in appropriations—Labor, Health and Human Services, and Education—we deal with a budget of about $85 billion. Mr. President, only $28.1 billion of that $85 billion was even in conference during this last weekend to which we could apply any savings requested by the President. We cannot continue that way. Next year, that number relative to the $85 billion will probably be down close to $21 billion. That is the amount of actual discretionary funds against which the Committee on Appropriations can apply its cuts.

So, as we go through the next 2 or 3 months, Mr. President, this Congress must deal with this problem because, unless we deal with the problem of the unbridled growth of these entitlement programs, we are going to continue to come back, just as we did last night, with continuing resolution after continuing resolution that will solve none of the problems that the American people have asked us to solve relative to reform of the spending practices of the Federal Government.

Mr. President, I yield on his own time to the Senator from Georgia (Mr. MATTINGLY) who has been a leader in this effort, and has offered proposals that are innovative and must be considered by the Congress much more seriously than they have in the past.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. MATTINGLY. Mr. President. I thank the Senator from New Mexico for those kind remarks. First, I want to begin by saying that I commend Senator BAKER, Senator HATFIELD, and Senator ROBERT C. BYRD for the job that has been done in the last few days. I think the Baker-Byrd amendment to the continuing resolution was a step forward in trying to control Federal spending. I think Senator HATFIELD should be commended for the job that he did during the 56 hours of negotiations on the continuing resolution.

Mr. President, as a member of the Appropriations Committee and a conferee who signed the report of the continuing resolution that the President vetoed this morning, I wanted my colleagues to know that I support the President's veto and voted for passage last night so the President could veto it and dramatize to the people of this country that the Congress has not done its job in reducing the budget.

But Mr. President, as much as I would like to tell about places in the budget that could be reduced or expose some of the pork barrel projects contained within that bill, I want to talk about what this Congress and this administration did not fully address in this resolution, or for that matter for this entire year.

What I want to talk about and demand action on is that 50 percent of our budget that we have refused to examine. What I want to see on this floor is a bill dealing with that part of the budget that went from $70 billion in 1970 to $295 billion in 1981. I want to see those both in the administration and the Congress who will do something about the "untouchables" the big "E"—entitlements.

I am pleased to be here today with Senator HARRISON SCHMITT. I say that because Senator SCHMITT has at every turn in the road reminded his colleagues on the Appropriations Committee—indeed the entire Senate—and this past weekend once again reminded Members of the conference about this significant problem. But more importantly, Mr. President, HARRISON SCHMITT has shown a willingness to act and lead the way on this problem. I praise him for his actions and for the discussion that we are about to have on this vital issue.

Mr. President, I suggest that this is a test of courage for the administration and for us here in Congress. I would point out that prior to 1972 the Congress had the responsibility for any increase in the entitlement programs. But in that year, when we raised retirement benefits 20 percent the Congress also tied all future increases beginning in 1975 for all entitlement programs to the CPI. In putting the system on automatic pilot, the Congress abrogated its responsibility and worse, nurtured the belief that these continued increases were somehow basic rights.

We, in this body, have no one to blame if this is allowed to continue but ourselves—not computers, not lack of studies—only lack of courage. I say to colleagues that we cannot defer this any longer. We cannot continue to go home and talk about the Federal Government getting its house in order when we refused to deal with 50 percent of its budget.

Mr. President, since I have been in the Senate, I have introduced legislation which if adopted would save approximately $50 billion over the next 5 fiscal years. In addition, I supported an attempt on the continuing resolution just vetoed that would have saved us approximately $2.6 billion this year.

These efforts have so far gone unrewarded in terms of providing more responsible programs. That is why, Mr. President, I welcome this discussion with my good friend, HARRISON SCHMITT, because I know that like me, he stands willing to act. It is my hope that by this discussion we can enlighten our colleagues and that over the holidays they will think about this and return ready to act.

Mr. SCHMITT. Mr. President, will the Senator yield?

Mr. MATTINGLY. I yield.

Mr. SCHMITT. If we do not do what the Senator has so strongly and eloquently suggested, then it is the education programs, the health programs, the student financial aid programs, the vocational educational programs, the health research programs—it is all these things that are going to suffer, because they are the so-called discretionary programs. They are the only ones that, right now, Congress can legally cut, when we need to reduce the rate of growth of Federal spending. We cannot do that any longer. Those programs are disappearing.

That is why there is so much difficulty in this process. We cannot get to where the main abuses of Federal budget authority occur, and that is in the uncapped, indefinite growth of what is commonly referred to as the entitlement programs.

The Senator is absolutely correct. We just have to do something. It is that simple.

Mr. MATTINGLY. I believe that now is the time to approach the big "E," and I am sure that my good friend from the Finance Committee will agree.

I ask the Senator from New Mexico if he will also agree with this; that 62 percent of all these payments, transfers, do not go to the poorest 20 percent of the families. Is that not correct?

Mr. SCHMITT. That is my understanding. The Senator is correct.

Mr. MATTINGLY. Then, obviously, what needs to be done is that we probably need to cut the safety net from under the politicians, so that we can make a secure safety net for the American public, the taxpayers, and those who do receive entitlements.

Mr. SCHMITT. There is no question that there are many Americans who, in a variety of economic conditions and a variety of fiscal conditions, are unable to provide for their own well-being. I think this country long ago decided that it was the responsibility of Government—local, State, and Federal—to insure that people who had no alternative but governmental assistance receive that assistance. Unfortunately, it has gone so far that there is no longer any incentive for others outside of that group to exercise the alternatives they have to provide for their own well-being.

That is what we are talking about. We are not talking about removing the safety net. In fact, we are talking about strengthening it underneath those people who have no alternatives but Federal assistance.

However, for those who do have alternatives, we must provide the incentives—in some cases, gradually—for them to seek other alternatives, while at the same time we rejuvenate the economy overall, so that those alternatives in the private sector are there and available for those who have not been exercising them up to the present time.

Mr. MATTINGLY. I agree with the Senator from New Mexico.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. HUMPHREY. Mr. President, it is well that the President has chosen to veto the continuing resolution sent to him by Congress yesterday.

What this Senator should like to point out is that perhaps too much is being made of this veto action and perhaps too much is being made of it by the White House.

Though large in absolute terms, the amounts of money involved are relatively small in comparison with the huge deficits which are looming in the outyears. I applaud the veto, and I hope the President will veto every spending proposal which exceeds his request, because Congress is falling into its old bad habits and showing, once again, that it does not have the discipline to bring spending into line with revenues.

So the President must be relied upon to provide that discipline, and I hope he uses it liberally. I, for one, will support him in sustaining this veto if that is necessary.

However, I point out once again that perhaps too much is being made of this particular veto of this particular resolution, involving in excess of several billion dollars of what the President wishes.

For the White House to be making such a big issue of this veto is about the same as someone visibly slapping a mosquito on his wrist and making a big scene out of that, when just a few feet away is a rattlesnake about to strike.

My colleagues from Georgia and New Mexico are absolutely right: There is no hope of avoiding fiscal and economic disaster until the White House gets its courage up and decides to address the entitlement programs. We cannot continue to focus our budget cutting attention on the 17 percent of the budget which remains after you exclude defense and entitlement programs and expect to have very much further success.

So I am one Senator who urges the White House to open up this question of entitlement programs, which it has shied away from since the situation with respect to the social security proposals of a few months ago. This is a time which calls for courage. We will not succeed in an economic or political sense unless the White House begins to show that courage. There are a growing number of Senators and Members of the House who are ready to address that question, realizing that there is no other choice.

IOWA GOES TO THE ROSE BOWL

Mr. JEPSEN. Mr. President, it gives me great pleasure to stand here today and say that I am from the great State of Iowa—a State today chilled by the early winter cold—yet a State warmed by thoughts of a New Year's Day celebration in Pasadena, Calif.

For 19 long years, the Iowa Hawkeyes have not had a winning season—until this year. For 23 long years, the Iowa Hawkeyes have quietly folded their jerseys and stored their cleats at the end of November—until this year.

Mr. President, it fills me with a great sense of pride to declare that the long drought is over—that not only have the Hawkeyes fought their way to a winning season—they have fought their way to the father of all bowl games—the Rose Bowl.

After being down for so long, being on top feels that much better for Hawkeye fans, and I think I am safe in saying that today every Iowan is a Hawkeye fan. We have a lot of reasons to love our football in Iowa; the Iowa State Cyclones ranked in the top 10 earlier this year, the Bulldogs of Drake University own at least a share of the Missouri Valley Conference title, and the Panthers of northern Iowa, just to name a few of the exciting teams we have in our State. But I am sure that they all join me in declaring that this is the year of the Hawks.

Mr. President, that Iowa enthusiasm goes all the way to the top. As you may know, back in 1932, as a new graduate of Eureka College in Illinois, Ronald Reagan had the pleasure of starting to broadcast Iowa football games for WHO radio in Des Moines. When I was at the White House last month to talk with President Reagan, I had the chance to bring him up to date on the Hawkeyes, and he was as excited as the rest of us.

I congratulate Coach Hayden Fry and all of the Hawkeyes for their courage and their fortitude on reaching this peak. And I congratulate the Hawkeye fans for their spirit and their patience through these past 19 years.

Mr. President, the people of Iowa have asked me to give a two-word message to my distinguished colleagues from the State of Washington, our opponents on New Year's Day. Those two words are: "Go Hawkeyes."

Thank you, Mr. President.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. JEPSEN. I yield.

Mr. THURMOND. Mr. President, I am not as familiar with the Hawkeyes as the able Senator from Iowa, but I congratulate the Hawkeyes for having such two able distinguished Senators here as Senator JEPSEN and Senator GRASSLEY.

Mr. JEPSEN. I thank the Senator. Coming from the President pro tempore that is, indeed, a very high compliment and helps make this rather bleak day more pleasant. I thank the distinguished Senator.

The PRESIDING OFFICER. Who seeks recognition?

Mr. JEPSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

BUSINESS ACCOUNTING AND FOREIGN TRADE SIMPLIFICATION ACT

Mr. STEVENS. Mr. President, I ask that the clerk lay before the Senate Calendar Order No. 301, S. 708, a bill to amend and clarify the Foreign Corrupt Practices Act of 1977.

The PRESIDING OFFICER. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (S. 708) to amend and clarify the Foreign Corrupt Practices Act of 1977.

The Senate proceeded to consider the bill which had been reported from the Committee on Banking, Housing, and Urban Affairs, with an amendment to strike out all after the enacting clause and insert the following:

That this Act may be cited as the "Business Accounting and Foreign Trade Simplification Act".

FINDINGS AND CONCLUSION

SEC. 2. (a) The Congress finds that—

(1) the enactment of the Foreign Corrupt Practices Act of 1977 was a positive and significant step toward the important objective of prohibiting bribery of foreign government officials by United States companies in order to obtain, retain, or direct business;

(2) The Foreign Corrupt Practices Act of 1977 has caused unnecessary concern among existing and potential exporters as to the scope of legitimate overseas business activities;

(3) the accounting standards requirements of the Foreign Corrupt Practices Act of 1977, which apply to all issuers of securities irrespective of whether they have foreign operations, are unclear and excessive and have caused costly and unnecessary paperwork burdens;

(4) United States agencies responsible for enforcement of the Foreign Corrupt Practices Act of 1977 have not sufficiently coordinated interpretation and enforcement practices with other agencies responsible for international trade policy, export promotion, foreign policy, international monetary policy, and other related civil and criminal statutes; and

(5) it is in the best interests of all countries to maintain responsible standards of corrupt conduct in foreign markets to preserve free and equitable trading practices.

(b) The Congress concludes that—

(1) the principal objectives of the Foreign Corrupt Practices Act of 1977 are desirable, beneficial, and important to our Nation as well as to our relationships with our trading partners, and these objectives should remain the central intent of the Act;

(2) exporters should not be subject to unclear, conflicting, and potentially damaging demands by diverse United States agencies responsible for enforcement of the Foreign Corrupt Practices Act of 1977;

(3) general compliance and enforcement practices associated with the Foreign Corrupt Practices Act of 1977 should be developed in accordance with considerations underlying foreign policy relations, international trade, export promotion, international monetary policy, and other related civil and criminal statutes; and

(4) a solution to the problem of corrupt payments by firms to obtain or retain business demands an international approach; accordingly, appropriate international agreements should be initiated and sought by the United States agencies responsible for trade agreements and by the President.

AMENDMENT OF SHORT TITLE

SEC. 3. Section 101 of the Foreign Corrupt Practices Act of 1977 is amended to read as follows:

"SHORT TITLE

"SEC. 101. This title may be cited as the 'Business Practices and Records Act'.".

ACCOUNTING STANDARDS

SEC. 4. (a) Section 13(b)(2) of the Securities Exchange Act of 1934 is amended to read as follows:

"(2) Every issuer which has a class of securities registered pursuant to section 12 of this title and every issuer which is required to file reports pursuant to section 15(d) of this title shall devise and maintain a system of internal accounting controls sufficient to provide reasonable assurances that—

"(A) transactions are executed in accordance with management's general or specific authorization;

"(B) transactions are recorded as necessary (i) to permit preparation of financial statements in conformity with generally accepted accounting principles or any other criteria applicable to such statements, and (ii) to maintain accountability for assets;

"(C) access to assets is permitted only in accordance with management's general or specific authorization;

"(D) the recorded accountability for assets is compared with the existing assets at reasonable intervals and appropriate action is taken with respect to any differences; and

"(E) for the purposes of subparagraphs (A) through (D) of this paragraph, the issuer makes and keeps books, accounting records, and accounts which, in reasonable detail, accurately and fairly reflect the transactions and dispositions of the assets of the issuer.".

(b) Section 13(b) of the Securities Exchange Act of 1934 is amended by adding at the end thereof the following:

"(4) A person shall be liable in any action or proceeding arising under paragraph (2) only—

"(A) for knowingly falsifying, or causing to be falsified, any book, accounting record, or account described in paragraph (2);

"(B) for knowingly failing to make or keep a book, record, or account described therein;

"(C) for knowingly failing to maintain a system of internal accounting controls which is consistent with the purposes of paragraph (2); or

"(D) for knowingly attempting to circumvent the internal accounting controls established pursuant to paragraph (2).

"(5) Where an issuer which has a class of securities registered pursuant to section 12 of this title or an issuer which is required to file reports pursuant to section 15(d) of this title holds 50 per centum or less of the voting power with respect to a domestic or foreign firm, the provisions of paragraph (2) require only that the issuer proceed in good faith to use its influence, to the extent reasonable under the issuer's circumstances, including the relative degree of its ownership over the domestic or foreign firm and under the laws and practices governing the business operations of the country in which such firm is located, to cause such domestic or foreign firm to devise and maintain a system of internal accounting controls consistent with paragraph (2). Such an issuer shall be conclusively presumed to have complied with the provisions of paragraph (2) by demonstrating good faith efforts to use such influence.".

REPEALER; NEW BRIBERY PROVISION

SEC. 5. (a)(1) Section 30A of the Securities Exchange Act of 1934 is repealed.

(2) Section 32 of such Act is amended—

(A) by striking out "(other than section 30A)" in subsection (a); and

(B) by striking out subsection (c).

(b) Section 104 of the Business Practices and Records Act is amended to read as follows:

"FOREIGN PAYMENTS

"SEC. 104. (a) It shall be unlawful for any domestic concern, or any officer, director, employee, or shareholder thereof acting on behalf of such domestic concern, to make use of the mails or any means or instrumentality of interstate commerce corruptly in furtherance of a payment, gift, offer, or promise, directly or indirectly, of anything of value to any foreign official for the purpose of—

"(1) influencing any act or decision of such foreign official in his official capacity, or inducing such foreign official to do or omit to do any act in violation of his legal duties as a foreign official; or

"(2) inducing such foreign official to use his influence with a foreign government or instrumentality thereof to affect or influence any act or decision of such government or instrumentality;

in order to assist such domestic concern in obtaining or retaining business for or with, or directing business to, any person.

"(b) It shall be unlawful for any domestic concern, or any officer, director or employee, or shareholder thereof acting on behalf of such domestic concern to make use of the mails or any means or instrumentality of interstate commerce corruptly to direct or authorize, expressly or by a course of conduct, a third party in furtherance of a payment, gift, offer, or promise of anything of value to a foreign official for any of the purposes set forth in subsection (a).

"(c) Subsections (a) and (b) shall not apply to—

"(1) any facilitating or expediting payment to a foreign official the purpose of which is to expedite or to secure the performance of a routine governmental action by a foreign official, as distinguished from governmental action in which the exercise of judgment by the foreign official is a significant factor;

"(2) any payment, gift, offer, or promise of anything of value to a foreign official

which is lawful under the law and regulations of the foreign official's country;

"(3) any payment, gift, offer, or promise of anything of value which constitutes a courtesy, a token of regard or esteem, or in return for hospitality;

"(4) any expenditures, including travel and lodging expenses, associated with the selling or purchasing of goods or services or with the demonstration or explanation of products; or

"(5) any ordinary expenditures, including travel and lodging expenses, associated with the performance of a contract with a foreign government or agency thereof.

"(d)(1)(A) Except as provided in subparagraph (B), any domestic concern which violates subsection (a) or (b) shall, upon conviction, be fined not more than $1,000,000.

"(B) Any individual who is a domestic concern and who willfully violates subsection (a) or (b) shall, upon conviction, be fined not more than $10,000, or imprisoned not more than five years, or both.

"(2) Any officer or director of a domestic concern, or stockholder acting on behalf of such domestic concern, who willfully violates subsection (a) or (b) shall, upon conviction, be fined not more than $10,000, or imprisoned not more than five years, or both.

"(3) Whenever a domestic concern is found to have violated subsection (a) or (b) of this section, any employee of such domestic concern who is a United States citizen, national, or resident or is otherwise subject to the jurisdiction of the United States (other than an officer, director, or stockholder acting on behalf of such domestic concern), and who willfully carried out the act or practice constituting such violation shall, upon conviction, be fined not more than $10,000, or imprisoned not more than five years, or both.

"(4) Whenever a fine is imposed under paragraph (2) or (3) of this subsection upon any officer, director, employee, or stockholder of a domestic concern, such fine shall not be paid, directly or indirectly, by such domestic concern.

"(e)(1) When it appears to the Attorney General that any domestic concern, or officer, director, employee, or stockholder thereof, is engaged, or is about to engage, in any act or practice constituting a violation of subsection (a) or (b) of this section, the Attorney General may, in his discretion, bring a civil action in an appropriate district court of the United States to enjoin such act or practice, and upon a proper showing, a permanent or temporary injunction or a temporary restraining order shall be granted without bond.

"(2) For the purpose of all civil investigations which, in the opinion of the Attorney General, are necessary and proper for the enforcement of this Act, the Attorney General or any attorney or attorneys of the Department of Justice designated by him are empowered to administer oaths and affirmations, subpena witnesses, take evidence, and require the production of any books, papers, or other documents which the Attorney General deems relevant or material to the inquiry. Such attendance of witnesses and the production of such documentary evidence may be required from any place in the United States, or any territory, possession, or commonwealth of the United States, at any designated place of hearing.

"(3) In case of contumacy by, or refusal to obey a subpena issued to, any person, the Attorney General may invoke the aid of any court of the United States within the jurisdiction of which such investigation or proceeding is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, papers, or other documents. Any such court may issue an order requiring such person to appear before the Attorney General or attorney designated by the Attorney General, there to produce records, if so ordered, or to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found. The Attorney General shall have the power to make such rules relating to civil investigations as may be necessary or appropriate to implement the provisions of this subsection.

"(f) As used in this section—

"(1) The term 'domestic concern' means (A) any individual who is a citizen, national, or resident of the United States; or (B) any corporation, partnership, association, joint-stock company, business trust, unincorporated organization, or sole proprietorship which has its principal place of business in the United States, which is organized under the laws of a State of the United States or a territory, possession, or commonwealth of the United States, which has a class of securities registered pursuant to section 12 of the Securities Exchange Act of 1934, or which is required to file reports under section 15(d) of the Securities Exchange Act of 1934.

"(2) The term 'foreign official' means (A) any officer or employee of a foreign government or any department, agency, or instrumentality thereof, or any person acting in an official capacity for or on behalf of any such government or department, agency, or instrumentality; or (B) any foreign political party or official thereof or any candidate for foreign political office.".

DEFINITIONS

SEC. 6. Section 13(b) of the Securities Exchange Act of 1934 is amended by adding at the end thereof the following:

"(6) For the purpose of this section, the terms 'reasonable assurances' and 'reasonable detail' mean such level of detail and degree of assurance as would satisfy prudent individuals in the conduct of their own affairs, having in mind a comparison between benefits to be obtained and costs to be incurred in obtaining such benefits.".

EXCLUSIVITY PROVISION FOR OVERSEAS BRIBERY

SEC. 7. No criminal action pursuant to section 1341 or 1343 of title 18, United States Code, may be brought against a domestic concern, its officers, directors, employees, or shareholders based upon the theory that, by receiving a corrupt payment, the foreign official violated his fiduciary duty to his government or to the citizens of his country. Nothing in this section limits the applicability of the provisions of section 1341 and 1343 of title 18, United States Code, to any other kind of scheme to defraud.

AUTHORITY TO ISSUE GUIDELINES

SEC. 8. Title I of the Business Practices and Records Act is amended by adding at the end thereof the following:

"GUIDELINES AND GENERAL PROCEDURES FOR COMPLIANCE

"SEC. 105. (a) Not later than six months after the date of enactment of this section, the Attorney General, after consultation with the United States Trade Representative, the Secretary of State, the Secretary of Commerce, and the Secretary of the Treasury, and after consultation with representatives of the business community and the interested public through public notice and comment and in public hearings, shall determine to what extent the business community would be assisted by further clarification of section 104 of this Act and shall, based on such determination and to the extent necessary and appropriate, have the authority to issue—

"(1) guidelines describing specific types of conduct associated with common types of export sales arrangements and business contracts which the Attorney General determines constitute compliance with the provisions of section 104 of this Act; and

"(2) general precautionary procedures which issuers or domestic concerns may use on a voluntary basis to ensure compliance with this Act, and to create a rebuttable presumption of compliance with this Act.

The guidelines and procedures referred to in the preceding sentence shall be issued in accordance with sections 551 through 557 of title 5, United States Code.

"(b) The Attorney General, after consultation with other Federal agencies and representatives from the business community, shall establish a Business Practices and Records Act Review Procedure for the purpose of providing responses to specific inquiries concerning enforcement intentions under this Act. The Attorney General shall issue opinions, within thirty days, in response to requests from domestic concerns, regarding compliance with the requirements of the provisions of section 104 of this Act. An opinion that certain prospective conduct does not involve a violation shall be final and binding on all parties, subject to the discovery of new evidence. When appropriate, and at reasonable intervals, the responses derived from the review procedure will be reviewed by the Attorney General to determine whether such compilation of responses should be included in a new guideline pursuant to subsection (a).

"(c) Any document or other material provided to, received by, or prepared in the Department of Justice, or any other department or agency of the United States Government, in connection with a request by a domestic concern for a statement of present enforcement intentions under the Business Practices and Records Act Review Procedure pursuant to subsection (b) of this section, or in connection with any investigations conducted to enforce this Act, shall be exempt from disclosure under section 552 of title 5, United States Code, regardless of whether the Department responds to such a request or the applicant withdraws such request prior to receiving a response. The Attorney General shall protect the privacy of each applicant, and shall adopt rules assuring that materials, documents, and information submitted in connection with a review procedure request will be kept confidential and will not be used for any purpose that would unnecessarily discourage use of the review procedure. The review procedure shall be developed and instituted in accordance with sections 551 and 557 and 701 through 706 of the title 5, United States Code.

"(d) The Attorney General shall make a special effort to provide timely compliance guidance to potential exporters, and smaller businesses, who as a practical matter are unable to obtain specialized counsel on issues pertaining to this Act. Such assistance shall be limited to requests for enforcement intention disclosures provided for under this Act, and general explanations of compliance responsibilities and of potential liabilities under the Act.

"(e)(1) On September 1 of each year the Attorney General shall transmit to the Congress and make public a detailed report on all actions which the Department of Justice has taken pursuant to this Act, along with its views on problems associated with implementation, its plan for the next fiscal year to further implement the Act, and recommendations for amendments.

"(2) On September 1 of each year the Chairman of the Securities and Exchange Commission shall file with the Congress a detailed report on all actions which the Commission has taken pursuant to section 13(b) of the Securities Exchange Act, its

views on problems associated with implementation, its plans for the next fiscal year to further implement such section, and its recommendations for amendment.".

CONFORMING CHANGES IN INTERNAL REVENUE CODE

SEC. 9. Paragraph (1) of section 162(c) of the Internal Revenue Code of 1954 (relating to illegal payments to government officials or employees) is amended—

(1) by striking out "the laws of the United States if such laws were applicable to such payment and to such official or employee" and inserting in lieu thereof "the Business Practices and Records Act"; and

(2) by striking out "(or would be unlawful under the laws of the United States)" and inserting in lieu thereof "(or would be unlawful under the Business Practices and Records Act)".

INTERNATIONAL AGREEMENTS

SEC. 10. (a) It is the sense of the Congress that the President should pursue the negotiation of bilateral and multilateral agreements among the largest possible number of nations which would establish standards of conduct for international business practices and which would create a process by which problems and conflicts associated with such practices could be resolved, and to explore through negotiations an international agreement for rates of commissions.

(b) It is the sense of the Congress that, within one year after the date of enactment of this Act, the President shall report to Congress on the progress of these negotiations, and those steps which the administration and Congress should consider taking in the event that the negotiations referred to in subsection (a) do not successfully eliminate the competitive disadvantage of United States business.

(c) Not later than one year after the date of the enactment of this Act, the President shall submit to the appropriate committees of the Congress a report identifying and assessing the legal and practical consequences of specific action that the United States could take under existing law—

(1) to promote cooperation by other nations in international efforts to prevent bribery of foreign officials, candidates, or parties in third countries; and

(2) to encourage persons or business enterprises organized and operating in other nations to refrain from engaging in bribery of foreign officials, candidates, or parties in third countries to the commercial and competitive disadvantage of the overesas operations of United States industry.

This report shall also include recommendations for any new legislation required to give the President authority to take appropriate action to achieve such objectives. The report shall contain an analysis of the potential effect on the interests of the United States including United States national security of the corruption of foreign officials and political leaders in connection with international business transactions involving persons and business enterprises of other nations. In addition, the report shall assess the current and future role in curtailing such corruption of private initiatives such as the Recommendations to Governments and Rules of Conduct to Combat Extortion and Bribery developed by the International Chamber of Commerce.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HEINZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HEINZ. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is S. 708.

Mr. HEINZ. I thank the Chair.

Mr. President, I ask unanimous consent that, for the consideration of the Foreign Corrupt Practices Act and for votes thereon, the following members of the Senate Banking Committee staff be accorded the privileges of the floor.

Dan Wall, Howard Menell, John Daniels, Paul Freedenberg, Wayne Abernathy, Lyle Rushton, and Lindy Marinaccio.

The PRESIDING OFFICER (Mr. WARNER). Without objection, it is so ordered.

Mr. HEINZ. Further, Mr. President, I ask unanimous consent that Mr. Bill Reinsch, of my staff; Christine Bliss of Senator CHAFEE's staff; Bill Mattea, of Senator DIXON's staff; and Diane Sanger, of Senator D'AMATO's staff be accorded the same privileges.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HEINZ. Mr. President, today we take up S. 708, the amendments to the Foreign Corrupt Practices Act, which is the third major piece of legislation to help American exports that the Senate has taken up this year. In April, we passed the Export Trading Company Act of 1981. That legislation is now pending over in the House.

I am optimistic about the possibility of action therein this Congress. In July we passed major tax legislation which included a provision reforming the tax treatment of Americans working abroad, sections 911 and 913. That measure is now law. Today we take up the third item on our export agenda, S. 708, amendments to the Foreign Corrupt Practices Act.

There is no question, Mr. President, that these export bills are necessary. Emphasis on exports is necessary because the 1980 trade deficit was $36.4 billion, and the 1981 deficit threatens to be in the same range. Imports of consumer goods are growing, and oil price increases have added to the deficit even while we are reducing the quantity of imported oil.

Equally significant, the current account, which includes services and investment income as well as trade, is sure to slip into deficit this year after 2 years of modest surpluses. In the past some have suggested that because exports were growing and the current account was in surplus, the export crisis is overblown. In short, we are already doing enough.

Well, Mr. President, I would suggest, first, that one can never do enough to encourage exports, and second that the latest data make clear that recent progress was due in large part in a falling dollar and not to generic improvement in our exporting position. Now a rising dollar is putting us back into the same disadvantaged position we were in several years ago. We continue to lose ground and market share to our trading competitors. My subcommittee's export agenda—Export Trading Companies, Foreign Corrupt Practices Act amendments, expanded Export-Import Bank authority—will provide some permanent improvements irrespective of the status of the dollar.

I particularly want to note at the beginning of my statement the bipartisan nature of the effort that has developed this bill. Originally introduced by the Senator from Rhode Island (Mr. CHAFEE), who has for two Congresses been on the cutting edge of this issue, it underwent a number of modifications in committee through the efforts of Senator CHAFEE, Senator D'AMATO, Senator DIXON, Senator DODD, Senator RIEGLE, Senator PROXMIRE, and myself. Ultimately the bill was reported by a bipartisan majority vote of 11 to 4.

I emphasize this bipartisan spirit, Mr. President, because of the potential for controversy lurking in this bill. The Foreign Corrupt Practices Act was originally signed into law in 1977 in response to revelations of corporate bribes and payoffs in the mid-1970's. I expect my colleague, Senator PROXMIRE, will have more to say about the history and origins of the current law in his statement. Let me summarize its rationale by saying it was intended to force corporations to "clean up their acts" and to set a higher standard of behavior for American business, a standard we hoped would subsequently be adopted by others after multilateral negotiations.

These are laudable goals. Yet today we are proposing significant changes in the law designed to achieve them. While it will be tempting for people to describe these changes as weaken'ng our commitment to corporate honesty or as "gutting" the law, if you look at the record of the committee's work on this bill you will see that neither the way we proceeded nor the results we produced verify that charge.

Mr. President, at this time I would like to take special note of the tremendous understanding, patience, and diligence of the Senator from Wisconsin, Senator PROXMIRE, who, at every turn, has given the benefit of his experience and his insight, into making sure that the legislation before us really was a workmanlike product, a product which we could bring to the floor with a good deal of pride.

With respect to procedures that Senator PROXMIRE and I agreed to. Mr. President, the committee held 5 days of hearings spanning 3 months and including 29 witnesses. Most significant, every witness requested by the m'nority was invited to appear. Some declined, but I don't think anyone can argue the hearings did not fully represent all sides of this issue or that the requests of opponents of the bill were not honored.

Additionally, at the request of the minority. we postponed markup on the bill for 6 weeks—over the August recess—to permit all Members to better study the complex issues raised by the bill. During that t'me. the staff, in consultation with Senator D'AMATO and myself, developed a committee print which made a number of changes in S. 708 to accommodate concerns raised by the m'nority and to correct drafting errors. Ultimately the committee print was adopted—also by a bipartisan vote—and the bill reported with an additional clarifying amendment.

In particular, Mr. President, I want to

pay my respects to Senator PROXMIRE for his partnership, his very critical insights into the work of the subcommittee and the committee on this bill, and, of course, to its principal sponsors, Senator CHAFEE, Senator D'AMATO, Senator DIXON, and others. In short, Mr. President, we have proceeded slowly and carefully, as befits a bill this complex and important.

With respect to our product, Mr. President, obviously thoughtful people of good will will differ on its merits, and I have no expectation that this bill will be approved unanimously. I do, however, want to make clear our intent, a subject which I am sure the Senator from Rhode Island (Mr. CHAFEE), the bill's original author, will discuss as well. Very simply, what we are trying to do is not weaken this law but clarify it. We are not reopening the door to corrupt payments. We are eliminating doubt as to what constitutes a corrupt payment and when a corporation is liable.

In that regard, the present law has some serious deficiencies. In the accounting section, present law potentially makes a corporation liable for the smallest accounting error—whether material or not, whether intentional or not, whether related to a corrupt payment or not. In fact, as the legislative history of this section makes clear, it is not an anticorruption section at all, but rather broad authority for the SEC to prosecute books and record errors.

In the words of former SEC Chairman Harold Williams in a policy statement discussing the accounting provisions:

> The anxieties created by the Foreign Corrupt Practices Act—among men and women of utmost good faith—have been, in my experience, without equal.

The committee clearly felt that the scope of this section of the law is too broad. Any accountant will tell you that some corporate books and records are inevitably inaccurate, that no internal control system can be devised that will prevent all errors or make falsifications impossible, and that it serves no purpose to hold the company liable for every error.

Furthermore, the threat of lengthy and costly investigations to discover minor or inadvertent mistakes has inevitably led to overly cautious behavior by corporations which have no desire to violate the law. It does not help businesses faced with such laws to say simply that the SEC and the Justice Department would not act against minor, unintentional violations.

This kind of argument, in my view, makes clear what is wrong with present law and what is right about S. 708. The latter provides the necessary certainty. What is a minor violation? What is immaterial? How do businesses know what the SEC or Justice Department might or might not do, when the law has such a broad reach? The purpose of S. 708 is to write a law which, on its face, will answer those questions.

The original version of S. 708 dealt with this problem through the inclusion of a "materiality" standard—liability would obtain only for material violations. Not surprisingly, this concept ran into the same criticism that has been applied to present law. "Materiality" is a fuzzy term that also provides no certainty, and there was no widespread agreement as to how it should be defined. It could only be adequately defined through litigation, and it is our specific purpose to write a law that will reduce litigation, not increase it.

Accordingly, the reported version of the bill drops the concept but at the same time attempts to deal with the deficiencies of the too inclusive present law by incorporating the statutory reference to accurate books and records into the parallel requirement to maintain an internal accounting system.

This removes the free standing books and records provision but at the same time does not fully deal with the question of intent or of minor violations. In its deliberations on this point the committee resolved the issue tentatively but agreed to pursue a more widely acceptable resolution. I am pleased to report that Senators PROXMIRE, D'AMATO, CHAFEE, and myself have reached agreement on an amendment that further clarifies this section. I will comment a bit more on this question when that amendment is offered.

I will discuss this amendment in greater detail later, but it does seem to me to resolve fairly the controversies in this part of the bill.

The other major part of the bill is its amendment to section 104 of the Foreign Corrupt Practices Act, which is the section defining and making illegal foreign corrupt payments.

The major difficulty of present law relates to its language concerning the relationship between a corporation and a third party, usually an agent, when it is the latter that actually makes the prohibited payment. This is a central issue because in many countries foreign companies are either required by law or encouraged by custom and other means to deal with the government through a national of that country.

In other countries where the bureaucracy is complex or corrupt, or where the language or social customs are difficult for Westerners, it is clearly in U.S. company's interest to employ an agent. Smaller businesses tend to be particularly dependent upon agents in their export activities.

Present law defines the company-agent relationship by making the company liable if it knows or has reason to know that the agent has made a corrupt payment. The reason-to-know language has been the source of the greatest uncertainty, complicated by the absence of useful guidance from the SEC or the Justice Department as to what the term might mean. This has led to assertions of breadth of coverage which themselves are breathtaking and which would totally cripple U.S. corporate activities in certain countries, were the law aggressively enforced in that way.

John Fedders, formerly a lawyer advising clients in this field and now the Director of the SEC's Division of Enforcement, in an excellent analysis of this part of the law in Middle East Executive Reports, has summarized the various contentions about what "reason to know" has been at various times construed to mean. It is worth reading because it so clearly illustrates the point I am trying to make.

First. Country in question. Some persons suggest that in countries where bribery of government officials is commonplace, "reason to know" will be presumed in all cases. Others suggest that rumors about questionable practices in certain countries make all transactions there suspect.

Second. Reputation of agent. Because of the bribery disclosures of the 1970's, some agents are notorious for their alleged misconduct. If a U.S. entity employs one of these agents, it is suggested that the businessman must assume that some of the fee will be paid to a foreign official.

Third. Amount of commission. Some persons suggest that if an agent requests or is paid a commission greater than the "going rate" there is "reason to know" that part of the fee will be improperly paid to a foreign official.

Fourth. Agent's refusal to make representations. If an agent refuses to provide representations or covenants—about his business activities—it is suggested that the U.S. entity has "reason to know" that the agent's conduct will not be lawful.

Fifth. Family or business relationship. Finally, some suggest that an agent's family or business relationship with foreign officials, particularly in certain countries, creates a substantial probability that part of the agent's fee will be paid to a foreign official.

Now I think the authors of the original law would be hard put to argue that that is what they meant when they wrote this section, but that is precisely the impression business has been given. And it is not enough to respond by saying these more extreme cases have not been prosecuted, because the relevant issue is still uncertainty and the impact it has on business operations.

It is of small comfort to an executive when his lawyer tells him he may be liable under the law—personally and corporately—but not to worry because the Government may not prosecute, or if it does, he might not be convicted. The executive's obligation to himself and his company is to avoid uncertainty, avoid publicity, and avoid the time and expense of a lengthy investigation or court case.

Ironically, this problem bears great resemblance to a similar controversy we have had on the export trading company bill. Title II of that bill provides an antitrust preclearance procedure. Its intent is to draw a clearer line between what is legal and what is not in this area. It does not change existing antitrust law in the slightest. Opponents argue that existing law, vague though it is, and Justice Department guidance in this area are sufficient. But they ignore the fact that that guidance is usually filled with qualifying words like "unlikely," and "at the present time."

Such guidance, of course, is useless in the real world since "unlikely" has no definitive force, "present time" means today only, and in any event private

party suits are not precluded. As in the case of the Foreign Corrupt Practices Act, the issue is uncertainty. The businessman does not want to be told he might be OK, or that he will probably win his case. He wants to be told when there would not be any case—and when there will. I think it is our responsibility to do the best we can to meet that standard.

To my mind, the most important thing S. 708 as reported does is to remove the reason to know standard, basically replacing it with a "directs or authorizes" standard. By itself this makes clear that a company is liable for an agent's corrupt payment if it has directed or authorized it. In other words, there would have to be some overt act or statement on the part of the company.

It was my judgment, however, which the committee shared, that we also need to go a step farther than that and cover those situations where the company literally puts its head in the sand and intends to avoid knowing what its agent is doing, or where a company authorizes a corrupt payment through words or actions that are not explicit. This is clearly not a "reason to know" standard or "should have known" standard, but rather a standard based on the company's words or actions that takes into account, however, that such words or conduct do not need to be only an explicit on-the-record direction to establish the company's intent.

After much discussion, I offered in committee an amendment to add the words, "expressly or by a course of conduct," after "directs or authorizes," and to further explain the new phrase with specific report language intended to provide definitive guidance to business and to those who enforce this statute. The amendment was agreed to, and I think it would be helpful in this debate to read the brief excerpt of report language that the committee specifically adopted along with the amendment.

The Committee intends the term "course of conduct" used with the term "authorize" in Section 104(b) to refer to those situations where a company, through its words or course of conduct, has intended that a corrupt payment be made. For example, a company's refusal or failure to respond to an agent's suggestion or request that a corrupt payment be made would violate this section, as would a company's continuing employment of an agent known to the company to have made corrupt payments in the preceding two years in violation of applicable U.S. laws or those of the country in question.

On other other hand, the mere fact of doing business in a country where corrupt payments are common, or the employment of an agent with personal relationships with government officials in the country where the company seeks to do business would not establish such a course of conduct.

Similarly, the payment of a commission that is higher than customary would not by itself violate this section without evidence that the increased amount of commission is intended to permit a corrupt payment to be made.

The Committee believes that this standard will result in liability being imposed in overseas bribery cases brought under this Act if liability would also be imposed if the case were subject to domestic bribery law.

This latter statement about the parallel liability under domestic bribery law refers to established complicity principles of criminal law.

This amendment has also raised some question with respect to the term "directly or indirectly" as it appears in section 104(a).

As stated in the committee report, section 104(a) therefore refers solely to situations in which a prohibited payment is made by one of the persons listed in section 104(a) through some circuitous, that is, indirect means; it is not intended to have any application where the payment is made by a third party.

Another section of controversy is the section exempting so-called "facilitating" payments from the scope of the act. This exemption is also in current law, but it is not clearly defined in a way that anyone has found useful. The idea is that in many countries payment of a small gratuity, usually to minor officials to get them to perform their legal duties, is pervasive and is in fact the only way to secure the services to which one is entitled. By the standards of such countries these are not corrupt payments. If anything, they are an integral—and inevitable—part of doing business.

An example would be payments to customs or dock officials to get one's merchandise unloaded, appropriately stamped and cleared and entered into the country. On the other hand, a payment to obtain the entry of illegal goods, or a payment to get them misclassified so as to pay a lower duty would not be the same kind of routine governmental activities that should fall within the facilitating payment definition.

In its consolidation and redefinition of this concept, the committee chose to focus on the purpose of the payment and the type of action involved rather than the rank of the person receiving the payment, as in present law. S. 708 makes clear that the concept of a facilitating payment covers payments for routine governmental actions not involving judgment, and ordinary expenditures in certain cases, including those associated with the performance of a contract with a foreign government or agency, token payments intended as a courtesy, and payments legal in the country where made.

These terms are still less precise than one would wish, but in my judgment they represent a significant improvement over present law.

Finally with respect to section 104, the committee's report contains an error in failing to reflect accurately a minor amendment which was made by the committee. On page 18 of the report, in a discussion of the exceptions to the bribery prohibitions in section 104, there is a reference to "Ordinary or customary expenditures associated with the performance of a contract."

The reference to "customary" expenditures is not contained in the bill as reported by the Banking Committee, but had been a part of earlier formulations of some of the exceptions. Consequently, this reference to "customary" expenditures in the report should be disregarded.

There are also other provisions of the bill worth noting:

Section 5(a) would place in the Justice Department all jurisdiction for enforcement of the antibribery provisions of the act. The SEC would remain responsible for civil enforcement of the internal accounting controls provision.

Subsection (d) of the section 104 rewrite would continue the civil and criminal penalties provided for in current law: $1,000,000 maximum fine for domestic concerns; for individuals a maximum fine of $10,000 and/or up to 5 years imprisonment.

Section 7 provides that this act would preclude the possibility of criminal prosecution against any person or firm alleging that the mail or wire fraud laws have been violated as a result of a foreign corrupt payment, where the prosecution is based upon the theory that the foreign official violated a fiduciary duty.

Section 8 would authorize the Attorney General, after consultation with the U.S. Trade Representative, the Secretary of State, the Secretary of Commerce, the Secretary of the Treasury, and representatives of the business community and the public, to issue guidelines to assist in compliance with the antibribery provisions. Procedures would be established for firms to request interpretative guidance from the Justice Department, with responses required to be made within 30 days.

Section 8 would also call upon the Attorney General and the Chairman of the SEC to submit detailed annual public reports of their respective agency's actions taken pursuant to the act, its views on associated problems, plan for the next fiscal year, and recommendations, if any, for amendment of the act.

Section 10 declares it is the sense of the Congress that the President pursue negotiations to establish international cooperation in the prohibition of bribery. It provides for reports to the Congress on the progress of such negotiation, including suggestions for appropriate congressional action, and the consequences of potential action that can be taken under existing law to effect international cooperation for the elimination of bribery.

With respect to section 10, which calls for reports on the progress of multilateral negotiations, after some discussion with the State Department, I have concluded the section is poorly drafted, redundant, and not fully reflective of our objectives. Accordingly, I will later offer an amendment to revise this section.

Finally, Mr. President, I should say a word about the budgetary impact of this bill. The Congressional Budget Office has estimated that the Department of Justice would require $0.4 million in fiscal year 1982, $0.7 million in each of fiscal years 1983 and 1984, and $0.8 million in each of fiscal years 1985 and 1986, to implement the revised guidelines and procedures for compliance required by S. 708.

I would like to bring Senators' attention to the fact that no provision in the bill authorizes the appropriation of new budget authority to cover these costs. The committee intends that the costs of implementing the legislation will be

absorbed by the Department within its normal budget. S. 708 is not intended to "drive up" the Department's budget requests.

In conclusion, Mr. President, I would only say that this is a fair bill and a carefully crafted bill.

Senator PROXMIRE, Senator CHAFEE, Senator D'AMATO and I have certain amendments we intend to offer to this bill that we have discussed at some length. I think that by the time this bill leaves the floor today, we will have reached a very, very difficult goal, indeed.

Let me say, Mr. President, it would have been far easier to resolve some of the problems in this bill with calculated ambiguities but, frankly, if there is one criticism of Congress that probably is valid, it is that too often, Congress, in trying to compose differences, has left areas of ambiguity that have been counterproductive for all sides. The legislation before us today, Mr. President, instead shows that the committee chose to confront the issues directly and to draft legislation intended to provide the greatest guidance possible to businesses which have to live with this statute on a day-to-day basis. I think the result will be a clearer law and, because of that, a better law. I believe that to be the case from the viewpoint of people on all sides of this issue. It is my hope that my colleagues will see it the same way after proper discussion, adopt this legislation and send it on to the House.

Mr. PROXMIRE. Mr. President, in 1977, 4 years ago, Congress passed the Foreign Corrupt Practices Act in response to one of the worst domestic and foreign bribery slush fund scandals in American corporate history. I think all of us can recall the terrible implications of that scandal. The SEC made an investigation and found that some 400 American corporations admitted that they paid $300 million in bribes. We had a situation in Japan, in Italy, in the Netherlands and elsewhere where bribes were very, very damaging to our foreign policy.

Mr. President, bribery is bad business. It distorts free markets. It tarnishes the image of our democracy. The bribery of foreign government officials is particularly pernicious. Governments fall that are friendly to the United States and the United States and the democratic process is subverted.

The law passed in 1977 is a good law. Complaints have been heard that the law has hurt our exports. These complaints are not documented and exports have increased since 1977.

As a matter of fact, from the time that was enacted, exports rose more dramatically than they have at any time during our history.

Nevertheless we have before us today S. 708, which amends the Foreign Corrupt Practices Act.

The Banking Committee with the help of the Securities and Exchange Commission has labored long and hard on S. 708. With an amendment on the enforcement section today which I intend to support, I believe the committee has done its job in a responsible manner. It is a tribute to the leadership of Senator CHAFEE who is the author of this bill and who has worked very hard on it and has done his very, very best to work out a bill that would be effective but would also accommodate the legitimate interests of our exporters—of Senator HEINZ and Senator D'AMATO, who have been most effective leaders in the committee on this bill. Because of them, S. 708 has been refined to the point that it has been.

I congratulate Senator CHAFEE, Senator HEINZ and Senator D'AMATO and commend them for their response in the public interest to the many defects in the original bill.

Mr. President, I believe the Senate has gone as far as it can on this legislation. The House will receive the legislation and I am sure will take a close look at the exceptions in this legislation for payments and compliance with local law and for expenditures in connection with sales. With House action, we should get final action in this Congress. I hope we do.

This legislation will preserve intact the accounting provisions which are designed to require companies to maintain accountability for corporate assets and in connection therewith to keep accurate and fair books and records in reasonable detail. The accounting sections are the heart and soul of this legislation.

We must have those sections or we have a toothless, meaningless, ineffective law.

In this legislation that is being proposed today, with the amendment attached, existing law is not cut back, it is strengthened. This legislation makes clear that a standard of reasonableness is to apply, not a standard of materiality. The accounting sections will be enforced by the SEC.

In spite of all this, Mr. President, I have grave reservations about the sections of the bill which remove SEC jurisdiction over criminal provisions of law prohibiting bribes through an agent. The SEC has the expertise in stopping bribery. That is their job, to understand corporate accounting. That is their job, to require disclosure. It takes years of experience and a vast knowledge of corporate accounting in order to be able to accomplish this. They are exactly the agency that should be involved here.

Yet, the Justice Department is given exclusive jurisdiction in this bill. They will have to be watched closely in their enforcement. Their recent action in the McDonnell Douglas case gives me pause, as does the deletion of the know or have reason to know standard of current law.

Let me once again thank Senators HEINZ, CHAFEE, and D'AMATO for their spirit of compromise and willingness to listen to criticism during the course of consideration of this bill.

It is never easy, when we all feel so strongly on our positions, to work out a negotiated compromise, but I think that these Senators have done an outstanding job in this case—as I say, of achieving a measure which is not all I would like and I am sure is not exactly what they would like, either, but does represent an advance.

Mr. DIXON. Mr. President, S. 708, the Business Accounting and Foreign Trade Simplification Act, is the product of a long period of hard work by the members of the Senate Committee on Banking, Housing, and Urban Affairs, on which I am proud to serve. The bill is a compromise measure; it reflects many hours of negotiations over a period of several months.

The objective and purpose of the bill is very clear and well set out in the first line of text: "A bill to amend and clarify the Foreign Corrupt Practices Act of 1977." Clarify is the key word. The bill is designed to continue effective enforcement of the policy objectives of the Foreign Corrupt Practices Act.

The FCPA deters U.S. firms from bribing foreign officials to obtain business. S. 708, if enacted, will work effectively to insure that policy is continued. No one who supported clarifying changes in the act—the administration, the Securities and Exchange Commission, the business community—wants to undercut existing law. Everyone supporting the bill wants to continue effective enforcement to insure that American firms do not engage in bribery overseas.

What the bill attempts to do—and, I believe, does reasonably well—is to continue the effective FCPA prohibition against overseas bribery while clarifying the law.

Clarification is needed for two reasons. First, to provide a greater degree of certainty as to what the law means for those who have to live under it. Second, to reduce the regulatory burden of the act to the minimum level needed to meet its objectives.

I think it is clear that the act needs to be clarified. The antibribery standard under existing law—the so-called reason to know standard—is vague and subject to wide variations of interpretation. In fact, as the committee report points out, many legal commentators believe that the reason to know standard can be interpreted to mean reason to suspect, a standard much broader than that intended by the authors of the 1977 legislation as I understand it.

Mr. President, me must remember that the FCPA is an extraterritorial application of U.S. law. Its principal focus is to prevent bribery that occurs beyond our borders. For this reason, it is particularly important that the statute be as precise as possible.

I am not going to take the time to recite the numerous examples of the real problems caused by the vague reason to know standard that were testified to in hearings before the Banking Committee. I believe the testimony before the committee makes clear, however, that the vagueness and uncertainty of the existing standard have cost American firms business opportunities overseas. It is impossible to put a reliable dollar estimate on the amount of business lost, but that does not make the problem anv less real. Concern about potential liability under the act has cost the U.S. exports—exports that we need to increase as rapidly as we can, if we are to restore our economy to its former healthy state.

The bill clarifies the antibribery standard in the FCPA by replacing it with a standard that would impose liability where a corrupt warrant payment is

made and the U.S. concern directs or authorizes, expressly or by a course of conduct, that the payment is made. This standard provides the degree of certainty needed by those who have to live under the act. As the committee report indicates, it results in a standard that imposes liability in overseas bribery cases brought under this act only if liability would also be imposed if the activity occurred in the United States and were subject to domestic bribery law.

The new standard is more precise, but will still effectively meet the objectives of the 1977 law. If a firm directs or authorizes an agent to pay a bribe, if a firm gives an agent a knowing wink, liability results. If a firm intentionally takes a head in the sand attitude about whether a bribe is paid, liability results. However, as the report states, the mere fact of doing business in a country where corrupt payments are common, or the employment of an agent with personal relationships with government officials in the country where the company seeks to do business, would not establish a course of conduct that would result in liability.

The bill also clarifies the accounting standards sections of the act, reducing the regulatory burden they impose on business to the level needed to meet the objectives of the act.

Concerns have been expressed that the existing standards have proven to be overly burdensome. It should be noted that no system of internal accounting controls, no matter how extensive, can prevent all errors or inaccuracies in a company's books. Therefore, any standard has to strike a balance between the need to meet the objectives of the act, and the burden the standard places on those who have to comply with it.

Mr. President, I believe that the accounting provisions in the committee bill strike the proper balance. The committee acted to combine the separate requirements of adequate books and records and of internal accounting controls from existing law into a single provision. The internal accounting controls have to be designed to provide reasonable assurances that the objectives of the act are met.

The bill reduces the burden of the accounting requirements on business, however, to the level needed to insure that the purposes of the law are effectively continued. The bill precludes the possibility of enforcement actions based solely on the fact that records are inaccurate. Under the scienter standard adopted in the bill, a company would be subject to an enforcement proceeding only where it knowingly fails to maintain, or knowingly circumvents or attempts to circumvent for an improper purpose, an internal control system in a manner so that the system fails to provide the required reasonable assurances as defined in the bill.

I understand that Senators D'AMATO and PROXMIRE will offer an amendment to further clarify the scienter standard in the bill. This issue was not clearly resolved during the committee's deliberations, and I am pleased to see a compromise proposal offered that I hope will be acceptable to all parties involved.

There are a number of other provisions of the bill that I could comment on at some length. However, I will not do so at this time. The committee report provides a good explanation of the numerous issues on which I have not touched.

Let me just say that I believe this bill is a true compromise—in the best sense of that word. The bill does not fully satisfy the administration or the business community. If I were totally responsible for drafting the bill, I would probably have handled some issues somewhat differently. However, that is not important.

What is important, and what there is widespread agreement on, is that the bill is a needed step forward. I believe it effectively continues the policy objectives of the FCPA; I could not support it if I thought that it did not. At the same time, it provides the clarification, I repeat, the clarification, that is needed by those who have to live with the law on a day-to-day basis. It provides a clear line. A line that makes it possible for businesses to know with a reasonable degree of certainty what kind of behavior will result in liability.

Mr. President, exports are becoming more and more important to the American economy. We are importing more; therefore, we must increase our exports to pay the bills. We have to act to increase incentives for exports and to reduce disincentives for exports. The FCPA in its present form acts as an export disincentive—I believe, a significant disincentive—a disincentive that must be minimized.

At the same time, it is important for foreign policy reasons to maintain a strong prohibition against bribery overseas. I believe this policy benefits American business as well. I would rather act to prohibit bribery internationally by agreement with our foreign competitors. This issue is best resolved by international agreement. However, the issue is so important that I believe Congress made the right decision in 1977 in choosing to act unilaterally.

Mr. President, before I conclude, I want to pay tribute to those Senators who made important contributions to the bill we are considering today. I first want to congratulate Senator CHAFEE, the author of the bill. It was his hard work and dedication, and his persistence, that are largely responsible for the fact that the bill is now before the Senate.

Senators HEINZ and D'AMATO, who chair the two subcommittees of the Banking Committee with jurisdiction over this issue are also to be commended. Together with Senator CHAFEE, they successfully concluded the long and complex negotiations that resulted in the provisions of S. 708 that are before the Senate today.

Finally, I want to commend Senator PROXMIRE, one of the authors of the original 1977 act. His insight provided an important contribution to the legislation.

Again, let me say that I believe the bill represents a sound compromise and that it maintains the goals of the FCPA. I urge my colleagues to support it.

UP AMENDMENT NO. 705

Mr. D'AMATO. Mr. President, I send to the desk an unprinted amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from New York (Mr. D'AMATO) for himself, Mr. CHAFEE, Mr. PROXMIRE, and Mr. HEINZ proposes an unprinted amendment numbered 705.

Mr. D'AMATO. I ask unanimous consent that further reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 24, strike lines 13 through 25 and insert in lieu thereof the following:

"(4) No criminal liability shall be imposed for failing to comply with the requirements of paragraph (2) of this subsection.

(5) No civil injunctive relief shall be imposed with respect to—

(A) any issuer for failing to comply with the requirements of paragraph (2) of this subsection if such issuer shall show that it acted in good faith in attempting to comply with such requirements; or

(B) any person other than an issuer, in connection with an issuer's failure to comply with paragraph (2), unless such person knowingly caused the issuer to fail to devise or maintain a system of internal accounting controls that complies with paragraph (2).

(6) No person shall knowingly circumvent a system of internal accounting controls established pursuant to paragraph (2) for a purpose inconsistent with paragraph (2)."

Mr. D'AMATO. Mr. President, I offer this amendment on behalf of Senator CHAFEE, Senator HEINZ, Senator PROXMIRE and myself. I am offering this amendment which is intended to resolve the issue which has been the most difficult on which to develop a consensus.

Let me state for the record, Mr. President, and I believe Senator HEINZ has made reference to this, without the outstanding support and diligence of the staffs of all of the Senators involved, the majority and the minority, this bill would not have become a reality. I believe it will become a reality today.

Let me pay particular note to the fact that Senator PROXMIRE went above and beyond in attempting to develop a consensus to protect the vital interests that he feels are so important. Basically, that is that we in no way countenance or even appear to be countenancing the bribing of foreign officials.

I say to the Senator that I deeply impressed with the great lengths to which he and his staff have gone to see that the needed reforms take place. This involves the required state of mind for a defendant in order to establish a violation of the accounting requirements of the act.

As introduced, S. 708 would have established liability only where a person knowingly engaged in violative conduct. In marking up S. 708, the Banking Committee adopted the knowing standard tentatively, but there was not a clear consensus that this standard is the appropriate one. At the conclusion of the markup, we adopted this standard and agreed to explore alternative approaches for amendment when S. 708 reached the Senate floor. That is what the amendment I have submitted would do.

The amendment which I offer with Senator PROXMIRE is the product of extensive discussions in seeking a consensus. While it undoubtedly will not satisfy all of those interested in the act's accounting provisions, I am satisfied that

it strikes a reasonable and acceptable balance between the competing viewpoints heard by the committee.

The amendment speaks for itself, and I do not believe that it is necessary to explain it in great detail. Briefly, it would:

Eliminate any criminal liability under the revised section 13(b)(2) of the Securities Exchange Act of 1934;

Establish civil liability in SEC injunctive actions on the part of an issuer for a violation of section 13(b)(2) if the issuer fails to meet the standard set forth therein, unless the issuer can show that it acted in good faith in attempting to comply with the standard;

Limit liability on the part of any person other than the issuer to situations in which the person acted knowingly in causing the issuer to fail to comply; and

Prohibit the knowing circumvention, for a purpose inconsistent with section 13(b)(2), of an internal accounting control system established pursuant to section 13(b)(2).

The reference to a "purpose not consistent with" section 13(b)(2) is intended to recognize that there may be from time to time innocent departures from the literal requirements of an internal accounting control system, and that such departures would not constitute violations of the prohibition against circumvention.

I believe the amendment will give the business community the kind of latitude it necessarily should have. It speaks loudly and clearly and says that this Government does not and will not condone the bribery of officials. I urge adoption of the amendment.

Mr. President, I urge my colleagues to support S. 708, the Business Accounting and Foreign Trade Simplification Act. The bill has received the careful and thorough attention of the Subcommittee on Securities, which I chair, and the Subcommittee on International Finance and Monetary Policy chaired by Senator HEINZ, and I believe it represents a balanced approach in amending the Foreign Corrupt Practices Act.

Our subcommittees heard extensive evidence concerning often unforseen problems created by the act, primarily as a result of overbroad and ambiguous provisions. We have concluded that the act can be amended to minimize these problems, without undermining the central purpose of the act: To prohibit improper payments by American companies to foreign officials. With the addition of the amendment to the accounting provisions of the act which I am offering today, I am convinced that the bill will strike a good balance between the need for corporate accountability and the legitimate need of businessmen for clarification of the requirements of the law.

I commend Senator JOHN CHAFEE, the sponsor of S. 708, for his initiative and determination in introducing the bill and in continuing to be its strongest advocate. This has not been an easy task, for some of the critics of S. 708 have argued incorrectly that the amendments were designed to gut the Foreign Corrupt Practices Act. Having attended the hearings and observed Senator CHAFEE's approach to the issues presented, I know that he has rendered a great service by making the effort, and by withstanding the criticism of those who would leave the act intact, and thereby fail to address the problems which it has caused.

It is completely appropriate for Congress to reassess the merits of legislation passed in earlier years and to make adjustments based upon experience with the statute. I am pleased to have had the opportunity to work with Senator CHAFEE, Senator HEINZ, and many others who have contributed to this task. I believe that these joint efforts have led to the development of a bill which, when enacted, will be a vast improvement over the current act.

Mr. President, I strongly support S. 708 and urge my colleagues to do the same.

Mr. HEINZ. Mr. President, I have very carefully examined the amendment of the Senator from New York (Mr. D'AMATO). Indeed, after having done so, I have agreed to cosponsor his amendment, and I am prepared, on behalf of the majority, to accept the amendment. With its adoption, I believe that we will have resolved the most difficult issues raised by S. 708 in a satisfactory manner. While I realize that there may be additional amendments, I expect that with the adoption of this amendment the bill before us can be completed without undue delay.

The amendment offered by Senator D'AMATO draws an acceptable balance with respect to the state of mind requirement for liability under the accounting provisions of the Foreign Corrupt Practices Act. Conflicting views about this issue had created an impasse which threatened to delay Senate action on the bill, and I am very pleased that an accommodation has been reached. Both Senator D'AMATO and Senator PROXMIRE are to be commended for their diligence in working out a compromise which will permit prompt Senate action on the bill.

The principal problem with the existing accounting provisions of the act has been the lack of clarity concerning their potential effect on insubstantial corporate transactions and those which occur without any wrongful intent or purpose on the part of the company. It is widely recognized that no corporate accounting system is perfect or will preclude the possibility of all errors, inaccuracies, or falsifications, and it is therefore not appropriate to operate under a statute which can be stretched to cover these kinds of transactions. The result of doing so has been to cause companies to expand inordinate time and money in seeking to insure compliance with the law, without a corresponding benefit.

I hope and expect that, as a result of Senator CHAFEE's efforts, those of the Banking Committee and the adoption of the D'Amato amendment, the accounting provisions of the law will be clear, unambiguous, and straightforward.

Mr. PROXMIRE. Mr. President, I am pleased to cosponsor this amendment.

This amendment provides enforcement standards for the accounting sections administered by the SEC.

The amendment makes clear that the SEC may enforce in a civil injunctive suit the standard of statute which require companies to devise and maintain accountability for assets. Every company must provide an accounting system which meets the standard of reasonable assurances with a defense of good faith.

The amendment makes clear that the sanction shall be a civil sanction except for cases of wilfull circumvention of accounting controls where a criminal sanction may be applicable.

This amendment clears up what had become the most controversial aspects of this bill, the controversy over "scienter" or the threshold standard of knowledge of a violation of the accounting sections which must be met before the SEC could proceed in a civil case. Under this amendment there is no scienter requirement in a civil case by the SEC against an issuer company. The issuer company is given a defense of good faith.

So I am pleased to support the amendment. I agree wholeheartedly with the manager of the bill that this was the most crucial difference and difficulty. I am delighted that Senator D'AMATO has offered the amendment, and I congratulate him on it.

Mr. DODD. Mr. President. I support the amendment offered by the Senator from New York (Mr. D'AMATO).

I should like at this time to pay tribute not only to Senator CHAFEE, Senator HEINZ, and Senator D'AMATO for their work on this legislation but also to the real hero of the Foreign Corrupt Practices Act, the distinguished Senator from Wisconsin, who understands this issue better than anyone in this body or the other body. He has worked with it for years and understands the complexity of the issues involved. He deserves tremendous credit for having waged this battle over the years.

The fact that he supports this amendment, I think, is also an indication of the willingness of the Senator from Wisconsin to try to work out language that will at least give business a better opportunity to go overseas and develop their markets.

At the same time, he remains firm in his commitment and in the commitment of this institution to discourage, at the very least, and to prohibit the kind of actions in the past which not only have brought great embarrassment to the heads of firms in American industry but also have caused us serious foreign policy problems as a Nation. Had it not been for his leadership over the years, I am convinced that the situation would have been far more grave and would have contributed to more difficulties in our foreign policy.

These amendments will provide much-needed clarification to an act of Congress which, despite its good intentions, has posed significant and unwarranted difficulties for American firms engaged in foreign markets.

There is always room for improvement in our trade position, and I am not going to attribute our less-than-perfect trade performance solely to the ambiguities in the Foreign Corrupt Practices Act, or to any other particular statute for that matter.

The issues relating to our trade policy and position are much more complicated than that. The inflation rate, the

strength of the dollar overseas, the availability of financing, the quality and serviceability of our goods and their usefulness in foreign countries—all these factors are critical to our export performance and have little to do with the problems these amendments are intended to address.

Testimony presented before the Banking Committee this year clearly indicates that many American entrepreneurs have had serious reservations about operating in markets where standard business practices include activities which, under present law, could subject these entrepreneurs to costly litigation, fines and possible jail sentences.

The antibribery provisions in section 104 of the Foreign Corrupt Practices Act pose perhaps a particularly enlightening example of unnecessarily vague language which acts as a serious disincentive for exports by American business. Under that section, an American corporation is liable under the statute for payments, even insignificant payments when compared to the assets of the company, when that company's management has reason to know that illegal payments are being made by its overseas agents. What constitutes "reason to know?" That was the question with which the committee had to grapple. The fact that a company has employed an overseas agent with a detailed knowledge of markets where payments prohibited by U.S. law are routine for everyone else involved in those markets.

Our smaller exporters are put in a particularly difficult position. Unlike larger corporations, many smaller enterprises are unable to hire large batteries of lawyers and accountants to insulate management from the continual threat of prosecution for practices considered normal in their markets.

I believe that most of us recognize that smaller businesses are among the most dynamic elements of our economy in terms of producing exportable innovations. The willingness of individual entrepreneurs to experiment, to take risks, to explore new avenues and opportunities for commerce, is a prominent feature of our American entrepreneural history. Yet, as one witness, Mr. Shaw Mudge from my home State of Connecticut, pointed out, "small business people are risk takers, but not when jail is one of the risks."

These amendments would address this problem in a manner that would enhance the precision of the antibribery provisions.

The new section 104(B) would make it illegal for a domestic concern to direct or authorize, expressly or by a course of conduct a third party to make prohibited payments to a foreign official. While clearing up the ambiguities in the present statute, this provision would also make clear that a "head in the sand" approach to illegal payments, such as a company's failure to respond to suggestions that illegal payments be made, would not be permitted.

Other provisions in these amendments would address in a positive manner the problem of potential liability for inadvertent accounting standards violations, the definition of facilitating, or grease payments which were not intended to be covered under present law, and a number of other matters pertaining to investigation and enforcement.

This bill would also direct the President to pursue negotiation of international agreements relating to the establishment of international standards of business conduct. That may be the single most important thing we do. Because we have taken the lead as a nation in this particular area, it is to our credit and something of which all of us can be proud. But in the final analysis it is going to require international agreements to insure that other nations, particularly our industrial allies, support the concept if not the letter of the Foreign Corrupt Practices Act.

The United States in 1977, under the leadership of the Senator from Wisconsin, took the lead in restricting such practices at a cost to ourselves.

Now is the time for all major commercial nations to come to an agreement regarding such practices so that no one nation is left at a disadvantage.

Mr. President, I state again my support for these amendments. Again I pay particular tribute to the Senator from Rhode Island (Mr. CHAFEE), the manager of the bill, Senator HEINZ, and Senator D'AMATO of New York, and again, particular credit to the distinguished Senator from Wisconsin for his courageous work in this particular area.

Mr. President, I yield back the floor.

Mr. CHAFEE. Mr. President, I wish to extend my thanks to all who have been of such a tremendous help on this legislation. Specifically, I want to thank Senator HEINZ and Senator D'AMATO who chair the two banking subcommittees which combined for hearings on S. 708, and Senators DODD and DIXON who worked so fully and helpfully in the committee. Each of these Senators made a really profound contribution.

I especially extend my thanks and admiration to Senator PROXMIRE and to his staff who worked so carefully with us.

I want to point out that Senator PROXMIRE is the author of the original legislation, and as author Senator PROXMIRE understandably has indicated that he feels strongly that he still believes the original legislation is effective and should not be changed. Despite this, Senator PROXMIRE has displayed a spirit of cooperation and a genuine desire to achieve a reasonable compromise. As a result we were able to take the bill that I orginally submitted and working with the other committee members I have mentioned and with their staffs came out with a better bill than was originally submitted.

So it shows the effectiveness, not only of the committee process and the hearing process, but also the extreme goodwill in which everyone approached this and especially Senator PROXMIRE.

Mr. President, I began my efforts to reform the Foreign Corrupt Practices Act nearly 2 years ago. It was in January 1980. It was somewhat of a lonely experience and I had a good deal of the business community indicated that it was behind me, but I discovered that they were way behind me and not available on the scene. There was all sorts of goodwill, all sorts of willingness to testify except every date that we chose for testimony appeared to conflict in some way with an important engagement abroad or a board of directors meeting or something that kept the leaders of industry from coming forward because trying to change a foreign corrupt practices act is not exactly waving the American flag.

It is not apple pie and motherhood. But I felt, as did the cosponsors and all of those of us who worked on it and those who are cosponsoring the various amendments today, that this bill was needed to eliminate the chilling effect of the current law on legitimate business opportunities of Americans overseas. We also felt that we owed a duty to our exporters to do everything we can, as Senator HEINZ mentioned in his opening statement, to remove the most serious of the export disincentives contained in our laws.

So as Senator HEINZ mentioned, this year we have already taken two very significant steps, both the Export Trading Companies Act which is before the House and, of course, removing the provision for the taxation of Americans abroad which was part of the tax bill passed earlier this year. Now we move to eliminate the third most serious export disincentive. It is hard to believe how much exports mean to our country and to jobs. That is the heart part of my concern. We have a rule of thumb that says that for every $1 billion of exports it means 40,000 jobs in the United States. So everything we can do to increase our exports helps us in this area. The United States has had a decline in exports.

I am not talking about the overall balance of trade which includes defense-related expenditures and services, but I am talking about the current account. Our current account has declined especially in the last couple of months.

Mr. President, the bill that we are considering this afternoon, S. 708, my bill to amend the Foreign Corrupt Practices Act, is the result of an effort I began over 2 years ago to eliminate one of the most serious export disincentives contained in our laws. The bill makes several major changes which significantly eliminate the ambiguities in the current law.

S. 708, which was reported favorably by a bipartisan majority of the Senate Banking Committee, clarifies and modifies the law. This bill is intended to preserve the purposes of the original legislation—that is, putting an end to large-scale bribery of foreign officials by American corporations—while reducing some of the anxieties and confusion that the law has generated. The bill has received strong support from the business community, the agencies responsible for its enforcement, the administration, and other Members of Congress from both political parties.

We have learned a great deal about the Foreign Corrupt Practices Act in the last 3 years, since it was enacted.

We have learned that the best of intentions can go awry and create con-

fusion and great cost to our economy. With regard to the accounting provisions of the law, we have learned that widely understood and accepted principles do not always make for good law, especially criminal law.

Finally, we have learned that no other country seems to think we have hit upon the proper solution to the problems of bribery in the world marketplace. We remain the only nation in the world with such a law.

Despite the examples of lost business and problems due to the ambiguities in the act, critics of reform have argued there is no need to change the current law because, despite the problems, our exports have increased. While it is true that U.S. overall export performance has been relatively good for the last couple of years, the current trade account is in deficit again. The fact that the current account balanced in 1979 can be explained by a number of factors other than improved exports, such as the substantial depreciation of the dollar from 1972 to 1979.

In fact, there are a number of factors which indicate that the outlook for the current account is not good. First, the favorable balance in the current account in 1979 was due in part to an unusually large $18 billion current account surplus recorded in 1975. Second, since 1972, the rate of the U.S. export growth has trailed that of Germany and Japan. Third, since 1972, the U.S. share of world markets has declined from 15.6 to 14 percent, while the share of manufactured exports has fallen from 18.4 to 17.4 percent.

The importance of the decline in our world exports is a serious problem, since exports account for an increasingly important share of the U.S. gross national product. In concrete terms, the Department of Commerce has estimated that every billion dollars in exports generates 30,000 to 40,000 domestic jobs. The legislation which I have introduced makes use of the lessons we have learned in an effort to insure continued growth of U.S. exports. My bill makes a number of significant changes to the Foreign Corrupt Practices Act.

First, the name of the act is changed: The Foreign Corrupt Practices Act would become the Business Practices and Records Act. This reflects the fact that the accounting standards are not limited to international companies or transactions. It also would not make a presumption that corruption exists.

Second, enforcement: With regard to the bribery provisions, the Department of Justice, which has sole jurisdiction under the FCPA for criminal enforcement of both privately and publicly held companies and civil enforcement of privately held companies, would be given sole jurisdiction of civil enforcement for publicly held companies as well. Thus, any company with questions about the bribery provisions could get them answered in one place. The Securities and Exchange Commission would retain responsibility for civil enforcement of the accounting standards provisions. The Securities and Exchange Commission has no objection to this change.

Third, bribery provision: Congress made clear its intent to exclude so-called facilitating or grease payments from the reach of the Foreign Corrupt Practices Act. However, the statute is not clear as to what constitutes such payments. Grease payments are defined as payments to secure or expedite the performance of a routine governmental action as distinguished from action involving the exercise of discretion. I intend to offer an amendment to further clarify this language by deleting the reference to the exercise of judgment. Payments which are lawful in the country where they are made, and which are intended to secure prompt performance of a foreign official's duties, would not be actionable under this bill. There is also a clarifying exclusion for token courtesy gifts and incidental benefits received by foreign officials in the course of marketing activities or product presentations.

My bill also makes it clear that there is no violation in making payments if they are legal under the laws and regulations of the foreign country involved.

Under the Foreign Corrupt Practices Act, companies are liable if they have a reason to know that a bribe may be paid by a third party or intermediary. This provision was identified in the 1980 executive branch study of export disincentives as the area of greatest concern to business. My bill replaces this provision with language that makes U.S. companies liable if they corruptly pay a bribe directly or if they directed or authorized the bribe expressly or by a course of conduct.

Fourth, accounting standards: The books and records provision was deleted as a result of Senator D'AMATO's amendment offered during the Banking Committee markup. The bill also defines the terms "reasonable assurances" and "reasonable detail," which exist in the current law. Thus, it is made explicit that the use of cost/benefit evaluation is to be applied to internal accounting controls. This makes it clear that companies are not expected to design control systems whose costs exceed the benefit to the companies and to their stockholders. Currently, the Securities and Exchange Commission says the cost/benefit evaluation is to be applied. But the law does not say so. We would put it into the law.

Fifth, international agreement: This bill contains extensive provisions on the desirability of international agreements to establish standards for international business parctices. The President would be required to submit a report to Congress within 6 months of enactment of this legislation explaining steps that the United States could take to promote cooperation by other countries to prevent bribery.

I have not given up on the possibility of gaining an agreement to eliminate bribery from the world marketplace. I hope that my legislation will convince other nations that we are realistic in our approach to the problem and determined to resolve it on an international basis.

The need for reform of the Foreign Corrupt Practices Act is clear. There is a wealth of evidence that, in practice, the current law has gone beyond its original purpose of prohibiting foreign bribery by creating confusion which is hindering the growth of legitimate U.S. business overseas.

The problems caused by the current law also have serious foreign policy implications. Foreign governments in parts of the world find the act presumptuous and offensive. Critics of the current law have cited this as a reason for its repeal. I do not advocate repeal, for U.S. companies should operate according to an ethical code of conduct, both at home and abroad. However, that goal must be balanced with the need to maintain a healthy balance of trade and good diplomatic relations. Arriving at that balance will not be an easy journey, but enactment of my bill will be a significant step toward achieving that balance.

In conclusion, I want to express my thanks to Senators HEINZ and D'AMATO for chairing the Banking Subcommittee hearings on the bill and for all their support in reaching this point. I also want to thank Senators PROXMIRE, DIXON, DODD, and RIEGLE for their cooperation and efforts to achieve a compromise.

Mr. President. in conclusion. let me say that with the passage of S. 708 we will have taken a magnificent step forward. As I say, the amendments that are going to be proposed today improve the original bill that was introduced, and I tip my hat to all who had a part in this effort.

I commend the passage of the current amendment which is presented by Senator D'AMATO, on behalf of himself, Senator PROXMIRE, Senator HEINZ, and myself.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York.

The amendment (UP No. 705) was agreed to.

Mr. HEINZ. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. PROXMIRE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UP AMENDMENT NO. 706

Mr. HEINZ. Mr. President, I have two technical amendments that I send to the desk and ask for their immediate consideration.

The PRESIDING OFFICER. Is it the Senator's request that they be considered en bloc?

Mr. HEINZ. The Senator from Pennsylvania would request that the two changes contained in the amendment be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Pennsylvania (Mr. HEINZ) proposes an unprinted amendment numbered 706.

Mr. HEINZ. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 21, line 24, strike "corrupt" and insert in lieu thereof, "corporate".

On page 22, line 16, strike "policy".

Mr. HEINZ. Mr. President, this technical amendment which, I believe, the minority has seen as well, simply corrects two typographical errors in the bill. I move its adoption.

The amendment (UP No. 706) was agreed to.

UP AMENDMENT NO. 707

(Purpose: To delete section 9)

Mr. HEINZ. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania (Mr. HEINZ) proposes an unprinted amendment numbered 707.

Mr. HEINZ. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Beginning with page 35, line 22, strike out all through page 36, line 8.

On page 36, line 10, strike out "Sec. 10." and insert in lieu thereof "Sec. 9.".

Mr. HEINZ. Mr. President, this section of the bill, section 9, makes a conforming change in the Internal Revenue Code to make clear that business expenses which are legal under the Foreign Corrupt Practices Act would also be deductible in accordance with normal IRS rules.

While the committee supported this provision as sound policy and as an effort to make sure that our tax laws conform to our other statutes, its presence in this bill does raise a jurisdictional question with the Finance Committee, among others. I understand that Senator CHAFEE has also introduced this provision as a separate bill and that the Finance Committee has already conducted a hearing on it.

I am optimistic that the Finance Committee will act on that bill in due course, which, in my judgment is the proper way to proceed from the standpoint of committee jurisdiction. Accordingly, I am offering an amendment to delete this section of the bill, with the clear understanding that the deletion is for jurisdictional reasons and without prejudice to the substance of the provision.

The amendment (UP No. 707) was agreed to.

UP AMENDMENT NO. 708

(Purpose: To provide for a report to Congress on the status of international negotiations to reach an agreement on foreign business practices)

Mr. HEINZ. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania (Mr. HEINZ) proposes an unprinted amendment numbered 708.

Mr. HEINZ. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 36, line 10, strike all through page 37, line 14, and insert in lieu the following:

SEC. 10. (a) It is the sense of the Congress that the President should pursue the negotiation of an international agreement among the largest possible number of nations on illicit payments, including, a process by which problems and conflicts associated with such practices could be resolved.

(b) Within one year after the date of enactment of this Act, the President shall report to Congress on—

(1) the progress of the negotiations referred to in subsection (a);

(2) those steps which the administration and Congress should consider taking in the event that these negotiations do not successfully eliminate the competitive disadvantage of United States business; and

(3) possible actions that could be taken to promote cooperation by other nations in international efforts to prevent bribery of foreign officials, candidates, or parties in third countries.

Mr. HEINZ. This amendment would revise section 10 of the bill, which concerns a Presidential report on the status of negotiations to reach an international agreement on corrupt practices, and on steps the administration and Congress might take in the event such negotiations are not successful.

As presently written in the bill, Mr. President, section 10 is cumbersome and disjointed, apparently referring to two overlapping reports due at different times. This amendment would combine the reports into one, make clear it is required rather than optional, and clarify the contents of the report to better concentrate on the basic issues surrounding such negotiations.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania.

The amendment (UP No. 708) was agreed to.

UP AMENDMENT NO. 709

(Purpose: To revise language relating to an exemption in section 104(c))

Mr. CHAFEE. Mr. President, I send an unprinted amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Rhode Island (Mr. CHAFEE) proposes an unprinted amendment numbered 709:

On page 27, beginning with the comma on line 7, strike out all through "factor" on line 9.

Mr. CHAFEE. Mr. President, I am offering this amendment to section 104 (c) of S. 708 which appears as stated in the amendment on page 27.

I am offering it in an effort to clarify more precisely what payments will be allowed under the bill.

Section 104(c)(1) as it is printed here excepts certain facilitating or so-called "grease" payments that are lawful under current law, but it does not apply to governmental actions involving the exercise of judgment. That is the last clause where it states:

as distinguished from governmental action in which the exercise of judgment by the foreign official is a significant factor.

The purpose of the language on page 27 was intended to allow companies to make payments to secure the performance of low-level routine kinds of governmental action, such as securing the processing of a customs document.

However, even this kind of low-level, routine activity could be argued as involving some kind of an exercise of judgment. Thus uncertainty remains in the minds of U.S. business people doing business abroad, when they try to determine what kind of routine government action might later be determined to involve the exercise of judgment. The lingering uncertainty that remains with the language of the last clause of that section (c) defeats the purpose of the overall exception which, as I say, is to give greater guidance to U.S. business persons as to what is permissible under the Foreign Corrupt Practices Act. Thus in an effort to promote clarity, the amendment I have presented deletes the last clause of section 104(c)(1).

Mr. President, I urge the passage of the amendment.

Mr. PROXMIRE. Mr. President, will the Senator from Rhode Island yield for a question?

Mr. CHAFEE. I certainly will.

Mr. PROXMIRE. May I ask the Senator, by deleting the language proposed does the Senator from Rhode Island intend to increase the scope of this exception——

Mr. CHAFEE. Not at all.

Mr. PROXMIRE. Let me just finish—beyond "grease" payments, that is the payment of small sums to lower level government officials where necessary? For example, the classic example given is to obtain action to which he is entitled on the unloading of perishable commodities at the dock where obviously this has to be done under circumstances as a practical matter or the commodities will be ruined?

Mr. CHAFEE. That is exactly the intent of the amendment that I have presented. It is not intended to change the intent of the so-called facilitating payments exception which is only to allow that low-level type of activity of which the Senator gave an illustration.

Mr. PROXMIRE. Mr. President, I am not going to ask for any vote on this amendment. I frankly personally do not favor it. But in the circumstances of the Senator's explanation I believe a vote is not necessay. I hope the House will take a close look at this provision because I think it is subject to some abuse, although I recognize the sincere effort on the part of the Senator from Rhode Island to overcome what to many business people seems to be an intolerable interference with their opportunity to conduct effective business with foreign countries.

Mr. HEINZ. Mr. President, as I understand the Chafee amendment—and I have looked at it quite carefully—what it would do is to delete the phrase "as distinguished from governmental action in which the exercise of judgment by the foreign official is a significant factor."

The purpose of the amendment is to eliminate the potential ambiguity arising from the judgment phrase. I think this is a difficult issue, but I think on balance

the Chafee amendment is the best way to do it, and I do support the amendment and I urge my colleagues to do so.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Rhode Island.

The amendment (UP No. 709) was agreed to.

UP AMENDMENT NO. 710

(Purpose: To revise the exclusivity provision)

Mr. CHAFEE. Mr. President, I send to the desk an unprinted amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Rhode Island (Mr. CHAFEE) proposes an unprinted amendment numbered 710:

On page 32, line 2, strike out "shareholders" and insert in lieu thereof "any shareholders thereof acting on behalf of such domestic concern for a payment, gift, offer, or promise to a foreign official".

On page 32, beginning with the comma on line 2, strike out all through "defraud" on line 7, and insert in lieu thereof the following: "the foreign official or the domestic concern violated a duty to or defrauded the foreign government or the citizens of a foreign country".

Mr. CHAFEE. Mr. President, I am offering the amendment at the desk to section 7 of S. 708, which provides that no criminal action may be brought pursuant to sections 1341 or 1343 of title 18 against a domestic concern or any of its officers based on the theory that the foreign official receiving the payment violated his fiduciary duty to his country.

That is the existing language. The amendment would add language which would make it clear that no actions could be brought under sections 1341 or 1343 based on a theory of a violation of a fiduciary duty by a foreign official or that the foreign official defrauded its government or citizens by receiving an illegal payment from a U.S. company or its agent.

The current exclusivity provision excludes only one theory on which the Justice Department could bring a case under the wire and mail fraud statutes in a situation involving an overseas bribery by a U.S. company. With this amendment that we are now considering, the exclusivity provision will make clear that only the Foreign Corrupt Practices Act will determine the extent to which U.S. persons are liable for any illegal payments to foreign officials.

Section 7 is intended to preclude the unprecedented application of the wire and mail fraud statutes to extraterritorial situations that are not precisely defined.

Additionally, the laws of foreign countries provide protection of foreign governments and citizens from the criminal misconduct of its government officials. Therefore, the extraterritorial application of the wire and mail fraud statutes is not necessary.

Mr. PROXMIRE. Will the Senator yield for another question?

Mr. CHAFEE. I certainly will.

Mr. PROXMIRE. As I understand it, this amendment is in the nature of a technical amendment, and as reported by the committee the provision of the law would be the exclusive vehicle for criminal enforcement of the bribery of foreign government officials. Is that correct?

Mr. CHAFEE. Could the Senator repeat the last part of the question?

Mr. PROXMIRE. As supported by the committee, the provision of this law would be the exclusive vehicle for criminal enforcement of the bribery of foreign government officials.

Mr. CHAFEE. The provision of the Foreign Corrupt Practices Act?

Mr. PROXMIRE. That is correct.

Mr. CHAFEE. Yes.

Mr. PROXMIRE. This amendment is consistent with the committee provisions, I take it?

Mr. CHAFEE. That is correct.

Mr. PROXMIRE. Again, Mr. President, this is another provision I hope the House will take a close look at. I am prepared to move forward without a record vote on the amendment.

Mr. HEINZ addressed the Chair.

The PRESIDING OFFICER (Mr. COHEN). The Senator from Pennsylvania.

Mr. HEINZ. Mr. President, this amendment involves a provision of the bill which was amended in committee at the suggestion of the administration. Under section 7, prosecution of the foreign payment under the mail or wire fraud statutes would be precluded where the theory of prosecution is that the foreign official receiving the payment violated a fiduciary duty to his government or the citizens of his country. The amendment offered by the Senator from Rhode Island would broaden this preemption by precluding mail or wire fraud prosecution where the theory of prosecution is that the foreign official or the domestic concern either violated such a duty or defrauded the government or its citizens.

The principal purpose of the amendment, as I understand it, is to direct that prosecution for a foreign payment should be governed by the Foreign Corrupt Practices Act, as amended. However, there are a number of Federal statutes other than the mail or wire fraud statute which might be involved in particular cases, such as false representation to the U.S. Government about exports, failure to disclose a material fact about a payment under the securities laws, and other statutes.

Given that situation, Mr. President, I am prepared to accept the amendment of the Senator from Rhode Island.

Mr. CHAFEE. Mr. President, I move the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Rhode Island.

The amendment (UP No. 710) was agreed to.

Mr. CHAFEE. Mr. President, I have some comments regarding the committee report language on section 104(b) of S. 708.

I would like to direct, if I might, a question to the manager of the bill, Senator HEINZ, in this connection.

I have reviewed the Banking Committee's report on this bill. In my mind, the committee report language on page 17 discussing the meaning of the term "course of conduct" leaves two important questions unanswered. The first question is whether the example of the standard of liability under section 104(b) requires actual knowledge. The second question is whether the examples of conduct which would violate section 104(b) which are discussed in the committee report are meant to be examples of prima facie violations or merely illustrations of the kinds of actions that might constitute a violation of section 104 depending on the circumstances of the case.

The committee report on section 104(b) with respect to your amendment inserting the words "expressly or by a course of conduct" indicated, among other things, that if an American company continued to employ an agent in the face of knowledge that he had made one or more corrupt payments within the preceding 2 years, the American company could be found to have violated the act.

Now, although the word "known" is not defined, it is my understanding that it is clearly not the same as "reason to know" as set forth in the present act. In other words, the term "known" in this sentence of the report means actual knowledge, which would, for example, include a copy of papers showing the agent had been convicted for bribery, or a direct admission of guilt by the agent to the company, but not hearsay, rumor, or cocktail party conversation.

The second issue that the report language on course of conduct raises is whether the example of the continued employment of an agent known to have paid a bribe is intended to establish a per se rule under which the employment of such an agent automatically constitutes implicit authorization. I do not believe that this was the intent of the example. Certainly, the fact that a company has advised its agent to stop making payments is also an important factor which should be considered in specific cases.

Mr. HEINZ. Will the Senator yield?

Mr. CHAFEE. I certainly will. I would be anxious to hear the Senator's answer.

Mr. HEINZ. Mr. President, the Senator's interpretation is correct. Actual knowledge is required to establish an authorization through a course of conduct and the example of the continued employment of an agent known to have made corrupt payments is merely illustrative and does not establish a per se rule.

Further, let me state that clearly rumor, hearsay, or cocktail party conversation should under no circumstances be construed to mean actual knowledge.

To clarify the second point further, these are illustrations that will depend on the circumstances of the case. They do not constitute, per se, prima facie violations.

Mr. CHAFEE. The other question that I would like to ask the distinguished manager of the bill is as follows: One of my chief objectives in drafting S. 708

was to insure that the enforcement of the act took into account foreign policy considerations. One aspect of that coordination is the notification of the State Department by the Department of Justice when it has decided to file a case. This is intended to enable the State Department to anticipate potential foreign policy problems that might arise as the result of the filing of an action under the act. Is it correct that it is the committee's intent that the Department of Justice notify the State Department when it decides to bring an action under the antibribery provisions of the act?

Mr. HEINZ. If the Senator will yield, the answer to his question is "Yes," the Senator is correct, and it is my understanding that the Justice Department has no objection to this.

Mr. CHAFEE. I thank the distinguished manager of the bill very much for his consideration.

Mr. PROXMIRE. Will the Senator yield on this particular issue?

Mr. CHAFEE. Yes.

Mr. PROXMIRE. I hope we do not have an understanding here that there should be prior clearance with the State Department before they file a case. A case should stand on its merits of whether or not the law is being violated, not on the basis of whether there is some foreign policy interest on the part of the State Department or some other legitimate interest. It ought to be filed, as I say, on the merits of the case and whether the law is violated and that should be the determination.

Mr. HEINZ. If the Senator will yield, the Senator is entirely correct. We are merely talking about notification. There is absolutely no implication here that there is any preclearance by the State Department required in any way, shape, or form. I totally agree with the Senator on that point.

Mr. PROXMIRE. I thank my colleague.

Mr. CHAFEE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CHAFEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAFEE. Mr. President, I ask for the yeas and nays on passage of S. 708.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. HEINZ. Mr. President, I ask unanimous consent that the order for the yeas and nays be vitiated.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HEINZ. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HEINZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HEINZ. I yield to my distinguished colleague from Pennsylvania.

Mr. SPECTER. I thank the Senator for yielding. This is the first time I have had the pleasure of a colloquy with the senior Senator from Pennsylvania.

I am concerned, and have expressed this concern to the floor manager, the distinguished Senator from Pennsylvania, about subsection (c) (2) of section 104 of the bill. Subsection (c) (2) provides that subsections (a) and (b), the bribery provisions, shall not apply to "any payment, gift, offer, or promise of anything of value to a foreign official which is lawful under the law and regulations of the foreign official's country."

The concern which I have is that the prosecuting attorney may be held to have to establish that requirement, have the burden of proof whether the act is unlawful in the foreign official's country.

The first consideration I want to have this colloquy on is to have the legislative history clarified that it would not be sufficient for a defense to be raised under this subsection on grounds of custom.

Mr. HEINZ. Mr. President, let me say to the Senator that that would not be a sufficient defense. I would also say, anticipating, I think, the Senator's second question, that I know the Senator is properly concerned about making it difficult for a prosecutor to successfully prosecute a foreign corrupt payment and that, were the burden of proving whether a law or regulation of a foreign country permits a foreign corrupt payment placed on the prosecution, as opposed to being permitted to be raised as an affirmative defense, that would, in fact, constitute an unrealistic and counterproductive obligation on the prosecutorial authority and that that is explicitly not the intent of the language on page 27, lines 10 through 13, of the bill.

Mr. SPECTER. Mr. President, I thank the distinguished floor manager for that statement.

In addition to the clarification that custom shall not be a defense or establish that something is lawful under the laws of another country, as to the second point, it will not be the affirmative burden of the prosecution to establish in the prosecution's case in chief that the conduct is unlawful under the law and regulations of the foreign official's country. Rather, it shall be the affirmative obligation or the affirmative defense of the defendant to assume the burden of proving in the course of the trial, if the defense be tendered that the conduct is lawful under the laws of the foreign official's country, that the defense applies.

Mr. HEINZ. Not being a lawyer, I am hard put to disagree with anything the Senator says. I do believe he is correct, but let me put it in my words so there no misunderstanding.

The language in this bill on this point in subsection c(2), is not to be construed by any judge or jury, who is going to make a decision, to mean that the prosecution, the people enforcing the Foreign Corrupt Practices Act, would have the burden of proof, would have to prove that this is, in fact, not lawful under the laws of some foreign country.

This language is intended to permit a defense to be raised by the party on the receiving end of the complaint, the defendant. If he can prove—that whatever was done in the foreign country, under the laws of that country, was legal—that is intended to be a defense, but it has to be raised and has to be proved by the defendant.

Mr. SPECTER. Mr. President, I think that is well stated by a nonlawyer to a lawyer who has had experience with the prosecution of cases and affirmative defenses. I think that is a cogent, clear statement.

Mr. PROXMIRE. Mr. President, will the junior Senator from Pennsylvania (Mr. SPECTER) yield?

Mr. SPECTER. I yield.

Mr. PROXMIRE. Mr. President, I congratulate the Senator for coming in on this. As far as I know, we do not have any member of the committee who has prosecutorial experience. The Senator from Pennsylvania (Mr. SPECTER) has great skill in that area.

This has been a problem for us, Mr. President. We want a law that is effective, that can be prosecuted effectively. I have been very concerned and I think that this colloquy is most helpful. The Senator has made one point in connection with it. I would like to make another.

The Senator's position is that this should be a matter where the burden of proof is on the defense. The point I would like to make is that we are referring here not just to some unwritten regulation; we are referring to something that is in the Constitution of the country, the statute law, a judicial decision, or a written regulation. In other words, it has to be specific, written, it has to be something that is established and available and the defense itself has to use it.

Mr. SPECTER. Mr. President, I think the distinguished Senator from Wisconsin has articulated and filled out the first portion of the colloquy that Senator HEINZ and I had, which was abbreviated under the concept of custom. It would not be sufficient for an affirmative defense to be raised by the defendant that it was a matter of custom which is subject to some vagary or some generalization. As the distinguished Senator from Wisconsin has articulated, the lawfulness of the payment must be shown to exist in the Constitution or statutory law or specific written regulations of the foreign official's country so there will be no doubt that, in fact, it was a lawful area of conduct under the foreign country's laws and within its government, demonstrable by a written document of one sort or another, including a judicial decision.

Mr. HEINZ. Mr. President I commend my friend and colleague from Pennsylvania for having entered into what I think is a very appropriate colloquy, clarifying something that perhaps someone could have misconstrued. I want just to echo what Senator PROXMIRE has said. I thank my colleague.

Mr. SPECTER. Mr. President, I thank the senior Senator from Pennsylvania.

● Mr. DANFORTH. Mr. President, I rise today in support of S. 708, the Business Accounting and Foreign Trade Simplification Act. This bill would amend the Foreign Corrupt Practices Act by easing the strong disincentive to exports resulting from the current FCPA, while retaining a check on foreign bribery.

These changes are much needed and long overdue. The importance of exports to our economy cannot be underestimated. The impact of export disincentives such as those in the Foreign Corrupt Practices Act cannot be ignored.

Consider a few of the reasons that exports are so very important to our economy:

Every $1 billion in U.S. export creates 50,000 jobs and additional tax revenue.

One out of every 3 acres in our country is producing food for others to eat.

Nearly one-sixth of all goods produced in the United States is sold in foreign markets.

But as we move into the 1980's, America finds itself increasingly challenged by international competition. This, at a time when 40 percent of the oil we consume comes from abroad and we are more dependent on foreign trade than ever before.

U.S. exports face growing competition overseas even in areas such as computers and aircraft where we have traditionally dominated the world market. Domestic producers of an increasing number of products are experiencing intensified competition from imports. Consider these facts:

In 1971, the U.S. trade balance went into deficit for the first time in more than three-quarters of a century. Last year that deficit reached $26 billion.

The U.S. share of world markets has gone from 18 percent in 1950 and 1960 to barely over 15 percent in 1970. By 1979, our share had fallen to around 12 percent.

Over the past 20 years, productivity growth in the major economies in the world has been about twice that in the United States.

The Government has an obligation to encourage American exports, to remove foreign barriers to trade and to reduce disincentives to exports. Then it is up to American business to get out there and sell. Certainly we all have our work cut out for us:

Fewer than 10 percent of some 300,000 manufacturing firms in the U.S. export. Fewer than 2.000 companies account for 85 percent of our export trade. By one Department of Commerce estimate, some 20,000 American companies now selling only in the domestic market could sell overseas.

Clearly, now is the time for us to remove the remaining barriers to American exports. In this respect, the Senate's record this year is a good one: In April, we unanimously passed the Export Trading Company Act. The Economic Recovery Act of 1981 significantly reduced taxation on American businessmen abroad. Now, the passage of S. 708 represents another important step.●

CHANGES ARE NEEDED IN THE FCPA

Mr. ROTH. Mr. President, I support the Business Accounting and Foreign Trade Simplification Act (S. 708). As cochairman of the 74-member Senate Export Caucus, I am vitally concerned that we remove unnecessary regulatory impediments to U.S. overseas sales efforts. As it now stands, the Foreign Corrupt Practices Act (FCPA), which S. 708 is designed to amend, is a potent disincentive to exporting; and, while we must not allow foreign bribery, we need not shut the regulatory door so tightly that we lock out legitimate practices in exporting, as well.

Mr. President, the Foreign Corrupt Practices Act, while laudable in ambition, has dampened or snuffed out businesses' willingness to export. Small and medium-sized firms, in particular, because of their need to rely almost exclusively on overseas sales agents, have been discouraged from breaking new export ground. It is simply not worth it now for a firm to run the risk of criminal or civil prosecution for activities undertaken by uncontrollable foreign agents.

At a time when we desperately need to expand exports, create jobs, and reduce our balance of merchandise trade deficit, the 20,000-plus smaller firms that could be exporting cannot afford the gamble. Moreover, for small medium, and large firms alike, the costs of complying with the accounting and record-keeping standards are, indeed, daunting. The FCPA has forced our firms to operate in an atmosphere where they are presumed guilty unless meticulously kept and exhaustive records prove them innocent.

Mr. President, the legislation before us is designed to loosen the export-discouraging grip of the FCPA without compromising its prime intent, that is, the prohibition against bribery.

By clarifying a company's liability for the actions of overseas sales agents and the definition of allowable facilitating payments, S. 708 reduces the confusion of the FCPA. By eliminating the requirement that separate books and records be kept while improving internal accounting controls, S. 708 reduces the cost of complying with Government's regulations.

These changes should free up talent and capital for exporting and will help us achieve our goal of expanding sales of U.S. goods and services.

I call upon my colleagues in the Senate Export Caucus and, indeed throughout the Senate, to support the intent of S. 708 and approve this much needed legislation.

Mr. HEINZ. Mr. President, I think we are ready to move to third reading.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute as amended was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading.

The bill clerk proceeded to read the bill the third time.

Mr. ROBERT C. BYRD. Mr. President, I have an amendment.

The PRESIDING OFFICER. The Senator from West Virginia.

UP AMENDMENT NO. 711

(Purpose: To provide for small business representation on the Federal Reserve Board)

Mr. ROBERT C. BYRD. Mr. President, I have an amendment, which I send to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will state the amendment.

The bill clerk read as follows:

The Senator from West Virginia (Mr. ROBERT C. BYRD) proposes an unprinted amendment numbered 711.

At the end of the bill, add the following:

SMALL BUSINESS REPRESENTATION ON THE FEDERAL RESERVE BOARD

SEC. 11. The President shall nominate an individual whose background is nonbanking, but who is representative of small business, to fill the first vacancy occurring on the Board of Governors of the Federal Reserve System after the date of enactment of this Act.

Mr. HEINZ. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HEINZ. Have we advanced to third reading already?

The PRESIDING OFFICER. We have not. The clerk was only part way through third reading.

Mr. HEINZ. I thank the Chair.

The PRESIDING OFFICER. The Senate will suspend for consultation with the Parliamentarian.

Mr. HEINZ. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MATHIAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MATHIAS. Mr. President, it is very much easier to recognize that a mistake has been made in itself to correct it. In this instance, I think we are all indebted to the Senator from Rhode Island (Mr. CHAFEE) for not only recognizing that we made an error in 1977, when we passed the Foreign Corrupt Practices Act, but also for giving us some guidance as to the best means of amending that error.

I have been happy to join him in cosponsoring S. 708, which does amend and clarify the Foreign Corrupt Practices Act and certainly in no sense abandons the high moral ground we adopted in 1977, in discouraging practices which tend to subvert normal commercial transactions. I believe it does place the whole purpose of the Foreign Corrupt Practices Act on a more realistic and rational basis.

Therefore, I am grateful to the Senator from Rhode Island for having taken the leadership in this matter. It was clear

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that what we attempted to do in 1977 was not working, that the effect of it was to place American business at a serious disadvantage, and that it was not really accomplishing the purposes for which it was intended.

I believe that the bill now before us will be a more realistic and, in the long run, a more effective measure. Therefore, I support it with a great deal of enthusiasm.

The ink was not dry on the original bill before I think many of us had misgivings that we had gone in the wrong direction. I believe that today we have an opportunity to change our course and to go in the right direction, and the Senator from Rhode Island deserves the lion's share of the credit for making this change.

Mr. CHAFEE. Mr. President, I thank the distinguished senior Senator from Maryland for his very kind comments. I appreciate what he has said. I think it is important to note that this was an effort that involved others. I am delighted to have the credit, but I do want to share that credit with those previously mentioned—the senior Senator from Wisconsin, the senior Senator from Pennsylvania, Senator DODD, Senator DIXON, Senator D'AMATO, and others.

Everybody pitched in. I hope we can get this piece of legislation passed quickly.

Again, I thank the senior Senator from Maryland for his kind comments.

Mr. HEINZ. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TIME AGREEMENT—S. 881, SMALL BUSINESS RESEARCH INNOVATION ACT OF 1981

Mr. BAKER. Mr. President, the minority leader and I have consulted with the managers of the bill on both sides with respect to a time agreement on another matter which I believe might resolve the issue of the amendment now at the desk and to be offered by the distinguished Senator from West Virginia. I will put this request at this time, and then we can address the other question.

Mr. President, I ask unanimous consent that when the Senate proceeds to the consideration of Calendar No. 283, S. 881, it be considered under the following time agreement:

Two hours on the bill, to be equally divided between the chairman of the Small Business Committee and the ranking minority member, or their designees;

One hour on amendments in the first degree;

Thirty minutes on amendments in the second degree;

Twenty minutes on any debatable motions, appeals, or points of order, if they are submitted to the Senate;

That the agreement be in the usual form, with the following exceptions:

That an amendment to be offered by the Senator from Texas (Mr. BENTSEN), which will be the text of Senate Resolution 238, be limited to 1 hour, equally divided;

That an amendment to be offered by the Senator from Florida (Mr. CHILES), dealing with interest rates, be limited to 1 hour, equally divided;

That an amendment to be offered by the distinguished Senator from West Virginia, the minority leader (Mr. ROBERT C. BYRD), dealing with budget cuts, be limited to 1 hour, equally divided;

That an amendment to be offered by the distinguished Senator from West Virginia, the minority leader (Mr. ROBERT C. BYRD), dealing with all business representatives on the Federal Reserve Board, be limited to 1 hour, equally divided;

That any substitute amendments or amendments in the first or second degree to the nongermane amendments identified above be limited to 30 minutes, equally divided, and be germane to the amendments they seek to substitute or amend.

Further, that the Senate proceed to the consideration of S. 881 after the disposition of the Department of Justice appropriation bill, which is scheduled, by previous order, to begin on November 30.

Further, that this agreement be subject to vitiation upon the disagreement of the distinguished Senator from Louisiana, the distinguished chairman of the Small Business Committee, and the distinguished chairman of the Judiciary Committee.

Mr. ROBERT C. BYRD. Mr. President, reserving the right to object, will the distinguished majority leader clarify as to what he meant when he said that this agreement would be subject to vitiation? He does not mean the time agreement, does he?

Mr. BAKER. I am sorry. I did not speak with much particularity. What I meant, and do now request, is that the date for the consideration of the matter be subject to vitiation, not the time limitations and other arrangements made herein.

Mr. ROBERT C. BYRD. Mr. President, further reserving the right to object, is it clear, I ask the majority leader, that there will not be a Davis-Bacon amendment?

Mr. BAKER. Yes; that is clear.

Mr. ROBERT C. BYRD. That is part of the agreement; is it not?

Mr. BAKER. Yes.

Mr. ROBERT C. BYRD. I thank the distinguished majority leader.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The text of the agreement follows:

Ordered, That on Monday, November 30, 1981, following the disposition of H.R. 4995, the time of proceeding subject to vitiation by Senators Johnston, Weicker or Thurmond, the Senate proceed to the consideration of S. 881 (Order No. 283), a bill to amend the Small Business Act to strengthen the role of the small, innovative firms in federally funded research and development, and to utilize Federal research and development as a base for technological innovation to meet agency needs and to contribute to the growth and strength of the Nation's economy, with 1 hour on any amendment in the first degree (except a Bentsen amendment, containing the text of S. Res. 238, on which there shall be 1 hour; a Chiles amendment, dealing with interest rates, on which there shall be 1 hour; a Robert C. Byrd amendment, dealing with budget cuts, on which there shall be 1 hour; a Robert C. Byrd amendment, dealing with a small business representative on the Federal Reserve Board, on which there shall be 1 hour; and with any substitute amendments, or amendments in the first or second degree to the above identified amendments to be limited to 30 minutes each and to be germane to the amendments they seek to amend), to be equally divided and controlled by the mover of such and the manager of the bill; with 30 minutes on any amendment in the second degree, to be equally divided and controlled by the mover of such and the manager of the bill; and with 20 minutes on any debatable motion, appeal, or point of order which is submitted or on which the Chair entertains debate, to be equally divided and controlled by the mover of such and the manager of the bill: *Provided*, That in the event the manager of the bill is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or his designee: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of final passage of the said bill, debate shall be limited to 2 hours, to be equally divided and controlled, respectively, by the Senator from Connecticut (Mr. Weicker) and the Senator from Georgia (Mr. Nunn), or their designees: *Provided*, That the said Senators, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, debatable motion, appeal, or point of order.

BUSINESS ACCOUNTING AND FOREIGN TRADE SIMPLIFICATION ACT

The Senate continued with the consideration of S. 708.

Mr. ROBERT C. BYRD. Mr. President, I withdraw the amendment which I sent to the desk.

The PRESIDING OFFICER. The amendment is withdrawn.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 708

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Business Accounting and Foreign Trade Simplification Act".

FINDINGS AND CONCLUSIONS

SEC. 2. (a) The Congress finds that—

(1) the enactment of the Foreign Corrupt Practices Act of 1977 was a positive and significant step toward the important objective of prohibiting bribery of foreign government officials by United States companies in order to obtain, retain, or direct business;

(2) the Foreign Corrupt Practices Act of 1977 has caused unnecessary concern among existing and potential exporters as to the scope of legitimate overseas business activities;

(3) the accounting standards requirements of the Foreign Corrupt Practices Act of

1977, which apply to all issuers of securities irrespective of whether they have foreign operations, are unclear and excessive and have caused costly and unnecessary paperwork burdens;

(4) United States agencies responsible for enforcement of the Foreign Corrupt Practices Act of 1977 have not sufficiently coordinated interpretation and enforcement practices with other agencies responsible for international trade policy, export promotion, foreign policy, international monetary policy, and other related civil and criminal statutes; and

(5) it is in the best interests of all countries to maintain responsible standards of corporate conduct in foreign markets to preserve free and equitable trading practices.

(b) The Congress concludes that—

(1) the principal objectives of the Foreign Corrupt Practices Act of 1977 are desirable, beneficial, and important to our Nation as well as to our relationships with our trading partners, and these objectives should remain the central intent of the Act;

(2) exporters should not be subject to unclear, conflicting, and potentially damaging demands by diverse United States agencies responsible for enforcement of the Foreign Corrupt Practices Act of 1977;

(3) general compliance and enforcement practices associated with the Foreign Corrupt Practices Act of 1977 should be developed in accordance with considerations underlying foreign relations, international trade, export promotion, international monetary policy, and other related civil and criminal statutes; and

(4) a solution to the problem of corrupt payments by firms to obtain or retain business demands an international approach; accordingly, appropriate international agreements should be initiated and sought by the United States agencies responsible for trade agreements and by the President.

AMENDMENT OF SHORT TITLE

SEC. 3. Section 101 of the Foreign Corrupt Practices Act of 1977 is amended to read as follows:

"SHORT TITLE

"SEC. 101. This title may be cited as the 'Business Practices and Records Act'.".

ACCOUNTING STANDARDS

SEC. 4. (a) Section 13(b)(2) of the Securities Exchange Act of 1934 is amended to read as follows:

"(2) Every issuer which has a class of securities registered pursuant to section 12 of this title and every issuer which is required to file reports pursuant to section 15(d) of this title shall devise and maintain a system of internal accounting controls sufficient to provide reasonable assurances that—

"(A) transactions are executed in accordance with management's general or specific authorization;

"(B) transactions are recorded as necessary (i) to permit preparation of financial statements in conformity with generally accepted accounting principles or any other criteria applicable to such statements, and (ii) to maintain accountability for assets;

"(C) access to assets is permitted only in accordance with management's general or specific authorization;

"(D) the recorded accountability for assets is compared with the existing assets at reasonable intervals and appropriate action is taken with respect to any differences; and

"(E) for the purposes of subparagraphs (A) through (D) of this paragraph, the issuer makes and keeps books, accounting records, and accounts which, in reasonable detail, accurately and fairly reflect the transactions and dispositions of the assets of the issuer.".

(b) Section 13(b) of the Securities Exchange Act of 1934 is amended by adding at the end thereof the following:

"(4) No criminal liability shall be imposed for failing to comply with the requirements of paragraph (2) of this subsection.

"(5) No civil injunctive relief shall be imposed with respect to—

"(A) any issuer for failing to comply with the requirements of paragraph (2) of this subsection if such issuer shall show that it acted in good faith in attempting to comply with such requirements; or

"(B) any person other than an issuer, in connection with an issuer's failure to comply with paragraph (2), unless such person knowingly caused the issuer to fail to devise or maintain a system of internal accounting controls that complies with paragraph (2).

"(6) No person shall knowingly circumvent a system of internal accounting controls established pursuant to paragraph (2) for a purpose inconsistent with paragraph (2).

"(5) Where an issuer which has a class of securities registered pursuant to section 12 of this title or an issuer which is required to file reports pursuant to section 15(d) of this title holds 50 per centum or less of the voting power with respect to a domestic or foreign firm, the provisions of paragraph (2) require only that the issuer proceed in good faith to use its influence, to the extent reasonable under the issuer's circumstances, including the relative degree of its ownership over the domestic or foreign firm and under the laws and practices governing the business operations of the country in which such firm is located, to cause such domestic or foreign firm to devise and maintain a system of internal accounting controls consistent with paragraph (2). Such an issuer shall be conclusively presumed to have complied with the provisions of paragraph (2) by demonstrating good faith efforts to use such influence.".

REPEALER; NEW BRIBERY PROVISION

SEC. 5. (a)(1) Section 30A of the Securities Exchange Act of 1934 is repealed.

(2) Section 32 of such Act is amended—

(A) by striking out "(other than section 30A)" in subsection (a); and

(B) by striking out subsection (c).

(b) Section 104 of the Business Practices and Records Act is amended to read as follows:

"FOREIGN PAYMENTS

"SEC. 104. (a) It shall be unlawful for any domestic concern, or any officer, director, employee, or shareholder thereof acting on behalf of such domestic concern, to make use of the mails or any means or instrumentality of interstate commerce corruptly in furtherance of a payment, gift, offer, or promise, directly or indirectly, of anything of value to any foreign official for the purpose of—

"(1) influencing any act or decision of such foreign official in his official capacity, or inducing such foreign official to do or omit to do any act in violation of his legal duty as a foreign official; or

"(2) inducing such foreign official to use his influence with a foreign government or instrumentality thereof to affect or influence any act or decision of such government or instrumentality;

in order to assist such domestic concern in obtaining or retaining business for or with, or directing business to, any person.

"(b) It shall be unlawful for any domestic concern, or any officer, director or employee, or shareholder thereof acting on behalf of such domestic concern to make use of the mails or any means or instrumentality of interstate commerce corruptly to direct or authorize, expressly or by a course of conduct, a third party in furtherance of a payment, gift, offer, or promise of anything of value to a foreign official for any of the purposes set forth in subsection (a).

"(c) Subsections (a) and (b) shall not apply to—

"(1) any facilitating or expediting payment to a foreign official the purpose of which is to expedite or to secure the performance of a routine governmental action by a foreign official;

"(2) any payment, gift, offer, or promise of anything of value to a foreign official which is lawful under the law and regulations of the foreign official's country;

"(3) any payment, gift, offer, or promise of anything of value which constitutes a courtesy, a token of regard or esteem, or in return for hospitality;

"(4) any expenditures, including travel and lodging expenses, associated with the selling or purchasing of goods or services or with the demonstration or explanation of products; or

"(5) any ordinary expenditures, including travel and lodging expenses, associated with the performance of a contract with a foreign government or agency thereof.

"(d)(1)(A) Except as provided in subparagraph (B), any domestic concern which violates subsection (a) or (b) shall, upon conviction, be fined not more than $1,000,000.

"(B) Any individual who is a domestic concern and who willfully violates subsection (a) or (b) shall, upon conviction, be fined not more than $10,000, or imprisoned not more than five years, or both.

"(2) Any officer or director of a domestic concern, or stockholder acting on behalf of such domestic concern, who willfully violates subsection (a) or (b) shall, upon conviction, be fined not more than $10,000, or imprisoned not more than five years, or both.

"(3) Whenever a domestic concern is found to have violated subsection (a) or (b) of this section, any employee of such domestic concern who is a United States citizen, national, or resident or is otherwise subject to the jurisdiction of the United States (other than an officer, director, or stockholder acting on behalf of such domestic concern), and who willfully carried out the act or practice constituting such violation shall, upon conviction, be fined not more than $10,000, or imprisoned not more than five years, or both.

"(4) Whenever a fine is imposed under paragraph (2) or (3) of this subsection upon any officer, director, employee, or stockholder of a domestic concern, such fine shall not be paid, directly or indirectly, by such domestic concern.

"(e)(1) When it appears to the Attorney General that any domestic concern, or officer, director, employee, or stockholder thereof, is engaged, or is about to engage, in any act or practice constituting a violation of subsection (a) or (b) of this section, the Attorney General may, in his discretion, bring a civil action in an appropriate district court of the United States to enjoin such act or practice, and upon a proper showing, a permanent or temporary injunction or a temporary restraining order shall be granted without bond.

"(2) For the purpose of all civil investigations which, in the opinion of the Attorney General, are necessary and proper for the enforcement of this Act, the Attorney General or any attorney or attorneys of the Department of Justice designated by him are empowered to administer oaths and affirmations, subpena witnesses, take evidence, and require the production of any books, papers, or other documents which the Attorney General deems relevant or material to the inquiry. Such attendance of witnesses and the production of such documentary evidence may be required from any place in the United States, or any territory, possession, or com-

monwealth of the United States, at any designated place of hearing.

"(3) In case of contumacy by, or refusal to obey a subpena issued to, any person, the Attorney General may invoke the aid of any court of the United States within the jurisdiction of which such investigation or proceeding is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, papers, or other documents. Any such court may issue an order requiring such person to appear before the Attorney General or attorney designated by the Attorney General, there to produce records, if so ordered, or to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found. The Attorney General shall have the power to make such rules relating to civil investigations as may be necessary or appropriate to implement the provisions of this subsection.

"(f) As used in this section—

"(1) The term 'domestic concern' means (A) any individual who is a citizen, national, or resident of the United States; or (B) any corporation, partnership, association, joint-stock company, business trust, unincorporated organization, or sole proprietorship which has its principal place of business in the United States, which is organized under the laws of a State of the United States or a territory, possession, or commonwealth of the United States, which has a class of securities registered pursuant to section 12 of the Securities Exchange Act of 1934, or which is required to file reports under section 15(d) of the Securities Exchange Act of 1934.

"(2) The term 'foreign official' means (A) any officer or employee of a foreign government or any department, agency, or instrumentality thereof, or any person acting in an official capacity for or on behalf of any such government or department, agency, or instrumentality; or (B) any foreign political party or official thereof or any candidate for foreign political office.".

DEFINITIONS

SEC. 6. Section 13(b) of the Securities Exchange Act of 1934 is amended by adding at the end thereof the following:

"(6) For the purpose of this section, the terms 'reasonable assurances' and 'reasonable detail' mean such level of detail and degree of assurance as would satisfy prudent individuals in the conduct of their own affairs, having in mind a comparison between benefits to be obtained and costs to be incurred in obtaining such benefits.".

EXCLUSIVITY PROVISION FOR OVERSEAS BRIBERY

SEC. 7. No criminal action pursuant to section 1341 or 1343 of title 18, United States Code, may be brought against a domestic concern, its officers, directors, employees, or any shareholders thereof acting on behalf of such domestic concern for a payment, gift, offer, or promise to a foreign official based upon the theory that the foreign official or the domestic concern violated a duty to or defrauded the foreign government or the citizens of a foreign country.

AUTHORITY TO ISSUE GUIDELINES

SEC. 8. Title I of the Business Practices and Records Act is amended by adding at the end thereof the following:

"GUIDELINES AND GENERAL PROCEDURES FOR COMPLIANCE

"SEC. 105. (a) Not later than six months after the date of enactment of this section, the Attorney General, after consultation with the United States Trade Representative, the Secretary of State, the Secretary of Commerce, and the Secretary of the Treasury, and after consultation with representatives of the business community and the interested public through public notice and comment and in public hearings, shall determine to what extent the business community would be assisted by further clarification of section 104 of this Act and shall, based on such determination and to the extent necessary and appropriate, have the authority to issue—

"(1) guidelines describing specific types of conduct associated with common types of export sales arrangements and business contracts which the Attorney General determines constitute compliance with the provisions of section 104 of this Act; and

"(2) general precautionary procedures which issuers or domestic concerns may use on a voluntary basis to ensure compliance with this Act, and to create a rebuttable presumption of compliance with this Act.

The guidelines and procedures referred to in the preceding sentence shall be issued in accordance with sections 551 through 557 of title 5, United States Code.

"(b) The Attorney General, after consultation with other Federal agencies and representatives from the business community, shall establish a Business Practices and Records Act Review Procedure for the purpose of providing responses to specific inquiries concerning enforcement intentions under this Act. The Attorney General shall issue opinions, within thirty days, in response to requests from domestic concerns, regarding compliance with the requirements of the provisions of section 104 of this Act. An opinion that certain prospective conduct does not involve a violation shall be final and binding on all parties, subject to the discovery of new evidence. When appropriate, and at reasonable intervals, the responses derived from the review procedure will be reviewed by the Attorney General to determine whether such compilation of responses should be included in a new guideline pursuant to subsection (a).

"(c) Any document or other material provided to, received by, or prepared in the Department of Justice, or any other department or agency of the United States Government, in connection with a request by a domestic concern for a statement of present enforcement intentions under the Business Practices and Records Act Review Procedure pursuant to subsection (b) of this section, or in connection with any investigations conducted to enforce this Act, shall be exempt from disclosure under section 552 of title 5, United States Code, regardless of whether the Department responds to such a request or the applicant withdraws such request prior to receiving a response. The Attorney General shall protect the privacy of each applicant, and shall adopt rules assuring that materials, documents, and information submitted in connection with a review procedure request will be kept confidential and will not be used for any purpose that would unnecessarily discourage use of the review procedure. The review procedure shall be developed and instituted in accordance with sections 551 through 557 and 701 through 706 of the title 5 United States Code.

"(d) The Attorney General shall make a special effort to provide timely compliance guidance to potential exporters, and smaller businesses, who as a practical matter are unable to obtain specialized counsel on issues pertaining to this Act. Such assistance shall be limited to requests for enforcement intention disclosures provided for under this Act, and general explanation of compliance responsibilities and of potential liabilities under the Act.

"(e)(1) On September 1 of each year the Attorney General shall transmit to the Congress and make public a detailed report on all actions which the Department of Justice has taken pursuant to this Act, along with its views on problems associated with implementation, its plan for the next fiscal year to further implement the Act, and recommendations for amendments.

"(2) On September 1 of each year the Chairman of the Securities and Exchange Commission shall file with the Congress a detailed report on all actions which the Commission has taken pursuant to section 13(b) of the Securities Exchange Act, its views on problems associated with implementation, its plans for the next fiscal year to further implement such section, and its recommendations for amendment.".

INTERNATIONAL AGREEMENTS

SEC. 9. (a) It is the sense of the Congress that the President should pursue the negotiation of an international agreement among the largest possible number of nations on illicit payments, including, a process by which problems and conflicts associated with such practices could be resolved.

(b) Within one year after the date of enactment of this Act, the President shall report to Congress on—

(1) the progress of the negotiations referred to in subsection (a);

(2) those steps which the administration and Congress should consider taking in the event that these negotiations do not successfully eliminate the competitive disadvantage of United States business; and

(3) possible actions that could be taken to promote cooperation by other nations in international efforts to prevent bribery of foreign officials, candidates, or parties in third countries.

This report shall also include recommendations for any new legislation required to give the President authority to take appropriate action to achieve such objectives. The report shall contain an analysis of the potential effect on the interests of the United States including United States national security of the corruption of foreign officials and political leaders in connection with international business transactions involving persons and business enterprises of other nations. In addition, the report shall assess the current and future role in curtailing such corruption of private initiatives such as the Recommendations to Governments and Rules of Conduct to Combat Extortion and Bribery developed by the International Chamber of Commerce.

Mr. HEINZ. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. CHAFEE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BAKER. Mr. President, the Foreign Corrupt Practices Act proved to be a watershed in legislative compromise, and I want to take this opportunity to commend the distinguished Senator from Rhode Island, Senator CHAFEE, the author of the bill, the distinguished Senator from Wisconsin, Senator PROXMIRE, the author of last year's bill, and the distinguished manager of the bill, Senator HEINZ, for their careful and constructive negotiations behind the scenes which resulted in the swift passage today of the Foreign Corrupt Practices Act.

Additionally, I would like to thank William Brock. my good friend who, as the U.S. trade representative, assisted the Congress in the passage of this important measure.

Mr. HEINZ. Mr. President. I take one moment to thank. first. mv distinguished comanager of the bill. Senator PROXMIRE, for his great care and work on this legis-

lation. I think the bill is a vastly improved product because of the care, time, and attention he has put into this effort.

I also pay my respects to the incredible diligence and fortitude of the Senator from Rhode Island, who, notwithstanding a great deal of heat that his original version of this bill generated, has persevered and moved this bill through the Senate. He has done so without, to my ear, not a single—and I am pressing his luck and mine—not a single dissenting vote raised against what might have been an extremely controversial measure.

It is a great tribute to Senator PROXMIRE, Senator CHAFEE, Senator DODD, Senator D'AMATO, and others that we have been able to get this legislation through.

And I thank all Senators for their understanding and cooperation.

Mr. PROXMIRE. Mr. President, will my good friend from Pennsylvania yield?

Mr. HEINZ. I yield.

Mr. PROXMIRE. My friend from Pennsylvania is a silvery tongued orator and he also does more with his silver tongue. He attributed to me a vote I did not cast.

I agree there is enormous improvement on the original bill. The Senator from Pennsylvania did a splendid job of leadership on this bill. Frankly, I did not vote in favor of this bill. If I have to be put on record, I voted against the bill. I did so recognizing, as I say, it has improved, and I hope it will be improved further in the House of Representatives.

I again congratulate my good friend from Pennsylvania, the distinguished Senator from Rhode Island, who did a marvelous job under difficult circumstances over a period of many months, and the Senator from Utah (Mr. GARN), the chairman of the committee, who, of course, supervised the whole operation.

I think we have done something today that was an improvement on what was but would have been better if we had not done it at all.

Mr. GARN. Mr. President, I compliment both Senator HEINZ and Senator D'AMATO, two subcommittee chairmen of the Banking Committee, and in particular, Senator CHAFEE. They have worked on this long and hard. It has been a difficult process.

I think the original intent of this bill was excellent. It did not come out in this matter and has caused some difficulty.

I very much appreciate the work also of Senator PROXMIRE who did not agree with some of the changes that we wanted to make but nevertheless has been actively involved as he always is and is sincere in his beliefs.

So I simply wished to add those remarks about how much I appreciate the members of the Banking Committee on the work they have done on this issue.

Mr. CHAFEE. Mr. President, I particularly thank the staff members who worked on this. This was a situation where the staff had to meet time and time again both with all the parties affected, not only the Senators but also the members of the business community, and accounting profession, and I tip my hat particularly to John Daniels, Paul Freedenberg, Lindy Marinaccio, Bill Reinsch, Bill Mattea, and, of course, Christine Bliss from our staff.

They really worked extremely hard and all too often the credit is given to Senators, and we are delighted to take it, but this was the case where a hard, persevering effort by those staff members that I mentioned and others helped produce this result unquestionably.

Mr. PROXMIRE. Mr. President, will the Senator from Rhode Island yield on that point?

Mr. CHAFEE. I yield.

Mr. PROXMIRE. Mr. President, I could not agree more. I think the staff did a superb job and worked long on this. My own staff, Charles Augustus Lindbergh Marinaccio, was especially starring. I am proud of the job he did. He is a former prosecutor as we know and that showed up.

Mr. HEINZ. Mr. President, if the Senator will yield, I agree with him. I commend Paul Freedenberg, John Daniels, Bill Reinsch, and Lindy Marinaccio.

I commend the staff because this bill has really tested everyone's patience. It has been incredibly difficult to get down into the details of every word, and on that we really demanded a great deal of research and careful evaluation from the staff, and we are most appreciative.

I second what Senator PROXMIRE and Senator CHAFEE have said.

I thank the Senator for yielding.

Mr. CHAFEE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE SECOND CONTINUING RESOLUTION

Mr. DODD. Mr. President, last evening the Senate passed the conference report on the continuing resolution. This morning the President—predictably—vetoed that resolution, charging that Congress was perpetuating inflation by overspending.

Mr. President, I wish the RECORD to show that those two events were not stages in the legislative process but rather two scenes in a very carefully orchestrated political charade.

Regardless of the events in acts 1, 2, and 3 of the continuing resolution, the President was determined to veto the continuing resolution regardless of what transpired in the conference that carried on late in the evening last week.

First of all, the conference report did not overspend.

Mr. President, I ask unanimous consent at this juncture to have printed in the RECORD a copy of the "Talking Points on Second Continuing Resolution" which David Stockman, Director of the Office of Management and Budget, used in explaining the administration's position to Congress.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TALKING POINTS ON SECOND CONTINUING RESOLUTION

OVERALL SAVINGS

On September 24, the President asked for a 12 percent reduction in discretionary appropriations for domestic agencies. This would have saved $8.5 billion in FY 82 outlays and additional amounts in future years.

In a letter to Senator Baker earlier this week, the President indicated a willingness to meet Congress half-way and accept a $4.0 billion outlay savings as achieved by the Senate Continuing Resolution with the Baker 4 percent amendment.

The Continuing Resolution Conference Report now pending will save only $2 billion in discretionary outlays, or less than one-fourth of the original request.

CONFERENCE REPORT ADDITIONS TO THE SENATE CONTINUING RESOLUTION WITH 4-PERCENT AMENDMENT

The Conference Continuing Resolution will add $3.5 billion in budget authority to the eight domestic agency bills as follows:

Item	Senate	Conference	Difference
Total new budget authority	$213	$214.5	+$1.5
Adjustment for conference underfunding of entitlements	0	1.7	+1.7
Invalid budget authority savings in conference CR base	0	.3	+.3
Total	213	216.6	+3.5

The above increase in new budget authority will increase outlays by $2.0 billion in FY 82 and additional amounts in future years.

GENERAL CONSIDERATIONS

Implementation of the President's Economic Recovery Program requires large additional spending reductions in FY 83 and FY 84—at least $75 billion.

Failure to hold down the base of discretionary spending in FY 82 will only increase the over-spending problem in future years and add to out-year deficit size.

Without a steady and substantial reduction in Federal spending growth and deficits, a renewal of high interest rates, inflationary pressures and impediments to economic growth and job creation are threatened.

COMPARISON OF SENATE CR AND CONFERENCE AGREEMENT ON 8 DOMESTIC AGENCY BILLS

	Senate	Conference CR	Difference
(1) Total budget authority as calculated by HAC	213,005	214,516	+1,511
(2) Adjustment for underfunding of entitlements in Conference CR (increase to discretionary budget authority)		1,728	+1,728
(3) Adjustment for invalid Budget Authority reductions and 2% calculation in Conference CR		320	+320
(4) Total	213,005	216,564	+3,559
Memorandum: Reconciliation to Reported Budget Authority Totals			
(5) Total Budget Authority as calculated by HAC for 8 Domestic Agency Bills	213,005	214,516	+1,511
(6) Military Construction	6,746	6,216	−530
(7) Foreign Assistance	11,400	10,075	−1,325
(8) Defense	196,712	196,712	0
(9) DC and Other	602	546	−56
(10) Subtotal (6–9)	215,460	213,549	−1,911
(11) Grand total, HAC reported	428,465	428,065	−400

Mr. DODD. Mr. President, this memo demonstrates conclusively that the conference report actually saves $400 million more than the Senate version which the administration pronounced as acceptable only a few days ago.

It would simply stretch the limits of human credulity to believe that 14 Senators of the majority, who are members of the conference committee, would have affixed their signatures to the report after they had the opportunity to confer with Mr. Stockman on precisely that issue without assurance that the President found it acceptable.

The Stockman memo shows in no uncertain terms that Mr. Reagan's objective was not to the bottom line of the conference report but to its components.

Frankly, the President did not like its priorities. The Stockman memo shows that the administration believes we are spending $1.5 billion too much on domestic spending and $1.3 billion too little on foreign assistance.

The Stockman memo shows that this administration wants to spend more than Congress desires on foreign aid and less than Congress wants on the American people.

This is not a theory or a hypothesis or an interpretation on my part. It is a cold and cold-hearted fact that shows up on the neat columns of Mr. Stockman's own arithmetic.

In short, the Stockman memo shows that this administration's priorities are the issue and those priorities are disgracefully skewed.

As to last night's performance on the Senate floor, here were some of the highlights. The conference report which the President had announced his intention to veto was passed last evening by overwhelming support of the majority of this body against strong opposition by the minority.

Trying to invent a rationale for what was clearly an irrational act, Senators of the majority party argued that they were going to vote for the report because it was so bad they could not wait for the President to veto it. Trying to orchestrate a majority vote for the resolution to conclude the drama, the majority members of this body switched sides more often than one sees in a square dance.

It was, we saw, not only an exercise in bad legislation or bad procedure or bad appropriations it was all there, and it was a high price to pay to allow the President to veto a bill for reasons that it refuses to admit even though they are clear on the record.

It was also an unnecessary price. The debate last evening made clear that if we had rejected the conference report, a course urged by a number of Senators on this side of the aisle, it would actually have speeded up the resolution of this issue and provided the funds so that the Federal Government could continue to function.

That alternative had qualities of sound policy and commonsense. It was, therefore, rejected so that the administration could veto a bill which should not have been passed, for reasons that it refused to acknowledge.

Mr. President, I think the real reason becomes quite clear when one looks at the talking points that the Director of the Office of Management and Budget used. A $1.5 billion excess in the conference report and a $1.3 billion shortfall in foreign aid from the administration's point of view is clearly where the issue resides. It is not in the level of spending. And this memo clearly makes that evident.

Mr. President, I draw my colleagues' attention particularly to the first page of this report entitled, "Memorandum: Reconciliation To Reported Budget Authority Totals." Note there the figures identify the amount supported by this body, with a total of $428,365,000,000. The conference report language which reported a figure of $428,065,000,000 showed actually $400 million less than the Senate had adopted only a few nights before. Then with pluses and minuses attached to them the Budget Director pointed out that we had spent $1.5 billion too much in domestic agency bills, $530 million too little in military construction, $1,300,000,000 too little in foreign assistance, and $56 million too little in the District of Columbia and other items. The aggregate is $400 million less than the administration would have liked, as this memo indicates. Let the record show that such is the only real reason for an administration veto.

ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that there now be a brief period for the transaction of routine morning business to extend not past the hour of 4 o'clock in which Senators may speak for not more than 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DANFORTH). Without objection, it is so ordered.

ORDER TO HOLD HOUSE MESSAGE ON CONTINUING RESOLUTION AT THE DESK

Mr. BAKER. Mr. President, I have conferred with the distinguished minority leader who has cleared this request: I ask unanimous consent that the message from the House on the December 15th continuing resolution be held at the desk when received pending further disposition by the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL BUDGET PROCEDURES

Mr. FORD. Mr. President, the country today is experiencing a shameful example of the weaknesses and failures of our national budget procedure. Without dwelling on the merits of this present veto controversy between the President and the Congress, I wish to make only one brief general observation.

In my opinion, the tragic stalemate we have reached in providing funds for the operation of the Government stems quite largely from our retention of the archaic annual budget system—a system which simply does not afford time for the executive and legislative branches to budget and appropriate effectively.

I call attention again to S. 1683 which several of our colleagues and I introduced several weeks ago. The time has now come to give serious consideration to going to a 2-year budget and appropriation cycle—and I urge the appropriate committees to schedule hearings on this measure at the earliest opportunity.

Mr. President, tomorrow I should like to speak at greater length on the need for a 2-year budget cycle, and at this time I should like to ask the leadership for time during the morning hour.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. JOHNSTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ECONOMY

Mr. JOHNSTON. Mr. President, to say that the Nation is in economic distress is perhaps an understatement. Housing starts are at the lowest position they have been in since they have been keeping records on that subject. More people are unemployed in this country than were unemployed at the end of the Great Depression in 1939. The steel industry is sick. The housing industry is sick. Small businessmen are going bankrupt at record levels. The automobile industry is virtually defunct in this country. Farmers are in great difficulty. Thrift institutions are threatened with bankruptcy.

In general, the economy is exceedingly sick and getting sicker by the day.

The question is, Mr. President, how do we as a Nation, how do we as a Congress, solve that problem? What we are about today, Mr. President, whether to pass or not pass this continuing resolution, is almost beside the point on the question of solving that great problem. Whether or not the appropriate spending level is $428 or $426 billion, which was the question at issue on the veto vel non of this

continuing resolution as of yesterday, really is totally beside the point. The American people need to understand that whichever side you were on as far as that continuing resolution is concerned, you are neither going to solve the problem nor are you going greatly to contribute to that problem.

I fear that, as I read the morning press accounts, you had two positions: One position which the Congress took, that is to say, one position that the Republican majority in this body took, which was to pass a resolution which contained spending which, according to the President, was too great; and the other position was to be against the resolution, which I and my colleagues took.

But the question of whether or not that resolution was passed or was not passed is almost beside the point. It is beside the point, Mr. President, because the measure of our difficulties is immensely greater than the $2 billion difference in the different versions of that continuing resolution.

The deficit this year will probably approach $80 billion, or perhaps even more. In the direction we are going, the deficit, by fiscal year 1984, could reach $148 billion, by recent estimates.

Those kinds of deficits are going to breed high interest rates, even higher than we have now; they are going to breed inflation, perhaps of a quantity and level that this country has not known, at least in modern times.

Those kinds of economic difficulties, Mr. President, called for not just a midcourse correction, but a somewhat radical change in how we do business in this country.

Mr. President, we have a very popular President who has been called "The Great Communicator." I have tried to support him in much that he has done because I think much that he has said has gone in the right direction. But it is perfectly obvious, Mr. President, that the present course we are embarked upon, with or without the continuing resolution that we have passed, is not going to work. With a President with that kind of mandate, with that kind of leadership, with that kind of ability to communicate, it is his responsibility, Mr. President, to come up with an economic plan that promises to work and promises to work rather quickly.

In the Budget Committee, Mr. President, we grappled with that question of whether or not we ought to make that basic change in direction. We were told that the President was against that change in direction at this time; that he wished to delay until his January 15 budget message in order to present those basic changes in our economic policy.

I regret that the delay was necessary. It seems to me that the level of difficulty of this present economic crisis calls for action and action now, and the passage of 2 or 3 months before we get the policy means 2 or 3 months further into the difficulty we are faced with.

Nevertheless, it is clear at this point we will not receive that basic message, that basic change, until January 15.

I think what we have to face up to and what we need to prepare the American people for is that come January 15 we are going to have a debate as to the basic economic policy which this county must follow for the next year or two, or the next decade. It will involve sacrifice; it will involve difficulty; it will involve compromising the interests of basic constituencies. Those are going to be the issues that are going to make the difference in whether we can bring interest rates down. They are not going to be decided by whether or not we cut or do not cut $2 billion from the budget.

A friend of mine described the way the press treats some of these economic questions as a Superbowl mentality, who is ahead at a particular time in terms of whether they pass or do not pass a policy.

In terms of a Superbowl mentality, I think the President's veto of this continuing resolution in the public mind may put the President ahead in terms of being ahead a few yards or being ahead a few points in a particular contest, in a particular confrontation, between the Congress and the President. But, Mr. President, the time has rapidly come when we can no longer afford a Superbowl mentality when we deal with the economic questions of this country.

The kind of mentality which we have to have, it seems to me, Mr. President, is one of joint cooperation, bipartisan, and also one in which the Executive and the Congress work together, because if we do not have that kind of common purpose we are not going to lead the American people to make the kind of sacrifices which they must make in order to change policy. And policy must be changed. We cannot tolerate a $148 billion deficit in fiscal year 1984.

Mr. PROXMIRE. Will the Senator yield briefly?

Mr. JOHNSTON. Yes, I will.

Mr. PROXMIRE. I commend the distinguished Senator from Louisiana for what he is saying. There has been too little talk from the administration or anyone else about sacrifice. That is what the Senator from Louisiana is talking about. Sacrifice in terms of paying higher taxes, if necessary, than the President has proposed; sacrifices in terms of spending cuts that do hurt and hurt greatly; and making compromises in areas where we feel otherwise we would like to go ahead.

This is the kind of talk that the Senator from Louisiana is giving us now that we should hear more about in this country because we will not make the kind of progress we have to make, to get our inflation under control, to bring down the interest rates, without a genuine sacrifice, including a policy that holds down wage increases and price increases, that has a free trade policy, an antitrust policy.

All these things have to be put in place. They all cause pain and difficulty on the part of many, many people. I am delighted the Senator from Louisiana is making this statement. It is a good statement to make and I support it.

Mr. JOHNSTON. I thank the distinguished Senator from Wisconsin.

Mr. President, my message is complete. We must be prepared for the big battle ahead. This is not the big battle. The big battle is in January.

Mr. HART. Mr. President, if the Senator will yield, I would like to associate myself with the statement made by the Senator from Louisiana.

He makes a very important point. When the President decided 2 weeks ago to, in effect, walk away from this economic mess we are in until mid-January and put the issues over until the 1983 budget, he, in fact, created the kind of economic and fiscal backing that has brought the chaos of the past 72 hours or more. I think it lies ill with the President now to criticize the Congress for trying to solve a problem that he himself abandoned, and abandoned voluntarily, until next year.

It was an honest effort, a bipartisan effort, an effort by both Houses of Congress, to keep the Government in operation. I think, frankly, the actions taken by the President, given his abandonment of responsibility here, are not too worthy of the office.

I want to associate myself entirely with the Senator's analysis of the present situation and also his projection about what lies ahead.

What we do here today is not approaching solutions to the problems of this country one iota. It is just maintenance of the status quo and an attempt to buy time until the real serious fundamental, structural problems of this country's economy can and must be addressed.

There, we must look to the White House and the President for leadership and guidance and direction. We may or may not agree with him, but I think, frankly, that putting the whole thing off until January was a very serious mistake.

Mr. BAKER. Mr. President, has time for morning business expired?

If the Senator from Louisiana wishes me to, I shall extend it. We are ready to receive a message from the House on the continuing resolution. I am prepared to go with that or extend morning business.

Mr. LONG. Mr. President, I would like to have a minute or two.

EXTENSION OF TIME FOR MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that the time for morning business be extended to 4:15 p.m.

The PRESIDING OFFICER (Mr. QUAYLE). Without objection, it is so ordered.

Mr. LONG. Mr. President, in mind of what my colleague said, I think the sooner the administration faces the situation that we are not going to be able to finance this Government with the Laffer curve, the better off we are going to be. I am aware that when you cut taxes, it stimulates the economy, or we hope it will. When interest rates come down, that will stimulate the economy and generate more revenue. That will also help.

Even with these economic considerations, unless the Laffer theory works a great deal better than most of us here think it will, this Government is going to need more revenue. The tax cut created a problem that will live with us for quite a while to come.

I think it is time that we recognized that we are not going to be able to fi-

nance national defense and the other essential needs of this country with a free lunch. It is not going to work.

Mr. NUNN. Will the Senator from Tennessee allow me 2 minutes here? I want to pose a couple of questions to the Senator from Louisiana.

Mr. BAKER. Yes, Mr. President.

Mr. NUNN. Mr. President, last night, he posed a question to the majority leader and the majority leader answered him very frankly and candidly, but the answer left us in some degree of confusion. The question was, if we wanted to help the President last night, should we vote for the continuing resolution that he wanted to veto, or should we vote against the continuing resolution that he wanted to veto because of some bad points. Did the Senator from Louisiana ever get the answer to that question? Can he clarify it now?

Mr. JOHNSTON. I think the answer now——

Mr. BAKER. Mr. President, would the Senator let me answer the question?

Mr. NUNN. I would prefer to hear the Senator from Louisiana first.

Mr. BAKER. Mr. President, if I were in the courtroom, I would object on the hearsay rule, but I shall let them go ahead.

Mr. NUNN. I will ask another question in a moment.

Mr. JOHNSTON. Actually, the question was asked of the distinguished Senator from Illinois (Mr. PERCY), who said that that question addressed itself to the conscience of each Senator individually. Incredibly, the conscience of all the Senators on that side said no and the conscience of all the Senators on this side said yes—or maybe it was vice versa. I cannot understand why a question of conscience should have been decided on party lines.

Mr. NUNN. Mr. President, what I want to ask is that last night, we were told if we wanted to help the President, what we should do is send him a bad bill which he condemned so he could veto it. Now it is my understanding that we have a continuing resolution from the House that the President agrees with. If the logic last night was that we vote yea and send him a bad bill which he can veto, does that mean the logic today is to vote nay, because it is a good bill that pleases him?

Mr. JOHNSTON. To be consistent, Mr. President, I would say that is where the logic lies. [Laughter.]

Mr. BAKER. Mr. President.

The PRESIDING OFFICER. There will be order in the Senate. The Senator from Georgia has the floor.

Mr. NUNN. I would like the Senator from Louisiana to complete the answer so we can all be clear on this subject.

Mr. JOHNSTON. Mr. President, if the Senator is in a search for consistency, I think he will not find it anywhere in the city of Washington today. Frankly, the whole thing is totally mystifying to me, why this artificial crisis should have been created. I read in the paper today that the President had sent word to all the agencies only to come to work with a view to shutting down to create this great air of crisis. A crisis? Why?

I hear the President being very critical of the Congress for irresponsible actions which they have taken. Well, just who passed that resolution last night? Who was irresponsible last night? Not I. Not the Senator from Georgia. Just who was it that was so irresponsible?

Mr. BAKER. Mr. President, all I can say is if you want to clarify this and help the President, let me bring this message in from the House.

CONCLUSION OF MORNING BUSINESS

Mr. BAKER. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there a request for further morning business? If not, morning business is closed.

THIRD CONTINUING APPROPRIATIONS, 1982

Mr. BAKER. Mr. President, I ask that the Chair lay before the Senate a message from the House just received.

The PRESIDING OFFICER. The clerk will state the continuing resolution by title.

The assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 368) making further continuing appropriations for the fiscal year 1982.

The Senate proceeded to consider the resolution.

Mr. BAKER. Mr. President, I have no idea how long the Senate wishes to debate this matter. There is one amendment to the resolution which was adopted, other than the date change. I recommend that the Senate make no change at all and that the Senate concur in the resolution as passed by the House of Representatives.

Mr. President, may I inquire of the distinguished minority leader or managers of the bill how long we may take on this? I am prepared to enter into a time agreement. Sometimes that prolongs the debate rather than shortens it. It is now 4:15 or a little after. I know some Members here, perhaps all the Members in the House, are trying to make their plans, at least in part, based on how fast the Senate deals with this matter.

Could the minority leader indicate to me whether it will be possible to have a time agreement for the consideration of this resolution?

Mr. ROBERT C. BYRD. Mr. President, I think that it should be agreed to go to vote no later than 5 p.m. today.

Mr. BAKER. Mr. President, I ask unanimous consent that the vote on this measure occur no later than 5 o'clock and that the time between now and 5 o'clock be divided equally, if it is agreeable to the minority leader, between the two managers of the resolution.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HART. Mr. President, will the Senator from Tennessee yield for a question?

Mr. BAKER. Yes.

Mr. HART. I wonder if the distinguished majority leader would care to outline in brief terms what the resolution is so we know what we are voting on?

Mr. BAKER. Mr. President, the resolution is the product of a resolution introduced by the distinguished chairman of the Committee on Appropriations, I believe, on the House side—Mr. WHITTEN, to provide for a continuing resolution at the levels of the continuing resolution which expired at midnight on November 20 forward to February 1, as amended by a motion to recommit by the distinguished minority leader in the House, with instructions for the committee to report back for it with that same resolution with a December 15 expiration date instead of a February 1 expiration date; and adding one amendment.

The House added one amendment dealing with funding levels for public service hospitals and clinics.

Mr. HART. So, in a word, would it be accurate to say that this resolution will continue the operations of the Government at the same levels as they were operating at before the debate this week?

Mr. BAKER. Yes.

Mr. HART. I thank the majority leader.

Mr. EXON. Mr. President.

The PRESIDING OFFICER. Who yields time?

Mr. ROBERT C. BYRD. Mr. President, I yield to the Senator.

Mr. EXON. Mr. President, I should like to ask a question of the majority leader. I should like to ask the majority leader, Mr. President, regarding the recommendations that he has just made to us. Before I ask the question, I wish to refresh the memory of my colleagues that I rose in similar fashion on Saturday a.m., sometime between 3 and 4 o'clock, and asked the majority leader at that time if the President would sign the continuing resolution that we were then debating if, indeed, the figures incorporated in the Byrd-Baker amendment were eventually accepted. The answer at that time by the majority leader was, yes, he could assure us that that would be the case.

I cast no aspersions at all on the sincerity of the majority leader at that time. I do not know what happened thereafter, but I happen to feel that the majority leader may have been let down somewhere along the line. He made that commitment to the Senate but I emphasize once again that I do not think the letdown or the change in signals was in any way anticipated by the majority leader; indeed, I would suspect that he would say there was no change in signals.

I ask this question: Can the majority leader assure us without any ifs, ands, or buts, or can he make an unequivocal assurance to the Senate that, if we go along with the measure now before us, which is what many of us on this side of the aisle wanted to do several days ago and which most of us on this side of the aisle, indeed, wanted to do last night, to eliminate this fake chaos in Government—basically, can the majority leader assure me, without any exceptions, that the President had made a firm commitment to sign this conference report and not veto it if we pass it?

Mr. BAKER. Mr. President, may I say in response to my friend from Nebraska that, indeed, he is correct in his surmise. I will contend—I contended then and I assert now—that the representation made by me to the Senate, and the representation made to me by the President were abided by and were never changed. That is to say, if the Senate concurrent resolution as amended by the Baker-Byrd amendment, were adopted—that is, survived conference—the President would sign it. Mr. President, it did not survive conference.

While it is true that, on the late evening of the final night of the conference, there were many who asserted that the numbers that were adopted by the conference report were the equivalent of the Senate-passed bill, on careful examination it was determined that they were not the equivalent of the Senate-passed bill—not because anybody was deceitful or trying to deceive, but, rather, because the House has assumed one base for computation, the Senate bill assumed a different base. Thus there was a difference of numbers that amounted to something in the range of $2 billion. It was on that basis that the President vetoed the bill.

The President. however, was constant in his position. He would have signed it had those numbers survived. He never wavered from that commitment.

Mr. President, I am prepared to tell the Senate now and I do represent to the Senate that if this resolution is adopted without amendment, the President will sign it.

Mr. EXON. Mr. President, I thank the majority leader very much. If that is a direct answer, then I think we can understand and I am sure that this one Senator therefore will enthusiastically vote for this amendment. I only wish that we could have done it last night to stay away from all these theatrics.

Mr. SARBANES. Will the Senator yield?

Mr. EXON. I shall yield in just a moment, Mr. President.

When the majority leader was speaking, I noticed the distinguished chairman of the Committee on Appropriations sitting in his chair. I meant to ask him a question last night and since it was brought up once again, I wonder if the head of the Appropriations Committee would respond to a question.

I should like to ask him, as a point of reference, at 1:30 in the morning, or thereabout, on Sunday last, when he and all the other members of the majority side on the conference committee signed that report—the head of our conferees, the distinguished chairman of the Appropriations Committee—were he and the other conferees led to believe at that time, when they signed that report, that the figures imposed and anticipated in the Byrd-Baker amendment were in fact the consensus of the reporting committee?

Mr. HATFIELD. Mr. President, I say, in response to the Senator from Nebraska, that we left that conference with high expectation that that would satisfy all the parties involved. But I must always say that I have been in this business now for 30 years, and I never count anything for certain until the signature is on any document or until the last vote is counted.

However, I want the Senator to know that there was high expectation that this would satisfy the criteria laid down by the administration and which was reaffirmed by the Senate action taken in our own bill, House Joint Resolution 357—that is, our version of the bill we took to conference.

I will say, too, that along the way there had been some ongoing disagreements among the computers, as I said last night, that there were certain data that we did not agree upon. It did indicate the possibility of the results we then finally experienced. We had hoped that we could overcome those disagreements of the data between the computers and get the bill signed.

Mr. EXON. I thank my good friend. I should like to ask one follow-up question.

In the opinion of the chairman of the Appropriations Committee, were the figures that were finally reported to the Senate by the House and the conference report substantially different from those that were embodied in the Byrd-Baker compromise?

Mr. HATFIELD. There was a $400 million differential in budget authority as we computed our budget authority. We went into that conference with $428.4 billion, and we came out of the conference with $427.8 billion.

Therefore, in effect, we were $400 million under the Senate version. Actually, it was $600 million. I said $400 million, and I misspoke myself. It was actually $600 million under.

Again, there has been a reconfiguration of those accounts and those titles within the conference. There is no question about it. We did make some changes in the accounts and titles. Having made those changes, the reaction of the administration was that it had greater impact on the real spending than the original figure.

Let us bear in mind that the budget authority, the BA, is what the House works on, and that is what we work on to a lesser degree; but we still have our emphasis in the Senate Appropriations Committee on budget authority. But, again, the OMB has historically worked more with the budget outlay factor. We know that the difference between budget authority and budget outlay can be great or little, depending on the rate of expenditure, and so forth. But from the budget authority standpoint, we were $600 million under the Senate version.

Mr. EXON. I thank my distinguished friend and colleague from Oregon, for whom I have the highest respect.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. ROBERT C. BYRD. Mr. President, I listened to the President of the United States this morning with admiration and with interest and with amazement—admiration because the President was able to put the matter in a very simplistic context, focusing on a somewhat irrelevant aspect of the whole problem and of course leaving the viewing audience for the most part, I suppose, with the idea that here the President was battling to veto a bill that constituted budget-busting figures, Mr. President, let us see if we can take a look at this picture in its proper context.

The country is faced with a drain on the Treasury, resulting from the Kemp-Roth tax cut, of $38 billion this year, $93 billion next year, $150 billion the third year, $199 billion the fourth year, and $268 billion the fifth year—making a total of about $749 billion.

We are faced with a recession. We are faced with high interest rates. We are faced with unemployment that is now at 8 percent. We are confronted with bankruptcies that are running 41 percent or 42 percent above last year—roughly 15,000 bankruptcies to date. We are faced with massive deficits down the road, as a result, in large part, of the enactment of the multiyear Kemp-Roth tax cut.

Now the administration realizes that it is up against these prospective massive deficits, but it wants to make people believe that those deficits will have been caused by an uncooperative Congress, by a Congress that is passing "budget-busting" bills, and that the President is saving the country by having vetoed a budget-busting continuing resolution that was $2 billion above what he wanted.

The President referred to the continuing resolutions that have been passed from time to time. He refers to those as "budget busters." He stated that Congress ought to pass the appropriation bills. He refers to them as budgets.

The previous Presidents had the same problem, but they, from time to time, also had to accept continuing resolutions; but in this case, the President was not going to accept it.

Now, was it a budget buster? The amendment that was offered by Mr. BAKER, which called for a 4-percent cut, exempting defense and certain other categories, would have saved, in the words of Mr. BAKER, $3.2 billion. The President stated that the conference report that had been passed by Congress and sent to him would not save enough to meet his requirements.

What was the difference? The amendment by Mr. BAKER would have save $3.2 billion. The conference report that was agreed to by Congress would have saved $2 billion. So there is a difference of $1.2 billion. What is $1.2 billion when we are talking about $428 billion, which was involved in the whole conference report? It is one-fouth of 1 percent of the total—$1.2 billion as against $430 billion.

So what the President was doing here was vetoing a measure because it was $1.2 billion under what he said he would accept—meaning the Baker proposal. He said he would accept that amendment. Now he vetoes the measure because it is $1.2 billion below that figure and yet represents only one-fouth of 1 percent of the total.

Mr. JOHNSTON. Mr. President, will the Senator yield?

Mr. ROBERT C. BYRD. I will yield in a moment.

Mr. President. what we have is what I said this morning was a manufactured

shoot-out at the OK Corral, and that is what it was.

Last night, we witnessed on this floor the adoption of a conference report that was supported by 44 Republican Senators. They had worked hard in conference; they had acted in good faith in conference. All the conferees on the Republican side, except one, signed the conference report, and all the Republican Senators who voted last night, with the exception of six, voted for the conference report.

So the President then vetoed that measure, which had been supported by the overwhelming majority of Republican Senators.

What is the real problem confronting the country? The real problem is the recession that has been brought on by the Kemp-Roth tax cut, the high interest rates, and the looming prospective budget deficits down the road that will result in large measure from the enactment of the Kemp-Roth tax cut which was rammed through Congress by the administration.

The administration is in trouble because of the high interest rates, because of the sluggish economy, and because of the recession.

So now it seeks to distract the attention of the people away from the recession, unemployment, and high interest rates and make the people believe that the $1.2 billion by which the conference report fell short of what the President said he would accept in the form of the Baker amendment was a "budget buster" and that a veto of that measure is some big deal.

The President blames Congress because the appropriations bills have not been passed and sent to him.

Mr. President, I hope that we will focus on the real problem. The administration needs to get its economic house in order. It is in disarray. The Republican majority in the Senate voted overwhelmingly for the conference report that the President vetoed. Why? We on this side said last night in this Chamber that if the conference report were rejected, the other body would immediately initiate another continuing resolution providing for an extension of the date and the Government would not begin shutting down this morning at a cost to the taxpayers of something like $1 billion, I am told.

So where we are now is where we were last night. We have a continuing resolution that has a date of December 15, only 3 days short of the date of December 18 which this Senate rejected when it was offered as an amendment by me on behalf of the Democratic minority a few days ago. We sought then to extend the date to December 18. We were defeated on a party line vote. Now the resolution before us calls for a December 15 date.

Mr. President, we could have had this same resolution last night if the Republican majority had joined with the Democratic minority and voted down the continuing resolution.

The House of Representatives would have sent over another resolution immediately. The House of Representatives stayed in session until after the Senate went out last night. The House of Representatives was still in session.

No, we heard the cry from some on the other side of the aisle that "I do not like this conference report, it is all bad, but the President is going to veto it and I am going to vote for it so the President can veto it."

What kind of reasoning is that?

I think it was clear that the stage was set for a Presidential veto and that was the way the script ran.

The vote was for the continuing resolution which the President had pledged to veto. Flying in the face of that threat from the President, the majority of the Senate voted for the continuing resolution. The President vetoed it. The President went on television and he presented himself now as having saved the country from a "budget-busting" measure foisted on him by "the Congress."

Mr. President, I hope that the American people will see through this charade.

We could have had this same resolution last night before we went home, and the Government workers today would not be calling in on the telephone asking whether or not they are going to get their pay checks.

Mr. President, I intend to vote for this continuing resolution extending the date, but I wish to ask the distinguished majority leader a question.

The PRESIDING OFFICER. The time under the control of the minority leader has expired.

Mr. ROBERT C. BYRD. I wish to ask the majority leader a question.

The PRESIDING OFFICER. Who yields time?

Mr. HATFIELD. Mr. President, I am very happy to yield time to the minority leader for asking his question as soon as we locate the majority leader and get him back to the Chamber.

Mr. President, I yield 2 minutes to the distinguished minority leader.

The PRESIDING OFFICER. The minority leader is recognized for 2 minutes.

Mr. ROBERT C. BYRD. Mr. President, I have heard and seen the President twice on television blaming Congress for not sending the appropriations bills down to him.

There are on the Senate calendar four appropriations bills—Labor, HHS, Defense, military construction, Treasury, and Postal Service. The Defense appropriations bill is scheduled for next Monday by order of the Senate.

As I understand it, the conference report on the Interior bill has been adopted by the House of Representatives and is ready to be taken up in the Senate.

May I respectfully ask the distinguished majority leader whether or not he intends to call up these remaining appropriations bills and act on them if at all possible before the December 15 date which is contained in this resolution?

Mr. BAKER. Yes, I do.

As the minority leader knows, the Defense bill is set for November 30. State, Justice, Commerce has been temporarily laid aside and will recur as the pending business on a call for the regular order. Treasury has not yet been set. Military construction will be scheduled soon, and I am told by the chairman of the committee it will take perhaps half a day.

Mr. President, it is my intention to try to complete all of these bills before the expiration of the continuing resolution.

Mr. ROBERT C. BYRD. Mr. President, I thank the distinguished majority leader. I hope we can do that because I do not think that Congress should continue to be blamed for not having sent these measures down to the President.

The House of Representatives has acted on all but one of the appropriation bills. The Senate Appropriations Committee, under the leadership of the very able chairman, Mr. HATFIELD, has acted dutifully on all the appropriations bills, and reported them all to the calendar.

The PRESIDING OFFICER. The 2 minutes yielded to the Senator from West Virginia have expired.

Mr. ROBERT C. BYRD. I respectfully urge the distinguished majority leader to call up the appropriations bills as soon as he possibly can. This side of the aisle has been ready to act on them so that the President will get the appropriations bills and this will go a long way toward resolving the——

The PRESIDING OFFICER. The time yielded to the Senator from West Virginia has expired.

Mr. ROBERT C. BYRD. This will go a long way toward resolving——

Mr. HATFIELD. I am happy to yield.

Mr. PERCY. Does the Senator have time to yield?

The PRESIDING OFFICER. Who yields time?

Mr. HATFIELD. Mr. President, I yield how much the Senator wishes.

Mr. ROBERT C. BYRD. Just long enough to complete my sentence.

Mr. HATFIELD. I yield another minute to the minority leader.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for an additional minute.

Mr. PERCY. Does the distinguished floor manager have time to yield?

Mr. HATFIELD. I have time to yield. We have not used any time. I have yielded time for the asking of a question.

Mr. ROBERT C. BYRD. Mr. President, it seems to me that if we were to finish action on these appropriations bills, at an early date, it would go a long way toward relieving all of us of the problem of a continuing resolution.

Mr. HATFIELD. Mr. President, I yield to the majority leader the time he needs.

Mr. BAKER. Mr. President, the minority leader is right. This side of the aisle has been most cooperative in getting these bills up. I attach no blame to them nor indeed to the Senate.

I believe we could finish these appropriations bills in a relatively short period of time, and I assure him and all Senators that we will attempt to do that.

The PRESIDING OFFICER. Who yields time?

Mr. ROBERT C. BYRD. I thank the distinguished Senator.

Mr. HATFIELD. Mr. President, what is the time situation?

The PRESIDING OFFICER. The Senator has 15 minutes and 40 seconds.

Mr. ANDREWS. Mr. President, will the Senator yield?

Mr. HATFIELD. I yield to the Senator from North Dakota.

Mr. ANDREWS. Mr. President, I appreciate my chairman yielding.

Briefly, following up the remarks of the distinguished minority leader, some of us on the Republican side of the aisle, of course, were conferees and we signed the conference report when we felt the President was in favor of the bill. But we signed it largely because we thought it was a good bill, and after the President's announcement about a veto came down we voted for it irrespective of the veto announcement because we still thought it was a good bill.

Might I point out to the distinguished minority leader that the continuing resolution we are now voting on is less of a budget buster than the one we voted on 2 days ago. It is under the original target. As a matter of fact, the continuing resolution we are now voting on will carry on nondefense spending to the tune of about $3 million a day less than the one that was vetoed and, of course, defense spending will be less.

The reason I wanted to pose a question to the chairman of the Appropriations Committee is that people in the Federal buildings in my State have been leaving in droves. The Department of Agriculture offices and the social security offices are not staffed. In fact, my own staffs in the Federal building have been told, "do not come in, in the morning because we are not going to have anyone to heat the building. We cannot turn the lights on. We cannot open the door."

I find this to be a bit of theatrics more than anything else. I wish to ask the chairman of the Appropriations Committee whether these Federal employees will, in effect, be paid for this hiatus of a day or two, or whether they are going to have their pay docked in their next pay envelope?

Mr. HATFIELD. Mr. President, I respond by quoting from the language of the resolution that we have pending before us now which in effect says that we will strike out the November 20, 1981 expiration date and insert in lieu thereof December 15 which means that we go back and pick up the hiatus, eliminate the hiatus and continue at 1981 level of spending.

So consequently those employees thereby could be paid under the continuity established by this continuing resolution.

Mr. ANDREWS. So that the evening news could tell those Federal workers that they are not going to find a shortage in their paycheck irrespective of all of the headline hunting from both sides of the political aisle that seem to have been going on in the last 48 hours?

Mr. HATFIELD. I hope that the communication could be set up that would relieve that anxiety for all those Federal employees who now feel that they somehow are going to be reduced for that period of time that they have been sent home.

Mr. ANDREWS. I appreciate the comments of the chairman.

Mr. SARBANES. Mr. President, will the chairman yield for a comment at this point?

Mr. HATFIELD. We have not had the floor until just now. Let me fulfill my commitments to those to whom I have promised to yield, and if we have additional time I am happy to yield to the other side.

Mr. SARBANES. Fine. I wished to commend the chairman on some of his work.

Mr. HATFIELD. I am very happy to yield for that any time.

Mr. SARBANES. I simply wish to commend the chairman for that response to what I perceive to be a manufactured crisis that created this turmoil today. I appreciate the response which the chairman has just given. As I understand it, the chairman and his conferees sought to avoid a crisis with a continuing resolution to begin with. They were, in effect, disappointed on that.

We could have done last night what we are doing now, which would have avoided the crisis. But I do appreciate that it does go back and pick up and that, therefore, reassurances can be given to the employees.

Mr. HATFIELD. I appreciate the remarks by the Senator. I know the Senator represents a great number of such people and is very careful to look after their best interests.

I agreed to yield to the Senator from Washington next.

Mr. GORTON. I thank the Senator from Oregon. I wish to echo briefly the remarks of the distinguished Senator from North Dakota in stating that I, too, voted in favor of the continuing resolution last night not with a desire for the President to veto it, but because I felt it represented a responsible approach and a responsible compromise between the Senate and the House under very, very difficult circumstances.

During the course of a relatively limited debate last night, there seemed to be a general assumption on the floor of the Senate that success in the process of writing a continuing resolution was measured by the degree to which the proposed 12 percent across-the-board cuts in discretionary programs recommended by the administration in September were actually reached. Along with the chairman of the Appropriations Committee, I disagreed with that presumption.

That success, I suppose, was to be related to the necessity or the goal of reaching a balanced budget at some time in the future. But any such success on such a limited basis could have been no more than a mirage, as the contribution to a balanced budget of the difference between what was passed here last night and what the President asked for was so different, as far as I am concerned, as simply to have been de minimis, as well as unfair in singling out for cuts, for the third consecutive time after reconciliation, after what the Appropriations Committee had done, exactly the same programs which have been cut already twice during the course of this year.

In my view, it is still appropriate, it is still necessary, for this Congress to aim at a balanced budget in 1984. I am unwilling to give up that goal. But we will not reach that goal until we are willing to take on courageously the fact that it is necessary not just to look at discretionary appropriations, 10 or 15 percent or less of the overall budget, but to look at the growth in expenditures for national defense and to look especially at the growth and the rate of entitlement spending, perhaps the most difficult problem which will face this Congress but the single area of spending which is the largest. And, also, very bluntly, to look at the necessity for additional revenues coming from some sources other than the personal income tax of last summer.

When that takes place, we will balance the budget, we will control inflation and control interest rates truly. What we are doing here today to clean up after this minor mess of last night is a show but it is not the substance of the changes we need. I commend the chairman of the Appropriations Committee.

Mr. HATFIELD. I thank the Senator from Washington State. I yield to the Senator from Wisconsin for 1 minute.

Mr. KASTEN. I thank the chairman.

The Senator from Washington is correct. I think all of us understand that we have to get revenues and entitlements under control and that we are only whittling down one very small part of the overall budget.

The Senator from North Dakota is correct when he says we are spending at a higher rate. That is why we were successful in getting the December date rather than the February date the House of Representatives would have preferred. But I think it is also important to recognize that the President vetoed this bill not only because we did not reach the goals he sought, but also because of the fake savings that were in the bill. It is important to recognize that account after account was underfunded—these are entitlement accounts—and we would have to pay this money eventually in a supplemental. That is the key. The President said he is not going to stand for this kind of fake accounting.

I think if there is one thing the President has demonstrated it is that he is a man of his word. He is going to keep his commitments. And whether it is with the air traffic controllers or if it is the Libyans attacking our Air Force fighters, or what have you, this is a man who is going to stick to his guns. The amount might be small, but the message to the American people is great.

The PRESIDING OFFICER. The 1 minute yielded to the Senator has expired.

Mr. KASTEN. May I have 30 additional seconds?

Mr. HATFIELD. I yield 30 seconds more.

Mr. KASTEN. Mr. President, the misstatements creating yet more misunderstanding with reference to the U.S. Government's foreign assistance policy continue today.

We in the Senate have worked hard, and I think successfully, to continue the

tradition of a bipartisan approach to foreign policy. That has especially been the case with actions taken by both the Foreign Relations Committee and the Appropriations Committee.

The continuing resolution now before us is a simple extension of the previous stopgap funding mechanism—I emphasize "stopgap." When this resolution was first approved on September 30, it was looked upon simply as a temporary measure until the regular appropriations bills were passed.

With reference to the foreign assistance programs, the language of the resolution, which sets a rate at the lower of the fiscal year 1981 rate or the fiscal year 1982 budget request, provided for a markedly reduced level compared to the previous fiscal year. At the time this presented no concern because it was considered to be, again, a temporary stopgap measure.

Mr. President, the level of funding for foreign assistance in this resolution is approximately $9.6 billion. This compares to a House reported bill of approximately $11.1 billion, a Senate passed bill of approximately $11.6 billion, and a level of spending for fiscal year 1981 of more than $12.2 billion. As these figures show, the Senate passed appropriations for foreign assistance are below last year's funding, not above as is being bandied about from one end of the Capitol to the other. It is especially interesting to note that the House Appropriations Committee's own bill for foreign assistance, as reported by that committee, is $1.5 billion more than the stopgap funding measure.

Mr. President, I hope that the short time this resolution is in effect will allow for a needed cooling of tempers and some soul searching by some who for short-term benefit would jeopardize U.S. foreign interests around the world.

Mr. HATFIELD. I yield 2 minutes to the Senator from Idaho.

Mr. McCLURE. I thank the Senator for yielding.

I take this time only because I am afraid of the misconception that is brought as to the meaning or the intent or what might be read into the way the resolution last night was presented and ultimately voted upon. And I regret that. Maybe my words are going to fall on deaf ears and maybe it is impossible to convince people that the seeming meaning of events do not really mean that.

It has been suggested that there was a scenario intended for a veto; that that was tied to the package all along. But I can tell the Members who are nodding their heads so vigorously now that they are utterly wrong. And I mean that most sincerely.

Having been involved with the attempts in the Appropriations Committee, within the leadership on this side of the aisle and in their conversations with the people from the administration, I can say that well past noon on Sunday the efforts were still going on to avoid a veto. And yet, when we got through last night, by the time we got into the vote, we found out that the people who were voting for the resolution were against it and all those who were against it were voting for it.

Well, that is not quite right, because we had a few that actually cast their vote on the side they felt about that particular resolution. But, if, as a matter of fact, the minority leader is going to tell us today that because we voted for it we must have been in favor of it, then I would assume that everybody on that side of the aisle who voted against it was opposed to it. As a matter of fact, that is not true.

Mr. ROBERT C. BYRD. Will the Senator yield?

Mr. McCLURE. The circumstances just kind of inverted that and for many of us it was a hard choice. The choice that I had was simply: How in the world do you get to the point of clearing away the wreckage so that you can start in building a consensus on a continuing resolution that we can all support before we adjourn? Believe me, there was no intention that I could devine from anything that I saw in the negotiations that were going on that intended that we come up with a product up here which the President could then veto.

The PRESIDING OFFICER. The 2 minutes yielded to the Senator have expired.

Mr. HATFIELD. I yield 2 minutes to the Senator from Illinois.

Mr. PERCY. Mr. President, I would like to address my remarks to the distinguished minority leader, who has called this activity in the White House a "charade." George Elliott said, "Leave us not inquire into the motivations of man." I feel that the motivations of the President were sincere. He felt deeply about this important issue.

First of all, the conference resolution reflected less than 25 percent of the $8.5 billion reduction request that he made.

The President reached agreement with the Senate when we went 50–50 with him and settled on a $4 billion cut. That was subsequently reduced to less than half of the agreed upon figure.

After all, as Everett Dirksen used to say to us frequently, "A billion here and a billion there and pretty soon you are talking real money." And $2 billion is a signal. If we cannot increase this amount this fiscal year, then we are not going to cut the $75 billion that he has asked for in 1983 and 1984.

Second, I think that it is terribly important that we all recognize that we have decimated the fiscal year 1982 foreign economic and military assistance program. We have truly undercut our ability to carry on our security interests in the Free World, to protect the Persian Gulf and carry on programs that we have committed ourselves to that we have worked on for one solid year, and that we have already ourselves cut this administration request by $900 million.

So I believe the President is not only sincere. As I said last night I voted to send the bill downtown because I felt the President should veto the bill himself. If he is going to bring the Government to a halt, he is the Chief Executive of the executive branch of Government, and he has the responsibility to unwind to this issue as he did with the Cabinet this morning.

I felt he ought to have that responsibility because the Congress had reached an impasse, we had conflicting figures, and this is what the President indicated he wanted to do. He was willing to send this signal—a near shutdown of the Federal Government—to the country. That is how serious he considered the matter and how dramatically he wanted it underscored.

Mr. ROBERT C. BYRD. Will the Senator yield?

Mr. PERCY. I have no time remaining to yield.

Mr. ROBERT C. BYRD. The Senator referred to me.

Mr. PERCY. I would be happy to yield if I have any time remaining.

The PRESIDING OFFICER. The Senator from Oregon has 2 minutes remaining.

Mr. HATFIELD. I yield 1 minute to the Senator from Alaska.

Mr. STEVENS. Mr. President, I just want to make very plain one item, within the continuing resolution before us and see if the Senator from Oregon agrees with me. I have been made aware that many Federal employees were furloughed and told to either take leave or they would not be paid today. It is my understanding that the Senator said—and I believe it is our intent—that this continuing resolution goes back to the expiration on November 20. Therefore, there is to be no hiatus in the Government or in the payment of salaries to Federal employees. This is in effect a retroactive application of this resolution.

Mr. HATFIELD. The Senator is absolutely correct. That is legislative intent. I would not presume to make a legal ruling, because I am not qualified to do so. But that is the legislative intent.

Mr. President, I yield 30 seconds to the Senator from New York.

Mr. MOYNIHAN. I thank the distinguished chairman.

Mr. President, to set the record straight, I voted against the joint resolution originally last evening, but then, on the impression which the Senator from Idaho has rather confirmed this afternoon that a great many persons voting for it were actually against it, I changed my vote in order to ask that there be a vote on reconsideration. Alas, that was not successful and we are where we are today where we could have been last evening. I thank the Senator.

Mr. HATFIELD. I yield 30 seconds to the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I join in commending the Appropriations Committee on its good faith effort, but I share the feelings that have been expressed here that this situation has all the earmarks of a publicity stunt.

My office in Boston has been trying to help an elderly woman who had arranged to obtain a passport on an emergency basis to visit a relative in the Middle East. She drove 50 miles from New Hampshire to Boston to get the passport. But the passport office in Boston was closed this morning.

It was closed here in Washington as well.

Real people are being hurt. I am very hopeful that we are not going to go through this kind of a charade again in mid-December.

The PRESIDING OFFICER. Twenty seconds remain.

Mr. HATFIELD. Mr. President, I just want to point out again that it is absolutely necessary to pass this in order to give us the breathing time, in order to get back to the drawing board. December 15 will keep the continuity of our Government.

Mr. President, I have no time left. Both sides are out of time.

The PRESIDING OFFICER. All time has expired.

Mr. BAKER. Mr. President, could I inquire of the minority leader, is there a requirement for more time on this side? I am prepared to ask for more time.

Mr. ROBERT C. BYRD. Does anyone else wish to speak?

SEVERAL SENATORS. Vote.

Mr. BAKER. Mr. President, I ask unanimous consent that the minority leader be recognized for 2 additional minutes.

The PRESIDING OFFICER. Without objection, the Senator from West Virginia is recognized for 2 additional minutes.

Mr. ROBERT C. BYRD. Mr. President, may I say that the conferees on both sides of the aisle worked hard and in good faith. I would not want anything I have said to be construed as applying to the conferees, and particularly those who led the fight, Senator HATFIELD and others on both sides. I think they fought hard for the resolution. They voted for the continuing resolution last night in good faith. They thought it was a good conference report. I understand there was a lot of consternation and a considerable amount of anger among Republican conferees when they heard that the President was going to veto the conference report after they had worked so diligently, so long, so patiently, and so dedicatedly in behalf of it.

Last night, I indicated I was inclined to support the conference report until I heard an argument on the part of a Senator or so across the aisle who were not conferees, but who said they were going to vote for it because the President was going to veto it.

Mr. PERCY has put his finger on one item when he says that he regrets the conference report last night did not go far enough on foreign assistance. I think that was probably one of the things that the President had against the conference report. I understand he wanted another $1.5 billion for foreign assistance, and was willing to cut the domestic programs in order to get it, although he left that out of his speech this morning.

I thank the distinguished Senator from Illinois (Mr. PERCY) for stating that for the RECORD.

Mr. EAGLETON. The conference report on the first continuing resolution stated:

The conferees wish to stress that the continuing resolution maintains the current levels of participation for the Special Supplemental Food Program, known as "WIC", and the Commodity Supplemental Food Program (CSFP). Any efforts to reduce funding allocations to the States, thereby affecting levels of participation, would be clearly contrary to the provisions of the joint resolution.

It is my understanding that under the new resolution these directives remain in effect. Is that correct?

Mr. HATFIELD. Yes; since we have only changed the operative date of the original resolution, all directives contained in the body of that resolution and in the joint explanatory statement of the committee of conference remain in force for the period of this resolution.

Mr. EAGLETON. There has been some suggestion that the first resolution may have funded the WIC program at only a rate of $720 million a year which would cause massive reductions in caseload. Such an interpretation seems clearly at odds with both the requirements of the resolution that current participation levels be maintained and with the provisions of H.R. 4119 as passed by the House, which provided funds to maintain the September 1980 participation levels for WIC. Is it correct that the resolution we are considering here today provides funds for the WIC program at a rate necessary to maintain the current food packages for the participation levels in effect at the end of fiscal year 1981, the September participation levels, rather than at the sharply reduced rate of $720 million?

Mr. HATFIELD. It is my understanding that the first resolution, Public Law 97–51, funded the activities of the Department of Agriculture under the levels provided in H.R. 4119, as passed by the House, or at the current rate, whichever was less. The House-passed version of H.R. 4119 provided $1,069,000,000 for these programs which was more than what was necessary to maintain the September caseloads. It is clear that Public Law 97–51 required maintenance of the September 1981 participation levels for these programs.

Mr. EAGLETON. Is it correct that any action to delay allocations to States of WIC or CSFP funds that causes States to shut their programs down or cut their caseloads would be contrary to the resolution and to the requirement that participation levels be maintained?

Mr. HATFIELD. Yes, that is correct.

Mr. HAYAKAWA. Mr. President, the resolution which the House of Representatives has passed, and sent to this body for action, continues the functions of Government on a temporary basis presumably until Congress can submit to the President a long term resolution that is acceptable to him. We all know what the criteria are for such a resolution; all we need to do is agree that it must be done. The current legislation will allow the Congress to take a deep breath and begin again, with the knowledge that our President is serious about the economic program we have embarked upon.

That is not to say that I support this kind of legislating. I voted in favor of the conference report to House Joint Resolution 357, not because I thought it was an acceptable product, but because I wanted the President to send the clearest message possible to the House of Representatives and the appropriations conferees that any funding measure which violated the economic recovery program requirements would not be tolerated. He sent that message when he vetoed the resolution.

I will vote for the resolution currently before us because the Government must continue, but we must come to grips with the longer term problem of reducing spending. I hope that this short term resolution will give all parties involved a time to reassess the situation and present both the Congress and the President with a responsible measure.

Mr. HATFIELD. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point a table illustrating the funding levels provided under House Joint Resolution 368, which is the extension of the existing continuing resolution; those provided under House Joint Resolution 357, the continuing resolution passed by the Senate Friday morning; and those provided in the conference agreement on House Joint Resolution 357, which was vetoed by the President early this morning.

In asking that this table be printed I am not seeking to prolong the debate on outlay estimates. That issue will need to be resolved, and I have every expectation it will be, but at this time my only interest is to inform Members as to the various differences in budget authority available under the continuing resolution which we are today extending to December 15.

Another point that has been raised in the discussion does need further elaboration. It has been stated several times that the level of $428.4 billion in budget authority provided in the Senate-passed version of House Joint Resolution 357 was a level acceptable to the President, and an amount in excess of that level would not be signed.

I want to stress, Mr. President, that the level of $428.4 billion is a target only for House Joint Resolution 357, and should not be construed as a ceiling on spending for the entire fiscal year under regular appropriations bills. Our only ceiling at this time is our allocation under the first concurrent budget resolution, which is $464 billion. So I hope that Members will not be under the misapprehension that individual appropriations bills for fiscal year 1982 will have to meet the levels specified in this table, individually or in total.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

	Public Law 97–51	Senate-passed H.J. Res. 357	Conference agreement H.J. Res. 357
Agriculture	$21, 599, 839, 000	$22, 709, 991, 000	$22, 665, 171, 000
Commerce	8, 148, 071, 000	8, 519, 831, 000	8, 564, 373, 000
Defense	171, 654, 869, 000	196, 712, 002, 000	196, 712, 002, 000
District of Columbia	490, 737, 600	557, 170, 000	546, 027, 000
Energy and Water	11, 648, 017, 000	12, 463, 930, 000	12, 222, 585, 000
Foreign operations	9, 575, 404, 871	11, 430, 624, 000	10, 075, 405, 000
HUD	60, 698, 970, 200	59, 908, 953, 000	60, 313, 060, 000
Interior	7, 492, 450, 000	7, 257, 976, 000	7, 392, 500, 000
L-HHS	83, 917, 472, 000	82, 470, 479, 000	83, 196, 742, 000
Military Construction	5, 331, 142, 000	6, 746, 792, 000	6, 216, 316, 000
Transportation	10, 327, 506, 439	10, 348, 437, 000	10, 407, 138, 000
Treasury	9, 735, 903, 000	9, 339, 134, 000	9, 624, 191, 000
Total	400, 611, 382, 110	428, 465, 319, 000	427, 875, 510, 000

Mr. MITCHELL. Mr. President, this morning, I sent word to the White House of a replacement nomination for a Maine delegate to the upcoming White House Conference on Aging. I was told that the White House office which handles these nominations could not do it because "no one is there."

I understand the President's desire to dramatize his budget priorities. But this is taking the Washington Monument ploy to new heights.

The Washington Monument ploy is the well-known executive branch game where a threat is made to shut down the venerable monument if a nickel is taken from the Park Service budget. The Congress has come to recognize and discount symptoms of this phony exercise over the past several years. I had hoped we might have moved beyond the need to play such irresponsible games.

But instead we are now faced with an allegedly unstaffed White House because Congress has failed to take $1.3 billion from domestic programs and put it into foreign aid, or because Congress has spent $400 million too much, or because Congress has spent $1.3 billion too much, or because some other figure is not to the President's personal liking. The figures are in dispute; their allocation is in dispute, and it seems that the White House cannot stick to one preference long enough for anyone to work out exactly what Congress should do to avoid a veto.

What is all this designed to prove?

Does it have anything whatever to do with economic problems or program needs or fiscal planning?

What will a $400 million or even a $1 billion cut now do to the $80 billion deficit we will have next September?

The President's veto of the continuing resolution needed to keep the Government operating has taken the budget question out of the realm of political debate and economic debate and straight into the sphere of political theater.

The latest act in this play has the entire nondefense Federal work force being furloughed because of a money difference that is less than one-half of 1 percent of the entire spending resolution.

The lost man-hours and wasted time in this manufactured crisis may well cost as much in the long term as these disputed savings numbers.

From an administration whose latest figures give us a deficit of $80 billion this year and well over $100 billion in the following years, this farcical public concern about big spending is difficult to take seriously.

The President has been on national television announcing that this resolution will cause economic disaster unless it is stopped. That is political melodrama of the least defensible kind.

What the President did not mention on national television was that he has been demanding that $1 billion more be cut from domestic programs, not to save money, but to give foreign aid. This is not just a matter of spending levels, whatever the disputed figure may finally be. It is a matter of spending priorities: The President's priorities demand $1 billion more for foreign aid. Congress disagrees.

If the President really believes foreign aid should be increased by $1 billion, let him say so directly. Let us debate it. That is the way policies and priorities are set in democratic societies. If he believes that domestic programs can be cut further, let him say where, precisely, those cuts should be made. The Nation is used to hearing pleasant-sounding generalities from the White House. It is used to hearing generalized scorn thrown at the last 35 years of economic policy. It is becoming adjusted to generalized predictions of economic disaster unless further spending cuts are made.

It is time for more detail and less theater from the White House. It is time the President explained why he thinks the last 35 years, which saw working people's incomes and living standards rise dramatically, are such a disaster that they demand a governmental counterrevolution. It is time he made clear just how a $3 trillion national economy will be affected if $1.3 billion is spent on domestic program rather than on foreign aid.

The simple fact of the matter is that this entire exercise in all-night congressional sessions, dramatic televised veto threats, and hurried emergency Cabinet sessions has been caused by nothing more than a desire to score some political points and deflect critical examination of what is actually happening to our economy.

On Sunday evening, the Republican leadership brought to the Senate a conference report which it endorsed—and which was put together with the help of Mr. Stockman and other White House aides—and denounced it as being too costly and deserving of a veto. So the vast majority of Republican Senators proceeded to vote for this too-costly bill, just as the President could veto it. What is that but pure and total political fraud?

I understand the exercise was based on a desire to let the President demonstrate his political strength by vetoing the bill and having his veto upheld. I have nothing against the President displaying his political strength anyway he sees fit. But to place Government in turmoil, to waste money on a fake close-down exercise, and to needlessly upset the families of Federal workers whose job status is thrown into doubt is to ask the entire country to pay for the political muscle flexing.

The sad fact is that no amount of muscle flexing will alter the reality. And reality has caught up with the unrealistic economic projections of the Reagan economic plan. Reality has brought us high interest rates, the worst housing situation since the Second World War, potential disaster to our auto industry, and the highest rate of small business bankruptcies in a decade. The reality is that inflation cannot be subdued without economic pain. And the further reality is that the Reagan economic plan makes the working people and the small enterprises of this country carry that pain.

It does not surprise me that the President wants to avoid any share of the responsibility for this outcome. What is surprising is that the Republican leadership of the Senate has so supinely gone along with this desire.

We could, far more sensibly, have simply extended the present continuing resolution further, without these theatrical displays, and avoided the entire scenario where Government work time is lost and confusion ensues for people in State and local governments and individuals who use Government programs. That would have been the sensible and right thing to do. We could have taken that action on Sunday night, and all of today's theatrics would have been unnecessary.

Instead, we have a situation in which the Congress will be attacked for failing to meet a constantly changing White House spending figure. The President will attack the Congress for failing to cut spending by a sum he has agreed not to request. He will attack Congress for not holding the line, while behind the scenes he argues for $1 billion more for foreign aid. He will blame Congress for high interest rates, rising unemployment, and economic recession. And he will dislocate the entire Federal Government in order to play out this charade.

We know we will enact a spending bill to keep Government operating. The President knows it too. And I would judge that most Americans know it as well.

So what does this exercise gain?

Apart from short-term political points, not much. What damage it does is another thing entirely.

A democratic society demands cooperation, compromise, consensus, and care in its governance. When comity between the branches of Government breaks down, when political rhetoric takes precedence over governance, the trust and confidence that people have in Government is eroded. It matters not if the short-term blame is placed on one or another political party or one or another Government institution. What matters is that the overall public trust is breached a little more, civil debate is lessened, and respect for Government is eroded. And that damage affects all of us, sooner or later, regardless of our political party, our philosophic preferences, or our economic projections.

It is regrettable that the President felt he could appeal to Americans in no other way than to engage in a manufactured crisis.

Mr. BAKER. Vote!

The PRESIDING OFFICER. The joint resolution is before the Senate and open to amendment. If there be no amendment to be proposed, the question is on the third reading of the joint resolution.

The joint resolution (H.J. Res. 368) was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, "Shall the joint resolution pass?"

Mr. BAKER. Mr. President, I ask for the yeas and nays on passage.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The joint resolution having been read the third time, the question is, "Shall the joint resolution pass?" The yeas and nays have been ordered and the clerk will call the roll.

Mr. BAKER. There will be no more rollcall votes tonight, Mr. President.

The legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from Minnesota (Mr. DURENBERGER), the Senator from Arizona (Mr.

GOLDWATER) and the Senator from Texas (Mr. TOWER) are necessarily absent.

I further announce that, if present and voting, the Senator from Minnesota (Mr. DURENBERGER) would vote "yea."

Mr. CRANSTON. I announce that the Senator from Texas (Mr. BENTSEN), the Senator from Delaware (Mr. BIDEN), the Senator from Oklahoma (Mr. BOREN), the Senator from Arkansas (Mr. BUMPERS), the Senator from Florida (Mr. CHILES), the Senator from Arizona (Mr. DECONCINI) and the Senator from Montana (Mr. MELCHER) are necessarily absent.

I also announce that the Senator from Vermont (Mr. LEAHY) is absent because of illness.

I further announce that, if present and voting, the Senator from Oklahoma (Mr. BOREN) and the Senator from Montana (Mr. MELCHER) would each vote "yea."

The PRESIDING OFFICER (Mr. MATTINGLY). Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 88, nays 1, as follows:

[Rollcall Vote No. 426 Leg.]

YEAS—88

Abdnor	Hart	Nickles
Andrews	Hatch	Nunn
Armstrong	Hatfield	Packwood
Baker	Hawkins	Pell
Baucus	Hayakawa	Percy
Boschwitz	Heflin	Pressler
Bradley	Heinz	Proxmire
Burdick	Helms	Pryor
Byrd, Harry F., Jr.	Hollings	Quayle
	Huddleston	Randolph
Byrd, Robert C.	Humphrey	Riegle
Cannon	Inouye	Roth
Chafee	Jackson	Rudman
Cochran	Jepsen	Sarbanes
Cohen	Johnston	Sasser
D'Amato	Kassebaum	Schmitt
Danforth	Kasten	Simpson
Denton	Kennedy	Specter
Dixon	Laxalt	Stafford
Dodd	Levin	Stennis
Dole	Long	Stevens
Domenici	Lugar	Symms
Eagleton	Mathias	Thurmond
East	Matsunaga	Tsongas
Exon	Mattingly	Wallop
Ford	McClure	Warner
Garn	Metzenbaum	Weicker
Glenn	Mitchell	Williams
Gorton	Moynihan	Zorinsky
Grassley	Murkowski	

NAYS—1

Cranston

NOT VOTING—11

Bentsen	Chiles	Leahy
Biden	DeConcini	Melcher
Boren	Durenberger	Tower
Bumpers	Goldwater	

The joint resolution (H.J. Res. 368) was passed.

Mr. HATFIELD. Mr. President, I move to reconsider the vote by which the joint resolution passed.

Mr. BAKER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BAKER. Mr. President, I want to take this opportunity to once again thank and commend the distinguished chairman of the Appropriations Committee, Senator HATFIELD, for the tireless and professional resolve which he exhibited throughout the last long, long week.

Senator HATFIELD has been a fixture of determination and intellectual insight; the Senate Appropriations Committee reported and managed a bill that was acceptable to the President. Unfortunately the conference report did not reflect the exact terms of the bill. It was not the fault of the Senate conferees; in order to get the agreement the Senate conferees had to give up more than the President was willing to accept.

ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that there be a brief period for the transaction of routine morning business, not to extend past 5:45 p.m., in which Senators may speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOYNIHAN. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

ADJOURNMENT OF THE TWO HOUSES OVER THE THANKSGIVING HOLIDAY—HOUSE CONCURRENT RESOLUTION 228

Mr. BAKER. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on House Concurrent Resolution 228.

The PRESIDING OFFICER. The Chair lays before the Senate House Concurrent Resolution 228, which will be stated.

The legislative clerk read as follows:

H. CON. RES. 228

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on Monday, November 23, 1981, and that when the Senate adjourns on Tuesday, November 24, 1981, or on Wednesday, November 25, 1981, pursuant to a motion made by the Majority Leader in accordance with this resolution, they stand adjourned until 12 o'clock meridian on Monday, November 30, 1981.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (H. Con. Res. 228) was agreed to.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the concurrent resolution was agreed to.

Mr. ROBERT C. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BAKER. Mr. President, as I announced a moment ago, there will be no more record votes today.

ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

Mr. BAKER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess untill 11 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BAKER. Mr. President, I do not anticipate record votes tomorrow.

There will be a further announcement later this afternoon on other items of business that we may be able to transact today or tomorrow, but at this moment, that is all I have.

The PRESIDING OFFICER. Is there further morning business?

NATIONAL ADOPTION WEEK

Mr. DENTON. Mr. President, I am particularly pleased to call the Senate's attention to the fact that this week is National Adoption Week.

Adoption of the homeless young is an ancient custom. Yet, even in this compassionate Republic, which by international judgment has made at least a reasonable effort to deserve the title, "One Nation Under God," we have permitted obstacles undermining the custom of adoption. With millions of homeless or grossly neglected, unloved children, there were only 150,000 adoptions last year in the United States.

The majority of children adopted are healthy infants—white infants. This narrow classification of adoptees should be broadened, but even couples seeking to adopt in this classification have experienced long, frustrating delays and difficulties because many of those who traditionally placed their offspring for adoption are no longer choosing that option.

According to the latest calculations, no more than 4 percent of unmarried teenagers who give birth are choosing an adoption plan for their babies. Some estimate that there has been over a 50-percent decline in the number of these adoptions between 1970 and 1980. Moreover, the legalization of abortion has dramatically decreased the number of adolescents who give birth to the babies they have conceived. In 1979, nearly twice as many babies were destroyed in the womb as were carried to term by teenagers.

Unfortunately, many young pregnant girls do not know the positive aspects of adoption for a child. Many do not know that their babies can have an intact and loving family that can often provide a more secure and brighter future. Legislation I introduced and which has been signed into law—the Adolescent Family Life Act—seeks to reverse this regrettable trend in which our youth become parents before they become adults.

The program funded by the act will encourage voluntary adoption with discreteness and confidentialy afforded to the girls and their families who have been faced with an unintended or unplanned pregnancy as a constructive means of creating new families.

There is another group of children who are in need of the benefits of adoption into the security of a permanent home. This group is comprised of so-called "special needs" children—those who are older, or who are handicapped, or who are from minority groups. For these special children, there are few prospective adoptive families and large numbers of waiting children, including more than half of those currently estimated to be in the foster care system.

The Subcommittee on Aging, Family, and Human Services, which I chair, conducted a hearing earlier this year on adoption practices. The hearings was an effort to identify means of facilitating

the adoption process for both infant and special needs children by providing incentives and removing disincentives.

Among others at that hearing, we were privileged to hear from Father George Clements, of the Holy Angels Church in Chicago, Ill. Father Clements initiated a campaign entitled, "One Church—One Child," in an attempt to increase the number of potential black parents who would be interested in special needs adoption. He believes that one of the largest barriers to minority adoptions has been the attitude of government that such adoptions are the responsibility of government rather than that of minority communities.

Over 150 parishioners attended his meeting where slides were shown of 21 black children who needed adoptive parents. At the end of the meeting, 17 families made known their intentions to adopt, and 3 of these families eventually did adopt black children. Of the 21 children featured that evening, 11 have since been placed for adoption.

Father Clements is telling it like it is, and black people are proving that they will respond to the beauty of truth. Our Government should stimulate this kind of voluntarism.

Another area in which government can provide leadership for compassionate individual initiative is the granting of preference for immigration to children illegtimately fathered overseas by Americans. Presently, that area is a travesty and its improvement is the subject of a bill, S. 1698, which I have introduced jointly with Senators LEVIN, LAXALT, HAYAKAWA, and DECONCINI. The bill amends the Immigration and Nationality Act to provide preferential treatment to children of U.S. Armed Forces personnel in Asia.

This Amerasian children's bill could foster adoptions in the United States, and as we refine it at the committee level, I would encourage my colleagues to contribute to its improvement. The problem is real and this Nation has a responsibility to find ways to bring these children home.

I know that every Senator joins me today in congratulating the many fine organizations that work so hard to appropriately place adoptable children into loving families. I am certain that this Congress will continue in its bipartisan efforts to insure good adoption practices in the United States.

During this Thanksgiving season, so many of us across this country look forward to giving thanks for our great blessings and spending time with our families and loved ones. At this especially propitious moment, I urge my esteemed colleagues to be mindful of the positive, family-building and loving option that adoption is: Providing children with the advantages and joys of family life. I urge them to act in pursuance of that concept.

UNION STATION COMPLETION ACT OF 1981

Mr. BENTSEN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 1192.

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:

A bill (S. 1192) to amend the National Visitor Center Facilities Act of 1968 to provide for the rehabilitation and completion of Union Station in Washington, District of Columbia, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works with amendments, as follows:

On page 2, line 1, strike "Completion", and insert "Redevelopment";

On page 3, line 4, after "in", insert "the";

On page 3, line 5, after "Station", insert "complex";

On page 3, line 6, strike "and"

On page 3, after line 6, insert the following:

(6) the Union Station complex and its vicinity present an opportunity for successful commercial development integrated with the transportation functions of the facility; and

On page 3, line 11, strike "(6)", and insert "(7)";

On page 3, line 12, strike "restored", and insert "improved";

On page 3, line 16, strike "Section 101", and insert "Title I";

On page 3, strike line 19, through and including page 14, line 15, and insert the following:

(1) by striking "National Visitor Center" in the caption of title I and inserting in lieu thereof "Union Station";

(2) by inserting a new caption "Subtitle A—National Visitor Center" immediately after the new title I caption; and

(3) by adding at the end of title I the following new subtitle:

"Subtitle B—Union Station Redevelopment

"SEC. 111. (a) Upon the request of the Secretary of Transportation, the Secretary shall assign to the Secretary of Transportation all of the Secretary's right, title, and interest in the Union Station complex, including all agreements and leases entered into under subtitle A of this title. Such assignment may reserve to the Secretary the right to lease space for visitor services, to the extent the Secretary and the Secretary of Transportation may agree. For purposes of this title, the "Union Station complex" shall include all the real property, air rights, and improvements leased by the Secretary under subtitle A of this title, together with any property acquired and all improvements made in accordance with this subtitle.

"(b) Notwithstanding the provisions of subsection (a) of this section, the Secretary shall, not later than twelve months after the date of enactment of this subsection, complete the installation of new roofs and associated drainage systems on all existing roof surfaces of the historic Union Station building. Of funds appropriated to the Secretary under the construction appropriation for the National Park System for the fiscal year ending September 30, 1982, not less than $8,100,000 shall be available to and allocated by the Secretary for such roof work. In the event the assignment provided for in subsection (a) of this section occurs prior to completion of such roof work, the Secretary shall continue to be responsible for such roof work until its completion, except as the Secretary and the Secretary of Transportation may otherwise agree.

"(c) Prior to the assignment provided for in subsection (a) of this section, the Secretary shall permit the Secretary of Transportation to carry out or cause to be carried out the activities authorized by this subtitle or by title VII of the Railroad Revitalization and Regualtory Reform Act of 1976 (45 U.S.C. 851 et seq.).

"(d) After both the assignment provided for in subsection (a) of this section and the completion of the roof installation required by subsection (b) of this section, the Secretary shall be relieved of the authority and obligation under subtitle A of this title to construct and operate a National Visitor Center at Union Station. The provisions of subtitle A of this title shall thereafter be deemed superseded by any contrary or inconsistent provisions of subtitle B of this title.

"SEC. 112. The Secretary of Transportation shall provide for the rehabilitation and redevelopment of the Union Station complex primarily as a multiple-use transportation terminal serving the Nation's Capital, and secondarily as a commercial complex, in accordance with the following goals:

"(a) Preservation of the exterior facade and other historically and architecturally significant features of the Union Station building;

"(b) Restoration and operation of a portion of the historic Union Station building as a rail passenger station, together with holding facilities for charter, transit, and intercity buses in the Union Station complex;

"(c) Commercial development of the Union Station complex that will, to the extent possible, financially support the continued operation and maintenance of such complex; and

"(d) Withdrawal by the Federal Government from any active role in the operation and management of the Union Station complex as soon as practical and at the least possible Federal expense consistent with the goals set forth in subsections (a) through (c) of this section.

"SEC. 113. (a) There are authorized to be appropriated to the Secretary of Transportation such sums as may be necessary to meet lease and other obligations, including maintenance requirements, incurred by the Secretary and assigned to the Secretary of Transportation under this subtitle. The Secretary shall transfer to the Secretary of Transportation at the time of such assignment such sums as may have been appropriated to the Secretary to meet such obligations and not yet expended as of the date of such assignment.

"(b) Notwithstanding the provisions of section 102(a)(5) of this title, the Secretary of Transportation is authorized to purchase for the United States any property that was leased by the Secretary under subtitle A of this title and assigned to the Secretary of Transportation under this subtitle. The purchase agreement for such property may provide for payment by the Secretary of Transportation over a term not to exceed six years. There are authorized to be appropriated to the Secretary of Transportation, in addition to the sum authorized by subsection (a) of this section, not to exceed $275,000 per year for not to exceed six years to carry out such purchase. Such purchase shall not be subject to the provisions of title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4651 et seq.).

"SEC. 114. (a) The Secretary of Transportation shall, on an emergency basis, carry out an engineering survey of all existing structures at the Union Station complex for the following purposes:

"(1) to determine those actions necessary or desirable to preserve the long-term structural integrity of, and provide functional utility systems for, the historic Union Station building;

"(2) in cooperation with Amtrak, to determine those actions necessary or desirable to restore rail passenger handling functions to

the historic Union Station building and otherwise improve rail passenger service facilities at Union Station, including improved passenger access to the trains; and

"(3) to prepare detailed estimates of the costs of such rehabilitation and improvement.

"(b) Concurrently with the engineering survey required by subsection (a) of this section, the Secretary of Transportation shall carry out a planning and market feasibility study to assess the commercial development potential of the Union Station complex. Such study shall also include, but not be limited to, an assessment of the feasibility and desirability of:

"(1) providing passenger transportation services from Union Station to the commercial airports in the area;

"(2) constructing a heliport at or near the Union Station complex; and

"(3) relocating to office space in Union Station the offices of Federal or other public transportation agencies.

"(c) The Secretary of Transportation shall complete the engineering survey required by this section not later than six months after the date of enactment of this section, and shall complete the planning and market feasibility study required by this section not later than twelve months after the date of enactment of this section.

"(d) Of amounts appropriated under section 704(a) (1) and (2) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 854(a) (1) and (2)), $1,000,000 shall be available to and be utilized by the Secretary of Transportation to carry out the purposes of subsections (a) and (b) of this section.

"(e) Within twelve months following the date of enactment of this section, the Secretary of Transportation shall submit a report to the Congress on the results of the engineering survey and planning and market feasibility studies carried out under this section. Such report shall include a specific commitment of Federal funds for completion of the rehabilitation of the historic Union Station building, together with any necessary request for appropriations, in the amount determined by the Secretary of Transportation to be necessary in light of the survey and studies carried out under this section, from either or both of the following sources:

"(1) funds authorized to be appropriated and not yet appropriated under section 704 (a) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 854(a)) that are in excess of the amounts set out in the last sentence of such section 704(a); and

"(2) funds programed or reprogramed from any other appropriation available to the Secretary of Transportation.

"SEC. 115. (a) In order to achieve the goals set out in section 112 of this subtitle, the Secretary of Transportation is authorized to select and subsequently enter into one or more agreements (hereafter in this Act referred to as 'development agreements') with one or more responsible individuals, corporations, or other private entities with demonstrated experience in the financing, undertaking, and managing of commercial real estate development (hereafter in this Act referred to as 'developers').

"(b) The Secretary of Transportation shall prescribe the procedures and criteria for selection of a developer for the Union Station complex: *Provided*, That no final developer selection shall be made unless and until at least two developers meeting minimum criteria prescribed by the Secretary of Transportation have submitted to the Secretary of Transportation specific design and financing proposals for the rehabilitation and redevelopment of the Union Station complex, and specific proposals for the acquisition, conveyance, or lease of real property. The Secretary of Transportation is directed to initiate discussions with potential developers as soon as possible following enactment of this section to assure the earliest possible selection of a developer or developers.

"(c) Development agreements entered into under this section shall be considered cooperative agreements for purposes of the Federal Grant and Cooperative Agreement Act of 1977 (41 U.S.C. 501 et seq.). With respect to such development agreements, the Secretary of Transportation is authorized to modify or waive the application of regulations otherwise applicable to Federal or Department of Transportation financial assistance agreements, to the extent the Secretary of Transportation determines in his discretion to be necessary to accomplish the purposes of this subtitle at the lowest cost to the Federal Government.

"(d) The Secretary of Transportation is further authorized to enter into such other agreements and contracts, except any agreement or contract to sell property rights at the Union Station complex, with such persons, corporations, financial institutions, Federal, regional, or local agencies, or the Architect of the Capitol as the Secretary of Transportation deems necessary or desirable to carry out the purposes of this subtitle. Any such agreement may be made assignable to a selected developer or developers of the Union Station complex.

"SEC. 116. (a)(1) The Secretary of Transportation is authorized to acquire for the United States, by lease, purchase, or otherwise, any interest in real property (including, without limitation, interests in the nature of easements or reservations) and any other property interest (including, without limitation, contract rights) in or relating or adjacent to the Union Station complex that the Secretary of Transportation deems necessary to carry out the purposes of this subtitle.

"(2) If the Secretary of Transportation determines that property under the jurisdiction of the Architect of the Capitol in squares 721 and 722 eastward of the historic Union Station building is necessary to carry out the purposes of this subtitle, the Secretary of Transportation may request assignment of such property to the use of the Secretary of Transportation, as a part of the Union Station complex, and subject to the provisions of this subtitle, and the Architect of the Capitol shall so assign such property.

"(b) Notwithstanding any other provision of law, the Secretary of Transportation is authorized to maintain, use, operate, manage, and lease, either directly, by contract, or through development agreements, any property interest held or acquired by the Secretary of Transportation for the United States under this subtitle, in such manner and subject to such terms, conditions, covenants, and easements as the Secretary of Transportation deems necessary or desirable to carry out the purposes of this subtitle.

"SEC. 117. (a) The Secretary of Transportation is authorized to use income and proceeds received from activities authorized by this subtitle, including, without limitation, operating and leasing income and payments made to the Federal Government under development agreements, to pay expenses incurred by the Secretary of Transportation in carrying out the purposes of this subtitle, including, without limitation, construction, acquisition, leasing, operation, and maintenance expenses, and payments made to developers under development agreements.

"(b) A special deposit account is hereby established in the Treasury of the United States, to be known as the Union Station Fund, which shall be administered as a revolving fund. Such special deposit account shall be credited with receipts of the Secretary of Transportation from activities authorized by this subtitle and the balance in such special deposit account shall be available in such amounts as are specified in annual appropriation Acts for making expenditures authorized by this subtitle.

"SEC. 118. (a) Notwithstanding any other provision of title 23, United States Code, and other Acts pertaining to Federal-Aid Highways, the Secretary of Transportation shall immediately approve the completion of the parking facility, and associated ramps (including any necessary pedestrian access and walkways, escalators, elevators, moving sidewalk access, and connections) at Union Station, to be financed with interstate highway funds apportioned to the District of Columbia. To the extent necessary to complete such project, such apportionment shall not be subject to any obligation limitation enacted for the fiscal year ending September 30, 1982, or the fiscal year ending September 30, 1983. The amount of such apportionment necessary to complete such project, not to exceed $40,000,000, shall remain available to the District of Columbia until expended, without regard to the provisions of section 118(b) of title 23, United States Code. The Federal share shall be 100 per centum of the total cost of such project.

"(b) Within sixty days of the enactment of this section, the Secretary of Transportation shall enter into an agreement with the District of Columbia's Department of Transportation for the Secretary of Transportation's administration of the project described in subsection (a) of this section. Such project agreement shall provide that all right, title, and interest in such parking facility shall remain in the United States. The rate of fees charged for use of the parking facility may exceed the rate required for maintenance and operation of the facility, and shall be established in a manner that encourages its use by rail passengers and participants in activities in the Union Station complex and area.

"SEC. 119. (a) The Secretary of Transportation is authorized, on such terms and conditions as he may prescribe, to release the Washington Terminal Company from any or all of its obligations under agreements and leases entered into under subtitle A of this title, including, without limitation, the obligation to construct a new railroad passenger station as provided in section 102(a)(4) of this title.

"(b) The Secretary of Transportation shall waive such statutory or contractual restrictions on the use of the parking structure and associated ramps described in section 118 of this subtitle as would otherwise be required or imposed because funds for such construction were or are provided under the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.).

"(c) The Secretary of Transportation is authorized to use funds appropriated under section 704(a)(2) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 854(a)(2)) to carry out the purposes of this subtitle without regard to the matching funds requirement of section 703 (1)(B) of such Act (45 U.S.C. 853(1)(B)). Funds appropriated under section 704(a) of such Act may not be used for design, construction, or operation of a heliport at or near Union Station.

"(d) The Architect of the Capitol is authorized to enter into agreements with the Secretary of Transportation or his designee or assign to furnish steam or chilled water or both from the Capitol Power Plant to the Union Station complex, at no expense to the legislative branch.".

SEC. 4. (a) The Act approved November 5, 1966 (Public Law 89-759) and section 108 of the National Visitor Facilities Act of 1968 (Public Law 90-264) are repealed.

(b) Section 102(b) of the National Visitor Center Facilities Act of 1968 (40 U.S.C. 802

(b)) is amended by striking the word "title" and inserting in lieu thereof the word "subtitle".

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Union Station Redevelopment Act of 1981".

SEC. 2. The Congress finds and declares that—

(1) Union Station in Washington, District of Columbia, commissioned by Congress in 1903, designed by Daniel H. Burnham in monumental Beaux Arts style, and completed by the Washington Terminal Company in 1907, is an important historic and architectural landmark of the Nation's Capital;

(2) Union Station was built and used exclusively as a rail passenger station until Congress decided to make the historic Union Station building a National Visitor Center in 1963, allocating rail passenger operations to a replacement facility behind the historic building;

(3) the use of rail passenger service to and from Washington, District of Columbia, declining when the National Visitor Center Facilities Act of 1968 was enacted, has dramatically increased since that time with the advent of and substantial Federal investment in the National Railroad Passenger Corporation and the northeast corridor improvement project, justifying a reversal of the policy adopted 13 years ago;

(4) the historic Union Station building is now unsafe and unusable, and the replacement railroad station is inconvenient and inadequate for present and projected rail ridership demand;

(5) it is in the national interest to preserve the architectural features of Union Station and to provide in the Union Station complex a sound and fully operational transportation terminal;

(6) the Union Station complex and its vicinity present an opportunity for successful commercial development integrated with the transportation functions of the facility; and

(7) the purposes of this Act are to achieve the goals of historic preservation and improved rail use of Union Station with maximum reliance on the private sector and minimum requirement for Federal assistance.

SEC. 3. Title I of the National Visitor Center Facilities Act of 1968 (40 U.S.C. 801 et seq.) is amended—

(1) by striking "National Visitor Center" in the caption of title I and inserting in lieu thereof "Union Station";

(2) by inserting a new caption "Subtitle A—National Visitor Center" immediately after the new title I caption; and

(3) by adding at the end of title I the following new subtitle:

"Subtitle B—Union Station Redevelopment

"SEC. 111. (a) Upon the request of the Secretary of Transportation, the Secretary shall assign to the Secretary of Transportation all of the Secretary's right, title, and interest in the Union Station complex, including all agreements and leases entered into under subtitle A of this title. Such assignment may reserve to the Secretary the right to lease space for visitor services, to the extent the Secretary and the Secretary of Transportation may agree. For purposes of this title, the 'Union Station complex' shall include all the real property, air rights, and improvements leased by the Secretary under subtitle A of this title, together with any property acquired and all improvements made in accordance with this subtitle.

"(b) Notwithstanding the provisions of subsection (a) of this section, the Secretary shall, not later than twelve months after the date of enactment of this subsection, complete the installation of new roofs and associated drainage systems on all existing roof surfaces of the historic Union Station building. Of funds appropriated to the Secretary under the construction appropriation for the National Park System for the fiscal year ending September 30, 1982, not less than $8,100,000 shall be available to and allocated by the Secretary for such roof work. In the event the assignment provided for in subsection (a) of this section occurs prior to completion of such roof work, the Secretary shall continue to be responsible for such roof work until its completion, except as the Secretary and the Secretary of Transportation may otherwise agree.

"(c) Prior to the assignment provided for in subsection (a) of this section, the Secretary shall permit the Secretary of Transportation to carry out or cause to be carried out the activities authorized by this subtitle or by title VII of the Railroad Revitalization and Regulatory Reform Act of 1976 (46 U.S.C 851 et seq.)

"(d) After both the assignment provided for in subsection (a) of this section and the completion of the roof installation required by subsection (b) of this section, the Secretary shall be relieved of the authority and obligation under subtitle A of this title to construct and operate a National Visitor Center at Union Station. The provisions of subtitle A of this title shall thereafter be deemed superseded by any contrary or inconsistent provisions of subtitle B of this title.

"SEC. 112. The Secretary of Transportation shall provide for the rehabilitation and redevelopment of the Union Station complex primarily as a multiple-use transportation terminal serving the Nation's Capital, and secondarily as a commercial complex, in accordance with the following goals:

"(a) Preservation of the exterior facade and other historically and architecturally significant features of the Union Station building;

"(b) Restoration and operation of a portion of the historic Union Station building as a rail passenger station, together with holding facilities for charter, transit, and intercity buses in the Union Station complex;

"(c) Commercial development of the Union Station complex that will, to the extent possible, financially support the continued operation and maintenance of such complex; and

"(d) Withdrawal by the Federal Government from any active role in the operation and management of the Union Station complex as soon as practical and at the least possible Federal expense consistent with the goals set forth in subsections (a) through (c) of this section.

"SEC. 113. (a) There are authorized to be appropriated to the Secretary of Transportation such sums as may be necessary to meet lease and other obligations, including maintenance requirements, incurred by the Secretary and assigned to the Secretary of Transportation under this subtitle. The Secretary shall transfer to the Secretary of Transportation at the time of such assignment such sums as may have been appropriated to the Secretary to meet such obligations and not yet expended as of the date of such assignment.

"(b) Notwithstanding the provisions of section 102(a)(5) of this title, the Secretary of Transportation is authorized to purchase for the United States any property that was leased by the Secretary under subtitle A of this title and assigned to the Secretary of Transportation under this subtitle. The purchase agreement for such property may provide for payment by the Secretary of Transportation over a term not to exceed six years. There are authorized to be appropriated to the Secretary of Transportation, in addition to the sums authorized by subsection (a) of this section, not to exceed $275,000 per year for not to exceed six years to carry out such purchase. Such purchase shall not be subject to the provisions of title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4651 et seq.).

"SEC. 114. (a) The Secretary of Transportation shall, on an emergency basis, carry out an engineering survey of all existing structures at the Union Station complex for the following purposes:

"(1) to determine those actions necessary or desirable to preserve the long-term structural integrity of, and provide functional utility systems for, the historic Union Station building.

"(2) in cooperation with Amtrak, to determine those actions necessary or desirable to restore rail passenger handling functions to the historic Union Station building and otherwise improve rail passenger service facilities at Union Station, including improved passenger access to the trains; and

"(3) to prepare detailed estimates of the costs of such rehabilitation and improvement.

"(b) Concurrently with the engineering survey required by subsection (a) of this section, the Secretary of Transportation shall carry out a planning and market feasibility study to assess the commercial development potential of the Union Station complex. Such study shall also include, but not be limited to, an assessment of the feasibility and desirability of:

"(1) providing passenger transportation services from Union Station to the commercial airports in the area;

"(2) constructing a heliport at or near the Union Station complex; and

"(3) relocating to office space in Union Station the offices of Federal or other public transportation agencies.

"(c) The Secretary of Transportation shall complete the engineering survey required by this section not later than six months after the date of enactment of this section, and shall complete the planning and market feasibility study required by this section not later than twelve months after the date of enactment of this section.

"(d) Of amounts appropriated under section 704(a)(1) and (2) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 854(a) (1) and (2)), $1,000,000 shall be available to and be utilized by the Secretary of Transportation to carry out the purposes of subsections (a) and (b) of this section.

"(e) Within twelve months following the date of enactment of this section, the Secretary of Transportation shall submit a report to the Congress on the results of the engineering survey and planning and market feasibility studies carried out under this section. Such report shall include a specific commitment of Federal funds for completion of the rehabilitation of the historic Union Station building, together with any necessary request for appropriations, in the amount determined by the Secretary of Transportation to be necessary in light of the survey and studies carried out under this section, from either or both of the following sources:

"(1) funds authorized to be appropriated and not yet appropriated under section 704 (a) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 854 (a)) that are in excess of the amounts set out in the last sentence of such section 704 (a); and

"(2) funds programed or reprogramed from any other appropriation available to the Secretary of Transportation.

"SEC. 115. (a) In order to achieve the goals set out in section 112 of this subtitle, the Secretary of Transportation is authorized to select and subsequently enter into one or more agreements (hereafter in this Act referred to as 'development agreements') with

one or more responsible individuals, corporations, or other private entities with demonstrated experience in the financing, undertaking, and managing of commercial real estate development (hereafter in this Act referred to as 'developers').

"(b) The Secretary of Transportation shall prescribe the procedures and criteria for selection of a developer for the Union Station complex: *Provided*, That no final developer selection shall be made unless and until at least two developers meeting minimum criteria prescribed by the Secretary of Transportation have submitted to the Secretary of Transportation specific design and financing proposals for the rehabilitation and redevelopment of the Union Station complex, and specific proposals for the acquisition, conveyance, or lease of real property. The Secretary of Transportation is directed to initiate discussions with potential developers as soon as possible following enactment of this setcion to assure the earliest possible selection of a developer or developers.

"(c) Development agreements entered into under this section shall be considered cooperative agreements for purposes of the Federal Grant and Cooperative Agreement Act of 1977 (41 U.S.C. 501 et seq.). With respect to such development agreements, the Secretary of Transportation is authorized to modify or waive the application of regulations otherwise applicable to Federal or Department of Transportation financial assistance agreements, to the extent the Secretary of Transportation determines in his discretion to be necessary to accomplish the purposes of this subtitle at the lowest cost to the Federal Government.

"(d) The Secretary of Transportation is further authorized to enter into such other agreements and contracts, except any agreement or contract to sell property rights at the Union Station complex, with such persons, corporations, financial institutions, Federal, regional, or local agencies, or the Architect of the Capitol as the Secretary of Transportation deems necessary or desirable to carry out the purposes of this subtitle. Any such agreement may be made assignable to a selected developer or developers of the Union Station complex.

"SEC. 116. (a)(1) The Secretary of Transportation is authorized to acquire for the United States, by lease, purchase, or otherwise, any interest in real property (including, without limitation, interests in the nature of easements or reservations) and any other property interest (including, without limitation, contract rights) in or relating or adjacent to the Union Station complex that the Secretary of Transportation deems necessary to carry out the purposes of this subtitle.

"(2) If the Secretary of Transportation determines that property under the jurisdiction of the Architect of the Capitol in squares 721 and 722 eastward of the historic Union Station building is necessary to carry out the purposes of this subtitle, the Secretary of Transportation may request assignment of such property to the use of the Secretary of Transportation, as a part of the Union Station complex, and subject to the provisions of this subtitle, and the Architect of the Capitol shall so assign such property.

"(b) Notwithstanding any other provision of law, the Secretary of Transportation is authorized to maintain, use, operate, manage, and lease, either directly, by contract, or through development agreements, any property interest held or acquired by the Secretary of Transportation for the United States under this subtitle, in such manner and subject to such terms, conditions, covenants, and easements as the Secretary of Transportation deems necessary or desirable to carry out the purposes of this subtitle.

"SEC. 117. (a) The Secretary of Transportation is authorized to use income and proceeds received from activities authorized by this subtitle, including, without limitation, operating and leasing income and payments made to the Federal Government under development agreements, to pay expenses incurred by the Secretary of Transportation in carrying out the purposes of this subtitle, including, without limitation, construction, acquisition, leasing, operation, and maintenance expenses, and payments made to developers under development agreements.

"(b) A special deposit account is hereby established in the Treasury of the United States, to be known as the Union Station Fund, which shall be administered as a revolving fund. Such special deposit account shall be credited with receipts of the Secretary of Transportation from activities authorized by this subtitle and the balance in such special deposit account shall be available in such amounts as are specified in annual appropriation Acts for making expenditures authorized by this subtitle.

"SEC. 118. (a) Notwithstanding any other provision of title 23, United States Code, and other Acts pertaining to Federal-Aid Highways, the Secretary of Transportation shall immediately approve the completion of the parking facility, and associated ramps (including any necessary pedestrian access and walkways, escalators, elevators, moving sidewalk access, and connections) at Union Station, to be financed with interstate highway funds apportioned to the District of Columbia. To the extent necessary to complete such project, such apportionment shall not be subject to any obligation limitation enacted for the fiscal year ending September 30, 1982, or the fiscal year ending September 30, 1983. The amount of such apportionment necessary to complete such project, not to exceed $40,000,000, shall remain available to the District of Columbia until expended, without regard to the provisions of section 118(b) of title 23, United States Code. The Federal share shall be 100 per centum of the total cost of such project.

"(b) Within sixty days of the enactment of this section, the Secretary of Transportation shall enter into an agreement with the District of Columbia's Department of Transportation for the Secretary of Transportation's administration of the project described in subsection (a) of this section. Such project agreement shall provide that all right, title, and interest in such parking facility shall remain in the United States. The rate of fees charged for use of the parking facility may exceed the rate required for maintenance and operation of the facility, and shall be established in a manner that encourages its use by rail passengers and participants in activities in the Union Station complex and area.

"SEC. 119. (a) The Secretary of Transportation is authorized, on such terms and conditions as he may prescribe, to release the Washington Terminal Company from any or all of its obligations under agreements and leases entered into under subtitle A of this title, including without limitation, the obligation to construct a new railroad passenger station as provided in section 102(a)(4) of this title.

"(b) The Secretary of Transportation shall waive such statutory or contractual restrictions on the use of the parking structure and associated ramps described in section 118 of this subtitle as would otherwise be required or imposed because funds for such construction were or are provided under the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.).

"(c) The Secretary of Transportation is authorized to use funds appropriated under section 704(a)(2) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 854(a)(2)) to carry out the purposes of this subtitle without regard to the matching funds requirement of section 703(1)(B) of such Act (45 U.S.C. 853(1)(B)). Funds appropriated under section 704(a) of such Act may not be used for design, construction, or operation of a heliport at or near Union Station.

"(d) The Architect of the Capitol is authorized to enter into agreements with the Secretary of Transportation or his designee or assign to furnish steam or chilled water or both from the Capitol Power Plant to the Union Station complex, at no expense to the legislative branch.".

SEC. 4. (a) The Act approved November 5, 1966 (Public Law 89–759) and section 108 of the National Visitor Facilities Act of 1968 (Public 90–264) are repealed.

(b) Section 102(b) of the National Visitor Center Facilities Act of 1968 (40 U.S.C. 802(b)) is amended by striking the word "title" and inserting in lieu thereof the word "subtitle".

Mr. GORTON. Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc and that they may be further amended.

The PRESIDING OFFICER. Without objection, it is so ordered.

UP AMENDMENT NO. 712

(Purpose: to clarify the intent of the bill)

Mr. GORTON. Mr. President, on behalf of myself and the Senator from New York (Mr. MOYNIHAN), I send an amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Washington (Mr. GORTON), for himself and Mr. MOYNIHAN, proposes an unprinted amendment numbered 712.

Mr. GORTON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 19, line 9, insert ", in cooperation with the National Railroad Passenger Corporation," after "Secretary of Transportation".

Page 21, after line 3, insert the following new sentence:

"Notwithstanding any other provision of this subsection, no funds from the Northeast Corridor Improvement Project and other rail or rail-related programs in excess of $29,000,000 shall be available for the completion of the rehabilitation of the historic Union Station building or other purposes determined by the Secretary of Transportation to be necessary in light of the survey and studies carried out under this section if within 90 calendar days of continuous session of the Congress after any request for such excess funds either the Committee on Energy and Commerce of the House of Representatives or the Committee on Commerce, Science, and Transportation of the Senate disapproves of the availability of such excess funds for such purposes by majority vote. For purposes of this subsection, continuity of session of the Congress is broken only by an adjournment sine die, and the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of the period described in this subsection."

Page 20, after "section." on line 13, insert the following:

"Such report shall be referred to the Committees on Commerce, Science and Transportation and Environment and Public Works of the Senate and the Committees on Energy and Commerce and Public Works and Transportation of the House, respectively."

On page 27, insert the following immediately after line 7:

"SEC. 5. As used in section 502(a)(1)(B) of the Rail Passenger Service Act, the term 'Amtrak Commuter' shall mean, with respect to the period prior to January 1, 1983, 'Conrail'.".

Mr. GORTON. Mr. President, I think it appropriate, before voting on the amendment, to discuss the bill with the distinguished Senator from New York.

I urge the Senate's approval of this bill, which will bring back to life one of this city's finest architectural creations. The bill is designed to revive Union Station as a major railroad terminal, as well as a new and lively commercial center.

I was not a Member of the Congress during years of the decline and fall of Union Station. But I have toured that shuttered building. I have seen the mushrooms growing in the floor, the water damage, the sad state into which this great building has fallen.

And I believe I also can see the opportunity for this structure: to resuscitate it as the southern terminus of the Northeast corridor railroad project, and to develop its significant commercial potential at the city's transportation hub, close to Capitol Hill.

Specifically, the bill:

Shifts responsibility for the project to the Department of Transportation from the Department of the Interior.

Authorizes a 1-year, $1,000,000 study of the building's structural integrity, rail passenger handling functions, and its potential for privately financed commercial development and use.

Directs the Department of Transportation, once the study is completed, to spend already authorized, but unappropriated, Northeast corridor rail improvement funds, or to reprogram other authorized funds, for necessary building repairs and improvements.

Authorizes the Department of Transportation to select a private developer, through a competitive process, and to enter into a cooperative development agreement, with minimum Federal financing, for the commercial development of the building under long-term leases.

Requires that rail passenger services be returned to the main Union Station building.

Authorizes completion of the parking garage and ramps, using up to $40 million in Interstate Highway moneys apportioned to the District of Columbia.

I want to emphasize my view that rail service must be given primary attention under this bill. That is clear in the language of the bill.

Since Congress, in 1968, determined that Union Station would become a National Visitor Center, with only incidental accommodations for rail passenger service, rail patronage of Union Station has increased more than tenfold. Rail passengers must now walk around to the back of the building to gain access to the train facility. Congress can no longer tolerate this situation. The concept of a National Visitor Center was unsuccessful, and no longer should be the primary focus of the structure.

Those concerned about the Northeast Corridor project should be advised that this legislation contains a delicate compromise which enables the Secretary to obligate already authorized funds from the Northeast Corridor program to this building. Such use of Northeast Corridor funds has been contemplated since 1977. This legislation in no way interferes with any policy affecting the Northeast Corridor program contained in the Omnibus Reconciliation Act of 1981—Public Law 97-35.

I know that some persons at the Department of Transportation are concerned over the bill because it fails to give the Secretary of Transportation the right to condemn adjacent properties that would be turned over to the selected developer. Personally, I find that the need for condemnation is simply not supported by the facts or equity.

Adjacent lands are in private ownership, the owner of which wish to develop them. I see no sound basis for paying millions of taxpayers dollars for such lands so that another developer can then build on those lands.

Mr. President, this bill offers a reasonable solution to a difficult problem. It deserves the support of the Senate, and the signature of the President. I urge the Senate's approval of the legislation.

Mr. MOYNIHAN. Mr. President, I am honored to request that the name of the distinguished senior Senator from West Virginia (Mr. RANDOLPH) be added as a cosponsor of the amendment and of the bill itself, which has been reported from the committee over which he presided with distinction for so many years.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOYNIHAN. Mr. President, I express my great appreciation to the Senator from Washington, who has been indefatigable in this matter and who I hope will see the last of it. This will be the fifth statute in 13 years devoted to Union Station. It is our fond expectation that it will be the last one.

Mr. President, our involvement with Union Station goes back to the beginning of this century. In 1901, the Senate Committee on the District of Columbia established a commission on the design of this part of the Capital, the McMillan Commission, as it was called. It is not within the memory even of the senior Senator from West Virginia that at that time the Pennsylvania Railroad Station stood at the bottom of Capitol Hill. It was at the behest of the McMillan Commission that it was moved to its present site. The Post Office was located alongside it, and that most distinguished of American architects, Daniel Burnham, was chosen to create one of our great public buildings.

We believe that the Committee on Environment and Public Works and the Committee on Commerce have devised a solution which will be permanent, which will restore a building which, after 74 years of use, needs structural repair, and which will bring it back to its pristine purpose as a railroad station and restore it to its proper place as—to repeat—one of the great public buildings of our Capital.

I thank the Chair.

I once again express my appreciation to the Senator from Washington.

May I ask the Senator from Washington if he does not agree that the present passenger station behind the Union Station building is grossly inadequate? It reminds me of the comment Vincent Scully, the Yale University architectural historian, made about the demolition of Penn Station in New York City. That magnificient Beaux Arts building—like Union Station, designed on an ancient Roman model—was torn down and replaced with a subterranean passenger terminal. Scully remarked:

One used to enter New York like a god; now one scurries in like a rat.

Mr. GORTON. I do agree with the Senator from New York. With the best of intentions, we converted a dignified and functional train station to other, as it turns out, less practical uses. The replacement station is neither dignified nor functional—it is grossly inadequate.

Mr. MOYNIHAN. Am I correct in stating that the primary purpose of S. 1192, as reported from both the Committee on Environment and Public Works and the Commerce Committee, is to turn the Union Station building back into a train station?

Mr. GORTON. As a member of both committees, I can tell the Senator he is correct.

Mr. MOYNIHAN. Could you describe for us the actions S. 1192 would require of the Secretary of Transportation to provide an adequate passenger terminal in Union Station?

Mr. GORTON. The bill makes clear that any plan for the Union Station building must include a rail passenger facility and that the design of the facility must protect the Government's interest in maintaining adequate rail passenger service and addressing future passenger needs. We expect that the Union Station building will house a full range of rail passenger service and operational functions, including but not limited to, information, ticketing, passenger handling, station administration and support, public services, and baggage handling. We expect the Secretary to plan the facility to handle adequately the current Union Station peak period passenger levels, as well as projected growth through the 1990's. As the Environment and Public Works Committee's report specifically states:

In no event should the rail passenger services in the historic building provide less usable space than the current "replacement" station.

In all probability significantly more space will be so used. The committees also expect the Secretary to adhere to the criteria set out in the Northeast corridor station performance standards which the Department of Transportation has applied to the other Northeast corridor stations.

Mr. MOYNIHAN. The legislation requires that the Secretary's plan provide improved passenger access to the train. However, it falls short of specifically directing the Secretary to provide for the extension of the tracks to the concourse, as past legislation has required.

Mr. GORTON. That is correct. The legislation directs the Secretary to study those actions that are necessary or desirable to improve passenger access to

the trains. Past plans and studies, including those conducted by the Department of Transportation, have indicated that extending the tracks to the Concourse is the best way to improve passenger access to the trains, and in the long run represents the least costly alternative. It is the committees' expectation that extension of the track to the Concourse would be part of the Secretary's plan, unless the Secretary can develop an alternative that would provide passenger access to the trains which is equivalent to extending the tracks to the Concourse.

Mr. MOYNIHAN. Amtrak's experience in passenger service handling is a valuable resource that the Secretary should utilize in developing recommendations to Congress on Union Station. In addition, as a major owner and developer of real estate, Amtrak can lend its expertise to the commercial development of Union Station. This is addressed in the legislation, is it not?

Mr. GORTON. As provided for in the legislation, the Secretary is to consult closely with Amtrak in developing the rail passenger facility. The committees anticipate that before presenting his plans to Congress for the development of Union Station, the Secretary will have reached agreement with Amtrak on space allocation and location of rail passenger functions in the Union Station building.

The committees recognize that Amtrak has a strong incentive to assure the success of any future development of Union Station. The accompanying Environment and Public Works Committee report S. 1192 has stated that the Secretary's report to Congress should include a plan for managing the redevelopment of Union Station, with recommendations to enable the Federal Government to withdraw from active management of Union Station. The report indicates that Amtrak is a likely candidate to manage the redevelopment program.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Washington.

The amendment (UP No. 712) was agreed to.

Mr. MOYNIHAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. GORTON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. RANDOLPH. Mr. President, it is a privilege for me to commend the Senator from the State of Washington (Mr. GORTON) and the Senator from New York (Mr. MOYNIHAN) in presenting this subject matter this afternoon in the Senate.

They have been, in a sense, the architects of a realistic balance from the standpoint of the use of Union Station. Although they may have been somewhat misguided, the previous efforts to make it a visitors center were not without, let us say, a certain appeal at the time they were undertaken.

Union Station itself was completed in 1907. The Senator from New York has with meaning and eloquence spoken about the earlier efforts to locate a rail station other than at the present site.

Millions of men, women, and children have used Union Station as their entry by rail into Washington, D.C. West Virginians by the hundreds of thousands moved over the Baltimore & Ohio and the Chesapeake & Ohio to our Capital City.

Perhaps it is not too personal, but I was one of the earlier arrivals at the Union Station. I came to Union Station 70 years ago. I came as a young man, a passenger, riding the Baltimore & Ohio Railroad from central West Virginia into the city. I came not to see the White House or this Capitol in which I have worked, on this side and on the House side for 37 years, but I came to see Ty Cobb play baseball at the old Griffith Stadium. I wanted to see Ty Cobb because I was intensely interested in baseball and to me he was the hero of the professional game.

He could not only hit, he could not only run the bases, but he also was preeminent in the field. So he was a triple star in a sense, and I came to see him.

Having ridden all night in the day coach and then having trudged my way through to the old Griffith Stadium, having sat in the bleachers in the blazing sun, it was not a day lost for me because he performed as he apparently did on most occasions.

Then, I went back to West Virginia by day coach. Having ridden all night to be here I returned riding all night to be back in my native State and to go to Salem, W. Va., where I recall so well my mother looking down Main Street and seeing someone coming up with, let us say, a glow upon his face, soot covered and rumpled.

It was a great experience and I mention it—perhaps at too great a length—to indicate that from its beginnings, Union Station has been a very important development in the life not only of the Nation's Capital but the Republic as a whole.

Washington's Union Station has long been generally acknowledged as one of our country's architectural treasures. Yet, for the past dozen years, it has been the victim of bureaucratic infighting, hesitancy on the part of public officials and, yes, poor decisions by the Congress itself. The result has been our continued inability to resolve the Union Station question which culminated yesterday in the closure of the building for safety reasons.

Mr. President, for more than 4 years, members of the Committee on Environment and Public Works have worked in an effort to develop a rational and reasonable solution to this problem. Hearings were conducted, extensive discussions were held with involved parties and legislation has been proposed.

The only positive action before today was the enactment late in the 96th Congress of a bill reported by our committee which authorized $11 million in emergency repairs to protect the structural integrity of Union Station. Roof repairs have been nearly completed,

Mr. President, we recognize that substantial amounts of money have been expended on Union Station building in recent years. Many of these expenditures were the result of the perhaps ill-advised plan to convert the building into a National Visitor's Center. To reverse the rapid deterioration of the building and to return it to its proper function as a major transportation center will require the expenditure of additional funds. This is a fact we must acknowledge. It is not, however, a case of throwing good money after bad. Whatever additional funds are needed for Union Station must be provided to protect the millions which have already been invested.

The alternative is the further deterioration of the building to the extent that it could soon be beyond the point of salvation. The legislation we act on today would restore to Union Station its primary function as a transportation center at a time when railroad travel is enjoying a surgence. The authority to use some portion of the building as a visitor center would be retained.

This measure will do more than preserve a magnificient building that is a part of our architectural, transportation, and political heritage, even though this is a worthwhile objective. It will correct past mistakes in directing the use of Union Station and again make it a railroad station and an entrance to this great Capital City worthy of our Republic and the people of all our States.

So I am very grateful to be included in the amendment offered, to be given the opportunity to speak these words and most importantly to commend all the members of the Committee on Public Works in an earlier period on both sides of this Capitol, to include those members who are today handling this legislation, the Senators whom I have made not cursory remarks toward but very sincere remarks for their leadership in this matter.

I feel that what is being done here is in the best interest not only of that edifice but also the city of Washington and the country as a whole.

● Mr. STAFFORD. Mr. President, this bill, the Union Station Redevelopment Act of 1981, is sound legislation. I urge its adoption by the Senate. As one who has struggled for years to find a solution to the difficulties of Union Station, I am confident that this bill will provide a sound resolution. It is one that will attract private capital and enable the Federal Government to fulfill its role as owner.

It must be noted that this bill is not much different from legislation that passed the Senate in 1978, a bill that never become law. I hope that this time the bill can pass the Senate, and soon be on the President's desk for his signature.

This bill represents a compromise approach. It completes the parking garage, while studying the building's structure and its development potential. The bill is designed to attract as much private capital as possible.

More importantly, it seeks to return the building to partial use as a rail station, with development of commercial use of the remainder of the building.

I would note that this building provides large blocks of space that can and should be developed. Over 210,000 square feet of space is available on the ground

and basement levels for use by Amtrak, as well as for leasing to commercial enterprises. In addition, the building contains 80,000 square feet of office space, with a prime location close to Capitol Hill. Personally, I believe it would provide an excellent location for transportation oriented agencies or corporations. It might even be used effectively by the Department of Transportation for some of its own offices.

I would also extend a word of commendation to Transportation Secretary Lewis for his close examination of this issue, as well as to the distinguished Senator from Washington (Mr. GORTON). Senator GORTON worked hard and diligently on this issue, both in the Committee on Environment and Public Works and earlier in the Committee on Commerce, Science, and Transportation. Without Senator GORTON's continuing interest and ideas, we might never have solved this difficult and frustrating issue.

This is a great building. It is a noble building. It must be renovated and developed with those descriptions in mind. It must never become a haven for quick-buck developers who might cheapen this wonderful example of American architecture.

Mr. President, I ask unanimous consent that an article and an editorial from the Washington Post a month ago be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNION STATION: ON THE RIGHT TRACK

Hold your applause for now, but we may soon hear the final trumpet of that great white elephant we once knew and loved as Union Station. Without going into the depressing and outlandishly expensive details of how this once-grand train terminal was trampled to near-rubble by a herd of mischievous bureaucrats, we are pleased to note that a financially and structurally sound Union Station may live again, thanks to a bipartisan effort that is due for its first congressional consideration today.

Coming up for action by a Senate committee is a bill worked out and supported by Transportation Secretary Drew Lewis and key congressional leaders from both sides of the Hill as well as its aides. The basic idea is to 1) stop an insane financial drain on all U.S. taxpayers; 2) restore the building as quickly and as economically as possible, and 3) return the facility to its primary function as a lively and commerically successful transportation hub, instead of a broken-down and boarded-up "visitor center."

While the Interior Department would continue its open-pit surgery—fixing the roof and shoring things up—the bill being considered today would transfer jurisdiction to the Transportation Department, where it belongs. Studies—not the open-ended, made-for-distraction kind—would be completed within a year to determine what permanent structural work is necessary, what to do with office space in the facility and how commercial space might be used in and around the station. Recommendations would include consideration of other transportation facilities, such as a heliport and a terminal for various bus services.

The legislation is not—repeat not—simply another formula for pouring good money after bad. That's already happening, with taxpayers forking out $3.5 million a year for a lease on the place; this bill is a modest attempt to stop the waste and turn a financial sink-hole into the commercially successful and historically important landmark it once was.

RAIL STATION PLAN GETS REAGAN NOD

(By John Burgess)

After long months of negotiation, the Reagan administration has agreed to a Senate plan to revitalize Union Station. The plan would complete roof repairs already under way and finish the parking garage begun several years ago. If feasible, structural repairs would be made and contracts signed with private firms to develop a commercial complex in and around the monumental Beaux Arts-style station.

A Senate committee is scheduled to mark up a bill today outlining the plan, which also would move control of Union Station to the Transportation Department from Interior. Yesterday, during a lunch at The Washington Post, Transportation Secretary Drew Lewis indicated that he supports the bill's basic elements.

The new plan is the latest in a series of costly and unsuccessful federal efforts to rescue the 74-year-old station, once among the world's grandest rail gateways but today a crumbling white elephant with corroded plumbing and a leaky roof.

On July 4, 1976, the Interior Department opened Union Station as a National Visitor Center, moving trains to a smaller, modern structure to the rear. Despite $46 million spent on the conversion, the station never caught on in this role and it continued to deteriorate structurally. In February it was closed after rainwater seeped through the roof, dislodging huge chunks of plaster from the ceiling and flooding carpeted floors.

Committee sources predicted yesterday that the bill will be approved by the Senate Environment and Public Works Committee and has a good chance to make it through the full Senate. After that, it would go to the House, where the outcome appears less certain. There is no equivalent legislation in the House.

As now worded, the bill calls for Interior to complete $8 million of already funded roof repairs and to turn the building's management over to the Transportation Department. The bill also authorizes the District of Columbia to trade in $40 million in federal highway funds for a like sum to complete a large parking garage last worked on in 1976.

The garage money represented a concession on Lewis' part. In testimony before Congress last July, he opposed allowing the city to shift its funding that way.

In addition, the Senate bill would authorize $1 million for two major studies of Union Station. One would survey the building's structural problems and determine what repairs are needed and how much they would cost. The other would explore the feasibility of entering into joint development of the station and surrounding property with private developers.

Congressional concern over the station was revived last February following the station's closure. The bill now under consideration is being shepherded through Environment and Public Works by Sen. Slade Gorton (R-Wash).

Earlier versions of the bill proposed that large sums be diverted to Union Station from ongoing capital programs and to modernize rail lines along the Northeastern corridor. Lewis strongly opposed such diversions.

Both sides, however, agreed that action was needed to save a national monument like Union Station. In negotiations between Senate and Transportation Department staff members, alternative wording was worked out that would take only $1 million from the Northeast Corridor funding to pay for the two studies. The department would be free to finance certain other spending as it chose.

The development study would explore running transportation to area airports from the station, and constructing a helicopter pad. Lewis would have to report back to Congress within a year with a specific plan for revitalization, assuming that it was found to be economically feasible.

The bill would authorize the department to buy the station over a six-year period (it currently is leased from private railroad interests). The department also could make further repairs to the building, buy surrounding property and contract with private companies for development, under the plan.

The bill specifies that the old building must again become a rail station, with ticketing, baggage handling and other such functions. However, only a fraction of the mammoth station would be needed for this, with remaining space occupied by retail stores and restaurants.

Senate sources said that though the bill contains no specific requirement, its intent is to remove the new station behind the old one where rail passengers now board their trains.

Mr. MOYNIHAN. Mr. President, before I conclude my remarks, could I impose on the Senate just a moment to say that particularly ingenuous and effective solutions being reached for this could not have come about but for the work of Mr. Mat Scocozza of the Commerce Committee staff, and Mr. Hal Brayman and Mr. Robert Peck of the staff of the Committee on Environment and Public Works.

I thank the Chair.

Mr. GORTON. Mr. President, I should like also to thank both the Senator from New York and the very distinguished Senator from West Virginia for their kind comments. I am, of course, new at this business. Each of them has been working diligently toward the objective of this bill for a number of years. Each of them deserves a great deal of credit for what we hope will prove to be a successful restoration of Union Station.

In addition, I need to say for the record that notwithstanding the Congressional Budget Office cost estimate, this measure is not intended to create new appropriations for fiscal year 1982. Any expenditures of funds will be encompassed within appropriations otherwise made available for related purposes.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendments to be proposed, the question is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1192

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Union Station Redevelopment Act of 1981".

SEC. 2. The Congress finds and declares that—

(1) Union Station in Washington, District of Columbia, commissioned by Congress in 1903, designed by Daniel H. Burnham in monumental Beaux Arts style, and completed by the Washington Terminal Company in 1907, is an important historic and architectural landmark of the Nation's Capital;

(2) Union Station was built and used exclusively as a rail passenger station until Congress decided to make the historic Union Station building a National Visitor Center in 1968, allocating rail passenger operations to a replacement facility behind the historic building;

(3) the use of rail passenger service to and from Washington, District of Columbia, declining when the National Visitor Center Facilities Act of 1968 was enacted, has dramatically increased since that time with the advent of and substantial Federal invest-

ment in the National Railroad Passenger Corporation and the northeast corridor improvement project, justifying a reversal of the policy adopted 13 years ago;

(4) the historic Union Station building is now unsafe and unusable, and the replacement station is inconvenient and inadequate for present and projected rail ridership demand;

(5) it is in the national interest to preserve the architectural features of Union Station and to provide in the Union Station complex a sound and fully operational transportation terminal;

(6) the Union Station complex and its vicinity present an opportunity for successful commercial development integrated with the transportation functions of the facility; and

(7) the purposes of this Act are to achieve the goals of historic preservation and improved rail use of Union Station with maximum reliance on the private sector and minimum requirement for Federal assistance.

SEC. 3. Title I of the National Visitor Center Facilities Act of 1968 (40 U.S.C. 801 et seq.) is amended—

(1) by striking "National Visitor Center" in the caption of title I and inserting in lieu thereof "Union Station";

(2) by inserting a new caption "Subtitle A—National Visitor Center" immediately after the new title I caption; and

(3) by adding at the end of title I the following new subtitle:

"Subtitle B—Union Station Redevelopment

"SEC. 111. (a) Upon the request of the Secretary of Transportation, the Secretary shall assign to the Secretary of Transportation all of the Secretary's right, title, and interest in the Union Station complex, including all agreements and leases entered into under subtitle A of this title. Such assignment may reserve to the Secretary the right to lease space for visitor services, to the extent the Secretary and the Secretary of Transportation may agree. For purposes of this title, the "Union Station complex" shall include all the real property, air rights, and improvements leased by the Secretary under subtitle A of this title, together with any property acquired and all improvements made in accordance with this subtitle.

"(b) Notwithstanding the provisions of subsection (a) of this section, the Secretary shall, not later than twelve months after the date of enactment of this subsection, complete the installation of new roofs and associated drainage systems on all existing roof surfaces of the historic Union Station building. Of funds appropriated to the Secretary under the construction appropriation for the National Park System for the fiscal year ending September 30, 1982, not less than $8,100,000 shall be available to and allocated by the Secretary for such roof work. In the event the assignment provided for in subsection (a) of this section occurs prior to completion of such roof work, the Secretary shall continue to be responsible for such roof work until its completion, except as the Secretary and the Secretary of Transportation may otherwise agree.

"(c) Prior to the assignment provided for in subsection (a) of this section, the Secretary shall permit the Secretary of Transportation to carry out or cause to be carried out the activities authorized by this subtitle or by title VII of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 851 et seq.).

"(d) After both the assignment provided for in subsection (a) of this section and the completion of the roof installation required by subsection (b) of this section, the Secretary shall be relieved of the authority and obligation under subtitle A of this title to construct and operate a National Visitor Center at Union Station. The provisions of subtitle A of this title shall thereafter be deemed superseded by any contrary or inconsistent provisions of subtitle B of this title.

"SEC. 112. The Secretary of Transportation shall provide for the rehabilitation and redevelopment of the Union Station complex primarily as a multiple-use transportation terminal serving the Nation's Capital, and secondarily as a commercial complex, in accordance with the following goals:

"(a) Preservation of the exterior facade and other historically and architecturally significant features of the Union Station building;

"(b) Restoration and operation of a portion of the historic Union Station building as a rail passenger station, together with holding facilities for charter, transit, and intercity buses in the Union Station complex;

"(c) Commercial development of the Union Station complex that will, to the extent possible, financially support the continued operation and maintenance of such complex; and

"(d) Withdrawal by the Federal Government from any active role in the operation and management of the Union Station complex as soon as practical and at the least possible Federal expense consistent with the goals set forth in subsections (a) through (c) of this section.

"SEC. 113. (a) There are authorized to be appropriated to the Secretary of Transportation such sums as may be necessary to meet lease and other obligations, including maintenance requirements, incurred by the Secretary and assigned to the Secretary of Transportation under this subtitle. The Secretary shall transfer to the Secretary of Transportation at the time of such assignment such sums as may have been appropriated to the Secretary to meet such obligations and not yet expended as of the date of such assignment.

"(b) Notwithstanding the provisions of section 102(a)(5) of this title, the Secretary of Transportation is authorized to purchase for the United States any property that was leased by the Secretary under subtitle A of this title and assigned to the Secretary of Transportation under this subtitle. The purchase agreement for such property may provide for payment by the Secretary of Transportation over a term not to exceed six years. There are authorized to be appropriated to the Secretary of Transportation, in addition to the sums authorized by subsection (a) of this section, not to exceed $275,000 per year for not to exceed six years to carry out such purchase. Such purchase shall not be subject to the provisions of title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4651 et seq.).

"SEC. 114. (a) The Secretary of Transportation shall, on an emergency basis, carry out an engineering survey of all existing structures at the Union Station complex for the following purposes:

"(1) to determine those actions necessary or desirable to preserve the long-term structural integrity of, and provide functional utility systems for, the historic Union Station building;

"(2) in cooperation with Amtrak, to determine those actions necessary or desirable to restore rail passenger handling functions to the historic Union Station building and otherwise improve rail passenger service facilities at Union Station, including improved passenger access to the trains; and

"(3) to prepare detailed estimates of the costs of such rehabilitation and improvement.

"(b) Concurrently with the engineering survey required by subsection (a) of this section, the Secretary of Transportation, in cooperation with the National Railroad Passenger Corporation, shall carry out a planning and market feasibility study to assess the commercial development potential of the Union Station complex. Such study shall also include, but not be limited to, an assessment of the feasibility and desirability of:

"(1) providing passenger transportation services from Union Station to the commercial airports in the area;

"(2) constructing a heliport at or near the Union Station complex; and

"(3) relocating to office space in Union Station the offices of Federal or other public transportation agencies.

"(c) The Secretary of Transportation shall complete the engineering survey required by this section not later than six months after the date of enactment of this section, and shall complete the planning and market feasibility study required by this section not later than twelve months after the date of enactment of this section.

"(d) Of amounts appropriated under section 704(a) (1) and (2) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 854(a) (1) and (2)), $1,000,000 shall be available to and be utilized by the Secretary of Transportation to carry out the purposes of subsections (a) and (b) of this section.

"(e) Within twelve months following the date of enactment of this section, the Secretary of Transportation shall submit a report to the Congress on the results of the engineering survey and planning and market feasibility studies carried out under this section. Such report shall be referred to the Committees on Commerce, Science, and Transportation and Environment and Public Works of the Senate and the Committees on Energy and Commerce, and Public Works and Transportation of the House, respectively. Such report shall include a specific commitment of Federal funds for completion of the rehabilitation of the historic Union Station building, together with any necessary request for appropriations, in the amount determined by the Secretary of Transportation to be necessary in light of the survey and studies carried out under this section, from either or both of the following sources:

"(1) funds authorized to be appropriated and not yet appropriated under section 704 (a) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 854(a)) that are in excess of the amounts set out in the last sentence of such section 704(a); and

"(2) funds programed or reprogramed from any other appropriation available to the Secretary of Transportation. Notwithstanding any other provision of this subsection, no funds from the Northeast Corridor Improvement Project and other rail or rail-related programs in excess of $29,000,000 shall be available for the completion of the rehabilitation of the historic Union Station building or other purposes determined by the Secretary of Transportation to be necessary in light of the survey and studies carried out under this section if within 90 calendar days of continuous session of the Congress after any request for such excess funds either the Committee on Energy and Commerce of the House of Representatives or the Committee on Commerce, Science, and Transportation of the Senate disapproves of the availability of such excess funds for such purposes by majority vote. For purposes of this subsection, continuity of session of the Congress is broken only by an adjournment sine die, and the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of the period described in this subsection.

"SEC. 115. (a) In order to achieve the goals set out in section 112 of this subtitle, the Secretary of Transportation is authorized to select and subsequently enter into one or more agreements (hereafter in this Act referred to as 'development agreements') with one or more responsible individuals, corporations, or other private entities with

demonstrated experience in the financing, undertaking, and managing of commercial real estate development (hereafter in this Act referred to as 'developers').

"(b) The Secretary of Transportation shall prescribe the procedures and criteria for selection of a developer for the Union Station complex: *Provided*, That no final developer selection shall be made unless and until at least two developers meeting minimum criteria prescribed by the Secretary of Transportation have submitted to the Secretary of Transportation specific design and financing proposals for the rehabilitation and redevelopment of the Union Station complex, and specific proposals for the acquisition, conveyance, or lease of real property. The Secretary of Transportation is directed to initiate discussions with potential developers as soon as possible following enactment of this section to assure the earliest possible selection of a developer or developers.

"(c) Development agreements entered into this section shall be considered cooperative agreements for purposes of the Federal Grant and Cooperative Agreement Act of 1977 (41 U.S.C. 501 et seq.). With respect to such development agreements, the Secretary of Transportation is authorized to modify or waive the application of regulations otherwise applicable to Federal or Department of Transportation financial assistance agreements, to the extent the Secretary of Transportation determines in his discretion to be necessary to accomplish the purposes of this subtitle at the lowest cost to the Federal Government.

"(d) The Secretary of Transportation is further authorized to enter into such other agreements and contracts, except any agreement or contract to sell property rights at the Union Station complex, with such persons, corporations, financial institutions, Federal, regional, or local agencies, or the Architect of the Capitol as the Secretary of Transportation deems necessary or desirable to carry out the purposes of this subtitle. Any such agreement may be made assignable to a selected developer or developers of the Union Station complex.

"SEC. 116. (a)(1) The Secretary of Transportation is authorized to acquire for the United States, by lease, purchase, or otherwise, any interest in real property (including, without limitation, interests in the nature of easements or reservations) and any other property interest (including, without limitation, contract rights) in or relating or adjacent to the Union Station complex that the Secretary of Transportation deems necessary to carry out the purposes of this subtitle.

"(2) If the Secretary of Transportation determines that property under the jurisdiction of the Architect of the Capitol in squares 721 and 722 eastward of the historic Union Station building is necessary to carry out the purposes of this subtitle, the Secretary of Transportation may request assignment of such property to the use of the Secretary of Transportation, as a part of the Union Station complex, and subject to the provisions of this subtitle, and the Architect of the Capitol shall so assign such property.

"(b) Notwithstanding any other provision of law, the Secretary of Transportation is authorized to maintain, use, operate, manage, and lease, either directly, by contract, or through development agreements, any property interest held or acquired by the Secretary of Transportation for the United States under this subtitle, in such manner and subject to such terms, conditions, covenants, and easements as the Secretary of Transportation deems necessary or desirable to carry out the purposes of this subtitle.

"SEC. 117. (a) The Secretary of Transportation is authorized to use income and proceeds received from activities authorized by this subtitle, including, without limitation, operating and leasing income and payments made to the Federal Government under development agreements, to pay expenses incurred by the Secretary of Transportation in carrying out the purposes of this subtitle, including, without limitation, construction, acquisition, leasing, operation, and maintenance expenses, and payments made to developers under development agreements.

"(b) A special deposit account is hereby established in the Treasury of the United States, to be known as the Union Station Fund, which shall be administered as a revolving fund. Such special deposit account shall be credited with receipts of the Secretary of Transportation from activities authorized by this subtitle and the balance in such special deposit account shall be available in such amounts as are specified in annual appropriation Acts for making expenditures authorized by this subtitle.

"SEC. 118. (a) Notwithstanding any other provision of title 23, United States Code, and other Acts pertaining to Federal-Aid Highways, the Secretary of Transportation shall immediately approve the completion of the parking facility, and associated (including any necessary pedestrian access and walkways, escalators, elevators, moving sidewalk access, and connections) at Union Station, to be financed with interstate highway funds apportioned to the District of Columbia. To the extent necessary to complete such project, such apportionment shall not be subject to any obligation limitation enacted for the fiscal year ending September 30, 1982, or the fiscal year ending September 30, 1983. The amount of such apportionment necessary to complete such project not to exceed $40,000,000, shall remain available to the District of Columbia until expended, without regard to the provisions of section 118(b) of title 23, United States Code. The Federal share shall be 100 per centum of the total cost of such project.

"(b) Within sixty days of the enactment of this section, the Secretary of Transportation shall enter into an agreement with the District of Columbia's Department of Transportation for the Secretary of Transportation's administration of the project described in subsection (a) of this section. Such project agreement shall provide that all right, title, and interest in such parking facility shall remain in the United States. The rate of fees charged for use of the parking facility may exceed the rate required for maintenance and operation of the facility, and shall be established in a manner that encourages its use by rail passengers and participants in activities in the Union Station complex and area.

"SEC. 119. (a) The Secretary of Transportation is authorized, on such terms and conditions as he may prescribe, to release the Washington Terminal Company from any or all of its obligations under agreements and leases entered into under subtitle A of this title, including, without limitation, the obligation to construct a new railroad passenger station as provided in section 102(a)(4) of this title.

"(b) The Secretary of Transportation shall waive such statutory or contractual restrictions on the use of the parking structure and associated ramps described in section 118 of this subtitle as would otherwise be required or imposed because funds for such construction were or are provided under the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.).

"(c) The Secretary of Transportation is authorized to use funds appropriated under section 704(a)(2) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 854(a)(2)) to carry out the purposes of this subtitle without regard to the matching funds requirement of section 703(1)(B) of such Act (45 U.S.C. 853(1)(B)). Funds appropriated under section 704(a) of such Act may not be used for design, construction, or operation of a heliport at or near Union Station.

"(d) The Architect of the Capitol is authorized to enter into agreements with the Secretary of Transportation or his designee or assign to furnish steam or chilled water or both from the Capitol Power Plant to the Union Station complex, at no expense to the legislative branch.".

SEC. 4. (a) The Act approved November 5, 1966 (Public Law 87-759) and section 108 of the National Visitor Facilities Act of 1968 (Public Law 90-264) are repealed.

(b) Section 102(b) of the National Visitor Center Facilities Act of 1968 (40 U.S.C. 802(b)) is amended by striking the word "title" and inserting in lieu thereof the word "subtitle".

SEC. 5. As used in section 502(a)(1)(B) of the Rail Passenger Service Act, the term "Amtrak Commuter" shall mean, with respect to the period prior to January 1, 1983, "Conrail".

Mr. MOYNIHAN. Ms. President, I move to reconsider the vote by which the bill was passed.

Mr. GORTON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EXTENSION OF MORNING BUSINESS

Mr. BAKER. Mr. President, before the Senator starts, I ask unanimous consent that the time for the transaction of morning business be extended until 6 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLINGS. I thank the distinguished majority leader and the distinguished Senator from New York for yielding.

DEFENSE AND THE B-1 BOMBER

Mr. HOLLINGS. Mr President, to understand the controversy over the B-1 bomber, a person must appreciate: First, the nature of modern weapons; second, the limits of our economic resources; and third, the limits to the usefulness of a manned penetration bomber.

THE NATURE OF MODERN WEAPONS

The strategy for American survival is premised on the superiority of technology. We do not and cannot compete against the Russians or Chinese militarily on a man-for-man basis. We do not and cannot compete against the Soviets one tank versus one tank.

We have 11,000 tanks while the Soviets have 50,000. How do we hope to fight and win given this ratio? The answer is in a superior tank with a superior tank operator.

We intentionally include on our tanks sophisticated fire control systems, advanced suspension systems, laminated armor, and other state-of-the-art gear because we know it is not going to be one-for-one situation. Our one tank must be capable of knocking out 5 or 10 of theirs in order to prevail.

We are constantly hearing today that America's weaponry is too sophisticated, that it contains too much expensive technological gear, and that we cannot find the skilled personnel to operate

and maintain the weaponry. Some argue that all we need is a cheap, "tough" tank—like the Soviets build—to survive better in battlefield conditions.

We could easily produce that kind of tank, if we are ready, willing, and able to produce and man 50,000 of them. This we cannot do. For one thing, we do not intend to have that large a standing Army, so we go for the superior tank, making sure the advanced technology is designed for the needs of the battlefield. This has always been our military approach.

It applies to the shoes the soldier wears as well as to the bombers we send aloft. The constant task facing Congress is to insure that we keep ahead with technology. We want our troops to have the best equipment in every aspect. Of course, we must also be able to afford it.

THE LIMITS OF OUR ECONOMIC RESOURCES

When we fought World War II, an M–1 rifle cost $41.20. A Sherman tank went for $40,000. And a B–17 manned penetration bomber cost $97,000. Right now it appears that the projected cost for each B–1 bomber would be $400 million.

Everyone knows that today we are operating with limited economic resources. In a world reeling under inflation and high interest rates, every program is being cut. While we are trying to increase our defenses, that is not to say we are trying to increase our costs. We must look at each proposed military expenditure from every angle—not only how much it costs, but how much it costs to repair; not only how much one of them costs, but how much do 100 cost and what is the effect on the budget and the economy.

We must make economical buys, and when it comes to bombers they must last. We are not looking at the cost of just long-range bombers, but the cost of medium bombers, the cost of fighter bombers, the cost of fighters, of helicopters, and observation planes all the way down to the Piper Cub. And we must figure the cost of the manned Shuttle because it too has military applications.

These costs must be seen within the larger context of the overall defense budget—the cost of equipping the infantry, the cost of building aircraft carriers and Trident submarines at $2 billion apiece, and the cost of ammunition from the rifle bullet to one piece of ammunition fired from a plane—the Phoenix missile costing over $1 million a copy. Over and above hardware come personnel costs which exceed $100 billion a year.

All these defense costs must be considered against the backdrop of other Government endeavors—like law enforcement, highways, health costs, social security, price supports for agriculture, and aid for small business. Somewhere there is a limit—and we have been exceeding the limit. We have been borrowing from the next generation in order to pay for all this Government. The results—busted budgets, tax cuts written in red ink, and high interest rates.

At $400 million each, the 100 B–1 bombers being asked for will cost us $40 billion; $40 billion over the next 5 years is about what we had hoped to increase the entire defense budget.

For $40 billion, we can buy a lot of sorely needed infantry-fighting vehicles, submarines, tanks, helicopters, destroyers, pre-positioning ships, landing gear for the Marines, and ammunition for everybody.

So before we commit to $40 billion and 5 years on a single weapon, we must stop, look, and listen. We must understand that our conventional forces are in a sorry state of readiness—the principal trouble being that we have denied them the equipment, the flying hours, the steaming hours, and the vehicles necessary for training, mobility, and readiness.

We are 60,000 trucks short in the Army right this minute. Look at our inability to defend against gas or chemical warfare. The next war will not be fought by one soldier just shooting at another man. The field of battle for conventional forces may very well be gassed by our adversary. The Russians have already used gas in Laos, Cambodia, and Afghanistan.

Their infantry wears protective clothing developed for this kind of warfare. In another advance, Soviet troops travel in modern infantry-fighting vehicles. They have 76,000 of these—the United States has none. It is tough to tell the Commandant of the Marine Corps that we cannot give him the gear he needs because the B–1 has just gobbled up all the money. I just did that this week.

We are not prepared to fight a conventional war. Clausewitz said, "History shows that a nation fights the war that it is prepared to fight."

We are not prepared to fight in the Indian Ocean, so we will not. We are not prepared to fight a conventional war in NATO, so we will not. We are only prepared to fight a nuclear war—so we will if one comes. The best way to avoid the nuclear holocaust is to be prepared to fight the conventional battle. But the B–1 is a nuclear carrier. Underprepared for conventional war, the B–1 overprepares us for nuclear.

The Soviets did not march on Angola or Afghanistan with a nuclear attack. They went with conventional forces. For 10 years now, we have been "détenting" and dillying and disarming while the Soviets have been beefing up and outspending us militarily by $500 billion.

We cannot repair this difference in a year. It will take several years. So we must set priorities. Is the primary need another Trident submarine, or is it an aircraft carrier? Is the first order x number of tanks, or helicopters? A manned bomber, or more and better equipment for our conventional forces?

I believe the first priority is manpower. I have written about the draft in a previous newsletter. I believe that the one best move to build our military and show our commitment is the universal draft. It would get a cross-section of our society participating in America's defense. It would give us the skills. It would cost less, and it would evidence our will power as well as our military power.

My second priority would be readiness. That includes money for ammunition, money for fuel, money for operations and maintenance of the equipment, and money for adequate flying, steaming, and training hours.

Rather than $40 billion for a single weapon—a manned penetration bomber—I would rather spend that same amount over the next 5 years on fleshing out the Rapid Deployment Force in the Indian Ocean, equipping the Marines, equipping our National Guard and Reserves, refitting nine Navy ships, buying some attack submarines, tanks, helicopters and fighters, and speeding up development of the next generation of manned, penetration bombers—the Stealth.

THE LIMITS TO THE USEFULNESS OF A MANNED PENETRATION BOMBER

So you will understand where I am coming from, I am a strong believer in the military and a strong supporter of the Air Force. At this moment, we have many bombers. We have long-range penetration bombers, such as 345 B–52's and 63 FB–111's. We have many medium- and short-range bombers such as the F–15's, remember the Saudis were asking for bomb racks for their F–15's; hundreds of F–16's, remember this is the plane that Israel used to bomb Baghdad. We soon will have the superior F–18 fighter-bomber by the hundreds. We have A–6's, A–7's, and VSTOL fighter-bombers. I touch on this to emphasize the difference between medium-range bombers and the long-range bombers needed to penetrate Soviet defenses. We are continuing to build and capitalize on America's technology. But as concerns the B–1, there are limits to its ability to penetrate. Generally, there are limits on the manned bomber which makes it necessary for us to put our eggs in more than one basket.

Everyone agrees that the B–1 bomber can no longer be depended upon as a penetration weapon after 1990. We know that the B–52, old as it is, can carry us that far. And we know that we cannot get the first squadron of B–1's flying until 1987 at the earliest.

The bottom line then, if everything proceeds on schedule is a $40 billion program to provide penetration for the 3 years between 1987 and 1990. After that the state of Soviet defenses will make it impossible for either the B–52 or the B–1 to get through.

The B–1 has simply become too expensive for its primary mission. Surely it can be used after 1990 as a stand-off cruise missile carrier but paying $400 million a copy for this role is unthinkable. The $400 million cost has been disputed.

But special studies by the General Accounting Office and the Congressional Budget Office confirm this cost.

Finally as a maneuver with the Congress, the Air Force has been citing inflated costs to keep the B–52's going until the 1990's inferring that rather than paying the expense to keep the B–52's in the air, you could use the same money to buy the new B–1.

Whether you go for the B–1 or go for the Stealth or go for both or go for nei-

ther, every plan shows that the B–52 must be kept current and flying until 1993. And so those costs will have to be paid.

Then when they are phased out in 1993, the question is: shall they be replaced totally by the Stealths that can penetrate or by the B–1 that cannot or by both—if we had the money.

The B–1 is a superb plane and I wish we had 200 B–1's on the line today. Five years ago, I implored President Carter to move forward with the B–1. Instead we wasted 5 years and $5 billion and the opportunity to have them flying over the kind of reasonable lifetime that such a huge investment requires.

Carter made his decision, the factory has closed down, and the cost has soared from $100 million apiece to $400 million. There is a time for every weapon, and the B–1's is passing.

On November 5, Secretary of Defense Caspar Weinberger testified:

> I think there is no question whatever that we will not be able to use the B–1 as a penetrator after 1990.

Earlier, Secretary Weinberger had emphasized the limits of the B–1 after 1990 by stating:

> If you do the B–1 only you spend a lot of money—again I am trying to guess at the extent of development of the Soviet air defenses, so if I use a couple of years, give me leeway 1989, 1990, probably 1988 to 1989—you lose the ability to penetrate unless someone wants to direct suicide missions and that is not anything I am going to do.

This only confirms a similar statement by Fred C. Ikle, Under Secretary of Defense for Policy before the Armed Services Committee on October 27, 1981.

Recently, the United States has been developing a Stealth or advanced technology bomber. This plane is designed to confuse the enemy radar and fire control system so that it can penetrate successfully and reach targets well within the land mass of the Soviet Union. Some would argue that the technology is unproved, too "chancey" to count on and will not be ready by 1990.

However, the technology has been been proved and as former Assistant Secretary of Defense for Policy Perry has stated, it can be developed by 1989.

Wanting both the B–1 and the Stealth, the Air Force is dragging its feet on the Stealth to make it seem that both planes will be necessary.

Accordingly, the administration has requested both the B–1 and the Stealth. Given the limited usefulness of the B–1, given our other defense needs, and given the general state of the budget and the economy, I do not believe we can afford to proceed with both.

It would be far more cost effective, and far better for the overall strength of the military, if we speeded up the Stealth bomber and tried to get it on line a year or two earlier than presently projected.

To understand the limits on manned bombers generally—and to appreciate why proceeding with two new systems is outlandish—we need to remember that America's strategic defense consists of a triad: First, the intercontinental ballistic missile, or ICBM; second, the Poseidon or Trident submarine; and third, the manned bomber.

These provide the options for penetrating the defenses of the Soviet Union over a long distance. If the military need ever comes to penetrate all the way to Moscow, the best way is with a ballistic missile launched from either land or sea.

An almost equally good way is with a cruise missile, whether it is land launched from Europe, submarine launched from the sea, or launched from a B–52 standing off outside the borders of Russia. The most inefficient way is by manned bomber, given Soviet defenses and the vulnerability of the weapon.

So, in recent years, the long-range manned bomber role is being more and more taken over by the small, difficult-to-detect cruise missile. It is relatively cheap, accurate, and better able than a bomber to get through to its target.

Some of our armchair experts argue for the superiority of the bomber over the missile by saying that once the missile is launched, there is no calling it back. My answer is that we better not have a plane with a nuclear bomb wandering around Moscow while we are still wondering if we have given the right order

In fact, I cannot imagine an American Commander in Chief ordering a manned bomber to attack Moscow unless we are already into a nuclear holocaust.

When that point in warfare has been reached, it seems pretty clear that we would be going with our ICBM's, intermediate ballistic missiles, and cruise missiles.

This is not to say that the role for the manned bomber is finished. But it is to say that it does not have the commanding role it once had. It is now part of a larger weapons inventory that includes faster and more accurate systems.

Some, like the cruise missile, are far cheaper. We can and should retain the ability to penetrate Soviet airspace with a manned bomber. We have that capability with the B–52 which has served us long and well and which can be used to fly those 3 additional years beyond 1987.

After 1987, neither the B–52 nor the B–1 will be able to penetrate Soviet air defenses. After that, only the Stealth will be able to get through.

So is it not the wisest policy to accelerate Stealth? It will be able to penetrate from the 1990's on, and it can be delivered as early as 1989. By taking this course, we can save the $40 billion and expend it on readiness and in all those other areas of preparedness that we have been short changing for the past decade.

I know this disappoints my friends in the Air Force. Secretary of Defense McNamara back in 1964 canceled the B–70, and in 1977 President Carter canceled the B–1. I am sure by now that if someone could give a guarantee that the Stealth would be built as a replacement for the B–52, the Air Force would abandon its drive for the B–1.

They have been worried for years about a replacement for the B–52 and now they have a President, finally, willing to go along—even though it is economic nonsense.

As a result of this paranoia, the Air Force has requested a $400 million conventional bomber and a $300 million Stealth strategic bomber. For a conventional bomber, we could easily and far more economically beef up our FB–111's at $64 million a copy rather than $400 million as recommended by Gen. Richard H. Ellis, former Commander in Chief of the Strategic Air Command. But we cannot afford the B–1 and the Stealth.

We need to strengthen our Triad with the Stealth. We need to strengthen our overall readiness in defense. The task is to allocate limited resources. On this basis, I oppose the B–1, favor expediting the Stealth, and favor immediately allocating this $40 billion to readiness.

THE IMPORTANCE OF AMERICA'S PREEMINENCE IN SPACE

Mr. CANNON. Mr. President, once again the Space Shuttle has flown successfully and returned to Earth, and I would like to take this opportunity to congratulate the fine NASA-industry team which made this flight such a success and the magnificent skill of Astronauts Joe Engle and Richard Turly.

Unlike other nations, the United States is not afraid to let the international press view every step in the development of its civilian space program, and the Space Shuttle has not been an exception. We are willing to share with the world our successes as well as our failures as we develop this tremendous capability.

The fact that NASA had a problem with one of the three fuel cells on board the Shuttle should not cause undue concern. The Shuttle needed only one operable fuel cell to be able to return to Earth, and any research and development effort, such as the Space Shuttle, requires a period of time to work out the "bugs" in its design.

It takes a lot of talent, effort, and dedication to translate the initial conception of a major space system like the Shuttle into an operational reality, and I am fully confident that we will develop this capability. We are, with this first-time-ever return of the same vehicle to space, well on the way to doing so.

Mr. President, while I am proud of the continuing success of the Shuttle's development, I am also concerned about a waning resolve to move forward and insure our preeminence in space during the 1980's. The Space Shuttle, as magnificent as it is, is still just a transportation system capable of transferring astronauts and cargo from the Earth's surface to an orbit several hundred miles above the Earth.

What we ought to be thinking about and planning for now is how to use this capability for various commercial, scientific, and national security missions, and defining what other basic capabilities are needed to complement and enhance our use of the Shuttle.

While we follow the development of the Shuttle into an operational capability, we must recognize that we cannot stand still in the other areas of the space program. We must also invest in these areas as well, or we will lose our leader-

ship in space to other nations who are willing to make the investment—and other nations are moving in that direction.

Our investment will not involve large amounts of additional funding, but rather a commitment to fund NASA in the future at approximately its current level, adjusted for inflation.

In the past our main source of competition was the Soviet Union. This no longer is true as other nations develop the capability to operate in space. We are entering a new era of international competition in space, particularly for commercial purposes. The primary competitors in the future, in addition to the Russians, will be the Europeans and the Japanese.

We must view our space program in this new context of competition while retaining the long-standing benefits of cooperation in the exploration of the solar system and the universe beyond.

Let us also not lose sight of the goal, stated in the National Aeronautics and Space Act of 1958, that:

Our activities in space should be devoted to peaceful purposes for the benefit of all mankind.

The use of space for national security purposes has helped to preserve world peace and lessen the likelihood of a global war. Since some of the capabilities needed by the military space program are also needed by the civilian space program, a development in one area can be used in the other.

The Space Shuttle is one example of this, and weather satellites are another. Thus, funding for our civilian space program can either directly or indirectly aid our military space program.

The commercial use of space, while almost 20 years old, is still in its infancy. During the 1980s, a tremendous growth in the use of communications satellites is anticipated. Not only will existing services be expanded, but new uses will also be developed.

In addition, the use of satellites to detect and monitor the Earth's resources, and the manufacture of various products in space are being investigated by NASA and industry, and these capabilities may further expand our commercial use of space in the 1990's.

In a real sense, our commercial use of space parallels our commercial use of aviation. Today, aviation is at least a $100 billion a year enterprise in the United States alone. Who would have thought that this would have occurred at the time of the Wright Brothers' first flight, or for that matter, at the time of Charles Lindbergh's flight about 20 years later.

Our continued commercial success in the field of aviation depends upon NASA doing the high risk research and development that industry cannot afford to do. Without that help, our industry would soon lose its preeminence to foreign competition.

Similarly, our preeminence in the commercial use of space depends upon NASA performing the high risk research and development in order to develop the knowledge necessary for private industry to build viable commercial systems.

The exploration of the solar system and the universe beyond is the greatest adventure of our time, and the Apollo, Viking, and Voyager missions may someday be seen to have been as important to the world as the voyages of Columbus, Magellan, and Drake. Not only are we learning a tremendous amount about the origin and nature of the universe, but we are also laying the foundation for the expanded use of space by future generations of Americans.

EXPANDING OUR COMMERCIAL USE OF SPACE

Mr. President, I should now like to describe the three areas that are likely to lead our expanded use of space for commercial purposes in the next 10 to 20 years: Communications satellites, remote sensing satellites, and the manufacture of various products in space.

COMMUNICATIONS SATELLITES

Communications satellites have been the only commercial product that has made a profit in the past. This business will continue to expand during the 1930's. According to a recent comprehensive study by Western Union, the worldwide communications satellite market is estimated to be $35 to $50 billion over the next 20 years.

The U.S. market alone is estimated to be $16 to $20 billion during this time period.

This estimate includes such potential new services as video teleconferencing which could improve productivity and reduce the amount of business travel; and the direct broadcast of television signals from a communications satellite to individual homes which could vastly increase the number of television channels received and would not require the installation of an extensive cable television network.

Starting with the Syncom series of spacecraft which established the feasibility of using the geosynchronous orbit, the United States has led this field for many years. NASA developed a significant in-house expertise, funded the development of new technology by several U.S. contractors, and played a leadership role in making this a uniquely U.S.-dominated field.

In late 1972, the U.S. Government thought that the industry had matured to the point where it could support its own R. & D. needs and decided that NASA should not initiate any communications satellite flight programs beyond the sixth applications technology satellite (ATS–6).

The funding for such programs, which had ranged between $80 and $120 million per year, in 1981 dollars, over the period 1962–74, was sharply reduced to approximately $10 million per year.

The reduced amount was just sufficient to allow operation of on-going experiments, low-level technology development, and limited system concept studies.

Europe and Japan were quick to fill the vacuum left by NASA's withdrawal from satellite communications, as evidenced by their increased investment and rapid rise to leadership in several communications satellite technologies.

Even more important is the fact that European and Japanese manufacturers are moving from the fabrication of components to the fabrication of subsystems and complete systems, and changing their roles from that of subcontractor to prime contractor.

A recent Japanese report estimates that Japan's space industry will expand to five times its present size by 1990 and continue this growth during the 1990's. Much of this growth will occur in communications satellites. Let us make sure that we do not wind up buying our communications satellites from Japan in the future and becoming second-best in another commercial sector.

In order to meet this challenge, NASA working with the communications satellite industry, should develop the 30/20 GHz frequency band. This will enable the United States to maintain its preeminence in communications satellites into the 1990's.

REMOTE SENSING

Remote sensing satellites can help us discover new sources of non-renewable resources, monitor the size and quality of our water supply and agricultural crops, and detect major sources of environmental pollution.

Thus, they can help us sustain and improve the quality of life around the globe by providing us with accurate information with which to make vital decisions which will affect us all.

For more than a decade, Congress has expressed an interest in establishing an operational civil land remote sensing system. The operational system would build upon NASA's experimental Landsat system.

The evolution to an operational system has not yet occurred because the financial risks in operating such a system are great and the profit not clearly defined. The Carter administration proposed that the Federal Government operate an interim operational system during the 1980's until it was feasible for private industry to take over the system.

Earlier this year, the Reagan administration decided that the Federal Government should limit its support for an interim system to Landsats D and D,' with the hope that private industry would take over the system after the demise of Landsat D'—nominally about 1988.

The goal of having the private sector take over the system was the same; the difference between the positions of the two administrations was in the timing and the role of industry and Government.

Recently, the Senate Subcommittee on Science, Technology, and Space and the House Subcommittee on Space Science and Applications held joint hearings to gather additional information and opinions on the best way to accomplish the transition to an operational system and the role of private industry in such a system. There was general agreement among the witnesses that:

First, the Landsat data was useful;

Second, data continuity and increased marketing was the key to the success of an operational system;

Third, the cost of the data should be more realistically priced; and

Fourth, NASA should continue to do the high risk R. & D. in remote sensing.

There was no agreement on the best way to accomplish the transition to an operational system and the role of private industry in it.

Additional time will be needed before this can be resolved. One thing ought to be clear, however, the United States has invested over a billion dollars in developing a civilian remote sensing capability, and we should think of a payoff in this area on a long-term basis.

Now is not the time to be penny-wise and pound foolish and thus lose our commercial remote sensing capability to foreign competition.

The French are planning to build a remote sensing system called SPOT. Their first satellite will be launched in 1984, and it will have some performance characteristics that are better than, or not available with, the Landsat satellites.

Japan, the European Space Agency (ESA), and India are also studying possible additional remote sensing systems during the 1980's. Competition with our Landsat system is real and just over the horizon.

With this in mind, I would like to propose an approach for the transition to an operational remote sensing system which will enable it to occur as soon as possible, protect the public interest and the U.S. taxpayers' investment, and permit the maximum participation by private industry. The U.S. Government should insure data continuity by agreeing to continue to operate the space segment, that is, the Landsat satellites, until the early 1990's or until industry is capable of taking over the space-based segment, whichever comes first.

Private industry would take over the operation of the ground segment on a competitive basis. Raw data transmitted to the ground from the Landsat satellites, as well as processed data, would be sold to anyone who wishes it.

This will encourage maximum competition in private industry and enable private industry to market the data to as many users as possible.

By pursuing the above approach, we will provide sufficient time to permit additional information to be obtained on the usefulness and cost of providing remote sensing data. We will also guarantee the continuity of data for a sufficient time in the future to match any known foreign competition and to satisfy the needs of the user community.

MANUFACTURING IN SPACE

The United States, Russia, Germany, and Japan have conducted, or are planning to conduct, scientific experiments in space with various materials. This area of the space program is at a very early stage of development, and no one appears to be able to state exactly what the costs and benefits are of manufacturing various products in space.

Pharmaceuticals and semiconductor crystals appear to be the likeliest commercially viable products.

In addition to manufacturing products in space, the results of the initial experiments on materials in the absence of gravity may also improve the manufacture of Earth-based products by providing a better understanding of the effect of gravity upon various materials as they are processed.

CONTINUING OUR EXPLORATION OF THE SOLAR SYSTEM

Mr. President, the exploration of the solar system increases our scientific knowledge, adds to our understanding of the Earth, raises the level of our technology, is a source of national pride and international prestige, and fits our pioneering heritage.

Furthermore, it is carried out in fulfillment of the first stated objective of the National Aeronautics and Space Act of 1958; namely, "The expansion of human knowledge of phenomena in the atmosphere and space." From the viewpoint of NASA's budget, it is not a large amount of money. Clearly, this effort should be continued.

Recently the two Voyager spacecraft passed by Jupiter and Saturn and gave us the first detailed look at both of these planets. Voyager II is now on its way to an encounter with Uranus in 1986 and Neptune in 1989.

Thus, by the end of this decade, all of the major planets and their moons will have been visited by unmanned spacecraft, with the exception of Pluto. However, we have just begun to understand the solar system. Not only should we be planning additional planetary missions, but we should also be planning missions to some of the comets and asteroids as well.

In a congratulatory message sent to the Voyager team earlier this year, President Reagan stated:

> No other area of endeavor so galvanizes and inspires the American spirit as the conquest of space.

Unfortunately, these fine words have not been matched with needed funding in this area. Quite the contrary, the United States recently withdrew from the joint International Solar Polar Mission in which the Europeans have invested so heavily in. This can hardly help our credibility on future international programs.

The United States has also missed the opportunity to send a probe to Halley's Comet during its closest approach to the Sun. Its next approach will be about 80 years from now. What is even more disturbing, the continued exploration of Jupiter and Venus, with the Galileo and Venus orbiting imaging radar (VOIR) projects, is in some doubt.

I believe that we can and must do better than this, that funding for our unmanned exploration of the solar system should be continued, and that the United States should be planning a major mission for 1992—the 500th anniversary of Christopher Columbus' landing in the New World.

DEVELOPING OUR BASIC CAPABILITIES TO OPERATE IN SPACE

Mr. President, we ought to take the long view about our use of space beyond the 1980's and proceed accordingly. The Space Shuttle is a step in the right direction. It is a reusable spacecraft which can transfer astronauts and payloads from the Earth to orbits several hundred miles above the Earth in an economically more attractive manner than using expendable launch vehicles.

In addition to developing the Space Shuttle, NASA is also beginning to define the capabilities needed for an orbital transfer vehicle and a space station. These and other related capabilities will provide our Nation with the basic tools to expand our presence in space for commercial and national security purposes, and some of these capabilities could also be used to expand our exploration of the solar system.

Since about 40 percent of our satellites are placed in geosynchronous orbit 22,300 miles above the Earth's surface, another reusable vehicle, called an orbital transfer vehicle, will eventually be needed to transfer astronauts and payloads from the Space Shuttle to geosynchronous orbit. And, to allow the Space Shuttle to perform its primary task of transportation, a space station will be needed in orbit several hundred miles above the Earth. The space station will take over the Shuttle's in-orbit functions. This will include: Deploying, servicing, and retrieving satellites; berthing, maintaining, and refueling the orbital transfer vehicles; and performing various experiments in space.

FUTURE CHALLENGES

Mr. President, my comments should not be interpreted to suggest that the benefits to be gained by expanding our use of outer space will come automatically or easily. There will be challenges of a technological nature and policy issues that we will need to address.

For example, the Space Shuttle is still an experimental vehicle. Much still remains to be done before it can be viewed as operational. When it becomes operational, we will face other questions such as: Who should operate it, what should the pricing policy be for commercial launches, how many Shuttle orbiters will we need, how long will we have to have expendable launch vehicles, and so forth.

In the area of space science, how do we pick up the pieces and resume our policy of international cooperation after canceling the U.S. spacecraft for the joint United States-European International Solar Power Mission?

In the area of space applications, what is the best way for us to help less developed countries use space for various commercial purposes, and should we go to the U.N.-sponsored conference UNISPACE 1982?

Another area of concern is assuring that NASA has an adequate work force to perform the tasks that ought to be done to maintain our preeminence in space. It is essential that NASA have positions available to reinvigorate the work force in a rapidly changing technical environment, and to halt the increasing average age of agency personnel.

Without a steady influx of new people, NASA will be without the capacity to accomplish the research, development, and management tasks essential to maintaining leadership in space technology.

One final point on the personnel issue. A prerequisite to attracting and retaining new and outstanding talent is a rec-

ognized national commitment to a comprehensive space program such as the one I have outlined above.

All of the tasks that I have mentioned could be accomplished during the next 10 to 15 years without requiring a large increase in future funding for NASA. In fact, NASA's budget would continue to remain less than 1 percent of the overall Federal budget.

What is required, is a halt to the further decline in NASA's budget, and to provide NASA with an annual level of funding in the future which is approximately constant and equal to its current budget, adjusted for inflation.

We ought to recognize that our civilian space program is not just another line item in the Federal budget. Not all Federal expenditures are the same. Some, like the space program, are investments that will provide many long-term benefits, and because of this distinction, it is vital that we halt the decline in support for the space program which has occurred over the past 15 years.

Mr. President, President Kennedy recognized the importance of our civilian space program and made the decision to send men to the Moon by the end of 1969. In 1962, Kennedy stated:

> Our leadership in science and in industry, our hopes for peace and security, our obligations to ourselves as well as others, all require us to make this effort, to solve these mysteries, to solve them for the good of all men, and to become the world's leading space-faring nation.

At the present time, we are the world's leading space-faring nation, and it is my hope that we will remain so in the decades ahead.

THE U.S. RESPONSE TO BREZHNEV'S PLAN FOR WORLD DOMINATION

Mr. ARMSTRONG. Mr. President, Communist Party Leader Leonid Brezhnev believes the U.S.S.R. can bring America to its knees by 1985. This belief is not based on ideology or bluster. And Brezhnev is not daydreaming. He has a definite plan.

If we ignore his plan, or fail to effectively counter, it could succeed.

At a secret meeting of Warsaw Pact leaders in Prague, in 1973, Brezhnev predicted that by 1985 the Soviet Union would be able to cut off the economic lifeline of the West and, thereby, obtain the Communist goal.

He told his Communist colleagues:

> Our aim is to gain control of the great treasure houses on which the West depends: the energy house of the Persian Gulf and the mineral treasure house of central and southern Africa.

Brezhnev's words lend ominous significance to Soviet aggression in Afghanistan, the Soviet military buildup along the Iranian border, Soviet activities in Iraq and Syria, and the presence of thousands of Soviet and East Germany military advisers in South Yemen, strategically located on Saudi Arabia's vulnerable southern flank.

It is not just oil that is endangered by the Soviet grasp for an economic stranglehold on the West. Economists and industrialists have identified nine basic raw materials which are absolutely necessary for an industrial nation to provide for its day-to-day civilian life, let alone its military defense. Foremost among these are industrial metals such as cobalt, platinum, manganese, and chromium. Cobalt is indispensable for mining operations and for manufacturing machine tools. Manganese is essential for hardening steel, and for producing dry cell batteries. Stainless steel cannot be produced without chromium. Platinum is essential to the manufacture of jet engines.

America must import nearly all of these critical minerals, mostly from African countries that are either occupied or threatened by the Soviet-financed Cuban Afrika Korps of more than 20,000 troops.

Oil and other strategic materials do not do us any good until they are delivered to our shores. That is why the Soviets are attempting to gain control of strategic waterways such as the Panama Canal. The importance of the Panama Canal to international trade, and especially to our own economy, should make us all the more concerned about the presence of hundreds of Soviet and East German advisers in Nicaragua, and the thousands of tons of Soviet military equipment that are being delivered each month to Nicaragua and, through Nicaragua, to the Communist guerrillas in El Salvador.

THE SOVIET MILITARY BUILDUP

The key to Brezhnev's plan is for the Soviet Union to develop a conventional military superiority so overwhelming that the U.S.S.R. would be able to seize and hold the resource areas vital to the West, and a strategic nuclear superiority so intimidating the United States would be deterred from striking targets vital to the Soviet Union.

In order to implement the plan the Soviets, for the last decade and a half, have engaged in the greatest arms buildup in world history. They have been spending nearly three times as much of their gross national product on the military as we have.

This unprecedented Soviet military buildup has borne impressive fruit. The Soviets now lead the United States in virtually every measure of military strength, sometimes by breathtaking margins:

The United States has 16 Army and 3 Marine divisions. There are 180 divisions in the Soviet ground forces.

The Soviets have built as many tanks since 1970 as there are tanks in the entire U.S. Army. Overall, the Soviets have a 50,000 to 10,500 advantage, and an even greater qualitative advantage, since most U.S. tanks were built before 1970.

The Soviets have a 6-to-1 advantage in artillery pieces, a 4-to-1 lead in armored personnel carriers, a 2-to-1 lead in fighter aircaft, and a 3-to-2 edge in antitank missiles. In addition, the Soviets have fielded whole families of weapons systems, like the Katyusha "Stalin organ" rocket launcher, for which there are no counterparts in the U.S. Army.

Even on the high seas, the U.S. Navy is outnumbered and in danger of being outgunned. Our Navy has 189 cruisers, destroyers, and frigates, compared to 275 in the Red navy. They have 266 attack submarines to our 80, a better than 3-to-1 advantage.

Soviet superiority is greatest where it counts most. It would take us nearly 2 weeks to move just our lightest division, the 82d Airborne, to the Persian Gulf in the event of a crisis there. The Soviets could move at least 10, and perhaps as many as 20 divisions, most of them armored, to the scene within that period of time.

With that kind of power projection capability, the Soviets seem very capable of meeting with the Brezhnev timetable.

While the Soviet Union has been leaping forward in military capability, we have been falling backward. In 1964, the Air Force had 3,538 fighters and 1,364 bombers. Today, the Air Force has 2,982 fighters and 409 bombers. In 1964, there were more than 600 ships in the Navy, compared to just 355 today. The Army had 971,000 soldiers under arms in 1964, compared to just 776,000 today.

The reason for this relative decline is not hard to find. In 1964, we devoted 43.5 percent of the Federal budget, and 8.4 percent of our gross national product to national defense. By last year, defense spending had fallen to 23.1 percent of the budget, and just 5.2 percent of GNP.

If we are to derail the Brezhnev timetable, we will have to spend more for defense than we have been spending for the last decade. There simply is not any other way to rebuild our defenses. Our task will be especially difficult because it will take a lot longer and cost a lot more to try now to do the things we should have done but did not do over the last 10 years.

In the long run, America's future will be determined by our faithfulness to our ideals, the strength of our economy, the ingenuity of our diplomacy, our willingness to strive and sacrifice to achieve excellence in science, education, and other fields. And, perhaps, our national sense of purpose and destiny. But military power, sufficient to deter war or to win if necessary, is absolutely essential. Our freedom and very survival depend on such power.

SPENDING DEFENSE DOLLARS MORE WISELY

To achieve a strong response capability will be costly and we must spend wisely.

Just as we must have a strong defense in order to keep our economy strong, we must have a strong economy in order to maintain a strong defense. Only if our economy is healthy and growing can we afford the sustained military buildup that will be required to lift the shadow of war from our doorstep.

It is arrant nonsense to assert, as some have, that because of the uncertain state of our economy, we cannot afford to spend more for defense. If we cannot protect our industrial lifeline, there is no hope of economic recovery. But it is equally wrong to argue that all else should be sacrificed to the defense budget. If we try to increase defense spending too much too fast, without regard for its impact on our prospects for economic recovery, we will find we cannot sustain

real growth in the defense budget, and the gains we thought we were making will prove illusory.

In other words, we cannot talk about economic recovery and national defense as if they existed apart from one another. They are opposite faces on the same coin. If we do not rebuild our economy and our defenses together, we will be able to restore health to neither.

The defense budget, in fact, is even more vulnerable to the ravages of inflation than the rest of the Federal budget, or your family budget. The Consumer Price Index increased 30.7 percent in the last 4 years. But the cost of defense purchases increased 41.8 percent in the same period. However bad inflation has been to you and me, it has been half again as harmful to our defense efforts.

Our plans to rebuild our defenses will be thwarted if inflation is much higher than we expect. President Reagan's plans for 7 percent real growth in the defense budget each year for the next 5 years are based on some very optimistic assumptions about inflation. If the rate of inflation through 1985 is as high as the Congressional Budget Office estimates, two-thirds of the President's proposed gains in defense spending would be wiped out. And CBO made its estimates before we discovered we could be as much as $100 billion short of our goal of a balanced budget by 1984.

It sounds like a contradiction, but it could be that the only way to preserve real growth in the defense budget in the critical years ahead is to spend less than the President has proposed, at least initially. We have to get inflation under control. That cannot be done without balancing the budget, and the budget cannot be balanced without some reduction in the proposed increase for defense.

There are other sound reasons for thinking carefully before we commit huge sums of money to new defense programs. Not only did our military forces wither in the 10 years of neglect that preceded President Reagan's election, but so did the defense industrial base on which we rely to produce the weapons we need. Hundreds of subcontractors and thousands of parts suppliers have left the defense business. Many of the prime contractors are in ailing financial condition, and their production facilities are aged and decrepit.

Because of the inefficiencies that have developed, it can take as much as 3 years from the time the order is placed for a fighter plane to be delivered. It simply is not possible to try to increase defense production across the board without setting off a scramble for resources and skilled workers that will bid up the price of weapons systems faster than the already horrendous rate of defense inflation. In the near term, the result will not be more weapons, just more expensive weapons.

The Defense Department is perhaps the best managed of all Federal agencies, but that is like being the fastest in a three-legged race. DOD is a bureaucracy like other Federal bureaucracies, and billions of dollars are squandered each year through duplication, waste and maladministration.

President Reagan understands the problems we have been having with the defense industrial base, and with the management of the Department of Defense itself. He has ordered a study of comprehensive reforms of how we buy weapons, and how we run the Department of Defense. But the Reagan reforms have to be implemented, and they have to have time to work. If we make major commitments to new weapons systems now, under the old processes, we cannot avoid wasting billions of dollars we cannot afford to waste which could have been saved if we had waited until reformed procedures were in place.

We also need to rethink our strategy and our defense priorities. The lion's share of American military planning is based on repelling a Soviet thrust into Western Europe. But it makes more strategic sense for the Soviets to try to destroy the West by grabbing a stranglehold on the vital raw materials we import. That is what Brezhnev and other Soviet leaders say they intend to do, and that is in fact what they have been doing. Would it not make more sense for us to plan to meet the Soviet thrusts where they have been occurring rather than to devote most of our resources to repelling a thrust that probably never will come?

Furthermore, by some measures, the United States has been spending more to defend Western Europe than the Europeans have been spending. That was justifiable at the end of World War II, when Europe was prostrate and we were, relatively speaking, omnipotent. But it is hardly justifiable today, when the economies of many Western European countries are in better shape than our own.

The magnitude of our commitment to the defense of Western Europe is especially hard to justify in view of our unilateral assumption of the responsibility for defending Middle Eastern oil supplies. The United States would suffer greatly from an abrupt cutoff of Persian Gulf oil. But the Europeans would suffer much more. We import less than half the oil we use, and less than half the oil we import comes from the Persian Gulf. But the Europeans import nearly all the oil they use, and most of their imports come from the Middle East. Yet every last soldier in the rapid deployment force is an American. If we are to assume the responsibility for defending the oilfields, the Europeans should reciprocate by spending more on their own defense.

Finally and most important, we need to come to grips with the consequences of the technlogical revolution our Armed Forces have been undergoing. Congressional pacifism and parsimony alone cannot explain why our force structure has shrunk so much.

Although defense spending has declined enormously as a percentage of Federal outlays and of GNP, we are spending about as much, in dollars adjusted for inflation, on defense today as we did 30 years ago, or at any point within the last 30 years. But we are getting a lot less for the money we spend. The chief reason for this is the skyrocketing price of acquiring and operating the highly complex weapons systems we are buying today. While 10 years ago, it cost $3.3 million a copy to buy what was then the chief Air Force air superiority fighter, the F–4, today, we are replacing the F–4 with the more capable F–15.

But in constant fiscal year 1972 dollars, the F–15 costs $8.1 million, more than twice as much. The absolute cost of maintenance has gone up by a comparable amount, because the F–15 has more things that can go wrong than the F–4, and they take longer and cost more to fix.

The inevitable consequence of procuring these expensive systems is that we will have far fewer of them. Not even the substantial boosts President Reagan has proposed for defense will be enough to keep forces at present levels if the cost of the weapons we buy continues to double, in absolute terms, every 6 or 7 years. If the shrinkage in force structure that will occur if we continue to procure only high-tech systems seems too much to bear, we should consider buying simpler weapons, but many more of them. Neither step is a step we should take lightly, or without careful consideration within the executive branch, Congress, and in the country.

THE MOST IMPORTANT DEFENSE PRIORITY: PEOPLE

There are some steps we can and must take now to strengthen our defenses while we are thinking through these important questions. Because of our fixation for weapons procurement, we have given short shrift to the servicemen and women we expect to use those weapons. Military pay and benefits and training funds have been cut back in order to get more wheels on the ramp. This is as self-defeating as it is unfair to the men and women who have sacrificed so much to wear the uniform of their country.

Often more than half the cost of a weapons system is expended to get a 5 percent increase in capability. But because we have not been paying skilled military personnel enough to keep them in the service, and because we have not been training their replacements as thoroughly as we should, our servicemen cannot get maximum performance from their weapons, and the money we spent to get it is wasted.

Congress finally has recognized the damage done by its decade of neglect of the needs of our servicemen. President Reagan signed into law earlier this year a substantial military pay raise. But our military manpower problem will not be solved until we also enact a new GI bill of rights to attract the best and the brightest of our young people into military service.

In addition to being perhaps the most effective step we could take to strengthen our defenses, the GI bill also could save us a considerable amount of money. There would be no cost at all for at least 2 years, and the countervailing savings that could be generated in the Department of Defense as a result of having a smarter force, coupled with the reductions that could be justified in other Federal education loan and grant programs, could make the GI bill a money-making proposition for the taxpayer for years to come.

We also need to increase our purchase of ammunition and spare parts for the weapons we already have. If a war

started today, our Armed Forces would only have enough ammo to fight for 2 weeks. Our stocks of ammunition and spare parts can be replenished without the inflationary consequences of some other type of procurement spending.

These are important questions. In the weeks ahead, Congress must come to grips with specific proposals about how we can get more bang for our defense bucks, proposals involving a rethinking of our strategic options, reform of the weapons procurement process, and reorganization of the Department of Defense.

In the meantime, I would like to hear from you. I would like to know what you think can be done to stretch our defense dollars. Please write to me here in Washington or at one of my Colorado offices. We all need to get involved if we are to keep our country strong and free.

We are in a period of great danger, but I think we will pass through it safely. No foe has ever been able to match Americans in vigor, imagination, or in our determination to defend our homes, our families, and our freedoms. Our difficulty has not been in responding to threats, but in recognizing that a threat is being posed. We have tended to be too peaceful and too trusting for our own good. That has certainly been the case for the last 10 years. We deluded ourselves into thinking that Soviet intentions were as noble as our own. But now we know better. We know we need to rebuild our defenses if we are to preserve peace and freedom in the world. And because we know what we have to do, I am confident we will get the job done.

VETERANS DAY

Mr. CANNON. Mr. President, November 11 was Veterans Day and was witnessed by celebration by veteran groups throughout the land.

I know everyone talks about veteran accomplishments at that time, but some say it better than others. Mr. Bill Morris, the commander of chapter 3 of the DAV in Las Vegas did a superb job of laying it on the line, and, accordingly, I was to share it with my colleagues. Mr. President, I request unanimous consent that his article be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Las Vegas Sun, Nov. 8, 1981]

VETERANS' NEWS BRIEFS

(By Bill Morris)

This column is in honor of Veterans Day, Nov. 11, 1981.

"It was the nakedness of Bryce's left calf-bone that bothered me. Every strip of flesh and muscle had been torn away, so that the splintered bone looked like a broken ivory stick."

That ghastly description of a war wound came from the pages of Philip Caputo's Vietnam combat novel, "A Rumor of War." The scene is haunting. It's brutal. But it's a scene that's been repeated countless thousands of times in the wars America has fought.

Such scenes echo the pounding of German artillery as it turned the trenches of WWI into rivers of precious American blood. They echo the crashes of Japanese Kamikaze planes that transformed the decks of American ships into fields of flame.

And they echo the firing of communist machine guns, as they mowed down young Americans on the banks of Korea's Yalu River. Over and over again, the horrifying scenes of disabling injuries have been repeated in the eight wars and other military actions our country has been forced to fight.

On Veterans Day, 1981, the veterans ask all of our Nation's citizens to remember the courageous men and women whose blood paid the price for peace.

They call on our country's people to understand that war is seldom like the movies on TV . . . films that focus on the glory of war. The sudden arrival of death or permanent disability is not clean or fine, or glorious. War is ugly. War is hell. They do not show the reality of combat.

The reality of war is like Caputo's description of a shattered leg bone. In another period of history, it was the horror of a Civil War soldier crawling across the forest floor toward death, as described in one of Stephen Crane's stories.

War is young Americans being slaughtered and maimed. It's other young Americans mopping from their faces the sweat of fear . . . fear that their number will come up next. These are the men and women who have paid the price for peace, and peace isn't cheap.

Veterans Day is their day. And you can be sure America's 30 million living veterans recall the blood and sacrifice that Veterans Day commemorates. They gave greatly of themselves, risking death and disability, to purchase peace for their country.

The birthright we Americans enjoy . . . a heritage most of us take for granted . . . was bought with anguish and pain.

A million and a quarter of our finest young men and women sacrificed their lives to defend our right to choose our own leaders at the ballot box. Countless thousands will never again enjoy peace of mind, because of mental wounds they suffered while fighting to assure that all of us can worship as we wish. Thousands will forever blame themselves for letting their buddies be killed. Thousands will forever remember the sight of a small Viet Nam child throwing a grenade into the middle of their platoon.

America's veterans had to interrupt their lives to answer their country's call to duty. They left their jobs, their schools and families behind to risk death and disability on the field of battle, in the air or on the sea.

Today, too many young Americans view military service as a responsibility to be avoided at almost any cost. But, they who have served know differently. They know it is not an easy task to be a soldier, a sailor, an airman or a marine when our country is at war.

As we look at today's world, we understand that it isn't easy to wear the uniforms of our Armed Forces even during peace-time. Just in the past few months, two Soviet-backed countries have attacked American aircraft.

Our military officers and bases have become targets for terrorist assaults. And, at least five times this year, communist troops have instigated fire fights with American forces stationed on the demilitarized zone separating North and South Korea.

It's not child's play when you have to face enemy fire . . . when you have to watch your comrade die in the arms of a corpsman . . . you see another human being fall after you've pulled the trigger.

Dealing with such terrifying realities is no everyday job. America owes a sacred debt to those who have purchased peace through such sacrifices.

This is what Veterans Day stands for.

The next time you see a veteran in a wheelchair, or walking with a white cane, or lying in a hospital unable to move for the rest of his life or see a Vietnam veteran searching for his identity, don't turn your back—instead smile and say, "Thanks for keeping us Free."

SMALL TRANSPORTS FOR THE LONG HAUL

Mr. CANNON. Mr. President, my frequent trips from my home State of Nevada to the Capitol continue to remind me of the need for further improvements in the level of air service available to many of the small communities and cities of our country which are not among the top 20 or so of the Nation's metropolitan centers. When the Congress 3 years ago supported my bill to deregulate the airline industry, we broke down the stifling regulatory barriers to open competition, which is essential to attainment of more extensive and economical services for all communities. We have achieved important results provided by many new entrants into the market and many new economies, admittedly constrained by the explosion in fuel costs that took place during that period.

Beyond the past regulatory barriers, there still exists severely limiting technological and attitudinal barriers which I will point out now.

Most conspicuous is the fact that we do not have small transport technology developed to the point that commuter class carriers can offer the quality of aircraft service for small communities that has long been routine for major intercity travel. This means pressurized cabins for overweather flight, stand-up headroom, turbofan powerplant performance and reliability, state-of-the-art electronic communications and navigation equipment, nominal cabin amenities, safety, and schedule reliability.

Our country is suffering in two ways because of the lag in appropriate commuter class technology development. For one thing, many travelers are denied the quality of air service contemporary technology should make available. For another, our commuter carrier industry is forced to go abroad for purchase of most of its new small transports at a time when our employment and economy urgently need revival in about every domestic sector.

I referred also to an attitudinal barrier restraining the development of small community air service. There is a deeply imbedded mind-set throughout the aviation industry which has decreed that travelers between two nonmetropolitan, or nonhub cities, will forever be denied direct service between smaller cities of origin and destination simply because the volume of traffic between such cities cannot economically support service with large modern transports.

In that scenario, the tens of millions of those travelers are programed for a short haul commuter flight from origin to a regional hub city, transfer to a large transport for travel to another regional hub, and connection there to another commuter class flight to destination. This can often mean doubling back in direction of travel at either or both the origin or destination segment of the itinerary. It can mean missed connections, long delays, and badly timed origin

departure and destination arrival times. It can mean overloading the airplane handling capacity, or slot positions, at major hubs. It imposes the inescapable economic burden of unwanted short haul segments on long haul travelers.

With that mind-set in place, we will never develop the small transport technology which will permit frequent direct service commensurate in speed and quality with that of trunkline carriers at affordable, if not equal, cost.

It was, therefore, very refreshing for me to read an editorial by Arnold Lewis in the September issue of Business & Commercial Aviation, which is chipping away at that mind-set. He cites testimony and eye-opening statistics provided at a Senate Commerce Committee hearing by Anthony A. duPont, designer of a proposed 30- to 44-passenger transport that can operate nonstop at transcontinental distances at mach 9 and provide competitive 100-mile segment performance from 3,500-foot runways.

Mr. President, I ask that this article by Mr. Lewis, captioned "The Long Haul Commuter" be printed in its entirety. It is my hope that NASA and other important segments of the aviation industry will take note and give careful consideration to the concept there discussed. Certainly my fellow citizens from Nevada communities will join me in this expression of an intolerable gap in the level of airservice available to them. This is a gap which airline deregulation will help to close if NASA moves forward aggressively with advanced small transport technology development and industry leaders break free from their previous mind-set.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE LONG HAUL COMMUTER

It sounds daft on the surface—a commercial airline operating nonstop between Albuquerque, New Mexico, and Washington, D.C., several times a day with 30-passenger turbofans?

Corporate jets do things like that, but not commercial airliners. Everybody knows that when one wants to fly between Albuquerque and Washington, one must first fly from Albuquerque to Denver, then from Denver to St. Louis, and finally from St. Louis to Washington National Airport.

But wait a minute. Every once in a while someone comes up with a better idea—at least one that's worth exploring. That someone in this case is Anthony A. duPont, an aeronautical engineer from Torrance, California. He recently appeared before the Senate Commerce Committee's science, technology and space subcommittee advocating what he described as a "new concept which could improve air service dramatically."

What he didn't say was that the concept also could cut right into the heart of corporate aviation by providing point-to-point transportation to localities not currently served by scheduled airlines.

"You cannot today fly nonstop from Albuquerque to Washington, D.C.; or from Las Vegas to New Orleans; or Buffalo to Phoenix; or Charleston to New York; or Huntsville to Los Angeles; or Indianapolis to San Francisco; or Los Angeles to Wichita; or Detroit to Seattle," duPont told the subcommittee. "And there are many other city pairs where CAB passenger statistics indicate demand of large economic proportions for nonstop service where there is none today," he added.

DuPont calls it an "important gap in airline service" and notes that 53,000 people made that Albuquerque-Washington trip in 1980. "With this many passengers, a 30-seat aircraft could offer four trips a day each way. A 100-seat DC–9 or 737 could offer a single daily round trip, but the 1,727-mile distance is more than is normally flown by these 100-seat aircraft."

The 30-passenger aircraft duPont envisions would be too small for commercial transport builders to develop, and might be beyond the technological reach or interest of general aviation manufacturers. He sees an FAR Part 25 aircraft with a supercritical wing and an advanced engine installation "with thrust vectoring to achieve a high cruising speed without incurring fuel consumption penalties.

"It would be more fuel-efficient than even our newest large airliners or commuter aircraft on either a long or short (100-mile) flight." DuPont quotes 75 seat-miles per gallon on a transcontinental trip, and 37.5 seat-miles per gallon on a 100-mile flight, "which is still more fuel-efficient over the 100-mile segment than any current turboprop aircraft, which were specifically designed for this type of short-haul service."

But the new generation of 35-passenger commuter aircraft can achieve such fuel efficiency over a 100-sm segment.

DuPont also believes his concept must include "some V/STOL features" to permit the use of discrete runways no more than 3,500-feet long at major hubs in order to increase airport capacity and allow for greater frequencies of service.

"With such a unique combination of speed, range, economy and short-field performance, present passenger-load figures indicate that passengers riding between 20 and 30 percent of the airline miles traveled today in the United States would be served more promptly, economically, and with less fuel than with present aircraft," duPont said.

An analysis of the "low-density airline" market, he adds, "shows there is a current market in the United States for at least 1,200 such aircraft and an estimated market abroad for an additional 4,000 airplanes."

Furthering his analysis, duPont selected from the CAB's list of the top 1,000 city pairs (in terms of revenue passenger-miles) those cities that could be served by two to eight round trips per day with 30-passenger aircraft with a 55-percent load factor.

From that list he deducted 50 percent of the traffic "as that which might be carried by larger aircraft between those cities requiring five to eight round trips with these (30-passenger) aircraft."

As a result, duPont said that "about 27 percent of the revenue passenger-miles (between those cities) could be conveniently flown with 30-seat aircraft. Examination of the Official Airline Guide dated March 1, 1981, shows that the great majority of city pairs selected in this manner have no nonstop service between them at the present time and that very few have more than a single one-stop flight (daily)."

An important assumption made by duPont was that only city pairs that board less than 100,000 passengers per year were candidates for service with the advanced 30-passenger aircraft. The 100,000 passengers represent only two and a half daily round trips in a 100-passenger aircraft, "which is not really considered adequate service.

"One DC–9 trip and five trips with the new aircraft would make 100,000 passengers per year, or two DC–9 trips and two trips with the new advanced airplane would make 104,-000 passengers per year giving a six-flight-a-day or four-flight-a-day frequency (respectively)," duPont concluded.

Even if duPont's "special" aircraft could be developed, his concept would require fundamental changes in the air transportation system. Such changes would offer major and unique opportunities for today's commuter operators to become long-haul carriers with small aircraft in what could be considered specialty markets.

On the other hand, implementation of the concept might have a significant impact on corporate aviation. But a network of 30-passenger aircraft that would serve the diverse array of destinations that currently attract business aircraft is highly unlikely.

Corporations have been forced to solve their own air transportation problems as a result of declining or nonexistent commercial airline services. Will they be willing to rely again on the commercial airlines (even specialized operators) to satisfy their transportation needs?

IMPACT OF THE FEDERAL R. & D. BUDGET ON THE HEALTH OF U.S. SCIENCE AND TECHNOLOGY

Mr. CANNON. Mr. President, on October 26 and 27 the National Academy of Sciences held an unprecedented convocation of the U.S. leaders in the field of science and technology. The purpose of this meeting, which was arranged by Dr. Frank Press, president of the National Academy of Sciences, was to review the Federal R. & D. budget for fiscal year 1982 and future years.

Some of the most prestigious leaders from academia, industry, and Government met under the auspices of the National Academy of Sciences to review the implications of the Federal R. & D. budget reductions in this fiscal year and the projected reductions in future fiscal years. This meeting provided an opportunity to exchange information on the administration's position with regard to science and technology. Based upon this exchange, the Nation's leaders were able to provide an indication of the impacts of the administration's new directions.

I need not convince my knowledgeable colleagues on the vital contribution that science and technology make in meeting our national security, economic, and social needs. I would encourage my colleagues to review the results of this meeting. It is a frank evaluation of what the budget reductions will mean for the future health of this Nation's science and technology base. Across-the-board budget reductions without any regard to policies, priorities, and programs will not serve the interest of this Nation.

Mr. President, I wish to include in the RECORD a summary of the conference by our Nation's science and technology leaders. The results of this conference should be extremely valuable to the Members of Congress, who must make budgetary decisions on the allocation of scarce Federal resources. I think the summary and statement are thoughtful and germane to our deliberations. I hope my colleagues will have a chance to review them in the course of deciding upon the Federal R. & D. budgets.

I ask unanimous consent to have printed in the RECORD the summary and statement to which I have made reference.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONFERENCE ON THE RESEARCH AND DEVELOPMENT BUDGET FOR 1982 AND FUTURE YEARS

SUMMARY

In brief, the purposes of the meeting, held October 26 and 27, 1981, at the National Academy of Sciences in Washington, D.C. were to:

Obtain factual information on federal budgetary plans for FY 1982 and beyond, from government officials directly concerned with science policy and with civilian research and development budgets;

Develop an informed dialogue among conference participants and with agency officials about the impacts of the prospective reductions;

Propose budgetary alternatives, for FY 1982 and for future years; and

Consider initiating reviews of the institutional structures and procedures for supporting research and development in the national laboratories and in the universities.

During his welcoming remarks to the conferees, Dr. Frank Press, president of the National Academy of Sciences, stressed that he had convened the meeting because he believed all could benefit from an informed dialogue, and, secondly, that he did not view the conference as the basis for confrontation with officials representing the departments and agencies. Dr. Press also stressed that he was acting as a convenor of a number of key officials in government with leaders in research and development, and that it was not a meeting of the Academy.

On October 26, the conferees met with representatives from six governmental departments and agencies. A number of conference participants served as panelists for discussion. Comments from the floor followed each panel presentation. On October 27 the conferees met in executive session, at which time they adopted a consensus statement. [The consensus statement and the list of participants are attached.]

This summary first discusses the current and prospective budget plans, as presented by the governmental representatives and as shown in the analysis by Dr. Willis Shapley, consultant to the American Association for the Advancement of Science. Secondly, it describes impacts—immediate and beyond—of the prospective budgetary reductions. Finally, it reports on possible involvements by the scientific and technical community in governmental decision making.

CURRENT AND PROSPECTIVE BUDGET PLANS

Overview of the current budget and its status

The FY 1982 budget presented by the Administration in March 1981 reduced the totals proposed for research and development by the previous Administration, but it generally maintained the principles of federal responsibility for longer-term research and those applied research and development activities that support recognized federal missions such as national security. The exception in the March budget to these principles was the severe reduction in support for basic research in the social sciences. However, in September, the Administration proposed a further reduction in the FY 1982 budget—the so-called "12 percent across the board cut." That proposal would reduce the $42.2 billion of R&D appropriations request of the March budget by $3.1 billion—$1.0 billion from the Department of Defense (DOD) and $2.1 billion from all other programs. Of the $42.2 billion, about $5.5 billion is ascribed to basic research and that amount would be cut by about $600 million.

In constant 1980 dollars and applying the Administration's annual inflation rate of 9 percent, the percentage difference between the 1980 budget and the proposed September budget is: DOD, +26 percent; NASA, −7 percent; DOE, −29 percent; NSF, −17 percent; HHS, −19 percent (NIH, −18 percent). For basic research, the overall reduction is 11 percent.

The present actions of the Congress on the FY 1982 appropriations requests call for reductions from the March budgets of lesser magnitude, being a reduction of about $1.0 billion from total R&D funding and taken from the DOD budget. While some other reductions have been made by the appropriations committees, there have also been increases totalling about $200 million. The Congressional actions are not complete; the government is currently operating on a continuing resolution empowering agencies to expend at levels and rates consistent with 1981 appropriations levels. The Administration, however, has further instructed agencies to expend at rates consistent with the proposed September revisions to the 1982 budget. The Administration proposes to set these levels formally through the deferral process, and deferral requests were being sent to the Congress by the Administration in late October. The resolution of the 1982 appropriation process will require much further discussion between the two governmental branches. Several participants at the October 26–27 Conference, including Administration officials, indicated that the outcome will be negotiated, and that the conferees should not assume that the 12-percent reduction proposals will be enacted as such.

Views of administration officials

The Administration, through the Executive office of the President, was represented by Dr. George A. Keyworth, director of the Office of Science and Technology Policy, and Mr. Frederick Khedouri, the Associate Director for Natural Resources, Energy, and Science in the Office of Management and Budget. Dr. Keyworth cautioned against assuming the worst possible scenario concerning the budget. He indicated that he felt that, overall, science was healthy; that the Administration would still adhere to a philosophy of supporting research; but that it would take a more critical attitude toward demonstration programs, especially where the civilian sector might be expected to do the job. He felt greater attention needed to be placed on identification of research areas of maximum promise, with the assumption that these would be supported. Maintaining the strength of top research universities, supporting high quality research, and responding to instrumentation needs were all urged by Dr. Keyworth.

Mr. Khedouri acknowledged that the budget outcome for 1982 is unclear; there will be negotiation and the gap between the Administration and Congress will narrow. The Administration's aim is to establish targets and to stick to goals; there will be active, not passive, response by the Administration to revisions of targets, by the Congress or by revised economic forecasts. This will require two to three years of hard budget decisions. He indicated that the usual budget process might have to be abridged over these years, but that the framework for research would be protected. He advanced the notion that from his perspective the issue was about a change in rate of growth of the budget rather than absolute reductions. Mr. Khedouri asserted that, overall, there was some real growth in research; and that basic science was faring well compared to demonstration and social programs. One should not assume, however, that there can be, or should be, more and more science support from the government. The scientific community could help in reallocation.

Research agencies

The research and development leaders from NSF, NASA, and the Departments of Energy and Health and Human Services (NIH) made a number of points concerning the budget proposals, including that they are using different tactics to cope with the proposed reductions.

National Science Foundation: The NSF, for example, is attempting to shield basic research in the mathematical, physical, and engineering sciences to a greater extent than some other areas because of the underfunding over a decade in these disciplines. Dr. John Slaughter, Director of the NSF, said that the National Science Board (NSB) and key NSF executives recognize NSF's critical role in research and that in this period of tight funding the catalytic effect of NSF funding—in prompting funding by other agencies, industry, and, other private sources—needs exploration and emphasis. The NSF will support research in the social sciences. The statement of the NSB on the social sciences was stressed.

Further, the NSF has continued to be concerned about instrumentation and has led an interagency group considering ways to increase instrumentation funding. NSF is avoiding applying "simplistic" formulas, such as ratios of the existing grants renewed to new ones funded.

However thoughtful these tactics, there will, realistically, be significant effects on money actually available and the nature of what is funded. For example, in NSF's case, some 60 percent of its grant money is committed to projects having another year or more to run.

National Aeronautics and Space Administration: NASA is terminating, or grossly reducing, specific programs, rather than applying across-the-board cuts. Which program to cut is a derivative of several variables, including the long-term gain for science generally as, for example, the broad gain in astronomy promised by the orbiting later this decade of the Space Telescope. Hans Mark, Deputy Administrator of NASA, made several comments about the budget situation. It is only partly true that Shuttle costs are reducing funding for science. There are severe problems of inflation, exacerbated by the lack of technical craftsmen and skilled workers, affecting not only the Shuttle but all aerospace procurement, e.g., Atlas Centaur launch vehicles. NASA recognizes that procurement and development costs associated with the Shuttle obscure other elements of the budget and has sought and received from OMB an agreement that the Shuttle be budgeted separately from the rest of the agency's programs.

NASA has told OMB that it cannot operate a planetary program with only one project each decade, and that this activity should be supported properly or not at all. Other research missions, e.g., aeronautics research, are being viewed in a similar fashion. Mark said that he and Administrator Beggs want the advice of the scientific community. With regard to cooperative missions, such as the Solar Polar Mission, it was difficult to generate diplomatic support, since in the broader context many agreements are honored neither by the United States nor by the Europeans. Mark shared the frustration of losing support for projects with interagency funding, such as the National Oceanic Satellite System, and the difficulty of turning the high public interest in space into political and budgetary strength for the program.

The Department of Energy: The budgetary situation in the DOE is complicated by the announced plan of the Administration to abolish the department. There are no decisions and Dr. Alvin Trivelpiece, Director of the Office of Energy Research, reported no emerging preferred alternatives. At present, the agency plan is to effect a percentage reduction across all elements of the department, including the large commercial-scale demonstrations, the basic energy sciences, and the high-energy physics programs.

The Energy Research Advisory Board has begun to look at the future roles of the national laboratories. DOE recognizes that universities use some facilities of the national laboratories, such as computers. The twin uncertainties of DOE funding in the basic sciences and the future of the Department are severely hampering the ability of laboratory directors and individual scientists to plan research programs.

Department of Health and Human Services: Dr. Edward Brandt, Assistant Secretary

for Health, in summarizing the situation at NIH, said that he recognizes that the proposed budget reduction will severely affect the policy of supporting an adequate number of new research grants each year and training clinicians for research careers; it will certainly affect NIH's special responsibility in biomedical research. Moreover, Dr. Brandt acknowledged that the current year cut was severe because of the commitments to continuing grants, and that level or reduced funding would severely affect basic biomedical research, with perhaps as much as a 40% reduction in new project starts. He offered no solutions. The Department is not planning for drastic responses to the proposed budget reductions, e.g., elimination of an NIH institute, because of the low likelihood that such a step would be sustained.

Department of Defense: From a cross-agency perspective, there is little likelihood that reductions in basic research funding will be offset, wholly or in part, by increases in DOD funding for basic research. The reasons include the uniqueness of the DOD mission and, more heavily, the several years of constrained spending that DOD now wishes to recoup. DOD increases will be scrutinized by Congress; further, sustaining basic research under the combined pressure, of anticipated reductions in the rate of growth of the DOD budget and new or intensified development programs will be difficult.

Other agencies

It was noted that the effects of the costs extend not only to the immediate plans of the larger, more visible R&D agencies, but may be—in fact, are—more severe for the smaller agencies; for example, a proposed 50 percent reduction in EPA's research budget; a 15 percent cut in NOAA's budget, and so forth. A danger is that in the effort to restore funding for the more prominent research agencies that those severe cuts in the smaller, less visible agencies may be sustained.

It was also noted that some research is the result of "piggybacking" and may be lost through what seem, on first order, to be nonresearch cuts. This piggybacking is particularly illustrated in the social sciences: demographers in census, economists in assembling national economic accounts, anthropologist in international exchange programs, and so forth depend on other programs as the framework for their research efforts. As these activities are reduced in scope, the effect on social science research will be severe.

IMPACTS: IMMEDIATE AND BEYOND

The effects of federal budget reductions—namely the proposed September levels—can be examined in several ways: by the effects on the basic research enterprise, per se; by the effects on national goals, including national security, improved productivity, availability of adequate number of scientists and engineers, and by the ability of the industrial R&D endeavor to offset reductions in federal R&D work and support. These and many other effects were addressed by many of the conferees. A number of the major points made by conferees are summarized below.

Effects on the basic research enterprise

American science, especially its basic research component, is now appraised as generally healthy. However, slippage has been taking place in recent years. That is revealed in several ways, such as the erosion, vis-a-vis other research nations, of the historic American leadership in high energy physics and in astronomy. Virtually no part of a decadal strategy for space science research prepared in 1975 has been done. X-ray astronomy may in future years be dominated by observational work of European and Japanese Astronomers. Other nations will be sending missions to Halley's Comet; the U.S. will not. In high-energy physics, Europeans are leading in reporting experimental results, and, with the money invested in new European facilities, that dominance will continue and probably widen. In any case, the implications of reductions in basic research support need to be faced early. Sustained reductions over several years will lead to a major change in the U.S. position vis-a-vis European nations and Japan.

Some participants in the conference did not share the view that the research enterprise was generally healthy and stressed that it is more fragile than planners in Washington realize. They further cited the quality of life in the laboratory here and the contrast in laboratory working conditions and resources in the United States vis-a-vis Europe. The behavior of the funding agencies is another indicator of problems for the research enterprise. Sustained underfunding of research has many ramifications. One outcome, given prospects for further reductions in successive fiscal years, is conservatism in funding extended projects: established operations may do better; new people will be denied programs and lost. It is a misconception to say that investigators whose funding is skipped for a few years can then come back.

Some agencies by virtue of their missions are more vulnerable to current and future reductions. For example, NSF, with most of its money allocated for grants, has less flexibility in responding to cuts than does DOE, which conducts a more heterogeneous research program, one that includes not only basic science but also development and demonstration programs. While there is greater flexibility in some agencies, there are also great pressures to continue investments in large scale demonstration plants. These pressures will inevitably affect those supporting longer-term research.

Some at the conference stressed the multiplier effects of budget cuts, stating that the system was in many ways taut, that small changes, up or down, in funding had pronounced impacts on all aspects of research, funding for procurement, manpower and training, and so on.

Mismatches: Budgeting and the Research System: Damage is done by the "mismatches" between the dynamics of government actions and the time constants of the research system. Government budgets change drastically, in amounts and within months. The basic research system generally operates in considerably longer time frames, typically several years; that is, the time needed to conduct an experimental program, to construct large facilities, to develop research teams that can work harmoniously and effectively, for a graduate student to complete a thesis. When mismatches occur between the timing of budget reductions or redistributions and those time constants of research, the effects can be severe—in sunk costs losts, in incompleted theses, in aborted careers in science and engineering. The majority of research performers have no reserves; universities have less funds to support transitions between grants. The results are severe dislocations when precipitate budget changes occur. Leverage effects are a consequence of these mismatches; that is, relatively small cuts having greatly magnified effects, in research productivity and in time lost.

Instrumentation: Instrumentation of research universities is now in quite bad shape, with apparently no immediate prospects for relief. Students are using obsolescent equipment. The first of several efforts over the coming years intended to reduce this problem, a $75 million request by the NSF, was deleted in the March budget. An interagency effort to share the burden of instrumentation funding has produced an agreement among department and agencies that the instrumentation problem is serious; but, because of funding pressure, the outcome of any proposed budgetary initiative is in doubt.

Manpower: The decline in the number of Ph. D's in physics is symptomatic of difficulties in the research system, given that, at the graduate level, training and education commingle with basic research. Despite a rough doubling of the GNP (1972 dollars) since 1963 and a substantial increase in the working age population, the number of Ph. D. graduates in physics will decline in the near future to pre-sputnik levels. That decline will directly affect the country's national security; that is, in having sufficient scientific and technical talent to develop new defense technologies.

NIH training grants will be reduced substantially. Moreover, the government has no way to cope with the already evident decline in the number of physicians training for a basic or clinical research career. (Note: After the conference, the NSF fellowship support programs were reinstated by OMB in the FY 1982 request.)

National laboratories: The budget reductions are already severely affecting the national laboratories. Given future plans, some laboratories may be virtually dismantled or greatly reduced. Unique capabilities may be irreversibly damaged; thus, the dismantling of programs in planetary science may impoverish the Jet Propulsion Laboratory, even though JPL has taught the world a lesson in quality control. The role of the national laboratories needs examination, including the nature and quality of their basic research that is done and their relations with the research universities.

Impacts on national concerns: Productivity and national security

Research—basic work in the natural, social, and engineering sciences—is the country's major investment in the future use of its resources, most directly in providing fertile ground for new technologies that amplify the value of increasingly restricted resources. Without adequate investments in intellectual capital, there may be continuing erosion in the country's ability to compete internationally in high technology. The real growth of U.S. funding of basic research over a ten-year-period has been less than that of Japan, West Germany, and France. Data on expenditures for research and development in the industrial countries, such as those contained in Science Indicators, were cited, and supported with first-hand observations, by both industry and academic participants. Several conferees stressed that future international competitiveness require more, not less, investment in research by the government and by industry. A continued flow of trained manpower for industry and universities requires a strong governmentally supported research effort.

There should be collaboration between government, the universities, and industry; however, attitudinal changes were necessary to a more favorable spirit of collaboration. The tax measures recently enacted will help, but, when considering both government and industry investment, it should be kept in mind that the proportion of the national resources being directed to R&D is declining in the United States in comparison to some other industrial nations. The relationships of the budget actions to defense and national security were of concern to the conferees. The effect of sustained tight budgets in basic research on manpower availability and the general knowledge base on the nation will be pronounced.

Industry research

Industry couples directly to the basic research system in its concern with the health of graduate education; that is, in assuring the continuing production of people trained in research and fully conversant with the frontiers of fundamental science.

While a number of specific agreements between particular universities and industries exist or are being arranged, the amount of support by industry for academic research

particularly and university education generally is likely to be limited. Thus, a tripling over the next decade of industrial support currently directed to university based research would about equal the proposed federal cut in R&D funding for one year. There is no indication that industry can or will have the capacity to substitute for the government's historical role in the support of basic research. It is a misconception to believe that the scale of changes being proposed in the federal funding will be offset by industry's activity on campuses or in its own laboratories. Further, it should be kept in mind that industry will likely focus its increased support of research in universities on a few fields or disciplines, such as electronics and geology.

DECISIONS INVOLVING THE S&T COMMUNITY

As a first principle, the conferees agreed that several years of reductions in basic research funding will be damaging. However, given that overall budgetary reductions will occur in FY 1982, the issue is how to manage budget redistributions so as to protect the basic research system.

A number of the attendees at the conference asserted that a process or dialogue needed to be restored to the budget process. The root issue is participation by the scientific community itself in the decisions that are made: A measure of due process is needed. Barring that, we will get second-rate science, second-rate technology, and become a second-rate world power, said one participant. The problem to be faced, it was noted, is that the research system is now entering a negative growth cycle. How can we see to productivity in research in a period of chronic negative growth?

There is again a mismatch problem: between the day-to-day, often crisis environment of governmental decision making and the ability of the scientific community to mobilize and to prepare consentient advice. Whatever the difficulties advice and judgments—on the quality of programs, relative importance of different fields and subsets within fields, and so forth—are critical. NASA, for example, needs advice—political and scientific—as to what sort of institution it should be. Other agencies, such as DOE, don't have good standards as to what to support. For example, how many fellowships should there be and in which fields?

For its part, the research community needs sufficient notice of departures from previous budgetary trends, to allow corrections in the number of graduate students accepted, faculty positions offered, equipment purchased, major experiments, and so on. Does the government, for example, believe that "crisis budgeting," similar to the revised budget issued in September, will recur for several years?

In all, what is need is an interactive, continuing exchange of information between the government's fiscal and science policy officers and the scientific and engineering community. No adequate mechanism to accomplish that now exists. As a corollary, there is now no apparent way to manage "an orderly retreat" from the present R&D effort, in lieu of "brute force" methods. As an example, can funds be set aside to provide for termination of grants, which, while small in amount, would lessen the dislocations of a transition, when it occurs, from full funding to no funding?

As to tactics, one way to conserve funds for basic research, to protect the enterprise, may be to combine the government's retreat from development and demonstration programs—those efforts that private sector should do, excepting those that are so costly and long term, such as fusion, that industry cannot support them—with increased funding for basic research.

STATEMENT

The conference on research and development was a meeting on October 26–27, 1981, of about 100 university officials, laboratory directors, industrial research executives, scientists and engineers, and individuals experienced in public policy, who were drawn together at the invitation of Dr. Frank Press, President, National Academy of Sciences. The conferees met to discuss the impact of the prospective budget reductions proposed by the Administration upon the Nation's scientific research capabilities. Officials of the Administration discussed their proposals with the group. Observers from the staff of the Congress and the press were present. The conferees reached consensus on the following:

The problems of the economy—inflation, high interest rates, industrial stagnation—have eroded research and development just as they have impacted other sectors of our society. The participants in the conference understand that the nation must pass through a period of restraint in public expenditures. Yet the proposed reductions in the President's September or Fall Budget will do irreversible damage unless longer term research, in contrast to development and demonstration, is protected.

It is the view of the conference that continued sound investments in research and development by the Federal Government are essential to our national goals, including public welfare, a strong national security, and a renewal of growth in productivity. Much of our economic growth over the last three decades is directly attributable to research and development that has been supported by both government and industry and even earlier investments in research. Because of the important relationship between research, technology and increased productivity, the expressed goals of this Administration for a strong economy and improved national security demand more, rather than less investment in basic research. Furthermore, the intrinsic relation between the performance of basic research and the training of scientists and engineers makes continuing strong support necessary to prevent future critical personnel shortages.

Within the current support by the government of research and development, nearly $10 billion, less than 15 percent represents basic scientific and engineering research. Support of scientific research is a public expenditure from which all sectors of society benefit. Basic science is a long-term investment, and depends on government support. There are no significant sources of support for such a collective benefit which can replace the Federal Government.

Instability and abrupt changes in funding have severe effects: research teams are broken up; investments in experiments involving large facilities such as accelerators, spacecraft, oceanographic vessels and other instruments are poorly used. The continued flow of new researchers into our industrial and university laboratories is best maintained by their stable and continued participation in university based graduate research.

Because of low investments in research over a decade and high inflation, many fields of science are now especially sensitive to decreases or increases in funding. The conference urges that the Government plan carefully for the support of the natural sciences, engineering sciences and social sciences, and protect such plans from abrupt change.

In the March budget revisions the Administration recognized the general, long accepted principles of the Federal role in support of research and development. There is special concern for defense and renewed growth in productivity.

The proposed reductions in the President's Fall Budget Program would establish an overall percentage cut in all the various budgetary accounts. The conference strongly recommends instead that the Administration and Congress should:

View research and development across the entire government, making budgetary adjustments or reductions that maintain the basic sciences by reallocating funds between research and development;

Instruct Departments and Agencies to maintain the strength of science in agency budget allocations;

Direct a larger part of the increased budget for national security to the funding of basic research that is essential to the maintenance of that security;

Recognize that the scientific base of the nation has suffered a decade of little or no growth and must be strengthened in order to maintain competence in the nation's laboratories;

Recognize that education in the sciences is inextricably linked to research and continue graduate student support through research grants, fellowships, and traineeships;

Recognize the need to revitalize the instrumentation and facility base on which future scientific and technological advance depends.

These principles should be applied to the budget for 1982 and beyond.

A much strengthened mechanism is needed through which the scientific and engineering communities advise on resource allocations and analyze the impacts and benefits of various shorter term and longer term budget strategies for government investment in research and development.

It is timely to initiate an analysis and evaluation of the institutional system for the support of research and development including the distribution of resources, the continued need for some facilities, grant mechanisms, etc. There should be input into this review from the scientific and engineering communities in universities, the national laboratories and industry. Further, review must look across Departments and Agencies to achieve the most productive allocation of resources.

The strength of the nation depends on the continued supply of scientists and engineers. A large number of the best young people must be attracted into these disciplines for careers in industry, the government, and universities. Policies at all levels of government to insure the continued flow of scientists and engineers must be developed. The education of the nation's youth in science and engineering requires priority attention not only by the Federal Government, but also by citizens and officials at the state and local levels and also by the private sector.

The growing relation between universities and industry are laudible and the nation can only benefit from these partnerships. Yet such a relation cannot become a substitute for the strong government-university partnership in support of basic research which now exists. The industrial members of the conference strongly support the continued investment in basic research by the government.

THIRD LAW OF THE SEA CONFERENCE

Mr. CANNON. Mr. President, over the past 7 years the United States, along with over 150 other countries, have been drafting a convention on the law of the sea. Using the Third United Nations Conference on the Law of the Sea as a forum the nations of the world are attempting to compose an international legal frame-

work that addresses territorial limits, navigational rights, fishing rights, environmental protection, marine scientific research, mineral resource exploration, and other ocean issues. Essentially every aspect and use of the ocean will be affected one way or another by this convention. To date these laborious negotiations have resulted in a document entitled "Draft Convention on Law of the Sea" which contains 320 articles and 8 annexes.

However, a few days before the tenth session of the Third Law of the Sea Conference was scheduled to convene in March of this year, Secretary of State Alexander Haig announced that he had instructed the U.S. delegation to the conference "to insure that the negotiations (did) not end" at that session. Secretary Haig also called for a "thorough review" of the convention by the U.S. Government which would then be used to determine our position toward future negotiations of the conference. As a result, the United States adopted a non-negotiating posture. The Haig announcement was made over 8 months ago and the State Department has just recently completed its review.

In the interim, the March session of the conference in New York and the August session in Geneva, Switzerland, have passed with U.S. participation at both sessions being confined to observation and "informal discussion." Due to the inability of the United States to negotiate, the conference has come to a standstill. Many of its participants, including our allies and Third World countries are becoming more and more impatient and frustrated by our lack of commitment, one way or the other, regarding participation at the conference.

With the review having just been completed, I understand the President will soon be presented with the results. He must make a decision as to whether or not the United States will participate further in the conference or withdraw completely from the negotiations. This is obviously not a decision that can be made easily or taken lightly and therefore will require time to formulate. This decision-making process will likely result in still further delays and prolong the period of time that the United States is without a coherent and articulate policy regarding these important and far-reaching negotiations.

I am becoming very concerned that whatever the President decides, there will not be enough time to lay the groundwork needed to implement his decision before the next session of the Law of the Sea Conference reconvenes early next year in New York. Postponement of the completion of the review has already added an additional month to the original review schedule proposed by the Department of State.

In any international negotiating arena, progress is slow and the scheduling of events must take into account the pace of realistic negotiation. In the case of the Law of the Sea negotiations, future intersessional meetings with many different countries may be required, as may one-on-one informal discussion with individual countries before the next session. The review has taken entirely too much time and as a result could create some very real practical problems for the individuals responsible for implementing the President's decision, whatever it may be.

It is time the United States adopt a policy position regarding future negotiations of the Conference. A quick and thoughtful decision by the President on this matter is critical to allow the U.S. delegation to the Conference the necessary time to thoroughly prepare before the next scheduled session in March of 1982.

As a corollary to the Law of the Sea, last year the Congress passed the Deep Seabed Hard Mineral Resources Act. As chairman of both the Senate Commerce, Science, and Transportation Committee and the national ocean policy study during the last Congress, I was deeply involved with steering this legislation through the Senate. This act promotes the conservation and development of the hard mineral of the seabed, particularly manganese nodules, by citizens of the United States.

In the relevant hearings that were held in the Senate to hear testimony concerning this legislation, it was pointed out that other nations, such as the Federal Republic of Germany, were investigating a similar initiative. Today the United States and several other countries have domestic seabed mining legislation and still other countries are pursuing it in their legislative bodies.

It is clear, as nations around the globe pass laws which will regulate their deep seabed miners, that some mechanism to provide for international compatibility among these problems is necessary to facilitate the kind of international cooperation needed to maximize the use of hard mineral resources of the seabed.

Consequently, a section was included in the seabed mining legislation which allows the Administrator of NOAA, in consultation with other departments and agencies, to designate foreign nations as "reciprocating states" if their licensing and permitting requirements for exploration and commercial recovery of hard minerals from the seabed are compatible with those of the United States.

The United States has been negotiating for over a year a reciprocating regime with a small group of other countries, the so-called "like-minded" nations which have implemented or are soon likely to implement domestic seabed mining programs. Although consistent progress has been made, it has been slow, and I urge both the Department of Commerce and the Department of State to continue the ongoing reciprocating states negotiations in an expeditious manner.

Final regulations implementing our domestic seabed mining legislation were issued September 15, 1981 except for that portion outlining procedures for applications based on exploration which commenced prior to enactment of the seabed mining legislation. This section was omitted because NOAA believes that this part of the regulations must detail comparable procedures and rules agreed to among the "like-minded" nations. Consequently, a timely reciprocating States umbrella agreement is particularly important to allow for the completion of U.S. domestic regulations and thereby allowing U.S. citizens which have already invested in the exploration of the seabed, the opportunity to apply for an exploration license.

Regardless of whether the reciprocating States regime will eventually stand alone or be transitional in nature and evolve into part of a broader law of the seabed regime, the reciprocating States must move ahead under the leadership of the United States.

Once again I reiterate these two separate, yet related, points. First, I urge the President to act swiftly in outlining a policy for the United States regarding the law of the sea negotiations, and second, I further encourage the Departments of Commerce and State to move forward in negotiating a reciprocating agreement as mandated by the Deep Seabed Hard Mineral Resources Act.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Chirdon, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The nominations and withdrawal received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE RECEIVED DURING THE RECESS

ENROLLED JOINT RESOLUTION SIGNED

Under the authority of the order of the Senate of November 22, 1981, the Secretary of the Senate, on Monday, November 23, 1981, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled joint resolution:

H.J. Res. 357. Joint resolution making further continuing appropriations for the fiscal year 1982, and for other purposes.

The enrolled joint resolution was subsequently signed by the President pro tempore (Mr. THURMOND).

MESSAGE FROM THE HOUSE

At 4:16 p.m., a message from the House of Representatives, delivered by Mr. Gregory, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 368. Joint resolution making further continuing appropriations for the fiscal year 1982.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 220. Concurrent resolution providing for the commemoration of the one hundredth anniversary of the birth of Franklin Delano Roosevelt; and

H. Con. Res. 228. Concurrent resolution providing for an adjournment of the House from November 23 to November 30, 1981, and an adjournment of the Senate from November 24 or November 25 to November 30, 1981.

The message further announced that the House has passed the bill (S. 1086) to extend and revise the Older Americans Act of 1965, and for other purposes; with amendments; it insists upon its amendments to the bill, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and appoints Mr. PERKINS, Mr. BIAGGI, Mr. ANDREWS, Mr. CORRADA, Mr. WILLIAMS of Montana, Mr. RATCHFORD, Mr. ASHBROOK, Mr. COLEMAN, and Mr. PETRI as managers of the conference on the part of the House.

At 5:52 p.m., a message from the House of Representatives, delivered by Mr. Gregory, announced that the House has agreed to the following resolution:

H. Res. 285. Resolution electing the Honorable Thomas S. Foley, a Representative from the State of Washington, as Speaker pro tempore.

ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker pro tempore has signed the following enrolled joint resolution:

H.J. Res. 368. Joint resolution making further continuing appropriations for the fiscal year 1982.

The enrolled joint resolution was subsequently signed by the President pro tempore (Mr. THURMOND).

HOUSE CONCURRENT RESOLUTION HELD AT THE DESK

The following concurrent resolution was ordered held at the desk by unanimous consent:

H. Con. Res. 220. Concurrent resolution providing for the commemoration of the one-hundredth anniversary of the birth of Franklin Delano Roosevelt.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PERCY, from the Committee on Foreign Relations, without amendment:

S. Con. Res. 45. Concurrent resolution expressing the sense of the Congress with respect to the rights of the people of Afghanistan.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. THURMOND, from the Committee on the Judiciary:

Jesse E. Eschback, of Indiana, to be United States Circuit Judge for the Seventh Circuit;

Richard A. Posner, of Illinois, to be United States Circuit Judge for the Seventh Circuit;

James C. Cacheris, of Virginia, to be United States District Judge for the Eastern District of Virginia;

John H. Moore II, of Florida, to be United States District Judge for the Middle District of Florida;

David V. O'Brien, of the Virgin Islands, to be United States District Judge for the District of the Virgin Islands for the term of eight years;

Clyde H. Hamilton, of South Carolina, to be United States District Judge for the District of South Carolina;

Jim J. Marquez, of Kansas, to be United States Attorney for the District of Kansas for the term of four years;

Robert N. Miller, of Colorado, to be United States Attorney for the District of Colorado for the term of four years;

James M. Rosenbaum, of Minnesota, to be United States Attorney for the District of Minnesota for the term of four years;

Ronald D. Daniels, Jr., of New Hampshire, to be United States Marshal for the District of New Hampshire for the term of four years.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. HUMPHREY (for himself and Mr. JOHNSTON):

S. 1885. A bill to amend the Federal Power Act and the Public Utility Regulatory Policies Act of 1978 to place electric utilities, including members of registered holding company systems, on the same basis as nonutilities with respect to encouraging their investment in cogeneration and small power production facilities, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MATHIAS:

S. 1886. A bill to amend the Foreign Service Act of 1980 with respect to the number of chiefs of diplomatic mission who are career members of the Foreign Service; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HUMPHREY (for himself and Mr. JOHNSTON):

S. 1885. A bill to amend the Federal Power Act and the Public Utility Regulatory Policies Act of 1978 to place electric utilities, including members of registered holding company systems, on the same basis as nonutilities with respect to encouraging their investment in cogeneration and small power production facilities, and for other purposes; to the Committee on Energy and Natural Resources.

FEDERAL POWER ACT AMENDMENTS

Mr. HUMPHREY. Mr. President, I introduce today, with my distinguished colleague from Louisiana (Mr. JOHNSTON) as an original cosponsor, a bill which would amend the Federal Power Act and the Public Utility Regulatory Policies Act of 1978 (PURPA) to place utilities, including members of registered holding companies, on the same basis as nonutilities with respect to encouraging their investment in cogeneration and small power production facilities.

Since the Arab oil embargo of 1973 woke this Nation up to the fact that we had become dangerously dependent on imported sources of energy, considerable efforts have been made to diversify our energy mix, make greater use of indigenous and renewable resources, and to make more efficient use of the energy we use through the practice of conservation. This national objective was recognized and encouraged with the enactment of sections 201 and 210 of PURPA, which provide certain rate incentives and regulatory exemptions for qualified small power producers and cogenerators.

Under PURPA, qualified cogeneration and small power production facilities are exempted from State regulation regarding utility rates and financial organization, from Federal regulation under the Federal Power Act (other than licensing), and from the Public Utility Holding Company Act. In addition, qualifying facilities are entitled to sell power to utilities at full "avoided cost" rates and purchase back-up power from utilities at nondiscriminatory rates.

Even with today's prohibitive environment for making high-risk, long-payback investments, over 1,800 megawatts of electrical capacity nationwide are presently being developed as a result of these incentives. I might add that my home State of New Hampshire has played a leading role in this process, especially in the area of small-scale hydro development. New Hampshire was the first State in the Nation to fully implement section 210 of PURPA, and at present there are over 50 applications on file at the Federal Energy Regulatory Commission to develop new and existing dam sites in my State.

Our impediment to the optimal development of cogeneration and renewables, however, is the 50-percent limitation on utility ownership of facilities which qualify for benefits under sections 201 and 210 of PURPA. By removing this limitation, I believe that our bill will be an important step toward unleashing the utilities' financial capabilities, technical expertise, and regulatory experience in developing technologies such as cogeneration, wind, solar, and hydro. The 50-percent limitation has already been lifted for utility-owned geothermal small power production facilities. Our bill would simply extend the notion that it is the nature of the power production facility, rather than its ownership, which should be the basis for encouragement under PURPA.

Mr. President, as chairman of the Subcommittee on Energy Regulation in the Senate Energy Committee, I have become increasingly disturbed by the poor financial condition of this Nation's electric utilities. The rate of return on stockholders' equity for the 50 largest investor-owned utilities has fallen from 12.3 percent in 1972 to 11 percent in 1980, more than than 3 percent less than they are authorized to earn by State public utility commissions.

Stock in investor-owned utilities is currently selling at only 70 percent of its face value, and the bond ratings of many have fallen significantly, causing their bonds to be more expensive and difficult to sell. By giving utilities an equal business opportunity to benefit from the development of cogeneration and renewables, we will also be contributing to the long-range financial health of the industry—something which is in everyone's best interest.

Hearings were conducted this past spring and summer in the House Subcommittee on Energy Conservation and Power on this subject, and we plan to schedule Senate hearings sometime early next year. I welcome any comments or

questions our colleagues might have on this legislation, and of course, I encourage their cosponsorship. I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1885

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

AMENDMENTS TO THE FEDERAL POWER ACT

SECTION 1. (a) QUALIFYING SMALL POWER PRODUCERS.—Section 3(17)(C) of the Federal Power Act is amended to read as follows:

"(C) 'qualifying small power production facility' means a small power production facility which the Commission determines, by rule, meets such requirements (including requirements respecting fuel use, fuel efficiency, and reliability) as the Commission may, by rule, prescribe.".

(b) DEFINITION OF QUALIFYING COGENERATORS.—Section 3(18)(B) of the Federal Power Act is amended to read as follows:

"(B) 'qualifying cogeneration facility' means a cogeneration facility which the Commission determines, by rule, meets such requirements (including requirements respecting fuel use, fuel efficiency, and reliability) as the Commission may, by rule, prescribe.".

AMENDMENT TO PUBLIC UTILITY REGULATORY POLICIES ACT OF 1978

SEC. 2. Section 210(e)(1) of the Public Utility Regulatory Policies Act of 1978 is amended by inserting after "qualifying small power production facilities" the following: "or any investment or acquisition of any other interest therein".

Mr. JOHNSTON. Mr. President, virtually every day statements are made on the floor of this body and elsewhere which cite the need to increase domestic energy production and eliminate restrictive and counterproductive governmental regulation. Without recounting those arguments, I will simply say that the bill we are introducing today seeks to achieve both of those goals.

This bill would eliminate the arbitrary 50-percent limitation on utility ownership of cogeneration facilities which is present in section 210 of the Public Utility Regulatory Policies Act (PURPA). Cogeneration is a means whereby the steam which is used in certain industrial processes is also used to turn an electric generator. Thus, a more efficient use of the fuel resource is made, and we develop two useful end products as opposed to one.

However, under section 210 of PURPA, cogeneration facilities which are more than 50 percent utility owned do not qualify for certain legal exemptions which are granted to other owners of such facilities. Among these are exemptions from State regulation regarding utility rates and financial organization, certain Federal regulations under the Federal Power Act, and from the Public Utilities Holding Company Act. By withholding these exemptions from utilities, we are destroying the economic incentives for the one industry which can effectively employ cogeneration technology.

As a practical matter, few private industrial concerns are willing to undertake cogeneration because of high capital costs, lack of expertise, and a fear of governmental regulation in spite of the PURPA exemptions. The result has been that cogeneration technology has failed to reach its potential as a viable and competitive energy source. Our bill would remove the ownership limitation on utilities, and thereby help make energy production from cogeneration facilities a reality.

By Mr. MATHIAS:

S. 1886. A bill to amend the Foreign Service Act of 1980 with respect to the number of chiefs of diplomatic mission who are career members of the Foreign Service; to the Committee on Foreign Relations.

CHIEFS OF DIPLOMATIC MISSIONS

● Mr. MATHIAS. Mr. President, for several years I have advocated placing statutory restrictions on the percentage of nonprofessionals appointed to ambassadorial rank as chiefs of U.S. diplomatic missions. I believe that limiting the percentage of political appointees to 15 percent would both improve the morale of the career Foreign Service officers and bring greater professional competence to the conduct of our diplomacy.

In 1974, I proposed to the Senate that a 20-percent ceiling be placed on noncareer ambassadorial appointments. This amendment passed the Senate on October 2, 1974, but did not survive conference. In 1975, the idea was revived again both in my bill, S. 202, and by a separate Foreign Relations Committee proposal. These measures were considered by the committee but not adopted.

In 1976, I introduced an amendment to the State Department authorization bill proposing a limit of 15 percent for political ambassadorial appointees. In conference it was weakened and emerged, in diluted form, in Public Law 94-350 of July 12, 1976. Section 120 of the law declares:

It is the sense of the Congress that a greater number of positions of ambassador should be occupied by career personnel in the Foreign Service.

As of mid-October 1981, 9 months into President Reagan's administration, 44 percent of the President's new ambassadorial appointments have gone to individuals outside of the career Foreign Service although comprehensive figures including retained ambassadors are not so high. Should this trend continue, however, this administration would have the highest percentage of nonprofessional chiefs of mission of any administration in the postwar period, as the following chart, provided by the American Foreign Service Association, demonstrates.

	Number career	Number non-career	Percent career	Percent non-career
President:				
Truman	115	63	65	35
Eisenhower	156	72	68	32
Kennedy	72	52	58	42
Johnson	94	56	63	37
Nixon	157	73	68	32
Ford	47	29	62	38
Carter	141	52	73	27
Reagan	45	36	56	44
Total	827	433	66	34

I do not mean to imply that the United States has not greatly benefited from the services of many distinguished diplomats who were appointed from outside the ranks of the career Foreign Services. Such able and dedicated men and women as Ellsworth Bunker, John Sherman Cooper, Shirley Temple Black, and Averell Harriman brought to their ambassadorial positions great energy, skill, and experience. Indeed, the occasional appointment of qualified men and women from outside the career Foreign Service can bring to our diplomacy a fresh perspective on the problems and opportunities facing American foreign policy. There is a role for the political appointee. In the past, however, that role has often been abused, to the detriment to our foreign policy and the national interest.

Too often, political appointees to our embassies lack the experience and expertise required to represent competently America's complex interests abroad. Ambassadorial posts have often been granted in exchange for political support or campaign contributions. Our national security is too important to be subordinated to the patronage requirements of partisan politics.

The proliferation of political appointees abroad has affected the career Foreign Service as well. Morale is undermined when many of the most responsible and prestigious foreign assignments are given to neophytes in foreign affairs. Not only must the beleaguered career officer work overtime to compensate for the shortcomings of a well-intentioned but inexperienced chief of mission, but he or she must do so in the realization that ultimately, the highest levels of the profession may be inaccessible to the majority of aspiring Foreign Service professionals because of the proliferation of political appointees.

The professional Foreign Service is comprised of a relatively small cadre of highly trained, very dedicated American men and women. They endure countless hardships—hostile climates, frequent relocations, difficult living conditions, disruptions in family life, and, increasingly, personal danger—in the service of the United States. It is unthinkable to deny such men and women the access through normal promotion to the highest positions of their profession. Yet that is the trend. I believe that the Senate in its special responsibility in the area of foreign affairs should amend the Foreign Service Act of 1980 to reverse the trend.

In an age of increasing complexity and heightened dangers, American chiefs of mission play a crucial role as this Nation's first line of defense. In keeping with this administration's dedication to excellence in foreign policy, the time is ripe to examine and perhaps reassess the role of the Ambassador in U.S. foreign policy for the 1980's. Today, as a vehicle for these discussions, I am introducing S. 1886, a bill to limit the percentage of political appointees to the position of chief of diplomatic mission to 15 percent.

It is my hope that the Senate Foreign Relations Committee will hold hearings at the earliest convenient date.●

ADDITIONAL COSPONSORS

S. 1787

At the request of Mr. ROBERT C. BYRD, the Senator from Virginia (Mr. HARRY F. BYRD, JR.), the Senator from Nevada (Mr. CANNON), the Senator from Florida (Mr. CHILES), the Senator from Illinois (Mr. DIXON), the Senator from Nebraska (Mr. EXON), the Senator from Kentucky (Mr. HUDDLESTON), the Senator from Vermont (Mr. LEAHY), the Senator from Hawaii (Mr. MATSUNAGA), the Senator from Montana (Mr. MELCHER), the Senator from Rhode Island (Mr. PELL), the Senator from Arkansas (Mr. PRYOR), the Senator from New Jersey (Mr. WILLIAMS), and the Senator from Texas (Mr. BENTSEN) were added as cosponsors of S. 1787, a bill to assure the American people that the administration's budget goals will be met, that the deficit for fiscal year 1982 will not exceed $43,100,000,000 that the deficit will not exceed $22,900,000,000 for fiscal year 1983, and that the budget will be balanced in fiscal year 1984, and to assure the representation of small business interests on the Board of Governors of the Federal Reserve System.

S. 1881

At the request of Mr. SASSER, the Senator from South Carolina (Mr. HOLLINGS), and the Senator from Kansas (Mr. DOLE) were added as cosponsors of S. 1881, a bill to provide for the issuance of a commemorative stamp to honor the dedication of the Vietnam Veterans Memorial.

SENATE CONCURRENT RESOLUTION 45

At the request of Mr. GRASSLEY, the Senator from Idaho (Mr. MCCLURE), the Senator from New York (Mr. D'AMATO), the Senator from West Virginia (Mr. ROBERT C. BYRD), and the Senator from Oklahoma (Mr. NICKLES) were added as cosponsors of Senate Concurrent Resolution 45, a concurrent resolution expressing the sense of the Congress with respect to the rights of the people of Afghanistan.

SENATE RESOLUTION 247—RELATING TO THE NEXT VACANCY ON THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

Mr. WEICKER submitted the following resolution; which was referred to the Committee on Banking, Housing, and Urban Affairs:

S. RES. 247

Whereas, interest rates have reached record high levels in 1981;

Whereas, high interest rates are having a devastating effect on the credit-sensitive sectors of the economy, particularly small businesses, which includes small farms;

Whereas, business bankruptcies are nearly 50 percent above 1980;

Whereas, Federal Reserve System money and credit policies directly affect the cost and availability of credit;

Whereas, Sec. 10 of the Federal Reserve Act of 1913, as amended, provides that in submitting nominations for the Board of Governors of the Federal Reserve System, the President shall have due regard to a fair representation of the financial, agricultural, industrial, and commercial interests, and geographical divisions of the country;

Whereas, the 96th Congress adopted S. Res. 434 stating the sense of the Senate that nominations to the Board of Governors of the Federal Reserve System should reflect consideration of the requirements for regional and economic interest representation;

Whereas, over 97 percent of the businesses in the United States are small businesses, which account for nearly 50 percent of the Gross National Product, 90 percent of the new jobs created in the private sector, and nearly half of the Nation's industrial innovations;

Whereas, the term of service of one of the members of the Board of Governors is expiring on January 31, 1982: Now, therefore, be it

Resolved, That it is the sense of the Senate, that the next vacancy on the Board of Governors of the Federal Reserve System should be filled by an individual who has substantial small business experience.

● Mr. WEICKER. Mr. President, today I am submitting a resolution which states that the next vacancy on the Board of Governors of the Federal Reserve System should be filled by an individual who has substantial small business experience.

This resolution reflects a position I have long held concerning the need to have fair and equitable representation on the Federal Reserve, consistent with the original law and with the unique problems of our economy. In a recent speech before the procurement conference in Connecticut, I urge the President to nominate someone to the Board who brings an understanding of the credit needs of the small business sector of the economy.

This position was further reinforced by the Senate Small Business Committee's National Advisory Council.

On June 22, 1981, Senator NUNN and I announced the formation of the National Advisory Council of the Committee on Small Business. This Council is made up of 25 small business men and women from around the country who have agreed to work with the committee to provide a grassroots view of small business issues and concerns.

The first meeting of the Council was held in Washington, on October 28. And I wish that all of my colleagues in the Senate could had the opportunity to participate in this truly beneficial meeting. I felt then, and feel even more strongly now that it is absolutely crucial to establish the kind of ongoing communication between small business and Washington that this Council will provide.

These people, involved with a small business on a day-to-day basis, are in the best position to tell us what the problems of inflation, high interest rates, and excessive regulations are doing to them and their businesses.

It is noteworthy that during the course of this day-long session, the one issue deemed to be of greatest significance to the small business community by the Council dealt with the appointment of a small business person to the Federal Reserve Board. I would like to have printed as part of the RECORD at this point the Council's recommendation which was transmitted to the Small Business Committee through its chairman, Mr. Shaw Mudge, together with a list of the Council's membership.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SHAW MUDGE & CO.,
Stamford, Conn., November 2, 1981.

Hon. LOWELL WEICKER, JR.,
Chairman, Senate Committee on Small Business, Washington, D.C.

DEAR MR. CHAIRMAN: As Chairman of the Senate Small Business Committee's National Advisory Council, I would like to thank you and the other Committee members for hosting our first meeting on October 28, 1981. The Council believes that it was a most productive and worthwhile session.

I would also like to take this opportunity to officially notify you that at the close of the business session, the Council unanimously passed a Resolution calling on the Senate Small Business Committee to take a leadership role in assuring that a small business owner, or someone with considerable small business background, is appointed to the vacancy that will be created on the Board of Governors for the Federal Reserve System when Board Vice Chairman, Frederick H. Schultz's term expires on January 31, 1982.

After considerable discussion, the Advisory Council came to the conclusion that the special credit and monetary needs of the small business sector of the economy have not been adequately addressed by the Federal Reserve Board. It is our hope that the appointment of a small business man or woman to the Board by the President would do much to increase the Board's sensitivity to the special economic and fiscal conditions that affect a small entrepreneur.

We believe that the Senate Small Business Committee should be in the forefront of activity leading to the long-overdue appointment of a small business person to the Federal Reserve Board.

We hope that the Committee will act on our Resolution in an expeditious manner.

Sincerely,

SHAW MUDGE,
Chairman, National Advisory Council.

NATIONAL ADVISORY COUNCIL TO THE SENATE COMMITTEE OF SMALL BUSINESS

Hugh Allred, Cullman, Ala.
James Beavers, Clinton, Ark.
Leon Brassard, Hudson, N.H.
David Bruce, Bozeman, Mont.
Mary Diener, Research Triangle Park, N.C.
William Farden, Seattle Wash.
Walter Floss, East Amherst, N.Y.
Leonard Forsgren, Portland, Oreg.
Bruce Hopewell, New York, N.Y.
Oscar Hornsby, Somerset, Ky.
Michael Lefkiades, Bay City, Mich.
Helen Leslie, St. Petersburg, Fla.
Bill Lyttle, Bridgeport, Conn.
Forrest Merto, Ponca City, Okla.
Thelma Moss, Dorchester, Mass.
Shaw Mudge (chairman), Stamford, Conn.
Therman McKenzie, Forest Park, Ga.
Bill Nourse, Nashville, Tenn.
Arthur Obermayer, Cambridge, Mass.
Francis Ravel, Los Angeles, Calif.
James Rhoads, Atlanta, Ga.
Ralph Steinbarth, Chicago, Ill.
Glenn Stout, Minneapolis, Minn.
David Tomlinson, Salt Lake City, Utah.
Morris Womack, Friendswood, Tex.

Mr. WEICKER. Mr. President, the Board of Governors of the Federal Reserve as presently constituted does not have in its membership a person with a small business background or with substantial small business experience. It is time that the voice of small business be heard in the halls of the monetary policy makers of this land.

This fall, the Small Business Committee has held 5 days of hearings on interest rates and the impact on small business. You know what we found out? Not surprisingly, that small businesses are being killed by high interest rates. Businesses are going belly-up every day—bankruptcies are already running 50 percent over last year. And we are not talking statistics here, we are talking flesh and blood.

It is the industries dominated by small companies that are going under or are just barely hanging on. It is the small firms that are filing corporate bankruptcy all across the Nation, while big companies like Du Pont and Sears are acquiring other firms and getting bigger and bigger. Corporate America is able to weather skyrocketing interest rates very nicely, while the small business owner is out there dying on the vine.

Small business men and women are the forgotten foot soldiers in the war against inflation, and maybe it is time somebody pointed out to the administration that the casualties are mounting.

I think it is time we reminded the people who make policy in this country of the truth of the words they have been mouthing all along: That small business is the backbone, the bedrock, the foundation, and the mainstay of our economy. This country was built by individual merchants, tradesmen and laborers. It was they who gave it its spirit and its dynamism, not some corporate board of directors.

Despite all the mounting economic hardships, small business still accounts for 90 percent of the new jobs created in the private sector. Small firms still account for nearly 50 percent of the gross national product, and for nearly half of this country's industrial innovations.

And yet, year after year, our economic policymakers ignore these amazing small business contributions to our economy and continue to promote policies that favor the corporate giants.

Well, Mr. President, right now small business is leading the rest of the country into what could be a very severe recession. Finally people are beginning to realize that as small business goes, so goes the Nation. And small business is in very deep trouble right now.

And the problem is severe and immediate, but not irreparable. The administration's economic game plan has gone awry and we need a midcourse correction urgently. The 1981 fiscal and monetary policies do not add up—and I have been saying that all year. Ever since January I have been saying that you cannot cut taxes 30 percent, undertake a massive new arms buildup, tighten credit and still balance the budget.

In my judgment, the Fed has not been sufficiently sensitive to the agony of small business caused by record high interest rates. All through 1981 the Fed continued to tighten the screws on money and credit, each time pushing up interest rates and to new record highs. Sure they knew there would be pain, and bankruptcy and unemployment. But each month they voted to turn the screws tighter and tighter. And where was the voice of small business in the councils of monetary policymaking? The answer is clear—small business had been disenfranchised. There was no one on it with authority to say, "Wait. Shouldn't we take into account some of the special problems of Main Street? Of rural America? Do we have to worry only about Wall Street?"

I want the Main Street view of the Fed. And I think it is desperately needed there.

Mr. President, the resolution enjoys strong support within the small business community. For too long, the needs and concerns of small business have been an afterthought when monetary and fiscal policy is formulated.

It is important for the Senate to send a clear signal to the President of its interest and concern with respect to this nomination. Passage of this resolution would put the President on notice of a special, small business-oriented criterion to be taken into account in the confirmation process.

It is my understanding that on November 30, 1981, the Senate Banking Committee will hold hearings on this issue. I am aware that several resolutions have already been introduced in the House and Senate. Prior to the committee's consideration, I thought it was appropriate and timely for the chairman of the Small Business Committee to present the small business perspective on this important mutual issue.

AUTHORITY FOR COMMITTEES TO MEET

SUBCOMMITTEE ON INTERGOVERNMENTAL RELATIONS

Mr. BAKER. Mr. President, I ask unanimous consent that the Subcommittee on Intergovernmental Relations of the Committee on Governmental Affairs be authorized to meet during the session of the Senate on Tuesday, November 24, to hold a hearing on State implementation of Federal standards: Resource Conservation and Recovery Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BAKER. Mr. President, I ask unanimous consent that the Judiciary Committee be authorized to meet during the session of the Senate at 2 p.m. on Monday, November 23, to discuss these nominations:

Jesse E. Eschbach, of Indiana, to be circuit judge for the seventh circuit court of appeals.

Richard A. Posner, of Illinois, to be circuit judge for the seventh circuit court of appeals.

Clyde H. Hamilton, of South Carolina, to be U.S. district judge for the district of South Carolina.

David O'Brien, of the Virgin Islands, to be U.S. district judge for the district of the Virgin Islands.

John Moore II, of Florida, to be U.S. district judge for the middle district of Florida.

James Cacheris, of Virginia, to be U.S. district judge for the eastern district of Virginia.

Robert Miller, of Colorado, to be U.S. attorney for the district of Colorado.

Ronald Daniels, Jr., of New Hampshire, to be U.S. marshal for the district of New Hampshire.

Jim Marquez, of Kansas, to be U.S. attorney for the district of Kansas.

James Rosenbaum, of Minnesota, to be U.S. attorney for the district of Minnesota.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INTELLIGENCE

Mr. BAKER. Mr. President, I ask unanimous consent that the Intelligence Committee be authorized to meet during the session of the Senate at 10:30 a.m. on Tuesday, November 24, to hold a closed hearing in relation to S. 1273, the Intelligence Reform Act of 1981.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

ANNOUNCEMENT OF POSITION ON VOTES ON SECOND CONTINUING RESOLUTION

● Mr. BOREN. Mr. President, on Sunday, November 22, the Senate considered the conference report on House Joint Resolution 357 making further continuing appropriations for fiscal year 1982. I was necessarily absent during consideration of that measure, but had I been present and voting, I would have voted "no" on final passage of rollcall vote No. 424, and "no" on rollcall No. 425.●

POSITION ON VOTE

● Mr. GORTON. Mr. President, on Wednesday, November 18, a rollcall vote occurred on unprinted amendment numbered 651, offered by Senator ROBERT C. BYRD. The amendment to House Joint Resolution 357—the continuing appropriations resolution—would have changed the date on which the resolution terminates to December 18, 1981.

I was not present to vote on the amendment because Senator ARMSTRONG, Senator BOSCHWITZ, and I were meeting with the President at the White House to discuss the second concurrent budget resolution, then being marked up by the Senate Budget Committee. We attempted unsuccessfully to convince the President to endorse the budget plan being offered by Senator DOMENICI.

Had I been present, I would have voted against the distinguished minority leader's amendment, as I voted against his other similar amendments that day.●

THE REPUBLIC OF VENDA

● Mr. EAST. Mr. President, the Republic of Venda is the black nation of the Vhavenda people which became independent of South Africa on September 13, 1979. A proud, courageous and hardworking people, the nation of Venda is staunchly pro-American, firmly believes in private enterprise and human rights for all people. Rather than continuing to live under apartheid in South Africa, the people of Venda opted for political self-determination in 1979, after establishing self-government in 1969.

Strategically located between South Africa and Zimbabwe, the Republic of Venda is lead by its President, His Excellency Chief, Patrick Mphephu, who has been its leader since self-government. In commenting on relations with other southern African states, President Mphephu stated:

As part of Southern Africa, Venda is cooperating with other independent Southern Africa States of South Africa. Transkei and Bophuthatswana, in the realization of the new dispensation of Constellation of States. This is done with the clear understanding that there will be no interference with the political status of my country. This state of inter-dependence, especially on the economic sphere, will facilitate exchange of ideas and free movement of peoples across political borders.

To date, the United States has not chosen to recognize the Republic of Venda, however, I am hopeful this nation will receive full and sympathetic understanding from President Reagan and his administration.

Mr. President, I recommend the Independence Day speech by President Mphephu to all who are truly interested in furthering America's interest in Africa. I ask that it be printed in the RECORD.

The speech follows:

SPEECH OF HIS EXCELLENCY CHIEF PATRICK MPHEPHU

Mr. M. C., His Excellency the Ambassador of Republic of South Africa, The Chief Justice of Venda. Honourable Members of the Cabinet, Chiefs and all the people gathered here today. I greet you.

To the citizens of Venda, I say this is a great day in our life. You have gathered to make a success of and strengthen what belongs to you, which is the status reached by your country. The status in which Venda is found, and seen amongst other countries of the world. The status in which each Muvenda ought to be proud of because he has reached a stage where he can have freedom of thought and freedom of action.

To my people and all the guests, it goes without saying that by accepting independence in 1979, Venda has gone far on the political sphere. Since Venda is now politically advanced, there is no more time for lingering about, there is no time for depending on others. No longer do Vhavenda wait for people from other countries to tell them when and what to do because they themselves realise it.

Now, being at this stage in time and space, I appeal to all and every Muvenda to look at mountains, forests, plains, low-lying lands, precipices and ravines, and think what he can produce from them. Let mountains and rivers of this country be a source of inspiration and enthusiasm.

Even though it is still a short stretch, does retrospective observation from 1979 not reveal to you changes in all walks of life? Look at projects of plants and plantations in all the different areas of Venda. Take note of the precipices that are being demolished, and stones and boulders that are being rolled down and, rivers over which bridges are under construction to facilitate transport. Take note of secondary schools that are springing up like mushrooms to enable each and every child to be taught in his immediate vicinity. Have a look at Thohoyandou, Makwarela, Vuwani, Shayandima, Makhado and Tshandama and notice modern buildings that are being erected. Can you tell me any place in Venda which has no sign or indication of change? Vhavenda, fold up your sleeves because it is day-break.

The independence in which we are has promoted esprit de corps amongst the people as one nation with one language. This spirit deserves congratulations because, contrarywise, foreigners would disseminate disintegration. All this materialised as a result of mutual agreement and co-operation between the people and the government.

Mr. M.C., the status which Venda attained as a result of the granting of independence is not new to Vhavenda. It is a restoration of what the people and the country enjoyed before 1902. This status was lost through legislation by the South African Parliaments, which acted without consulting our forefathers. That is why Venda did not hesitate to opt for independence when the South African Government made an offer. Refusal by Venda to accept the offer would be a denial of her birth-right.

Our people have participated and contributed in the economic development of South Africa since the discovery of diamonds and gold in 1867 and 1886, respectively. They travelled all the way on foot, across the rivers, over the mountains and plains, to the diamond fields of Kimberly and gold fields of Johannesburg. They worked in the mines, on the roads, on the railway lines, in forest plantations at a time when there was no machinery. They worked in the gardens, steelwork, Sasol and all over. Their sons are still carrying on this work. In other words, they actively participated in the economic and social development of South Africa. It is for this reason that my country should have a share in the distribution of wealth in southern Africa.

Since the inception of the Bantu Authorities Act of 1951, the Vhavenda have moved along the road of separate development without which they would have been submerged by the nations with larger numbers. The implementation of the policy of separate development has remained a challenge to the successive South African Governments. It is a policy which South Africa chose to follow and which was accepted by the black nations of the country. The fact that they have accepted separatism is obvious as all of them have moved all the way from tribal authorities into legislative assemblies, and that is why they are pressing for rapid consolidation of their territories.

Fortunately, the South African Government, by winning the last general election, has been given a mandate to speed up the policy introduced in 1951. The United Nations and Organisation of African Unity will be forced to soften their attitudes if the 1936 Land Act is amended to accommodate the land aspirations of the national and independent states.

My Government has already submitted proposals for additional land due to Venda in order to make it economically viable. The delay in the consideration of my proposals is hampering the economic planning and development of my country.

As I have previously said, independence has created a strong sense of patriotism and national awareness among my people.

That is why traffic between Venda and metropolitan areas of the Republic of South Africa is very heavy, especially during weekends and public holidays. I will not be wrong if I say, 'If there were job opportunities here, most of them would prefer to come back.' It is for this reason that I appeal to businessmen and industrialists to invest their money in Venda. They should do this without any suspicion or fear, as Venda is committed to a system of free enterprise, practiced by the Western countries. In addition to this, Venda is a multi-national State.

In order to move away completely from Bantu education, I appointed a National Education Commission to investigate and, thereafter, to recommend to me what type of education should be introduced in Venda, an education which will satisfy the aspirations of the modern people of Venda, while, at the same time, rendering them acceptable to the world at large. This Commission has already started and it will submit its report before the end of the year.

As part of Southern Africa, Venda is cooperating with other independent Southern Africa States of the Republic of South Africa, Transkei and Bophuthatswana, in the realisation of the new dispensation of Constellation of States. This is done with the clear understanding that there will be no interference with the political status of my country. This state of inter-dependence, especially on the economic sphere, will facilitate exchange of ideas and free movement of peoples across political borders.

Outside the borders of Southern Africa, positive advances were made and contacts have been established. This will be extended in the course of time.

Mr. M.C., returning to Venda, whose offspring are well fed, I am addressing each and every Muvenda by birth, or a Muvenda by virtue of citizenship, that we should approach the third year being united intellectually and spiritually.

Let us unite as children of the same Mother. Enmity, misunderstanding, hatred and differences should die a natural death today on 12 September 1981. In case any differences should crop up, let these be the results of observation and opinion, and not those that will spark off hostilities. Let there be unity, peace and understanding. When we emulate what others are doing, let this be encouragement that we also produce the same. Let there be an end to friction and gossips, as these are stumbling blocks of progress. Everywhere, where we will be found, let us be examples of social interaction, virtue and co-operation. Let us learn self-sacrifice and dedication to duty from countries such as Taiwan, Japan, Malawi and other developed countries. Let there be mutual respect between man and man.

Mr. M.C., with these words I wish every luck to each and every citizen of Venda. May the New Year of Independence, that will start tomorrow, bring all prosperity and all luck in our physical and spiritual life. May the children attend schools properly and be taught in a satisfactory manner in order that they may pass. All the workers must put the interests of their country first. Let there be a cool breeze to promote peace among the people.

This is what I had in my pocket for Venda and the world at large.

Thank you.●

LIVING WITH AGING

● Mr. HEINZ. Mr. President, I would like to take this opportunity to commend Mr. Sheldon W. Fantle, president and chief executive officer of Peoples Drug Stores and Dr. Robert Butler, director of the National Institute on Aging for their valuable contribution to the special health and social needs of our Nation's older Americans. I am pleased to bring to the attention of my colleagues their ex-

ample of a strong partnership between the private and public sectors, which promises to provide a valuable service to the elderly and those responsible for their care.

Their "Living With Aging" program, makes readily available to the elderly, and those who care for them, authoritative information on topics of concern to the older people. This information is based on NIA research and will address issues such as high blood pressure, proper use of medication, accident prevention, and nutrition. Directories of community services organizations will also be distributed in order to improve the elderly's access to services such as housing and transportation. "Living With Aging" also includes pharmacy outreach programs through which trained pharmacologists will be available to answer specific questions regarding the health care needs of older Americans.

Today, 1 out of every 9 Americans is over 65—and this number will grow to 1 out of every 5 early in the next century. As people live longer, their health care needs become greater. The elderly alone consume 25 percent of all drugs dispensed in this country today. Public information fashioned to address these concerns will result in a better educated public better equipped to face the common health problems of the aging.

Peoples and the NIA are to be commended for their leadership and contributions to the health education of the elderly and their families. It is my hope that other organizations—both private and public—will follow their lead.●

NATIONAL DEFENSE AND THE ECONOMY

● Mr. NUNN. Mr. President, as spending for national defense needs as a percent of GNP increases, the relationship between that spending and the overall performance of the economy will also become increasingly important. In a recent issue of Aviation Week and Space Technology, political economist Eliot Janeway discusses at great length his views on this critical issue.

Mr. President, I ask that Mr. Janeway's article be printed in the RECORD.

The article follows:

DEFENSE REQUIREMENTS AND THE NATIONAL ECONOMY: A HISTORICAL PERSPECTIVE AND A CURRENT ANALYSIS

Clemenceau's famous dictum about war—"it's too important to be left to the generals"—is an echo from that bygone and simple world when generals could still expect to commandeer resources overnight. The Great German General Staff, which was universally admitted to be headquarters for expertise at the commandeering of resources in Clemenceau's time, paid a bitter price for blundering into World War 1 without taking the precaution of accumulating any inventories of shot and shell beforehand. Instead, it put its trust in the perfectly logical calculation that it would blitz its way to victory without any need to draw on ordnance inventories. Glaring though this error proved to be, the Kaiser's army recovered and went on to fight a formidable four year war, which it almost won in spite of its military planners.

As recently as 1950, miscalculations as glaring as those which proved traumatic, yet not fatal, for the Great German General Staff of 1914, were still readily correctable. In the second week of June, 1950, Truman's universally respected Chairman of the Joint Chiefs, General Omar Bradley, assured House Armed Services Committee Chairman Carl Vinson that the Pentagon would never again have any need for amphibious craft and, therefore, that it had no plans for ordering any.

This judgment was fated to prove sustainable for about as long as an average official economic forecast: three weeks. Nevertheless, the damage done by this miscalculation of requirements proved retrievable in the simpler, shorter terms of defense planning and production still in force thirty years ago. Shipyards began making up for lost time, and hammering out the missing vessels, about as fast as the training camps began to ship troops for them to carry.

Clearly, our fates and our fortunes are in the hands of the arcane practitioners of the gnomic art of defense planning. They appear, however, to be suffering from a bad case of schizophrenia: unable to decide whether they are reckoning our security requirements in terms of combat ready firepower or the dollar cost of shopping for it. The symptoms of this schizophrenia are putting us on notice that the business of defense planning, to paraphrase Clemenceau, has become too important to be left to defense planners.

Certainly, no quick fixes can still be trusted to retrace wrong turns in defense planning for the 1930s. Long before Jeb Stuart formulated the first rule of warfare as the race it is "to get there fustest with the mostest," and long before Hannibal established his fleet of elephants as the secret weapon of his transalpine blitz, the two ingredients of strategic success have been time and the mobilization of resources in order to steal head starts.

Since the abandonment of SALT and the resumption of the Cold War, the time span of the military mobilization cycle has dramatically lengthened from a standard three-year swing to a ten-year period of gestation (if not necessarily for our adversary, certainly for us). If the evidence furnished by the markets means anything, surely their demoralization is our warning that inflation is still escalating the cost of the accruals, the conversions, the experiments and the casualties built into the arms race. But our cost structure has been inflated, and our physical capacity shrunken, before we multiply a lengthened military mobilization time cycle by an expanded requirements base. The painful preliminaries to the national debate over how to do so are putting a penalty on the risk of every wrong turn—and even of every realistic start.

FAITHFUL FACSIMILE

No country's military apparatus feeds on a social vacuum. Certainly, the Red military establishment is a faithful facsimile of the strengths and the stresses in the Kremlin power structure and the Soviet social structure. By the same token, America's reenactment of the fiasco in the Bay of Pigs in the Iranian desert conjures up routine images of cars stranded with hoods up in highway jams. If America's industrial strength is concentrated in her Buck Rogers technology, and her weakness in her goofball maintenance, it's unrealistic to expect the military apple to fall far from the civilian tree. The Pentagon is bound to be caught in the middle of the same anomaly.

Before our new Cold War triggered the arms race, it flared up as an oil war. America's miscalculations in coping with that challenge were at least as glaring as those of the German Kaiser's generals in 1914 and of the American President's Pentagon in 1950. We fought the oil war on the side of our suppliers, who were gouging us under the guidance of our economic planners; they, in turn, fell for the myth of the oil shortage hook, line and sinker. Consequently, we spent the 1970's in a slow motion reenactment of the sinking of the Titanic: Going down with the best people. The bookkeepers who were running the auto companies, the engineers who were running the oil companies and the Ph. D.'s in human relations who were making the technical decisions for our government all assured us that the conventional wisdom asserted by our adversaries in the oil war was the wisdom to heed. The result began by leaving us laughably overprepared to put up with the shortage that never was. It ended by leaving us clumsily unprepared to turn the glut that has now developed to our advantage.

Consistency being well known as the hobgoblin of little minds, our defense planners are now busily buttressing our security by practicing economics. Lyndon Johnson was a very funny man, but his jokes were always serious and pointed. When he punctuated the farewell ceremony of a departing economic advisor with the throwaway line that "my economic advisor needs an economic advisor," he reminded us that our political leaders have suffered more political defeats at the hands of their economic advisors than in confrontations with their political opponents.

We have not heeded this sober warning of Johnson's yet. The ongoing spectacle of defense planners basing their projections, and risking this country's security posture, on consensus economic thinking recalls one of those old Wall Street sayings which has become old because it has earned its keep with successive generations of speculators: "Never hold a grudge against anyone who costs you money because you can always get it back; but never forgive anyone who costs you time because you can't ever get it back." If our defense planners persist in consulting our economic oracles about the military mobilization called for by the policies of our political leaders, they will compound miscalculations on where our economy is going. They will not strengthen our economic performance; but they will weaken our military prospects.

Specifically, Secretary of Defense Weinberger has now been beguiled into betting his well-earned reputation for judiciousness in the quantification of costs on the judgment that the projected step-up in defense programming will not be inflationary. More provocative still, he has buttressed this assertion with the calculation that the buildup will account for no more than a fractional increase in the portion of GNP claimed by the Pentagon budget. To judge by comments from the media, including the comments from the financial media, that's the end of it. Perhaps for this very reason, the Administration believes it; though for this very same reason, that formidable silent majority of market participants, whose separate but private money decisions measure the ability of our economy to support the needs of our military, have learned not to believe it. The GNP calculation is not the count that matters.

Inflation is not the measure of muscle, but it is the price we pay for building it. Any buildup in military power which fails to pack an inflationary punch will also fail to pack a military punch. This was true when military technology was still rudimentary enough to permit emergencies to come in cycles. It will be inescapably so now that the non-stop revolution in military technology is outgrowing the traditional cyclical limitation on defense planning. As a matter of fact, the tough talk which President Reagan, Secretary Haig and Secretary Weinberger have mounted against the Red Commanders argues for the Administration not to spare the horses now that the race is on to put muscle, which the Kremlin will respect behind mere mouthings.

INVESTMENT RETURN

The return on a national investment in a military program is firepower bought, not the price paid for it in inflation. Either a military catch-up effort will be formidable enough and, therefore, will be mounted massively enough to impress "our adversary," as President Reagan is now realistic enough to call Russia, or its failure to make waves throughout our economy will signal its failure to make waves inside the Kremlin. The inescapable corollary, however, is that the cost of preempting resources for the purpose of buying that firepower needs to be reckoned in its inflationary impact. Bernard Baruch, that master of the impact of emergency events on inflated markets, taught us these two interrelated lessons before economists got into the habit of using GNP numbers to measure the way the world works.

Devotees of the GNP yardstick for measuring the inflationary impact of defense invariably advance comparisons with the portion of GNP "our adversary" in Moscow allocates to defense. These are meaningless comparisons. There can be no common standard of measurement for the Soviet Union and the U.S. on this score because the Soviet Union never had a GNP to reflect money flows. Our own GNP tabulation is so bloated by money flows which overstate our productivity that it no longer means anything. Russia operates on an arbitrary allocation system, which subjects the production and distribution of goods and services to rigid disciplines, reversing the priorities represented by economic pressures and immeasurable by any money standard.

To take just one fact of productive life in Russia that is in total conflict with a basic fact of economic life in the U.S., the Soviet system clamps a rigid control on interest payments and receipts. By contrast, the American system is structured to stop the reach of emergency wartime controls—even on wages and credit—short of touching interest rates. Surely, no common yardstick for gauging the draft of defense on productivity in the two rival superpowers can pass muster as a tool which reckons without the toll admittedly taken by interest costs here, but arbitrarily suppressed there. Soviet finance stems from Marxist economics which, in turn, the prophet based on the theories of the classical English economists, who made their mark on history without, however, developing a theory of interest. But that is part of another story. To balance their system, which pays off by issuing tickets insulated from interest charges, with our system, which pays off by cloning dollars subject to interest charges, is a juggling act too academically abstract and too strategically reckless to be included in any analysis assessing the use Russia has made of the military head start we have spotted her.

We are already on notice to be wary of statistics-as-usual. The time we have wasted in answering the Soviet challenge and the resources we will need to commandeer in the effort, put us on notice to be wary of bromides that go with business-as-usual. The costly cross-ups between optimistic stimuli offered to the markets in the form of official statistics, and the suspicious responses of those markets, suggest that something is rotten in the kingdom of the computer.

In matters of practical decision-making, answers are never a problem; only questions are. Their relevance determines the practicality of the answers offered. How, in a world dominated by Russia's head start and her challenge to America to launch a catch-up effort, can anyone rest the case for security and survival upon an accounting system which equates a pound of steel bought to go into a tennis racket with a pound of steel bought to go into a machine tool? Our GNP blurs the distinction. The American accounting system is a statistical exercise dedicated to monetizing the principle formulated in the 14th Amendment which declares all citizens free and equal. The GNP declares all dollars equally productive. In a world miraculously freed from nuclear terror, all dollars would be less unequal than they are today. In the world as it is, however, the GNP, unadjusted for inflation, clocks little more than the rate at which our national product mix is continuing to shift from basic industries suffering shrinkage to self-indulging services expanding by the day. Adjusted for inflation, the GNP understates inflationary reality. So does our budget, it assigns a disarmingly low 7.5 percent rate to interest costs when, in fact, the markets are sandbagging the Treasury with a brutal penalty more than double that rate. The rate of interest, precisely because it is uncontrollable, is the authentic and trustworthy indicator of the real rate of inflation. The single-digit GNP inflator is just a public relations decoy.

The time has come for the Pentagon to put together a shopping list to fit into the shopping bag represented by the pool of resources now available to carry it. Money is the criterion of the inflation we will buy, not of the firepower that we can agree we need. Only an itemization of the physical units of firepower claimed for the program, and their supporting components of productivity, will make sense in translating the dollar terms in which we are conditioned to think into the "real things" our adversary is challenging us to have on the ready. If the shopping list measured in castings, forgings, master mechanics and petty officers won't fit into the present contours of the shopping bag, we will be on notice to find a bigger and better shopping bag by the simple expedient of expanding our industrial base or, alternatively, rationing our resources. We have done this before with sensational success; we can do it again and we will. We need a realistic yardstick to work with and it's not the GNP.

NEED FOR DEFENSE WORK

It's time to bring the debate back to the starting point Baruch identified for it: It's impractical for us to be worrying about the money load the economy can bear; the operational question is how heavy a physical load the Pentagon needs to make it bear. The economy does not need defense work as a crutch; nor is defense work an obstacle in the way of its recovery. If it is time to start catching up in the arms race, it's time to separate what the military will need in the next decade from what the economy can give it without putting our society on rations or inflating the muscle out of it. Preparedness is too important to be left to economists; the economy is too vigorous to need solicitude from defense planners.

Our "adversary" in Moscow has been invited to stake out the arms race course on which we are undertaking to catch up with her. The choice of weaponry is hers and it is, of course, military. If it were ours, it would be economic and she would have no chance of catching up with us. But with firepower the goal, and with ticketed claims to resources her method of reaching it, we are on notice to graduate from statistical gamesmanship to resources mobilization.

Despite the slump in building, the depression in Detroit and the epidemic of business bankruptcies, the stubborn refusal of interest rates to buckle is a portent of the problem the Pentagon faces in scheduling deliveries. Whether we rely primarily on economic or military weaponry in the stand we now make against "our adversary," the economy is our workhorse. The responsibility of our defense planners is to tell the economy what they want from it, not to promise it what they won't do to it.●

UNITED STATES-SAUDI ARABIA RELATIONS

● Mr. METZENBAUM. Mr. President, during the debate over selling AWACS, AIM 9–L missiles, and other advanced military technology to Saudi Arabia, the Congress and the people of this country were assured repeatedly by the Reagan administration that the sale would bolster our position in the Middle East.

We were told of a special relationship between our country and Saudi Arabia.

We were informed that the Saudis agree with what President Reagan said to the Washington Post in an interview published on November 1, that:

> The greatest threat in the Mideast to both Israel and the Arab States is the Soviet Union.

And we were also told that if only they got these weapons, the Saudis would at long last take a serious interest in peace.

President Reagan said in his November 1 interview:

> Saudi Arabia is a leader of the moderate Arab States. I believe that the Saudis are the key to spreading peace throughout the Mideast instead of just having it confined to Israel and Egypt.

Peace, moderation, a special relationship, an anti-Soviet consensus, who could not be for these things?

But, Mr. President, those are not the things we are getting from Saudi Arabia. Far from it. And it is high time to ask just what the Reagan administration thinks is going on.

During the AWACS debate, for example, we were told time and again about the gratitude we ought to feel toward the Saudis for their restraint on oil prices.

But the day after the AWACS sale was approved, our special friends raised the price of oil by $2 a barrel and cut back production by 1 million barrels a day.

Hobart Rowen wrote in his column of November 8:

> Remember the propaganda until now about how the Saudis engineered the oil glut, all for the benefit of the good ole USA. Now, they are beginning to engineer the shortage.

During the AWACS debate, we were assured and reassured of Saudi Arabia's unflinching opposition to Soviet influence in the Middle East.

The Soviets, of course, already have a presence in the region.

The Soviet Union is and has been the military and political patron of Libya, Syria, and Iraq. These are the radical states, the anti-Americans, the diehard opponents of peace.

The Soviet Union has trained and supplied the terrorists of the PLO. And recently, Moscow upgraded the PLO's delagation to the status of a full-fledged embassy. But the Soviet Union has not in recent years had the influence it once enjoyed in the Middle East.

The late President Sadat kicked the Soviets out of Egypt. And in 1977, rather than let the Soviets back in through the Carter administration's proposed Geneva Conference, Sadat flew to Jerusalem and made peace with Israel.

But now, Mr. President, Saudi Arabia, this special friend of ours, this pillar of

the anti-Soviet consensus, is itself taking the lead in undoing Sadat's work.

The Saudis have done their utmost to wreck the Camp David accords. And now, they are going even beyond that by actively working to bring the Soviet Union back to center stage in the politics of the Middle East.

On November 5, the Saudi Foreign Minister announced his nation's intention to seek a U.N. resolution endorsing the Saudi peace plan. Passage of the resolution would be followed by an international conference on the future of the Middle East, under the auspices of the U.N. Security Council.

What does that mean?

To engage the Security Council means one thing, and that is to reengage the Soviet Union.

And Soviet reengagement is precisely what the Saudis have in mind.

When asked recently if his proposal would lead to negotiations with the Soviet Union, the Saudi Foreign Minister had this to say:

Of course with the Soviet Union. It is part of the Security Council.

So much for the claim that Saudi Arabia stands against Soviet influence. Now, the Saudis are inviting the Soviets into the Middle East, and I submit that is now what we have a right to expect from a country the President describes as "a leader of the moderate Arab States."

In that connection, I want to remind the Senate of a little-noticed statement issued by the Saudi News Agency on January 10, 1980:

There are many States such as the Soviet Union which are only too ready to supply the kingdom with everything it wants. In other words we could easily replace the Americans.

Is this just rhetoric that we are supposed to ignore? Perhaps. But in spite of the Reagan administration's fond hopes to the contrary, the Saudis show a notable lack of enthusiasm for joining an anti-Soviet coalition.

On November 10, for example, at a press conference opening a meeting of the Six-Nation Gulf Cooperation Council, the Saudi Foreign Minister publicly criticized Oman's military cooperation with the United States.

Why?

"Because," said the Saudis, "It's contrary to the principles of nonalinement."

Nonalinement is one thing, Mr. President, and a special relationship with the United States is another. And I am afraid that we are letting Saudi Arabia have it both ways.

Now that, Mr. President, is a fine arrangement for the Saudis.

When they want our top-of-the-line military technology, they are our special friends.

When we want their active help against the Soviet Union, they are nonalined.

"These people are on a different wavelength," said an American observer at the meeting of the Gulf Cooperation Council. "Apart from Oman, they do not see any immanency to a Soviet threat."

And let me add, Mr. President, that the Saudis do not see any apparent need to respect, let along support, this country's political and military interests.

Consider, for example, the spectacle of our alleged friends in Saudi Arabia openly pressuring the European countries to work actively against American policy in the Middle East.

On November 5, less than a week before criticizing Oman's pro-U.S. position, Foreign Minister Prince Saud held another press conference, this time in the company of Britain's Lord Carrington.

The Saudi Prince used that occasion to tell Lord Carrington that Britain should realize that if joining the Sinai peacekeeping force means joining the Camp David peace process, then there will be a contradiction between the European position and the position of the Arab world.

Lord Carrington did not see fit simply to acknowledge the Saudi view. In one of the most craven performances in recent memory by the representative of a supposedly proud country, he positively scurried away from even the implication that Britain could ever in any circumstances differ in the slightest with the House of Saud.

He said:

Britain would participate on the basis of seeing that Arab lands are returned to Arab countries and on no other basis at all.

Noble sentiments, Mr. President, but I cannot help but wonder how Lord Carrington would react to substituting in his statement the word "Irish" for the word "Arab." And I believe that he ought to be reminded of an obvious fact, that if the terrorism of the PLO is somehow legitimate, then so is the terrorism of the IRA.

That point, the issue of legitimizing terrorism, brings me to another area of very great concern, and that is the attitude of Saudi Arabia toward peace in the Middle East.

The President has said that "The Saudis are the key to spreading peace."

If that is the case, and if we take seriously the words of the Saudis themselves, then I am afraid that our hopes for progress toward peace may dwell in the realm of voodoo foreign policy.

Listen, for example, to what the Saudi leaders have had to say on the subject of peace since the AWACS sale was approved.

Prince Fahd, the heir to the Saudi throne, publicly congratulated President Reagan for confronting the Zionist pressure groups which waged a vicious, desperate battle to prevent passage of the deal.

Prince Fahd said:

What is now required from the present administration is to start the bigger and more important battle it must wage in order to establish a just and comprehensive peace.

Please note, Mr. President, that the Prince did not say requested or hoped for or even expected. He said required.

On November 16, the Washington Post carried an article by David B. Ottaway in which an authoritative official in Saudi Arabia tied to strategic cooperation with the United States to a Middle East settlement on terms dictated by the Saudis. Everything, he said, "is tied to the peace plan."

If that is achieved, "There is no reason not to have the strategic alliance with the United States that is not possible now."

I am sure that all of us are in favor of waging a battle for a just and comprehensive peace. But the problem is the specifics of Saudi Arabia's version of peace.

Are we talking about a peace that is fair to all? About a peace that will last? Or do we mean what amounts for the people of Israel to the peace of the grave?

Listen to the Saudis.

Camp David? Camp David is a "dead end." Forget about it.

Instead of Camp David, say the Saudis, we should accept a PLO-run Palestinian State, with Jerusalem as its capital.

We should stop casting doubt upon the PLO and its leaders.

And Prince Fahd has said that we should force Israel to accept Saudi principles, including the one that says "Brother Arafat" is the basic numeral in the Middle East equation.

Well, that is a fact, Mr. President. "Brother Arafat" is the basic numeral, the bottom line, or whatever expression we want to use to describe what Saudi policy is really all about.

"Brother Arafat," who a few years ago packed pistols into the General Assembly of the United Nations, heads an organization that has received $400 million in aid from Saudi Arabia.

That organization has a charter, adopted in 1964, amended in 1968 and reaffirmed in 1977, that explicitly spells out its agenda.

Article 19 states:

The establishment of Israel is fundamentally null and void.

The PLO Charter says:

Armed struggle is the only way to liberate Palestine and is therefore a strategy and not tactics.

And according to "Brother Arafat," the PLO's purpose is "not only the liquidation of an imperialistic base, but the obliteration of a society."

The PLO's tune does not change very much.

In 1977, for example, when President Sadat made his trip to Israel, Arafat's response was straightforward. "Blood and struggle," he said. And one of his top assistants stated that any agreement between Egypt and Israel "can be abrogated with a single bullet." That same PLO spokesman, upon hearing of the murder of Sadat, said, "We shake the hand that fired the bullets."

Time and again, Mr. President, we have heard that Israel's intransigence is at the root of the problems of the Middle East.

We hear that from King Hussein of Jordan, who has just concluded an arms deal with the Soviet Union.

We hear it from Saudi Arabia, whose king earlier this year stood in Islam's holiest shrine and called for a jihad, a Holy War, to cleanse Jerusalem of Jews.

In Riyadh, Mr. President, they will not even say the word "Israel," it is "the Zionist entity." And when the Saudi del-

egate to the U.N. stated recent that his country might envision some form of recognition of Israel, he was firmly and publicly repudiated by his home government.

Why?

One reason is the position of the PLO, whose spokesman said recently that a PLO decision to recognize Israel would have to be taken by a Palestinian government on Palestinian land. Israel, in other words, should acquiesce in the establishment of a PLO state and then, maybe, that state will make peace.

That is an absurd position. No Israeli Government could ever accept anything remotely like it, just as no Israeli Government could accept anything remotely like the Saudi plan itself.

Saudi Arabia knows that.

The PLO knows it.

And I hope that our own Government recognizes the difference between wish and reality in the Middle East.

Now that the AWACS debate is behind us, I believe that it is incumbent upon the Reagan administration to reexamine its own extravagant expectations about Saudi Arabia. It is time clearly to define this Nation's political and military interests in the Middle East. And let us now insist, firmly and without equivocation, that expressions of friendship are not enough.

Friendship, Mr. President, is a two-way street. And I submit that Saudi Arabia is not acting the part of a friend of this country.

I say to the Reagan administration that fond hopes, ivory tower concepts, and visions of commercial and strategic sugar plums are no substitute for a tough, hard-headed, and aggressive defense of this Nation's fundamental interests.

We are in danger of forgetting that, Mr. President. And I am profoundly concerned that our policy in the Middle East is on the road to catastrophe.●

THE ADMINISTRATION'S HOUSING POLICY

● Mr. MITCHELL. Mr. President, the housing industry is one of the biggest victims of the current recession. I am growing increasingly alarmed at the downturn in new home construction and in the sales of existing housing—and at the failure of the administration to respond.

Housing comprises fully 23 percent of the national economy. Yet it is in the biggest slump in the post-war era. The production of new housing is the lowest since 1946. Total housing starts for 1981 are forecast at only 1.06 million units. Despite interest rates that are beginning to fall, economic projections show that 1982 will be another low year, with housing starts not estimated to go beyond 1.2 million to 1.3 million units.

Sales of new single family homes dropped 13 percent from August to September, to an annual rate of 312,000—the lowest rate since the Commerce Department started keeping records in 1963. And that September rate was 45 percent below the sales rate in September 1980.

Moreover, sales of existing homes are at an annual rate of 2 million, a record low. In many cases, sales have only been possible by the assumption of existing mortgages with low interest rates or by seller financing. As a result, real estate agents and brokers are struggling just to stay alive.

Finally, the timber industry is being devastated. Half of it is either shut down or on reduced working hours.

While this administration professes to support business, the private credit markets have only been open to the largest American corporations who want financing for mergers with other companies. Prospective home buyers and small businessmen and women are simply unable to obtain affordable credit.

What has been the administration's response? The Federal Reserve Board intends to continue its course of tight monetary policy, keeping interest rates at high levels. The administration itself is cutting back further and further on Federal housing programs. And the free-market approach is to solve the problems of the industry.

Statements by administration officials confirm that their intent is to get out of housing production altogether. The President's Commission on Housing recently issued its interim report in which a recommendation was made to replace housing production under the section 8, section 202, and public housing programs with a voucher program for low-income families. Recently, the Secretary of Housing and Urban Development, Samuel R. Pierce, Jr., said:

> We hope by 1984 or 85, that we will have interest rates down enough so that we won't have to use the voucher system. We hope that maybe we'll even get out of that.

An article appearing in Saturday's Washington Post quoted Secretary Pierce, in an address before the annual convention of the National Association of Realtors, as saying that it was a great time for the realtors to start investing in housing, to buy unsold houses. And he made it clear that real estate firms should not look for any new Federal programs to help them out. The response from the realtors, predictably, was that they cannot afford to buy houses at a time when they are struggling just to maintain their offices.

Mr. President, we cannot simply let the housing industry die on the vine while the economy is in a deep recession and the prospects of relief do not appear promising before spring or summer of next year, at best. Small businesses do not have the means to survive indefinitely. They are doing their best to hang on under difficult circumstances.

Obviously, the great pressure on interest rates stems from the contradictory economics of the administration's program: a tight monetary policy, which shows no signs of relaxation soon, and an expansionary fiscal policy, comprised of tax reductions for some of the Nation's wealthiest businesses and speeded up defense spending for programs whose costs are a matter of great controversy. The administration's most recent economic projections indicate that the 1981 deficit will be nearer $80 billion than the $43 billion the President first promised. And the 1984 balanced budget goal has been abandoned in the face of economic projections which will give us deficits of over $100 billion.

In the face of these facts, it is essential to take action to ease the tight money policy which is devastating the small business community. It is essential to cast as critical an eye on defense spending as we have at every domestic program. And it is essential that the unwarranted and unwise tax giveaway in the major tax bill be repeated—the $18 billion break for oil companies would be a good place to start.

One important step which Congress can take to reduce the pressures on interest rates is to bring down the Federal deficit. The administration's policy favoring dramatically increased defense spending coupled with the large tax cut enacted this year may now result in deficits topping $100 billion in this fiscal year and in 1983 and 1984. Clearly, deficit spending of that magnitude will only keep the pressures on interest rates. Congress can make a positive contribution by bringing down the deficit, by spreading reductions in the Defense Department's budget as well as in domestic programs, and by repealing the large tax break given to the oil industry.

Further, the Federal Reserve Board should ease its policy of tight money. Such a policy cannot alone combat inflation—and it is contradictory to the expansionary fiscal policy that the administration has chosen.

Mr. President, the article I mentioned earlier is illlustrative of the administration's failure to respond to the crisis in the housing industry and of its intention to extricate itself from Federal housing programs to the maximum extent possible. I ask that the article be printed in the RECORD at this point.

The article follows:

[From the Washington Post, Nov. 21, 1981]

REALTORS URGED TO BUY HOUSES

(By Sandra Evans Teeley)

MIAMI.—Realtors looking for federal cures for their depression-ridden industry got only one new prescription from the Reagan administration at their annual convention here: heal thyself.

Secretary of Housing and Urban Development Samuel Pierce offered the group—depleted in number by this year's deep housing slump—a simple plan for improving record-low home-sales figures without the help of costly federal programs.

Realtors, Pierce told them, should start buying the homes themselves.

In line with the administration's free-market, private-sector emphasis, Pierce outlined a number of ways the federal government plans to diminish its role in the housthe market generally and made it clear that real estate firms should not look for any new programs to help them out.

But he did advise members of the National Association of Realtors that this is a great time for them to "reach out for new horizons" and start investing in housing. Particularly with recently enacted legislation for faster tax depreciation, this could be a good way for them to make money from investment property, Pierce indicated.

"I am suggesting that those Realtors that have been hit hard by diminishing commission income should think about the opportunity and incentive to become the provid-

ers of private-sector housing," he told the audience of 1,000 Realtors. "Certainly there are risks, and interest rates are still high," but these are starting to decline, he said.

Some delegates reacted with bitterness to the suggestion that barely surviving businesses can get into the buyers' market in a big way.

"With what?" retorted one broker from Colorado Springs, Colo. "Nobody has any money to do it. It takes everything we've got just to maintain our offices."

J. D. Sawyer of Naples, Fla., said Pierce had an interesting idea but, when asked if anyone in his area is doing more investing, he shook his head. "Nobody has the money," Sawyer said, adding: "Everyone is scared" of buying now.

There are those, including some in the Washington area, however, that say they are starting to buy properties at baragin-basement prices, counting on tapping future appreciation when interest rates drop and people start buying again.

Jack Shafran of Better Homes Realty in Northern Virginia, for example, reported that his firm is buying now for investment, and Mike Brenneman of Brenneman Associates said he is starting a syndication to pool investors' funds to take advantage of depressed prices in the Washington area.

The convention drew far fewer Realtors than in past years, a reflection of the current housing slump. Since 1978, as the housing market has worsened, the numbers attending have dropped, from about 27,000 in Honolulu four years ago to about 11,000 here this year. In addition, membership in the organization—which says it is the country's largest trade association—has dropped over the past year from 740,000 to 691,000.

The convention programs were a sign of the times. Seminars on creative financing techniques were well attended, as were talks on the use of computers and office management.

Other lectures were pep talks, such as one on "How to Overcome the Psychology of Recession"—a combination of Vince Lombardi and Norman Vincent Peale.

For those already overcome by the reality of recession there were talks on how to successfully reduce the size of one's company, auctioning off properties for quick cash, and how to assess the worth of one's real estate office, presumably of the most interest to those wanting to sell.

And, perhaps for those looking for semi-divine inspiration, there was Tim Foley, retired strong safety for the Miami Dolphins, who was booked to talk about "Celestial Meditations of a Fully Depreciated Athlete."

For many, the approximately 140 educational seminars being offered at the convention were far more important than the speeches and policy pronouncement by federal officials, delegates said. Veterans of previous conventions reported that this was generally a more serious crowd than in the past, intent on learning new ways to improve business or in some cases just to stay alive professionally.

In addition, the members who attended the convention were likely to be successful in their businesses, some said, because they were the only ones who could afford to go.

Some exhibitors said they had displays this year, not so much in hope of building business, but so competitors wouldn't spread the word that they were doing badly. In addition, the usual bragging about sales figures was totally absent this year, others noted.

"People are groping" for better business methods, said Bette June Ingham of Washington's Ingham & Associates.

"It's a hard-working group. They want to learn," added Kenneth J. Luchs of Shannon & Luchs.

Not all the news from the convention was bad. The meeting came at a time when interest rates have started to fall, and forecasts are for an upturn in the market.

"I do think we have hit bottom," said NAR Chief Economist Jack Carlson, with sales of existing homes running at an annual rate of about 2 million. Sales will start to pick up slowly this winter and then increase at a faster pace starting in the spring, Carlson predicted.

The new NAR forecasts put sales at 2.75 million in mid-1982 and at 3.5 million by mid-1983. "The worst times are behind us. Improvement is coming," Carlson said.

He said he expects to see conventional mortgage interest rates fall to 14 or 15 percent by spring from the current 17 to 18 percent.

The group also released a survey showing that true interest rates being paid by most buyers are 12 to 14 percent now, because of creative financing techniques. About 60 percent of all existing home sales involve creative financing, the survey showed, the most common being assumptions of old low-interest mortgages and seller financing.

While the convention was in progress, the government also announced it is reducing interest rates on FHA- and VA-insured mortgages by one percentage point for most types of loans. For single-family home mortgages, the rate was reduced from 16½ to 15½ percent.

Despite the favorable signs, the White House received a dose of criticism from the predominantly Republican group. At the start of the convention, Carlson launched a wide-ranging attack on the administration, deploring what he called its "antihousing policy." He cited large tax cuts that he said gave a bigger boost to investments other than housing, deregulation plans for savings and loans that would allow them to commit fewer funds to home mortgages, and talk among "key people" of limiting mortgage interest deductibility.

NAR President John R. Wood later tried to dispel the impression that the traditionally conservative organization is opposing the administration generally, but he ended up criticizing the White House for having no housing policy at all

"It's more a lack of a housing policy" than antihousing actions that members are concerned about, Wood told reporters. "There used to be a housing policy in this country, and we see that fading."

The Realtors—about 90 percent of whom voted for Ronald Reagan for president, according to NAR figures—got little by way of reassurances of action geared specifically to stimulating housing from the administration or other federal officials.

HUD Secretary Pierce emphasized that the administration is counting on its overall economic policy to reduce inflation and interest rates and therefore ultimately help housing.

To the disappointment of many members, Federal Reserve Board Chairman Paul A. Volcker remained steadfast in his refusal to allow money growth to increase faster, despite the Realtors' call for loosening restraints slightly in the hope of bringing interest rates down faster.

The convention delegates clearly put a balanced budget at the top of their list of federal policies they are pushing, clapping longest and loudest any time that elusive goal was mentioned.

Pierce, asked about Carlson's charge of an anti-housing policy, mentioned budget considerations, as well.

"I believe [the Realtors] know we don't have an antihousing policy. . . . We've tried to get interest rates down," he said. "There can't be any new building programs. It's just not in the cards, because it costs too much."●

ORDER OF BUSINESS

Mr. BAKER. Mr. President, I see no other Senator seeking recognition. I am prepared now to proceed to a number of matters that are routine in the main, if no other Senator has a requirement for time in morning business.

ORDER AUTHORIZING CERTAIN ACTION DURING RECESS OF SENATE

Mr. BAKER. Mr. President, this request, I believe, has been cleared on the other side. I ask unanimous consent that during the recess of the Senate over until Tuesday, November 24, 1981, messages from the President of the United States and the House of Representatives may be received by the Secretary of the Senate and appropriately referred and that the Vice President and President pro tempore and Acting President pro tempore be authorized to sign duly enrolled bills and joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR THE RECOGNITION OF SENATOR FORD TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on tomorrow, after the recognition of the two leaders under the standing order, the Senator from Kentucky (Mr. FORD) be recognized on special order for not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION OF APPROPRIATIONS FOR THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—CONFERENCE REPORT

Mr. BAKER. Mr. President, I submit a report of the committee of conference on S. 1098 and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1098) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report will be printed in the House proceedings of the RECORD.)

THE CONFERENCE REPORT ON THE NASA AUTHORIZATION

Mr. CANNON. Mr. President, today the distinguished chairman of the Committee on Commerce, Science, and Transportation, my valued colleague, BOB

PACKWOOD, has filed a conference report, reconciling the House and Senate NASA authorization levels in S. 1098 as amended. The conference of managers agreed to an authorization level which restored $50 million of the administration's originally requested reduction of $603 million from NASA's fiscal year 1982 budget as submitted to the Congress in January 1981.

This conference report should convey a message of importance. For myself, I think its importance lies in communicating to our respective Chambers and to the administration the commitment of the House and Senate authorizing committees for the NASA budget to the support of a strong civilian space and aeronautics program to fulfill the purposes of the National Aeronautics and Space Act of 1958.

Those purposes are no less important to our Nation today than they were when first set forth. But suddenly, in the face of worldwide and national acclaim for the delayed but spectacular establishment of mankind's first space transportation capability, we are confronted by an administration attitude, clearly signalled in its proposed 1983 and 1984 budget reductions of a billion dollars each year, which may lead to virtual abandonment of those goals and decimation of the agency charged with their attainment.

In a dynamic world of shifting attitudes and mores, in which the standing of our Nation has suffered severely, our space achievements have provided our one renewable hold on the respect and good will of peoples all over our planet. For the young in years among our own people, NASA's achievements have renewed their confidence in the Nation's otherwise waning commitment to science and discovery. And to the young in heart of all ages, our space achievements have reassured them that their Government, whatever its faults, can still respond to and help fulfill some of our people's highest aspirations.

But, many will say, we are faced by an economic crisis in which, for the time being, economic considerations must transcend all others. Because I understand and, indeed, share that view in many respects, let me focus briefly on that one form of NASA's return on investments, namely, massive contributions to our economy from our aviation industry, which can help alleviate our economic crisis.

Which of us, had we been here when NACA—the forerunner of NASA—was first authorized, would have imagined, or believed—if one of us had imagined—that in 1980 the Nation's aviation industry would:

Contribute over $13 billion net to our trade balance.

Provide 1.3 million full-time jobs distributed throughout our 50 States.

Market about $100 billion in products and services—which at nominal earning levels would return $2 to $3 billion to the Federal Treasury.

Carry 273 million passengers on its regularly scheduled airline flights in the United States without a passenger fatality—except in commuter class service.

The substance of that summary may not be new to any of you. But I ask you now to view its implications in the context of NASA's space program which now dominates that agency's budget. The competitive muscle of the U.S. aviation industry is the advanced technology developed through NASA. We have more reason now to believe that economic expansion into space activities will take place in the future than our predecessors had to believe in aviation's economic achievements for our time.

Typical of those activities will be communications, remote land and ocean sensing and exploration by satellite, advanced materials processing for metallurgical and pharmaceutical needs, solar power development and others unsuspected today. That economic expansion may well dwarf what we have experienced in earthbound aviation. With that beacon already there to guide us, we should not deny our offspring that expectation for their future.

Mr. President, it is my hope that our colleagues will share my sentiments and accept this conference report which conveys an unmistakable message of our support of NASA to the Congress, to the administration, and to the public.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. ROBERT C. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THE 100TH ANNIVERSARY OF THE BIRTH OF FRANKLIN DELANO ROOSEVELT

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House Concurrent Resolution 220, a resolution providing for the commemoration of the 100th anniversary of the birth of Franklin Delano Roosevelt.

The PRESIDING OFFICER. The resolution will be stated by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 220) providing for the commemoration of the 100th anniversary of the birth of Franklin Delano Roosevelt.

There being no objection, the Senate proceeded to consider the concurrent resolution.

The preamble was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (H. Con. Res. 220) was considered and agreed to.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the concurrent resolution was agreed to.

Mr. ROBERT C. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

(Later the following occurred:)

Mr. BAKER. Mr. President, I am advised that there is a request to vitiate the action just taken by the Senate in respect to House Concurrent Resolution 220. Mr. President, I ask unanimous consent that the action taken in the adoption of House Concurrent Resolution 220, a resolution providing for the commemoration of the 100th anniversary of the birth of Franklin Delano Roosevelt, be vitiated and that the measure be held at the desk pending further disposition of the Senate.

The PRESIDING OFFICER (Mr. DENTON). Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate go into executive session.

There being no objection, the Senate proceeded to the consideration of executive business.

NATIONAL LABOR RELATIONS BOARD

Mr. BAKER. Mr. President, I send to the desk a resolution discharging the Committee on Labor and Human Resources of the nomination of John R. Van de Water to be a member of the National Labor Relations Board, and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection?

Mr. ROBERT C. BYRD. Mr. President, on behalf of Senators on my side of the aisle I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BAKER. I thank the minority leader.

EXECUTIVE CALENDAR

Mr. BAKER. Mr. President, there are nominations on today's Executive Calendar beginning at page 2, continuing through page 3 through Nominations Placed on the Secretary's Desk which are cleared on our side for consideration. I inquire of the minority leader if he is in a position to consider those items at this time.

Mr. ROBERT C. BYRD. Will the distinguished majority leader repeat his request?

Mr. BAKER. Mr. President, the request was for the Executive Calendar for today on nominations beginning on page 2, under Department of State, continuing through page 3, including Nominations Placed on the Secretary's Desk in the Air Force and Navy.

Mr. ROBERT C. BYRD. Mr. President, the aforementioned nominations have been cleared on this side.

Mr. BAKER. Mr. President, I thank the distinguished minority leader.

Mr. President, I ask unanimous consent that the nominations just identified be considered en bloc and confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF STATE

Edwin Gharst Corr, of Oklahoma, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Bolivia.

Melvin Herbert Evans, of the Virgin Islands, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Trinidad and Tobago.

DEPARTMENT OF DEFENSE

Melvyn R. Paisley, of Washington, to be an Assistant Secretary of the Navy.

U.S. ARMY

Lt. Gen. Richard Hulbert Groves, to be Lieutenant general.

CALIFORNIA DEBRIS COMMISSION

Brig. Gen. Homer Johnstone, Jr., Corps of Engineers, Col. Paul Bazilwich, Jr., Corps of Engineers, and Col. Paul Frederick Kavanaugh, Corps of Engineers, to be members of the California Debris Commission, under the provisions of section 1 of an act of Congress approved Mar. 1, 1893 (27 Stat. 507) (33 U.S.C. 661).

MISSISSIPPI RIVER COMMISSION

Maj. Gen. William Edgar Read, to be a member and president of the Mississippi River Commission.

Maj. Gen. Hugh Granville Robinson and Brig. Gen. Richard Samuel Kem, to be members of the Mississippi River Commission, under the provisions of section 2 of an act of Congress, approved June 28, 1879 (21 Stat. 37) (33 U.S.C. 642).

Rickey Dale James, of Missouri, to be a member of the Mississippi River Commission for a term of 9 years.

NOMINATIONS PLACED ON THE SECRETARY'S DESK IN THE AIR FORCE AND NAVY

Air Force nominations beginning Ernest Z. Adelman, to be colonel, and ending Richard B. Yules, to be colonel, which nominations were received by the Senate and appeared in the Congressional Record on November 4, 1981.

Navy nominations beginning Hugh Highland, to be commander, and ending Craig Winters, to be lieutenant commander, which nominations were received by the Senate and appeared in the Congressional Record on November 4, 1981.

Navy nominations beginning Charles Ervin Aaker, to be commander, and ending Anne Marie Nelson, to be commander, which nominations were received by the Senate and appeared in the Congressional Record on November 9, 1981.

Navy nominations beginning Michael A. Harwell, to be lieutenant commander, and ending Ronald P. Howell, to be ensign, which nominations were received by the Senate and appeared in the Congressional Record on November 10, 1981.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the nominees were confirmed.

Mr. ROBERT C. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BAKER. Mr. President, I ask unanimous consent that the President be immediately notified that the Senate has given its consent to these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate now return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, is there an order for the Senate to convene tomorrow?

The PRESIDING OFFICER. There is an order for the Senate to convene at 11 o'clock.

Mr. BAKER. I thank the Chair.

ORDERS FOR TUESDAY

Mr. BAKER. Mr. President, after the Senate convenes at 11 o'clock and after the recognition of the two leaders under the standing order, the distinguished Senator from Kentucky, Mr. FORD, will be recognized on special order for not to exceed 15 minutes.

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. President, I ask unanimous consent that, after the expiration of time for Senator FORD under the special order, there be a brief period for the transaction of routine morning business for not to exceed 20 minutes in which Senators may speak for not more than 2 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, after the expiration of the time for the transaction of routine morning business, it is hoped that the Senate can transact other business which may be available for action by unanimous consent. It is not expected, however, that there will be rollcall votes tomorrow.

RECOGNITION OF SENATOR DANFORTH

Mr. President, I ask unanimous consent that the distinguished Senator from Missouri (Mr. DANFORTH) be recognized on special order for not to exceed 15 minutes to follow after the Senator from Kentucky (Mr. FORD).

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 11 A.M. TOMORROW

Mr. BAKER. Mr. President, I know of no further business to be transacted by the Senate. I ask the distinguished minority leader if he has any other matter to address to the Senate.

Mr. ROBERT C. BYRD. Mr. President, I have nothing.

Mr. BAKER. Mr. President, I thank the distinguished minority leader.

Mr. President, I move, in accordance with the order previously entered, that the Senate now stand in recess until the hour of 11 o'clock tomorrow.

The motion was agreed to; and, at 5:52 p.m., the Senate recessed until Tuesday, November 24, 1981, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate November 23, 1981:

DEPARTMENT OF STATE

Franklin S. Forsberg, of Connecticut, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Sweden.

THE JUDICIARY

Israel Leo Glasser, of New York, to be U.S. district judge for the eastern district of New York vice Jacob Mishler, retired.

DEPARTMENT OF JUSTICE

Joseph S. Cage, Jr., of Louisiana, to be U.S. attorney for the western district of Louisiana for the term of 4 years vice Joseph Ransdell Keene.

Gene S. Anderson, of Washington, to be U.S. attorney for the western district of Washington for the term of 4 years vice John C. Merkel, Jr., term expired.

David A. Faber, of West Virginia, to be U.S. attorney for the southern district of West Virginia for the term of 4 years vice Robert B. King, resigned.

James L. Meyers, of Louisiana, to be U.S. Marshall for the middle district of Louisiana for the term of 4 years vice Thomas A. Grace, Jr., retired.

William I. Berryhill, Jr., of North Carolina, to be U.S. Marshal for the eastern district of North Carolina for the term of 4 years vice Hugh Salter, term expired.

Wayne D. Beaman, of Virginia, to be U.S. Marshal for the western District of Virginia for the term of 4 years vice Paul J. Puckett, term expired.

MISSISSIPPI RIVER COMMISSION

Rear Adm. Herbert R. Lippold, Jr., National Oceanic and Atmospheric Administration, to be a Member of the Mississippi River Commission, vice Rear Adm. Allen L. Powell, retired.

IN THE AIR FORCE

The following-named officers for promotion as a Reserve of the Air Force, under the appropriate provisions of chapter 35 and 837, title 10, United States Code.

LINE OF THE AIR FORCE

Major to lieutenant colonel

Abbott, Thomas F., [redacted]
Abe, Harry H., [redacted]
Abeln, Paul J., [redacted]
Abraham, Robert B., [redacted]
Adamchak, Thomas C., [redacted]
Adkins, Lloyd H., [redacted]
Allbee, Carl M., [redacted]
Amey, David C., [redacted]
Anderson, Claude R., [redacted]
Anderson, Lawrence B., [redacted]
Andreasen, Clell, [redacted]
Anzures, Armando, [redacted]
Arakaki, Jiro D., [redacted]
Arenz, Terry R., [redacted]
Arterburn, Ernest R., [redacted]
Augustus, Peter, III, [redacted]
Aylsworth, William E., [redacted]
Baros, Thomas M., [redacted]
Baldwin, John F., [redacted]
Barger, Alphonso S., Jr., [redacted]
Barnett, Ronald G., [redacted]
Barnhart, Joseph H., [redacted]
Bell, Henry H., Jr., [redacted]
Berger, Eugene A., Jr., [redacted]
Berlam, Robert A., [redacted]
Bertocchi, Robert P., [redacted]
Blenvenue, Donald D., [redacted]
Biester, John E., Jr., [redacted]
Bigelow, Edson F., [redacted]
Blackmore, Ronald E., [redacted]
Blankenheim, Henry J., [redacted]
Bleakley, Lance D., [redacted]
Blessing, David A., [redacted]
Bock, Robert D., Jr., [redacted]
Bodson, Charles D., [redacted]
Bonner, Russell H., Jr., [redacted]
Boomer, Ronald J., [redacted]
Bothwell, Bruce E., [redacted]
Bourassa, Roger L., [redacted]
Bowers, Richard W., [redacted]
Bowling, Guvlyn J., [redacted]
Boydston, Theodore S., [redacted]
Bozeman, Tandy K., [redacted]
Bradley, John R., [redacted]
Breeden, George M., III, [redacted]
Brettle, Emile P., III, [redacted]
Brinegar, Cecil, [redacted]
Brocklehurst, John A., Sr., [redacted]
Brogan, Henry N. B., [redacted]
Broome, Donald W., [redacted]
Browder, Charles L., Jr., [redacted]

Brower, Richard W., xxx-xx-xxxx.
Brown, Charles W., xxx-xx-xxxx.
Brown, John L., xxx-xx-....
Brown, Lamar P., xxx-xx-xxxx.
Brown, Phillip R., xxx-xx-xxxx.
Brown, Thomas R., xxx-xx-xxxx.
Bryant, Dale W., xxx-xx-xxxx.
Buchanan, George S., xxx-xx-....
Buettner, Gerald F., xxx-xx-xxxx.
Burmeister, Albert L., Jr., xxx-xx-xxxx.
Burnett, Charles L., xxx-xx-xxxx.
Burton, Michael L., xxx-xx-xxxx.
Bush, Robert E., xxx-xx-xxxx.
Butler, Michael E., xxx-xx-xxxx.
Byrne, Martin J., xxx-xx-xxxx.
Cameron, Albert A., xxx-xx-xxxx.
Cameron, David A., xxx-xx-xxxx.
Campbell, Patrick K., xxx-xx-xxxx.
Carter, David C., xxx-xx-xxxx.
Case, Martin V., Jr., xxx-xx-....
Chalkley, Craig W., xxx-xx-xxxx.
Chambers, Robert L., xxx-xx-xxxx.
Chappell, Hubert H., xxx-xx-xxxx.
Cicale, Edward J., xxx-xx-xxxx.
Clapp, Roger C., xxx-xx-xxxx.
Clark, Hugh A., Jr., xxx-xx-xxxx.
Clary, John D., Jr., xxx-xx-xxxx.
Cline, Charles M., Jr., xxx-xx-xxxx.
Clougher, Thomas A., xxx-xx-....
Cody, Harold J., xxx-xx-xxxx.
Coffland, Colin M., xxx-xx-xxxx.
Collette, Alban E., xxx-xx-xxxx.
Collins, Edward R., xxx-xx-xxxx.
Connelly, Joseph R., xxx-xx-xxxx.
Conner, Leslie L., Jr., xxx-xx-xxxx.
Cope, Thomas L., xxx-xx-xxxx.
Coughlin, John J., xxx-xx-xxxx.
Cox, Clint R., xxx-xx-xxxx.
Craig, Gary L., xxx-xx-xxxx.
Crain, Jimmie G., xxx-xx-xxxx.
Crosley, Verlin E., xxx-xx-xxxx.
Cross, Thomas J., xxx-xx-xxxx.
Crowley, Wayne J., xxx-xx-xxxx.
Crutchfield, Philip W., xxx-xx-xxxx.
Cupples, Barry L., xxx-xx-xxxx.
Daeke, Ray N., xxx-xx-xxxx.
Daily, David W., xxx-xx-xxxx.
Dalton, Donald, xxx-xx-xxxx.
Daniels, Ralph E., xxx-xx-xxxx.
Davis, Wesley H., xxx-xx-xxxx.
Day, Alvin L., xxx-xx-xxxx.
Denney, Elton L., xxx-xx-xxxx.
Depp, Raymond L., xxx-xx-xxxx.
Diehl, Donald B., Jr., xxx-xx-xxxx.
Dietrich, Aloysius J., xxx-xx-xxxx.
Dimuro, John A., xxx-xx-xxxx.
Dittrich, Mark S., xxx-xx-xxxx.
Dodd, Donald B., xxx-xx-xxxx.
Doucette, Richard, xxx-xx-xxxx.
Downing, Lawrence W., xxx-xx-xxxx.
Drapeau, David G., xxx-xx-xxxx.
Drury, Martin A., xxx-xx-xxxx.
Dudley, William A., xxx-xx-xxxx.
Dugan, Francis D., xxx-xx-xxxx.
Duhame, Guy P., xxx-xx-xxxx.
Earnest, Kenneth H., xxx-xx-xxxx.
Easter, William R., xxx-xx-xxxx.
Eaton, Robert G., xxx-xx-xxxx.
Edel, Robert P., xxx-xx-xxxx.
Edgar, Robert N., xxx-xx-xxxx.
Edwards, Norman B., xxx-xx-xxxx.
Eide, Brian L., xxx-xx-xxxx.
Eling, Paul P., xxx-xx-xxxx.
Elliott, Philip R., xxx-xx-xxxx.
Elrod, Ralph L., xxx-xx-xxxx.
Engelstad, Edwin K., xxx-xx-xxxx.
Enniss, William C., xxx-xx-xxxx.
Estep, Charles D., xxx-xx-xxxx.
Faust, Donald R., xxx-xx-xxxx.
Ferguson, Charles M., xxx-....
Ferrante, Victor A., xxx-xx-xxxx.
Ferrell, Harry D., xxx-xx-xxxx.
Fetter, Kenneth L., Jr., xxx-xx-xxxx.
Fisher, Michael F., xxx-xx-xxxx.
Flanagan, John F., Jr., xxx-xx-xxxx.
Flynn, Edward J., Jr., xxx-xx-xxxx.
Foley, William H., Jr., xxx-xx-xxxx.
Ford, Clayton H., xxx-xx-xx...
Francis, John H., xxx-xx-xx...
Freely, William B., xxx-xx-xx...
French, Gale H., xxx-xx-xxxx.
Frenette, Franklin A. P., xxx-xx-xxxx.
Fretwell, Kenneth H., Jr., xxx-xx-xxxx.
Frucht, Walter M., xxx-xx-xxxx.
Fuhr, Donald C., xxx-xx-xxxx.
Gaddy, Robert E., xxx-xx-xxxx.
Garland, Edward W., xxx-xx-xxxx.
Gavin, Joseph J., xxx-xx-xxxx.
Gay, Roy C., xxx-xx-xxxx.
Geihs, Paul A., xxx-xx-xxxx.
Gillen, Joseph W., xxx-xx-xxxx.
Gobbo, Eugene C., xxx-xx-xxxx.
Godsey, Henry R., xxx-xx-xxxx.
Goldsmith, Arnold S., xxx-xx-xxxx.
Gonshor, Bobby L., xxx-xx-xxxx.
Goodwin, John B., xxx-xx-xxxx.
Gotchef, Edward J., xxx-xx-xxxx.
Goudie, Lawrence A., xxx-xx-xxxx.
Gould, Kenneth E., xxx-xx-xxxx.
Granado, Alfonso R., xxx-xx-xxxx.
Gray, Dennis M., xxx-xx-xxxx.
Green, Billy L., xxx-xx-xxxx.
Greenberg, Jonathan, Jr., xxx-xx-xxxx.
Greenwood, James A., xxx-xx-xxxx.
Grenier, Daniel R., xxx-xx-xxxx.
Greytak, James M., xxx-xx-xxxx.
Griggs, William P., xxx-xx-xxxx.
Gritten, Philip D., xxx-xx-xxxx.
Groot, Gary L., xxx-xx-xxxx.
Haap, Frederick, III, xxx-xx-xxxx.
Hagen, Richard S., xxx-xx-xxxx.
Hahn, Arthur L., xxx-xx-xxxx.
Hamilton, John F., Jr., xxx-xx-xxxx.
Hammersten, Paul M., xxx-xx-xxxx.
Hanreeder, Paul W., xxx-xx-xxxx.
Harper, Lawrence R., xxx-xx-xxxx.
Harrell, Percy W., xxx-xx-xxxx.
Harris, George W., xxx-xx-xxxx.
Hartley, Edwin D., xxx-xx-xxxx.
Harvey, John F., xxx-xx-xxxx.
Hashimoto, Paul H., xxx-xx-xxxx.
Hatcher, Walter T., III, xxx-xx-xxxx.
Hathaway, William H., xxx-xx-xxxx.
Hayward, William L., xxx-xx-xxxx.
Heineck, David L., xxx-xx-xxxx.
Heinemann, Frederick C., xxx-xx-xxxx.
Henrie, Bernard G., xxx-xx-xxxx.
Herman, Keith E., xxx-xx-xxxx.
Herndon, Thommie D., xxx-xx-xxxx.
Hewes, William E., xxx-xx-xxxx.
Hill, James L., xxx-xx-xxxx.
Holbrook, W. Reed, xxx-xx-xxxx.
Holder, Richard W., xxx-xx-xxxx.
Holder, William L., xxx-xx-xxxx.
Holtgrave, Frederick W., xxx-xx-xxxx.
Hood, David J., xxx-xx-xxxx.
Hudenburg, Donald P., xxx-xx-xxxx.
Huffman, Ronald P., xxx-xx-xxxx.
Hughes, Joseph M., III, xxx-xx-xxxx.
Hunt, James A., Jr., xxx-xx-xxxx.
Hunter, Richard L., xxx-xx-xxxx.
Hurley, John A., xxx-xx-xxxx.
Hutchinson, Leonard T., xxx-xx-xxxx.
Inman, James E., xxx-xx-xxxx.
Irwin, George R., xxx-xx-xxxx.
Irwin, Thomas K., III, xxx-xx-....
Jacobson, Arthur E., xxx-xx-xxxx.
Jakes, Lawrence H., xxx-xx-xxxx.
Jander, Klaus H., xxx-xx-xxxx.
Jankowski, Alan J., xxx-xx-xxxx.
Javins, Ralph B., xxx-xx-xxxx.
Johnson, Earnest D., xxx-xx-xxxx.
Johnson, Gene H., xxx-xx-xxxx.
Johnson, Jay A., xxx-xx-xxxx.
Johnson, Jay R., xxx-xx-xxxx.
Johnson, Oscar F., xxx-xx-xxxx.
Johnson, Stanley G., xxx-xx-xxxx.
Johnson, Zane C., xxx-xx-xxxx.
Joy, Patrick G., xxx-xx-xxxx.
Jungst, Edwin T., xxx-xx-xxxx.
Justice, Neal E., xxx-xx-xxxx.
Kantz, Samuel S., xxx-xx-xxxx.
Keller, David W., xxx-xx-xxxx.
Kendall, William A., xxx-xx-xxxx.
Kendrix, Moss H., Jr., xxx-xx-xxxx.
Kennard, Dwight, xxx-xx-xxxx.
Kennedy, Randolph M., xxx-xx-xxxx.
Kenpen, Keith H., xxx-xx-xxxx.
Kerner, George M., xxx-xx-xxxx.
King, William H., xxx-xx-xxxx.
Kirsch, Loren H., xxx-xx-xxxx.
Kopka, Richard W., xxx-xx-xxxx.
Kovar, John A., xxx-xx-xxxx.
Koven, Edward W., xxx-xx-xxxx.
Kracht, Lavern J., xxx-xx-xxxx.
Kramer, Bruce M., xxx-xx-....
Kramer, Carroll R., xxx-xx-xxxx.
Kramer, Ronald M., xxx-xx-xxxx.
Krantz, Andrew D., xxx-xx-xxxx.
Krebs, David A., xxx-xx-xxxx.
Kreglo, Alan J., xxx-xx-xxxx.
Kreh, David H., xxx-xx-xxxx.
Krick, Roger L., xxx-xx-xxxx.
Labeck, Marvin F., xxx-xx-xxxx.
Lafollette, William R., xxx-xx-xxxx.
Lancaster, John L., xxx-xx-xxxx.
Landry, Gary G., xxx-xx-xxxx.
Lang, Anthony R., xxx-xx-xxxx.
Lardas, Thomas E., xxx-xx-xxxx.
Launder, John E., xxx-xx-xxxx.
Lawson, William H., xxx-xx-xxxx.
Lebo, Jerry L., xxx-xx-xxxx.
Lebsack, Raymond L., xxx-xx-xxxx.
Lee, Michael R., xxx-xx-xxxx.
Lehr, Kenneth A., xxx-xx-xxxx.
Lheureux, Richard A., xxx-xx-xxxx.
Lloyd, Harold C., Jr., xxx-xx-xxxx.
Loeffler, Robert L., xxx-xx-xxxx.
Londergan, James P., xxx-xx-xxxx.
Longerbeam, Floyd T., xxx-xx-xxxx.
Lorentz, Donald P., xxx-xx-xxxx.
Lounsbury, Daniel P., xxx-xx-xxxx.
Lucas, James W., xxx-xx-xxxx.
Luce, Charles E., xxx-xx-xxxx.
Luther, Charles R., xxx-xx-xxxx.
Lyle, Clayton B., III, xxx-xx-xxxx.
Lyon, Samuel D., Jr., xxx-xx-xxxx.
Madden, John M., xxx-xx-xxxx.
Mandel, John S., xxx-xx-xxxx.
Mankel, George W., Jr., xxx-xx-xxxx.
Maril, David R., xxx-xx-xxxx.
Markey, Martin J., xxx-xx-xxxx.
Markle, Philip W., xxx-xx-xxxx.
Marshall, Robert E., xxx-xx-xxxx.
Marston, John T., xxx-xx-xxxx.
Marston, Michael V., xxx-xx-xxxx.
Martin, Donald F., xxx-xx-xxxx.
Martin, Donald R., xxx-xx-xxxx.
Masters, Richard L., xxx-xx-xxxx.
Mathis, Roy E., xxx-xx-xxxx.
Matteson, David M., xxx-xx-xxxx.
Mattke, Roy N., xxx-xx-....
Matusevic, Felix W., xxx-xx-xxxx.
Mauden, Brian D., xxx-xx-xxxx.
Mayhugh, Gilbert M., xxx-xx-xxxx.
Maynard, Harold F., xxx-xx-xxxx.
Mayo, Dale Q., xxx-xx-xxxx.
Mayo, James R., xxx-xx-xxxx.
Mays, Charles E., xxx-xx-xxxx.
McBride, James, Jr., xxx-xx-xxxx.
McCann, Roy N., xxx-xx-xxxx.
McCormick, Hugh C., xxx-xx-....
McCory, Glenn H., Jr., xxx-xx-xxxx.
McCurdy, Thomas P., xxx-xx-....
McDowell, Alan J., Jr., xxx-xx-xxxx.
McFarland, Marshall J., xxx-xx-xxxx.
McGee, Ray M., xxx-xx-xxxx.
McIntosh, Robert A., xxx-xx-xxxx.
McKellar, George W., xxx-xx-xxxx.
McKown, Michael R., xxx-xx-xxxx.
McManus, Henry S., xxx-xx-xxxx.
McWilliams, Carey F., xxx-xx-xxxx.
Metzger, Frank L., xxx-xx-xxxx.
Meyer, Lyle H., Jr., xxx-xx-xxxx.
Miller, David G., xxx-xx-xxxx.
Miller, John W., xxx-xx-xxxx.
Mills, Melvin E., xxx-xx-xxxx.
Moffatt, Leonard J., Jr., xxx-xx-xxxx.
Monachino, Joseph V., xxx-xx-xxxx.
Monoyios, Louis E., xxx-xx-xxxx.
Montague, Richard S., xxx-xx-xxxx.
Montgomery, Alan P., xxx-xx-xxxx.
Moon, Henry C., xxx-xx-xxxx.
Moore, Alvin D., xxx-xx-xxxx.
Moore, David R., xxx-xx-xxxx.
Moore, Lawrence, Jr., xxx-xx-xxxx.
Moore, Robert H., xxx-xx-xxxx.
Moore, Teddy D., xxx-xx-xxxx.
Morgan, Wallace M., Jr., xxx-xx-xxxx.
Morris, David G., xxx-xx-xxxx.

Morse, William H., xxx-xx-xxxx.
Moseley, Harry A., Jr., xxx-xx-xxxx.
Motzny, Kenneth G., xxx-xx-xxxx.
Mulder, Grant R., xxx-xx-xxxx.
Namlick, Anthony J., xxx-xx-xxxx.
Nash, Ivan, III, xxx-xx-xxxx.
Nelson, Wayne N., xxx-xx-xxxx.
Neubert, Dennis A., xxx-xx-xxxx.
Nichols, Carney D., xxx-xx-xxxx.
Nielsen, Jerry L., xxx-xx-xxxx.
Nix, Richard G., xxx-xx-xxxx.
November, Peter C., xxx-xx-xxxx.
Nunnally, Edward R., Jr., xxx-xx-xxxx.
Ober, Russell T., III, xxx-xx-xx...
O'Dell, Lawrence W., xxx-xx-xxxx.
O'Dowd, John S., xxx-xx-xxxx.
Olsen, Mark J., xxx-xx-xxxx.
O'Neil, David S., xxx-xx-xxxx.
Oshiro, John I., xxx-xx-xx...
Ott, Thomas B., xxx-xx-xxxx.
Owen, Kent W., xxx-xx-xxxx.
Oxley, Arthur R., xxx-xx-xxxx.
Panella, Robert F., xxx-xx...
Parise, Robert D., xxx-xx-xxxx.
Parker, Eben H., xxx-xx-xxxx.
Pattillo, Albert D., Jr., xxx-xx-xxxx.
Paye, Donald D., xxx-xx-xxxx.
Perks, Karl L., Jr., xxx-xx-xxxx.
Petty, David L., xxx-xx-xxxx.
Pfeiffer, William A., Jr., xxx-xx-xxxx.
Phillips, James H., xxx-xx-xxxx.
Place, Denny L., xxx-xx-xxxx.
Porten, Ronald E., xxx-xx-xxxx.
Pritchard, Cannon H., xxx-xx-xxxx.
Prunty, Howard F., xxx-xx-xxxx.
Putnam, Bobby R., xxx-xx-xxxx.
Rackley, Victor D., xxx-xx-xxxx.
Rahn, John M., xxx-xx-xxxx.
Rambo, Stephen W., xxx-xx-xxxx.
Ramirez, Joe, xxx-xx-xxxx.
Randall, Ernest T., xxx-xx-xxxx.
Rankin, Jerry R., xxx-xx-xxxx.
Rasmussen, Gaylord F., xxx-xx-xxxx.
Reding, Jack K., xxx-xx-xxxx.
Regan, Michael J., xxx-xx-xxxx.
Reighley, Fenton J., Jr., xxx-xx-xxxx.
Relfe, Julien M., Jr., xxx-xx-xxxx.
Reutter, Joseph C., xxx-xx-xxxx.
Reynolds, Philip C., xxx-xx-xxxx.
Rice, Gilbert E., xxx-xx-xxxx.
Rice, Ira J., Jr., xxx-xx-xxxx.
Rice, Richard H., xxx-xx-xxxx.
Rich, Myron J., xxx-xx-xxxx.
Rieger, Harland K., xxx-xx-xxxx.
Riggs, Frank L., xxx-xx-xxxx.
Ritter, Daniel J., xxx-xx-xxxx.
Ritzer, Allan E., xxx-xx-xxxx.
Roberts, David L., xxx-xx-xxxx.
Robertson, Billie R., xxx-xx-xxxx.
Robichaux, Hubert R., xxx-xx-xxxx.
Robinson, Perry M., xxx-xx-xxxx.
Rodriguez, Gerardo, xxx-xx-xxxx.
Ross, Paul C., xxx-xx-xxxx.
Rudy, John F., II, xxx-xx-xxxx.
Rutkowski, Robert E., xxx-xx-xxxx.
Ryder, Randolph C., Jr., xxx-xx-xxxx.
Saline, Joseph P., Jr., xxx-xx-xxxx.
Sanders, David W., xxx-xx-xxxx.
Sanderson, Rex F., xxx-xx-xxxx.
Sansbury, Chester E., xxx-xx-xxxx.
Sansom, John S., xxx-xx-xxxx.
Sargent, Paul C., xxx-xx-xxxx.
Sarjeant, John B., xxx-xx...
Savena, James R., xxx-xx...
Saverance, John F., xxx-xx-xxxx.
Sawyer, Robert C., xxx-xx-xxxx.
Schancupp, David E., xxx-xx-xxxx.
Schrader, Carl D., xxx-xx-xxxx.
Schue, Howard K., xxx-xx...
Schukert, Michael A., xxx-xx-...
Schuldt, Robert E., xxx-...
Scott, Jerry, xxx-xx-...
Scott, Richard B., xxx-xx-xxxx.
Segerstedt, David D., xxx-xx...
Sehorn, James E., xxx-xx-xxxx.
Seifried, Douglass E., xxx-xx-xxxx.
Serpanos, James E., xx...
Sgarzi, Louis A., xxx-xx-xxxx.
Shapiro, Irving W., xxx-xx-xxxx.
Shobe, Robert W., xxx-xx-xxxx.
Shollenberger, Lewis W., Jr., xxx-xx-xxxx.
Siegel, Thomas L., xxx-xx-xxxx.
Sinclair, Malvin D., xxx-xx-xxxx.
Singleton, Carl W., xxx-xx-xxxx.
Sittnick, Robert W., xxx-xx-xxxx.
Slaton, Charles M., xxx-xx-xxxx.
Smith, Craig R., xxx-xx-xxxx.
Smith, Donald L., xxx-xx-xxxx.
Smith, James H., xxx-xx-xxxx.
Smith, Kenneth E., xxx-xx-xxxx.
Smith, William A., xxx-xx-xxxx.
Snyder, Harry G., xxx-xx-xxxx.
Sorenson, Gerald W., xxx-xx-xxxx.
Sowell, Robert S., xxx-xx-xxxx.
Sraders, Guntis, xxx-xx-xxxx.
Stadheim, John L., xxx-xx-xxxx.
Stahl, Mark S., xxx-xx-xxxx.
Stallcup, Walter B., xxx-xx-xxxx.
Stepan, David J., xxx-xx-xxxx.
Sternberg, George A., xxx-xx-xxxx.
Stevens, David P., xxx-xx-xxxx.
Stewart, Thomas J., Jr., xxx-xx-xxxx.
Strasser, Allen E., Jr., xxx-xx-xxxx.
Streamo, Donald R., xxx-xx-xxxx.
Strickland, John B., xxx-xx-xxxx.
Strones, Martin E., xxx-xx-xxxx.
Stuckey, Roy E., xxx-xx-xxxx.
Summers, Allen W., xxx-xx-xxxx.
Supencheck, Dennis A., xxx-xx-xxxx.
Swanson, Harold J., Jr., xxx-xx-xxxx.
Tammen, Roger T., xxx-xx-xxxx.
Tassone, Anthony Jr., xxx-xx-xxxx.
Tate, Vernon R., xxx-xx-xxxx.
Tatum, Harold, xxx-xx-xxxx.
Taylor, Bryan W., xxx-xx-...
Thomas, William J. M., xxx-xx-xxxx.
Thompson, Elton G., xxx-xx-xxxx.
Thompson, John R., xxx-xx-xxxx.
Thornton, John S., Jr., xxx-xx-xxxx.
Thornton, Richard C., xxx-xx-xxxx.
Thyng, James R., xxx-xx-xxxx.
Todd, Marion A., Jr., xxx-xx-xxxx.
Tramonti, Louis G., xxx-xx-xxxx.
Ufen, George H., xxx-xx-xxxx.
Utterback, Ralph M., Jr., xxx-xx-xxxx.
Vaughan, Michael L., xxx-xx-xxxx.
Venett, Emmett, Jr., xxx-xx-...
Vonkolnitz, George F., IV, xxx-...
Wagner, Gervase J., xxx-xx-xxxx.
Wakefield, Laverne E., Jr., xxx-xx-xxxx.
Wall, John H., xxx-xx-xxxx.
Walsh, Richard K., xxx-xx-xxxx.
Weber, Dennis F., xxx-xx-x...
Webster, Ernest R., xxx-xx-xxxx.
Webster, James K., xxx-xx-xxxx.
Weiland, Lee T., Jr., xxx-xx...
Weinhagen, George L., xxx-xx...
Weinstein, Mark A., xxx-xx-...
Weir, Harry G., xxx-xx-xxxx.
Weir, James, xxx-xx-...
Westerbeck, Gerald W., xxx-xx-...
Wetterau, Ronald B., xx...
Wilkinson, David N., xxx-...
Wilkinson, Robert N., xxx-...
Williams, Frederick E., xxx-...
Williams, Roger I., xxx-xx-xxxx.
Williams, William B., xxx-xx...
Wilmans, Norman A., xxx-xx-xxxx.
Wilson, John M., Jr., xxx-xx-xxxx.
Wiltjer, James R., xxx-xx-xxxx.
Winburn, Howard J., xxx-xx-...
Wingerter, John E., xxx-xx-xxxx.
Witcher, Bruce E., xxx-xx-xxxx.
Woodruff, Kenneth R., xxx-xx-xxxx.
Woolsey, David T., xxx-xx-xxxx.
Worrall, Maxwell B., xxx-xx-...
Young, Robert A., xxx-xx-xxxx.
Young, Robert W., xxx-xx-xxxx.
Zahrobsky, Frank M., xxx-xx-xxxx.
Zawadzki, Charles W., xxx-xx-xxxx.
Ziegler, Wilfred E., xxx-xx-...
Zimmerman, Lloyd R., xxx-xx-xxxx.

CHAPLAIN CORPS

Bagge, Carl J., xxx-xx-xxxx.
Bartos, Francis J., xxx-xx-xxxx.
Blattner, Joseph H., Jr., xxx-xx-...
Brown, Richard J., III, xxx-xx-xxxx.
Chambers, John R., xxx-xx...
Costagliola, Salvatore M., xxx-xx-xxxx.
Ditucci, Ralph L., xxx-xx-xxxx.
Dixon, Jerome A., xxx-xx-xxxx.
Fleming, Jerry D., xxx-xx-xxxx.
Hecht, Darrell E., xxx-xx-xxxx.
Kennedy, David K., xxx-xx-xxxx.
Kloehn, Gordon A., xxx-xx-xxxx.
Koch, Glenn A., xxx-xx-xxxx.
Krozser, John J., xxx-xx-xxxx.
Ryan, Albert J., xxx-xx-xxxx.
Solomon, Victor M., xxx-xx-xxxx.
Steiner, Donald R., xxx-xx-xxxx.
Warford, Kenneth A., xxx-xx-xxxx.
White, Stanley E., xxx-xx-xxxx.

DENTAL CORPS

Borstad, Clark G., xxx-xx-xxxx.
Kidd, William L., xxx-xx-xxxx.
McConnell, Michael A., xxx-xx-xxxx.
Mehlisch, David F., xxx-xx-xxxx.
Ott, Charles R., xxx-xx-xxxx.
Paul, Rivers E., xxx-xx-xxxx.
Sabino, Anthony D., xxx-xx-xxxx.
Sher, James R., xxx-xx-xxxx.

MEDICAL CORPS

Ammon, Helmut V., xxx-xx-xxxx.
Bietz, Duane S., xxx-xx-xxxx.
Blankenbaker, Ronald G., xxx-xx-xxxx.
Bohmer, Ronald J., xxx-xx-xxxx.
Boman, Peter L., xxx-xx-xxxx.
Borcherding, Harlan J., xxx-xx-xxxx.
Bryan, Donald W., xxx-xx-xxxx.
Burns, Christine L. F., xxx-xx-xxxx.
Campanini, Rafael Z., xxx-xx-xxxx.
Foster, Jerry J., xxx-xx-xxxx.
Hofman, Walter L., xxx-xx-xxxx.
Jimenez, Jesus G., xxx-xx-xxxx.
Kentsmith, David K., xxx-xx-xxxx.
Lorenziarroyo, Pedro A., xxx-xx-xxxx.
Lower, Dennis L., xxx-xx-xxxx.
Massello, Thomas P., xxx-xx-xxxx.
McCracken, John W., Jr., xxx-xx-xxxx.
Millikan, William J., Jr., xxx-xx-xxxx.
Morgan, Jacqueline, xxx-xx-xxxx.
Nave, Paul L., xxx-xx-xxxx.
Nelson, James L., xxx-xx-xxxx.
Park, Chan H., xxx-xx-xxxx.
Saguiguit, Gil D., xxx-xx-xxxx.
Scriggins, Alan L., xxx-xx-xxxx.
Timberlake, Byron B., xxx-xx-xxxx.

NURSE CORPS

Adams, Marjorie A., xxx-xx-xxxx.
Aguirre, Lucia D., xxx-xx-xxxx.
Alford, Virginia C., xxx-xx-xxxx.
Andrews, Paula J., xxx-xx-xxxx.
Atchison, Jean C., xxx-xx-xxxx.
Biser, Mary J., xxx-xx-xxxx.
Blakelobb, Marjorie A., xxx-xx-xxxx.
Breault, Helen D., xxx-xx-xxxx.
Bristow, Jacquelyn C., xxx-xx-xxxx.
Brodie, Sybie J., xxx-xx-xxxx.
Campbell, Ann R., xxx-xx-xxxx.
Carson, Gayle J., xxx-xx-xxxx.
Christensen, Mary A., xxx-xx-xxxx.
Clark, Marcia F., xxx-xx-xxxx.
Davis, Dian J., xxx-xx-xxxx.
Dulock, Helen L., xxx-xx-xxxx.
Fontes, Shirley J., xxx-xx-xxxx.
Gilliam, Rachel J., xxx-xx-xxxx.
Hall, Nancy J., xxx-xx-xxxx.
Hernandez, Dora E., xxx-xx-xxxx.
Hill, Marjorie A., xxx-xx-xxxx.
Holdsclaw, Lois F., xxx-xx-xxxx.
Hovey, Billie B., xxx-xx-xxxx.
Hueschen, Helen J., xxx-xx-xxxx.
Hughes, Samuel T., Jr., xxx-xx-xxxx.
James, Shirley J., xxx-xx-xxxx.
Kayate, Ethel M., xxx-xx-...
Kazlauskas, Carol A., xxx-xx-xxxx.
Kneip, Helen E., xxx-xx-xxxx.
Lee, Elvira, xxx-xx-xxxx.
Marino, Mary L., xxx-xx-xxxx.
McEachern, Mary C., xxx-xx-xxxx.
McGuane, Marilyn S., xxx-xx-xxxx.
Mulrooney, Sandra L., xxx-xx-xxxx.
Murray, David, xxx-xx-xxxx.
Neuwirth, Eleanor M., xxx-xx-xxxx.
Nicholson, Sally P., xxx-xx-xxxx.
Norris, Audrey M., xxx-xx-xxxx.
ONeal, Lavata F., xxx-xx-xxxx.
Patterson, Leonard H., xxx-xx-xxxx.

Pickel, Delane V., [redacted].
Pruett, James F., [redacted].
Reichenbach, Georgianna, [redacted].
Rettenberg, Gerald, [redacted].
Ricci, Sara E., [redacted].
Ross, Hilda J., [redacted].
Roubik, Robert A., [redacted].
Shaw, Anis M., [redacted].
Shelby, Betty R., [redacted].
Shorb, Garnett A., [redacted].
Smith, Judith L., [redacted].
Smith, Mary P., [redacted].
Taylor, Carol A., [redacted].
Tollerton, Thomas R., [redacted].
Trabal, Agnes A., [redacted].
Trapl, Monika B., [redacted].
Wahl, Marilyn J., [redacted].
Wearshing, Jane D., [redacted].
Wheaton, Nancy E., [redacted].
Wolf, Carol A., [redacted].
Zarrella, Marjorie M., [redacted].

MEDICAL SERVICE CORPS

Baker, Frank C., [redacted].
Billouris, Chrisilios T., [redacted].
Bold, Fank O., [redacted].
Bussy, Joseph T., [redacted].
Fischell, James R., [redacted].
Giardina, Anthony J., [redacted].
Jenkins, William I., Jr., [redacted].
Karickhoff, Paul L., [redacted].
Manuel, Frederick D., [redacted].
Molin, David R., [redacted].
Nelson, Harry G., [redacted].
Nelson, Pearl V., [redacted].
Pickens, James F., II, [redacted].
Scott, Philip P., [redacted].
Stanberry, Richard A., [redacted].
White, Clement H., [redacted].
Zakur, Paul J. R., [redacted].

BIOMEDICAL SCIENCE

Eason, Robert L., [redacted].
Funk, Kenneth D., [redacted].
Kasselder, Charles W., [redacted].
Logsdon, Donald F., Jr., [redacted].
Mull, Ronald L., [redacted].
Parker, Frank M., III, [redacted].
Rich, Robert O., [redacted].
Robinson, Billy J., [redacted].
Sappington, Wilbur M., Jr., [redacted].
Wiseman, Nancy L., [redacted].

IN THE AIR FORCE

The following Air National Guard of the U.S. officers for promotion in the Reserve of the Air Force under the provisions of section 593(a), title 10 of the United States Code, as amended:

LINE OF THE AIR FORCE

To be lieutenant colonel

Maj. William J. Athas, [redacted].
Maj. William S. Bailey, [redacted].
Maj. Joseph D. Cunningham, [redacted].
Maj. Charles K. Cross, Jr., [redacted].
Maj. John F. Hindman, [redacted].
Maj. Richard O. Hostetler, [redacted].
Maj. Dominick R. Linarello, [redacted].
Maj. Richard P. McCartney, [redacted].
Maj. Billy McDaniel, [redacted].
Maj. Michael C. Murphy, [redacted].
Maj. Holly A. Pederson, [redacted].
Maj. Jean R. Price, [redacted].
Maj. John L. Ruppel, Jr., [redacted].
Maj. Richard L. Schmitt, [redacted].
Maj. Donald W. Shepperd, [redacted].
Maj. Donald M. Swayze, [redacted].
Maj. Paul A. Weaver, Jr., [redacted].
Maj. William S. Womble, [redacted].

LEGAL

Maj. Alan B. Johnson, [redacted].

CONFIRMATIONS

Executive nominations confirmed by the Senate November 23, 1981:

DEPARTMENT OF STATE

Edwin Gharst Corr, of Oklahoma, a career member of the Senior Foreign Service, class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Bolivia.

Melvin Herbert Evans, of the Virgin Islands, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Trinidad and Tobago.

The above nominations were approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

DEPARTMENT OF DEFENSE

Melvyn R. Paisley, of Washington, to be an Assistant Secretary of the Navy.

IN THE ARMY

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 1370:

To be lieutenant general

Lt. Gen. Richard Hulbert Groves, [redacted] (age 58), Army of the United States (major general, U.S. Army).

CALIFORNIA DEBRIS COMMISSION

Brig. Gen. Homer Johnstone, Jr., [redacted], Col. Paul Bazilwich, Jr., [redacted], and Col. Paul Frederick Kavanaugh, [redacted], all of the Corps of Engineers, to be members of the California Debris Commission, under the provisions of section I of an act of Congress approved 1 March 1893 (27 Stat. 507) (33 U.S.C. 661).

MISSISSIPPI RIVER COMMISSION

Maj. Gen. William Edgar Read, [redacted], U.S. Army, to be a member and President of the Mississippi River Commission; and Maj. Gen. Hugh Granville Robinson, [redacted], U.S. Army, and Brig. Gen. Richard Samuel Kem, [redacted], U.S. Army, to be members of the Mississippi River Commission, under the provisions of section 2 of an act of Congress, approved 28 June 1879 (21 Stat. 37) (33 U.S.C. 642).

Rickey Dale James, of Missouri, to be a member of the Mississippi River Commission for a term of 9 years.

IN THE AIR FORCE

Air Force nominations beginning Ernest Z. Adelman, to be colonel, and ending Richard B. Yules, to be colonel. (See Executive Journal proceedings of November 4, 1981, for complete list.)

IN THE NAVY

Navy nominations beginning Hugh Highland, to be commander, and ending Craig Winters, to be lieutenant commander. (See Executive Journal proceedings of November 4, 1981, for complete list.)

Navy nominations beginning Charles Ervin Aaker, to be commander, and ending Anne Marie Nelson, to be commander. (See Executive Journal proceedings of November 9, 1981, for complete list.)

Navy nominations beginning Michael A. Harwell, to be lieutenant commander, and ending Ronald P. Howell, to be ensign. (See Executive Journal proceedings of November 10, 1981, for complete list.)

WITHDRAWAL

Executive nomination withdrawn from the Senate November 23, 1981:

John L. Mevers, of Louisiana, to be U.S. marshal for the middle district of Louisiana for the term of 4 years, vice Thomas A. Grace, Jr., retired, which was sent to the Senate on November 4, 1981.

HOUSE OF REPRESENTATIVE—*Monday, November 23, 1981*

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 10 a.m., Monday, November 23, 1981.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

O Lord, You have blessed us in every generation and Your spirit has sustained in good times and bad. We pray that Your providence will watch over our Nation and give strength and encouragement to all who seek to serve their neighbor. Bless all those who work in this assembly that they will see in their vocation the opportunity to do Your bidding by deeds of righteousness, justice, and mercy. Keep us and our families in Your good grace this day and during all the days to come. Amen.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Saunders, one of his secretaries.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to clause 4 of rule I, the Speaker signed the following enrolled joint resolution earlier today:

H.J. Res. 357. Making further continuing appropriation for the fiscal year 1982, and for other purposes.

THE NATION'S BEST INTERESTS WOULD BE SERVED BY A VETO OVERRIDE

(Mr. PEYSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PEYSER. Mr. Speaker, if I had one wish today, it would be that the Congress would have the courage to override the veto of the President of the United States.

The President is really playing the role of the riverboat gambler with the Congress and with the American people. It was clear to everyone, Republican and Democrat alike, that this weekend we had given the President what he wanted. David Stockman was there confirming the figures and saying we had acted in the correct way.

Well, I guess the President must know something about David Stockman that we do not. I guess we should not have given him the credibility again to listen to him, and hopefully we will not again.

Mr. Speaker, I hope that today we will act in the interests of the American people and our whole democratic process and override the President and not give in to this power play.

THE EFFECT OF THE WHITE HOUSE'S FOREIGN AID REQUESTS

(Mr. ALEXANDER asked and was given permission to address the House for 1 minute, and to revise and extend his remarks, and to include extraneous matter.)

Mr. ALEXANDER. Mr. Speaker, I applaud the President of the United States for his performance during the press conference this morning during which he announced that he vetoed a bill that spends less money than he has requested.

Yesterday, I asked the chairman of the Appropriations Committee during the debate on the continuing resolution if the matter pending before this House was less than the President has requested. The answer was, yes—without one murmur of opposition from the other side of the aisle.

The fact remains that since 1943, the Congress has appropriated less money than the Presidents have requested for each and every year save one—1976.

Meanwhile, backstage, Mr. Stockman is recalculating the figures for the administration so that they will add up the President's way in order that the President can get another billion dollars for foreign aid.

CLEAR-CUT ORDERS, FAITH IN LEADERSHIP MUST AWAIT THE FUTURE

(Mr. MITCHELL of Maryland asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MITCHELL of Maryland. Mr. Speaker, let me remind my colleagues that soldiers in combat often display extraordinary ability. Sometimes they will go into a situation where they know 50 percent or more of their force will be wounded; some of them have gone into combat knowing that most of them would be killed. They go in under those conditions knowing, No. 1, that they had clear-cut orders, and, No. 2, that they had faith in the person commanding them.

We had something unusual that occurred the other day on this continuing resolution. There were some gallant Republican soldiers over on that side; there were some real Republican troopers who fought the good fight, who followed the order, and who had faith in their leadership, only to discover that their fight had been in vain.

So I just want to take 1 minute to salute those gallant Republican troopers and say to them, "Don't despair. You will get clear-cut orders in the future, and you will regain, I am certain, faith in those who lead you."

THE PRESIDENT'S VETO A COUP DE THEATRE

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, being President involves making hard and far-reaching decisions. For example, President Reagan yesterday had to decide whether it was better to leave for Thanksgiving at the ranch or to stage a public relations coup de theatre by vetoing the continuing resolution even though his people had told Senator BAKER it was OK. Obviously, he decided that by vetoing the resolution, he could have his turkey and eat it too.

Three aspects of this absurd and unnecessary situation need discussion:

First, our petulant President has caused a massive disruption in American society for the sake of a few headlines. Despite the fact that recently rehabilitated whistleblower David Stockman sat in Senator BAKER's office throughout the conference and signed off on the deal, President Reagan decided that PR is more important than prudence. The cynics who claimed that the President was intent on vetoing any bill, regardless of its content, were vindicated.

Second, the President is absolutely right that continuing resolutions are a terrible way to legislate. The House, however, has passed all of its appropriations bills, save one. The Republican-controlled Senate delayed, however, in the hopes that the President would tell them what he wanted. President Reagan never to this day

has told Congress what he wants in appropriations bills.

Third, it is utter misrepresentation to claim that the President vetoed the bill because it spent too much money. Indeed, he wanted to spend 2 percent more in defense and $1 billion more in foreign aid. To make these expenditures, he wanted us to cut deeper into domestic programs. So, the issue was not the amount of spending but rather where the spending was to go. President Reagan wanted the money to go to defense contractors and foreign dictators. Congress preferred to spend tax dollars on nutritional care for pregnant women, food to the hungry, and school lunches.

Presidential petulance, not legislative largess, killed the funding bill.

THE PRESIDENT'S VETO—A "GREAT ACTING JOB"

(Mr. MOFFETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MOFFETT. Mr. Speaker, let me say to my colleagues that I think this is a very healthy commentary that is going on. I think it tends to put into perspective the great acting job of the President this morning. He is indeed a great actor, but what we are talking about here is not really cutting the budget.

What this crisis is all about right now is aid to Pakistan, as I think the gentlewoman from Colorado (Mrs. SCHROEDER) just indicated. This is about aid to Pakistan; it is about cutting school lunches and cutting poor pregnant woman off nutrition programs in order to give aid to a dictator in Pakistan.

Second, it is about getting David Stockman and Mr. Allen off the front pages.

Mr. Speaker, let me say this: "Mr. President, you are a great actor indeed, but this time it will not work."

VETO HIGHLIGHTS DESIRE FOR FOREIGN AID INCREASES AND MORE DOMESTIC PROGRAM CUTS

(Mr. MILLER of California asked and was given permission to address the House for 1 minute.)

Mr. MILLER of California. Mr. Speaker, let me say to the Members of the Congress that it is very clear what happened. For those of us who watched the conference committee work over the weekend, we saw that the Republican leadership in that room constantly trying to forge an agreement, and eventually that agreement was forged.

The problem they had was that throughout that conference the President wanted to add $2.5 billion for foreign aid, but the President did not want his name on that legislation. So what he wanted the conferees to do was to cut $2.5 billion out of domestic programs, out of job training programs, out of child health programs, out of nutrition programs, and out of education programs so that he could get $2.5 billion in military aid to Pakistan, to Sudan, and to other countries. But the conferees would not go along with that. Both Democrats and Republicans.

The foreign aid bill is ready to be reported off the floor of this House, but the Republicans will not support it because they do not want to be identified with it. The President did not want to be identified with it, so he asked the conferees to do his dirty work.

The conferees finally said, "Enough is enough. We can't cut $2.5 billion more out of poor people in this country, with unemployment going beyond 8 percent."

As a result of that, the Republican leadership in the Senate signed on the conference committee report and the Republican leadership in this House signed on the conference committee report, and yet 45 minutes into the debate on the floor of the House of Representatives the minority leader came to the floor, stammered and stuttered, and said, "Let me tell you, I just had a call from the President, and we need to veto this bill. We don't need to keep our Government running; we need to veto this bill."

The President ought to face up to whether he wants to go back on TV and tell the American people that what he really wants to do is sneak through $2.5 to give to foreign governments, at a time when, over the Thanksgiving holiday, we are losing programs for the American people.

PARLIAMENTARY INQUIRY

Mr. HARTNETT. Mr. Speaker, I have a point of order.

The SPEAKER. The gentleman will state it.

Mr. HARTNETT. Mr. Speaker, as one Member who was newly sent here by the poor people of South Carolina, I would like to inquire of the Chair, are we limited to 60 seconds, to 1 minute, or is that solely at the Speaker's discretion?

The SPEAKER. The Chair will inquire, what is the gentleman's point of order?

Mr. HARTNETT. My point of order is this, Mr. Speaker: Was he asking unanimous consent to speak for 1 minute?

The SPEAKER. The Chair will state that that is an inquiry, not a point of order.

Mr. HARTNETT. My point of order, Mr. Speaker, is that when he said he was asking permission to speak for 1 minute, he exceeded the time he got under unanimous consent.

The SPEAKER. Perhaps the Chair has been too lenient with the Members.

REPUBLICAN CAPITULATION TO ADMINISTRATION SEEN AS POLITICAL

(Mr. DOWNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOWNEY. Mr. Speaker, I do not blame the last Member for making the point of order. It was a painful speech; it just seemed a little longer.

Mr. Speaker, there are a number of problems. The first is that we have great theater at the expense of Federal workers and the American people, and at some point we are going to have to ask ourselves whether this form of governmental brinkmanship makes any sense for our country or for the people who are attempting to operate our Government.

Another problem that goes unmentioned is the way in which the Republican minority here and the Republican majority in the other body are moved around like marionettes by the administration.

For God's sake the House of Representatives, and the Senate that have capitulated its important congressional responsibilities and constitutional responsibilities to the President for no other purpose than political gain. It seems to me that Mr. Stockman, aside from his terminal candor, and Mr. Allen, for all his memories, deserve to be on the front page far more than this great theater which is only hurting our country, clouding the important issues of Government, and resolving nothing.

Mr. Speaker, I hope that the Republican Members of the House and the Senate can begin to stand up to their own lack of sincere leadership.

THEATER OF THE ABSURD

(Mr. WEISS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WEISS. Mr. Speaker, we see confusion, chaos, anarchy on the horizon. Where is the President coming from? Where is he taking the Nation? How does he think the rest of the world views the Reagan "theater of the absurd?"

Shutting down the Government of the United States, I suppose, is one way of eliminating those pesky life-giving domestic programs which Ronald Reagan so despises but to which the American people and this Congress seem to be committed.

A $37 billion cut in social programs obviously was not enough for the President. A $750 billion reverse Robin

Hood, robbing-from-the-poor-and-giving-to-the-rich, tax cut obviously was not enough for the President. Shutting down the Government clearly suits him much better.

When is the toga-fitting ceremony to take place? Will Congress be invited? Will the President allow Congress to continue to exist?

□ 1015

CONGRESSMAN PICKLE INTRODUCES LEGISLATION TO REQUIRE TWO-THIRDS VOTE ON CONTINUING RESOLUTION

(Mr. PICKLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PICKLE. Mr. Speaker, today I am introducing a bill that would require a two-thirds affirmative vote before any continuing resolution could become effective, with an exception in case of certain national emergencies.

The underlying problem this week and in the last few Congresses is that we have come to rely on the passage of a continuing resolution to do our work for us, rather than to face up to the tough issues through our regular committee appropriations process. This continuing resolution is a bad practice, it is an abdication of legislative responsibility and it will literally destroy the committee system unless we put a stop to it. Requiring a two-thirds vote would simply mean it would be very difficult to use this regrettable stopgap measure except in extraordinary circumstances. Thus, the responsibility for Federal appropriations would return to the committee system where, philisophically, historically, and traditionally, it belongs.

The House has passed its appropriations bills, all but foreign assistance, and House Members can say rightly that the other body has failed to produce. I certainly have no criticism of my House Appropriations Committee, and particularly not in connection with this continuing resolution. The chairman of that committee, and the House conferees, have done a responsible job. The fact remains, however, that we are in this jam today because of an over-reliance on the continuing resolution. If we continue in this way, it will undermine the authority and the reputation of Congress.

Under present circumstances, the Members on both sides of the aisle are in an absolute quandary. Do we take the OMB figures using their economic assumptions, or do we take the Congressional Budget Office's, or do we take the House Budget Committee figures based on its economic assumptions? Or, do we simply play dead on the threat of a Presidential veto? Good and responsible Members have been torn with indecision because they cannot know who is right—though in this case, I believe our House Budget Committee has been closest to the mark.

Mr. Speaker, if we are to guarantee the integrity of our appropriations process, this is a step I believe we must take. I want Members to join me in this bill.

GAME OF BUDGETARY "CHICKEN"

(Mr. DICKS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DICKS. Mr. Speaker, I am deeply concerned about the game of budgetary chicken that is underway between the Congress and the administration. I am also concerned about the priorities that are being demonstrated by this administration.

Why is it that they want to spend $1.5 billion more than what is in the continuing resolution for foreign aid money to Sudan, Oman, Pakistan, and other foreign countries while they want to cut money what is in the budget to take care of the 8.5 million unemployed Americans that have been put on the streets by the high-interest-rate policy of this administration and the Federal Reserve Board.

This House has passed 12 out of 13 appropriation bills. The other body has not moved on the appropriation bills. I think it is time for the other body and the White House to get their act together.

Let us work together here in the House to reach our answer to this budgetary crisis.

CONGRESSMAN HOYER INTRODUCES LEGISLATION ON FEDERAL PAY CONTINUITY

(Mr. HOYER asked and was given permission to address to House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, I agree with much of what has been said today and associate myself with those remarks. I might also say that I agree to some degree with the remarks of the gentleman from Texas (Mr. PICKLE). I think this process is unfortunate.

But I will say further that I spent 2 days watching the distinguished chairman of the Appropriations Committee, Mr. WHITTEN, very patiently attempting to reach agreement with the conferees and the conferees of the other body going into the room of Mr. Baker and getting agreement, and presumably getting agreement of the President of the United States to move ahead as we had agreement.

Mr. Speaker, we are less than one-half percent away from agreement. For that the President of the United States has brought this Government to a close and 500,000 Federal workers are worried about whether they are going to get paid. Social Security Annuitants are worried about whether they are going to get their checks, irrespective of what the President has said.

I have introduced H.R. 4394, the Pay Continuity Act for Federal Workers that will not allow them to be held hostage either by this Congress or the President of the United States. I am going to ask for emergency hearings on that bill and I hope the Members of this House will join with me in support of that legislation.

CYNICAL MANEUVERING ON CONTINUING RESOLUTION

(Mr. GLICKMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GLICKMAN. Mr. Speaker, the country would probably not realize the cynical way in which the President decided at the last minute to change his mind and veto the continuing appropriations bill which nearly all the conferees signed, including all of the Republican conferees in the other body. The country also probably does not realize that the President seems to have at a late date and perhaps knowing he would veto the bill, manipulated the other body into voting for the bill so as to create an opportunity for a veto.

The sad truth of the matter is, I think, the President would probably have vetoed this bill even if there were zero dollars in it just to make a point. That is his prerogative.

I remember the remarks of the great late Senator Everett Dirksen who said "I am a man of principle, and my first principle is flexibility." While none of us is ideologically pure, the President has shown a great deal of flexibility on his provision for this bill during the past 3 days. But I think the Congress owes to the people of this country the duty to maintain its constitutional responsibilities. This is not a parliamentary system of government, the President is not the Prime Minister and we are not the English Parliament. We should act responsibly to preserve our system.

THE ADMINISTRATION'S WAR ON CRIME AND BUDGET CUTS

(Mr. EDWARDS of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDWARDS of California. Mr. Speaker, the President's announcement several weeks ago of the administration's war on crime is less than a skirmish. He has announced that he will cut back the FBI from 6 to 12 per-

cent, the Drug Enforcement Assistance Administration more than 12 percent, at a time when drugs are rampant in our country. He has removed all assistance to local police departments when he canceled out the Law Enforcement Administration and the bill that has been reported by the House Judiciary Committee for Federal assistance on a modest basis to local law enforcement agencies is also lying without any action or recommendation from the House.

U.S. attorneys are being cut back. These are our Federal prosecutors, Mr. Speaker.

All of this indicates that the President is thinking more of a small amount of money than of the war on crime.

THE HOUSE CAN NO LONGER HAVE BUSINESS AS USUAL

(Mr. LOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LOTT. Mr. Speaker, the President has vetoed the continuing resolution spending bill for next year. Well, good! He said he would do it if sufficient cuts were not made; Congress called his bluff and he fulfilled his commitment.

Now comes the majority leader, Mr. WRIGHT, and assures us that "the House will cooperate and act responsibly." Since when, Mr. Speaker. Then Mr. WRIGHT, the gentleman from Texas, turns right around and says the House will pass another resolution at high levels and extend it to February 20. That will not get it, Mr. Speaker! If that high bill for that long a period goes to the President, look for another veto.

What is involved here is Congress insisting on doing things as they always have—spending where and how they want to, paying no attention to the working taxpayer of America. The House still wants business as usual!

Not this time, Mr. Speaker! We have a President with the courage to back up his convictions this time. The taxpayers will win this battle!

THE BIG SPENDERS ARE SQUEALING

(Mr. WALKER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALKER. Mr. Speaker, the President has vetoed the continuing resolution. The President was absolutely right, and to know that he was right all you have to do is listen to what some of his opponents are saying. For instance, at least one of his opponents made the statement that we were only $1 billion or so apart. Only $1 billion? Anyone who thinks that $1 billion represents only nickels and dimes has been around here for far too long.

The problem is that the Congress has been spending only billions for far too long and the President has finally said that enough is enough.

Even if the liberals around here cannot see the facts, the American people can see that big spending is what has gotten us into our present problems. The big spenders are squealing and it is about time.

BIG SPENDING DEMOCRATS ARE GETTING THE MESSAGE

(Mr. DUNN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNN. Mr. Speaker, yesterday in an unusual Sunday session it was, indeed, business as usual. On the first hand we had the Democrats voting against a reasonable pay increase for loyal Federal workers who did this Nation a service in a time of crisis: These being the same people who stood up and spoke for an even bigger pay increase for people who had broken the law, the union leaders of PATCO.

In the next business as usual we had Democrats saying "I cannot understand why the President would veto this." They could not understand it last summer, last November, and I do not doubt that they could not understand it yesterday. They will get the message from the taxpayers of this Nation. It was, indeed, business as usual.

CONTINUING RESOLUTION BAD POLICY

(Mr. PURSELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PURSELL. Mr. Speaker, I just wanted to make a very basic point that the principle of continuing resolutions is bad public policy. We have 13 appropriations bills. The House has not passed a foreign aid appropriations bill in 3 years. The Defense bill only passed last Wednesday.

It is a very bad process to use a continuing resolution policy. The House is at fault, the Senate is at fault, and we should not blame the President for this. The Carter administration used a continuing resolution, and we are doing the same thing.

We ought to get back to our prerogatives, our constitutional responsibilities, and have the full budget before the President by October 1. If he wants to veto a particular bill, let him exercise his prerogatives, but let us not blame the President for these responsibilities that we should exercise as Members of Congress.

Present law requires Congress to carry out our constitutional duties by having all appropriations bills on the President's desk by October 1.

FOREIGN AID IMPORTANT TO NATIONAL SECURITY

(Mr. EVANS of Delaware asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EVANS of Delaware, Mr. Speaker, speaking of theatrics, we have had our share of that in this body today.

There has been much discussion of foreign aid and I believe that needs to be placed in proper perspective.

The national security interests of our country are important to every citizen of the United States of America. We have no higher priority than our national security. The stability of our allies, like Oman, in the critical Straits of Hormuz with vitally needed oil flowing through those straits is important to us. Other allies such as Sudan, Somalia, Kenya, all a part of the Horn of Africa, as well as nations like Turkey and Thailand, are critically important to America.

Yet, the continuing resolution vetoed by the President provided no security assistance for any of these countries and that does not serve the cause of peace well.

I am hopeful that these concerns will be addressed in the near future and it is disappointing to hear some of my colleagues downplaying the importance of foreign assistance. I recognize that foreign aid is unpopular politically. However, it should be our responsibility to convey its relevance to our own economic and security interests.

I do not advocate taking funds away from vitally needed programs for people. However, we can certainly find these funds by creatively ferreting out waste and abuse of tax dollars across a broad range of Federal expenditures.

PRESIDENTIAL VETO OF CONTINUING RESOLUTION CONSISTENT WITH HIS POLICIES

(Mr. MORRISON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORRISON. Mr. Speaker, we have been greeted this morning by a great flurry of words and puffs of political smoke, attempts to cloud the failures of this Congress.

I urge you to listen to the real story, and I quote directly from the President's veto message that is before us this morning:

This resolution presented me with a difficult choice:

Either to sign a budget-busting appropriations bill that would finance the entire Government at levels well above my recommendations, and thus set back our efforts to

halt the excessive Government spending that has fueled inflation and high interest rates, and destroyed investments for new jobs;

Or, to hold the line on spending with a veto, but risk interruption of Government activities and services.

I have chosen the latter. The failure to provide a reasonable Resolution means that some citizens may be inconvenienced and that there is a possibility of some temporary hardship. Nevertheless, a far greater threat to all Americans is the sustained hardship they will suffer by continuing the past budget-busting policies of big spending and big deficits.

Mr. Speaker, this is not theater. This is consistent policy. I can understand the problem of some of my Democrat colleagues. They do not recognize consistency because they have not seen it for years.

□ 1030

PRESIDENTIAL VETO OF CONTINUING RESOLUTION

(Mr. BETHUNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BETHUNE. Mr. Speaker, I know it is painful to Members of Congress when this institution comes under attack. But let us face it, taxing and spending have doubled since 1976. The President was right to veto this, not only because it was $2 billion or so over the budget targets, but it is time that we face another truth here in the Congress, and that is that the Byzantine budget process is not working.

Deadlines are not met, procedures are not followed. The numbers can be massaged by people on both sides of the aisle, and important decisions are stuffed into last-minute resolutions. This is simply ruining the appropriation and budget process that we should be following in this institution. The President was also right when he said this is no way to run a railroad and it is even less of a way to run a Government.

IT IS TIME FOR CONGRESS TO PRODUCE AN HONEST BUDGET

(Mr. GREGG asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. GREGG. Mr. Speaker, I think it is time we looked at the honest figures of this continuing resolution. The fact is that this continuing resolution set irrelevant and inaccurate figures for items such as medicaid, which was $938 million below the President's budget, the guaranteed student loan program, which was $633 million below the President's budget. They have basically made a statement in the continuing resolution which involves nothing more than balancing it through mirrors. In fact, it is $6 billion over in other categories, in eight other categories, $6 billion over the President's budget.

This is a fraud in the classic tradition of congressional budgeting. It is the same type of fraud which has led us in the last 10 years to $600 billion of deficits. It is the type of fraud which is crushing the American people. It is the type of fraud which has created interest rates which are crushing the American private sector. It is time that this Congress faced up to it and produced an honest budget.

CONSERVATIVE DEMOCRAT-REPUBLICAN COALITION WILL CONTINUE FIGHT FOR CUTS IN GOVERNMENT SPENDING

(Mr. GINGRICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGRICH. Mr. Speaker, the American public can learn a great deal by watching the debate over the President's veto. Liberal after liberal gets up to complain about a veto over a billion or $2 billion. They argue that $1 billion is trivial. These liberals suggest that the entire salary of 50,000 American families is not worth fighting over.

In 1982, those Americans who agree that $1 billion is trivial should vote for the liberals. However, the conservative Democrat-Republican coalition will continue to fight for real cuts in Government spending and a real break for working Americans.

A vote for a continuing resolution to February is a vote for another veto. The Speaker does not have the votes to override a veto and, therefore, the Constitution is clear: The responsible thing would be to offer a responsible resolution to December 20, which the President would sign. If this crisis continues, the burden will be clearly on the liberal leadership which is unwilling to work out the constitutional process clearly mandated.

BUDGET REDUCTIONS MUST BE CARRIED OUT WITH SENSITIVITY AND COMMONSENSE

(Mr. PARRIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PARRIS. Mr. Speaker, I am a longtime supporter of President Reagan. I agree with the President's belief that we must cut taxes and reduce the cost of Government if we are going to restore America's economic vitality. However, I have repeatedly counseled the President and his advisers that these cuts and reductions must be carried out with sensitivity and with commonsense.

The situation we find ourselves in today is shocking.

On one hand we have a Congress that has taken month after month to debate and discuss the budget but is unable to reach agreement on reductions of even microscopic proportions, a Congress that is being misguided by a Democratic leadership which seems to get some kind of perverse pleasure out of sticking it to Federal employees by such actions as killing the twice-a-year cost-of-living adjustment and failing to remove the Federal pay cap, actions that were taken, I might add, by voice vote.

On the other hand we have an administration that seems to think there is political mileage in asking the Federal workers to assume an unfair share of the burden of economic recovery.

We seem to be engaged in some sort of macho showdown here, a game of congressional chicken. But this is not a game. It is a disaster and the innocent victims are the members of the Federal bureaucracy who continue even at this moment to toil at their assigned tasks despite the fact that payment for their services is in doubt.

I am willing to bite the bullet to bring about some fiscal sanity in this Nation. But I am not prepared to swallow the gun barrel.

I voted for the continuing resolution last night and I will vote to override this veto. I urge my colleagues to do likewise. Enough is enough.

Let us stop this nonsense. I will support additional budget cuts. But not now and not here. We must keep the Government operating, we must act like the responsible legislators we proclaim to be.

RESPONSIBLE FISCAL MANAGEMENT

(Mr. McCLORY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCLORY. Mr. Speaker, the dilemma in which we find ourselves today bespeaks two very serious flaws. One is the mismanagement of our responsibility as Members of the Congress to provide funds for the operation of the Federal Government. The fact that we have not been able to act finally on appropriation bills prevents the President from the exercise of his constitutional prerogative to approve or to veto these measures. This failure on our part indicates that we are not doing our job. There is an immediate and primary need to improve the management of the business of the House of Representatives and of the other body in order that we may fulfill that responsibility.

The other aspect of our dilemma is also clear, and that is that the continuing resolution process is used as a device to increase Federal spending or

to perpetuate excessive spending that has gone on in the past.

The President has not violated his constitutional oath or his responsibility by vetoing the continuing resolution. On the contrary, he has fulfilled his constitutional responsibility. And now we have the opportunity to either override or sustain the veto. I am confident that we are going to sustain the veto, and then we have the opportunity to act promptly and responsibly to improve our management of the fiscal business of the Government.

FOREIGN ASSISTANCE VERSUS DOMESTIC PROGRAMS

(Mr. FOLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOLEY. Mr. Speaker, I did not intend to take the well today, but I think some of the remarks, including those of the gentleman who just left the well, whom I admire and respect, the gentleman from Illinois (Mr. MCCLORY), deserve some comment.

First of all, we have passed 12 out of the 13 appropriation bills, as the gentleman knows. It is the other body which has not concluded the work, some of the bills 3 or 4 months pending on the other side.

Second, the President did not exactly tell the whole story today when he suggested that reckless Federal spending and the lavish deficit spending was responsible for the veto.

Look at the names of the Republican Members of the House and the Senate on the conference report and judge for yourselves whether those are reckless Federal spenders.

The real argument here is that the President made a last-minute decision and after it was clear to almost everybody on both sides of the aisle in both Houses that the figures of the conference report agreed to were adequate and acceptable to the administration, or indeed the Republican Members and the majority of this body and the other body would not have signed the conference report and voted for it.

Third, the fact of the matter is that the President wants more spending by about $1,400,000,000 for foreign assistance. That is one of the principal objections to the conference report, that it does not spend enough money on what he regards as this area.

Now, Americans have to decide whether, in a time of recession, cutting domestic spending, important to sustain people in a time of recession and crisis, should be denied while we use that money to supply additional funds for overseas foreign aid. That is one of the issues that we are debating here.

I do not think, with respect to some of my colleagues on the other side of the aisle, that they do a service to the body or the country with some of the comments that obscure the facts rather than inform the American people.

REAGAN VETO UNFAIR TO AMERICAN PEOPLE

(Mr. VENTO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VENTO. Mr. Speaker, clearly the Reagan veto is a very astute political move by the President, but it is absolutely unfair to the American people and needlessly disrupts the delivery of services and operations of the Government.

The Reagan action calls into question whether the President can accept reality. While carefully choosing his words again, President Reagan invoked emotion, but not reason. When the President lacks the facts and sensible arguments that reality dictate, he does not hesitate to use the bully pulpit or a touch of the dramatic, the irresponsible—a veto of the truly compromised measure worked out by both Democrats and Republicans, signed by both Democrat and Republican conferees, and voted for by both the House and the Senate.

The resolution was under Reagan's third budget proposal offered September 24, 1 week before the start of the fiscal year. But he could not accept it because the cuts for the Pentagon were greater and military assistance cuts were greater, and there was a little more spending for social programs.

I just want to warn my Republican colleagues and Democrats that we cannot solve our budget problems that we have created last summer by providing special interest tax cuts and the recession that exists now by cutting Federal Government spending. In all probability, many of those categories are going to go up.

What is wrong with the continuing resolution process is that this President is attempting to circumvent the appropriation process and insulate certain programs that he wants insulated from any cuts, and savage social programs that many people need.

The real question that we are asking is what does the President want? Maybe an insurance policy to be written retroactively on his economic policy, Reaganomics, with all its defects, high interest rates, deficit-financed special interest tax cuts, budget-breaking Pentagon spending, high unemployment and recession. A Republican economic insurance policy at the cost of breaking our commitments to the American people.

The fact is that you can not drive a $750 billion, 5-year special-interest tax program and a $1.6 trillion 5-year defense budget by starving or even completely eliminating social program budgets.

How about a little commonsense regarding this economic program—this is an insurance policy and those in real need can not afford this premium.

CABLE NEWS NETWORK COVERAGE OF HOUSE PROCEEDINGS

(Mr. HOLLAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOLLAND. Mr. Speaker, I hesitate to say this because it is probably going to provoke a lot of additional speeches, but the Cable News Network is carrying this live. They are not editorializing on it, but I think it is appropriate to note that immediately after Mr. LOTT, and Mr. WALKER, and Mr. JOHNSTON, they broke for a toilet tissue commercial.

CONGRESS SHOULD SUSTAIN PRESIDENTIAL VETO OF CONTINUING RESOLUTION

(Mr. ROUSSELOT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

The SPEAKER. Is the gentleman going to speak from the Democratic side?

Mr. ROUSSELOT. Well, I thought I would, because there are so many here today—for a change.

Mr. Speaker, in response to my colleague from South Carolina (Mr. HOLLAND) I say, "Paperworkers of America, arise."

Now, so many of my Democratic colleagues have said, "Where is the President coming from?" The same place he has always come from. He says reduce unnecessary Federal spending. You Democrats have been busting the budget, and he wants to take you out to the woodshed to talk about how to get this out-of-control Government back in order.

Now, this is what the facts are: He asked for a 12-percent reduction in potential increases in spending for fiscal year 1982. You, my Democratic colleagues were unwilling to do that, and you control the majority here in the House.

So he then said, "Well, I will compromise, 6 percent, or half of that," and you could not even do that.

So that is why you are being taken back to the woodshed.

It has already been stated, I agree with my colleagues: We have misused the continuing resolution over and over again. Your President—Mr. Carter—came here and asked for a continuing resolution last year, and you gave it to him whether he needed it or not. Now we have got to stop that irresponsible action, and we need to

sustain the President's veto. I will be interested to see whether all of my colleagues who have recently been calling for a balanced budget will now sustain that veto.

□ 1045

WE SHOULD NOT ACCEPT ONE-MAN RULE

(Mr. FOWLER asked and was given permission to address the House for 1 minute and revise and extend his remarks.)

Mr. FOWLER. Mr. Speaker, I do not believe that I will try to match the decibel level of my friend from California. Since he purported to give "facts," but let me present the true facts.

The President of the United States has asked for over $45 billion in cuts this year. We made almost $40 billion in those cuts that he asked for. The President of the United States asked this House, Democrats and Republicans, for a continuing resolution to pass, and every Republican conferee in the Senate and all but three in the House, meeting this weekend, voted for that bill, signed it, and then came back to this House with a sudden change of heart: overnight they became opposed.

We in the Congress should not be pointing fingers at ourselves. We should not be searching for scapegoats. What we ought to be doing in a nation of clerks, of mechanics, of teachers—all citizens—is to find a common ground through our elected representatives, a legitimate compromise for essential Government services that will enable our country to continue.

What we must reject as Democrats and Republicans is one-man rule, to allow any President, Democrat or Republican, to change the rules in the middle of the night, to pull the rug out from under any party, to say that he believes one thing and then go on television and say the next morning that he believes another.

Our country has always rejected any attempt at one-man rule. We cannot quit that battle now.

A BALANCED BUDGET

(Mr. COLLINS of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLLINS of Texas. Mr. Speaker, the President of the United States placed his priorities where they belong. President Reagan talked about the national security, the national defense. It is interesting to remember that the last time this Congress had a balanced budget was when we were spending 44 percent of that budget on national defense.

Today, this budget only accounts for 25 percent on national defense. So that is important.

But the big issue before us is that it is time we balanced the budget so that we could reduce the interest rates in America. High interest rates are losing jobs in business and jobs are what are essential. Congress cannot keep spending and spending and spending, and unless we cut spending we are going to continue to have high interest rates.

It is going to mean more savings and loans in trouble. It is going to mean more automobile dealers in trouble, steel companies having more trouble.

We have to cut interest rates to develop business and the best way we can do it is, through a balanced budget. President Reagan is recommending that Congress cut expenses, cut spending, and move toward balancing the budget.

WHITE HOUSE DID NOT CHANGE SIGNALS

(Mr. MYERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MYERS. Mr. Speaker, there have been a number of speakers, particularly from the other side of the aisle, who this morning have stated that the President changed signals. Suggesting somehow the message was sent down to the conferees that he would accept the labors that we had given over 2 days and 2 nights, trying to reach a compromise.

The distinguished majority whip and several others, none of whom were present in the conference, let alone were conferees, either have made the statement, and left the impression that we all signed the resolution, the continuing resolution, the conference report.

But I did not. Not that I had any wise advice from on high or from down the street, but several of us, the gentleman from Ohio (Mr. MILLER), the gentleman from Florida (Mr. YOUNG), did not sign the conference report for a number of reasons. There are some false figures in the conference report.

We made a conscientious, hard-working effort to reach a compromise. I am not here faulting the Members that did sign, nor our efforts, but I do not want the impression left that the White House changed any signals or said they would sign it because that would be wrong.

What the President has done is not really his fault, because the impression is being left here today that somehow President Reagan devised this continuing resolution process.

This morning at 6:30, the first appropriation bill went to the President for signature, which is 54 days after the end of the fiscal year. So do not blame President Reagan for the condition we are in. We have created it here in the Congress and we have had some help, but now the job is to pick up the bits and to go back to work and quit the rhetoric.

PUT THE BLAME WHERE IT BELONGS

(Mr. HEFNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HEFNER. Mr. Speaker, I think it is a bit ridiculous for us to say that we have created all the problems right here when we have had 12 appropriations bills languishing in the Republican-controlled Senate.

Now, let me say this to the Members.

Also, when we talk about numbers and bad numbers, we have been dealing on the Budget Committee all year with ouija board—admittedly by Mr. Stockman himself, numbers that they did not understand, numbers that we questioned from the very start.

On the Budget Committee we are still dealing with them today.

As my colleague from California said, if this side of the aisle will vote to sustain the President, we can balance the budget.

When does $2 billion account for a $90 billion deficit we are faced with next year? Let us be honest. Let us be honest with the American people and put the blame where it belongs.

FURTHER CONTINUING APPROPRIATIONS, 1982—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 97-115)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I am returning to the Congress without my signature H.J. Res. 357, the Continuing Resolution providing appropriations for Fiscal Year 1982.

This Resolution presented me with a difficult choice:

—Either to sign a budget-busting appropriations bill that would finance the entire Government at levels well above my recommendations, and thus set back our efforts to halt the excessive Government spending that has fueled inflation and high interest rates, and destroyed investments for new jobs;

—Or, to hold the line on spending with a veto, but risk interruption of Government activities and services.

I have chosen the latter. The failure to provide a reasonable Resolution means that some citizens may be in-

convenienced and that there is a possibility of some temporary hardship. Nevertheless, a far greater threat to all Americans is the sustained hardship they will suffer by continuing the past budget-busting policies of big spending and big deficits.

When reports came to us in September that spending and the deficit for Fiscal Year 1982 were rising, we took action to stem the tide.

On September 24, I asked for a reduction of 12 percent in the appropriations for nearly all non-defense discretionary programs and a modest reduction in our planned program to strengthen the national defense. The 12 percent cut would have saved $8.5 billion—a significant contribution to reducing the deficit, but a modest sum in a budget which will total more than $700 billion.

By refusing to make even this small saving to protect the American people against overspending, the Congress has paved the way for higher interest rates and inflation, and a continued loss of investment, jobs and economic growth. At the same time, the Continuing Resolution fails to provide sufficient security assistance to allow America to meet its obligations.

The practice of loading the budget with unnecessary spending—and then waiting until after the eleventh hour to pass a Continuing Resolution on the assumption that it was safe from a Presidential veto—has gone on much too long. It is one of the principal reasons why the growth of Government spending is still not under control.

For much of the past fiscal year, most of the domestic budget was funded in this manner—through a Continuing Resolution, without regular appropriations bills subject to Presidential approval or disapproval. These so-called stop-gap resolutions are actually budget-busters that can last for an entire year and create the kind of economic mess we inherited last year.

A few days ago I offered to meet the Congress half-way. But the Continuing Resolution the Congress has now passed provides less than one quarter of the savings I requested. This represents neither fair compromise nor responsible budget policy.

In the hours ahead the Congress has the opportunity to reconsider, and I urgently request that it do so. In the meantime, we are making every effort to avoid unnecessary dislocations and personal hardship. I can give assurance that:

—Social Security and most other benefit checks will be paid on schedule.

—The national security will be protected.

—Government activities essential to the protection of life and property, such as the treatment of patients in veterans hospitals, air traffic control and the functioning of the Nation's banks, will also continue.

But in order to prevent unnecessary inconvenience and hardship as Thanksgiving approaches, I must urge the Congress to act promptly and responsibly.

RONALD REAGAN.

THE WHITE HOUSE, *November 23, 1981.*

The SPEAKER. The objections of the President will be spread at large upon the Journal and the message and the joint resolution will be printed as a House document.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I move that the message, together with the accompanying joint resolution, be referred to the Committee on Appropriations.

The SPEAKER. The gentleman from Mississippi (Mr. WHITTEN) is recognized for 1 hour.

Mr. WHITTEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in making this motion return to the Committee on Appropriations, the action of the President vetoing this continuing resolution which he exercised within the rights and powers of the executive branch.

I listened to the statement made by the President at the news conference this morning and it is evident to me that the facts on which he relies come from the Office of Budget and Management. I believe the Budget Office has been erroneous insofar as we know, this committee has relied on its professional staff that daily deal with the facts and figures.

By making this motion to send the veto message to the Appropriations Committee, we will have a forum in which any further presentation might be made and where we can bring together all the information on both sides.

Now, with regard to other matters, let me point out, as I have tried to in the last few days, we have a Government of three branches—the President has his obligations, he has his authorities and he has exercised them. I have no complaint about that. I do believe however that perhaps he maybe relying on erroneous information.

But by the same token, as I have tried to point out through the 2 days and nights of conferences, that while we could go along with the President in his request for the proposed cuts that we thought we had a deal. On the Senate side, presumably, that was reflected by the amendment of the Senator from Tennessee, the majority leader. They set out to have a 4-percent cut on some items and eliminate any cuts on others.

I set out to sell my House colleagues on the proposition to let us agree with his total dollar savings but let us try to reach it while reserving to the Congress our responsibility of the how, where, and when these cuts should be specified.

The proposal to us was to leave within the Office of Budget and Management the authority to cut particular things out or to exercise their judgment about what to keep and what not to keep.

The recommendation and in fact the amendment of the majority leader in the Senate, Senator BAKER, had the effect of exempting foreign aid. The Senate resolution provided for a $2 billion increase in foreign aid, and for the first time on history the bill was originated by the Senate and not the House, which is contrary to the Constitution.

So what was considered there was not holding foreign aid at the present level but actually was an increase of $2 billion in a bill that was cutting domestic programs.

So we set out to come up with the targeted figures, but to reserve to the Congress and to the House particularly, the right to meet our responsibilities and obligations, which is to determine where the funding should go and how they should be handled. We thought we reached such an agreement from our friends on the other side—and I do not know of any man in Congress for whom I have a higher regard than the gentleman from Indiana, Mr. JOHN MYERS, he is right about the facts as to whether everybody signed it.

But there was not a single objection made that I know.

Let us go back to this continuing resolution proposition.

As my colleagues know, I succeeded Mr. Mahon a little over 2 years ago.

Last year, we passed 12 of the 13 appropriations bills and the Senate had not taken up a single one.

I called the then leader of the Senate and said, "We are bogging down here. We have sent you these appropriations bills * * *"—this was last year, not the current year—"and you tell me you just cannot get to them."

I looked into the rules and found there was nothing to prohibit us putting all those bills in one package and sending them back over to the Senate in an omnibus bill. So at my suggestion our committee put them in a single package and sent them to the Senate and I called the majority leader and said, "sign our resolution."

□ 1100

We did that to bail out a bad situation where the House was not at fault in the least; this is not a new approach because of a change in the administration, we did it last year. This year again we find ourselves faced with the same situation. This continuing resolution was made necessary by reason of the fact that they still had not acted on the other side.

Now, I do not want to leave any impression that this situation is the fault of the Senate Appropriations Committee or the chairman, who has been very easy to work with and frankly speaking has been just as interested in bringing things to a conclusion over there.

So the continuing resolution has been made necessary by the fact that we could not get the appropriation through.

Let me say one other thing. Keep in mind that whatever the time or the date is in this resolution, any time that any bill is passed making appropriations and enacted into law, it comes out from under this resolution. This is a holding action. This means that if the President should veto every bill that goes to him, the Government would not quit, as we are doing today. We need the resolution, whether he vetoes those future bills or whether he does not, we need to have the Government operating.

So any condemnation of this procedure is a mistake, in my opinion, because it was made necessary because the other side did not perform in connection with a process.

Let me repeat again. Any time that a bill is enacted into law, out it comes. If the President wishes to veto it in carrying out his responsibility, at least the Government will not close down while we deal with his veto.

I think it is sound. I think it should be done this way.

Let me tell you what is in this resolution.

Mr. MICHEL. Mr. Speaker, would the chairman yield to me?

Mr. WHITTEN. I yield to the gentleman from Illinois.

Mr. MICHEL. I do so because the chairman made mention not only of the conditions that prevail this year, but also prevailed last year, so there is plenty of blame to go around.

I would suggest and have made the point any number of times here that before we get into the budget cycle and the appropriation cycle for the coming year that rather than the traditional practice of having every bill originate here in the House of Representatives, then leaving the other body at the latter part of the year in which really to get their bills in order, we ought to have a well-formulated plan of half the measures originating in the House, half in the other body, which could be evenly divided. Then you would have the kind of situation where in June you have got both bills originating in both the Senate and the House at the same time. Otherwise, I think we put them to a disadvantage by the length of time we give them or the shortness of time as distinguished from what we have in this body for deliberations on appropriation bills.

Mr. WHITTEN. I appreciate the gentleman's suggestion, but I for one, do not want to give a flat answer to a very important question. But I say that the House of Representatives is the people's branch. You cannot appoint one Member to succeed another one. The people have to vote and speak by sending us here. They can change every 2 years who is in the House. There is a reason for that.

This being the people's branch, I would not want to surrender to the 6-year term on the other side at least half the responsibility.

The gentleman realizes that what he suggests goes contrary to all history and all precedent. I do not want to surrender any more. If we give them half the bills, this may not change the scheduling problem because they still will not go ahead until they need to.

Mr. MICHEL. The condition the gentleman has referred to has to do with tax revenue raising measures and I am not about not to follow the Constitution on that score.

At one time we did have appropriations and ways and means all considered by the same committee. They determined in prior years to divide that responsibility and the only constitutional requirement is on the revenue side, not necessarily on the appropriation side.

Mr. WHITTEN. Well, may I say, it says money bills. Money bills might be taxes and they might be appropriations; but historically the opinions have supported the position that money bills originate in the House in the Committee on Appropriations.

Mr. ADDABBO. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to my colleague, the gentleman from New York.

Mr. ADDABBO. What confuses me, Mr. Speaker and my chairman, is that I sat along with the chairman and the other conferees over there on the Senate side for 2 days. Friday night we ended up everything agreed to, the subcommittees meeting in order, everything was agreed to except foreign aid and HHS.

We then sat through Saturday. Again, the conferees meeting separately and all subcommittees agreed.

Again, midnight Saturday night, HHS and Foreign Affairs, the only two that were in disagreement.

We were told that you have to cut HHS. We need more money in Foreign Affairs. They then came back to us and said, "We will have a plan for you. We will have our program."

We adjourned. It was supposed to be for 10 minutes. We adjourned for 2 hours. We met.

We then had this chart prepared showing all the various totals, what the House had appropriated, what the Senate had appropriated and what our final agreement was.

We returned to the Senate. We said, "This is our proposition. This is where we are. Where are your figures?"

"Give us your figures," the Senate told us, "and let us study them."

We said, "Fine. Study our figures, but where are yours?"

They had none. So finally when the chairman, the gentleman from Mississippi (Mr. WHITTEN) said, "Look, it appears that you have no figures. Let us just extend the date."

Then suddenly they said, "Well, let us look at your figures," and they looked at the figures, and finally in looking at your figures found that we were below them.

Now, am I correct, Mr. Chairman, when I state that the House totals, the bills we had passed, the bills totaled over $430 billion?

Mr. WHITTEN. That is correct.

Mr. ADDABBO. The Senate was $428 billion.

Mr. WHITTEN. That is correct

Mr. ADDABBO. When we finally met at 12 o'clock Friday night, at 12 o'clock Saturday night, after all the subcommittees had met, we came to an agreement of $427 billion more or less, $427 billion, $3 billion under the House figure.

The Senate figure was $428 billion. We were at $427 billion, $600 million under the Senate figure, and the President, from what I understood, when that $428 billion was passed over in the Senate said that that was acceptable to him.

We came to an agreement at 1:30 Sunday morning at $427 billion, $600 million under the Senate, which is also $900 million under the budget.

I do not understand, Mr. Speaker, where this $2 billion comes from. We have presented to the President and to the country a bill which is $600 million below the Senate, below the bill that the President sent to the Senate and he was ready to sign; so when he comes to us and says that we are budget busting, I do not know where they get the figures, unless it is a game that Mr. Stockman is playing around with on his computers.

Mr. MYERS. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Indiana.

Mr. MYERS. I only ask one question. Did I understand the gentleman from New York to say that at 1:30 yesterday morning that the President had accepted what we were agreeing to?

Mr. ADDABBO. No, no. I said that I understood the President had stated that when the Senate passed the $428 billion bill, that that would be acceptable to him.

Mr. MYERS. I would like to know if anyone on the conference had any message from the President that he would accept. To my knowledge, the President did not ever say this.

Mr. ALEXANDER. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Arkansas.

Mr. ALEXANDER. Mr. Chairman, I appreciate very much the chairman trying to clear up the confusion.

I think that we should hang a sign over the White House which says, "If anyone can concentrate under these conditions, they just do not understand the situation."

Now, I have been hearing all these remarks by the President, by the Director of OMB, which is accusing the Congress of budget busting. I heard the President say this morning, and I listened to the veto message a minute ago, that the reason that he is veoting this bill is because of overspending by the Congress, which is causing higher interest rates and inflation.

Now, Mr. Chairman, I would like to ask a question. Based upon the data that we have available to us from the House Appropriations Committee, is it true or untrue that the President's budget requested about $428.7 billion; is that true or untrue?

Mr. WHITTEN. That is a fact, so far as I understand it.

Mr. ALEXANDER. All right, Mr. Chairman, is it true or untrue that the House-Senate conferees attempted to appropriate $427.8 billion is that true or untrue?

Mr. WHITTEN. That is correct.

Mr. ALEXANDER. Is it true or untrue that the House and the Senate conference is about $800 million less than the President has requested in his budget?

Mr. WHITTEN. That is approximately correct.

Mr. ALEXANDER. Well, I would like to congratulate the President for vetoing a bill which attempts to appropriate less money than he has requested.

Mr. MICHEL. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Illinois.

Mr. MICHEL. With that Alfonse-Gaston Act here, let me propose a question then.

Mr. WHITTEN. I do not know that I like the description, but go ahead and ask the question.

Mr. MICHEL. Would the chairman guarantee us that there would be no supplemental request for those entitlement programs between now and the end of the fiscal year?

Mr. WHITTEN. I did not understand the question.

Mr. MICHEL. Would the chairman guarantee us that there would be no need for supplementals for just the entitlement programs for the balance of the fiscal year?

Mr. WHITTEN. The gentleman from Illinois knows that the gentleman from Mississippi is not strong on guaranteeing what may happen in the future. Anybody who estimates what outlays will be can take a guess as to future needs.

Mr. MICHEL. If my friend will yield for just one further moment, the gentleman from Arkansas might very well cite the figures he does, but that does not take into account the fact that the figures are below what are required to fulfill the entitlements.

Now, unless you are willing to also tackle the entitlement programs to reduce them, your appropriation levels are never going to coincide with those entitlement figures at the end of the fiscal year.

In medicaid alone, it was $900 million short.

Now, the gentleman from Arkansas, if he wants to shortchange his medicaid patients for that amount, I will wait when that supplemental appropriation comes up to see where we are then.

Mr. WHITTEN. I would like to continue with my own remarks. At the moment I do not yield to anyone.

Let me finish my statement.

Mr. Speaker, it is evident that we do not have the votes to override the President's veto.

Mr. Speaker, it should be evident that as a coequal branch, the President does not have any authority to make us do anything.

It being true that we cannot run his business and he cannot run ours, neither can the Supreme Court do anything unless the executive branch carries out its orders for it.

We have three branches of the Government and I, for one, think it is absolutely essential that we work together, one, two, three. If any one of them does not cooperate with the other two, we break down, any one of the three.

Now, the President has acted within his rights. We have acted within our rights by reviewing his request moneywise as the representatives in Congress.

The recommendations from downtown were to cut 4 percent on some things and leave others completely out. The recommendations downtown were for a $2 billion increase in foreign aid. Not only did they not cut, but there was an increase of $2 billion.

Now, presumably the cuts that we made would be helpful to come up to the figure and add the $2 billion for foreign aid.

Now, the point I make is that my motion here is to refer this back to the Committee on Appropriations where we will be open to presentations by the executive branch or by anyone else to get any facts.

I yield to my colleague, with whom I have enjoyed working all year, the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Speaker, I want to thank the gentleman from Mississippi, my chairman, for yielding, and tell the gentleman how much I have enjoyed working with him and, of course, we are in accord; but the task before the House right now is either to refer this to the committee or to vote on sustaining or overriding the veto.

I do not see what good it is going to do to keep blaming somebody else, either our side blaming your side, your side blaming our side.

I think the task before us now is to get this thing over with. If you are going to refer it to the committee, let us refer it to the committee. Let us bring back a continuing resolution. Let us get down to the business of the day.

□ 1115

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from New York.

Mr. STRATTON. I thank the chairman for yielding to me.

Mr. Speaker, I find it impossible to understand what the minority leader (Mr. MICHEL) has just been saying. He said this same thing yesterday on the floor when everybody else was talking about how we were $600 million under the Senate bill, as the gentleman from New York (Mr. ADDABBO) has already said. On that occasion the gentleman from Illinois (Mr. MICHEL), stood up and said, "Can you guarantee that there will not be any supplemental requests on these entitlement programs?" Well, now——

Mr. WHITTEN. May I interrupt?

Mr. STRATTON. Apparently the gentleman from Illinois (Mr. MICHEL), is saying that the conferees actually cut the budget too far in the figures that they came in with, because he is complaining that there will not be enough in there to cover the various operations. Now, he simply cannot have it both ways. The President says we have put $2 billion too much into the continuing resolution, and that is why he vetoed it. But the distinguished minority leader says we do not have enough money in the resolution. Why do they not get their act together?

Mr. WHITTEN. May I yield to the gentleman from Florida?

The SPEAKER. The gentleman from Mississippi has the floor.

Mr. WHITTEN. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I thank the chairman for yielding.

Mr. Speaker, I just wanted to ask if the chairman intends to delegate any time to this side of the aisle so that we can have an organized debate, rather than jumping up and down shouting at each other to yield.

Mr. WHITTEN. I have no objection to recognizing anybody. I do have control of the time. If the gentleman from Massachusetts, my counterpart on that side, asks for time, I will certainly give thought to giving it.

May I say I am not trying to restrict anybody. Anybody can talk about what they want to. I am trying to carry out my assignment on the ground that the three branches of Government must work together. You have not heard me criticize anyone.

Mr. YOUNG of Florida. May I inquire as to how much time is left in the debate, and if you would be willing to delegate some of that time to this side?

Mr. WHITTEN. If somebody wants to speak, I will yield to them.

Mr. YOUNG of Florida. I ask the gentleman to yield.

Mr. WHITTEN. I have yielded to you.

Mr. YOUNG of Florida. I thank the gentleman very much.

Mr. Speaker, I would like to say, like the gentleman from Mississippi and the rest of the conferees, I spent those long nights and days waiting for things to happen.

Mr. WHITTEN. And stayed in good humor all the time.

Mr. YOUNG of Florida. I would also like to say we are all living through very high drama today. We are hearing now about closing down the Government of the United States. This is a serious situation. Rather than close down the Government, we should solve the immediate problem and then close down the Congress for a couple of weeks while we get our act together on how we are going to handle appropriations in the future.

Mr. Speaker, the gentleman and I have discussed this many times and I think we agree. We have gotten our budgetary and appropriations processes to such a state of confusion that we really find it nearly impossible to appropriate and get it down on time. We had to change the date of our fiscal year by extending it an additional 3 months, and we still cannot meet the deadlines.

As I said to the chairman of the Appropriations Committee, it is not our fault. The gentleman from Mississippi and the gentleman from Massachusetts (Mr. CONTE), have led our Appropriations Committee in a fine fashion, and we have basically done our job. It is the people at the other end of the Hall, and I do not care which political party is in control but down there they have not done their job.

We ought to be sending to the President appropriations bills, bills that we have discussed and debated and amended and then enacted, and sent to the President. We ought not to be trying to put everything under the umbrella of a continuing resolution.

I thank my chairman for yielding.

Mr. WHITTEN. May I say that we have been drafted into handling these matters in a continuing resolution. It is not the best way to run the Government. But right now it is the only way. This problem did not start this year. So I do say that we in the House have met our responsibilities in this regard. We did have a terrible time this year, with about five budgets, and possibly receiving new batches of requests. The dates figure into what we were able to do this year.

But I want to say the gentleman has just made a real good argument as to why we cannot solve this thing by giving the other side more authority, by having six bills over there. We might never see them.

Mr. WATKINS. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Oklahoma.

Mr. WATKINS. Mr. Speaker, I would say to the chairman, I think with all respect to the President and to some of the discussion, we should all grant the fact that the President was not over there about 2 o'clock Sunday morning in the wee hours. I am quite sure he was home asleep.

But let me say this: Dave Stockman was there, and he had been signing off on the agreements over there in that conference. Now the question is: Is Dave Stockman the spokesman or is he not the spokesman for this administration? That is the question.

Now, Mr. Chairman, I would like to take it one step further.

Mr. WHITTEN. I was asked to guarantee a while ago. I was flattered my guarantee would mean anything. I am not in a position to answer the gentleman's question.

Mr. WATKINS. Mr. Speaker, I think the gentleman from Florida (Mr. YOUNG), made a point we need to take into consideration, and that is the appropriations bill. I hope the Speaker and I hope the chairman will consider. I think we should give due consideration to just adjourning this body, because the House has done its job. We sent the appropriations bills to the Senate, all 12 of them. Only one, the foreign aid, is remaining. They have been over there for 3 months, many of them. They are ready to act. We can save the Government $3 billion if they will act on the appropriations bills that we have sent over to the Senate. So it would be a very workable solution if we could adjourn, consider adjourning, and get the bills passed out of the Senate, and down to the White House for signature.

Mr. WHITTEN. We cannot afford to let the Government fall down. We cannot afford to.

Mr. HEFNER. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from North Carolina.

Mr. HEFNER. I thank the chairman for yielding to me.

Mr. Speaker, I would like to make some observations.

I agree with the gentleman from Massachusetts (Mr. CONTE). From the very first start of this year—this is my first year on the budget—we have had confrontation. We have tried to work in a bipartisan way. The very first day the Budget Committee met we could not agree on assumptions because we had assumptions we believed and have been proven to be false, which has caused a lot of problems to this particular point. The Budget Committee debated right here on this floor, and we lost, and people that debated where the cuts should come and the committee should do their work, said, this administration, "We are not telling you the line items where to make these cuts; we are delegating that to the committees to make the appropriate cuts."

The committees went to work and made their recommendations, made their cuts. We came in here with a reconciliation. We got it at night, we passed that, delegated where the cuts were to be made. We have not dealt with the committee system in this body this year.

Now, the gentleman mentioned, "Can you guarantee us that on entitlements we will not come in for a supplemental?" If Members want to carry that argument a bit further, I sit on the Defense Subcommittee, we cannot guarantee that we will not be in with a joint defense budget supplemental. I support a strong defense, but let me tell you this: Over the next 3 years the Department of Defense has predicated their budget on a total cumulative inflation rate of 17 percent—over the next 3 years. And the way that we are embarking on the B-1, the Stealth, and the MX, God only knows how much this is going to cost. We cannot guarantee that we will not be in here for a massive supplemental in the military.

So when we are talking about guarantees, it is absolutely ridiculous to say what is going to happen out in the future. We do not know what the deficit is going to be next year. We may have to come in here for a lot of adjustments. We are going to have to use some realistic numbers.

One other point, Mr. Chairman. Now, the information that I have on this whole disarray we are in now, if the continuing resolution called for a billion and half dollars more in foreign aid, the President would sign it.

Am I correct, Mr. Chairman?

Mr. WHITTEN. Of course I cannot speak for the President I would say to my good friend.

Mr. HEFNER. Is that the understanding the gentleman from Mississippi had?

Mr. WHITTEN. I cannot answer that question. I do not believe anybody can answer the gentleman except the President.

May I yield to my colleague, the gentleman from Illinois (Mr. MICHEL), the minority leader?

Mr. MICHEL. Mr. Speaker, might I simply suggest we declare a truce for the moment? It is quite obvious from the gentleman's motion that it is intended to avoid a vote on either sustaining or overriding the President's veto. We know where the votes are.

Mr. WHITTEN. May I say to my colleague, it is to postpone any action like that so we will have a chance to pull the two branches together.

Mr. MICHEL. The longer we delay, the longer we take to get something over to the other body, the longer the final resolution. I am suggesting let us declare a momentary truce on the rhetoric. Let us refer it to committee. We are not going to force a rollcall on that. I think it is preordained what the results are. And then come up with the gentleman's resolution, or the majority leader's, and let us get on with it here.

Mr. WHITTEN. We have got to find a place for accommodation between the executive and the legislative branches, not just on this issue but on all issues. We are going to have to work together now and in the future. I am moving here to send this back to the committee. The effect may be as the gentleman from Illinois says. But my purpose is to give us a little time to clear the air and see if we can get together an accommodation from here on.

I think this is probably as good a chance as we will have.

The effect of the continuing resolution, if it is adopted is that if there is a veto, the Government will not come to a standstill. If the bill is ever agreed on, any bill, and signed, then it gets out from under the resolution automatically under the provisions of the resolutions.

So I have asked that we go back to the Appropriations Committee for such conferences and such information as might be available. As the gentleman says, it may have the effect of no immediate vote on this, but it easily can be brought back for consideration. But we should try to seek a means where we can work together, because certainly we cannot override the President's veto; certainly he cannot make us take affirmative action here. But that very fact means that we have got to find an accommodation.

Mr. Speaker, I move the previous question on the motion to refer.

The previous question was ordered.

The SPEAKER. The question is on the motion to refer.

The motion to refer was agreed to.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER. Pursuant to the order of the House of November 19, 1981, the Chair declares a recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 25 minutes a.m.), the House stood in recess, subject to the call of the Chair.

□ 1310

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 1 o'clock and 11 minutes p.m.

FURTHER CONTINUING APPROPRIATIONS, 1982

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent for the immediate consideration in the House of the joint resolution (H.J. Res. 368) making further continuing appropriations for the fiscal year 1982, and I ask that the previous question be considered as ordered thereon to final passage without intervening motion except for one motion to commit, and that the debate on the resolution be limited to 1 hour, the time to be equally divided and controlled by the gentleman from Massachusetts (Mr. CONTE) and myself.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. LOTT. Mr. Speaker, reserving the right to object, could I ask the distinguished chairman a couple of questions?

The gentleman is asking unanimous consent to bring up another continuing resolution. Did the gentleman specify in his unanimous consent request a date that he was asking for in this?

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. LOTT. I yield to the gentleman from Mississippi.

Mr. WHITTEN. I do not believe it is mentioned in my request but the resolution spells out the change which extends the old resolution from November 20, 1981, to February 3, 1982.

Mr. LOTT. So we would be proceeding under the old resolution?

Mr. WHITTEN. My resolution covers that by identifying it by number.

Mr. LOTT. We would be proceeding under the older existing continuing resolution level, not the one we voted on earlier this week or last night; is that correct?

Mr. WHITTEN. The gentleman is correct.

Mr. LOTT. And we will have 1 hour of debate equally divided; is that correct?

Mr. WHITTEN. That is correct. And the minority side would have the right under the request to offer one motion to commit.

Mr. LOTT. So one motion to recommit without instructions or with instructions would be in order?

Mr. WHITTEN. The gentleman is correct.

Mr. LOTT. I thank the distinguished chairman for that clarification.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 368

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That clauses (c) of sections 101 and 102 of the joint resolution of October 1, 1981 (Public Law 97-51), are hereby amended by striking out "November 20, 1981" and inserting in lieu thereof "February 3, 1982".

The SPEAKER. The gentleman from Mississippi (Mr. WHITTEN) is recognized for 30 minutes.

Mr. WHITTEN. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, there is no need of reviewing what we have all been through the last few days and nights and no need of reviewing the position of the executive branch or the House or the Senate at this time. What I shall address myself to is what this present resolution does.

The rate of expenditures under this resolution is $400 billion a year. It is the same as the level which has been in place since October 1. The agreement in the continuing resolution just vetoed was $427 billion. So we will be saving money so far as spending money for such period as this exists because we will be operating at a level of $400 billion a year instead of $427 billion, approximately, which the other resolution contained.

My reasoning in setting this date, after consultation, is that we cannot act properly within a very limited period. The other resolution has been sent back to the Appropriations Committee where we will invite contributions from the executive or anybody else and be glad to consider those matters. I think we should do that. I think it is so important that we get along together, the executive and the legislative departments of Government.

Also may I say that if we did not do it in a few days, which we could not, we then have Christmas coming up and I know with all of the things we have had, we do not care to be tied up here through Christmas.

Then if we go beyond Christmas, how far should we go? The resolution which I introduced last night provides for February 25, I tried to take a number of matters into consideration. So I selected February 25.

But after being urged to shorten it, I put it ahead of that date to February 3. February 3 is a date which would give us a chance to know what the new budget recommendation will be. So I

think February 3 is as short as we reasonably can make it and still keep some order in our deliberations as we proceed with our work.

In order to be fair, and may I say they did not demand it, but in order to give the minority the same position that we take, we do provide in the unanimous consent request, which was accepted, that the minority have the right to make one motion, such as they may see fit to make. The two votes, on that and on final passage, would be all that would be required.

I repeat again, we have put the time date as short as we think we can afford to. We have not tried to make it drag out. But the longer it is, the more money we save because we are proceeding under that rate of $400 billion a year, whereas the resolution which had been sent back to our committee would be $427 billion a year.

Mr. CONTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am not going to take any time. Everything that has to be said has been said here in the last 3 or 4 days.

All I have to say is that we might as well vote on this. We will have a motion to recommit which I will exercise making the date December 15 rather than February 3. I think it is time to put the show on the road.

The only observation I think I ought to make here is that this resolution will be $27.3 billion below the resolution the President vetoed. That takes into account that Defense is spent at a lesser level of last year's level, and that accounts for $25 billion right there. So once the Defense bill is passed and signed into law, the savings over last night's bill will be $2.3 billion.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Does the gentleman agree that any new agreement that we have will be for a higher level of spending than is in this continuing resolution?

Mr. CONTE. Yes; the answer is "yes."

Mr. SMITH of Iowa. This continuing resolution is at the rate of about $400 billion a year. Any new proposal which replaces it at a later date will be at a higher rate from that?

Mr. CONTE. Could the gentleman give me an example of a new proposal?

Mr. SMITH of Iowa. Anything that we agree to on December 15 will be at a higher level than the $400 billion.

Mr. CONTE. The gentleman is absolutely right.

Mr. SMITH of Iowa. The only point is this, I think the gentleman will agree that the Whitten resolution provides for 50 additional days at a lower level of spending than we would have if we cut it off December 15?

Mr. CONTE. That is right. But we are told that we are going to get another veto if we go beyond the December 15 date, and I am willing to try anything here to see if we can get the Government greased, oiled up, and back to work.

□ 1320

Mr. EDGAR. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Pennsylvania.

Mr. EDGAR. I thank the gentleman for yielding.

I took the well last week to try to get a March 31 date, and I was hoping to offer the amendment that was offered by our colleague, JOHN RHODES, on the Republican side, on the previous resolution, to March 31. There was sentiment last week by the minority leader and by the minority whip that the March 31 date in the last resolution would have been acceptable. I understand what is happening in this particular process.

I wonder if the gentleman could explain why the administration is so concerned about the December 15 deadline. The 12 appropriation bills are laying on the Senate's desk. They could move those at any time. It gives us just enough leeway, taking it to February 3, to make it a responsible length of time and not cloud us with another closing down of Government by Christmas.

Mr. CONTE. Let us get this straight: The President would have vetoed the bill with the March 31 date in it. There is no doubt about it. That is not an issue. If I had my way—and the conferees who sat there with me for 3 days know what my feelings are—my feeling is that we would go right to the end of the year, because you have got to be masochistic to go through another meeting with the Senate for another 3 days.

Why does the administration want the December date? I will tell you why: Because they do not want this thing to drag on after the first of the year. They want this Congress to handle this issue in regards to the money problem. That is what it is all about. And that is why they want the December 15 date.

Mr. EDGAR. If the gentleman will yield, I can understand the administration's interest in getting appropriation bills out. It is troubling to the gentleman from Pennsylvania that the administration has not shown the same aggressive attitude in getting the appropriations bills off of the desk in the Senate and to his desk for signature.

Mr. CONTE. Well, you know what the score is there. We all know what the score is there. Nobody is going to send those bills down because they are going to be vetoed.

Mr. WATKINS. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Oklahoma.

Mr. WATKINS. In all fairness to their side, talking about the time of trying to get the appropriations bills from the Senate, the President has mentioned it two or three times publicly that the Senate has not sent them down to him. If we could get a February 3 date, that would give the Senate time to get the Appropriations Committee bills to the President, and that is what the President has indicated he is concerned about. It is impossible on December 15 to get the appropriation bills out of the Senate and down to the President, all of them; but by February 13, the Senate could act, act in great haste, move forward and get those bills down there by February 3, and we would have it all behind us. It looks like this is what the President would want.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Illinois.

Mr. YATES. Is it not particularly true, what the gentleman from Oklahoma says, in view of the fact that the Senate proposes to take up the Williams case for a period of a week and they will not be able to consider the appropriations matters during that period? So we are inevitably bound to look for another continuation on December 15.

Mr. ROUSSELOT. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from California.

Mr. ROUSSELOT. To answer my good colleague, the gentleman from Pennsylvania, several of these appropriation bills are in conference, and some have been completed.

Mr. CONTE. Right.

Mr. ROUSSELOT. Like agriculture.

Mr. CONTE. HUD.

Mr. ROUSSELOT. HUD.

Mr. CONTE. Transportation.

Mr. ROUSSELOT. So we are waiting for the leadership here to bring those up, and I am sure they will want to do it right away now.

Mr. PEYSER. Agriculture is not completed.

Mr. CONTE. The gentleman is talking about appropriations.

Mr. ROUSSELOT. The point is, the President wishes to encourage Congress to get the job done on appropriations. Even though we have acted on some, a lot of them are still in conference. We have got to get it done before the end of the year. Is that not the simple answer?

Mr. CONTE. That is right.

Mr. LONG of Maryland. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. The President and his advisers have been calling

various Members, asking them to vote more money for foreign aid, and this gives them the time in which to come before us with a real foreign aid bill and do it in the open, so that we can all get behind the foreign aid bill that the public has had a chance to know about, instead of doing it through the back door; is that not correct?

Mr. CONTE. No; it is not correct. The gentleman and I have had a running debate on this. He is the Chairman. Bring that bill out here, and let us act on it.

Mr. LONG of Maryland. The cheers are coming from those who intend to vote against it.

Mr. CONTE. Everybody knows the fact that we are waiting for Dr. LONG to give us that opportunity to debate the foreign aid bill. Let us bring it out here. For 3 years there has not been a bill. Three years. I want to help the gentleman. The gentleman knows that. Get that bill out here.

Mr. LONG of Maryland. I know that Otto Passman was the father of foreign aid and the gentleman from Massachusetts is the mother of foreign aid. But I just want to point out——

Mr. CONTE. I hate to claim I am the mother of anything around here. There are so many bastards walking around here. They need a mother to legitimatize them.

Mr. MICHEL. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Illinois.

Mr. MICHEL. I appreciate my colleague yielding.

Mr. Speaker and my colleagues, first, may I commend the gentleman from Massachusetts for bringing forth a resolution from which we can at least get off the dime here and get something started.

Now, having said that, I certainly intend to support the motion of the gentleman from Massachusetts (Mr. CONTE) to commit the resolution to the committee to change the date from February 3 to December 15.

Now, why do I favor that date as distinguished from the one proposed by my friend, the gentleman from Mississippi?

In the first place, when the President called me yesterday and said that he was compelled to look for the veto, he said, "I know you had planned to have this whole week off in the House for Thanksgiving and that there are Members who have made plans, and I understand that maybe you are not all that far away from an agreement. Could you request a time, say, 15 days?"

I said, "Well, that may be arguable because we have several Members, and maybe a significant number, who have made plans for trips of one kind or another during that week when it was announced that there would be very little business here, in the first week of December, and we may need some latitude to accommodate those particular Members."

I would emphasize again that I am not altogether sure we are all that far away from some kind of an agreement that could be arrived at. I recognize, as was the case this morning, passions get inflamed, tempers flare, and one thing and another. Much better, under this kind of situation, to even try to come to grips this afternoon—even though I would be willing to make that try—that there are those overriding feelings that Members have, it is just natural, it happens, so we take a week off for Thanksgiving, and a little bit more, and we have a little bit of wine and turkey, and all the rest, and back with the home folks, and come back here with a little fresher view. And those who have decided to make a trip abroad are also going to feel a little bit better. It will have a completely different flavor to it. December 15 is on a Tuesday, not a Friday. We had initially decided that we were going to get out of here on the 18th. And then the Speaker, in my colloquy a few days ago, made the determination we would like the 11th, if that is possible. And I say this is not all out of the ball park to set December 15, in the middle of the week. It also gives the gentleman from New York an opportunity to fulfill his earlier commitment with respect to a defense conference, and maybe that is still arguable. So it best appears to me that that gives us that opportunity to cool down a bit and then come at it again with a fresh approach. And why not February 3? Anything that gets over in that new year, if we are really going to be out of here until January 25 or 26, whatever the date is, we come into February, whether we do or do not have a week or so for the traditional Lincoln Day speeches—I am not sure—but consider this: We are coming into the new year then, again, after a delay, the normal January 3, and you are talking about the first concurrent resolution on the budget for 1983, you are considering a third concurrent budget resolution for 1982, the year that we are still in, we have got a supplemental that will be coming up for military pay and medicaid and student loans, and all of the rest which are not funded adequately in the appropriation bill, and then, on top of that, do you want to come to grips with a continuing resolution again?

□ 1330

Why there will be so many figures floating around here in budget authority and outlays this year and that year, and talk about confusion, that is what we will have.

Now we are going to have a lot better environment here within a couple of weeks if we only zero in on that one item, and it would be my druthers at that time that whatever we come to the conclusion on at that time, it is through the balance of the fiscal year. We have got that behind us. Then we do make that new approach in January when we do come back to deal with what has to be done at that time.

Mr. CONTE. I want to thank the minority leader, the gentleman from Illinois (Mr. MICHEL) for those remarks. Those were the exact same remarks that I made earlier, a couple of weeks ago, when I was looking for the September 30 date on the continuing resolution.

The gentleman is right. The platter is going to be so heavy around the middle of next year with rescissions deferrals, the 1983 bill, and supplementals we should not be acting on this date.

Mr. ADDABBO. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from New York.

Mr. ADDABBO. I thank the gentleman for yielding.

In answer to the statement of the gentleman from Illinois (Mr. MICHEL) the feel for a December 9 conference was based on the fact that the Senate would still have to pass the bill. We have already passed it and they have only passed the bill out of the full committee. It has not reached the floor. I understand it may reach the floor the week of November 30.

If we are bound by a December 15 date on this continuing resolution, there is no way I can go to conference on the defense bill because I will be locked into this conference for at least 1 week or 2 weeks. We spent one night to 12 o'clock and one night to 2 o'clock and we thought we had a conference. I would be a conferee on the continuing resolution. There would be no way I could go to a conference on a defense bill if the December 15 date lies.

If the February 3 date lies, I can go to conference on the 9th because I will be free to go to conference, spend a couple of days with Senator STEVENS and his conferees and work out a bill before the end of the sine die. The sine die agreement was in the old conference report which has been vetoed and that is not before us any more.

Mr. HIGHTOWER. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Texas.

Mr. HIGHTOWER. Did I understand the minority leader to say that when we come back, if we pass the December 15 date, that at that time then we would take up another continuing resolution for the balance of the fiscal year? Is that what the gentleman said a minute ago.

Mr. CONTE. I could answer that.

Mr. HIGHTOWER. I thought that was what the gentleman said.

Mr. CONTE. We have got to, certainly, because it expires on December 15.

Mr. HIGHTOWER. That is an assumption then that we are not going to get the business done between now and the 15th and we are just grinding into the process a determination that we are going to go through this same agony again.

Mr. MICHEL. If the gentleman will yield, no.

Taking the gentleman's logic, we are extending it to February 3. I am trying to shorten that process now.

Mr. HIGHTOWER. Could we not tell the Senate and the conferees, wherever the responsibility is, that they have got that much time to pass these appropriations bills, but we are going to say by doing it on December 15 that on that date we will take up one that will be for the balance of the year?

Mr. MICHEL. It may just have well been that the gentleman might find himself better off with a continuing resolution with set figures than having individual bills that exceed the President's budget, and on an individual basis would be vetoed, and he would have that kind of situation.

Mr. HIGHTOWER. I do not know. I do not think the country is going to find itself better off with a continuing resolution for the rest of the year. If we are going to take it in short bites, take it to December 15, then December 15 take another short bite, and get——

Mr. MICHEL. We will have to cross that bridge when we come to it. I think we are trying here to find some way of getting over the crisis that we got for this weekend and practically for this day.

Mr. HIGHTOWER. I want the gentleman to understand, I want us to get this done, and if a December 15 date will get a resolution signed by the President that will keep the Government in operation, fine, but I think we need to tell everybody that on December 15 we are going to either have all the bills passed that we possibly can or we are just going to go ahead and operate with a continuing resolution for the rest of the year.

Mr. WHITTEN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, may I say to my colleagues that I disagree with the feeling many seem to have that there is little to this. I disagree greatly. Everything depends on what we do here. This is one of the major issues that has faced the country in a long time, with the President of one party and the majority of the House being of the other party. But that is not the important thing.

The important thing is whether we are going to have the executive branch call us and tell us what we have to do or else they will veto it, and our calling them back and saying, "Mr. President, we are not going to do so and so." We cannot have that condition exist here.

Now, there is no substantial difference, it is true, in the amount of money involved, because so help me in the resolution just vetoed we were about $600 billion below the Senate and we were below the request. We were about $3 billion below the House version of the resolution. So we have met every demand except we have not turned it over to the Office of Management and Budget to call the shots as to where it goes.

That is the issue, and today, if my colleagues will look in the Washington Post, and I quote only from that because he did not tell me that, Mr. BAKER, the majority leader in the Senate says that after everybody thought that we had agreed although nobody told me that we had. I quote the exact words that are quoted here:

> Majority Leader Howard H. Baker Jr. (R-Tenn.), had signed off on the conference report early yesterday morning, signaling that the White House would accept it. Baker was placed in the embarrassing position of urging members to buy something it turned out the president would not buy. Baker explained last night that the president had reached his contrary decision on the basis of morning-after Office of Management and Budget cost estimates that differed sharply from those that had been used in the conference.

We spent a whole day with our colleagues on the Senate side trying to get some firm figures.

We have recently read about how the Director of the Office of Management and Budget gets his figures to support his position. We have relied on the figures from the only professional group that I know of, which is the House group.

Now this is not to stir anything up. I want us to have sufficient time so we can deal with the executive branch, protect the rights and responsibilities of the Congress and the obligations of the Congress. That is, in the legislative field we must say how much and what for, instead of turning it over to anybody in the executive branch to call the shots on specific items.

So, it is a basic difference here. I respect the Presidency. I respect the President. But the figures that I heard this morning that he had given and the conclusions are based on figures in which I do not have complete confidence.

I think the other body and this body have to some extent lost confidence in the figures that might come from the Office of Management and Budget.

I think it is a basic hard line decision we face here. I will do my part to try to work with the executive branch. The issue involved here is whether we can do it in about 2 weeks. I do not think an adequate job can be done in this time. If we take the 2 weeks we will be here through Christmas. February 3 is reasonably soon. May I say again that under the present resolution and the one I would extend we are providing at a rate of $400 billion a year instead of $428 billion.

Mr. MYERS. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Indiana.

Mr. MYERS. The chairman and I generally agree and I have the highest respect for him and my remarks earlier today did not reflect that I did not support what the committee and the conference was trying to do.

What we are really talking about is a difference of 7 days, because we are going to leave here probably the 18th. If we had the 15th or the 3d, it is a difference of about 7 working days by Congress.

I would like to the 15th of December or the 7th or the 3d of February because we are not coming back until the 26th of January. If we are going back on the 3d of February, let us stay in December and get the work done, keep the pressure on the committees and the other body to send the bills down.

I do not think there is anything sacred about any of these dates, that one is more magic than the other. I believe what we are wanting to do is get the appropriations bills out. The earlier date will force the other body to send those bills down and get them signed into law.

It is going to be the same argument regardless of the time. There are only 7 working days difference.

Mr. WHITTEN. May I respond and say that we have not been able to get the bills out of the other body since we began to send them over in July, and it is pretty difficult to anticipate we will get them through in 2 weeks. I want everybody to know that I have not threatened anybody. It is my feeling that if we have until December 15, on December 15 we will be asking the Congress to continue until February 3 or some such date. Why create all this uncertainty and go through this ordeal every 2 weeks? That is my feeling. That is not a threat to anybody. It is my conclusion as to what we really may expect.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Speaker, it involves 50 days at a different spending level. The resolution by the gentleman from Mississippi provides for spending at a $400 billion level until February 3. That is 50 days beyond December 15. That assures us that we will spend $7 billion less than would have been in the bill that was approved by the President, by Senator BAKER, and the Senate.

□ 1340

Now, it is $7 billion less. That 50 days represents $3.977 billion. You are assured of saving $4 billion more under the resolution the gentleman from Mississippi has than you are under the one by the gentleman from Massachusetts (Mr. CONTE).

What that means is that you must know that you are not going to get a foreign aid bill by December 15, so what you want to do is get out from under this resolution faster so you can spend more for foreign aid for that fiscal year.

Mr. FITHIAN. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Indiana.

Mr. FITHIAN. I thank the gentleman for yielding. I have not taken part in this debate.

I want to commend the gentleman from Mississippi for his statesmanship on this.

There is only one point I wish to make. I think it must be clear that the December 15 date has yet a more hidden meaning than the gentleman from Illinois would either let us know or perhaps understand himself.

There is a certain media need in this administration, now that we are headed for an $80 to $100 billion deficit. I think that media need is to distract the country from what is at hand, the recession and $80 billion deficit.

It takes a veto about every 3 or 4 weeks with a sensational message to the American people to get that message there so that we can be distracted from the real problem. It is a media need.

Mr. WHITTEN. Mr Speaker, I yield to my colleague, the gentleman from Mississippi (Mr. LOTT).

Mr. LOTT. I thank my distinguished colleague, the gentleman from Mississippi, the chairman.

What worries me, though, the gentleman talks about the possibility if we go to the December 15 date we will be here to Christmas. I am worried about the crisis we are faced with right now and trying to find some way, without blaming anybody for how we got in this position, trying to find some way to work ourselves out.

If we do not go with the December 15 date, I am concerned that we are going to be here Thanksgiving Day.

I am worried right now about resolving the problem this week.

Mr. WHITTEN. My worry, may I say, is a little deeper than that of my colleague, the gentleman from Mississippi. My worry is that we are going to have a breakdown in the Government if we get at loggerheads between the executive branch and the legislative. I want to work it out. I think it will take a little time to do it.

Now, I want to say again, that is no threat. That is my worry about what will happen.

My worry, honestly, is that we may reach a stalemate between the executive and the legislative. There is no question that there are not the votes to override a veto, but there is no question that no President can tell the Congress what to do and make them do it.

We cannot take this kind of attitude. We have to reach some comity of understanding whether the two can work together. That is essential. I say that it will take a little longer than 2 weeks.

Mr. OBEY. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to my colleague, the gentleman from Wisconsin.

Mr. OBEY. I thank the gentleman.

I would like to repeat again, Mr. Speaker, what the gentleman from Iowa said. I have talked to at least 15 people on the floor in the last 10 minutes and I have been surprised at the point that escapes people, that if we follow the direction of the gentleman from Mississippi, if we follow the committee's resolution, we will be spending at a rate over an annual period which is $27 billion lower than the level we would be spending at in the resolution which was vetoed by the President this morning. That means that if we stick to the chairman's date, as the gentleman from Iowa has indicated, we will save at least $4 billion, because we call for a lower spending alternative, for a longer period of time, than any alternative around.

If you want to save money and guarantee the saving of money, you will stick with the committee, stick with the chairman's resolution.

Mr. MYERS. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Indiana.

Mr. MYERS. What the chairman, the gentleman from Iowa (Mr. SMITH) and what the gentleman from Wisconsin have said would be true if we did not pass anything else and in the short framework of the time of this continuing resolution, they are right; but I hope that we are going to pass an appropriation bill, or we are going to pass a vehicle later for the continuing resolution, which changes not just what is spent, but a stretchout of the time. We are going to spend about the same number of dollars at the end of the year. It is a matter of when you spend it; so do not be clouded up here that you are going to save money by passing it for the 3d of February versus December 15. It is just when you are going to spend the money.

Mr. CONTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me clarify one thing here.

This observation by my colleague, the gentleman from Iowa (Mr. SMITH) and the gentleman from Wisconsin (Mr. OBEY) that the continuing resolution we are extending will be $27.3 billion less than the one that was vetoed is exactly right, and $25 billion of that $27.3 billion is for defense. The minute that the defense bill is signed and agreed to in conference, which we hope will be sometime in December, or whenever it is, the $25 billion will drop off, so you will have $2.3 billion in savings.

Mr. STRATTON. Mr. Speaker, will the gentleman yield to me?

Mr. CONTE. Yes; I yield to my friend, the gentleman from New York.

Mr. STRATTON. Does that not mean then that since $25 of the $28 billion that the bill is under, that all the talk about saving that the gentleman from Wisconsin (Mr. OBEY) was referring to a moment ago is going to be coming out of the hide of the Defense Department.

Mr. CONTE. Yes, $25 billion.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. CONTE. Yes; I would be glad to yield.

Mr. SMITH of Iowa. That $2 billion, to be exact, $1.9 billion is foreign aid. Now, whenever the defense bill is passed, it will come out from under it, but the biggest difference the two resolutions will be whether you want to increase foreign aid sooner, rather than February 3.

Mr. CONTE. Well, we do not want to cloud the issue. It is a $27.3 billion saving for 12 months, $25 of that $27.3 billion is for defense.

Mr. Speaker, I yield 3 minutes to my good friend, the gentleman from Mississippi (Mr. LOTT).

Mr. LOTT. Mr. Speaker, I will be brief, but I would like to take up again briefly the point I was discussing with the chairman just a moment ago.

If this December 15 date goes down, we are going to be here today, tomorrow, and maybe the rest of this week.

What is at stake is if we go with the February 3 date, and that should by some hook or crook get through the whole Congress, that would be vetoed and we would be back here again.

Now, the procedure we are working with here, this continuing resolution, without blaming anybody again, is certainly a bad one.

Let us do this thing on as short a basis as possible in the crisis we are dealing with, avoid the veto, give our appropriations conferees a chance to get back together now and before the 15th and try to come up with something that we can pass that the President will sign, that will take us to July 15.

The conferees are close now. They have done a lot of good work, but I am afraid if we just quit and let it go over

until February, it will be just like starting all over again.

So I would urge my colleagues, think about what is going to happen. We need to try to find a way to work ourselves out of this situation.

This resolution with the February 3 date is not going to do it. Let us try to come up with a short date that the President can sign and we can get our conferees back to the table.

I urge my colleagues to vote for the December 15 date.

Mr. WYLIE. Mr. Speaker, will the gentleman yield?

Mr. LOTT. I yield to the gentleman from Ohio.

Mr. WYLIE. I thank the gentleman for yielding.

The President has vetoed the continuing appropriation bill, of course. I might say, this is within his prerogative. I support the President in his efforts to reduce Federal spending, and would have voted to sustain his veto. I was troubled by some of the 1-minute speeches this morning. I believe some of them were ill advised. We should put aside partisan differences and work together for the sake of the public good.

Now, I fear that we are in a posture of confrontation again. The President has indicated that he would sign a 15-day continuing appropriations bill.

I want to associate myself with the remarks of the gentleman from Mississippi (Mr. LOTT), and the gentleman from Massachusetts (Mr. CONTE). I think that we should pass the bill, send it down to the President, let him sign it, and during the 15 days we can go on about our business and the Government can go on with its business. We can work out departmental appropriations later on. Now, we need to do what is necessary to keep essential Government services going.

Mr. PANETTA. Mr. Speaker, will the gentleman yield?

Mr. LOTT. I yield to the gentleman from California.

Mr. PANETTA. I thank the gentleman for yielding.

Frankly, I am amazed that we are talking about a 2-week extension or even a February 3 extension with the situation as serious as it is today.

It seems to me we ought to be looking at what are specifically the problems with the White House in the conference report that came out and then deal directly with the objections in the conference report. Why postpone it until December 15? Why postpone it until February 3?

Mr. LOTT. Mr. Speaker, if I can reclaim my time, as the gentleman knows, we are working here with a lot of figures. There are a lot of people involved. They are working right now and have been working right up until the past few minutes trying to see what we can agree to, but we cannot do it at this moment with the attitude people have now. It is going to take a little time to get an agreement.

□ 1250

Mr. CONTE. I yield to my good friend, the gentleman from Ohio (Mr. MILLER), for a question.

Mr. MILLER of Ohio. I thank the gentleman for yielding.

Mr. Speaker, just to clear the record, I understood the chairman of the full committee read from the Washington Post newspaper that Senator BAKER signed off on the conference report; is that correct?

Mr. WHITTEN. I did not say he signed off.

Mr. MILLER of Ohio. That is what I understood.

Mr. WHITTEN. That is the gentleman's words. But I was quoting only from the article. The point of it is——

Mr. MILLER of Ohio. I wanted to make the point clear that Senator BAKER was not a conferee.

Mr. WHITTEN. May I say he was in the next room to the conferees.

Mr. CONTE. Senator BAKER was not on the conference.

Mr. WHITTEN. Mr. Speaker, I yield myself 2 minutes to clarify this.

The SPEAKER. The gentleman from Mississippi (Mr. WHITTEN) is recognized for 2 minutes.

Mr. WHITTEN. Mr. Speaker, I tried to avoid anything like that. I left the conference, as did my friend, the gentleman from Massachusetts (Mr. CONTE), the other night, and I would say all conferees left there with the feeling that the President would sign the resolution. Nobody told me such but I left there with the feeling that the resolution would be signed, since most of the Republican conferees signed it.

Be that as it may, the President, acting within his rights, vetoed the matter.

May I say I agree with my colleague, the gentleman from Mississippi, on the surface this is a rather minor problem. Underneath it is the basic problem of whether our system of government can work or not. I believe that is the basic question.

Without further adieu, I yield such time as he may require to the Speaker.

Mr. O'NEILL. Mr. Speaker, we all appreciate how serious these times are. There is no victory out there today for anybody, even though some people may think that there is.

The Government is technically stopped. People are sitting at their desks not doing any work, yet they are on a yearly salary. They are going to get paid for it, and it is wrong.

Now, let us get into the facts as to actually where we are.

Nobody likes a continuing resolution. I do not like a continuing resolution any worse or better than the President does. It has been the habit the last couple of years. For 3 years on foreign aid we have not been able to pass a piece of legislation. That is no secret. You had the authorization up here this year. What happened to it? What happened to the authorization?

I do not believe 100 people on that side of the aisle—even though the President wants it more than anyone else—would vote for the authorization. So let us put it where it is.

Mr. Haig called me and he said, "I desperately need the foreign aid in this bill." I think the figure was $1,600 million above the vetoed conference report level. He mentioned Turkey and other nations.

I said, "We would have brought this up, Mr. Secretary. We could not even pass it in the House, the authorizing bill, for the foreign aid budget, foreign assistance budget." I said, "Where do you think we can go?"

Well, he said, "I just desperately need it," and he said, "Anything you can give us, I would be delighted."

And you know the interesting fact about this? I am one who truly believes in a bipartisan foreign policy. There was a time when this Congress went along with a bipartisan policy. We had respect for the President; we had respect for his foreign policy. We had respect for the State Department. And whether you were a Democrat or a Republican, you debated, but you would go along.

That all changed in the last half dozen years. There are those who are set in cement and set in concrete that they are not going to give money even though it would advance peace around the world.

Now, the President maintains that he does not like the continuing resolutions. The House has demonstrated that we do not like continuing resolutions either. We have passed 12 of the 13 regular appropriation bills. We have not brought up the foreign aid for the reason that I have been talking about. For example, the HUD bill is almost ready to go down to the White House. All of a sudden it does not go down. Why? On several occasions Mr. BAKER told the subcommittee chairman, the President would sign it. But Stockman is apparently back on the deal now, and they changed their mind. Now they say no, do not sent it down; it will be vetoed. So they are holding the bill up there. You can multiply that by every one.

Why has the Senate not been acting? Because they have not been getting the figures from the White House. They have not been getting figures from whomever is making the decisions. I do not know whether it is Meese, whether it is BAKER. I do not know how Stockman is down there. Apparently in the last days he has made a bit of a comeback.

Let us look at the other evening. When I left here the other evening,

the gentleman from Massachusetts, the gentleman from Mississippi, and every Republican Member in the Senate had signed that conference committee report. On the House side, three Republicans did not sign it, but everybody else signed it. You did not sign it, JOHN MYERS, Brother MILLER did not sign it, and Brother YOUNG did not sign. But the rest of the conferees on your side signed it.

About 2 o'clock in the morning we had our problem solved. The feeling was there that the continuing resolution was going to be signed by the President of the United States. The problems were behind us. We would bring it up and it would sail.

Somewhere along the line something happened. Mr. Stockman said that the figures were wrong. And so we get back to where we are today.

Now, where are we today? We have offered a resolution. And I called the gentleman from Illinois, BOB MICHEL, on the telephone this morning, and I said, "BOB, we are going to come in with the resolution, an extension until February 1, February 2, or February 3."

Why do we come to that date? We come to that date because as true as we are sitting here today, if we go for a period of 15 days, or if we go to the 15th of December, you are going to be in exactly the same position on the 15th day of December, on the eve of Christmas, as you are on the eve of Thanksgiving.

I talked this over with the leadership or both sides of the aisle. We first talked about whether we would go with a March 30 date, and then we talked about a March 1 date. How did we arrive at a March 1 date? Because the majority leader in the Senate said to me, "I think we can get out of here December 11th." I said, "It appears to me it is going to be December 18th."

"Well, let us try to get out the 11th," he said. We agreed we would come back on the 25th of January. After we come back on the 25th of January comes Lincoln's vacation or week. During that period you people for years under the guise of honoring a great President go out and collect money for your campaigning. That is all right with me.

So we kind of looked at the calendar. Lincoln's birthday, I believe, is on a Sunday, and they want the week afterward off and then Monday is Washington's birthday, so you would come in on Tuesday. Let us see if we can settle a date beyond that for an extension.

Well, we talked this matter over. But there is no clearance from the White House. I am not the one to clear with the White House. I have to presume that when I am talking to the leadership of your party that they know what they are talking about, when we are talking about setting dates.

You have something to say, gentlemen? I will be happy to hear you. I am making a statement.

Mr. SOLOMON. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. Certainly I yield to the gentleman.

You distrust the statement I am making?

Mr. SOLOMON. No, sir, Mr. Speaker, but with all due respect to you, I do not think if we are talking about cooperation that we ought to stand here and degrade a man who is the President of the United States. Let me tell you——

Mr. O'NEILL. I am not degrading the President.

Mr. SOLOMON. Let me tell you something, Mr. Speaker. You know that the Appropriations Committee, the reason they do not want to meet this week and next week is because they plan to take a 2-week trip to Italy. Regardless of whether this trip is important or not, I think that it is more important for them, and for that matter, the entire Congress, to stay here and deal with this vital issue which affects every man, woman, and child in America.

I say let us all stay here as Mr. OBEY suggested. Let us get the work done. Let us put these people back to work. Let us make an effort at reducing inflation, lowering interest rates, and straightening out the American economy.

Thank you, Mr. Speaker.

Incidentally, I have asked the President, whom you do not think so much of, to ground all those planes leaving the country tomorrow.

Mr. O'NEILL. Wait a minute. You have got me wrong, believe me. You will never see a man who has higher respect for the President of the United States than I have, regardless of what party he comes from. You believe me. I am just trying to talk about the facts on this.

Mr. ADDABBO. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I do not want to get this off into who is going to Italy and who is not going to Italy. I know I am not going to Italy. I do not yield at this particular time. Just let me complete my remarks.

□ 1400

Mr. WYLIE. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I will be happy to yield.

Mr. WYLIE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker you indicated that the President had not been talking to the leadership of the House and Senate about this. May I respectfully suggest, Mr. Speaker, that you might call the President and ask him if he would sit down with you and the leadership of the House and Senate to see if something can be worked out within the next 2 weeks.

Mr. O'NEILL. The gentleman brought this to me before. I told the gentleman that I had a couple of conversations with the President yesterday.

Mr. WYLIE. That was before the veto.

Mr. O'NEILL. Well, when he called me to tell me that he was going to veto and to ask me what date we could go with I proposed that we could go to some time in April; and after some hesitation, and my talking about going the rescission or deferral route, he said he could not go with the date at that particular time.

Mr. WYLIE. I just do not think this impasse does any of us any good.

Mr. O'NEILL. Let me go along a little bit further.

Mr. WYLIE. I appreciate the gentleman yielding to me.

Mr. O'NEILL. What have you got out there right now? You have one resolution against the other. I called BOB MICHEL this morning. I said, "BOB, bring in any kind of resolution you want."

Now, what was the downfall the other night? It was the foreign aid program. They want to transfer $1,600 million more, to foreign aid. They—I am talking about the administration, the White House—and I am for it. If they want to put $1,600 million in there, that is fine, but Mr. Stockman wants to transfer that $1,600 million from the HHS programs.

I do not know how many billions we have cut out of that area already. We have cut almost $6 billion. Here we are, on the eve of Thanksgiving, do you not think that we have cut the poor and the needy of this Nation enough? Maybe you do not, but he wants to have more of that money transferred, to foreign aid and I think it is wrong.

I am for giving $1,600 million if it is necessary to help our allies around the world, the poor of the world, to help cement peace and make more allies. Yes, I am for it, but I do not think it should be at the expense of the people at home who need it. If you have that money in the budget, put it in the budget in both places. But if you want to go that route, BOB MICHEL, offer that proposal. That was the responsibility of the President after vetoing a continuing resolution. Offer it, offer what the President seeks, let us have a vote in the House. If you want to go to the 15th, then say, "the 15th, and I offer the following amendment because I know it is the will of Mr. Stockman that we take $1,600 million out of HHS and add it to foreign aid," then let the chips fall where they may. If you do not like elements of the continuing resolution before us, why

do you not offer a new budget, say with defense at a higher figure?

The truth of the matter is, we are trying to act in a manner which is not, who has political victories. Has the President of the United States licked TIP O'NEILL again, or has he licked the Democratic Party? There are no victories out there on a thing of this nature. The Government, as I said, technically has stopped.

On the issue of one date against another, I would agree to take the resolution until the 15th if I thought that at that time we were going to be able to salvage something. But what other bills do you have in the meantime? You have got the social security bill coming up. You cannot get out of here—remember that—you cannot get out of here without passing the second budget resolution, and you know that is going to take some time and some days.

You have got so many conference bills out there. Is it practical to go to the 15th?

I am not going to say any more. If it is a practical time and you people think yes, vote yes. If you think it is in the best interests of the people, of the Congress, of the institution, of the Government, to go to the 3d day of February, and I think it is voted that way. I think it is because I think we are going to be right back where we are.

Gentlemen, I hope you vote for the 3d of February, and I would hope that the President would sign it. If you vote for the 15th of December, I am not going to shed any tears about it.

The SPEAKER pro tempore (Mr. FOLEY). The gentleman from Mississippi (Mr. WHITTEN) has 1 minute remaining, and the gentleman from Massachusetts (Mr. CONTE) has 8 minutes remaining.

Mr. CONTE. Mr. Speaker, I just want to clear one thing here, in all fairness. I know of no finer man in this House than JOE ADDABBO, and I have worked very closely with him. If JACK EDWARDS were here, he would bear me out. The gentleman from New York has been most cooperative with the administration in scheduling the defense bill. He has been on target. They wanted to move the defense bill out of the continuing resolution, and he had agreed that he would go to conference December 9.

In regard to the Italian trip, let us set the record straight about that, because if you want to fault anybody, Mr. SOLOMON, you fault me.

The State Department and the people who head the earthquake project in Italy asked me if I could get a bipartisan group together to go to southern Italy sometime in December to sign the papers and contracts with regard to the earthquake that hit those poor unfortunate people, and then move the delegation up to some small towns in the Friuli region in northern Italy to dedicate some nursing homes and some schools that were built with American funds that this Congress so graciously appropriated. I did ask a group to go. It is no bargain, no junket, believe me.

Mr. SOLOMON. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield.

Mr. SOLOMON. Mr. Speaker, I thank the gentleman. I have no objection to the gentleman going, and I hope he goes and I hope he is successful, but I think we ought to finish the business of the Government first. I think they are more important. I think we ought to stay here until we get this subject worked out the way it should be.

Mr. CONTE. I just want to say that if we go, I am head of that congressional delegation, and I am fighting for a December 15 date, so that should never have come up.

Mrs. FENWICK. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentlewoman from New Jersey.

Mrs. FENWICK. Mr. Speaker, I am an honorary member of the Italian Caucus, and I can address my congregation in pure Italian if anybody wants to hear it, but I would like to say that many of us in this country have friends and family, and I have family of Italian origin, and I think we ought to concern ourselves with what we have done in Italy that was good. I think the codelegation is an excellent expression of the concern that this country feels for our Italian friends.

Mr. CONTE. I am going to yield to the gentleman from New York, but before I do, I want to say and have always said that the gentlewoman from New Jersey was molta simpatica.

Mr. MOLINARI. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman.

Mr. MOLINARI. I thank the gentleman very much. I would like to ask the gentleman from Mississippi a question, if I may.

Mr. CONTE. Just a minute. I will give the gentleman 1 minute to ask that question, because I know how the gentleman from Mississippi feels.

Mr. MOLINARI. This is very critical.

Mr. WHITTEN. May I say to my colleagues that if I do not know the answer, I will tell him.

Mr. MOLINARI. I will try to be brief, because this is very important to me and to a lot of others that are affected by it. The public health hospitals have only enough money for approximately 1 more week to run those hospitals.

□ 1410

Now, if we accept the gentleman from Mississippi's date, we are talking about roughly 10 weeks, and that means those four hospitals are going to close. If the gentleman means everything he talked about here today, I do not think he wants that to happen.

Mr. WHITTEN. Mr. Speaker, I certainly do not want that to happen, and I wish the gentleman had talked to the President about that before the veto.

Mr. MOLINARI. I would like to ask one more question.

Mr. WHITTEN. I did everything in my power. I took care of it. I brought it up, and we sent it down and it was vetoed.

Mr. MOLINARI. Mr. Speaker, I would like to ask the gentleman one more question, and maybe the Parliamentarian would have to answer this.

Is it possible to amend this resolution to permit the funds that are left over from fiscal year 1981, which is $8 million, to continue the operation of these hospitals?

Mr. WHITTEN. May I say to my colleague that we will be going to the Senate, and if I can find any way to bail us out, I certainly will be cooperative and make every effort to help.

Mr. MOLINARI. Mr. Speaker, I thank the gentleman very much.

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. MOLINARI. I yield to the Speaker of the House.

Mr. O'NEILL. I have a hospital in my area, too, and I know the concern of the gentleman. Maybe the minority leader would put it in his motion to commit. We have offered him the right to put other things in there.

Mr. CONTE. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. MICHEL).

Mr. MICHEL. Mr. Speaker, I still want to implore my colleagues to support the motion to commit that will be offered by the gentleman from Massachusetts (Mr. CONTE).

The Speaker has expressed his preference for the date in February, but I think it is significant that he said he is not going to shed any crocodile tears if it is not that date, and that it is up to this body to make that decision.

Now, I would like to make one other argument. If we adopt this with the date of December 15, I am inclined to think, from what I have heard from the other body, that our Members will probably be free to leave for their Thanksgiving Day recess and we will not be tied down here beyond the day.

So far as the concern espoused by the gentleman from New York, I will say to the gentleman that the earlier date of December 15 will be much more preferable than the February date.

Mr. FITHIAN. Mr. Speaker, will the gentleman yield for a question?

Mr. MICHEL. I will be happy to yield, but first let me make one important point.

Some of the things that have been said here today, particularly by the gentleman from New York (Mr. ADDABBO) and several others, will not go unnoticed, and the record is also there for some others particularly in the executive branch to see. Maybe some of the things that have been aerated here will give this gentleman an opportunity to make a case that I might have otherwise not been able to handle.

So I plead with the Members again, give us that opportunity to come back in a calm, rational attitude 2 or 3 weeks hence and see if we can then come to some agreement.

Mr. FITHIAN. Mr. Speaker, will the gentleman yield for a question?

Mr. MICHEL. Yes, I yield to the gentleman from Indiana.

Mr. FITHIAN. Mr. Speaker, I thank the distinguished minority leader for yielding, and I know how hard he has worked and how responsible he has been.

Let me ask the gentleman from Illinois (Mr. MICHEL), would it be his judgment that when we get back, if we get out of here with the December 15 date should this motion carry and if it still continues that we have the two hangups, which are the foreign aid section out of HHS, we would then see a veto by the President on the December 15 date? If we have the same ingredients that we have now, does the gentleman expect a veto by the President?

The SPEAKER pro tempore. The time of the gentleman from Illinois (Mr. MICHEL) has expired.

Mr. CONTE. Mr. Speaker, I yield 1 additional minute to the gentleman from Illinois (Mr. MICHEL).

Mr. MICHEL. Mr. Speaker, in answer to the gentleman from Indiana, my answer is obviously, no. That would not be my objective at all. It is one of striving always to come to an agreement, and I think we are so close except for this or that figure.

If I thought we could really get together this afternoon without a long dissertation about "you were wrong," "we were wrong," and "he was right," and go back and recap the last 2 days—and I have been through these things before—if I thought we could go back right now and make those few adjustments, I would say that this is just what I am looking for—a time when we could come to a meeting and say, "Boys, we have got it in place, and this is it. Let us agree to it and wrap it up."

Mr. FITHIAN. Mr. Speaker, as one Member I would say that if the gentleman from Illinois (Mr. MICHEL) would put in his continuing resolution precisely the numbers which the President would sign, I would be inclined as one Member who has not supported the administration to go along with the gentleman. But I do not know what we are buying other than another round of vetoes and another media exposition. If that is the case, then we are back to square one.

Mr. ADDABBO. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from New York.

The SPEAKER pro tempore. The time of the gentleman from Illinois (Mr. MICHEL) has expired, and the time of the gentleman from Massachusetts (Mr. CONTE) has expired.

The gentleman from Mississippi (Mr. WHITTEN) has 1 minute remaining.

Does the gentleman from New York (Mr. ADDABBO) seek recognition?

POINT OF PERSONAL PRIVILEGE

Mr. ADDABBO. Yes, Mr. Speaker, I do.

I rise to a point of personal privilege. My name has been mentioned, and I would like an explanation from the gentleman from Illinois (Mr. MICHEL).

The SPEAKER pro tempore. The gentleman from New York does not rise to a point of personal provilege but without objection the gentleman from New York (Mr. ADDABBO) is recognized for 1 minute.

Mr. ADDABBO. Mr. Speaker, I would like an explanation from the gentleman from Illinois (Mr. MICHEL). He has mentioned my name along with some statement that was made that seems to be derogatory.

Mr. MICHEL. No. No, on the contrary.

I apologize if I said anything that the gentleman in his discretion believes is derogatory, and I have no such intention.

I just think that the administration knows of the position of the gentleman from New York, particularly in the defense matter, and I just think it is in a positive way that I brought it up, because it might very well influence the people who might not otherwise been influenced.

The gentleman from New York holds a very prestigious position on a committee here in the House, and he cannot be ignored in what he says. For that reason, I am happy that we have had this exchange.

Mr. ADDABBO. Mr. Speaker, I thank the gentleman for the kind remarks.

In answer to my colleague, the gentleman from New York, I would tell him exactly what I told the gentleman from Massachusetts about the trip, and that is that if this date is to be December 15, there is no way I could go on the trip because we would have to be here in conference on the continuing resolution and possibly on the Defense bill.

The SPEAKER pro tempore. As the Chair announced previously, the time of the gentleman from Massachusetts (Mr. CONTE) has expired, and the gentleman from Mississippi (Mr. WHITTEN) has 1 minute remaining.

Mr. WHITTEN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I rise to urge that the Members vote for the resolution as we have ordered it and vote against the motion to commit. I do so because we see here what we are faced with each and every time this issue comes up.

We must reach some accommodation with the executive branch so that the legislative branch can continue to discharge its functions and the executive branch can discharge its functions.

So, Mr. Speaker, I urge the Members to please vote for this February 3 date and give us time to reach an accommodation. I urge the Members to stay with the committee and vote for the resolution and vote against the motion to commit.

● Mr. McHUGH. Mr. Speaker, under the continuing resolution we are considering here today, there would be no reductions in the number of participants served in two important supplemental food programs for women, infants and children—the WIC program and the CSFP program.

The first continuing resolution required that these programs be continued at their fiscal year 1981 yearend caseload; for example, their September caseload. The conference report on that resolution stated that "the continuing resolution maintains the current levels of participation for the special supplemental food program know as WIC and the commodity supplemental food program. Any efforts to reduce funding allocations to the States, thereby affecting levels of participation, would be clearly contrary to the provisions of the joint resolution." These same requirements continue in effect for this second continuing resolution.

During the first continuing resolution, the administration submitted a deferral for a small portion of WIC and CSFP funds. However, the administration used unspent fiscal year 1981 funds to comply with the requirements of the resolution that the current caseload be maintained. If any deferral, or rescission, for these programs is submitted under the second resolution, the administration must nevertheless continue to maintain current participation.

It has been suggested by the administration that the first resolution may have provided funds for WIC only at a severely reduced rate of $720 million a year. It should be clear that there is no foundation for any such interpretation. The first and second continuing resolutions clearly provide sufficient funds to maintain current WIC and CSFP food packages for the current caseload.

I should also note that the administration is required under this resolution to move immediately to allocate funds to the States so that there is no interruption in WIC and CSFP funding leading to a shutdown or reduction in WIC operations. Many States will run out of WIC funds this week. The administration must allocate the funds provided under this resolution immediately. Otherwise, there will be reductions in participation and this is contrary to the resolution.

Finally, the resolution continues to maintain funding for current benefit levels in the food stamp program. The Secretary can have no cause under the resolution to find that any reduction in food stamp benefits is necessary. As we have noted on previous occasions, the Secretary cannot make such a finding until Congress is informed of a need for additional funding and takes action demonstrating that the funds will not be provided.●

● Mrs. SCHNEIDER. Mr. Speaker, I intend to cast my vote in favor of the joint resolution to extend spending authority at existing levels through December 15, 1981. I support this short deadline because I believe Congress and the administration have an obligation to the people of this country to complete action on the regular appropriations bill, rather than continue to rely on stopgap funding measures.

Furthermore, I agree with the President that this is no way to run a railroad and certainly no way to run a country. But I also believe the President must show more flexibility. While I strongly support his goal of reduced Government spending, I believe Congress already has cut spending for human services to the bone. The job before us is to apply the same kind of scrutiny to spending in other areas—including defense. There is no question in my mind that any program is better run and more effective when it is streamlined and trimmed of fat. Budget cutting should not be done with a cleaver, but with a scalpel. Equity is the bottom line. The best way for Congress to accomplish this is to act promptly on the pending appropriations bills.●

The SPEAKER pro tempore. Under an agreement of the House reached earlier today, the previous question is ordered on the joint resolution.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO COMMIT OFFERED BY MR. CONTE

Mr. CONTE. Mr. Speaker, I offer a motion to commit.

The SPEAKER pro tempore. Is the gentleman opposed to the joint resolution?

Mr. CONTE. In its present form, yes, Mr. Speaker.

Mr. SPEAKER pro tempore. The Clerk will report the motion to commit.

The Clerk read as follows:

Mr. CONTE moves to commit House Joint Resolution 368 to the Committee on Appropriations, with instructions to that committee to report the joint resolution back to the House forthwith, with the following amendment: In the last line, strike "February 3, 1982" and insert in lieu thereof "December 15, 1981".

And at the end of House Joint Resolution 368, add: The joint resolution of October 1, 1981 (Public Law 97-51), is amended by adding after section 141:

SEC. 142. Notwithstanding any other provision of this joint resolution, such sums as may be necessary, not in excess of, and under the conditions of the budget request transmitted on November 9, 1981, for operation, improvement, transfer, and closure of Public Health Service hospitals and clinics.

The SPEAKER pro tempore. Does the gentleman from Massachusetts desire time?

Mr. CONTE. Yes, I do, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Massachusetts (Mr. CONTE) is recognized for 5 minutes in support of the motion to commit.

Mr. CONTE. Mr. Speaker, I will not take 5 minutes. I only have two things. I said everything I wanted to say on the floor.

I must make one clarification on what my good friend, the Speaker of the House, stated about the foreign aid bill. I think it was the State Department bill. This side voted it down, and I voted for it.

We have not been able to get the foreign aid bill up as yet, the gentleman is absolutely right, because the votes are not there. I just wanted to make that clear for the record.

This bill amends the Whitten resolution to make the expiration date December 15 instead of February 3, and it adds on that last clause to take care of the four public health hospitals until December 15. The gentleman from New York is absolutely right in saying the money for those hospitals will run out next week.

□ 1420

The Secretary of Health, Mr. Schweiker, asked me if I would offer that amendment.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman.

Mr. WHITTEN. Would it be agreeable with the gentleman for me to ask unanimous consent, and I will ask unanimous consent that the original resolution be amended to include the language the gentleman has relating to public health hospitals?

Mr. CONTE. I cannot do that, Mr. Speaker. I cannot do that. You know that. As much as I love you, JAMIE, I cannot go that far.

Mr. WHITTEN. May I say to my colleague you are likely to get credit for having a political motive in mind.

Mr. CONTE. It is just too bad you did not think of it, JAMIE.

Mr. WHITTEN. Mr. Speaker, I rise in opposition to the motion to commit.

I trust our colleagues will stay with the committee on this. I assure you in the event you turn this down I will ask unanimous consent to include the same provision in the resolution that I have. Vote this down and I will ask permission to include the provisions for the hospitals in the original resolution that I introduced.

Mr. CONTE. If I may, I just hope no one will take that chance. It is in here now.

Mr. WHITTEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to commit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to commit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. CONTE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 221, nays 176, not voting 36, as follows:

[Roll No. 335]

YEAS—221

Archer	Dicks	Hiler
Ashbrook	Dougherty	Hollenbeck
Atkinson	Dreier	Holt
Badham	Dunn	Hopkins
Bafalis	Dyson	Horton
Bailey (MO)	Edwards (AL)	Hubbard
Barnard	Edwards (OK)	Hunter
Beard	Emerson	Hutto
Benedict	Emery	Hyde
Bereuter	Erdahl	Ireland
Bethune	Erlenborn	Jeffords
Bliley	Ertel	Jeffries
Breaux	Evans (DE)	Jenkins
Broomfield	Evans (IA)	Johnston
Brown (CO)	Fenwick	Kemp
Broyhill	Fiedler	Kindness
Burgener	Fields	Lagomarsino
Butler	Findley	Latta
Byron	Fish	Leach
Campbell	Forsythe	Leath
Carney	Frenzel	LeBoutillier
Chappell	Gibbons	Lee
Chappie	Gilman	Lent
Cheney	Gingrich	Levitas
Clausen	Glickman	Lewis
Clinger	Goodling	Livingston
Coats	Gradison	Loeffler
Coleman	Gramm	Lott
Collins (TX)	Green	Lowery (CA)
Conable	Gregg	Lowry (WA)
Conte	Grisham	Lujan
Corcoran	Gunderson	Lungren
Coughlin	Hagedorn	Marks
Courter	Hall (OH)	Marlenee
Coyne, James	Hall, Ralph	Marriott
Craig	Hall, Sam	Martin (IL)
Crane, Philip	Hamilton	Martin (NC)
Daniel, Dan	Hammerschmidt	Martin (NY)
Daniel, R. W.	Hansen (ID)	Mavroules
Dannemeyer	Hansen (UT)	McClory
Daub	Hartnett	McCollum
Davis	Hatcher	McCurdy
Deckard	Heckler	McDade
DeNardis	Heftel	McDonald
Derwinski	Hendon	McEwen
Dickinson	Hightower	McGrath

McKinney
Michel
Mikulski
Miller (OH)
Mitchell (NY)
Molinari
Moore
Moorhead
Morrison
Myers
Napier
Nelligan
Nelson
O'Brien
Oxley
Panetta
Parris
Pashayan
Patman
Paul
Petri
Porter
Pritchard
Pursell
Quillen
Railsback
Regula
Rhodes
Rinaldo
Ritter
Roberts (KS)
Roberts (SD)
Robinson
Roemer
Rogers
Roukema
Rousselot
Rudd
Sawyer
Schneider
Schulze
Sensenbrenner
Sharp
Shaw
Shelby
Shumway
Shuster
Siljander
Skeen
Skelton
Smith (AL)
Smith (NE)
Smith (NJ)
Smith (OR)
Snowe
Snyder
Solomon
Spence
Stangeland
Stanton
Staton
Stenholm
Stratton
Stump
Swift
Tauke
Tauzin
Taylor
Thomas
Trible
Vander Jagt
Walker
Weber (MN)
Weber (OH)
White
Whitehurst
Whittaker
Williams (OH)
Wilson
Wolf
Wortley
Wylie
Young (FL)

NAYS—176

Addabbo
Akaka
Albosta
Alexander
Andrews
Annunzio
Anthony
Applegate
AuCoin
Bailey (PA)
Barnes
Bellenson
Benjamin
Bennett
Bevill
Bingham
Blanchard
Boggs
Boland
Boner
Bonior
Bonker
Bouquard
Bowen
Brinkley
Brodhead
Brooks
Brown (CA)
Burton, John
Clay
Coelho
Collins (IL)
Conyers
Coyne, William
Crockett
D'Amours
Danielson
Daschle
de la Garza
Dellums
Derrick
Dingell
Dixon
Donnelly
Dorgan
Dowdy
Downey
Dwyer
Dymally
Early
Eckart
Edgar
Edwards (CA)
English
Evans (GA)
Evans (IN)
Fary
Fascell
Fazio
Ferraro
Fithian
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Fountain
Fowler
Frank
Frost
Garcia
Gaydos
Gejdenson
Gephardt
Ginn
Gonzalez
Gore
Guarini
Hance
Harkin
Hawkins
Hefner
Hertel
Holland
Howard
Hoyer
Huckaby
Jacobs
Jones (TN)
Kastenmeier
Kazen
Kildee
Kogovsek
LaFalce
Lehman
Leland
Long (LA)
Long (MD)
Luken
Markey
Matsui
Mazzoli
McHugh
Mica
Miller (CA)
Mineta
Minish
Mitchell (MD)
Moakley
Moffett
Murphy
Murtha
Natcher
Neal
Nichols
Nowak
Oakar
Oberstar
Obey
Ottinger
Pease
Pepper
Perkins
Peyser
Pickle
Price
Rahall
Rangel
Ratchford
Richmond
Rodino
Roe
Rosenthal
Rostenkowski
Roybal
Russo
Sabo
Santini
Savage
Scheuer
Schroeder
Seiberling
Shamansky
Shannon
Simon
Smith (IA)
Smith (PA)
Solarz
St Germain
Stark
Stokes
Studds
Synar
Traxler
Udall
Vento
Volkmer
Walgren
Washington
Watkins
Waxman
Weaver
Weiss
Whitley
Whitten
Williams (MT)
Wirth
Wolpe
Wright
Wyden
Yates
Yatron
Young (MO)
Zablocki
Zeferetti

NOT VOTING—36

Anderson
Aspin
Bedell
Biaggi
Bolling
Brown (OH)
Burton, Phillip
Carman
Chisholm
Crane, Daniel
Dornan
Duncan
Fuqua
Goldwater
Gray
Hillis
Hughes
Jones (NC)
Jones (OK)
Kramer
Lantos
Lundine
Madigan
Mattox
McCloskey
Mollohan
Montgomery
Motti
Patterson
Reuss
Rose
Roth
Schumer
Wampler
Winn
Young (AK)

□ 1430

The Clerk announced the following pairs:

On this vote:

Mr. Hughes for, with Mr. Mollohan against.

Mr. Roth for, with Mr. Biaggi against.

Mr. Winn for, with Mrs. Chisholm against.

Mr. Daniel B. Crane for, with Mr. Mattox against.

Mr. Brown of Ohio for, with Mr. Gray against.

Mr. Duncan for, with Mr. Schumer against.

Mr. Kramer for, with Mr. Lantos against.

Mr. GUARINI changed his vote from "yea" to "nay."

Mr. MARLENEE changed his vote from "nay" to "yea."

So the motion to commit was agreed to.

The result of the vote was announced as above recorded.

GENERAL LEAVE

Mr. WHITTEN Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on consideration of the joint resolution (H.J. Res. 368), and that I may include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTEN. Mr. Speaker, I hope we may have a record vote on the final passage of the amendment I shall presently offer so that those who might have voted differently on the date may have a chance to vote, to show that we will cooperate and do our best.

Following that statement, Mr. Speaker, pursuant to the action just taken by the House, I report the joint resolution (H.J. Res. 368), back to the House with an amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment: In the last line, strike "February 3, 1982," and insert in lieu thereof "December 15, 1981," and at the end of House Joint Resolution 368, add: "The joint resolution of October 1, 1981 (Public Law 97-51), is amended by adding after section 141:

"SEC. 142. Notwithstanding any other provision of this joint resolution, such sums as may be necessary, not in excess of, and under the conditions of the budget request transmitted on November 9, 1981, for operation, improvement, transfer, and closure of Public Health Service hospitals and clinics."

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on passage of the joint resolution, as amended.

Mr. WHITTEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 367, nays 26, not voting 40, as follows:

[Roll No. 336]

YEAS—367

Addabbo
Akaka
Albosta
Alexander
Andrews
Annunzio
Anthony
Applegate
Archer
Ashbrook
Atkinson
AuCoin
Badham
Bafalis
Bailey (MO)
Bailey (PA)
Barnard
Barnes
Beard
Benedict
Benjamin
Bennett
Bereuter
Bethune
Bevill
Bingham
Blanchard
Bliley
Boggs
Boland
Boner
Bonior
Bonker
Bouquard
Bowen
Breaux
Brinkley
Brooks
Broomfield
Brown (CA)
Broyhill
Burgener
Butler
Byron
Campbell
Carney
Chappell
Chappie
Cheney
Clausen
Clinger
Coats
Coelho
Coleman
Collins (IL)
Collins (TX)
Conable
Conte
Corcoran
Coughlin
Courter
Coyne, James
Coyne, William
Craig
Crane, Philip
Crockett
D'Amours
Daniel, Dan
Daniel, R. W.
Danielson
Daschle
Daub
Davis
de la Garza
Deckard
DeNardis
Derrick
Derwinski
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dorgan
Dougherty
Dowdy
Downey
Dreier
Dunn
Dwyer
Dymally
Dyson
Early
Eckart
Edgar
Edwards (AL)
Edwards (CA)
Edwards (OK)
Emerson
Emery
English
Erdahl
Ertel
Evans (DE)
Evans (IA)
Evans (IN)
Fary
Fazio
Fenwick
Ferraro
Fiedler
Fields
Findley
Fish
Fithian
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Forsythe
Fountain
Fowler
Frank
Frenzel
Frost
Gaydos
Gephardt
Gibbons
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gore
Gradison
Gramm
Green
Gregg
Grisham
Guarini
Gunderson
Hagedorn
Hall (OH)
Hall, Ralph
Hall, Sam
Hamilton
Hammerschmidt
Hance
Hansen (ID)
Hansen (UT)
Harkin
Hartnett
Hatcher
Heckler
Hefner
Heftel
Hendon
Hertel
Hightower
Hiler
Hollenbeck
Holt
Hopkins
Horton
Howard
Hoyer
Huckaby
Hunter
Hutto
Ireland
Jacobs
Jeffords
Jeffries
Jenkins
Jones (OK)
Jones (TN)
Kastenmeier
Kazen
Kemp
Kildee
Kindness
Kogovsek
LaFalce
Lagomarsino
Latta
Leach
Leath
LeBoutillier
Lee
Lehman
Leland
Lent
Levitas
Lewis
Livingston
Loeffler
Long (MD)
Lott
Lowery (CA)
Lowry (WA)
Lujan
Luken
Lungren
Markey
Marks
Marlenee
Marriott
Martin (IL)
Martin (NC)
Martin (NY)
Matsui
Mavroules
Mazzoli
McClory
McCollum
McCurdy
McDade
McEwen
McGrath
McHugh
McKinney
Mica
Michel
Mikulski
Miller (CA)
Miller (OH)
Mineta
Minish
Mitchell (NY)

Moakley	Rodino	Stratton
Moffett	Roe	Studds
Molinari	Roemer	Stump
Moore	Rogers	Swift
Moorhead	Rosenthal	Synar
Morrison	Rostenkowski	Tauke
Murphy	Roukema	Tauzin
Murtha	Rousselot	Taylor
Myers	Roybal	Thomas
Napier	Rudd	Traxler
Natcher	Sabo	Trible
Neal	Santini	Udall
Nelligan	Sawyer	Vander Jagt
Nelson	Scheuer	Vento
Nichols	Schneider	Volkmer
Nowak	Schulze	Walgren
O'Brien	Seiberling	Walker
Oakar	Sensenbrenner	Washington
Oberstar	Shamansky	Watkins
Obey	Shannon	Waxman
Oxley	Sharp	Weaver
Panetta	Shaw	Weber (MN)
Parris	Shelby	Weber (OH)
Pashayan	Shumway	White
Patman	Shuster	Whitehurst
Pease	Siljander	Whitley
Pepper	Simon	Whittaker
Perkins	Skeen	Whitten
Peyser	Skelton	Williams (MT)
Pickle	Smith (AL)	Williams (OH)
Porter	Smith (IA)	Wilson
Price	Smith (NE)	Wirth
Pritchard	Smith (NJ)	Wolf
Pursell	Smith (PA)	Wolpe
Quillen	Snowe	Wortley
Rahall	Snyder	Wright
Railsback	Solarz	Wyden
Rangel	Solomon	Wylie
Ratchford	Spence	Yates
Regula	St Germain	Yatron
Rhodes	Stangeland	Young (FL)
Rinaldo	Stanton	Young (MO)
Ritter	Stark	Zablocki
Roberts (KS)	Staton	Zeferetti
Roberts (SD)	Stenholm	
Robinson	Stokes	

NAYS—26

Beilenson	Garcia	Paul
Brodhead	Gejdenson	Petri
Brown (CO)	Hawkins	Richmond
Clay	Holland	Russo
Conyers	Hubbard	Savage
Dannemeyer	Johnston	Schroeder
Dellums	McDonald	Smith (OR)
Evans (GA)	Mitchell (MD)	Weiss
Fascell	Ottinger	

NOT VOTING—40

Anderson	Fuqua	McCloskey
Aspin	Ginn	Mollohan
Bedell	Goldwater	Montgomery
Biaggi	Gray	Mottl
Bolling	Hillis	Patterson
Brown (OH)	Hughes	Reuss
Burton, John	Hyde	Rose
Burton, Phillip	Jones (NC)	Roth
Carman	Kramer	Schumer
Chisholm	Lantos	Wampler
Crane, Daniel	Long (LA)	Winn
Dornan	Lundine	Young (AK)
Duncan	Madigan	
Erlenborn	Mattox	

□ 1450

Mr. DORGAN of North Dakota changed his vote from "nay" to "yea."

So the joint resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

(Mr. MICHEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICHEL. Mr. Speaker, I rise for the purpose of inquiring of the distinguished majority leader where we go from here.

It is my understanding, and I might make the observation to the distinguished majority leader that I have advised the Senate majority leader that we were about to make this move and whether or not the other body would simply take our product and run with it, in which case there would be no conference and Members would be free to leave.

The majority leader responded, I might further observe, that he would take a quick check and get back to me, but that was going to be his recommendation over in the other body.

I would be happy to yield to my friend, the gentleman from Texas, the distinguished majority leader, to advise us on how then we would proceed for the balance of this day.

Mr. WRIGHT. If the gentleman yields, based upon the advice we have just received from our very distinguished minority leader, it would be anticipated that we would simply stand in recess awaiting the formalization of that anticipated action on the part of the other body. Once formally and officially notified that that has occurred, we would ring the bells and come back into session for the purpose of adjourning.

At the end of this colloquy, I would plan to offer a House concurrent resolution providing that when we adjourn today and the Senate adjourns tomorrow or Wednesday, that we shall stand adjourned until 12 o'clock meridian on Monday, November 30.

The purpose of coming back in on November 30 is simply to have pro forma sessions.

Then the following week, December 7, we would have legislation and Members should expect to be present for the week of December 7.

Mr. MICHEL. But would we be on pro forma sessions then during that first week in December?

Mr. WRIGHT. Yes, pro forma sessions only on November 30. Monday and Thursday there will be pro forma sessions. On other days, no sessions at all.

Mr. MICHEL. Might I further suggest to the gentleman from Texas (Mr. WRIGHT) that if we are about to recess in anticipation of what we might hear from the other body, that as soon as we get that word from the other body that we over our respective whip phones let the Members know that, frankly, we have no more business to transact, other than formally adjourning ourselves until the date the gentleman has described.

Mr. WRIGHT. I think that is just exactly right.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair is advised by the majority leader that in the event that there was no business to transact except the formal adjournment of the House that there would be 15 minutes' notice and if there were any additional votes anticipated, there would be a half an hour notice.

Mr. WRIGHT. I think that makes eminently good sense. We do not anticipate any votes, but I am relying on the good advice from the distinguished gentleman from Illinois. I have implicit confidence in his judgment.

Mr. MICHEL. Well, we are certainly hoping that will be the run of events.

Mr. WRIGHT. If I were a betting man, I would bet on it.

Mr. MICHEL. And I would run right to the phone to see if we could get an update on this.

ADJOURNMENT OF THE HOUSE FROM MONDAY, NOVEMBER 30, 1981, TO THURSDAY, DECEMBER 3, 1981, AND FROM THURSDAY, DECEMBER 3, 1981, TO MONDAY, DECEMBER 7, 1981

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday, November 30, it stand adjourned until 10 a.m. on Thursday, December 3, and that when the House adjourns on Thursday, December 3, it stand adjourned until noon on Monday, December 7.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

AUTHORIZING SPEAKER TO ACCEPT RESIGNATIONS AND TO APPOINT COMMISSIONS, BOARDS, AND COMMITTEES, NOTWITHSTANDING ANY ADJOURNMENT OF THE HOUSE UNTIL MONDAY, NOVEMBER 30, 1981

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that, notwithstanding any adjournment of the House until Monday, November 30, 1981, the Speaker be authorized to accept resignations, and to appoint commissions, boards, and committees authorized by law or by the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

ADJOURNMENT OF THE HOUSE FROM MONDAY, NOVEMBER 23, 1981, TO MONDAY, NOVEMBER 30, 1981, AND ADJOURNMENT OF THE SENATE ON TUESDAY, NOVEMBER 24, 1981, OR ON WEDNESDAY, NOVEMBER 25, 1981, TO MONDAY, NOVEMBER 30, 1981

Mr. WRIGHT. Mr. Speaker, I send to the desk a concurrent resolution (H. Con. Res. 228) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 228

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on Monday, Novembr 23, 1981, and that when the Senate adjourns on Tuesday, November 24, 1981, or on Wednesday, November 25, 1981, pursuant to a motion made by the majority leader in accordance with this resolution, they stand adjourned until 12 o'clock meridian on Monday, November 30, 1981.

□ 1500

The SPEAKER. Without objection, the Chair recognizes the gentleman from Texas (Mr. WRIGHT).

Mr. WRIGHT. Mr. Speaker, I rise in support of the resolution.

There is nothing more to be said about it. This is the resolution that permits us to adjourn over the Thanksgiving period. The dates have been cleared with the majority leader in the Senate and it is my understanding that they meet approval all around.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION OF HON. THOMAS S. FOLEY AS SPEAKER PRO TEMPORE DURING THE ABSENCE OF THE SPEAKER

Mr. WRIGHT. Mr. Speaker, I offer a privileged resolution (H. Res. 285) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 285

Resolved, That Hon. Thomas S. Foley, a Representative from the State of Washington, be, and he is hereby, elected Speaker pro tempore during the absence of the Speaker.

Resolved, That the President and the Senate be notified by the Clerk of the election of Hon. Thomas S. Foley as Speaker pro tempore during the absence of the Speaker.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SWEARING IN OF HON. THOMAS S. FOLEY AS SPEAKER PRO TEMPORE DURING ABSENCE OF THE SPEAKER

The SPEAKER pro tempore (Mr. FOLEY). The Chair requests the Speaker to administer the oath of office.

Mr. FOLEY assumed the chair and took the oath of office administered to him by the gentleman from Massachusetts (Mr. O'NEILL).

MILITARY SPENDING IS AT THE HEART OF THE BUDGET CRISIS, OUR ECONOMIC PROBLEMS, AND THE THREAT TO NATO.

(Mr. SEIBERLING asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. SEIBERLING. Mr. Speaker, in the heat of this debate, let us not lose sight of the fact that the reason why we are undergoing these tensions and the reason for the pressures is the tremendous increase in the defense budget at the expense of civilian needs and humanitarian programs. That is starting to tear this society apart. That is what is causing the tension within NATO. And it is time that we recognize that we are going to have to get the military monster under control or we will never solve the problems of inflation and high interest rates and never solve the problem of balancing the budget.

In yesterday's Washington Post there was an absolutely brilliant, penetrating article by Richard J. Barnet concerning the crisis that is building up over nuclear arms both in Europe and in the world as a whole. Mr. Barnet points out that the heart of the problem is that both United States and European countries have seriously weakened their economies and the strength of their societies by the continued diversion of scarce resources to the military and away from investment in the productive system and social infrastructure.

As Mr. Barnet says:

Much of the so-called "pacifism" in Europe is based on a growing conviction that piling up military hardware that cannot be used without destroying the user does not add to national strength. A much greater danger to the West than the unlikely Soviet invasion is an internal political, economic and moral crisis. Such weakness could indeed play into the hands of the Soviet Union.

He also notes:

Unless the Soviets are prepared to invade Europe—and reduce to cinders the very assets they would hope to take—then the blackmail threat is not credible, provided the internal economic and social strength of the continent is maintained.

Mr. Barnet concludes that:

Now that, as a result of popular pressure, President Reagan has at least opened up the possibility of a "zero option," similar pressure should be put on Moscow to make some unilateral reduction in the SS-20s. Such a gesture could make more likely the moratorium on deployment which is indispensable to a real reversal of the arms race. But the United States will have to come forward with less one-sided proposals than the Reagan offer. Were we prepared to act boldly, the alliance might once again serve to unite European and Americans rather than to divide them.

The President's long overdue foreign policy speech of last week indicates that he, or somebody in his administration, finally understands the nature of the public's concern both here and in Europe. We can only hope that out of this understanding will come a conviction, both in the White House and the Kremlin, that we can no longer go on as we have been without a mounting risk of destroying all that both societies have created through generations of toil and sacrifice.

The full text of Mr. Barnet's article follows these remarks:

WHY ON EARTH WOULD THE SOVETS INVADE EUROPE?

(By Richard J. Barnet)

For over 30 years the Western alliance has been obsessed with combating an unlikely threat with an incredible defense.

At no time since the establishment of NATO have military or intelligence experts rated the prospect of a Soviet military invasion as anything but remote. Originally, the military buildup in Europe was designed to be a "modest shield," as George Kennan put it, behind which recovery could take place. At the hearings on the North Atlantic Treaty held in the spring of 1949 John Foster Dulles, then serving as senator from New York, summed up the prevailing view. "I do not know of any responsible high official, military or civilian . . . in this government or any other government who believe that the Soviet now plans conquest by open military aggression."

Today Soviet capabilities to mount an invasion of Europe are no doubt greater than in the past, as former secretary of defense Harold Brown stated in his final posture statement. But, he added, "I doubt that we would have to contend with such an assault as a bolt out of the blue." Even strong advocates of a buildup of U.S. military forces, such as Paul Nitze, rate a Soviet invasion as "unlikely" but worry that the Kremlin could use the theoretical capability of launching such an attack as blackmail, John M. Collins, a self-styled "conservative critic of defense" at the Library of Congress, says, "I believe the likelihood that the Soviet Union will attack Western Europe . . . in the short-term or even midterm future is extremely remote."

So for almost two generations the NATO alliance has been beset by schizophrenia. The actual military threat against which the allies continue to arm is rated low; yet military planning conventionally addresses capabilities, not intentions, which after all can change.

The military problem—the theoretical possibility that the Soviet Union with its large standing army could launch hundreds of divisions across the Elbe—has no satisfactory military solution, but the whole NATO panoply, including the U.S. divisions, the U.S. "guarantee" and the endless public dis-

cussions such as Secretary of State Alexander Haig's disclosure of NATO's "nuclear warning shot" strategy, are all designed as an elaborate insurance policy.

The trouble, however, is that the premiums have become much too costly—not only because the monthly payments threaten the economies of the members, but because the payoff looks increasingly dubious. Nuclear "defense" is a sham, since the use of the weapons, with or without neutron warheads, will destroy that which is to be defended, whether or not the United States and the Soviet Union hurl missiles at one another.

A conventional defense is certainly more rational than a suicidal nuclear defense, but the most a conventional defense can do, assuming the Soviets make an all-out attack, is to delay their progress and to establish the political environment for a settlement. Given the nature of modern weapons, a short conventional war—10 days, six weeks or whatever—would also devastate much of Europe. Why the combatants would be willing then to display the reasonableness that seems to elude them now in a time of peace is not clear.

For the Europeans and the Americans to have a big enough conventional force to raise the "nuclear threshold," the industrial states would have to be prepared for a sacrifice of social spending beyond anything they have yet instituted and to introduce permanent conscription on a massive scale.

While Ronald Reagan is pleased to proceed with the former, he is reluctant to institute the latter—for the very good reason that in the United States conscription amounts to a popular referendum on foreign policy. In Europe, cutting government benefits such as social security and health care benefits that have been offered since Bismarck's time is politically dangerous even for conservative governments. Europe's only sure defense is peace, and that is why there is a huge peace movement on the continent.

The fundamental contradictions in NATO strategy explain why for more than 20 years so many weapons issues—the Skybolt missile, the Multilateral Force, neutron bombs, cruise missiles—have been highly divisive.

There are no good security answers for Europe within the present conceptual framework. The allies have used weapons issues as metaphors, and in the process much of the discussion has the appearance of a charade. When Germans like the conservative Christian Democratic leader Franz Josef Strauss say to the Americans that the alliance must not weaken in its resolve to use nuclear weapons in Germany, it is not that they wish to turn their country into a radioactive wasteland. All they mean is that the fiercer the threat, the better the deterrent.

Whether that was ever a prudent defense policy is questionable, but it is manifestly imprudent now that the Soviet Union has the capacity to match whatever the West does with nuclear weapons. When the risk of war by miscalculation was less than it is now, irresponsible statements about nuclear weapons were less dangerous. The rise of antinuclear sentiment in Europe reflects a growing sense that with respect to defense strategy, the emperor has no clothes.

There are some fundamental problems with existing theories of strength through deterrence. The deterrence system rests on assumptions about human nature which are probably wrong: for example, that leaders with a finger on the button will act rationally under conditions of ever-increasing threat. Because of the creep of technology, a deterrence system based on an elusive "balance" is inherently unstable; every weapons laboratory development, real or imagined, has a potentially destabilizing effect on the relationship.

A security system is likely to be more stable if it is based on positive incentives to keep the peace rather than on threats, particularly since the threats are becoming less credible because of their suicidal implications. But we will be living under a security system based largely on deterrence for a long time to come, if only because the leading nations are so heavily invested in it and the smaller nations have aped the great powers in designing their own security arrangements.

But it is essential to build a deterrence system on strength, not weakness. A strategy based on nuclear weapons in which the public quite properly has little confidence divides the society and invites outside pressure.

Nor does a society become strong by sacrificing growth, innovation and the soundness of its economy to an endless arms race.

The failure of the United States to manage its economy has shaken confidence in American leadership around the world. If the richest society in the world cannot manage its own affairs, how can it defend others?

The Soviets pose a potential military threat which seems increasingly implausible. If the Kremlin cannot successfully control Eastern Europe with military force or pacify a wretchedly poor country like Afghanistan, why would they think that they could successfully occupy Western Europe?

But high interest rates in the United States, to take one important example, are threatening European economies now. Part of the premium we and the Europeans are paying for the military security system are the adverse economic consequences that affect both of us.

If there should develop a genuine fear of a Soviet invasion in Europe, then the only workable deterrent would be to create the impression in the minds of Soviet leaders that the invading or occupying troops face the same prospect which has kept them out of Yugoslavia and, so far at least, Poland: the prospect of permanent popular resistance. The stronger the society in real terms—in its ability to manage its economy, to build popular solidarity, to arrange a secure resource base—the more credible such a prospect becomes and the less inviting a target it makes.

Much of the so-called "pacifism" in Europe is based on a growing conviction that piling up military hardware that cannot be used without destroying the user does not add to national strength.

In the United States we have fallen into the trap of measuring increments of strength in dollars even though we have yet to have a serious debate inside the government or in public about the actual uses to which the new military hardware and military bureaucracies would be put. By diverting scarce resources to the military from investment in the productive system and social infrastructure, successive U.S. administrations have seriously weakened the American economy, which is the foundation of national strength, and damaged its educational system and resource base.

When Americans demand the Europeans increase their military expenditures by some arbitrary percentage, typically the call to sacrifice is defended not as a means of delivering a radically different military reality, but as one that will overcome the competitive advantage Europe and Japan have had by virtue of their relatively low military expenditures over the past two decades.

A much greater danger to the West than the unlikely Soviet invasion is an internal political, economic and moral crisis. Such weakness could indeed play into the hands of the Soviet Union.

If in a time of slow growth the European democracies are unable to deal with the historic structural problems they face, they run the risk of the same sort of social dissolution that caused the fall of France in 1940, when it boasted the largest army in Europe.

A dynamic Europe that is modernizing its institutions, managing its economy and establishing mutually advantageous relations with resource-producing countries, has little to fear from Soviet intimidation. In the test of nerves against which we are supposedly arming—Kremlin blackmail—economic and political strength are far more important weapons than more hardware.

If a society is not prepared to surrender, then it cannot be intimidated. If it looks strong internally and demonstrates high morale and vitality, it is less likely to be tested.

The whole "blackmail" theory needs a hard look. It is not clear why the Europeans—who have been living 10 minutes away from Soviet city-destroying weapons for 20 years—should suddenly cave because the Soviets have new weapons capable of making the rubble bounce. It is not clear what the Soviets could blackmail Europe into doing.

Leaving NATO? It is more credible that some European governments will leave NATO because we have scared them away than because of a stiff note or nasty phone call from Moscow.

Keeping Solzhenitsyn off the television? That's what one distinguished exponent of the Finlandization thesis once argued to me. Is the fate of Europe going to hang on a question like that? If we have fools or cowards as leaders, no number of missiles will make the difference.

Reducing the industrial states of Europe to economic vassals? West Europe's proposed increased dependence on the Soviet Union for natural gas constitutes far more leverage than does the SS-20s.

Unless the Soviets are prepared to invade Europe—and reduce to cinders the very assets they would hope to take—then the blackmail threat is not credible, provided the internal economic and social strength of the continent is maintained.

The greatest threat to the capacity of the West to solve its security dilemma is the crippling psychological mood of the moment, based on the growing apprehension that nuclear war is inevitable. In the United States a recent Gallup poll showed that 47 percent of the population believes that a nuclear war within 10 years is either "fairly likely" or "very likely" and the overwhelming majority believes that their chances of personal survival in such event are no better than 50-50. In Europe the apprehension of nuclear war is even greater.

A security system in which the people to be protected have so little faith represents a serious vulnerability. The gathering pessimism is a consequence of the breakdown of negotiations and the attempt by the Reagan administration to make the deterrent credible by dramatizing the prospect of actually fighting a limited nuclear war.

Because of the inherent insolubility of the military security problem, we now face increasing danger of a serious split between the United States and Europe and a breakup of the alliance at exactly the moment it is most needed.

The security options available to Europe in such a situation are both unsatisfactory. In the wake of a collapse of NATO, any accommodation with the Soviet Union would be on distinctly less advantageous terms than could be negotiated as a U.S. ally. A decision to build up European nuclear forces would neither end the arms race nor the growing popular revulsion against nuclear weapons which every Western government must now confront. All it would accomplish would be to insure an even greater Soviet nuclear threat against Europe under circumstances in which the Soviets might well be tempted to exert pressure on European governments.

The outlook and strategy of the Soviet Union can be tested by serious negotiations. It is now clear from eight years of SALT negotiations that agreements must be simpler, more comprehensive, and more quickly negotiated than in the past. A licensed arms race under which some systems are controlled while others leap ahead is not a practical policy.

It would be most welcome if the Kremlin were to accept President Reagan's offer to trade a promise not to deploy the Pershing II and cruise missiles in Europe for the dismantling of all the Soviet intermediate-range missiles in Europe. Everyone on both sides would be safer if such a deal could be struck. But shrimps will whistle, as Khrushchev used to say, when the tough bargainers in the Kremlin can be induced to trade over 600 missiles in place for a promise not to deploy weapons that, because of political opposition, may well be undeployable. The proposal was aimed more at European public opinion than at the Soviets, but it is unlikely to deflate the peace movement.

If the president wants significant reductions of nuclear weapons of all ranges, then a good starting point would be a freeze on the testing and deployment of all nuclear weapons delivery systems, which would include both strategic and European-theater nuclear weapons. The freeze, which could be for a specified period, say four years, could be verified by national intelligence means. The conventional argument that a freeze would preserve a Soviet advantage in Europe is not persuasive for two reasons.

First, there never has been a "balance" of land-based middle-range weapons, and the U.S. abandoned the efforts to create one 15 years ago when we removed the last of the old-style intermediate-range rockets. If the NATO-assigned Polaris submarines are included, not to mention the French and British nuclear forces, there are enough European-based nuclear weapons to create the near-certainty in the minds of the Soviet leaders than an attack on Europe would result in the devastation of their homeland. The only "balance" of any significance is whether the capacity for retaliation exists on both sides.

Second, a four-year freeze would benefit the West. After all, it is the Soviets who are putting in a new missile every few days, not the United States. Indeed, it now appears that for technical reasons it may be almost three years before the first U.S. missiles arrive. It may well be that for political reasons they will never arrive. Without a freeze, the Soviets will be further ahead than ever.

Sooner or later, the United States, if we are really interested in arms reduction, will have to demonstrate our commitment to Europe by trading some of the cards we hold, such as forward bases, for the elimination of the Soviet nuclear threat against Europe.

Now that, as a result of popular pressure, President Reagan has at least opened up the possibility of a "zero option," similar pressure should be put on Moscow to make some unilateral reduction in the SS-20s. Such a gesture could make more likely the moratorium on deployment which is indispensable to a real reversal of the arms race. But the United States will have to come forward with less one-sided proposals than the Reagan offer. Were we prepared to act boldly, the alliance might once again serve to unite Europeans and Americans rather than to divide them.

GENERAL LEAVE

Mr. HOYER. Mr. Speaker, I ask unanimous consent that all Members be permitted to extend their remarks and to include therein extraneous material on the subject of the special order speech today by the gentleman from California (Mr. EDWARDS).

SENATE CONFIRMATION OF MILAN BISH, GRAND ISLAND, NEBR., AS AMBASSADOR TO BARBADOS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Nebraska (Mrs. SMITH) is recognized for 5 minutes.

● Mrs. SMITH of Nebraska. Mr. Speaker, I am delighted that the Senate on November 20, confirmed Milan Bish, of Grand Island, Nebr., as Ambassador to Barbados, and concurrently as Ambassador to Santa Lucia and to Saint Vincent and the Grenadines.

A graduate of Hastings College, Hastings, Nebr., Milan Bish brings to this position extensive experience in business, banking, and agriculture, as well as in civic activities. Founder and president of Mid-Continent Enterprises, Inc., a land development, residential construction, and property management firm, he previously served in the same capacities for Bish Machinery Co., a farm implement and equipment enterprise.

The significant business acumen he has demonstrated in these roles has been enhanced by his organization of the Five Points State Bank and his membership on the board of directors of the Commercial National Bank & Trust Co., both in Grand Island.

Moreover, Milan Bish is a Nebraska cattleman, proud owner of 140 head of purebred Angus cattle.

While following these pursuits with energy and enthusiasm, Milan Bish has also taken the time to serve his fellow Nebraskans, as a member of the Nebraska State Highway Commission, district governor of Rotary International, and president of the Grand Island Chamber of Commerce. He has also been active in church and Masonic activities.

As an Ambassador of the United States, Milan Bish will draw not only on his diverse experience in various fields but also on his background of understanding and helping others.

When I first heard of Milan Bish, many years ago, the word from one of our State leaders was "Milan Bish doesn't have an enemy in this world. Everybody who knows him respects him, and also loves him." I have found this to be true through our years of close relationships with Milan and Allene Bish. He has been a dedicated, forward looking, and effective leader for every worthy civic and religious advancement for our entire State. He has used his leadership in a broad spectrum of personal and organizational efforts to make our great State "the good place to live." In the cattle business, in banking, in the contracting business, in organizations like Rotary and the chamber of commerce, in the highway commission, everywhere he has risen to top posts for leadership.

All of us are going to miss him in Nebraska these next few years but we are proud and happy that the Reagan administration has chosen a man of rich experience, a man of rare perception and intelligence, and a man of total dedication along with superb diplomacy to serve as our Ambassador in this important post. We are doubly sure because Allene Bish is a most gracious, knowledgeable, and delightful person who will, along with Milan, build good will and strengthen our post in the Barbados area.

Congratulations Mr. and Mrs. Ambassador.●

WHAT IS REALLY HAPPENING IN THIS GOVERNMENT?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. GINGRICH) is recognized for 60 minutes.

Mr. GINGRICH. Mr. Speaker, I will be talking this afternoon on the need to focus on what really is happening in this city and in this Government, to focus on the long-term historical implications of the conflict we are now engaged in between those of us who would change the way we have been governed recently, and those of us in this body who would continue to do what has been going on in the last 30 years.

There has been a great deal of loose talk today about one-man dictatorships, about irresponsible behavior by the White House, about the value of $1 billion, more or less.

The debate is in some ways characterized by the distortion of the Washington Post headline this morning,

and I quote, "House Finds Its Pride, Says No." That particular story is a fairly accurate model of the liberal bias which has made it so difficult for many in the news media and many in Washington to understand what is really happening and where we are going in this country.

The fact is that there are fundamentally three issues involved in the current crisis.

First, does the President have the right to preside?

Second, is $1 billion or $2 billion worth fighting over?

Third, should we engage in real political fights involving the risk of closing the doors of the Government?

Let me take those issues one by one.

□ 1510

First of all, does the President have the right to preside? Despite all the hysteria on the part of our liberal friends, despite the strong language today, the simple fact is that the Founding Fathers deliberately put in the Constitution the right to veto any bill which, in the President's judgment, was bad for America. The Founding Fathers deliberately decided to give the President the ability to impose his will on the legislature so long as the legislature is unable to override his veto. They gave the legislature the escape valve of being able to override an unwise or bad President by simply passing the bill over the veto. It should be very instructive to every student of Government and politics that the liberal Democrat leadership moved to refer the veto message to committee because it knew that it did not have a two-thirds majority; because it knew that it was not able to override the veto, and that any effort would in fact have been pointless.

What the effort should mean for every American is that at the present time President Reagan has in fact a constitutional majority; that under the rules of the game as written by the Founding Fathers a President, and allied with one-third plus one in the House or in the other body, has in effect a working majority to block bills he regards as unwise, and if he is willing to run the risk of closing the Government he has the ability to bring the American peoples' attention to the issue at hand, and it is up to the people to decide. If the people, upon looking at the issues, decide the President is wrong, they can write or call their Congressman and say, "No, no, the President is not doing the right thing. Vote to override the veto." But if, on the other hand, the American people, upon looking at the issues, decide that the President is right, they can then write or call their Congressman and say, "Support the President, support his veto and pass the kind of bill he is willing to sign."

It is in that context that it is very clear that President Reagan has a constitutional majority and is in fact able to fight the issue on his terms. It is regrettable that the Speaker of the House has not yet been willing to acknowledge that for all practical purposes the President does have the ability to preside, and that we would do far better to govern with the President rather than to delay, procrastinate, and hide in the hopes of governing against the President.

Second, is $1 billion worth fighting over? Few things surprise me more than the willingness of our good friends on the liberal side of this issue to get up and say cavalierly, "I don't understand why he vetoed it, after all, it is only $1 or $2 billion."

I think it is essential to recognize what Washington does to people after a while, how large numbers become meaningless, massive expenditures become automatic, and huge increases become reasonable.

A billion dollars in 1980 was the entire income of 50,000 American families; or to put it differently, in 1980, $1 billion was the total taxes for 442,477 families. Think of it. Over that small amount which our liberal friends did not particularly think important, we could have stopped all taxes for every family below the median level in four congressional districts in this country. Not a single family would have paid a dime. That, I think, is worth fighting over.

A billion dollars is worth fighting over because it came out of every pocket, because it is a child who cannot go to school, or a family that cannot buy Christmas presents, a realtor who cannot sell a house, or a young couple that cannot buy a house. It is one more step toward high interest rates and inflation, toward crushing the American economy and killing jobs.

So, my answer is yes, a billion dollars is worth fighting over, and I would challenge any Member of this Congress to go home and attempt to explain with a straight face to his audience back home why they think a billion dollars is trivial.

Third, should we engage in real fights over political issues that involve the risk of closing the doors of the Government? My answer is yes, for three reasons.

First, in this economy, where the Federal Government borrows money to cover its deficit, where it forces up interest rates by competing with people back home, we are closing doors for homebuilders, for car dealers, for people who work in the housing industry, for literally thousands of Americans.

If it is right for a small business in Douglasville to go broke, if it is right to close the doors of a car dealer in Clayton County, Ga., why is it not all right to run the same risk for the Government and say, "Yes, by George, if the only way to get your attention is to bring everything to a halt, and in order to save jobs, in order to create a healthy economy, in order to improve things, certainly we are willing to run the risk of applying to the Government the same dangers that affect every American."

Second, ultimately the only real tool we have to bring about change is the willingness to quit spending money and a willingness to shift where we spend money. If all we do in this body is talk, orate, posture, gesture, then in the long run we do not govern.

Ultimately, we have to say to the liberals who still run the House and who in many ways still run the bureaucracy, "We are going to take whatever steps are necessary in order to bring this Government under control. We are going to move decisively to balance the budget. We are going to cut spending as much as needed. We are going to protect the American family's pocketbook rather than the Federal bureaucrat's pocketbook, and if this means when we collide in our values, when there really is a fundamental difference in this Chamber, when we must run the risk of closing down the Government in order to force change, then that is far better than to keep open the doors of that Government at the expense of having no change."

Third, the liberal Democratic leadership which has cried "foul" all day in fact brought us to this point. Let me use two examples of how we have stumbled into this situation. Back in the summer, when we brought up the reconciliation bill, we attempted to pass a genuine health care block grant program. We wanted to really send the money back home without strings, without redtape, without tightly controlled bureaucracy. We were blocked in this room by the liberal Democratic leadership that controls the Health Care Subcommittee, that controls the calendar, that controls the schedule. So, we end up with the result that folks back home who think they got a block grant are shocked to discover the same old redtape is there, the same old bureaucracy is there, the same old waste of money is there. Yet, we could have easily passed the block grant if only the leadership of this body had cooperated.

Yesterday, we added an amendment to the continuing resolution to provide pay raises for the air traffic controllers who obeyed the law and stayed on the job, for the two unions which stayed on the job and obeyed the law, for the people who helped America's airplanes move. Why do we have to bring that up in a special setting, in an unusual means? Because the Democratic leadership that controls the committee that would bring that bill

out does not want to do so except on their terms, on their schedule, to force the rehiring of people who broke the law.

In other words, it was a sheer test of will, and the question was: How could we legitimately use the rules of the House, legitimately use the Constitution as designed by our Founding Fathers, to achieve the American people's will instead of to go back and give in, to cave in to the policies of the past?

The question now is, Where should we go from here? We are probably today going to pass a resolution in both bodies which will go to the President to be signed, which will buy us 2 weeks. What, then, should we do? How, then, should we proceed? Let me offer two suggestions.

First, having taken these steps, having vetoed the resolution that was unacceptable, the President should now clearly and in writing outline a series of dramatic changes, changes comparable to the reconciliation Act. The time to move toward a balanced budget in the future is now, not the future. The time to pass the changes necessary is now, not the future. The next continuing resolution should include decisive changes that move us toward a healthy economy, lower interest rates, a more stable inflation rate, and the creation of real jobs that will last for the future. We are heading into a recession. We are heading into a period of continued unbalanced budgets, and I think the time to change both the recession and the unbalanced budget is right now.

□ 1520

So I would hope that President Reagan would greet the Congress, when it returns from the Thanksgiving holiday, with a decisive, clear message about just the kind of resolution he would sign next. It should have (a), (b), (c), and (d) spelled out, and they should be in bold strokes, boldly designed to achieve real change to meet the needs of the American people.

There is no need, at a time when every American family has to change its plans, for the Government not to also have to change its plans, and the people should not be told, "We can't move that quickly here," when we know that small businesses have to move that quickly and that families with members laid off have to move that quickly. There is no easy continuing resolution for an unemployed steelworker, there is no easy continuing resolution for an unemployed schoolteacher, and there is no easy continuing resolution for a small community hit hard when its factories close. If they have to change, is it not only fair for the Government to have to change with equal speed?

Finally, we need to move toward positive changes and toward developing the positive models for legislation for the future. It is vital that we get a commitment from the liberal leadership of this House that they will hold positive hearings and that they will give us fair opportunity. There is a road-show atmosphere being developed, as represented by recent committee hearings around the country that are brutally partisan, that are narrowly conceived, and that are stacked to insure that only the dedicated liberal welfare state gets its hearing.

We are in fact at a turning point of American history. We are moving toward a continuing opportunity state built with different principles and with different allies to achieve different goals. The leaders of this House have an opportunity to help in the transition from the dedicated liberal welfare state toward the emerging concerned opportunity state. To the extent it continues to stack the deck, whether it stacks that deck by unfairly setting up the Rules Committee, the Ways and Means Committee, and the Budget Committee, or whether it stacks that deck by unfairly setting up hearings that are clearly designed for the narrowest of partisan purposes, stacking the deck makes it harder for the American people, makes it harder for the Nation, and slows down the emergence of the opportunity state, and in the long run can be of interest only to those who place partisan advantage above the health of the Nation.

That, I believe, is a fair summary of where we are today, Mr. Speaker. We have a legitimate conflict over legitimate differences fought out in the best constitutional tradition and using precisely the tools that the Founding Fathers gave us.

INTRODUCTION OF BILL TO PROVIDE FOR PURCHASE OF OIL AND STRATEGIC MINERALS AND MATERIALS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PATMAN) is recognized for 5 minutes.

Mr. PATMAN. Mr. Speaker, last Friday I introduced a bill which will dedicate an estimated $3 billion a year for the purchase of oil and strategic minerals and materials. My purpose is to shore up our alarmingly deficient reserves, a deficiency that puts our Nation in grave peril.

The bill, H.R. 5063, would set aside Government revenues from oil leases on the Outer Continental Shelf for the purchase of oil for the Strategic Petroleum Reserve and for the purchase of nonfuel minerals and materials for the strategic materials stockpile.

A reliable and constant source of funds is needed quickly to assure that we will bring our reserves and stockpiles to adequate levels, levels necessary to avert national disaster should supplies be cut off.

To meet present stockpile goals for the eight minerals most vulnerable to disruption of supply will require $5.7 billion. These materials are considered absolutely indispensable to our industry and our national defense. Passage of H.R. 5063 will make funds available to begin these purchases.

We also face a serious shortage in the Strategic Petroleum Reserve. It is significantly behind schedule. It now contains about 200 million barrels of oil, only enough to cover a disruption in our supply of imported oil for approximately 50 days. We need to build this reserve to at least 750 million barrels.

The revenues from Outer Continental Shelf leases, as provided in H.R. 5063, would be distributed in the ratio of 80 percent to the petroleum reserve and 20 percent to the minerals and materials stockpile. These reserves will strengthen our national defense. They provide essential supplies to keep the Nation's industries operating in the event of an emergency.

This emergency could easily develop. The primary materials in our stockpile are extremely vulnerable to supply interruptions. The unstable nations of central and southern Africa control 64 percent of the world's vanadium, 95 percent of the world's chromium, 86 percent of the world's platinum, 53 percent of the world's manganese, and 52 percent of the world's cobalt. Persian Gulf countries produce 52 percent of the world's oil supply.

These are the parts of the world that Leonid Brezhnev was talking about when he said, "Our aim is to gain control of the two great treasure houses on which the West depends: the energy treasure house of the Persian Gulf and the mineral treasure house of central and southern Africa."

Our vulnerability is evident when we realize that one engine for an F-15 or F-16 aircraft requires 5,366 pounds of titanium, 1,656 pounds of chromium, 910 pounds of cobalt, and 171 pounds of columbium. And there are shortages of all these materials within our present reserves.

We must not allow our country to continue in this precarious situation. We must not leave our Nation in grave danger because we have failed to act. Other nations—for example, both Japan and Germany—are conscientious in filling their strategic reserves and stockpiles. Good stewardship and our national safety demand the same of us.

EXECUTIVE ORDER ON INTELLIGENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. EDWARDS) is recognized for 60 minutes.

● Mr. EDWARDS of California. Mr. Speaker, it seems that in the next few days, the President will sign a new Executive order on intelligence. The new order will put the CIA into the domestic spying business in a manner inconsistent with, if not the letter at least the original spirit of the National Security Act. None of the possible changes which have been discussed in recent days alters that basic fact.

Newspapers around the country have been speaking out against the proposal. Indeed it is ironic, that newspapers have had more access to the document and more involvement in the process than most Members of Congress and that we have to look to them for our understanding of what the intelligence community has in store for us.

I refer our colleagues to the following editorials:

[From the Providence (R.I.) Journal, Oct. 10, 1981]

Once again, the rules may be changed for America's intelligence agents operating within this country. Restrictions may be relaxed, and such a change would be risky.

During the 1960s and 1970s, some intelligence operatives, mainly those from the Central Intelligence Agency, were found to have gone way out of bounds in their domestic activities. Following these disclosures, President Jimmy Carter ordered a halt to any CIA spying on Americans in this country. Now the Reagan administration is trying to ease the CIA back into surveillance and infiltration activities on U.S. soil. It's an unsound move.

Members of Congress and civil-liberties groups have already protested provisions of the proposed directive, arguing that they would put intelligence agencies back into the business of interfering with Americans, mostly political dissidents. Indeed, the latest version of the order would allow agents not only to infiltrate, but to disrupt any group they suspected of subversive action.

The House Intelligence Committee has begun to get cooperation from intelligence officials, who at first were reluctant to discuss some of the proposed rule changes. But some difficult questions, bearing on potential civil-liberties abuses, have not been adequately addressed.

Skeptics are properly concerned about letting intelligence agents back into covert domestic activities. They fear that such a move would risk the re-emergence of programs like Operation Chaos, run by the CIA counterespionage unit, which spied on hundreds of U.S. citizens opposed to the Vietnam War and others, and compiled dossiers by the thousand.

Intelligence agencies are rightly concerned about U.S. citizens and foreign nationals who may be engaged in illegal work to commit violence or undermine U.S. security. It is not always easy to distinguish necessary investigative work from actions that intrude upon constitutional rights, but the one clear dividing line set in the Carter order was to prevent the agencies engaged in foreign intelligence from encroaching on domestic areas—and this would be undercut by the Reagan proposal.

Civil-liberties defenders, including many congressmen, fear the exercise of surveillance and infiltration powers solely at the discretion of intelligence officials. They insist that such powers be authorized and circumscribed by law, to preclude any new abuses by over-zealous agents or their superiors. As one congressman put it, "History has taught us in the United States to trust in the rule of law and not of men."

Americans, and their nation, clearly must be protected against foreign agents bent on either espionage or sabotage, but a democratic government cannot afford to let its own agents operate outside the law and thus damage the fabric of constitutional protections. The intent of the existing order was to leave domestic intelligence work to agencies like the Federal Bureau of Investigation. This separation should be firmly maintained, lest some variant of Operation Chaos take root in the future.

[From the Rockford (Ill.) Register Star, Oct. 9, 1981]

In politics and government, the cure isn't always worse than the disease, but you can bet that it often is at least as bad.

They call it the pendulum effect: The worse the abuse, the more extreme the "cure."

Without question, the top American spy agency, the CIA, has been the victim of just that.

The abuses were bad—terribly bad. The CIA had abused its powers and its secrecy to carry out politically-inspired domestic surveillance operations against those whose only crime was political disagreement. It had launched overseas assassination attempts at great embarrassment to this naton—attempts so bizarre in their concept that even a James Bond would have been ashamed. It put itself above Congress, above the courts, above the constitution, above all law.

There were abuses completely unacceptable to anyone who believes in democracy.

So the CIA had its wings clipped, but clipped so badly that the agency has been virtually unable to function in its intended role as the intelligence gathering eyes and ears of the nation. The abuses were so bad that in seeking cures, the pendulum swung too far.

Now the Reagan White House has sent Congress a proposal to revise and possibly loosen some of the restrictions placed on the CIA.

Clearly reform is necessary. But, just as clearly, this represents another swing of that pendulum. And it must not be allowed to once again swing too far.

The White House would once again permit domestic surveillance (the job of police and the FBI, not the CIA). The attorney general or the CIA chief would be empowered to determine the legality—even the constitutionality—of each individual CIA action. That would give the CIA boss powers reserved for the Supreme Court.

How well would those powers be exercised? There's a clue in the fact that Justice Department officials refused, even in secret session, to discuss with congressmen how they woud interpret the law and the Constitution.

Clearly, the CIA wants once again to be free of all congressional or court controls—controls Congress must never again surrender. The American public must be protected from politically-inspired CIA actions. The agency must not ever again be given the right to make its own U.S. foreign policy. Cures are needed, but not cures which are worse than the disease.

[From the Sentinel Star, Orlando, Fla., Oct. 10, 1981]

Shortly after his inauguration last January, Ronald Reagan began to implement one of his key campaign promises: "to unleash" the Central Intelligence Agency. In addition to his suggestions that congressional restraint and review of overseas covert activities be severely reduced, Mr. Reagan also tried to get legal clearance for the CIA to re-enter the domestic spying arena.

The resulting storm of protest forced the new President to backtrack. He rescinded the proposal posthaste. But now, less than six months after that rather ignominious defeat, Mr. Reagan is trying again. This time, rather than softening some of the more objectionable sections of the proposal, he is lowering his saber and sounding the charge.

In addition to the clearance for CIA domestic spying contained in last March's proposal, Mr. Reagan is also seeking authorization for the CIA not only to infiltrate domestic groups but also to be able to "influence" those groups where the director sees fit. All of this presumably takes place out of the view of congressional oversight committees.

How ironic. This Neanderthal proposal comes from the same man who says he opposes the draft because of the unwarranted intrusion it represents on an individual's constitutional rights.

There is a lot of work needed to revise unwarranted restrictions slapped on the CIA intelligence-gathering activities after its Watergate abuses came to light. Still, the CIA's work lies outside American borders; the FBI is supposed to take care of what goes on here.

For either of those organizations, the idea of acting as government-agent provocateur should have been dispelled by the FBI's disastrous experiences with Gary Rowe. Mr. Rowe was an FBI informer successfully planted inside the Ku Klux Klan. But instead of being a gold mine of information, he turned into an FBI nightmare when he participated in the murder of a female civil rights worker.

In a nation founded on individual freedom, the government's role in spying on its people must be severely limited and based on the premise that it is the exception, not the rule. You don't defend America's unique structure of government by jumping all over the rights of individuals in the name of the greater good.

[From the St. Louis (Mo.) Post-Dispatch, Oct. 7, 1981]

The Reagan administration has drafted a presidential order broadening the authority of intelligence agencies that would clear the way for police state tactics in the United States. If put into effect as reported, the order, among other things, would: (1) grant the agencies, including the Central Intelligence Agency, "broad authority" to infiltrate American organizations and seek to influence their activities, (2) allow agents to review bank, medical, telephone and other private records, (3) permit CIA agents to follow and photograph Americans abroad, even if the Americans were not believed to

be agents of a foreign power or involved in terrorism or drug traffic.

All of these activities were curbed by an executive order issued by President Carter in 1978, an order that the Reagan draft is designed to replace. Despite assurances from administration sources that all intelligence activities would be conducted according to law and be approved by the CIA director or the attorney general, the draft order raises alarming possibilities for Orwellian intrusion into Americans' private lives by the government. Given the kind of snooping licenses proposed and the lack of accountability to independent authority, how could innocent citizens be sure that their personal records were not being secretly examined, that their organizations were not being manipulated by secret government agents, that they were not being shadowed abroad by suspicious sleuths?

The proposed order apparently would authorize by presidential fiat what was forbidden by a 1947 act of Congress which explicitly said the CIA "shall have no police, subpoena, law-enforcement powers, or internal-security functions." If congressional intelligence committees, where opposition has already arisen, do not seek to counteract this plan with more restrictive laws to curb intelligence abuses, they will be acceding to Soviet-style big brotherism.

[From the San Jose News, Nov. 5, 1981]

FREEDOM'S JUST ANOTHER WORD UNDER REAGAN ORDER ON CIA

When Sen. Barry Goldwater and Rep. Don Edwards agree on anything, it's significant. When they agree that a proposed new executive order governing CIA activities is a frightening threat to civil liberties, it's time to head for the tornado shelter and batten down the doors.

The conservative Republican from Arizona is chairman of the Senate Select Committee on Intelligence; the liberal Democrat from San Jose is chairman of the Subcommittee on Civil and Constitutional Rights of the House Judiciary Committee. Both are alarmed by the Reagan administration's proposed revision of Executive Order 12036, the document that defines the functions of the Central Intelligence Agency, the FBI and other components of the American intelligence machine. Goldwater and Edwards—and the rest of us—have a lot to be alarmed about.

The scariest part of the new order, and the once that has created the most controversy, is Section 2, Paragraph 9, which states: "No one acting on behalf of agencies within the Intelligence Community may join or otherwise participate in any organization in the United States on behalf of any agency within the Intelligence Community without disclosing their intelligence affiliation . . . except in accordance with procedures established by the head of the agency concerned and approved by the Attorney General."

Like a multiple warhead atop an ICBM, that paragraph, with its deceptively turgid wording and curiously inverted structure, contains a number of civil liberties bombshells.

In the first place, it would allow the CIA for the first time to infiltrate and engage in spying against organizations within this country. As a later passage makes clear, the CIA's sleuths would even be allowed to act as agents provocateurs. Under the existing executive order, signed by President Carter in January 1978, only the FBI can engage in such machinations.

Reagan's order also would give the CIA a much longer and looser leash. Under the present rules, acts of domestic counterintelligence must be approved in advance by the attorney general. The Reagan rules would require only that such activities conform to some general, as yet unspecified and inevitably secret "procedures" to be agreed upon by the CIA and FBI czars and the attorney general.

Invidious as it is, Section 2, Paragraph 9 is by no means the only frightening element of Reagan's proposal. The new order also would:

Remove the provision that Americans abroad can be subjected to continuing physical surveillance only if there is a reasonable belief that they are agents of a foreign power,

Make it possible for intelligence agencies to disseminate information they have collected about American citizens even if they are not the subjects of an investigation—"creating," as Edwards says, "serious privacy questions for Americans who are totally innocent of any wrongdoing";

Authorize the CIA to cooperate with state and local law enforcement agencies, a function currently limited to the FBI; and

Remove the requirement that the president receive a recommendation from the National Security Council before authorizing any covert actions overseas.

In drafting the National Security Act of 1947, the law that created the CIA, Congress took pains to bar the agency from any domestic spying role: "The agency shall have no police, subpoena (or) law enforcement powers or internal security functions." The consequences of ignoring that bit of legislative wisdom became chillingly clear a few years ago with the revelation that the CIA had spied on hundreds of thousands of Americans as part of "Operation Chaos," an elaborate—and unsuccessful—effort to prove that domestic dissenters were the puppets of sinister foreign powers.

Now the White House is about to give the CIA not merely a license but an official mandate to engage in precisely the same sort of police-state tactics again, with only the flimsiest procedural restraints. It's ironic that this administration, in the name of defending America and its institutions, is willing to endanger the very freedoms that distinguish this nation from its totalitarian enemies.

Congressman Edwards expressed the idea well in a different, but related, context: "If a free society is sacrificed for a better intelligence system, we have compromised our very goal."

Mr. Speaker, at the Subcommittee on Civil and Constitutional Rights' first hearing on the proposed executive order on intelligence activities, my distinguished colleague from Illinois, Congressman HAROLD WASHINGTON made a most eloquent opening statement about the dangers of permitting the CIA to become involved in domestic intelligence activities. He referred to his own experience as the target of domestic surveillance in Chicago in the 1960's and warned against any renewal of such illicit activities.

I urge my colleagues to read his statement. I think it raises important questions in the current debate over the direction of our intelligence policy.

OPENING STATEMENT OF CONGRESSMAN HAROLD WASHINGTON BEFORE THE SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL RIGHTS

Mr. Chairman, I commend you for holding these hearings.

I want to start by making it clear at the outset that I support the law enforcement and intelligence functions of the federal government. They are essential to the protection of our freedoms and of our social order. But the way to protect a free and open society against totalitarianism abroad is not to replicate the KGB at home. It has never been demonstrated to me that you can fight totalitarianism with totalitarianism, and history is replete with examples of what happens when you try to.

I do not want my remarks to be characterized as being against the Administration or against the intelligence community. This is not a football scrimmage. I am motivated by a sincere commitment to preserving the democratic ideals of this country, and also by a desire to protect the agencies themselves from political abuse.

The Administration has put forth a number of proposals which would significantly alter the ability of the Congress and of the public to guard against abuses. The Intelligence Agents Identities Act would make it a crime to disclose the identity of an intelligence agent, even absent malicious intent.

Proposed changes in the Freedom of Information Act would make it difficult for an individual to learn if he were a target of surveillance, and would deny a meaningful opportunity to correct misinformation which had been collected by government agencies.

Proposed changes in the exclusionary rule governing criminal prosecutions would remove many practical incentives for law enforcement agencies to stay within the bounds of permissible conduct.

Removal of the 19th century prohibition against military involvement in domestic law enforcement—a doctrine known as posse comitatas—has paved the way for a significant erosion of the separation between the armed forces and civilian law enforcement agencies. It is interesting to note that the same rationale—the need to strengthen enforcement of drug abuse laws—is being used here to extend the domestic jurisdiction of foreign intelligence agencies. While we don't approve the illegal use of controlled substances, it should be understood that this loosely stated rationale could extend the CIA's domestic intelligence and surveillance activities to cover the day-to-day affairs of many millions of Americans who, regardless of how we feel about it, make occasional use of marijuana or cocaine.

It is my understanding from newspaper accounts and the Committee's staff memo that the proposed Executive Order would also have a significant chilling effect which could undermine the functioning of other federal agencies. It provides for surveillance of U.S. officials, ostensibly to make sure that they are not under hostile surveillance.

It resolves a turf battle between the FBI and the CIA by giving virtually untrammeled powers to the CIA.

It orders heads of all executive departments and agencies to honor CIA requests for cover and support, and allows the CIA to dictate budgetary reprogrammings within other agencies, subject only to appeal directly to the President by the agency head involved.

It protects the CIA from embarrassment by providing for procedures to protect not only its sources, but its methods and analytical procedures, making it difficult to assess the validity of CIA conclusions and analyses of events. Any bureaucracy would love such a provision, but I doubt it contributes much to national security.

The proposed Executive Order allows the infiltration of domestic organizations and provides that this infiltration can also be used to influence the activities of the organization or its members if this is approved by the Attorney General. The Order would permit the collection and dissemination of information on U.S. citizens gained coincidentally through aerial reconnaissance flights over the United States—provided only that the purpose of such flights was not to target a specific individual. According to the Washington Post, these reconnaissance photographs can read a license plate.

The Order authorizes mail openings and other forms of domestic surveillance, subject only to procedures approved by the Attorney General.

It establishes no internal or external mechanisms for reporting or correcting or punishing violations. It provides only that the Attorney General shall report to the President violations of the Constitution or the laws of the United States—of which he somehow becomes aware. No other action is prescribed in the Order.

Finally, the proposed Order contains a catch-all phrase which effectively short-circuits what few protections it contains. In addition to its other overly-broad authorizations, the Order contains a catch-all authorization to permit such other intelligence activities as the President may direct from time to time.

Mr. Chairman, I submit that this proposal goes too far in creating the framework for precisely the sort of regime that we oppose abroad. There is little opportunity for review, and a very great likelihood for intimidating those who demand review.

Laws and regulations of this finality should not be passed for the moment. This is very likely to be abused over time.

The proposed Order would undermine the trust and confidence of our citizens in their government.

It would give rise to the worst sorts of political abuses, and force dedicated intelligence officers to spend time and resources tracking domestic political opponents of whoever occupied the oval office at the time. It would also bring chaos to the intelligence community every time there was a change of Administration.

Let me give you an example of the sorts of abuses that can occur. You are all aware of the FBI's attempted character assassination of Martin Luther King, and of the Bureau's infiltration of the Muslims and the Black Panthers, in a scheme to get these two groups to destroy each other. I was myself the target of surveillance by the Chicago Police during the Watergate era that most of us slept through.

Granted, this was not necessarily FBI or CIA surveillance. However, had it not been for the Freedom of Information Act, and a suit, I never would have obtained the information in my file. Before coming to the Congress, I was a member of the Illinois General Assembly for 16 years, including services on the Judiciary Committee of the State Senate. The only things I was engaged in were representing my District, politically opposing policies of the late Mayor of Chicago and his political machines, and combating crime and attempting to improve law enforcement in my community.

Because of this, I was subjected to surveillance. The records I obtained, which I am making available to the subcommittee, show that I participated in an annual children's parade, spoke to churches and made speeches before community organizations. In order to obtain these records, it was necessary for police agents to infiltrate religious and community groups. It was an enormous waste of time and public money. The police tactics caused distrust and resentments within the community which undermined respect and cooperation between citizens and the police. The fear and suspicion still lingers within many neighborhoods. Following the public outcry over the assassinations of Mark Clark and Fred Hampton, a request was made that 5 members of Congress investigate the shootings. This resulted in the police putting these Members of Congress under surveillance and opening files on them.

Mr. Chairman, I think you can understand that my concerns are genuine. I don't want to see a situation develop in which, for example, our students blame the CIA for everything that happens domestically, just as French or West German students now blame the CIA, rightly or wrongly, for everything that happens overseas. I don't want to see a situation develop where revelations of the sort of black-bag activities that have gone on overseas produce doubts and questioning among our own people about the activities of our government at home. I don't want to see a situation develop again in which our best thinkers and scholars and artists are afraid to express themselves publicly, or even privately to their friends, without fear of being caught up in some widely flung security apparatus, and having their thoughts and words misunderstood.

Finally, I don't want to see political expression and political activity driven underground, away from the light and exposure of public scrutiny, where it can become paranoid and warped. Where it will become paranoid and warped.

I think these are legitimate concerns. And I hope the Committee will continue these hearings until such issues are resolved.

I also wish to incorporate into the RECORD the following editorials:

[From the Chattanooga Times, Oct. 13, 1981]

MOVING TOWARD "1984"?

Coming from an administration pledged to "get government off the backs of people," a proposal that congressional sources say would strengthen the domestic activities of intelligence agencies, is strikingly paradoxical. Small wonder that the proposal, prepared by an interagency group headed by the Central Intelligence Agency, has stirred intense opposition from some members of the Senate Intelligence Committee. They are concerned, rightly, that the proposal would in effect license police state tactics in this country.

If the recommendations were implemented as reported, the proposal would, among other things:

Grant agencies, including the CIA, the right to infiltrate domestic organizations and try to influence their activities.

Delete current restrictions on the CIA's conduct of covert actions within the U.S.—if those actions were not intended to influence official policies or politics.

Allow the CIA to follow and photograph American citizens abroad—even if they were not suspected agents of another country or involved in illegal activities.

Free intelligence agents to review private citizens' personal bank, medical and other records.

President Carter prohibited these and other activities in an executive order signed in 1978 following revelations that the CIA had abused its authority in previous years. The Reagan administration claims that its recommendations would still ensure that any actions would be conducted legally, and would require prior approval by the attorney general or the CIA director. And it points out that the current draft of the proposal is much weaker than previous ones.

But that evades the real issue. Under the wide latitude permitted by the proposal, Americans would be vulnerable once again to an Orwellian abuse of power. We already know how widespread that abuse was when the CIA was explicitly forbidden to conduct domestic operations. How much more so would it become if the CIA were given broad new authority? In the absence of a requirement that the CIA be accountable to some independent authority, what recourse would an innocent citizen have if he suspected his personal records were being secretly reviewed, or an organization to which he belonged was being manipulated by intelligence agents?

When the CIA was created in 1947, Congress explicitly directed that it "shall have no police, subpoena, law enforcement powers, or internal security functions." Sen. Joseph Biden, D-Del., a member of the intelligence committee, has vowed to "spend the rest of my career in the Senate opposing this order." He deserves the support of his colleagues, including both Tennessee Senators. Otherwise, they, and their counterparts in the House, will be condoning ominous big-brotherism.

[From the Arkansas Gazette, Oct. 14, 1981]

UNLEASHING THE CIA

President Reagan has proposed a new framework for the Central Intelligence Agency that would give its agents broad authority to spy on Americans and to infiltrate domestic organizations with the intent of influencing their activities.

One may accept the protestations of administration officials that the proposed guidelines would be interpreted and implemented by the CIA and the Justice Department carefully, with due regard for civil liberties, and still be alarmed that the nation's intelligence agency can be clothed with such power. "History has taught us in the United States," Representative Albert Gore Jr. of Tennessee said of the administration's reassurances, "to trust in the rule of law and not of men."

History needs to be searched no further back than the '70s to show how national security can be used as a loose cover for infringing on the liberties of innocent Americans for purposes unrelated to the security of the country. It was owing to the involvement of CIA agents in Watergate-related activities and in such sordid work as mind-control experiments on unsuspecting Americans that President Jimmy Carter issued new rules, through an executive order in 1978, to circumscribe CIA work.

The longer tether that the intelligence community would receive under the guidelines proposed last week by an interagency group for the President is more worrisome because the administration also is moving in several ways to curtail oversight of domestic

intelligence activities. Taking advantage of a wave of revulsion over the mass identification of secret agents by former agent Philip Agee and Louis Wolf, who edits a counterspy magazine, the CIA wants to make it a crime for anyone to identify an intelligence agent, even if the purpose is to expose illegal activities by the agent. The bill might have blocked many of the Watergate disclosures if it had been in effect.

Mr. Carter's 1978 order prohibited the CIA from infiltrating domestic groups, but Mr. Reagan is proposing to lift that ban so that, with the approval of the attorney general, agents could penetrate organizations and try to direct their policies. The intention apparently is to influence groups promoting the interests of foreign countries—allies and enemies—but the authority is broader than that. The CIA could gather all kinds of personal records on Americans, regardless of whether they were breaking any laws.

The United States has never had a secret police and the President isn't proposing one.
* * *●

● Mr. KASTENMEIER. Mr. Speaker, last week the Subcommittee on Civil and Constitutional Rights of the House Judiciary Committee held a hearing on the proposed Executive order on intelligence activities. The order, soon to be promulgated, gives the CIA a new license for domestic spying. Despite the dramatic shift in intelligence policy this proposal represents, Chairman DON EDWARDS' hearing was the first time any public discussion of the order had taken place.

The witness was the distinguished former Senator from Idaho and chairman of the original Senate Select Committee on Intelligence, the Honorable Frank Church. Mr. Speaker, I believe Senator Church's concerns should be shared with all Members of the House; for that reason, I wish to insert in the RECORD portions of his prepared testimony:

STATEMENT OF HON. FRANK CHURCH BEFORE THE SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL RIGHTS OF THE HOUSE JUDICIARY COMMITTEE, NOVEMBER 12, 1981

In 1928, Justice Louis Brandeis wrote:

"Decency, security and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizens. In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously. Our government is the potent, the omnipresent teacher. For good or ill, it teaches the whole people by its example."

Those words have lost none of their cogency with the passage of time. It remains true that there can be no preservation of democratic government or individual liberty outside the law.

Nevertheless, when judged by past performance, many engaged in our government's intelligence activities seem to view the law quite differently; they apparently resent its constraints, and regard it not merely as a nuisance, but as an impediment to national security. Due to the nature of their work, they have, at times, deemed themselves entitled to disobey the law.

Those who hold this belief will be pleased with the newly proposed Executive Order to govern our intelligence agencies, now in its third revision. This newest version is plainly designed to enlarge the role of the CIA inside the United States, with respect to spying on American citizens and conducting covert operations in our own country, while diluting the role of the Justice Department as a check on the legality of these activities.

Expanding the scope of the CIA's involvement inside the United States is, in my judgment, as unwise as it is unwarranted. In this regard, I agree with the assessment made a few months ago by Admiral Bobby Inman, Deputy Director of the Agency, when he declared that the "job of the CIA is abroad."

Whatever view one takes of covert action abroad, the need for the CIA to comply with the law in its treatment of American citizens here at home, should be less ambiguous. Yet, the Senate Select Committee on Intelligence, which investigated the intelligence agency during 1975 and 1976, found the CIA to have been deeply involved in blatantly illegal conduct designed to spy upon, injure and harass thousands of innocent Americans. The factuality of the Committee's findings has withstood the test of time, and to this very moment, remains unchallenged.

[For example,] between 1967 and 1974, the CIA conducted Operation CHAOS, which began as an investigation abroad of any possible connection between anti-American foreign elements, on the one hand, and the Peace Movement in the United States, on the other. Soon, however, the investigation was spread so large as to engulf the lawful domestic activities of Americans protesting the Vietnam War. Before it finally ended, CHAOS had amassed some 10,000 intelligence files on American citizens and groups and indexed 300,000 names of Americans in CIA computer records, all without establishing the foreign connection for which it presumably searched!

It is therefore prudent, in my view, to limit the CIA to the field of foreign intelligence, for which it was created, leaving domestic intelligence and counter-intelligence activities to the FBI. In this, I agree with the argument recently advanced by Stansfield Turner, former CIA Director, who wrote:

"CIA officers are not trained to operate in the domestic environment, where regard for the law is a primary consideration. The ethic of intelligence is to get the job done in spite of local laws. It is unwise and unfair to force CIA operations into the domestic arena. It isn't necessary either, for that is exactly where FBI officers are trained to operate. * * * They have over many years proved themselves to be professionals at both counterintelligence and the gathering of positive intelligence. With more emphasis on the latter, they could cover whatever tasks the Administration has in mind for the CIA."

If the newly proposed Executive Order on Intelligence Activities is not modified in such a way as to retain the present restraints on CIA involvement in our domestic affairs, not only will the old frictions between the CIA and the FBI be rekindled, but the door will be thrown open again to the compilation of CIA dossiers on hundreds of thousands of law-abiding American citizens.

Concerning this, the proposed order leaves little doubt. For example, the CIA may now collect only three types of information about U.S. persons inside the United States:

(1) Information regarding commercial organizations or activities;

(2) Information obtained from co-operative sources, and

(3) Information regarding individuals about whom there is reason to believe they were acting on behalf of a foreign power.

Under the proposed order, these limitations are removed. There is no requirement that the individual about whom information is being collected be "reasonably believed to be acting on behalf of a foreign power," as the current order provides.

Other provisions in the proposed draft describe the investigative and information gathering techniques which can be used for this purpose. They include: infiltration of domestic organizations, access to bank, medical, telephone and other private rec- ords, and recruitment and assignment of informants.

If we are capable of learning from experience, we should not expose the American people once again to such broad-based surveillance by an agency created for the purpose of spying on foreigners.●

● Mrs. SCHROEDER. Mr. Speaker, there has been a great deal of discussion in the press and here in Congress in recent weeks about the proposed Executive order on intelligence activities and the extent to which it will permit the CIA and other intelligence agencies to engage in domestic intelligence activities.

Some people seem to think that, with a deletion here and a little rewording there, all the problems in the draft order will be fixed. Hearings held by the Subcommittee on Civil and Constitutional Rights of the House Judiciary Committee last week made it clear that this is not the case.

Because not all our colleagues have had the same opportunity to analyze the draft that the subcommittee members have had, I would like to call their attention to the following analysis written by the subcommittee chairman, Congressman DON EDWARDS. The column appeared in the San Jose Mercury on November 5, 1981. The article follows:

[From the San Jose Mercury, Nov. 5, 1981]

REAGAN'S PROPOSED EXECUTIVE ORDER WILL UNLEASH THE CIA

(By DON EDWARDS)

The public seems to believe that recent statements by the Senate and House Intelligence committees have cured the enormous defects in President Reagan's proposed Executive Order on Intelligence Activities. This is an erroneous perception.

All that has happened for certain is that Sen. Barry Goldwater, R-Ariz., has recommended one change—that the new order not include CIA authority for undisclosed participation in and influencing of domestic organizations. Rep. Edward Boland, D-Mass., chairman of the House committee, has also made recommendations which, again, do not begin to deal with the numerous problems raised by this proposal.

There is no sign from the CIA or the White House that any of these suggestions made hat-in-hand by members of Congress will be considered. But, whether or not any of these suggestions are accepted, it is important to bear in mind that the draft contains many other unnecessary and dangerous changes.

Those provisions, if included in the final order, would transfer many domestic spying activities to the CIA from the FBI, without most of the regulatory, statutory and institutional restraints that have kept the FBI from abusing this authority for the past five years.

The proposed order transfers responsibilities to the CIA, eliminates key definitions (such as what constitutes "terrorism" and even "intelligence"), discards restraints on the use of mail openings, and waters down the authority of the nation's chief law enforcement officer—the attorney general. The net result is a presidentially endorsed blank check to the CIA to spy on Americans.

When the FBI and CIA operated with such a blank check in the past, the result was not only massive intrusions into individual and organizational rights, but also the failure to gain any useful information.

There are several historical reasons why we should view with skepticism any move to authorize CIA activities within the United States. When Congress created the CIA in 1947, it wanted to make sure that such a secret, international agency would not be engaged in spying on Americans. The authorizing legislation spelled out this prohibition. However, beginning in 1952, and operating secretly, the CIA violated this standard on a wholesale basis.

At LaGuardia Airport in 1952 and later at Kennedy Airport, the CIA began a massive letter-opening program. It opened the mail of private organizations such as the American Friends Service Committee. It opened overseas mail to congressmen including Sens. Edward Kennedy and Frank Church. By 1973, when the program was halted by the Post Office Department, the CIA had reviewed 28 million pieces of mail, had photographed 2 million envelopes, and had opened 215,000 letters. In addition, the CIA's Operation Chaos had a cross index of more than 300,000 names of Americans.

The disclosures of this shocking CIA misconduct by the Church Committee in the Senate and the Pike Committee in the House resulted in presidential orders which generally prohibited the CIA from operating within the United States. The FBI was responsible for counterintelligence and internal security, supervised by the attorney general. Presidents, both Democratic and Republican, agreed to these rules, and the CIA is today operating under Executive Order, 12036, signed by President Carter in January 1978.

The proposed order represents a dramatic departure from this scheme. Written in secret, discussed only behind closed doors, the order presumably will be signed soon by President Reagan. It then will be published in the Federal Register. Before it becomes final, however, I believe the public has a right to know what the CIA has in store for us.

Currently, the attorney general must approve CIA counterintelligence activities within the United States. Under the proposed order, the director of the Central Intelligence Agency has an equal role with the attorney general. Now, an American under surveillance must be "reasonably believed to be acting on behalf of a foreign power." The proposed order deletes this requirement—no foreign connection is necessary.

Currently, undisclosed CIA participation in domestic organizations is limited to certain carefully defined situations and requires the attorney general's approval. Influencing the organization, its members, policies, or activities is prohibited. The draft order permits CIA infiltration under much broader circumstances and, in some circumstances, influencing the organization is permitted as well.

The current order requires warrants based on probable cause before mail can be opened in the United States. That provision is deleted from the proposed order.

Now, CIA involvement in terrorist investigations in this country requires a showing that the terrorist conduct is reasonably believed to be on behalf of a foreign power. The draft order deletes the foreign power connection. Presumably the CIA could investigate purely domestic groups, now investigated by the FBI under attorney general guidelines. These guidelines would not apply to the CIA, so the only restrictions on CIA activity would be those in the proposed order.

Currently, the CIA is prohibited from conducting covert actions in this country. Under the proposed order, the CIA can conduct covert actions in this country in certain situations.

Currently, the CIA must report evidence of criminal violations by its employees to the attorney general. Under the proposed order, only those crimes agreed upon in advance in general procedures established by the attorney general and the CIA director must be reported in a manner consistent with protection of sources and methods. This may mean that the CIA could encourage its employees to act outside the law and then not report them.

These and other changes are of such a serious nature that they deserve to be aired in a public forum. The CIA has not come forward to explain why these changes are necessary or how they are to be squared with the long standing commitment of the Congress to keep the CIA out of the domestic spying business. At the very least, the American people deserve an explanation.●

● Mr. WASHINGTON. Mr. Speaker, I would like to join with my colleagues from the House Judiciary Committee in expressing concern about the proposed Executive order on intelligence.

Our intelligence agencies have a difficult and dangerous task. I certainly do not want to see unnecessary impediments put in their way.

But I also do not want to see the CIA exceed or stretch the bounds of the Constitution and laws of this country. I believe this draft order authorizes this kind of encroachment by giving the CIA license to operate in this country.

Mr. Speaker, I am not alone in this view. I would like to share with my colleagues several editorials from newspapers around the country expressing alarm at what may lie ahead if this order is promulgated.

[From the Chicago Tribune, Oct. 15, 1981]

THE SEPARATE REALMS OF ESPIONAGE

The assassination of Anwar Sadat is being used as evidence that U.S. intelligence agencies ought to have a freer hand in plying their secret trade. It is cited as an example of the kind of terrorist threat that faces the United States. And though nobody is quite sure who was behind the murder of the Egyptian president, the event does strike a chord of fear.

Within the Reagan administration there has been a good bit of enthusiasm for lifting restrictions on U.S. intelligence agencies and enacting new laws to protect American spies. A bill to make it a crime to reveal the identity of a clandestine U.S. intelligence agent, whether or not the information came from classified sources, has already passed the House of Representatives. Like its predecessors, the Reagan administration has declined to rule out using journalists, academicians, and clergymen as potential spies abroad. There are efforts to grant intelligence agencies a broad exemption from the provisions of the Freedom of Information Act. And now a new draft of a proposed executive order which would permit CIA covert operations within the United States has surfaced.

No one should doubt that the United States exists in a dangerous world, nor that it must engage in various secret intelligence activities in order to protect itself from the clandestine machinations of terrorist groups and adversary nations. It should also be beyond argument that the post-Watergate bloodletting by congressional committees did damage to the CIA, FBI, and other agencies.

The rules governing intelligence operations—whether in internal agency guidelines, executive orders, or statutes—should not be exempt from reassessment based upon the experience of several years in which they have been in place. But cautious, practical review has not been the approach. Changes are put forward upon the crudest arguments. Appeals to fear rather than to experience rule the debate. There has been insufficient attention paid to the insidious danger of unfettered domestic spying and to what is supposed to be gained by taking the fetters off.

What reason is there, for example, to permit the CIA to do secret investigations within the United States? It is not as if under existing rules no U.S. agency can track potential terrorists, espionage agents, and domestic dissidents, likely to commit political violence. The FBI has the authority to operate in these areas within the United States. And it has done a good job of it.

There is a good reason, on the other hand, to keep the CIA out of domestic clandestine operations. That agency operates mainly abroad, where the danger of infringing upon the rights of Americans is smaller and where the usual standards of conduct that Americans properly insist upon at home simply do not apply. The CIA has developed certain habits abroad that would not be appropriate here. But the FBI is essentially a law enforcement organization. Its habits accord with the standards of behavior the Constitution requires of the government in its interaction with Americans. To be sure, the rules are slightly different when the FBI engages in counter-intelligence and counter espionage investigations. But the habit of restraint is significant.

Unless the advocates of the proposed new executive order provide some other persuasive reasoning, it would seem that the only objection to the FBI's conduct has been this very sense of restraint. And that makes the proposal ominous. It is very important to the morale and liberty of Americans that the rules of the national security game at home and abroad be kept quite distinct and separate. The distinction should not be sacrificed simply because of a vague sense of fear and appeals to unspecified inchoate dangers.

At the same time, there should be no objection to some revision of the rules of intel-

ligence, so long as the case for it is persuasively made. Certainly the CIA and FBI have a tremendous practical problem simply keeping up with the paper work the Freedom of Information Act produces, and some modification to ease the bureaucratic burden might be appropriate. Legislation to protect the identity of secret U.S. intelligence operatives abroad is in itself a good idea. But the bill that passed the House goes so far in limiting what private citizens may say and write that it is probably unconstitutional. The FBI, which supports the rules that govern its conduct of intelligence investigations, has considered recommending some modest changes in the language to make them more precise and more practical. These deserve to be accorded some weight.

But the intelligence zealots within the Reagan administration must not be allowed to translate their appeals to fear into a sweeping repeal of all limitations on the activities of the FBI and CIA. The heyday of U.S. intelligence, it must be remembered, did not bring us comfort and security. It brought us fear and animosity and the inevitable public reaction that damaged the intelligence agencies in the first place.

[From the Kansas City Times, Oct. 9, 1981]

THE CIA AT HOME

Civil libertarians are concerned, and for good cause, about an administration proposal that is being interpreted by some members of Congress as greatly expanding the Central Intelligence Agency's authority to spy on Americans. The Justice Department has been asked to study the draft document to see how it would apply to the CIA's domestic activities.

Some members of the Senate Select Committee on Intelligence, which has oversight authority over intelligence operations, have concluded that the proposal would allow U.S. agents to inspect medical, telephone, bank and other private records and to surreptitiously invade organizations in this country. No longer would intelligence agency chiefs be required to report suspected federal violations by their workers.

That appears to ease provisions of Executive Order 12036, issued by Jimmy Carter, then president, in January of 1978. Both the Carter order and a Ford administration directive that it replaced put limitations on the CIA. That was grounded in need. Late in 1974 it was revealed that the CIA had spied on thousands of Americans. This and other revelations led to two investigations of the CIA. These probes found that the intelligence agency had conducted drug experiments on unsuspecting victims and had engaged in covert activities abroad far beyond the purview of its intelligence-gathering assignment.

Though there are protections in federal law it is disturbing to hear that the CIA wants authority for domestic investigations. Traditionally that has been the jurisdiction of the Federal Bureau of Investigation. Certainly the CIA has plenty to do—it has been faulted for failing to do an adequate job on its international mission—without turning its network against private citizens in this country. The days of CIA-FBI jealousy and bickering surely are over.

Police state tactics have no place in a free society. These practices can create a climate of fear and infringe on the rights of association, speech and democratic participation. Left to their own devices, many intelligence officials would have unrestricted rein to combat what they see as dangers to the Republic. They tend to overlook the fact that their tactics many pose a greater threat to liberty than the individuals they would investigate.

Let's leave domestic espionage to the FBI and insist on close cooperation between it and the CIA. The two agencies are supposed to be working for the American people, not against each other.

[From the Idaho Statesman, Oct. 9, 1981]

SPYING ON AMERICANS

President Reagan's unrelenting support of a proposed executive order giving the Central Intelligence Agency free reign to infiltrate American organizations and secretly influence their activities is almost beyond belief. It contradicts a principle of freedom upon which this country was founded, that American citizens have the absolute right to organize politically without fear of government interference.

Supposedy, the CIA would employ such tactics only to investigate dangerous terrorist groups bent on violent overthrow of the United States. History, however, proves that people in power are apt to use such infiltration to attack their political foes. Richard Nixon proved that when he used the CIA and the Federal Bureau of Investigation to disrupt anti-war activities in the Vietnam era.

What Reagan proposes is more dangerous than what Nixon did. During Nixon's administration, the infiltration of political groups was done on the sly and without legal sanction. A number of the culprits—Nixon among them—were eventually brought to judgment, their actions condemned.

Reagan proposes to give official approval of the same tactics—to encourage them. As Sen. Patrick Leahy of the Senate Intelligence Committee said, that amounts to the establishment of the CIA as an internal police agency.

Though the comparision may seem outlandish, the whole concept is reminiscent of the Soviet Union and Eastern Europe, where it is all but impossible to organize political dissidents because the true dissidents never know which one of their supposed allies is a government informer.

Furthermore, Reagan's new role for the CIA is not needed. The FBI already has ample authority to conduct counterintelligence activities within the country.

The CIA's mission is to gather foreign intelligence. To carry out that mission it sometimes must hide its activites behind the shield of national security. Such a shield is necessary if the CIA is to operate in secret abroad, but it is a danger at home. If Reagan's proposal is enacted, one can easily imagine the CIA investigating labor groups, anti-nuclear activities, environmentalists or non-establishment political organizations on the pretext that they pose some threat to national security.

The United States simply cannot allow the government to spy on its citizens in that manner. Those who oppose such surveillance should write the White House, members of Congress from Idaho and the Senate Intelligence Committee.●

THANKS FOR THE MEMORIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. PEPPER) is recognized for 5 minutes.

● Mr. PEPPER. Mr. Speaker, in the November 22 issue of Parade magazine, Bob Hope, America's most popular and beloved citizen, has given us a humorous but moving Thanksgiving message which I am sure expresses the sentiments of all Americans as we approach our national day of Thanksgiving. I include Mr. Hope's beautiful tribute under the title "Thanks for the Memories" in full in the body of the RECORD.

[From Parade, Nov. 22, 1981]

THANKS FOR THE MEMORIES

(By Bob Hope)

Exactly 361 years ago, the Pilgrims landed in America. It was great timing. A year later and they wouldn't have had a place to park.

When Parade asked me to do an article about Thanksgiving Day, I had a sneaking suspicion it was because I was present at the first celebration held by the Pilgrims. Well, I wasn't. You can ask George Burns—he was.

The Pilgrims gave thanks for their survival in a hostile atmosphere. Their daily existence was fraught with peril. They had none of the services and comforts of our industrial age . . . freeways, smog, water pollution, inflation and television. And never did they dream that someday a turkey would cost more than the entire Mayflower.

Today, as I give thanks for all my blessings, I can't help but think back. Who could have imagined when, at the ripe old age of 3, I landed on these shores from England that this marvelous country would provide me the opportunity literally to fulfill my wildest dreams—that I would someday be given the chance to reach for the stars and because of you, grab a whole galaxy. Where else could a former two-a-day hoofer who grew up in Cleveland be privileged to play golf with Presidents, sell toothpaste on the radio, make movies and be invited into millions of your homes via television? Thanksgiving is always tough for me. I spend so much time counting my blessings, I don't have time to eat the turkey.

Of course, I have some fond memories of Thanksgiving Days past. When I was a boy in Cleveland, Mother would put all the food out on the table in front of me and my six brothers, all of whom had teeth with power steering. We'd devour every morsel, then stare at each other. One year, Father tried to take a picture of us eating, but to this day there hasn't been a camera invented that can take a picture at such high speeds.

Last year, I had Thanksgiving dinner at the home of my daughter-in-law. She had a frozen turkey, frozen stuffing, frozen potatoes and frozen pies. She didn't announce dinner was ready . . . she pointed to the food and said, "Mush!"

On Thanksgiving, we often visualize the Pilgrims as almost comic characters, with those hokey hats and ridiculous pants. But when we think seriously, we give fervent thanks for their courage, persistence and intelligence in coping with hardships that stagger the mind. Had they lacked these qualities, New England would still be the happy hunting grounds of some tribe of Indians and, as for the rest of the country, it would be Nowhere, America.

Instead, from sea to shining sea, we have a bountiful land populated by 230 million souls of every race, religion and political persuasion. For the most part, they do their work, pray to their God and serve their communities with good humor, secure in the knowledge that whatever their role in life, it

will continue on an even course for the foreseeable future. For 205 years, we have had continuity of government, continuity of social institutions that benefit the vast majority, a continuity of unity even in our darkest days of war and depression. There are very few countries in the world where this is true.

We must give thanks that in this dangerous world, we're strong enough to answer any challenge to our way of life; that our elected and appointed leaders, whether we agree with them or not, are trying every day to make things better for us; that, thanks to our abundant economy, the vast majority of Americans can enjoy their leisure any way their hearts desire; that this is still the land of opportunity, where every individual, through his own initiative, talents and brainpower, can reach his potential.

All this because those comic-opera Pilgrims clawed, fought and thought their way to a better life than they'd known before and set the foundations for the moral, democratic, religious society we have today.

Thanksgiving Day is a time when we share what we have with those less fortunate. I'm happy to see that in Washington there isn't a Republican who isn't taking a Democrat to dinner.

Personally, every day is Thanksgiving Day for a guy who's three score and 18 (a sneaky way to give your age), whose wife, children and grandchildren are thriving, who's doing what he loves best, who's still traveling around the world, and who's still getting laughs on television, in personal appearances and on the golf course.

Today, as Americans across the country gather with their families and loved ones to count their blessings, I'd like to add this Thanksgiving wish:

May every nation on this globe at long last achieve a permanent peace so that, someday soon, we may raise our voices as one, giving thanks to our Creator for a world united in mutual respect and brotherhood and in the fervent hope of a brighter future for all mankind.●

RECESS

The SPEAKER pro tempore. Pursuant to the order of the House of November 19, 1981, the Chair declares the House in recess subject to the call of the Chair.

Bells will be rung 15 minutes before the House reconvenes.

Accordingly (at 3 o'clock and 30 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1740

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. FOLEY) at 5:45 p.m.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed without amendment a joint and a concurrent resolution of the House of the following titles:

H.J. Res. 368. Joint resolution making further continuing appropriations for the fiscal year 1982; and

H. Con Res. 228. Concurrent resolution providing for an adjournment of the House from November 23 to November 30, 1981, and an adjournment of the Senate from November 24 or November 25, to November 30, 1981.

DEAUTHORIZING CERTAIN PROJECTS WITHIN JURISDICTION OF ARMY CORPS OF ENGINEERS

Mr. YOUNG of Missouri. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1493) to deauthorize several projects within the jurisdiction of the Army Corps of Engineers, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

Mr. VOLKMER. Mr. Speaker, reserving the right to object, I do not plan to object, but I would like to ask the gentleman from Missouri (Mr. YOUNG) if it is not true that included with this bill also is an amendment to change the name of Clarence Cannon Dam and Reservoir to Clarence Cannon Dam and Mark Twain Lake in my district.

Mr. YOUNG of Missouri. Mr. Speaker, if the gentleman will yield, let me state that the gentleman from Missouri (Mr. VOLKMER) is correct.

Mr. VOLKMER. Mr. Speaker, I want to congratulate the distinguished gentleman from Missouri for his efforts to bring this bill to the floor and for including the amendment changing the name of Clarence Cannon Dam and Reservoir to Clarence Cannon Dam and Mark Twain Lake.

By naming this reservoir the Clarence Cannon Dam and Mark Twain Lake we honor two of the most notable men of northeast Missouri. Clarence Cannon served with distinction in this body for 41 years. As chairman of the Appropriations Committee, Representative Cannon had a profound impact on the events of this Nation. He was an outstanding legislator, admired and respected by all. I am proud to follow in his footsteps by representing the same district.

We all know of Mark Twain. One of the truly great writers in our country. His stories are still widely read and enjoyed. Mark Twain was born and raised in Florida, Mo., which is at the site of this lake. He spent his entire life in Missouri and lived for many years in my hometown of Hannibal. He always enjoyed and cherished the natural beauty and elegance of the Missouri countryside and it is fitting that this new lake and recreation area be named in his memory.

Again, I thank the distinguished gentleman from Missouri for his efforts and withdraw my reservation.

Mr. VOLKMER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1493

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 204 of the Flood Control Act of 1965 (Public Law 89-298) is amended as follows: "The Dickey-Lincoln School Lakes project, Saint John River, Maine, is hereby modified to deauthorize that component of the project known and referred to as the Dickey Dam and its associated transmission facilities.".

(b) No Federal agency or department shall consider any license application relating to hydropower projects above the site of the Lincoln School Dam on the Saint John River and its tributaries, Maine, for a period of two years after the enactment of this Act.

SEC. 2. (a) The authorization for the Meramec Park Lake (hereinafter in this section referred to as the "project") contained in that portion of the general comprehensive plan for flood control and other purposes in the Upper Mississippi River Basin, which plan was authorized by section 4 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 28, 1938 (52 Stat. 1218), as modified by section 203 of the Flood Control Act of 1966 (Public Law 89-789), is hereby terminated.

(b) The Secretary of the Army, acting through the Chief of Engineers (hereinafter in this section referred to as the "Secretary"), shall immediately undertake interim management and maintenance of works, structures, and interests in lands related to the project pending the implementation of the subsequent provisions of this section.

(c) The Secretary shall dispose of works, structures, and interests in lands related to the project as follows:

(1) To the State of Missouri, all right, title, and interest in and to—

(A) Meramec State Park extension, consisting of three thousand eight hundred and twenty-three acres.

(B) Onondaga Cave State Park extension, consisting of one hundred and twenty-four acres.

(C) Huzzah State Wildlife Management Area extension, consisting of nine hundred and forty-five acres.

(D) Endangered species sites, consisting of not more than two hundred acres.

(E) Campbell Bridge access, consisting of not more than ten acres.

(F) Sappington Bridge access, consisting of not more than ten acres.

(G) Liberty Road access, consisting of not more than ten acres.

(2) A perpetual easement sufficient to safeguard for the river user the natural, cultural, and visual resources of the Meramec River and Huzzah and Courtois Creeks shall be conveyed to the State of Missouri within nine months from the date of this Act. The Secretary is hereby directed to establish such easements in conjunction with the

State of Missouri. Said easements shall be not less than one hundred feet nor more than one-quarter mile as measured from the normal highwater mark of said river and creeks, taking into consideration the varying terrain of such lands and the best public interest.

(3) A perpetual easement sufficient to provide for and allow pedestrian use of a corridor of land connecting Meramec State Park with the Huzzah State Forest shall be conveyed to the State of Missouri within nine months from the date of this Act. The Secretary is hereby directed to establish such easement in conjunction with the State of Missouri. Said easement shall be not less than one hundred feet in width and shall be used for the development of the Ozark Trail, which will be constructed and maintained by the State of Missouri.

(4) The remainder of the works, structures, and interests in lands related to the project shall be offered, within a period of one year from the date of enactment of this Act, for sale to the previous owners at the current appraised value. Such former owners shall have a period of one year in which to enter a contract for the repurchase of such properties, and interests in lands shall be sold at a public auction, or a series of public auctions, to be conducted following reasonable public notice and advertising of the time and place of such auction or auctions, until such time as all remaining works, structures, and interests in lands have been disposed of.

(d) The Secretary is authorized either to comply with or to enter into a mutual agreement to cancel any executory contract the United States has entered for the purchase of lands for the project at the request of any landowner who is a party to such a contract, within six months after the date of enactment of this Act.

(e) Nothing in this section shall terminate the authority or responsibility of the United States to satisfy, pursuant to the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (49 U.S.C. 4601 et seq.) and any other applicable provision of law, all relocation assistance, and other obligations arising out of the acquisition, prior to the date of enactment of this Act, of any interest in real estate for the project.

(f) Funds authorized prior to enactment of this Act for the project specified in this section may be utilized by the Secretary, as necessary, to carry out the provisions of this section to deauthorize the project.

SEC. 3. The authorizations for the projects described in this section, at the locations described, are terminated upon the date of enactment of this Act:

(a) ILLINOIS: HELM RESERVOIR.—The project for Helm Reservoir, Skillet Fork of the Wabash River, Illinois, authorized by section 203 of the Flood Control Act of 1968 (Public Law 90-483), part of the Wabash River Basin comprehensive plan.

(b) ILLINOIS: LINCOLN DAM.—The project for Lincoln Dam and Reservoir, Wabash River, Illinois and Indiana, authorized by section 204 of the Flood Control Act of 1965 (Public Law 89-298).

(c) INDIANA: BIG BLUE DAM.—The project for Big Blue Dam, Big Blue River, Indiana, authorized by section 203 of the Flood Control Act of 1968 (Public Law 90-483).

(d) ILLINOIS: ILLINOIS RIVER DUPLICATE LOCKS.—The project for the Illinois Waterway, Illinois and Indiana, authorized by section 101 of the River and Harbor Act of 1962 (Public Law 87-874).

(e) INDIANA: LAFAYETTE DAMS.—The project for the Lafayette Dam and Reservoir, Wild Cat Creek of the Wabash River, Indiana, as authorized in section 204 of the Flood Control Act of 1965 (Public Law 89-298).

(f) VIRGINIA: NANSEMOND RIVER.—The portion of the project for the Nansemond River, Virginia, from the United States Highway 640 Bridge at Suffolk, Virginia, to the upstream project limits at river mile 18.66, a distance of approximately two thousand five hundred feet, authorized by the first section of the Act entitled "An Act making appropriations for the construction, repaired, and preservation of certain public works on rivers and harbors, and other purposes", approved August 11, 1888 (25 Stat. 410), and modified by the first section of the Act entitled "An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", approved July 3, 1930 (46 Stat. 922).

(g) INDIANA: CLIFTY CREEK DAM.—The project for the Clifty Creek Dam, Clifty Creek, Indiana, authorized by section 204 of the Flood Control Act of 1965 (Public Law 89-298).

(h) DELAWARE-MARYLAND-VIRGINIA: INTRACOASTAL WATERWAY.—The project for the Delaware Bay, Delaware, to Cape Charles, Chesapeake Bay, Virginia, Intracoastal Waterway, authorized under the terms of section 201 of the Flood Control Act of 1965 (Public Law 89-298).

(i) MARYLAND: SIXES BRIDGE.—The project for Sixes Bridge Dam and Lake, Maryland, authorized by section 85 of the Water Resources Development Act of 1974 (Public Law 93-251).

SEC. 4. (a) The consent of Congress is hereby given to the City of Boston to construct, maintain, and operate a fixed-span bridge in and over the water of the Fort Point Channel, Boston, Massachusetts, lying between the northeasterly side of the existing Summer Street Bridge and the northeasterly side of the existing Northern Avenue Bridge.

(b) Work shall not be commenced on such bridge until the location and plans therefor are submitted to and approved by the Secretary of Transportation.

(c) Any project heretofore authorized by an Act of Congress, insofar as such project relates to the above described portions of Fort Point Channel, is hereby abandoned.

(d) In approving the location and plans of any bridge, the Secretary of Transportation may impose any specific conditions relating to the maintenance and operation of the structure which may be deemed necessary in the interest of public navigation.

SEC. 5. The plan for the project for Ellicott Creek, New York, authorized in section 201 of the Flood Control Act of 1970 (Public Law 91-611) is hereby modified in accordance with the recommendations of the Chief of Engineers in a report dated April 2, 1979: *Provided*, That local interests agree to meet local assurance requirements set forth in section 3 of Public Law 738 of the Seventy-fourth Congress (33 U.S.C. 701c).

SEC. 6. (a) The lock authorized by section 114 of the Water Resources Development Act of 1976 (Public Law 94-587), as a replacement for Vermilion Lock, Louisiana, shall hereafter be known as Leland Bowman Lock. Any law, regulation, map, document, or record of the United States which refers to such lock shall hereafter be held and considered to refer to such lock as "Leland Bowman Lock".

(b) The dam and reservoir on the Salt River, Missouri, known as the Clar- ence Cannon Dam and Reservoir, authorized by section 203 of the Flood Control Act of 1962 (Public Law 87-874) as the Joanna Reservoir, shall hereafter be known as the Clarence Cannon Dam and Mark Twain Lake. Any law, regulation, map, document, or record of the United States in which such dam and reservoir are referred to shall be held and considered to refer to such dam as the Clarence Cannon Dam and to such reservoir as the Mark Twain Lake, respectively.

● Mr. HOWARD. Mr. Speaker, I rise in support of this bill. It contains a provision passed by the House in H.R. 1855 last July which is necessary to allow vitally needed development in the city of Boston to progress. It grants the consent of Congress to the city of Boston to construct, maintain, and operate a fixed-span bridge over the Fort Point Channel. This will enable the city to replace a deteriorated drawbridge with a more efficient and less costly fixed-span bridge and provide a needed improvement in transportation access.

The bill also contains a provision terminating the authorization of the Meramec Lake project in Missouri. This provision also establishes procedures for the disposition of lands acquired for the project. Also, flood protection for St. Louis and Jefferson Counties which would be provided by the dam is preserved by a specific authorization provision.

I urge passage of the bill.●

● Mr. HAMMERSCHMIDT. Mr. Speaker, I rise in strong support of S. 1493 as amended. This bill contains numerous provisions on projects which will be deauthorized. All of the Members in whose districts the projects are located agree with the deau- thorizations and the conditions for those deauthorizations in this bill. By not completing construction of these projects, well over $2 billion will be saved. In this time when fiscal restraint is most needed, this is an excellent statement on behalf of the Congress.

There are a few other provisions in the bill which make needed modifications in other water resources situations. I am especially pleased with the provision which prevents the Corps of Engineers from removing existing facilities at water resource areas under their jurisdiction. The Corps of Engineers has arbitarily determined that any houseboats, floating cabins, overnight facilities at marinas, cabins, and other facilities must be removed from Corps of Engineers property. The provision allows those structures which are maintained in useful conditions to remain.

It must be understood that this provision will not result in the proliferation of structures at Corps of Engineers projects. Only those which are in existence on the day of enactment

of this act are protected. There are situations throughout the country which this provision will protect. In Georgia and elsewhere, the Corps of Engineers is trying to remove cottages and cabins. Houseboats have been subject to the Corps of Engineers removal requirement in my own State of Arkansas and in Georgia. In Texas, Georgia, and elsewhere, beautiful marinas, which provide excellent recreational opportunities for many persons, are endangered by the arbitrary requirement to remove improvements, enclosures, and sleeping facilities. This provision will protect all of these situations and others.

Again, Mr. Speaker, I am most pleased with this bill, and urge my colleagues to join me in vigorously supporting its immediate passage.●

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. YOUNG OF MISSOURI

Mr. YOUNG of Missouri. Mr. Speaker, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. Young of Missouri:

Strike out all after the enacting clause and insert in lieu thereof the following:

That (a) section 204 of the Flood Control Act of 1965 (Public Law 89-298) is amended as follows: "The Dickey-Lincoln School Lakes project, Saint John River, Maine, is hereby modified to deauthorize that component of the project known and referred to as the Dickey Dam and its associated transmission facilities.".

(b) No Federal agency or department shall consider any license application relating to hydropower projects above the site of the Lincoln School Dam on the Saint John River and its tributaries, Maine, for a period of two years after the enactment of this Act.

SEC. 2. (a) The authorization for the Meramec Park Lake (hereinafter in this section referred to as the "project") contained in that portion of the general comprehensive plan for flood control and other purposes in the Upper Mississippi River Basin, which plan was authorized by section 4 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 28, 1938 (52 Stat. 1218), as modified by section 203 of the Flood Control Act of 1966 (Public Law 89-789), is hereby terminated.

(b) The Secretary of the Army, acting through the Chief of Engineers (hereinafter in this section referred to as the "Secretary"), shall immediately undertake interim management and maintenance of works, structures, and interests in lands related to the project pending the implementation of the subsequent provisions of this section.

(c) The Secretary shall dispose of works, structures, and interests in lands related to the project as follows:

(1) To the State of Missouri, all right, title, and interest in and to not less than 3,382 acres nor more than 5,122 acres, as determined by the Governor of the State of Missouri.

(2) A perpetual easement sufficient to safeguard for the river user the natural, cultural, and visual resources of the Meramec River and Huzzah and Courtois Creeks shall be conveyed to the State of Missouri. The Secretary is hereby directed to establish such easements in conjunction with the State of Missouri. Said easements shall be not less than one hundred feet nor more than one-quarter mile as measured from the normal highwater mark of said river and creeks, taking into consideration the varying terrain of such lands and the best public interest. Said easement shall be available for the development of the Ozark Trail, which will be constructed and maintained by the State of Missouri.

The Secretary shall submit to the State of Missouri before January 6, 1982, an offer to convey the lands authorized by this section. If the State, by statute, disapproves such conveyance on or before April 30, 1982, the Secretary shall immediately offer all the works, structures, and interests in lands for sale to the previous owners in accordance with paragraph (2) of subsection (d) of this section. If the State fails to disapprove such conveyance on or after April 30, 1982, solely because of a veto by the Governor, the offer to convey by the Secretary shall remain valid until such time as the veto is sustained or overridden in accordance with State law.

(d)(1) Within 90 days of the date a conveyance is made to the State of Missouri in accordance with subsection (c) of this section, the Secretary shall offer the remainder of the works, structures, and interests in lands related to the project for sale to the previous owners at the current appraised value. Such previous owners shall have a period of one year in which to enter into a contract for the repurchase of such properties, after which any remaining works, structures, and interests in lands shall be sold at a public auction, or a series of public auctions, to be conducted following reasonable public notice and advertising of the time and place of such auction or auctions, until such time as all remaining works, structures, and interests in lands have been disposed of.

(2) If the State of Missouri disapproves such conveyance in accordance with subsection (c) of this section, the Secretary shall offer all the works, structures, and interests in lands related to the project for sale to the previous owners at the current appraised value. Such previous owners shall have a period of one year in which to enter into a contract for the repurchase of such properties, after which any remaining works, structures, and interests in lands shall be sold at a public auction, or a series of public auctions, to be conducted following reasonable public notice and advertising of the time and place of such auction or auctions, until such time as all remaining works, structures, and interests in lands have been disposed of.

(3) For purposes of this subsection, in any case in which the previous owner of any interest in land is dead, the surviving spouse or, if there is no surviving spouse, the heirs at law of such previous owner shall be deemed to be the previous owner of such interest.

(e) The Secretary is authorized either to comply with or to enter into a mutual agreement to cancel any executory contract the United States has entered for the purchase of lands for the project at the request of any landowner who is a party to such a contract, within six months after the date of enactment of this Act.

(f) Nothing in this section shall terminate the authority or responsibility of the United States to satisfy, pursuant to the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (49 U.S.C. 4601 et seq.) and any other applicable provision of law, all relocation assistance, and other obligations arising out of the acquisition, prior to the date of enactment of this Act, of any interest in real estate for the project.

(g) Funds authorized prior to enactment of this Act for the project specified in this section may be utilized by the Secretary, as necessary, to carry out the provisions of this section to deauthorize the project.

(h) The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to undertake such structural and nonstructural measures as he determines to be economically and engineeringly feasible to prevent flood damage to communities along the route of the Meramec River in St. Louis and Jefferson Counties, Missouri. Such structural measures shall not include the construction of any dams or reservoirs. There is authorized to be appropriated for those fiscal years which begin on or after October 1, 1982 not to exceed $20 million to carry out the provisions of this subsection.

(i) The Secretary of the Army, acting through the Chief of Engineers, and in consultation with the Governor shall conduct a cooperative water supply study with the State of Missouri for the Meramec River Basin, Missouri, with particular emphasis on St. Louis and Jefferson counties, Missouri. In preparing such study, the Secretary of the Army, acting through the Chief of Engineers, and the State of Missouri shall coordinate with appropriate units of local government and shall consult with other individuals and organizations having a direct interest in water supply problems in such river basin. The report required by this section shall be submitted to Congress not later than January 1, 1983. The views of the Governor shall accompany the report of the Secretary of the Army.

SEC. 3. The authorizations for the projects described in this section, at the locations described, are terminated upon the date of enactment of this Act:

(a) ILLINOIS: HELM RESERVOIR.—The project for Helm Reservoir, Skillet Fork of the Wabash River, Illinois, authorized by section 203 of the Flood Control Act of 1968 (Public Law 90-483, as part of the Wabash River Basin comprehensive plan.

(b) ILLINOIS: LINCOLN DAM.—The project for Lincoln Dam and Reservoir, Wabash River, Illinois and Indiana, authorized by section 204 of the Flood Control Act of 1965 (Public Law 89-298).

(c) INDIANA: BIG BLUE DAM.—The project of Big Blue Dam, Big Blue River, Indiana, authorized by section 203 of the Flood Control Act of 1968 (Public Law 90-483).

(d) ILLINOIS: ILLINOIS RIVER DUPLICATE LOCKS.—The project for the Illinois Waterway, Illinois and Indiana, authorized by section 101 of the River and Harbor Act of 1962 (Public Law 87-874).

(e) VIRGINIA: NANSEMOND RIVER.—The portion of the project for the Nansemond River, Virginia, from the United States Highway 640 Bridge at Suffolk, Virginia, to the upstream project limits at river mile 18.66, a distance of approximately two thousand five hundred feet, authorized by the first section of the Act entitled "An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and other purposes", approved August 11, 1888 (25 Stat. 410), and modified by the first section of the Act entitled "An Act authorizing the con-

struction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", approved July 3, 1930 (46 Stat. 922).

(f) INDIANA: CLIFTY CREEK DAM.—The project for the Clifty Creek Dam, Clifty Creek, Indiana, authorized by section 204 of the Flood Control Act of 1965 (Public Law 89-298).

(g) DELAWARE-MARYLAND-VIRGINIA: INTRACOASTAL WATERWAY.—The project for the Delaware Bay, Delaware, to Cape Charles, Chesapeake Bay, Virginia, Intracoastal Waterway, authorized under the terms of section 201 of the Flood Control Act of 1965 (Public Law 89-298).

(h) MARYLAND: SIXES BRIDGE.—The project for Sixes Bridge Dam and Lake, Maryland, authorized by section 85 of the Water Resources Development Act of 1974 (Public Law 93-251).

SEC. 4. (a) The consent of Congress is hereby given to the City of Boston to construct, maintain, and operate a fixed-span bridge in and over the water of the Fort Point Channel, Boston, Massachusetts, lying between the northeasterly side of the existing Summer Street Bridge and the northeasterly side of the existing Northern Avenue Bridge.

(b) Work shall not be commenced on such bridge until the location and plans therefor are submitted to and approved by the Secretary of Transportation.

(c) Any project heretofore authorized by an Act of Congress, insofar as such project relates to the above described portions of Fort Point Channel, is hereby abandoned.

(d) In approving the location and plans of any bridge, the Secretary of Transportation may impose any specific conditions relating to the maintenance and operation of the structure which may be deemed necessary in the interest of public navigation.

SEC. 5. The project for the Sandridge Dam and Reservoir, Ellicott Creek, New York, for flood protection and other purposes as authorized in section 201 of the Flood Control Act of 1970 is hereby modified to authorize the Secretary of the Army, acting through the Chief of Engineers, to construct a combination of channel enlargement work and diversion channels along Ellicott Creek mostly in the town of Amherst in accordance with the report of the Chief of Engineers dated April 2, 1979, except that cost sharing for such project shall be as provided in the report of the Board of Engineers for Rivers and Harbors dated July 20, 1978, at an estimated cost of $13,200,000.

SEC. 6. (a) The lock authorized by section 114 of the Water Resources Development Act of 1976 (Public Law 94-587), as a replacement for Vermilion Lock, Louisiana, shall hereafter be known as Leland Bowman Lock. Any law, regulation, map, document, or record of the United States which refers to such lock shall hereafter be held and considered to refer to such lock as "Leland Bowman Lock".

(b) The dam and reservoir on the Salt River, Missouri, known as the Clarence Cannon Dam and Reservoir, authorized by section 203 of the Flood Control Act of 1962 (Public Law 87-874) as the Joanna Reservoir, shall hereafter be known as the Clarence Cannon Dam and Mark Twain Lake. Any law, regulation, map, document, or record of the United States in which such dam and reservoir are referred to shall be held and considered to refer to such dam as the Clarence Cannon Dam and to such reservoir as the Mark Twain Lake, respectively.

SEC. 7. (a) The consent of Congress is hereby given to the city of Tampa, Florida or its designee, to construct and maintain two fixed-span bridges in and over the waters of the Garrison Channel, Tampa, Florida; one bridge to be at or adjacent to the site of the existing bascule railroad bridge and the other bridge to be at the site of the southerly extension of Franklin Street. Work shall not be commenced on such bridges until the location and plans therefor are submitted to and approved by the Secretary of Transportation.

(b) In the case of any project authorized before the date of enactment of this Act which relates to that portion of Garrison Channel from the point of intersection of the easterly right-of-way line of the existing railroad bridge with the existing pierhead and bulkhead line on the north side of Garrison Channel, westward to, but not to include the turning basin at the junction of Garrison and Seddon Channels, the authorization relating to such portion of Garrison Channel shall be terminated upon approval by the Secretary of Transportation of the location and plans for the first of the bridges refered to in subsection (a) of this section.

(c) Any project authorized before the date of enactment of this Act as it relates to the construction and maintenance of Seddon Channel, is hereby modified to provide for a channel 200 feet wide by 12 deep from the junction of Sparkman and Seddon Channels northwesterly to its intersection with the Federal navigation project for the Hillsborough River.

(d) In approving the location and plans of any bridge under this section, the Secretary of Transportation may impose any specific conditions relating to the maintenance and operation of the structure which the Secretary deems necessary in the interest of public navigation.

SEC. 8. No houseboat, floating cabin, marina (including any with sleeping facilities), dock, cabin, or other structure of a permanent nature shall be required to be removed before December 31, 1989, from any Federal water resources reservoir or lake project administered by the Secretary of the Army, acting through the Chief of Engineers, on which it was located on the date of enactment of this Act, if such property is maintained in usable condition.

Mr. YOUNG of Missouri (during the reading). Mr. Speaker, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The amendment in the nature of a substitute was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. YOUNG of Missouri. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks in the RECORD in support of the Senate bill, S. 1493, just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE CONCURRENT RESOLUTION 178

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent to remove my name from cosponsorship of House Concurrent Resolution 178.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CARMAN (at the request of Mr. MICHEL), for today, on account of a death in the family.

Mr. MADIGAN (at the request of Mr. MICHEL), for today and the balance of the week, on account of illness in the family.

Mr. MONTGOMERY (at the request of Mr. WRIGHT), for today (legislative day of November 20), on account of medical reasons.

Mr. SILJANDER (at the request of Mr. MICHEL), for today, on account of a death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. HOYER) to revise and extend their remarks and include extraneous material:)

Mr. EDWARDS of California, for 60 minutes, today.

Mr. PEPPER, for 5 minutes, today.

Mr. PATMAN, for 5 minutes, today.

Mr. BINGHAM, for 10 minutes, today.

(The following Members (at the request of Mr. HARTNETT) and to include extraneous matter:)

Mrs. SMITH of Nebraska, for 5 minutes, today.

Mr. GINGRICH, for 60 minutes, today.

(The following Member (at the request of Mr. PATMAN) to revise and extend his remarks and include extraneous material:)

Mr. COELHO, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. DICKS, prior to the vote on the motion to commit House Joint Resolution 368.

Mr. OBERSTAR and to include extraneous matter notwithstanding the fact

that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $1,320.

(The following Members (at the request of Mr. HARTNETT) and to include extraneous material:)

Mr. WHITEHURST.
Mr. NAPIER.
Mr. LEWIS.
Mr. HANSEN in four instances.
Mr. SMITH of New Jersey.
Mr. GILMAN in two instances.
Mr. MCEWEN.
Mr. PARRIS.
Mr. GOODLING.
Mr. FINDLEY in three instances.
Mr. DANNEMEYER.
Mr. HYDE.
Mr. FRENZEL in six instances.
Mr. SNYDER.
Mr. SAWYER.
Mr. EMERSON.
Mr. JEFFORDS.
Mr. NELLIGAN.
Mr. PHILIP M. CRANE.

(The following Members (at the request of Mr. HOYER) and to include extraneous matter:)

Mr. ALBOSTA.
Mr. EDWARDS of California in two instances.
Mr. WASHINGTON.
Mrs. SCHROEDER.
Mr. KASTENMEIER.
Mr. FAUNTROY in two instances.
Mr. LELAND.
Mr. BENJAMIN.
Mr. SOLARZ.
Mr. FORD of Tennessee.
Mr. JOHN L. BURTON in two instances.
Mr. MCDONALD in five instances.
Ms. OAKAR.
Mr. PEPPER.
Mr. LUNDINE.
Mr. NOWAK.
Mr. EDGAR in two instances.
Mr. SWIFT.
Mr. FORD of Michigan.
Mr. DORGAN of North Dakota.
Mr. LAFALCE in two instances.
Mr. PEASE.
Mr. WEISS.
Mr. GAYDOS.

(The following Members (at the request of Mr. YOUNG of Missouri) and to include extraneous matter:)

Mr. MINISH.
Mr. FORD of Michigan.
Mr. FRANK.
Mr. GAYDOS.
Mr. GEPHARDT.
Mr. JOHN L. BURTON.
Mr. MCDONALD in five instances.
Mr. OBERSTAR.

ENROLLED JOINT RESOLUTIONS SIGNED

Mr. HAWKINS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.J. Res. 357. Joint resolution making further continuing appropriations for the fiscal year 1982, and for other purposes; and

By the SPEAKER pro tempore:

H.J. Res. 368. Joint resolution making further continuing appropriations for the fiscal year 1982.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. HAWKINS, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H.R. 3413. An act to authorize appropriations for the Department of Energy for national security programs for fiscal year 1982, and for other purposes;

H.R. 3454. An act to authorize appropriations for fiscal year 1982 for the intelligence and intelligence-related activities of the U.S. Government, for the Intelligence Community Staff, and for the Central Intelligence Agency retirement and disability system, to authorize supplemental appropriations for fiscal year 1981 for the intelligence and intelligence-related activities of the U.S. Government, and for other purposes;

H.R. 4144. An act making appropriations for energy and water development for the fiscal year ending September 30, 1982, and for other purposes;

H.R. 4522. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1982, and for other purposes; and

H.J. Res. 357. Joint resolution making further continuing appropriations for the fiscal year 1982, and for other purposes.

ADJOURNMENT

Mr. YOUNG of Missouri. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore. Pursuant to the provisions of House Concurrent Resolution 228, 97th Congress, the Chair declares the House adjourned until 12 o'clock noon, November 30, 1981.

Thereupon (at 5 o'clock and 50 minutes p.m.), pursuant to House Concurrent Resolution 228, the House adjourned until Monday, November 30, 1981, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2568. A letter from the Comptroller General of the United States, transmitting his review of the deferrals of budget authority contained in the message from the President dated October 20, 1981 (House Document No. 97-102), pursuant to section 1014(b) of Public Law 93-344 (H. Doc. No. 97-116); to the Committee on Appropriations and ordered to be printed.

2569. A letter from the Secretary of the Army, transmitting the annual report of the U.S. Soldiers' and Airmens' Home for fiscal year 1980, together with the report of the annual general inspection of the home, 1981, by the Inspector General of the Army, pursuant to sections 1 and 2 of the act of March 3, 1883; to the Committee on Armed Services.

2570. A letter from the Acting Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

2571. A letter from the Secretary of the Interior, transmitting a report by the National Academy of Sciences on surface coal mining in Alaska, pursuant to section 708 of Public Law 95-87; to the Committee on Interior and Insular Affairs.

2572. A letter from the Clerk, U.S. Court of Claims, transmitting a copy of the court's judgment order in Docket No. 87-C, *The Pyramid Lake Tribe of the Pyramid Lake Reservation* v. *The United States*; to the Committee on Interior and Insular Affairs.

2573. A letter from the Administrator of Veterans Affairs, transmitting a report covering fiscal year 1981 on the nature and disposition of all cases in which an institution, approved for veterans benefits, utilizes advertising, sales or enrollment practices which are erroneous, deceptive or misleading, pursuant to 38 U.S.C. 1796(d); to the Committee on Veterans' Affairs.

2574. A letter from the Secretary of Health and Human Services, transmitting a summary report on the assessment of current State practices in day care programs funded under title XX of the Social Security Act, pursuant to section 1001(c) of Public Law 96-499; to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PICKLE (for himself and Mr. CONABLE):

H.R. 5102. A bill to require a two-thirds vote of each House of Congress (except in a state of emergency) to pass a joint resolution to continue appropriations for departments, agencies, and other entities of the Federal Government pending the passage of appropriation acts for such departments, agencies, and other entities; to the Committee on Rules.

By Mr. MINETA (for himself and Mr. HOWARD, Mr. CLAUSEN, and Mr. SNYDER):

H.R. 5103. A bill to terminate functions of the Civil Aeronautics Board and to transfer certain functions of the Board to the Secretary of Transportation, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. RAILSBACK:

H.R. 5104. A bill to amend title 28, United States Code, to authorize the Attorney General to acquire and exchange information to assist Federal, State, and local officials in the identification of certain deceased individuals and in the location of missing children and other specified individuals; to the Committee on the Judiciary.

By Mr. RITTER:

H.R. 5105. A bill to require all nationals of Communist countries to register with the Attorney General before engaging in certain activities involving Members of Congress and congressional employees; to the Committee on the Judiciary.

By Mr. WHITTEN:

H.J. Res. 368. Joint resolution making further continuing appropriations for the fiscal year 1982; considered, amended, and passed.

By Mr. WRIGHT:

H. Con. Res. 228. Concurrent resolution providing for an adjournment of the House from November 23 to November 30, 1981, and an adjournment of the Senate from November 24 or November 25 to November 30, 1981; considered and agreed to.

By Mr. MINISH:

H. Con. Res. 229. Concurrent resolution calling upon the Union of Soviet Socialist Republics to end the current policies of Jewish emigration discrimination and anti-Semitism and expressing the sense of the Congress that the dramatic decline of Jewish emigration from the Union of Soviet Socialist Republics is morally reprehensible; to the Committee on Foreign Affairs.

By Mr. WRIGHT:

H. Res. 285. Resolution electing the Honorable Thomas S. Foley as Speaker pro tempore during the absence of the Speaker; considered and agreed to.

MEMORIALS

Under clause 4 of rule XXII,

225. The SPEAKER presented a memorial of the Legislature of the Territory of Guam, relative to national tuition tax credit legislation; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 25: Mr. CAMPBELL and Mr. DREIER.

H.R. 316: Mr. EMERSON, Mr. SMITH of Pennsylvania, Mr. OXLEY, Mr. MCCLORY, Mr. ROBERTS of South Dakota, Mr. SMITH, of Oregon and Mr. LEBOUTILLIER.

H.R. 756: Mr. PARRIS.

H.R. 1564: Mrs. SCHNEIDER.

H.R. 1603: Mr. PHILIP M. CRANE and Mr. MCCLOSKEY.

H.R. 1776: Mr. ANTHONY and Mr. DECKARD.

H.R. 1813: Mr. KOGOVSEK, Mr. MURPHY, Mr. PEPPER, Mr. CORRADA, Mr. OTTINGER, Mr. WON PAT, Mr. CONYERS, Mr. MCDADE, Mr. GEPHARDT, Mr. SIMON, Mr. MARKEY, Mr. SAVAGE, and Mr. FITHIAN.

H.R. 2102: Mr. SMITH of New Jersey, Mr. DERWINSKI, Mr. CORRADA, Mr. BLILEY, Mr. GINGRICH, Mr. KINDNESS, Mr. PORTER, Mr. SAWYER, Mr. WORTLEY, Mr. HUGHES, Mr. JEFFORDS, Mr. MITCHELL of New York, and Mr. FORSYTHE.

H.R. 2414: Mr. COATS, Mr. RAILSBACK, Mr. FISH, and Mr. BENEDICT.

H.R. 2488: Mr. MOLLOHAN and Mr. ENGLISH.

H.R. 3008: Mr. EDWARDS of California and Mr. GRAY.

H.R. 3117: Mr. BROOKS, Mr. SMITH of New Jersey, Mr. SCHUMER, Mr. MATSUI, Mr. FORSYTHE, Mr. LELAND, Mr. SUNIA, Mr. MILLER of California, Mr. GUARINI, Mr. HUGHES, Mr. BINGHAM, Mr. WHITEHURST, Mr. PORTER, Mr. DWYER, Mr. BEVILL, and Mr. PEPPER.

H.R. 3252: Mr. JACOBS, Mrs. BYRON, Mr. AKAKA, Mrs. HECKLER, Mr. BEREUTER, Mr. LOWERY of California, Mr. WIRTH, Mr. EDGAR, Mr. DENARDIS, Mr. MILLER of Ohio, Mrs. FENWICK, Mr. SMITH of Alabama, Mr. CHENEY, Mr. BRODHEAD, Mr. DANIEL B. CRANE, Mr. WEBER of Ohio, Mrs. SNOWE, AND Mr. RUDD.

H.R. 3671: Mr. EDWARDS of Alabama.

H.R. 3781: Mr. ADDABBO, Mr. ARCHER, Mr. BENJAMIN, Mr. BINGHAM, Mr. BONIOR of Michigan, Mr. CHAPPELL, Mr. CORCORAN, Mr. COUGHLIN, Mr. JAMES K. COYNE, Mr. DANIEL B. CRANE, Mr. D'AMOURS, Mr. DENARDIS, Mr. DICKS, Mr. DOWNEY, Mr. DUNN, Mr. DWYER, Mr. EDGAR, Mr. ENGLISH, Mr. FASCELL, Mr. FAZIO, MS. FERRARO, Mr. FOGLIETTA, Mr. FRANK, Mr. GEJDENSON, Mr. GIBBONS, Mr. GINN, Mr. GRADISON, Mr. GRISHAM, Mr. GUARINI, Mr. HOPKINS, Mr. HOWARD, Mr. HUBBARD, Mr. HUTTO, Mr. JACOBS, Mr. KOGOVSEK, Mr. LAFALCE, Mr. LEACH of Iowa, Mr. LEHMAN, Mr. LUJAN, Mr. MCKINNEY, Mr. MADIGAN, Mr. MATSUI, Mr. MAVROULES, Mr. MAZZOLI, Mr. MICA, Mr. MILLER of California, Mr. MINISH, Mr. MITCHELL of New York, Mr. MOTTL, Mr. MURPHY, Mr. NEAL, Mr. PEPPER, Mr. PEYSER, Mr. RICHMOND, Mr. RINALDO, Mr. ROE, Mr. ROSENTHAL, Mrs. ROUKEMA, Mr. SCHEUER, Mr. SEIBERLING, Mr. SHAW, Mr. SKEEN, Mr. SMITH of Alabama, Mr. SMITH of New Jersey, Mr. STENHOLM, Mr. STUDDS, Mr. WEAVER, Mr. WOLPE, Mr. YATES, Mr. YOUNG of Missouri, Mr. ZEFERETTI, Mr. YATRON, Mr. MARKEY, Mr. PURSELL, Mrs. MARTIN of Illinois, Mrs. SNOWE, Mr. YOUNG of Florida, and Mr. IRELAND.

H.R. 3861: Mr. PAUL.

H.R. 4004: Mr. PATTERSON.

H.R. 4313: Mr. HAMILTON, Mr. PATTERSON, and Mr. ROBINSON.

H.R. 4326: Mr. MITCHELL of New York, Mr. DYSON, Mr. STOKES, Mr. MYERS, Mr. COATS, Mr. FORSYTHE, Mrs. BOUQUARD, Mr. CONYERS, Mr. HAGEDORN, Mr. MCEWEN, Mr. OTTINGER, and Mr. GREGG.

H.R. 4362: Mr. JEFFRIES.

H.R. 4382: Mr. LEBOUTILLIER.

H.R. 4398: Mr. HAMILTON.

H.R. 4418: Mr. PHILIP M. CRANE.

H.R. 4443: Mr. GEJDENSON.

H.R. 4449: Mr. MILLER of Ohio, Mr. JAMES K. COYNE, and Mr. NAPIER.

H.R. 4454: Mr. BAILEY of Missouri, Mr. BARNARD, Mr. BEARD, MR. BLILEY, Mr. BRODHEAD, Mr. COATS, Mr. COURTER, Mr. JAMES K. COYNE, Mr. DAVIS, Mr. DICKS, Mr. DUNN, Mr. EVANS of Georgia, Mr. FISH, Mr. GINGRICH, Mr. GRAMM, Mr. RALPH M. HALL, Mr. SAM B. HALL, Jr., Mr. HANCE, Mr. HIGHTOWER, Mr. HUNTER, Mr. MOLINARI, and Mr. STATON of West Virginia.

H.R. 4467: Mr. RUSSO and Mr. FOGLIETTA.

H.R. 4545: Mr. PERKINS, Mr. MOFFETT, Mr. RAHALL, Mr. BARNARD, and Mr. DASCHLE.

H.R. 4554: Mr. FRENZEL and Mr. ROSE.

H.R. 4555: Mr. GUNDERSON and Mr. MCDADE.

H.R. 4562: Mr. WEISS.

H.R. 4572: Mr. HOLLAND and Mr. RAHALL.

H.R. 4576: Mr. HIGHTOWER, Mr. WORTLEY, and Mrs. SNOWE.

H.R. 4587: Mr. OTTINGER.

H.R. 4593: Mr. FORD of Tennessee, Mr. DUNCAN, Mr. LANTOS, MS. MIKULSKI, Mr. GUARINI, and Mr. SCHUMER.

H.R. 4596: Mr. LEACH of Iowa, Mr. OBERSTAR, Mr. LANTOS, Mr. RATCHFORD, Mrs. SCHROEDER, Mr. LOWRY of Washington, Mr. FRANK, Mr. MITCHELL of Maryland, Mr. FRENZEL, Mr. FAUNTROY, Mr. OTTINGER, Mr. BARNES, Mr. HARKIN, Mr. EDGAR, Mr. GEJDENSON, Mr. SHAMANSKY, Mr. MURPHY, Mr. BINGHAM, Mr. HAMILTON, Mr. PICKLE, Mrs. CHISHOLM, Mr. YATRON, and Mr. CROCKETT.

H.R. 4617: Mr. SCHUMER and Ms. OAKAR.

H.R. 4645: Mr. HUTTO.

H.R. 4686: Mr. GUARINI and Mr. JEFFORDS.

H.R. 4705: Mr. SMITH of Pennsylvania, Mrs. BOUQUARD, Mr. DANNEMEYER, Mr. WHITEHURST, Mr. BARNARD, and Mr. MARTIN of New York.

H.R. 4763: Mr. DAUB.

H.R. 4784: Mr. BEDELL, Mrs. CHISHOLM, Mrs. COLLINS of Illinois, Mr. CORRADA, Mr. FAZIO, Mr. FLORIO, Mr. FORSYTHE, Mr. GUARINI, Mr. HORTON, Mr. MCEWEN, Mr. MINISH, Mr. MITCHELL of New York, Mr. NAPIER, Mr. NEAL, Mr. RAHALL, Mr. ROBERTS of South Dakota, Mr. ROE, Mr. SCHEUER, and Mr. VENTO.

H.R. 4786: Mr. DICKINSON, Mr. FLIPPO, Mr. YOUNG of Alaska, Mr. BETHUNE, Mr. SHAW, Mr. COATS, Mr. ROGERS, Mr. ROEMER, Mr. EMERY, Mrs. HOLT, Mr. WEBER of Minnesota, Mrs. ROUKEMA, Mr. MOLINARI, Mr. MITCHELL of New York, Mr. KEMP, Mr. EDWARDS of Oklahoma, Mr. WALKER, Mr. RALPH M. HALL, Mr. PETRI, Mrs. MARTIN of Illinois, Mr. MYERS, and Mr. HILLIS.

H.R. 4808: Mr. MCCLOSKEY, Mr. BEDELL, Mr. EDGAR, and Mr. ROBERTS of South Dakota.

H.R. 4815: Mr. PERKINS.

H.R. 4862: Mr. CORRADA and Mr. IRELAND.

H.R. 4865: Mr. SMITH of Pennsylvania, Mrs. ROUKEMA, Mrs. FENWICK, Mr. MINISH, Mr. SMITH of New Jersey, Mr. RINALDO, Mr. FORSYTHE, Mr. MCKINNEY, and Mr. LAGOMARSINO.

H.R. 4869: Mr. MOTTL, Mr. FRENZEL, Mr. ROE, and Mr. WILLIAMS of Ohio.

H.R. 4898: Mr. PETRI, Mr. FORSYTHE, Mr. SUNIA, Mr. LEBOUTILLIER, Mr. GRISHAM, Mr. STUMP, and Mr. DINGELL.

H.R. 4899: Mr. HUGHES, Mr. SMITH of Pennsylvania, Mr. WHITEHURST, Mr. SCHEUER, Mr. ROE, Mr. MOTTL, Mr. STATON, of West Virginia, Mr. ALEXANDER, Mr. AKAKA, Mr. BAILEY of Missouri, Mr. BEARD, Mr. VANDER JAGT, Mr. RAHALL, Mr. BONER of Tennessee, Mr. BRODHEAD, Mr. FAZIO, Mr. WORTLEY, Mr. WON PAT, Mr. MONTGOMERY, Mr. YOUNG of Alaska, Mr. WEISS, Mr. WINN, Mr. BOLAND, Mrs. BOUQUARD, Mr. TAUZIN, Mr. SUNIA, Mr. STANGELAND, Mr. BROWN of Colorado, Ms. MIKULSKI, Mr. WIRTH, Mr. SOLARZ, Mr. WALGREN, Mr. LUNGREN, Mr. WILLIAM J. COYNE, Mr. SIMON, Mr. STENHOLM, Mr. NICHOLS, Mr. FRENZEL, Mr. BEREUTER, Mr. YOUNG of Missouri, Mr. MATSUI, Mr. MAVROULES, Mr. UDALL, Mr. CLAUSEN, Mr. PURSELL, Mr. RICHMOND, Mr. MITCHELL of New York, Mr. MAZZOLI, Mr. BAILEY of Pennsylvania, Mr. ADDABBO, Mr. FISH, Mr. PASHAYAN, Mr. WHITTAKER, Mr. NEAL, Mr. BEDELL, Mr. WEBER of Ohio, and Mr. SILJANDER.

H.R. 4928: Mrs. FENWICK.

H.R. 4930: Mr. ANTHONY, Mr. BEVILL, Mr. BRINKLEY, Mr. FINDLEY, Mr. FORD of Michigan, Mr. FORSYTHE, Mr. GINGRICH, Mr. HOLLAND, Mr. JENKINS, Mr. KINDNESS, Mr. LAGOMARSINO, Mr. MILLER of Ohio, Mr. MITCHELL of Maryland, Mr. NEAL, Mr. PURSELL, Mr. RANGEL, Mr. SHAMANSKY, Mr. SHARP, Mr. DECKARD, Mr. TAUKE, and Mr. MINETA.

H.R. 4952: Mr. BLILEY, Mr. DANNEMEYER, Mr. BENJAMIN, Mr. REGULA, Mr. PARRIS, Mr. DAN DANIEL, Mr. CORCORAN, Mr. ATKINSON, Mr. SMITH of Pennsylvania, Mr. DOUGHERTY, Mr. MURPHY, and Mr. CLINGER.

H.R. 4977: Mr. ADDABBO, Mr. AKAKA, Mr. BAFALIS, Mr. BARNARD, Mr. BARNES, Mr. BEREUTER, Mr. BEVILL, Mr. BROWN of California, Mr. BROYHILL, Mr. BURGENER, Mr. CAMPBELL, Mr. CORRADA, Mr. D'AMOURS, Mr. DANNEMEYER, Mr. DE LA GARZA, Mr. DERWINSKI, Mr. DORNAN of California, Mr. EDWARDS of Oklahoma, Mr. ERDAHL, Mr. EVANS of Georgia, Mr. FARY, Mr. FASCELL, Mr. FAUNTROY, Mr. FAZIO Mrs. FENWICK, Mr. FIELDS, Mr. FITHIAN, Mr. FORD OF MICHIGAN, Mr. FORSYTHE, Mr. FROST, Mr. GILMAN, Mr. GINN, Mr. GOODLING, Mr. GORE, Mr. LAFALCE, Mr. LAGOMARSINO, Mr. LEBOUTILLIER, Mr. LEHMAN, Mr. LIVINGSTON, Mr. LOWERY of California, Mr. LUNGREN, Mr. MCDADE, Mrs. MARTIN of Illinois, Mr. MILLER of Ohio, Mr. MINISH, Mr. MOLINARI, Mr. NAPIER, Mr. NEAL, Mr. O'BRIEN, Mr. PANETTA, Mr. PATMAN, Mr. PEPPER, Mr. PETRI, Mr. PEYSER, Mr. RAHALL, Mr. REUSS, Mr. RITTER, Mr. RODINO, Mr. SIMON, Mr. STATON of West Virginia, Mr. SUNIA, Mr. WILSON, Mr. WOLF, Mr. WORTLEY, Mr. YOUNG of Florida, Mr. YOUNG of Alaska, and Mr. ZABLOCKI.

H.R. 5076: Mr. LUNGREN, Mr. YATRON, Mr. ROBERT W. DANIEL, JR., Mr. HORTON, and Mr. JAMES K. COYNE.

H.J. Res. 197: Mr. BARNARD, Mr. BOLAND, Mr. CRAIG, Mr. DORNAN of California, Mr. FOLEY, Mr. FORD of Michigan, Mr. GEJDENSON, Mr. GILMAN, Mr. HERTEL, Mr. HOLLENBECK, Mr. HOWARD, Mr. JACOBS, Mr. KOGOVSEK, Mr. LEACH of Iowa, Mr. LOWRY of Washington, Mr. MCGRATH, Mr. PAUL, Mr. RATCHFORD, Mr. ROTH, Mr. SAVAGE, Mr. SKEEN, Mr. WALGREN, and Mr. WILLIAMS of Ohio.

H.J. Res. 293: Mr. HOYER, Mr. LEACH of Iowa, Mr. DAUB, and Mr. LEWIS.

H.J. Res. 323: Mrs. SCHNEIDER.

H.J. Res. 334: Mr. WAMPLER and Mr. DAUB.

H.J. Res. 350: Mr. FOWLER, Mr. CLINGER, Mr. CHENEY, Mr. GIBBONS, and Mr. HANCE.

H.J. Res. 354: Mr. GILMAN, Mr. JEFFORDS, Mr. ADDABBO, Mr. ROBERTS of Kansas, Mr. EMERSON, Mr. FOGLIETTA, Mr. SCHEUER, Mr. SKEEN, Mr. NAPIER, Mr. DUNN, Mr. SMITH of Pennsylvania, Mr. LAGOMARSINO, Mr. ROE, Mr. ROBERTS of South Dakota, Mr. PASHAYAN, Mr. BARNARD, Mr. SKELTON, Mr. LEBOUTILLIER, and Mr. WAXMAN.

H.J. Res. 360: Mr. HUGHES, Mr. HOYER, and Mr. ZABLOCKI.

H. Con. Res. 77: Mr. OBERSTAR, Mr. RICHMOND, Mr. AUCOIN, Mr. JACOBS, Mr. BINGHAM, Mr. FAUNTROY, Mr. SCHEUER, Mr. WEISS, Mr. HOLLENBECK, Mr. BAILEY of Pennsylvania, Mr. MAZZOLI, Ms. OAKAR, Mr. DWYER, Mr. MCKINNEY, Mr. BEDELL, Mr. GILMAN, Mr. PATTERSON, Mr. FRANK, Mr. MINETA, and Mr. GORE.

H. Con. Res. 151: Mr. ROSENTHAL and Mr. MATSUI.

H. Con. Res. 178: Mr. CARNEY and Mr. ROSE.

H. Con. Res. 196: Mr. PATTERSON.

H. Con. Res. 205: Mr. ST GERMAIN, Mr. BROWN of California, Mr. DREIER, Mr. ECKART, Mr. SABO, Mr. HARKIN, and Ms. OAKAR.

H. Con. Res. 214: Mr. MCCLORY, Mr. DREIER, Mr. MONTGOMERY, Mr. JONES of Tennessee, Mr. FASCELL, Mr. ROBERT W. DANIEL, JR., Mr. HALL of Ohio, Mr. COURTER, Mr. RAILSBACK, Mr. TAUZIN, Mr. GUARINI, Mr. MOLLOHAN, Mr. GINN, Mr. LOEFFLER, Mr. CHAPPELL, Mr. NEAL, Mr. MCEWEN, Mr. SMITH of Pennsylvania, Mr. EVANS of Indiana, and Mr. DAN DANIEL.

H. Con. Res. 219: Mr. KEMP, Mr. BROOMFIELD, Mr. DORNAN of California, Mr. LEBOUTILLIER, Mr. ROSENTHAL, Mr. COURTER, Mr. WEBER of Ohio, Mr. HYDE, Mr. PEPPER, Mr. WEBER of Minnesota, Mr. FORSYTHE, Mr. BROWN of Colorado, Mr. SOLARZ, Mr. RODINO, Mr. HUNTER, Mr. HOWARD, Mr. WALKER, Mr. EDWARDS of Oklahoma, Mr. BRODHEAD, Mr. ARCHER, Mr. GILMAN, Mr. RINALDO, Mr. SMITH of Pennsylvania, Mr. MCEWEN, Mr. ATKINSON, Ms. FIEDLER, Mr. WILSON, Mr. FITHIAN, Mr. BLANCHARD, Mr. LEHMAN, Mr. BEARD, Mr. MAVROULES, Mrs. SCHROEDER, Mr. FROST, Mr. CORCORAN, Mr. LOWERY of California, Mr. FISH, Mr. GLICKMAN, Mr. WAXMAN, Mr. FLORIO, Mr. ROE, Mrs. ROUKEMA, Mr. DWYER, Mr. GUARINI, Mr. HOLLENBECK, Mr. PRITCHARD, Mrs. SNOWE, Mr. SMITH of Alabama, Mr. OBERSTAR, Mr. PORTER, Mr. SILJANDER, Mr. GRADISON, Mr. LENT, Mr. WYDEN, Mr. DOUGHERTY, Mr. GRAY, Mr. MINISH, Mr. FAUNTROY, Mr. HALL of Ohio, Mr. BARNES, Mr. BINGHAM, Mrs. FENWICK, Mr. PHILIP M. CRANE, Mr. SCHEUER, Mr. KOGOVSEK, and Ms. MIKULSKI.

H. Con. Res. 225: Mr. GOODLING and Mr. JEFFORDS.

H. Res. 233: Mr. KEMP and Mr. HOLLENBECK.

H. Res. 239: Mr. ANTHONY, Mr. EMERY, Mr. BARNES, Mr. WEBER of Ohio, Mr. OTTINGER, Mr. SYNAR, Mr. FITHIAN, and Mr. PATTERSON.

H. Res. 243: Mr. BIAGGI, Mrs. BYRON, Mr. COATS, Mr. ENGLISH, Mr. GOODLING, Mr. HUBBARD, Mr. JACOBS, Mr. LEE, Mr. LOEFFLER, Mr. MCCLORY, Mr. MARTIN of New York, Mr. MINISH, Ms. OAKAR, Mr. OTTINGER, Mr. ROUSSELOT, and Mr. WOLF.

H. Res. 252: Mr. BONER of Tennessee, Mr. FOGLIETTA, Mr. GORE, Mr. BINGHAM, Mr. SCHEUER, Mr. WEAVER, Mr. SHANNON, Mr. ERDAHL, Mr. MAVROULES, Mr. HAWKINS, Mr. WEISS, Mr. WYDEN, Mr. MITCHELL of Maryland, Mr. SEIBERLING, Mr. KASTENMEIER, Mr. FAZIO, Mr. GIBBONS, Mr. GRAY, Mr. WILLIAM J. COYNE, Mr. GILMAN, Mr. DELLUMS, Mr. AUCOIN, Mr. JOHN L. BURTON, Mr. FRANK, Mr. OTTINGER, Mr. COURTER, Mr. REUSS, Mr. EDWARDS of California, Mr. JAMES K. COYNE, Mr. PHILLIP BURTON, Mr. YATES, Mr. ROSENTHAL, Mr. LUNDINE, Mr. GUNDERSON, Mr. GREGG, Mr. MARKEY, Mr. GUARINI, Mr. DICKS, Mr. WIRTH, Mr. MINISH, Mr. EMERY, Mr. GREEN, Mr. FLORIO, and Mr. FITHIAN.

H. Res. 264: Mr. LUNGREN and Mr. OXLEY.

H. Res. 265: Mr. HOWARD, Mr. ROBERTS of Kansas, Mr. BROWN of Colorado, Mr. GLICKMAN, Mr. YATRON, Mr. MORRISON, Mr. LAGOMARSINO, Mr. DERWINSKI, Mr. FORSYTHE, Mr. MOORE, Mr. LEBOUTILLIER, and Mr. WHITTAKER.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H. Con. Res. 178: Mr. OBERSTAR.

EXTENSIONS OF REMARKS

CRITICAL VIEW OF FEDERAL SOIL CONSERVATION POLICY

HON. GEORGE E. BROWN, JR.
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. BROWN of California. Mr. Speaker, I had an opportunity November 9 to address the Sixth Annual Midwestern Conference of Food, Agriculture, and Public Policy in South Sioux City, Nebr.

This excellent conference included panels on a number of issues of great concern to me, including one on Federal soil conservation policy. A particularly provocative presentation was made by Dr. Arnold Miller, formerly of the U.S. Department of Agriculture's Office of Budget and Planning Evaluation.

The remarks of Dr. Miller raise a number of serious questions about the soundness of the recently released Resources Conservation Act (RCA) soil and water resources conservation program. While the views of Dr. Miller on this matter may appear to some of my colleagues as extreme, they nonetheless deserve congressional attention because of Dr. Miller's extensive experience as a conservation program analyst in USDA throughout the 3-year period during which the RCA program was developed.

The text of Dr. Miller's speech follows:

Approaching Soil Conservation as Though Resources Mattered

(By Arnold Miller)

Federal programs for the conservation of soil and water resources used in agriculture have spanned nearly five decades. They have cost the Federal Treasury at least $60 billion at current prices. Outlays by farmers and local and state programs add additional billions to this figure. Yet the erosion problem continues. We are told it is likely to get worse. We are also told that solving the problem would be "prohibitively expensive," that the cost would be "horrendous." The facts of the matter, however, do not support this conclusion.

Very significant progress can be made in reducing erosion within one year. Solutions are available now. Solutions that cost no more than current programs, and probably less. These conclusions are based on three key elements of conservation policy:

1. The nature and extent of the erosion problem;
2. Our technical ability to solve it; and
3. Past and prospective tools and objectives of conservation policy.

THE EROSION PROBLEM

No one denies that we have an erosion problem; but the manner in which the problem is described can make a great difference, particularly if we intend to solve it. Quoting national average erosion rates or certain other aggregate figures can be an inadequate, if not deceptive, approach. Understanding the erosion problem requires taking a broad view, evaluating each piece of the land base to determine what things are like now and what erosion might be if things were different.

In 1977, the Soil Conservation Service did one of the best things it has ever done. It surveyed the erosion problem using techniques far superior to those used in earlier inventories of conservation needs. The 1977 National Resource Inventory gives policymakers virtually the same information by which to set national policy as is used by SCS to make conservation plans for individual farms.

Erosion on cultivated land is by far the most serious problem if our concern is with food and fiber production. On most cultivated land, sheet and rill erosion is much more serious than wind erosion. This is because most of the country gets enough rain that soil is too wet and well-protected to blow.

Looking at the sheet and rill erosion recorded in the SCS erosion inventories can be revealing. It can be very revealing if one groups soil into sets that are uniform with respect to the combined impacts of rainfall, erosivity, slope length and slope gradient. Grouping soil in this manner allows comparison of erosion rates on soils that have the same potential for erosion. Once this is done, one can compare erosion rates on soils with the same erosion potential but which have been treated with one or more conservation practices, or none at all.

As a starting point, it is useful to know what the erosion situation would be if no conservation practices were used by farmers on land used to grow row crops and small grains. If all readily available cropland was cultivated using straight rows running directly up and down slopes and without practices to improve crop cover conditions, gross sheet and rill erosion would exceed 3.2 billion tons, considerably more than today. The majority of the cropland, however, would not suffer from significant erosion. Some 66 percent of the cultivated land would erode at rates below the conventional standard of 5 tons per acre, and 81 percent would suffer erosion rates under 10 tons per acre. Even if all cropland were cultivated using no conservation practices, the majority would not suffer significant erosion.

Erosion problems would be very severe, however, on the 5 percent of the land that eroded at rates over 25 percent per acre. They would be severe on the 8 percent of the cropland that eroded of between 15 and 25 tons per acre and they would be moderate on the 6 percent of the cropland that eroded at rates between 10 and 15 tons per acre.

Largely is a concentrated problem; it does not threaten every acre of every farm. Actual and potential erosion problems are and will be concentrated on a relatively small fraction of the cropland base. Fortunately, the vast majority of this Nation's cropland is blessed with gentle slopes and other factors that eliminate erosion as a threat to its productive capacity. The first task of soil conservation policy is to address the erosion problem where it is, rather than where it is not now and will not be in the future.

ABILITY TO CONTROL EROSION

If we know the extent and severity of erosion problems, can we solve them? Do conservation practices act on the physical forces that cause erosion with sufficient power that erosion can be controlled to predetermined levels? Again, the National Resource Inventory gives us answers.

As part of the resource inventory, SCS personnel recorded the number of conservation practices being used on each survey area. Sorting through this information tells us how effective erosion control practices are under actual farm conditions. For example, cultivated land that would erode at 10 tons per acre without treatment was reported as eroding at 8 tons per acre when minimum tillage was used; 6 tons per acre when farmed on the contour; and 5 tons per acre when farmed using terraces and supporting practices.

Those familiar with current policy will note that only one of the erosion rates just quoted was at the so-called maximum tolerable erosion rate. All others were above that rate even though the land had been treated with one or more conservation practices. The rates quoted apply to land that erodes at only 10 tons per acre when not treated for erosion control, far from the most erosive. They suggest that our power to control erosion is strictly limited so long as fragile land is used to grow row crops or small grains.

Of the 337.5 million acres that were cultivated in 1977, 85.9 million had potential for sheet and rill erosion at rates higher than 5 tons per acre when farmed using no conservation practices. A full 70 percent of this land is treated with at least one erosion control practice.

The evidence strongly suggests that it is not possible to cultivate inherently erosive land and hold erosion to predetermined levels using even multiple erosion control practices. Yet this land is responsible for the lion's share of the erosion problem. Unfortunately, current programs attempt to reduce erosion to 5 tons per acre while land remains in cultivation—an unrealistic objective that is used to justify bureaucratic programs that consume far too many resources for the amount of soil they save.

INCENTIVE MECHANISMS

Conservation policy must recognize who gets things done in American agriculture. It is not the bureaucrat, regardless of the level of Government he represents. Clearly, the most powerful productive force in agriculture is the farmer.

I submit that the solution to the erosion problem lies with the strength and initiative of the American farmer. It is futile to attempt to solve the erosion problem by building bureaucratic empires, as the current USDA proposal would do. If the public wants erosion control, we should decide how much we are willing to pay for it and then offer that price to the farmer. If soil can be conserved at that price, it will be done. If it can't, then society would be worse off for insisting on erosion control; it would consume

resources of greater value than those it preserves.

The primary role of the bureaucrat in soil conservation is to ensure that the public gets its money's worth out of the conservation bargain. Properly compensating farmers for reducing soil loss would make the rewards of conservation compete with the rewards of production. Such an approach could make erosion control as abundant as corn production, and at a very reasonable cost.

Rewarding famers for reducing erosion is a radical departure from present policy. In effect, current conservation programs are tantamount to asking farmers to grow a crop for which there is no market. Under the present scheme of things, there may be little economic benefit to farmers or landowners in reducing erosion. The total value of a ton of erosive soil in perpetual corn production is about 73 cents at current prices, but assuming 1.5 percent annual growth in yields. This benefit accrues in small annual increments. It is subject to enormous risk and uncertainty. Moreover, the traditional approach to soil conservation often entails costs that far exceed the long-term public benefits of erosion control. Too often the resources consumed in reducing erosion have greater productive power than the soil they preserve.

Current conservation policy offers free labor services and cost-sharing to do something that yields little, if any, economic benefit to the farmer. That farmers have responded by applying conservation practices to 214.5 million acres of cultivated land is a credit to them. Where existing conservation programs are concerned, however, this figure is a public disgrace Some 70 percent of the practices have been applied to land that has little if any potential for significant erosion. There is reason to believe that too much of the 600 million acres of conservation farm plans that have been prepared over the years amounts to little more than wasteful bureaucratic meddling in farm operations.

COMMENT ON CURRENT PROPOSAL

There is little room for optimism in USDA's recently proposed conservative program. The proposal cuts cost-share incentives to farmers by 41 percent. While these incentives focus farmer attention on using conservation practices rather than actually saving soil, at least they are of the right form.

In contrast, USDA would increase funds for labor intensive conservation bureaucracies by some 60 percent. The department estimates that erosion would be reduced by 126 million tons per year, but entail annual costs in excess of $400 million. If these funds were paid to farmers as compensation for placing acutely erosive land in a soil reserve, a full 58 percent of all excess sheet and rill erosion could be eliminated. Rather than reducing erosion by 126 million tons per year, a reduction in excess of 500 million tons could be achieved. Still greater savings could be obtained if set-asides and acreage-diversion efforts aimed at production adjustment were also targeted at acutely erosive land.●

LATVIAN INDEPENDENCE DAY

HON. JAMES L. NELLIGAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 1981

● Mr. NELLIGAN. Mr. Speaker, 63 years ago on November 18, 1918, the modern Republic of Latvia was established as a free country. Yet it was not until February 1922, that the Latvian Constitution was adopted. The United States granted full recognition to Latvia as an independent country on July 28, 1922.

This independence lasted slightly more that 20 years. In 1940, the country was invaded by—and incorporated into—the Soviet Union, and a puppet government was established. When the Germans invaded in 1941, the Baltic countries of Latvia, Lithuania, and Estonia were combined with Byelorussia into a province known as "Ostland." This arrangement lasted 3 years. Then the Russians retook Latvia. Today, Latvia is an occupied territory of the Soviet Union. In response to this, the United States and other Western powers have maintained a policy of nonrecognition toward forced Latvian annexation into the Soviet Union.

The people of Latvia have much of the free world supporting them, and it is important that we restate our support for the continuing struggle of the Latvian people toward independence. It is important on this day to stress our support, because it is in hope that we will no longer have to mark this day for the celebration of short-lived Latvian independence earlier in this century—but rather a new day, celebrating the final independence of the country.

As a member of the ad hoc committee on the Baltic States and Ukraine, I join with Americans of Latvian descent in the 11th District of Pennsylvania, which I am honored to represent, in reiterating our support for the Latvian people and the determination to suppress unchecked Soviet aggression in the world today.●

CAB SUNSET ACT OF 1981

HON. GENE SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. SNYDER. Mr. Speaker, today we are introducing legislation which would sunset the Civil Aeronautics Board 5 months after the bill is signed into law. Most of the functions of the CAB which are now scheduled to terminate on December 31, 1982, would do so 60 days after enactment with the remaining functions being transferred 90 days later.

As my colleagues are aware, the Airline Deregulation Act of 1978 (ADA) adopted a phased timetable for the termination of various CAB functions with a final sunset date of January 1, 1985.

This landmark legislation adopted a rather conservative timetable for the sunset of the CAB because the Congress wanted to assure that the transition to deregulation would proceed smoothly. While the process has not been without its problems, I think most would agree that the aviation community and the traveling public have adjusted quite well to the changes which have accompanied deregulation and that we are ready to accelerate the process.

I want to stress, however, that in doing so we fully realize that there will still be a legitimate Federal role in assuring that the next phase of airline deregulation can proceed as successfully as the first.

Accordingly, we believe it is important to continue a Federal presence in many aspects of domestic air transportation although the statutory responsibility will be exercised, in most cases, by the Department of Transportation. For the most part, the Board's existing regulatory authority as it relates to foreign air transportation will merely be transferred to the Secretary of Transportation.

The legislation which we are introducing today will not affect the first phase-out of the Board's authority as mandated by the ADA other than to extend its provisions to cargo operations. Accordingly, with the exception of the essential air service program, the CAB will no longer have any authority over the regulation of domestic routes effective January 1, 1982.

The bill will, however, make some substantial changes to the sunset provisions regarding the CAB's authority over domestic fares. While the ADA called for this authority to terminate at the close of 1982, this legislation will accelerate the process so that most types of domestic fare regulation will terminate 60 days after the bill is enacted. In light of the substantial fare flexibility which now exists domestically, we see no reason to retain the Board's regulatory authority in this area substantially beyond the date of enactment.

Once the board loses its authority to regulate domestic routes and rates, we believe that sunset should follow as quickly as possible. Most would agree, now that we have had the opportunity to observe how the domestic air transportation system responds in a deregulated environment, that there is little reason to keep the CAB in existence beyond the time when it loses its authority to regulate routes and fares. Accordingly, our bill calls for the

Board to go out of existence 90 days after the termination of domestic rate authority, or 150 days after enactment of this legislation.

Other major provisions in the bill would: First, impose a 2-year period of mandatory price posting which would assist the industry in transitioning from a tariff filing regime; second, retain mandatory joint fares and divisions for 6 years after date of enactment, with the first 3-year period to require that divisions be based on costs; third, transfer to the Secretary of Transportation all authority to approve and immunize intercarrier agreements affecting domestic and foreign air transportation, with authority over domestic intercarrier agreements to expire on January 1, 1986; fourth, retain the Federal Government's general consumer protection authority as well as its authority over unfair and deceptive practices; and fifth, codify existing CAB orders which set fare flexibility zones for foreign air transportation of passengers while allowing the Board (for 5 months)—and subsequently the Secretary of DOT some discretion to change the zones in the future.

In the area of labor protection, the legislation would make substantial changes to the provisions enacted in 1978. First, it would modify the duty to hire provisions of the ADA by making it clear that the airlines' duty to hire is applicable only when an employee loses his job on account of a qualifying dislocation. Second, it would exempt flight deck crewmembers from the right of recall provisions so that if a crewmember is hired by another air carrier, he would not retain his seniority rights or rights of recall with the carrier that furloughed or terminated him. Third, we have extended the applicability of the duty to hire provisions to include all carriers operating aircraft having a passenger capacity in excess of 60 seats and cargo carriers engaging in foreign air transportation operating aircraft with a maximum payload capacity in excess of 18,000 pounds, regardless of when they began operations.

Another related provision dealing with labor protection is also included in the introduced bill. It would require certain carriers, before they could merge, to work out labor protective provisions as good or better than those contained in the so-called Allegheny-Mohawk orders of the CAB, which have been the governing standard in the industry concerning the integration of employee seniority lists, compensation and other related matters. Because these provisons have served the industry well in years past, we believe they should be codified since the CAB would no longer have the authority to approve air carrier mergers under section 408 of the Federal Aviation Act.

Obviously, the issues we have addressed in this legislation are complex and will significantly affect the ways in which the air transportation industry will function in the years ahead. I believe that the bill recognizes the importance of continuing the procompetitive policies of the past few years which have, on balance, worked quite well. It does, however, slow down the process in some cases and makes some refinements to the 1978 law based on the prevailing conditions in the industry today.

I want to emphasize that in introducing this legislation, we have thoroughly evaluated the testimony taken during the hearings held by the Aviation Subcommittee as well as other materials submitted by interested parties. The input we have received has been most helpful and constructive and I hope that it will continue in the months ahead.

While I believe the bill strikes a balance between the desirability of continued deregulation and the need to maintain a Federal presence in many significant areas, we will continue to welcome suggestions from interested parties on ways it might be improved.●

TELEVISION NEWS PROJECTIONS SHOWN TO HURT VOTER TURNOUT

HON. AL SWIFT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. SWIFT. Mr. Speaker, Westerners got a double whammy in November 1980. Jimmy Carter conceded defeat and NBC projected Ronald Reagan the winner—both before our polls had even closed.

Then this month a New York TV station called the New Jersey Governor's race—wrong, incidently—before polls closed there, demonstrating that this is not just a west coast problem.

Television news executives have testified before two committees of this House that such projections have not been shown to hurt voter turnout. There is now substantial evidence to the contrary. Further, the network news executives cloak themselves in journalistic professionalism and, speaking ex-cathedra, calling that the traditions of their profession require them to report projections.

It is very encouraging that other professionals in the field are not buffaloed by this poppycock. I would like to insert in the RECORD an excellent editorial from my hometown newspaper, the Bellingham Herald, which addresses this issue thoughtfully. Further, this editorial's suggestion is entirely consonant with the thinking of those of us who are studying this problem here in Congress. Ideally, Congress should do nothing but let the Network News organization's sense of responsibility lead them to rethink where their election result projection policies are leading them and this Nation's most fundamental democratic process—voting.

TV SHOULD HOLD BACK

Research has confirmed what many of us on the West Coast felt last November—that announcement of the winner in the presidential election hours before the polls closed out here changed the election outcome.

The University of Michigan Center for Political Studies found that about a fourth of those who planned to vote in the 1980 presidential election later in the day decided not to if they heard the networks' projections or Jimmy Carter's subsequent concession.

The study concludes that it was Carter and the Democrats who were disadvantaged by the announcement. Democrats lost some key races by close margins, notably in Oregon.

A number of suggestions have been made to avoid the situation in the future, and several bills are pending in Congress. Some would require that polls open and close at the same time across the country. Others would change the national election day to Sunday. One would prohibit election results or projections from being broadcast before the polls close. There are objections to all of the proposals.

It would be better if the networks would police themselves. In the news business there is a tradition that to be first is to be best. Such competition is fine, but the networks have gone beyond news gathering. For elections, they have taken to news forecasting. By means of sample exit interviews at key polling places, they have developed sophisticated methods for predicting how an election will turn out hours before voting stops.

If each network would independently decide to report only actual vote counts on election day, there would be no need for passing laws and regulations. Three hours before polls close on the West Coast, a few scattered returns from the East Coast would be available, but there would be enough doubt to make it worthwhile for us to want to vote.

Reporting what has actually happened, as against guessing at what is likely to happen, would not only be more honest news coverage, but the added suspense would assure the networks of keeping larger audiences longer.

If nothing else, self-interest should push the TV networks toward a more responsible treatment of election news.●

STEEL

HON. HAROLD WASHINGTON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1981

● Mr. WASHINGTON. Mr. Speaker, I join my colleagues and the Steel Caucus in calling the attention of the Congress and of the administration to the plight of the domestic steel industry. Steel is a basic industry, employing many people in skilled and semi-

skilled jobs of the sort which are not being generated by other segments of the economy. It is essential that these employment opportunities be preserved.

It is equally important that U.S. productive capacity be maintained. It is incredible to me that some still encourage policies which favor imports at the expense of domestic production, while our own people are unemployed and American manufacturing is threatened with extinction.

While we consider the serious strategic implications of this trend, I hope you will also reflect upon what it means in human terms, to our own men and women and to the families they support, when a major steel producer is allowed to die.

I am including for the RECORD an excellent article from the May 1981 Chicago Reporter, a very fine publication edited by John McDermott. The article makes clear the enormous consequences of a major steel plant closure.

For example, the closure of Wisconsin Steel, located in Chicago adjacent to my district, resulted in revenue losses to local, State, and Federal Governments of $40 million annually. Another $30 million in employee benefits and some $70 million in annual payroll were lost by individuals. While many younger workers were crushed, the average steelworker at the plant was 42 years old and had 22 years experience. The prospects for older workers are especially bleak.

I hope each of you will read this article very closely with your own district or other parts of your State in mind. Preserving jobs in basic manufacturing ought to be one of our most fundamental priorities.

WISCONSIN STEELWORKERS DENIED $13 MILLION IN BENEFITS

(By John F. Wasik)

The shutdown of Wisconsin Steel Company in March 1980 has hit its former employees hard and has put a big dent in the tax base.

Employees are still owed some $13 million in contractual benefits and about another $16.2 million in supplements to their pension benefits. These figures do not even take into account the workers' loss of salary. Wisconsin Steel had an annual payroll of about $70 million.

The tax rolls have lost at least $40 million in the past year, according to estimates based on the 1978 tax contributions by Wisconsin Steel and its employees (see chart, this page).

The plant, located on the Calumet River at 106th Street and Torrence Avenue, ceased operation after its mortgage was foreclosed. The closing sent more than 3,500 employees, most of them minority, to the unemployment lines without warning.

The tax rolls will probably never recoup the loss, and workers face a long wait while a bankruptcy court determines who is responsible for paying their contractual benefits.

Wisconsin Steel's millworkers, most of whom live within 10 miles of the plant, became hardship cases overnight. The job market in the steel and other heavy industries is poor, and state unemployment benefits for the workers have expired. Many of them have had to apply for food stamps and public aid.

Company records show the average steelworker at the plant was 42 years old, had 22 years of experience and earned $22,260 a year. The workforce was one-third black, one-third Latino and one-third white.

The workers received no warning of the shutdown. On March 28, 1980, International Harvester Corp. foreclosed without notice on the $64 million mortgage it arranged when it sold the plant in 1977 to EDC Holding Corp., a subsidiary of Envirodyne Industries Corp. of California.

When Harvester foreclosed, the Chase Manhattan Bank withdrew support on a $15 million working cash loan it made to Envirodyne at the time of the sale. Chase's move froze raw material shipments to the company and the mill could not operate. Two days after the shutdown, Wisconsin Steel filed for protection under Chapter XI of the bankruptcy laws.

Currently, the Economic Development Administration, a branch of the Commerce Department, owns the mill as a result of its guarantee of a $90 million loan package for plant improvements in November 1979.

Wisconsin Steel's employees were stuck with $1,787,000 in bad paychecks when Chase Manhattan seized the payroll account funds. The bank did this under a law called "right of offset" which allows a potential creditor to seize all available debtor funds in the event of a bankruptcy.

Although the workers won back $1,339,000 of their last paychecks from Chase Manhattan in a September 1980 court settlement, they are still owed $448,000 in back wages, according to court records.

Additionally, four benefits under a contractual agreement between the 3,200-member Progressive Steelworkers union and Wisconsin Steel were never paid: severance pay, vacation pay, extended vacation pay and supplementary unemployment benefits.

The largest employee loss is the lack of severance pay, a lump sum based on years of service to be paid laid-off workers, which amounted to $7.3 million.

The other benefits denied the workers are $3.5 million in accrued vacation pay, $966,000 in extended vacation pay based on seniority and $800,000 in supplementary unemployment benefits to be paid for up to 13 weeks during layoffs.

Another blow to workers was the loss of pension supplements, totaling about $16.2 million. These benefits would have paid retirees $300 a month until they reach age 62, qualifying them for federal social security benefits. Most millworkers qualifying for pension at Wisconsin Steel retired at age 55, company records show.

Retirees are still getting their basic pensions, guaranteed by the Pension Benefit Guaranty Corp., a federal agency which insures pension plans.

The loss in insurance and hospital coverage is incalculable.

According to a November 1979 study by Wisconsin Steel to support its application for the EDA loan guarantee, the plant and its employees paid $28.8 million in federal, state, county and local taxes in 1978.

Based on the 1978 taxes, the cost of the plant closing to the tax rolls includes: $12.5 million in federal income taxes, $8.2 million in social security payments, $1.9 million in state income taxes, $1.6 million in state sales and use taxes on the mill's production and $2.4 million in Cook County property taxes.

State and federal coffers also were deprived of substantial unemployment insurance premiums; Wisconsin Steel contributed more than $1 million in premiums in 1978.

The actual cost of unemployment benefits to the laid off workers over the past year has not been published. But the 1979 report estimated that closing the plant would result in $8.9 million in unemployment payments.

The report also predicted that as much as $20.6 million would be added to the mill's tax contributions five years after the improvement loan was granted.●

SMALL BUSINESS INNOVATION BILL COSPONSORS

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. LAFALCE. Mr. Speaker, yesterday I placed in the RECORD a list of the 117 Members who are cosponsors of H.R. 4326, the Small Business Innovation Development Act of 1981.

I would like today to place in the RECORD a list of those Members who have endorsed the principle of small business innovation legislation by cosponsoring one of the other small business innovation bills introduced in this Congress:

MARTIN FROST, Texas;
HAROLD HOLLENBECK, New Jersey;
CLAIR BURGENER, California;
ANTHONY MOFFETT, Connecticut;
MARGARET HECKLER, Massachusetts;
GEORGE MILLER, California;
THOMAS TAUKE, Iowa;
LAWRENCE COUGHLIN, Pennsylvania;
ALBERT GORE JR., Tennessee;
KEN KRAMER, Colorado; and
CLAUDINE SCHNEIDER, Rhode Island.●

CAB SUNSET ACT OF 1981

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. CLAUSEN. Mr. Speaker, as my colleagues are aware, our air transportation industry has undergone considerable change as a result of legislation which has removed much of the regulatory structure which characterized the industry since its inception. It is a process which began domestically with the cargo deregulation amendments of 1977, continued with the passage of the Airline Deregulation Act of 1978, and broadened to include certain aspects of foreign air transportation with the adoption of the International Air Transportation Competition Act of 1979.

Now, as we evaluate the country's experience under these laws, we are taking another signficiant step in the process by introducing a bill to sunset

the CAB 150 days after this legislation is enacted. Under existing law, the Board would sunset on January 1, 1985, in accordance with the provisions of the Airline Deregulation Act.

I want to emphasize that this legislation does not terminate outright all of the functions of the CAB. Some Federal involvement will still be necessary and, in those areas, we have provided for the orderly transfer of the Board's existing authority to the Department of Transportation where consistent with the public interest. Examples of this are: First, the essential air service program, one of the most important features of the Airline Deregulation Act, which was designed to guarantee service to small communities; second, the authority to determine financial fitness of air carriers as it relates to the FAA's safety responsibilities; and third, the authority to prescribe mandatory joint fares and divisions.

In introducing this legislation, we have considered the effect that deregulation has had on the aviation industry and the traveling public and determined that our experience justifies an earlier termination of the Board. I think it is fair to say that deregulation has generally been successful, although there are cities which have experienced declines in air service from prederegulation levels. On balance, however, the pluses and minuses associated with deregulation have generally been the result of competitive market forces at work. Since it was certainly the intent of Congress to make the industry more competitive, I think we can safely say that this has already been accomplished and that competition will increase in the years ahead.

Among the major provisions in the legislation are: First, the retention of the section 406 subsidy program at reduced levels through fiscal year 1985 for points enplaning less than 80 passengers per day; second, the transfer of CAB's rate-setting function for foreign air transportation of mail to the Secretary of Transportation, with the Board's domestic authority to be transferred to the Postal Service to be exercised through negotiations and competitive bidding; third, the repeal of the Board's authority to approve mergers between air carriers, but reserving to the Government a right to intervene in antitrust litigation arising out of proposed airline mergers; fourth, a requirement that all temporary certificates issued in limited designation international markets be issued for an initial period of 5 years with a rebuttable presumption that such certificates shall be renewed, and fifth, a separate section which grants antitrust immunity to air carriers which comply with DOT rules concerning price notification.

In addition to the provisions affecting the Civil Aeronautics Board, the bill also amends some of the title VI safety authority of the Federal Aviation Administration.

Under existing law, the duties of the FAA, as well as its exemption authority, in the areas of passenger screening, law enforcement support, and airport certification in general are tied to whether or not a carrier is certificated by the CAB. Since the Board will no longer issue certificates to domestic air carriers, a new distinction is needed.

After careful consideration, and because of the agency's fine record in this area, we have given the FAA the discretion to determine whether or not a particular carrier or airport can be exempted from its security regulations. In addition, we have broadened the coverage of section 612 so that the agency will now have the authority to require airport operating certificates for airports serving commuter air carriers. This modification is necessary given the increasing importance of commuter carriers and the need to assure the highest level of safety for those operations. Moreover, it will insure that the FAA has the necessary tools to move toward a fully integrated national airport system.

Mr. Speaker, this legislation will continue the trend toward deregulation which has been firmly established in recent years while retaining a Federal role in some necessary areas. It will assure that the transition to a fully deregulated environment will continue to proceed expeditiously and as smoothly as possible in the years ahead.

I believe the bill which we are introducing today will accomplish these objectives and that our air transportation industry and the traveling public will reap substantial benefits from its enactment.

It is also my hope that the considerable input which we have received from the aviation community, Members of Congress and the traveling public will continue as the legislation moves through the Congress. It is only with the cooperation and dedication of all those interested in airline deregulation that we in the Congress can fashion legislation which is truly responsive to the needs of all concerned.●

THE FUTURE OF TOBACCO SUPPORTS

HON. GENE SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. SNYDER. Mr. Speaker, tobacco was recently the subject of some contention in this body and during the debate on the future of the Federal tobacco price support program, I realized that a good many of my colleagues have probably never had the opportunity to relish for themselves the joy of working a field of tobacco.

To rectify that situation and provide my colleagues a brief glimpse at a tobacco farmer's life, I would like to share with you "Raisin' Burley", a poem written by the Honorable Clyde E. (Jack) Greenwood, judge executive of Trimble County, Ky.

RAISIN' BURLEY

(By Clyde E. "Jack" Greenwood)

Work all year long
Raisin' burley
Goin' to bed late
An' gettin' up early;
Burnin' the beds,
Plantin' th' seeds
An' frettin' 'bout keepin'
Down th' weeds;
Lay on a sack
Stretchin' out prone
Till th' feelin's all gone
In one hip bone;
Then you roll over
On th' other side,
Hit a canvas nail
An rake off some hide;
But ye pay no mind
'Cause tis surplus fat,
An' ye just cuss a little
An' let it go at that.
Plants turn yellow,
Th' flea bugs are bad,
Then blue mold sets in
An' things look bad
So ye call th' county agent
Fer him t' come an' look,
An' he buzzes in with
An experiment book,
He takes a sample
An' ye all talk it o'ver;
Then he leaves a pamphlet
An' says he'll send more.
You do what he says
Then the plants begin to grow,
Turnin' right green
An' lookin' good fer sho'
Set it in th' field
An' watch it die;
See th' wireworms
An' cutworms ply;
Then you set it again
An' maybe it'll stay,
But if it don't
It's too late anyway.
Get th' plow
Tear up th' middle
Get a hoe
An' piddle an' piddle.
Plow some more
Then lay it by,
Pinch out th' button
When it gets so high.
Pick off th' worms
As big as snakes,
An' pray fer rain
While it makes.
Git on th' suckers,
Jerk 'em out
An' make way
Fer others t' sprout.
Grab up a spear
An' put it on a stick—
Use a tomahawk
Accurate an' quick.
Get it in th' barn
'Fore th' frost
So none of its quality

Will be lost.
When it has cured
Start strippin' fast
T' hit th' market first
'Stead of last.
Take it t' town,
Put it on th' floor
At your favorite house
Where ye been before;
Watch th' grade,
Wish it was higher,
Then trust a raise
Will come from a buyer.
Some of it goes
Over is a rule,
But th' one ye wanted raised
Goes to the pool.
Go back home
A little bit ahead
An' get ready
T' make a plant bed.●

A PERSONAL EXPLANATION

HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. DORGAN of North Dakota. Mr. Speaker, on Wednesday, November 18, 1981, during consideration of H.R. 4995, Department of Defense appropriations, I was necessarily absent on official business. Had I been present, I would have voted as follows:

Yes, on rollcall No. 315—to delete $1.79 billion for Air Force procurement of the B-1 bomber;

Yes, on rollcall No. 316—to delete $1.8 billion for the B-1 bomber;

Yes, on rollcall No. 317—to delete $1.9 billion for the MX missile and its basing mode;

No, on rollcall No. 318—to reduce by 2 percent funding for military procurement and research and development, except spare parts;

No, on rollcall No. 319—to reduce by 2 percent funding for military procurement and research and development, except spare parts, repair parts, and ammunition; and

Yes, on rollcall No. 320—on final passage of the bill H.R. 4995.

My support for final passage of the bill reflects my belief that we need to strengthen our national defense. My objection to funding for the B-1 bomber arises because I doubt this aircraft will really improve our strategic deterrent and because we can make a more cost-effective investment in the advanced technology, or Stealth, bomber. I oppose the MX system in the bill because military experts have raised grave doubts about its survivability; it therefore amounts to a waste of the taxpayers' money. We need a defense system that works and not one that wastes.●

THE TOUGHLOVE SOLUTION

HON. CLAIR W. BURGENER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. BURGENER. Mr. Speaker, I have for many years been an admirer of Dr. Garrett Hardin. He is professor emeritus of human ecology at the University of California at Santa Barbara, and chairman of the board of the Environmental Fund in Washington. His writings on the subject of illegal immigration into the United States have provided, in my opinion, a beacon light of reason in an otherwise murky and troublesome area.

Recently Newsweek published an essay of Dr. Hardin's on the subject of the United States' relationship with poor or underdeveloped nations. I believe it to be so thought provoking it should be shared with readers of the CONGRESSIONAL RECORD. Dr. Hardin's article follows:

[From Newsweek, Oct. 26, 1981]

THE TOUGHLOVE SOLUTION

(By Garrett Hardin)

Why should the United States be concerned with the suffering of poor countries? Two sorts of reasons are given, one moral and the other prudential.

The prudential reasons are plausible, but basically unsound. We are told that if we don't take care of a poor nation it might attack us. Nonsense. Modern warfare is so expensive that even rich nations cannot afford it. If a poor country can't afford bread, it certainly can't afford guns. International terrorism comes cheaper, of course. So long as there is envy in the world—which is forever—terrorism will be a tempting option. The answer to terrorism is police action: this is not a perfect answer, but it is the best there is.

What about this: "If we don't take care of poor people in their own countries, won't they migrate into ours?" Unfortunately, there are 2.5 billion poor people in the world, and they are increasing by 40 million per year. We cannot possibly keep up with this need. Our responsibility is to keep our country from being overwhelmed by immigrants. The responsibility of each poor country is to keep the excess population from being produced.

LESSON

What remains are the moral reasons for helping other countries, and these are weighty. But we must remember what we have learned from domestic experiences: we can't solve social problems by blindly throwing money at them. We've had a salutary lesson in the development of India and China during the past three decades. Since 1950 India has received massive foreign aid from many countries, but China from only one country (the Soviet Union) and that only until 1957. At the outset the two countries were equally miserable and had equally poor prospects. Today? Without question the people of China are far better off. Foreign aid did not rescue India from poverty; lack of aid did not handicap China. In fact, it may be that China did so well precisely because she was not "helped" by "aid."

Back in 1945 Mao Tse-tung committed China to a policy of "regeneration through our own efforts." Fertilizers and factories are splendid things, but far more important than technology is what is inside the heads of men and women. Foreign aid can supply technology: the people must be willing to make the social changes that will make technology work.

It is essential that we distinguish between crisis and crunch. When an earthquake killed 23,000 people in Guatemala in 1976, that has a crisis. The world responded generously, and it should have. But when thousands—or millions—of people die of starvation in an overpopulated country like Bangladesh, what we are confronted with is not a crisis but a crunch. Ninety-four million Bangladeshi live in an area the size of Iowa—which has only 3 million people. Bangladesh, with its fertile soil and a climate that permits three crops a year, is a rich country, but not rich enough to add three-quarters of an Iowa every year to a population already 30 times as large. Direct food aid to such a country merely subsidizes further destructive population growth.

Sensing that gifts are bad, we generate euphemisms to hide our tracks. "Concessionary rates of interest" is a euphemism; anyone who can borrow money at 3 percent when the going rate is 8 percent is getting a gift. A loan forgiven is certainly a gift. Poor countries ask for, and get, loan after loan. As their debt mounts, the burden of "servicing the debt"—paying the interest—becomes unbearable. Finally, since foreclosure is out of the question, the lender has no choice but to forgive the debt.

DRUGS

Way back in 1953 John Foster Dulles saw the direction foreign aid was taking. "You know," he said to a friend, "aid is like opium. There are withdrawal pains when you remove it." I think we have now reached the stage when foreign-aid addicts should be subjected to the "cold turkey" treatment. Most of the world's wretchedness is caused by the crunch of overpopulation, which will only be made worse by the drug called "aid." That this drug is addictive is shown in a statement made by the President of Kenya in 1980: "No country can maintain its economic independence without assistance from the outside." What a long way from Mao, and what a curious definition it implies of "independence"!

Now that rich countries are catching on to the corruption of the word "loan," poor countries are taking a different tack: they are demanding concessions in foreign trade. They want to be paid more than market prices for their exports and to buy at less than the market—gifts under another name.

Times are changing. Notice what is happening to parenting. We are relearning what has been known for thousands of years: love must be combined with discipline. Recently, a group of American parents, driven to distraction by their children's drug taking and rampant hedonism, joined forces to lay down the law to their children—with love. These parents meet to exchange ideas, and they meet with their children to say, "Shape up or ship out." Significantly, the parents called their organization Toughlove.

COURAGE

Toughlove parenting is perilous, but it has at least the possibility of solving problems permissiveness has created. Toughlove takes courage. Some of the children clear out. This is hard on parents, but they accept the risk because the alternative of continuing to support irresponsible behavior is worse.

Relations among nations must be guided by Toughlove, too. Spokesmen for poor nations now threaten us with the loss of their love if we do not give them everything they demand. We must be prepared to lose their love out of genuine concern for the long-term interests of their people. Most of the poor countries are, in fact, rich—rich in natural resources. It is their governments, usually, that are poor.

To realize a country's inherent richness, a government must see to it that population matches the carrying capacity of the land. China has shown how to use incentives and disincentives to work toward this goal. China's methods may not be acceptable everywhere, but the goal should be universal. Each country must choose the means that meshes with its culture. Outsiders can furnish the technology of birth control, but population control must grow out of the will of the people, expressed through their political decisions.

There is no survival without self-reliance, which cannot be donated from the outside. Self-reliance must be generated inside each nation, by the people themselves. There is no other way.●

ENERGY BLOCK GRANT LEGISLATION

HON. BOB EDGAR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. EDGAR. Mr. Speaker, I would like to call to the attention of the House a statement prepared by the Northeast-Midwest Congressional Coalition regarding the future of Federal energy assistance and conservation programs.

In testimony submitted to the Senate Energy and Natural Resources Committee the NMCC attempts to assess the regional impact of proposed legislation which would convert current weatherization and low-income fuel assistance programs into block grants for the States. The coalition foresees several significant problems with this legislation. First, the allocation of money to the States would be based on population rather than need, ignoring the special fuel and conservation needs of the colder States in the Northeast and Midwest. Second, the proposed authorization level would be drastically lower than current levels for energy assistance programs. Third, the repeal of existing Federal conservation programs would move the Federal Government further away from its legitimate role in guiding national energy policy. Lastly, a large State match requirement would effectively prevent many of the States in our region from taking advantage of the block grant. Many of the States in our region are already facing severe fiscal constraints, unlike many energy-producing states in the South and West which find themselves in more comfortable circumstances.

I hope the members of the House will consider the coalitions observations when dealing with important energy legislation over the coming months.

The testimony follows:

On behalf of the Northeast-Midwest Congressional and Senate Coalitions, we would like to thank Senator James A. McClure and the other members of the Senate Energy and Natural Resources Committee for the opportunity to submit our comments on "The State and Local Energy Block Grant Act of 1981." As members of the Executive Committee of the 2 organizations, we represent the House and Senate members from the 18 states in the Northeastern and Midwestern United States. The Coalitions seek to inform members about the regional implications of national policies and proposals, and to influence those issues of greatest importance to Northeastern and Midwestern states. Few issues are as important to the Northeast-Midwest region as energy. Our disproportionate dependence on imported oil, the preponderence of an older, energy inefficient housing stock, the lack of oil and gas reserves, and inordinately high energy prices have combined to make our region most vulnerable to energy price rises and supply interruptions. The Northeast-Midwest region, aptly labeled the "Frostbelt", must grapple with the problems common to energy consuming states on a daily basis—particularly during the coming winter months when cold weather and high energy prices threaten the health and well-being of much of our low income and elderly population.

In an effort to develop a unified approach to solving our energy problems, the Northeast-Midwest Congressional Coalition conducted an energy agenda setting process during April, May and June of this year. Field hearings, chaired by Coalition members, were held in Stamford, Boston, Sioux City, St. Paul, and Pittsburgh, and covered the future of coal; co-generation, district heating and cooling, and municipal waste to energy systems; rural and urban perspectives on the use of conservation and renewable resources; and the effect of rising energy costs on the elderly and poor. The hearings culminated in a national conference in Washington on June 4. Over 350 public- and private-sector leaders, scholars, and others participated in the energy agenda setting process. The product of the 3 month exercise was an energy agenda that put the Coalition on record in support of energy conservation, renewable energy technologies and the increased use of coal.

In addition, during the same time, research conducted for the Coalition by the Northeast-Midwest Institute showed that America's energy bill in 1980 was $387 billion—a massive increase over the $83 billion Americans paid for energy in 1970. After adjustment for the dollar's decline in value, this represents an increase in energy spending in 1980 of 141 percent over the amount spent in 1970. This increase outstripped the decade's inflation rate of 94 percent and the small 37 percent increase in real personal income. The Northeast-Midwest region felt the impact of this increase particularly hard—where the costs of residential and industrial energy were the highest in the nation.

It is within this context that Coalition members have continually supported energy conservation programs. The reconciliation bill, for example, maintains the authority for the energy conservation programs most important to the Northeast-Midwest region. And the importance of energy conservation and renewable energy technologies was reiterated recently when over 120 House Coalition members cosponsored a resolution putting the House on record in support of existing conservation and energy supply tax credits. Our region's support and dependence on conservation and renewable energy programs should not be underestimated.

S. 1544

The "State and Local Energy Block Grant Act of 1981" would repeal a number of existing conservation programs, require a state match, authorize $200 million for an energy block grant to states and distribute funds based primarily upon a state's population. While the block grant approach to funding conservation efforts may be worthwhile, we feel that the provisions of this bill are not in the best interest of either the Northeastern and Midwestern states or the entire nation.

We have 4 major concerns:

ALLOCATION FORMULA

75 percent of the block grant funds would be allocated on the basis of state's population and 25 percent would be distributed equally among all states. The proposed formula would significantly reduce the proportion of energy conservation funds allocated in Northeastern and Midwestern states.

Specifically, our primary concern with the formula is the reliance on population as the sole factor for allocating funds. We believe that it is necessary to incorporate a measure of need into the allocation formula. The low income weatherization program, for example, uses heating and cooling degree days to approximate need. This has the effect of targeting funds to those states where energy costs are highest and the potential to save energy and reduce our dependence upon imported oil is greatest.

AUTHORIZATION LEVEL

The proposed legislation would authorize a $200 million funding level for each of the fiscal years 1982, 1983 and 1984. We feel that this is inadequate. The low income weatherization program alone was funded at $182 million in fiscal 1981 and the reconciliation bill proposes $336 million (with $175 million earmarked for weatherization) for these programs.

A funding level of $200 million would require states to substantially reduce or eliminate many of their energy conservation activities. We are particularly concerned about the future of the low income weatherization program. The program has proven to be an effective method of reducing energy costs and saving scarce energy sources. With the intense competition for funds among a number of very desirable energy saving programs, the needs of our low income residents may not be adequately addressed.

STATE MATCH

The proposed legislation would require a 30 percent state match in fiscal 1982 and a 50 percent match in 1983 and 1984. We believe that this is excessive and would discriminate against energy consuming states—many of whom are already experiencing serious fiscal problems. At least 87 percent of the states' surplus in fiscal 1982 is projected to be in the South and West.

We fear that these match requirements may force some of the states most in need of assistance to forego federal block grant funds.

REPEAL OF CATEGORICAL PROGRAMS

The legislation would repeal many existing energy conservation programs. While we

would agree that regulatory changes could be made in some of the programs, we are concerned about outright repeal. The federal government would be removing itself from energy conservation activities—leaving the states with no direction as to how to use the block grant funds most effectively. In addition, we fear that combining all of the programs into a single block grant increases the likelihood of total elimination or substantially reduced funding for future energy conservation efforts.

In summary, we urge the Committee to incorporate a measure of need for energy conservation in the block grant allocation formula, authorize a funding level adequate to conduct a comprehensive conservation program, and reduce the state match so that all states will be able to qualify for assistance.

Again, we thank the Committee for the opportunity to submit our comments.●

DISARRAY AT INS

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. HYDE. Mr. Speaker, the disarray in the Immigration and Naturalization Service is highlighted in an excellent article appearing in the New York Times of November 23, 1981.

We in Congress must share the blame for our failure to commit adequate resources or to oversee the operations of this important agency.

I hope my colleagues will read this UPI article carefully and become as upset as I am at the facts alleged therein. Then, let us do something about it.

BACKLOG MOUNTING ON FILES OF ALIENS—30 MILLION FORMS ON FOREIGN VISITORS ARE UNPROCESSED, AGENCY'S STUDY SHOWS

WASHINGTON, Nov. 22 (UPI)—Bureaucratic problems have left the Immigration and Naturalization Service unable to keep track of 30 million forms filed by foreign visitors, and it may be 1983 before it is known who entered or left the country in the last two years.

Disclosure of the backlog was made in a study conducted for the agency and by immigration officials in interviews.

The forms have not been processed so that they can be fed into the agency's computer system. Meanwhile, the millions of forms have simply been put on microfilm and left stacking up in cartons at agency facilities here.

Only a year ago, top immigration aides pledged to Congress that the agency would soon upgrade its computer system so it could better monitor the mounting flow of aliens in the country, including 10 million visitors a year. The Reagan Administration has also submitted proposals to Congress calling for stricter controls on illegal immigration.

A THREAT TO CREDIBILITY

Robert Kane, the agency's Associate Commissioner for operations support, said the backlog in processing of visitor forms "puts the whole credibility of the system into question—it puts the credibility of the I.N.S. into question."

He said the agency would soon present Congress with a 10-year plan for a sophisticated computer system to handle nearly every aspect of its mission. He said the current computer that stores visitors' data was "outmoded."

Irvin Klavan, the Associate Commissioner for information services, said the backlog of I-94 forms, which are filed when visitors enter and leave the country, totaled more than 30 million on Sept. 30, when the last official count was taken. He said it was now probably 32 million, covering 20 million visitors who each had an arrival and departure I-94.

He also said 664,000 visitors' applications for extensions of their temporary visas had not been put into the agency's computer because they could not be matched to the original arrival forms.

LONG WAIT IS FORESEEN

Immigration officials are working to eliminate the backlog, but they say it will be at least January 1983 before agency files are brought up to date.

Mr. Klavan and Mr. Kane conceded that the agency was better able to monitor foreign visits in 1976, before such files were put into the computer system.

Price Waterhouse & Company, a private consulting firm that conducted a six-month, $100,000 study of agency's nonimmigrant control system, termed the I-94 backlogs "very troublesome."

Agency officials, who typically blame shortages of funds for failures to keep track of aliens, this time blamed a private contractor, Milmark Services Inc. of Crofton, Md. They said Milmark failed to perform acceptably on a contract calling for it to enter the data into the agency's computer system.

The task of key-punching is complicated because the visitors' forms are often written in foreign languages.

Agency officials said Milmark was not paid for any of its work in a two-month period in the summer of 1980 because none of the work was acceptable.

COMPANY OFFICIAL RESPONDS

Thomas Ruger, Milmark's treasurer, said from his home in Wilmington, Del., that his company was being unfairly portrayed as a "goat" and that the agency had a backlog of 10 million forms before the company got the contract.

Mr. Ruger said the agency postponed the start of work under the contract six times while Milmark's previous owners frantically built up and reduced their staff in anticipation of doing the work. He said the company finally got only a week's notice, and "you just don't put 100 people together in a week." Mr. Ruger said Milmark had been a successful Government contractor for 14 years and that the immigration episode had threatened its future.

Mr. Klavan declined to comment on the charges, referring all questions to Jack Keller, the project manager for the Milmark contract, whose home telephone number could not be obtained.

On Sept. 30, the agency awarded $2 million in contracts providing for processing of the forms, this time assigning three private companies to do the job.●

CHAMPIONSHIP FOOTBALL—NEW YORK VERSION

HON. STAN LUNDINE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. LUNDINE. Mr. Speaker, a proud moment in Chautauqua and Cattaraugus Counties' high school football fortunes was achieved this year as an unprecedented five schools in my district earned berths in the Western New York Football Federation's championship games played in Rich Stadium, the home of the Buffalo Bills.

The Western New York Federation is unique in format for postseason championships. There are 10 divisions with a total of 72 schools. The federation was founded in 1970 by the late Louis Foy, of Salamanca, as the guiding light. As a member of Section Six High School Athletics Council, which included five western New York counties, Foy was entrusted to draw plans guaranteeing southern tier high schools with competitive football schedules.

Three years ago, the federation advanced its progress to postseason championships played in the Buffalo Bills' Rich Stadium. So successful have these championship games been that other sections in the State are following our lead. The long-sought New York State football championships could be scheduled for Syracuse University's Carrier Dome.

Three of the schools are from Chautauqua County and two from Cattaraugus County—the 5 comprised one-half of the 10 schools in the Saturday, November 14, championship round.

Jamestown High School, my alma mater, went 9-0, Frewsburg went 8-0 with Panama going 6-2 as the Chautauqua County representatives, Olean High School holds a record of 9-0 and West Valley 7-1 as the two Cattaraugus County champions.

Although my alma mater lost 20-14 in a very spirited game with West Seneca, two teams from Cattaraugus won their games. It was a glorious day for the Olean High School Huskies just as I knew it would be. Olean High School trounced Springville 13-7 to complete an exciting underfeated season—10-0. The game between West Valley and Panama was a difficult one to predict. Panama prevailed after a difficult struggle, therefore bringing joy to many in Chautauqua County and pride to the fans of West Valley.

I am delighted that the outstanding efforts of a very dedicated Louis Foy created the Western New York Federation. The federation provides our local athletes the opportunity for competition and recognition they deserve.●

REAGAN BUDGET CUTBACKS

HON. DONALD J. PEASE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. PEASE. Mr. Speaker, last week the House Ways and Means Committee conducted hearings in Baltimore to gain an understanding of how the Reagan budget cutbacks are interacting with one another. That is the topic I addressed in my weekly column, Washington Report. It follows:

WASHINGTON REPORT

(By DON J. PEASE)

When President Reagan induced Congress last spring to cut $35 billion in spending for social programs, the cuts were generally considered separately from one another—a cutback in one program, the trimming of another, etc.

How the cutbacks interact with one another was the subject of a hearing which the House Ways and Means Committee held in Baltimore last week. We heard from a wide range of witnesses from city, county and state government and from private organizations.

As witness after witness testified on various social program reductions, I picked out the impact on one particular problem—that of mental retardation in children.

We were told that Baltimore's Maternal and Infant Care Program, largely federally funded, will have to severely cut back its efforts to find high risk poor patients early in their pregnancies and to provide them with continuing care through birth and infancy. Nearly 50 percent of the women in this program are pregnant teenagers.

Inadequate care and nutrition during pregnancy greatly increases the chances for both premature birth and mental retardation.

We were told of the case of a child born two and a half months early to such a mother. The baby, weighing one and a half pounds, suffered through two months of life-threatening crises. Discharged after three months, the baby had run up a hospital bill of $54,513. Federal-state limitations held Medicaid payments to $13,322. The local Mercy Hospital got stuck with the balance of $41,191.

We visited Baltimore's Kennedy Institute (affiliated with Johns Hopkins University Hospital), which combines research with training of children with mental retardation, cerebral palsy, brain damage, etc. Largely on an outpatient basis, the institute trains children, their parents, community health workers and university students to deal with the children's handicaps. The institute faces loss of half of the federal funds which make up about 60 percent of its total budget.

So the poor parents who are now more likely to bear retarded children are less likely to find help at the Kennedy Institute.

We were told by Maryland education officials that cutbacks in federal education funding will mean few special education classes available when a mentally handicapped child reaches school age.

But with the federal government withdrawing from social programs, can't the gap be filled by state, local government and private sources?

Governor Harry Hughes said the state will try, but success will be limited. The Reagan block grant approach transfers important social responsibilities to the states. The states get all of the responsibility but only 65 to 80 percent of the money which the federal government had been spending. And federal revenue sharing funds for the states have been eliminated.

Local governments? Baltimore Mayor Donald Schaefer testified that local taxes are already twice as high for Baltimore, an aging industrial city with a high proportion of poor people, as for any other Maryland community.

Local charitable organizations? Put down Mercy Hospital for $41,191 for one baby. And a bright spot—the local United Fund increased its receipts from $19 million to $22 million, a healthy increase.

Local industry also gets high marks for pledging $500,000 to fund programs once provided by federal funds.

But as Mayor Schaefer emphasized, the extra $3.5 million from United Fund and industry won't quite cover Baltimore's $80 million loss of federal funds. Some of the truly needy are going to get hurt.●

RESEARCH IN BUFFALO AIDS BATTLE AGAINST MULTIPLE SCLEROSIS

HON. HENRY J. NOWAK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. NOWAK. Mr. Speaker, the media recently has reported on a 2-year "pioneering study" by a team of researchers in my hometown of Buffalo, N.Y., whose findings indicate the positive effect of treating multiple sclerosis patients with the substance interferon.

According to a copyrighted article in the Buffalo Evening News the findings by the researchers at the Dent Neurologic Institute of Millard Fillmore Hospital and at Roswell Park Memorial Institute "may lead to a major breakthrough in the treatment of the disease." The team was headed by Dr. Lawrence Jacobs, a neurologist at the Dent Neurologic Institute.

I would like to congratulate Dr. Jacobs and the other members of the team who contributed to this significant project, which further enhances the Buffalo area's reputation for excellence in medical research.

Mr. Speaker, at this point in the RECORD, I would like to bring to my colleagues' attention the following article on this study which appeared in the Buffalo Evening News on November 19, 1981:

"PIONEERING STUDY" HERE SHOWS INTERFERON IS EFFECTIVE IN TREATING MULTIPLE SCLEROSIS

(By Arthur Page)

A two-year study by a team of Buffalo researchers has shown that the substance interferon appears to be an effective treatment for multiple sclerosis—a disease for which there has been no successful treatment to date.

The majority of the Buffalo area patients receiving interferon, which has been tested primarily in cancer patients up to now, appear to have had the progression of their multiple sclerosis slowed down—if not stopped—for periods of up to two years.

The findings, which may lead to a major breakthrough in the treatment of the disease, were the result of studies by researchers at the Dent Neurologic Institute of Millard Fillmore Hospital and at Roswell Park Memorial Institute.

The most common crippling disease of young adults, multiple sclerosis is estimated to affect 123,000 persons in the continental United States.

Eight of the 10 patients with multiple sclerosis who received injections of interferon into their spinal fluid over a six-month period at the beginning of the study, experienced no exacerbations, or disease progression, during the period up to this August.

While two experienced exacerbations, they have fewer than would be expected based on the medical history of their multiple sclerosis.

A group of 10 multiple sclerosis patients, who received no treatment and acted as a control, experienced exacerbations at a rate slightly higher than would be predicted based on their disease history.

Dr. Lawrence Jacobs, neurologist at the Dent Neurologic Institute and principal investigator for the study, said the results in the patients receiving interferon are considered "very significant" from a scientific point of view. Statistical analysis supports the fact they occurred because the patients received interferon and were not due to chance, he added.

Dr. Jacobs said the use of interferon could not be considered a "cure" for the patients. While some experienced less physical disability after the study than before, there were others among the eight with no exacerbations who were just as disabled and some still confined to wheelchairs.

The study indicates, he added, that in cases where multiple sclerosis is diagnosed early, use of interferon may prevent disability and deterioration of the individual's nervous system.

Dr. Jacobs said it appears that in the eight patients, interferon either knocked out the triggering agent which causes multiple sclerosis, or bolstered the patient's natural defense system to fight it.

Since interferon is active against viruses, he said the work lends credence to theories that multiple sclerosis is caused by a virus.

Working with Dr. Jacobs on the study has been Dr. Judith O'Malley, senior cancer research scientist at Roswell Park; Dr. Arnold Freeman, chief of Roswell Park's Pediatric Oncology Department; and Roslyn Ekes, a medical technician at Dent. The human fibroblast interferon used in the study was prepared at Roswell Park in the laboratory of Dr. Julius Horoszewicz.

The results up to this past August will be published in an article in the Nov. 27 issue of "Science," the prestigious publication of the American Association for the Advancement of Science. Updated results will appear in an article in "Archives of Neurology" next spring.

Calling the Buffalo researchers work a "pioneering study," one of the reviewers who Science asked to evaluate the study said their effort "appears to have paid off handsomely."

While noting that some of their conclusions may be open to question, he added: "At the very least, this study has shed new light on the probable role of interferons in

the pathogenesis of multiple sclerosis; at best it may have opened a new era in its managment."

Dr. Jacobs said the previously unpublished work was "very well received" when he presented it in September at the 12th World Congress of Neurology in Kyoto, Japan, and in early October at the Second International Conference for Interferon Research in San Francisco.

He and Dr. O'Malley are consulting with researchers in Switzerland, planning to duplicate the study.

The study was entirely locally funded by the James H. Cummings Foundation, Baird Foundation, Josephine Goodyear Foundation, Harry M. Dent Foundation, Margaret H. Wendt Foundation, Delaware North Companies and the Losasso and Slepian families of Niagara Falls.

Dr. Jacobs said the study was based on the hypothesis that if multiple sclerosis is caused by a virus, which is a popular yet unproven theory held by many in the field, administration of interferon may be effective as a treatment.

Interferon is a protein which is among the most biologically active known substances. A component of the body's immune system, it normally is produced by all human cells when they are invaded by a virus and protects cells not yet affected by the virus.

Dr. Jacobs explained that a previous study showed multiple sclerosis patients "do not make a normal amount of interferon in response to a challenge by a virus."

The local study involved two groups of multiple sclerosis patients: 10 who received interferon and 10 who received no treatment but whose conditions were monitored in the same precise ways as those receiving interferon. Those receiving interferon agreed to forgo any treatments for the symptoms of their disease for the first year of the study.

Dr. Jacobs said the human fibroblast interferon was administered by lumbar punctures into the cerebrospinal fluid.

Interferon injected systematically, he added, does not get into the central nervous system, the area directly affected by multiple sclerosis, because of a "blood-brain barrier." The "only practical way" to get it there is through a lumbar puncture, he added.

While the participants were distributed randomly, the study was not a "blind" one in which one group received treatment while the other received placebo treatments with no medication and the researchers did not know which group individual patients were in. The researchers felt, he added, that lumbar punctures to administer placebo treatments to the controls could not be justified.

Patients receiving interferon were given lumbar punctures twice a week for the first four weeks and then once monthly for five months.

They were observed in the hospital during the first week of the study to monitor any reactions to the interferon. Dr. Jacobs said the most common side effect of the treatment was headache, which in some cases was severe, and in some cases there was fever, weakness and muscle aches.

"Some were very mildly ill," he added. "Some were so sick they had to go to bed for up to 10 days to two weeks."

The effects of the interferon on the multiple sclerosis of those receiving it were measured in terms of exacerbations in their condition and monitoring of their degree of disability.

Multiple sclerosis usually is characterized by periods of active disease alternating with rest periods. For a period of active disease to be considered an exacerbation for the study, Dr. Jacobs said it has to be "a separate episode or period of development of new symptoms or group of symptoms when the clinical course had been stationary or improving during the previous month.

The bout had to last longer than 24 hours and there had to be objective neurologic changes confirming the deterioration examination."

Careful histories were done on the multiple sclerosis of each patient to document the number of exacerbations they had experienced prior to the study and their annual rate. By multiplying the amount of time on the study by the rate of exacerbations before the study, the researchers determined the number of exacerbations which would be expected to occur in each participant during that time.

Analysis of data from those receiving interferon and those in the control group, comparing the numbers of exacerbations which occurred with those that would be expected, showed significantly fewer exacerbations among the former and a very slight, insignificant increase among the controls.

While the 10 patients receiving interferon would be expected to have a total of 27.3 exacerbations during the period of the study, they experienced only 4 and those four occurred among only two patients. Dr. Jacobs said.

Eight of the patients, who would be expected to have from .6 to 6.0 exacerbations during their time in the study, had none.

Of the two receiving interferon who had exacerbations, both had less than would be predicted. The one who experienced 3 would have been expected to have 5.3, and the one who had 1 would have been predicted to have 4.6.

The controls, on the other hand, had slightly more exacerbations than would be expected, experiencing a total of 10 when the researchers expected 8.1. Four of the patients in the control group, none of whom was expected to have more than one during the period, had no exacerbations.

Ironically, while the two groups were determined by a flip of a coin, Dr. Jacobs said the group receiving interferon as a whole had a history of more exacerbations annually than the controls and would have been expected to have more than three times as many of them during the study than the control expected group.

The annual exacerbation rate for the interferon recipients took what Dr. Jacobs called a "highly significant" drop, with the rate during the study being .25 exacerbations per year, compared to 1.8 annually before the study. The rate for the controls increased slightly, from .69 to .83, but not significantly, he added.

The exacerbation-free intervals experienced during the study by three of those receiving interferon were the longest such intervals they had experienced since their multiple sclerosis began, he noted.

Comparing "clinical disability status scores" for patients in both groups, Dr. Jacobs said the researchers labeled 5 who received interferon and 1 in the control group as being "better" at the end to two years. In 4 recipients and 4 controls the score was "unchanged" and in on 1 recipient and 5 controls it was "worse."

Analysis of data on those who were judged to be "better," he added, showed they tended to "have had their disease for a shorter time, have had less exacerbations and to have been less severely disabled before the study."

The researchers, Dr. Jacobs said, are still collecting data on and monitoring conditions of the 10 patients in each group.●

HOW DO WE JUSTIFY PASSAGE OF HOUSE JOINT RESOLUTION 349?

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. PAUL. Mr. Speaker, House Joint Resolution 349 authorizes the participation of the United States in a "multinational force and observers" to implement the treaty of peace between Egypt and Israel.

In authorizing this participation, I realize that the intentions of this body were entirely honorable. The desire for peace in this most troubled and sensitive area of the world is something we all share. Nevertheless, the commitment of American combat forces and civilians to a peacekeeping force, without a security pact, for an unlimited period of time, is an act of great import, an act unprecedented in the history of this Nation, an act taken in haste, and an act we may soon regret.

Twelve hundred members of the Armed Forces will take part in the MFO, and will make up about half of the total. Along with soldiers from Fiji, Colombia, and perhaps several other countries, our boys will be equipped for combat.

We have also undertaken the bulk of the financial commitments needed to sustain this force. The initial cost to the taxpayers prior to September 1982 will be $135 million, or 60 percent of the startup costs. Thereafter, tentative initial estimates call for American contributions of $35 million per year, or one-third of the continuing costs.

Relative to the outrageously large military and economic subsidies to Israel and Egypt, the sums involved may seem modest. But at a time of alleged budget austerity, when our Government considers canceling the minimum social security benefit to save money, how on earth can we justify this sort of expenditure?

Some will argue that the cost of war is far greater than the cost of peace. But the threat of war would be significantly lessened if the United States, once and for all, stopped subsidizing both sides of every conflict that arises. Not only have we armed both sides in the Middle East—Israel, Saudi Arabia, Jordan, Egypt, and perhaps even Iraq—but now we are committing our own combat forces to stand in the midst of this torrid chaos of armed might to try and keep these peoples

from one another's throats. The Camp David accords have already cost the taxpayers over $5 billion. We have no right committing additional millions, little less all those hundreds of American lives, to a conflict in which we have no part.

The Soviet Union succeeded in thwarting a U.N. peacekeeping force, and we can be sure that they will do their best to create mischief for this new American commitment. As my colleague, PAUL FINDLEY, has pointed out, they will also exploit this situation as an example of American imperialism.

The fact is that the Middle East is not the responsibility of this Government; the only responsibility of this Government is the security of American territory and American citizens. We have not the moral warrant, the constitutional authority, nor the economic wherewithal to police the world.

I say this not out of meanness or a lack of concern with world peace. In the first case, we are not spending our money but the people's money, and it is high time that we observed the constitutional limits imposed on our activities. In the second case, it is clear to me that the history of American interventionism is not a happy one.

Since America abandoned her tradition of principled neutrality to intervene in a European war, half a million of our young people have given their lives in absurd foreign adventures. We must face the facts: We have not made the world safer for democracy or anything else; we have not advanced the cause of peace or American interests; we have not adhered to the principles that made this country great.

What have we done? We have sacrificed the life and liberty of millions of our citizens in immoral conscriptions, we have violated the professed principles of antipaternalism which should apply to Government policies equally at home and abroad, we have unwittingly contributed credibility to the Soviet Union's propagandistic claim that we are an "imperialistic" people, and we have also contributed to bloodshed and horror on a ghastly scale.

We already have forces stationed all over the world. But now, along with the stationing of support personnel in Saudi Arabia as part of the AWACS deal, we send American combat personnel to take up positions in the Sinai peninsula.

It is this sort of activity which allows us to spend hundreds of billions on "defense" without providing for the security of our own country. Why? Because we are bent on supplying everyone in the world with arms, we insist on intervening in conflicts we do not understand, and we refuse to learn from past experience. The world will have no relief from our fine intentions until we correct the fundamental mistake of thinking that it is weapons that sustain a government. We should have learned in Vietnam and Iran that it is not weapons, but ideas.

I would like to remind my colleagues that noninterventionism has not always meant pacificism or anti-Americanism or leftwing naivete about the need to defend our freedom. From the days of our founding as a Nation until William McKinley led us into a war with Spain, this country largely adhered to a policy of "no entangling alliances." Grover Cleveland iterated the principle as eloquently as any President:

> The genius of our institutions, the needs of our people in their home life, and the attention which is demanded for ... our vast territory, dictate this scrupulous avoidance of any departure from that foreign policy commended by the history, the traditions and prosperity of our republic. It is the policy of independence favored by our position and defended by our known love of justice and by our power. It is the policy of peace suitable to our interest. It is the policy of neutrality, rejecting any share in foreign brawls, and ambitions upon other continents, and repelling their intrusion here. It is the policy of Monroe and Washington and that of Jefferson: peace, commerce, and honest friendship with all nations; entangling alliances with none.

It was Woodrow Wilson who radically departed from a neutral, noninterventionist policy. He sought "to make the world safe for democracy." "America's duty," he said, is

> To stand shoulder-to-shoulder, to lift the burdens of mankind in the future, and to show the path to freedom to all the world ... The American flag is henceforth to stand for ... the assertion of the right of one nation to serve other nations of the world ... America is now rich enough and free enough to look abroad for great tasks to perform ... Our duty is to serve the world.

Lovely sentiments; foolhardy policy, with consequences too tragic to be considered merely quixotic.

In place of military intervention, I would have our foreign policy based on free trade. Voluntary aid from the American people to other people overseas should not be restricted; and American boys should never be coerced into taking up arms to fight and die for Arab sheiks or anyone else. The American Revolution was fought without a conscripted army, and was won against great odds. However, with all our firepower, and a conscripted army, we couldn't defeat the wretched butchers of North Vietnam.

I will close with an unavoidable conclusion, first noted by a great American nearly 30 years ago. Robert Taft's observations remain to the point:

> The freedom of the people of the United States is in serious danger from the foreign policy of the present Administration. . .the danger to liberty at home from the constant increase in the activity, the spending, and the power of the Federal Government, but today the threat from foreign policy is even greater. . .We are embarked on a voyage at this moment in which a continued failure of understanding and judgement may wreck the greatest adventure in freedom the human race has ever known . . .
>
> We cannot adopt a foreign policy which gives away all of our people's earnings or imposes such a tremendous burden on the individual American as, in effect, to destroy his incentive and his ability to increase his production and productivity and his standard of living. We cannot assume a financial burden in our foreign policy so great that it threatens our liberty at home.

Mr. Speaker, I very much want this administration to succeed in its bold attempt to restore fiscal responsibility and limits on the power of Government. We must not allow entangling foreign alliances, which do no good for those we seek to serve, to stand in our way. This is why I oppose the passage of House Joint Resolution 349.●

TRANSPORTATION FOR THE RURAL ELDERLY

HON. BILL EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. EMERSON. Mr. Speaker, on Friday, November 20, the House of Representatives passed H.R. 3046, reauthorizing the Older Americans Act for 3 years. During consideration of this legislation, my distinguished colleague from the State of Missouri (Mr. COLEMAN) offered an amendment which will add improved transportation systems for the rural elderly to the list of eligible demonstrations projects funded under title IV of the act.

Of all the problems faced by the senior citizens of my own congressional district, one of the most serious is the problem of transportation.

In southeast Missouri we have two types of public transportation available to the elderly: That provided by the Southeast Missouri Transportation System and the county bus service made possible in part by the Southeast Missouri Area Agency on Aging.

The Southeast Missouri Transportation System has experienced a cut in its funding by 63 percent, while the system providing service in St. Louis received a 118-percent increase over its prior year's funding.

As a result of this drastic decrease in funding for the rural transportation system, the Southeast Missouri Area Agencies on Aging have attempted to fill in the gaps left by the reduction in public transportation service. Needless to say, the area aging agencies have been working hard in cooperation with the various counties in my district so that the elderly will be assured a reliable source of transportation. Individual communities have contributed to this cause. For example, the senior citizens in one community have held a singing contest to raise money for the

system and the seniors in another community recently raffled a quilt.

However, there still remains a substantial gap in the public transportation system serving the elderly in the 10th Congressional District.

Senior citizens feel that this service is an essential one to their well-being. In many cases elderly persons do not have an automobile or are simply not able to drive anymore. Therefore, they must rely on someone else to get to the bank, the grocery store, the doctor, or to visit friends, and participate in other senior citizen activities.

Needless to say, the kinds of transportation services offered in urban areas simply are not there for our rural elderly.

It is for these reasons, Mr. Speaker, that I strongly supported the amendment offered by Mr. COLEMAN and accepted by the full House of Representatives on November 20.

The purpose of Mr. COLEMAN's amendment is to strongly encourage the Commissioner on Aging to fund demonstration projects which can be replicated by local transportation projects serving the elderly.

As transportation is indeed a serious concern, not only for our rural elderly, but for all senior citizens, I believe that it should be one of the highest priorities under the Older Americans Act.

Reliable transportation is essential to the mental, emotional, and physical well-being of our senior citizens. It is a need that we cannot allow to go unfulfilled.●

AMERICAN NUNS MISSING IN GUATEMALA

HON. HAROLD S. SAWYER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. SAWYER. Mr. Speaker, I would like to call to my colleagues' attention the disappearance of two American nuns in the troubled country of Guatemala. It is with much concern that I present to you the information which I have been able to gather about the Dominican Sisters, who have been missing since Friday, according to the Dominican Sisters of Grand Rapids.

In speaking with the State Department, I have found that Sisters Jean Reimer and Helen Lavalley did not return to their home in the village of Acatenango after a church meeting in another village. As my colleagues will recall, several priests and other nuns have been abducted in Guatemala previously, and as recently as September 13 a Mennonite missionary was murdered in the same province where the two American nuns live. Therefore, I have urged the State Department to make every effort to locate Sisters Reimer and Lavalley immediately, by continually pushing for the cooperation of local Guatemalan officials. I have been told that thus far the local authorities have been very helpful, and have pledged their continuing efforts. Our Embassy is making every attempt to question everyone who might have information about the whereabouts of the missing nuns.

According to sister Thersa Houlihan, superior of the Dominican Sisters in my hometown of Grand Rapids, the two missing nuns had not been involved in any political activities. Sister Reimer has been working in Guatemala for 11 years, while sister Lavalley has only been in Guatemala for 1 year. Both nuns were reportedly involved in religious education work and distributed food donated by Caritas.●

PROGRESS BEING MADE ON H.R. 2203, FCC VOLUNTEERS

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. DANNEMEYER. Mr. Speaker, on February 26, 1981, I introduced H.R. 2203, a bill to permit the use of volunteers by the Federal Communications Commission in the amateur radio and citizens band services. Since that time, a bipartisan coalition of 14 Members of the House have cosponsored the measure. In addition, H.R. 2203's provisions were incorporated into S. 929, which unanimously passed the Senate.

On Thursday, November 19, 1981, the gentleman from Colorado (Mr. WIRTH), the chairman of the House Energy and Commerce Subcommittee on Telecommunications, Consumer Protection and Finance, held a hearing on H.R. 5008, the chairman's so-called Track I amendments to the Communications Act of 1934. The proposed Communications Technical Amendments Act of 1981 addresses many of the issues raised by H.R. 2203. The chairman of the subcommittee is to be commended for his leadership and cooperation in this effort.

I testified before the subcommittee at its hearing. Due to the interest in this subject generated by inquiries from across the country to Members' offices, I ask permission to insert a copy of my prepared remarks at this point in the RECORD:

STATEMENT OF HON. WILLIAM E. DANNEMEYER

Mr. Chairman and members of the Subcommittee on Telecommunications, Consumer Protection and Finance: Thank you for allowing me to appear before you today as you commence your hearings on the "Communications Technical Amendments Act of 1981." The proposed Act addresses a number of issues concerning the Amateur Radio and Citizens Band services in which I have been interested since meeting with a group of constituents in 1980. The residents of my area who are active amateur radio and CB enthusiasts expressed their frustration over not being able to assist the FCC in its monitoring activities despite a willingness to volunteer their services.

Accordingly, on December 8, 1980—after considerable study—I introduced H.R. 8445 to permit the use of volunteers in the amateur radio service. On February 26, 1981, I reintroduced an expanded and modified bill, H.R. 2203, in the 97th Congress. As introduced this legislation would:

First, authorize the use of volunteers by the FCC in the monitoring of amateur and CB radio;

Second, clarify the legal status of the FCC's practice of using volunteers to administer the novice class license, a practice dating back to 1938; and

Third, exempt volunteer monitoring activities from the provisions of the secrecy provisions (Section 605) of the Communications Act of 1934, as that section has been interpreted in the Reston court decision.

The essential reason for the volunteer authority is to tap a resource of manpower that is ready, willing and able to assist the FCC in its enforcement of rules and regulations designed to facilitate the proper use of the airwaves. Written rules, however, are mere paper tigers if they are not enforced. In the case of the FCC, it is clear that the Field Operations Bureau does not have the resources to adequately monitor the entire country. In the current budgetary climate, it is not feasible to spend additional sums on enforcement activities. Furthermore, it is not clear that expanding the FCC's own efforts alone would solve the problems of noncompliance.

While the FCC lacks the structure to monitor the airwaves alone, the thousands of amateur radio operators and the millions of CB operators form an infrastructure that could improve monitoring effectiveness, and hence enforcement. The use of volunteers will save the FCC time and money as well.

As you may know, in at least two instances, current federal statutes prohibit or impeded the use of volunteers by the federal government. (see 5 U.S.C. 3111 and 31 U.S.C. 665(b)). There are precedents, however, for waiving the general rule against volunteers in specific circumstances. Examples relate to the Coast Guard Auxiliary, the National Park Service, the Office of Drug Abuse Policy, the Teachers Corps, Civil Defense, firefighters, and the Federal Aviation Adminstration.

Subsequent to the introduction of the bill in February, the concept of permitting the use of volunteers in the exam and monitoring areas has met with general approval. Fourteen members of the House, on a bipartisan basis, have co-sponsored H.R. 2203 to date. The chairman of the Federal Communications Commission voiced his support, subject to several recommended changes, in a letter to me on June 1, 1981. The Senate, is unanimously adopting S. 929, authorized the use of volunteers by the FCC as well.

Mr. Chairman, you are to be commended for including volunteer provisions in the pending "Communications Technical Amendments Act of 1981." I would like to turn to the specific provisions of the pending legislation:

First, one of the few concerns that has been raised about the use of volunteers is the possibility that a few individuals might exceed the bounds of propriety and legality in the conduct of their volunteer duties. While I believe that the chances of abuse are small, it is nonetheless a prudent step

for Congress to include safeguards in the authorizing legislation for a volunteer program. Accordingly, I support the language in the bill that specifies the functions of volunteers and the limitations on their responsibility and authority.

Second, while my bill (H.R. 2203) only authorizes the use of volunteers in the preparation and administration of the Novice class amateur license, I am pleased that the proposed Act takes the volunteer concept one step further by authorizing the use of volunteers to prepare and administer any class of amateur license.

Third, the proposed Act does not address the use of volunteers by the FCC in the case of CB radio. As I indicated earlier, H.R. 2203 also contains provisions for a CB volunteer program. In my discussions with members of the subcommittee, some expressed concern about a volunteer program for CB. In additon, in his letter of June 1, 1981, FCC Chairman Fowler presented the view that a volunteer program should first be tried in the Amateur Radio service. He pointed out that while 90 percent of the active amateurs are members of the American Radio Relay League (ARRL) and hence an organization is in place to help implement the program by identifying possible volunteers, the largest CB group (REACT) has 35,000 members out of a total of 14 million CB licensees.

While I agree that the volunteer concept should first be the subject of an experiment in the amateur service, I would urge the subcommittee to consider amending the proposed Act to either: (a) permit the FCC to expand the volunteer program by rule to CB and other personal radio services; or (b) require the FCC to report to Congress on the results of amateur experimentation with a volunteer program and a recommendation on possible expansion. The report should be filed one year after enactment.

Fourth, I would like to discuss the proposed section 4(F) of the Act, which seeks to prevent anyone with a financial conflict-of-interest from participating in either the preparation of exams or the administration of exams. Specifically, the section is a well-intentioned effort to prevent anyone associated with an entity that publishes exam study materials from enjoying a competitive advantage by reason of that entity also being associated with the preparation or administration of the exam itself. It is my understanding that this section would most likely apply to the American Radio Relay League (ARRL). As I noted earlier, the ARRL represents 90 percent of the active amateurs and thus would be a likely source of the individual volunteers who would administer the exams. My concern, Mr. Chairman, is that the language of the proposed section 4(F) might inadvertently impair the use of volunteers in the administration of exams if the language were to be so broadly interpreted as to preclude the ARRL's members from serving as volunteers. It seems to me that the conflict arises only when the ARRL itself is associated with the administration of the exam, as opposed to merely helping the FCC recruit individual volunteers to administer the exam without the auspices of the ARRL. Accordingly, I would urge the subcommittee to a) allow the FCC to work with amateur radio groups in the recruiting of exam volunteers just as these groups are allowed to assist in the recruitment of monitoring volunteers; and b) that the conflict-of-interest language be refined so that it only applies to the administration of exams.

Mr. Chairman, in conclusion, again let me express my thanks for your consideration of my bill, H.R. 2203, and the inclusion of many of its provisions in your proposed "Communications Technical Amendments Act of 1981." I respectfully urge the subcommittee to approve the Act with the volunteer provisions together with any changes along the lines I have mentioned that the subcommittee might deem appropriate.

I look forward to favorable Congressional action before the adjournment of the first session of the 97th Congress so that the FCC and radio volunteers might benefit from the program during the balance of fiscal year 1982, and beyond.●

AGAINST THE BUDGET CUTS

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. WEISS. Mr. Speaker, the voices of many in the private sector have been loud and persistent in their support of the President's economic program. But some business executives have been more cautious in endorsing the budget reductions, especially those which cause the young, the old, and the poor much hardship. J. Richard Munro, the president of Time, Inc., expressed his sober views against many of these budget cuts in an article "Against the Budget Cuts" in the New York Times on November 15, 1981.

Mr. Munro understands the value of social stability that is threatened by wholesale budget cutting. In this article, he notes that cuts in education at all levels, jobs and training programs, medicaid, housing aid, food stamps, school nutrition, support for poor families with children, energy assistance, unemployment insurance and numerous other social services would leave serious and immediate human needs unmet. Munro concludes, "As business executives, I do not think we should stand by and let this happen."

Mr. Munro also emphasizes the economic value of social spending that is actually an important investment in human capital. He observes:

Out of economic necessity, we can't afford to let the productive potential of any of today's children languish because of our neglect. More than ever, they are vital to our future, and we should help them get the best possible start in life. That means good schools, good nutrition, health care, housing, stable homes.

Mr. Speaker, I ask permission to have this important article from the November 15, 1981, New York Times, by Mr. Munro printed in full following these remarks and commend it to attention of my colleagues:

AGAINST THE BUDGET CUTS

(By J. Richard Munro)

I know that business executives are not supposed to disapprove of the Administration's spending program. Polls show support among us hovering around 90 percent. That's a phenomenal vote of confidence. I support the new policies that promote growth, new investment and greater productivity.

Yet, in the rush to fight inflation and stimulate investment, I fear that we have cut too deeply, that we have put too high a burden on the poor and elderly, and that we are jeopardizing the long-term goals of this program and the interests of business.

I am especially concerned about the cuts in social spending. They have gone too far, too fast. And too few of us understand their impact.

Most of us probably have found comfort in the notion that the cuts were marginal and that the cuts fall equally on everyone. The cuts are anything but evenhanded, and the effects are far from marginal as the numbers show. About 70 percent of the 1982 cuts now in place come from programs affecting the poor.

You can go down the line—education at all levels, jobs and training programs, Medicaid, housing aid, food stamps, school nutrition, support for poor families with children, energy assistance, unemployment insurance, and numerous other social services. Every one of these received major spending cuts adding up to $25 billion of the $35 billion total cut from the budget this summer.

That doesn't include $13 billion in more cuts just proposed, and the $100 billion in cuts projected for 1984. Although those cuts are mostly unspecified, programs for the poor will again be on the chopping block.

Combined with tax cuts that benefit mostly higher-income people, this program adds up to a major redistribution of money in our society, from the lower end to the upper end of the scale.

Despite Administration assurances, the truly needy will have to cut back family budgets that simply can't be stretched any more.

The truly needy include the elderly and disabled poor. But the group that concerns me most is children, in families headed by a woman.

One out of 6 of all American children, about 10 million, lives in poverty today. One out of 4 of all children will need welfare support at some time before growing up. About one out of 6 of all children has no regular source of medical care. One out of 3 has never seen a dentist. Among black children, 2 our of 5 are poor.

Under the new budget, they are losing a little here and there, not too much taken one by one. But when the losses total several hundred dollars this year per family with even greater losses next year and the next, that will have a great impact.

We should also be concerned about the many social services, Government and privately run, being cut severely under this budget.

In Fairfield County, my wife and I are active in the Juvenile Diabetes Foundation. It's just been hit by Federal budget cuts that sharply reduce its research program. Actually, I think we can probably raise money locally to replace some of the loss. Buy what about similar organizations with no access to corporate contributions or well-funded local governments?

Let me sum up. The budget cuts are leaving serious and immediate human needs unmet. And if the budget cuts continue as scheduled, the problems of the poor will worsen intolerably. As business executives, I don't think we should stand by and let this happen.

On a practical level, let's consider the opportunity cost of letting the cuts go through. This year, we have the chance to

restore business incentives for greater investment. The President, the Congress, and, most important, the public are behind us. Yet, this public support will vanish if the burdens of this program remain so uneven, and if the promised surge of prosperity pays off only for those already well off.

While we can talk about the need for patience until the long-term benefits arrive, the next election is a year away—close to the bottom of what appears to be a deep recession—at the very time the budget cuts put more holes in the "safety net" for people.

Also, while the economy declines, safety, health, consumer and environmental protections are weakening; civil rights enforcement is taking a giant step backward, and the share of taxes paid by corporations drops significantly.

That's not a scenario designed to build confidence in the current program. Consequently, in the next election, people may decide that they're not getting the changes they really wanted. And it'll be another generation before we get a similar chance to enact business incentives.

George Will wrote in a recent column that programs like Social Security spring from Americans' acceptance of "the ethic of common provisions." He went on to say that President Reagan "must convince Americans that his conservatism is compatible with that ethic."

Let's consider the economic effects. Remember that in a few years, the children of today will be our employees, adding, we hope, to our bottom line. Because of the end of the baby boom, there will be far fewer of them available. And we can already read projections of labor shortages later in this decade, especially in skilled labor. Budget cuts in training and education will worsen that problem.

Consider also Social Security: There are three workers today for every beneficiary. In 30 years, there will be two, when the children of today should be in their prime working years.

Out of economic necessity, we can't afford to let the productive potential of any of today's children languish because of our neglect.

More than ever, they are vital to our future, and we should help them get the best possible start in life. That means good schools, good nutrition, health care, housing, stable homes.

Yet, we're moving in the opposite direction now and in the foreseeable future. That disturbs me, and I think it should disturb you.●

AN IMPORTANT SPEECH BY GOV. JERRY BROWN

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. BROWN of California. Mr. Speaker, Gov. Edmund G. Brown, Jr., of California is a political figure who tends to stimulate widely varying emotions among those impacted by his words and actions. The extent of this emotion is evidenced by the fact his detractors describe him with words like "flaky" and "Governor Moonbeam," yet Governor Brown is also grudgingly conceded to be a figure with marvelous powers of political recuperation. However, even friends and sympathizers, and I generally count myself in that camp, are on occasion puzzled and appalled by his treatment of politics and political issues. It is difficult to discern whether he is playing the role of philosopher or saint, delivering the prophetic gospel to the masses, or the role of playboy humorist, manipulating the levers of power for his own amusement. It appears that only rarely does he project the image of a pragmatic and effective leader of a great State, the role which those who represent that State in the U.S. Congress would most like to see.

Governor Brown is currently the leading unannounced candidate for the Democratic nomination for U.S. Senator from California in next year's elections. There are some political soothsayers who would not be surprised if the Governor still retains an interest in even higher office, as he has evidenced in prior years. It is doubtful that he will be successful in this aspiration, if he really holds it, unless he can appeal to truly significant and deeply felt needs of the American people.

Last month, October 27, 1981, the Governor made a speech to the Annual Convention of the American Association of Port Authorities which seemed designed to make that appeal. We should all be interested in making our own objective analysis of what he said, and how the public reacts to what he said. This speech contains the themes which the Governor believes, as far as I can tell from my years of contact, hold the key to American progress. Since we can expect to hear them again, we shoud get acquainted with words such as:

Our most fundamental challenge is to achieve economic growth in a new "era of limits" on energy, on resources, on skilled people.

Expensive and scarce energy and resources are now producing * * * a turning point in our history * * *

This new turning point is often called "the information revolution" in which information is replacing energy as the key to productivity growth.

To grow in the new era of limits, we must accumulate capital and carefully direct it into modernizing our economy.

We will need, in short, a national investment strategy to encourage new information technologies, efficient resource use through careful stewardship of our environment, skilled labor, expanded world markets and public infrastructure.

Our top political priority in this decade must be to foster a new spirit of cooperation in which we come to see that the benefit of each depends on protecting the public trust.

I consider this speech to be significant and worthy of review by each of my colleagues. Accordingly, I am including the full text of Governor Brown's remarks below.

America today is in search of a vision for this transitional period in which we now find ourselves.

We are the strongest power on earth. So too were Spain, France, and England in the final season of their greatness. Like them, we are a rich, aging minority in a world undergoing fundamental change. We must change as well or face our own season of decline. Our most fundamental challenge is to achieve economic growth in a new "era of limits" on energy, on resources, on skilled people.

America, unique among the nations, lives on an ethic of growth.

Expansion has been critical to our economy, but as Frederick Jackson Turner noted in his classic, "the Frontier in American History," growth has also been critical to our social cohesion. It is difficult to imagine America at peace with itself or with the world if it does not produce rising incomes for all of its people.

But, though grow we must, we cannot grow as we have. The cheap energy and resources powering our past expansion have become increasingly expensive and hazardous commodities in the late twentieth century.

Expensive and scarce energy and resources are now producing as profound a turning point in our history as the nineteenth century shift from agriculture to industry, or our own twentieth century turn from domestic to international markets.

This new turning point is often called "the information revolution" in which information is replacing energy as the key to productivity growth.

In this new era, the building blocks of our economy are undergoing basic change. First, information technologies have replaced heavy industry as our new growth sectors. Second, using less energy and resources, not more, has become a key to increased productivity. Third, labor shortages pose a major obstacle to growth for the first time in our history. And fourth, expanding markets lie principally in the Third World rather than in Europe.

These four historic shifts in the world economy require corresponding shifts in our own economic policy.

Too much of our current investment policy is geared to maintaining obsolete equipment, energy sources, labor practices, and international trading relationships.

To grow in the new era of limits we must accumulate capital and carefully direct it into modernizing our ecomony.

This means wisely renewing and expanding our physical capital—roads, bridges, ports, space facilities, trains and transit of all kinds, water and waste disposal and recycling projects, and radically improving our investment in human capital through education, training and retraining, and research and development.

We will need, in short, a national investment strategy to encourage new information technologies, efficient resource use through careful stewardship of our environment, skilled labor, expanded world markets and public infrastructure.

Let me suggest today a five-point program for such a national investment strategy, which I believe we badly need if we are to meet the challenge of the sophisticated economics of Asia and Europe and at the same time meet our domestic need for meaningful work, economic prosperity and a sustainable environment.

1. INVESTMENT IN NEW TECHNOLOGIES

Our top economic imperative is to invest in the information technologies which have become our major growth sector: semi-conductors and software, personal and business computers, biosciences and the new telecommunications, robotics, and the new space industries of the 90's. These new technologies, often thought of as distant possibilities, are in fact now driving our economy today. The new industries built around them are already among our leading growth sectors.

In California, semi-conductors and electronics have supplied 25 percent of all manufacturing jobs over the past decade. More importantly, the information technologies are key to saving our existing industries—from textiles, where computer aided design is spreading, to the auto industry which is introducing robots on the production lines. And these technologies are driving growth in the service sector as well, as anyone can testify, who has dealt with an airlines clerk, done computer aided research, or banked through an electronic teller.

But information technologies will not insure economic growth without a radical shift from excessive consumption to long term investment. We need to invest billions in research, improvement of new technologies, and retooling our aging plant and infrastructure. The decade-long trend, which has seen us lag behind other nations in research growth, must be turned around.

The times demand joint efforts between industry and government, and substantially increased spending for basic research through the National Science Foundation, the National Institutes of Health, the Environmental Protection Agency, the National Institute of Occupational Safety and Health, and the National Aeronautics and Space Administration.

This year we have created a state-financed micro-project at the University of California to do basic research on microelectronic and computer sciences. The research projects will be jointly financed by state government and private industry on a matching dollar basis.

The key emphasis must be on capital formation in both the public and private sectors to spur modernization. Our tax code has to be geared to encouraging innovative investment and discouraging consumption. Recently in California, for example, we took such a step. We eliminated completely the capital gains tax for businesses with less than 500 employees, the traditional source of technological innovation, and made up the revenue loss by increasing the capital gains tax on antiques, paintings, gold, silver and other collectibles. This is a concept that some call targeting. In the future we are going to do more of that. It is by directing or targeting our incentives to new growth-producing technologies that we will find a new economic path for the 80's. Neither across-the-board reduction in depreciation schedules nor government bailouts are adequate to insure a steady flow of capital to modernization.

2. INVESTMENT IN RESOURCE EFFICIENCY THROUGH STEWARDSHIP OF OUR ENVIRONMENT

As energy and resources costs continue to climb we must develop cogeneration, photovoltaic, wind, and other renewable technologies that can generate electricity safely and at a reasonable cost.

We should also develop new and more efficient industrial processes as well as create substitutes to reduce the spread of toxic chemicals and pesticides.

We need research for new, clean transportation fuels that can be developed out of agricultural wastes, biomass, and coal. Tremendous possibilities exist for methanol development if we just first make the commitment.

And more immediately, we need new incentives to commercialize existing least-cost energy strategies. The California Public Utilities Commission has already ordered our utilities to offer conservation and solar loans because it has found that giving people a low or a zero-interest loan for conservation retrofit and solar devices is actually more cost effective than centralized power plants.

Finally, we need to pay more attention to restoring and protecting our fish, our forests, our soil, and our water. This is true foundation of our national wealth. You may have read recently about the severe danger of soil erosion. It is not a topic that we hear about every day. Nevertheless, the food that we eat and which also provides so many export dollars derives from the soil and the water. These are resources which must be protected and wisely managed. Yet, today more soil is shipped down the Mississippi River than corn, and it won't be too many years before that top soil is gone unless we change our ways.

To create one-inch of topsoil takes at least 1,000 years. In ancient times, Mesopotamia was every bit as proud as our own middle west. Today the soil of that area is long gone with only barren desert blowing in the wind because of inadquate understanding and the mismanagement of salt buildup, mineralization and erosion.

We look at North Africa and can hardly believe it once was covered with rich forests. But mighty Rome needed wood for aqueducts, ships of war and maybe even for hot tubs. God help us if we fall into the same trap when we have the capacity to increase the productivity of our own timberland by 50 percent. In California, we have already embarked upon a major program of reforestation through funds derived from geothermal, oil and gas revenues. Our philosophy is to tax our nonrenewable resources, the depletable resources, and redirect the funding into the renewable resources.

With respect to fisheries, we face more than a 50 percent decline from historic levels. We can reverse this but only by clearing thousands of miles of streams throughout our state. And that is precisely what we are now doing through our California Conservation Corps. As for water, we intend to recycle at least 400,000 acre feet and even more if our desalting plants perform as well as expected.

Environment and growth are not opposed—they are inextricably linked. Wise, careful, caring use of our natural resources produces the wealth that is at the foundation of our civilization.

3. INVESTMENT IN HUMAN CAPITAL AND A NEW WORK FORCE

The third great shift we are experiencing is the increase in the shortage of skilled workers and this demands entirely new policies. The baby boom of the fifties is moving into middle age. Americans between the ages of 16-24 will decline in the 80's, not surge by 40 percent as in the last decade.

The new growth industries are creating highly sophisticated jobs and that demands more trained workers than are currently available. Skilled jobs are going begging side by side with rising unemployment. And that is the paradox; we have a shortage of nurses, a shortage of electronics people, computer specialists, engineers and we have to do something about it. Automation will compound the problem by displacing 45 million existing jobs in the next two decades. Growth in the 80's therefore demands a major investment in education and job retraining going far beyond anything we have done before.

Our elementary and high schools need to return to a new emphasis on fundamental communication, calculating, and scientific skills. We have to upgrade our teaching and provide more sophisticated equipment such as personal computers which can allow students to take a more active role in their education. Our universities need a sputnik-like push to turn out more scientists and engineers. Already, Japan, with half our population, is turning out 2,000 more electrical engineers every year than we are. The gap is growing. If we do not shift our priorities, it is only a matter of time before what happened in autos, TVs, calculators, and cameras is repeated in the electronics field. Then there will be very few industries left in which America leads. Such an outcome is totally unnecessary if we make the kind of shift that I am suggesting today.

Vocational education and job retraining programs also have to be upgraded and retooled. We need employment-based job training and retraining.

What we need to recognize is that wealth derives from people—from human intelligence—and that we have to nurture that intelligence through education, research and manpower training in the private sector and in the public sector. And we have a model on how to do that. It's called the California Worksite and Educational Training Act. It is a $25 million effort that we started three years ago. It has had a remarkable success by targeting job training at the lower end of the scale but including a career ladder for those who participate. Several thousand people and dozens of industries have worked very well with the community colleges to bring this about, particularly in electronics and nursing.

Finally, we need a training program targeted to areas of special need, from youth to minorities to welfare clients to those who are displaced by plant closings.

Beyond training, we also need to invest in strategies designed to involve working people in their own production, and in the quality of their work. The quality circle is an idea which was developed in America, transferred to Japan, and now brought home again. We have at the California Department of Motor Vehicles an experiment in quality circles where workers meet on a regular basis to discuss their work and share insights from the bottom up to improve productivity and their working lives. We are involved in international competition. We have to work better with greater insight and caring if we are going to secure our economic prosperity.

4. INVESTMENT IN NEW MARKETS

Our economy in the post-World War II era has depended on new markets created in Europe and Japan, made possible through the Marshall Plan. We've seen the Third World primarily as a source of cheap raw materials during the same period. Now, Japan and Europe are our more vigorous competitors in more slowly growing domestic and international markets. And the Third World is no longer merely a source of cheap materials.

To develop in the 1980s, we can no longer look just to the developed countries of

Europe and Japan. We have to turn our attention to the Third World, and help foster an economic framework there, so that the developing nations can become partners in global economic prosperity. The key is expanding the buying capacity in the Third World. Many of the markets, particularly in steel and autos, in the developed world are simply stagnant. Unless we can transfer technology to the countries of the Third World and help stimulate their buying power, we are going to find that our present period of economic stagnation will continue for the rest of this century. We may need to create something like a Marshall Plan for the Third World which would involve a cooperative undertaking among the rich nations.

5. INVESTMENT IN THE PUBLIC INFRASTRUCTURE

The explosive growth and development of the United States and other advanced nations in the last century was made possible only through a combination of private and public investment.

Waterways, canals, ports, and roads first opened up the country. Then came the railroads, followed by super-highways and, finally, the network of airports.

We have invested trillions of dollars in our public infrastructure of ports, highways and other public works vital to industry and private citizens.

And now, following many years of neglect, we face a financial crisis of alarming proportions because of aging facilities and the huge expenditures needed for replacement and expansion of our public structures.

A study this year by the National Council of State Planning Agencies asserts that:

The nation's 42,000 mile interstate highway system is deteriorating at a rate requiring repair of 2,000 miles of road per year. Over 8,000 miles of the system are substandard, along with 13 percent of the bridges. Estimated cost: $700 billion.

Bridge rehabilitation and construction will require $33 billion.

To maintain and renew city water systems will require between $75 and $100 billion in new investment.

More than $25 billion will be needed for water pollution control and treatment facilities.

Tens of billions of dollars will be needed to expand and upgrade our ports to meet the needs of a doubling of foreign trade by the year 2000.

Upgrading the nation's rail systems will require many more tens of billions of dollars.

As we continue to expand coal exports through our nation' ports, the need for improved rail service and connections with ports is even more vital.

The total public investment this nation now requires staggers the mind. The Urban Institute estimates that maintenance alone—just keeping existing public infrastructure in repair—will cost over $660 billion in the next 15 years.

In the face of this crying need for repair, reconstruction, and expansion of the public infrastructure, investments have been steadily declining in real dollars since 1965 from $33.7 billion to less than $25 billion in 1979, a 28 percent drop.

As a percent of the Gross National Product, public works investment has declined 53 percent.

You men and women connected with our nation's ports know full well the need for and the value of capital investment.

Our ports are essential to this nation's economic prosperity as we expand foreign trade to the Third World. The Los Angeles-Long Beach harbors alone expect to see an increase in trade of 350 percent by the year 2000.

With all of these unmet needs, what do we find coming out of Washington? New budget slashes across the board, shutting down public works projects, slashing education and training budgets and reducing research and scientific development. The administration is proposing to cut transportation alone by $31 billion in the next five years.

The revenue cupboards are bare in California and in other states.

Cities and counties have no money.

And unprecedented double-digit interest rates have crippled the bond markets, undermining the ability of state and local governments to make needed public investments.

A federal budget out of balance by at least $50 billion and headed for $75 billion.

A trillion dollar federal debt requiring nearly $100 billion a year for interest alone.

A proposed $1.5 trillion defense budget over the next five years.

And in the face of all those enormous needs and expenditures a tax cut of $750 billion.

I say to you ladies and gentlemen, something is out of whack.

With bridges falling down from rust and highways collapsing from erosion and ports needing dredging and new loading and unloading facilities; with 6,500 trains derailed in 1980 because of track deterioration; with water and sewer systems in collapse and prisons filled beyond capacity.

With all of that and much, much more, I say to you this country must look into its own soul and find a new, positive vision that will allow us to build for the future and not steal from it.

What I am really addressing myself to is the development of a new national consensus—a shared vision of what America is and what it can become.

To grow in this era of limits, we must put aside facile economic nostrums. Neither conservative calls for less spending nor liberal calls for more spending really address our central economic dilemma, insuring that our spending, whatever it is, is directed toward modernizing our economy. What is needed is basic agreement among leaders, business and labor, university and government, representatives of different regions and ethnic groups on a new strategy. This will demand a political shift as profound as any we have ever encountered. For years our nation has thrived despite adversary relationships between managers and labor, between different regions of the country, and more recently, between environmentalists and developers. Such a division we can no longer afford. Our top political priority in this decade must be to foster a new spirit of cooperation in which we come to see that the benefit of each depends on protecting the public trust. Corporation managers will have to place a new emphasis on risk-taking and long-term investment rather than just short-term profits and immediate gain.

Creating this new spirit of cooperation and national focus will not be easy. It will be as challenging as anything we have seen in our history in time of peace or war. But we have no choice. We have to proceed and proceed we must—confident in the knowledge that our best days are yet to come.●

THE TAX BILL: SMALL BUSINESS'S LOSS

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. LaFALCE. Mr. Speaker, the deep recession into which our economy is sliding is seriously hurting the small business community. Interest rates remain at high levels, orders and sales are slowing down, unemployment is shooting up, and business bankruptcies are at record levels.

As you recall, all of this was not suppose to happen. Last summer, we were told that prosperity without inflation was just around the corner. All we had to do was enact the administration's tax and budget programs. The tax-cut bill was especially important, we were told. It would infuse new money into the economy that would be used for new savings and investment. Business would no longer suffer from a crushing tax burden and would be unleashed. Small business would particularly benefit. And small businessmen lined up in strong support of the administration bill even though there were lone voices who warned that small business was being seriously shortchanged by the legislation.

I was one of those who was concerned that small business was not receiving the special consideration it merited under the administration's tax-cut plan. That plan was too heavily tilted toward the large, capital intensive industries and did not include items that small business needed.

Now, an article that appeared in a recent issue of Inc., the highly respected and widely read magazine of small business, lays out just how much small business had been shortchanged under the administration tax bill.

By one estimate, according to the article, the tax cut proposed by the House Democrats targeted nearly $27 billion in tax cuts to small businesses over the next 5 years. The administration bill, on the other hand, targeted only $6 billion over the same period.

The extent to which small business does not benefit from the biggest tax cut passed in out Nation's history worries me. Small business is the most vital sector of our economy. It is where the new jobs will be created that will put our citizens back to work; it is where the new tax revenues will be generated, it is where the new technological breakthroughs will come that will make our economy productive and competitive. But these things will not happen if small business continues to be ignored at best and discriminated against at worst by the current administration.

I would like to include the following article in the RECORD because it sets

forth in an objective, straightforward manner how much small business lost under the Economic Recovery Tax Act of 1981. Moreover, it demonstrates how little the small business community has received from the administration in return for its support.

WHY SMALL BUSINESS LOST ON THE TAX BILL

(By Tom Richmond)

Looking back on the tax fight that occupied Congress and the Administration throughout the summer, lobbyists and even some legislators contend that small business could have wrangled many more concessions out of the Administration—deeper corporate rate cuts and more depreciation—if they had used the same political tactics employed by other interest groups.

Instead, many small business constituents decided to be good patriots and support the Reagan Administration tax bill, even though the Democratic version was far more favorable to their interests.

"Corporate robber barons picked up billions of dollars in relief from the windfall profits tax," said Allen Neece, a lobbyist working with Small Business United, a coalition of 14 regional, state, and metropolitan small business associations. "But small business didn't want to be greedy. They wanted to do 'the right thing.' "

House Democrats had, in fact, put together a tax package that gave small business almost everything it ever dreamed of in tax reform, including two whoppers:

Substantial reductions in the corporate income tax rates and further graduation of those rates for net incomes up to $200,000 (see box);

Immediate expensing of the first $25,000 in capital investments each year and, after a 10-year phase-in, the ultimate in simplified and accelerated depreciation—immediate expensing of all capital expenditures.

By one estimate, the Democrats' bill targeted nearly $27 billion in tax cuts to small companies over the next five years, compared with just $6 billion in the Reagan-backed bill.

Unfortunately for the Democrats, many small businessmen rejected the bait. Vernon Raymer, the owner of a dry-wall contracting firm based in Denver, was one. Raymer attended a White House meeting on July 15 with President Reagan, top administration officials, and about three dozen small business executives, and came away firmly believing that the President should have the chance to make good On his economic promises. As for the Democrats' tax bill, Raymer wasn't interested. "If the opposition had wanted to help us," he said, "they had already had the opportunity."

Richard Johnston, chief executive officer of a Belle Chasse, La., company working in oil field fabrication, also attended the cabinet meeting. Afterwards, he said he too was skeptical of Democratic efforts to attract business interest to their rival tax cut measure. The Democrats, said Johnston, never had a plan of their own. "They were just trying to win a battle; Reagan was trying to win a war."

The views of Raymer and Johnston apparently typified the attitude of most small business owners and excutives. The Main Street business preferred to stick with Reagan. "they could trust him," said John Fitch, a lobbyist for the National Association of Wholesaler-Distributors. Fitch said his members seemed to have an almost "spiritual" bond with the President.

But small business may have played a cruel joke on itself. In viewing Reagan as a "knight on a white horse," said Neece, small business people were naive. "The most shocking thing is that they stopped thinking. People did not want to be bothered with the facts."

Being team players also limited the effectiveness of some members of Congress, who might otherwise have pushed a bit harder for tax revisions for small business.

TAX REDUCTION PROPOSALS VARY WIDELY

To appreciate what small business *didn't* get in the 1981 tax reform act, take a look at the differences between the corporate tax reductions offered by Democrats in the House Ways and Means Committee bill and the corporate rate reductions accepted by the Administration and eventually adopted by Congress.

MARGINAL TAX RATES

[Dollars in thousands]

Net income	In percent		
	Old tax law	New tax law[1]	Ways and Means[2]
$0 to $25	17	15	15
$25 to $50	20	18	15
$50 to $75	20	30	20
$75 to $100	40	40	20
$100 to $150	46	46	25
$150 to $200	46	46	30
Over $200	46	46	34

[1] When fully effective in 1983.
[2] When fully effective in 1987.

As an example, assume that a corporation has $250,000 in net income.

	Tax liability	Effective tax rate (percent)
Old tax law	$95,750	38.3
New tax law	94,750	37.9
Ways and Means proposal	62,000	24.8

Sen. Dave Durenberger (R-Minn.), for example, headed the Finance Committee's "small business task force," named by chairman Robert Dole (R-Kans.) Its job was "to work on some small business things that could be done inexpensively," according to a Senate staffer. The task force did successfully recommend the addition of two relatively inexpensive provisions to the committee's bill: incentive stock options—much sought after by high-tech companies competing for scarce management personnel—and an increase in the value of used equipment eligible for investment tax credits. "But when we needed someone with clout [to push for corporate rate reduction]," said Lewis Shattuck, executive vice-president of the Smaller Business Association of New England, "Durenberger was out sharpening his pencil."

To assess the small business gains and losses in the Economic Recovery Tax Act of 1981, as the legislation is officially known, you must ask: Compared to what?

If you accept as sufficient the Administration's criterion that, as articulated by Assistant Treasury Secretary Paul Craig Roberts, "anytime the general economy rises, small business automatically benefits," then the small business sector did well—provided, of course, the Reagan economic plan does give the economy a rise.

If, on the other hand, you take the position that a healthy economy, while necessary, is not by itself sufficient to insure accelerated growth in a declining small business sector—and it is declining as a proportion of the gross national product—then small business didn't fare very well.

"The bias against small business compared to large corporate interest," said Rep. Ed Jenkins (D-Ga.), "has not been narrowed by this bill." But while small business didn't gain much, it didn't lose much, either, Jenkins said. "We forced the Administration to at least keep them halfway even."

P.S. Remember the "second" tax bill that Reagan promised if the Congress would keep the first one clean? "You will have [another] tax bill next year," insisted special presidential assistant Wayne Valis a few days before Reagan signed the first one. What's to be in it? "We don't know yet," Valis said. "We have to get social security out of the way first."●

THE SAUDI PEACE PLAN, FULL TEXT

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. ROSENTHAL. Mr. Speaker, the ideas and opinions which Crown Prince Fahd of Saudi Arabia has advanced as a peace plan for resolving the Arab-Israeli conflict have provoked widespread commentary.

In the interest of informed debate, I wish to share the text of Prince Fahd's remarks as distributed by the Riyadh Domestic Service in Arabic and translated by the Federal Broadcast Information Service.

Tomorrow I will offer two recent commentaries on the Saudi plan which help to place it in the context of Middle East politics.

[Dated Aug. 7, 1981]

[Interview with Saudi Arabia's Prince Fahd ibn 'Abd al-'Aziz, heir apparent and deputy prime minister of the Council of Ministers; in Jidda, date not given—questions and answers read by announcer.]

[Text] Question: News agencies have extensively reported that Saudi Arabia played a part in bringing about the cease-fire in Lebanon? What is the truth about the Saudi role?

Answer: I will not be revealing a secret if I say that Saudi Arabia played a part in the cease-fire which came into effect in Lebanon recently. Ever since the situation began to dangerously deteriorate following the savage Israeli raid in Beirut, the king directed that there was a need to make moves on various levels in order to protect the lives of innocent civilians—old people, women and children who were falling victim to the Israeli military machine, which deliberately bombed, killing and wreaking destruction both in Beirut and in southern Lebanon.

This was the principal reason why his majesty the king and Saudi Arabia made a move. In addition, we believe that any aggression on an Arab country is an attack on us. On the orders of his majesty the king, we contacted Washington and expressed our extreme concern at the deterioration in the situation. We asked Washington to put pressure on Israel before the situation exploded.

The cease-fire agreement was concluded after intensive, urgent efforts. We notified all Arab parties directly involved in the dispute of what had taken place. In this connection I wish to affirm that the cease-fire had been dictated by certain humanitarian circumstances at a given, crucial moment in time, bearing in mind that this does not mean that the Palestinian people should cease their march toward gaining their rights and that our national commitment to the issue of Palestine and our organic relation with the struggle of its people imposed on us to move to save the innocent souls which were harvested by the Israel aircraft. And I take the opportunity to praise the rare heroism shown by Palestinian and Lebanese fighters over those 15 days with their limited capabilities and their unlimited faith, they opposed the aircraft and missiles of the Israeli enemy. To Yasir 'Arafat I send in the name of the kingdom, king, people and government, greetings of appreciation and admiration, to him and to the Palestinian and Lebanese people, for their steadfastness and determination to confront and fight Israeli barbarism.

Question: Does this mean that you are satisfied with the U.S. response to the kingdom's efforts?

Answer: The U.S. Government responded to us quickly and effectively, and we appreciate this. But here we rightly talk about one aspect of our relations with the U.S., which concerns a certain circumstance. We continue to be dissatisfied with the overall U.S. policy in the Middle East, especially as concerns the Palestine problem and the rights of its peoples. And I confirmed to the U.S. that there was no dispute between us and any U.S. administration other than that which concerns the national rights of the Palestinian people. This dispute is not to be scorned, because it is connected with the security of our region and its stability; and subsequently it is related to U.S. interests. I do not understand how successive U.S. administrations continue to expose their relations, and subsequently their interests with the Arab nation, to danger by supporting Israel politically, financially and militarily while the latter continues to occupy the whole of Palestine—in addition to other Arab lands—to build settlements, expropriate land and kill the innocent with American weapons it had agreed not to use for aggression. The U.S. should halt this support in order to safeguard world peace, which threatens to explode. What increases our sorrow is that the U.S. Government continues to adhere to the Camp David accords, whose failure has been proven. We continue to hope that the Reagan administration will accept the uselessness of the Camp David agreements as a framework for just and comprehensive peace in the Middle East and will initiate a drastic change in U.S. policy which would lead to the withdrawal of Israel from the Arab territories occupied in 1967 and the establishment of an independent Palestinian state. Any attempt which does not seek to force Israel to withdraw and does not seek the establishment of a Palestinian state shall lead to more unrest, killing and destruction, as is happening in Lebanon today.

Now we fear that time will pass without the current American administration embarking on a new serious move that is drastically different from Camp David. Then we shall hear the enduring excuse that Congressional elections are nearing, which will be followed 2 years later by the presidential elections, and subsequently there is a need to await the results, and so on for 30 years. Following the recent events in Lebanon, the international and Western press, especially the Americans, expressed the opinion that the U.S. Government should recognize the PLO. It is a fact that any comprehensive peace in the region should be based on reality and fact and not illusions that lead to unfavorable consequences, as happened in Angola, Ethiopia and Afghanistan. The time has come for the U.S. Government to be less biased toward Israel and more equitable toward the Arabs.

Question: It appears from the analysis made by Your Highness that the setting up of an independent Palestinian state is the basic condition for any comprehensive, settlement in the Middle East. Does Your Highness have a practical vision of such a settlement or the way in which it could be reached?

Answer: Naturally I cannot go into detail now, but there are a number of principles which may be taken as guidelines toward a just settlement; they are principles which the United Nations has taken and reiterated many times in the last few years. They are:

First, that Israel should withdraw from all Arab territory occupied in 1967, including Arab Jerusalem.

Second, that Israeli settlements built on Arab land after 1967 should be dismantled.

Third, a guarantee of freedom of worship for all religions in the holy places.

Fourth, an affirmation of the right of the Palestinian people to return to their homes and to compensate those who do not wish to return.

Fifth, that the West Bank and the Gaza Strip should have a transitional period, under the auspices of the United Nations, for a period not exceeding several months.

Sixth, that an independent Palestinian state should be set up with Jerusalem as its capital.

Seven, that all states in the region should be able to live in peace.

Eight, that the United Nations or member states of the United Nations should guarantee to execute these principles.

As I have said, the principles I have mentioned are not of my own making; I did not invent them—they are General Assembly decision. They may be summed up in one principle, to emanate from the Security Council, and to provide a framework for a comprehensive and just settlement.

I wish to reaffirm that the principles of a just comprehensive solution have become familiar and do not require great effort:

1. An end to unlimited American support for Israel.

2. An end to Israeli arrogance, whose ugliest facet is embodied in Begin's government. This condition will be automatically fulfilled if the first condition is fulfilled.

3. A recognition that, as Yasir 'Arafat says, the Palestinian figure is the basic figure in the Middle Eastern equation.

Talking about the responsibility of the U.S. in the Arab-Israeli dispute does not absolve the countries of Western Europe from their responsibilities. This applies particularly to Britain, which is now chairman of the EEC, and which bears a great responsibility for what happened to the Palestinians during its mandate. The interests of Western Europe in the Arab region is no less important or vital than those of the U.S. We have heard a great deal about European moves and a European initiative, but so far we have not seen anything definite. In my view a European move should be in two directions: Toward the Middle East on the one hand and toward the United States on the other, as the United States is the main partner in NATO and the leader of the free world.●

WALL STREET STORY ON BUDGET CUTS IMPACT IS MUST READING FOR PRESIDENT

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. FAUNTROY. Mr. Speaker, on Friday, November 20, 1981, the Wall Street Journal, which is one of the Nation's most respected newspapers and the principal voice of business activities in the country carried as its lead story the impact of the budget decisions of the Reagan administration.

These decisions which the administration has foisted upon the American people as being necessary to control inflation, and reduce Government expenditures are not actions which one can point to as being productive of social good. Instead, the reductions cause people to lose hope, to mistrust the Government, and break up family ties because that becomes the only way to obtain needed assistance. Surely, that cannot be the goal of government and I am sure—I hope—that is not the goal of the administration. Yet, diminution of hope, the possible loss of a business, of a home, of a family are all the possibilities that come from these budget cuts.

The administration must remember that cuts in the social programs are not events that can be accomplished in a sterile atmosphere. They are accomplished by putting people out of work as was demonstrated in the Wall Street Journal of the young boy who had a CETA job that gave him pride and hope. These cuts are accomplished by making it more profitable to quit work and rely only upon public aid. They prevent the erection of low- and moderate-income housing which means that the owners of property fear to raise rents to cover their own costs for they know that the poor will have no place to live. Those whose rents are raised can look to living in the streets this winter for there is no affordable housing, no new assisted housing, and no possible rises in welfare benefits that would allow them to live elsewhere.

The story is clear and straightforward. It should be read by every administration official who has anything to do with cutting the budget for those who are the least among us. Before the President sends another message to this Congress seeking more budget cuts, before he vetoes another bill, I would hope that he and his advisers read this story and then tell

us in truthfulness that they believe that these kinds of human tragedies will restore the Nation to economic vitality, health, and trust of government.

[From the Wall Street Journal, Nov. 20, 1981]

BUDGET CASUALTIES: IN HARTFORD, THE POOR ALREADY FEEL EFFECTS OF THE REAGAN BUDGET

BOY LOSES JOB, AND MOTHER WAITS LONGER FOR HOME; THE WORST IS YET TO COME: PRESIDENT ATTACKED, PRAISED

(By Timothy D. Schellhardt and Burt Schorr)

HARTFORD, CONN.—Nationwide, President Reagan's budget cuts add up to a great deal of money—$1 billion less for welfare, $1.3 billion less for food stamps, $6 billion less for job training, and so on. They also add up to a great deal of difficulty for countless individuals.

In and around this capital city, budget cutting in Washington means that—

Fifteen-year-old Danny Salb has lost his $3.37-an-hour job feeding homeless dogs at the pound.

Cynthia Huff and her two children, living for the past four years with her sister's family in a cramped cottage, will have to wait three more years, at least, before they can get a government-subsidized apartment.

College junior Holly Koch must work five hours more a week to earn the extra money needed to stay in school.

Fifty-nine-year-old Evangie Bernal, practically crippled from a bone disease and living on a low income, can't get free legal aid to try to avoid eviction from her apartment.

Former welfare recipients Sixto Moreles, Jessie Arrington and Arsula Little face unemployment again because the furniture-manufacturing company where they work has lost its federal funds and will close at the end of this month.

EASY TO FORGET

"Sometimes it's easy to forget that the budget-cut casualties are people, not simply programs," says Flora Parisky, an urban-policy consultant here. It has been only seven weeks since Mr. Reagan's fiscal-1982 budget ax began falling, but the casulaties already are piling up here.

There aren't any firm estimates of how many of Hartford's 136,400 residents—30% of whom get some kind of federal assistance, including Social Security benefits—are being hurt by budget reductions—But local and state officials believe they number in the thousands. Miss Parisky estimates, for example, that more than 10,000 youngsters under age 18 have been affected by cuts in child-assistance, job-training and other programs.

For most of this city's middle-class families, which make up the majority, the effects of the federal budget reductions aren't yet easily discernible. Gone, to be sure, is the 12:01 a.m. Amtrak to New Haven, forcing night travelers to catch the 8:41 p.m. train or wait until 3:52 a.m. Nine other trains also stop here no longer. And those who pay for school lunch are being charged a nickel more for it by the public schools as officials try to make up for a cut in federal funds. But the main budget casualties are the poor.

SOFTENING THE BLOW

Even for them, local and state authorities say, the full effect won't be felt in Greater Hartford for several months. Officials have been able to make up for some of the cutbacks—somewhat softening, for instance, the blow to programs for expectant low-income mothers. At Martin Luther King Jr. Elementary School, principal Harold Barrow used $131.20 from his school's activity fund to pay for lunches of youngsters who have been removed from the free-lunch list or required to pay more for reduced-price meal tickets under the Reagan program.

But those resources are drying up fast. "People are going to get less service, and less people are going to be eligible for help," says Stephen Heintz, a state planning official. Echoing him is Marlene Berg, an official of the local United Way organization, which finances 65 Hartford-area agencies. She says: "There's going to be a cold, cold time for social-services agencies."

For many, the cold times are already here, and many of those who have been hurt are bitter, upset with President Reagan for slashing programs that aid them.

AN ANGRY MOTHER

"There are other things he should be doing instead of cutting able-bodied people who want to work," says Cynthia Huff. The 30-year-old Mrs. Huff, a welfare mother until she took a job as a school-bus attendant, finds her food-stamp allotment has been pared by $22 a month and other federal benefits cut by $54 a month because of new higher federal-aid standards.

But not all the budget victims blame the President. Some say the efforts to balance the federal budget are essential to the nation's economic vitality.

"It's got to be done. If Reagan had continued to go along the same old path, the result would have been disastrous," says J. James Asbeck, the President of Maverick Corp., a furniture producer that serves primarily as a job-training employer." Since 1975, Maverick has found other jobs in the area for 650 ex-convicts, welfare mothers and workers financed under the Comprehensive Employment and Training Act, or CETA. A $1.7 million cutback in its job-training and other federal funds is forcing Maverick to close Nov. 30, even though its sturdy pine bunk beds and accessories "are selling like hot cakes," grossing more than $525,000 in the first nine months of this year.

Whether cutbacks are necessary is beside the point to those—such as Maverick's Sixto Moreles, Jessie Arrington, and Arsula Little—who are ultimately hurt by them. A $150,000 cutback in federal housing funds in Hartford, theoretically justified or not, means that fewer rent-subsidized apartments will be built here. The waiting list for such apartments already exceeds 5,000.

Ineffie Sargent, a Hartford caseworker, says that the federal cuts, or the fear of reductions, have increased "stress and depression" among her low-income clients. The number of mothers asking to have their children placed in foster homes has risen sharply, she says. Turning the pages of her notebook, she counts 23 children whom she herself placed in the past three months. A year ago, she says, her placements averaged only one a month. Reported cases of child abuse in Connecticut, which dropped to a three-year low last April, have climbed in recent months.

The federal cutbacks, says Marlene Berg of United Way, have trimmed the staffs at many social agencies, reducing Hartford's ability to measure "internal domestic violence that could become street violence." For example, there is no one to answer the telephone anymore between midnight and 8:30 a.m. for people who call North Central Infoline, the special state and United Way emergency number serving Hartford and surrounding communities. Infoline's callers have numbered 31,000 a year and latenight callers often are potential suicides, runaway teen-agers, people who have overdosed on drugs and those needing emergency shelter. "We don't know how they're getting help," says Cheryl Berger, Infoline's assistant director.

Many Hartford residents no longer are getting the help they once counted on. Here is how the federal budget cuts have affected some of them.

THE JOBLESS TEEN-AGER

Danny Salb wants to be a veterinarian. That may be more fantasy than reality for a ninth-grade youngster from a welfare home, but when the soft-spoken, bantam-sized boy says it, you believe him.

Danny's favorite school subjects these days are algebra and earth sciences, and he is doing well in them. Last fall, in the eighth grade, it was different story. "I was flunking everything," Danny remembers.

One person who worried about Danny's future was his mother, who with her four children lives in an uninsulated rented house where the furnace remains off this chilly Connecticut autumn for lack of oil money. Danny's poor schoolwork, she believes, reflected his "frustration and anger" at being unable to earn money for his family. He was stymied by his inability to find work on his own.

It was Uncle Sam who offered Danny his first paying job. A local community-service agency, with a $32,000 Labor Department CETA grant, created a "work experience" program for low-income or handicapped people ages 14 to 21. Danny worked two hours a day after school, five hours a day during summer vacation, at the Town of Vernon dog pound.

John Cagianello, a high-school teacher hired to run the project, noted after a few weeks that "Danny felt better about himself." It spilled over to his schoolwork. He saved $320 from his earnings, giving money to his mother for groceries and using the rest to buy clothes for himself.

Danny knew from watching television news and talking with his mother that President Reagan intended to cut the federal budget. But he didn't connect that with his own life until a few weeks ago when Mr. Cagianello confirmed school rumors that the CETA jobs had been axed. "I was pretty upset," Danny recalls. His mother says he had counted on the income to buy the shoes he needs for this winter.

THE BUSINESSMAN

Teofilio Babun Jr. seems just the sort of voter President Reagan expected to please when he pushed his budget cutbacks through Congress. And the Cuban-born electrical engineer, at 33 well up the American business ladder, indeed thinks that the cuts were a swell idea—except for their effect on his life. That, he says, "was something I needed like a hole in the head."

When Mr. Reagan took office last January, Mr. Babun was pulling down over $40,000 a year as a marketing manager for Crouse-Hinds Co.'s Arrow Hart division here, which makes electrical switches. But he had bigger plans. Together with two partners, he was negotiating to buy a small electrical relay plant owned by a local unit of Western Pacific Industries Inc.

All he needed was a 90% guarantee from the Economic Development Administration

for an $850,000 loan that a Hartford bank had agreed to make to finance the purchase. The federal agency appeared interested. It sent Mr. Babun the first draft of a proposed loan-guarantee pact and followed up with oral assurances of the application's ultimate success. In February, with the closing only weeks off, Mr. Babun gave notice at Arrow Hart.

Then came the bad news: Under White House orders, the EDA had frozen its business-aid programs, including loan guarantees. After unsuccessful appeals to Washington, Mr. Babun's only chance to save the deal was to line up his own financing, which he did—but at a price.

Instead of a single bank, he had four separate lenders to deal with and a variable interest rate that has ranged above 22%. (An interest rate on the single-bank loan hadn't been set but undoubtedly, with the federal guarantee, would have been far lower.) Things are working out okay, for now, with sales running about 250% higher than a year earlier. But the four separate loans, which require quarterly reports to each lender, "are expensive and confusing," said, Mr. Babun. Looking ahead, he sees complex negotiations with the lenders over additional financing. Looking back, he wonders, "Can you trust your own government?"

THE TENANT

Evangie Bernal, the disabled former practical nurse, has been told she must vacate her two-bedroom $180-a-month apartment by Dec. 1. A new owner has purchased the house in which Mrs. Bernal lives and wants to raise the rent to $350 a month, which Mrs. Bernal is unable to pay. The owner says that her own $891 monthly mortgage and tax payment on the house requires the higher rental income.

Mrs. Bernal asked Neighborhood Legal Services for help, but a 30 percent reduction in the agency's $600,000-a-year federal funds forced it to stop handling tenant-eviction cases, effective Oct. 15. Mrs. Bernal applied after the cutoff date. She has submitted her case to Hartford's Fair Rent Commission, but the eviction threat remains. A neighborhood Legai Services attorney doubts that Mrs. Bernal, who is somewhat confused by her rent problem, would be able to represent herself effectively in court. Meanwhile, Mrs. Bernal has stopped going out of her apartment for fear that her landlord, who lives upstairs, "might lock me out."

THE WELFARE MOTHER

Bernice Roberts says that these days "all I do is cry." Seated at her dining-room table, the 37-year-old mother of eight sons fingers the letter she received recently from the state welfare agency. "You have been informed," the letter begins, that her public-assistance check this month will be slashed to $291.12 from $499.63 because her outside earnings have risen somewhat, thus reducing her federal benefits, and because federal eligibility standards have been raised to cut welfare costs.

Since April, Mrs. Roberts has worked as a home health aide, helping an invalid four hours a day, seven days a week. For that, she earns about $300 a month. Her welfare check and her salary barely cover her $220-a-month rent and heat bill, her grocery bill and the cost of her other essentials. "I have $14 in the bank," she says. The reduced welfare benefits, she says, will mean "there might not be any Christmas." She pauses, then adds: "There might not be a Thanksgiving, either."

THE COLLEGE STUDENT

"Thank God my parents got divorced," exclaims Holly Koch, a junior at the University of Hartford. Miss Koch, a business major, thinks that if her father's income had been considered in weighing her financial-aid request, she wouldn't have gotten the assistance she needs.

Because of federal cuts, Miss Koch's annual basic-aid grant has declined by $50, to $996, and her work-study grant has been chopped in half, to $500 from $1,000, even though her university costs have increased by $1,530 this year. As a result, she works 15 hours a week in the university's financial-aid office this year instead of the 10 hours or so she averaged last year. "That increase doesn't sound like much," she says, "but it is when you're carrying a full load of courses."

Of the federal budget cuts, Miss Koch says President Reagan "has good intentions. I don't know what else he could have done." She adds, "We're all willing to scrimp a little around here, but if there's any more, forget it." If she could plan her college career over again, she says, "I'd go two years to community college" because it's cheaper.●

DEREGULATION OF CIVIL AERONAUTICS BOARD

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. MINETA. Mr. Speaker, today we are introducing legislation which will accelerate both the transition of the airline industry toward economic deregulation and the sunset of the Civil Aeronautics Board.

In 1978 the Congress passed landmark legislation setting the airline industry, previously one of the most regulated in the country, on a course toward economic deregulation. We provided for a transition for specified periods up to 10 years, extending protection to various activities and interests, including small communities and airline employees. We also believed that by 1985 this transition would have progressed far enough so that too few economic regulatory functions would remain at the CAB to justify its continuation as a separate and independent agency.

We have carefully monitored the performance of the industry under this transition-to-deregulation regime through numerous hearings and through periodic studies by the General Accounting Office. We believe, as do many others, that the introduction of mangerial discretion, free enterprise, and marketplace competition, in place of economic decisionmaking by Government bureaucracy, has generally been beneficial both to airlines and to consumers. Any transition, especially one so fundamental as this one, is bound to have its rough spots and difficult moments, but the data thus far indicate that the efficiencies offered by less economic regulation have been significant. This is all the more remarkable in light of the fact that external economic conditions, mainly drastic increases in fuel costs, an economic recession which depressed demand for travel, and high interest costs which drastically increased the burden of equipment and credit costs, would have made the period since late 1979 a painful one for airlines whether they were regulated or not. Just to cite one of these factors as an example, in March 1979 the average jet fuel price in this country was 40 cents per gallon. In the following 12 months it doubled, and by April 1981 it hit $1.07 per gallon.

Looking at this industry's total costs over the first 3 years of deregulation (1978 through 1980), GAO found that the above factors pushed total airline costs up an incredible 60 percent, yet under the beginnings of deregulation air fares were held to an average increase of only 37 percent. Deregulation has permitted new entry by low-cost carriers and price competition by both new and old carriers. As a result, passengers in many markets have been given the opportunity to fly at fares 50 percent or more below the regulated fare level.

The 1978 act has also protected small communities against termination of air service. Before 1978, airlines could terminate all service to a small city with CAB permission, and between 1968 and 1978, CAB granted permission for termination of certificated air service at 137 cities. The 1978 act requires CAB to insure that there is adequate replacement service at any city at which certificated service is terminated. If necessary, replacement service will be subsidized. Since the Deregulation Act no certificated city has totally lost service and a GAO study has shown that small cities received more aircraft departures in 1980 than they did in 1977.

There are, of course, those who believe that the 1978 decision to begin a transition to deregulation was a mistake, and they often try to blame every problem in the industry since 1978 on deregulation. Yet we find that a general consensus has formed among both those in favor of deregulation and those opposed to it that the transition has proceeded rapidly enough so that we are better off accelerating that transition, rather than leaving this beast somewhere in the middle, neither fish nor fowl.

We find that some of our original provisions for transition need adjustment in light of experience; we find that in many respects our basic transition timetable can be accelerated; and we find that given the accelerated termination of many of the economic regulatory functions, including all of the major ones, it is now appropriate and

advisable to sunset the CAB substantially sooner than called for in our original legislation. In all these findings we have the concurrence and support both of the administration and of the CAB, both of which have previously submitted comprehensive legislative proposals similar to the legislation we introduce today.

The introduced bill is designed as a vehicle to begin markup on this important legislation. We consider the bill as a starting point for a dialog on the issues, and we welcome suggestions for improving the bill.

In the near future, I will place in the record a detailed section-by-section analysis of the bill. At this time, several general observations may be made.

The bill's basic schedule for sunset is that all CAB functions which are not being transferred will terminate 60 days after enactment.[1] 150 days after enactment the CAB, itself, will be sunset and its remaining functions will be transferred to other agencies, generally to the Department of Transportation.

The basic philosophy of the bill is to terminate economic regulations of interstate air transportation and to leave decisions on prices and service to the marketplace.

However, there are some areas in which we believe that a further transition period of regulation is required to insure that the impact of deregulation does not fall too heavily on particular groups, and to insure that all groups have a reasonable opportunity to adjust to the new economic environment.

The Deregulation Act of 1978 included a transition period, with protective provisions, for small communities and airline employees. The introduced bill continues these programs. As in the 1978 Act, communities which were receiving certificated air service when that law was enacted are guaranteed essential air service till 1988. Where necessary, subsidy will be available to support this service.

The 1978 Act also protected airline employees, who had begun their employment when air transportation was a regulated industry. These employees were protected against displacement caused by the 1978 Act's change in the rules of the game. The introduced bill retains this program. There have been suggestions from management, labor and the administration on improvements to the labor protection provisions and the introduced bill adopts several of these suggestions. It should be emphasized that we recognize that this is a complex and controversial area, and that we remain open to further suggestions.

[1] The bill makes no basic change in the provisions in existing law which terminate CAB route regulation of interstate transportation on Dec. 31, 1981.

The introduced bill makes no changes in the 1978 act's compensation program for displaced employees. The bill continues the provisions in the 1978 act giving displaced employees a right of first hire when positions become available on other airlines. The bill makes several modifications in this program. The program is made subject to the same trigger as the compensation program: Specifically a 7½-percent reduction in employment by an airline in a 12-month period and a finding that deregulation was a major cause of this contraction in employment. In addition, the introduced bill extends the obligation to hire displaced employees to all airlines operating large aircraft and provides that flight deck crew members who exercise their right to a position with another airline, do not keep their right to be recalled by their original employer.

A further employee protection provision in the bill provides that when airlines operating large aircraft merge, employees must be protected by arrangements at least as favorable as the Allegheny-Mohawk conditions developed by the CAB.

The Deregulation Act of 1978 provided for a complete termination of any regulation of airline fares, including any requirements that airline fares be filed with the Government. For the most part, we are adhering to this concept. However, we are providing that during a transitional period some limited aspects of fare regulation will be retained, to give airlines, travel agents, small communities and commuter carriers a fair opportunity to adopt to total deregulation.

The introduced bill provides that during a 2-year period after enactment, airlines will be required to continue to file their fares and changes in the rules governing the construction and availability of particular fares. This transition period will enable airlines and travel agents to develop new methods of providing fare information to consumers and sellers of air transportation.

The bill also continues some regulation of joint fares for a transitional period. Joint fares are of particular value to the small communities which are guaranteed essential air service. To insure that joint fares will continue to be available, the bill provides that during the 3 years after enactment, CAB and DOT must continue to prescribe a uniform, cost-based formula for establishing joint fares and dividing the revenues therefrom. For 3 additional years DOT will be required to prescribe a uniform formula, but DOT will have discretion over the concept on which this formula is based. The bill permits carriers which do not interline with any other carriers to continue to operate without interlining.

Travel agents have expressed concern about a possible premature termination of the antitrust immunity under which they now operate. To provide adequate time for consideration of whether antitrust immunity continues to be in the public interest the introduced bill provides that the Department of Transportation will have authority to grant antitrust immunity to agreements such as the travel agent agreement through January 1, 1986.

The bill gives commuter carriers an opportunity to play a greater role in furnishing essential air service to small communities. As has been discussed the bill insures that the commuters will continue to be able to offer joint fares at small communities. In addition, the bill places limits on the section 406 subsidy program, which has been the basis for subsidizing certificated airlines operating large aircraft to serve small communities. The bill provides that the section 406 program will be limited to cities with under 80 enplanements a day and that the program will be subject to annual ceilings, which will decrease through fiscal year 1985. A commuter will be able to replace a section 406 carrier if the commuter establishes that it can provide equivalent or better service at a lower cost in subsidy.

Other provisions of the bill are designed to help U.S. carriers compete more effectively against foreign air carriers, particularly those foreign carriers which have an unfair competitive advantage as a result of direct or indirect government subsidy, and/or as a result of foreign government rules and practices which discriminate against U.S. carriers. Foreign air transportation has not been fully deregulated by the United States, and although we are working in this direction, deregulation requires the agreement of other governments, some of which continue to favor protective regulation.

The bill requires the U.S. Government to negotiate bilateral agreements which eliminate rules and practices which discriminate against our carriers. To facilitate the ability of U.S. carriers to develop international routes, the bill provides that initial international certificates must be issued for a term for at least 5 years, and that in cases on renewal of these certificates there will be a presumption in favor of renewal of the incumbent carrier's authority.

To insure that U.S. carriers will have an opportunity to change their fares promptly when costs increase, the bill increases the zone of upward fare flexibility. Initially, this zone will be 10 percent or any higher zone currently established by CAB. CAB may adjust a zone if the competitive situation changes, but the zone may not be reduced below 10 percent. Finally, to

insure that U.S. international carrier will continue to receive fair compensation when they carry mail for the U.S. Postal Service on international routes, the bill continues Government regulation of international mail rates, to be exercised by the Department of Transportation after sunset of CAB.

As I mentioned, I intend to place a more complete summary of the bill in the RECORD in the near future. We hope to move this legislation quickly over the next few months, and to conclude the historic transition to deregulation which we began a few years ago.●

WHY THE FEDERAL BUDGET HAS NOT BEEN CUT

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. McDONALD. Mr. Speaker, all through the debate on the budget this year, the press has failed to inform the American people that the small cuts enacted in the budget are really only decreases of projected increases in the Carter budget. We are not really much closer to balancing the budget than we were before. President Reagan is struggling to hold down the increases, and these are daily rising due to the so-called entitlement parts of the budget. Thus, while today's veto over a difference of $2 billion may seem small, the stakes are very high and each dollar counts. The future of the Nation's economy and the future of the United States is at issue. The lead story in Human Events for November 28, 1981, by M. Stanton Evans explains this situation in detail. I commend it to the attention of my colleagues.

"ENTITLEMENTS" OUT OF CONTROL—WHY THE FEDERAL BUDGET HAS NOT BEEN CUT

(By M. Stanton Evans)

For Ronald Reagan and others who want some real economy in government, the battle cry these days should be, "We have not yet begun to fight!"

Contrary to popular impression, generated by the struggle over the continuing resolution last week, the gigantic federal budget continues to surge wildly out of control, with spending estimates climbing higher on a monthly basis. And while few in the Capital talk as if they understand the process, the President himself, in a wide-ranging interview with columnist Donald Lambro, indicated full awareness of the problem and the steps required to handle it.

Despite constant media and interest group clamor about "more budget cuts," and the stringent economies demanded by Reagan, the total federal budget has not been cut at all. As previously noted in this journal (October 24, 1981 issue), the spending estimates for fiscal 1982 are already $100 billion higher than the original Jimmy Carter budget for 1981, and $65 billion higher than the final numbers in that budget.

As the accompanying chart indicates, what Reagan has been attempting to do is to slow the rate of increase of federal spending below that proposed by Carter. The budget would continue to grow, but not at so rapid a pace. Unfortunately, even this limited objective is endangered by the freight-train momentum of the federal spending process.

Indicative of the problem is what has happened to Reagan's own budget, quite apart from any comparison with Carter's. When Reagan offered his budget revisions in March, total spending for fiscal 1982 was estimated at $695 billion. By the time of the mid-session review in July, this had been boosted upward to $705 billion. By September, the total had increased again to $722 billion—and was heading higher still.

Thus, the Reagan budget itself went up by $27 billion in five months' time, and pressures in Congress to jack up appropriations have added to the total. It was this process and the yawning deficit that it implies which prompted Reagan's September call for $13 billion in new cuts, and his threat last week to veto the budget-busting appropriations resolution.

While the conventional wisdom has it that Reagan's suggested $13 billion in September went much too far, it is noteworthy that even if he got all of these economies, spending for the year would still be higher than the total estimated in July ($709 billion vs. $705 billion). Some budget cut!

All of which, of course, is directly contrary to what the American people have been told in many of the media and by many of their elected representatives. While there is massive outcry about hardships, cutbacks, and the tight-fistedness of the Administration, almost never is there any mention of what the budget total for 1982 is, the fact that it is $100 billion higher than the budget for 1981, or that it has leaped upward by roughly $30 billion in the past six months.

As a result, congressional debate and public consideration of budget issues have taken place in a rhetorical vacuum—readily filled by wailing interest groups and politicians who want to continue spending money in their accustomed manner. In the circumstances, there is little chance for the President to get even modest economies through Congress, and zero prospect that the mandate he was given to reverse the trend of federal growth can be fulfilled.

How is it possible that the federal budget keeps right on growing, despite the efforts of an economy-minded President, highly advertised economy moves, and repeated clamor about the hardships inflicted on the suffering and the needy? The answer lies in the way the federal budget is constructed, and the ground rules established for attempting to reduce its rate of increase.

The major villain in the piece, as Reagan noted in his interview with Lambro, is the machinery of "entitlement" programs, geared to external economic indicators such as the Consumer Price Index, unemployment levels, income status, age, disability, etc. As the CPI goes up, or unemployment rises, people entitled to such benefits get more of them, or new people are added to the roster.

Some three-quarters of the federal budget, by one estimate, consists of "relatively uncontrollable" payouts—Social Security, disability, Medicare and Medicaid, food stamps, unemployment compensation, AFDC welfare, and the like. As economic factors affecting such programs change, billions gush forth from the federal treasury, on an automatic basis. It is the dynamism of this process that has pushed the budget ever higher, and makes mincemeat of the official forecasts.

The inexorable power of entitlements has played havoc with Reagan's own budget estimates. The common assumption is that outlays for 1982 have had to be revised because of rising interest rates, which are indeed a factor. Most of that ($10 billion) was accounted for, however, in the mid-session review. In the $17-billion jump occurring between July and September, the principal problem was not interest payments, but the upward push of the entitlements.

Of that figure, $3.8 billion was for Social Security (because proposed savings were not enacted), $2.8 billion for other "entitlements and uncontrollables" (ditto), $2.4 billion for farm price supports, $800 million for Medicaid, and $700 million for food stamps. These and other budgetary odds and ends amounted to almost $12 billion in projected spending hikes, compared to $5.6 billion for additional interest.

As long as the entitlement process keeps running in this manner, adopting piecemeal budget cuts in individual programs is like trying to sweep back the tide with a whisk broom. Dollar "caps" and percentage cutbacks on food stamps or Medicaid look good on paper, but are futile in practice. As fast as such efforts are made to curtail outlays, the entitlement process can—and usually does—increase them, making all the numbers meaningless.

A good example is the fate of savings sought by the Administration for a cluster of entitlement programs including welfare, Medicaid and food stamps. In March, the Administration estimated 1982 outlays for these programs at $45 billion, and proposed savings of $6.5 billion to bring the total down to roughly $38 billion. By October, actions by Congress and the power of entitlements had pushed it right back up again, so that we faced a potential outlay of $44.8 billion—virtually what it had been before the projected economies.

While marginal efforts have been made to slow the entitlement process, the ground rules of the budget battle have compounded the problem. Many of these programs are defined as part of the "safety net" exempt from budget-cutting—Social Security with its highly indexed benefits providing the prime example. This means the entitlement machinery keeps running merrily along, driving budget totals ever higher.

It also means that non-entitlement areas—federal staffing, revenue sharing, other discretionary grants in aid—must be cut back even more severely to get anywhere near the desired budget objectives. This in turn generates more outcries about the hard-hearted Reagan Administration and feeds the public image of severe economy while total outlays soar ever higher.

Obviously, if the growth of the federal budget is ever to be curtailed, the Administration and the Congress must come to grips with the entitlements. Reagan has outlined this as a major objective, and the Administration was supposed to come up with a plan to reform the process in October. Now the plan has been deferred until the first of the year—which, considering the current disarray of the budget totals and the battering the Reagan program is taking on the Hill, is none too soon.

Suffice it to say that federal spending will continue to expand at dizzying velocity as long as entitlements are not reformed. Until

they are, don't let anybody tell you the federal budget has been cut.●

AN UNHAPPY ANNIVERSARY

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. MINISH. Mr. Speaker, I rise today so we in this Chamber may pause for a few moments and commemorate an unhappy anniversary. This month marks the 64th anniversary of the Bolshevik revolution in Russia. The civil war in that country lasted for 3 years. At the end of that time, the Union of Soviet Socialist Republics was formed and the domination of those courageous people began. On this anniversary, I believe it important that we in the free world reiterate our concern for all who are forced to live under Communist rule.

The violations of human rights in the Soviet Union are well known. For instance, November not only marks the anniversary of the Bolshevik revolution, but it also marks the fifth anniversary of the founding of the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords. That group was established to monitor the U.S.S.R.'s compliance with the provisions of the final act of the Conference on Security and Cooperation in Europe. Unfortunately however, the overwhelming majority of the brave members have either been imprisoned, sent to labor camps, or forced into exile. One member of the group committed suicide after it was reported that he was continually harassed. Many of us in Congress sent a letter to Ambassador Dobrynin expressing our distress at this situation and urgently requesting that the imprisoned members be released.

Mr. Speaker, as was pointed out to me by the Congress of Russian-Americans, Inc., the words "Russian" and "Soviet" are not synonymous and the Russian immigrants in the United States warn us of the dangers of totalitarian regimes. It is my earnest hope that one day we will not have to call for human rights for individuals, because that goal will have been attained. Sadly, history presents no reason for optimism. Until that day, our commitment toward insuring human rights for all people of the world must remain ever vigilant.●

REAUTHORIZATION OF THE NATIONAL ADVISORY COMMITTEE ON OCEANS AND ATMOSPHERE

HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mrs. SCHNEIDER. Mr. Speaker, on November 17, 1981, the House of Representatives passed S. 1133 which provides for the reauthorization of the National Advisory Committee on Oceans and Atmosphere—NACOA. This Presidentially appointed body, including representatives of industry, the scientific community, and academia, advises the Congress and the President on policy issues relating to marine and atmospheric affairs. I am pleased that, as a result of the passage of this bill, the Congress will continue to receive the information and recommendations of this committee.

A recent example of NACOA's contributions to ocean policy debate is their report on "The Role of the Ocean in a Waste Management Strategy." This report provides an analysis and recommendations regarding current ocean waste disposal policies which have stimulated discussion and a reexamination of the issues by both scientists and policymakers. In the past year, under the direction of acting chairman John Knauss, dean of the Graduate School of Oceanography of the University of Rhode Island, this committee has provided timely reports and position statements to several congressional committees on topics including barrier island legislation, ocean dumping policy, and Coast Guard aids to navigation, among others.

S. 1133 provides for a reauthorization for NACOA at a level of $555,000 for fiscal year 1982 and reflects the administration request for funding of this committee. With increasing capabilities and interest in developing the living and nonliving resources of the oceans and increasing utilization of our understanding of atmospheric processes, both the administration and the Congress will have a growing need for the advice and recommendations NACOA is mandated to provide. This committee has demonstrated that they are capable of fulfilling this mandate. I fully support this bill and am pleased that it was passed by both the House and the Senate.●

ELIMINATION OF BATF WILL HURT EFFORTS TO COMBAT CRIME

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. FRANK. Mr. Speaker, I and many others have been deeply disappointed by the failure of the Reagan administration to conform the reality of its actions to the strength of its rhetoric against crime. The President and the Attorney General have spoken out vigorously against crime. But crime is not deterred by official speeches. Unfortunately, the administration's anticrime rhetoric has not been accompanied by any serious anticrime action. In fact, several actions of this administration have undercut the Federal Government's ability to provide needed aid to the State and local forces who serve as our frontline troops in the fight against crime.

The most blatant example of this is the administration's decision to dismantle the Bureau of Alcohol, Tobacco and Firearms. I have been struck, in my conversations with police officers in Massachusetts, by their highly favorable attitude toward the work of the BATF. From police chiefs to patrol officers, I have been told by working police officers that the BATF has been among the most helpful of Federal agencies in the fight against violent and dangerous crime.

Further testimony of the important role the BATF has played in the effort to protect our citizens comes from the Anti-Defamation League of B'nai B'rith. The ADL cooperates closely with law enforcement agencies all across this country in combating violent acts against members of minority groups. Leonard Zakim, the very able civil rights director of the New England regional office of ADL and Massachusetts civil rights leader, recently brought to my attention a resolution adopted by the ADL National Executive Committee violence against minorities. As the ADL says in its letter, "The alertness and skill of BATF personnel in thwarting * * * terrorist schemes, surely saved the lives of many innocent Americans."

Mr. Speaker, it is distressing, indeed, that an administration which professes to be supportive of a vigorous Federal anticrime effort launches its program in this area by abolishing one of the Federal agencies which has been most effective in helping law enforcement agencies. Nothing threatens law enforcement personnel more thoroughly than illegal weapons and explosives in the hands of criminals. It is sad that the administration has taken a step backward in protecting our law enforcement personnel against the

proliferation of weapons in the hands of criminals. Mr. Speaker, I insert the letter from the Anti-Defamation League National Executive Committee about the important role of the BATF at this point in the RECORD.

NOVEMBER 6, 1981.

Hon. DONALD T. REGAN,
Secretary of the Treasury,
Treasury Building, Washington, D.C.

DEAR MR. SECRETARY: At its recently concluded National Executive Committee meeting in San Francisco, the Anti-Defamation League of B'nai B'rith adopted a resolution relating to reported plans to eliminate the Bureau of Alcohol, Tobacco and Firearms (BATF). The ADL opposes the dismantling of BATF and having its various functions distributed to other federal agencies.

Our concern is for the security and safety of Americans who are potential targets of violence at the hands of extremists and bigots. The record is clear that BATF has performed in exemplary fashion its responsibility of monitoring illegal weaponry and explosives. For example, its agents were responsible for uncovering the information which led to the successful prosecution of Klan members or neo-Nazis in such recent cases as the Greensboro bombing conspiracy, the Dominica invasion scheme, the planned assassination of an NAACP leader in Maryland, and the attempt to bomb a synagogue in Nashville, Tennessee. The alertness and skill of BATF personnel in thwarting these terrorist schemes surely saved the lives of many innocent Americans.

In light of the fact that there has been an increase in the extremist activities of hate and terrorist organizations and radical groups, we are troubled by the reported dismantling of so successful an operation as the BATF. What is required is not the elimination but the reinforcement and strengthening of a law enforcement agency with such an outstanding record and under such growing need for its activity.

It is for this reason that the National Executive Committee of the Anti-Defamation League unanimously adopted a resolution urging the Administration to reverse its apparent intention to abolish the Bureau of Alcohol, Tobacco and Firearms.

It is our hope that you will give your active sympathy and consideration to this urgent matter.

With every good wish.

Sincerely,

KENNETH J. BIALKIN,
Chairman,
National Executive Committee.●

NOTICE OF HEARINGS

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. FORD of Michigan. Mr. Speaker, I would like to announce that the Post Office and Civil Service Committee will hold hearings at 10 a.m. on December 2 on the administration's proposal to raise pay and benefits for Federal Aviation Administration employees.

We have asked Transportation Secretary Drew Lewis to be the first witness.

The administration's package, according to Mr. Lewis, provides an average 6.6 percent increase in pay and benefits for FAA employees, in addition to the 4.8 percent provided for all Federal employees.

In addition, the administration's proposal would waive the premium pay cap for FAA employees, allowing them to exceed the $50,112.50 pay limit on other Federal employees with premium pay.

The proposal was added as an amendment to the continuing resolution passed November 22, but died when the President vetoed that piece of legislation.

These hearings reflect the committee's continuing interest in this matter.

I hope the Senate will begin hearings soon to guarantee full and speedy examination of this proposal.

The hearings are being held at this time because of the urgency of this matter, clearly demonstrated during lengthy debate on the House floor during deliberations on the continuing resolution.●

VALOR REWARDED 37 YEARS LATER FOR LYLE BOUCK, ST. LOUISAN

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. GEPHARDT. Mr. Speaker, on October 26, 1981, I had occasion to witness a most moving and remarkable event at Fort Myer, Va.—the Valor Awards ceremony honoring the Intelligence and Reconnaissance Platoon of the 394th Infantry Regiment, 99th Infantry Division. The ceremony was conducted in recognition of the extraordinary acts of heroism of I. & R. members—18 in all—who, though grossly outnumbered, repeatedly repelled an elite German battalion for almost an entire day in the area of Lanzareth, Belgium, thus enabling the 99th Infantry Division to regroup and hold on against this last German offensive until the allied armies could react and win the 1944 "Battle of the Bulge."

Unfortunately, the I. & R. members were finally overrun and taken prisoner, and the platoon's efforts, because of the great confusion of the day, went unnoticed until the writings of Gen. John Eisenhower brought them to light in his account, "The Bitter Woods." Through the efforts of St. Louisan Lyle Bouck, the platoon leader, sufficient information was developed to bring to the platoon members four Distinguished Service Crosses, five Silver Stars, nine Bronze Stars with a Valor Device, and the prestigious Presidential Unit Citation, which reads as follows:

THE PRESIDENTIAL UNIT CITATION (ARMY) FOR EXTRAORDINARY HEROISM TO THE INTELLIGENCE AND RECONNAISSANCE PLATOON, 394TH INFANTRY REGIMENT, 99TH INFANTRY DIVISION

The Intelligence and Reconnaissance Platoon, 394th Infantry Regiment, 99th infantry Division, distinguished itself by extraordinary heroism in action against enemy forces on 16 December 1944 near Lanzerath, Belgium. The German Ardennes Offensive which began the Battle of the Bulge was directed initially against a small sector defended by the Intelligence and Reconnaissance platoon. Following a two-hour artillery barrage, enemy forces of at least battalion strength launched three separate frontal attacks against the small Intelligence and Reconnaissance Platoon of 18 men. Each attack was successfully repelled by the platoon. The platoon position was becoming untenable as casualties mounted and ammunition was nearly exhausted. Plans were made to break contact with the enemy and withdraw under cover of darkness. Before this could be accomplished a fourth enemy attack finally overran the position and the platoon was captured at bayonet point. Although greatly outnumbered, through numerous feats of valor and an aggressive and deceptive defense of their position, the platoon inflicted heavy casualties on the enemy forces and successfully delayed for nearly 24 hours a major spreadhead of the attacking German forces. Their valorous actions provided crucial time for other American forces to prepare to defend against the massive German offensive. The extraordinary gallantry, determination and esprit de corps of the Intelligence and Reconnaissance Platoon in close combat against a numerically superior enemy force are in keeping with the highest traditions of the United States Army and reflect great credit upon the Unit and the Armed Forces of the United States.

Mr. Speaker, in my opinion the heartfelt thanks of the Congress should be added to that of the President and the American people for these heroic men.●

A PLAN FOR COMPREHENSIVE RETIREMENT REFORM

HON. JAMES M. JEFFORDS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. JEFFORDS. Mr. Speaker, America's future retirees may be substantially less well off than today's retirees. In a series of statements in the CONGRESSIONAL RECORD, I have tried to alert the House to this possibility and to offer suggestions and recommendations on how to improve the retirement outlook for America's workers.

There are two critical prerequisites for meaningful reform. First, we must not cut the basic social security benefits of those who have either already retired or who are near retirement age. This breach of faith would undermine the greatest strength of the social security system: the confidence that both retirees and workers have

that the Nation will honor its retirement income pledge to them.

The second prerequisite for improving retirement security is that the reforms undertaken be truly comprehensive. No amount of tinkering with the social security system can provide American citizens with a reasonable retirement income in the 21st century. Improved work incentives and opportunities, better private pension programs, and more individual savings incentives need to be established now, if we are to be able to respond to a reduced role for social security in the future.

With these considerations in mind, I would like to outline a plan that I believe would constitute a reasonable reform of U.S. retirement policy. This is a complex area of the law, so I have not attempted to write independently legislation nor to describe my proposals with a high degree of precision. Also, I do not have adequate actuarial data to make definitive statements about the budgetary impact of all of the proposals contained in this outline. Nevertheless, I consider it imperative that the Congress begin to view the retirement issue in a broader context.

AN OUTLINE FOR FUTURE RETIREMENT SECURITY

The legislation outlined below contains four major reforms. These are: First, reform of the national social insurance program; second, reform to improve employment opportunities for older workers; third, reform of private pension requirements; and fourth, reform of individual retirement savings incentives. I believe that these reforms can provide our future retirees with a better retirement future than they can reasonably expect today.

REFORM OF THE NATIONAL SOCIAL INSURANCE PROGRAM

Reform or replacement of the current social security system is a top priority. Increasing life expectancies coupled with declining birth rates and relatively stable and slow economic growth have set the system on an inexorable course toward steady decline. For those now retired, social security has been a good investment. For those now entering the work force, social security will be a burden with an unsatisfactory long-term payoff. Continuing on our present course is not a satisfactory or desirable option. At the same time, we need to make changes in an orderly and well-advertised fashion so that current retirees or near retirees are not denied the benefits that they have been promised and so that the public's confidence in the Government is not shattered.

There are several other considerations that we need to keep in mind as well. We need to be careful that we do not raise the retirement age so high that members of minority groups or citizens working in physically or emotionally wearying occupations—because of their lower than average life expectancies—are effectively denied any opportunity to retire. We need to make sure that service breaks—common in women's careers due to child rearing—are not unfairly penalized. We need to make sure that the Government's promise for retirement income is greater for those who work than for those who do not work and greater for those who work longer and pay higher taxes than for those who work less. And, finally, we need to construct a system that does not discourage the productive employment of those older workers who desire to continue in the work force. I believe that these goals can be best achieved through a social insurance system designed along the following lines.

ENACT CHANGES INTO LAW IN 1981 AND MAKE THEM EFFECTIVE IN 2001

This would allow many workers currently in the work force to retire under the current system and would give at least 20 years notice to workers 42 and under that their retirement savings and pension investment plans will have to be adjusted to meet a new retirement income expectation.

Establish minimum and maximum social insurance benefit levels and relate these to the maximum welfare benefit for the aged. All of those who have contributed a specified minimum amount of work to our society ought to be promised a minimum level of old age retirement income (say 150 percent of the elderly poverty level). Likewise, there should be a maximum level of social insurance income for those who have worked longer than the minimum level of work and have contributed more to the social insurance fund (say 200 percent of the elderly poverty level). All of those who do not meet minimum work requirements would not be paid out of the social insurance fund, but out of general revenues. For these individuals, adjustments would be made in the current Supplemental Security Income program so that when all cash or in-kind income (including SSI, food stamps, section 8 housing, other Federal, State or local programs, earnings, etc.) are considered, they would not have incomes over 100 percent of the poverty level. In other words, SSI would only provide such dollars as would be necessary to bring the total benefit amount up to the minimum level.

This change would redirect the social insurance program from a basic elderly income program to a program with the social objective of eliminating old age poverty. At the same time, it would recognize differentials between those who contributed a lifetime of work to the society and those who did not and between those who met a minimum work and income standard and those who exceeded this standard (although not to the full extent of the differential).

STREAMLINE BENEFIT FORMULAS AND QUALIFICATION TESTS

One of the most confusing and least useful characteristics of the current social security system is its complex benefit formulas with "bend points," "averaged indexed monthly earnings" and other esoteric concepts. These could be replaced with a simple formula that compared the contributions of an employee with the minimum and maximum level of contributions during the period of his worklife and awarded him an annuity at the fixed percentage of the elderly poverty level corresponding to his level of contributions.

ESTABLISH A NEW, MORE RELEVANT, ADJUSTMENT RATE FOR INFLATION OR DEFLATION

By linking social security payment levels to the "elderly poverty level," there would be an automatic adjustment when prices in the general economy rise and fall. This index can be determined by the Bureau of Labor Statistics and should make adjustments for differences in the spending needs of the elderly—that is, housing costs would be less heavily weighted than they are in the CPI and medical costs would be more heavily weighted in the elderly index than they are in the CPI. This should result in an adjustment that more nearly reflects the CPI increase adjustment. Also, this index would deflate as well as inflate earnings when this became appropriate.

PHASE IN BENEFIT PAYMENTS

The current social security system is based on the premise that at some magic date, a worker moves from a life of full-time work to a life of full-time leisure. Thus, retirement benefits begin in full at a certain date and any earnings are offset against these benefits. This is neither realistic nor productive.

A much more characteristic situation is that a worker's earning capacity declines with advancing age. I would propose a system that recognizes this by beginning payments at 75 percent of the earned level at age 65 and starts to pay 100 percent of the earned benefit level at age 68. For those workers who are disabled or incapable of maintaining reasonable wage levels prior to these ages, 75 percent of a discounted level of benefits could be obtained at age 62 and 100 percent at age 65.

ELIMINATE THE RETIREMENT TEST

Since the goal of this new policy would be to establish a poverty floor for the aged, there is no reason that those who exceed this floor and continue in productive employment should be penalized. Therefore, I would propose that there be no offset of earnings. Those who continue to work should get the same earned benefits as those who do not continue to work.

ELIMINATE TESTS FOR CONTINUITY OF WORK

The new social insurance system would not be based on requirements for recency or continuity of work. These provisions often work against women who leave the work force periodically for child rearing responsibilities. I would propose a single requirement of 15 to 20 years of system contributions whether continuous or discontinuous in order to qualify for the minimum social insurance benefit.

MAKE THE NEW SOCIAL INSURANCE PROGRAM UNIVERSAL

By changing the orientation of the social insurance program, we will eliminate any rationale for exclusion of public employees or nonprofit organization employees. Indeed, if we change social insurance and fail to require national participation, it is likely that many public organizations currently covered by social security might withdraw from the system. The coverage of the employees in these organizations might be less unattractive to them than it now seems to be, because the new system ought to be able to be financed by lower employee contributions than is now the case.

REFORM TO IMPROVE EMPLOYMENT OPPORTUNITIES FOR OLDER WORKERS

The announcement of this new social insurance program can establish a much better environment for those who wish to continue in the work force. They will have superior return from their work and they will not forego opportunities for retirement income. For instance, they could be covered by medicare and they would have no income offset. I would additionally suggest that the following steps be considered.

RELAX OR REPEAL MANDATORY RETIREMENT RULES

Congress has moved to reduce the opportunities for private companies to impose mandatory retirement on their employees. This type of restriction on employment has tremendous symbolic impact on all older Americans seeking work. I believe that the Congress should consider outlawing the practice altogether.

ENCOURAGE ALTERNATIVE WORK SCHEMES

As I have already stated, the reduction in work capacity, rather than its loss is characteristic of the aging. The Congress should remove all legal barriers to alternative work arrangements for the elderly. These arrangements would include part-time employment, flexible working hours, etc. To the extent, possible, private employers and unions ought to be encouraged to exempt older workers from contracts that they negotiate if these contracts prohibit flexible work practices.

REFORM OF PRIVATE PENSION REQUIREMENTS

Having removed the likelihood that social insurance will provide a fully adequate retirement income for most individuals, it becomes very important to increase the availability of pension programs and to increase the likelihood that employees covered by these programs will receive meaningful benefits. Since employees of small businesses make up about 79 percent of those who are not currently covered by company pension plans, reforms need to be targeted to these types of firms. Several actions should be taken by the Congress.

PROVIDE TARGETED TAX CREDITS TO SMALL BUSINESSES THAT ESTABLISH PENSION PROGRAMS

Tax deductions for pension expenditures are of substantially more value to large companies (with their higher effective corporate tax rate) than they are to small businesses. The President's Commission on Pension Policy recommended that small businesses be offered the opportunity to take a tax credit of 46 percent—the corporate rate-up to 3 percent of their total payroll. I think that this is a concept worth trying.

REDUCE PENSION PAPERWORK REQUIREMENTS

By allowing financial intermediaries—like banks and insurance companies—to assume an added share of the ERISA documentation, certification and reporting burdens, pension plan establishment and maintenance can be made more attractive to the small businessman. Also, because organizations managing pension programs are most often from heavily regulated industries, it might be appropriate for ERISA or the applicable regulations to be amended to allow financial pension fund intermediaries to substitute other (non-ERISA) reports required of them to demonstrate their soundness and reasonable funds management policies.

REDUCE PENSION VESTING REQUIREMENTS

"Cliff vesting"—full vesting rights after 10 years—is the most common form of pension vesting. This type of vesting formula, however, is out of touch with the work patterns of most Americans. By mandating that mature pension plans provide for some reduced level of employee vesting—40 percent to 50 percent—after 5 years of service, the Congress can go a long way toward insuring that those who are covered by pension plans earn at least some benefits from these plans. Full vesting could still be earned after 10 years. Although the benefits earned under such a system would not be great, I believe that pension plans would generate a great deal more support from the public than they do today if they adopted such a system. Also, pension plans should not operate in such a way that they stall or unnecessarily discourage movement within the workforce. Newly established plans might have difficulty meeting the more rapid vesting schedules proposed. There should be some authority for the Department of Labor to exempt these plans from any faster mandated vesting schedule until the plans have been in operation for 5 to 10 years.

REDUCE PENSION INTEGRATION WITH SOCIAL SECURITY

IRS guidelines should be modified so that less integration of pension and social security benefits is allowed. By reorienting the social insurance benefit toward the eradication of old age poverty and keeping benefits low, it is unlikely that lower income workers would have the same overcompensation effect in retirement that could now occur without integration of benefits. For pension programs to be meaningful to these workers, a lower offset—say 50 percent maximum—should be allowed than is currently the case—now 83½ percent.

ENCOURAGE INCREASED EMPLOYEE PARTICIPATION IN PENSION MANAGEMENT AND PENSION PROFITS

One of the major debates of the future may well be over who owns and controls pension funds. Good public policy would suggest that the government encourage—through tax incentives or reduced regulation—employee oversight and advice in the management of pension funds. Also, the Congress should consider withholding tax incentives from pension programs that fail to give employees the opportunity to share in the outcome of pension investments and limits their participants to fixed annuity payments.

REQUIRE THAT ANY LIQUIDATED PENSION RIGHTS BE PAID INTO AN INDIVIDUAL RETIREMENT ACCOUNT (IRA)

From a public policy perspective, it makes little sense to provide major tax incentives for pension programs designed to enhance the retirement of older Americans and to then have these pension earnings returned to employees before their retirement in a lump sum. Most frequently, the money is turned toward current consumption and does not fulfill the public purpose that justified the creation and public subsidization of the pension program. At the same time, it would be unreasonable to require pension funds to maintain very small inactive accounts until an individual's retirement and then to provide a miniscule payment. Such a strategy would only serve to create substantial additional administrative expense for the fund while providing little additional benefit for the former employee.

I propose that the money be clearly earmarked for retirement, but that it be returned to the employee. This twin objective can best be realized by requiring that any pension plan "cashing out" employee benefits must pay these benefits to a qualified IRA program for the employee. This would have two important effects. First, it would introduce many workers who do not currently take advantage of it to the IRA program. Second, it would make it more likely that short term

savings could be translated into substantially longer term savings. This would only be the case, however, if the employee maintained the IRA account after it was established, rather than immediately cashing it in. To create better IRA retention requires that we make the IRA more attractive to the middle and lower income wage earner. This should be an integral part of our retirement reform package.

REFORM OF INDIVIDUAL RETIREMENT SAVINGS INCENTIVES

The individual retirement account is the best mechanism for establishing incentives for personal retirement savings. However, this program could be dramatically improved by improving the incentives to save and by eliminating the penalties for closing the account. The program should be made more like the Canadian Registered Retirement Savings Plan (RRSP) after which it was originally modeled.

This year, the Economic Recovery Tax Act of 1981 made some important improvements in the IRA program. Maximum contribution levels were raised and employees who had previously been excluded from the IRA program because of their coverage by an employee pension plan were allowed to establish IRA's. Despite these gains, IRA's can be made substantially more attractive through the following actions.

ELIMINATE THE 10 PERCENT IRA TAX PENALTY

Currently, the IRS assesses a 10 percent penalty on withdrawals from an IRA before age 59½. I believe that this penalty may be a large reason for the lower use of IRA's in the United States among low and middle wage earners compared to the Canadian experience. For a young worker aged 25, the prospect of a 10-percent penalty on his savings must be a substantially greater disincentive to establish an IRA than the incentive that if he holds the account for another 34½ years, he will be taxed at a lower post-retirement marginal tax rate. This is especially true if the worker is a lower wage earner and already has a low marignal tax rate. The only worker for whom the IRA penalties may not outweight their benefits is the higher income worker who can easily forego the consumption of $2,000 per year and who is relatively certain that his post-retirement income will be substantially lower than his pre-retirement income. The IRA would definitely be improved by better incentives toward saving; it might be improved by eliminating the penalty for closing the account. For this reason we should study the effects of an elimination of the penalty, and then consider the possibility of implementing the elimination.

PROVIDE INCENTIVES FOR THE MAINTENANCE OF AN IRA

In economic terms, the current IRA program says to the 25-year-old worker that if he uses an IRA to save for 10 years he has made a mistake and should be penalized; if he saves for 20 years he has made a mistake and should be penalized; only if he saves for 34½ years has he made a good economic decision. For all but the wealthiest, worker, this is ridiculous.

Both from the point of view of the individual worker and from the point of view of a society that needs increased savings to produce additional capital investment, these incentives are counterproductive. The IRA should be more attractive after 5 years, still more attractive after 10 years, and even more attractive after 20 years and so forth until its maximum return is realized after retirement. Tax incentives can be established to promote this saving. For instance, the marginal tax rate on a 5-year old IRA could be set at 3 percent below the marginal tax rate that would otherwise apply for an individual. The tax rate on a 10-year-old IRA could be 5 percent below the tax rate that would otherwise apply to the individual, and so forth. This would put the incentive on saving and make it attractive to the individual worker at all income levels. This program could do more for our economy than any incentive in the 1981 Economic Recovery Tax Act and would have the additional effect of helping individuals prepare for their retirement.

ESTABLISH AN IRA CAP AND ELIMINATE ANNUAL IRA LIMITS

A final incentive for IRA savings which would make these accounts more accessible for the average worker would be to eliminate the restrictions on annual IRA contributions—$2,000 per year—and substitute a lifetime cap on contributions for all workers—say $40,000 to $60,000. This would have little impact on wealthy workers who could as easily contribute $40,000 one time as $2,000 per year over 20 or 30 years. However, the average and below average wage earner may often find years in which he is so strapped that he cannot make any contributions to his IRA and, instead, must withdraw from it. The elimination of annual caps would allow him to "catch up" his contributions in his later working years as he neared retirement and was able to save additional income. Or course, this assumes that there is adequate protection against using the withdrawals as tax loopholes.

One major objection that this proposal would face is the fact that it might lose substantial short term tax revenues. For this reason, I would propose that it be enacted prospectively, to become effective in 1985 when we will, hopefully, be nearer to a balanced Federal budget. In any event, over the long run, this proposal should not result in any greater loss to the Treasury than would be the case with regular annual IRA deductions. If there were additional revenue losses, they would have resulted from increased retirement savings from those who would not otherwise have saved and this loss would be substantially offset by the impact of this new investment in the economy. Also, these new investors will have helped fulfill a social goal by becoming better prepared for their retirement.

CONCLUSION

The plan that I have outlined, if enacted, could represent a successful long term, comprehensive retirement program for America's workers. It blends comprehensive reform of our social insurance program with new incentives for work, savings and investment (both by private pensions and by individuals). This proposal contains several elements that are missing in other reform proposals.

First, this proposal is comprehensive. Without changes in our social insurance program, lower income workers will have no incentive to seek IRA's or other savings instruments.

Second, this proposal guarantees that current retirees and near retirees will not face reduced benefits. Unless we keep our current retirement promises, there is no reason for the next generation to believe that we will keep our promises to them.

Third, our social insurance program will be clearly directed to do what it has done best—eradicate old age poverty. At the same time, it will recognize a difference between welfare and the award of benefits to those who have contributed a lifetime of work to the country.

Fourth, work disincentives will be removed for those who wish to continue in the work force. As the general population ages, it is important to keep more older workers in the work force if we are to maintain a stable level of national economic growth.

Finally, tax and other incentives will be brought to bear to give more individuals an opportunity for a good retirement life. My proposal is directed at the groups that currently have inadequate coverage: employees of small businesses and individuals who do not spend a lifetime with a single employer.

We need to make short-term adjustments in the social security system, but we should not end our efforts there. I urge the Congress and the administration to be bold and to take a more comprehensive view of our national retirement future. We must seek solutions to our long-term problems as well as to those that confront us in the short term. I hope that my proposal can signal the start of a search for a broader, more permanent solution to our retirement crisis. I invite others to join this debate.●

MON VALLEY "MON-STER" TO PREY ON POLLUTION

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. GAYDOS. Mr. Speaker, on November 14, Allegheny County and the Mon Valley of southwest Pennsylvania unleashed a new weapon against the twin problems of pollution and unemployment which plague that area and other sections of the country. They unveiled the Mon Valley "Mon-ster," a green, fuzzy beast with bulging eyes atop its head, the adopted symbol of the task force for the clean air and stable economy (CASE) program.

The "Mon-ster" will be used to emphasize the fact that air pollution not only is detrimental to the health of humans but is also capable of causing economic illness as well. The CASE program was launched by Allegheny County to rid 34 communities in the Mon Valley, which stretches from McKeesport to Pittsburgh, of the pollution coming from nontraditional sources.

A few years ago Allegheny County and the Mon Valley were cited by Federal and State officials for their pollution-laden environment. Restrictions were imposed on additional industrial development in the valley until the environment was improved. This was a blow to an area dependent upon heavy industry for its economic base.

On the heels of that edict, the area sustained another shock. An economic downturn forced the temporary closing of a large steel mill in the valley. Workers were laid off. The gloom over the valley thickened. Suddenly, through the clouds came a ray of light, a startling discovery that lifted the hopes of citizens and communities alike.

Pollution monitors were surprised to find the continued presence of pollutants in the air which should not have been there with the closing of the mill. Further studies revealed industry contributed on 13 percent of the particulate emissions in the Mon Valley. Most of it, as much as 48 percent, came from nontraditional sources: that is dirt and debris kicked up from the streets and sewer catch basins by passing vehicles, dust rising from vacant lots and construction sites. The balance was blown into the county and area from other locations, the experts said.

The problem was further compounded by the geography of the area. According to the monitors, complex wind factors in the valley whipped tiny particulates into the air and then held them in a kind of bowl. Some particles are so small that once airborne they never come down, it was reported.

Thomas J. Foerster, chairman of the county commissioners, reacted to this information by ordering the establishment of a clean air task force to attack the area's soot, dust, fumes ash, et cetera. CASE was organized under the direction of Robert M. Cox, a McKeesport businessman with a strong belief in the future of the valley.

Mr. Cox, in turn, worked with representative organizations from the communities in the valley. These organizations, known as councils of government are volunteer groups bound together in a common cause—community improvement. The 34 communities in the valley are represented by three councils. The Turtle Creek Valley Council, John Mores, executive director; the Twin Rivers Council, Edith Scheiner, executive director; and the Steel Valley Council, Robert Callan, executive director.

Equipment was purchased and personnel trained for the all-out push to clean up the offending streets and sewer basins. Each of the councils were assigned two sweepers and a vacuum truck and their mission will go into full swing in the spring.

Officials at all levels express the hope that once CASE brings pollution readings into line with Federal and State requirements, industries in the area will begin expanding or replacing their facilities, preserving jobs, and strengthening the economies of the valley communities.

"We are not only trying to clean up the environment," said one, "We are trying to fulfill the second mandate of the task force: Providing a stable economy."

Mr. Speaker, as the representative from the Mon Valley, nothing could please me more than to see the Mon Valley "Mon-ster" flex its muscles, dust off its opponents and, as soon as possible, accomplish its objectives.●

PERSONAL EXPLANATION

HON. TOBY ROTH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. ROTH. Mr. Speaker, I would like to record my intention to have voted for the Conte amendment to House Joint Resolution 368 and in support of final passage of the resolution as amended had I been in the Chamber at the time of the recorded vote. Please note that my support for the motion to recommit is reflected in the RECORD as a pair vote.●

AMERICANS ARE GOING BACK TO RURAL AMERICA

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. OBERSTAR. Mr. Speaker, this week the House Public Works and Transportation Subcommittee on Economic Development held 2 days of hearings on economic development policy, focusing on projected changes in the economy, population, labor market, and work force, and their implications for future policy and legislation.

These hearings will set the framework for future legislative action in the area of economic development. Because they are crucially important, I want to share with my colleagues the testimony presented at the hearing, by Calvin L. Beale, U.S. Department of Agriculture.

Dr. Beale is one of the Nation's foremost specialists on rural population trends. He speaks with vast knowledge, gained from analysis of national statistics but, more important, from personal travel to countless communities across rural America over many years.

His statement documents a startling trend of population movement back to rural areas, back to small towns—the first such trend in 120 years.

Because this movement is quite unexpected and was unpredicted, I encourage my colleagues to read Dr. Beale's full statement.

POPULATION CHANGE IN RURAL AMERICA AND IMPLICATIONS FOR ECONOMIC DEVELOPMENT

(By Calvin L. Beale)

There were a number of demographic surprises in the United States during the 1970's—the low level of the birth rate, a decline in the death rate, the extent of decline in average household size, and the degree of the shift of people to the South and West. But nothing was less anticipated in academic circles or in the literature of public debate than the population turnaround in most rural and small town (nonmetropolitan) areas. There had been some sense of urbanization slowing down, but no hint that the outflow of people from rural America that had characterized the whole century would rather suddenly be reversed.

The counties that were nonmetropolitan in 1970 had about 2.8 million more people move out than in during the 1960's. However, in the 1970's, it can be conservatively estimated that at least 3.5 million more people moved into these counties than out of them. As a result, population in the nonmetropolitan part of the Nation grew at a faster rate than that in metropolitan areas for the first time since the early decades of the Republic.

The renewal of rural and small town growth during the 1970's was very widespread. Forty-eight of the 50 States either increased their nonmetropolitan growth or

at least reduced their previous loss.[1] Slow metropolitan growth, however, was not national in character. There was a virtual collapse of population growth in most of the metropolitan areas of the North (especially in some of the largest ones) and an increase in growth in most of those in the South and West. If one considers the South and West as a unit, there was equally rapid growth of urban/suburban and rural/small town population—each increased more than 21 percent. However, in the North there was essentially no growth in metropolitan centers, but a 9 percent increase in nonmetropolitan areas.

Why did rural and small town losses shift to growth or, at least, taper off nearly everywhere? I think several forces have come into play that have produced an economically fostered but socially motivated change.

1. The decades-old displacement from farming is now so small that it can no longer dominate rural trends. Farm losses only result in overall population loss in a diminishing number of counties that do not have alternative sources of employment and income, such as thinly settled farm counties in the Great Plains.

2. There has been a significant revival of employment in mining, whereas the opposite was true earlier.

3. All other types of employment expanded faster in rural and small town communities than in metropolitan areas during the 1970's—such as trade, services, and manufacturing.

Thus job opportunities have improved greatly, whether for local residents with no desire to move to the city, or for city and suburban residents who wanted to live in a smaller community. Nevertheless, the importance of social motivations is still evident.

1. Every survey of newcomers to nonmetropolitan areas has shown that the great majority give social reasons for their move rather than economic reasons.

2. One of the leading sources of growth is retired people who, given a sufficient retirement income to be mobile, choose to move to a smaller community.

Several other features of the nonmetropolitan trend deserve notice. One is the fact that there is now almost no relationship between the income level of nonmetropolitan counties and their rate of population change. In the 1950's and 1960's, the population growth in rural and small town counties was strongly associated with income levels. At that time, poor counties lost population heavily, while more affluent ones attracted people. Since 1970, however, the extent of population turnaround has been greatest in low income counties, and, with the exception of those that are predominantly Black racially, low income areas are increasing in population just as fast as higher income areas. Black counties have also had improved population retention, although not as great as that in predominantly White counties, and the level of rural Black population has stabilized considerably. Generally, the relative income gap between rural counties and the Nation as a whole has narrowed somewhat, but only a handful of the counties of 1970 have now risen to the national average income. Despite this fact, these areas are now evaluated as much more attractive places to live than they were before.

A second point of interest is that the new growth has occurred disproportionately in low density and open country districts. Although small towns and cities have participated in the nonmetropolitan growth trend, the same tendencies toward decentralization and sprawl are evident around these small towns as they are around metropolitan cities. The pattern appears to reflect what people want, but it does pose potential problems for provision of public facilities and services and for preservation of farm land. The rural (open country and village) population grew by 5.6 million from 1970-80, even after reclassification of growing towns as urban and some liberalization of urban definitions. Only the decade from 1850-60 saw previous rural growth of this amount.

Proximity to metropolitan areas favors settlement somewhat, but it is the spread of growth to more distant areas that is more remarkable. In one vast region of the West, embracing portions of Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, and California, the nonmetropolitan population grew by more than 50 percent in the decade of the seventies. Although local density is still very low in this region, the collective numbers of people involved are beginning to mount. None of this is to imply that America is on its way to becoming a nonmetropolitan nation again. Three-fourths of the people still live in metropolitan areas, and small new metropolitan areas continue to be created by growth around the largest nonmetropolitan cities. Furthermore, small and medium sized metropolitan areas up to about three-fourths of a million people have accelerated in population growth as a class (with some notable Northern exceptions). We are experiencing a drop in the average size of communities in which people live, but with the overall character of the system still very much metropolitan.

The people who have moved into rural and small town areas during recent years represent a wide range of backgrounds. The full spectrum of education, age, income, and occupational categories is present. It can be said, however, that they are disproportionately White, and more likely than longer-term residents to go into white collar jobs (see table 2). Many are of earlier rural or small town background, but others are urban natives. It should be stressed, too, that the change in the flow of net migration is partly caused by a reduction in outmigration from rural areas. The same forces that impel people to leave cities also persuade others not to move to them in the first place.

Within the metropolitan areas, there has been a major loss in the dominant demographic role of the central cities, especially in their relative importance. Forty-five percent of our central cities declined in population during the 1970's, typically from a combination of narrow and inflexible city limits, the decay and abandonment of many core areas, the reduced density at which cities are inhabited these days, and the reduction in the average number of people per housing unit. As late as 1960, a slight majority of metropolitan residents lived in the central cities. Today, only 40 percent do so.

In many of our major metropolitan areas the central city population is now less than a third of the area total, even though we continue to think of the area in terms of the name of the central city. This is true, for example, in cities as widely scattered as Boston, Washington, Cleveland, Detroit, Miami, Atlanta, Minneapolis-St. Paul, St. Louis, Seattle, and San Francisco-Oakland. It occurs least in the South and Southwest where annexations have been more attainable. Thus, the cities themselves have less of a leadership function and political and commercial dominance than used to be the case.

RAPID GROWTH AREAS

Some of the most rapidly growing counties have been mining areas. As a group, counties with a heavy mining dependence (20 percent or more of all employment) grew in population at a rate about double that of the U.S. as a whole in the 1970's. All but a few of them are in the South and West, and the revival of mining employment contributed to the more rapid growth of these regions. Among the mining counties are some genuine boom areas—defined here as those having a population increase of at least 50 percent during the decade. Although energy development dominates these cases, mining of metallic ores and trona have also created mining boom growth.

However, if one considers all rapid growth areas, mining is the major cause of growth in only a minority of cases—media attention on these cases notwithstanding. (Figure 2 shows the location of all rapid growth counties.) More of them result from resort and retirement developments (which often occur together) or from suburbanization or urban flight.

As an illustrative example, three energy mining boom areas in the West that have probably had the most public attention (the counties containing Gillette and Rock Springs, Wyoming, and Colstrip, Montana) has less absolute and relative growth combined than did two small contiguous counties in Florida growing largely from recreation and retirement (Citrus and Hernando counties).

There appears to be much more anxiety about the impacts of population growth in Western communities than elsewhere. I suspect it is partly cultural, and partly the product of a sense of fragility about the Western environment, especially concern over water supply, the open nature of the landscape, the nearly pollution-free air, and the impermanance of some mining projects. Whatever the reasons, I make the point because of what I believe to be an inaccurate public perception of the factors producing most instances of boom population growth today. Many and perhaps all rapid growth communities need planning and could use assistance in coping with their change. I doubt, however, that the mining communities need much more help than other similarly affected areas, or that the energy mining towns need more than other mining towns.

POPULATION GROWTH AND PUBLIC SERVICES

The population turnaround has already affected the level and scope of public services provided in small towns and rural areas. Not only must the local governments extend existing services to a growing population, but new residents often demand public services at levels more similar to those provided in urban areas. As a result, in the mid-1970's local government expenditures per capita were increasing at a faster rate in nonmetropolitan areas than in metropolitan areas.

If expenditures are any indication of service levels, the greatest change in nonmetropolitan services took place in water, sewer and other public utilities, health care, and police and fire protection. For those communities that experienced gradual growth, increased demand for public services was

[1] The two exceptions were Connecticut and Rhode Island—overwhelmingly metropolitan States whose three nonmetropolitan counties are quasi-metropolitan in character.

generally matched with increasing revenue bases with which higher expenditure levels could be financed. However, for communities undergoing boom-level growth, serious fiscal problems can result as growth in local government revenues lags behind the need for expanded public services.

As population grows in the years ahead, local governments in rural America will continue to face increased demands for water and sewer facilities, health care facilities, and police and fire protection. In addition, major expenditures may be needed for roads, schools, and public buildings in general as existing facilities become overcrowded and deteriorate with age. Whether rural officials will be able to finance higher service levels and the construction of new facilities remains to be seen. At present, rural governments are heavily dependent on intergovernmental aid. In 1977, more than 47 percent of the general revenues of local governments in nonmetropolitan areas came from the State and Federal governments.

In adjusting to cuts in intergovernmental aid, local governments will have to cope with such problems as high borrowing costs, State imposed restrictions on revenue sources, and water resistance to tax increases. Most rural communities still have only low-to-moderate population growth, but those with faster growth will naturally have pressing needs for new infrastructure, if the quality of their public services is not to deteriorate.

IMPLICATIONS

If asked to make a judgement about the merits of the improved retention of people in rural and small town areas and the shift of the flow of net migration toward them, I would say that on balance it is beneficial.

It is clearly in accord with the policy objectives of Congress designed to obtain a better balance of population growth, and economic opportunity, as expressed, for instance, in the Rural Development Act of 1972.

The new trend is more in accord with the residential preferences stated by people. In effect, we now have more people living where they want to live rather than merely where they feel economic circumstances dictate.

The trend reflects the fact that basic material conditions of life in rural areas at long last approximate those in urban areas sufficiently to make rural living attractive. I refer to such things as electricity, water supply, central heating, telephone service and other communications, paved roads, secondary education, and some choice of occupations.

The growth of rural communities also communities also serves to stabilize the age composition (except in retirement areas) and to end the decades-long atmosphere of economic community decline and decay that overhung so many communities. Like most social trends there are costs.

There sprawling nature of population growh in rural areas increases the loss of farmland to other uses, and has the potential of restricting farmers in their traditional farming practices where these are objectionable to newcomers.

The decline of population in large cities creates social and economic problems even though it provides relief from earlier impacts of growth.

As noted earlier, there has been a major increase and diversification of jobs available in nonmetropolitan areas. Much of the increased employment has been of rural women, who in the past had much lower formal participation in the labor force than did urban women. Their employment has substantially increased the number of nonmetropolitan families with two incomes, and has helped to narrow the gap between average metropolitan and nonmetropolitan incomes. Now, however, there is no longer as much potential for increasing rural family incomes to urban levels through this means. Nonmetropolitan family incomes are 80 percent of metropolitan incomes today, and the gap has not narrowed since 1974.

Aside from unemployment rates, which are now slightly higher among rural and small town people than in the metropolitan areas, the nonmetropolitan areas also show chronically higher percentages of involuntary part-time workers (who would like full-time work) and "discouraged workers" who do not report themselves as in the labor force but indicate they would like to have work. It may be that rural areas by their very nature (low density settlement and limited job mix) will never be able to achieve full parity with urban/suburban areas in income and in the rate and fulltime nature of employment. If further improvements in nonmetropolitan income are to be attained, there will have to be further upgrading, diversification, and expansion of employment.

FUTURE PROSPECTS

Mr. Chairman, although you have asked that I discuss projections and prospects for the next five to ten years, I have a strong sense of diffidence in doing so. There is an understandable and, indeed, insatiable demand for projections, but the record has not been good. The government has put out embarrassingly bad projections of demographic and related economic trends.

We have not demonstrated ability to forecast inflections in population trends—much less outright reversals. So many of our trend changes have resulted basically from changes in social behavior rather than from readily foreseeable responses to objectively measured conditions. Nowhere was this more true than in regard to rural and small town population growth.

With this heavy caveat, I will express some views about the next decade in qualitative terms. I think it likely that the renewed growth in nonmetropolitan areas will continue, because of the diversity of forces producing it. It should be noted, though, that in the last two years of the 1970's the rate of job growth in the nonmetropolitan areas no longer exceeded that in metropolitan America as it did in the other years of the decade. Furthermore, in the last 4 years we have seen the nonmetropolitan unemployment rate catch up to and slightly surpass that in metropolitan areas. These more recent trends could indicate that the bloom is off of the nonmetropolitan economic surge, even though a return to preturn-around conditions is highly unlikely. The social motivation for more people to move out of the metropolitan areas than into them will probably last until the popular perception of the conditions and terms of life in large urban areas improves, and/or until the philosophic underpinning of the shift to smaller communities weakens (environmentalism, anti-materialism, homesteading, and the like). Whatever the complex of reasons inducing people to leave the Northern metropolitan areas for other regions or to rural hinterlands, the process has to be regarded as a transition. Just as the earlier exodus from rural areas eventually exhausted the factors that had produced it, so too the Northern areas will reach a level of population more consistent with their revised role in the national economy. How quickly this will occur and how much further demographic change it will involve is, I think, unknowable. Personally, I do not have an apocalyptic view of the future of the urban North, but I think substantial outmovement is yet to come. Most of this will probably go to other regions. Some will go to Northern rural and small town areas.

In closing, I should like to emphasize that even though most rural and small town counties have improved their population retention over earlier years, many hundreds of them still have net outmigration, especially where dependence on agriculture is high and nonfarm work is scarce. There is great diversity in rural and small town conditions, just as there is between metropolitan areas. From a public policy standpoint we have to deal simultaneously with problems created by very rapid growth in many places and decline in many others.

TABLE 1.—POPULATION CHANGE BY METROPOLITAN STATUS AND SIZE OF LARGEST CITY

Characteristic	Population				
	Number in thousands			Percentage change	
	1980	1970	1960	1970–80	1960–70
Metropolitan [1]	163,503	148,877	127,191	9.8	17.0
Nonmetropolitan	63,002	54,424	52,132	15.8	4.4
Total	226,505	203,301	179,323	11.4	13.4
Nonmetropolitan:					
Adjacent counties [2]	32,901	28,031	26,113	17.4	7.3
Nonadjacent counties	30,01	26,394	26,019	14.0	1.4
Nonadjacent counties:					
With city of 10,000 or more [3]	13,642	11,910	11,132	14.5	7.0
With no city of 10,000	16,458	14,484	14,887	13.6	−2.7

[1] Metropolitan status as of 1974.
[2] Nonmetropolitan counties adjacent to Standard Metropolitan Statistical Areas.
[3] Counties with a city of 10,000 or more population in 1970.

Source: U.S. Census of Population 1970 and 1980, U.S. Bureau of the Census. Prepared by Population Studies Program Area Economic Development Division ERS, USDA.

TABLE 2.—CHARACTERISTICS OF U.S. NONMETROPOLITAN POPULATION IN 1975 BY MIGRATION STATUS SINCE 1970

[Population in thousands]

Characteristic	Nonmetropolitan population			
	Total, 1975	Nonmetro in both 1970 and 1975	Metro in 1970 and nonmetro in 1975	
			Number	Percent of total nonmetro
Total, 5 yr old and over	53,295	47,078	6,217	11.7
White	48,183	42,318	5,865	12.2
Black and other races	5,113	4,761	352	6.9
Male	25,902	22,837	3,065	11.8
Female	27,393	24,241	3,152	11.5
South	22,231	19,606	2,625	11.8
North and West	31,064	27,472	3,592	11.6
5 to 14 yr	10,677	9,270	1,407	13.2
15 to 24 yr	10,644	9,388	1,256	11.8
25 to 34 yr	7,398	5,809	1,589	21.5
35 to 44 yr	6,014	5,272	742	12.3
45 to 64 yr	11,890	11,059	831	7.0
65 yr old and over	6,673	6,280	393	5.9
Median age	31.9	33.4	27.3	.....
Total, 18 yr old and over	38,928	34,449	4,479	11.5
Elementary school	9,805	9,234	571	5.8
High school, 1 to 3 yr	6,778	6,046	732	10.8
High school, 4 yr	14,495	12,841	1,654	11.4
College, 1 to 3 yr	4,408	3,662	746	16.9
College, 4 yr and over	3,442	2,666	776	22.5
Median yr	12.2	12.2	12.6	.....
Civilian employed, 16 yr old and over	21,586	19,130	2,456	11.4
Agriculture	2,039	1,911	128	6.3
Mining	428	378	50	11.7
Construction	1,388	1,216	172	12.4

TABLE 2.—CHARACTERISTICS OF U.S. NONMETROPOLITAN POPULATION IN 1975 BY MIGRATION STATUS SINCE 1970—Continued

[Population in thousands]

Characteristic	Nonmetropolitan population			
	Total, 1975	Nonmetro in both 1970 and 1975	Metro in 1970 and nonmetro in 1975	
			Number	Percent of total nonmetro
Manufacturing	5,042	4,598	444	8.8
Transportation and public utilities	1,256	1,116	140	11.1
Trade	4,217	3,694	523	12.4
Finance, insurance, and real estate	753	621	132	17.5
Professional services	3,819	3,256	563	14.7
Services other than professional	1,615	1,430	185	11.5
Public administration	1,032	912	120	11.6
Median income:				
Male	$7,072	$6,954	$7,850	.....
Female	2,620	2,611	2,650	.....

Source: Unpublished data from March 1975 Current Population Survey, Bureau of the Census, retabulated for the Department of Agriculture.

MOTOROLA, INC., SHOWS HOW AMERICAN PRODUCTIVITY CAN PREVAIL

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. PHILIP M. CRANE. Mr. Speaker, I would like to pay tribute to a major corporation within my district responsible for taking a leadership position on an issue of critical importance to all Americans: the challenge posed to U.S. industry by Japan's manufacturing success.

Throughout its 53-year history, Motorola, Inc. has been responsible for saving lives, offering protection, and promoting the general welfare in the noblest traditions of our incentive society through development of high quality electrical and electronic products sold around the world.

There is a much broader story being written by Motorola today, one that has far reaching implications within the competitive system of the international marketplace.

We have heard repeatedly that one of the most important challenges facing American business is competing successfully with Japanese firms. American business has fought a difficult battle in supporting our national balance of payments. Critics point to how U.S. manufacturers are losing market share in world markets to Japanese products offering technological advances, high quality, and low prices. Indeed, we have lost markets within our own boundaries to the Japanese.

Critics of American business spread the notion that the Japanese are inherently superior to us for reasons of history, culture, or philosophy. Critics of American labor assert that the U.S. worker is too unconcerned or too highly paid to any longer turn out good products at reasonable prices. And some critics of the U.S. Federal Government maintain that we here in the Congress have been remiss in not establishing tariff, quota, and other barriers against a flood of imports created by a so-called cartel of interlocking industial giants, banks, and Government agencies which is known to some observers as "Japan, Inc."

But none of this prescribes a cure for our national economic problems. During the past three decades, Japan has become the world's second-largest economic power in part by concentrating its national efforts upon manufacturing and exporting high-quality goods produced through efficient use of scarce or expensive raw materials and energy. It is true that the Japanese can reach a special kind of national consensus to further these efforts that American business and legal philosophy forbids us to duplicate. But like much of the rest of the world, Japan relies upon a strong, confident America as trading partner and ally.

We know that it is possible for an American company, paying American workers in American plants to compete successfully with Japanese companies. This success has been demonstrated by Motorola, a worldwide corporation with headquarters at Schaumburg, Ill., in the State's 12th Congressional District.

Motorola is known throughout the world for introducing the first economically manufactured car radio more than 50 years ago and, today, for its sophisticated communications and data equipment, and its state-of-the-art semiconductor technology. When the first woman climbed Mount Everest in 1976, she carried a Motorola portable FM two-way radio to help guide her to the top. That was not a Japanese radio, although the climber was a Japanese schoolteacher, Junko Tabei.

This incident underscores an important principle that can lead American industry into the kind of competitive posture which will restore our national economic health. Robert W. Galvin, Motorola's board chairman and chief executive officer, sums up that principle succinctly:

If you make a better quality product than your competition, your competition's customer will buy it.

Within that terse statement lies the key to answering the question all of us hear so often from our constituents: "What are you doing about Japan?" I believe we in the Congress have begun to answer that question. And when American industry begins to answer it in the way that one Illinois-based firm has, the reply will be good not only for the United States but also for Japan.

There are many things that American companies do extraordinarily well today. There are things that American labor does extraordinarily well. The men and women of Motorola have shown that by harnessing these skills of management and labor, by freeing them up from self-imposed strictures, by directing a total effort toward enhanced quality and productivity, we can meet and outscore the competition.

Motorola and other progressive American companies have evolved a successful response to Japanese competition years before that competition was widely reported. These actions need not take years to duplicate at other U.S. companies. There are five steps that American business management, American workers, and the Federal Government can take to meet Japan's challenge.

First, American corporations must give constant attention to improving productivity. Productivity enhancement is not merely speeding up the assembly line. Instead, it involves capital spending on new technology, on the latest tools and machines to help workers work smarter, not harder. Continuing training and retraining programs improve employee skills and upgrade them for more complex tasks while sharpening workers' awareness of ways total company productivity can be increased.

Second, steady quality improvement is essential to long-term success. Improved quality means that a product or service performs in excess of the customer's accepted standard, and it applies to design, sales, and service as fully as to production.

Third, employee participation in management is vital. Over the years of our Nation's industrial history, this has been one of the great sources of new and better products and ways to make them. Motorola already has more than 11,000 of its 45,000 U.S. employees involved in a comprehensive participative management program wherein the workers themselves help diagnose problems, recommend solutions, and are rewarded for their success.

Fourth, American business must continue to concentrate on technology management. It must harness and manage new technology to serve its customers effectively and anticipate its customers'—and its foreign competitors'—needs 5, 10, and 20 years in the future. It must create strategic business plans to meet those needs. The United States has unequaled professional skills for this.

Finally, companies and Government must cooperate to increase U.S. exports. The rules must be fair for all, and companies can best defend fair trade principles by aggressively attacking unfair trade practices, bringing them to the attention of the administration and of the Congress when appropriate. We here in the Congress

must remain aware of the impact of unfair trade barriers upon our national balance of payments, and we must do our part to promote fair access to the home markets of Japan and other nations for U.S. products.

Today, a number of companies are speaking out on the need for American business and American workers to compete on even terms with their Japanese counterparts, and we in Congress must commend this. As more companies apply the lessons which have been learned, and as we in the Congress remain involved in the real issues involved in international trade, our Nation as well as much of the world will share in the benefits.●

NEW BELIEVERS ON THE COAST

HON. JOHN L. BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. JOHN L. BURTON. Mr. Speaker, I am pleased to share this article from Time magazine with my colleagues which illustrates the tremendous contribution Coach Bill Walsh has made to the success of the San Francisco Forty Niners this season.

A fine human being, with a keen understanding of people as individuals, Bill Walsh is finally receiving the recognition he deserves.

In addition to other qualities, Bill is the last disciple of Jock Southerland, and is the only NFL coach considering a return to the single and double wing offense complete with the buck lateral series.

The article follows:

[From Time, Nov. 23, 1981]

NEW BELIEVERS ON THE COAST

(By Tom Callahan)

These days O.J. Simpson, who grew up and grew old with the San Francisco 49ers (unfortunately, U.S.C. and the Buffalo Bills came in for all the good stuff in between), is sounding like the boy who cheered the 49ers in the '50s, not the man who left the ruins of his team for retirement two years ago. "I don't know about depth," says O.J., "but the 49ers have championship-quality frontline players. I mean it. I'm saying the first 25, 26 guys are the best in football. Can you believe it? My team."

On both sides of the bay, San Francisco is "my team" again, and nobody around the National Football League can believe it. After winning six games and losing ten last season (two and 14 for the two years before that), the 49ers suddenly are running away with the Western Division of the National Conference. Rather, they are passing, and defending against the pass.

A team completely without logic or losses for two months, San Francisco is a defensive power under an offensive coach, a sensitive inventor named Bill Walsh. The defense is founded on two known mercenaries (ex-Charger Fred Dean and ex-Ram Jack Reynolds), who argued their way out of other towns over money and who now "lecture" on motivation in San Francisco, and three unknown rookies (Cornermen Ronnie Lott and Eric Wright, and Safety Carlton Williamson). When was the last time anyone heard of an all-rookie secondary in the N.F.L.?

Or a Notre Dame quarterback who was winning as a pro (Joe Montana)? Or a play in which the quarterback dashes off the field at the last instant and leaves the wide receiver to take the snap from center? Montana and Freddie Solomon pulled that one. Solomon rolled out for seven yards, and the 49ers rolled on to a 17-14 victory over the Atlanta Falcons, the seventh straight 49ers victory, pushing their division lead to three games with only a third of the season left.

"There isn't anything flippant about our offense," says Walsh, although four nonquarterbacks have passed or threatened to pass this year. "We don't have a gifted all-around offense: our longest run is 23 yards on the last play of a half. We have to be resourceful and fully dimensional." And what does fully dimensional mean? "There is basic, rock-solid, block-and-tackle football. Then there is crazy, circus-play, flea-flicker football. We fit somewhere in between."

Where Walsh, 49 fits among coaches is not easy to tell, either. His pedigree is complicated. Walsh is not just a pup out of Paul Brown, as people say. He is by Brown out of Al Davis with a touch of Sid Gillman (since Davis is really Gillman taken to the *n*th degree). "Al gave me the taste for offense," Walsh says of the year (1966) he assisted the evil genius of the Oakland Raiders. "He opened vistas."

Then for eight seasons after that, Walsh sketched vistas and drew plans for Brown's Cincinnati Bengals. "The coaching atmosphere under Paul was almost clincial. Let's say, you were assured of the players' absolute attention." Brown put more than a chill in the players. He put the classroom into pro football. Still, his best students (Don Shula, Chuck Noll, Walsh), all have been different. No great coach is like any other, really.

After the Bengals, continues Walsh, "I coordinated the offense in San Diego one year for Tommy Prothro, with even more freedom to express myself." Then he turned around, and he was middle-aged. Whether or not it blew in from Brown, sore at losing his *X*s-and-*O*s man, Walsh felt a definite coolness in the marketplace. "I was 45 before I even had an interview for a head coaching job in the NFL." He could hear teams thinking: "Why hasn't he been a head coach before now? What's the flaw?" And whispering: "A good technician, not a head coach." To be somebody's head coach, not to mention his own man, Walsh went back to college football, to Stanford, where he had assisted John Ralston in the mid-'60s.

His way with quarterbacks had always been his most obvious gift. In Walsh's time with the Bengals, Ken Anderson was the top-rated passer in the league twice, and Greg Cook once. At San Diego he made Dan Fouts one of the best passers in the league. All of his quarterbacks speak warmly and a little wondrously of Walsh. At Stanford, he touched Guy Benjamin and Steve Dils. They moved to the head of the N.C.A.A. passing charts, and Stanford won bowl games, and Walsh won coaching awards, and he was happy, except . . .

"Why do I need the N.F.L.?" he asked himself when the 49ers called two years ago. "Stanford is the ideal atmosphere for coaching football—the most brilliant people, one of the honest, legitimate programs. There is dignity to it, playing against machines and beating them." All the same, Walsh did need to be a head coach in the N.F.L.

"We're going to tactically approach offense while building defense," proclaimed the new coach and general manager. Probably nobody understood. But that is exactly what Walsh has been doing.

It is advisable in pro football to sneak new men into the secondary one at a time, not to change three of the four spots in one year. But Walsh has been in a hurry. "The moment we drafted the three, we released our veteran starters," he says. "That's Paul Brown too: don't vacillate."

At 34, Veteran Linebacker Reynolds (a.k.a. "Hacksaw") has not allowed the younger players to get carried away. "Play with emotion, but don't show it outwardly," he lectured in the clubhouse after the Falcon game. "Stay reserved." This from a man who, when he was in college at Tennessee, reacted to a loss to Mississippi by hacksawing a 1953 Chevy in half.

Fred Dean dissects quarterbacks instead. "He has set a whole new standard here," says Chuck Studley, the defensive coordinator. "If you don't hurry to the quarterback now, Dean will be there waiting for you." Not since Alan Page's M.V.P. year for Minnesota in 1971 has one lineman's impact on the league seemed so profound. Dean is a seven-year veteran, merely 230 lbs., but brutally strong, and quick. He arrived in San Francisco in the season's sixth week, when the 49ers dispatched Dallas (45-14) and then in quick order, two other Super Bowl teams, Los Angles (20-17) and Pittsburgh (17-14).

"It's going to get harder on us, but we're going to get better," Walsh says. The thought of teams gunning for the 49ers still seems a bit strange, but it does not worry Walsh. How far does he think they can go this year? Walsh smiles and offers the most unlikely answer. "I haven't allowed myself to think."●

THE GREEN BERETS DO NOT FORGET

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 23, 1981

● Mr. McDONALD. Mr. Speaker, yesterday, was November 22, and the anniversary of the death of President John Fitzgerald Kennedy. It was also the occasion that as many Green Berets that can make it, come back to say "Thank You" President Kennedy for visiting Fort Bragg, N.C., in the fall of 1961, where as Commander-in-Chief, he authorized the wearing of the Green Beret to America's highest trained and most dedicated elite fighting force. In his own words, President Kennedy called that Green Beret: "A symbol of excellence, a badge of courage, and a mark of distinction in the fight for freedom."

It was a cold blustering day, and approximately 100 Green Berets came back to not only honor President Kennedy, but their own fellow comrades in arms at Arlington National Cemetery. Special Forces Association President

Bill C. "Pappy" Greer led off the first part of the ceremony by presenting a Special Forces Memorial Plaque for permanent display in the memorial display room adjacent to the Tomb of the Unknown Soldier. The plaque simply stated: "In memory of all American heroes known but to God. Special Forces Association—November 21, 1981."

The plaque will indeed be a permanent and fitting memento. Most moving however, were the words of "Pappy" Greer expressed for all present, and those who gave that last full measure of devotion—their lives. So that all may know what was said I share first with my colleagues those remarks of "Pappy":

One of the precepts for the founding of the Special Forces Association is to commemorate the memory of Special Forces troops who have given their lives in defense of the Free World. Today, we wish to expand that precept to all Americans through the course of our country's history who have done no less. Mr. Costanzo (Superintendent of Arlington Cemetery), we the members of the Special Forces Association, assembled here today, place this plaque in your custody, to protect and display in this memorable hall.

"Pappy" Greer then concluded his remarks with this very moving and memorable sentence: "We dedicate this tribute to all American soldiers who have given their tomorrows so that we might have our todays."

Then came Brig. Gen. James E. Moore, Director of Operations, Readiness and Mobilization, DESOPS, U.S. Army, with an invocation no one present will ever forget:

O Eternal Father, our strength and refuge in this and every time of need, we gather today to lift our prayers of thanksgiving for your servant President John Fitzgerald Kennedy. Through his life of service to mankind, you have truly blessed the lives of countless millions of people throughout our world. His deeds of personal courage, still stand as a torchlight of inspiration and challenge to us all. Continue to fulfill his dreams within our world, we pray, and grant his soul your eternal peace and freedom. We also honor, O Father, the fallen soldiers of our land whom President Kennedy so gallantly inspired—especially those men of the Special Forces to whom he gave the Green Beret as a "symbol of excellence, a badge of courage, and a mark of distinction in the fight for freedom." May these our departed comrades have the eternal mercy and joy which you alone can give. For their families and friends, we ask the consolation and comfort of your Holy Spirit.

For those of us who still have the blessings of life on Earth, O Lord, we pray that the sacrifices of these whom we honor today will always challenge us. May we, like those before us, be led to give of ourselves unselfishly for the causes of justice, freedom, and peace throughout the world. Grant us your wisdom and courage for the living of these days, that Your Kingdom may come and Your Will might be done on Earth as it is in Heaven. We offer ourselves and our prayers in your Holy name. Amen.

I feel very privileged and honored to be a member of this Special Forces Association. I know of the sacrifices that these men have made. I know also that had they had their way in Southeast Asia, those lands and those people would be free today. The total mission and dedication to "Free the Oppressed," would have been fulfilled. It was not to be.

I would conclude these remarks today in honor of all the Green Berets worldwide with a quote from a realistic novel, soon to be published, about another group the Green Berets will never forget, the Missing In Action (MIA). The title of the book: "Mission M.I.A.," by J. C. Pollock. And the quote:

Every man who wears the Green Beret today owes a measure of his pride to those who went before him. Heroic in spirit as well as deed, they fought and they died; they served with honor and integrity, and in the end were denied and denigrated by lesser men. But the final victory is theirs—they know what they are: a special breed of men.

To that can only be added: For those who died, Rest In Peace; for those who live: Carry On.●

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Tuesday, November 24, 1981, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

NOVEMBER 25

9:30 a.m.
Foreign Relations
African Affairs Subcommittee
To hold a closed briefing to discuss the situation in Africa, and to discuss an internationally recognized settlement in Namibia.
Room S-116, Capitol

Veterans' Affairs
To hold hearings on the nomination of Charles T. Hagel, of the District of Columbia, to be Deputy Administrator of Veterans' Affairs, Veterans' Administration.
412 Russell Building

10:00 a.m.
Judiciary
Security and Terrorism Subcommittee
To hold hearings to examine the presence of Cuban intelligence operations within the United States.
2228 Dirksen Building

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
2228 Dirksen Building

NOVEMBER 30

9:30 a.m.
Judiciary
Immigration and Refugee Policy Subcommittee
To hold hearings on certain provisions of the Immigration and Nationality Act (Public Law 94-571), relating to the H-2 temporary worker programs and nonimmigrant programs.
2228 Dirksen Building

2:00 p.m.
Judiciary
To hold hearings on S. 1758, providing an exemption from the copyright law for certain types of video-recording for noncommercial purposes.
6226 Dirksen Building

2:30 p.m.
Banking, Housing and Urban Affairs
To hold hearings on S. Res. 209, S. 1859, S. Con. Res. 40, S. 971, S. 1609, and S. 1691, measures revising certain provisions of the Federal Reserve Act relating to the structure and membership of the Federal Reserve Board.
5302 Dirksen Building

DECEMBER 1

9:30 a.m.
Energy and Natural Resources
Energy and Mineral Resources Subcommittee
To resume oversight hearings on America's role in the world coal export market.
3110 Dirksen Building

Finance
International Trade Subcommittee
To hold hearings to review recent developments in the U.S. automobile industry and the U.S. market for automobiles.
2221 Dirksen Building

Small Business
Productivity and Competition Subcommittee
To hold hearings on Federal antitrust policies, focusing on recent small business mergers.
424 Russell Building

10:00 a.m.
Commerce, Science, and Transportation
Consumer Subcommittee
To hold oversight hearings on the activities of the Consumer Product Safety Commission.
235 Russell Building

2:00 p.m.
Armed Services
Preparedness Subcommittee
To hold open and closed hearings on the status of the National Guard and Reserves.
212 Russell Building

DECEMBER 2

10:00 a.m.
Energy and Natural Resources
Business meeting, to resume markup of S. 1484, promoting the development of oil shale resources by revising the authority to lease lands containing oil shale deposits, S. 506, reinstating and validating certain numbered U.S. oil and gas leases, and other pending calendar business.
3110 Dirksen Building

Environment and Public Works
Business meeting, to mark up S. 1692, providing for the operation, maintenance, and construction of deep-draft channels and national harbors.
4200 Dirksen Building

Foreign Relations
To hold hearings on activities of the International Atomic Energy Agency (IAEA), focusing on its programs of safeguards.
4221 Dirksen Building

10:30 a.m.
Conferees
On S. 884, authorizing funds for fiscal years 1982 through 1985 for commodity price support programs administered by the Department of Agriculture, for agriculture research and conservation, and agriculture exports.
Room to be announced.

1:30 p.m.
Foreign Relations
To hold hearings on the nominations of Kenneth L. Brown, of California, to be Ambassador to the People's Republic of the Congo, and Francis T. McNamara, of Vermont, to be Ambassador to the Gabonese Republic and to serve concurrently and without additional compensation as Ambassador to the Democratic Republic of Sao Tome and Principe.
4221 Dirksen Building

2:00 p.m.
Foreign Relations
To hold hearings on the Treaty of Friendship with the Republic of Kiribati (Ex. A, 96th Cong., 2d sess.), Treaty of Friendship with Tuvalu (Ex. W, 96th Cong., 1st sess.), Treaty with the Cook Islands on Friendship and Delimitation of the Maritime Boundary (Ex. P, 96th Cong., 2d sess.), and Treaty with New Zealand on the Delimitation of the Maritime Boundary between the United States and Tokelau (Treaty Doc. No. 97-5).
4221 Dirksen Building

DECEMBER 3

9:30 a.m.
Energy and Natural Resources
Energy and Mineral Resources Subcommittee
To resume oversight hearings on America's role in the world coal export market, focusing on the domestic coal transportation network.
3110 Dirksen Building

Finance
Health Subcommittee
To hold hearings on competitive contracting for the administration of medicare.
2221 Dirksen Building

10:00 a.m.
Environment and Public Works
Business meeting, to resume markup of proposed amendments to the Clean Air Act (Public Law 95-95).
1202 Dirksen Building

Foreign Relations
To hold hearings on the Convention on the Prevention and Punishment of the Crime of Genocide, adopted unanimously by the General Assembly of the United Nations in Paris on December 9, 1948 and signed on behalf of the United States on December 11, 1948, (Ex. O, 81st Cong., 1st sess.).
4221 Dirksen Building

Governmental Affairs
Federal Expenditures, Research, and Rules Subcommittee
To hold hearings on proposed legislation providing for a uniform Federal procurement system.
3302 Dirksen Building

DECEMBER 4

9:30 a.m.
*Banking, Housing, and Urban Affairs
To hold hearings on the use of Defense Production Act authorities to stimulate domestic production of titanium.
5302 Dirksen Building

Finance
Savings, Pensions, and Investment Policy Subcommittee
To hold hearings on S. 829, increasing annuities payable to survivors of Tax Court judges in accordance with certain salary increases, S. 1607, providing a minimum interest and dividend exclusion for each individual, and S. 1645, permitting funds in an individual retirement account to be invested in collectibles.
2221 Dirksen Building

Governmental Affairs
Energy, Nuclear Proliferation and Government Processes Subcommittee
To hold hearings on Federal regulatory enforcement policy.
3302 Dirksen Building

DECEMBER 8

9:00 a.m.
Governmental Affairs
To hold hearings on debt collection procedures in the health professions student loan program, focusing on high delinquency rates.
5110 Dirksen Building

9:30 a.m.
Environment and Public Works
To hold oversight hearings on the Endangered Species Act (Public Law 96-159).
4200 Dirksen Building

Labor and Human Resources
To resume oversight hearings to examine affirmative action regulations of the Office of Federal Contract Compliance Programs, Department of Labor.
4232 Dirksen Building

DECEMBER 9

10:00 a.m.
Energy and Natural Resources
Business meeting on pending calendar business.
3110 Dirksen Building

2:00 p.m.
Joint Economic
Monetary and Fiscal Policy Subcommittee
To hold hearings on Federal Government policy as it relates to the defense industrial base
6226 Dirksen Building

DECEMBER 10

9:00 a.m.
Energy and Natural Resources
To hold hearings on S. 1867, to increase the acreage limitations and abolish the residency requirements of the Federal reclamation laws.
3110 Dirksen Building

Judiciary
*Criminal Law Subcommittee
To hold hearings on S. 613, amending the Federal Criminal Code to revise the scope of, and penalties under the Hobbs Act, prohibiting interference with commerce by threat or violence.
2228 Dirksen Building

9:30 a.m.
Environment and Public Works
To resume oversight hearings on the Endangered Species Act (Public Law 96-159).
4200 Dirksen Building

Labor and Human Resources
To resume oversight hearings to examine affirmative action regulations of the Office of Federal Contract Compliance Programs, Department of Labor.
4232 Dirksen Building

10:00 a.m.
Governmental Affairs
Energy, Nuclear Proliferation and Government Processes Subcommittee
To hold oversight hearings on activities of the Department of Energy.
3302 Dirksen Building

10:30 a.m.
Judiciary
Juvenile Justice Subcommittee
To hold hearings on current conditions of correctional institutions.
6226 Dirksen Building

2:00 p.m.
Judiciary
To resume hearings on S. 995, providing for contribution of damages in antitrust price-fixing suits.
2228 Dirksen Building

DECEMBER 11

9:00 a.m.
Energy and Natural Resources
To continue hearings on S. 1867, to increase the acreage limitations and abolish the residency requirements of the Federal reclamation laws.
3110 Dirksen Building

9:30 a.m.
Veterans' Affairs
Business meeting, to mark up S. 349, providing for limited judicial review of the administrative action of the Veterans' Administration, and for reasonable fees to attorneys representing legal counsel for veterans.
412 Russell Building

10:00 a.m.
Environment and Public Works
Business meeting, to resume markup of proposed amendments to the Clean Air Act (Public Law 95-95).
1202 Dirksen Building

JANUARY 13, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To hold hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the pre-

clearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

JANUARY 14, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To continue hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

JANUARY 20, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

JANUARY 26, 1982

9:30 a.m.
Labor and Human Resources
Labor Subcommittee
To resume hearings on S. 1541, amending the Employee Retirement Income Security Act (ERISA) by simplifying both reporting and disclosure requirements, and the process for employers to provide retirement income to employees, and providing incentives for employers to provide pension benefits to employees.
4232 Dirksen Building

JANUARY 28, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building
Labor and Human Resources
Labor Subcommittee
To hold hearings on S. 1785, increasing the penalties for violations of the Taft-Hartley Act, requiring immediate removal of certain individuals convicted of crimes relating to his official position, broadening the definition of the types of positions an individual is barred from upon conviction, increasing the time of disbarment from 5 to 10 years, escrowing a convicted official's salary for the duration of his appeal, and clarifying the jurisdiction of the Department of Labor relating to detecting and investigating criminal violations relating to ERISA.
4232 Dirksen Building

FEBRUARY 4, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

FEBRUARY 10, 1982

9:30 a.m.
Labor and Human Resources
Labor Subcommittee
To hold hearings on S. 1748, exempting certain employers from withdrawal and plan termination insurance provisions of title IV of the Employee Retirement Income Security Act (ERISA).
4232 Dirksen Building

FEBRUARY 11, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

FEBRUARY 18, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all State and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

FEBRUARY 23, 1982

11:00 a.m.
Veterans' Affairs
To hold hearings on legislative recommendations of the Disabled American Veterans.
Room to be annonced

FEBRUARY 25, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

CANCELLATIONS

NOVEMBER 24

2:00 p.m.
Judiciary
Security and Terrorism Subcommittee
To continue hearings to examine the presence of Cuban intelligence operations within the United States.
2228 Dirksen Building

NOVEMBER 25

10:00 a.m.
*Governmental Affairs
To hold hearings on proposed legislation requiring the Inspectors General of certain Federal agencies to periodically review their department's programs.
3302 Dirksen Building
Judiciary
Juvenile Justice Subcommittee
To resume hearings on S. 1688, making it a Federal offense when a convicted criminal commits a series of crimes involving firearms, and S. 1689, providing that a convicted criminal sentenced to life imprisonment under State habitual criminal statutes be incarcerated in a Federal penitentiary.
5110 Dirksen Building

DECEMBER 1

9:30 a.m.
Agriculture, Nutrition, and Forestry
To hold joint hearings with the Committee on Labor and Human Resources on S. 1442, revising and updating American food safety laws.
4232 Dirksen Building
Labor and Human Resources
To hold joint hearing with the Committee on Agriculture, Nutrition, and Forestry on S. 1442, revising and updating American food safety laws.
4232 Dirksen Building

DECEMBER 2

9:30 a.m.
Agriculture, Nutrition, and Forestry
To continue joint hearings with the Committee on Labor and Human Resources on S. 1442, revising and updating American food safety laws.
4232 Dirksen Building
Labor and Human Resources
To continue joint hearing with the Committee on Agriculture, Nutrition, and Forestry on S. 1442, revising and updating American food safety laws.
4232 Dirksen Building

SENATE—*Tuesday, November 24, 1981*

(Legislative day of Monday, November 2, 1981)

The Senate met at 11 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, the Reverend Richard C. Halverson, LL.D., D.D., offered the following prayer:

Father in Heaven, crisis is not new to us as a people, our Republic was born out of crisis. And our leadership has never failed at such times to call upon Thee for aid. Three times in its first 3 years, the Continental Congress called for days of fasting and prayer. On the first day of the First Congress, when a diversity of religions questioned its wisdom, they decided unanimously that prayer was necessary. When they were hopelessly divided as 13 Colonies with wide and deep differences, they prayed.

At the turning point of the Revolution, the Congress said, "Forasmuch as it is the indispensable duty of all men to adore the superintending providence of Almighty God; to acknowledge with gratitude their obligation to Him . . . it is therefore recommended to set apart Thursday . . . for solemn thanksgiving and praise, that with one heart and one voice the good people may express the grateful feelings of their hearts and consecrate themselves to the service of their divine benefactor. . .

In this Thanksgiving week and at this time of need, gracious Heavenly Father, we thank Thee for Thy bountiful providence through the years and we ask for special divine intervention in our national affairs, in our families and among the citizens, in Jesus' name. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. Under the standing order, the acting majority leader is recognized.

THE JOURNAL

Mr. STEVENS. Mr. President, I ask unanimous consent that the Journal of the Senate proceedings be approved to date.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I ask that the leader's time remaining on our side be reserved until after the two special orders.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. Under the standing order, the minority leader is recognized.

Mr. ROBERT C. BYRD. Mr. President, I have no need for my time. I yield it back.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ANDREWS). Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. STEVENS. Mr. President, the distinguished minority leader wishes to make a prolonged statement. I ask that following the special order that is on the calendar for the distinguished Senator from Missouri, that the Senator from West Virginia, the distinguished minority leader, be recognized, and that the time for routine morning business as already entered commence when the Senator from West Virginia has completed his statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF SENATOR DANFORTH

The PRESIDING OFFICER. The Senator from Missouri (Mr. DANFORTH) is recognized.

S. 1887—AN ARGUMENT FOR PASSIVE RESTRAINTS

Mr. DANFORTH. Mr. President, 1 month ago, the National Highway Traffic Safety Administration (NHTSA) rescinded Federal Motor Vehicle Safety Standard 28. This standard, which required the installation of automatic safety belts or airbags in automobiles, would have saved lives and prevented serious injuries on the Nation's highways. I opposed rescission of the rule and, after the rescission was announced, I introduced legislation to reverse the decision.

It quickly appeared that, absent the support of the administration, the legislation had little chance of being signed into law. Therefore, today, I am introducing different legislation employing a new concept for encouraging the use of airbags in the American automobile fleet. The bill I am introducing today uses the Internal Revenue Code in two ways.

First, it allows manufacturers to claim a refundable tax credit to pay for the installation of airbags in 1984 and on later model year automobiles.

Second, it levies an excise tax on sales of new automobiles which do not employ this lifesaving technology.

In offering this legislation, I am endeavoring to meet the two major objections which were offered to Safety Standard 208. Those objections were, first, that the economic cost of passive restraints would have been imposed unfairly on the already hard-pressed auto industry, and, second, that consumers, denied the option of cars without passive restraints, would resist buying new cars.

The legislation I am introducing today will reallocate the costs of converting to safer cars to the Federal Government, which, in strictly economic terms, should bear these costs. Government would ultimately realize a net savings of over a billion dollars a year because of the use of airbags.

Accidents, in addition to killing people, cost money. According to NHTSA, the Federal Government absorbs over $6 billion of these costs every year, through social security, medicare, medicaid, aid to families with dependent children, disability insurance, and lost corporate and personal income taxes.

However, if the Nation's automobiles were equipped with airbags, NHTSA says the Government could have nearly $3.8 billion of these outlays every year. Even if all 1984 model-year cars were made with airbags, my proposal would cost the Government about $2.6 billion, thus creating a net savings of over a billion per year once airbags became commonplace on the Nation's streets.

The savings may even be greater than we think. Partly because of the increasing use of small, light, fuel-efficient cars NHTSA estimates that fatalities may increase from the current 53,000 per year to 70,000 per year by the end of the decade. This grim projection makes it even clearer that the Government stands to benefit economically from installation of air bags.

The provisions of this legislation will shift the consumer cost differential in favor of the car with the improved safety design.

In addition, there will be insurance incentives favoring the airbag automobiles. I am writing to the heads of the Nation's major insurance companies to ask their commitment to pass the savings which they would achieve through

the use of airbags on to policyholders Some companies already offer sizable discounts to the owners of the few airbag cars on the road today.

NHTSA, in evaluating Standard 208 pointed out that companies providing auto, health, and life insurance set their rates according to loss experience, and, once airbags are widely used on American streets, could reduce premiums by as much as $40 per car per year for automobile insurance and $30 per person per year for life insurance.

Mr. President, the proposal I am advancing today is novel. Nothing like it has yet been considered by Congress. It would help make affordable safe automobiles available to the American people. It would help to make insurance affordable for all Americans, and it would help to reduce Federal expenditures for medical and other expenses by making them unnecessary.

I hope the administration, as well as my colleagues on the Finance Committee and elsewhere in Congress, will join me in moving forward with this legislation. Senator PACKWOOD, who chairs the Finance Subcommittee on Taxation and Debt Management, has assured me that this proposal will be the subject of hearings in the subcommittee before January 29.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1887

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part I of subchapter A of chapter 32 of the Internal Revenue Code of 1954 (relating to motor vehicle excise taxes) is amended by adding at the end thereof the following new section:

"SEC. 4065. FAILURE TO INSTALL AIRBAGS.

"(a) IMPOSITION OF TAX.—There is hereby imposed on the sale by the manufacturer of each 1984 or later model year passenger automobile with respect to which a qualified automatic safety airbag has not been installed a tax of $300.

"(b) DEFINITIONS.—For purposes of this section—

"(1) QUALIFIED AUTOMATIC SAFETY AIRBAG.—The term 'qualified automatic safety airbag' means an automatic safety airbag which meets the requirements of section 126 of the National Traffic and Motor Vehicle Safety Act of 1966.

"(2) PASSENGER AUTOMOBILE.—The term 'passenger automobile' has the meaning given such term by section 501(2) of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 2001(2)).

"(3) MODEL YEAR AND MANUFACTURER.—The terms 'model year' and 'manufacturer' have the meanings given such terms by paragraphs (4) and (5), respectively, of section 4064(b).".

(b)(1) Subsection (d) of section 1016 of such Code (relating to reduction in basis of automobile on which gas guzzler tax was imposed) is amended—

(A) by inserting "or 4065" after "4064" each place it appears, and

(B) by inserting "or Airbag Tax" after "Gas Guzzler Tax" in the heading thereof.

(2) The last sentence of subsection (a) of section 4221 of such Code (relating to certain tax-free sales) is amended by inserting "or 4065" after "4064."

(3) Section 4293 of such Code (relating to exemption for United States and possessions) is amended by inserting ", 4065," after "4064".

(4) The last sentence of paragraph (2) of section 6416(b) of such Code (relating to tax payments considered overpayments in the case of specified uses and resales) is amended by inserting "or 4065" after "4064".

(5) Subsection (e) of section 4217 of such Code (relating to leases) is amended—

(A) by inserting "or 4065" after "4064" each place it appears in paragraphs (1) and (2) thereof,

(B) by inserting "or total airbag tax" after "total gas guzzler tax" each place it appears in paragraph (2), and

(C) TOTAL AIRBAG TAX.—The term "total airbag tax" means the tax imposed by section 4065.

(6) The table of sections for part I of subchapter A of Chapter 32 of such Code is amended by adding at the end thereof the following new item:

"SEC. 4065. Failure to install airbags.".

(c) The amendments made by this section shall apply with respect to 1984 and later model year automobiles (as defined in section 4065(b) of the Internal Revenue Code of 1954).

SEC. 2. (a) Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by inserting immediately before section 45 the following new section:

"SEC. 44H. CREDIT TO AUTOMOBILE MANUFACTURERS FOR INSTALLATION OF AIRBAGS

"(a) CREDIT ALLOWED.—In the case of a manufacturer of 1984 model year or later passenger automobiles, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the product of—

"(1) $300, multiplied by

"(2) the number of such passenger automobiles which—

"(A) are manufactured in the United States by such manufacturer, and

"(B) with respect to which such manufacturer has installed an automatic safety airbag which meets the requirements of section 126 of the National Traffic and Motor Vehicle Safety Act of 1966.

"(b) DEFINITIONS.—

"(1) IN GENERAL.—For purposes of this section, the terms 'passenger automobile' and 'manufacturer' have the meanings given such terms by paragraphs (2) and (8), respectively, of section 501 of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 2001).

"(2) MODEL YEAR.—The term 'model year' has the meaning given such term by section 4064(b)(4).".

(b)(1) Subsection (b) of section 6401 of such Code (relating to amounts treated as overpayments) is amended—

(A) by striking out "and 43 (relating to earned income credit)," and inserting in lieu thereof "43 (relating to earned income credit), and 44H (relating to installation of automatic safety airbags)", and

(B) by striking out "and 43" and inserting in lieu thereof ", 43, and 44H".

(2) Sections 44C(b)(5), 44D(b)(5), 44E(e)(1), and 55(b)(2) of such Code are each amended by striking out "and 43" and inserting in lieu thereof "43, and 44H".

(3) Section 56(c) of such Code is amended by striking out "and 44G" and inserting in lieu thereof "44G, and 44H".

(4) Paragraph (4) of section 6201(a) of such Code (relating to assessment authority) is amended—

(A) by striking out "or section 43 (relating to earned income)," and inserting in lieu thereof "section 43 (relating to earned income), or section 44H (relating to installation of automatic safety airbags),", and

(b) by striking out "under section 39 or 43" in the heading thereof.

(c) The table of sections for subpart A of part IV of subchapter A of Chapter 1 is amended by inserting before the item relating to section 45 the following item:

"Sec. 44H. Credit to automobile manufacturers for installation of airbags."

(d) The amendments made by this section shall apply to airbags installed in 1984 or later model cars in taxable years in which such airbags were installed.

Mr. DANFORTH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. STEVENS. Mr. President, I ask unanimous consent that the order entered to recognize the distinguished minority leader be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, we now have the subject of the special order for the distinguished Senator from Kentucky. Does he wish to have that reserved for later in the day?

Mr. ROBERT C. BYRD. Yes, Mr. President, I would appreciate it if the distinguished acting Republican leader could reserve that order for Mr. FORD until later.

Mr. STEVENS. Mr. President, I ask unanimous consent that the special order entered for the distinguished Senator from Kentucky take place after the period for routine morning business.

How long will routine morning business be?

The PRESIDING OFFICER. Twenty minutes.

Without objection, it is so ordered.

ROUTINE MORNING BUSINESS

Mr. STEVENS. Mr. President, I ask unanimous consent that there now be a period for routine morning business, not to extend beyond 12 noon, and that Senators may speak therein without limitation of time.

79-059 O-85-15 (Pt. 22)

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS UNTIL 12:15 P.M. TODAY

Mr. STEVENS. Mr. President, the distinguished Senator from Georgia (Mr. MATTINGLY) is to be recognized during the period for routine morning business. The distinguished Senator from Connecticut wishes to make a statement following that. After the statement by the distinguished Senator from Connecticut, if no other Senator wishes to speak during the period for routine morning business, I ask unanimous consent that the Chair recess the Senate until 12:15 p.m. today.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator is referring to the Senator from Connecticut (Mr. DODD); is that correct?

Mr. STEVENS. Mr. DODD, yes.

I understand there may be other Senators who will seek recognition during the period for routine morning business and it is the desire of the leadership to put the Senate into recess following the statements made during routine morning business.

The PRESIDING OFFICER. Following the last continuous appearance, as the Chair understands it?

Mr. STEVENS. That is correct.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Georgia is recognized.

Mr. MATTINGLY. Thank you, Mr. President.

WELCOME HOME, BEAR

Mr. MATTINGLY. Mr. President, yesterday I, as did millions of other Americans, saw the "Bear"—Jim Brady—come home. I stood watching this man of grace and wit demonstrate for all of us the indomitability of the human spirit. I recall the words of John F. Kennedy when he said:

To be courageous requires no exceptional quality, no magic formula, no special combination of time, place and circumstance. It is an opportunity that sooner or later is presented to us all.

Mr. President, certainly Jim Brady has demonstrated that type of courage, and more. Defying all odds and in a manner and time no man would have chosen, the Bear showed us the true greatness of the human spirit. He has, in this season of thanksgiving, reminded this Senator and, I am sure, others of our countless blessings as individuals and as a nation.

So today, Mr. President, I join with others in saying welcome home Bear, you have been missed, your courage has enriched our spirits, and your grace and wit has lifted our hearts. God bless you, Jim.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HAYAKAWA). Without objection, it is so ordered.

CAN HOUSE COPYRIGHT TV?

Mr. FORD. Mr. President, since the issue of televising the proceedings of the Senate remains unresolved before us, I ask unanimous consent to insert in the RECORD an article from the November 19 issue of Roll Call which deals with a problem the House is having in making access to its broadcast signals equally available to all users.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CAN HOUSE COPYRIGHT TV?

(By Rich Burkhardt)

A controversy over whether the cable television network that broadcasts the House proceedings daily should be forced to sell their signal to anybody who asks for it could eventually wind up with the House copyrighting the broadcasts.

On the one side is Rep. Charles Rose (D-NC), chairman of the House Broadcasting System (HBS), who says that there have been complaints that the Cable-Satellite Public Affairs Network (C-SPAN) has denied access to the system to stations who are not cable subscribers.

The opposing viewpoint is taken by C-SPAN President Brian Lamb, who believes that their position has largely been misunderstood and that a mountain is being made out of a molehill.

Joan Teague, staff director of HBS, said that there have been at least eight to ten letters over the past year from organizations that say C-SPAN has refused to sell them their signal because they are not affiliated with cable systems. It is these letters, she said, that prompted Rose to consider copyrighting the signal.

Should that eventually be done, she said, C-SPAN would still be able to disseminate their signal to cable systems nationwide, but they would also be forced to supply non-cable customers who request the service at a reasonable rate.

Although the copyrighting of the signal could eventually mean that Congress could add restrictions on who could carry the broadcasts under what conditions, it is intended to have exactly the opposite effect, according to Rose.

"If we were to copyright the signal, it would not be for the purpose of limiting its use," he said. "It would be for purposes of widening access to it."

"I'm not absolutely wedded to the idea of copyrighting the House TV signal," he said. "But I am absolutely wedded to the idea that the signal belongs to the taxpayers and I don't want anyone carrying that signal to assert a property right to it."

Lamb contends, however, that C-SPAN is not trying to claim any property right over the actual floor signal, but that they are only trying to sell their service. He also points out that C-SPAN does not have the power to deny anybody access to the House signal.

"They (the House) are trying to control how we operate our network," Lamb said. "Anyone can pick up the same signal at no cost directly from the House. Once we get it and mix it with our programming, it belongs to us."

Lamb also believes that if it wasn't for the cable television industry's willingness to absorb the costs of broadcasting the House proceedings, they wouldn't be on the air today in any form.

"Back in 1967 when they first said they were going to televise, there was not one group who wanted to take gavel to gavel coverage," he said. "It would not have happened if the cable industry hadn't come in to do it, and we went through a long period when nobody wanted to watch it, then slowly it began to pick up.

"It's been done in a nonprofit way; nobody's been out to make a buck off of it," he continued.

Lamb also points out that throughout the first years of its existence, C-SPAN has done exactly what they originally told the House that they would.

"We said that we would pick up the signal, move it to the satellite, and provide it to cable systems, and we have fulfilled that promise," he said.

One station that tried to obtain the C-SPAN signal unsuccessfully was WNVT-TV, an educational channel located on the campus of Northern Virginia Community College in Annandale that transmits throughout the metropolitan Washington area on channels 53 and 14. Since the District of Columbia doesn't have cable TV at present and therefore couldn't get the House broadcasts, WNVT wanted to take the C-SPAN signal and broadcast it to D.C.

Dan Ward, Vice President and General Manager of WNVT, said that after they had cleared the broadcasts with the House, they had requested C-SPAN to supply them with a signal, but C-SPAN refused.

"They said that they were doing this for cable systems only, that it wasn't available for open-system broadcast," Ward said.

Had they been able to pick up the C-SPAN signal, it would have been ideal for their purposes, Ward said.

"The C-SPAN uplink was about 3 miles from us, and they were already bringing it into northern Virginia anyway," he said. "We already have a satellite receiver, and all we would have had to do was turn it in their direction."

However, C-SPAN's refusal to send WNVT the signal did not stop them from broadcasting the House live; it merely delayed things for a while. They held their first live broadcasts of the House last Thursday and Friday, taking the feed directly from the House.

Present plans for WNVT are to broadcast any live proceedings that occur after 3 PM daily, when they conclude their regular programming day. The complete day's proceedings will be broadcast on tape-delay later that night, and once a new tower is completed which will enable them to add another channel, the broadcasts will go out live daily on the new channel.

Lamb admits that C-SPAN would not sell the signal to WNVT when they made their request about six months ago, but said that "at the time, we had a policy not to sell to non-cable entities," a policy which has since changed.

Furthermore, Lamb says, their policy of not selling the signal to WNVT did not stop the station from obtaining the House broadcasts; it just meant that they had to make their own arrangements for broadcasting of the signal.

Since the time they changed their policy in August of this year, Lamb said, there has not been a great demand on them for the signal from non-cable outlets; he estimates they currently have "a half-dozen to a dozen" non-cable customers.

"There is not a groundswell of interest in this country to provide the House signal," he said. "All this furor is based on a couple of companies who wrote their Congressmen and said they should have it because it is in the public domain. But we're not preventing them from getting it, if they want to come in and take it from the House, that's fine."

One evidence that the C-SPAN policy has changed in recent months is the fact that George Mason University's TV system will begin carrying live coverage of the House Dec. 1, using the C-SPAN signal, even though they are not a cable company.

Mike Kelly, who heads the George Mason program, said that they will have a separate channel available for the Senate if they eventually decide to televise their session, and that they will carry other C-SPAN programming when Congress is not in session.

The George Mason system will be available within a 35-mile radius of Washington for office buildings only at the start. Although it will be regular over the air broadcasting, it will operate at a higher frequency than regular broadcasts, which means that a converter similar to that used in the Home Box Office system will be needed to unscramble the signal.

When C-SPAN does not have programming on the air, the George Mason system will either broadcast university programming or air a UPI and stock market "crawl," so it will be operational 24 hours a day.

What will the cost for all this be? "Less than $500 a year," Kelly said.

TWO-YEAR BUDGET CYCLE WOULD REMOVE DELAYS AND CHAOS IN BUDGET PROCESS

Mr. FORD. Mr. President, yesterday I briefly observed that our current difficulties with the vetoed continuing resolution were largely attributable to our 1-year appropriation cycle and only the most recent example of the need for changing to a biennial system. Today I would like to talk in a little more detail about why I believe we must go to a 2-year budget and appropriation cycle.

In the past, when our country was smaller and our problems were fewer and simpler, it was possible and we succeeded in making all the necessary budget decisions in both the executive and legislative branches of Government on an annual basis. For some time now that has not been possible, and we have had to live with hastily considered annual appropriation bills, and all too often, continuing resolutions with virtually no time for careful and thoughtful consideration.

By budgeting and appropriating for only 12 months at a time we have so compressed the available period for dealing with the thousands of complex issues that now arise in Federal budgets that it is simply impossible to make fully enlightened decisions. In his veto message yesterday the President revealed how this problem afflicts the executive branch. He said:

When reports came to us in September that spending and the deficit for Fiscal Year 1982 were rising, we took action to stem the tide. On September 24, I asked for a reduction of 12 percent in the appropriations for nearly all nondefense discretionary programs and a modest reduction in our planned program to strengthen the national defense.

Imagine, 6 days before the 1982 fiscal year was to begin the President sent this kind of message to Congress. I would say that the resolution he received and vetoed was better than he had any right to expect under these circumstances.

While avoiding the consequences of rush continuing resolutions, and realistically enlarging the time for consideration of regular budget resolutions and appropriations bills are alone compelling justifications for changing to a 2-year budget cycle, there are other equally worth reasons to make this change.

The uncertainties which confront the State and local government officials each year can be mitigated substantially, if not totally eliminated. Today as in most of our recent years it has been impossible for State and local governments to know what part Federal funds would play in their spending plans until long after the fiscal year has begun. And to make matters worse, there are 22 States which have already gone to 2-year budgeting, and articulating their planning to a 1-year Federal budget cycle is even more complicated.

Second, if the Federal Government goes to a 2-year budget, not only will there be more time for good analysis and decisionmaking on the important spending issues, with predictably better results, there will also be more time for the authorizing committees of Congress and the executive agencies to conduct meaningful and constructive oversight of ongoing programs. And, the time available for consideration of new policies and programs will lengthen, with again predictably good results.

Taking the frenetic haste out of the budget process will not only make for better spending decisions, but the longer budget cycle should clearly bring some stability and discipline to our economy and contribute to achieving the goals of balanced budgets and reduced inflation. Just changing from 1 to 2 years the period of expectation of budget adjustments to inflation and other factors affecting the economy will alone dampen the rate of increase in prices, and the concomitant need for increases in wages. Indexing a 2-year cycle has got to be less inflationary than adjusting at the end of each year.

The 2-year budget idea is attracting more and more supporters. I believe its time has come.

In the House of Representatives, Congressman PANETTA and 35 of his colleagues have sponsored H.R. 1010, a bill similar to S. 1683. The General Accounting Office has commented favorably on the biennial budget proposal. Numerous individual budget experts favor early action to bring about this change.

Mr. President, on September 30, the last day of fiscal 1981, several of our colleagues and I introduced S. 1683, the Budget and Oversight Improvement Amendments of 1981. One of the principal features of this legislation is to change the budget cycle of the U.S. Government from a 1- to a 2-year cycle.

I said at that time that our action was prompted by the recent experience with budget and appropriations bills in Congress, particularly the familiar delay in enacting general appropriations bills and by a growing conviction that an annual budget cycle is no longer suitable to the needs of the Federal Government.

On that day not one of the 13 general appropriations bills for the fiscal year beginning the next day had passed, and the Congress was 2 weeks late in agreeing to the required second concurrent resolution on the budget for fiscal year 1982. That was 8 weeks ago.

Today is November 24, and still not one of the 13 regular appropriations bills for fiscal year 1982 has been enacted, and the required second concurrent resolution on the budget, which should have been agreed to 10 weeks ago, has not even been reported out of committee. And look at the situation yesterday. The entire Government nearly came to a halt, because the continuing resolution to provide the funds necessary to keep the Government operating fell apart because there was not adequate time to come up with a package representing substantial agreement before the clock ran out.

Mr. President, a schedule that cannot be followed any better than that is simply not a schedule at all.

It is certainly not for lack of effort that the appropriations bills and the second resolution have not been passed. It is certainly not for lack of interest. Indeed, the interest and the effort are so intense and so all consuming that hardly anything else has been done either.

Mr. President, the simple fact is that a 1-year cycle prohibits full debate on the budget and consideration of major policy issues. Instead we have resolved ourselves to pro forma reviews of most of the budget. There is not sufficient time. No sooner do we finish the job than we have to begin again, and repeat everything for the next fiscal year. Such repetition is not only wasteful, it is counterproductive. It is frenetic activity solely for the sake of activity.

And to what purpose do we continue this frenzy? Do we think that the spectacle of furious action and the excitement of round-the-clock sessions are satisfactory substitutes for insuring the orderly operation of the Government of this great republic?

Mr. President, it has taken us a long time to recognize the need for a 2-year budget. The annual appropriations process was not working well before 1974, and the passage of the Congressional Budget Act in that year only made matters worse. Listen to the words of Dr. Alice

Rivlin, Director of the Congressional Budget Office, in a recent article in the March–April 1981 issue of Challenge:

In particular, the annual budget cycle is a pernicious one. For most activities of government, annual review is too frequent.

And later in the same article, she says:

An obvious first step toward reducing the frequency of decisions on government programs would be 2-year appropriations for almost everything. This would allow the Congress to use the first year of each 2-year session for oversight and the second to enact a 2-year appropriation.

She notes that annual review of all spending is wasteful and impedes consideration of major issues and that a better approach would "involve fewer, less frequent appropriations, a multiyear planning cycle, but with room for short-run flexibility in a few programs."

In her testimony before the Senate Committee on Governmental Affairs on October 29 of this year, she again stated her support for a biennial budget, saying:

The procedures of the budget process today force Members of Congress to make so many budgetary decisions each year that they cannot possibly take time to make them in light of thorough review and informed debate. The process could be dramatically improved by drastically reducing the numbers and frequency of budget decisions that must be made each year.

Currently, for many programs, the Congress must each year debate and pass an authorization bill, set an appropriation level in an appropriations bill, and make provisions for the activity in the concurrent budget resolutions. In addition, this year and last, the Congress may also have had to make decisions about the program or activity as part of the reconciliation process. The results of these multiple, annual actions are a crowded Congressional calendar and delays in the passage of key budgetary legislation. Authorizations are not enacted before appropriations bill must be brought up; the appropriations bills do not get enacted before the start of the fiscal year; and indeed, the Congress barely finishes the budget for one fiscal year before it is forced to begin consideration of the budget for the next year.

It is not clear that a thorough annual review of all federal programs would be desirable even if it were possible. It is hard to think of examples of activities that really need thorough reexamination and redirection each year. Too frequent changes can be counterproductive. Transfer payments need to be predictable, so that peoples' lives are not disrupted. Military capability suffers if signals change too often. Procurement costs can go up, not down, if production lines are alternately speeded up, slowed down, or even halted pending Congressional action. In grant programs, frequent changes and uncertainty are costly and disruptive to recipients, primarily state and local governments. Indeed, almost all programs would work better if authorizations and appropriations were enacted for several years at a time. About the only exceptions are disaster assistance, military contingencies, or countercyclical programs where triggering mechanisms are not appropriate.

One alternative to the overcrowded calendar of the annual process would be to move to a biennial budget. I have long believed that authorizations for federal activities should be for a minimum of two, and preferably three or more years. In addition, appropriations for most federal activities could also be placed on a cycle of at least two years' length. Furthermore, there are no technical obstacles to setting spending ceilings and revenue floors for a two-year period in a budget resolution.

One can imagine a dramatically different Congressional calendar under these changes. In the first session of any term, the Congress could adopt a budget resolution, authorizations, and appropriations for two fiscal years. During the second session Congressional committees would be free to conduct oversight of authorizations and supplementals, or revisions to authorizations or budget resolutions as necessary. The next Congress, considering reauthorizations and appropriations during its first session would be then be able to take advantage of the groundwork done by the previous Congress. It would be free, of course, to revise the budget handed on to it by the previous Congress.

Mr. President, S. 1683 would bring this into effect. Let me outline some of the changes S. 1683 would make. First and most important, it would convert the budget cycle from 1 to 2 years. The first concurrent resolution on the budget would be considered and agreed to in the first session of a Congress, as would authorization bills. Committees' reports of their allocations of the resolution totals would be due October 1. These would be the last budget related events of the first session and would provide the general framework and benchmarks for the actions in the second session on spending bills.

In the second session, the focus would be on spending bills and on the second resolution and reconciliation. The 2-year cycle permits adequate time to be provided for each of the steps. For example, S. 1683 provides 8 weeks for committees to comply with reconciliation instructions and for a reconciliation bill or resolution to be agreed to, instead of the 10 days provided by the current process.

S. 1683 provided 2 months for committees to prepare their reports of their allocations under the first resolution. This is related to another provision of the bill requiring such reports to contain budget account detail so they can be the occasions for serious committee consideration of budget priorities and can be reliable benchmarks for determining if spending bills are within the budget targets.

The timing of the economic reports from the Congressional Budget Office, of views and estimates, and of the first resolution are such that all committees can benefit from the CBO estimates and so that the Budget Committees can have time to consider the views and estimates reports in their work on the first resolution. The constraints of a 1-year period are such that it was not and is not possible to make that a reality in the present budget cycle. S. 1683 makes other changes to improve the budget process, and I urge my colleagues to study it carefully.

I urge my colleagues to join me and Senators BUMPERS, PELL, and DANFORTH as cosponsors of S. 1683, and I urge the committees to which it has been referred to give it full and careful attention at their earliest opportunity.

I ask unanimous consent that there be inserted in the RECORD immediately following my remarks the table on the back of today's Senate Calendar setting forth the status of the appropriations bills and an editorial from the Lexington Leader, dated October 8, 1981, entitled "Two-year budgeting system worth serious consideration."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATUS OF APPROPRIATION BILLS, 1ST SESSION, 97TH CONGRESS

Number of bill	Short title	Passed House	Received and referred in Senate	Reported in Senate	Passed Senate	Sent to conference	Conference report agreed to in—		Date approved, 1981	Number of law
							Senate	House		
H.R. 3512	Supplemental, 1981	May 13	May 14	May 14	May 21	May 28	June 4	June 4	June 5	97-12
H.R. 4034	HUD, 1982	July 21	July 22	July 23	July 30	Sept. 9	Nov. 21	Sept. 15	(1)	
H.J. Res. 308	Urgent Supplemental, HHS, 1981	July 23	July 23	* * *	July 23	* * *	* * *	* * *	July 29	97-26
H.R. 4035	Interior, 1982	July 22	July 23	July 23	Oct. 27	Nov. 4		Nov. 12		
H.R. 4144	Energy and Water, 1982	July 24	July 27	Oct. 28	Nov. 5	Nov. 12	Nov. 21	Nov. 20		
H.R. 4119	Agriculture, 1982	July 27	July 28	Oct. 22	Oct. 30	Nov. 4				
H.R. 4121	Treasury, 1982	July 30	Aug. 4	Sept. 22						
H.R. 4169	Commerce, Justice, State and the Judiciary	Sept. 9	Sept. 10	Oct. 30						
H.R. 4209	Transportation, 1982	Sept. 10	Sept. 14	Oct. 27	Nov. 3	Nov. 4				
H.R. 4241	Military Construction, 1982	Sept. 16	Sept. 17	Nov. 12						
H.J. Res. 325	Continuing, 1982	Sept. 16	Sept. 17	Sept. 23	Sept. 25	Sept. 25	Sept. 30	Sept. 30	Oct. 1	97-51
H.R. 4522	District of Columbia, 1982	Sept. 22	Sept. 24	Oct. 27	Oct. 30	Nov. 10	Nov. 19	Nov. 18		
H.R. 4560	Labor, HHS, and Education	Oct. 6	Oct. 7	Nov. 9						
S. 1802	Foreign Assistance, 1982	* * *	* * *	Nov. 3	Nov. 17					
H.J. Res. 357	Further Continuing, 1982	Nov. 16	Nov. 16	Nov. 17	Nov. 20	Nov. 20	Nov. 22	Nov. 22	Nov. 23	Vetoed
S. 1857	Defense, 1982	* * *	* * *	Nov. 17						
H.R. 4995	Defense, 1982	Nov. 18	Nov. 19	* * *						
H.J. Res. 368	Further Continuing, 1982	Nov. 23	Nov. 23	* * *	Nov. 23	* * *	* * *	* * *		

[1] Senate amendment 4 in disagreement amended.

TWO-YEAR BUDGETING SYSTEM WORTH SERIOUS CONSIDERATION

If Americans are confused and frustrated at budget time in Washington, think what it is like for lawmakers and officials who must put together the complicated and often-hated document known as the federal budget.

Consider the hundreds of hours spent in the legislative and executive branches making line-item decisions and trying to justify them.

Consider also that no sooner is the task completed than it is almost time to start working on next year's budget.

So prolonged is the annual agony that one lawmaker, U.S. Sen. Wendell Ford, Kentucky Democrat, wants to do something about it.

Sen. Ford has proposed legislation that would establish a two-year budget process. Ford would be the first to admit that his bill is not an innovative approach. Kentucky and at least 20 other states operated on a two-year fiscal cycle.

Innovation is not the aim, efficiency is the purpose of Ford's move, and we think the idea deserves some serious consideration in the nation's capital.

The need for changing the budget process is obvious. For example, as the government was set to begin a new fiscal year, Congress had not finished legislative action on any of 13 separate appropriations. In reality, that forces the government into a day-by-day operation under the traditional continuing resolution.

We agree with Sen. Ford that such a makeshift system is a sad commentary on the budgeting process.

This year's failure to meet deadlines was no exception, only once in the past five years have all 13 appropriations bills been completed at the start of the fiscal year. Also in the past five years, Ford explains, deadlines for the first and second budget resolutions have been met only twice out of 10 reporting dates.

That adds up to the inescapable and almost embarrassing conclusion that Congress is not performing its budgeting job satisfactorily.

In addition to bringing about needed efficiency in the budget process, a two-year system might be a road to stricter spending discipline and financial accountability. There might be a domino effect on the national economy if a modicum of stability in federal fiscal policy could be achieved.

Sen. Ford also makes a pertinent point when he says the two-year operation would allow government agencies to plan more efficiently for implementation of programs.

The Kentucky lawmaker is not alone in his boost for a new system. He cites the present director of the budget, David Stockman, as a possible cohort, Stockman co-sponsored similar legislation when he was in Congress. In addition, Dr. Alice Rivlin, director of the Congressional Budget Office, and the General Accounting Office, back the two-year idea.

Given the grand mess which the budget period brings to federal government, and the confusion in the minds of lawmakers and taxpayers, a two-year system might answer many of the problems. Certainly it deserves a chance.

Mr. FORD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE COMMANDER IN CHIEF DEFEATS HIS OWN TROOPS

Mr. PROXMIRE. Mr. President, somehow this great American press of ours—and it is a great, free, highly competent press—missed one of the most ironic and interesting stories of the year. President Reagan marched into battle in the last few days and won a smashing victory. He slapped down a continuing resolution of the Congress and really—as the press reported—played hard ball in doing so. He won, but over whom?

Consider that the President's foe was the continuing resolution we had passed continuing spending until July 15, 1982, at a level the President considered excessive. In the House it is true that the Democratic leadership and the House Democrats voted and worked for the resolution. It is also true that in the House the Republican leadership and the Republican Members voted and worked against the resolution. So the resolution passed the House in the face of a clear announcement from the White House that the President strongly opposed the legislation and intended to veto it.

Now what happened in the Republican Senate? In view of the President's emphatic opposition to the resolution and his announced determination to veto it. Why did not the Republican Senate kill it? At this point, Mr. President, we had one of the most conspicuous man-bites-dog developments on a matter of great national import in recent years. Yes, indeed, the Republican leadership could have killed the resolution in the Senate. But what did they do?

It was astounding, Mr. President. The Republican majority leader spoke and voted for the resolution the President so strongly opposed. His assistant spoke and voted for the resolution. The Republican manager of the resolution, the chairman of the Appropriations Committee, who had led the Senate conferees, voted and spoke for the resolution the President so emphatically opposed. On the other hand, the Democratic leader, Senator BYRD, supported the President and opposed the resolution, so did the assistant leader, so did I as the Democratic floor manager.

In one of the strangest and most contradictory debates in this body in a long time, Republican Senator after Republican Senator would get up to speak in vehement denunciation of the resolution and then without finding a single good word to say for the resolution announce he intended to vote for it. For it, Mr. President. And then came the vote. Of the 53 Republicans, my tally shows that 3 Republicans did not vote, 3 voted in support of the President and against the resolution, and 47 voted for the resolution and against the President. And this came from a party in the Senate that has given the President more consistent support than any President previously has enjoyed from his party in this body in a long, long time. On the other hand, Democrats voted against the resolution and for the President overwhelmingly. Of 46 Senate Democrats, 12 were absent, 1 opposed the President and voted for the resolution, and 33 supported the President and voted against the resolution.

So the President not only lost in the Republican Senate, but he lost entirely because Republican Senators voted against him. And this was a deliberate calculated, hard-fought achievement. A number of Republican Senators first voted to support the President and opposed the resolution. At one point, 1 minute before the vote was tallied, it was losing by about 10 votes. Then the Republican leadership sent out the word and Republicans overwhelmingly switched. Result: The resolution the President opposed passed—owing entirely to support from the President's own loyal Senate Republicans.

How do we explain this remarkable story? Why did Republicans vote overwhelmingly to apparently defy their President and pass what he called a big spending, budget-busting resolution which he announced he intended to veto? Mr. President, only one explanation makes sense. The President wanted the resolution that he opposed passed. Can anyone who is old enough to recognize that there really is not a Santa Claus, that the tooth fairy does not really exist, honestly believe that the President actually wanted that resolution killed when it is clear that he passed the word—he must have passed the word—to his Senate supporters asking them to vote for the budget-busting resolution?

Pass it. Now think of the implications of this. The President opposed to the resolution, crusading in the country against it, but wanting it passed. Why? So he could close down part of the Government on Monday and issue a veto and require the Congress to conspicuously say "Uncle, raise the white flag and pass the resolution the President wanted passed."

Mr. President, this was strictly Hollywood. The press has hinted at this but they have never told the true and full story of this Senate vote. This is what reveals it. That story has not been told.

All of what happened on Monday was unnecessary. Suppose the President passed word on Sunday that he wanted the resolution killed in the Republican Senate. Does anyone really doubt that the Senate would have killed that resolution forthwith? We could have acted on the resolution before 5 p.m. on Sunday. The Speaker could have and would have sent another resolution to the Senate identical to the resolution we passed at about 5:15—24 hours later on Monday.

If the President had told his Senate Republicans to kill the resolution certainly they would have done exactly that on Sunday. We could have promptly passed the continuing resolution the President wanted. There would have been no closedown of the Government Monday. The taxpayers would have saved several million dollars. And the President would have secured a genuine victory—not a closedown the Government victory—not a victory over his own troops in the Senate. But he would have forced the Congress to kill the resolution he opposed. He would have won the victory without the expensive, unnecessary, show-business bath for the taxpayers that we have gone through.

Somehow the American press—the best press in the world—has missed one of the most obvious stories of the year. How the President's big battle of the week was fought against his own troops, and how he ordered them into defeat—so he could win a victory.

THE GENOCIDE TREATY, EXTRADITION, AND MAINTENANCE OF CONSTITUTION RIGHTS

Mr. PROXMIRE. Mr. President, according to a recent article in the New York Times, the United States and West Germany are considering a proposal to revise the extradition procedure for Americans accused of war crimes in West Germany. After studying the article, I am struck by the fact that American extradition treaties are carefully conceived and worded, and closely scrutinized so as to provide for maximum protection of the rights of American citizens.

Both the West German Federal Ministry of Justice, and our own Department of Justice have expressed interest in this new proposal. While simplifying the extradition process, the new proposal continues to stress that the accused is afforded full legal protection of his rights under the Constitution. Even under this new simpler version of the treaty, there remain extensive provisions for guaranteeing these critical rights of Americans.

Under the new proposal, before extradition occurs, American authorities must prove that all of the following have occurred:

First. That the West German Government has officially lodged charges against the accused;

Second. That support in the form of legally admissible evidence indeed exists; and

Third. That the proposed extradition conforms to all legal protections and procedures of existing extradition treaties.

While this new proposal offers the possibility of speedier trials for suspected war criminals, it reinforces a point which I and other supporters of the Genocide Treaty have emphasized time and time again. The Genocide Treaty would not allow random extraditions of American citizens for trial in foreign courts.

The simple fact is that there is no provision for extradition within the Genocide Convention. Ratification of the treaty would not affect existing extradition treaties to which the United States is a party. As the understanding accompanying the treaty states:

> Nothing in Article VI shall affect the right of any state to bring to trial before its own tribunals any of its nationals for acts committed outside the state.

Simply stated, any state may put on trial its own citizens for acts committed outside of that state. Separate extradition treaties provide for transfer of persons suspected of committing war crimes for trial elsewhere. The Department of Justice and the State Department use great care to assure both the legality and constitutionality of any extradition treaty to which the United States is a party. This is exemplified by the careful review now taking place concerning the West German Extradition Treaty regarding war criminals. Certainly, this concern would be even greater in the examination of any extradition treaty arising from the implementation of the Genocide Convention.

TO ESTABLISH THE U.S. ACADEMY OF PEACE

Mr. MATSUNAGA. Mr. President, I am today introducing, with Senators MARK O. HATFIELD and JENNINGS RANDOLPH as principal cosponsors, and Senators MARK ANDREWS, MAX BAUCUS, JOSEPH R. BIDEN, RUDY BOSCHWITZ, BILL BRADLEY, DALE BUMPERS, QUENTIN N. BURDICK, ROBERT C. BYRD, HOWARD W. CANNON, JOHN H. CHAFEE, THAD COCHRAN, ALAN CRANSTON, JOHN C. DANFORTH, DENNIS DECONCINI, DAVID DURENBERGER, THOMAS F. EAGLETON, J. JAMES EXON, WENDELL H. FORD, GARY HART, FOWELL HEFLIN, JOHN HEINZ, WALTER D. HUDDLESTON, DANIEL K. INOUYE, ROGER W. JEPSEN, J. BENNETT JOHNSTON, NANCY LANDON KASSEBAUM, EDWARD M. KENNEDY, PATRICK J. LEAHY, CARL LEVIN, RUSSELL B. LONG, CHARLES MCC. MATHIAS, JOHN MELCHER, HOWARD M. METZENBAUM, GEORGE J. MITCHELL, DANIEL PATRICK MOYNIHAN, FRANK H. MURKOWSKI, CLAIBORNE PELL, LARRY PRESSLER, DAVID PRYOR, DONALD W. RIEGLE, PAUL S. SARBANES, JIM SASSER, ALAN K. SIMPSON, ARLEN SPECTER, ROBERT T. STAFFORD, JOHN C. STENNIS, PAUL E. TSONGAS, LOWELL P. WEICKER, and HARRISON A. WILLIAMS as cosponsors—a total of 52 cosponsors—a bill which would implement the recommendations of the U.S. Commission on Proposals for the National Academy of Peace and Conflict Resolution and establish the U.S. Academy of Peace.

Mr. President, because of our Nation's heritage, power and prestige, whether we like it or not, we must acknowledge the fact that the United States is the major force for world peace. In truth, the American commitment to peace is as old as our republic itself. At the end of the American Revolution, when the founders of our Nation were drafting a new constitution, a "Plan for a Peace Office" was published in a popular almanac. The proposed Peace Office was envisioned as an integral component of the new government, and it was to have as its objective the education of Americans in the art and science of peace.

The original "Plan for a Peace Office" has been attributed both to Benjamin Rush, a prominent physician and signer of the Declaration of Independence, and to Benjamin Bannecker, a black mathematician who was the publisher of the almanac in which it first appeared. George Washington, himself, as our Nation's first President, proposed the establishment of a peace agency within the Federal Government.

In this century, the desire for an institution devoted to peace reappeared in 1935 when U.S. Senator Matthew M. Neely of West Virginia introduced legislation providing for the establishment of a Federal Department of Peace. The proposed Department closely resembled the Rush/Bannecker Peace Office.

A Bureau of Peace and Friendship, to be located in the U.S. Department of Labor, was also proposed in 1935 by U.S. Representative Fred Bierman of Iowa. The Bureau, to be headed by an eminent sociologist, was to carry out sociological research on matters pertaining to peace and war. Research was also the focus of two resolutions introduced in the House in 1945 and 1947 by then-Representative Everett M. Dirksen of Illinois. The Dirksen resolutions would have established a Division of Peace within the U.S. Department of State.

Research and education were the principal objectives of these early proposals, but, in later years, the concept of a Federal institution devoted to peace was expanded. In 1945, Senator Alexander Wiley of Wisconsin introduced legislation to create a small, high-level Department of Peace with the Secretary serving, among other things, as the U.S. Representative on the United Nations Security Council.

Mr. RANDOLPH. Will the Senator yield?

Mr. MATSUNAGA. I shall in a moment. This is a terrible time for the Senator to interrupt, because this is what I was going to say:

In that same year, then Representative JENNINGS RANDOLPH of West Virginia introduced a Department of Peace bill which incorporated for the first time the idea that the international exchange of people and ideas is an effective means of promoting peace. I am happy to report that that same JENNINGS RANDOLPH, now a U.S. Senator from West Virginia, remains strongly committed to this idea and is a principal cosponsor of the bill I am introducing today. The Randolph concept is an integral part of our bill.

Mr. President, now I am happy to yield to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I appreciate that the able Senator from Hawaii yields to me for this comment.

Mr. President, I commend the effective statement of the able Senator from Hawaii (Mr. MATSUNAGA) as he discusses something that in a sense is new, but it is also in a sense something that has been before Congress in one form or another since June 1945.

The Senator has mentioned Senator Wiley and that the introduction of his measure in the Senate was the same month that I had the introduction of a somewhat similar measure in June 1945. The Senator's reference to him is historically correct and I add that these were the words of Senator Wiley at the time that he introduced the measure in that year. The Senator from Wisconsin, speaking in this Chamber, said:

I would like to see this great Nation be the first on Earth to establish a Department of Peace. And I would like to see the world peace capital on free American soil, not at Geneva, Vienna or the scene of past failures, hates, fears and intrigues.

I think, Mr. President, that Senator MATSUNAGA has given us, at this time, a fresh look, a new dimension, at the problems of world peace because they now are centered in a world where what happens that might be negative from the standpoint of conflict or war touches every other part of the world in a matter of seconds—not weeks or months or even years.

Little did any of us realize, at the time of the introduction of the measures that have been thoughtfully mentioned by the Senator, the full and dreadful accuracy of our fears regarding an attitude of international unconcern toward the development of nuclear weapons.

Mr. President, I shall, at this time, not speak formally, but I wanted to touch upon the interest indicated by Senator MATSUNAGA in Senator Wiley at the time we introduced the Peace Department measure, the same month, in the House and the Senate.

I thank the Senator.

Mr. MATSUNAGA. I thank the Senator from West Virginia. He is a principal cosponsor of this measure, and has been, indeed, active in the area of peace.

Mr. President, congressional hearings were held on the measures introduced in 1945 and 1947, but in that era the real developments in the field of foreign affairs were the successful creation of the Marshall plan and the subsequent addition of a technical assistance program in 1949.

In 1955, President Dwight D. Eisenhower pointed with concern to the "unprecedented destructive power of the new weapons and the international tensions which powerful armaments aggravate." He appointed a Special Assistant to the President for Disarmament. That individual, Gov. Harold Stassen of Minnesota, was given Cabinet rank and was often referred to as the Secretary of Peace.

Also in 1955, Senator Mike Mansfield of Montana and Representative Charles Bennett of Florida proposed the creation of a Joint Congressional Committee for a Just and Lasting Peace, and Representative Harold Ostertag of New York introduced a bill which included the concept of a National Peace College which would carry out both education and training.

Between 1959 and 1961, the proposal which eventually became the Arms Control and Disarmament Agency took shape in Congress. Two of the most prominent sponsors of the 1960 bills were Senator Hubert Humphrey of Minnesota, who proposed a national peace academy, and Senator John F. Kennedy of Massachusetts, who proposed an arms control research institute.

In 1963, President Kennedy, speaking at the American University commencement exercises here in Washington, D.C., observed that "The pursuit of peace is not as dramatic as the pursuit of war, but we have no more urgent task." He spoke of peace as "the necessary rational end of rational men." He made it clear that he was not referring to some vague concept of universal good will, but to a practical and attainable peace, "based not on a sudden revolution in human nature, but on a gradual evolution in human institutions."

Since 1963, I have been a principal sponsor of legislation to establish a national institution dedicated to the pursuit of peace, and I, too, have found that peace is a most difficult concept to sell. In 1976, after my election to the Senate, I joined Senator RANDOLPH and Senator MARK HATFIELD of Oregon in introducing legislation to establish a Cabinet-level Department of Peace including, among other things, a National Academy of Peace. We decided that Congress and the American people were probably unaware of the long history of this proposal and its great potential, so we decided to pursue a strategy calling for a study of the various peace academy proposals. In 1978, Congress authorized a 1-year study as part of the Education Act amendments of that year, Public Law 95–561. A nine-member Study Commission, with three members selected by the President of the United States, three by the President pro tempore of the Senate, and three by the Speaker of the House of Representatives, was appointed in the latter part of 1979. I had the privilege of serving as Chairman of the Commission, other members of which included the following:

Vice Chairman: Dr. James H. Laue, Director of the Center for Metropolitan Studies at the University of Missouri, St. Louis, Missouri.

Honorable John Ashbrook (R-Ohio), Member of the U.S. House of Representatives.

Mr. Arthur Barnes, President of the New York Urban Coalition of New York, New York.

Dr. Elsie Boulding, Chairman of the Department of Sociology at Dartmouth College, Hanover, New Hampshire.

Dr. John Dellenback, President of the Christian College Consortium in Washington, D.C.

Mr. John P. Dunfey, President of Dunfey Hotels Corporation of Hampton, New Hampshire.

Honorable Dan Glickman (D-Kansas), Member of the U.S. House of Representatives.

Mr. William F. Lincoln, Director of the Center for Collaborative Planning and Community Services, situated in Watertown, Massachusetts.

The U.S. Commission on Proposals for the National Academy of Peace and Conflict Resolution was mandated by Congress to examine the various proposals for a national peace academy, to decide whether or not such an institution should be established, and to make recommendations with respect to its size, scope, and location. The Commission held 12 public hearings in as many American cities, from Boston to Honolulu, and the Commissioners reviewed the existing literature relating to conflict resolution and held many informal meetings with many varied individuals and organizations. Thousands of witnesses, both experts and plain citizens, testified or wrote to the Commission to express their views.

Upon the conclusion of these activities, the Commission decided that a focused Federal investment in peace education is necessary to stimulate broad Government, private, and voluntary participation in international peace endeavors. Furthermore, the Commission concluded that such an investment would help the United States achieve its twin goals of international peace and international security. The Commission found ample evidence that conflict resolution skills exist and are being utilized on the local, State and national levels, but they have never been fully recognized or effectively utilized by the U.S. Government.

What would the Academy of Peace look like? What would it do? How much would it cost? These were also questions which were raised and addressed during the Commission's study.

As envisioned by the Commission, the U.S. Academy of Peace would be a federally chartered, nonprofit corporation. Its core budget would come from congressional appropriations, but it would also solicit supplemental private funding. Its principal facilities would be located within the Washington, D.C. area, but it would provide outreach and extension programs to meet the needs of people throughout the country.

As interdisciplinary, educational institution, the Academy would provide graduate and postgraduate educational programs for which students at institutions of higher education could receive credit. It would conduct training, workshops and other continuing education services for public and private sector individuals and organizations, aimed at developing and strengthening their conflict resolution skills, and it would conduct research and disseminate information about its findings. The Academy would respond to the needs and concerns of Congress, the

executive branch, and individuals and organizations in private enterprise and voluntary associations.

A Center for International Peace would be established within the Academy to which leaders from this Nation and abroad would be appointed to study, and the Academy would establish the award of a Medal of Peace to be presented annually by the President of the United States.

The cost of such an Academy is modest indeed. The bill we are introducing today would authorize the establishment of a $15 million fund for the purchase of facilities for the U.S. Academy of Peace. In addition, funds in the amount of $6 million would be authorized for the Academy's operations during its first year. Our bill contains a $10 million authorization for the Academy's second-year operations, adding up to a total authorization of $31 million, which is less than one-tenth of the cost of a single B–1 bomber. It is a modest amount, indeed, when compared to the cost of repairing the ravages of war or maintaining constant readiness for war. Since the end of World War II, the United States has provided other nations with over $236 billion in military assistance, economic and technical aid, much of it to repair the damage of that war in Europe and the Pacific Basin.

Currently, Congress has under consideration a proposal to spend billions of dollars for an additional 100 B–1 bombers. The cost of a single B–1 is either $280 million, if you believe the Defense Department, or $400 million if you believe the Congressional Budget Office. If we struck an average between the two estimated costs, we would arrive at the figure of $340 million, enough to establish and operate 11 U.S. Academies of Peace for a 2-year period.

Of course, the Peace Academy would not eliminate our need for a strong national defense, but by learning to cope with international disputes without resort to violence, we would increase our national security and reduce our reliance on costly weapons. Establishment of the Peace Academy would enable us to declare without reservation that peace is indeed the rational end of rational Americans. It would establish the United States as the first industrialized country in the world to take positive action toward insuring world peace in the future by teaching future leaders of the world the art of peacemaking, the art of settling international conflicts without resort to violence.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1889

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "United States Academy of Peace Act".

DECLARATION OF FINDINGS AND PURPOSES

SEC. 2. (a) The Congress finds and declares that—

(1) a living institution embodying the heritage, ideals, and concerns of the American people for peace would be a significant response to the deep public need for the Nation to develop fully a range of effective options, in addition to armed capacity, that can leash international violence and manage international conflict;

(2) people throughout the world are fearful of nuclear war, are divided by war and threats of war, are experiencing social and cultural hostilities from rapid international change and real and perceived conflicts over interests, and are diverted from peace by the lack of problem-solving skills for dealing with such conflicts;

(3) many potentially destructive conflicts among nations and peoples have been resolved constructively and with cost efficiency at the international, national, and community levels through proper use of such technique as negotiation, conciliation, mediation, and arbitration;

(4) there is a national need to examine the disciplines in the social, behavioral, and physical sciences and the arts and humanities with regard to the history, nature, elements, and future of peace processes, and to bring together and develop new and tested techniques to promote peaceful economic, political, social, and cultural relations in the world;

(5) the peacemaking activities of Americans throughout government, private enterprise, and voluntary associations can be strengthened by a national institution devoted to international peace research, education and training, and information services;

(6) there is a need for Federal leadership to expand and support the existing international peace and conflict resolution efforts of the Nation and to develop new comprehensive peace education and training programs, basic and applied research projects, and programs providing peace information;

(7) the Commission on Proposals for the National Academy of Peace and Conflict Resolution, created by the Education Amendments of 1978, recommended establishing an academy as a highly desirable investment to further the Nation's interest in promoting international peace;

(8) an academy, strengthening and symbolizing the fruitful relation between the world of learning and the world of public affairs, would be the most efficient and immediate means for the Nation to enlarge its capacity to promote the peaceful resolution of international conflicts; and

(9) the establishment of an academy is an appropriate investment by the people of this Nation to advance the history, science, art, and practice of international peace and the resolution of conflicts among nations without the use of violence.

(b) It is the purpose of this Act to establish an independent, nonprofit, national institution to serve the people and the Government through the widest possible range of education and training, basic and applied research opportunities, and peace information on the means to promote international peace and the resolution of conflicts among the nations and peoples of the world without recourse to violence.

DEFINITIONS

SEC. 3. As used in this Act, the term—

(1) "Academy" means the United States Academy of Peace established under this Act;

(2) "Board" means the Board of Directors of the Academy; and

(3) "Center" means the Center for International Peace of the Academy.

ESTABLISHMENT

SEC. 4. (a) There is hereby established the United States Academy of Peace.

(b) The Academy is an independent nonprofit corporation and an organization as defined in section 170(c)(2)(B) of the Internal Revenue Code of 1954. The Academy does not have the power to issue any shares of stock or to declare or pay any dividends. No part of the financial resources, income, or assets of the Academy or of any legal entity established by the Academy may inure to the benefit of a director, officer, employee, or agent of the Academy, except as reasonable compensation for service or payment for expenses.

(c) The Academy shall maintain its principal office in the District of Columbia with a designated agent or agents to accept service of process for the corporation. Notice to or service upon an agent shall be deemed notice to or service upon the Academy.

(d) The Academy may rent, lease, purchase, or receive and hold in its name property for offices, schools, and other facilities and to carry out activities under this Act. As determined by the Board, the Academy may establish offices, schools, and other facilities outside the District of Columbia for purposes not inconsistent with this Act.

(e) As determined by the Board, the Academy may establish, under the laws of the District of Columbia, a legal entity which is capable of receiving, holding, and investing public and private funds for purposes in furtherance of the Academy under this Act. The Academy may designate such legal entity as the "Endowment of the United States Academy for Peace".

(f) The Academy is liable for the acts of its directors, officers, employees, and agents when acting within the scope of their authority.

(g) The Academy has the sole and exclusive right to use and to allow or refuse others the use of the terms the "United States Academy of Peace", "Center for International Peace", and "Endowment of the United States Academy of Peace" and the use of any official United States Academy of Peace emblem, badge, seal, and other mark of recognition or any colorable simulation thereof. No powers or privileges hereby granted shall interfere or conflict with established or vested rights secured as of September 1, 1981.

POWERS AND DUTIES

SEC. 5. (a) The Academy may exercise the powers conferred upon a nonprofit corporation by the District of Columbia Nonprofit Corporation Act consistent with this Act, except for section 5(o) of the District of Columbia Nonprofit Corporation Act (section 1005(o) of title 29 of the District of Columbia Code.)

(b) The Academy may—

(1) establish a Center for International Peace and appoint to it for periods up to two years scholars and leaders in peace from the United States and abroad to pursue scholarly inquiry and other appropriate forms of communication on international peace and conflict resolution and, as appropriate, provide stipends, grants, fellowships, and other support to the leaders and scholars;

(2) establish such divisions, programs, schools, and offices as the Board deems appropriate to carry out this Act;

(3) enter into formal and informal relationships with other institutions, public and private, for purposes not inconsistent with this Act;

(4) conduct research and make studies, particularly of an interdisciplinary or a multidisciplinary nature, into the causes of war and other international conflicts and the elements of peace among the nations and peoples of the world, including peace theories, methods, techniques, programs, and systems, and into the experiences of the United States and other nations in resolving conflicts with justice and dignity and without

violence as they pertain to the advancement of international peace and conflict resolution;

(5) develop programs to make international peace and conflict resolution research, education, and training more available and useful to persons in government, private enterprise, and voluntary associations, including the creation of handbooks and other practical materials;

(6) provide peace education and research programs at graduate and postgraduate levels that lead to degrees as well as to certificates and other forms of recognition;

(7) conduct training, symposia, and continuing education programs for practitioners, policymakers, policy implementers, and citizens and noncitizens directed to developing their skills in international peace and conflict resolution;

(8) develop for publication or other public communication and disseminate the products of the Academy;

(9) establish a clearinghouse and other means for disseminating information from the field of peace learning to the public and to government personnel;

(10) establish a United States Medal of Peace, and any other medals or honors the Board periodically may recommend, to be awarded annually with appropriate ceremony by the President of the United States, upon recommendation to the President by the Board, to one or more individuals or groups deserving of exemplary recognition for personal or group contribution to international peace education, training, or research. A medal shall be accompanied by a cash award in an amount determined by the Board. A person associated with the Academy may receive a medal or other award; and

(11) secure directly and without reimbursement, upon request of the president of the Academy to the head of any Federal department or agency, information necessary to enable the Academy to carry out the purposes of this Act if such release of the information would not unduly interfere with the proper functioning of a department or agency.

(c) The Academy may undertake extension and outreach activities under this Act by making grants and entering into contracts with institutions of postsecondary, community, secondary, and elementary education including combinations of such institutions, with public and private educational, training, or research institutions including libraries, and with public departments and agencies including State and territorial departments of education and of commerce. No grant may be made to an institution unless it is a nonprofit or official public institution. A grant or contract may be made to—

(1) initiate, strengthen, and support basic and applied research on international peace and conflict resolution;

(2) promote and advance the study of international peace and conflict resolution by educational, training, and research institutions, departments, and agencies;

(3) educate the Nation about and educate and train individuals in peace and conflict resolution theories, methods, techniques, programs, and systems;

(4) assist the Academy in its publication, clearinghouse, and other information services programs; and

(5) promote the other purposes of this Act.

(d) The Academy may respond to the request of a department or agency of the United States Government to investigate, examine, study, and report on any issue within the Academy's competence. A request may be refused for reason of cost or of inappropriateness to the Academy's purposes or independence.

(e) The Academy may enter into contracts for the proper operation of the Academy, including maintenance of its offices, schools, and other facilities.

(f) The Academy may appoint and fix the compensation and duties of officers, employees, and agents and establish such advisory committees, councils, or other bodies as the efficient administration of the business and purposes of the Academy may require.

(g) The Academy may adopt, amend, and alter bylaws, not inconsistent with the laws of the United States and the District of Columbia, for the management of Academy property and the regulation of Academy affairs.

(h) The Academy may obtain grants and contracts and receive gifts and contributions from government at all levels, international organizations, and private agencies, organizations, institutions, and individuals.

(i) The Academy may charge and collect subscription fees and develop for publication or other public communication, and disseminate, periodicals and other materials.

(j) The Academy may charge and collect fees and other participation costs from persons and institutions participating in the Academy's direct activities authorized in subsection (b).

(k) The Academy may sue and be sued, complain, and defend in any court of competent jurisdiction.

(l) The Academy may adopt, alter, use, and display a corporate seal, emblem, badge, and other mark of recognition and colorable simulations thereof.

(m) The Academy may do any and all lawful acts and things necessary or desirable to carry out the objectives and purposes of this Act.

BOARD OF DIRECTORS

SEC. 6. (a) The powers of the Academy shall be vested in a Board of Directors unless otherwise specified in this Act.

(b) The Board of Directors shall consist of fifteen members appointed as follows:

(1) two Members of the Senate, one from each of the major political parties, to be appointed by the Senate President pro tempore no later than five days after the confirmation of the members nominated by the President;

(2) two Members of the House of Representatives, one from each of the major political parties, to be appointed by the Speaker of the House no later than five days after the confirmation of the members nominated by the President; and

(3) eleven persons, no more than six of whom may be members of the same political party and none of whom may be employees of the Federal Government, appointed by the President of the United States, by and with the advice and consent of the Senate. Not later than ninety days after the date of enactment of this Act, the President shall nominate the eleven individuals for the initial Board and transmit their names and any other information to the Senate. If the Senate fails to confirm a nominee, it shall so inform the President. The President shall submit the name of a new nominee within fifteen days of notice of rejection by the Senate.

(c) A director shall take an oath of office administered by the Vice President of the United States within two weeks after appointment, if a member of Congress, or after confirmation by the Senate, if a Presidential appointee.

(d) Members of the Board of Directors shall serve the following terms of office:

(1) A Member of Congress appointed to the Board shall serve for a single term of six years and only while serving as a Member of Congress.

(2) When submitting nominations for the initial Board, the President shall stipulate by name four directors who shall serve for five year terms, four directors who shall serve for four year terms, and three directors who will serve for three year terms. Thereafter, each Presidential appointee, except for a director appointed to fill an unexpired term, shall serve for a five year term. No Presidential appointee may serve on the Board for more than ten years.

(3) No person may be appointed to less than a full term unless appointed to fill an unexpired term.

(e) Whenever a vacancy occurs on the Board before the expiration of a director's term of office, the vacancy shall be filled—

(1) if a Member of Congress, pursuant to paragraph (1) or (2) of subsection (b) with the appointment made to a full term no later than thirty calendar days after the vacancy occurs; or

(2) if a Presidential appointee, by the Board submitting a list of nominees of no less than three and no more than five names to the President no later than thirty calendar days after the vacancy occurs. The President shall select a nominee from the list and submit the nominee's name to the Senate for confirmation no later than thirty calendar days after receiving the Board's recommendations.

(f) At least ninety days but no more than one hundred and twenty days before the timely expiration of the term of office of any Presidential appointee to the Board, the Board shall submit to the President a list of no less than three and no more than five recommendations for each position. The President shall submit the name of the nominee for each position, selected from the Board's list of recommendations, to the Senate for confirmation at least forty-five calendar days before expiration of the term of office to be filled.

(g) A director may be removed from the Board as follows:

(1) A member of the Board appointed from the Congress may be removed by the appointing authority for malfeasance in office, persistent neglect of duties, or inability to discharge duties.

(2) A member of the Board appointed by the President may be removed by the President, upon the recommendation of ten members of the Board, for malfeasance in office, persistent neglect of duties, or inability to discharge duties. A recommendation may be made only persuant to action taken at a meeting of the Board, which may be closed pursuant to the procedures of subsection (i). Only members who are present may vote. A record of the vote shall be maintained. The President shall be informed immediately by the Board of the recommendation. If the President removes the member, the President shall nominate a successor pursuant to subsection (e).

(h) No member of the Board may participate in any decision, action, or recommendation with respect to any matter which directly and financially benefits the member or pertains specifically to any public body or any private or nonprofit firm or organization with which the member is then formally associated or has been formally associated within a period of two years.

(i) Meetings of the Board shall be conducted as follows:

(1) The President shall stipulate by name the nominee who shall be the first Chairman of the Board. The first Chairman shall serve for a term of three years. Thereafter, the Board shall elect a Chairman every three years from among the directors appointed by the President and may elect a Vice Chairman if so provided by the Academy's bylaws.

(2) The Board shall meet at least semiannually, at any time pursuant to the call of the Chairman or as requested in writing to the Chairman by at least five members of the Board, and as may be provided by the bylaws of the Academy not inconsistent with this

Act. A majority of the members of the Board shall constitute a quorum for any Board meeting.

(3) Upon majority vote of the members of the Board, the Board shall adopt, and may from time to time amend, such bylaws as are necessary for the proper management and functioning of the Academy.

(4) All meetings of the Board shall be open to public observation and shall be preceded by reasonable public notice. Notice in the Federal Register shall be deemed to be reasonable public notice for purposes of the preceding sentence. The Board may close those portions of a meeting, upon a majority vote of its members present and with the vote taken in public session, which are likely to disclose information likely to affect adversely any ongoing peace proceeding or activity or to disclose information or matters exempted from public disclosure pursuant to subsection (c) of section 552(b) of title 5 of the United States Code.

(j) A director appointed by the President shall be entitled to receive the daily equivalent of the annual rate of basic pay in effect for grade GS–18 of the General Schedule in section 5332 of title 5 of the United States Code for each day during which the director is engaged in the performance of duties as a member of the Board.

(k) While away from his home or regular place of business in the performance of duties for the Academy, a director shall be allowed travel expenses, including a per diem in lieu of subsistence, not to exceed the expenses allowed persons employed intermittently in Government service under section 5703(b) of title 5 of the United States Code.

OFFICERS AND EMPLOYEES OF THE ACADEMY

SEC. 7. (a) The Board shall appoint the president of the Academy and such other officers as the Board determines to be necessary. The president shall be a nonvoting ex officio member of the Board. All officers shall serve at the pleasure of the Board. The president shall be appointed for an explicit term of years. Notwithstanding any other provision of law limiting the payment of compensation, the president and other officers appointed by the Board shall be compensated at rates determined by the Board, but no greater than those provided for by level I of the Executive Schedule of chapter 53 of title 5, United States Code.

(b) The Board shall authorize the president and any other officials or employees it designates to receive and disburse public and private moneys, obtain and make grants, enter into contracts, establish and collect fees, issue certificates and other honorifics, and undertake all other activities necessary for the efficient and proper functioning of the Academy.

(c) The president, subject to Academy bylaws and general policies established by the Board, may appoint, fix the compensation of, and remove such employees of the Academy as the president determines necessary to carry out the purposes of the Academy. In determining employee rates of compensation, the president shall be guided by the provisions of title 5, United States Code, relating to classification and General Schedule pay rates.

(d) The President may request the assignment of any Federal officer or employee to the Academy by an appropriate department, agency, or congressional official or Member of Congress and may enter into agreement for the assignment, provided the affected officer or employee agrees to the assigment and the assignment causes no prejudice to the salary, benefits, status, or advancement within the department, agency, or congressional staff of the officer or employee.

(e) No officer or full-time employee of the Academy may receive any salary or other compensation for services from any source other than the Academy during the officer's or employee's period of employment by the Academy, except as authorized by the Board.

(f) Officers and employees of the Academy shall not be considered officers and employees of the Federal Government except for purposes of the provisions of title 28, United States Code, which relates to Federal tort claims liability, and the following provisions of title 5 of the United States Code, which relate to Federal tort claims liability, and the following provisions of title 5 of the United States Code, subchapter I of chapter 81 (relating to compensation for work injuries); chapter 83 (relating to civic service retirement); chapter 87 (relating to life insurance); and chapter 89 (relating to health insurance). The Academy shall make contributions at the same rates applicable to agencies of the Federal Government under the provisions of title 5 referred to in this section.

(g) No part of the income or assets of the Academy or of any legal entity created by the Academy shall inure to any agent, employee, officer, or director or be distributable to any such person during the life of the corporation or upon dissolution or final liquidation. Nothing in this section may be construed to prevent the payment of reasonable compensation for services or expenses to the directors, officers, employees, and agents of the Academy in amounts approved in accordance with the provisions of this Act.

(h) The Academy shall not make loans to its directors, officers, employees, or agents, or to any legal entity created by the Academy. A director, officer, employee, or agent who votes for or assents to the making of a loan or who participates in the making of a loan shall be jointly and severally liable to the Academy for the amount of the loan until repayment thereof.

PROCEDURES AND RECORDS

SEC. 8. (a) The Academy shall monitor and evaluate and provide for independent evaluation if necessary of programs supported in whole or in part under this Act to insure that provisions of this Act and the bylaws, rules, regulations, and guidelines promulgated pursuant to this Act are adhered to.

(b) The Academy shall prescribe procedures to ensure that grants, contracts, and financial support under this Act are not suspended unless the grantee, contractor, or person or entity receiving financial support has been given reasonable notice and opportunity to show cause why the action should not be taken.

(c) In selecting persons to participate in Academy activities, the Academy may consider a person's practical experience or equivalency in peace study and activity as well as other formal requirements.

(d) The Academy shall keep correct and complete books and records of account, including separate and distinct accounts of receipts and disbursements of Federal funds and of non-Federal funds. The Academy's annual financial report shall identify the use of each source of funding and shall present a clear description of the full financial situation of the Academy. Nothing in this section prevents the Academy from using Federal and non-Federal funds together in any grant, contract, program, or other expenditure of the Academy consistent with this Act.

(e) The Academy shall keep minutes of the proceedings of its Board and of any committees having authority under the Board.

(f) The Academy shall keep at its principal office a record of the names and addresses of its Board members; copies of this Act, of any other Acts relating to the Academy, and of all Academy bylaws, rules, regulations, and guidelines; required minutes of proceedings; a record of all applications and proposals and issued or received contracts and grants; and financial records of the Academy. All items required by this subsection may be inspected by any Board member or the member's agent or attorney for any proper purpose at any reasonable time.

(g) The accounts of the Academy shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants, certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The audit shall be conducted at the place or places where the accounts of the Academy are normally kept. All books, accounts, financial records, files, and other papers, things, and property belonging to or in use by the Academy and necessary to facilitate the audit shall be made available to the person or persons conducting the audit, and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(h) The Academy shall provide a report of the audit to the President of the United States and to each House of Congress no later than six months following the close of the fiscal year for which the audit is made. The report shall set forth the scope of the audit and include such statements, together with the independent auditor's opinion of those statements, as are necessary to present fairly the Academy's assets and liabilities, surplus or deficit, with reasonable detail, including a statement of the Academy's income and expenses during the year including a schedule of all contracts and grants requiring payments in excess of $5,000 and any payments of compensation, salaries, or fees at a rate in excess of $5,000 per annum. The report shall be produced in sufficient copies for the public.

(i) The Academy and its directors, officers, employees, and agents shall be subject to the provisions of section 552 of title 5, United States Code (relating to freedom of information).

INDEPENDENCE AND LIMITATIONS

SEC. 9. (a) Except as otherwise provided in this Act, the Academy shall not be considered a department, agency, or instrumentality of the Federal Government. Nothing in this Act may be construed as limiting the authority of the Office of Management and Budget to review and submit comments on the Academy's budget request at the time it is transmitted to the Congress.

(b) No political test or political qualification may be used in selecting, appointing, promoting, or taking any other personnel action with respect to any officer, employee, agent, or recipient of Academy funds or services or in selecting or monitoring any grantee, contractor, person, or entity receiving financial assistance under this Act.

FUNDING

SEC. 10. (a) For the purpose of purchasing a principal office and other buildings and grounds for the legal entity authorized to be established under section 4(e) and the Academy's Center, offices, schools, and other facilities in or within easy reach of the District of Columbia and necessary to carry out this Act, there are authorized to be appropriated to the Academy a buildings and grounds capitalization fund of $15,000,000 which shall remain available to the Academy without regard to fiscal year limitations.

(b) For the purposes of establishing the structure and programs and administering the affairs of the Academy, there are authorized to be appropriated for the fiscal year ending September 30, 1983, $6,000,000 and for the fiscal year ending September 30, 1984, $10,000,000. Moneys authorized to be appropriated and appropriated for the fiscal year ending September 30, 1983, shall remain available to the Academy through the fiscal year ending September 30, 1984.

(c) The Board of Directors may transfer to the legal entity authorized to be established under section 4(e) any funds not obligated or expended from appropriations to the Academy for a fiscal year, and such funds shall remain available for obligation or expenditure for the purposes of such legal entity without regard to fiscal year limitations. Any use by such legal entity of appropriated funds shall be reported to each House of the Congress and to the President of the United States.

DISSOLUTION OR LIQUIDATION

SEC. 11. Upon dissolution or final liquidation of the Academy or of any legal entity created pursuant to this Act, all income and assets of the corporation or other legal entity shall revert to the Treasury of the United States.

Mr. MATSUNAGA. Mr. President, I am happy now to yield to the Senator from West Virginia, a cosponsor of the measure.

The PRESIDING OFFICER (Mr. WEICKER). The Senator from West Virginia is recognized.

Mr. RANDOLPH. Mr. President, on June 29, 1945, it was my privilege, as a Member of the House of Representatives, to introduce H.R. 3625, a bill to create a Cabinet-level Department of Peace.

That bill, Mr. President, was dedicated to the concept that if indeed there are any fruits of war, this country should by necessity begin to master the arts of peacemaking, and to legitimize and institutionalize those skills within the formal structure of the U.S. Government.

I said in 1945—and it is being made more chillingly clear to us in these troubled times—"it is utter folly to believe that we can keep secret the atomic bomb and other devices of warfare, because it would raise a suspicion among other countries and cause them to develop substitutes which will be just as deadly, perhaps more deadly, within a matter of a very few years."

Also in June 1945, Senator Alexander Wiley of Wisconsin introduced a similar peace bill in the Senate, and at that time he said:

I would like to see this great Nation be the first on earth to establish a Department of Peace. And I would like to see the world peace capital on free American soil, not at Geneva, Vienna or the scene of past failures, hates, fears and intrigues.

Little did any of us realize, I believe, the full and dreadful accuracy of our fears regarding an attitude of international unconcern toward the development of nuclear weapons.

I left the House in 1946, and by the time I returned to Washington in 1958 as a U.S. Senator, many of our fears had already been realized.

Among criticisms voiced in 1945—and some you will surely hear repeated now—against the creation of a peace arm of our Government, will be that it is the function of the Secretary of State to maintain the peace.

To a substantial extent, our past Secretaries of State have been seekers of peace. We gratefully acknowledge the dedication of Secretary Dean Rusk for his quiet but continuous search for honorable conditions of peace. But his example has not always been characteristic of all our Secretaries of State.

If you look at the record closely, one can hardly say that Secretary Lansing was exemplary of peaceful ways in the conduct of our policy toward Mexico in 1915. Nor could it have been said of Secretary Seward with respect to his belligerent posture toward Maximillian in Mexico in 1864, or his pursuit of American "manifest destiny" in the Pacific and Caribbean at the same time during the years immediately following.

Within the present world climate, there is a necessity to maintain a frequently combative, or at least assertive, posture within the Department of State. But it is this kind of day-to-day prescription of the State Department's tasks that, to a great extent, disqualifies it as the sole, ideal mechanism for introducing fresh insights to the problems of disarmament and achieving visable conditions for world peace.

By the spring of 1959, after I had returned to Capitol Hill as a Member of the U.S. Senate the year before, I again introduced a bill, S. 2332, to create a Cabinet-level Department of Peace. In June 1961, both Senator Wiley and myself cosponsored a bill, S. 2180, introduced by Senator Hubert Humphrey, to create a U.S. Disarmament Agency for World Peace and Security. In 1968 and 1969, I again cosponsored legislation to create a Department of Peace.

In 1976, a bill, S. 1976, was introduced by Senator Vance Hartke of Indiana, to create the George Washington Academy of Peace—a subcabinet level official arm of our Government committed to the ideals of peacemaking—or nonviolent techniques for conflict resolution.

So, in spite of the criticisms you may hear against creating a Department, or an Academy of Peace, I continue to believe such an agency will contribute much toward the attainment of the conditions for which the world so desperately yearns—even though it may seem paradoxical at a time when the President has announced a military buildup in response to perceived Soviet pressures. The Academy, once established and in the posture of training specialists in conflict resolution techniques, could bring us closer to the effective and systematic treatment of problems of disarmament than we have been any time during recent years. We must do something before the nuclear club is further enlarged.

Senator Humphrey's bill, S. 2180, did not provide full Cabinet-status for a "Peace Officer," but it did place such an Officer at the level of an Under Secretary and clearly established him as a principal adviser to the President on disarmament matters, working solely under the direction of the President and the Secretary of State.

Mr. President, I am giving a brief history of the various efforts in the Senate, and the House of Representatives, over the years to establish a peace arm of the U.S. Government structure in order to reassure other countries—including the Soviet Union—that although we are committed to a necessarily strong defense structure, we are also disposed to pursue the art of peacemaking—and that our commitment to peace must be visible—institutionalized in our government—not just rhetoric.

Mr. President, during the early years of introducing legislation to create either a Cabinet-level Department of Peace, or a Peace Officer to be a principal adviser to the President—we did not have the years of disarmament negotiations of a nuclear age that we have now. At that time, problems of disarmament and arms control had not become so technically complex, nor as threatening to world peace, as they are now.

For the very reason—not in spite of it—that our State Department has developed this experience and expertise, a Peace Academy created and made operational now, could avail itself of that knowledge—indeed it could not afford not to do so—and could work in concert with and as a complement to, a Secretary of State. Indeed, there is a compelling reason for the argument that the head of a Peace Academy would not—must not—become enmeshed in the bureaucratic structure of the Department of State. He must have freedom to explore new and possibly controversial avenues of exchange without being burdened by the weight of the past, or torn by the conflicts of contending schools of thought within the Department of State—if the Academy is to serve a purpose—that of perfecting techniques of arbitration, mediation and negotiation for peaceful conflict resolution.

In the spring of 1961, Thomas F. Murray, a former member of the Atomic Energy Commission, referring to the concept of a new third generation weapon in an entirely different category from that of the H-bomb, stated that:

All that may be said of it here is that it is primarily antipersonnel in destination and effect—hence it is apt for proper military uses, and it need not create suicidal hazards for the country that employs it.

More recently, we heard basically the same kind of rhetoric applied to a limited nuclear war and the possibility that one could be fought on European soil, without ever involving the two major powers—the United States and the Soviet Union.

I believe the curious implications of these statements, even though when taken out of context they take on more sinister implications than were intended by either spokesman, lead peoples of the world to think that we in the United States believe that homicide is more acceptable, morally, than suicide.

Further, I believe that such statements come to be viewed by many uninformed people as policy statements of national and international significance when advocated by presumably responsible and reasonable men on grounds of pure speculation or assumption. I suggest that we eliminate guesswork and assumption in foreign policy formulations pertaining to war versus peace—disarmament versus military buildups and weapons stockpiling.

It is a frequently voiced, popular assumption that if only the United States and the Soviet Union would come to terms on disarmament, then we would immediately have billions more dollars to spend on schools, health care, social services, or other worthy purposes.

On the contrary, peacemaking can and most probably will be expensive. But it will never be as expensive as today's defense budget—never nearly so much. But

we do not really know how much it might cost. We wish only to make a modest start, and from there proceed to make fundamental, systematic, and comprehensive studies in the arts of making peace.

Two days ago, President Reagan made a foreign policy speech intended to relieve the anxieties of our allies, the Soviet Union, and the American people who, for 10 months, have heard nothing but his announced increase in defense spending, weapons stockpiling, the sale of AWACS, and recent references to the unholy specter of a so-called limited nuclear war. Two days ago, the President of the United States said: "I understand their concerns. Their questions deserve to be answered."

President Reagan then went on to reaffirm America's commitment to continuing what he termed "the longest European peace in this century," and he further pledged his administration, himself, and our country to achieving arms-reductions agreements based on the principles outlined in his proposal to the Soviets, asking them to share our commitments and to match their often-repeated professions of concern for peace by positive actions.

Finally, President Reagan stated that the American concept of peace goes well beyond the absence of war. Americans have long known this statement to be true.

Having heard his statement on foreign policy with regard to arms reductions and an end to the unhealthy and unconscionable competition between the two world powers, let us support the President now as he and his negotiators go to the bargaining table. This is no time for suspicion that his proposal was merely for propaganda purposes. It is no time for suspicion by anyone at any level of any government or its people. It is a time for hope.

It will not be easy—and the President knows this. He also knows he has made a sincere start toward a U.S. commitment to world peace efforts. It is high time.

It is high time we begin, in some small way, to move the world with painstaking and careful effort toward more visible, believable, and lasting conditions of peace. It is a cruel irony that the quest for peace, which so enlists the hopes of the world's millions, has become so heavily burdened by the present multitude of hard, complex, and highly technical problems. But desire and good will are not enough. They are necessary, but they are not sufficient. The task ahead will also require the utmost patience, determined effort, and disciplined and professional intelligence.

I am pleased, Mr. President, to have been the chief sponsor of the bill, S. 469, which created the "Commission to Study Proposals to Establish a Peace Academy." When I introduced S. 469, with the sponsorship of Senators MARK HATFIELD and SPARK MATSUNAGA, and helped guide it to enactment, it was the culmination of 36 years of effort on my part—begun in 1945.

I hope the President, our President, who has just given us hope for a negotiated peace, will endorse this proposal we introduce today.

The Study Commission, established for 1 year, during which time it conducted a series of public hearings and forums nationwide under the able leadership of its Chairman, my friend and colleague SPARK MATSUNAGA, recently delivered its final report recommending the establishment of a National Academy for Peace. It was my privilege, with its cosponsors, Senators HATFIELD and MATSUNAGA, to be at the White House on October 20, to present the first copies of the Commission's final report to President Reagan, and later to the Speaker of the House, and the President pro tem of the Senate.

Mr. President, it is gratifying to be able to join Senator MATSUNAGA, Senator HATFIELD, and 49 other Senators for a total of 52 in introducing today, a bill for the establishment of a National Peace Academy.

Mr. President, it is appropriate, and I ask unanimous consent that a "Prayer for Peace," by Frederick Brown Harris the Chaplain of the U.S. Senate in 1961, be printed in the RECORD.

There being no objection, the prayer was ordered to be printed in the RECORD, as follows:

A PRAYER FOR PEACE

Father of all men, in a day of tribulation, when the very foundations of human society seem to be resting on sinking sand, Thou has called us to dedicate our brief and little lives to vast and vital causes.

In the midst of world conditions that baffle us, of swift social currents which sweep away our strongest bulwarks and of evil forces whose hideous cruelty stabs our anguished hearts, we confess that the world in which our lot is cast is too much for us.

Forgive us that it has taken the dreadful threat of a global war for us to recognize that all peoples must work out the common concerns of humanity together, or else go down together into the flaming burial of a final suicidal holocaust.

Because there is no solution of the world's ills, save as it springs from Thy sovereignty and from the hearts of men, we pray, for ourselves, create in us clean hearts, O God, and renew right spirits within us, that we may contribute worthily to mankind's abiding peace.

We ask it in the Redeemer's name. Amen.

Mr. RANDOLPH. Mr. President, I wish to indicate that it is gratifying to me, having begun the long quest with legislation introduced when I was a Member of the House in 1945, to be joined with 49 other Senators in the presentation of this measure.

I also add that we remember the former eloquent and endurable Senator from Illinois, Everett Dirksen, as the minority leader in the Senate, but I am recalling now that he introduced a peace measure in 1947 which embodies some of the thoughts that have been expressed here and some of the substance of what we are working on, while he was a Member of the House of Representatives. Senator Dirksen began serving in the House in 1933—the same year I began my own service in the House. We were sworn in at the same time as the new President—Franklin D. Roosevelt. Senator Dirksen served as a member of the House from 1933 to until 1948. He did not seek reelection that year; in 1950, he sought, and was elected to the U.S. Senate where he served until his death in 1969.

It was shortly before he left the House that Senator Dirksen, as a Representative from the 16th Congressional District in Illinois, presented in that body a measure in an attempt to establish a Department of Peace within our governmental structure. He was thinking in terms of world peace.

And I hope that Senator BAKER, the able majority leader of the Senate today, will not feel it inappropriate for me, as we present this peace bill for introduction, to have mentioned his father-in-law, Senator, and before that Representative, Everett Dirksen, who associated himself with legislation for peace in 1947. That is when Everett Dirksen, as a Member of the House of Representatives, had a bill that embodied some of the thoughts that we have embraced in this legislation today.

I am very happy that the majority leader is in the Senate as we present formally this measure, a measure that is inclusive with 52 Members of this body joining together.

Someone said to me, "Why does it take so long to do something, to even study peace proposals and then to introduce legislation? Why so many cosponsors? Is it because an election year is coming up?"

Well, times, of course, call for the presentation of legislation that perhaps would never be presented except for very real reasons.

I take this moment to say that in 1942 the State of Georgia had 18-, 19-, and 20-year-old voting privileges and responsibilities for its youth in that State.

The State of Georgia was first in 1942. I introduced a constitutional amendment in 1942 that we do what Georgia had done, that the Nation be joined in a constitutional amendment. When did it come to pass? Not then, not a few years later, but presenting it over and over again finally by the two-thirds majority of those Senators and Representatives present, why, the 18-, 19-, and 20-year-old amendment to the Constitution passed here in 1971—29 years later.

In only 90 days the sufficient number of States, 38, had ratified the constitutional amendment for 18-, 19-, and 20-year-old voting.

So I say to Senator MATSUNAGA we must not weary in well-doing. We started on this road for hoped-for world peace a long time ago, just as we did on extending the privileges and responsibilities to our young people to join in the use of the American ballot.

I appreciate the consideration of my colleagues as I have discussed this matter.

The PRESIDING OFFICER. The distinguished majority leader is recognized.

Mr. BAKER. Mr. President, I commend the distinguished Senator from West Virginia for his initiative in this respect, and I am pleased to say that those of us on this side of the aisle are happy indeed to join him in urging the adoption of this resolution. It is typical

of the Senator from West Virginia that he would bring this matter to the attention of the Senate, as he has.

He referred to the fact that my late father-in-law, Senator Dirksen from Illinois, served in the Congress during this time, and I would remark parenthetically that JENNINGS RANDOLPH is the only remaining Member of the Senate who came here in January of 1933 in the House of Representatives when Everett Dirksen was sworn in as a Member of the House of Representatives.

Everett Dirksen and JENNINGS RANDOLPH were friends for many, many years, and I am pleased to say that I have always claimed that friendship not only for family purposes but for my own as well.

I have an inordinate amount of admiration for my chairman—I always refer to him as my chairman, as he was for many years, chairman of the Public Works Committee, and which is now the Environment and Public Works Committee—and whatever I am, good or bad, was due to his tutelage of a freshman Senator assigned to that committee who served under Chairman RANDOLPH.

Mr. President, I am pleased to say that that measure is cleared on this side, and we are prepared to proceed to its consideration.

Mr. THURMOND. Mr. President, I just want to say that I may be the only person in the Senate who was a delegate when Franklin D. Roosevelt was nominated. I was superintendent of schools at that time, and I was a delegate to that convention in Chicago in 1932.

I am not sure, was the Senator from West Virginia a delegate to that convention? Was he a delegate to that convention in 1932 when Roosevelt was nominated?

Mr. RANDOLPH. I was not privileged to be at the convention but I was highly honored to campaign in that year with Franklin Roosevelt who was to become our great President. On the same day that he was chosen I was elected as a Member of the U.S. House of Representatives from the Second District of West Virginia.

We were on the same ticket again for our positions in 1936, 1940, and 1944, and were successful.

I have cherished always my personal and official friendship with Franklin Roosevelt.

I would also say for the record that I was at the Democratic Convention in 1912, sitting on the knee of my father when Woodrow Wilson was nominated in nearby Baltimore at the last convention of either party ever held in that city.

I was also very active with my democracy in 1924 when I covered the Democratic Convention that nominated John W. Davis. I have been there six times. My first convention as a delegate from the State of West Virginia was in 1948.

Mr. THURMOND. I congratulate the able Senator for his long record of distinguished service going back there.

I happen to have been a delegate, as I stated, at the convention in 1932 in Chicago when Roosevelt was first nominated. I would not take time to repeat now the conditions that existed at that time and everything that went on, but we in the South and over the Nation at that time were in a deep depression, and Franklin D. Roosevelt was nominated, and I want to say further that during his early years in office I think he did a lot of good things.

Later he did some things I did not approve of, such as trying to pack the Supreme Court and began the big spending in this country.

But times have changed, and I must say I think he was a great man though, and as history unfolds I am sure it will record him and the good things he did along with others of which some people disapproved.

MARKING THE 100TH ANNIVERSARY OF THE BIRTH OF FRANKLIN DELANO ROOSEVELT ON JANUARY 30, 1882

Mr. BAKER. Mr. President, I ask the Chair to lay before the Senate House Concurrent Resolution 220.

The PRESIDING OFFICER. The clerk will state the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 220) marking the year 1982 as the 100th anniversary of the birth of Franklin Delano Roosevelt on January 30, 1882.

The Senate proceeded to consider the concurrent resolution.

Mr. RANDOLPH. Mr. President, it is a privilege to support House Concurrent Resolution 220 to provide for the commemoration of the 100th anniversary of the birth of Franklin Delano Roosevelt. In the past, the Congress has created centennial commissions to plan national observances honoring Presidents. Further, the Congress has met in joint session to commemorate the birth of other Presidents. Thus, this is a highly appropriate effort.

House Concurrent Resolution 220 establishes a 16-member bipartisan joint committee on arrangements to provide for the centennial anniversary of the birth of Franklin Delano Roosevelt. The joint committee is instructed to arrange a joint meeting of the Congress on January 27, 1982, or on a day selected by the Speaker of the House of Representatives, issue appropriate invitations, and coordinate its functions with the activities of other centennial organizations as it deems appropriate.

The concurrent resolution further instructs the joint committee to appoint an executive director to serve without compensation and to accept other volunteer services at its discretion.

Mr. President, this is a modest proposal when compared with other commemorative actions that the Congress has authorized to honor past Presidents.

For quite some time I have urged that the Congress authorize an appropriate commemoration of the 100th anniversary of the birth of Franklin Roosevelt. In the 96th Congress on October 16, 1979 I introduced Senate Joint Resolution 116 for this purpose. On that day, Representative JIM WRIGHT of Texas introduced House Joint Resolution 423 in the House of Representatives which was a companion resolution to Senate Joint Resolution 116.

Senate Joint Resolution 116 was considered by the Senate Committee on Rules at a public hearing on December 12, 1979. I joined Pare Lorentz, F. D. R.'s noted documentary film maker and the author of "The Days of Franklin D. Roosevelt: A Chronicle," and Dr. William R. Emerson, director of the Franklin Delano Roosevelt Library at Hyde Park, N.Y., in testifying before the Rules Committee.

Neither Senate Joint Resolution 116 or House Joint Resolution 423 passed during the 96th Congress.

On March 26 of this year, Representative WRIGHT introduced a revised Roosevelt centennial resolution in the House of Representatives. This resolution, House Joint Resolution 221, has 123 cosponsors. It provided for the acquisition of the Lorentz manuscript and its deposit in the Roosevelt Library. It also provided for a joint committee to oversee and coordinate activities relating to the proper observance of the centennial of Franklin Roosevelt's birth.

On April 29, I introduced Senate Joint Resolution 76, identical to Representative WRIGHT's. It has 43 cosponsors. These resolutions do not provide for printing the Roosevelt Chronicle due to the costs.

It was our hope that a way would be found to not only purchase but also to have printed the scholarly chronicle by Pare Lorentz. Regrettably, budgetary restrictions have overtaken us in a sense. It is not possible to secure approval of a resolution with sufficient funding to achieve either of these objectives with respect to the Lorentz chronology. Thus, we are today considering a proposal to authorize a joint session of the Congress.

Mr. President, it was my privilege to serve in the House of Representatives during the first 100 days of the Roosevelt administration and subsequently during his entire Presidency. Franklin Roosevelt was elected in 1932 and sworn in as President on March 4, 1933. I took my seat in the House on March 9 of that year.

As Senators know, he was reelected four times. He led this country through what was probably our most severe domestic crisis and in a great armed conflict in defense of freedom—World War II.

Sir Winston Churchill wrote of F. D. R.:

His life must . . . be regarded as one of the commanding events in human destiny.

Those of us who were privileged to know and work with Franklin Delano Roosevelt during his Presidency were well aware that we were in the company of one of the most extraordinary leaders our Nation has ever had. The great humanistic approach he brought to Washington were expressed superbly in his acceptance speech for renomination to the Presidency on June 27, 1936. F. D. R. said:

Governments can err, Presidents do make mistakes, but the immortal Dante tells us that divine justice weighs the sins of the cold-blooded and the sins of the warm-hearted in different scales. Better the occasional faults of a Government that lives in a spirit of charity than the consistent omissions of a Government frozen in the ice of its own indifference.

The Roosevelt administrations had heart and compassion and cared about people.

Another distinguished English historian, Sir Isiah Berlin, in his recent book, "Personal Impressions," said:

Roosevelt's greatest service to mankind (after ensuring the victory against the enemies of freedom) consists in the fact that he showed that it is possible to be politically effective and yet benevolent and human . . . Roosevelt's example strengthened democracy everywhere, that is to say the view that the promotion of social justice and individual liberty does not necessarily mean the end of all efficient government; that power and order are not identical with a straitjacket of doctrine, whether economic or political; that it is possible to reconcile individual liberty—a loose texture of society—with the indispensable minimum of organising and authority; and in this belief lies what Roosevelt's greatest predecessor once described as "the last, best hope of earth."

A distinguished Republican elder statesman, Henry L. Stimson, wrote of F. D. R.:

He was an ideal war commander in chief. His vision of the broad problems of the strategy of the war was sound and accurate, and his relations to his military advisers and commanders were admirably correct. In the execution of their duties he gave them freedom, backed them up, and held them responsible. In all these particulars he seems to me to have been our greatest war President. . . . Lastly and most important, his vision and interpretations of the mission of our country to help establish a rule of freedom and justice in this world raised a standard which put the United States in the unique position of world leadership. . . .

Mr. President, we do honor to our country when we pay tribute to Franklin Delano Roosevelt. It is gratifying that the Senate is taking favorable action on House Concurrent Resolution 220.

The resolution (House Concurrent Resolution 220) was agreed to.

The preamble was agreed to.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the concurrent resolution was agreed to.

Mr. RANDOLPH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDERS FOR MONDAY, NOVEMBER 30, 1981

DISPENSING WITH READING OF JOURNAL, NO RESOLUTIONS OVER UNDER THE RULE, DISPENSING WITH CALL OF CALENDAR, AND ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that when the Senate reconvenes on Monday, November 30, 1981, the reading of the Journal be dispensed with, no resolutions come over under the rule, the call of the calendar be dispensed with, and following the time allocated to the two leaders under the standing order, there be a period for the transaction of routine morning business not to exceed 30 minutes in length, with Senators permitted to speak therein for not more than 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL MONDAY AND RECESS UNTIL 10 A.M. ON TUESDAY

Mr. BAKER. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment under the previous order, under the terms of the House concurrent resolution, until 12 noon on Monday; and that when it completes its business on Monday it stand in recess until the hour of 10 a.m. on Tuesday, December 1.

The PRESIDING OFFICER. The Chair understands some question has been raised as to the time for the convening of the Senate on Monday.

Mr. BAKER. The resolution provides for 12 noon on Monday, does it not?

The PRESIDING OFFICER. Without objection, the Senate will convene at 10 a.m. on Tuesday next.

Mr. BAKER. I thank the Chair.

THE EXECUTIVE CALENDAR

Mr. BAKER. Mr. President, there are certain items on Monday's Executive Calendar which are cleared for consideration on our side of the aisle. May I inquire of the minority leader if he is in position to consider those nominations under the Judiciary on page 2 and continuing through Department of Justice on page 3?

Mr. ROBERT C. BYRD. Mr. President, the nominations have been cleared on this side of the aisle.

EXECUTIVE SESSION

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate now go into executive session for the purpose of considering the nominations I have identified.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk proceeded to read various nominations under the Judiciary and the Department of Justice.

Mr. BAKER. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the nominations were confirmed en bloc.

Mr. ROBERT C. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BAKER. Mr. President, I ask unanimous consent that the President of the United States be immediately notified that the Senate has given its consent to these nominations.

The nominations considered and confirmed en bloc follow:

THE JUDICIARY

Jesse E. Eschbach, of Indiana, to be U.S. circuit judge for the 7th circuit.

James C. Cacheris, of Virginia, to be U.S. district judge for the eastern district of Virginia.

Richard A. Posner, of Indiana, to be U.S. circuit judge for the 7th circuit.

John H. Moore II, of Florida, to be U.S. district judge for the middle district of Florida.

David V. O'Brien, of the Virgin Islands, to be U.S. district judge for the district of the Virgin Islands for the term of 8 years.

Clyde H. Hamilton, of South Carolina, to be U.S. district judge for the district of South Carolina.

DEPARTMENT OF JUSTICE

Jim J. Marquez, of Kansas, to be U.S. attorney for the district of Kansas for the term of 4 years.

Robert N. Miller, of Colorado, to be U.S. attorney for the district of Colorado for the term of 4 years.

James M. Rosenbaum, of Minnesota, to be U.S. attorney for the district of Minnesota for the term of 4 years.

Ronald D. Daniels, Jr., of New Hampshire, to be U.S. marshal for the district of New Hampshire for the term of 4 years.

NOMINATION OF JAMES C. CACHERIS, OF VIRGINIA, TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA

Mr. WARNER. Mr. President, I rise in support of the nomination of Judge James C. Cacheris, a nominee for a Federal judgeship for the U.S. District Court in the Eastern District of Virginia.

When I undertook the search for candidates for this judicial post, my single most important criterion was that a nominee must have demonstrated clearly, during the course of his or her career, the personal commitment to dispense equal justice for everyone under the law.

I determined that candidates for this nomination should have acquired a background which enables an understanding of life's broadest experiences with people, particularly those in lesser economic circumstances.

Finally, it was my position that the judicial robe, never an imperial robe, symbolizes the majesty of the law. Those who don it must always be conscious of the common, everyday humanity and dignity which binds us equally together.

In my judgment, a judge's task demands persons of the highest order of intelligence, capable of interpreting the law, analyzing the issues, and making findings of fact. It demands integrity unquestioned, and honesty unsullied. It demands a very special person.

Mr. President, Judge James C. Cacheris is that kind of special person. Throughout his career he has demonstrated all of the qualities and qualifications I have described. He has served in capacities which have enabled him to understand life's broadest experiences with people of all walks of life.

He has demonstrated through his deliberations his dedication to the bench and his ability to apply in a tireless fashion the principles of equality under the law.

His nomination as a Federal judge on the U.S. District Court in the Eastern District of Virginia deserves the full support of all Members of the Senate.

Mr. HARRY F. BYRD, JR. Mr. President, I wish to congratulate my colleagues for their confirmation today of the nomination of James C. Cacheris of Fairfax, Va., as a Federal district judge for the Eastern District of Virginia.

Judge Cacheris has served 10 years as a Virginia state circuit judge. During his tenure on the State bench, he has molded an outstanding record.

I have known Judge Cacheris for a number of years. He was recommended to me with others in 1977 for appointment to the position of Federal district judge by my Judicial Advisory Commission. I was delighted to recommend his appointment to this same position nearly 4 years ago.

I am pleased that President Reagan nominated him, and I am equally pleased that the Committee on the Judicary and the U.S. Senate unanimously approved his appointment.

I am confident he will develop the same enviable record in the Federal Judiciary as he has as a member of the Virginia system.

NOMINATION OF JOHN H. MOORE II, OF FLORIDA, TO BE U.S. DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA

Mrs. HAWKINS. Mr. President, I am extremely pleased that the Senate responded so quickly to my call for action on the nomination of Judge John H. Moore II, to the Federal District Court in the Middle District of Florida.

It is a remarkable accomplishment that Judge Moore was confirmed so promptly by the Senate when this judgeship has been vacant for more than 3 years.

Floridians owe special thanks this Thanksgiving to Senator THURMOND and his excellent staff on the Judiciary Committee for the prudent and efficient manner in which they handled this nomination.

For many years, the Honorable John H. Moore II, has been a pillar of the judicial community. He is widely known for his astute, meticulous, and fair judicial reasoning which is clearly expressed in the numerous landmark opinions he has rendered which will have a lasting effect upon the role of the courts in today's complex society.

Judge Moore received his undergraduate education at Cornell University and Syracuse University and was awarded his doctor of jurisprudence from the University of Florida. He served with distinction in the U.S. Navy and currently holds the rank of commander in the U.S. Naval Reserve.

From 1967 to 1977, Judge Moore served as a circuit judge of the 17th Judicial Circuit of Florida. Since August 1977, Judge Moore has served on the Fourth District Court of Appeals. In recognition of his judicial ability he was selected and currently serves as chairman of the Florida Judicial Qualifications Commission.

Judge Moore is a man who has unselfishly and with great accomplishment given his career to the noble cause of justice. His selection for the judgeship for the middle district of our State is certainly a great and deserved compliment to his lifelong endeavors.

It is indeed appropriate that this fine servant of the people and arbiter of justice be appointed to this high judicial position. America is fortunate to have one of such unquestionable integrity to work with us for the betterment of society. Judge Moore's life has been exemplary. He will surely strengthen our system of justice.

NOMINATION OF CLYDE H. HAMILTON, OF SOUTH CAROLINA, TO BE A U.S. DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA

Mr. THURMOND. Mr. President, I rise today to state my support for a most impressive and capable attorney from South Carolina, Mr. Clyde H. Hamilton, who has been nominated to be a U.S. district judge for the District of South Carolina.

Mr. Hamilton, a native of Edgefield, S.C., obtained his undergraduate degree from Wofford College in 1956. After graduation he entered the U.S. Army and advanced to the rank of first lieutenant prior to his discharge in 1958. He then attended George Washington University Law School where he served as a member of the Law Review editorial staff prior to obtaining his J.D. degree in 1961.

From 1963 to the present, Mr. Hamilton has served with distinction with one of South Carolina's most prestigious law firms, Butler, Means, Evins, and Browne of Spartanburg, S.C.

Mr. Hamilton is a member of the American Bar, South Carolina, and Spartanburg County Bar Associations. He is a past member of the American Judicature Society as well as the South Carolina Bar Association's Judicial Reform Committee. He recently was appointed to membership on the South Carolina Supreme Court Board of Commissioners on Grievances and Discipline.

I will not attempt to name all of the awards Mr. Hamilton has received nor the many organizations he has served. Suffice it to say, I consider Clyde Hamilton to be an able and competent attorney, an outstanding citizen, and a fine American. He is an individual of excellent moral character and a person whose loyalty to his county and personal integrity are above reproach. It was my privilege to recommend Mr. Hamilton to the President for the position of district court judge. I wholeheartedly support his nomination and urge my colleagues to vote for his confirmation.

Mr. President, the able and distinguished Congressman from the Sixth Congressional District of South Carolina wrote me a letter on November 21, 1981, in behalf of Mr. Hamilton for Federal district judge, and I ask unanimous consent to have printed in the RECORD Congressman NAPIER's letter.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C., *November 21, 1981.*

Senator STROM THURMOND,
Chairman, U.S. Senate Judiciary Committee, Washington, D.C.

DEAR MR. CHAIRMAN: I regret that I was called away yesterday while awaiting to testify in behalf of the Honorable Clyde Hamilton for his judgeship confirmation and was unable to return to speak on his behalf.

Although Mr. Hamilton is not a native of the Sixth Congressional District, I had wanted to testify for two reasons. First, his mother was from Marlboro County, and his maternal ancestry includes some of the most distinguished families who have rendered public service there. Mr. Hamilton comes from a long tradition of public spirited forebearers, particularly the Odom and Newton families. As such, we in the Sixth Congressional District take great pride in his nomination for a judgeship. Second, as a member of the South Carolina Bar, I want to attest to the reputation he bears. The name Clyde Hamilton, among members of the Bar in South Carolina, is a name which means honor, integrity, fairness, and legal excellence. He will serve well, and will bring great credit to the bench.

If possible, I would appreciate your making this letter part of the hearing record, and again, I regret I had to leave just prior to testifying.

Yours very truly,

JOHN L. NAPIER,
Member of Congress.

REMOVAL OF INJUNCTION OF SECRECY

Mr. BAKER. Mr. President, I ask unanimous consent that the injunction of secrecy be removed from the Radio Regulations—Geneva, 1979—and a Final Protocol—Treaty Document No. 97–21—transmitted to the Senate today by the President of the United States; and ask that the treaty be considered as having been read the first time, that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Radio Regulations (Geneva, 1979) and a final protocol signed on behalf of the United States at Geneva on December 6, 1979, with several reservations.

I transmit also, for the information of the Senate, the report of the Department of State with respect to the 1979 Radio Regulations.

The 1979 Regulations constitute a revision of, and a complete replacement for, the Radio Regulations (Geneva, 1959), as amended by six Partial Revisions, to which the United States is a party. The primary purpose of the present revisions is to update the existing regulations to take into account technical advances and the rapid development of certain services and to harmonize the decisions taken at specialized radio conferences since 1959. The new regulations, with the few exceptions noted below, are consistent with the proposals of and positions taken by the United States at the 1979 World Administrative Radio Conference.

At the time of signature, the United States Delegation submitted reservations to several of the decisions included in the Regulations. It was felt in these few cases, that the decisions could adversely affect an important national interest. In addition, the Administration considers it necessary to maintain in force the reservation of the United States associated with a frequency allotment plan included in the Partial Revision adopted by the 1974 World Maritime Administrative Radio Conference. The specific reserva-

tions, with reasons, are given in the report of the Department of State.

The 1979 Radio Regulations will enter into force on January 1, 1982 for Governments which, by that date, have notified the Secretary General of the International Telecommunication Union of their approval thereof. Subject to the reservations mentioned above, I believe the United States should be a party to the Regulations from the outset, and it is my hope that the Senate will take early action on this matter and give its advice and consent to ratification.

RONALD REAGAN.

THE WHITE HOUSE, *November 24, 1981.*

LEGISLATIVE SESSION

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

FINAL REPORT OF THE COMMISSION ON PROPOSALS FOR THE NATIONAL ACADEMY OF PEACE AND CONFLICT RESOLUTION

Mr. THURMOND. Mr. President, as the President pro tempore of the Senate, I have received the final report of the Commission on Proposals for the National Academy of Peace and Conflict Resolution from my colleague from Hawaii (Mr. MATSUNAGA). This report is available for review by my colleagues in my President pro tempore office.

PRAISE OF AMERICA'S YOUTH

Mr. HEFLIN. Mr. President, I speak today in praise of the tremendous accomplishments made by several youth conservation organizations in southern Alabama in the aftermath of Hurricane Frederic. On September 12, 1979, Hurricane Frederic struck Mobile, Ala., and the surrounding gulf coast region resulting in millions of dollars of damage to the entire area. The devastating effects of this hurricane resulted in the destruction of some of the most beautiful forestry in America.

Fortunately, recovery from this disastrous event has proceeded rapidly due to the cooperation and tremendous assistance put forth by local officials and citizens, the State of Alabama, and the Federal Government.

I am particularly proud of the youth conservation groups in Mobile County who dedicated themselves unselfishly to assist the Mobile County soil and water conservation office with several recovery projects following the devastating effects of Hurricane Frederic.

Among the organizations involved in this tremendous effort were the Mobile area Boy Scouts, Girl Scouts, and 4–H Club members. Their tireless dedication resulted in the planting of at least 8,500 pine trees throughout the Mobile area. Indeed, the courage, spirit, and cooperation of these dedicated youth groups and the tremendous service they have rendered to the Mobile area will long be remembered by all who were affected by the devastation of Hurricane Frederic.

I am also proud of the Boy Scouts of America who have designated "Conservation" as the central theme of their national program for the coming year. The theme of the program will be entitled "SOAR—Save Our American Resources—For the Better Life." Through this program, the Boy Scouts of America intend to illustrate the role conservation plays in creating a wise and intelligent management system for our country's natural resources.

I am proud of these young Americans for the enthusiasm and dedication they display as they act with foresight by addressing conservation and other related issues which are so vital to the preservation of our Nation's natural resources for the future benefit and enjoyment of others.

S. 1276, THE THOR POWER BILL

Mr. HEFLIN. Mr. President, I speak in support of S. 1276, a bill to correct a very serious tax problem that the small business community is facing today as a result of the Thor Power case decided by the Supreme Court in 1979.

In many instances, small businesses, such as farm implement dealers, will stock spare parts to the machines they sell for several years. Dealers do this in order to have the ability to supply their customers with these spare parts even though they no longer carry the particular machine the parts were manufactured for. Because these parts are considered obsolete inventory and have little chance of being sold, the dealer should be able to write down these parts over a period of time to reflect their true value. However, the Internal Revenue Service, as confirmed by the Supreme Court in the Thor Power decision, has disallowed this accounting procedure.

In the Thor Power case, a tool manufacturer wrote down to zero value what it regarded as "excess" inventory, but continued to hold the goods for sale at their original prices. Thor credited those amounts to its inventory accounts, thus decreasing closing inventory, increasing cost of goods sold, and decreasing taxable income for that year. It was Thor's contention that reducing obsolete inventory to scrap value reduced its entire inventory to the lower of cost or market value in accordance with its accounting methods.

The IRS, and subsequently the Tax Court, found that Thor's write down of excess inventory conformed with generally accepted accounting principles as required under section 446(a) of the Internal Revenue Code. However, the IRS disallowed the offset, stating that Thor's inventory accounting method did not clearly reflect income, a requirement under 446(b) of the Code.

A major concern of the IRS in disallowing this particular inventory accounting method is the practice of many businesses of arranging their inventory deductions each year in order to lower taxable income. This is done by taking large deductions for excess inventory in profitable years and little or no deductions in less profitable years. The IRS was attempting to eliminate these practices and rightly so. However, in doing so, hundreds of farm implement, automobile and other dealers have been detrimentally affected.

After the Thor Power decision, the IRS will not allow dealers to reflect the true value of their obsolete inventory by writing it down to reflect actual business experience. This interpretation of the Code fails to take into consideration the realities of business operations.

Without this ability to write down obsolete inventory, the dealers must continue to carry these particular items at their initial price. The IRS has issued proclamations stating that taxpayers who have used this accounting method to write down obsolete inventory must now include this greater value in income. This is obviously not a true reflection of the company's income. There is also the possibility that many small businesses who have used the write-down method for many years to devalue obsolete inventory will now be audited and forced to pay large sums in back taxes. This could be financially disastrous for many small businesses.

S. 1276 would provide relief to the many dealers who are faced with this problem and at the same time achieve the legitimate goals the IRS seeks. Under this bill, beginning on January 1, 1981, a business with a net worth of less than $25 million can elect to write off its excess inventory in a specific manner. The bill allows these dealers to completely write off excess inventory over a 4-year period, although the write-off cannot begin until the year after the item is purchased. Once the dealer has adopted this accounting procedure, he may not change, thereby avoiding the possibility of juggling inventory deductions year after year. This procedure will better reflect actual business experience and allow the businessman to adopt an accounting procedure that reflects the true value of obsolete inventory.

Mr. President, I urge my colleagues to work for the expeditious passage of this bill and provide needed relief to the small business community that now suffers under the Thor Power decision.

TAXES AND THE ELDERLY

Mr. BRADLEY. Mr. President, many Americans mistakenly assume that the Federal income tax is not important for the elderly.

It is true that less than one-half of all older Americans pay Federal income tax because:

Social security is exempt from Federal income tax; and

Millions of elderly persons do not have enough income to file a return.

However, nearly 11 million persons 65 or older had a sufficient amount of income to file a return for taxable year 1978, the latest date for which information is available.

These individuals—as well as other older Americans—have a direct and important stake in assuring that our tax laws are equitable and soundly conceived.

They also have a vital interest in assuring that tax relief provisions remain current, such as the credit for the

elderly and the capital gains exclusion for older homeowners.

Taxes are clearly a high priority concern for the elderly. This point was made emphatically at the recent National Retired Teachers Association and American Association of Retired Persons' Legislative Council meeting.

The council developed a comprehensive legislative package on a wide range of issues. However, special attention was devoted to several front burner issues, such as inflation, inadequate income in retirement, energy, health care, and taxes. While some of these issues were addressed in the 1981 Economic Recovery Tax Act, the legislative council's tax recommendations nonetheless highlight important concerns for Members of Congress to consider in shaping tax policy affecting older Americans.

Mr. President, I commend this statement to my colleagues and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

1981 FEDERAL AND STATE LEGISLATIVE POLICY

TAX POLICY

The Associations will pursue a number of objectives in the tax policy area. The first is equity for the elderly. The amount of federal taxes paid by the elderly must be as fair and unburdensome as possible. This objective should be consistently applied among subgroups of older people.

The second objective is economic. Tax policy ought to be used to help direct the economy along paths which would lead to a reversal of current trends of low or no productivity growth, declining rates of saving and investment, and extraordinarily high rates of inflation. At the same time, unemployment rates must be restrained and optimum, real GNP growth rates restored and maintained. Certainly, a reversal of these trends is essential to strengthening government income support programs, promoting the growth and security of private pensions, and providing for the great numbers of elderly persons who have inadequate incomes.

The third tax policy objective is to encourage "self-help" retirement planning efforts. Because social security alone cannot provide the elderly with an adequate income people need to be encouraged to save for their own retirement.

Often these objectives combine so that a policy position that is clearly beneficial for the elderly is also beneficial for the economy and conductive to retirement saving. For example, the nation's economic problems are attributable, in part, to the decline in the rate of savings and investment. Yet the tax structure promotes consumption and discourages savings. Not only has this bias against saving hurt the elderly, who tend to be savers, but it has also hindered the nation's economic progress and inhibited the accumulation of savings and other income producing investments for retirement.

Although current tax policy tries (without much success) to encourage some retirement savings by providing a deduction of up to $1,500 ($1,750 if a spouse is included) for contributions to an Individual Retirement Account (IRA), a worker can only utilize an IRA if he is not a participant in a private pension plan. This restriction effectively eliminates half of the private sector work force from IRA eligibility. Moreover, workers who are thus ineligible for IRA's may also end up with no private pension benefit, if they fail to stay on a job long enough to acquire a vested right to one. Persons in this latter situation reach retirement with neither an IRA account nor a private pension benefit.

To deal with this situation, the Associations support a two-pronged strategy: provide compensation for inflation losses to those who can no longer save and encourage those who can save to do so. First, the $200 ($400 for joint returns) interest and dividend exclusion, which was enacted in 1980 and which is to be effective in 1981 and 1982, should be made permanent. Additionally, because the elderly must often draw down their savings account principal for living expenses and because of the effect high inflation has on the value of savings accounts, the amount of the exclusion should be increased to at least $500 ($1,000 for joint returns) for persons age 65 and over.

Second, to encourage those who can continue to save, existing savings mechanisms, such as IRA's (and also Keogh plans) and private pension plans, should be strengthened through tax policy. Employees who participate in a public or private pension plan should be given the option to contribute to either the plan or an IRA. A tax deduction should be provided for these contributions, and the deductibility limits that were set in 1974 for amounts contributed to IRA's should be raised considerably and then indexed to reflect the effect of inflation. In addition, tax credits should be available as an alternative to tax deductions to help reach lower income people, who might not necessarily respond to a deduction approach.

Another matter of concern involves recent proposals that would subject one-half of a person's social security benefits to federal income taxation. The Associations are strongly opposed. A further tax on retirees is uncalled for in these present inflationary times. Most of the elderly who would find their income tax liability increased as a result of this proposal, are by no means high-income individuals. Furthermore, arguments in support of these proposals that the tax treatment of social security benefits should be modeled on the present tax treatment of pension payments are not persuasive. Social security, as it exists today, is simply not a pension; it is a form of social insurance. Because social security benefits are very different from pension payments, equivalent tax treatment is inappropriate.

To enhance equity among retiree subgroups, the tax relief available to retirees living on taxable (non-social security) forms of retirement income should be increased and made comparable to that accorded recipients of social security. Presently, the tax relief available to public employee (non-social security) retirees under the Tax Credit for the Elderly (TCE) lags far behind the tax advantages automatically available to social security recipients. To remedy this inequity, legislation ought to be enacted to increase and automatically cost index the maximum amounts that can be taken into account in computing the credit, so that these amounts are equivalent to, and keep pace with, average annual social security payments. In addition, the "adjusted gross income limits" currently applied ought to be removed or substantially raised to make the credit available to more elderly taxpayers.

Other tax equity measures that the Associations recommended include the following:

First, a tax credit should be provided for the residential day-care expenses incurred for elderly dependents. (See Health Policy section for further discussion.)

Second, widows, widowers and single elderly individuals should be allowed to qualify as a head-of-household and to use the preferential tax rates.

Third, the earned-income tax credit should be made available to elderly workers by broadening its eligibility rules to include individual workers, even though they have no children in the home.

Fourth, the one-time exclusion of gain from the sale of a principal residence by persons age 55 or over should be rolled back to taxable years, beginning after December 31, 1977.

Fifth, the age at which an IRA account must be distributed should be increased from age 70½ to 75.

Sixth, the double taxation of dividend income should be eliminated.

Seventh, the $15,000 adjusted gross income phase-out of the "sick-pay" exclusion should be increased at least in the case of two-member family units.

Eighth, an automatically increasing measure of tax relief should be targeted for those elderly income components that are relatively fixed, like private pension benefits and interest from savings accounts.

Because of the adverse economic effects they will prompt, the large payroll tax increases that are scheduled under current law should be at least partially rolled back. Payroll tax increases raise the cost of labor (relative to capital) and thus add to both inflation and unemployment. In place of these planned increases, limited amounts of "general revenues" ought to be introduced into the social security programs on a temporary basis. (See Income Policy section for further discussion.) However, the associations will not support any plan which would derive those general revenues from a value-added tax. Such a tax would significantly increase the tax burden of the elderly and aggravate the wage and price spiral which is contributing greatly to current levels of inflation.

As tax cut proposals are considered, such as lower tax rates on capital gains or more rapid depreciation for plant and equipment, their compatibility with the nation's economic objectives will serve as the critical test of Association support, especially where they involve no direct increase or decrease in tax liability for the elderly. For example, the Associations will not support massive tax cuts if they are potentially inflationary. (See Economic Policy section for further discussion.)

As a means of handling the special problems elderly taxpayers face in preparing their federal income tax returns, Congress in 1978 created the "Tax Counseling for the Elderly" program. Given the success of the program to date and the increasing complexity of the tax laws, the program ought to be expanded significantly. At the same time, a serious effort should be undertaken to simplify the tax code.

MAJ. GEN. MARY E. CLARKE

Mr. HEFLIN. Mr. President, it is with a great deal of pride that I ask my colleagues to join me in honoring Maj. Gen. Mary E. Clarke who recently retired at Fort McClellan, Ala., ending a 36-year career of dedicated service to our Nation. Her endless dedication has proved to be not only a credit to our country and the Army, but also to my home State of Alabama where she has served as the Army's Director of Human Resources Development, Office of the Deputy Chief of Staff for Personnel, at Fort McClellan.

General Clarke's distinguished military career began in 1945 when she enlisted at Fort Des Moines, Iowa. Early in her commissioned career, she commanded the Women's Army Corps detachments at the Army Chemical Center, Edgewood Arsenal, Md.; Valley Forge General Hospital in Pennsylvania; and Tokyo, Japan.

Other assignments were in recruiting, military personnel and intelligence. From 1966 to 1967, she served as executive assistant to the Chief of Plans and Policies, Office of Economic Opportunity,

Washington, D.C. From this assignment, she next served as commanding officer, Women's Army Corps Basic Training Battalion at Fort McClellan, Ala.

From 1968 to 1971, she was assigned to the Office of the Deputy Chief of Staff of Personnel, Department of the Army in Washington, D.C. In March 1971, she moved to the Presidio of San Francisco and an assignment as the WAC staff adviser from the 6th U.S. Army.

From there, she returned to Fort McClellan, Ala., to serve as the commander/commandant of the U.S. Women's Army Corps Center and School from 1972 to 1974 during expansion of the corps. In September 1974, she was assigned as Chief, WAC Advisory Office, Military Personnel Center, Washington, D.C.

In August 1975, she was promoted to brigadier general and became Director of the Women's Army Corps. In May 1978, she assumed command of the U.S. Army Military Police School/Training Center at Fort McClellan. She was promoted to major general in November 1978.

In August 1980, she assumed her present duties as Director of Human Resources Development, Office of the Deputy Chief of Staff for Personnel, Headquarters, Department of Army.

General Clarke was the third Army woman to become a brigadier general and the first woman to command a major Army installation.

General Clarke's decorations and awards include the Legion of Merit, the Meritorious Service Medal, the Army Commendation Medal, the Good Conduct Medal, and most recently she was honored by receiving the highest decoration for peace time service, the Distinguished Service Medal.

Her civilian honors include an honorary degree of doctor military science from Norwich University, Northville, Vt.; an honorary professorship in military science from Jacksonville State University, Jacksonville, Ala.

She has also been listed in the 1978–79 and 1980–81 editions of Who's Who in America; in the 1981–82 edition of Who's Who of American Women; and the sixth edition of the World Who's Who of Women.

I am very proud of General Clarke for her unselfish devotion and dedication to the Armed Forces of our great country. Her exemplary dedication and that of those like her serve as the pillars of strength for the preservation and security of our Nation for generations to come.

General Clarke, for your unselfish service and unyielding dedication, we are deeply grateful; for your outstanding accomplishments we are very proud.

THE COAL DISTRIBUTION AND UTILIZATION ACT OF 1981

Mr. BRADLEY. Mr. President, I am pleased to cosponsor this important piece of legislation. The Coal Distribution and Utilization Act of 1981 is designed to lower the cost of moving coal. By so doing, coal consumers and coal exporters can benefit. Expansion of coal exports can help expand coal ports, such as the Port of New York and New Jersey, Camden, and Philadelphia, without the air pollution, noise and safety hazards associated with railroads. In addition, coal is essential to meeting basic world energy needs in the 1990's and beyond.

Writing in "Foreign Affairs" (winter 1979–80), Ulf Lantzke, the executive director of the International Energy Agency, suggested that world coal production must at least triple by the end of the century.

Such a level of increased coal use would, he wrote, "require the movement in world trade of at least 700 million tons of coal a year." To do this, Lantzke emphasized:

> Efficient, economic and environmentally acceptable coal transportation systems must be developed that can service expanded trade and use. This will be particularly challenging in the United States where both unit trains and slurry pipelines must be used to move the West's vast coal reserves to market.

The 1980 report of the World Coal Study, an international group from 16 major coal-using and coal-producing countries, concluded that world coal production would have to increase 2.5 to 3 times in the next 20 years and forecast that world trade in coal would have to grow 10 to 15 times above 1979 levels.

The report identified the United States and Australia as the two nations most capable of meeting coal import needs. While recognizing restrictions caused by water availability in some regions of the United States, the report nonetheless found that "slurry pipelines offer a promising alternative to barge and train for long-distance transport of coal."

The Interim Report of the Interagency Coal Export Task Force, published by the Department of Energy in January, 1981 projected that the United State would have 38 percent of the world's steam coal market by the year 2000, with exports rising from 28 million short tons in 1985 to 197 million short tons in 2000.

The task force identified coal handling and storage problems at ports as the immediate barrier to expanding the U.S. role in world coal trade. It described long delay at ports with high demurrage costs adding an average of some $6 to $6.50 per ton to the cost of shipping coal overseas. "Even more serious than demurrage costs are the problems posed by untimely or undependable delivery to power plants dependent on coal."

The task force concluded that coal pipelines "are economical alternatives to rail or waterborne inland coal transport." It recommended enactment of eminent domain authority for coal pipelines and proposed Federal support for engineering studies of offshore coal slurry loading of large bulk carriers.

The world coal study addressed the role of coal slurry pipelines in coal export as follows:

> Perhaps the most important aspect of all in looking at future transport of coal is the need to consider transport within the context of a coal chain. Coal transport systems—inland transportation, export ports, maritime transport, and local distribution—are the essential links between producers and consumers although frequently independent of both. Unless transport development is integrated with the planning for mines, power stations, and other coal facilities, delays will occur and coal trade will fail to expand at the rate required.
>
> Usually, coal in bulk form is transported in ships as dry lumps . . . Transporting the coal overseas in other forms would be more economical if by doing so more rapid or cheaper loading or discharge methods could be used or a higher energy density of the cargo achieved. Because the ocean transportation costs represent about 20–30 percent of the CIF (cost, insurance and freight) costs of the coal, there is strong incentive to search for ways to lower costs. . . .
>
> Among the alternatives under consideration are coal-water slurries and coil-oil slurries. Although the use of coarse slurries merely as a technique for rapid loading and discharging at the ports has been proposed, a more significant development would be the loading and movement of slurries transported by pipeline from inland mines to the ports.

In addition to slurrying coal to an export terminal for traditional dry coal export, coal slurry export facilities are now technically feasible. In June 1980, the National Technical Information Service of the U.S. Department of Commerce completed a report on the Pacific Bulk Commodity Transportation System which the Boeing Engineering & Construction Co., of Seattle, Wash., proposes to develop near Port Hueneme, Calif.

The report describes the facility as follows:

> The slurry storage/terminal facility located two miles southeast of Port Hueneme, California, is comprised of onshore facilities, a submarine offshore pipeline system and a single point mooring system.
>
> The onshore facilities are comprised of a recovery storage ponds, a reslurry/recovery system, and the necessary onshore pumping and piping system to deliver 6,000 DLT/hour to a Soco type vessel offshore. Further the onshore facilities include a physical water treatment system capable of removing coal fines from vessel decant water. Water is to be used by others and the fines are to be returned to the berthed Soco vessel.
>
> The offshore piping system includes dual 40-inch diameter pipelines for slurry delivery to the Soco vessel which will be located approximately 14,200 feet offshore and a 36-inch return water pipeline to onshore facilities. All pipelines will be concrete coated and buried. The offshore piping system will deliver coal at a rate of 6,000 DLT/hour at state-of-the-art concentrations and flow rates.
>
> The single point mooring system will be connected to the submarine pipeline system by a pipeline and manifold and underbuoy hoses. Floating hoses will connect the single point mooring system with the Soco vessel manifold. The SPM will be located offshore and is designed to accommodate 300,000 DWT Soco type vessels with 75-foot draft.

Extensive studies have been made of slurry shipping by the U.S. Maritime Administration and others. The studies have shown that integrated slurry shipping systems are viable and technically and economically feasible. In fact, at least one European country, Holland, is seriously studying a slurry terminal to accommodate future imports of coal.

In a paper recently presented at the Fifth International Technical Conference on Slurry Transportation, I. D. Hoogendoorn of SHV Nederland nv, indicates the following advantages of a slurry versus conventional terminal:

> The greatest advantages of a slurry terminal over a conventional terminal will be

the simplicity of the system, as it consists of pipelines and pumps, which provide more opportunities for automation than mechanical handling equipment as the process industry shows us. And for the Rotterdam area where yearly more demanding antipollution standards will be developed, a slurry terminal will be more adequate to meet those standards than a conventional terminal fitted with modern dust suppression systems.

Mr. Hoogendoorn also says that from the feasibility studies made to date for a conventional versus slurry terminal, the slurry facility possesses superior economics.

He reports that a slurry terminal may be built about 30 percent cheaper than a conventional terminal and that the entire cost structure as a percentage of the final costs per throughput ton are more than 25 percent less than the conventional system.

Thus, coal slurry pipelines can play an import role, not only in the domestic transportation of coal, but also in the Nation's expanding coal export trade.

I urge my colleagues to study and support this legislation.

SEVENTH ANNUAL REPORT OF THE NATIONAL COMMISSION FOR EMPLOYMENT POLICY

Mr. THURMOND. Mr. President, as the President pro tempore of the Senate, I have received the "Seventh Annual Report" of the National Commission for Employment Policy. This report is available for review by my colleagues in my President pro tempore office.

LACK OF SUPPORT FOR NATO IN EUROPE

Mr. THURMOND. Mr. President, I wish to call to the attention of the Senate an editorial published in the November 23, 1981, issue of U.S. News & World Report.

Written by News Editor Marvin Stone and entitled "Taking U.S. for Granted?," this article points to the heavy burden borne by our Nation to protect the NATO nations, and the fact that this effort by the United States is often unappreciated.

The United States faces a similar situation in Japan, where that country contributes very little to its own defense while depending upon the United States for its umbrella of security.

As our Nation goes through hard economic times, I feel sure that the contributions of our allies to the defense of the Free World will receive increased attention.

Mr. President, I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TAKING U.S. FOR GRANTED?

(By Marvin Stone)

Americans are justified in being irritated over the wave of neutralism sweeping across the European nations of the North Atlantic Treaty Organizations. But it is the Western Europeans themselves who should be most concerned, for it is they who stand to lose the most.

For three decades, the people of Western Europe have lived behind the shield of U.S. military power, relying on the Americans to deter Soviet aggression. After all, Americans saved their skins in the past.

For too long, Europeans have taken for granted this American protection. Their efforts in their own defense have been grudging and limited. For too long, also, some Europeans have smugly assumed that if war should break out between the superpowers, it would be fought at long range, with nuclear warheads rocketing back and forth between the U.S. and Russia—with Europe totally spared.

Now, more and more Europeans are beginning to realize that they are not likely to escape so easily—that part of such a war would almost surely be fought on European soil. Those nuclear weapons that Russia keeps adding to its Eastern European arsenal are aimed directly at Western Europe, not at the U.S.

The reaction to this realization seems to us not only illogical but dangerous. Instead of joining eagerly with the U.S. in an effort to beef up Europe's deterrent capability, and thus enhance their own security, masses of Europeans are opposing that effort.

They have staged a series of noisy demonstrations against a NATO plan to deploy more tactical nuclear weapons in Western Europet to counter the Soviet buildup. Protesting crowds totaling 850,000 turned out in five European capitals in mid-October. The banners they carried were not only antinuclear, such as "Stop the NATO Missiles," but some were anti-American saying "Yanks Go Home."

The policy that these protesters advocate is variously described as pacifism, isolationism or neutralism. But to us, it seems nothing less than appeasement, calling to mind the efforts to placate Adolf Hitler in the late 1930s.

These Europeans seem to believe that by rejecting nuclear weapons they can appease the Soviets and buy insurance against attack. Their hope, it appears, is that, if war does break out, the Russians will direct their nuclear arsenal only at the U.S., not at Europe. In American slang: "Let's you and him fight."

Fortunately, European governments are more supportive of the NATO plan than are these protesters. Five countries agreed to accept the new missiles that NATO wants to install. But two of those countries—Holland and Belgium—are now backing away, and West Germany's government is under severe pressure to follow suit. The alarming possibility is increasing that the NATO plan will founder.

Still more alarming, to defense planners in the U.S. and allied nations, is this: Europe's growing mood of neutralism is threatening to undermine the overall NATO defense system that is so vital to the security of the entire Western World. Should the alliance disintegrate, writes Richard Allen, the President's national-security adviser, "the United States might have to withdraw to its own hemisphere, and Western Europe would be thrown onto its own resources."

And so our allies have been warned: If they refuse to do their part—or take their share of the risks involved—in defending themselves, the United States will be forced to reconsider its commitment to Western Europe.

The U.S. has more than 300,000 troops and almost that many dependents stationed in Europe. How long will Americans be willing to leave them there without the most modern weapons they need to protect themselves?

One remembers the resolutions former Senator Mike Mansfield repeatedly introduced urging a phased withdrawal of American troops from Europe. They never got very far. But American patience is not limitless. European pacifists might some day regret suggesting that the "Yanks Go Home."

ARTHUR FLEMMING

Mr. MATHIAS. Mr. President, whenever a distinguished public servant retires from Government, it gives cause for regret. But when a man like Arthur Flemming, the chairman of the U.S. Civil Rights Commission, leaves public service, the effect is more profound.

Not only are his talents, his experience, and his spirit denied to the Federal Government, but so too is his example. And for five decades, Arthur Flemming's example has inspired generations of civil servants in the Nation's Capital.

Mr. Flemming's record in the public and private sector is remarkable. In academia, in his church, in Government service, Mr. Flemming has been consistently outstanding. He has demonstrated his dedication to scholarship and the education of our young people by serving as president of his alma mater, Ohio Wesleyan University, the University of Oregon, and Macalester College.

A devout Methodist all of his life, Mr. Flemming had the opportunity to serve as president of the National Council of Churches for 3 years in the late sixties.

Mr. Flemming's Government career began in 1939, when President Roosevelt appointed him to the U.S. Civil Service Commission. At 34, he was one of the youngest men ever to serve in that capacity.

During the Eisenhower years, Mr. Flemming was Director of the Office of Defense Mobilization, and later, Secretary of Health, Education, and Welfare.

It was during his term as Secretary of HEW that Mr. Flemming's commitment to civil rights clearly emerged. One of his responsibilities in that office was to carry out President Eisenhower's directive to organize the first decennial White House Conference on Aging.

Thus began a lifetime commitment to the rights of the elderly, which was recognized officially in his appointment as Commissioner of the Administration on Aging in 1973. Mr. Flemming has described his work with the elderly as "one of the most satisfying experiences I have had in my lifetime."

His consistent goal in this area has been to combat the all-too-prevalent attitude in our society that people over 65 should be placed "on the shelf."

When Arthur Flemming became Chairman of the U.S. Commission on Civil Rights in 1974, he brought to this new office the same enthusiasm and intelligence that had marked all his previous work. Under his tutelage, the Commission has left virtually no civil rights issue unexamined.

It has produced insightful and penetrating reports on the progress blacks, women, ethnic minorities, native Americans, the handicapped and the elderly have made toward true equality in our society. No issue has been too controversial for the Commission to explore, no allegation of discrimination too insignificant for it to consider.

Mr. Flemming has been tireless in the

struggle to protect our cherished civil rights. His testament to us is that the struggle is unending, that we must always be vigilant against encroachments on our most basic rights and liberties.

Under his leadership, the Civil Rights Commission has been our most zealous guardian against such intrusions.

All who seek to promote justice and freedom in our society owe a great debt to Arthur Flemming.

He has set a high example. That example will surely animate the work of the Commission long after he is gone.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Saunders, one of his secretaries.

PRESIDENTIAL APPROVALS

A message from the President of the United States reported that the President had approved and signed the following acts:

On November 13, 1981:

S. 1322. An act to designate the U.S. Department of Agriculture Boll Weevil Research Laboratory building, located adjacent to the campus of Mississippi State University, Starkville, Miss., as the "Robey Wentworth Harned Laboratory"; to extend the delay in making any adjustment in the price support level for milk; and to extend the time for conducting the referenda with respect to the national marketing quota for wheat and upland cotton.

On November 16, 1981:

S. 736. An act to provide for the control of illegally taken fish and wildlife.

On November 20, 1981:

S. 195. An act to recognize the organization known as the U.S. Submarine Veterans of World War II.

S. 999. An act to amend the Earthquake Hazards Reduction Act of 1977 and the Federal Fire Prevention and Control Act of 1974 to authorize the appropriation of funds to the Director of the Federal Emergency Management Agency to carry out the earthquake hazards reduction programs and the fire prevention and control program, and for other purposes.

S. 1672. An act to expand the membership of the U.S. Holocaust Memorial Council from 60 to 65, and for other purposes.

MESSAGE FROM THE HOUSE

At 11:03 a.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the House passed the following bill, with an amendment:

S. 1493. An act to deauthorize several projects within the jurisdiction of the Army Corps of Engineers.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DOMENICI, from the Committee on the Budget, without amendment, and without recommendation:

S. Con. Res. 50. An original concurrent resolution reaffirming the congressional budget for the U.S. Government for fiscal years 1982, 1983, and 1984 (with additional and minority views) (Rept. No. 97-279).

By Mr. MOYNIHAN, from the Select Committee on Intelligence:

Special Report entitled "Implementation of the Foreign Intelligence Surveillance Act of 1978 (Rept. No. 97-280).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. DANFORTH:

S. 1887. A bill to amend the Internal Revenue Code of 1954 to expedite the installation of automatic safety airbags; to the Committee on Finance.

By Mr. SYMMS (for himself, Mr. GRASSLEY, Mr. DURENBERGER, and Mr. CHAFEE):

S. 1888. A bill to amend the Internal Revenue Code of 1954 to clarify the tax treatment of variable annuity contracts; to the Committee on Finance.

By Mr. MATSUNAGA (for himself, Mr. HATFIELD, Mr. RANDOLPH, Mr. ANDREWS, Mr. BAUCUS, Mr. BIDEN, Mr. BOSCHWITZ, Mr. BRADLEY, Mr. BUMPERS, Mr. BURDICK, Mr. ROBERT C. BYRD, Mr. CANNON, Mr. CHAFEE, Mr. COCHRAN, Mr. CRANSTON, Mr. DANFORTH, Mr. DECONCINI, Mr. DURENBERGER, Mr. EAGLETON, Mr. EXON, Mr. FORD, Mr. HART, Mr. HEFLIN, Mr. HEINZ, Mr. HUDDLESTON, Mr. INOUYE, Mr. JEPSEN, Mr. JOHNSTON, Mrs. KASSEBAUM, Mr. KENNEDY, Mr. LEAHY, Mr. LEVIN, Mr. LONG, Mr. MATHIAS, Mr. MELCHER, Mr. METZENBAUM, Mr. MITCHELL, Mr. MOYNIHAN, Mr. MURKOWSKI, Mr. PELL, Mr. PRESSLER, Mr. PRYOR, Mr. RIEGLE, Mr. SARBANES, Mr. SASSER, Mr. SIMPSON, Mr. SPECTER, Mr. STAFFORD, Mr. STENNIS, Mr. TSONGAS, Mr. WEICKER, and Mr. WILLIAMS):

S. 1889. A bill to establish the United States Academy of Peace, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. PROXMIRE:

S. 1890. A bill to authorize the Secretary of the Interior to disburse certain trust funds of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin, and for other purposes; to the Select Committee on Indian Affairs.

By Mr. ROTH (for himself, Mr. NUNN, Mr. RUDMAN, and Mr. CHILES):

S. 1891. A bill to protect the confidentiality of information filed by individual taxpayers with the Internal Revenue Service, to promote the effective enforcement of Federal and State criminal laws, to facilitate judicial resolution of challenges to Internal Revenue Service summonses, and for other purposes; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DANFORTH:

S. 1887. A bill to amend the Internal Revenue Code of 1954 to expedite the installation of automatic safety airbags; to the Committee on Finance.

(The remarks of Mr. DANFORTH on this legislation appear earlier in today's RECORD.)

By Mr. SYMMS (for himself, Mr. GRASSLEY, Mr. DURENBERGER, and Mr. CHAFEE):

S. 1888. A bill to amend the Internal Revenue Code of 1954 to clarify the tax treatment of variable annuity contracts; to the Committee on Finance.

TAX TREATMENT OF VARIABLE ANNUITY CONTRACTS

● Mr. SYMMS. Mr. President, the Treasury and the IRS have been on a 5-year program to substantially restrict annuities as a base for retirement security. In 1977, the IRS released a revenue ruling that was quickly and decisively overturned by a Federal district court. However, due to a technical device, that decision was overturned.

The Treasury has continued in its attempts to do administratively what they unsuccessfully tried to get Congress to legislate in 1978. On September 25, 1981, the Treasury issued Revenue Ruling 81-225, which changes the tax treatment of variable annuity contracts funded with mutual fund shares.

This most recent Treasury ruling is grounded on a public access policy argument; that is, a person who invests in mutual fund shares through an annuity should not achieve tax deferral if a person who invests directly in the same mutual fund shares is taxed currently. The Treasury ruling is designed to prevent the use of annuities in situations where the capital used to purchase the annuity is invested in an asset that could have been purchased directly without the use of an annuity. This latest theory of Treasury's has never been stated anywhere in the more than 50-year history of the rules governing annuity taxation.

I am introducing legislation which will provide certainty in this area by clarifying questions that the ruling did not address so that companies and consumers alike can make informed, thoughtful financial decisions. I am introducing this legislation not because I agree with the ruling, but because it is critical that Congress act expeditiously on this matter.

Let me briefly address the aspects of the legislation. First, my legislation reverses the egregious abuse of administrative discretion concerning the retroactive application of the ruling. Without warning or rationale, that ruling imposes a 1981 tax liability on persons who in good faith and often on the advice of independent tax advisers purchased these annuities with the understanding that earnings from them would be deferred pursuant to the tax law as in effect for over 50 years.

The public access rationale could not have been foreseen and is contrary to at least three recently published rulings that sanctioned variable annuities where mutual fund shares that supported the variable annuity were also offered through another account to the general public. Further, it will be almost impossible for any insurance company to compute and report the earnings on the annity as required by the retroactive application of this ruling. In short, the retroactive application of this revenue ruling, based on agency whim rather than clear statutory guidance, is inherently inequitable.

Second, under the Federal securities law, variable annuity contract holders have the right to remove an investment manager. It would be an extraordinarily curious result for the exercise of those

rights to lead to a negative tax consequence; nor should the tax law, through administrative action particularly, indirectly repeal our securities law. Consequently, my legislation clarifies that an independent investment manager is permissible. Of course, my legislation does not allow the contract holder himself to be the investment manager.

Finally, the tax law has for years clearly sanctioned the tax-free, like-kind exchange of one annuity contract for another. Contract holders wishing to change investment orientation to reflect our ever-changing economic conditions should be able to accomplish this same goal by allocating or reallocating contract amounts pursuant to the terms of a single contract without formally going through the cumbersome and expensive administrative aspects of the more formalistic exchange procedure.

As I stated previously, I do not agree with the direction that Treasury has taken on the issue of taxing "wrap-around" annuities. Presently, the Treasury is beginning a complete review of the taxation of life insurance companies, and their present policy on annuities will be reviewed as well.

However, in the meantime, it is absolutely essential that the technical, clarifying changes be made with regard to Revenue Ruling 81–225, so that companies and consumers alike will not be unduly harmed.

I urge all of my colleagues to join me as a cosponsor of this bill. I am pleased to be joined in sponsoring this legislation by Senators GRASSLEY, DURENBERGER, and CHAFEE. I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1888

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That

(a) Section 72(o) of the Internal Revenue Code of 1954 is redesignated as section 72(p).

(b) Section 72 of the Internal Revenue Code of 1954 is amended by adding the following new subsection:

"(o) VARIABLE ANNUITY CONTRACTS, ETC.—For purposes of this section, an "annuity" includes but is not limited to, a variable annuity contract or a contract with reserves based on a segregated asset account (as defined in section 801(g)(1)) and;

"(1) such segregated asset account may be a unit investment trust and may include sub-accounts,

"(2) the assets of such accounts or sub-accounts funding a variable annuity contract or a contract with reserves based on a segregated asset account may consist of shares of regulated investment companies registered under the Investment Company Act of 1940, provided that such shares are not available for purchase by the general public except through the purchase of a variable annuity contract,

"(3) such contract may allow the contract holder to allocate or reallocate contract amounts attributable to his contract among such sub-accounts or other segregated asset accounts, and

"(4) the investment managers of such regulated investment companies need not be members of a controlled group (as defined in section 851(c)(3)) of which the insurance company issuing such contract is a member.

"For purposes of this title, assets, including shares of regulated investment companies, acquired to provide funding for such variable annuity contracts or contracts with reserves based on a segregated asset account shall be deemed to be property owned only by the insurance company.".

(c) EFFECTIVE DATES.—

(1) Except as provided in paragraph (2) or (3), the tax treatment of any payment made by a contract holder on or before September 25, 1981 with respect to any annuity described in Revenue Ruling 81–225 shall be determined without regard to such Revenue Ruling 81–225 (and without regard to any other regulation, ruling, or decision reaching the same results, or results similar to the results set forth in such Revenue Ruling) and with full regard to the rules in effect before such Revenue Ruling.

(2) With respect to any contract described in section 403(a), 403(b) or 408(b) of the Internal Revenue Code of 1954, the amendments made by subsection (b) shall only apply to a payment made on behalf of an individual included after September 25, 1981 under such contract.

(3) The amendments made by subsection (b) shall apply to contracts entered into or payments made by a contract holder (other than those contracts or payments described in paragraph (2)) after September 25, 1981 with respect to an annuity described in subsection (b).●

By Mr. MATSUNAGA (for himself, Mr. HATFIELD, Mr. RANDOLPH, Mr. ANDREWS, Mr. BAUCUS, Mr. BIDEN, Mr. BOSCHWITZ, Mr. BRADLEY, Mr. BUMPERS, Mr. BURDICK, Mr. ROBERT C. BYRD, Mr. CANNON, Mr. CHAFEE, Mr. COCHRAN, Mr. CRANSTON, Mr. DANFORTH, Mr. DECONCINI, Mr. DURENBERGER, Mr. EAGLETON, Mr. EXON, Mr. FORD, Mr. HART, Mr. HEFLIN, Mr. HEINZ, Mr. HUDDLESTON, Mr. INOUYE, Mr. JEPSEN, Mr. JOHNSTON, Mrs. KASSEBAUM, Mr. KENNEDY, Mr. LEAHY, Mr. LEVIN, Mr. LONG, Mr. MATHIAS, Mr. MELCHER, Mr. METZENBAUM, Mr. MITCHELL, Mr. MOYNIHAN, Mr. MURKOWSKI, Mr. PELL, Mr. PRESSLER, Mr. PRYOR, Mr. RIEGLE, Mr. SARBANES, Mr. SASSER, Mr. SIMPSON, Mr. SPECTER, Mr. STAFFORD, Mr. STENNIS, Mr. TSONGAS, Mr. WEICKER, and Mr. WILLIAMS).

S. 1889. A bill to establish the U.S. Academy of Peace, and for other purposes; to the Committee on Labor and Human Resources.

(The remarks of Mr. MATSUNAGA and Mr. RANDOLPH on this legislation appear elsewhere in today's RECORD.)

By Mr. PROXMIRE:

S. 1890. A bill to authorize the Secretary of the Interior to disburse certain trust funds of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin, and for other purposes; to the Select Committee on Indian Affairs.

DISPOSITION OF CERTAIN INDIAN TRUST FUNDS

Mr. PROXMIRE. Mr. President, today I am introducing a bill which will allow the Lac Courte Oreilles Band of Lake Superior Chippewa Indians to use up to 20 percent of the funds in their land claims trust accounts to cover or reduce overdrafts in the tribe's general account located in the State Bank of Drummond in Drummond, Wis.

The tribe's financial problems are a result of their underrecovery of Federal contract support funds, known as indirect costs, which the tribe had expected to receive from various Federal agencies.

Recovery of indirect costs presents a problem for Indian tribes throughout Wisconsin. Therefore I am encouraged that the Select Committee on Indian Affairs will hold hearings on this matter within the next several months.

ADDITIONAL COSPONSORS

S. 1701

At the request of Mrs. HAWKINS, the Senator from California (Mr. HAYAKAWA), and the Senator from North Dakota (Mr. BURDICK) were added as cosponsors of S. 1701, a bill to amend title 28, United States Code, to authorize the Attorney General to acquire and exchange information to assist Federal, State, and local officials in the identification of certain deceased individuals and in the location of missing children and other specified individuals.

S. 1881

At the request of Mr. SASSER, the Senator from Maryland (Mr. SARBANES), the Senator from Connecticut (Mr. DODD), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Missouri (Mr. DANFORTH), and the Senator from West Virginia (Mr. RANDOLPH) were added as cosponsors of S. 1881, a bill to provide for the issuance of a commemorative stamp to honor the dedication of the Vietnam Veterans Memorial.

SENATE JOINT RESOLUTION 110

At the request of Mr. HATCH, the Senator from Idaho (Mr. SYMMS) was added as a cosponsor of Senate Joint Resolution 110, a joint resolution to amend the Constitution to establish legislative authority in Congress and the States with respect to abortion.

SENATE JOINT RESOLUTION 123

At the request of Mr. HAYAKAWA, the Senator from Utah (Mr. GARN), and the Senator from Nevada (Mr. CANNON) were added as cosponsors of Senate Joint Resolution 123, a joint resolution authorizing the President to proclaim "National Disabled Veterans Week."

SENATE RESOLUTION 246

At the request of Mr. MOYNIHAN, the Senator from Illinois (Mr. PERCY), the Senator from Connecticut (Mr. DODD), the Senator from Michigan (Mr. RIEGLE), and the Senator from Rhode Island (Mr. PELL) were added as cosponsors of Senate Resolution 246, a resolution relative to the hunger strike of Andrei Sakharov and Yelena Bonner.

SENATE CONCURRENT RESOLUTION 50—ORIGINAL CONCURRENT RESOLUTION REAFFIRMING THE CONGRESSIONAL BUDGET

Mr. DOMENICI, from the Committee on the Budget, reported the following original concurrent resolution; which was placed on the calendar:

S. CON. RES. 50

Resolved by the Senate (the House of Representatives concurring), That pursuant to section 310(a) of the Congressional Budget Act of 1974, the concurrent resolution on the budget most recently agreed to with respect to the fiscal year 1982 (H. Con. Res. 115, Ninety-seventh Congress) is hereby reaffirmed.

SEC. 2. It is the sense of the Congress that—

Whereas the current budget projections are for large deficits in the range of $76,000,000,000 to $92,000,000,000 in fiscal year 1982; in the range of $96,000,000,000 to $136,000,000,000 in fiscal year 1983; and in the range of $103,000,000,000 to $165,000,000,000 in the fiscal year 1984; and

Whereas these large deficits are a primary cause of the historically high interest rates now prevailing; and

Whereas these interest rates are bringing many small businessmen, the automobile industry, farmers, and the housing sector near collapse; and

Whereas the unemployment rate has reached 8 per centum and is likely to increase further; and

Whereas the economy has entered into a recession which could last for many months:

Now therefore it is the sense of the Congress that the economic crisis now facing the American people is so severe that solutions must be found immediately; and

Further, it is the sense of the Congress that the President should submit a plan as soon as possible, to bring interest rates down, to decrease unemployment to decrease substantially inflation, and to balance the budget in fiscal year 1984; and

Further, it is the sense of the Congress that Presidential guidance and leadership is essential to reach these goals.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, November 24, at 1:30 p.m., to hold a hearing on treaty No. 97–9, the International Wheat Agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, November 24, at 1 p.m., to hold a hearing on the nomination of Frank Shakespeare to be a member of the Board of International Broadcasting.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

CANADIAN LUMBER IMPORTS

● Mr. HATFIELD. Mr. President, as the Members of the Senate well know, the U.S. economy is in a precarious position. This is even more true of my home State of Oregon. Currently, Oregon unemployment is running better than 10 percent statewide. In the lumber and housing industries, unemployment is twice the statewide average. We Oregonians desperately need markets for Pacific Northwest lumber.

Simultaneously, the Canadians have been shipping to the U.S. Atlantic coast approximately 1 billion board feet of British Columbia Douglas-fir and other Northwest species. Recently, I wrote an editorial on this subject in On Beach magazine, an Oregon publication.

I ask that that article be printed here in the RECORD.

The article referred to is as follows:

THE IMPORT OF BRINGING MARITIME POLICY BACK TO THE REALM OF MARITIME REALITY

(By MARK O. HATFIELD)

Of the first 11 laws passed by the first U.S. Congress, five addressed marine concerns. This was an indication of the importance our newborn government placed on sea-borne commerce. Today, the U.S. has the largest and strongest economy in the world, and our imports and exports are second to none. One of every seven manufacturing jobs in the U.S. is for export. The produce from one of every three acres of U.S. farmland is exported. Thus, America's interest in ocean commerce is as strong as that of the young America of our founding fathers. Yet, U.S. flagships carry less than 5 percent of America's imports and exports.

This dismal statistic makes it apparent that the U.S. shipping industry badly needs a change if it is ever to flourish again. Some argue that we need to tighten access to U.S. freight, making it the exclusive, or semi-exclusive, preserve of American ships, thus assuring a market for a U.S. flag merchant fleet. Others, like myself, argue that this philosophy was the cause of our present predicament and not a solution, and that opening the U.S. registry in a deregulated maritime atmosphere is the preferred course to a revitalized American merchant fleet. In this article, I would like to illustrate the latter argument through a case in point.

Thirty years ago, Oregon sawmills were shipping nearly a billion board feet of lumber to eastern U.S. markets, by ocean-going vessels. Since then the total has consistently declined. Today, water-borne shipments are about 3,000 board feet per year. That is about one three-thousandth of the former total, a percentage which gives meaning to the word negligible. There is no lack of demand for west coast lumber on the Eastern seaboard, however. In 1978, 1.06 million board feet of western lumber was shipped to the Atlantic coast.

In 1979, amidst one of the worst housing slumps in recent history, 900 million board feet of western lumber went east by ship. The only surprise is the identity of the supplier. British Columbia shipped 897 of those 900 million board feet to the East coast. Washington, Oregon and California competed for the other three million board feet, capturing .4 percent of the total market. The cause of this anomaly is our reliance on a system of Admiralty laws which were compiled during the days of sail. Central among these laws is the Merchant Marine Act of 1920, or "The Jones Act." The intent of this Act was to preserve and promote U.S. shipping and shipbuilding, and one of the devices called for in the Act was "cabotage," the practice of limiting U.S. coastal trade to ships built and registered in the U.S. and manned by U.S. citizens. At the time, such a provision was logical. There was a glut of American built freighters on the market as a result of the recent World War, Europe was trying to rebuild its business sector and find employment for its citizens as we were, and the seamen's Labor Unions were young and hungry.

Unfortunately, over the years the U.S. Merchant Marine has lost its competitive edge. From a high of nearly 5,000 vessels after World War II it has declined to 453 today. This is only 2.5 percent of the world's approximately 23,000 vessels. What has led to this sad situation? In brief, the U.S. shipping industry simply can't compete. With the world's fleet tremendously overbuilt after World War II all shipyards experienced a slump. Enterprising businessmen like Aristotle Onassis bought U.S. "Liberty" ships and negotiated with small nations for lax registry incurring laws which would help keep operation costs low. These became "flag of convenience" nations with huge foreign built, foreign owned shipping fleets. It is ironic that one of the most common flags in harbors the world over is the "star and stripes" of Liberia, the African nation built by former American slaves.

As shipbuilding languished the world over, some nations took to subsidizing shipbuilding and repair. What seemed folly at the time has proven very wise, as these nations develop better shipbuilding technology, allowing them to build larger ships faster and more cheaply. Equally important, many developing nations have been operating those new ships with smaller crews at lower wages. U.S. crew requirements have not been revised to take advantage of technologically advanced ships resulting in unrealistic crew-size requirements.

Returning to the effect on Oregon lumber the combination of The Jones Act and low foreign shipping costs have created a situation so anomalous that it could have been penned by author Joseph Heller of Catch 22 fame. The Canadian businessman shipping goods to the U.S. east coast can ship lumber via a foreign flag vessel for about $70 per million board feet. His U.S. counterpart has no such option. Years of Jones Act mandated restrictions have reduced the U.S. coastal fleet to a nominal presence. In most cases, the Oregon lumberman, even if he were willing to pay the price, could not find a Jones Act vessel to carry his lumber to the east coast. Only rail provides a reasonable alternative, and reasonable, in this case, only addresses the issue of availability, not cost. The U.S. shipper currently pays $124.50 per million board feet to ship western lumber to the east coast by rail. This is $51 more than his Canadian competitor can ship by water.

The result is exactly what one would assume. Canadian shippers have monopolized the water-borne commerce of western lumber to the U.S. east coast, and enjoy a significant competitive advantage in overall U.S. trade in west coast lumber.

Certain portions of The Jones Act as written in 1920 are anachronistic in todays highly competitive ocean shipping environment. And, as a maritime state, with a huge lumber industry, Oregon has a stake in a maritime law which promotes rather than impedes coastal shipping.

Recently I was given the opportunity to offer a bill to change portions of The Jones Act. This bill would exempt lumber shipments from Jones Act restrictions until competitive American vessel are available. In practice, our Oregon lumbermen would be required to apply to the Secretary of Commerce for suspension of The Jones Act with respect to the transportation of lumber, including plywood. If the Secretary determines that there are no domestic vessels reasonably and economically available for such transport he must suspend the Act for that port within 45 days. Such suspension would terminate when the Secretary determines that the problem no longer exists.

This law is designed to be in effect for two years. I hope that under the new Administration a new maritime policy will be established which will revitalize the use of U.S. flag shipping. Such an effort was made last year by Congressman Pete McCloskey of California, but with lackluster Administration support it did not get past the Merchant

Marine and Fisheries Committee. Maritime lobbies have traditionally had influence far beyond their numbers. They are notably resistant to change. However, they are slowly being decimated by their own policies, and as their influence wanes, change is inevitable.

President Reagan has stressed his commitment to revitalization through private investment. He has carried himself like a true leader, and I believe he has the momentum to make some sweeping changes which are long overdue. I will be addressing the broader issue of U.S. maritime policy as this session of the 97th Congress continues, but meanwhile, I will continue to offer small changes which help bring maritime policy back to the realm of maritime reality.

Mr. HATFIELD. Mr. President, for a more comprehensive picture of the decline which has taken place over the last 30 years, I have this record of lumber shipments by cargo ship to the American east coast. The chart was supplied to me by Dant & Russell, Inc., an Oregon shipper.

I ask that the chart be printed at this time in the RECORD.

The chart referred to is as follows:

LUMBER SHIPMENTS BY CARGO TO THE ATLANTIC COAST

	From British Columbia		From United States		
	Board feet	Percent	Board feet	Percent	Total, board feet
1948	96, 071, 921	15.0	522, 724, 033	85.0	648, 795, 954
1949	303, 525, 459	23.0	1, 021, 381, 829	77.0	1, 324, 907, 288
1950	750, 521, 958	41.0	1, 045, 539, 332	58.0	1, 805, 050, 290
1951	61, 297, 712	7.0	815, 944, 299	93.0	877, 242, 011
1952	222, 078, 158	17.0	1, 053, 698, 621	83.0	1, 275, 776, 779
1953	534, 965, 125	33.0	1, 058, 869, 065	67.0	1, 593, 834, 190
1954	507, 835, 261	35.0	933, 696, 095	65.0	1, 441, 531, 356
1955	344, 920, 093	25.0	1, 031, 138, 872	75.0	1, 376, 058, 965
1956	282, 161, 090	22.0	1, 023, 038, 034	78.0	1, 305, 199, 124
1957	275, 432, 594	22.0	973, 398, 459	78.0	1, 248, 831, 053
1958	602, 427, 207	39.0	923, 961, 010	61.0	1, 526, 388, 217
1959	594, 217, 970	40.0	902, 836, 397	60.0	1, 497, 054, 367
1960	694, 603, 724	42.0	948, 988, 915	58.0	1, 643, 592, 639
1961	794, 937, 825	57.0	594, 856, 302	43.0	1, 389, 194, 127
1962	851, 579, 021	62.0	524, 893, 864	38.0	1, 376, 472, 885
1963					
1964	917, 746, 150	62.0	566, 059, 876	38.0	1, 483, 806, 026
1965	1, 151, 201, 513	69.5	504, 498, 788	30.5	1, 655, 700, 301
1966	1, 144, 074, 165	75.0	374, 324, 437	25.0	1, 518, 393, 602
1967	1, 139, 838, 806	78.0	315, 063, 936	22.0	1, 454, 902, 742
1968	1, 218, 879, 384	79.0	328, 683, 934	21.0	1, 547, 563, 318
1969	1, 082, 797, 502	85.0	222, 692, 359	15.0	1, 278, 970, 901
1970	896, 423, 696	78.0	252, 659, 278	22.0	1, 149, 482, 974
1971	1, 120, 455, 031	81.0	269, 199, 873	19.0	1, 389, 574, 904
1972	1, 237, 358, 278	82.0	267, 494, 558	18.0	1, 504, 852, 836
1973	1, 196, 140, 139	85.0	214, 238, 883	15, 0	1, 410, 379, 022
1974	1, 116, 270, 920	84.0	206, 089, 448	16.0	1, 322, 360, 368
1975	412, 801, 689	83.0	86, 735, 761	17.0	499, 537, 450
1976	738, 328, 904	93.0	53, 783, 215	7.0	792, 112, 119
1977	938, 801, 034	97.0	27, 787, 606	3.0	966, 588, 640
1978	1, 037, 495, 851	98.0	21, 881, 483	2.0	1, 059, 377, 334
1979	897, 956, 539	99.6	3, 763, 279	.4	901, 719, 818

Mr. HATFIELD. Mr. President, I am aware that there are more elements to this problem than simply the cost of shipping Western U.S. lumber to the east coast, Canadian provincial government subsidies to the Canadian lumber industry have allowed Canadian shippers to sell at substantially below the actual value of the timber. These benefits take the form of artificially low-stumpage prices, rail and energy subsidies, and finally, low-shipping charges as a result of using foreign carriers.

Senators PACKWOOD and DANFORTH will be addressing these issues today in a hearing before the Senate Commerce Committee. The distinguished Senators plan an inquiry into the extent of hidden subsidies which are available to the Canadian lumber industry. They and I have also suggested to the American lumber industry that it pursue its case before the International Trade Commission. Ample precedent exists to redress such injury through enforcement of countervailing duties or antidumping duties. These laws were revised in the Trade Act of 1979 to simplify and accelerate enforcement.

After lengthy consideration, I have decided not to introduce the bill which I described in the article. A similar bill was heard in the House of Representatives and rejected. In a timeworn tactic, opponents of the bill demanded that all the diverse problems of the U.S. lumber industry be solved before progress be made on any of them. While I reject that strategy, it is plain to me that to introduce a bill which would exempt lumber from the Jones Act would be an exercise in futility. Even if we succeed in getting such a bill through the Senate, the House will not be willing to address the issue during the Congress.

I do encourage the Commerce Committee to inquire into the hidden subsidies which I mentioned, and would also like to see the International Trade Commission address this issue. The lumber industry, which is the backbone of Oregon's economy, is in deep trouble. While I do not ask the Federal system to come to the aid of the State, I would like to ask that the Federal Government do what it can to ease the burden of the predatory pricing policies of our international neighbors.●

SNUBBIES AND HANDGUN CONTROL

● Mr. KENNEDY. Mr. President, the central feature of handgun control legislation which I have proposed for many years, and which Congressman RODINO and I have introduced again this year—S. 974, the Handgun Crime Control Act of 1981—is the ban on the sale of what some call "snubbies": small, concealable handguns. Studies have repeatedly shown that they are the preferred instrument of criminals, and the source of most of our handgun violence.

These findings were reinforced recently by an extensive report prepared by the Cox News Service—which I introduced in the RECORD on October 5. These findings were also summarized in Sunday's Washington Post by Joseph Albright. As he succinctly outlines, the Cox news reporters found, after exhaustive research and months of analysis, that the one characteristic involved in crimes committed with a handgun was a snubbed-nose gun.

Many other studies have also proven that concealability is a major contributing factor—but not the only factor—associated with the escalation of handgun violence in our society. It is for this reason that the thrust of the Kennedy-Rodino bill is to control the manufacture, sale or transfer of handguns with a barrell length of 3 inches or less for revolvers and 6 inches or less for pistols. This will ban the snubbies, as the Washington Post has called for and which I strongly support.

Mr. President, I ask that Mr. Albright's article and the editorial from the Washington Post be printed at this point in the RECORD.

The material is as follows:

[From the Washington Post, Nov. 23, 1981]

BAN THE SNUBBIES

Yesterday's Outlook section contained an analysis by Cox Newspaper reporter Joseph Albright that suggests a way out of the sterile—and murderous—deadlock over whether to control handguns. Mr. Albright and his colleagues looked behind the familiar slogans in the hope that the facts would provide clues to a more useful approach. They found one. After analyzing records of 14,000 guns used in street crimes, they discovered that the one characteristic most of these guns had in common was not the low quality, low price or foreign origin that characterizes the so-called Saturday Night Special. Rather, 11 of the 15 handguns most often used in the commission of murder, armed robbery and other street crimes had snub-nosed barrels of 2.5 inches or less. That is, the most attractive feature from the criminal's viewpoint was—not surprisingly—concealability. The short-barreled gun also turns out to be the weapon of choice for assassins. According to Mr. Albright, 10 to the 15 assassination attempts on major American political figures since 1835 involved the most concealable type of handgun available at the time. Included in the list are the attacks on Presidents Lincoln, Roosevelt, Ford and Reagan.

"Snubbies," as they are called, are frequently expensive and of relatively high quality. But regardless of the price their short barrels mean inaccuracy at anything beyond point-blank range. They should therefore be of little interest to legitimate hunters, hobbyists and target-shooters.

The favorite argument of those who oppose handgun control is that banning or registering guns would disarm only law-abiding citizens. The argument has been raging for years with no agreement in sight. Mr. Albright's findings suggest that there is a way selectively to disarm criminals—by banning the "snubbies," their weapon of choice. Those who feel safer with a gun in the bedside table or next to the cash register can continue to keep one there. There is no need that it be very small. But the gun that slips into pocket or purse as easily as a wallet could—and should—be outlawed.

[From the Washington Post, Nov. 22, 1981]

BAN SNUBBIES AND SOLVE THE GREAT HANDGUN DEBATE

(By Joseph Albright)

With their slender butts and cute little muzzles, they look like toys. One flick on the trigger and out barks one-third of an ounce of lead at 700 miles per hour, shaped to plow a mushroom cavity into someone's gut. Beyond the range of a card table they are inaccurate, so they are little use to hunters and target shooters. Their sole advantage is that they leave no unsightly bulges when they are concealed. In gun magazines they are called "snubbies."

Handguns of all sizes were instruments of 10,000 murders and another 550,000 crimes of violence in 1977. There are about 50 million handguns in circulation. So in a given year, one out of every 100 handguns in the nation's private handgun arsenal is involved in a crime. Based on the findings of our computer analysis of more than 14,000 handguns used in crimes during 1979, that one gun is very likely to be a "snubbie."

This conclusion, drawn from an investigation by four reporters in the Cox Newspapers Washington bureau, may point to a way out of the impasse in the national debate over handgun control. Neither side in the debate has been willing to take a microscopic look at what sorts of guns actually are used in crime. That is exactly what my associates and I have tried to do.

Contrary to popular impression, most street crime guns are not cheap, low-caliber, foreign-origin "Saturday Night Specials." When we compiled a list of the 15 leading crime handguns, we were surprised to find that only two fit that exact description. Ten of the 15 were made in American factories out of American-made components. Of these 10, seven were made by Smith & Wesson, Colt and Charter Arms, all makers of high-quality, relatively expensive guns.

Above all, criminals seem to prefer concealability. Of the 15 leading crime handguns, 11 had snub-nosed barrels measuring 2.5 inches or less. Four of these "snubbies" were expensive, well-made American guns. Three others were low-budget specials also made in America. The remaining four were inexpensive weapons assembled by small plants in Miami from sets of gun parts shipped in from Italy and Germany.

We found that one of the Miami-assembled imports—the Roehm .22-caliber revolver—was the country's single leading crime instrument. In 1979 one out of every 12 handguns traced in a street crime case was a short-barreled Roehm .22. It is a "Saturday Night Special" by anyone's description, typically retailing for $39.95. It is assembled in a Miami warehouse by the German-owned RG Industries Inc. out of gun parts shipped from its West German affiliate, Roehm GmbH. President Reagan was wounded with the best-selling Roehm .22, the RG14, last spring.

The second-ranking crime handgun was the snub-nosed Smith & Wesson .38 caliber Chiefs Special. Advertised as a police "back-up" weapon, the Chiefs Special is also sold to civilians through sporting goods stores for prices ranging from $170 to $240. Imagine a gun slightly less than half the length and weight of a traditional Colt Six-Shooter. That's a Chiefs Special.

Both the Roehm-origin .22 and the Chiefs Special are examples of guns that are statistically more prone to crime than the average handgun. About 4 percent of the handguns in the United States are Roehm-origin .22s. But our study found they represented 7.9 percent of handguns traced by police at crime scenes. Similarly, Smith & Wesson's light-framed "snubbies"—the standard Chiefs Special and its several variants—make up no more than 3 percent of the handguns in the United States. But they turned up in 5.9 percent of street crime cases in which a handgun was traced.

Small handguns have been favored for big name shootings as well as for humdrum crimes.

President Ford was nearly assassinated in 1975 when Sara Jane Moore pulled the trigger of a Chiefs Special and missed. Mayor George Moscone of San Francisco was killed with a Chiefs Special in 1978. A year ago, Washington cardiologist Dr. Michael Halberstam was also killed with a Chiefs Special. Former Alabama Gov. George Wallace was paralyzed by a Charter Arms Undercover in 1972. Former Beatle John Lennon was murdered by an Undercover in 1980.

Checking in historical archives, we found that since 1835, the weapons used in 10 out of the 15 assassination attempts on major American political figures were among the most readily concealable varieties of pistols then on the market. In addition to Reagan, Ford, Wallace and Moscone, Andrew Jackson, Abraham Lincoln, William McKinley, Franklin D. Roosevelt, Huey Long and Robert F. Kennedy all were fired at with smaller-than-normal handguns.

The size of a handgun is only one indicator of its criminal tendencies. Recently purchased guns of all sizes are more likely to be found at crime scenes than older guns. A tabulation by the Treasury's Bureau of Alcohol, Tobacco and Firearms shows that 18 percent of the crime guns traced in 1979 were a year old or less. The next largest category was two-year-old guns, representing 10 percent of the crime guns. After that, the percentages trailed off year by year—6 percent of the crime guns were eight years old, 4 percent nine years old and so on. It was almost as if guns exuded a radioactive half-life as crime instruments.

What comes out of all this is that some kinds of handguns—newly acquired ones, and those which can be most readily hidden—are more prone to crime than others.

This disparity in criminal tendencies is wide enough to raise questions for those on all sides of the handgun control controversy.

For the ban-the-handgun crusaders: Instead of tilting at all handguns, why not concentrate on restricting those kinds of guns that are statistically shown to be crime-prone? Isn't a criminal record the best measure of whether a certain kind of gun should be freely sold?

For people who like to shoot handguns: Why fight to preserve palm-sized handguns when they aren't ideal for shooting burglars and they are almost useless for hunting and target practice? Why defend the right of fast-buck assembly plants to import gun parts and slap them together to make handguns that no hobbyist would want to fire?

Clearly, the old familiar gun control proposals—registration, licensing, waiting periods for gun purchases—are going nowhere in Washington. If there remains any emotional bridge that joins the pro-gun and anti-gun people, it is that they are all against crime. That may turn out, in the long run, to be more important than it sounds.

In the 1920s almost everyone came to the conclusion that machine guns had no redeeming social value for civilian use. The result was the National Firearms Act of 1934, a law which passed Congress because it split the gun issue in two. It left handguns alone. And it clamped down hard on "gangster-type weapons" such as machine-guns, sawed-off shotguns, fully automatic rifles and silencers.

The National Firearms Act, which is still in effect, allows citizens without criminal records to own machine guns—if they have written permission from federal and local authorities. Each "gangster-type weapon" must be registered with the federal government, and a $200 transfer tax is due to the Treasury any time one is sold.

Based on the criminal record of snub-nosed handguns, people on all sides of the gun control issue have to wonder whether "snubbies" have earned the same treatment as machine guns.

LEADING SOURCES OF DISTRICT OF COLUMBIA CRIME WEAPONS, 1979

[In percent]

	Murder	Armed robbery	Assault/rape	Total
(1) Smith & Wesson, Inc. (M), Springfield, Mass.	21	19	18	19
(2) Colt Industries (M), Hartford, Conn.	15	20	19	19
(3) Roehm GMBH, Germany (M), RG Industries, Inc., Miami (P)	9	11	12	11
(4) Harrington & Richardson (M), Gardner, Mass.	8	8	10	9
(5) Iver Johnson Arms (M), Middlesex, N.J.	7	4	2	3

Key: (M) manufacturer; (P) parts assembler.

Source: Cox Newspapers analysis of handguns involved in 71 murders, 86 armed robberies, and 137 aggravated assaults (including 3 rapes) in the Washington, D.C., metropolitan area from January to September 1979. The guns were traced by the U.S. Bureau of Alcohol, Tobacco and Firearms, and records were obtained through a Freedom of Information Act request.

SORTING THROUGH 250,000 BLIPS OF INFORMATION

Our starting point was a reel of computer tape imprinted with detailed descriptions of 14,268 criminals' handguns. The guns were confiscated by police and federal agents in street crime cases in 18 metropolitan areas during the first nine months of 1979. The records were funneled into a Treasury Department computer when local police officers called Washington to have the guns traced back to their manufacturers by contacting Treasury's Bureau of Alcohol, Tobacco and Firearms.

This summer we obtained a copy of the computer tape through the Freedom of Information Act, after the government had deleted the names of retail gun dealers and gun purchasers. We then sorted through 250,000 blips of information on the criminal handguns, arranging them by makers and models with the aid of American Management Systems, a Rosslyn computer firm. Our study did not cover shotgun or rifle crimes, since nearly all the police tracing requests involved handguns. In any event, handguns account for more than three-fourths of all gun murders and more than 90 percent of robberies in which some gun was used, judging from national Justice Department surveys.●

NATIONAL ADOPTION WEEK/RECOGNITION OF MODEL STATE ADOPTION ACT

● Mr. TOWER. Mr. President, every year, the week of Thanksgiving is known as "National Adoption Week." This year, it seems especially appropriate to recognize the continued diligence and unwaivering commitment which the Reagan administration and the Department of Health and Human Services have shown in developing a revised Model State Adoption Act which will truly assist States in eliminating barriers to adoption of "special needs" children.

The recent publication of the Model Act is the result of over a year's work on

the original draft model which was published in February 1980 and which, in my view, had far exceeded the original desire of Congress to help place "special needs" children in adoptive homes. I was especially concerned that the original Model Act recommended such controversial practices as breaking open adoption records, giving putative fathers' rights over those of the biological mother, and giving approval to various "baby broker" agencies through State licensure.

As Senators may know, I actively expressed my disapproval of the original draft model by introducing a resolution of disapproval in the Senate and testifying before the Child and Human Development Subcommittee. I am very pleased that the new Model State Adoption Act, by addressing itself strictly to facilitating the adoption of "special needs" children, does not endorse the practices which the original act had proposed.

Like all of us, I am hopeful that, as State governments incorporate all or part of the Model Act into their existing adoption laws, more doors will be opened to the homeless children of our country in order that they can receive the type of care which they both need and deserve.●

MUSINGS OF AN ARKANSAS TRAVELER

● Mr. PRYOR. Mr. President, a long time and close friend of mine, Roy Reed, has reported for the New York Times for many years on the strange and wonderful ways of people in the South, and particularly in the State of Arkansas. He has covered fish fries, coon suppers, political rallies, beauty pageants, duck-calling contests, craft fairs, and birthday parties. Roy Reed knows the ins and outs of Arkansas probably better than anyone else I know.

Now Mr. Reed has retired from the Times and lives in Hogeye, Ark., up in the Ozarks. In between spaghetti suppers and fried chicken feasts, he teaches journalism at the University of Arkansas.

In Sunday's New York Times travel section, Roy Reed published the "Musings of an Arkansas Traveler." He is himself a celebrated Arkansan, and in his article he mentions others: The late Vance Randolph, a university historian who is best known as a folklorist and collector of Arkansas tales; and Ernie Deane, a writer in Fayetteville who keeps up the tradition of Ozark folklore.

Mr. Reed's story might be an informal guide to the mountains, if you are unfamiliar with the ways of that country. But for the rest of us, and for me in particular, this is another colorful chapter in Roy Reed's chronicle of the life and times of the people of north Arkansas. I ask that it be printed in the RECORD.

The article follows:

MUSINGS OF AN ARKANSAS TRAVELER

(By Roy Reed)

A tropical rainstorm from the Gulf of Mexico, 600 miles to the south, has been flooding my pasture here in Hogeye, Ark. for three days. The warm air that blew in with the rain has made everybody cranky. Ozark farmers are ready for frost, not summer showers. In this far corner of the South, half an hour from Oklahoma and an hour from Missouri, the Gulf of Mexico is as alien as New York. The hill people of the Ozarks are Southerners, but this low-country damp reminds us that the South, like an old Ford tractor, is held together by haywire.

The hill people do not travel much, especially farther South. I have to venture down occasionally for some necessity, but I try to get home before dark. The Ozarker's attitude toward travel may unnerve some visitors. The mountaineer sees traveling as a symptom of rootlessness, or worse, and he studies the visiting traveler closely for clues to the disorder. The armadillo was studied the same way when it moved in from Texas a few years ago.

For those visitors who come anyway, there is a guidebook to the Ozarks. It has no maps, no restaurant ratings and no puffery from the Chamber of Commerce. It is a paperback from Avon Books published by arrangement with the University of Illinois Press. The author is Vance Randolph, now dead, the foremost folklorist of the Ozarks. The book is annotated by scholars. It has a lengthy introduction and two thoroughly academic prefaces. The title contains a verb not normally heard at church suppers, but the pertinent nouns are "Snow and Other Ozark Folktales."

The yarns are obscene by the standards of the Moral Majority. They date to the 1800's and the early 1900's. Mr. Randolph never found a publisher who would include them in his more scholarly works. Thanks to a change in taste, the tales were published by themselves in the late 1970's, shortly before the author died. They were an instant bestseller in this region. Mr. Randolph, for the first time in his life, made some money. He complained to a friend who had smuggled a bottle of whiskey into his nursing-home room that he had devoted all his life to serious scholarship and now he was doomed to be remembered as a dirty old man.

The tales are one thread of the intellectual history of the mountain people. They are ungrammatical, irreverent and bawdy. They also shed light on the mountaineer's view of man in nature. If a traveler takes the time to scrutinize the hill people, while being scrutinized, he will find the unintimidated wholesomeness and easygoing frankness that Mr. Randolph recorded in his works.

Mr. Randolph's notorious little book was on sale recently, along with his other books, at the annual War Eagle Fair, near Hindsville, Ark. The three-day fair has drawn millions of visitors since it opened in the fall of 1954 on the banks of the War Eagle River. Those who exhibit and sell their works must meet rigid standards. Clay Anderson of Branson, Mo., a magazine publisher, was at this year's fair selling Ozarks books and magazines. He displayed Mr. Randolph's other books prominently, but he tucked "the snow book," as it is called in polite company, under the counter.

He told a friend about a typical sale. The customer browsed a while, then asked, "Is this all of Vance Randolph's books?" Mr. Anderson replied, "No, there is one more." The customer nodded and scratched his head in a show of trying to remember the title while Mr. Anderson reached under the counter. "Yeah," the customer said, "that's the one I was looking for," and the book changed hands without the title's being spoken.

The War Eagle Fair has other problems with standards. It has been so successful that on the third weekend of October, every road leading to War Eagle Farm is littered with makeshift "crafts fairs" selling everything from rather good quilts and carvings to outright junk. The most nettlesome of the competitors has set up shop just across the bridge. Ernie Deane, a writer who is president of the old Fair Association, calls the upstart business "that damned flea market across the river." Kentucky Fried Chicken had a concession at the rival establishment this year and undersold the fair's fried chicken by a dollar a plate. Every 15 minutes, the peace of War Eagle Farm was disturbed by the WHAP WHAP WHAP of a helicopter, the latest addition from across the river. The main view offered by the enterprising pilot was of the throngs at the War Eagle Fair. Mr. Deane said he heard the noise especially close once, and when he looked up, the sapsucker was not a hundred feet above the tents.

A few miles northeast of War Eagle, at Eureka Springs, the faculties of taste and discrimination have been suspended year-round. Gerald L. K. Smith, the noted anti-Semite, moved his headquarters from California to Eureka Springs several years ago. He spent millions at the old resort constructing imitations of scenes from the "Holy Land." The project includes a thoroughly anti-Semitic Passion Play. There is a "Christ Only Art Gallery" featuring, on the same wall, a painting attributed to Titian and a portrayal of the Last Supper made with butterfly wings.

The capstone of the late Mr. Smith's early works is an enormous statue of Christ. It is cube with outstretched arms. The statue occupies the highest point of land at Eureka Springs and is out of sight from only a few wooded corners in the entire town.

On the other side of Eureka, on an oak-covered slope, is a religious symbol named Thorncrown Chapel. Like Mr. Smith's Holy Land, Thorncrown is nondenominational. Unlike Mr. Smith's place, the chapel does not charge for admission.

Thorncrown was designated by E. Fay Jones, an Ozarks architect who studied with Frank Lloyd Wright. The building is glass, wood and stone, in those respective proportions. It huddles against the hill and humbles itself among the leaves, reaching only as high as the oaks that share the slope. But honest men have been heard to gasp as they come into sight of it. An articulate agnostic of my acquaintance was struck silent as he walked inside and looked up, and I thought I saw him bow his head.

The tour buses stop first at the Christ of the Ozarks statue and finally wind up at Thorncrown Chapel. The tourists study both with the same exclamations of muted rapture, and then they snap pictures and go home.

Extremes of quality can sometimes be found under the same roof in this part of the South. I recently visited a restaurant called Lost Bridge Lodge near Garfield, on the Missouri border. The rain had just stopped. My friends and I sat in a grand dining room on top of a mountain and watched the sun go down in glory over Beaver Lake. Then came the food. The prime rib and the broiled steaks were excellent. The jägerschnitzel was chicken-fried steak in masquerade, with gristle. Side by side on the wine list were Puilly Fuissé and Pink Catawba.

To make up for the fraudulent schnitzel, the restaurant throws in free entertainment. The staff are all musicians and singers. Our waitress, bringing dessert, stopped in the middle of the floor and sang, "I'm Just a Girl Who Can't Say No." The hostess sang "Turn Back, Old Man" from the arm of Norman Findahl's chair, and distracted him from his sirloin.

The Ozarks have restaurants of unqualified excellence. But there may be other problems for the patron. A few miles southwest of Garfield is a grape-growing village called Tontitown, the oldest Italian settlement in the Ozarks. One night several years ago I was eating spaghetti and fried chicken at Mary Maestri's, the oldest restaurant in Tontitown and one of the best in Arkansas. Mrs. Maestri,

who was about 90, was sitting at the back. Her son, Ed, was standing at my table.

"You'd feel different if they were trying to build it through your kitchen instead of my farm," I said.

He went back to the cash register and pouted, and I ate my spaghetti and sulked. Both Ed and his mother are dead now. The Chambers of Commerce are still trying to build a freeway through the Ozarks, and I am still sore about it. A new generation of Maestris is in charge of the oldest restaurant in Tontitown. Their food is still excellent; I eat there every chance I get. A quarrel is fun, but good spaghetti is hard to find. Close to home, anyway.

The muscadine, a cousin of the scuppernong, is a wild grape that grows in much of the south. The Carolinians make wine out of it. That is their business, but the best thing that can happen to a muscadine is to be put in a glass of jelly. Muscadine jelly is tart and deep purple. It tastes as well as a possum, and it sticks to a biscuit. It has always been the favorite jelly in the middle latitudes of the South.

Unfortunately, the muscadine vine does not prosper in the Ozarks. The climate is too cold. Ozark hillbillies who have developed a taste for muscadine jelly have to go about 100 miles south into the Ouachita Mountains and compete with the hillbillies there for the stuff. The Ouachitas (pronounced washitaws) had a bumper crop of muscadines this fall. The roadside vendors advertise the jelly as "Muskydine," "Muskydime," "Muscadime" and "Muscdime." I recently brought home a glassful labeled "Muscdine."

The hills run out about 25 miles south of Grannis. Once he is that far south, the crankiest hillbilly will go on and trespass in the low country now and then. I headed south during a cold spell last winter and went all way to New Orleans. If a man has to have a city—and I would like to see the social scientists get serious about that question—he can do worse than New Orleans.

I am hiding at Bernie's house. "Yeah," he is saying, "crime is bad in New Orleans. Like everywhere else.

"How you like that orange?" In New Orleans, a man is measured by his trophies: the age of his house, the exclusivity of his club, the glamour of his Mardi Gras krewe. Bernie has just got home from the French Market with a trophy that will cause friends to fall out in South Louisiana—a box of Plaquemines Parish navels. Louisiana oranges are usually available only from November to January, and then in limited quantities. This is mid-February.

The French Market smelled like roasting coffee beans and rotten onions. Bernie, who is a lawyer, sampled a strawberry under the nose of a vendor and walked away. His back said "lousy" and his face said "not bad." He stopped to speak with his friend Henry Sciambra, and studied the Sciambra Company's produce while he inquired of the Sciambra family. He stopped in front of an orange crate and looked bored. The label was hidden by a sack.

"What kinda oranges?"

"Louisiana." Mr. Sciambra glanced sideways.

Bernie walked away, his eyes on potatoes, peppers, cauliflowers. "Watcha gettin' for 'em?"

"Ten dolluhs."

Bernie studied an onion in the light of the door. He saw that he was the only customer. "Guess I'll take 'em."

I bite into the orange again. "Not bad," I reply. New Orleans is a long way from home, but a decent orange is like good spaghetti. It is worth a little trouble.●

SUGGESTIONS FOR A MISCELLANEOUS TAX BILL

● Mr. DOLE. Mr. President, there is some possibility that the House will shortly send to the Senate a miscellaneous tax bill that extends certain expiring provisions and deals with a few minor, noncontroversial tax matters. The bill is unlikely to arrive in the Senate before mid-December. If any bill is to pass this body and be enacted this year we will have to add only amendments of a similar nature and to do so rather quickly. I want to advise my colleagues of a procedure that I feel may permit us to pass a minor bill this year.

I suggest that the committee agree to amendments in accordance with the following criteria:

First, the Finance Committee has held hearings on the amendment.

Second, the amendment involves no real revenue loss.

Third, the amendment is not controversial: For example, it is not opposed by the committee or the Treasury Department.

If agreement on such noncontroversial amendments can be reached it may be possible to get a bill enacted this year. If not, we may have to wait until next year to address these matters in the context of a larger tax bill.

Any Member who has a noncontroversial tax amendment he or she would like to offer to this bill may have a staff member contact Bob Lighthizer, chief counsel, Senate Finance Committee (4–4515).●

THE ELECTIONS IN HONDURAS

● Mr. HELMS. Mr. President, on Sunday, November 29, Honduras will hold elections to elect a President. These elections are a welcomed event, signifying Honduras dedication to the democratic process. Freedom-loving people everywhere commend Honduras for holding such elections, and wish the country well.

But no election is worth the effort if it is not free and fair. Thus, there is a special obligation on the part of the Government of Honduras, and especially the Honduran military to insure that the people of that critical Central American nation will be participating in an election with proper ballot security, and with as little occasion for fraud as possible. Even in the most experienced democracy, there are frequent allegations of fraud and election rigging. Many such allegations prove to be well founded, and the democratic process is put in jeopardy. The recent elections in the District of Columbia provide an example.

No election outcome is valid unless recognized by all elements contending for power. Thus, again, the military in Honduras has a special obligation to insure not only the integrity of the electoral process, but of the election outcome as well.

Mr. President, it is in the interest of stability in the volatile Central American region for there to be a free and fair election in Honduras.●

MEDICALLY UNDERSERVED AREA DESIGNATIONS

● Mr. CRANSTON. Mr. President, during the debate on Thursday, November 19, on the proposed second continuing resolution, House Joint Resolution 357, which incorporated by reference certain provisions of H.R. 4560, the Labor, Health and Human Services, Education, and Related Agencies Appropriations Act, 1982, the Senator from Massachusetts (Mr. KENNEDY), the Senator from Missouri (Mr. EAGLETON), and I discussed certain language in the Senate Report No. 97–268, accompanying H.R. 4560, regarding the process for reassessing designations of medically underserved areas—MUA's.

That colloquy appears in the RECORD for that date on pages 28445 and 28446. During the course of our colloquy, three documents were referred to—an October 14, 1981 Federal Register notice announcing the proposed redesignations of MUA's and the adjustment of the weights for two of the Index of Medical Underservice—IMU—indicators; an October 28, 1981, Federal Register notice listing the MUA's proposed to be redesignated; and a document showing the IMU weighting changes that the Department of Health and Human Services has proposed.

I believe that, for the information of my colleagues and the public, the October 14 notice and the document showing the IMU weighting changes should be printed in the RECORD. The very lengthy October 28 notice simply provided the list of areas proposed to be deleted from the current listing of MUA's and extended, until November 27, 1981, the period provided for comments on the October 14 notice; it appears beginning on page 53320 of the Federal Register for that date.

Therefore, Mr. President, I ask that copies of the former two documents be printed at this point in the permanent RECORD.

The material referred to is as follows:

[Department of Health and Human Services—Human Services Administration]

DESIGNATION OF MEDICALLY UNDERSERVED AREAS; PROPOSED DELETIONS

Agency: Health Services Administration, HHS.

Action: Notice.

Summary: This notice is to advise all interested individuals and organizations, particularly Health Systems Agencies and State Health Planning and Development Agencies, of proposed deletions from the list of areas that have been designated as Medically Underserved Areas (MUAs). Governors of affected States will be consulted by letter regarding proposed deletions in their States. The proposed MUA deletions result from changes in available data and revisions in the weighting of the data since the last publication of the list of MUAs in the Federal Register. This notice also meets the newly enacted notification requirements of section 905 of Pub. L. 97–35.

Date: Individuals and entities wishing to comment on the proposed deletions or the revisions in the weighting of data must do so by November 13, 1981.

For further information contact: Mr. Richard Crooke, Chief, Positive Programming Branch, Division of Monitoring and Analysis, Bureau of Community Health Services, Room 6-22, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857. Telephone number 301 443-1022.

Supplementary information: Criteria and procedures for MUA designations and a list of MUA designations were last published in the Federal Register on October 15, 1976 [41 FR 45718-45777] The designation of MUA has significance for eligibility or priority in a number of Federal health programs including:

(1) Community Health Centers (Public Health Service (PHS) Act, section 330);

(2) Health Maintenance Organizations (PHS Act, Title XIII);

(3) Health Systems Agencies (PHS Act, Title XV);

(4) Health Resources Development (PHS Act, Title XVI); and

(5) Medicare/Medicaid Reimbursement for Rural Health Clinic Services (Social Security Act, Titles XVIII and XIX).

The October 15, 1976, Federal Register previously referenced provides that: "The MUA list will be revised and published periodically, based on the most recent data available nationally. The updates will be based on changes in the actual values of the indicators or adjustments in the cut-off level." The most recent national data are:

1. The 1978 U.S. Bureau of the Census estimates by county for the physician/population ratios and for the population over 65 years of age.

2. The 1978 physician data from the American Medical Association and the American Osteopathic Association by county.

3. The 1973-1977 infant mortality data by county.

4. The 1970 U.S. Bureau of the Census Population by county, Minor Civil Division (MCD) or Census County Division (CCD) and Census tract for the population under poverty.

5. The 1970 U.S. Bureau of the Census population by MCD/CCD and census tract for the population 65 years of age and over.

Preliminary 1980 census data are anticipated to be available in July 1982.

This proposed list of MUA deletions results from an analysis of the more recent data described above. In addition to noting the changes in the actual values of the indicators, the Department has adjusted the weights applied to the actual values of two of the indicators—infant mortality and primary care physicians per 1,000 population—in order to reflect the changes in those indicators nationally since 1975. Between 1975 and the present, there has been a decrease in the national rate of infant mortality per 1,000 live births (from 17.7 to 15.9) and an increase in the shortage ratio of primary care physicians per 1,000 population (from .250 to .286). Therefore, the weight distributions for these two indicators were revised accordingly.

These indicators are two of four indicators used in computing the index of medical underservice (IMU), which is the score used to determine whether an area is medically underserved. The Department adjusted the weights assigned to these two indicators so that their respective values as part of the IMU would remain stable notwithstanding the changes in national data regarding infant mortality and physician/population ratio.

Comments are invited from all interested individuals and organizations within 30 days from the date of this notice as to any aspect of this proposed list of MUA deletions, including comments about particular areas on the list and comments on the statistical/methodological revisions described above.

Projects funded from the above-mentioned sources which are located in any of the areas proposed to be deleted, should contact the appropriate Department of Health and Human Services Regional Office for further information.

Dated: September 29, 1981.

JOHN H. KELSO,
Acting Administrator,
Health Services Administration.

CHANGES IN WEIGHTING OF CERTAIN INDEX OF MEDICAL UNDERSERVICE INDICATORS

The basis for identifying medically underserved areas (MUAs) and populations is the index of medical underservice (IMU). The IMU is obtained by applying weights to data on the following indicators:

(1) ratio of primary care physicians to population;

(2) infant mortality rate;

(3) percentage of the population which is age 65 or over; and

(4) percentage of the population with family income below the poverty level.

The procedures and initial values for the weights were published in the Federal Register on October 15, 1976 (41 FR 45718-45777) (attached). The sum of the weights for each indicator is the IMU score. An IMU score of 62.0 was used as the cut-off point between underserved and adequately served areas. Recently, the IMU score for all areas was recomputed using the most current national data and revised weights for primary care physician-to-population ratio and infant mortality. The most recent national data used in the IMU recalculations were:

1. The 1978 U.S. Bureau of the Census estimates by county for total population and for the population over 65 years of age.

2. The 1978 physician data from the American Medical Association and the American Osteopathic Association by county.

3. The 1973-1977 infant mortality data by county.

4. The 1970 U.S. Bureau of the Census counts by county, Minor Civil Division (MCD) or Census County Division (CCD) and Census tract for the population under poverty.

5. The 1970 U.S. Bureau of the Census counts by MCD/CCD and census tract for the population 65 years of age and over.

Since 1975, there has been a decrease in the national rate of infant mortality per 1,000 live births (from 17.7 to 15.9) and a change on the definition of a health manpower shortage area (from .250 primary care physicians per 1,000 population to .286). Since the weights assigned in 1976 no longer adequately reflect the relative situation of various areas they were shifted to reflect these changes.

Attachments.

[Department of Health, Education, and Welfare—Public Health Service]

MEDICALLY UNDERSERVED AREAS AND POPULATION GROUPS—DESIGNATION

The purpose of this notice is to publish the current list of medically underserved areas as designated by the Secretary of Health, Education, and Welfare. The notice describes how the index of medical underservice is used to produce the list of medically underserved areas, and sets forth the procedure for ongoing revision of the list.

The Secretary's first designation of medically underserved areas, under the provisions of the Health Maintenance Organization Act of 1973 (Pub. L. 93-222), appeared as a notice in the Federal Register on September 2, 1975 (40 FR 40315-451). The notice contained a full description of the methodology for determining medical underservice. Single copies can be obtained from the appropriate DHEW Regional Office.

Sections 1302(7) and 330(b)(3) of the Public Health Service Act state that the term "medically underserved population" means the population of an urban or rural area designated by the Secretary as an area with a shortage of personal health services or a population group designated by the Secretary as having a shortage of such services.

Under the provisions of the Health Maintenance Organization Act, projects that will draw not less than 30 percent of their membership from medically underserved populations may receive priority funding.

Section 330 of the Public Health Service Act, established by Pub. L. 94-63, provides that grants may be made to public and nonprofit private entities for projects to plan, develop, or operate community health centers which serve medically underserved populations.

Section 1611(d)(2) under Title XVI of the PHS Act, established by Pub. L. 93-641, requires that in any fiscal year not less than 25 percent of the amount of a State's allotment under Part B of title XVI available for obligation in that fiscal year shall be obligated for projects for outpatient facilities which will serve medically underserved populations. The legislative history of title XVI makes clear that the Secretary is expected to utilize the same operational definition of a medically underserved population for title XVI purposes as is used elsewhere in the PHS Act. (See S. Rept. No. 93-1285 at 59.)

Health maintenance organization, community health center, and health facility applicants who wish to apply for funding under the above sections should consult this list to determine which areas in their localities are medically underserved. To learn if there have been changes subsequent to the publication of this list, applicants should contact their local planning agencies.

APPLICATION OF THE INDEX OF MEDICAL UNDERSERVICE

The basis for identifying medically underserved areas and populations is the index of medical underservice (IMU). The IMU is obtained by applying weights to data on the following indicators:

(1) Ratio of primary care physicians to population:

(2) Infant mortality rate;

(3) Percentage of the population which is age 65 or over; and

(4) Percentage of the population with family income below the poverty level.

County-level data are used for two of the indicators: the physician-to-population ratio and the infant mortality rate. For the two census indicators (percentage of the population below the poverty level and percentage of the population age 65 or over), county, minor civil division (MCD), or census county division (CCD) data are used in non-metropolitan areas, and census tract data are used in metropolitan areas. A weighted value is determined for each indicator and the sum of these values forms the IMU score.

In the development of the current MUA list, the 1975 median IMU score of all U.S. counties, 62.0, was used as the cut-off point between underserved and adequately served areas. Index values were computed for each non-metropolitan county, and those counties with scores of 62.0 or below are listed as medically underserved. Index values were then computed for all MCD/CCDs in non-metropolitan counties with scores greater than 62.0, and those MCD/CCDs with scores of 62.0 or below are on the list. In metropolitan areas, defined here as census tracts which lie within standard metropolitan statistical areas (SMSA), the IMU was computed for each census tract and all census tracts with scores of 62.0 or below are on the list. Areas with a

population of fewer than 500 (whether counties, MCD/CCDs, or census tracts) were excluded from consideration as underserved to eliminate listing such places as parks and airports.

The list of areas resulting from application of the IMU was then revised based on approved deletions and additions recommended by the comprehensive health planning (CHP)[1] agencies.

ONGOING REVISION OF THE MUA LIST

The MUA list will be revised and published periodically, based on the most recent data available nationally. The updates will be based on changes in the annual values of the indicators or adjustments in the cut-off level Health systems agencies (HSA)[2] or CHP agencies may at any time recommend changes in the list to reflect local knowledge of medical underservice. As current local data are not available nationally and some areas may be included or excluded inappropriately, HSAs are urged to review the list and to recommend deletions and additions.

All health systems agency recommendations will be reviewed to determine acceptability. If the recommended deletion of an area is accepted, that deletion will be considered permanent until the HSA requests reinstatements of the area. If the recommended addition of an area is accepted, the addition will be subject to periodic review to determine the validity of its retention based on the latest available data, i.e., data for years more recent than those urged to support the recommendation for addition.

PROCEDURE FOR SUBMISSION OF RECOMMENDATIONS

A recommendation for deletion or addition of an area must be accompanied by the agency's reason for the recommendation. All computations, as well as data sources and dates, must be submitted with a recommendation for addition of an area except when the area has a population of fewer than 500 and an IMU of 62.0 or less. If there has been public involvement in the recommendations, the material submitted should include a description of such involvement, e.g., documentation of relevant public meetings, copies of the agency's published notice of intent to review its area to identify pockets of medical underservice, or satisfactory demonstration that the agency governing or advisory board as representative of the community has had adequate review opportunity and has approved the recommendations of the HSA.

Health systems agencies and official CHP agencies are to send their recommendations to: Division of Monitoring and Analysis, Bureau of Community Health Services, DHEW. 5600 Fishers Lane, Rockville, Maryland 20852.

Also, a copy of the recommendations is to be sent to the appropriate DHEW, Regional Office (for address, see 45 CFR 5.31(b)).

Deletions. Recommendation for deletion of an area must be accompanied by identification of the area as it appears on the MUA list and the reasons for the recommendation.

Additions. Recommendation for addition of an area to the MUA list must be based on computation of an IMU score of 62.0 or less, using locally available data or data more recent than that used for this list. (See data sources under the heading, "The List of Medically Underserved Areas.") Before computing an IMU for an area with fewer than 500 population, the HSA should check with the Bureau of Community Health Services (address above) to determine whether or not the IMU for that area is 62.0 or less.

The following information must accompany a recommendation for addition of an area:

(a) Geographic identification of the area (names, census codes, or a map outlining the area proposed).

An area proposed for designation as medically underserved must be or approximate either:

(1) A county (in non-metropolitan areas),

(2) A minor civil division (MCD) or census county division (CCD) (in non-metropolitan areas),

(3) A census tract (in metropolitan areas), or

(4) A group of census tracts, MCDs, or CCDs which constitute a "natural neighborhood" for MUA designation. These groups can be listed as underserved if the IMU for the combined area is 62.0 or below. Because of the homogeneity of a neighborhood, such groupings may constitute more natural areas for designation as medically underserved than units such as individual census tracts, MCDs, and CCDs.

(b) Data on the four indicators and computations of the index of medical underservice.

(1) Percentage of population with incomes below the poverty levels. (The definition of poverty used in the 1964 Social Security Administration version adopted by the Federal Interagency Committee in 1969.)

This percentage must be computed from 1970 Census of Population data or more recent update thereof, if any, as follows: The number of persons in families with incomes below the poverty level in the identified area is added to the number of unrelated individuals with incomes below the poverty level; this total is divided by the resident population minus members of the Armed Forces living in barracks, students in dormitories, and inmates of institutions; and the result multiplied by 100.

The figures used to compute this percentage (the resident population, inmates of institutions, Armed Forces living in barracks, students in dormitories, and the number of persons with incomes below the poverty level) must be stated. The data can be obtained from the 1970 U.S. Census Bureau publications or tapes. If the data is obtained from more recent sources, both data and sources must be identified.

Compute the percentage of population with incomes below the poverty level for the appropriate area: census tracts or combinations of census tracts in metropolitan counties; MCD/CCD or combinations of MCD/CCDs in non-metropolitan counties; or the whole non-metropolitan county. Convert the computed percentage to the weighted value V_1 using Table V_1.

TABLE V_1—*Percentage of population below poverty level*

In the left column find the range which includes the percentage of population below poverty level for the area being examined. The corresponding weighted value, found opposite in the right column, should be used in the formula for determining the IMU.

Percent below poverty	Weighted Value V_1
0	25.1
.1– 2.0	24.6
2.1– 4.0	23.7
4.1– 6.0	22.8
6.1– 8.0	21.9
8.1–10.0	21.0
10.1–12.0	20.0
12.1–14.0	18.7
14.1–16.0	17.4
16.1–18.0	16.2
18.1–20.0	14.9
20.1–22.0	13.6
22.1–24.0	12.2
24.1–26.0	10.9
26.1–28.0	9.3
28.1–30.0	7.8
30.1–32.0	6.6
32.1–34.0	5.6
34.1–36.0	4.7
36.1–38.0	3.4
38.1–40.0	2.1
40.1–42.0	1.3
42.1–44.0	1.0
44.1–46.0	.7
46.1–48.0	.4
48.1–50.0	.1
50+	0

(3) Percentage of population age 65 or over.

This percentage must be computed from 1970 U.S. Census of Population data or more recent update thereof, if any, as follows: The number of persons age 65 or over in the identified area is divided by the resident population of that area, and the result multiplied by 100.

The figures used to compute this percentage (number of persons age 65 or over, and the resident population) must be stated. These data can be obtained from U.S. Census Bureau publications or tapes. If data are obtained from other more recent sources, data and sources must be identified.

Compute the percentage of population age 65 or over for the appropriate area: Census tract or combination of census tracts in metropolitan counties; MCD/CCD or combination of MCD/CCD's in nonmetropolitan counties; or the whole nonmetropolitan county. Convert the computed percentage to the weighted value, V_2 using Table V_2.

TABLE V_2—*Percentage of population age 65 and over*

In the left column find the range which includes the percentage of population age 65 and over for the area being examined. The corresponding weighted value, found opposite in the right column, should be used in the formula for determining the IMU.

Percent age 65 and over:	Weighted Value V_2
0– 7.0	20.2
7.1– 8.0	20.1
8.1– 9.0	19.9
9.1–10.0	19.8
10.1–11.0	19.6
11.1–12.0	19.4
12.1–13.0	19.1
13.1–14.0	18.9
14.1–15.0	18.7
15.1–16.0	17.8
16.1–17.0	16.1
17.1–18.0	14.4
18.1–19.0	12.8
19.1–20.0	11.1

[1] Prior to the implementation of Pub. L. 93-641, recommendations were made by the areawide CHP agencies under the authority of Section 314(b) of the PHS Act, and by State CHP agencies under Section 314(a) of the Act (Pub. L. 89–749). In April 1976, with the designation of the first health systems agencies under Section 1515 of the PHS Act (Pub. L. 93–641), phase-out of the 314(b) CHP agencies began. The CHP phase-out process is expected to be completed by early 1977 when all of the over-200 health systems are operational and the transfer of areawide health planning functions has been realized. For the 314(a) CHP agencies, a corresponding substitution of State health planning and development agencies (under the authority of Section 1521 of the PHS Act) began on July 1, 1976. Until the phase-out is completed, federally funded CHP agencies will continue to make recommendations for the MUA list.

[2] In Hawaii, Rhode Island, the District of Columbia, the Virgin Islands, Guam, the Trust Territories in the Pacific Islands, and American Samoa, the State health planning and development agencies (SHPDA) carry out the functions of health systems agencies (see Section 1536 of the PHS Act).

Percent age 65 and over:	Weighted Value V_2
20.1–21.0	9.8
21.1–22.0	8.9
22.1–23.0	8.0
23.1–24.0	7.0
24.1–25.0	6.1
25.1–26.0	5.1
26.1–27.0	4.0
27.1–28.0	2.8
28.1–29.0	1.7
29.1–30.0	.6
30+	0

(3) Infant mortality rate.

This rate must be computed as an aggregate rate for the 5-year period 1969 through 1973, or more recent period of 5 consecutive years, as follows: the total number of deaths of infant residents (deaths between birth and age 1 year) during the 5-year period in the county containing the identified area is divided by the total number of live births to residents of the county during the same period and the result multiplied by 1,000. For counties with fewer than 100 live births over the 5-year period, the IMU may be computed using the State infant mortality rate instead of the county rate. The infant mortality rate for a subcounty area which includes the identified area and has had at least 4,000 births over the 5-year period will be accepted in lieu of the county rate. The number of infant deaths and live births for the subcounty area and the sources of data used must be stated, together with the infant mortality rate computed from them. Data on infant deaths and live births may be obtained from official State agencies or the annual editions of the U.S. Public Health Service publication entitled "Vital Statistics of the United States."

Compute the infant mortality rate for the county and convert it to the weighted value V_3 using Table V_3.

TABLE V_3—*Infant mortality rate*

In the left column find the range which includes the infant mortality rate for the area being examined or the area in which it lies. The corresponding weighted value, found opposite in the right column, should be used in the formula for determining the IMU.

Infant mortality rate:	Weighted Value V_3
0–10.0	26.0
10.1–11.0	25.6
11.1–12.0	24.8
12.1–13.0	24.0
13.1–14.0	23.2
14.1–15.0	22.4
15.1–16.0	21.5
16.1–17.0	20.5
17.1–18.0	19.5
18.1–19.0	18.5
19.1–20.0	17.5
20.1–21.0	16.4
21.1–22.0	15.3
22.1–23.0	14.2
23.1–24.0	13.1
24.1–25.0	11.9
25.1–26.0	10.8
26.1–27.0	9.6
27.1–28.5	8.5
28.1–29.0	7.3
29.1–30.0	6.1
30.1–31.0	5.4
31.1–32.0	5.0
32.7–33.0	4.7
33.1–34.0	4.3
34.1–35.0	4.0
35.1–36.0	3.6
36.1–37.0	3.3
37.1–38.0	3.0
38.1–39.0	2.6
39.1–40.0	2.3
40.1–41.0	2.0
41.1–42.0	1.8
42.1–43.0	1.6
43.1–44.0	1.4
44.1–45.0	1.2
45.1–46.0	1.0
46.1–47.0	.8
47.1–48.0	.6
48.1–49.0	.3
49.1–50.0	.1
50+	0

(4) Ratio of primary care physicians to population.

This ratio should be computed by dividing the number of primary care physicians in the county which contains the identified area by the civilian non-institutional population, and multiplying the result by 1,000. Figures used for the number of primary care physicians and the civilian non-institutional population (resident population minus the resident members of the Armed Forces and inmates of institutions) and their sources must be stated. For the purpose of these computations, primary care physicians are defined to include the total number of active doctors of medicine (M.D.) and doctors of osteopathy (D.O.) who spend at least 50 percent of their time engaged in direct patient care in the fields of general or family practice, internal medicine, pediatrics, or obstetrics, and gynecology. The computations must include all non-Federal physicians meeting the above definition.

Compute the physician ratio for the county and convert to weighted value V. using Table V.

TABLE V_4—*Primary care physicians per 1,000 population*

In the left column find the range which includes the ratio of primary care physicians per 1,000 population for the county being examined, or the county in which the area being examined lies. The corresponding weighted value, found opposite in the right column, should be used in the formula for determining the IMU.

Primary care physicians per 1,000 population:	Weighted value V_4
0	0
.001–.050	.5
.051–.100	1.5
.101–.150	2.8
.151–.200	4.1
.201–.250	5.7
.251–.300	7.3
.301–.350	9.0
.351–.400	10.7
.401–.450	12.6
.451–.500	14.8
.501–.550	16.9
.551–.600	19.1
.601–.650	20.7
.651–.700	21.9
.701–.750	23.1
.751–.800	24.3
.801–.850	25.3
.851–.900	25.9
.901–.950	26.6
.951–1.000	27.2
1.001–1.050	27.7
1.051–1.100	28.0
1.101–1.150	28.3
1.151–1.200	28.6
Over 1.200	28.7

(5) Computation of the index of medical underservice. The IMU is computed by using the formula: $IMU = V_1 + V_2 + V_3 + V_4$.

If the IMU score for an area is 62.0 or below, the area may be recommended for addition to the MUA list. If the IMU score is greater than 62.0, the area may be recommended for deletion.

POSSIBLE EXCEPTIONS

The Secretary recognizes that there may be certain areas which do not qualify for the MUA list solely on the basis of the computed IMU. An area can have unusual conditions which reduce the availability or accessibility of primary medical care but which are not reflected in the area's overall IMU score. If there are mitigating circumstances which would bear on the value of a particular indicator, there can be in-depth review of the additional information affecting the factors involved in computing the IMU.

Conditions that reduce the availability of medical services by increasing demand could be, for example, an area that has a large influx of migrant farmworkers which substantially alters the physician-to-population ratio during the growing season; or an area that has had a significant increase since the 1970 census in the number of persons age 65 or over, or in the number of persons living in poverty. Also, accessibility factors, such as physical barriers, lack of all-weather roads, severe weather a major portion of the year, distance to or time spent to reach sources of primary care, or relevant socio-economic factors may help to qualify an area for consideration. To the extent possible, the information describing unusual conditions should be quantified and verified by the recommending HSA. Areas designated as Critical Health Manpower Shortage Areas (as authorized by Section 329(b) of the PHS Act) are designatable as medically underserved.

Recommendations for designation as a medically underserved area based on unusual conditions should (a) be prepared by the health systems agency, (b) state the primary cause of the medical underservice, (c) describe all factors causing the underservice, (d) be supported by all relevant data, sources, and dates, and (e) be submitted through the Regional Office to: Director, Bureau of Community Health Service, DHEW, 5600 Fishers Lane, Rockville, Maryland 20852.

Alternatively, the Regional Office, with the concurrence of the health systems agency, can directly supply such information to the Bureau of Community Health Services.

THE LIST OF MEDICALLY UNDERSERVED AREAS

The index of medical underservice on which the list is based was computed using data from the following sources:

Center for Health Services Research and Development, 1973 Physician County Summary File. Chicago American Medical Association, 1974.

Master File of Osteopathic Physicians, December 31, 1974. Chicago American Osteopathic Association, 1975.

U.S. Bureau of the Census, 1970 Census of Population, 2d and 4th Count Files.

Maternal and Child Health Studies Project, 1969–1973 Infant Mortality County Summary File, Washington. Information Sciences Research Institute, 1976.

The list is structured with the States in alphabetical order. There are four headings which identify total counties, minor civil divisions/census county divisions within counties, census tracts within counties, and groups of census tracts. The MCD/CCDs are identified by name; the census tracts are identified by number. Areas in each of the sections are listed alphabetically by county.

Groups of census tracts are listed only when the HSA or CHP agency has certified that particular groupings form natural areas for designation. Census tracts which individually qualify for designation but have been combined with other tracts in groups have been marked with double asterisks in the group listings.

The following areas are designated by the Secretary as medically underserved.

Dated: October 4, 1976.

THEODORE COPPER, M.D.,
Assistant Secretary for Health.

INFANT MORTALITY RATE

	Old rate	Proposed rate
Weight:		
26	0-10	0-8
25.6	10.1-11	8.1-9
24.8	11.1-12	9.1-10
24	12.1-13	10.1-11
23.2	13.1-14	11.1-12
22.4	14.1-15	12.1-13
21.5	15.1-16	13.1-14
20.5	16.1-17	14.1-15
19.5	17.1-18	15.1-16
18.5	18.1-19	16.1-17
17.5	19.1-20	17.1-18
16.4	20.1-21	18.1-19
15.3	21.1-22	19.1-20
14.2	22.1-23	20.1-21
13.1	23.1-24	21.1-22
11.9	24.1-25	22.1-23
10.8	25.1-26	23.1-24
9.6	26.1-27	24.1-25
8.5	27.1-28	25.1-26
7.3	28.1-29	26.1-27
6.1	29.1-30	27.1-28
5.4	30.1-31	28.1-29
5	31.1-32	29.1-30
4.7	32.1-33	30.1-31
4.3	33.1-34	31.1-32
4	34.1-35	32.1-33
3.6	35.1-36	33.1-34
3.3	36.1-37	34.1-35
3	37.1-38	35.1-36
2.6	38.1-39	36.1-37
2.3	39.1-40	37.1-38
2	40.1-41	38.1-39
1.8	41.1-42	39.1-40
1.6	42.1-43	40.1-41
1.4	43.1-44	41.1-42
1.2	44.1-45	42.1-43
1	45.1-46	43.1-44
0.8	46.1-47	44.1-45
0.6	47.1-48	45.1-46
0.3	48.1-49	46.1-47
0.1	49.1-50	47.1-48
0	50+	48+

PRIMARY CARE PHYSICIANS PER 1,000 POPULATION

	Old ratio	Proposed ratio
Weight:		
0	0	0-0.050
0.5	0.001-.050	0.051-.100
1.5	.051-.100	.101-.150
2.8	.101-.150	.151-.200
4.1	.151-.100	.201-.250
5.7	.201-.250	.251-.300
7.3	.251-.300	.301-.350
9	.301-.350	.351-.400
10.7	.351-.400	.401-.450
12.6	.401-.450	.451-.500
14.8	.451-.500	.501-.550
16.9	.501-.550	.551-.600
19.1	.551-.600	.601-.650
20.7	.601-.650	.651-.700
21.9	.651-.700	.701-.750
23.1	.701-.750	.751-.800
24.3	.751-.800	.801-.850
25.3	.801-.850	.851-.900
25.9	.851-.900	.901-.950
26.6	.901-.950	.951-1.000
27.2	.951-1.000	1.001-1.050
27.7	1.001-1.050	1.051-1.100
28	1.051-1.100	1.101-1.150
28.3	1.101-1.150	1.151-1.200
28.6	1.151-1.200	1.201-1.250
28.7	Over 1.200	Over 1.250

●

INTERNATIONAL AVIATION

● Mrs. HAWKINS. Mr. President, recently, the Appropriations Committee submitted to the Senate its Department of Transportation and related agencies appropriations bill, H.R. 4209. The bill was accompanied by Committee Report No. 97–253 which contained language highly critical of the present U.S. policy on international aviation. Before the Senate passed the bill several Members of this body made statements on the floor which made it quite clear the language in the report should not be construed as endorsing a change in the current U.S. policy. This policy has, and should continue to be, one of pursuing greater competition among international air carriers.

The language in question made certain assertions to a negative impact the current U.S. policy is having on American flag carriers as they try to compete in the international market with other nation's flag carriers. This language made the assertion that all of America's flag carriers were suffering financial losses as a result of having to compete with nationally subsidized foreign carriers.

Some of this information is incorrect. I am aware that one relatively new U.S. entrant into the international aviation arena earned over $2.2 million in net income in the transatlantic market and over $1.3 million in net income in its Latin American division in the year ended March 31, 1981. Further, for the more recent 12-month period ending June 30, 1981, it earned $5.2 million in net income on its highly successful transatlantic operations. During this same period, another U.S. transatlantic carrier earned over $20 million on its overseas operation. Mr. President, the underlying predicate of this report—that the procompetitive policy of the United States has produced poor carrier financial results—is highly suspect.

Taken by itself, the report language could be interpreted as a final judgment on the effectiveness of the current U.S. policy in providing better service at lower costs in a more efficient manner in international airline markets. It might even be interpreted to mean foreign governments support of their national airlines is responsible for losses by American carriers.

Currently, the United States is anticipating bilateral negotiations with several countries to establish reciprocal agreements on international flight restrictions, requirements, pricing policy, and route limitations. In fact, the United States is actively engaged in negotiations with Japan to establish the terms upon which our two countries will carry on international air service. It would be most unfortunate if the language in Senate Report 97–253 were to have a detrimental effect on the current negotiations with Japan or on any international negotiations in the future.

Fortunately, the language in question does not appear in the Conference Report No. 97–331 which was filed in the House of Representatives to accompany H.R. 4209. However, there is no specific comment disavowing the Senate report's language attacking the current U.S. policy either. I would like to voice my strong support for a continuation of the current efforts to bring greater competition into international aviation passenger markets.

Bringing about consumer advantages from greater competition is a complex matter. International aviation is no exception. Up to now, foreign trading partners have favored continuing past restrictive policies. These same policies were endorsed by the United States until 1977. At that time, the United States took bold deregulation steps, bringing the advantages of competition to airline passengers all over the world. Deregulation is also meeting with approval here at home. Our airlines, consumers, and even the bureaucrats whose jobs at the CAB are being phased out have said, "Airline deregulation is working."

Already, the United States has concluded more liberal agreements with Germany, Belgium, several countries in Latin America, and in the Far East. The United States is opening the door to greater competition all across the globe. For any part of the Government of the United States to retrench, or to even give a signal that retrenchment is possible, would undermine further progress.

The report suggests, quite inaccurately in my view, that neither new airlines nor incumbent carriers have taken advantage of the new international marketing opportunities produced by the new U.S. policy. Here again, the report is in serious error. One new U.S. firm in my State has entered four transatlantic scheduled service air markets and provides transatlantic charter service in four other markets, all with U.S. manufactured wide-bodied aircraft. Further, its scheduled route service network has in the past 2 years expanded to 15 Caribbean and Central American points. New international air services have also been provided by many incumbent carriers. In short, a strong case can be made for the proposition that U.S.-flag carriers have taken very good advantage of the marketing opportunities that have been produced by the recent U.S. policy—opportunities that some would apparently wish to see eliminated.

For all these reasons, I for one am pleased that the language appearing in Senate Report No. 97–253 does not appear in the Conference Report No. 97–331. I hope this sends a clear signal that the U.S. policy will remain favorable to increased competition in the international aviation market.●

THE B–1 BOMBER

(By request of Mr. BAKER, the following statement was ordered to be printed in the RECORD:)

● Mr. GOLDWATER. Mr. President, during the past few weeks, lying in the hospital, I had the opportunity to review my thoughts on the B–1 bomber and the debate which has continued in the Congress on that subject.

Mr. President, most of my life has been spent in and around aviation. Throughout these years, I have flown airplanes of every description and size.

During this time, I was privileged to serve in the Army Air Corps, the Air National Guard and the Air Force Reserves.

Also, for the last 30 years, with one interruption, I have been privileged to serve here in the U.S. Senate with the opportunity to assess many military recommendations and decisions. Never—and I repeat, never—have I been more convinced of the value of a weapons system than I am today of the value of the B–1 bomber.

Mr. President, the United States must

build that aircraft for the defense of our Nation and the freedom of our people.

We have debated this issue long and loud with this debate reaching its peak in 1977. What has occurred since then? Clearly, several things have happened.

The Soviets have increased the accuracy of their ICBM's making one leg of the Triad, our land-based missile force, somewhat more vulnerable. Inflation has been so prevalent since 1977 that the B–1B will cost about twice what we could have purchased it for in 1977.

The question is often asked, "Why do we even need the strategic bomber leg of the Triad?" The answer is reasonably straightforward. We have spread our requirements across three strategic legs which decreases the vulnerability of each.

As with the other two legs, the strategic bomber has certain unique advantages over the other two.

The bomber is the controllable, recallable element of the Triad able to attack fixed or mobile targets with nuclear or conventional weapons. The bomber can project a U.S. presence in other regions of the world on short notice.

Arguments have been raised about penetration ability against Soviet defenses and whether we ought not to go ahead with an advanced technology bomber (ATB). A couple of things concern me in that regard. My first concern hinges on the gap between when we can achieve an initial operational capability (IOC) with the B–1 (1986) versus the earliest projected IOC for the ATB (1990).

That gap of an absolute minimum of 4 years is unacceptable in my view. My other concern, which I know is shared by many of my colleagues, is the technological uncertainty surrounding the ATB.

Although the ATB may or may not require a "revolutionary breakthrough" for development, it is clear that the uncertainties are there. In the meantime, why not take advantage of the innovations we have achieved since the ill-advised cancellation of the B-1 program in 1977.

Fortunately, when former President Carter canceled the B–1 program, someone in his administration was wise enough to recommend that we continue test and development.

As a result, the Air Force has conducted an extensive test and evaluation program with the four B–1 prototype aircraft. In fact, the last flight in the B–1 test program was flown on April 29 of this year.

Where does that leave us? Well, it leaves us in a much more knowledgeable position than we were in 4 years ago. We know that we have an aircraft that can penetrate Soviet defense systems for many years.

The B–1 will be able to penetrate at higher speeds and lower altitudes than a B–52. By virtue of some spinoffs from the Stealth programs, the B–1 will now have a radar profile that is 100 times less than that of the B–52.

Earlier, I mentioned the survivability of the various legs of the Triad. The B–1 is most certainly more survivable than the B–52.

It can use smaller, shorter runways, and get off the ground and away from the airfield of departure much quicker. The B–1 also uses 25 percent less fuel than the B–52 and thus has greater range.

Some people are arguing that the cost is too high. Of course the cost is high. The truth is, however, that it would cost as much in modifications to keep the B–52 fleet active into the 1990's as it will to build our force of 100 B–1's. We must be willing to pay for national defense.

If we can determine potential economies in the program, let us do so by all means, but let us not lose sight of the objective. That objective is our national security and, as a derivative, the freedom of our people. In this effort, we must move forward without delay to build the B–1 bomber in quantity.

As I reflect on my over 50 years' experience in the field of aviation and reflect on our current situation, my conclusions are certain. This could well be the most important decision that we in the U.S. Senate reach in our lifetime. The security of our Nation and the rest of the free world could hinge on what we decide on the B–1.

But let us put things in perspective. Since 1977, the Soviets have continued an unrelenting buildup of their strategic forces. They have improved their air defenses and they have continued to demonstrate, in Afghanistan and elsewhere, that they are intent on achieving military superiority. We cannot ignore these facts and we must, without delay, proceed with the B–1.

We now have an opportunity to let our President begin strategic arms reduction talks (START) with a message from the American people. We can let him know that we strongly support his drive for arms reductions and peace in the world, but we will not let our defenses down while he works toward that goal.

Mr. President, it is time to proceed without delay to full production of the B–1 bomber, and I strongly urge my colleagues to support the President and the Defense Department in this very important recommendation.●

NUCLEAR WASTE POLICY

● Mr. MITCHELL. Mr. President, the Senate Environment and Public Works Committee, of which I am a member, recently reported its version of the National Nuclear Waste Policy Act of 1981, S. 1662, legislation which addresses the critical national issue of nuclear waste disposal.

Nuclear wastes have been piling up in America since 1942, when the first military weapons powerplant began operation. The amount of wastes multiplied with the operation of the first commercial reactor in 1957.

In its most recent report, the Nuclear Regulatory Commission estimates that in 1981 spent fuel generated from commercial powerplants will total 9,105 metric tons. Similarly vast quantities of low-level wastes exist.

Take for example uranium mill tailings, the least radioactive of the six forms of nuclear waste, about which a recent New Yorker article stated the following:

The 1980 Oak Ridge inventory counted 2.955 billion cubic feet of radioactive tailings—enough to provide a twelve-inch-thick pavement for three four-lane highways from coast to coast—at 21 active uranium mills and 24 inactive ones.

These figures make clear that no matter what happens to the nuclear power industry in the future, the problem of what to do with existing wastes will persist. They are questions which I believe must be addressed immediately. If every nuclear powerplant in the country closed tomorrow, and if the United States stopped producing nuclear bombs the day after, there would remain the problem of disposing of the vast quantity of existing wastes.

As these wastes have built up since 1942, an enduring flaw has existed in our Nation's nuclear development program, military, and civilian: That is the complete absence of a plan to dispose of nuclear wastes.

In effect, the Nation's nuclear energy policy has provided for the development of nuclear power, while virtually ignoring its hazardous by-product. The legislation reported by the Environment Committee sets forth a comprehensive policy to deal with this dangerous, unsound omission in a critical area.

S. 1662, as introduced, was referred jointly to the Energy and Environment Committees. During the Environment Committee's deliberations on the original bill, my concern focused on what I considered to be its excessively diverse strategy for solving the nuclear waste problem.

By providing for such an approach, composed essentially of four disparate parts, the bill would divert the Department of Energy's attention away from safe geological disposal sites in the long term to several alternative modes of interim storage in the short term.

Overall, S. 1662 would have the effect of maximizing the risks of waste management, limiting State and public participation, and expending a potentially large sum of taxpayers' dollars to subsidize temporary waste storage.

To briefly summarize, the bill would provide for a costly Government commitment to a Federal away-from-reactor (AFR) storage program. I am opposed to such a program. I believe that interim storage in an AFR should be handled and paid for by the private sector. There is little doubt, as well, that an AFR program would have the effect of increasing the risks associated with the transportation of wastes.

The bill would permit a test and evaluation (T. & E.) facility to be located in a proposed geological repository site. The placement of wastes in a site considered for a geological repository would, in effect, prejudice any future site selection process, and thereby have the potential effect of bypassing the full licensing process and creating a de facto repository site.

The legislation would require DOE, within 1 year of enactment, to submit to Congress a proposal for at least one monitored, retrievable storage (MRS) facility. The requirement would, once again, divert the concentration of the Department away from the safer and more es-

sential alternative of long-term geological repositories.

The Environment Committee significantly redirected the focus of the legislation from various forms of temporary waste management to a clear emphasis on permanent geological disposal. The committee's legislation provides for the storage and disposal of nuclear wastes in a safe and timely manner through the following changes in S. 1662:

A provision which makes discretionary the Secretary's authority to provide a Federal AFR program, and which requires that a standard of need for such a program be strictly established;

A requirement that a utility must demonstrate to the NRC its need for an interim license prior to approval;

A timetable for geological repositories which has been lengthened to insure a thoughtful review of sites instead of the fast-track siting provided in S. 1662;

A mandate that the T. & E. facility be located in an existing research and development (R. & D.) site;

A mandate that the monitored, retrievable storage facility be "co-located" at the site of a repository or reprocessing plant, and that it not be licensed until 2 years after the NRC has licensed the repository or reprocessing plant;

A requirement that the fund containing the 1.0 mil per kilowatt hour fee be used to cover any excess costs of the Federal AFR program;

A mechanism which provides for extensive participation by States and Indian tribes to begin at the time the DOE has identified a potentially acceptable site, and for compensation to the State or tribe for their costs of participation and for any impacts of the project;

A separate title which establishes a defense waste management program similar to that provided for civilian wastes, and which essentially requires that defense waste sites meet the same strict public health, safety, and environmental standards required of civilian sites.

Three amendments which I offered to the bill were accepted by the committee. These amendments provide greater State and public involvement in interim licensing procedures for onsite storage expansion, and assure that greater care is taken before such licenses are approved.

Two of the three amendments deal specifically with the granting of interim licenses, which is a matter of great concern to me. The State of Maine has intervened in Maine Yankee's petition for a license amendment for onsite expansion.

Maine Yankee plans to use a new technology, commonly called pin compaction, which has never before been approved by the NRC at any nuclear facility in this country.

It is vital that the Maine public be able to fully participate in the license amendment hearing process. Maine's attorney general advised me that S. 1662 as introduced would seriously jeopardize the State's ability "to participate meaningfully in a decisionmaking process which has the potential for significant impact on the health and welfare of the citizens of the State of Maine."

Accordingly, my two amendments would:

Prohibit the granting of interim licenses for the first application received by the NRC to expand onsite storage capacity by the use of a new technology;

Require that the Nuclear Regulatory Commission members—not their staffs—act on applications for interim licenses for onsite storage capacity.

A third amendment which I proposed regards the hearing procedure provided for in S. 1662. My amendment provides that a hearing board may deem that an adjudicatory hearing is necessary solely on the basis of "a genuine and substantial dispute of fact."

The amendment provides the board greater freedom in determining that a hearing is imperative to resolve outstanding disputes.

During the committee's consideration of the bill, I also cosponsored an amendment that restricts the Department of Energy's use of commercial spent fuel for military purposes. The administration's plan to obtain plutonium from commercial reactors for the nuclear weapons program would effectively destroy the historical distinction between the peaceful and military uses of the atom.

Blurring the distinction between "atoms for peace" and "atoms for war" would also seriously undermine our nuclear nonproliferation policy. The United States has long been an outspoken supporter for a system of international safeguards which is founded on this distiction, and is rooted in the treaty on the nonproliferation of nuclear weapons. The administration's plan would effectively abandon the principles which are the basis of the international nonproliferation regime.

The plan would signal to other nations that the United States has adopted a policy of do as we say, and not as we do.

In conclusion, Mr. President, the overall direction of the bill is toward a safe and environmentally sound waste disposal program. I praise the reasonable approach taken by the Environment Committee to make meaningful changes in the bill, and the excellent work accomplished by Senators SIMPSON and HART and their staffs.●

CONFIRMATION OF ELLIOTT ABRAMS AS ASSISTANT SECRETARY OF STATE FOR HUMAN RIGHTS AND HUMANITARIAN AFFAIRS

● Mr. KENNEDY. Mr. President, on November 20, the Senate unanimously confirmed the nomination of Elliott Abrams to Assistant Secretary of State for Human Rights and Humanitarian Affairs. Mr. Abrams is an excellent choice for this critical position. He has proven himself an able diplomat and an individual concerned with human rights.

In nominating Mr. Abrams for this position, I am hopeful that the Reagan administration will reconsider its disappointing record of downgrading human rights as a major consideration in our relations with other countries. Its policy of quiet diplomacy has been a substitute for action. If that stance continues, it will destroy America's credibility as a nation dedicated to liberty, freedom, and fundamental human rights around the world.

The defining element in the character of America, setting us apart from our adversaries, has always been our unyielding commitment to the "unalienable rights of life, liberty, and the pursuit of happiness." And in espousing the cause of human rights, we are not only true to our national traditions, but we strengthen the international framework for the protection of these rights.

The international community, since the founding of the United Nations and the adoption of the "Universal Declaration of Human Rights," has declared that violation of fundamental human rights is a matter of legitimate concern to all nations.

It is not a sign of weakness to proclaim the cause of human rights. Twenty years ago, a President of the United States stood up for human rights, and then he stood up against the Soviet Union during the Cuban missile crisis. And today we can continue to stand up for America without foresaking the values for which America must always stand.

In our best days, we have held high the standard that all individuals have the right to live in peace and freedom. I look forward to working with Mr. Abrams to insure that the United States remains true to that proud and ancient heritage, and retains an effective human rights policy as a major consideration of its relationship with other nations.●

THE NEW TRADE REALITIES

● Mr. EAST. Mr. President, I recommend to my colleagues an excellent editorial on trade policy by columnist and business spokesman Anthony Harrigan. Mr. Harrigan is president of the U.S. Industrial Council, which is based in Nashville, Tenn.

Mr. Harrigan's editorial admirably summarizes the problem facing our free enterprise system in a world market that is increasingly characterized by restrictive trade practices.

In particular, he describes the current plight of the domestic textile and apparel industries.

I ask that the complete text of Mr. Harrigan's editorial be printed in the RECORD.

The editorial follows:

THE NEW TRADE REALITIES

(By Anthony H. Harrigan)

At a time when Americans are profoundly concerned about unemployment, the Executive and Legislative branches of our government have a responsibility to prevent the destruction of America's basic industries by foreign countries that dump their products in the U.S. market.

The problem with the dumping of low-cost—and often subsidized—products ranges from steel to textiles. The American steel industry is about to file a complaint with the International Trade Commission that foreign producers are dumping steel that is heavily subsidized by their governments.

Another case in point involves the textile industry, which employs 2.5 million workers.

That means it provides one out of every eight manufacturing jobs in the United States.

There is great concern in the textile industry because the textile-apparel trade deficit jumped 49 per cent in August over the same month a year ago, with imports running 26 per cent higher. Imports of textile and apparel products totaled $1.1 billion, while exports amounted to $401 million.

Incidentally, America's trade deficit with Japan will jump 50 percent this year to a record $14 billion.

Despite massive investment in new equipment, the American textile and apparel industry cannot hope to compete with textile companies in foreign countries where the wage scale may be 20 cents an hour.

There are free trade purists that say the United States should surrender the textile industry to producers in the Third World. But they don't say what will happen to the 2.5 million people employed in U.S. textile and apparel plants or to the states that lose vital revenue from this industry.

If the textie industry is surrendered, if it is deemed expendable, what will be next industry to go? Will it be argued in a few years that America should surrender automobile manufacturing to the Japanese? As for the steel industry, private companies in America are forced to compete against nationalized steel industries abroad, steel producers that receive massive subsidies from their governments.

The textile and apparel industry takes the eminently reasonable position that the current status of foreign trade is neither fair nor equitable to the United States because of foreign government-aided industries, noncompliance with trade agreements, and the absence of comparable wage environment and safety standards.

The issue is not an academic one at this point. The GATT Multi-fiber Agreement is scheduled to expire this year. It includes an annual 6 per cent growth factor which allows textile and apparel imports to capture an ever-growing share of the U.S. domestic market.

This agreement must be renegotiated to protect a vital American industry and its employees. There's no reason why the U.S. should sign an agreement that gives advantages to Japan and the newly industrialized countries of Asia. It is time for the United States to play hard ball in its international affairs. The new textile and apparel agreement should take into consideration domestic market conditions and the need to maintain a basic American industry.

This isn't a matter of protection of one or two industries. It is a recognition of the changed character of international trade and of the determination of foreign producers to dominate the American domestic market for practically every product. Ideally, the world would operate on the basis of pure free trade. But pure free trade don't exist in a world of government-subsidized producers, cartels, and selection of companies for penetration of the American market (market share not immediate profits being the objective).

Americans must become aware of the various forms of international economic warfare being employed by foreign countries. If they don't become aware of the trade realities, and if the U.S. government fails to demonstrate concern for American economic interests, the United States will lose much of its manufacturing. It will become a hewer of wood and drawer of water for industrializing foreign countries, and the American people will be much poorer in the years ahead.

Administration and Congressional action with respect to the multi-fiber agreement will be a test of our government's realism and determination with respect to trade challenges.●

THE FIRST AMENDMENT

● Mr. MITCHELL. Mr. President, on November 9, 1981, A. M. Rosenthal, executive editor of the New York Times spoke at Colby College in Waterville, Maine. Mr. Rosenthal's speech is a thoughtful appraisal of what the first amendment means to our society.

I request that the text of his speech be printed in the RECORD.

The text of the speech follows:

SPEECH BY A. M. ROSENTHAL AT CONVOCATION FOR ELIJAH PARISH LOVEJOY AWARD

Let me tell you a little true story about how a reporter I knew operated. Every day he would go out and cover his beat the best way he knew and the only way he knew; by talking to people in the town about what concerned them, about the cost of living, about the feel of life, about what they thought about their leaders, about politics.

Every night that reporter went home, wrote a story and then carefully burned his notes or flushed them down the toilet. It was a pity, because he knew he might forget what he couldn't write that day if he burned his notes. But he also knew the police had permission to search his files any time.

A lot of people did not want to talk to the reporter because they felt he might reveal their names on purpose or through a slip of the typewriter. They were defenseless people and they were afraid.

The reporter never urged them to talk because he understood their fear. Others, however, did talk to the reporter-precisely because they felt powerless and wanted somebody to tell the truths they knew. They accepted his word that he would suffer imprisonment before telling their names.

The government became very annoyed at this reporter. They questioned him directly about his sources and, of course, he did not respond.

They bugged his home and followed him wherever he went, and they searched his office and tracked his phone calls. Finally, the government got really angry and said, you can't write about us any more, you can't have access, go away. But some of the people about whom he had written and whose names he had never revealed, kissed him when he went away and gave him roses, and everybody said he was a hero, and later he was loaded with honors.

I was the reporter, and the beat I covered was Communist Poland. That was the first time I had to operate worrying about the police and courts and the first time I had to burn notes and think about going to jail. I thought it would be the last, because I resolved never again to work in a totalitarian society.

Now it is twenty years later, and I am the editor of the same newspaper for which I was a reporter in Poland. I spend my time dealing with news and with staff matters, but there is one subject that now takes up a considerable amount of my time and thoughts and that has to do with whether reporters should burn their notes, whether they are going to go to jail, what are the possibilities of a sudden police search, whether people who once talked to us will talk any more, whether other papers can be fined out of existence, whether the police will secretly commandeer our phone records to find our sources of information, whether we will be allowed to cover the administration of justice, how to get the police to reveal necessary information.

New York, not Warsaw.

I do not tell you all this to imply that we have gone totalitarian or that the Republic will fall. But I do tell you that the process essential to a free press, one of the institutions that will help guarantee that we do not go totalitarian, that the Republic will not fall, is under attack, and not from our enemies or the enemies of freedom. That we could handle. No, it is under attack from some of the very people whose professions have helped create and strengthen a free press, some of the lawyers and judges of our country, honorable men and women who traditionally have been the philosophic allies of the free press. And it is under attack from Federal legislators and politicians who certainly do not see themselves as enemies of a free press. They just think the American press is a little too free for their tastes.

They want to prevent the press from printing certain kinds of information. They say that obviously this does not affect such respected newspapers as The Times or The Washington Post or The Boston Globe. All they're aiming at, they say, is certain nasty fringe publications. Now I happen to agree that some of their targets are indeed nasty and fringe, but it is precisely the fringes—not just the center—that the First Amendment was designed to protect.

Simply see what has happened in the past few years. A dozen or so reporters and editors have been sent to jail for no other crime than trying to protect their sources—exactly what I did in Poland every day and for which Americans praised me. Others are now under orders to reveal sources or face jail. The courts have permitted newsrooms to be searched. Thousands of memoranda and files have been subpoenaed in different actions around the country. One large newspaper—our own—has been fined hundreds of thousands of dollars. Now every small newspaper lives under the threat of being fined into bankruptcy at the decision of a judge. Laws erected by state governments to protect the reporter's right to work freely have been destroyed by some courts.

Many judges have decided that reporters can be barred from essential parts of the court process, pretrial hearings, which constitute so important a part of the administration of justice. Other courts have placed severe restraints on participants in the judicial process, preventing press and public from finding out what is going on. A wall of judicial protection has been built around information held by the police behind which they can operate in relative secrecy.

In more and more cases, courts have upheld the principle of prior restraint, that is preventing the press from publishing what it feels should be published. Until a few years ago this was unthinkable.

And in case after case, by demanding notes and files and sending reporters to jail for not revealing sources, courts in effect have ruled that they have the power to enforce publication of what reporters and editors feel should not be published, because the information is either confidential or simply inaccurate, untrustworthy, or damaging to innocent people, just raw material.

In totality courts now have ruled themselves overseers of essential decision-making processes of the free press that the First Amendment was designed to safeguard from government encroachment—what to publish, when to publish, how to operate, what to think.

To understand why all this is so important to the press and the public, it is necessary to understand not only the law, but the nature of news and how it is gathered. And newspaper people have not succeeded in giving the public a real understanding of the news process.

Virtually all the news that is printed in newspapers or broadcast on TV is official news. That is, it is information disseminated by one governmental or business or professional source or another.

A President makes a speech, a legislator introduces a bill, a company issues an earnings statement, an investigative body issues a report, a consumer group demands action, a union strikes, a government department asks

for money, a civil rights group protests discrimination. It is news that the prime mover or central subject usually wants printed. Now, this kind of news is extremely important and essential to an informed citizenry.

In totalitarian societies, most of what we would consider official news is secret. In our country our leading institutions and figures disseminate news because it is in their interest to do so, and their interest often includes the pressures and need to inform the public and engage in a public dialogue. That is part of the contract of freedom.

But it is still official news.

There is another kind of news—news that institutions or leaders or professions or organizations do not want made public.

It can be as big as the Pentagon Papers or Watergate or CIA violations or as small as minor chicanery within a city council, or questionable business ethics in a manufacturing company or even conflict of interest in a newspaper.

Most often this information is held by dissidents, people who feel they cannot afford to be identified with its publication. Sometimes they volunteer the information; sometimes the reporter comes across it in the course of inquiry or because of a trusted relationship with the source. A dissident need not be a radical or a shadowy operator with a hot story to tell. A dissident can be an ambassador who thinks administration policy is wrong and wants it known, but not at the price of his own immediate retirement.

A four-star general can dissent with the chief of staff and a clerk who sees waste can dissent with his government department chief.

What binds all dissidents together is the fact that they hold information that is of public interest but which either out of self interest or fear they will not make public if they are to become known as the source—that is, unless they are guaranteed confidentiality. Confidentiality is a last resort for a good reporter. She or he makes every effort to name sources, because the source is an important part of information and lends strength to the story. The so-called anonymous source is only a last resort.

The press is usually portrayed as some huge, all-powerful machine strip-mining the defenseless government of its secrets.

The fact is that only a small part of any newspaper or television program, daily or over the year, contains information uncomfortable to government or institutions—too small a part. But without press confidentiality, the dissident information would vanish and the press would become a handout press.

I do not think there is a plot against the press on the part of the courts. I do think that there is a resentment against the press that comes from many things. I do feel that most of that resentment comes from the virtues rather than the failures of the press—the unpleasant virtues of telling the people the truth about Vietnam, Watergate, corruption in government, or in business, the aggressiveness and cantankerousness which are part of our makeup and function.

We annoy the hell out of people. And we have our faults, by God, we have our faults. There are scores of publications I wouldn't read, let alone work for. And there are a few for which I have loathing and contempt.

But there is a difference between resenting the press or even loathing it, and trying to control it.

The First Amendment was written not to protect the press from the admiration of government but from the loathing of government—all branches of government.

Courts and the press are involved, it seems to me, in two philosophic differences. One is that some judges feel that it is incumbent upon them to protect what the government says is the national security of the United States. National security usually turns out to be a matter of political or diplomatic interest or plain embarrassment. The price of prior restraint, a fancy way of saying judicial censorship, strikes me as a very expensive price indeed to pay to save government face.

Remember what the government said would happen if we published the Pentagon Papers? National calamity, revelation of state secrets, disaster upon disaster. The government position was a fraud and the government, I believe, knew it.

Here is a quote that might interest you: "One shudders to think of what our future would be like if The New York Times had not exposed a policy of mistakes and misdeed and published the Pentagon Papers." That quotation comes from the then Vice President of the United States, Walter Mondale, about a year ago in Kansas City, about ten years after we published the Pentagon Papers.

More important to most judges and lawyers is the issue of access and confidentiality in relation to a fair trial. An ambiguous decision by the Supreme Court on court closing, called *Gannett v. De Pasquale*, created a great deal of confusion, and for a while judges were closing trials right and left. Later, the *Richmond Newspapers* versus *Virginia* decision clarified that somewhat, but still allowed judges to close pre-trial hearings.

That may not sound like much except when you realize that about eighty-nine percent of all indictments are settled before the case ever comes to a full trial. Without access to pre-trial hearings, the press and the public lose access to the heart of the whole judicial process.

I do not believe that the issue is one of a fair trial versus a free press, and I do not believe that the First and Sixth Amendments need ever be in true conflict. Let me read to you what Hans Linde, a Justice of the Oregon State Supreme Court had to say: "The supposed conflict between the constitutional right to a fair trial and a free press rests on a simple fallacy. There are often genuine conflicts among competing objectives and individual interests, and I do not minimize their importance. We can even speak of competing rights, but not of conflicting constitutional rights. For what is a constitutional right? It is a claim that runs against the government—usually not a claim that the government do something for you or me, but that it refrain from doing something to us. The Constitution prescribes how government is to behave and how not. The Constitution does not make rules for private persons, unless they act on behalf or in lieu of a government. Only a government can violate a constitutional command."

If a judge believes that the actions of the press may violate a defendant's rights, the remedy is not to wipe out the First Amendment by barring the press or eliminating its requirements for confidentiality and access, but simply by using his powers to strengthen the Sixth Amendment—by control of the courthouse, by continuation or change of venues, by sequestration of jurors and witnesses, by instructions to jurors—and even by freeing defendants. Surely better than a guilty man go free than the First Amendment be repealed.

The most controversial of the incidents involving conflict between a reporter and the courts was the Farber case. Millions of words have been written about it by now, but I will go into it only briefly.

On May 17, 1978, a subpoena was issued to The New York Times and its reporter Myron Farber for all notes, all records, all memoranda, all correspondence, all recordings of all interviews with all witnesses for the prosecution and all witnesses for the defense in a murder trial taking place in New Jersey.

The subpoena called for the production of more than 5,000 documents—that is an estimate. No justification was presented other than a single affidavit by the defense lawyer saying that it was his belief that something in the files would be helpful to the defense.

No attempt was made to show that even a single document in those thousands was relevant. There was no attempt to show that anything was critical to the defense. There was no attempt to show that the information could not have been obtained through other sources. It seemed, purely and simply, a fishing expedition—a diversion on the part of the attorney.

The Times, Mr. Farber, and their attorneys tried repeatedly and unsuccessfully just to obtain a hearing on the relevancy of materiality of the documents. We never got that hearing nor was the shield law which specifically protected reporters in such cases respected in any way by the courts.

What we had here was a plain attempt to divert attention from the heart of the case by making a reporter and his newspaper the defendants, a growing trend among lawyers. We never said that we would not under any circumstances turn over any of the notes. What we did insist upon was what we saw as our constitutional right to a hearing to demonstrate whether there was any relevancy or materiality in the documents. We never received such a hearing, and for insisting upon our constitutional rights, The Times was fined $287,000, and Mr. Farber spent 40 days in jail. Later courts upheld our basic position that we were entitled to a hearing but it did not apply to us.

As Judge Harold Medina once put it, any judge who knows his business and who has a stiff backbone can afford a fair trial without any invasion of the freedom of the press.

In that speech of his, Judge Medina laid it pretty heavily on judges who he thought violated the First Amendment. He also laid it pretty heavily on reporters and editors and publishers who were too quick to compromise. He gave them a piece of advice: "Fight like hell every inch of the way."

Well, we are fighting, and it seems that almost every time we turn around, there is a new battle to be fought.

One had to do with the seizure of the telephone records of our Atlanta bureau by the Department of Justice. They were not investigating us, they were investigating the Ku Klux Klan, which we also had been investigating, without informing us, or giving us a chance to fight, Southern Bell bowed to a subpoena of the Department of Justice and turned over all the records from our Atlanta bureau and from the home of our bureau chief. The purpose of the subpoena was to find out who our reporters were talking to.

This clandestine investigation of a reporter's work is a clear violation of the spirit of the First Amendment. I'm happy to say that that particular threat has been considerably eased. Because of complaints from the press and the bar, the Justice Department issued new guidelines that made unnotified seizure much less likely. Right now a new quite important threat confronts the press and will be fought out in the courts. Congress has adopted legislation that would make it a crime for newspapers to print the names of United States intelligence agents, past or present, if the newspapers had reason to believe that such printing would affect United States intelligence operations.

Now that bill is not aimed against the New York Times or the Washington Post or the Boston Globe. It is supposed to be aimed against the nasty fringes. There are a couple of publications, which indeed I consider reprehensible, that makes a practice of identi-

fying United States intelligence agents. Usually those names are no secret at all to foreign intelligence groups, but they could indeed cause trouble.

Papers like The New York Times do not generally print the names of intelligence agents. In fact, we avoid it unless we think that there's a strong public interest in doing so.

This bill strikes virtually every First Amendment lawyer as clearly unconstitutional because it would amount to legislation forbidding certain types of information, even if public, from being printed in the press.

It is not simply a theoretical matter, however important that is. The fact is if that legislation had existed, it might, for instance, have been impossible to print a large part of the Watergate story because some of the people who participated in it were indeed former CIA agents and even had connections with the CIA at the time.

It would have been totally impossible for The New York Times, for one, to conduct its current investigation of the transfer of secret communications material and weapons to the Libyans, because the people at the heart of this odious operation so damaging to the interests and honor of the United States, are former CIA agents and there is every reason to suspect that people now in the CIA had knowledge of the whole sickening betrayal of American interests. Two Times reporters have devoted their full time for months, traveling all around the world, tracking down this network of agents and former agents engaged in selling American interests to the Libyans. If this legislation had been in existence, that investigation would probably not have been possible. The sad but important truth that the intelligence "old school tie" seems to have been the connecting link in this operation—to strengthen a dictator called a madman by our own leaders, and to strengthen him at the expense of the United States—would have been kept from the public.

The press is not asking for privilege. That word implies some special gift to be bestowed upon the press or withheld from the press at somebody's discretion—a judge's or a legislator's or a policeman's. No, we are not talking about the privilege of the press, but the right and ability and duty of the press to function in any meaningful sense.

Yes, this all concerns editors, reporters and publishers, but I beseech you to consider that this concerns each of you as citizens of a country based on freedom of thought and expression.

Every individual American has to ask herself or himself some questions:

Do you want a society in which newspapers have to operate under the fear of being fined to death? Do you want a society in which newspaper offices can be searched without advance hearings? Do you want a society in which the public does not know what is taking place in vital parts of the court processes?

Do you want a society in which the police process is made virtually secret?

Do you want a society that is the totality of all these things?

Please think about it. If your answer is "No, I don't want that kind of society," then fight like hell every inch of the way.●

THE PEACE MOVEMENT

● Mr. EAST. Mr. President, at a time when a so-called peace movement seems to be gaining strength in the free nations of Europe, a leading West German public servant has ably defended the right and duty of free peoples to defend themselves against tyranny and aggression. I ask that the translation of an article by Franz Ludwig Schenk Graf von Stauffenberg be printed in the RECORD.

The aritcle follows:

PEACE MOVEMENT

Among active Christians of both denominations—and encompassing, for the most part, people who are not politically oriented—a "peace movement" is growing which regards even one-sided disarmament by the West as preferable to the present East-West arms race.

Franz Ludwig Schenk Graf von Stauffenberg, a member of the Bundestag from the Christian Social Union, has repeatedly and intensively concerned himself with this movement. This is borne out by the following letter in which he replies to a letter written to him by a Catholic. Stauffenberg, Catholic as well, and the son of the resistance fighter who attempted to assassinate Hitler on 20 July 1944, was asked "how seriously you take the message (of the Pope)". In an address given in February of this year at the peace memorial in Hiroshima, John Paul II had called for the banning of all nuclear weapons. The author of the letter also referred to a statement which the Vatican addressed to the United Nations in 1977: "If the damage caused is no longer in proportion to the values one seeks to maintain, then it is better to suffer injustice than to defend oneself. At least when it is a matter of defending oneself by such means."

The following letter is Count Stauffenberg's answer to these remarks.

Reply by a Member of the Bundestag, who takes the "peace movement" seriously, to a pacifist:

"A peace that surrenders in the face of violence, opening up an easy, comfortable avenue to total domination by evil, is meaningless."

Dear Mr. S.,

Thank you very much for your letter . . . I wholeheartedly sympathize with your commitment to and your passionate plea for peace. Deep concern for the future, our own and our children's, was my sole motiviation in "going into politics". It was for this reason only that I left my profession.

Our discussion would be easier if the power to maintain and secure peace were ours alone, and if the decision on peace rested with the Federal Government and parliament, with the social groups and our citizens. People are appalled to observe that, since the end of World War II, peace has not only been threatened constantly throughout the world . . . Korea, Indo-China and Malaysia, Africa and the Middle East, Hungary, Poland and Czechoslovakia—these are only some examples of the wars and strife in our generation. Innumerable conferences, cease-fires and peace treaties have not changed anything in the final analysis. The proclamation of a new "policy of détente" caused the overwhelming longing for peace to crystallize into concrete hopes and raised eager expectations. And now, after twelve years, peace has not become more secure, the danger seems greater, the hopes have been disappointed and the expectations betrayed.

"Denial of danger a new virtue."

People resist being condemned to a life of anxiety and fear, who could fail to understand that? When a genuine path out of the situation of anxiety is nowhere to be seen, when the cause of fear seems to be insurmountable, many people feel driven to deny their fear; they repress their anxiety. That, too, is understandable. What one cannot accept, however, is that the denial of danger and the refusal to recognize a threat are elevated to the level of a new virtue, a new philosophy of life or even a new theology.

A fervent longing for peace, similar to that which characterizes Europe today, also existed in the 1930s. At the 1938 Munich conference the Western powers, for the sake of peace, abandoned their resistance to the goals and designs of the National Socialists. Chamberlain returned to London and, before an enthusiastic crowd, proclaimed "peace for our time". Who would deny today that the Munich pact encouraged Hitler to move towards war, accelerating the outbreak of World War II? . . .

"The freedom of our children. Victims of our fear."

At that time, too, devout Christians were passionately committed to unconditional peace. Many thought that they had found a leader in Karl Barth, the greatly admired theologian. The — negative — answer he gave is enclosed, and speaks for itself . . . It expresses better than I could hope to what must be the central concern of those who are truly committed to peace: the right kind of peace, as Karl Barth puts it. Not an empty, meaningles peace, devoid of any sense of human dignity, love or God, that surrenders in the face of violence, opening up an easy, comfortable avenue to total domination by evil.

Certainly the Sermon on the Mount is valid for Christians. Certainly, too, the difficult commandment is also valid that Christians should turn the other cheek. But neither reference to the Holy Gospel sheds light upon our plight, nor do the words of the Holy Father which you cite. It takes two to make and maintain peace. A one-sided renunciation of adequate security and a credible defence does not bring about peace, but at best the illusion of peace for a short respite.

Against this background it is no coincidence that the calls for peace heard today in our country are directed almost exclusively towards the West—the Federal Government, the Americans, the English, the French, but not towards those who, through the madness of their arms buildup during the past few years, have destroyed the balance of forces in Europe and consequently threatened—indeed, broken—the peace. In our country I hear protests against the Bundeswehr, which has no nuclear weapons. I hear almost nothing about the horror and the dreadful sufferings caused by 85,000 Soviet soldiers in Afghanistan during the past one-and-a-half years. And yet surely no one would maintain that, through excessive levels of military personnel and equipment, the Afghan mountain tribes have brought on the situation of war and death they are forced to endure today.

The political demands made by some "peace movements" in our country, sometimes through quite violent demonstrations, seem to me to have little to do with the Christian virtue of non-violence. Is "fearlessly turning the other cheek" really what is being called for? Or is the root of the matter not, rather, a dread of the first strike, and the foolhardy hope of avoiding these strikes by satisfying the greed of the brutal opponent? These are not Christians fearlessly meeting violence with non-violence. Rather, these are the faint-hearted, willing to sacrifice the lives and freedom of our children in the illusory hope of finding refuge from their fears.

"Broad discussion concerning peace needed."

In the past weeks I have often tried to put myself in the place of the demonstrators, at the Evangelical Church convention and elsewhere, who put their stakes on the hope for peace, attacking the defence of peace and freedom. Do they realize that they are denouncing the desperate workers who, on 17 June 1953, rebelled against oppression by Moscow and the East German regime as disturbers of the peace, while, in a reversal of roles, portraying the Communist oppressors as unfortunate victims? I have asked myself whether some of the Social Democrats in the camp of Eppler, Jansen, Schöfberger or Hansen are aware that they—certainly un-

intentionally, but according to the same logic inevitably—are blaming the great Social Democratic resistance fighters such as Otto Wels, Julius Leber and Adolf Reichwein, who stood up and opposed violence, for disturbing the peace, while excusing the actions of their Nazi opponents and murderers as justified self-defence on the part of the victim.

"Will fear keep us from hearing?"

A broad discussion concerning peace and security today is both justified and necessary. However, the fact is often disregarded that the demands made today of the Western allies were fulfilled long ago. People forget that, years ago, the American president onesidedly dispensed with the introduction of both a new generation of bombers and the neutron bomb as an effective means of protection against Moscow's tank divisions—in the hope of finding Moscow willing to keep the peace and to disarm. No mention is made of the fact that the NATO allies in Europe decided against an increase in the number of their conventional weapons as well as, to a great extent, their modernization, although no similar actions by the Eastern side were forthcoming (apart from the mere transfer of some divisions and a few tanks from two known sites in East Germany to other, unknown, sites in Eastern Europe). During the same period the Soviet Union, finding its hopes confirmed, increased its arms buildup—including its long- and medium-range nuclear missiles as well as its fighter planes, naval forces, tank units and so on.

I certainly do not want to question the sincerity of the objectives of those who drew up the "Krefeld Appeal".[1]

They are no doubt experienced and informed people. Of course they have the right to scold NATO, the Federal Government, the allies—and publicly, if they feel like it. However, anyone who has had access to the statistics and facts shedding light on the actual development of military strength in East and West during the last few years, anyone who has watched the East take brazen advantage of the West's longing for détente in order to gain the upper hand in the military sphere, anyone who has listened to the Communists talk of peace while continuing their armsbuildup, anyone who, aware of all of this, has not constantly—for all the world to see and hear—exhorted the disturbers of the peace to turn towards peace, has squandered his moral right to set himself up as a defender of peace in one-sided appeals addressed to the victims of the Soviet striving for power.

The smaller the risk appears to the superior aggressor, the greater the danger to peace. The burnt-out villages of Afghanistan, the fallen resistance fighters from the mountain villages, tormented women and maimed children cry out, reminding us daily of this dreadful truth. Will we, in our fear, still find it in our hearts to hear them? Or will we make our shabby peace with all of this? Will we, perhaps, wait until from newly opened extensions of the Gulag Archipelago the moans of our own friends and relatives, or our own cries, can be heard so that we can assure ourselves once more that no one had any idea, that everyone had only wanted what was best?

"We must not run away from our anxieties!"

It is everyone's legitimate right to experience an all-encompassing sense of fear in the face of the destructive power of the arsenals of modern weapons. The exhortation "Fear not!" can in any case reach only those who know what fear is. But it does not call upon us simply to run away from our anxieties, putting the reasons behind it and the terrible reality out of our minds.

"Fear not!" is not a mere consolation, but both a promise and an exhortation. Trusting in God, we must also stand up to the troubles and terrors of our earthly lives—with a full sense of our responsibility to our Creator and our fellow men and fearlessly, because we know that we are secure in God's hand.

Yours sincerely,

FRANZ LUDWIG GRAF STAUFFENBERG.●

[1] The "Krefeld Appeal" calls for a ban on the stationing of nuclear weapons in European territory; it rejects the part of NATO's 1979 decision concerning modernization of its nuclear potential and advocates arms control negotiations as well as unilateral disarmament, if necessary.

BETH LAUBSTEIN: WOMAN OF COURAGE

● Mr. DODD. Mr. President, a few weeks ago, newspapers in Connecticut carried a story of a young woman of exemplary courage and determination. Beth Laubstein of Woodbridge learned not too long ago that she was suffering from Hodgkin's disease.

Rather than letting this realization shatter her spirits, Beth resolved to fight back by helping raise funds to research and combat this terrible disease as well as other forms of cancer.

Her efforts in organizing marathon softball and racquetball sessions have raised thousands of dollars for the American Cancer Society. They demonstrate imagination thoughtfulness dedication, and unquenchable spirit.

I ask that accounts of her work be printed in the RECORD.

The articles follow:

VICTIM LEADS CANCER CRUSADE

(By Jodi Amatulli)

WOODBRIDGE.—At age 19, Beth Laubstein was not ready to face cancer.

Yet, she had no choice.

Last fall, while a student at Ithaca College in New York, doctors diagnosed a tumor they found in Beth's chest as Hodgkin's disease.

Within the hour, Beth, the daughter of Ansonia physician Dr. Melvin B. Laubstein, was on a plane back to her Woodbridge home.

Ten months later, Beth has two operations and seven months of chemotherapy behind her.

In front of her are an undetermined amount of radiation treatments and a great deal of uncertainty shared by every cancer patient.

Victims of cancer are frequently preoccupied with thoughts of death. Not Beth. She is too busy making plans to take care of her body by jogging and playing racquetball and tennis. For Beth is going to beat cancer.

As far as she is concerned, there is no doubt about it.

LOOKS TO FUTURE

Looking to the future, she plans to return to school to pursue her degree in recreation.

For the present she is holding down a full-time job at the West Rock Clubhouse in Woodbridge where she is planning a racquetball marathon to raise money for the American Cancer Society.

"I'm winning my battle against cancer," Beth said. "Now I'd like to raise at least $25,000 to give someone else the same chance."

A cook-out at 6 p.m. Sept. 18 on the clubhouse grounds will kick off the event that is open to the public. Ticket information is available by contacting the club.

The racquetathon will begin at 8 a.m. Sept. 19 and feature four players who will attempt to play the indoor racquet sport for 64 consecutive hours.

The clubhouse players are Billy and Jim Montgomery, Jeff Falco and Laurie Liptak.

MONEY RAISED

Beth said the money is being raised through pledges for hours played by the recquetballers, and through paid ads in an ad book, a raffle and a bake sale.

"A similar marathon was recently held in Illinois," Beth said. "It raised $46,000, I would like to beat that figure."

Beth said that every dollar raised will be donated to the society for cancer research. Research, she said, that she now better appreciates because of her bout with Hodgkins disease.

She explained that 30 years ago her case would have probably been hopeless.

Today, doctors can expect to cure 80 percent of those patients diagnosed with Hodgkins 3B (the stage at which it was discovered in Miss-Laubstein).

Beth would like to see that cure rate increase to 100 percent in her lifetime. And if the money raised in next month's racquetathon helps in any small way, her efforts, she said, will have been worthwhile.

GAME MAKES GUINNESS AND $20,000 FOR CANCER

(By Joseph T. Brady)

A long, long racquetball game in Woodbridge turned out to be worth $20,000 for the American Cancer Society this weekend, while proceeds from a marathon softball game in Shelton are still being counted.

"I wasn't prepared for what was coming," said a tired Beth Laubstein this morning.

Ms. Laubstein, a Hodgkins disease victim, had coordinated the record-setting racquetball contest at the West Rock Clubhouse.

Jeffrey Falco of Woodbridge and Laura Liptac of East Haven stepped off the courts at 8 p.m. Monday night, 72 hours after they began.

The couple earned a place in the Guinness Book of World Records, topping the previous mark of 64 consecutive hours.

Another pair of players had stopped after 36 hours. Players took a two-minute break after each game and a five-minute break after each hour of play.

More important, through hourly pledges and other fundraising activities, they had raised $20,000 for the fight against cancer.

"I feel great—it was a super success," Ms. Laubstein said today.

Asked if she would ever organize a similar event, she said "I don't know. I'm still sleepy."

COLD RAIN

Ms. Laubstein also praised the efforts of 20 hearty softball players, who launched their own marathon in Shelton last weekend.

Under the direction of Glen Leonard, teams sponsored by Al's Luncheonette and Huntington Chevron battled fatigue and dismal weather for about 34 hours before giving way to a cold downpour at 4:30 a.m. Saturday.

The teams were shooting for a world record of more than 90 hours, but the rain forced the disappointed group off a muddy White Hills Athletic Complex field.

Lou Salemme, one of the participants, said the Al's Luncheonette squad had thus far raised more than $1,000 for the American Cancer Society through pledges and contributions.

He said he could not give the overall total because he did not know how much Huntington Chevron had received.

"They had a very good effort," said Ms. Laubstein. "I had six months to organize my marathon and they only had six weeks."●

GRIDIRON CHAMPS OF WASHINGTON STATE

● Mr. GORTON. Mr. President, I listened with great interest to the remarks of

the senior Senator from Iowa about the success of several football teams in his State. I have to respectfully point out, however, that in the Evergreen State we are enjoying success on the gridiron that cannot be matched anywhere else in the Nation.

The University of Washington Huskies—the defending Pacific Ten Conference champions—will again represent that conference in the Rose Bowl. The Huskies will be making their third trip to the Rose Bowl in 4 years under the capable coaching of Don James.

On the eastern edge of my State, the fighting Cougars of Washington State University will make their first bowl appearance in 51 years in the Holiday Bowl on December 18. Jim Walden, in only his fourth year as the Cougars' head coach, has led Washington State to its third best season ever, and its winningest season since the late Babe Hollingbery took the Cougars to the Rose Bowl in 1931.

The fair city of Tacoma enjoys the prestige of having two universities—the University of Puget Sound and Pacific Lutheran University—that have excellent football programs.

UPS is ranked fourth this week in the NCAA Division II poll—the highest of any team west of the Mississippi River. With a 10–1 season record, the Loggers also have their winningest season ever. Coach Ron Simonson, in his fourth year as head coach, has accumulated an impressive 32–9 record. The Loggers meet sixth-ranked North Dakota State University this weekend as the division playoffs begin. I am certain that all Washingtonians will be eagerly awaiting the final outcome.

Pacific Lutheran finished its regular season undefeated in nine games and on top of the NAIA Division II poll. Although Frosty Westering's Lutes lost a close one to second-ranked William Jewell College in the playoffs this past weekend, the team continues to be a favorite with football fans in Washington.

Therefore, Mr. President, in reply to the message delivered to me on behalf of the people of Iowa by their senior Senator, the people of Washington have asked me to deliver this message to my distinguished colleagues from States of Iowa, Utah and North Dakota: "Go Huskies, Go Cougars, Go Loggers." ●

JAMES TOBIN: ECONOMIST

● Mr. DODD. Mr. President, Prof. James Tobin of Yale University in New Haven, Conn., last month was awarded the "Nobel Memorial Prize in Economic Science" for his study of financial markets.

It is difficult to overstate the contributions Dr. Tobin has made to the field of economics as well as in public life. In 1950, Dr. Tobin joined the Yale faculty and quickly earned a national reputation in the fields of econometrics and economic theory. His recent work in portfolio selection theory, which relates to investor behavior, reflects pioneering influential thinking.

Dr. Tobin served on President Kennedy's Council of Economic Advisers. While on the Council, Dr. Tobin specialized in the areas of debt management, econometric studies, forecasting, international finance and money and banking. He argued early in 1961 in favor of an expansionary monetary policy and, in so doing, expressed concern that the unduly tight monetary policies of the Federal Reserve Board would frustrate President Kennedy's efforts to promote economic growth through fiscal policy.

While a Member of the House of Representatives, I had the honor to work with Dr. Tobin on matters relating to budgetary control. His expertise contributed much to the work of the House Rules Committee task force on Federal spending limitation, where alternative proposals for reining in the Federal budget were being considered. I found his advice invaluable, and my understanding of the Federal budget process was significantly enhanced as a result.

In a recent article in the New York Review of Books, Professor Tobin contributes a lucid analysis of current economic trends and theories. The article illustrates the qualities of wide-ranging knowledge, historical perspective, economic insight and public spirit that led the Nobel committee to honor Professor Tobin. I ask that it be printed in the RECORD.

The article follows:

REAGANOMICS AND ECONOMICS

(By James Tobin)

The economic program of the Reagan administration, like that of the Thatcher government in Britain, manifests a conservative counterrevolution in the theory, ideology, and practice of economic policy. The aim of the counterrevolution is to shrink the economic influence of government, especially central government, relative to that of private enterprise and free markets. Three kinds of policies are at stake, concerning respectively (1) macroeconomic stabilization—the use of fiscal, monetary, and other policies affecting national production, employment, prices, and other variables of economy-wide significance; (2) economic inequality—the use of the public fisc to redistribute income and wealth; (3) resource allocation—national priorities among various public and private goods; (4) regulation of economic activities and markets. I shall speak principally about the first two categories.

I have referred to a counterrevolution, so I should remind you of the revolution to which it is the counter. That took place some thirty-five to forty-five years ago, just before and after the Second World War, in this country and in other Western capitalist democracies. Radical changes occurred in the practice of economic policy and in the theory of political economy. Live memory of the Great Depression created a broad consensus that the state must assume responsibility for maintaining prosperity, as well as for protecting individual citizens against the inevitabe insecurites of life in a market economy.

The New Deal in the United States and social democratic movements in Europe were the agencies of these changes. They also expanded government investment in schools, housing, transportation, and other public goods, and augmented the market power of workers, trade unions, and farmers vis-a-vis business. Over three postwar decades these changes were largely accepted by all mainstream political parties and extended by governments of various political colors. Though rumblings of discontent have been heard in increasing volume over the past fifteen years, only recently have the counterrevolutionaries gained political power.

I shall confine myself mainly to the United States and the first two issues on the agenda of the revolution and counterrevolution—macroeconomic stabilization, and redistribution of income and wealth. Two acts of Congress symbolize the revolution. The Employment Act of 1946 dedicated federal power to the achievement of "maximum employment, production, and purchasing power." Ten years earlier, under the Social Security Act, the federal government recognized an obligation to protect individual citizens from personal economic misfortunes—workers without jobs, aged without funds, children without fathers. The New Deal had already put the federal government in the business of welfare and work relief, insurance of bank deposits and mortgages, and other "safety nets". By 1947, then, the federal government had assumed responsibilities both to maintain general prosperity and to insure and indemnify the worst individual casualties of depression and economic change.

These really were new responsibilities. Fiscal and monetary policies were not significantly dedicated to macroeconomic stabilization before the late 1930s. In 1929–1934 both Hoover and Roosevelt raised taxes and sought vainly to balance the federal budget; they were worried about the Depression's effect on the budget, not the budget's impact on the economy. Throughout the precipitous decline of 1929–1932 monetary policy gave second priority to the Amercan economy, and primary emphasis to defending U.S. gold reserves and the gold value of the dollar—until the disasters of the winter of 1932–1933 forced Roosevelt to suspend gold convertibility and devalue the dollar. As for relief of the victims of the Depression, Hoover—a Quaker who had earned worldwide fame as a humanitarian in directing relief efforts in devastated parts of Europe after the First World War—regarded it in principle as the responsibility of private charity and local government, not the federal treasury. Roosevelt, fortunately, was a pragmatist.

Similar redefinitions of the economic responsibilities of central government occurred in other advanced democracies in the 1930s and 1940s. In Britain two wartime reports by Lord Beveridge, one on social insurance and one on full employment, set the stage for postwar macroeconomic strategy and "welfare state" legislation.

To these political developments there were important intellectual counterparts and foundations. A revolution in macroeconomies and in the theory of monetary and fiscal policy began with J. M. Keynes's General Theory of Employment, Interest, and Money in 1936 and spread through the English-speaking world and after the war to continental Europe and Japan. This provided the rationale for the full-employment commitments of the several countries, along with guidance on how to implement them. The business cycle was no longer to be seen, as both orthodox and Marxist economists saw it, as an inevitable and functional characteristic of capitalism. According to Keynesian theory, economy-wide fluctuations in economic activity are wasteful; they can be avoided by active fiscal and monetary intervention, so-called stabilization policies.

Keynesian macroeconomics does not logically lead to any position for or against welfare-state measures. But, again in contrast to both right and left, it certainly does not say that redistribution of income and wealth by taxation and transfer is fatal to capitalism, or even damaging. In Keynes' personal view, "The outstanding faults of the economic society in which we live are its failure to provide for full employment and its arbitrary and inequitable distribution of wealth and incomes." He was confident that both flaws could be corrected without sacrificing the efficiency and progressiveness of market capitalism, for which he had the same respect as his classical forebears and

colleagues. Twenty years later Paul Samuelson, the principal architect of the synthesis of Keynesian and neoclassical theories that became the orthodox main current of American economics, expressed this optimistic view very clearly:

"A community can have full employment, can at the same time have the rate of capital formation it wants, and can accomplish all this compatibly with the degree of income-redistributing taxation it ethically desires."

Keynes and Samuelson are saying, in other words, that an amalgam of capitalism and social democracy is both workable and robust. In contrast, both extreme right and extreme left argue that capitalism cannot afford or survive egalitarian policies.

The postwar era, especially its first twenty-five years, appeared to justify the optimism of Keynes and Samuelson. In no other period of similar length have productivity per worker and living standards grown so fast, or aggregate production and employment advanced so steadily, or world trade expanded so greatly. The last ten years have been disappointing compared to the 1950s and 1960s. But we should not lose perspective.

The main source of disappointment and disillusionment with the revolution was the stagflation of the 1970s—the combination of high inflation and high unemployment. Even during the era of their apparent success, Keynesian policies for full employment and countercyclical stabilization aroused chronic anxieties about inflation. Indeed the principal advocates themselves, beginning in the 1940s, warned that full employment, removing the wage discipline exerted by unemployment and the threat of layoffs, might not be compatible with price stability. Some of them foresaw the need for direct restraints on wages and prices to reconcile the two goals. The economy would have a "secular" or long-term bias toward inflation, they observed, if wages and prices rose freely in expanding industries, and during economy-wide booms, but fell slowly if at all in declining sectors and during short recessions.

Moreover, inflationary bias was exacerbated by social welfare legislation, extended and expanded as it was by postwar administrations and Congresses of both parties, most dramatically beginning with the Great Society programs of the late 1960s. Social insurance dulls to some degree the incentive to seek and accept employment, especially the less remunerative or attractive jobs.

Probably more important were developments that fall under the fourth of my initial classifications. The Rooseveltian political coalition opened old-fashioned interest-group politics to large groups that previously had been excluded. Like all governments, our federal government has always catered ad hoc to private business interests with political clout, as our history of tariffs, "internal improvements," land grants, bank charters, and subsidies amply illustrates. Beginning in the 1930s trade unions gained federal protection for organizing and bargaining. Wages, hours, and conditions of work became subject to federal standards. Farmers were not only subsidized but organized into federally administered cartels. The promotion of monopolistic powers for unions of workers and farmers was justified by J. K. Galbraith and others as "countervailing" the monopolistic powers of big business, to the benefit of the society as a whole.

This dubious proposition was never congenial to liberal Keynesians devoted principally to full employment and diminished inequality. In any event, these countervailing powers increased inflationary bias. Workers, unionized or not, had more power to gain wage increases in booms but resist cuts in downturns. Agricultural price supports diminished the downward trends and cyclical declines of food and materials prices that contributed so much to price stability in the 1920s and earlier.

Nevertheless, the inflation record of the United States was very good until the late 1960's. That deficit financing of the Vietnam War then overheated an economy already operating at capacity was no surprise to any economist, Keynesian, monetarist, or classical. That inflation accelerated during the 1970's, in spite of monetary policies that triggered three recessions, in spite of unemployment higher than in the two previous decades, is the great disappointment to theory and policy that set the stage for the counter-revolution. Many observers would explain the stagflation by the series of external shocks, unprecedented in their severity, that hammered the world economy during the 1970's: The depreciation of the dollar after Nixon proclaimed it inconvertible into gold in 1971, the worldwide commodity shortages and speculative booms in 1973, the two big OPEC shocks, 1973–1974 and 1979. Others blame over-stimulative monetary and fiscal policies in 1972–1973 and 1977–1978. The controversy is far from being resolved, but the Reagan administration is sure of its diagnosis: the disappointments of the 1970's were the inevitable outcome of mistaken policies followed throughout the post-war decades.

To the revolution that took place some thirty-five to forty-five years ago, Reaganomics is, like Thatcherism in the UK, the political and ideological counterrevolution. Just as Keynesian theory inspired the revolution, so a wave of professional reaction to the synthesis of Keynesian and neoclassical doctrines that became orthodoxy in the 1960's sustains the counterrevolution. In both instances, of course, there are many divergences among economic theory, popular ideology, and actual policy. Nonetheless, in both cases, a common tide of opinion floods academic journals, popular media, political rhetoric, Congress or Parliament, and the guiding philosophies of president or prime minister. Rightly or wrongly, the revolution is blamed for the "stagflationary" disappointments of the 1970's, the high rates of unemployment, inflation, and interest, the depressed stock market, the slowdowns of productivity growth and capital formation. The old doctrines and policies, new forty years ago, are discredited, replaced by new doctrines and policies, old forty years ago.

Respecting stabilization, the new doctrine is that active fiscal and monetary intervention—characterized or caricatured as "fine-tuning"—is the problem, not the solution. The government should forswear countercyclical policies and let the market economy stabilize itself, as it will, given confidence that government policies will be stable. Thus the central bank should tie itself, or be tied to, a fixed-rate rule of monetary growth, independent of the state of the economy. Likewise federal tax and expenditure legislation should not be responsive to business conditions. Various proposals to make macroeconomic policies blind to cyclical fluctuations, including constitutional amendments to require annual budget balancing and to restrict government expenditure and monetary growth, are currently before the country and the Congress and are viewed benignly by the Reagan administration.

One of the arguments against the countercyclical policies of the past is that they fostered inflation by removing from business firms and workers the incentive to lower prices and wages during recessions in order to protect sales and jobs—why not just wait until the government pumps up demand again? In Britain, Margaret Thatcher has put her countrymen and women on notice that the only way they can restore the jobs and prosperity lost in the current slump is to disinflate. Her Majesty's government will do nothing about it.

The same warning has been repeatedly issued in America by Chairman Paul Volcker of the Federal Reserve, who, unfortunately for the effectiveness of the warnings, does not quite command the same audience as a head of government. President Reagan has not made Volcker's threat credible to those who determine wages and prices; instead he was undermined it by promising disinflation without tears, an instant spurt of rapid growth, falling unemployment, and declining inflation. Recently, it is true, his Treasury secretary has lapsed into old Keynesian "error," urging the Fed to loosen up a bit to forestall incipient recession. On the other hand, the administration is not fine-tuning fiscal policy in an anti-recessionary direction. Instead, its current fine-tuning is aimed in the other direction—it is trying like Hoover and Roosevelt in the early 1930s to offset the effects of the recession on the budget deficit by cutting the budget further. (However, recent statements by OMB director Stockman show awareness of the futility of aiming at specific budget deficits in a weakening economy.)

The renunciation of stabilization policy implies, if actually carried through, that the government no longer has meaningful goals for real economic variables—e.g., for employment and unemployment, national production and its growth. Of course, any political administration will publish its projections, scenarios, and hopes. But these will mean nothing if the government eschews measures to make them come true. The Thatcher and Reagan governments both say that they are providing a stable monetary and fiscal framework within which private enterprise and free markets will restore prosperity and non-inflationary growth. Another way to put it is that whatever economic outcomes private agents generate within the framework are by definition optimal. This is how the current chairman of the Council of Economic Advisers, Murray Weidenbaum, puts the case, even if his client doesn't yet quite understand it that way.

Clearly this is a 180-degree reversal of the commitment of the Employment Act of 1964, not to mention the Full Employment and Balanced Growth Act of 1978 (the "Humphrey-Hawkins Bill"). To be sure, employment goals have been slipping for a long time. The unemployment rate was 3 percent at the end of the Korean War, 4 percent at the peak of the bottom in the mid-1950s when the Fed applied the brakes by raising interest rates, and 5 percent at the next cyclical peak in 1960. The Kennedy-Johnson administration officially adopted a full-employment goal of 4 percent unemployment, achieved it in 1965, and overachieved it during the Vietnam War. During the 1970s operational unemployment targets were not made explicit, but policy moves revealed implicit targets of 5 percent, then 6 percent, now probably 7 percent or more.

The slippage of course reflects the primacy given to the frustrating battle against inflation. But if and when the battle is won, I doubt that the Federal Reserve and the administration would risk reigniting inflation by relaxing the monetary screws enough to permit much reduction of unemployment from the 7 to 8 percent range. More likely they would settle for a resumption of normal sustainable real growth at prevailing rates of capital utilization, and would not provide financing for temporarily higher growth to absorb the slack created during the anti-inflationary fight. This scenario is, by the way, explicit in the projection of the UK Treasury.

In the US today macroeconomic policy and prospect are dominated by Federal Reserve monetary policy. The Reagan administration assigned disinflation to the Fed, chided the governors for past mistakes, and urged them to be tough. The Fed is being tough, and as Chairman Volcker has repeatedly made clear, proposes to be gradually but resolutely tougher every year until in-

flation rates are insignificantly different from zero. As Volcker and his colleagues appreciate much better than President Reagan and his associates, Federal Reserve money-supply policies will not allow room for real economic growth unless wage and price inflation melts by a point or two a year. Given the stubbornness of built-in wage and cost inflation, there is likely to be considerable economic pain and damage during a transition of several years.

The administration rejects on principle any direct wage and price policies, formal or informal, even diffuse persuasive appeals by the president. In their absence, the only mechanism by which monetary deceleration produces disinflation is by creating sufficient economic distress that workers and employees, desperate to protect jobs and solvency, settle for lower wage and price increases than those currently prevailing. We can see this process at work across the Atlantic, where midway in Mrs. Thatcher's five-year term the record unemployment rates are in double digits while inflation rates are still in double digits but slowly declining.

A Thatcher scenario was not quite what the Reagan administration had in mind. The "supply-side" tax cuts were intended to unleash a surge of investment, enterprise, and productive effort. Supply-siders were impatient with traditional conservative orthodoxies that tax stimuli must wait for budget balance and disinflation. Exploiting the eager competition of both parties in Congress, they succeeded in promoting tax cuts that outdistanced the budget cuts of the redoubtable Mr. Stockman. But the tax bill only solidified the firm resolve of Mr. Volcker, and he is bound to win a fiscal-monetary tug-of-war. As the securities markets perceived, the situation is a Catch-22. Interest rates cannot be low enough to sustain expansion unless the economy is in recession.

I turn now to a second dimension of the counterrevolution, the distribution of income and wealth as affected by federal taxes and transfers.

Equality of opportunity has been an American ideal and an American excuse. The ideal of capitalism in a democracy is a fair race from an even start. Big prizes go to the swift, but all participants are rewarded—the more rewarded the faster everybody runs. True, economic and social outcomes are highly unequal. The excuses are that the racers all have the same opportunities and that differential prices generate even larger rewards for all participants.

Opportunities are actually far from equal. We Americans escaped the feudal castes of the Old World, but erected our own racial, religious, and ethnic barriers. Even as these are overcome, the hard fact remains that the children of parent of high economic and social status gain a head start—better education at home and school, better nutrition and medical care, as well as more gifts and bequests of worldly goods. To give children these advantages has indeed been traditionally a strong motivation for work, saving, and enterprise.

Wealth breeds wealth and poverty breeds poverty. Despite legendary examples of spectacular social mobility, the unequal outcomes of one generation are generally the unequal opportunities of the next. Here as in other democracies, governments have sought to arrest the momentum of inequality by free public education, social insurance, "war on poverty" measures, and progressive taxation.

The U.S. budget and tax legislation of 1981 is a historic reversal of direction and purpose. Existing institutions, commitments, and "safety nets" can't be rapidly dismantled, but the message is clear enough; inequality of opportunity is no longer a concern of the federal government.

The government has virtually abandoned all pretense of taxing transfers of wealth between generations. Capital gains on assets so transferred are excused from income tax, and now most of them will be free of cstate and gift taxes as well. In the hasty competition of both parties for the favor of wealthy constituents, Congress casually liberalized these taxes without concern for unchecked dynastic wealth and inequality of opportunity.

Capital income, in contrast to wage income, is increasingly free of federal tax. Even before the 1981 tax law, the Treasury calculated that only one-third of capital income showed up as taxable personal income.[1] Taxable capital gains are seldom realized; when they are the top rate will now be only 20 percent. Deferment of tax on income saved for retirement, easily accessible via employer or do-it-yourself plans, effectively frees the returns of such saving from tax and generally moves the principal into a lower bracket. The new tax-exempt All Savers' certificates carry no risk and beat the current inflation rate by several points.

The monetary-fiscal policies of the administration are, in fact, a recipe for high interest rates; the tax bill eases the pain for upper-bracket taxpayers, who can escape tax on interest receipts while claiming deductions for interest paid on mortgages, consumer debt, and other loans. The sophisticated rich know how, or know lawyers who know how, to combine depreciation and interest deductions with preferential capital gains rates to shelter salaries and self-employment incomes from taxation. Though many tears were shed in the successful effort to reduce those high-bracket taxes alleged to deter saving and investment, especially the 70 percent rate now abruptly lowered to 50 percent, few inhibitants of those brackets paid such taxes or will pay them now.

The government is a partner in business enterprise, and recent legislation impairs its equity—almost to the point where the Treasury's share in investment costs and risks exceeds its share in prospective earnings. This is the result of combining greatly accelerated depreciation, "15–10–5–3," with the investment tax credit—its value multiplied by leaseback arrangements—and interest deductions.

At the low end of the economic spectrum, federal efforts to bolster incomes and opportunities are being abandoned. As federal funds for welfare, food stamps, Medicaid, jobs and training, aid to education, and other residues of the war on poverty are reduced and combined into block grants, the beneficiaries will be at the mercy of local legislators and taxpayers. This process is just beginning. About $150 billion in 1984 tax revenues have been given away, and thanks to bracket indexing none will be recouped by inflation thereafter. The president has now donned his budget-balancing hat and presses Congress to redeem his promises by making budget cuts even greater than those enacted earlier this year. They won't be found in defense, public-debt interest, or even in social security. There will be further cuts in social programs, more doses of the "new federalism" that devolves these responsibilities and their funding on to states and localities.

The Reagan economic program is advertised to cure inflation and unemployment, to revive productivity, investment, hard work, and thrift. It probably cannot achieve those wonderful results. What it is sure to do is redistribute wealth, power, and opportunity to the wealthy and powerful and their heirs. If that is its principal outcome, the public will become considerably disenchanted.

Despite its free-market ideology, the administration has done little to dismantle regulations and subsidies that are costly, inefficient, and inflationary. Agricultural programs still not only subsidize producers but do so in ways that raise prices to consumers. Taxpayers, consumers, and shippers pay for our high-cost, noncompetitive merchant marine. The Carter administration deregulated airlines, but analogous measures for surface transport are stalled. The current administration is ready enough to liberalize or discontinue regulations of business when the opposing values are consumer protection or environmental conservation. It is by no means so devoted to market freedom, competition, and consumer interest as to challenge important business, labor, and farm constituencies. These politically sacred cows have been around a long time, and no other administration have mustered the will or the power to kill them either. But an administration that claims a popular mandate for counterrevolution should not leave unscathed the most objectionable features of the old order.

The outlook for the American economy in the 1980s contains some bright spots and some dark prospects. On the bright side, it seems unlikely that the U.S. and the world will be hit by external shocks of the magnitude of those of the 1970s. Though the present oil glut may not continue, Americans are now much better adapted to high oil prices and much better prepared to cope with future increases. To the extent that productivity and capital formation were held back in the 1970s by energy shocks and uncertainty about how to adapt to them, they should rebound in the 1980s.

On the dark side, the purely monetary cure for inflation can hold down the economy for half the decade, with capital formation discouraged either by high real interest rates, or by gloomy profit expectations, or both. The "new federalism," as is only beginning to be realized, will have devastating effects on the finances of many state and local governments and on the services they render, especially to the poor. Meanwhile the tax cuts will be widening the gulf between the living standards of the rich and those of the poor, without the promised compensation in the conquest of stagflation. In the end, I think, a democratic policy will not tolerate in its government and central bank an economic strategy of indifference to the real state of the economy.●

[1] Eugene Steuerle, "Is Income from Capital Subject to Individual Income Taxation?" Office of Tax Analysis Paper 42, October 1980.

U.S. POLICY TOWARD BOLIVIA

● Mr. KENNEDY. Mr. President, yesterday, the U.S. Senate confirmed the nomination of Edwin G. Corr as U.S. Ambassador to Bolivia. He is an outstanding diplomat and well respected for his performance in previous assignments as a representative of the United States.

However, at this time we must not forget that in August 1980 the United States withdrew its Ambassador from La Paz in protest to a violent military coup which prevented that nation's constitutionally elected government from taking office—an action which I strongly supported.

I have always felt that the United States should maintain diplomatic relations with other countries in order to further our national interest and to resolve differences, if possible, through dialog and negotiation. In the case of Bolivia, we have maintained these relations at a lower level because of its military regime's overthrow of democratic institutions, repression of fundamental human rights, and active involvement in illegal drug trafficking.

Unfortunately, real questions remain about the Reagan administration's support for democracy and human rights in

Latin America. It is therefore essential for the administration to insure that the Bolivian Government understands that it must restore democracy, end its abuses of human rights, and respect the rule of law. There must be thorough investigations of persistent and disturbing reports of arbitrary arrest, ongoing torture, and killing by Bolivian security forces. There must be an end to the involvement of the Bolivian military in the illegal drug trade. We must continue to urge the Bolivian Government to restore political freedoms, including freedom of the press, and to move that country back toward democracy. Only in this way can we aid the democratic forces still active in Bolivia.

Mr. President, I hope the new Ambassador will take this message to the present leaders in Bolivia.●

A NEW APPROACH TO EMPLOYMENT TRAINING

● Mr. QUAYLE. Mr. President, our economy faces many problems of which inflation and unemployment may be the most visible but the lack of productivity growth is certainly the most inportant. Without reversing the decline in productivity trends, we will not regain our international competitive edge nor will we be able to provide high levels of employment without inflation. It is not my purpose here to assess the basic causes of the decline in productivity nor to offer a new panacea for its cure. But we can all agree that this Nation has not made the commitment to the improvement of its human capital that must accompany the regeneration of our physical plant.

The improvement of the skills and abilities of our labor force is an enormous task and it is a task in which many sectors of our economy must play a vital role. The primary role belongs to private enterprise and we must insure that governmental policies do not inhibit private investment in training, that they encourage rather than discourage investment in human capital even as our policies encourage investment in plant and equipment. The education system, basically the responsibility of our State and local governments and their educational agencies, have an enormous role to play. But the Federal Government also has a role to play and today I want to deal with one aspect of the Federal Government's role and responsibility in the improved utilization of our human resources.

There are segments of our society who are unable to make the transition into the mainstream of our economic system—who special help to take advantage of economic opportunities for which other institutions do not prepare them. The Federal Government has, I believe, a responsibility to help those who cannot succeed in the labor market because they have not, for one reason or another, been helped by those institutions which help the vast majority of our citizenry. This is a matter both of social justice and economic necessity. We cannot afford a class that does not participate in our prosperity and we need to utilize all our sources of productive labor in order to insure our prosperity.

Increasing the productivity of our work force and assisting the economically disadvantaged in our society to enter the economic mainstream have never been matters of partisan dispute. It is my firm intention in developing a new employment training policy for our Nation to proceed on a bipartisan basis and to develop a program that will have the active support of a broad spectrum of society.

I am encouraged in this hope by the support for this endeavor that I am receiving from both the chairman of the Labor and Human Resources Committee Mr. HATCH, and its ranking minority member, Mr. KENNEDY. The Subcommittee on Employment and Productivity has held hearings and many consultations and it seems to me appropriate to state at this time an outline of the principles on which we propose to develop a revised employment training program.

Our present programs suffer from a number of major deficiencies and any new program must be directed at curing these defects while at the same time providing a method of transition from the old to the new that does not disrupt the considerable strengths that do exist in the present program.

The first need for a new program is to strengthen the involvement of the private sector. It may be hackneyed truth that 85 percent of all jobs are in the private sector—but it is a truth and no program designed to train people for jobs can ever be unmindful of that fact.

Second, we must remember that the Federal Government is not the repository of all wisdom nor of all good intentions. This is a nation of incredible diversity and no program can be successful that does not fully recognize that diversity by giving to the States a preponderant voice in designing programs to meet their needs as they are perceived locally.

Third, we must be clear in our purpose. Training programs are designed to prepare people for jobs and if we lose that orientation they become a disguised and inefficient form of income maintenance.

Fourth, we must have a system which is result-oriented rather than one in which the Federal Government is concerned with form rather than substance. We must measure outcomes and avoid nonproductive concern with process and procedure.

Last, we must devise a system in which the various parts are integrated rather than a panoply of separate systems that run without proper coordination.

In order to move the debate from broad principles into the direction of specifics, I believe that the following outline can be the basis for developing a new program. The principles below are not cast in concrete and they leave many important points for future discussion and negotiation but I hope they will be a useful point from which to begin the development of a new employment training program in our country.

OUTLINE OF A NEW APPROACH

I. THE DELIVERY SYSTEM

In order to accommodate the basic principles of business sector involvement and State flexibility with the need for a reasonable transition from one system to another, I propose the following.

1. PLANNING

A private sector-oriented council will be given the responsibility for planning the employment training program within a service delivery area. (See 2 below.) The exact composition of the council and the procedure for its appointment needs to be worked out but the following principles shall be controlling: The business community must have effective control; both State and local governments must play a significant role; and there must be appropriate representation of the needs of client groups.

This planning council will, it must be emphasized be a decisionmaking body, not an advisory one, and will determine the nature of the occupations to be trained for, the institutions to be used, the mix of services, that is, the basic structure of the program in the area.

2. SERVICE DELIVERY AREA

The Governor will be given discretion to change the service delivery area as defined under present law in order to make it more compatible with labor market needs and local realities. He will not be limited by uniform population criteria. States, at present, have bewildering variety of sub-State areas that are used for employment training-related purposes and business organizations are also organized on a variety of geographical bases. It is not possible, and certainly not desirable, for the Federal Government to define a uniform rule for the best geographical boundaries in which to organize and deliver employment training programs. The Governor is the one with knowledge of the State and his determination should be the controlling one.

3. GRANT ADMINISTRATION

The Governor will be given discretion to transfer responsibility for administering the grant from the present recipient to the council. It is expected that the Governor's discretion will be influenced by the capacity of the council to administer the grant, the administrative efficiency of the existing arrangements, and the desire of the business community to take on this additional task.

The Governor's discretion would be exercised on a case-by-case basis to take full advantage of the diversity of local situations. It is assumed that the council would subcontract its functions, other than planning.

The fundamental design of this system is that the Governor will determine the administrative components in his State. However, there is no Federal mandate requiring uniformity of results in the different States and the extent of change will, as it should, vary from State to State.

II. PROGRAM STRUCTURE

1. GRANTS

Under present law, localities receive five separate grants for employment

training. Under the proposal each service delivery area will receive a single grant of Federal funds for employment training with a minimum percentage to be spent on youth. This percentage will be determined by a formula based on local demographic factors.

2. DISTRIBUTION FORMULA

There will be a distribution formula to service delivery areas designed in such a way that changes in the area will not affect the level of funding.

3. ELIGIBILITY

Eligibility will be limited to the economically disadvantaged. Whether we can design a criterion that is more effective for targeting to those most in need of services that the current income test is an open question.

4. PERFORMANCE CRITERIA

The use of effective, comprehensible and enforceable performance standards is a key element in the new program. It is key for two reasons: First, the standards define the purpose of the program; second, their use permits the elimination of Federal regulations that concentrate on process rather than results. The performance criteria will be different for youth (under 18 or thereabout) and adult programs. For adult program, the measure will be earnings gained from preprogram experience to a representative period (perhaps 6 months) after program termination with some additional credit for reductions in income maintenance payments and/or termination from the welfare rolls.

While the basic standard will be Federal, some provision will be needed for State adaptation of that standard to take account of local conditions. For youth, the measure will be the acquisition of competencies which are determined by the council as acceptable in the local labor market.

5. SERVICES

Funds may be used for any service deemed by the council to be necessary for preparing persons for productive employment. However, allowance payments and other income transfer payments would be either prohibited or limited to cases of extraordinary circumstances.

This outline deals only with decentralized programs. Federal programs for special populations (such as Indians or migrants) and the Job Corps are left for later considerations.

III. THE EMPLOYMENT SERVICE (THE WAGNER-PEYSER ACT)

Under current law, the employment service operates under a State plan prepared by an agency designated under State law. There is no effective means of coordinating its activities with those of the training agencies. Under the proposal, the private sector-oriented council would be given planning authority for the employment service in the service delivery area. This plan would be reviewed at the State level. Vesting planning authority over both the training and employment service systems in a single private sector-oriented council will provide an institutional mechanism for coordinating these two systems and avoiding the duplication of effort that all to frequently exists today. This mechanism, rather than a Federal definition of roles, was chosen to provide for maximum flexibility to adapt to local circumstances.

IV. A BROADER LOOK

This outline has not addressed a number of vital concerns. To name a few: The relation to vocational education, the dislocated worker, the problems of shortages in critical skills, and the relationship of affirmative action to training programs.

RELATION TO VOCATIONAL EDUCATION

I hope that the council with planning authority over training programs and employment services can be a useful implement for other labor market activities. Perhaps, at State option, it could provide a link to vocational education and perhaps vocational rehabilitation services. Clearly, such linkages must be available and should be explored either in this, or in other legislation. We must insure that Federal legislation does not stand in the way of State and local initiatives to merge or coordinate labor-market related programs.

THE DISLOCATED WORKER

The dislocated worker must be a matter of particular concern. Whether formerly employed in a declining industry or occupation, he differs from the disadvantaged worker in that he does have a substantial employment record but he shares with that other worker a future just as bleak. He must have an opportunity for retraining or for relocation—the difficult question in the present context is how and by whom that opportunity can be provided. We must, at least, make sure that those opportunities are provided while the worker is drawing unemployment compensation and not wait until those payments have been exhausted. We must explore possibilities of identifying workers who have no reasonable expectation of return to their industry or occupation within the first few weeks of their drawing unemployment compensation and offer them the opportunity of retraining through existing vocational institutions. The planning council could play a significant role in setting criteria for identifying such workers and the appropriate training for them.

SKILL SHORTAGES

The actual and potential shortages of workers with critical skills needed both for defense readiness and for a reviving and productive economy was a constant theme in the hearings before the subcommittee. While the problem is clear, the appropriate solutions are not, and neither is the question of the appropriate role of the Federal Government. Among approaches that deserve exploration would seem to be: Building a training component into procurement contracts requiring the use of critical skills; carefully targeted tax credits for upgrading and on the job training in selected situations; simplifying the rules governing the donation of Government surplus machines and equipment to vocational schools to enable them to upgrade the quality of their instruction; and amendments to both the Vocational Education and the Defense Production Acts to emphasize the need for, and provide resources for, training in the highest skill levels.

AFFIRMATIVE ACTION

Training of persons for jobs for which they do not qualify—from entry level to the highest level—is the best way to insure that all segments of our society can take their rightful places in the job market. Our training programs lack a structural connection with the affirmative action program; they often work at cross purposes when they should be mutually reinforcing. New employment training legislation must have provisions that encourage employers to hire, train and upgrade the disadvantaged as one means of meeting their affirmative action responsibilities.

CONCLUSION

We are at the very beginning of developing new legislation and I look forward to working with interested persons in moving from this broad framework to an enactable program. I have, of course, been in close touch with the administration and know that we will work together toward a program that can be an integral part of the President's program for economic recovery.●

SUCCESS STORY

● Mr. METZENBAUM. Mr. President, it is always inspiring to come across a good and honest success story—an idea born, a business started and a profit made, all amidst much hard work. I have come across a perfect example of such a success story in the case of Martin Blinder and Larry Ross.

Martin Blinder, before coming up with the idea of starting the art publishing business, was 21 years old and the youngest stockbroker on Wall Street. During his 3 years on Wall Street, he became attracted to art as a unique investment which offers the added advantage of being aesthetically pleasing. He and Larry Ross decided to transform their hobby into a profession. Together they formed Martin Lawrence Limited Editions—with only an initial investment of $500.

They distribute such prominent artists as Salvador Dali and Victor Vasarely. Their success have made them one of the four or five top art publishing companies worldwide. Their publishing business, plus the sales of their six galleries in Hawaii and southern California, gross more than $20 million annually.

The best part of their success arises from their personal attention to detail. From the first step of selecting which original prints are to be produced to the last step of overseeing the work on the plates used to make the lithographs, they provide the direction. Their success is understandable.

Mr. President, I think Marty Blinder and Larry Ross are proof-positive that the free enterprise system still works, and success can still be attained by young entrepreneurs determined to succeed. Their success speaks well for the system.

Nation's Business did a great story on them, entitled "The Art of Making a Million." I submit it for the RECORD.

The article follows:

[From the Nation's Business, April 1981]

THE ART OF MAKING A MILLION

Anyone who still believes you have to have money to make money has never met Larry Ross and Martin Blinder. These two young men transformed their avocation into their vocation—and developed a thriving art-publishing business, making a million bucks in the process.

When the bearded team founded Martin Lawrence Limited Editions in 1975, they had little more to go on than determination and a keen appreciation for fine art. Both were art collectors and in their mid-20s. Their initial investment of only $500 went toward subleasing an office, buying a desk and obtaining a telephone.

Today their business, based in Van Nuys, Calif., a Los Angeles suburb, grosses more than $20 million annually. They own four galleries in Hawaii and two in Southern California and distribute limited editions of fine-art prints to some 1,200 other galleries throughout the world. Among the prominent artists they distribute are Salvador Dali and Victor Vasarely.

Such artists have chosen to work in the print medium to make their work available to more collectors. The artist and the publisher together select which original prints are to be produced in limited editions. The work is designed by the artist, printed under his direct supervision and then numbered and hand-signed by the artist. Each print is original in that the artist personally works on the plates used to make the lithographs. When the predetermined number of prints has been "pulled," the plates are destroyed.

Ross and Blinder attribute the success of their company—it is now among the top four or five art publishers worldwide—to creative marketing in an otherwise staid industry. "We take a Madison Avenue approach to fine art," says Blinder.

For example, in 1977, they offered Lincoln in Dalivision in an edition of 1,190 hand-signed lithographs, heavily advertised and imaginatively packaged in portfolios that included special viewing monocles and framable certificates of authenticity. When seen through the monocle from the proper perspective, Lincoln in Dalivision, otherwise an abstract, is a portrait of the American President.

Two other factors have also helped them succeed: The first is the continuing interest in art as an investment. "Often, the appreciation in value far outstrips inflation," says Blinder. He ought to know. After graduating from Adelphi University, he became, at 21, Wall Street's youngest stockbroker.

When Blinder and Ross offered Lincoln in Dalivision four years ago, the prints were priced at $750 each; today they sell for as much as $12,000. The original oil painting by Dali is also owned by Martin Lawrence Limited Editions. Asking price: $1.9 million.

The second success factor was an unexpected meeting in 1976 with Dali himself. At the time, Martin Lawrence Limited Editions was doing respectably well, buying and selling art and publishing the works of talented but little-known California artists. But the firm still had not published the work of a renowned contemporary artist, something Ross and Blinder knew could rapidly propel their young enterprise to success.

They decided on Dali, the master of surrealism and a legendary recluse, who they knew was staying at a New York hotel. They tried calling him. Dali answered. Ross and Blinder were astounded. "We lucked out," says Ross.

Three days later, they arrived in New York for a meeting with Dali's business manager and left with the rights to publish many of Dali's works. "Everything seemed to snowball after that," says Blinder.

So booming is their international business that travel to Europe has become routine. In fact, it is not unusual for them to conduct business in, say, Paris in the morning, New York in early afternoon, and Los Angeles over a late dinner—all in the same day! For those days they draw straws, literally. "The loser goes," says Blinder.

Despite such a frenetic schedule, they still manage to pursue interests outside of art. For Ross, a car collector, it is exotic and luxury automobiles; for Blinder, also a collector, it is comic books, baseball cards and "gadgets."

The $500 Martin Lawrence investment is still multiplying, with a gallery just opened in Sherman Oaks, Calif. Eventually they want to own a string of galleries around the world. They are also branching out into music publishing.

Financial success aside, Ross and Blinder derive personal fulfillment from what they do. "Many people think of art as being too expensive to own," says Blinder, "but we help make it possible for many individuals of modest means to enjoy both the esthetic and investment value of fine art." ●

QUAYLE EMPLOYMENT TRAINING PROPOSAL

● Mr. KENNEDY. Mr. President, one of the hallmarks of employment and training policy in this country has been bipartisan cooperation. Since 1961, when President John Kennedy first proposed the Manpower Development and Training Act, Republicans and Democrats have worked together on initiatives to train and place the disadvantaged and unemployed. Over the last 20 years we have launched a variety of programs to meet changing economic conditions and different national priorities. While programs and national needs changed during this period, the national commitment to assist the unemployed has been constant. Republicans and Democrats alike have recognized the Nation's economic well-being requires a trained and productive work force.

Rising unemployment and the current recession could jeopardize this consensus. Over 8.5 million Americans are currently out of work and the administration's own advisers predict unemployment will go to 9 percent and perhaps higher. Rather than moving to ease the difficulties facing the unemployed by providing jobs and training, the administration has indicated its intention to seek additional budget cuts in the very programs designed to assist these workers.

This shortsighted policy will significantly lessen the benefits of the President's economic recovery program for far too many. As history has shown us, a rising tide does not lift all boats. Only those with skills, education, and experience will be able to take advantage of the opportunities generated by an expanding economy. Even when times are good, there are millions of Americans working for less than a living wage. In 1979, 4.6 million people employed full time earned less than a poverty level income.

These individuals tend to be young, minority, from poor families and have less formal education than the average worker. Many of them are women heading households. These workers are hardest hit in a recession and are forced to rely on welfare and other forms of public assistance to make ends meet. These are the very individuals who can benefit most from training. Yet these are the individuals the administration is punishing when it eliminates training programs, curtails funds for vocational and adult education, and removes the incentives for the poor to seek work rather than welfare. Hopefully the administration's predictions for an end to the recession next spring will prove accurate and the economic recovery will take hold, but it is unlikely that those most vulnerable in an economic downturn will realize any of the benefits.

The decades of the 1980's and 1990's present another chance to address this critical problem. Unlike earlier decades when a surplus of unskilled workers competed for entry level jobs, economists are predicting a shortage of skilled labor for the rest of the century. Technological advances will create new industries, careers and occupations, and an unprecedented demand for trained workers. Declining birth rates, increased longevity and other demographic shifts will escalate the bidding for skilled employees. The labor surplus of the sixties and seventies will be gone. For the first time in this century, the demand for skilled workers will exceed the supply.

This changing economy offers both a challenge and an opportunity. The challenge will be to take seriously the predictions about our labor markets and use that knowledge to develop sensible policies to prepare people for new, more demanding occupations.

This dynamic also presents an opportunity to increase employment among the millions of disadvantaged and structurally unemployed by improving their skills to enable them to compete more effectively.

While the overall track record for CETA is mixed there is an increasing body of evidence that training is cost effective in improving the long-term earnings and employment of the disadvantaged:

Participants in classroom training earned an average of $300 more a year than a comparable group not in training.

Those who trained on the job earned between $400 and $900 more a year.

Almost 70 percent of those who completed training were employed 2 years after leaving the program and the vast majority were working in the private sector.

Every dollar spent for on-the-job training returns $2.18 in benefits to the community. Positive cost benefits are also realized for Job Corps and classroom training.

Other tangible benefits include reductions in crime, welfare payments, and other income transfers.

The issue in the reauthorization of CETA must be considered in light of this experience and the changing economy. The central question to be answered is, What Federal policy is most appropriate to meet the coming challenge and how can it most effectively be carried out?

Questions of resources and delivery systems should follow.

I commend Senator QUAYLE for having begun the debate and for recognizing the importance of the Federal role and the need for national leadership on this issue. I welcome the opportunity to work with him and other members of the committee to achieve a bipartisan approach to this important national problem.

The nature of the economic challenge we face suggests the principles of a revamped employment policy:

The need is to transform the crazy quilt of federally supported employment and training programs into a coherent system that can respond to the country's changing manpower needs.

This reform should not be limited to CETA. It should encompass the employment service, vocational education, WIN, and other related programs.

The responsibilities of Federal, State, and local governments must be reexamined. The proper role of business, education and labor must be sorted out. New partnerships must be forged.

Governors must play a greater role in coordinating related programs in their States, but decisionmaking should continue to rest with community officials most familiar with local needs. States can do more to monitor and evaluate the effectiveness of local programs in meeting national objectives.

Local elected officials, as the chief economic developers of their communities, must be participants in planning and directing human resource programs.

Business must be a willing and active partner if these programs are to succeed. If business is to hire program graduates, employers must have a say in designing programs that will produce the skilled workers they seek.

Labor must be at the table to represent the views, concerns and interests of workers. Experience both in the United States and abroad has shown labor management cooperation to be an effective means of solving the problems of dislocated workers.

Adequate resources should be budgeted to meet the country's critical employment and training needs. Ways should be found to augment limited public dollars with private sector resources.

Resources must be allocated in a way to maximize their impact on regions. communities and individuals with the greatest need.

Fewer Federal resources will require new economies of scale. One alternative is to reduce the number of separate jurisdictions funded directly from Washington. Financial incentives should be used to encourage smaller jurisdictions to combine their programs. Continued direct funding of major cities and counties should be provided.

A menu of labor market services should be available but priority should be given to identifying industries and occupations that are growing and providing workers with the training and education they need to compete for these jobs.

Services should be available to all workers, with the most expensive rationed according to a sliding scale of need.

Priority should be given to assisting those with the greatest problems—disadvantaged youth, women who are heads of households, and the structurally unemployed, dislocated workers from hard-pressed regions.

The objective must be to improve the employability and earnings of those who participate. More resources must be invested in the disadvantaged and the commitments made for a sustained period if the desired gains are to be achieved.

The special needs of youth must be dealt with through programs that emphasize basic education as well as work experience. Performance standards should emphasize benchmarks of employability rather than placement and short-term earnings.

For women the goal must be to narrow the earnings gap as well as increase earnings.

The system should be national while allowing local communities the flexibility to design the best means to solve both local and national problems.

A permanent authorization should be sought and a smooth transition from the current legislation arranged to minimize the disruption to communities and individuals.

I believe the principles I have outlined are compatible with many of the objectives Senator QUAYLE has proposed. I, too, look forward to continuing the public debate in the weeks and months ahead, and I welcome the ideas and comments of all who are interested in this important national issue.●

WHAT'S NEXT FOR CETA

● Mr. HATCH. Mr. President, our Nation is wrestling with many aspects of unemployment: Dislocated workers in distressed industries, training for the "hard-to-employ," job creation in the economy as a whole, attractiveness of welfare as an alternative to work, and the shortage of skilled labor in some industries. No one needs to be reminded of our 8 percent unemployment rate overall and our 19 percent rate for youth. The central question we face is how best to deal with the issues of unemployment and training. For many years we have dealt only with the symptoms of unemployment in the form of increased welfare benefits, public service jobs, and more Government spending for contracted services. Clearly we must take a longer look at such efforts, however well-intentioned, and develop a strategy which will address the underlying causes of unemployment and skills shortages.

One of the mainstays of America's program in this area has been the Comprehensive Employment and Training Act (CETA). Having undergone many evolutions since its inception in the early 1970's, it is time to step back and evaluate all of its components, their effectiveness, their costs, their accomplishments, and their potential to meet current demands on the labor market.

CETA is due for reauthorization next year and there is broad consensus that any revisions in it, whether they turn out to be major or minor, should be made only after exhaustive oversight of the existing program and its administrative apparatus, a thoughtful analysis of what goals are to be met in a Federal employment and training policy. I want to commend my colleague, Senator QUAYLE, for his initiative in holding early hearings by the Employment and Productivity Subcommittee to discuss some broad concepts in employment and training.

These hearings produced valuable input from current CETA prime sponsors, State governments, community-based organizations, private sector contractors, client groups, and business. All of these groups and individuals have helped the subcommittee enormously in shaping a tentative blueprint for the reauthorization of a federally-assisted employment and training program.

After the administration's views and recommendations are taken into careful account, there is no reason why the Labor and Human Resources Committee cannot proceed to a timely consideration of the new bill, a measure which I hope will have support from all sectors behind it, ranging from President Reagan to our colleagues on the other side of the aisle.

Allow me to emphasize one point, however, in conclusion. While CETA has contributed many measurable achievements to society, there is an indisputable need for some major changes in its construction and goals.

We should not settle for a reauthorization which perpetuates its worst aspects along with the good. Among that which needs to be done: The delivery system needs to be streamlined, regulations pruned, target populations better defined, performance standards instituted, the active participation of business in the actual planning and structuring of programs encouraged, and, finally, human capital development programs separated from income maintenance programs. If we can accomplish such a necessary overhaul, I have no doubt that the potential for improved effectiveness and accountability of these programs will justify their continuation.

I look forward to cosponsoring a bill along with Senator QUAYLE which incorporates these changes and which should have broad bipartisan support.●

FARNHAM DUDGEON

● Mr. HUDDLESTON. Mr. President, today I have the distinct pleasure of bringing to the attention of the Senate a newspaper article that appeared in the November 15, 1981, Frankfort State Journal. Although the story has as its major focus the history and future prospects of a building at the corner of Main and High Streets in Kentucky's capital city, it also has much to say about the life and forward looking attitude of one of Kentucky's outstanding civic leaders, the present owner of the building, my good friend, Farnham Dudgeon.

Farnham's attention to the nature of "lot 193" only serves to point up his keen awareness of the need to preserve our historical heritage in a functional, commonsense manner. This awareness is,

however, not restricted to matters of historical preservation.

In his positions as mayor of Frankfort, a city commissioner, and a leader of many community service organizations, Farnham has demonstrated time and time again an unsurpassed flair for recognizing the big picture. The State Journal's reference to Farnham's role in the development of the Capital Plaza, the cornerstone of the revitalization and continuing growth of the area, is a prime example. It is a truly wise man who has a broad enough historical perspective to preserve the integrity of a mid-19th century building while at the same time displaying enough foresight and initiative to play the key role in providing the impetus for the building complex vital to the future of Frankfort.

Such a man is my friend Farnham Dudgeon. I commend the aforementioned article concerning him and his little corner of the world to the attention of my colleagues.

The article follows:

SPIRIT OF LOT 193 LIVING ON E. MAIN

Dig down a foot or two in the ground around Frankfort and a part of the Capital City's illustrious history often reveals itself.

Studying bones, bricks, bottles, bullets, even shell-encrusted stones helps trace the development of Frankfort.

When a new sidewalk and steps were under construction at 100 E. Main, Farnham Dudgeon noticed pieces of red brick were uncovered during the excavation. Had he found a card of wool, perhaps a hat, or an old bottle of grog, the history of the corner lot at Main and High, which he purchased in 1954 as the result of an advertisement in the State Journal, would have been confirmed beyond doubt. Yet the chips of brick were further confirmation his lot once contained a tavern, which may have been named the Sign of the Cocked Hat.

For almost 30 years, 100 East Maine has been the home of Dudgeon's Community and Suburban Press Service, a weekly and daily newspaper syndicate. That's one of the lives of the structure on the familiar corner, referred to in older official documents as Lot 193 or the "Cocked Hat Lot." Since the turn of the 1800's, it has probably been the site of a hatting business and tavern, definitely a residence, Rebecca-Ruth Candy, Wiley Floor Covering and Appliances, a publishing and printing shop (Dudgeon's); in the months ahead it could become the home of a sophisticated computer. "Something was here before this building was built, there is an another foundation under it," he explained.

Blue and manila folders in Dudgeon's office hold much of the story of the corner lot, papers prepared by Nettie Glenn and William J. Hearn, Kentucky historians who have devoted a great deal of time and effort to study ing the Capital City's past. Their letters and studies trace the bricks and mortar, and the people who put them on the Cocked Hat Lot, number 193 in the old deed books. Dudgeon believes his, and other historic buildings in Frankfort, have a life, a spirit; to the Mod generation they have "vibes." And, they create a sense of attachment and vitality which, he believes, demands such structures be spiffied-up periodically, given a fresh coat of paint, a new sidewalk, an refurbished interior, even made the subject of a straw poll about shutters for the windows.

Dudgeon bought 100 East Main in 1954 from A. C. Wiley who moved his floor covering and appliance business to Broadway.

"When we took it over one of our first considerations was renovating it, to turn it to our needs. We considered restoring it to its original appearance . . . but we didn't . . . perhaps we didn't have the vision or the sense of history which exists today.

"We bought it to conduct a business. It had some historic value, although no famous person lived there that we know of. But we tried, as we went along, to adapt it, to keep it up," he said.

In 1954, only nine years after the end of World War II, the national and local emphasis was on urban renewal, tearing down aged, blighted areas and replacing old and dilapidated structures with modern, more functional buildings. The historic preservation movement, which in the past 20 years has saved thousands of structures of all kinds, was in its infancy and had a very small constituency. (Ironically, Dudgeon once served as chairman of the city's Urban Renewal Authority, and played a significant part in the development of the Capital Plaza.)

He was one of the first property owners in the post WWII era to renovate a downtown property. "We did it early, and I think it's a good example of what can be done with many pieces of property.

"If a building can be kept productive and useful, it ought to be renovated. It's better to make certain old structures functional rather than just eliminating them. After all, a building is, to a degree, a living, vital thing . . . it deserves care. Look at what renovation has done to buildings on Broadway, to the one which the courthouse will occupy . . ."

The present 100 East Main building, its stone walls between 18 and 24 inches thick, was erected between 1854 and 1871. A map of the city of 1854 didn't show it; the 1871 map did. "At one time it was probably a combination house and business, built by some sort of a tradesman who lived on the Main St. floor and had his shop on the High Street side. The simple lines indicate to me the builder came from a rural background, perhaps English or Irish. I've seen many buildings in Ireland which resemble it," Dudgeon said.

According to Hearn, the Sign of the Cocked Hat "refers to an early 1800 hatting business in Frankfort. Mr. James McClean owned and had his business on some part of Lot 193 in the first quarter of the 19th century." An advertisement in the Frankfort newspaper "Palladium" of November, 1801, announced a hatting business had been started in the "house lately occupied by Adam Caldwell by James McClean," and that he "hopes to merit a share of the public patronage by the unremitting industry and attention to the orders of his customers." In 1810 another newspaper advertisement in the "Argus of Western America" of 1810, it was announced the partnership operating the hatting business was dissolved and N. B. William Porter became the sole proprietor.

In her research of the history of Lot 193, Mrs. Glenn said a plat of Frankfort was recorded with the Clerk of the Court of Appeals in 1805, specifying lots in the city were to be rectangular and of equal size." The exception was Lot 193, "its triangular base resting on High St., its top pointing up Cemetery Hill." The sides of the triangle were Montgomery (now Main St.), Broadway and High. "It looks like a cocked hat lot," Dudgeon chuckled.

By 1815, Haydon Edward deeded Lot 193 which had been divided into smaller parcels, to Richard Taylor. "Entries seem to indicate," Mrs. Glenn explained, "that around 1814 innkeeper Richard Taylor decided to widen his business operations and he chose Lot 193 for this purpose. The thirsty traveler entered the tavern on the ground floor (High St.). To the right was a bar, to the left a fireplace with a wide and generous hearth where the cooking was done."

"Sleeping rooms on the second floor had three-quarter bunks or a double bed, chair, wash stand, pitcher and bowl."

And, there was the necessary privy in the rear of the tavern, situated on a very small lot which Dudgeon had to buy when he purchased the building.

The chips of red brick he saw when the new sidewalk and steps were built last summer which convinced Dudgeon a tavern preceded him some 170 years ago. Mrs. Glenn found an ordinance passed June 12, 1820, in which it was, "ordained by the trustees of Frankfort that the part of the lot commonly called the Cocked Hat frounting on Montgomery St. (Main today) which extends from the intersection of High and Montgomery to the part owned by Benjamin Hickman he and they are directed to make a foot pavement with brick at least eight feet wide, well secured with suitable line of kurb (sic) stones and graduated agreeable to the direction of the committee for supervising the pavement."

When the Capital Ave. bridge was completed in 1938, a traffic plan existed calling for Capital Ave. to be extended through 100 East Main to the area now occupied by the State Office Building. In 1954, just after he bought the site, Dudgeon was in City Hall and found out the city's master traffic plan called for the same extension to the location of the 14-story state building. The talking stage is as far as the proposal ever got.

"Thousands of people go by this corner every day. When we painted last summer we took down the shutters and debated whether to put them back. There was a great deal of comment pro and con so we conducted a straw poll. The shutters won. I've asked myself, how many lives does a building have?"●

RECORD OPEN UNTIL 4 P.M.

Mr. BAKER. Mr. President, I ask unanimous consent that when the Senate completes its business today the RECORD be kept open until 4 p.m. today for the introduction of bills, resolutions, and RECORD inserts.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE CALENDAR

Mr. BAKER. Mr. President, there is one item on the calendar today that is cleared for consideration on this side. and that is Calendar Order No. 390, Senate Concurrent Resolution 45. Could I inquire of the minority leader if that item is cleared on his side of the aisle?

Mr. ROBERT C. BYRD. The item has been cleared.

Mr. BAKER. I thank the minority leader.

RIGHTS OF THE PEOPLE OF AFGHANISTAN

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Order No. 390, Senate Concurrent Resolution 45.

The PRESIDING OFFICER. The clerk will state the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 45) expressing the sense of the Congress with respect to the rights of the people of Afganistan.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee?

There being no objection, the Senate proceeded to the consideration of the concurrent resolution.

Mr. ROBERT C. BYRD. Mr. President, as a cosponsor of Senate Concurrent Resolution 45, I believe it to be imperative that the Congress go on record in expressing our deep concern over the continued occupation of Afghanistan by the Soviet Union.

Since the Soviet invasion, I have taken the floor no less than 15 times so as to keep attention focused on this brutal act.

It has been nearly 2 years since the Soviets sent 85,000 troops into that small nonalined Moslem nation, in a brutal attempt to bring that country into the Russian orbit. Yet, the people of Afghanistan have demonstrated a remarkable resolve against the occupation of their country by a foreign nation which holds values completely alien to all Afghans.

Last week, the United Nations General Assembly, by an overwhelming majority, urged the withdrawal of Soviet forces from Afghanistan. It was the third time since the invasion that the world community has censured the Soviet Union for that action. The vote in the United Nations, which was conducted on November 18, found 116 nations voting in support of the resolution, 23 opposed, with 12 abstentions. It was an impressive refutation of the Soviet occupation of Afghanistan.

The resolve of the Afghan resistance has been documented time and time again through press reports of journalists who have been smuggled into Afghanistan. The rebels have become more effective in carrying out coordinated attacks on Soviet troops and the remnants of the Afghan Army, most of whom have deserted to the rebel side.

The Soviets still maintain the capacity to take temporary control of rural districts. However, the rebels quickly return once they have left. Soviet convoys can travel the main roads only if they are heavily defended. The resistance has demonstrated an impressive capacity to inflict heavy casualties among Soviet troops who are armed with the most sophisticated weapons in their military arsenals.

Mr. President, the tenacity of the rebels is most impressive. But it is also a strong tribute to their great desire to recapture their status as a free and independent nation. They just will not allow themselves to become another satellite of the Soviet Union.

It is entirely appropriate for the Senate to go on record today in opposition to the continued Soviet aggression in Afghanistan. It demonstrates to all, friend and foe alike, that the United States has not forgotten this infamous deed perpetrated on the people of Afghanistan. It demonstrates we will not forget this occupation until the last Soviet troop is withdrawn from that country and the Afghans are left in peace to determine what form of government best suits them.

Mr. GRASSLEY. Mr. President, I rise to urge the adoption of Senate Concurrent Resolution 45, a resolution expressing support for the people of Afghanistan.

On November 19, the United Nations General Assembly voted overwhelmingly to condemn the Soviet invasion of Afghanistan. I was encouraged to note that the traditional majority, consisting of the Soviet Union, its allies, and nations professing nonalinement, did not hold together on the vote. Of the 78 nonalined nations, 65 voted in favor of the resolution, against only 13 in opposition. The debate in the United Nations and the approach of the second anniversary of the Soviet invasion on December 27, 1979, make consideration of this resolution a timely event indeed.

As I said when I introduced the resolution, my purpose is not to endorse any particular policy option. That is something for the Congress to debate in the future. The purpose of the resolution is simple; it expresses the support of the Congress of the United States, representing the people of the United States, for the people of Afghanistan in their struggle against Soviet imperialism.

Mr. President, I have said it before, but I think it bears repeating, that I am somewhat dismayed at the lack of sustained outrage in this country at the Soviet invasion of its weaker neighbor. Until the Soviet invasion, Afghanistan was a nonalined nation. It conducted its own foreign and domestic affairs and had actually made significant progress economically and socially in the decade of democratic freedoms and representative government brought about by the 1964 constitution.

Now, however, it has been brutally subjugated by the Soviet Union. As people who enjoy the freedom to participate in the Government of our Nation—freedom that has been secured and maintained at incalculable cost by previous generations—we ought to resolutely condemn the Soviet Union's cynical disregard for individual liberty and national sovereignty.

In her speech before the United Nations in support of the resolution to condemn the Soviet invasion, our permanent representative to the United Nations, Ambassador Jeane Kirkpatrick, made one of the most forthright statements on the invasion of Afghanistan and the subsequent brutalization of its people I have seen from an American official. Without objection, I ask that the text of Ambassador Kirkpatrick's speech be printed in the RECORD.

Mr. President, I do not anticipate that our consideration of the implications of the Soviet occupation of Afghanistan will end soon, because I do not anticipate that the Soviet occupation will end soon. I do hope, and firmly believe, that we will not forget our traditional commitment to individual freedom and national sovereignty when we consider our response to the invasion and occupation of Afghanistan.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

STATEMENT BY AMBASSADOR JEANE J. KIRKPATRICK

The Soviet invasion of Afghanistan, launched on Christmas Eve nearly two years ago, was a momentous event that altered the climate and, indeed, the course of world politics. The invasion was a grave violation of the United Nations Charter, which enjoins all Members to "refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state." As such, the Soviet invasion of Afghanistan shook the very foundations of world order.

The far-reaching consequences of this event should by now be apparent to all of us. It had a shattering effect upon the prospects for the continued stability of South Asia and the Persian Gulf, deepening anxieties throughout this vital region and raising the specter of a wider conflict. It also severely aggravated tensions between East and West. More than any single event in recent years, the Soviet invasion impelled a widespread reassessment of the world situation based upon a new and more sober appreciation of the danger that the policies of the Soviet Union now pose to global stability and world peace. The invasion thus marked a watershed in the postwar era, bringing to a definitive conclusion a period of optimism concerning the evolution of Soviet policy and intentions.

Nowhere, of course, have the consequences been more immediately or harshly felt than in Afghanistan itself. No sector of Afghan society has been spared the consequences of the Soviet occupation and the ruthless effort to impose upon the Afghan people a Communist totalitarian system—an effort that began in 1978 with the initial Communist coup overthrowing the Daoud government. Almost three million people, about one-fifth of the entire Afghan population, have been forced to flee their country and now constitute the largest single refugee group in the world. Tens of thousands of people have been killed. Afghanistan's educated class has been decimated. Whole villages have been destroyed, their inhabitants killed or forced to flee. Mosques have been desecrated and religious leaders jailed or murdered. Schools have been turned into centers of political indoctrination. The country's economic and social infrastructure of roads, power and communication networks, hospitals, and educational institutions has been badly damaged and in many instances completely destroyed.

It is rarely noted that Afghanistan made significant economic and social progress during the decade of democratic freedoms and representative government brought about by the 1964 constitution. All this—and more—has now been undone.

There have been many attempts in the past to conquer Afghanistan. But nothing in the country's long history—with the possible exception of the devastating attacks more than 750 years ago by Genghis Khan—resembles the destruction wreaked in Afghanistan since 1978.

The Soviet Union and the Kabul regime have tried to conceal this destruction by sealing the country off from journalists and other foreign observers, and from humanitarian organizations such as the International Red Cross. Nevertheless, the truth about the situation there and about the terrible human suffering is becoming known to the world.

How far the Soviets are willing to go in their war against Afghanistan is indicated by the kind of weapons they have used there, including little boobytrap mines which the Soviets scatter by the thousands along the paths used by refugees and other civilians. These mines are frequently disguised as ordinary household items or toys. Children, naturally the least wary, are the ones most likely to pick them up. If they do, they risk being killed or having their limbs blown off.

On April 10 of this year, the Soviet Union signed an international convention prohibiting the use of such weapons. At the time, its Permanent Representative to the United Nations called the convention "an illustrative example of the possibility of reaching

agreements on measures aimed at curbing the arms race." The real "illustrative example," however, is contained in the Soviets' continued use in Afghanistan of the kind of anti-personnel weapons prohibited in the treaty. It is an example that illustrates both the character of the Soviet Union's involvement in Afghanistan and its attitude—in this instance, at least—toward a treaty obligation. In this connection, there are many reports from refugees and other victims of the Soviet invasion that lethal and incapacitating chemical weapons are being used in Afghanistan, in violation of both the Geneva Protocol of 1925 and the Biological Weapons Convention of 1972.

It is not possible to justify the Soviet actions in Afghanistan according to any meaningful interpretation of international law. The sole exception to the proscription against the use of force in international relations is provided for in Article 51 of the Charter, which affirms "the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations." But not even the Soviet Union itself has suggested that it has been the victim of an armed attack.

Moreover, it is hard to imagine how Afghanistan might conceivably have posed a threat to the Soviet Union. For decades the Soviet Union had proclaimed to the whole world, repeatedly, that its relations with Afghanistan were a model of peaceful co-existence, a prime example of neighborly relations between a small country and a big country, each with different systems of government and social structures, but living together in peace without interference. Since 1921 the two countries had signed numerous treaties, affirming and reaffirming Moscow's respect for Afghanistan's independence and territorial integrity and promising non-interference in Afghan affairs. It should not be forgotten, furthermore, that Afghanistan was a member of the Non-Aligned Movement and was not involved in any relationships that Moscow might look upon with concern.

How, then, could it have posed a threat? The argument is advanced that the Soviet Union felt threatened by the turmoil inside Afghanistan. But aside from student riots fomented by Babrak Karmal and his followers in 1965 and a brief period of unrest following the bloodless Daoud coup in 1973, there was no turmoil at all in Afghanistan before April 27, 1978—before, that is to say, the Communists violently seized power in Kabul and, with the help of growing numbers of Soviet "advisers," began forcibly to impose upon the people of Afghanistan a foreign ideology and a totalitarian system.

It is also suggested by apologists for the invasion that the Soviet Union feared that a tide of Islamic fundamentalism might sweep from Afghanistan into its Central Asian provinces. But even if this were true, it would hardly justify the Soviet invasion. In fact, the Afghans are a devout people, but they have not tried to impose their beliefs on others and historically they have allowed minority faiths to live peacefully within their midst. This attitude of tolerance is characteristic of the Afghans except when their faith itself is attacked, as it now is by Communism. They are not tolerant, nor should they be, of an attack upon their freedom, independence, and identity, of which their religion is an important part. But there should be no doubt whatsoever that the threat in this instance is to—not from—the people of Afghanistan.

The Soviet Union also claims, of course, that its forces were invited in by the Kabul regime, which invoked its right to self-defense under Article 51. But so far, neither the Soviet Union nor the Kabul regime has produced a shred of evidence to prove that such an invitation was ever issued. It is hard to imagine what kind of evidence they could produce since, as we know, the invasion preceded the installation of Babrak Karmal, who wasn't even in Afghanistan at the time his predecessor was overthrown and killed by invading Soviet troops. Of late, Babrak Karmal has taken the line that the invitation was issued by the Afghan Communist Party. This, of course, is actually an admission that the invitation was not issued by any government.

The Kabul regime, moreover, has no legitimacy whatsoever in the eyes of the Afghan people. It exists only by virtue of Soviet actions and is, in fact, merely an appendage of Moscow. Soviet personnel direct virtually all aspects of its administration, including the Ministries of Foreign Affairs, Defense, Interior, Information and Culture, Justice, and Economic Planning. Since 1979, Soviet personnel have also commanded the Afghan army down to the brigade level and sometimes down to the company level. The Soviets even control Afghanistan's natural resources, in particular natural gas, which are extracted in a one-sided barter arrangement in exchange for goods used to sustain the Kabul regime.

Suspicions have been raised that the Kabul regime may also have acceded, in a treaty signed earlier this year, to the annexation by the Soviet Union of at least a part of the Wakhan corridor, the narrow strip of land that joins Afghanistan with China. A de facto annexation has already taken place since the area—from which the indigenous Kirghiz tribes have been forced to flee—is now under the control of the Soviet army.

Given the Kabul regime's utter subservience to Moscow, it is hardly surprising that it should have no base of support among the Afghan people. It is propped up by 85,000 Soviet troops. Yet the freedom fighters—poorly armed and trained, and virtually defenseless against some of the most sophisticated weapons in the Soviet arsenal—have been able to deny the Soviets control of perhaps 90 percent of the countryside and have made them contest many of the most important cities. In a desperate attempt to stem the disintegration of the Afghan army, the regime has offered many times normal pay to former enlisted men. Yet still they do not turn up, while draft-age men continue to slip out of the cities to join the resistance and whole units of the army desert en masse. The regime has repeatedly offered an amnesty to refugees who would return to Afghanistan from exile. Yet every week the refugee centers in Pakistan and Iran swell by the thousands.

What is clear today was clear in 1979. Then, as now, the Kabul regime was not threatened by an outside power, justifying defense under Article 51, but was in fact threatened by a popular uprising, a spontaneous popular uprising, of the nation—of the people in whom nationhood inheres and solely inheres in the absence of a legitimate government. It was an uprising against a regime that had slaughtered its own people, destroyed their homes, sent almost half a million people fleeing into exile, and delivered the country to an alien force—an uprising that continues to this very day against the present regime and its Soviet masters.

It is this uprising, and this uprising alone, that is justified to invoke the right of self-defense, for it is defending the independence and very existence of the Afghan nation against a foreign and brutal domination.

Small wonder, then, that the Soviet Union is doing whatever it can to obscure the truth about Afghanistan. There is no other way to understand the charge—repeated by the Soviet Foreign Minister before this body in September—that the real source of the conflict in Afghanistan is foreign interference by the United States and China. This charge is ludicrous but also revealing, for it shows the lengths the Soviet Union is forced to go to conceal the real nature of its policy.

There are only two realities in Afghanistan today: the Soviet occupation and the Afghan nation, and neither is compatible with the other. The Soviet Union can conquer Afghanistan only by eliminating the Afghan nation. This the world must not permit to happen, for if Afghanistan is vanquished, no independent nation will be safe.

The draft resolution now before us, like its predecessors, seeks an end to the occupation of Afghanistan. It calls for:

Immediate withdrawal of all foreign troops;

Restoration of the sovereignty, territorial integrity and non-alignment of Afghanistan;

Restoration of the right of the Afghan people to choose their own form of government and economic and social system, free from outside intervention, coercion or restraint; and

Return of the refugees to their homeland.

My government is firmly committed to these terms.

The struggle of the Afghan nation for survival is consistent with the basic and most cherished purposes of the United Nations, which are to protect national independence and to maintain world peace.

It is only fitting, therefore, that the United Nations should affirm the basic and most cherished purpose of the Afghan nation, which is to regain its ancient homeland so that it may once again be independent and live at peace.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (S. Con. Res. 45) was agreed to.

The preamble was agreed to.

The concurrent resolution (S. Con. Res. 45), with its preamble, reads as follows:

S. CON. RES. 45

Whereas the United States, as the leader of the free world, supports the rights of all peoples to self-determination;

Whereas all the countries of the free world provide practical cooperation where positive United States policy efforts are made;

Whereas the Soviet military invasion of Afghanistan deprives the Afghan people of their right of self-determination and their right to a government consistent with their traditions;

Whereas the Soviet Union is engaging in the systematic destruction of the lives and property of, and is attacking the traditional values of, the people of Afghanistan;

Whereas the Soviet Union is engaging in a systematic policy of economic exploitation in Afghanistan;

Whereas the citizens of the United States and of the rest of the free world must not be allowed to forget the plight of the Afghan people; and

Whereas the valiant Afghan resistance against Soviet aggression has not received the level of moral support and material assistance from the free world which such resistance deserves and requires: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress expresses its deep concern with the denial of the rights of the Afghan people by Soviet forces and recognizes the traditional commitment of the United States Government to the right of all peoples to independence and autonomy and the applicability of this commitment to the current situation in Afganistan.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the concurrent resolution was agreed to.

Mr. ROBERT C. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THE HUNGER STRIKE OF ANDREI SAKHAROV AND YELENA BONNER

Mr. BAKER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of Senate Resolution 246.

The PRESIDING OFFICER. Is there objection? Hearing none, it is so ordered.

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate Resolution 246.

The PRESIDING OFFICER. The clerk will state the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 246) relative to the hunger strike of Andrei Sakharov and Yelena Bonner.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee?

There being no objection, the Senate proceeded to consider the resolution.

Mr. MOYNIHAN. Mr. President, I thank the distinguished majority leader for his courtesy in discharging the Committee on Foreign Relations from the resolution and asking that it be laid before the Senate.

Mr. President, I ask that the distinguished Senators from Illinois (Mr. PERCY), from Rhode Island (Mr. PELL), and from Connecticut (Mr. DODD) be added as cosponsors of this resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIEGLE. Mr. President, if the Senator would yield at that point, if I have not been added as a cosponsor, I would like to be added.

Mr. MOYNIHAN. I am happy and honored to have the Senator from Michigan (Mr. RIEGLE) added as a cosponsor. Mr. President, I ask unanimous consent that Mr. RIEGLE be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOYNIHAN. Mr. President, it is with a profound sense of concern that I must rise this afternoon to report to my colleagues on the fate of Andrei Dimitrievich Sakharov, one of the world's most tireless crusaders for human rights and intellectual freedom.

Dr. Sakharov and his wife, Yelena Bonner, have commenced a hunger strike in Gorky, U.S.S.R., to press for the emigration of a young woman engaged to marry Mrs. Bonner's son. Reports have reached the West through friends of the Sakharovs and just this morning, I met with Dr. Shakharov's stepdaughter, Tanya Yankelevich, and his stepson, Aleksei Semyonov, who awaits the release of his fiance.

Dr. Sakharov apparently gave the Soviet leadership a month's advance notice of his intentions in a letter he sent to Soviet President Leonid I. Brezhnev and to the president and vice president of the Soviet Academy of Sciences, Anatoly P. Aleksandrov and Yevgeny P. Velikhov, respectively. Dr. Sakharov, most will recall, was elected to full membership in the academy in 1953 at age 32—an event unprecedented in the history of Soviet science.

Dr. Sakharov seeks nothing more than permission for the emigration of Yelizaveta Alekseyeva, the fiancee of Aleksei Semyonov, Mrs. Bonner's son by a previous marriage, who emigrated to the United States 4 years ago. Miss Alekseyeva lived with the Sakharovs in Moscow until Sakharov's exile last year. She was, at first, allowed to visit them in Gorky but of late, Soviet authorities have discouraged her travels. The Sakharovs were exiled to Gorky last year.

I should note, too, Mr. President, I have received the text of a letter which Dr. Sakharov managed to send to Mr. Robert Bernstein at Random House publishers in New York. Mr. Bernstein is chairman of the organization Helsinki Watch, which seeks to monitor the basket of provisions from the Helsinki accords dealing with human rights. Sakharov's letter, accompanied by a longer letter addressed to all his foreign colleagues, relates the physicist's sense of responsibility for his stepson and his daughter-in-law—they were married by proxy and await official ceremonies in the West—and says that he "cannot take a calm attitude toward their years of suffering." Sakharov notes that he is "counting on help" from those he addresses.

Mr. President, this lonely story from Gorky will receive ample attention in the West because the figure involved is no less than a brilliant Soviet scientist and the 1975 recipient of the Nobel Prize for peace. Yet it is a story surely repeated dozens of times each week in the Soviet Union, the result of repressive policies from a hateful regime that rules not through the consent of the governed but through the totalitarian devices of terror and intimidation.

Andrei Sakharov is, of sorts, a living icon. His story arouses in us all the deepest sense of sympathy not entirely because of who he is, but more because of what he tries to say to us all. He has become a symbol for the world of what it means to become a stranger in one's own land; a prisoner not of action, but of conscience.

If I might indulge the Senate a moment, I think it useful to recount precisely why Sakharov finds himself in exile. Of his career, we know much of its brilliant sparkle, of the remarkable work he did at the Lebedev Institute of Physics in Moscow which built the theoretical foundation for fusion physics. It is one of the ironies of our time that a man so devoted to peace should be so remembered for scientific work which led to the creation of mankind's first thermonuclear weapon. That Sakharov is widely considered the "father" of the Soviet H-bomb should not obscure the value of his work as a scientist. In a sense, his theoretical work also played a large role in setting physicists to work on the entire question of fusion physics and the peaceful application of fusion in energy research.

How did one so revered in the Soviet scientific community, one so honored by Soviet bureaucrats and politicians, reach the point of exile? Simply by speaking the truth, by asking questions profound, and by arguing in favor of the rights of the individual.

Looking back, it is difficult to imagine the subject of Dr. Sakharov's first criticism of official Soviet policy. It was not a tirade against the leadership; it was not a blatant overture to the West. It was merely an argument that gifted students in the Soviet Union should be allowed to study mathematics. Mr. President, that is how it all started.

In the years following Nikita Khrushchev's denunciation of Stalin, a debate of sorts began in the Soviet Union over education policy. Khrushchev had argued that students should spend time gaining "practical" experience as field or factory workers when they reached age 15 or 16. His proposal was perhaps anti-intellectual. It was also a veiled attempt to supplement the U.S.S.R.'s labor force—decimated as it was from the Second World War and the Stalin purges.

Sakharov and his colleague and friend, Yakov B. Zeldovich, argued that gifted students should be allowed to pursue their academic work uninterrupted. They did not make the argument explicitly—they did not need to—but their own careers were ample proof that the most brilliant of theoretical work in the sciences is frequently done by younger people. Sakharov and Zeldovich argued only that gifted students be allowed an exemption from the "practical" learning requirement. What followed was a rather extraordinary—in the Soviet context—public debate over educational reform—one of the first and most important discussions in the post-Stalin era. For the faceless Kremlin bureaucrats who hovered darkly in the shadows, the threat of such public debate was easy to comprehend. They would remember young Sakharov and they, we all know, would soon find occasion to depose Khrushchev.

Sakharov's maturation as a scientist may also have contributed to his growing sense that there were questions about Soviet society that needed to be asked. Though most of his work was unpublished in his years at the Lebedev Institute—that being the fate of those who labor on highly classified projects with significant military implications—Sakharov began turning his intellectual skills to the problems of the universe: quark theory, universe expansion, the distribution of matter. As his thinking evolved from particle physics to universe theory, so his intellectual criticism of the Soviet Union turned from matters of science education to sociopolitical questions.

We know from underground Soviet publications, especially the Chronicle of Current Events, that Sakharov's best-known essay, "Progress, Coexistence and Intellectual Freedom," circulated widely in samizdat circles in the late 1960's. We know of Sakharov's fascination with the Czech political and economic reforms in 1968 and his horror at the resulting Soviet invasion. We know that a memo he circulated in 1970 on the need for economic reform cost him a position he held at the Ministry of Medium Machine Building. And we know that Sakharov lent his considerable prestige and leader-

ship to the formation of a Human Rights Committee within the U.S.S.R., a committee which has served to coordinate and document the wealth of writing and commentary in the Soviet Union's diverse and vibrant dissident culture.

It is, perhaps, hard for us to understand how mere discussion and debate could pose such problems for a suspicious political leadership. There is much of the paranoia in the Kremlin of which we understand too little. But we know that Sakharov has paid an inordinate price for being outspoken, and for being courageous enough to say things quietly which had to be said. That he has now chosen to place his life in peril—that he is joined in this action by his wife—must cause us more than passing concern. Life is the one precious commodity which Sakharov has been allowed to keep. That he should now risk it in the name of truth and freedom is an event we cannot ignore.

In rereading Dr. Sakharov's thoughts on peaceful coexistence, we cannot help but be struck by the similarities to statements issued frequently by Soviet leaders and by U.S. Presidents. We have seen this week a profound commitment to nuclear arms control and reduction issued by our own President. President Reagan recalled a letter he wrote recently to President Brezhnev which said, in part:

> The peoples of the world . . . have very much in common. They want the dignity of having some control over their individual lives, their destiny. They want to work at the craft or trade of their own choosing and to be fairly rewarded. They want to raise their families in peace, without harming anyone or suffering any harm themselves.

Mr. President, these are the very principles for which Andrei Sakharov will now hazard starvation and, even, death. The Soviet leadership has refused his plea. Perhaps they will listen to the President of the United States and today, in offering the following sense of the Senate resolution, it is my sincere hope that they will listen to this body as well. We must associate ourselves with Sakharov's struggle for it is indeed the struggle of all those who cherish peace, freedom, and human dignity.

The resolution asks only that we acknowledge the courage of Dr. Sakharov and his wife and that the Soviet Union acknowledge the commitments it made at Helsinki. It is the least we can do, but do it we must.

Mr. President, Mr. Robert Bernstein, of the Association of American Publishers, has received from Dr. Sakharov a letter describing the circumstances that have led him to his hunger strike and the purposes thereof. It is entitled "A Letter to My Foreign Colleagues." I ask unanimous consent that this letter be printed in the RECORD along with the letter to Mr. Bernstein by which it was received.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OCTOBER 9, 1981.

ASSOCIATION OF AMERICAN PUBLISHERS,
MARTIN LEVIN,
ROBERT BERNSTEIN.

DEAR FRIENDS: I am aware of the interest you are taking in my plight and I am deeply grateful for it.

On November 22,* I and my wife Elena Bonner, having despaired to break through the KGB-built wall by any other means, are forced to begin hunger-strike demanding that our daughter-in-law Liza Alekseyeva be allowed to leave the USSR to join our son.

I repeatedly wrote on this matter, now I am telling about it in more detail in the letter to my colleagues which is enclosed.

I am counting on your help.

With profound respect,

Sincerely,

ANDREI SAKHAROV.

A LETTER TO MY FOREIGN COLLEAGUES

I have written frequently about my son Alyosha and his wife Liza Alekseyeva. After Alyosha's forced emigration three and a half years ago, Liza became the hostage of my public activity. Violating their own international obligations, the Soviet authorities are not giving her permission to emigrate; they are persecuting her, threatening her with arrest, attempting to deprive her of hope and drive her to despair.

In June, 1981, Alyosha and Liza affirmed their fidelity to each other by entering into marriage by proxy in accordance with the laws of the USA (the state of Montana).[1] Although the Soviet authorities do not acknowledge the validity of such marriage; it is, in any case, yet another affirmation of Alyosha and Liza's deep desire to be together.

According to the Helsinki Accords and other international documents signed by the USSR, such a desire is sufficient grounds for Liza to receive permission to emigrate.

I feel a direct responsibility for Liza and Alyosha's difficult fate and cannot take a calm attitude toward their years of suffering. That suffering has been entirely caused by their nearness to me, their confidence in me when I insisted that Alyosha emigrate thinking that Liza would be able to join him later on. I am ready to take responsibility for my own public and publicistic activities in accordance with the laws of the state and I demand an open trial. To use my son and his wife for revenge and to put pressure on me is unworthy, illegal, and intolerable.

There can be no question of any contact with my Soviet colleagues nor of any scientific work while this tragedy of my loved ones continues. It is precisely in this matter that I need help most of all and where, at the same time, such help has the best chance of being meaningful.

Twice I have addressed requests for intervention to the Chairman of the Presidium of the Supreme Soviet, Leonid Brezhnev. In July 1980 I sent him a telegram and in May, 1981 a letter. Neither my telegram nor my letter was answered.

I assume that neither of my requests reached Brezhnev nor even his office but were blocked by the KGB which thought that, having deprived me of my three Hero of Socialist Labor and other awards, the Presidium of the Supreme Soviet of the USSR had, in that fashion, sanctioned any other illegal actions against me.

It is precisely for that reason that I am asking my foreign friends to request the officials of their countries, upon contact with Brezhnev and other high-level Soviet leaders, to bring this problem to their attention and to work toward its resolution—this is the only method of breaking the KGB blockade.

Unfortunately, I still have no evidence of any efforts in that direction.

A year ago I addressed a request to the President of the Academy of Sciences of the U.S.S.R., A. Alexandrov and its Vice President E. Velikhov to defend me against hostage-taking, but I received no answer from them just as my repeated letters and telegrams to Velikhov received no answer.

In February, 1981 I wrote to Academician Ya. Zeldovich with whom I was connected by long years of co-work and by, I thought, friendly relations, and to Academician Yu. Khariton, the head of the Institute where I had worked for 18 years.

In June, 1981 I addressed the same request for help in Liza's case to Academician P. Kapitsa and to Academician B. Kadonteev who is working in controlled fusion. Ya. Zeldovich answered with a letter in which he categorically refused to help me, referring (I am convinced, without basis) to the shakiness of his own position supposedly revealed by his "not being allowed further than Hungary."[2]

Zeldovich, an academician, like myself a three-time recipient of the Hero of Socialist Labor award, had (as I did) access to secret information but was not involved in public or human rights activities. I did not ask him or the other academicians for public actions, only some quiet words.

Academicians Yu. Khariton, P. Kapitsa B. Kadontseev sent absolutely no replies to my letters. Zeldovich's answer and the position of other Soviet scientists has been a bitter disappointment to me, not only on the personal level but as a manifestation of a pernicious abandoning of responsibility and of the possibility of influencing events (I am not only speaking in connection with myself) and, at the same time, this was not done from considerations of principle but because of shamefully petty reasons.

I feel a wall of misunderstanding, indifference, and passivity around me. The tragedy of Liza and Alyosha continues and perhaps—if nothing changes—will last even longer. In this extreme position, after long and painful reflection, my wife, Elena Bonner, a veteran wounded in the Second World War, and I have made the decision to begin a hunger strike on November 22 to demand that Liza be given permission to emigrate from the USSR.

In communicating this decision I hope that you will understand the motives behind this step we are taking; its inner necessity for us in this tragic situation. In the past I have been on hunger strike in support of prisoners of conscience of the USSR.[3]

I consider the defense of our children just as rightful as the defense of other victims of injustice, but in this case it is precisely me and my public activities which have been the cause of human suffering.

I also think that this step is a continuation of my many years of speaking out in defense of the right to freely choose one's country of residence, the lack of which in our country leads to many tragedies.

I am counting on your help!

ANDREI SAKHAROV.

NOVEMBER 4, 1981.

ON DR. SAKHAROV'S "LETTER TO FOREIGN COLLEAGUES"

I would like to draw your attention to the fact that Dr. Sakharov's decision to begin

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*"November 16" in the original, but later the date was changed.

[1] In fact, there is nothing in the Soviet Law that may prevent the authorities from recognizing a proxy marriage. Moreover, according to the Soviet Matrimonial Code (article 32) "marriages between Soviet citizens and foreigners when contracted outside the USSR provided that the formal requirements established by laws of the place of such contract are met are recognized as authentic (legal) in the USSR."

[2] Position that a person is holding in the Soviet hierarchy is frequently described in terms of where he is allowed to travel: only inside the country, to Eastern Europe (Hungary, for example), or to "capitalist countries."

[3] Dr. Sakharov was on hunger-strike in 1974 during President Nixon's visit to Moscow demanding release of V. Bukovsky and other prisoners of conscience.

a hunger-strike is a result of three years of intensive but unsuccessful and frustrating attempts to obtain permission for Liza Alekseyeva to leave the country.

Even in his first public statement from exile in January 1980 he repeated this demand: "Being in a state of complete isolation and anxiety for members of my family: for my mother-in-law and for my daughter-in-law Liza Alekseyeva—to whom I am no longer able to provide any protection—I demand that Liza Alekseyeva be given an opportunity immediately to leave the USSR." He has been mentioning Alekseyeva's case in the most of public statements ever since.

In November 1980 he broke his contacts with the Soviet Academy of Sciences, partially because of Academy's reluctance to act on behalf of Liza Alekseyeva. In the letter to participants of the Tenth European Conference on Controlled Fusion (Moscow, September 1981) Dr. Sakharov once again expressed his belief that Liza Alekseyeva is held hostage to exert pressure on him.

"The fact of someone's being held hostage because of me is unbearable"—he wrote.

Apparently Dr. Sakharov feels now that he had exhausted all "regular" ways to influence position of authorities toward Liza Alekseyeva.

Recalling the impact of the 1974 hunger-strike on his health I fear the consequences of his decision.

I hope this longstanding problem will be resolved before it will force Dr. Sakharov to resort to apparently the last option he has in his disposal.

Should you choose to undertake any immediate actions I would suggest to contact Soviet Embassy in your country and your country's delegations to the Madrid Conference on Security and Cooperation in Europe that recently has resumed its work.

EFREM YANKELEVICH.

Mr. MOYNIHAN. Mr. President, there was an article in the New York Times of Sunday, November 22, about a group of American scientists, including 18 Nobel laureates, and their efforts to bring about the objectives of Dr. Sakharov has set forth. Also, Mr. President, Tatyana Yankelevich, the step-daughter of Mr. Sakharov, and Alexey Semyonov, the stepson, came to Washington for the purpose of presenting a request that has previously been declined to the Vice Counsel of the Soviet Embassy requesting permission to visit the Soviet Union and their parents.

I ask unanimous consent that this letter be printed in the RECORD at this point, along with the New York Times article.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NOVEMBER 24, 1981.

His Excellency VICE CONSUL A. CHUPLYGIN,
Embassy of the U.S.S.R., Consular Division, Washington, D.C.

DEAR MR. CHUPLYGIN: For two years Soviet Consulate in Washington has been refusing on various pretexts to certify my formal invitation to my wife Elizaveta Alekseyeva to join me in the USA.

In August this year you have stated that Soviet law does not recognize our marriage contracted by proxy in Butte, Montana. I do believe that your statement is incorrect and our marriage is, indeed, legal under Soviet law according to the article 32 of the Matrimonial Code of the USSR. I also doubt if you are in position to pass judgment on this subject.

However it became clear that here is no procedure available to me to challenge your decision not to certify my invitation to my wife.

Thus I am asking you for an entry visa to go to Soviet Union for the purpose of confirming our marriage in Moscow in accordance with Soviet procedure.

My sister Tatyana Yankelevich, her husband Efrem Yankelevich and I also wish to visit our parents Yelena Bonner and Andrei Sakharov in Gorky. As you know actions of the government you represent forced them to begin a hunger-strike on November 22nd. Being in a state of grave concern over their health and life, we wish to see them as soon as possible. The necessity to see them is especially urgent since nobody is allowed to visit them.

We urge you to issue visas immediately,

Sincerely yours,

ALEXEY SEMYONOV.
TATYANA YANKELEVICH.
EFREM YANKELEVICH.

[From the New York Times, Nov. 22, 1981]

U.S. SCIENTISTS APPEAL TO BREZHNEV OVER SAKHAROV

(By Fox Butterfield)

BOSTON, Nov. 21—American scientists have sent messages to Leonid I. Brezhnev, the Soviet leader, and to President Reagan to try to avert a hunger strike by Andrei D. Sakharov, the dissident physicist, which he has said he will begin Sunday to press for the emigration of his stepson's fiancée.

The messages were signed by 25 scientists, including 18 Nobel laureates, among them two winners this year for physics, Nicolaas Bloembergen of Harvard and Arthur Schawlow of Stanford.

At the same time, a number of scientists and specialists on the Soviet Union expressed concern that there was little that Americans could do to influence Moscow because of cutbacks over the last few years in academic exchanges.

The reductions are a result of earlier protests over Soviet human rights violations and the intervention in Afghanistan, as well as a decrease by the Reagan Administration in Federal financing for exchange programs.

EXISTING BAN ON SEMINARS

The National Academy of Science for example, has for the past year imposed a total moratorium on all group exchanges with the Soviet Union for activities like scientific seminars. Under Mr. Reagan's proposed budget for fiscal year 1982-83, grants for the Fulbright program, one of the main academic exchange programs, are to be slashed 40 percent.

"There's not much the American scientific community can do for Sakharov," said Marshall I. Goldman, an economist who is associate director of the Harvard Russian Research Center.

"The fishing line has already been drawn in so much, there's nothing left to pull in. This shows that the point about linkage is that it works as long as there is something to link."

Dr. Sakharov said earlier this week through a letter that he and his wife, Yelena Bonner, had decided on the hunger strike because they had exhausted all other ways to persuade the authorities to let his stepson's fiancée, Yelizaveta Alekseyeva, emigrate to the United States.

STEPSON EMIGRATED 4 YEARS AGO

The stepson, Aleksei Semyonov, who is Miss Bonner's son by an earlier marriage, emigrated four years ago and is a graduate student in mathematics at Brandeis University in Waltham, Mass. They were married last summer in a proxy ceremony in Montana that the Soviet Government does not recognize.

Dr. Sakharov says the Soviet Government is preventing Miss Alekseyeva from leaving as a form of revenge and pressure to curb his public activities. Dr. Sakharov was exiled from his home in Moscow to the industrial city of Gorky 22 months ago.

In a bizarre addition to his original letter describing his plans for the hunger strike, Dr. Sakharov has since charged that the secret police, the K.G.B., have threatened to kill him, using the fast as a cover, and blame his death on Miss Bonner. Dr. Sakharov went on a brief hunger strike in 1974 at the time of President Nixon's visit to Moscow to protest the detention of dissidents.

The scientists' messages to Mr. Brezhnev and Mr. Reagan were organized by Edward D. Lozansky, an émigré physicist whose own wife and son have also not been permitted to leave the Soviet Union.

Among the Nobel laureates who signed are Linus C. Pauling, chemist; David Baltimore and George P. Wald, biologists, and Walter Gilbert, microbiologist.

In addition, Lipman Bers, a Columbia University mathematician who heads the Committee on Human Rights of the National Academy of Science, has organized a letter of protest signed by 25 scientists, including 10 Nobel laureates, mostly in physics. The letter, to be sent to the editor of The New York Times, appeals to the Soviet Government to let Miss Alekseyeva emigrate.

"What possible harm to the Soviet state could result from this young woman's emigration?" the signers ask.

Mr. RIEGLE. Mr. President, I commend the Senator from New York for his initiatives on the matter he has just raised. This is a vitally important matter. I am not only pleased to cosponsor this with him but to add my voice to his in bringing more attention and concern to this vital matter in which these persons are suffering conditions of deliberate hardship in the Soviet Union.

Mr. MOYNIHAN. Mr. President, I thank the Senator and I thank the distinguished majority leader for allowing the Senate to do something which, let us hope, is not the last we hear of this matter. But let us not fail to recognize the tragedy of the situation in Gorky at this moment.

I thank the Chair.

Mr. PERCY. Mr. President, I wish to congratulate Senator MOYNIHAN on his timely and important initiative, and associate myself with it.

We sometimes lose track of the fact that people asking to emigrate from the U.S.S.R. are not asking for something extraordinary, or contrary to Soviet law or policy. The Soviet State itself signed up to this right in the Helsinki Final Act.

With Sakharov, the Soviet State long ago admitted defeat. He is one of those human beings who always concentrates on what is true, and what is right, not on what is expedient. Soviet authorities failed utterly in a long series of ploys to buy him off, or intimidate him into silence. They finally sent him to Gorkiy, where foreigners are not allowed, hoping the outside world would no longer hear from him or remember him. But the world has continued to hear from Sakharov in Gorkiy, and none of us can forget this brilliant scientist who repudiated his own nuclear discoveries in the cause of peace, and has so consistently called on his native land to honor the basic human rights of its citizens.

Now the Soviet Government is reduced to the pettiest of harassments, in denying permission for the Soviet fiance of his stepson to join her intended abroad. With characteristic courage, after hav-

ing exhausted other means, Sakharov and his wife are now risking their lives in protest. We can do no less than to honor their protest by urging Soviet authorities to change their minds.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 246) was agreed to.

The preamble was agreed to.

The resolution (S. Res. 246), with its preamble, reads as follows:

S. RES. 246

Whereas Andrei Dimitriyevich Sakharov has worked tirelessly and courageously for many years to secure basic human freedoms for citizens and residents of the Soviet Union, particularly those rights and freedoms proclaimed and guaranteed by the Final Act of the Conference on Security and Cooperation in Europe, signed at Helsinki, August 1, 1975;

Whereas Andrei Sakharov was awarded the 1975 Nobel Prize for Peace for his love of truth and strong belief in the inviolability of human beings, his courageous defense of the human spirit, and for his role as the conscience of mankind;

Whereas Andrei Sakharov has been an eloquent and outspoken champion of dissidents in the Soviet Union who have sought to have their government abide by its formal commitments to protect human rights, and who have suffered at the hands of the Soviet state in consequence;

Whereas Andrei Sakharov has been subjected to villainous harassment, punishment, loss of his livelihood, and acts of physical violence by agents of the Soviet state in retaliation for his activities in defense of human rights;

Whereas the harassment and persecution of Andrei Sakharov by the Soviet state has been aggravated by the refusal of Soviet authorities to allow Yelizaveta Alekseyeva, his stepson's fiancé, to join her intended husband, Aleksei Semyonov, in the United States, in flagrant violation of the Helsinki accords signed by the Soviet Union;

Whereas Andrei Sakharov and his wife Yelena Bonner have announced their intention to commence a hunger strike on Sunday, November 22, 1981, in protest of this refusal by Soviet authorities because in Doctor Sakharov's words, they have found the "exploitation of the fates" of Mr. Semyonov and Miss Alekseyeva "for revenge and pressure against me to be mean, illegal, and intolerable";

Whereas the American people share the outrage of Doctor Sakharov and his wife at this illegal refusal of Soviet authorities to allow Miss Alekseyeva to emigrate; and

Whereas the Government of the Soviet Union is responsible and accountable for the fate of Andrei Sakharov and his wife, Yelena; Now, therefore, be it

Resolved, That it is the sense of the Senate that the Congress associates itself fully and completely with the hunger strike protest by Andrei Sakharov and urges the Government of the Soviet Union to abide by its commitments and to permit Yelizaveta Alekseyeva to emigrate.

SEC. 2. The Secretary of State is requested to transmit to the Government of the Soviet Union a copy of this resolution.

Mr. MOYNIHAN. Mr. President. I move to reconsider the vote by which the resolution was agreed to.

Mr. RIEGLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MOYNIHAN. I thank the Chair.

DISAPPEARANCE OF SISTERS JEAN REIMER AND HELEN LAVALLEY IN GUATEMALA

Mr. RIEGLE. Mr. President, yesterday I was shocked to learn of the disappearance in Guatemala of two Dominican nuns who have been doing missionary work in that country. Sisters Jean Reimer and Helen Lavalley were both from the State of Michigan. Their abduction—if their disappearance turns out to be that—would be a dismal ending to a grisly year of bloodshed in Guatemala.

According to published reports, 1981 witnessed the execution of over 120 Guatemalan citizens, including women and children, between April and June, as well as the assassination in July of Rev. Stanley Rother and the murder on September 13 of John Troyer, a Mennonite missionary. But even these statistics, as horrifying as they are, do not begin to tell the whole story. There is every reason to believe that murders and kidnappings in remote regions of the country often go unreported. Nor can we begin to imagine the fear that such a reign of terror instills in the population.

Mr. President, it is time we did something to put an end to the slaughter of our own citizens abroad and to the unrestrained brutality of governments whom we support with military and economic aid. The United States has to take a firm stand in opposition to martial government. We must speak out unambiguously against murder. We must stand up for the basic rights of all citizens.

We do not have to stand idly by while our innocent missionaries are abducted and governments we underwrite commit outrageous acts of violence against helpless civilians. We need a thorough investigation of the disappearance of Sisters Jean Reimer and Helen Lavalley. I have circulated a telegram addressed to the President of Guatemala demanding that the disappearance of the two nuns be examined immediately; and I would welcome additional cosignatories.

Finally, Mr. President, I would submit for the record the conclusions of a recent inquiry into human rights abuses in Guatemala, prepared by the Organization of American States. As remarkable as this document is for its condemnation of the Guatemalan regime, it is more remarkable still for its authorship. For it was prepared by Latin Americans themselves, and it demonstrates that Guatemala is guilty of unremitting crimes of aggression against its own people and others it regards as undesirable. This document reinforces the urgent need for us to take action to bring to an end the continuing spiral of death and violence in Latin America, to publicly question our overall policy in that part of the world, and to uphold our obligation to protect the lives and well-being of our citizens abroad.

Mr. President. I ask unanimous consent that the materials to which I have referred in my remarks be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Oct. 16, 1981]

OAS RIGHTS UNIT BLAMES GUATEMALA FOR "GREAT MAJORITY" OF KILLINGS THERE

The Inter-American Human Rights Commission has declared the government of Guatemala responsible for a "great majority" of the "thousands of illegal executions" that have occurred in the Central American nation in the last four years.

In a 134-page report distributed yesterday, the seven-member commission concluded that the military government—which the Reagan administration has vowed to support through resumption of military aid—has "instigated or tolerated" an "alarming" level of violence generally.

The commission is an autonomous agency of the Organization of American States. Its reports on rights violations have particular impact in the Western Hemisphere as a judgment by peers. This impact is enhanced because of the standard practice of offering the accused government exhaustive opportunity for rebuttal.

Guatemala, despite occasional declarations that it had nothing to hide, refused repeated efforts by the commission to make an on-scene investigation. As detailed in the report, the commission also received scant cooperation through official exchanges that resulted from denunciations filed by the families of victims.

As a result of its compilations, however, the commission found that those assassinated in Guatemala "are for the most part leaders of opposition political parties, union members, priests, lawyers, journalists, teachers, and thousands of peasants and Indians" killed by "security forces or groups of paramilitary civilians acting with the close collaboration of government authorities."

Noting the absence of any prosecution of rights violators, the commission recommended "total reorganization of the judicial system," giving it the power and resources to prosecute "without fear of reprisals" those responsible.

A spokesman of the Reagan administration, retired Gen. Vernon Walters, discounted rights violations in Guatemala when he made a visit there in May. The U.S. government sought congressional repeal of strictures against military aid but encountered resistance because of Guatemala's record of rights violations. Nevertheless, a $3.2 million sale of military trucks was made in June.

A State Department official said yesterday that the administration agreed not to attempt further military aid without consulting Congress and "no formal consultations" are now under way.

The OAS rights commission also issued a detailed report yesterday on massive, continuing violations in Bolivia. The United States has refused to deal with the military government there because of its alleged ties to the drug trade as well as its human rights performance.

ORGANIZATION OF AMERICAN STATES HUMAN RIGHTS REPORT—CONCLUSIONS AND RECOMMENDATIONS

A. CONCLUSIONS

1. In the light of the events and considerations described above, as a general conclusion the Interamerican Commission on Human Rights points out the alarming violence which has been manifested in recent years in Guatemala, which has been instigated or tolerated by the government, which has not adopted the necessary measures to stop it. This violence has translated into an extremely high number of lives and signifies a generalized deterioration in human rights established by the American Convention of Human Rights.

2. If it is true that the number of victims produced by this violence has reached all

sectors of the society—including the Armed Forces and those who control political and economic power—there is no doubt that the violence has had its greatest impact on leaders of opposition political parties, trade unionists, priests, lawyers, journalists, professors and teachers, as well as thousands of peasants and indigenous peoples who have been assassinated.

3. In the great majority of these cases, deaths caused by the violence can be attributed to the illegal executions and disappearances carried out by the security forces or paramilitary groups who are acting in close collaboration with government authorities, without these authorities providing adequate investigation as to the authors of these crimes.

4. These illegal executions and disappearances, besides violating the right to life, have created an endemic climate of extreme insecurity and terror, which signifies a subversion of the State of Law and, in practice, inhibits the great majority of the sacred rights of the American Convention on Human Rights.

5. The generalized violence which exists in Guatemala has signified, as has been demonstrated in different chapters of this report, that the right to personal freedom, to security and integrity, to justice and due process, to freedom of belief and religion, freedom of thought and expression, to free association, as well as political rights, are by these acts seriously affected and limited, nevertheless the Constitution and Guatemalan law give formal recognition to these rights.

6. The great socio-economic disparities which exist between various sectors of the Guatemalan population have contributed to generalized violence in the country. These disparities, among other aspects, are manifested by the total lack of relationship between the economic growth which Guatemala has experienced in recent years and the quality of life of half of the country's population, whose economic and social rights especially in respect to basic necessities in health, nutrition and education are not fulfilled.

B. RECOMMENDATIONS

In consideration of these conclusions, the Interamerican Commission on Human Rights makes the following recommendations to the Guatemalan Government:

1. Take adequate measures to prevent the occurance of gross violations to the right to life; terminate the participation and tolerance of government authorities and paramilitary groups in the violence and terrorism; investigate and punish rigorously those responsible for such acts.

2. Investigate and punish with full rigor of the law those responsible for illegal executions, disappearances, arbitrary detentions and torturing.

3. Guarantee the liberty of association, the right to meetings, and trade union rights guaranteed in the Guatemalan Constitution and the American Convention of Human Rights.

4. Carry out a profound and total reorganization of Judicial Power which will make this possible. Once the human and material resources are available, give them sufficient autonomy and power to investigate with efficiency and depth human rights violations and to sanction without fear of reprisals, those who are found responsible for these abuses, who ever they may be.

5. Initiate a broad dialogue with the participation of all sectors of Guatemalan society which can contribute to end the violence and allow a solution to social and economic problems through peaceful and democratic processes.

Mr. RIEGLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AN EXPRESSION OF THANKS AND BEST WISHES

Mr. BAKER. Mr. President, the Senate has been in session 9 consecutive days, totaling 76½ session hours, and recording 51 rollcall votes. This does not include the long hours which the conference committee contributed.

Admittedly, this situation has been far from ideal. I am aware that the long hours have been most difficult for Members and their families, for staff members and their families, and for everyone that plans the day around the Senate clock. I know that there are no doubt better things that could have been done this past weekend outside of legislative activities.

But, Mr. President, I am also aware that our presence throughout this difficult period was vital and indeed essential. It was an obligation that was as imperative as anything else we do in our legislative lives.

I wish to once again thank all my colleagues for the patience and cooperation that they have extended to the leadership, and to everyone, the best at Turkey Time.

ADJOURNMENT UNTIL MONDAY, NOVEMBER 30, 1981

Mr. BAKER. Mr. President, admitting now for the record there were times in the last 2 weeks when I thought this moment would never arrive, I now move, in accordance with the provisions of House Concurrent Resolution 228, that the Senate stand in adjournment.

The motion was agreed to; and at 1:05 p.m. the Senate adjourned until Monday, November 30, 1981, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate November 24, 1981:

DEPARTMENT OF STATE

John Hathaway Reed, of Maine, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Asbassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Maldives.

The following-named Career Members of the Senior Foreign Service, class of Career Minister, for the personal rank of Career Ambassador in recognition of especially distinguished service over a sustained period:

Alfred Leroy Atherton, Jr., of Florida.
Arthur W. Hummel, Jr., of Maryland.
Walter J. Stoessel, Jr., of the District of Columbia.

THE JUDICIARY

J. Owen Forrester, of Georgia, to be U.S. district judge for the northern district of Georgia vice Newell Edenfield, retired.

Sam A. Crow, of Kansas, to be U.S. district judge for the district of Kansas vice Frank G. Theis, retired.

DEPARTMENT OF COMMERCE

Peter McCoy, of California, to be Under Secretary of Commerce for Travel and Tourism (new position).

FEDERAL ELECTION COMMISSION

Joan D. Aikens, of Pennsylvania, to be a Member of the Federal Election Commission for the remainder of the term expiring April 30, 1983, vice Max Friedersdorf, resigned.

Lee Ann Elliott, of Illinois, to be a Member of the Federal Election Commission for a term expiring April 30, 1987, vice Joan D. Aikens, term expired.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 24, 1981:

THE JUDICIARY

Jesse E. Eschbach, of Indiana, to be U.S. circuit judge for the seventh circuit.

James C. Cacheris, of Virginia, to be U.S. district judge for the eastern district of Virginia.

Richard A. Posner, of Illinois, to be U.S. circuit judge for the seventh circuit.

John H. Moore, II, of Florida, to be U.S. district judge for the middle district of Florida.

David V. O'Brien, of the Virgin Islands, to be U.S. district judge for the district of the Virgin Islands for the term of 8 years.

Clyde H. Hamilton, of South Carolina, to be U.S. district judge for the district of South Carolina vice Robert F. Chapman, elevated.

DEPARTMENT OF JUSTICE

Jim J. Marquez, of Kansas, to be U.S. attorney for the district of Kansas for the term of 4 years.

Robert N. Miller, of Colorado, to be U.S. attorney for the district of Colorado for the term of 4 years.

James M. Rosenbaum, of Minnesota, to be U.S. attorney for the district of Minnesota for the term of 4 years.

Ronald D. Daniels, Jr., of New Hampshire, to be U.S. Marshal for the district of New Hampshire for the term of 4 years.

HOUSE OF REPRESENTATIVES—*Tuesday, November 24, 1981*

REGULATION OF LOBBYING ACT

In compliance with Public Law 601, 79th Congress, title III, Regulation of Lobbying Act, section 308(b), which provides as follows:

(b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the CONGRESSIONAL RECORD.

The Clerk of the House of Representatives and the Secretary of the Senate jointly submit their report of the compilation required by said law and have included all registrations and quarterly reports received.

REGISTRATIONS

The following registrations were submitted for the third calendar quarter 1981:

(NOTE.—The form used for report is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19.....

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.

AFFIDAVIT

[Omitted in printing]

PAGE 1

HL 389

A. A-K Associates, Inc., 1225 Eighth Street, Suite 590, Sacramento, Calif. 95814.
B. California Society of Pathologists, 1225 Eighth Street, Suite 590, Sacramento, Calif. 95814.

A. A-K Associates, Inc., 1225 Eighth Street, Suite 590, Sacramento, Calif. 95814.
B. Pathologist Practice Association, 1225 Eighth Street, Suite 590, Sacramento, Calif. 95814.

A. A-K Associates, Inc., 1225 Eighth Street, Suite 590, Sacramento, Calif. 95814.
B. Siskiyou County Superintendent of Schools, 609 Gold Street, Yreka, Calif. 96097.

A. Leanne J. Abdnor, 1899 L Street NW., Suite 1250, Washington, D.C. 20036
B. Venners & Co., 1899 L Street NW. Suite 1250, Washington, D.C. 20036 (for Koch industries, P.O. Box 2302, Wichita, Kans. 67201.

A. Ad Hoc Committee on Individual Annuity Taxation, 10 Post Office Square, Boston, Mass. 02109.

A. G. Colburn Aker, 1425 K Street NW., Washington, D.C. 20005.
B. Hill & Knowlton, Inc., 1425 K Street NW., Washington, D.C. 20005. (For Therapedic, 2350 Fifth Street, Rock Island, Ill. 61201.)

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Amerada Hess Corp., 1185 Avenue of the Americas, New York, N.Y. 10036.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. American Telephone & Telegraph Co., 1120 20th Street NW., Suite 1000, Washington, D.C. 20036.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Archer Daniels Midland Co., 4666 Faries Parkway, Decatur, Ill. 62526.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Texas Air Corp., Central Bank Plaza, Suite 4040, 333 Clay Street, Houston, Tex. 77002.

A. Donald C. Alexander, Morgan, Lewis & Bockius, 1800 M Street NW., Washington, D.C. 20036.
B. Associated Telephone Answering Exchanges, Inc., 5203 Leesburg Pike, Suite 205, Falls Church, Va. 22041.

A. Alcalde, Henderson, O'Bannon & Bracy, 1901 North Fort Myer Drive, Suite 1204, Rosslyn, Va. 22209.
B. California Nickel Corp., 23828 Hawthorne Boulevard, Torrance, Calif. 90503.

A. Alcalde, Henderson, O'Bannon & Bracy, 1901 North Fort Myer Drive, Suite 1204, Rosslyn, Va. 22209.
B. Continental Employee's Association, 323 Richmond Street, El Segundo, Calif. 90245.

A. American Tuna Action Committee, R-58 Merrimac Street, Newburyport, Mass. 01950.

A. Bette B. Anderson, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

B. Gray & Co., The Power House, 3255 Grace Street NW., Washington, D.C. 20007 (for the Quixote Corp.).

A. Anderson, Hibey, Nauheim & Blair, 1605 New Hampshire Avenue NW., Washington, D.C. 20009.
B. Burlington Industries, Inc., 1800 M Street NW., Suite 870 South, Washington, D.C. 20036.

A. Anderson, Hibey, Nauheim & Blair, 1605 New Hampshire Avenue NW., Washington, D.C. 20009.
B. Republic of Haiti Embassy, 2311 Massachusetts Avenue NW., Washington, D.C. 20008.

A. Anderson, Hibey, Nauheim & Blair, 1605 New Hampshire Avenue NW., Washington, D.C. 20009.
B. Texas Air Corp., 3 Allen Center, Houston, Tex. 77079 (for New York Air & Texas International Airways).

A. Arent, Fox, Kintner, Plotkin & Kahn, 1815 H Street NW., Washington, D.C. 20006.
B. Motor & Equipment Manufacturers Association, 222 Cedar Lane, Teaneck, N.J. 07666.

A. Rodney L. Armstrong, 229 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. EDS Corp., 229 Pennsylvania Avenue SE., Washington, D.C. 20003.

A. Carl F. Arnold, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. The Mead Corp., Courthouse Plaza Northeast, Dayton, Ohio 45463.

A. Arnold & Porter, 1200 New Hampshire Avenue NW., Washington, D.C. 20006.
B. Hamilton Bros. Oil & Gas Corp., 1600 Broadway, Denver, Colo. 80202.

A. Thomas Ludlow Ashley, P.C., 1730 Pennsylvania Avenue NW., No. 1050, Washington, D.C. 20006.
B. American International Group, Inc., 70 Pine Street, New York, N.Y. 10005.

A. Thomas Ludlow Ashley, P.C., 1730 Pennsylvania Avenue NW., No. 1050, Washington, D.C. 20006.
B. Irving Trust Co., One Wall Street, New York, N.Y. 10015.

A. William H. Axtman, 1500 Wilson Boulevard, Suite 700, Arlington, Va. 22209.
B. American Boiler Manufacturers Association, 1500 Wilson Boulevard, Suite 700, Arlington, Va. 22209.

A. Hope M. Babcock, National Audubon Society, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. National Audubon Society, 950 Third Avenue, New York, N.Y. 10022.

A. Baker & Botts, 1701 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Texas International Airlines, Inc., P.O. Box 12788, Houston, Tex. 77017.

A. James Balton, 305 Normandy Drive, Silver Spring, Md. 20901.

A. Patty Bankson, National Board of Young Men's Christian Associations, 1725 K Street NW., Suite 408, Washington, D.C. 20006.
B. National Board of Young Men's Christian Associations, 291 Broadway, New York, N.Y. 10007.

A. Barnett, Alagia & Carey, 1627 K Street NW., Ninth Floor, Washington, D.C. 20006.

B. Dade County Farm Bureau, 1850 Old Dixie Highway, Homestead, Fla. 33033.

A. David M. Barrett, Barrett, Hanna, Daly & Gaspar, Suite 475, 2550 M Street NW., Washington, D.C. 20037.
B. Energy Consumers & Producers Association, Petroleum Plaza, P.O. Box 1726, Seminole, Okla. 74868.

A. David M. Barrett, Barrett, Hanna, Daly & Gaspar, Suite 475, 2550 M Street NW., Washington, D.C. 20037.
B. National Medical Enterprises, Inc., 11620 Wilshire Boulevard, Los Angeles, Calif. 90025.

A. Bayh, Tabbert & Capehart, 1575 I Street NW., No. 1025, Washington, D.C. 20005.
B. Allied Fidelity Corp. 6320 North Rucker Road, Suite A, Indianapolis, Ind. 46220.

A. Bayh, Tabbert & Capehart, 1575 I Street NW., No. 1025, Washington, D.C. 20005.
B. Cummins Engine Co., 432 Washington Street, Columbus, Ind. 47201.

A. Bayh, Tabbert & Capehart, 1575 I Street NW., No. 1025, Washington, D.C. 20005.
B. Georgia-Pacific, 900 Southwest Fifth Avenue, Portland, Oreg. 97204.

A. Bob Beckel, U.S. Telephone Communications, Inc., 108 South Akard Street, Dallas, Tex. 75202.
B. U.S. Telephone Communications, Inc., 108 South Akard, Dallas, Tex. 75202.

A. Benco, Inc., 1625 I Street, Suite 1007, Washington, D.C. 20006.

A. Benoit, Smith & Laughlin, 2001 Jefferson Davis Highway, Suite 501, Arlington, Va. 22202.
B. Econopure, P.O. Box 5932, Terminal Annex, Denver, Colo. 80217.

A. Benoit, Smith & Laughlin, 2001 Jefferson Davis Highway, Suite 501, Arlington, Va. 22202.
B. Hughes Aircraft Co., Los Angeles, Calif.

A. Kenneth Berlin, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. National Audubon Society, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.

A. Ralph A. Biedermann, One Brunswick Plaza, Skokie, Ill. 60077.
B. Brunswick Corp., One Brunswick Plaza, Skokie, Ill. 60077.

A. Billig, Sher & Jones, P.C., 2033 K Street NW., Washington, D.C. 20006.
B. Steamship Conferences.

A. Leon G. Billings, Inc., 1660 L Street NW., Suite 713, Washington, D.C. 20036.
B. State of Montana, Office of the Governor, Helena, Mont. 59601.

A. Bingham, Dana & Gould, 1724 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Consumer Bankers Association.

A. Carla J. Bishop, The Coastal Corp., 9 Greenway Plaza, Houston, Tex. 77046.
B. The Coastal Corp., 9 Greenway Plaza, Houston, Tex. 77046.

A. Black, Manafort & Stone, 435 North Lee Street, Alexandria, Va. 22314.

B. American Newspaper Publishers Association, The Newspaper Center, Reston, Va.

A. Richard W. Bliss, 1899 L Street NW., Suite 1200, Washington, D.C. 20036.
B. Government of American Samoa, Office of the Governor, Pago Pago, American Samoa 96799.

A. Richard W. Bliss, 1899 L Street NW., Suite 1200, Washington, D.C. 20036.
B. Northern Virginia Savings & Loan Association, 5350 Lee Highway, Arlington, Va.

A. Blum & Nash, 1015 18th Street NW., Washington, D.C. 20036.
B. Time, Inc., 888 16th Street NW., Washington, D.C. 20036.

A. Gaylon B. Booker, 1918 North Parkway, Memphis, Tenn. 38112.
B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn. 38112.

A. The Bowery Savings Bank, 110 East 42d Street New York, N.Y. 10017.

A. Randal R. Bowman, 1050 17th Street NW., Suite 560, Washington, D.C. 20036.
B. Wildlife Legislative Fund of America, 50 West Broad Street, Columbus, Ohio 43215.

A. Roy G. Bowman, Bowman, Conner, Touhey & Thornton, 2828 Pennsylvania Avenue NW., Washington, D.C. 20007.
B. Delta Steamship Lines, Inc., Post Office Box 50250, New Orleans, La. 70150.

A. Bowmer, Courtney, Burleson & Pemberton, P.O. Box 844, Temple, Tex. 76503.

A. Robert E. Bradford, 311 First Street NW., Washington, D.C. 20001.
B. National Restaurant Association, 311 First Street NW., Washington, D.C. 20001.

A. Kenneth N. Bragg, 105 E Street SE., Washington, D.C. 20003.
B. Holy Land State Committee, P.O. Box 272, Fairfax, Va. 22030.

A. George W. Breece, Turner Broadcasting System, Inc., 2133 Wisconsin Avenue NW., Washington, D.C. 20007.
B. Turner Broadcasting System, Inc., 1050 Techwood Drive NW., Atlanta, Ga. 30318.

A. Breed, Abbott & Morgan, 1875 I Street NW., Suite 1000, Washington, D.C. 20006.
B. Donald C. Lubick, Hodgson, Russ, Andrews, Woods & Goodyear, 1776 F Street NW., Washington, D.C. 20006 (for Talisman Fund, 330 Washington Street, Suite 610, Marina Del Rey, Calif. 90291).

A. Bregman, Abell & Kay, 1900 L Street NW., Suite 610, Washington, D.C. 20036.
B. Norton Simon Inc. 277 Park Avenue, New York, N.Y. 10017.

A. Richard M. Brennan, Union Carbide Corp., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Union Carbide Corp., 270 Park Avenue New York, N.Y. 10017.

A. Andrew Brown, 2626 Pennsylvania Avenue NW., Washington, D.C. 20037.
B. National Telephone Cooperative Association, 2626 Pennsylvania Avenue NW., Washington, D.C. 20037.

A. Donald K. Brown, 1127 11th Street, No. 618, Sacramento, Calif. 95814.
B. Crowley Maritime Corp., One Maritime Plaza, San Francisco, Calif. 94105.

A. Doreen L. Brown, 1346 Connecticut Avenue NW., Washington, D.C. 20036.
B. Consumers for World Trade, 1346 Connecticut Avenue NW., Washington, D.C. 20036.

A. Ralph Brown, Suite 107, 701 South 22d Street, Omaha, Nebr.
B. M.D.A.A.I.O.A. Subs, Inc.

A. Susan Buck, U.S. Telephone Communications, Inc., 108 South Akard Street, Dallas, Tex. 75202.
B. U.S. Telephone Communications, Inc., 108 South Akard Street, Dallas, Tex. 75202.

A. William A. Butler, National Audubon Society, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. National Audubon Society, 950 Third Avenue, New York, N.Y. 10022.

A. Cain & Smith, 402 Scarbrough Building, Austin, Tex. 78701.
B. Judicial Section, Texas State Bar, 1414 Colorado, Austin, Tex. 78701.

A. Califano, Ross & Heineman, 1575 I Street NW., Washington, D.C. 20005.
B. The Coca-Cola Co., 310 North Avenue, Atlanta, Ga. 30301.

A. Califano, Ross & Heineman, 1575 I Street NW., Washington, D.C. 20005.
B. Federal National Mortgage Association, 3900 Wisconsin Avenue NW., Washington, D.C. 20016.

A. Califano, Ross & Heineman, 1575 I Street NW., Washington, D.C. 20005.
B. Fluor Corporation, 3333 Michelson Drive, Irvine, Calif. 92713.

A. Califano, Ross & Heineman, 1575 I Street NW., Washington, D.C. 20005.
B. General Tire & Rubber Co., One General Street, Akron, Ohio 44329.

A. John C. Callihan, Westvaco Corp., 299 Park Avenue, New York, N.Y. 10171.
B. Westvaco Corp., 299 Park Avenue, New York, N.Y. 10171.

A. Victoria R. Calvert, 1019 19th Street NW., No. 800, Washington, D.C. 20036.
B. National Council of Farmer Cooperatives, 1800 Massachusetts Avenue NW., No. 604, Washington, D.C. 20036.

A. Arthur E. Cameron, 499 South Capitol Street SW., Suite 110, Washington, D.C. 20003.
B. American Greyhound Track Operators Association, 1065 Northeast 125th Street, Suite 219, North Miami, Fla. 33161.

A. Camp, Carmouche, Palmer, Barsh & Hunter, P.C., 2550 M Street NW., Suite 275, Washington, D.C. 20037.
B. Matlack, Inc., P.O. Box 1791, Wilmington, Del. 19899.

A. Camp, Carmouche, Palmer, Barsh & Hunter, P.C., 2550 M Street NW., Suite 275, Washington, D.C. 20037.
B. Natural Gas Supply Association, 1025 Connecticut Avenue NW., Suite 402, Washington, D.C. 20036.

A. Canadian Coalition on Acid Rain, 105 Davenport Road, Suite 201, Toronto, Ontario M5R-1H6.

A. Capital Counselors, Inc., 1700 K Street NW., Washington, D.C. 20006.
B. Perpetual American Federal Savings & Loan Association, 1111 E Street NW., Washington, D.C. 20004.

A. Capitol Advocates, 1127 11th Street, Sacramento, Calif.
B. Crowley Maritime Corp., No. 1 Market Plaza, San Francisco, Calif. 94105.

A. Robin J. Carpenter, Burlington Northern Inc., 413 New Jersey Avenue SE., Washington, D.C. 20003.
B. Burlington Northern Inc., 1111 Third Avenue, Seattle, Wash. 98101.

A. Lawrence W. Carroll, Caterpillar Tractor Co., 100 Northeast Adams Street, Peoria, Ill. 61629.
B. Caterpillar Tractor Co., 100 Northeast Adams Street, Peoria, Ill. 61629.

A. Gordon Cavanaugh, 1016 16th Street NW., Suite 800, Washington, D.C. 20036.
B. Roisman, Reno & Cavanaugh, 1016 16th Street NW., Suite 800, Washington, D.C. 20036 (for Citizens Housing & Planning Association, Inc., 7 Marshall Street, Boston, Mass.).

A. Gordon Cavanaugh, 1016 16th Street NW., Suite 800, Washington, D.C. 20036.
B. Roisman, Reno & Cavanaugh, 1016 16th Street NW., Suite 800, Washington, D.C. 20036 (for First Centrum Corp., 5000 Northwind Drive, East Lansing, Mich.).

A. Center for Law & Education, Inc., 6 Appian Way, Cambridge, Mass. 02138

A. Foster Chapman-Johnson, Smith & Hibbard, 220 North Church Street, Suite 6, P.O. Box 5524, Spartanburg, S.C. 29304.
B. Milliken & Co., P.O. Box 1926, Spartanburg, S.C. 29304.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. Sporting Arms & Ammunition Manufacturers Institute, 420 Lexington Avenue, New York, N.Y. 10017.

A. Coastal Properties Institute, Inc., P.O. Box 6255, Hilton Head, S.C. 29938.

A. Adelin Cobden, 105 East 22d Street, New York, N.Y. 10010.
B. Community Service Society, 105 East 22d Street, New York, N.Y. 10010.

A. David Cohen, 810 18th Street NW., Washington, D.C. 20006.
B. Handgun Control, Inc., 810 18th Street NW., Washington, D.C. 20006.

A. Cohen & White, 1218 16th Street NW., Washington, D.C. 20036.
B. Computer & Communications Industry Association, Suite 512, 1500 Wilson Boulevard, Arlington, Va. 22209.

A. Cole & Corette, P.C., 1200 17th Street NW., Washington, D.C. 20036.
B. Dow Chemical Co., 2030 Dow Center, Midland, Mich. 48640.

A. Cole & Corette, P.C., 1200 17th Street NW., Washington, D.C. 20036.
B. Transol Sunbelt, Inc., 120 Montgomery Street, San Francisco, Calif. 94104.

A. Collier, Shannon, Rill & Scott, Chtd., 1055 Thomas Jefferson Street NW., Suite 308, Washington, D.C. 20007.
B. Independent Lubricant Manufacturers Association, 1055 Thomas Jefferson Street NW., Washington, D.C. 20007.

A. Collier, Shannon, Rill & Scott, Chtd., 1055 Thomas Jefferson Street NW., Suite 308, Washington, D.C. 20007.

B. Snelling & Snelling, Inc., 4000 Soutn Tamiami Trail, Snelling Plaza, Sarasota, Fla. 33581.

A. Colorado Ski Country USA, Inc., 1410 Grant Street, Suite A-201, Denver, Colo. 80203.

A. John P. Connolly, Suite 802, 2000 L Street NW., Washington, D.C. 20036.

B. Popham, Haik, Schnobrich, Kaufman & Doty, Ltd., 4344 IDS Center, Minneapolis, Minn. 55402 (for Chicago Mercantile Exchange, 444 West Jackson Boulevard, Chicago, Ill. 60606).

A. John P. Connolly, Suite 802, 2000 L Street NW., Washington, D.C. 20036.

B. Popham, Haik, Schnobrich, Kaufman & Doty, Ltd., 4344 IDS Center, Minneapolis, Minn. 55402 (for Glenrock Refinery, Inc., P.O. Box 2553, Casper, Wyo. 82602).

A. John P. Connolly, Suite 802, 2000 L Street NW., Washington, D.C. 20036.

B. Popham, Haik, Schnobrick, Kaufman & Doty, Ltd., 4344 IDS Center, Minneapolis, Minn. 55402 (for Newcomb Securities Co., 767 Fifth Avenue, 34th Floor, New York, N.Y. 10153).

A. Richard J. Connor, Jr., Distilled Spirits Council of the U.S., Inc., 1300 Pennsylvania Building, Washington, D.C. 20004.

B. Distilled Spirits Council of the U.S., Inc., 1300 Pennsylvania Building, Washington, D.C. 20004.

A. Lori Consadori, Consumers for World Trade, 1346 Connecticut Avenue NW., Washington, D.C. 20036.

B. Consumers for World Trade, 1346 Connecticut Avenue NW., Washington, D.C. 20036.

A. Consumers for World Trade, 1346 Connecticut Avenue NW., Washington, D.C. 20036.

A. Cook, Purcell, Hansen & Henderson, Chtd., 1015 18th Street NW., Suite 1100, Washington, D.C. 20036.

B. American Rice, Inc., Houston, Tex. 77001.

A. Cook, Purcell, Hansen & Henderson, Chtd., 1015 18th Street NW., Suite 1100, Washington, D.C. 20036.

B. National Association of State Agencies for Food Distribution, Albany, N.Y. 12226.

A. Cook, Purcell, Hansen & Henderson, Chtd., 1015 18th Street NW., Suite 1100, Washington, D.C. 20036.

B. Planters Peanuts, Suffolk, Va. 23434.

A. Thomas M. Cook, National Cattlemen's Association, 425 13th Street NW., Suite 1020, Washington, D.C. 20004-1886.

B. National Cattlemen's Association, 1001 Lincoln Street, Denver, Colo. 80203.

A. Bernard J. Cooney, Suite 900, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. Caterpillar Tractor Co., 100 Northeast Adams Street, Peoria, Ill. 61629.

A. Kathy J. Cooper, Chevron U.S.A., Inc., 1700 K Street NW., Suite 1204, Washington, D.C. 20006.

B. Chevron U.S.A., Inc., a subsidiary of Standard Oil Co. of California, 1700 K Street NW., Suite 1204, Washington, D.C. 20006.

A. Council for Languages and Other International Studies, 11 Dupont Circle NW., Suite 210, Washington, D.C. 20036.

A. Coudert Bros., One Farragut Square South, Washington, D.C. 20006.

B. U.S. Telephone Communications, Inc., 108 South Akard Street, Dallas, Tex. 75202.

A. Cramer & Cramer, 1320 19th Street NW., Suite 200, Washington, D.C. 20036.

B. Hobbs Construction & Development Co., Inc., 3711 North Highway 231, Panama City, Fla. 32401.

A. William C. Cramer, 1320 19th Street NW., Suite 200, Washington, D.C. 20036.

B. Cramer & Cramer, 1320 19th Street NW., Suite 200, Washington, D.C. 20036 (for Hobbs Construction & Development Co., Inc., 3711 North Highway 231, Panama City, Fla. 32401).

A. Charles S. Crawford, Gray & Co., 3255 Grace Street NW., Washington, D.C. 20007.

B. Gray & Co., The Power House, 3255 Grace Street, Washington, D.C. (for American Iron and Steel Institute).

A. Charles S. Crawford, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

B. Gray & Co. (for Avis' Enterprises), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Charles S. Crawford, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

B. Gray & Co. (for the HTB Corp.), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Charles S. Crawford, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

B. Gray & Co. (for the Joint Maritime Congress), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Charles S. Crawford, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

B. Gray & Co. (for the Tera Corp.), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Charles S. Crawford, Gray & Co., 3255 Grace Street NW., Washington, D.C. 20007.

B. Management Insights, Inc., 5944 Luther Lane, Dallas, Tex.

A. Gary L. Curran, 328 F Street NE., Washington, D.C. 20002.

B. American Life Lobby, 6 Library Court SE., Washington, D.C. 20003.

A. Leslie Dach, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.

B. National Audubon Society, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.

A. Rudolph N. D'Agaris, 15 West Montgomery Avenue, Rockville, Md. 20850.

A. Lewis I. Dale, Air Products & Chemicals, Inc., 1800 K Street NW., Suite 1016, Washington, D.C. 20006.

B. Air Products & Chemicals, Inc., P.O. Box 538, Allentown, Pa. 18105.

A. Terese C. D'Alessio, 2020 North 14th Street, Suite 402, Arlington, Va. 22201.

B. American Newspaper Publishers Association, P.O. Box 17407, Dulles International Airport, Washington, D.C. 20041.

A. Patrick A. Davis, 311 First Street NW., Washington, D.C. 20001.

B. National Restaurant Association, 311 First Street NW., Washington, D.C. 20001.

A. Davis, Polk & Wardwell, 1575 I Street NW., Washington, D.C. 20005.

B. NLT Corp., Nashville Life Center, Nashville, Tenn. 37250.

A. Davis, Wright, Todd, Riese & Jones, 1050 Thomas Jefferson Street NW., Sixth Floor, Washington, D.C. 20007.

B. Southern Pacific Communications Co., P.O. Box 974, Burlington, Calif. 94010.

A. Mark O. Decker, National Oil Jobbers Council, 1707 H Street NW., Suite 1100, Washington, D.C. 20006.

B. National Oil Jobbers Council, 1707 H Street NW., Suite 1100, Washington, D.C. 20006.

A. Donald H. Defoe, Caterpillar Tractor Co., 100 Northeast Adams Street, Peoria, Ill. 61629.

B. Caterpillar Tractor Co., 100 Northeast Adams Street, Peoria, Ill. 61629.

A. Michael J. Deloose, Conference of State Bank Supervisors, 1015 18th Street NW., Washington, D.C. 20036.

B. Conference of State Bank Supervisors, 1015 18th Street NW., Washington, D.C. 20036.

A. Eliza Demetree, Natural Gas Supply Association, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. Natural Gas Supply Association, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

A. Samuel L. Devine, Bricker & Eckler, 1301 Pennsylvania Avenue NW., Suite 1150, Washington, D.C. 20004.

B. Dilworth, Paxson, Kalish & Levy, 1819 H Street NW., Washington, D.C. 20006.

A. Samuel L. Devine, Bricker & Eckler, 1301 Pennsylvania Avenue NW., Suite 1150, Washington, D.C. 20004.

B. O'Connor & Hannon, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Dewey, Ballantine, Bushby, Palmer & Wood, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. General Electric Pension Trust, 112 Prospect Street, P.O. Box 7900, Stamford, Conn. 06904.

A. Dewey, Ballantine, Bushby, Palmer & Wood, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. Teachers Insurance & Annuity Association of America, 730 Third Avenue, New York, N.Y. 10017.

A. William H. Dodds, United Automobile, Aerospace & Agricultural Implement Workers of America, 1757 N Street NW., Washington, D.C. 20036.

B. International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW), 8000 East Jefferson, Detroit, Mich. 48214.

A. Robin C. Dole, Century 21 Real Estate Corp., 811 Devon Place, Alexandria, Va. 22314.

B. Century 21 Real Estate Corp., 18872 MacArthur Boulevard, Irvine, Calif. 92715.

A. John C. L. Donaldson, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for Defense Logistics Supply Corp.), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. John C. L. Donaldson, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for the Tera Corp.), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Ira Dorfman, Suite 850, 2020 K Street NW., Washington, D.C. 20006.
B. American Bakers Association, Suite 850, 2020 K Street NW., Washington, D.C. 20006.

A. Charlene Dougherty, National Audobon Society, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. National Audubon Society, 950 Third Avenue, New York, N.Y. 10022.

A. Paul DuBrual, 105 East 22d Street, New York, N.Y. 10010.
B. Community Service Society, 105 East 22d Street, New York, N.Y. 10010.

A. Ann Anderson Duff, National Association of Manufacturers, 222 South Prospect Avenue, Park Ridge, Ill. 60068.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.

A. Daniel A. Dutko, 412 First Street SE., Suite 214, Washington, D.C. 20003.
B. Beneficial Management Corp. of America, 200 South Street, Morristown, N.J. 07960.

A. Charles H. S. Eaton, 1750 K Street NW., Suite 260, Washington, D.C. 20006.
B. Eaton Associate, Inc., 1740 K Street NW., Suite 260, Washington, D.C. 20006.

A. Edelman International Corp., 1730 Pennsylvania Avenue NW., Suite 460, Washington, D.C. 20006.
B. Electronic Industries Association of Japan, 2-2, 3-Chome Marunouchi, Chiyoda-Ku, Tokyo.

A. William R. Edgar, Gates Learjet Corp., 815 Connecticut Avenue NW., Suite 401, Washington, D.C. 20006.
B. Gates Learjet Corp., 8220 West Harry, Wichita, Kans. 67266.

A. Amos S. Eno, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. National Audubon Society, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.

A. Jonathan Erlitz, 105 East 22d Street, New York, N.Y. 10010.
B. Community Service Society, 105 East 22d Street, New York, N.Y. 10010.

A. Sam J. Ervin, Jr., P.O. Box 69, Morganton, N.C. 28655.
B. Mead Corp., Anheuser-Busch, and Westvaco, c/o Howrey & Simon, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Stephen E. Eure, American Meat Institute, P.O. Box 3556, Washington, D.C. 20007.
B. American Meat Institute, P.O. Box 3556, Washington, D.C. 20007; 1700 North Moore Street, Arlington, Va.

A. J. Ballard Everett, 311 First Street NW., Washington, D.C. 20001
B. National Restaurant Association, 311 First Street NW., Washington, D.C. 20001.

A. Jeffrey P. Eves, Scott Paper Co., Scott Plaza, Philadelphia, Pa. 19113.
B. Scott Paper Co., Scott Plaza, Philadelphia, Pa. 19113.

A. Robert C. Farber, Tosco Corp., Suite 516, 4600 Duke Street, Alexandria, Va. 22304.
B. Tosco Corp., 2000 L Street NW., Washington, D.C. 20036.

A. Mark Finkelstein, Industrial Union Department, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.
B. Industrial Union Department, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.

A. Leander J. Foley III, 1434 A Street SE., Washington, D.C. 20003.

A. Susan E. Fracaroli, Johns-Manville Corp., Suite 214, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. Johns-Manville Corp., P.O. Box 5108, Denver, Colo. 80217.

A. Francis Associates, Ltd., 316 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Southern California Edison and Pacific Gas and Electric.

A. Leslie C. Francis, Francis Associates Ltd., 316 Pennsylvnia Avenue SE., Washington, D.C. 20003.
B. Francis Associates, Ltd., 316 Pennsylvania Avenue SE., Washington, D.C. 20003 (for: Southern California Edison and Pacific Gas & Electric).

A. Alfred S. Frank, Jr., NCR Corp., 1612 K Street NW., Suite 706, Washington, D.C. 20006.
B. NCR Corp., 1700 South Patterson Boulevard, Dayton, Ohio 45479.

A. Fraser/Associates, 1800 K Street NW., Suite 1006, Washington, D.C. 20006.
B. Association of American Physicians & Surgeons, 8991 Cotswold Drive, Burke, Va. 22015.

A. Ronna Freiberg, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for ASARCO), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Ronna Freiberg, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for the Budd Co.), The Power House, 3255 Grace Street, Washington, D.C. 20007.

A. Ronna Freiberg, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for General Telephone & Electronics), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Ronna Freiberg, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for Motorola, Inc.), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Ronna Freiberg, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for Western Development), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Ronna Freiberg, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for Westinghouse Broadcasting Corp.), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Ronna Freiberg, Gray & Company, 3255 Grace Street NW., Washington, D.C. 20007.
B. Management Insights, Inc., 5944 Luther Lane, Dallas, Tex.

A. Rich Fruchterman, U.S. Telephone Communications, Inc., 108 South Akard Street, Dallas, Tex. 75202.
B. U.S. Telephone Communications, Inc., 108 South Akard Street, Dallas, Tex. 75202.

A. Gadsby & Hannah, 1815 H Street NW., Washington, D.C. 20006.
B. Belize Sugar Industries, Ltd., Belize City, Belize (Central America).

A. Gadsby & Hannah, 1815 H Street NW., Washington, D.C. 20006.
B. Government of Republic of Panama, Compania Azucarera La Estrella, S.A., and Azucarera Nacional, S.A., Panama City, Panama.

A. Gadsby & Hannah, 1815 H Street NW., Washington, D.C. 20006.
B. Sugar Association of the Caribbean, Port of Spain, Trinidad.

A. Linda P. Gallagher, 1925 K Street NW., Washington, D.C. 20006.
B. Alliance To Save Energy, 1925 K Street NW., Washington, D.C. 20006.

A. Nicole Gara, 2341 Jefferson Davis Highway, Suite 700, Arlington, Va. 22202.
B. American Academy of Physician Assistants, 2341 Jefferson Davis Highway, Suite 700, Arlington, Va. 22202.

A. Gardner, Carton & Douglas, 1875 I Street NW., Suite 1050, Washington, D.C. 20006.
B. FTC Communications, Inc., 90 John Street, New York, N.Y. 10038.

A. Ginger Gardner, The Charter Co., 2550 M Street NW., Washington, D.C. 20037.
B. The Charter Co., 21 West Church Street, Jacksonville, Fla. 32202.

A. Garvey, Schubert, Adams & Barer, 1000 Potomac Street NW., Fifth Floor, Washington, D.C. 20007.
B. Continental Airlines Employee Association, Denver Stapleton Airport, Denver, Colo. 80207.

A. Garvey, Schubert, Adams & Barer, 1000 Potomac Street NW., Fifth Floor, Washington, D.C. 20007.
B. GTE Service Corp., 1120 Connecticut Avenue NW., Washington, D.C. 20036.

A. Garvey, Schubert, Adams & Barer, 1000 Potomac Street NW., Fifth Floor, Washington, D.C. 20007.
B. Northwest Marine Iron Works, P.O. Box 3109, Portland, Oreg. 97208.

A. W. Bradford Gary, Baxter Travenol Laboratories, Inc., 3311 N Street NW., Washington, D.C. 20007.

B. Baxter Travenol Laboratories, Inc., Deerfield, Ill. 60015.

A. Fred J. Gentile, Brooklyn Union Gas Co., 195 Montague Street, Brooklyn, N.Y. 11201.
B. The Brooklyn Union Gas Co., 195 Montague Street, Brooklyn, N.Y. 11201.

A. Gerard, Byler & Associates, Inc., 1100 17th Street NW., Suite 1100, Washington, D.C. 20036.
B. Damson Oil Corp., 260 North Belt East, P.O. Box 4391, Houston, Tex. 77210.

A. John A. C. Gibson, 1815 Corcoran St. NW., No. 1, Washington, D.C. 20009.
B. Westmoreland Coal Co., 123 South Broad Street, Philadelphia, Pa. 19109.

A. James T. Glenn, CSX Corp., 840 Washington Building, 15th Street and New York Avenue NW., Washington, D.C. 20005.
B. CSX Corp., 1500 Federal Reserve Building, Richmond, Va. 23219.

A. James Golato, H. & R. Block, Inc., 1701 K Street NW., Washington, D.C. 20006.
B. H. & R. Block, Inc., 4410 Main Street, Kansas City, Mo. 64111.

A. Beth Gordon, Air Products & Chemicals, Inc., 1800 K Street NW., Suite 1016, Washington, D.C. 20006.
B. Air Products & Chemicals, Inc., P.O. Box 538, Allentown, Pa. 18105.

A. Keith S. Gormezano, Le Beacon Presse, 2511½ East Yesler Way, Seattle, Wash. 98122, U.S.A.

A. John T. Gould, Jr., St. Regis Paper Co., 1625 I Street NW., Suite 805, Washington, D.C. 20006.
B. St. Regis Paper Co., 150 East 42d Street, New York, N.Y. 10017.

A. Graham & James, 1050 17th Street NW., Suite 1200, Washington, D.C. 20036.
B. Neptune Orient Lines, Ltd., Neptune Building, 13 Trafalgar Street, Singapore 0207.

A. Robert K. Gray, The Power House, Washington, D.C. 20007.
B. Gray & Co., The Power House, Washington, D.C. 20007.

A. Robert K. Gray, Gray & Co., The Power House, Washington, D.C. 20007.
B. Gray & Co. (for the American Iron & Steel Institute), The Power House, Washington, D.C. 20007.

A. Robert K. Gray, Gray & Co., The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for El Paso Natural Gas), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Robert K. Gray, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for General Telephone & Electronics), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Robert K. Gray, Gray & Co., The Power House, Washington, D.C. 20007.
B. Gray & Co. (for GTE), The Power House, Washington, D.C. 20007.

A. Robert K. Gray, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

B. Gray & Co. (for Motorola, Inc.), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Robert K. Gray, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for the Quixote Corp.), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Micah S. Green, National Association of Realtors, 777 14th Street NW., Washington, D.C. 20005.
B. National Association of Realtors, 777 14th Street NW., Washington, D.C. 20005.

A. Allen Greenberg, 2000 P Street NW., No. 708, Washington, D.C. 20036.
B. Health Research Group, 2000 P Street NW., No. 708, Washington, D.C. 20036.

A. Ellen Griffee, National Organization for Women, 425 13th Street NW., Suite 1048, Washington, D.C. 20004.
B. National Organization for Women, 425 13th Street NW., Suite 1048, Washington, D.C. 20004.

A. Stanley C. Gross, Institute of Internal Auditors, Inc., 245 Maitland Avenue, Altamone Springs, Fla. 32701.
B. Institute of Internal Auditors, Inc., 249 Maitland Avenue, Altamone Springs, Fla. 32701.

A. Larry Grupp, Box 8032, Moscow, Idaho 83843.
B. J. R. Simplot Co., Box 27, Boise, Idaho 83707.

A. Craig Hackler, 412 First Street SE., Suite 214, Washington, D.C. 20003.
B. Beneficial Management Corp. of America, 200 South Street, Morristown, N.J. 07960.

A. Craig Hackler, 412 First Street SE., Suite 214, Washington, D.C. 20003.
B. Cadillac Fairview, c/o the Corporation Trust Co., 100 West 10th Street, Wilmington, Del. 19801.

A. Craig Hackler, 412 First Street SE., Suite 214, Washington, D.C. 20003.
B. Guam Oil & Refining Co., 3400 Southland Center, Dallas, Tex. 75201.

A. William F. Haddad, 322 West 57th Street, New York, N.Y. 10019.
B. Generic Pharmaceutical Industry Association, 600 Third Avenue, 18th Floor, New York, N.Y. 10016.

A. Martin Ryan Haley & Associates, Inc., 1015 15th Street NW., Washington, D.C. 20005.
B. The New England Council, Inc., Statler Office Building, Boston, Mass. 02116.

A. Martin Ryan Haley & Associates, Inc., 1015 15th Street NW., Washington, D.C. 20005.
B. Power Authority of the State of New York, 10 Columbus Circle, New York, N.Y. 10019.

A. Martin Ryan Haley & Associates, Inc., 1015 15th Street NW., Washington, D.C. 20005.
B. Telephone & Data Systems, Inc., 79 Monroe Street, Chicago, Ill. 60603.

A. The Hannaford Co., Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. American Society of Composers, Authors, & Publishers, One Lincoln Plaza, New York, N.Y. 10023.

A. The Hannaford Co., Inc., 1225 19th Street NW., Washington, D.C. 20036.

B. Baltic American Freedom League, P.O. Box 29657, Los Angeles, Calif. 90029.

A. The Hannaford Co., Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. Merrill Lynch White Weld Capital Markets Group, 1 Liberty Plaza, 43d Floor, New York, N.Y. 10080.

A. The Hannaford Co., Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. Trans World Airlines, Inc., 1000 16th Street NW., Washington, D.C. 20036.

A. Harris, Berg & Creskoff, 2033 M Street NW., Washington, D.C. 20036.
B. American Academy of Federal Civil Service Physicians, 2007 I Street NW., Washington, D.C. 20006.

A. Jeff R. Hart, 1725 K Street NW., Suite 801, Washington, D.C. 20006.
B. The Association of Private Pension & Welfare Plans, Inc., 1725 K Street NW., Washington, D.C. 20006.

A. Hartford Fire Insurance Co., Hartford Plaza, Hartford, Conn. 06115.

A. Gary R. Hattal, International Federation of Professional & Technical Engineers, AFL-CIO, 818 Roeder Road, Suite 702, Silver Spring, Md. 20910.
B. International Federation of Professional & Technical Engineers, AFL-CIO, 818 Roeder Road, Suite 702, Silver Spring, Md. 20910.

A. Kathryn JoAnn Hawes, International Federation of Professional & Technical Engineers, AFL-CIO, 818 Roeder Road, Suite 702, Silver Spring, Md. 20910.
B. International Federation of Professional & Technical Engineers, AFL-CIO, 818 Roeder Road, Suite 702, Silver Spring, Md. 20910.

A. John Heffner, Pepper & Corazzini, Suite 700, 1776 K Street NW., Washington, D.C. 20006.
B. The Philadelphia Belt Line Railroad, Lafayette Building, Philadelphia, Pa. 19106.

A. Barbara M. Heller, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Environmental Policy Center, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.

A. Hemisphere Associates, Inc., Suite 200, 2000 L Street NW., Washington, D.C. 20036.
B. Costa Rican Association of Businessmen & Entrepreneurs, P.O. Box 3343, San Jose, Costa Rica.

A. Tom Henderson, U.S. Telephone Communications, Inc., 108 South Akard Street, Dallas, Tex. 75202.
B. U.S. Telephone Communications, Inc., 108 South Akard Street, Dallas, Tex. 75202.

A. Elizabeth E. Hendrix, 311 First Street NW., Washington, D.C. 20001.
B. National Restaurant Association, 311 First Street NW., Washington, D.C. 20001.

A. Marilyn J. Herman, Suite 300, 2550 M Street NW., Washington, D.C. 20037.
B. National Gasohol Commission, Lincoln, Nebr.

A. Hill, Christopher & Phillips, P.C., 1900 M Street NW., Washington, D.C. 20036.
B. Columbia Pictures Industries, Inc., 711 Fifth Avenue, New York, N.Y. 10022.

A. Robert Ainsley Hilliard, Peter Small & Associates, Inc., 400 Madison Avenue, New York, N.Y. 10017.

B. Peter Small & Associates, Inc., 400 Madison Avenue, New York, N.Y. 10017 (for William M. Mercer, Inc., 1211 Avenue of the Americas, New York, N.Y. 10036).

A. Himes & Ketchey, P.A., 100 Twiggs Street, 301 Founders Life Building, Tampa, Fla. 33602.
B. PHH Group, Inc., 11333 McCormick Road, Hunt Valley, Md. 21031.

A. Maureen K. Hinkle, National Audubon Society, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. National Audubon Society, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.

A. Hodgson, Russ, Andrews, Woods & Goodyear, 1776 F Street NW., Washington, D.C. 20006.
B. J. C. Brock Corp., 95 Kentucky, Buffalo, N.Y.

A. Hogan & Hartson, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. American Electronics Association, 1612 K Street NW., Washington, D.C. 20006.

A. Hogan & Hartson, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Computer & Business Equipment Manufacturers Association, 1828 L Street NW., Washington, D.C. 20036.

A. Hogan & Hartson, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Electronics Industries Association, 2001 I Street NW., Washington, D.C. 20006.

A. Hogan & Hartson, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Florida State Hospice Organization, Inc., 111 Northwest 10th Avenue, Miami, Fla. 33128.

A. Hogan & Hartson, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Guam Oil & Refining Co., Inc., 3400 Southland Center, 400 North Olive, Dallas, Tex. 75201.

A. Hogan & Hartson, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Scientific Apparatus Makers Association, 1101 16th Street NW., Washington, D.C. 20036.

A. Niels Holch, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for the American Iron & Steel Institute), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Virginia E. Hopkins, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Taft, Stettinius & Hollister, First National Bank Center, Cincinnati, Ohio 45202 (for Miami Conservancy District, 38 East Monument Avenue, Dayton, Ohio 45402).

A. Virginia E. Hopkins, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Taft, Stettinius & Hollister, First National Bank Center, Cincinnati, Ohio 45202 (for Telephone & Data Systems, Inc., 79 West Monroe Street, Chicago, Ill. 60603).

A. Alison Horton, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. National Audubon Society, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.

A. Sanford D. Horwitt, 5935 North Fifth Road, Arlington, Va. 22203.
B. Committee for Humane Legislation, 11 West 60th Street, New York, N.Y. 10023.

A. Sanford D. Horwitt, 5935 North Fifth Road, Arlington, Va. 22203.
B. Friends of Animals, Inc., 11 West 60th Street, New York, N.Y. 10023.

A. James P. Howell, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Council of Farmer Cooperatives, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.

A. Hughes, Hubbard & Reed, 1660 L Street NW., Washington, D.C. 20036.
B. Ford Motor Co., The American Road, Dearborn, Mich. 48121.

A. Hughes, Hubbard & Reed, 1660 L Street NW., Washington, D.C. 20036.
B. Texas International Airlines, 3 Allen Center, Houston, Tex.

A. Hunt Oil Co., 2900 First National Bank Building, Dallas, Tex. 75202.

A. Geoffrey B. Hurwitz, Rohm & Haas Co., 1899 L Street NW., No. 807; Washington, D.C. 20036.
B. Rohm & Haas Co., Independence Mall, West Philadelphia, Pa. 19105.

A. F. H. Hutchison & Co., 1744 R Street NW., Washington, D.C. 20009.
B. GeoProducts Corp., 1330 Broadway, Oakland, Calif.

A. F. H. Hutchison & Co., 1744 R Street NW., Washington, D.C. 20009.
B. Hydrothermal Energy Corp., 6525 Sunset Boulevard, Los Angeles, Calif. 90028.

A. F. H. Hutchison & Co., 1744 R Street NW., Washington, D.C. 20009.
B. Renewable Energy, Inc., 1009 Grant Street, Denver, Colo. 80203.

A. F. H. Hutchison & Co., 1744 R Street NW., Washington, D.C. 20009.
B. WESTEC Services, Inc., 3211 Fifth Avenue, San Diego, Calif. 92103.

A. Gary Hymel, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for the American Iron & Steel Institute), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Gary Hymel, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for ASARCO), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Gary Hymel, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for General Telephone & Electronics), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Gary Hymel, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for the Health Insurance Association of America), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Gary Hymel, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for the HTB Corp.), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Gary Hymel, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for Motorola), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Gary Hymel, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for the National Association of Homebuilders), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Gary Hymel, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for the Quixote Corp.), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Gary Hymel, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for U.S.O., Inc.), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Gary Hymel, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for Westinghouse Broadcasting), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Independent Lubricant Manufacturers Association, 1055 Thomas Jefferson Street NW., Washington, D.C. 20007.

A. Independent Telecommunications Suppliers' Council, c/o Pierson, Ball & Dowd, 1000 Ring Building, 1200 18th Street NW., Washington, D.C. 20036.

A. Ingersoll Johnson Steel Co., P.O. Box 370, New Castle, Ind. 47362.

A. The Institute of Internal Auditors, Inc., 249 Maitland Avenue, Altamonte Springs, Fla. 32701.

A. Carol Jackson, 1625 L Street NW., Washington, D.C. 20036.
B. American Federation of State, County & Municipal Employees, AFL-CIO, 1625 L Street NW., Washington, D.C. 20036.

A. Robert S. Jackson, 1133 19th Street NW., Washington, D.C. 20036.
B. MCI Communications Corp., 1133 19th Street NW., Washington, D.C. 20036.

A. E. A. Jaenke & Associates, Inc., 1575 I Street NW., Suite 230, Washington, D.C.
B. Cooperative League of the U.S.A., 1828 L Street NW., Suite 1100, Washington, D.C. 20036.

A. Evelyn Jarvis-Ferris, Shaklee Corp., 444 Market Street, San Francisco, Calif. 94111.
B. Shaklee Corp., 444 Market Street, San Francisco, Calif. 94111.

A. Kempton B. Jenkins, 1747 Pennsylvania Avenue NW., Suite 702, Washington, D.C. 20006.
B. Armco, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. James C. Jennings, The Power House, Washington, D.C. 20007.
B. Gray & Co., The Power House, Washington, D.C. 20007.

A. Calvin P. Johnson, Hoffheimer, Johnson & Peterson, 1120 20th Street NW., S-520, Washington, D.C. 20036.
B. Computer Sciences Corp., 650 North Sepulveda Boulevard, El Segundo, Calif, 90245.

A. Calvin P. Johnson, Hoffheimer, Johnson & Peterson, 1120 20th Street NW., S-520, Washington, D.C. 20036.
B. Hancock/Dikewood Services, Inc., 1009 Bradbury Drive SE., Albuquerque, N. Mex. 87106.

A. Douglas Johnson, 341 National Press Building, Washington, D.C. 20045.

B. National Right to Life Committee, Inc., 341 National Press Building, Washington, D.C. 20045.

A. Edward Johnson, American Mining Congress, 1920 N Street NW., Washington, D.C. 20036.
B. American Mining Congress, 1920 N Street NW., Washington, D.C. 20036.

A. Linda Meyer Johnson, 7700 Little River Turnpike, Annandale, Va. 22003.
B. ROLM Corp., 4900 Old Ironsides Drive, Santa Clara, Calif. 95050.

A. Johnson Swanson & Barbee, 4700 First International Building, Dallas, Tex. 75270.
B. Hunt Oil Co., 2900 First National Bank Building, Dallas, Tex. 75202.

A. Jones, Jones, Bell, Close & Brown, 700 Valley Bank Plaza, 300 South Fourth Street, Las Vegas, Nev. 89101.
B. The Mead Corp., Court House Plaza NE., Dayton, Ohio 45463.

A. Theodore L. Jones, 1140 19th Street NW., Suite 600, Washington, D.C. 20036.
B. The Chicago Board of Trade, Jackson and LaSalle Streets, Chicago, Ill.

A. Robert E. Juliano Associates, 1101 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Los Angeles Olympic Organizing Committee, 10100 Santa Monica Boulevard, Los Angeles, Calif. 90067 and Los Angeles Olympic Commemorative Coin, 1 Rockefeller Center, New York, N.Y. 10200.

A. Fred G. Karem, Shuffett, Kenton, Curry & Karem, 109 North Mill Street, Lexington, Ky. 40507.
B. Lincoln Property Co., 1500 East Tropicana Avenue, Suite 216, Las Vegas, Nev. 89109.

A. Maryann M. Kaswell, 1300 North 17th Street, No. 1200, Arlington, Va. 22209.
B. The Consumer Bankers Association, 1300 North 17th Street, No. 1200, Arlington, Va. 22209.

A. Patricia L. Katson, 905 St. Stephens Road, Alexandria, Va. 22304.
B. Liberty Lobby, 300 Independence Avenue SE., Washington, D.C. 20003.

A. Laura Jo Katz, Shrimp Harvesters Coalition of the Gulf and South Atlantic States, 2101 L Street NW., Washington, D.C. 20037.
B. Shrimp Harvesters Coalition of the Gulf and South Atlantic States, 2101 L Street NW., Washington, D.C. 20037.

A. Kaye, Scholer, Fierman, Hays & Handler, 1575 I Street NW., Suite 1150, Washington, D.C. 20005.
B. Dow Chemical Co., 2030 Dow Center, Midland, Mich. 48640.

A. David A. Keene, 1000 Connecticut Avenue NW., Suite 600, Washington, D.C. 20036.
B. National Tax Limitation Committee, 1523 L Street NW., Suite 600, Washington, D.C. 20005.

A. James B. Kenin, 2033 M Street NW., Suite 404, Washington, D.C. 20036.
B. Antaeus Enterprises, Inc., 59 Gary Road, Stamford, Conn. 06903.

A. Frederick A. Kessinger, 1201 Fourth Street SW., Washington, D.C. 20024.
B. Animal Health Institute, Box 1417-D50, Alexandria, Va. 22313

A. Rufus King, 910 17th Street NW., Washington, D.C. 20006.
B. Amusement Device Manufacturers Association, 2300 East Devon Avenue, Des Plaines, Ill. 60018.

A. Kirkland & Ellis, 1776 K Street NW., Washington, D.C. 20006.
B. American Newspaper Publishers Association, 11600 Sunrise Valley Drive, Reston, Va. 22090.

A. S. Herman Klarsfeld, 770 Lexington Avenue, New York, N.Y. 10021.
B. United Euram Corp., 502 Park Avenue, New York, N.Y. 10022.

A. Laurence Klein, 105 East 22d Street, New York, N.Y. 10010.
B. Community Service Society, 105 East 22d Street, New York, N.Y. 10010.

A. Mary G. Knopke, The American Humane Society, 1828 L Street NW., Suite 800, Washington, D.C. 20036.
B. The American Humane Association, 9725 East Hampden, Denver, Colo. 80231.

A. Robert L. Knous, Jr., 1410 Grant Street, Denver, Colo. 80203.
B. Colorado Ski Country, USA, 1410 Grant Street, Suite A-201, Denver, Colo. 80203.

A. Joseph H. Kramer III, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for the HTB Corp.), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Dan Kuykendall, P.O. Box 40841, Washington, D.C. 20016.
B. Broyhill Furniture Industries, P.O. Box 700, Lenoir, N.C. 28633.

A. Dan Kuykendall, P.O. Box 40841, Washington, D.C. 20016.
B. Broyhill Management Corp., P.O. Box 700, Lenoir, N.C. 28633.

A. Dan Kuykendall, P.O. Box 40841, Washington, D.C. 20016.
B. Oil Country Tubular Goods, c/o Mr. Carles Gibson, P.O. Box Drawer 3507, Midland, Tex. 79702.

A. Moon Landrieu, 1625 I Street NW., Suite 1007, Washington, D.C. 20006.
B. Benco, Inc., 1625 I Street NW., Suite 1007, Washington, D.C. 20006.

A. James LaSala, 5025 Wisconsin Avenue NW., Washington, D.C. 20016.
B. Amalgamated Transit Union, AFL-CIO, 5025 Wisconsin Avenue NW., Washington, D.C. 20016.

A. Latham, Watkins & Hills, 1333 New Hampshire Avenue NW., Suite 1200, Washington, D.C. 20036.
B. Corning Glass Works, 1800 K Street NW., Washington, D.C. 20006.

A. Latham, Watkins & Hills, 1333 New Hampshire Avenue NW., Suite 1200, Washington, D.C. 20036.
B. Independent Refiners Association of California, 900 Wilshire Boulevard, Suite 1024, Los Angeles, Calif. 90017.

A. Kenneth A. Lazarus, 1625 K Street NW., Washington, D.C. 20006.
B. Boettcher & Co., Investment Bankers, Denver, Colo.

A. Lee, Toomey & Kent, 1200 18th Street NW., Washington, D.C. 20036.
B. Minnesota Mining & Manufacturing Co., 3M Center, St. Paul, Minn. 55101.

A. Richard A. Legatski, 1100 17 Street NW., Suite 410, Washington, D.C. 20036.
B. National Ocean Industries Association, 1100 17th Street NW., Suite 410, Washington, D.C. 20036.

A. Leighton, Conklin, Lemov, Jacobs & Buckley, 2033 M Street NW., Suite 800, Washington, D.C. 20036.
B. Fred T. and Cenus N. Franzia; John G., Jr. and Mary L. Franzia; and Joseph S. and Marilyn L. Franzia, P.O. Box 1581, Whittier, Calif. 90609.

A. Leighton, Conklin, Lemov, Jacobs & Buckley, 2033 M Street NW., Suite 800, Washington, D.C. 20036.
B. Mutual Savings Central Fund, Inc., 50 Congress Street, Boston, Mass. 02109.

A. Leonard, Koehn, Rose & Hurt, P.C., Suite 317, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. AIRCO, Inc., 85 Chestnut Ridge Road, Montvale, N.J. 07645.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Upper Humboldt River Water Users Association; c/o Box 380; Elko, Nev. 89801.

A. Barbara W. Levine, American Public Health Association, 1015 15th Street NW., Washington, D.C. 20005.
B. American Public Health Association, 1015 15th Street NW., Washington, D.C. 20005.

A. Stuart A. Lewis, Suite 300, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Manufacturers Hanover Corp., 350 Park Avenue, New York, N.Y. 10022.

A. Stuart A. Lewis, Suite 300, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. National Bank of Detroit, P.O. Box 116, Detroit Mich. 48232.

A. Stuart A. Lewis, Suite 300, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Seattle First National Bank, P.O. Box 3586, Seattle, Wash., 98124.

A. Sylvester Ligsukis, 1320 19th Street NW., Suite 200, Washington, D.C. 20036.
B. Cramer & Cramer, 1320 19th Street, Suite 200, Washington, D.C. 20036 (for Hobbs Construction & Development Co., Inc., 3711 North Highway 231, Panama City, Fla. 32401).

A. Lipsen & Hamberger, 1725 DeSales Street NW., Suite 800, Washington, D.C. 20036.
B. American Waterways Operators, Inc., 1600 Wilson Boulevard, Suite 1101, Arlington, Va. 22209.

A. Barbara A. Little, 1155 15th Street NW., Suite 611, Washington, D.C. 20005.
B. Ethyl Corp., 1155 15th Street NW., Suite 611, Washington, D.C. 20005.

A. Jim Lloyd, P.O. Box 943, 3240 Whitebirch Drive, West Covina, Calif. 91793.
B. Commuter Airline Association of America, 1101 Connecticut Avenue NW., Washington, D.C. 20036.

A. Jim Lloyd, P.O. Box 943, 3240 Whitebirch Drive, West Covina, Calif. 91793.

B. Hughes Helicopters, Inc., Centinela and Teale Streets, Building 1H—M/S T-243, Culver City, Calif. 90230

A. Jim Lloyd, P.O. Box 943, 3240 Whitebirch Drive, West Covina, Calif. 91793.
B. Wien Air Alaska, 1140 Connecticut Avenue NW., Washington, D.C. 20036.

A. Thomas R. Long, Westvaco Corp., 299 Park Avenue, New York, N.Y. 10171.
B. Westvaco Corp., 299 Park Avenue, New York, N.Y. 10171.

A. Lord, Day & Lord, 1120 20th Street NW., Washington, D.C. 20036.
B. Cargill, Inc., P.O. Box 9300, Minneapolis, Minn. 55440.

A. Lord, Day & Lord, 1120 20th Street NW., Washington, D.C. 20036.
B. Cargill Leasing Corp., 15407 McGinty Road, Minnetonka, Minn.

A. Lord, Day & Lord, 1120 20th Street NW., Washington, D.C. 20036.
B. Continental Grain Co., 277 Park Avenue, New York, N.Y. 10172.

A. Richard J. Lovett, 1200 Northwestern Bank Building, Minneapolis, Minn. 55480.
B. Northwest Bancorporation, 1200 Northwestern Bank Building, Minneapolis, Minn. 55480.

A. L. P. Management Corp., Summit Tower, Suite 3100, 11 Greenway Plaza, Houston, Tex. 77046.

A. Donald C. Lubick, 1776 F Street NW., Washington, D.C. 20006.
B. Talisman Fund, 330 Washington Street, Suite 610, Marina Del Rey, Calif. 90291.

A. Edward Lyle, 1925 K Street NW., Washington, D.C. 20006.
B. Alliance To Save Energy, 1925 K Street NW., Washington, D.C. 20006.

A. David L. Mahan, DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. DGA International, Inc. (for Airbus Industrie, Avenue Lucien Servanty, 31700 Blagnac, France), 1225 19th Street NW., Washington, D.C. 20036.

A. David L. Mahan, for DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. DGA International, Inc. (for Sofreavia, 75 rue la Boetie, Paris 8eme, France), 1225 19th Street NW., Washington, D.C. 20036.

A. Barry L. Malter, Suite 900, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Caterpiller Tractor Co., 100 Adams Street NE., Peoria, Ill. 61629.

A. Manatt, Phelps, Rothenberg & Tunney, 1200 New Hampshire Avenue NW., Suite 200, Washington, D.C. 20036.
B. American Pacific International, Inc., 700 South Flower Street, Suite 1400, Los Angeles, Calif. 90017.

A. Manatt, Phelps, Rothenberg & Tunney, 1200 New Hampshire Avenue NW., Suite 200, Washington, D.C. 20036.
B. Music Corporation of America, Inc., 100 Universal City Plaza, Universal City, Calif. 91608.

A. Manatt, Phelps, Rothenberg & Tunney, 1200 New Hampshire Avenue NW., Suite 200, Washington, D.C. 20036.
B. Nissan Motor Corp. in U.S.A., 1919 Pennsylvania Avenue NW., Suite 707, Washington, D.C. 20036.

A. Manatt, Phelps, Rothenberg & Tunney, 1200 New Hampshire Avenue NW., Suite 200, Washington, D.C. 20036.
B. PennCorp Financial, Inc., 3130 Wilshire Boulevard, Santa Monica, Calif. 90406.

A. Manatt, Phelps, Rothenberg & Tunney, 1200 New Hampshire Avenue NW., Suite 200, Washington, D.C. 20036.
B. Texas Air Corp., P.O. Box 12788, Houston, Tex. 77017.

A. Michael J. Manning, Fulbright & Jaworski, 1150 Connecticut Avenue NW., Washington, D.C. 20036.
B. Petro-Lewis Corp., Denver, Colo.

A. Cynthia Mansfield, GPU Service Corp., 1800 M Street NW., Suite 890, Washington, D.C. 20036.
B. GPU Service Corp., 100 Interpace Parkway, Parsippany, N.J. 07054.

A. Maritime Institute for Research and Industrial Development, 1133 15th Street NW., Suite 600, Washington, D.C. 20005.

A. Nathan Fred Marks, 685 Eighth Street NW., Gresham, Oreg. 97030.

A. Marshall, Bratter, Greene, Allison & Tucker, 1140 Connecticut Avenue NW., Suite 501, Washington, D.C. 20036.
B. Drexel Burnham Lambert, Inc., 60 Broad Street, New York, N.Y. 10004.

A. Eleanor Marshall, 105 East 22d Street, New York, N.Y. 10010.
B. Community Service Society, 105 East 22d Street, New York, N.Y. 10010.

A. Massachusetts Bay Transit Authority, 50 High Street, Boston, Mass. 02110.

A. Mayer, Brown & Platt, 888 17th Street NW., Washington, D.C. 20006.
B. Brunswick Corp., One Brunswick Plaza, Skokie, Ill. 60077.

A. Mayer, Brown & Platt, 888 17th Street NW., Washington, D.C. 20006.
B. General Telephone & Electronics Corp., One Stamford Plaza, Stamford, Conn. 06904.

A. Mayer, Brown & Platt, 888 17th Street NW., Washington, D.C. 20006.
B. Northwest Alaskan Pipeline Co., 1120 20th Street NW., Washington, D.C. 20036.

A. C. H. Mayer, Inc., 3421 North Causeway Boulevard, No. 901, Metairie, La. 70002.
B. L. P. Management Corp., Summit Tower, Suite 3100, 11 Greenway Plaza, Houston, Tex. 77046.

A. Jerry McAndrews, U.S. Telephone Communications, Inc., 108 South Akard Street, Dallas, Tex. 75202.
B. U.S. Telephone Communications, Inc., 108 South Akard Street, Dallas, Tex. 75202.

A. Robert C. McCandless, 1707 H Street NW., Washington, D.C. 20006.
B. International Paper Co., 1620 I Street NW., Suite 700, Washington, D.C. 20006.

A. Robert C. McCandless, 1707 H Street NW., Washington, D.C. 20006.
B. Miller & Schroeder Municipals Inc., 7900 Xerxes Avenue South, Minneapolis, Minn. 55431.

A. Robert C. McCandless, 1707 H Street NW., Washington, D.C. 20006.
B. Transamerica Corp., 600 Montgomery Street, San Francisco, Calif. 94111.

A. Katherine S. McCarter, American Public Health Association, 1015 15th Street NW., Washington, D.C. 20005.
B. American Public Health Association, 1015 15th Street NW., Washington, D.C. 20005.

A. William P. McGuire, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.
B. National Rifle Association of America, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.

A. Jan E. McKenzie, Edison Electric Institute, 1111 19th Street NW., Washington, D.C.
B. Edison Electric Institute, 1111 19th Street NW., Washington, D.C. 20036.

A. Robert R. McMillian, 9 West 57th Street, New York, N.Y. 10019.
B. Avon Products, Inc., 9 West 57th Street, New York, N.Y. 10019.

A. Georgia McMurray, 105 East 22d Street, New York, N.Y. 10010.
B. Community Service Society, 105 East 22d Street, New York, N.Y. 10010.

A. McNair, Glenn, Konduras, Corley, Singletary, Porter & Dibble, P.A., 18th Floor, Bankers Trust Tower, P.O. Box 11390, Columbia, S.C. 29211.
B. General Telephone & Electronics Corp., 1120 Connecticut Avenue NW., Washington, D.C. 20036.

A. Francis J. McNamara, The Hale Foundation, 109 Fifth Street SE., Washington, D.C. 20003.
B. The Hale Foundation, 109 Fifth Street SE., Washington, D.C. 20003.

A. Mendelsohn Associates, Inc., 1826 Jefferson Place NW., Washington, D.C. 20036.
B. American President Lines, 1625 I Street NW., Washington, D.C. 20006.

A. Mendelsohn Associates, Inc., 1826 Jefferson, Place NW., Washington, D.C. 20036.
B. Wolf Trap Foundation for the Performing Arts, 1624 Trap Road, Vienna, Va. 22180.

A. Metzger, Shadyac & Schwarz, One Farragut Square South, 9th Floor, Washington, D.C. 20006.
B. Philadephia National Bank, Broad & Chestnut Streets, Philadelphia, Pa. 19101.

A. Larry D. Meyers, 412 First Street SE., Suite 214, Washington, D.C. 20003.
B. Beneficial Management Corporation of America, 200 South Street, Morristown, N.J. 07960.

A. Brenda J. Michaud, 1410 Grant Street, Suite A-201, Denver, Colo. 80203.
B. Colorado Ski Country USA, 1410 Grant Street, Suite A-201, Denver, Colo. 80203.

A. Paul J. Mignini, Sr., Amalgamated Clothing & Textile Workers Union, 815 16th Street NW., Washington, D.C. 20006.
B. Amalgamated Clothing & Textile Workers Union, 15 Union Square, New York, N.Y. 10003.

A. Miles & Stockbridge, 1701 Pennsylvania Avenue NW., No. 540, Washington, D.C. 20006.
B. Pizza Hut, Inc., 9111 East Douglas, Wichita, Kans. 67201.

A. Fred Millar, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.

B. Environmental Policy Center, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.

A. Miller, Canfield, Paddock & Stone, 2500 Detroit Bank & Trust Building, Detroit, Mich. 48226.
B. International Paper Co., 77 West 45th Street, New York, N.Y. 10036.

A. Miller & Chevalier, Chtd., 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. General Dynamics Corp., Pierre Laclede Center, St. Louis, Mo. 63105.

A. Herbert J. Miller, Jr., Miller, Cassidy, Larroca & Lewin, 2555 M Street NW., Suite 500, Washington, D.C. 20037.
B. Mead Corp., Courthouse Plaza Northeast, Dayton, Ohio 45463.

A. Richard M. Millman, P.C., 1730 M Street NW., Suite 908, Washington, D.C. 20036.
B. Senate of Puerto Rico, San Juan, Puerto Rico.

A. Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, 1015 Fifteenth Street NW., Suite 1025, Washington, D.C. 20005 and One Center Plaza, Boston, Mass. 02108.
B. Graphic Scanning Corp., 99 West Sheffield Avenue, Englewood, N.J. 07631.

A. Luis Miranda, 105 East 22d Street, New York, N.Y. 10010.
B. Community Service Society, 105 East 22d Street, New York, N.Y. 10010.

A. Mitchell Energy & Development Corp., 1925 K Street NW., Suite 200, Washington, D.C. 20006.

A. Joseph A. Mitchell, Hoffheimer, Johnson & Peterson, 1120 20th Street NW., S-520, Washington, D.C. 20036.
B. Church World Service, 475 Riverside Drive, New York, N.Y. 10115.

A. J. Michael Morgan, Suite 802, 2000 L Street NW., Washington, D.C. 20036.
B. Popham, Haik, Schnorbrich, Kaufman & Doty, 4344 IDS Center, Minneapolis, Minn. 55402 (for AMAX Inc., 1707 Cole Boulevard, Golden, Colo. 80401).

A. J. Michael Morgan, Suite 802, 2000 L Street NW., Washington, D.C. 20036.
B. Popham, Haik, Schnobrich, Kaufman & Doty, Ltd., 4344 IDS Center, Minneapolis Minn. 55402 (for Rocky Mountain Energy, 10 Longs Peak Drive, Box 2000, Broomfield, Colo. 80020).

A. Morgan, Lewis & Bockius, 1800 M Street NW., Washington, D.C.

A. James A. Morrill, Scott Paper Co., Scott Plaza I, Philadelphia, Pa. 19113.
B. Scott Paper Co., Scott Plaza, Philadelphia, Pa. 19113.

A. Gerald A. Morris, American Federation of Teachers, 11 DuPont Circle, Washington, D.C. 20036.
B. American Federation of Teachers/AFL-CIO, 11 DuPont Circle, Washington, D.C. 20036.

A. Russell N. Mosher, 1500 Wilson Boulevard, Suite 700, Arlington, Va. 22209.
B. American Boiler Manufacturers Association, 1500 Wilson Boulevard, Suite 700, Arlington, Va. 22209.

A. Robert E. Moss, 1819 H Street NW., Suite 620, Washington, D.C. 20006.
B. Dilworth, Paxson, Kalish & Levy, Federal Bar Building West, Washington, D.C. 20006 (for Northwest Alaskan Pipeline Co., 1120 20th Street NW., Suite S-700,Washington, D.C. 20036.)

A. Mountain West Associates, 2000 L Street NW., No. 200, Washington, D.C. 20006.
B. Utah Power & Light Co., 1407 West North Temple, Salt Lake City, Utah 84110.

A. Murphy & Boyle Chtd., 221 North La Salle Street, Chicago, Ill. 60601.
B. The Chicago Board of Trade, Jackson and La Salle Streets, Chicago, Ill. 60601.

A. K. R. Murphy, Gulf Oil Corp., 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. Gulf Oil Corp., Pittsburgh, Pa. 15230.

A. Bernard Nash, Blum & Nash, 1015 18th Street NW., Washington, D.C. 20036.
B. Time, Inc., 888 16th Street NW., Washington, D.C. 20036.

A. National Association of Aircraft & Communication Suppliers, Inc., 7360 Laurel Canyon Boulevard, North Hollywood, Calif. 91605.

A. National Association of Truck Stop Operators, 700 North Fairfax Street, Suite 505, Alexandria, Va. 22314.

A. National Bail Bond Information Center, P.O. Box 010781, Miami, Fla. 33101.
B. Cotton Belt Insurance Co., 10001 Lake Forest Boulevard, New Orleans, La. 70189.

A. National Family Planning & Reproductive Health Association, Inc., 1110 Vermont Avenue NW., Suite 950, Washington, D.C. 20005.

A. National Federation of Community Development Credit Unions, 16 Court Street, Suite 1804, Brooklyn, N.Y. 11201.

A. National Military Wives Association, Inc., 2666 Military Road, Arlington, Va. 22207.

A. National Office Machine Dealers Association, 1510 Jarvis Avenue, Elk Grove Village, Ill. 60007.

A. National Rural Development & Finance Corp., 1300 19th Street NW., Suite 360, Washington, D.C. 20036.

A. Michael A. Nemeroff, Sidley & Austin, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. De Kalb Agresearch, Inc., Sycamore Road, De Kalb, Ill. 60115.

A. Michael A. Nemeroff, Sidley & Austin, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Stern Electronics, Inc., 1725 Diversey Parkway, Chicago, Ill. 60614.

A. William D. Nesbeitt, 2655 Villa Creek Drive, Suite 150, Dallas, Tex. 75234.
B. Uni-Bell Plastic Pipe Association, 2655 Villa Creek Drive, Suite 150, Dallas, Tex. 75234.

A. Frederick H. Nesbitt, National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.

A. Leslie F. Newcomer, 226 W. Rittenhouse Square, Philadelphia, Pa. 19101.
B. Philadelphia National Bank, Broad and Chestnut Streets, Philadelphia, Pa. 19101.

A. Charles E. Nichols, 101 Constitution Avenue NW., Washington, D.C. 20001.
B. United Brotherhood of Carpenters & Joiners of America, 101 Constitution Avenue NW., Washington, D.C. 20001.

A. William W. Nickerson, 10955 Trotting Ridge Way, Columbia, Md. 21044.
B. Massachusetts Bay Transit Authority, 50 High Street, Boston, Mass. 02110.

A. Nossaman, Krueger & Marsh, 1140 19th Street NW., Suite 600, Washington, D.C. 20036.
B. Burlington Northern, 175 North 27th Street, Billings, Mont. 59101.

A. Nossaman, Krueger & Marsh, 1140 19th Street NW., No. 600, Washington, D.C. 20036.
B. Texas International Airlines, Inc., P.O. Box 12788, Houston, Tex. 77017.

A. Ralph D. Nurnberger, 444 North Capitol Street NW., No. 412, Washington, D.C. 20001.
B. American Israel Public Affairs Committee, 444 North Capitol Street NW., No. 412, Washington, D.C. 20001.

A. Philip S. Nyborg, 1133 19th Street NW., Washington, D.C. 20036.
B. MCI Communications Corp., 1133 19th Street NW., Washington, D.C. 20036.

A. Lawrence J. O'Brien, Jr., 1607 New Hampshire Avenue NW., Washington, D.C. 20009.
B. New York Chamber of Commerce and Industry.

A. Lawrence J. O'Brien, Jr., 1607 New Hampshire Avenue NW., Washington, D.C. 20009.
B. At-Sea Incineration, Inc.

A. Mary Beth O'Brien, Newmont Mining Corp., 1090 Vermont Avenue NW., Washington, D.C. 20005.
B. Newmont Mining Corp., 1090 Vermont Avenue NW., Washington, D.C. 20005.

A. O'Connor & Hannan, Suite 800, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Kimberly-Clark Corp., 1000 Wilson Boulevard, Arlington, Va. 22209.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., No. 800, Washington, D.C. 20006.
B. National Association of Numismatic Professionals, 2121 North Akard, Dallas, Tex. 75201.

A. O'Connor & Hannan, Suite 800, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Tele-Cause, 1200 18th Street NW., Washington, D.C. 20036.

A. O'Connor & Hannan, Suite 800, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. The United Kingdom Mutual Steam Ship Assurance Association (Bermuda) Limited, Mercury House, Front Street, P.O. Box 665, Hamilton 5, Bermuda.

A. O'Connor & Hannan, Suite 800, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. The West of England Ship Owners Mutual Protection & Indemnity Association

(Luxembourg), 33 Boulevard Prince Henri, Luxembourg.

A. Dennis M. Olsen, 485 E Street, Idaho Falls, Idaho 83402.
B. Monsanto Co.

A. Dennis M. Olsen, 485 E Street, Idaho Falls, Idaho 83402.
B. State Farm Fire & Casualty Co.

A. Dennis M. Olsen, 485 E Street, Idaho Falls, Idaho 83402.
B. State Farm Mutual Automobile Insurance Co.

A. T. Emmet O'Neil, 1040 Starr Road, Winnetka, Ill. 60093.
B. Employee Relocation Council, 1627 K Street NW., Suite 600, Washington, D.C. 20006.

A. O'Neill & Haase, P.C., 1333 New Hampshire Avenue NW., Suite 1110, Washington, D.C. 20036.
B. Chris-Craft Industries, Inc., 600 Madison Avenue, New York, N.Y. 10022.

A. O'Neill & Haase, P.C., 1333 New Hampshire Avenue NW., Suite 1110, Washington, D.C. 20036.
B. Legislative Alliance of Philatelists and Hard Asset Dealers and Collectors, 1270 Avenue of the Americas, New York, N.Y.

A. Abraham Orlofsky, 1016 16th Street NW., Washington, D.C. 20036.
B. National Federation of Federal Employees, 1016 16th Street NW., Washington, D.C. 20036.

A. Edward Pabon, 105 East 22d Street, New York, N.Y. 10010.
B. Community Service Society, 105 East 22d Street, New York, N.Y. 10010.

A. Ronald C. Paddock.
B. I.T.T. Corp.

A. Geri Palast, 2020 K Street NW., Suite 200, Washington, D.C. 20006.
B. Service Employees International Union, AFL-CIO, CLC, 2020 K Street NW., Suite 200, Washington, D.C. 20006.

A. Christopher N. Palmer, National Audubon Society, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. National Audubon Society, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.

A. Paskus, Gordon & Hyman, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. National Music Publishers' Association, 110 East 59th Street, New York, N.Y. 10022.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Burlington Industries, Inc., 1800 M Street NW., Suite 760 South, Washington, D.C. 20036.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. MCI Telecommunications, Inc., 1133 19th Street NW., Washington, D.C. 20036.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. National Cable Television Association, 724 Massachusetts Avenue NW., Washington, D.C. 20036.

A. William E. Peacock, 8000 West Florissant, St. Louis, Mo. 63136.
B. Emerson Electric Co., 8000 West Florissant, St. Louis, Mo. 63136.

A. Pepper, Hamilton & Scheetz, 1776 F Street NW., Suite 200, Washington, D.C. 20006.
B. Hooker Investments, Ltd., Suite 1701, One Commerce Place, Nashville, Tenn. 37239.

A. Pepper, Hamilton & Scheetz, 1776 F Street NW., Suite 200, Washington, D.C. 20036.
B. Southern Pacific Communication Co., 1828 L Street NW., Suite 500, Washington, D.C. 20036.

A. Perito, Duerk, Carlson & Pinco, P.C., 1140 Connecticut Avenue NW., Suite 400, Washington, D.C. 20036.
B. Advanced Health Systems, Inc., 17861 Cartwright Road, Irvine, Calif. 92714.

A. Leonard Perlman, 5203 Leesburg Pike, Suite 400, Falls Church, Va. 22041.
B. American Personnel & Guidance Association, 5203 Leesburg Pike, Falls Church, Va. 22041.

A. Russell W. Peterson, 950 Third Avenue, New York, N.Y. 10022.
B. National Audubon Society, 950 Third Avenue, New York, N.Y. 10022.

A. Joseph J. Petrillo, P.C., 1625 K Street NW., No. 302, Washington, D.C. 20006.
B. National Association of Aircraft & Communications Suppliers, Inc., 7360 Laurel Canyon Boulevard, North Hollywood, Calif. 91605.

A. H. William Petry, Milliken Research Corp., P.O. Box 1927, Spartanburg, S.C. 29304.
B. Milliken Research Corp., P.O. Box 1927, Spartanburg, S.C. 29304.

A. Gwen Pharo, 1101 South Arlington Ridge Road, No. 1213, Arlington, Va. 22202.
B. Oilfield Industrial Lines, Inc., P.O. Box 6243, Big Spring, Tex. 79720

A. Pierson, Ball & Dowd, 1200 18th Street NW., Washington, D.C. 20036.
B. Community Psychiatric Centers, 517 Washington Street, San Francisco, Calif. 94111.

A. Pierson, Ball & Dowd, 1200 18th Street NW., Washington, D.C. 20036.
B. Genentech, Inc., 460 Point San Bruno Boulevard, South San Francisco, Calif. 94080.

A. Pierson, Ball & Dowd, 1200 18th Street NW., Washington, D.C. 20036.
B. Independent Telecommuncations Suppliers' Council, c/o Pierson, Ball & Dowd, 1000 Ring Building, 1200 18th Street NW., Washington, D.C. 20036.

A. Pierson, Ball & Dowd, 1200 18th Street NW., Washington, D.C. 20036.
B. Infectious Diseases Society of America, University of Rochester School of Medicine, 601 Elmwood Avenue, Rochester, N.Y. 14642.

A. Pierson, Ball & Dowd, 1200 18th Street NW., Washington, D.C. 20036
B. Telecause, c/o Pierson, Ball & Dowd, 1200 18th Street NW., Washington, D.C. 20036.

A. Elizabeth W. Pierson, Sperry Corp., 2000 L Street NW., Suite 810, Washington, D.C. 20036.
B. Sperry Corp., 2000 L Street NW., Suite 810, Washington, D.C. 20036.

A. Jacqueline Pitts, 105 East 22d Street, New York, N.Y. 10010.
B. Community Service Society, 105 East 22d Street, New York, N.Y. 10010.

A. Plaintiffs' Antitrust Liaison Society, Suite 708, 1776 K Street NW., Washington, D.C. 20006.

A. Frances A. Pollak, 1850 K Street NW., No. 390, Washington, D.C. 20006.
B. Union Camp Corp., 1850 K Street NW., No. 390, Washington, D.C. 20006.

A. Alfred M. Pollard, Security Pacific National Bank, 1901 L Street NW., Suite 702, Washington, D.C. 20036.
B. Security Pacific National Bank, 333 South Hope Street, Los Angeles, Calif. 90071.

A. James J. Popham, 1771 N Street NW., Washington D.C. 20036.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C. 20036.

A. Powell, Goldstein, Frazer & Murphy, 1110 Vermont Avenue NW., Suite 1050, Washington, D.C. 20005.
B. Continental Employees Association, 323 Richmond Street, El Segundo, Calif. 90245.

A. Powell, Goldstein, Frazer & Murphy, 1110 Vermont Avenue NW., Suite 1050, Washington, D.C. 20005.
B. International Paper Co., 1620 I Street NW., Washington, D.C. 20006.

A. Margaret Power, Suite 906, 2101 L Street NW., Washington, D.C. 20037.
B. National Community Action Foundation, Inc., 2101 L Street NW., Suite 906, Washington, D.C. 20037.

A. Preston, Thorgrimson, Ellis & Holman, 1776 G Street NW., Suite 500, Washington, D.C. 20006.
B. Crowley Maritime Corp., Alaska Hydro-Train, P.O. Box 2287, Seattle, Wash. 98111.

A. James C. Pruitt, Texaco, 1050 17th Street NW., Suite 500, Washington, D.C. 20036.
B. Texaco Inc., 2000 Westchester Avenue, White Plains, N.Y. 10650.

A. Steven L. Pruitt, Public Employee Department, AFL-CIO, 815 16th Street NW., Suite 308, Washington, D.C. 20006.
B. Public Employee Department, AFL-CIO, 815 16th Street, Suite 308, Washington, D.C. 20006.

A. Diana Pullin, Center for Law & Education, Inc., Suite 510, 236 Massachusetts Avenue NE., Washington, D.C. 20002.
B. Center for Law & Education, Inc., 6 Appian Way, Cambridge, Mass. 02138.

A. James M. Quigley, Champion Internatinal Corp., 1875 I Street NW., Suite 540, Washington, D.C. 20006.
B. Champion International Corp., 1 Champion Plaza, Stamford, Conn. 06921.

A. Robert Rauch, Alliance To Save Energy, 1925 K Street NW., Washington, D.C. 20006.
B. Alliance to Save Energy, 1925 K Street NW., Washington, D.C. 20006.

A. Joseph M. Rees, 1625 Massachusetts Avenue NW., No. 505, Washington, D.C. 20036.
B. Delta Dental Plans Association, 211 East Chicago Avenue, Chicago, Ill. 60611.

A. Reid & Priest, 1111 19th Street NW., Washington, D.C. 20036.

B. Utility Group, c/o Reid & Priest, 1111 19th Street NW., Washington, D.C. 20036.

A. Renewable Energy Institute, 1050 17th Street NW., No. 1100, Washington, D.C. 20036.

A. John G. Richardson, 2774 North Hills Drive NE., Atlanta, Ga. 30305.
B. Georgia Power Co., 333 Piedmont Avenue, P.O. Box 4545, Atlanta, Ga. 30308.

A. David C. Ridinger, Newmont Mining Corp., 1090 Vermont Avenue NW., Washington, D.C. 20005.
B. Newmont Mining Corp., 300 Park Avenue, New York, N.Y. 10022.

A. Nicholas A. Rizzo, Jr., 1625 I Street NW., Suite 1007, Washington, D.C. 20006.
B. Benco, Inc., 1625 I Street NW., Suite 1007, Washington, D.C. 20006.

A. Ray Roberts & Associates, 499 South Capitol Street SW., Suite 102, Washington, D.C. 20003.
B. Brazos River Authority, P.O. Box 7555, Waco, Tex. 76710.

A. William J. Robinson, 2000 L Street NW., Suite 702, Washington, D.C. 20036.
B. Tosco Corp., 10100 Santa Monica Boulevard, Los Angeles, Calif. 90067.

A. Rogers Hoge & Hills, 1111 19th Street NW., Suite 301, Washington, D.C. 20036.
B. National Association of Chain Drug Stores, 413 North Lee Street, Alexandria, Va. 22314.

A. James T. Rogers, 311 First Street NW., Washington, D.C. 20001.
B. National Restaurant Association, 311 First Street NW., Washington, D.C. 20001.

A. Richard Rosen, 5010 Wisconsin Avenue NW., Suite 118, Washington, D.C. 20016.

A. Francis C. Rosenberger, 6809 Melrose Drive, McLean, Va. 22101.
B. National Conference of Bankruptcy Judges, P.O. Box 2070, Oakland, Calif. 94604.

A. Miriam Ann Rosenberg, COPUS, Suite 500, 1730 Rhode Island Avenue NW., Washington, D.C. 20036.
B. COPUS (Coalition of Independent College and University Students), 1730 Rhode Island Avenue NW., Suite 500, Washington, D.C. 20036.

A. Peter Rosenstein, American Academy of Physician Assistants, 2341 Jefferson Davis Highway, Suite 700, Arlington, Va. 22202.
B. American Academy of Physician Assistants, 2341 Jefferson Davis Highway, Suite 700, Arlington, Va. 22202.

A. Vincent J. Ryan, 300 Independence Avenue SE., Washington, D.C. 20003.
B. Liberty Lobby, Inc., 300 Independence Avenue SE., Washington, D.C. 20003.

A. Saenz International, Inc., P.O. Box 1556, Springfield, Va. 22151.

A. Jane N. Scherer, Chevron U.S.A., Inc., 1700 K Street NW., Suite 1204, Washington, D.C. 20006.
B. Chevron U.S.A., Inc. (a subsidiary of Standard Oil Co. of California), 1700 K Street NW., Suite 1204, Washington, D.C. 20006.

A. Gregg P. Skall, Blum & Nash, 1015 18th Street NW., Washington, D.C. 20036.
B. Time, Inc., 888 16th Street NW., Washington, D.C. 20036.

A. Schwabe, Williamson, Wyatt, Moor & Roberts, 1200 Standard Plaza, Portland, Oreg. 97204.
B. Northwest Inland Waterways Committee, c/o Peter Brix, Knappton Corp., P.O. Box 03018, Portland, Oreg. 97203.

A. The Scott Co., 8 Jacana Road, Hilton Head, S.C. 29928.

A. Paul J. Seidman, 1625 K Street NW., Suite 302, Washington, D.C. 20006.
B. Joseph J. Petrillo, P.C., 1625 K Street NW., Suite 302, Washington, D.C. 20006 (for National Association of Aircraft & Communications Suppliers, Inc., 7360 Laurel Canyon Boulevard, North Hollywood, Calif. 91605).

A. Seward & Kissel, 1050 17th Street NW., Washington, D.C. 20036.
B. Gray & Co., The Powerhouse, 3255 Grace Street, Washington, D.C. 20007.

A. Seward & Kissel, 1050 17th Street NW., Washington, D.C. 20036.
B. Hallac Associates, Inc., 100 Wall Street, New York, N.Y. 10005.

A. William H. Shaker, National Tax Limitation Committee, 1523 L Street NW., Suite 600, Washington, D.C. 20005.
B. National Tax Limitation Committee, 1523 L Street NW., Suite 600, Washington, D.C. 20005.

A. Norman F. Sharp, 1120 19th Street NW., Suite 410, Washington, D.C. 20036.
B. Cigar Association of America, Inc., 1120 19th Street NW., Suite 410, Washington, D.C. 20036.

A. G. Jerry Shaw, P.O. Box 7610, Ben Franklin Station, Washington, D.C. 20044.
B. Senior Executives Association, P.O. Box 7610, Ben Franklin Station, Washington, D.C. 20044.

A. Shea & Gould, 330 Madison Avenue, New York, N.Y. 10017.
B. Chancellor Corp., 31 Milk Street, Boston, Mass. 02109.

A. Shea & Gould, 330 Madison Avenue, New York, N.Y. 10017.
B. Cincinnati Milacron, Cincinnati, Ohio 45209.

A. Fletcher Shives, 3110 Maple Drive NE., Atlanta, Ga. 30305.
B. The Wilderness Society, 1901 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Mark A. Siegel & Associates, Inc., Suite 368, 400 North Capitol Street NW., Washington, D.C. 20001.
B. Archer-Daniels-Midland Co., P.O. Box 1470, Decatur, Ill.

A. Mark A. Siegel & Associates, Inc., Suite 368, 400 North Capitol Street NW., Washington, D.C. 20001.
B. The City of Kansas City, City Hall, Kansas City, Mo. 64106.

A. Mark A. Siegel & Associates, Inc., Suite 368, 400 North Capitol Street NW., Washington, D.C. 20001.
B. Twin City Barge, Inc., 222 West Grand Avenue South, St. Paul, Minn. 55075.

A. Bruce A. Silverglade, Center for Science in the Public Interest, 1755 S Street NW., Washington, D.C. 20009.
B. Center for Science in the Public Interest, 1755 S Street NW., Washington, D.C. 20009.

A. Silverstein & Mullens, 1776 K Street NW., Washington, D.C. 20006.
B. HWL Properties, 5530 Corbin Avenue, Suite 245, Tarzana, Calif. 91356.

A. Skadden, Arps, Slate, Meagher & Flom, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Texas International Airlines, P.O. Box 12788, Houston, Tex. 77017.

A. Skadden, Arps, Slate, Meagher & Flom, 1 Rodney Square, P.O. Box 636, Wilmington, Del. 19899.
B. Westvaco Corp., 299 Park Avenue, New York, N.Y. 10171, and Mead Corp., Courthouse Plaza NE., Dayton, Ohio 45463.

A. Smathers, Symington & Herlong, 1700 K Street NW., Washington, D.C. 20006.
B. National Farm & Power Equipment Dealers Association, 10877 Watson Road, St. Louis, Mo. 63127.

A. Grace H. Smith, 1800 M Street NW., Washington, D.C. 20036.
B. Telocator Network of America, 1800 M Street NW., Washington, D.C. 20036.

A. Larry S. Snowhite, 1015 15th Street NW., Washington, D.C. 20005.
B. Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, 1015 15th Street NW., Washington, D.C. 20005 and 1 Center Place, Boston, Mass. 02108 (for Securities Industry Association, 20 Broad Street, New York, N.Y. 10005).

A. David P. Stang, P.C., 1629 K Street NW., Suite 601, Washington, D.C. 20006.
B. McDermott Inc., P.O. Box 60035, New Orleans, La. 70160.

A. David P. Stang, P.C., 1629 K Street NW., Washington, D.C. 20006.
B. Ocean Minerals Co., 465 Bernardo Avenue, Mountain View, Calif. 94043.

A. David P. Stang, P.C., 1629 K Street NW., Washington, D.C. 20006.
B. Offshore Industry Committee, 1629 K Street NW., Suite 601, Washington, D.C. 20006.

A. David P. Stang, P.C., 1629 K Street NW., Washington, D.C. 20006.
B. Zapata Corp., P.O. Box 4240, Houston, Tex. 77001.

A. State of South Dakota, Department of Transportation, Division of Railroads, Pierre, S. Dak. 57501.

A. Steptoe & Johnson, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. International Paper Co., International Paper Plaza, 77 West 45th Street, New York, N.Y. 10036.

A. Eleanor Stier, 105 East 22d Street, New York, N.Y. 10010.
B. Community Service Society, 105 East 22d Street, New York, N.Y. 10010.

A. Steven F. Stockmeyer, National Multi Housing Council, 1800 M Street NW., Suite 285-N, Washington, D.C. 20036.
B. National Multi Housing Council, 1800 M Street NW., Suite 285-N, Washington, D.C. 20036.

A. Lisa Stolp, 1101 Connecticut Avenue NW., Washington, D.C. 20036.

B. Vinson & Elkins, 1101 Connecticut Avenue NW., Washington, D.C. 20036 (for Slurry Transport Association).

A. Stradley, Ronan, Stevens & Young, 1100 1 Franklin Plaza, Philadelphia, Pa. 19102.
B. Milliken Research Corp., P.O. Box 1926, Spartanburg, S.C. 29304.

A. Richard H. Streeter, 1729 H Street NW., Washington, D.C. 20006.
B. Cast North America, Ltd.

A. Stroock & Stroock & Lavan, 1150 17th Street NW., Washington, D.C. 20036.
B. Chemolimpex, P.O. Box 121, H-1305, Budapest, Hungary.

A. Stroock & Stroock & Lavan, 1150 17th Street NW., Washington, D.C. 20036.
B. Chinoin, To utca 1-5, H-1305, Budapest, Hungary.

A. Stroock & Stroock & Lavan, 1150 17th Street NW., Washington, D.C. 20036.
B. Shearson Loeb Rhoades Inc., 14 Wall Street, New York, N.Y. 10005.

A. Stroock & Stroock & Lavan, 1150 17th Street NW., Washington, D.C. 20036.
B. Tenant-owned Apartment Association, Inc., 12 East 41st Street, New York, N.Y. 10017.

A. Gael M. Sullivan, 1155 15th Street NW., Suite 1004, Washington, D.C. 20005.
B. The LTV Corp., 1525 Elm Street, Dallas, Tex. 75222.

A. Richard C. Sullivan, Jr., National Peace Academy Campaign, 1625 I Street NW., Washington, D.C. 20006.
B. National Peace Academy Campaign, 1625 I Street NW., Washington, D.C. 20006.

A. Stephen D. Susman, Susman & McGowan, 1200 Milam, Suite 900, Houston, Tex. 77002.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Suite 800, Washington, D.C. 20006.
B. Flathead Joint Board of Control, Route 2, Box 69, Moiese, Mont. 59824.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Suite 800, Washington, D.C. 20006.
B. Hagan Industries, Inc., P.O. Box 309, Montgomery, Ala. 36191.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Suite 800, Washington, D.C. 20006.
B. John G. Hagan, P.O. Box 45, Lignum, Va. 22726.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Suite 800, Washington, D.C. 20006.
B. Liberty Corp., Box 789, Greenville, S.C. 29602.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Suite 800, Washington, D.C. 20006.
B. Loyal Trust, 1401 Elm Street, Dallas, Tex.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Suite 800, Washington, D.C. 20006.
B. Mrs. A. Lester Marx, P.O. Box 2700, Honolulu, Hawaii 96765.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Suite 800, Washington, D.C. 20006.
B. Louis H. Strauss, Room 500, 1015 18th Street NW., Washington, D.C. 20036.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Suite 800, Washington, D.C. 20006.
B. Benjamin J. and Hugh McMaster Tarbutton, P.O. Box 269, Sandersville, Ga. 31082.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Suite 800, Washington, D.C. 20006.
B. Edna Winston, 525 Palm Drive, Golden Isles Hallandale, Fla. 33009.

A. Donnae Sutherlin, National Association of Manufacturers, 17 West Market Street, Suite 341, Indianapolis, Ind. 46204.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.

A. Merribel Symington, 1875 Eye Street NW., Suite 540, Washington, D.C. 20006.
B. Champion International Corp., One Champion Plaza, Stamford, Conn. 06921.

A. Robert Taft, Jr., 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Taft, Stettinius & Hollister (for Miami Conservancy District, 38 East Monument Avenue, Dayton, Ohio 45402), First National Bank Center, Cincinnati, Ohio 45202.

A. Dan C. Tate, 1825 K Street NW., Washington, D.C. 20006.
B. National Broadcasting Co., Inc., 1825 K Street NW., Washington, D.C. 20006.

A. Telecause, c/o Pierson, Ball & Dowd, 1200 18th Street NW., Washington, D.C. 20036.

A. Jay D. Terry, Leonard, Koehn, Rose & Hurt, P.C., Suite 317, 1025 Connecticut Avenue NW., Washington. D.C. 20036.
B. Leonard, Koehn, Rose & Hurt, P.C., Suite 317, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

A. Thaxter, Lipez, Stevens, Broder & Micoleau, 1825 K Street NW., Suite 503, Washington, D.C. 20006.
B. American Express Co., 1700 K Street NW., Washington, D.C. 20006.

A. Thaxter, Lipez, Stevens, Broder & Micoleau, 1825 K Street NW., Suite 503, Washington, D.C. 20006.
B. National Beer Wholesaler's Association, 5205 Leesburg Pike, Suite 505, Falls Church, Va. 22041.

A. Patricia Thomas, 1016 16th Street NW., Washington, D.C. 20036.
B. National Federation of Federal Employees, 1016 16th Street NW., Washington, D.C. 20036.

A. Thompson & Mitchell, One Mercantile Center, Suite 3400, St. Louis, Mo. 63101.
B. American Inland Waterways Committee, One Mercantile Center, St. Louis, Mo. 63101.

A. Thompson & Mitchell, One Mercantile Center, Suite 3400, St. Louis, Mo. 63101.
B. Midland Enterprises, Inc., 1400-580 Building, Cincinnati, Ohio 45202.

A. Thompson & Mitchell, One Mercantile Center, Suite 3400, St. Louis, Mo. 63101.
B. The Valley Line Co., 120 South Central Avenue, Clayton, Mo. 63105.

A. Richard B. Thornburg, National Beer Wholesalers' Association, Suite 505, 5205 Leesburg Pike, Falls Church, Va. 22041.
B. National Beer Wholesalers' Association, Suite 505, 5205 Leesburg Pike, Falls Church, Va. 22041.

A. Roger Tilles, 1111 19th Street NW., Suite 1050, Washington, D.C. 20036.
B. National Con-Serv, Inc., 451 Hungerford Drive, Suite 205, Rockville, Md. 20850.

A. Roger Tilles, 1111 19th Street NW., Suite 1050, Washington, D.C. 20036.
B. Southland-Arizona Colleges, 3160 West Fifth Street, Los Angeles, Calif. 90020.

A. Roger Tilles, 1111 19th Street NW., Suite 1050, Washington, D.C. 20036.
B. Washington Psychiatric Society, 1700 18th Street NW., Washington, D.C. 20009.

A. Don Todd, American Conservative Union, Suite 400, 316 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. American Conservative Union, Suite 400, 316 Pennsylvania Avenue SE., Washington, D.C. 20003.

A. M. Douglas Todd, 1000 Wilson Boulevard, Suite 2300, Arlington, Va. 22209.
B. Northrop Corporation, 1000 Wilson Boulevard, Suite 2300, Arlington, Va. 22209.

A. Jeffrey B. Trammell, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co., 3255 Grace Street NW., Washington, D.C. 20007.

A. Jeffrey B. Trammell, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for General Telephone & Electronics), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Jeffrey B. Trammell, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for the Health Insurance Association of America), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Jeffrey B. Trammell, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for Motorola, Inc.), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Jeffrey B. Trammell, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for Westinghouse Broadcasting Corp.), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Jeffrey B. Trammell, Gray & Co., 3255 Grace Street NW., Washington, D.C. 20007.
B. Management Insights, Inc., 5944 Luther Lane, Dallas, Tex.

A. Tucker & Brown, Suite 2330, Western Federal Savings Building, Denver, Colo. 80202.
B. Johns-Manville, Ken-Caryl Ranch, Denver, Colo.

A. Brian Turner, Industrial Union Department, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.
B. Industrial Union Department, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.

A. Julia A. Turner, 229 Pennsylvania Avenue SE., Washington, D.C. 20003.

B. EDS Cor., 229 Pennsylvania Avenue SE., Washington, D.C. 20003.

A. Ullman Consultants, Inc., 1000 Potomac Street NW., Suite 302, Washington, D.C. 20007.
B. The Confederated Tribes of the Warm Springs Reservation of Oregon, Warm Springs, Oreg. 97761.

A. Ullman Consultants, Inc., 1000 Potomac Street NW., Suite 302, Washington, D.C. 20007.
B. Spruell Development Corp., 6525 Belcrest Road, Suite 200, Hyattsville, Md. 20782.

A. Manya S. Ungar, 10 Brandywine Court, Scotch Plains, N.J. 07076.
B. National Congress of Parents & Teachers, 700 North Rush Street, Chicago, Ill. 60611.

A. Van Fleet Associates, National Press Building, Suite 890, 529 14th Street NW., Washington, D.C. 20045.
B. Cadillac Gage, P.O. Box 1027, Warren, Mich. 48090.

A. Nick L. Van Nelson, 1875 I Street NW., Suite 540, Washington, D.C. 20006.
B. Champion International Corp., One Champion Plaza, Stamford, Conn. 06921.

A. Venable, Baetjer, Howard & Civiletti, 1301 Pennsylvania Avenue NW., Suite 704, Washington, D.C. 20004.
B. Westvaco Corp., Westvaco Building, 299 Park Avenue, New York, N.Y. 10017, et al.

A. Frank Verrastro, 2000 L Street NW., Suite 702, Washington, D.C. 20036.
B. Tosco Corp., 10100 Santa Monica Boulevard, Los Angeles, Calif. 90067.

A. John C. Vickerman, 2021 K Street NW., Suite 305, Washington, D.C. 20006.
B. International Conference Industry Association, 2021 K Street NW., Suite 305, Washington, D.C. 20006.

A. Walter D. Vinyard, Jr., Alston, Miller & Gaines, 1800 M Street NW., Suite 1000, Washington, D.C. 20036.
B. The Hartford Insurance Group, Hartford, Conn. 06115.

A. Christopher N. Visher, 1016 16th Street NW., No. 800, Washington, D.C. 20036.
B. Roisman, Reno & Cavanaugh, 1016 16th Street NW., No. 800, Washington, D.C. 20036 (for National Housing Law Project).

A. Vorys, Sater, Seymour & Pease, 1828 L Street NW., No. 1111, Washington, D.C. 20036.
B. Cabot Corp., 125 High Street, Boston, Mass. 02110.

A. Vorys, Sater, Seymour & Pease, 1828 L Street NW., No. 1111, Washington, D.C. 20036.
B. Committee of Publicly Owned Companies, 22 Thames Street, New York, N.Y. 10006.

A. Wald, Harkrader & Ross, 1300 19th Street NW., Washington, D.C. 20036.
B. American Paper Institute, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.

A. Charles E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. The Mead Corp., 1000 Connecticut Avenue NW., Washington, D.C. 20036 and Weyerhaeuser Co., 1625 I Street NW., Washington, D.C. 20006.

A. Charles E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. J. P. Morgan & Co., Inc., New York, N.Y. et al.

A. We of US, 2617 Wisconsin Avenue NW., Washington, D.C. 20007.

A. Paul Weckstein, Center for Law & Education, Inc., Suite 510, 236 Massachusetts Avenue NE., Washington, D.C. 20002.
B. Center for Law & Education, Inc., 6 Appian Way, Cambridge, Mass. 02138.

A. Elizabeth S. Weltner, The Power House, Washington, D.C. 20007.
B. Gray & Co., The Power House, Washington, D.C. 20007.

A. West Texas Land & Royalty Owners Association, P.O. Box 67, Snyder, Tex. 79549.

A. Wexler & Associates, Inc., 1616 H Street NW., Suite 400, Washington, D.C. 20006.
B. Beneficial Management Corp. of America, 200 South Street, Morristown, N.J. 07960.

A. Robert G. Weymueller, American Lung Association, Suite 401, 1629 K Street NW., Washington, D.C. 20006.
B. American Lung Association, 1740 Broadway, New York, N.Y. 10019.

A. White, Fine & Verville, 1156 15th Street NW., No. 302, Washington, D.C. 20005.
B. Northwest Alaskan Pipeline Co., 1120 20th Street NW., Washington, D.C. 20036.

A. Marshall E. Whitenton, 1050 17th Street NW., Suite 650, Washington, D.C. 20036.
B. The Standard Oil Co. (Ohio), Midland Building, Cleveland, Ohio 44115.

A. W. Edward Whitfield, CSX Corp., 840 Washington Building, 15th Street and New York Avenue NW., Washington, D.C. 20005-2071.
B. CSX Corp., 1500 Federal Reserve Building, Richmond, Va. 23219.

A. James A. Whitman, National Association of Chain Drug Stores, Inc., P.O. Box 1417-D49, Alexandria, Va. 22313.
B. National Association of Chain Drug Stores, Inc., P.O. Box 1417-D49, Alexandria, Va. 22313.

A. Guenther O. Wilhelm Exxon Corp., 1899 L Street NW., Suite 1100, Washington, D.C. 20036.
B. Exxon Corp., 1251 Avenue of the Americas, New York, N.Y.

A. Carl B. Wilkerson, American Council of Life Insurance, Inc., 1850 K Street NW., Washington, D.C. 20006.
B. American Council of Life Insurance, Inc., 1850 K Street NW., Washington, D.C. 20006.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.
B. Pueblo De Cochiti, P.O. Box 70, Cochiti, N. Mex. 87041.

A. Willkie Farr & Gallagher, 818 Connecticut Avenue NW., Washington, D.C. 20006.
B. Burlington Industries, 1800 M Street NW., Washington, D.C. 20036.

A. Wilmer, Cutler & Pickering, 1666 K Street NW., Washington, D.C. 20006.
B. CPC International Inc., International Plaza, Englewood Cliffs, N.J. 07632.

A. John W. Wilson, Renewable Energy Institute, 1050 17th Street NW., Suite 1100, Washington, D.C. 20036.
B. Renewable Energy Institute, 1050 17th Street NW., Suite 1100, Washington, D.C. 20036.

A. Winston & Strawn, 2550 M Street NW., Suite 500, Washington, D.C. 20037.
B. Cummins Engine Co., Inc., 432 Washington Street, Third Floor, Columbus, Ind. 47201.

A. James Wolf, 1925 K Street NW., Washington, D.C. 20006.
B. Alliance to Save Energy, 1925 K Street NW., Washington, D.C. 20006.

A. Brooks B. Yeager, Sierra Club, 330 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Sierra Club, 530 Bush Street, San Francisco, Calif. 94108.

A. Don J. Zeller, 1000 16th Street NW., Suite 503, Washington, D.C. 20036.
B. Standard Oil Co. (Indiana), 200 East Randolph Drive, Chicago, Ill. 60680.

A. Ronald L. Ziegler, National Association of Truck Stop Operators, 700 North Fairfax Street, Suite 505, Alexandria, Va. 22314.
B. National Association of Truck Stop Operators, 700 North Fairfax Street, Suite 505, Alexandria, Va. 22314.

A. Murray Zweben, 1140 19th Street NW., Suite 600, Washington, D.C. 20036.
B. Nossaman, Krueger & Marsh, 1140 19th Street NW., Suite 600, Washington, D.C. 20036 (for Texas International Airlines, P.O. Box 12788, Houston, Tex. 77017).

QUARTERLY REPORTS*

*All alphanumeric characters and monetary amounts refer to receipts and expenditures on page 2, paragraphs D and E of the Quarterly Report Form.

The following quarterly reports were submitted for the third calendar quarter 1981:

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19.....

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:
(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)
(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".
(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:
(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.
(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:
1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§302(e).
(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).
(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.

AFFIDAVIT

[Omitted in printing]

PAGE 1

NOTE ON ITEM "D."—(a) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302(a) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN EMPLOYER.—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(c) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Receipts (other than loans)

1. $.....Dues and assessments
2. $.....Gifts of money or anything of value
3. $.....Printed or duplicated matter received as a gift
4. $.....Receipts from sale of printed or duplicated matter
5. $.....Received for services (e.g., salary, fee, etc.)

6. $.....TOTAL for this Quarter (Add items "1" through "5")
7. $.....Received during previous Quarters of calendar year

8. $.....TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302(a).

9. $.....TOTAL now owed to others on account of loans
10. $.....Borrowed from others during this Quarter
11. $.....Repaid to others during this Quarter

12. $.....''Expense money'' and Reimbursements received this Quarter

Contributors of $500 or more (from Jan. 1 through this Quarter)

13. Have there been such contributors?

Please answer "yes" or "no": .....

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and address of Contributor* ("*Period*" from Jan. 1 through....., 19.....)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	TOTAL

NOTE ON ITEM "E".—(a) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302(b) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. EXPENDITURES (INCLUDING LOANS) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the spaces following the number.

Expenditures (other than loans)

1. $.....Public relations and advertising services
2. $.....Wages, salaries, fees, commissions (other than item "1")
3. $.....Gifts or contributions made during Quarter
4. $.....Printed or duplicated matter, including distribution cost
5. $.....Office overhead (rent, supplies, utilities, etc.)
6. $.....Telephone and telegraph
7. $.....Travel, food, lodging, and entertainment
8. $.....All other expenditures

9. $.....TOTAL for this Quarter (Add "1" through "8")
10. $.....Expended during previous Quarters of calendar year

11. $.....TOTAL from January 1 through this Quarter (Add "9" and "10")

Loans Made to Others

"The term 'expenditure' includes a . . . *loan* . . ."—Sec. 302(b).

12. $.....TOTAL now owed to person filing
13. $.....Lent to others during this Quarter
14. $.....Repayment received during this Quarter

15. Recipients of Expenditures of $10 or More

In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7-11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7-15, 8-15, 9-15: Britten & Blaten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00	TOTAL

A. Robert J. Aagre, 1615 H Street NW., Washington, D.C. 20062.
B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C. 20062.
D. (6) $1,171. E. (9) $192.

A. A-K Associates, Inc., 1225 Eighth Street, Suite 590, Sacramento, Calif. 95814.
B. California Society of Pathologists, 1225 Eighth Street, Suite 590, Sacramento, Calif. 95814.
D. (6) $6,999.99.

A. A-K Associates, Inc., 1225 Eighth Street, Suite 590, Sacramento, Calif. 95814.
B. City of South Lake Tahoe, P.O. Box 1210, South Lake Tahoe, Calif.
D. (6) $9,249.99. E. (9) $11,301.23.

A. A-K Associates, Inc., 1225 Eighth Street, Suite 590, Sacramento, Calif. 95814.
B. Pathologist Practice Association, 1225 Eighth Street, Suite 590, Sacramento, Calif. 95814.
D. (6) $18,000. E. (9) $7,335.97.

A. Abadie & Hudson, P.O. Box 2787, Baton Rouge, La. 70821.
B. Miller Coal Systems, Inc., One American Place, Suite 2038, Baton Rouge, La. 70825.
D. (6) $7,500. E. (9) $1,969.17.

A. Paul C. Abenante, Suite 850, 2020 K Street NW., Washington, D.C. 20006.
B. American Bakers Association, Suite 850, 2020 K Street NW., Washington, D.C. 20006.
D. (6) $870. E. (9) $7.15.

A. Thomas G. Abernethy, 3973 Stuart Place, Jackson, Miss. 39211.
B. U.S. Cane Sugar Refiners' Association, 1001 Connecticut Avenue, Washington, D.C. 20036.
D. (6) $1,000. E. (9) $391.78.

A. Albert E. Abrahams, 777 14th Street NW., Washington, D.C. 20005.
B. National Association of Realtors, 777 14th Street NW., Washington, D.C. 20005 and 430 North Michigan Avenue, Chicago, Ill. 60611.
D. (6) $6,100. E. (9) $665.33.

A. Sherman Abrahamson, Control Data Corp., 3717 Columbia Pike, Arlington, Va. 22204.
B. Control Data Corp., 3717 Columbia Pike, Arlington, Va. 22204.
D. (6) $150.

A. ACLI International Inc., 717 Westchester Avenue, White Plains, N.Y. 10604.

A. Action for Children's Television, 46 Austin Street, Newtonville, Mass. 02160.
D. (6) $73,800.98. E. (9) $710.37.

A. Action, Inc., 713 D Street SE., Washington, D.C. 20003.
B. American Home Economics Association, 2010 Massachusetts Avenue NW., Washington, D.C.
D. (6) $575. E. (9) $1,684.74.

A. Action, Inc., 713 D Street SE., Washington, D.C. 20003.
B. American Indian Higher Education Consortium, 1582 South Parker Road, Suite 210, Denver, Colo. 90231.
D. (6) $6,500. E. (9) $8,366.86.

A. Action, Inc., 713 D Street SE., Washington, D.C. 20003.
B. National Congress of American Indians, 202 E Street SE., Washington, D.C. 20002.
D. (6) $5,300. E. (9) $8,419.73.

A. Actors Equity Association, 165 West 46th Street, New York, N.Y. 10036.
D. (6) $2,500. E. (9) $2,500.

A. Bruce Adams, 2030 M Street NW., Third Floor, Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., Washington, D.C. 20036.
D. (6) $6,800.01.

A. Charles F. Adams, American Association of Advertising Agencies, 1899 L Street NW., Washington, D.C. 20036.
B. American Association of Advertising Agencies, 666 Third Avenue, New York, N.Y. 10017.
D. (6) $2,500. E. (9) $750.

A. Kenneth R. Adams, Volkswagen of America, Inc., 475 L'Enfant Plaza SW., Suite 2450, Washington, D.C. 20024.
B. Volkswagen of America, Inc., 27621 Parkview Boulevard, Warren, Mich. 48092.
D. (6) $300.

A. Thomas L. Adams, Jr., Republic Steel Corp., 1101 15th Street NW., Washington, D.C. 20005.
B. Republic Steel Corp., Republic Building, Cleveland, Ohio. 44101.

A. V. J. Adduci, Motor Vehicle Manufacturers Association of the United States, Inc., 1909 K Street NW., Suite 300, Washington, D.C. 20006.
B. Motor Vehicle Manufacturers Association of the United States, Inc., 300 New Center Building, Detroit, Mich. 48202.
D. (6) $63.

A. Aerospace Industries Association of America, Inc., 1725 DeSales Street NW., Washington, D.C. 20036.
D. (6) $13,456.73. E. (9) $13,456.73.

A. AFL-CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C. 20001.
D. (6) $5,570. E. (9) $4,373.32.

A. Elizabeth Agle, 530 Seventh Street SE., Washington, D.C. 20003.
B. National Clean Air Coalition, 530 Seventh Street SE., Washington, D.C. 20003.
D. (6) $6,750. E. (9) $38.96.

A. Robert S. Agman, 100 Indiana Avenue NW., Washington, D.C. 20001.
B. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C. 20001.
D. (6) $1,302.60. E. (9) $6.87.

A. Randolf H. Aires, 1211 Connecticut Avenue NW., No. 802, Washington, D.C. 20036.
B. Sears, Roebuck & Co., Sears Tower, Chicago, Ill. 60684.
D. (6) $2,850. E. (9) $67.95.

A. G. Colburn Aker, 1425 K Street NW., Washington, D.C. 20005.
B. Hill & Knowlton, Inc., 1425 K Street NW., Washington, D.C. 20005.

A. G. Colburn Aker, 1425 K Street NW., Washington, D.C. 20005.
B. Hill & Knowlton, Inc. (for Therapedic, 2350 Fifth Street, Rock Island, Ill. 61201), 1425 K Street NW., Washington, D.C. 20005.
D. (6) $660.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Ag-Energy Resources, Inc., 7346A South Alton Way, Englewood, Colo. 80112.
D. (6) $500.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Alaska Interstate Co., 2200 Post Oak Tower, 5051 Westheimer Road, Houston, Tex. 77056.
D. (6) $4,700.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Amerada Hess Corp., 1185 Avenue of the Americas, New York, N.Y. 10036.
D. (6) $2,000.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. American Telephone & Telegraph Co., 1120 20th Street NW., Suite 1000, Washington, D.C. 20036.
D. (6) $1,000.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Archer Daniels Midland, 4666 Faries Parkway, Decatur, Ill. 62526.
D. (6) $3,200.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Bache Group Inc., 100 Gold Street, New York, N.Y. 10038.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. City of Houston, City Hall, Houston, Tex. 77001.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. The Coastal Corp., 9 Greenway Plaza, Houston, Tex. 77046.
D. (6) $15,000. E. (9) $100.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. FSC Corp., 110 East 59th Street, 37th Floor, New York, N.Y. 10022.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. E & J Gallo Winery, P.O. Box 1130, Modesto, Calif. 95353.
D. (6) $2,200.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Goldston Oil Corp., P.O. Box 22568, Houston, Tex. 77027.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Great National Corp., 2320 South Tower, Plaza of the Americas, Dallas, Tex. 75201.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Leaseway Transportation Corp., 21111 Chagrin Boulevard, Cleveland, Ohio 44112.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Lone Star Industries, Inc., One Greenwich Plaza, Greenwich, Conn. 06830.
D. (6) $1,200.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.

B. Louisiana Alcohol Fuels Co., 1102 Sixth Street, New Orleans, La. 70115.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. MAPCO, Inc., 1800 South Baltimore Avenue, Tulsa, Okla. 74119.
D. (6) $4,800.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Metropolitan Transit Authority of Harris County, P.O. Box 61429, Houston, Tex. 77208.
D. (6) $4,000.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Military Accessories Service Association, Inc., 2 Park Avenue, Suite 1118, New York, N.Y. 10016.
D. (6) $750.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Missouri Terminal Oil Co, Inc., 3854 South First Street, St. Louis, Mo. 63118.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. National Association of Condominium and Cooperative Housing, 5415 North Sheridan Road, Chicago, Ill. 60640.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. New Energy Corp. of Indiana, 915 15th Street NW., Suite 200, Washington, D.C. 20005.
D. (6) $1,500.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Northwest Alaskan Pipeline Co., 1801 K Street NW., Washington, D.C. 20006.
D. (6) $12,700.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Tom Reidy, Inc., 110 Milam, Suite 2170, Houston, Tex. 77002.
D. (6) $750.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Ringling Bros. Barnum & Bailey Combined Shows, Inc., 1015 18th Street NW., Washington, D.C. 20036.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Saber Energy, Inc., 1700 Houston Natural Gas Building, 1200 Travis, Houston, Tex. 77002

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Shearson. Loeb, Rhoades, 15 Wall Street, 9th Floor, New York, N.Y. 10005.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. St. Joe Minerals Corp., 250 Park Avenue, New York, N.Y. 10017.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Richard Suman, 2444 Times Boulevard, Suite 101, Houston, Tex.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Sun Co., Inc., 1608 Walnut Street, Philadelphia, Pa. 19103.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Texas Air Corp., Central Bank Plaza, Suite 4040, 333 Clay Street, Houston, Tex. 77002.
D. (6) $16,250. E. (9) $100.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Texas Instruments Inc., P.O. Box 225474, MS 241, Dallas, Tex. 75265.
D. (6) $4,750.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Valero Energy Corp., 530 McCullough Avenue, San Antonio, Tex. 78292.
D. (6) $4,200.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Worldwide Church of God., P.O. Box 385, Pasadena, Calif. 91102.

A. Akin, Gump, Strauss, Hauer & Feld, 1333 New Hampshire Avenue NW., Suite 400, Washington, D.C. 20036.
B. Zale Corp., 3000 Diamond Park Drive, Dallas, Tex. 75247.

A. Joan H. Albert, National Association of Casualty & Surety Agents, 600 Pennsylvania Avenue SE., No. 202, Washington, D.C. 20003.
B. National Association of Casualty & Surety Agents, 5454 Wisconsin Avenue, No. 1625, Chevy Chase, Md. 20815.
D. (6) $1,600. E. (9) $84.07.

A. James J. Albertine, Interstate Natural Gas Association of America, 1660 L Street NW., Suite 601, Washington, D.C. 20036.
B. Interstate Natural Gas Association of America, 1660 L Street NW., Suite 601, Washington, D.C. 20036.
D. (6) $300.

A. John M. Albertine, 1025 Connecticut Avenue NW., Suite No. 209, Washington, D.C. 20036.
B. American Business Conference, Inc., 1025 Connecticut Avenue NW., Suite No. 209, Washington, D.C. 20036.
D. (6) $1,250. E. (9) $257.35.

A. Alcalde, Henderson, O'Bannon & Bracy, 1901 North Fort Myer Drive, Rosslyn, Va. 22209.
B. American Fishing Tackle Manufacturers Association, 2626 Clearbrook Drive, Arlington Heights, Ill. 60005.
D. (6) $1,500.

A. Alcalde, Henderson, O'Bannon & Bracy, 1901 North Fort Myer Drive, Suite 1204, Rosslyn, Va. 22209.
B. Associated Industries of Florida, 203 South Adams Street, Tallahassee, Fla. 23202.

A. Alcalde, Henderson, O'Bannon & Bracy, 1901 North Fort Myer Drive, Suite 1204, Rosslyn, Va. 22209.
B. The Brunswick Corp., One Brunswick Plaza, Skokie, Ill. 60076.

A. Alcalde, Henderson, O'Bannon & Bracy, 1901 North Fort Myer Drive, Rosslyn, Va. 22209.
B. City of Tucson, Tucson, Ariz.
D. (6) $3,000.

A. Alcalde, Henderson, O'Bannon & Bracy, 1901 North Fort Myer Drive, Suite 1204, Rosslyn, Va. 22209.
B. Coalition for Energy Efficient Transportation, 1901 North Fort Myer Drive, Suite 1204, Rosslyn, Va. 22209.

A. Alcalde, Henderson, O'Bannon & Bracy, 1901 North Fort Myer Drive, Suite 1204, Rosslyn, Va. 22209.
B. Computer Sciences Corp., 650 North Sepulveda Boulevard, El Segundo, Calif. 90245.
D. (6) $3,000.

A. Alcalde, Henderson, O'Bannon & Bracy, 1901 North Fort Myer Drive, Suite 1204, Rosslyn, Va. 22209.
B. The Continental Group, Inc., One Harbor Plaza, Stamford, Conn.

A. Alcalde, Henderson, O'Bannon & Bracy, 1901 North Fort Myer Drive, Suite 1204, Rosslyn, Va. 22209.
B. Dade County Aviation Department, P.O. Box 592075 AMF, Miami, Fla. 33159.
D. (6) $1,500.

A. Alcalde, Henderson, O'Bannon & Bracy, 1901 North Fort Myer Drive, Suite 1204, Rosslyn, Va. 22209.
B. Dade County Seaport Authority, 1015 North America Way, Miami, Fla. 33132.
D. (6) $1,500.

A. Alcalde, Henderson, O'Bannon & Bracy, 1901 North Fort Myer Drive, Suite 1204, Rosslyn, Va. 22209.
B. Newspaper-Broadcaster Committee, P.O. Box 3412, San Francisco, Calif. 94119.
D. (6) $15,000.

A. Alcalde, Henderson, O'Bannon & Bracy, 1901 North Fort Myer Drive, Suite 1204, Rosslyn, Va. 22209.
B. Pan American World Airways, Inc., 200 Park Avenue, New York, N.Y. 10017.
D. (6) $3,000.

A. Alcalde, Henderson, O'Bannon & Bracy, 1901 North Fort Myer Drive, Suite 1204, Rosslyn, Va. 22209.
B. Pratt & Whitney Aircraft Group, 400 Main Street, East Hartford, Conn.
D. (6) $6,000.

A. Alcalde, Henderson, O'Bannon & Bracy, 1901 North Fort Myer Drive, Suite 1204, Rosslyn, Va. 22209.
B. Tampa Electric Co., P.O. Box 1111, Tampa, Fla. 33601.
D. (6) $1,500.

A. Alcalde, Henderson, O'Bannon & Bracy, 1901 North Fort Myer Drive, Suite 1204, Rosslyn, Va. 22209.
B. Tampa Port Authority, P.O. Box 2192, Tampa, Fla. 33601.
D. (6) $3,600.

A. Alcalde, Henderson, O'Bannon & Bracy, 1901 North Fort Myer Drive, Suite 1204, Rosslyn, Va. 22209.
B. Jim Walter Corp., P.O. Box 22601, Tampa, Fla. 33622.
D. (6) $3,000.

A. Alcalde, Henderson, O'Bannon & Bracy, 1901 North Fort Myer Drive, Suite 1204, Rosslyn, Va. 22209.
B. Wildlife Legislative Fund of America, 50 West Broad Street, Columbus, Ohio 43215.

A. Donald C. Alexander, 1800 M Street NW., Washington D.C. 20036.

B. Committee for Capital Formation Through Dividend Reinvestment, 1800 M Street NW., Suite 800-N, Washington, D.C. 20036.
D. (6) $36.

A. Willis W. Alexander, American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $2,500. E. (9) $10.60.

A. Maxton M. Allcox, Brotherhood of Maintenance of Way Employes, 400 First Street NW., Room 801, Washington, D.C. 20001.
B. Brotherhood of Maintenance of Way Employes, 12050 Woodward Avenue, Detroit, Mich. 48203.
D. (6) $22,806.48.

A. Joseph P. Allen, Intellectual Property Owners, Inc., 1899 L Street NW., Suite 400, Washington, D.C. 20036.
B. Intellectual Property Owners, Inc., 1899 L Street NW., Suite 400, Washington, D.C. 20036.
D. (6) $11,250. E. (9) $352.

A. Alliance for Cannabis Therapeutic, P.O. Box 23691, Washington, D.C. 20024.
D. (6) $873.40. E. (9) $87.

A. Alliance of American Insurers.
E. (9) $2,777.50.

A. Alliance to Save Energy, 1925 K Street, Washington, D.C. 20006.
E. (9) $1,659.63.

A. Harvey Alter, U.S. Chamber of Commerce, Washington, D.C. 20062.
B. U.S. Chamber of Commerce, 1615 H Street NW., Washington, D.C. 20062.
D. (6) $200.

A. Richard H. Altman, 444 North Capitol Street NW., Suite 412, Washington, D.C. 20001.
B. American Israel Public Affairs Committee, 444 North Capitol Street NW., Suite 412, Washington, D.C. 20001.
D. (6) $1,125.

A. Ricardo R. Alvarado, 6108 Fort Hunt Road, Alexandria, Va. 22307.
B. Lockheed Corp., P.O. Box 551, Burbank, Calif. 91520.
D. (6) $1,840. E. (9) $381.95.

A. Amalgamated Transit Union, AFL-CIO, 5151 Wisconsin Avenue NW, Washington, D.C. 20016.

A. John O. Ambler, 3251 Old Lee Highway, Suite 500, Fairfax, Va. 22030.
B. National Limestone Institute, Inc., 3251 Old Lee Highway, Suite 500, Fairfax, Va. 22030.
E. (9) $28.95.

A. Jerome A. Ambro Associates, 2301 South Jefferson Davis Drive, Arlington, Va. 22202.
B. Associated Universities, Inc., Upton, N.Y. 11973.
D. (6) $10,600. E. (9) $9,070.34.

A. Jerome A. Ambro Associates 2301 South Jefferson Davis Drive, Arlington, Va. 22202.
B. County of Suffolk, Veterans Memorial Highway, H. Lee Dennison Building, Hauppauge, N.Y. 11787.
D. (6) $4,250. E. (9) $3,628.13.

A. Jerome A. Ambro Associates, 2301 South Jefferson Davis Drive, Arlington, Va. 22202.
B. New York State Department of Transportation, 1220 Washington Avenue, State Campus, Albany, N.Y. 12232.
D. (6) $6,375. E. (9) $5,442.20.

A. American Academy of Family Physicians, 1740 West 92d Street, Kansas City, Mo. 64114.
D. (6) $7,440.57. E. (9) $7,440.57.

A. American Academy of Ophthalmology, 1100 17th Street NW., Suite 901, Washington, D.C. 20036.

A. American Arts Alliance, 424 C Street NE., Washington, D.C. 20002.
D. (6) $140,008.40. E. (9) $68,269.92.

A. American Association of Foundations for Medical Care, 11325 Seven Locks Road, Suite 214, Potomac, Md. 20854.

A. American Association of Homes for the Aging, 1050 17th Street NW., Suite 770, Washington, D.C. 20036.
D. (6) $2,822. E. (9) $2,822.

A. American Association of Meat Processors, P.O. Box 269, Elizabethtown, Pa. 17022.
D. (6) $84.61.

A. American Association of Port Authorities, 1612 K Street NW., Suite 900, Washington, D.C. 20006.
D. (6) $500. E. (9) $23,936.83.

A. American Association of Professional Standards Review Organizations, 11325 Seven Locks Road, Suite 214, Potomac, Md. 20854.
E. (9) $94.83.

A. American Automobile Association, 8111 Gatehouse Road, Falls Church, Va. 22047.

A. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $30,657.03. E. (9) $30,657.03.

A. American Business Conference, Inc., 1025 Connecticut Avenue NW., Suite 209, Washington, D.C. 20036.
D. (6) $3,400. E. (9) $2,043.15.

A. American Council for Capital Formation, 1919 Pennsylvania Avenue NW., No. 201, Washington, D.C. 20006.
D. (6) $3,916. E. (9) $5,233.28.

A. American Council of Life Insurance, Inc., 1850 K Street NW., Washington, D.C. 20006.
E. (9) $2,981.04.

A. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill. 60068, Washington Offices: 425 13th Street NW., Washington, D.C. 20004.
D. (6) $80,425. E. (9) $80,425.

A. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C. 20006.
E. (9) $155,451.60.

A. American Frozen Food Institute, 1700 Old Meadow Road, Suite 100, McLean, Va.
E. (9) $6,000.

A. American Guaranty Life Insurance Co., 1430 Southwest Broadway, Portland, Oreg. 97201.
E. (9) $6,000.

A. American Hotel & Motel Association, 888 Seventh Avenue, New York, N.Y. 10019.
D. (6) $13,295.51. E. (9) $6,719.37.

A. The American Humane Association, 9725 East Hampden, Denver, Colo. 80231.
E. (9) $3,357.64.

A. American Institute of Merchant Shipping, 1625 K Street NW., Suite 1000, Washington, D.C. 20006.
E. (9) $1,250.

A. American Insurance Association, 85 John Street, New York, N.Y. 10038.
D. (6) $691. E. (9) $691.

A. American Israel Public Affairs Committee, 444 North Capitol Street NW., No. 412, Washington, D.C. 20001.
D. (6) $78,394. E. (9) $79,197.32.

A. American Land Title Association, 1828 L Street NW., Washington, D.C. 20036.
E. (9) $6,604.62.

A. American League for Exports and Security Assistance, Suite 4400, 475 L'Enfant Plaza SW., Washington, D.C. 20024.
D. (6) $25,705.94. E. (9) $25,705.94.

A. American Maritime Association, 17 Battery Place, New York, N.Y. 10004, 1612 K Street NW., Washington, D.C. 20006.

A. American Meat Institute, P.O. Box 3556, Washington, D.C. 20007 (1700 North Moore Street, Arlington, Va.).
D. (6) $5,125. E. (9) $5,125.

A. American Medical Association, 535 North Dearborn Street, Chicago, Ill. 60610.
D. (6) $1,171.25. E. (9) $34,684.04.

A. American Newspaper Publishers Association, Box 17407, Dulles International Airport, Washington, D.C. 20041.
D. (6) $25,148.73. E. (9) $25,148.73.

A. American Nuclear Energy Council, 410 First Street SE., Washington, D.C.
D. (6) $16,240.85. E. (9) $40,223.57.

A. American Nurses' Association, 2420 Pershing Road, Kansas City, Mo. 64108.
D. (6) $8,860.94. E. (9) $8,860.94

A. American Orthotic & Prosthetic Association, 717 Pendleton Street, Alexandria, Va. 22314.

A. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y. 10016.

A. American Paratransit Institute, P.O. Box 340276, Coral Gables, Fla. 33134.
E. (9) $400.

A. American Personnel & Guidance Association, 5203 Leesburg Pike, Suite 400, Falls Church, Va. 22041.
D. (6) $23,915.58. E. (9) $12,759.27.

A. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $147,242. E. (9) $197,612.

A. American Podiatry Association, 20 Chevy Chase Circle NW., Washington, D.C. 20015.
E. (9) $12,336.93.

A. American Postal Workers Union, 817 Fourteenth Street NW., Washington, D.C. 20005.
D. (6) $4,538,021.92. E. (9) $223,475.92.

A. American Public Transit Association, 1225 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $22,639. E. (9) $22,639.

A. American Pulpwood Association, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.

A. American Seed Trade Association, 1030 15th Street NW., Suite 964, Washington, D.C. 20005.
E. (9) $11,350.

A. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $3,288.73. E. (9) $3,288.73.

A. American Soybean Association, 1574 I Street NW., No. 60, Washington, D.C. 20005.
D. (6) $4,125.00. E. (9) $1,000.

A. American Surveys, Embassy Square, Suite 901, 2000 N Street NW., Washington, D.C. 20036.
B. National Customs Brokers & Forwarders Association of America, Inc., 1 World Trade Center, Suite 1109, New York, N.Y. 10048.
D. (6) $137.50. E. (9) $210.68.

A. American Textile Manufacturers Institute, Inc., 1101 Connecticut Avenue NW., Suite 300, Washington, D.C. 20036.
D. (6) $39,920.21. E. (9) $39,920.21.

A. American Veterinary Medical Association, 1522 K Street NW., No. 828, Washington, D.C. 20005.
E. (9) $40.

A. The American Waterways Operators, Inc., 1600 Wilson Boulevard, Suite 1000, Arlington, Va. 22209.
D. (6) $11,024. E. (9) $3,034.05.

A. Americans For Nuclear Energy, P.O. Box 28371, Washington, D.C. 20005.

A. Morris J. Amitay, P.C., 400 North Capitol Street NW., Suite 168, Washington, D.C. 20001.
B. Air Florida, P.O. Box 592337, Miami, Fla. 33159.
D. (6) $4,500.

A. Morris J. Amitay, P.C., 400 North Capitol Street NW., Suite 168, Washington, D.C. 20001.
B. ENI Cos., 1417 116th Avenue NE., Call No. C21611, Belleview, Wash. 98009.
D. (6) $7,500.

A. Morris J. Amitay, P.C., 400 North Capitol Street NW., Suite 168, Washington, D.C. 20001.
B. Hickory Association, 560 South Broadway, Hicksville, N.Y. 11801.
D. (6) $6,000.

A. Morris J. Amitay, P.C., 400 North Capitol Street NW., Suite 168, Washington, D.C. 20001.
B. Luz International, Ltd., 1105 Burlingame Avenue, Burlingame, Calif. 94010.
D. (6) $6,000.

A. Morris J. Amitay, P.C., 400 North Capitol Street NW., Suite 168, Washington, D.C. 20001.
B. Northrop Corp., 1000 Wilson Boulevard, Suite 2300, Arlington, Va. 22209.
D. (6) $3,000.

A. John G. Ams, National Association of Realtors, 777 14th Street NW., Washington, D.C. 20005.
B. National Association of Realtors, 777 14th Street NW., Washington, D.C. 20005.
D. (6) $1,750. E. (9) $365.75.

A. Edward Andersen, National Grange, 1616 H Street NW., Washington, D.C. 20006.
B. National Grange, 1616 H Street NW., Washington, D.C. 20006.
D. (6) $750.

A. Anthony L. Anderson, Sun Co., Inc., 1800 K Street NW., Suite 820, Washington, D.C. 20006.
B. Sun Co., Inc., 100 Matsonford Road, Radnor, Pa. 19087.
D. (6) $4,934. E. (9) $219.14.

A. J. L. Anderson, Time Inc., 888 16th Street NW., Washington, D.C. 20006.
B. Time Inc., Rockefeller Center, Time & Life Building, New York, N.Y. 10020.
D. (6) $2,000. E. (9) $37.96.

A. Jane K. Anderson, 1111 19th Street NW., Suite 310, Washington, D.C. 20036.
B. Kennecott Corp., 10 Stamford Forum, P.O. Box 10137, Stamford, Conn. 06904.
D. (6) $500. E. (9) $13.49.

A. Anderson & Pendleton, 1000 Connecticut Avenue NW., Suite 707, Washington, D.C. 20036.
B. Military Mission of Chile, 1736 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $4,750. E. (9) $42.35.

A. Robert L. Anderson, Deere & Co., John Deere Road, Moline, Ill. 61265.
B. Deere & Co., John Deere Road, Moline, Ill. 61265.

A. Steven C. Anderson, 1700 Old Meadows Road, Suite 100, McLean, Va. 22102.
B. American Frozen Food Institute, 1700 Old Meadows Road, Suite 100, McLean, Va. 22102.
D. (6) $5,000.

A. Wayne C. Anderson, 1629 K Street NW., Washington, D.C. 20006.
B. Nabisco, Inc., East Hanover, N.J. 07936.
D. (6) $5,000. E. (9) $290.20.

A. Wm. C. Anderson, 1101 16th Street NW., Washington, D.C. 20036.
B. Independent Petroleum Association of America, 1101 16th Street NW., Washington, D.C. 20036.
E. (9) $60.

A. Robert T. Angarola, 1101 Connecticut Avenue NW., Suite 1200, Washington, D.C. 20036.
B. American Citizens Abroad, 157 Route du Grand Lancy, 1213 Onex, Geneva, Switzerland.
D. (6) $4,925. E. (9) $138.78.

A. Robert C. Angel, 1000 Connecticut Avenue NW., Washington, D.C. 20036.
B. Japan Economic Institute of America, 1000 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $300.

A. Jack R. Angell, United Gas Pipe Line Co., 1101 17th Street NW, Washington, D.C.
B. United Gas Pipe Line Co., P.O. Box 1478, Houston, Tex. 77001.

A. Jay Angoff, 215 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Congress Watch, 215 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $3,249.99.

A. J. Donald Annett, 1050 17th Street NW., No. 500, Washington, D.C. 20036.
B. Texaco, Inc., 2000 Westchester Avenue, White Plains, N.Y. 10650.
D. (6) $300.

A. Tobias Anthony, Research-Cottrell, Inc., 1800 K Street NW., Suite 720, Washington, D.C. 20006.
B. Research-Cottrell, Inc., P.O Box 1500, Somerville, N.J. 08876.
E. (9) $119.

A. Apartment & Office Building Association, 1511 K Street NW, Suite 319, Washington, D.C. 20005.
B. Apartment & Office Building Association, 1511 K Street NW., Suite 319, Washington, D.C. 20005.

A. John Archer, American Automobile Association, 8111 Gatehouse Road, Falls Church, Va. 22047.
B. American Automobile Association, 8111 Gatehouse Road, Falls Church, Va. 22047.

A. Rodney L. Armstrong, 229 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. EDS Corp., 229 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $88. E. (9) $136.53.

A. W. Stanley Armstrong, American Mining Congress, 1920 N Street NW., Washington, D.C. 20036.
B. American Mining Congress, 1920 N Street NW., Washington, D.C. 20036.
D. (6) $79.11. E. (9) $8.

A. Carl F. Arnold, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Family Corp., 1902 Wynnton Road, Columbus, Ga. 31906.
D. (6) $480.

A. Carl F. Arnold, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Iron & Steel Institute, 1000 16th Street NW., Washington, D.C. 20036.
D. (6) $750.

A. Carl F. Arnold, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $11,250.

A. Carl F. Arnold, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Corporate Property Investors, 230 Park Avenue, New York, N.Y. 10017.
D. (6) $500.

A. Carl F. Arnold, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Mortgage Guaranty Insurance Corp., P.O. Box 488, Milwaukee, Wis. 53201.
D. (6) $438.

A. Carl F. Arnold, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. National Realty Committee, 2033 M Street NW., Washington, D.C. 20036.
D. (6) $1,000.

A. Carl F. Arnold, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Quintana Petroleum Corp., P.O. Box 3331, Houston, Tex. 77001.
D. (6) $375.

A. Carl F. Arnold, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Quintana Refinery Co., P.O. Box 3331, Houston, Tex. 77001.
D. (6) $375.

A. Carl F. Arnold, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Securities Industry Association, 20 Broad Street, New York, N.Y. 10005.
D. (6) $350.

A. Carl F. Arnold, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. The Securities Group, 50 Park Avenue, New York, N.Y. 10022.

D. (6) $200.

A. Carl F. Arnold, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Security First Group, Inc., 1800 Avenue of the Stars, Los Angeles, Calif. 90067.
D. (6) $625.

A. Arnold & Porter, 1200 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Federation of Apparel Manufacturers, 450 Seventh Avenue, New York, N.Y. 10001.

A. Arnold & Porter, 1200 New Hampshire Avenue NW., Washington, D.C. 20036.
B. MFA Mutual Insurance Co., 1817 West Broadway, Columbia, Mo. 65201.
E. (9) $43.17.

A. Arnold & Porter, 1200 New Hampshire Avenue NW., Washington, D.C. 20036.
B. National Coordinating Committee for Multiemployer Plans, 816 16th Street NW., Suite 603, Washington, D.C. 20036.

A. Arnold & Porter, 1200 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Table Grape Growers Association, Boulevard Transversal KM 4.5, Hermosillo, Sonora, Mexico.

A. Milton F. Ashford—TRW Inc., 1000 Wilson Boulevard, Suite 2700, Arlington, Va. 22209.
B. TRW Inc., 23555 Euclid Avenue, Cleveland, Ohio 44117.
D. (6) $1,000.

A. Thomas Ludlow Ashley, P.C., 1730 Pennsylvania Avenue NW., No. 1050, Washington, D.C. 20006.
B. American International Group, Inc., 70 Pine Street, New York, N.Y. 10005.
D. (6) $5,960. E. (9) $13.26.

A. Thomas Ludlow Ashley, P.C., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. General Public Utilities Corp., 100 Interpace Parkway, Parsippany, N.J. 07054.
D. (6) $25,000. E. (9) $6,575.52.

A. Thomas Ludlow Ashley, P.C., 1730 Pennsylvania Avenue NW., No. 1050, Washington, D.C. 20006.
B. Irving Trust Co., One Wall Street, New York, N.Y. 10015.
E. (9) $573.77.

A. Joseph Ashooh, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. Associated Credit Bureaus, Inc., 16211 Park Ten Place, P.O. Box 218300, Houston, Tex. 77084.
E. (9) $157.20.

A. Associated Employers, Inc., 6009 Rittiman Plaza, San Antonio, Tex. 73218.

A. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. Associated Third Class Mail Users, Suite 607, 1725 K Street NW., Washington, D.C. 20006.
D. (6) $600. E. (9) $600.

A. Association for Biomedical Research, 400-2 Totten Pond Road, Suite 200, Waltham, Mass. 02154.
D. (6) $35,900. E. (9) $9,346.83.

A. Association for the Improvement of the Mississippi River, 10 Broadway, St. Louis, Mo. 63102.
E. (9) $3,000.

A. Association of American Foreign Service Women, P.O. Box 8068, Washington, D.C. 20024.
D. (6) 336.10.

A. Association of American Publishers, 1707 L Street NW., Washington, D.C. 20035.
D. (6) $7,982.11. E. (9) $7,982.11.

A. Association of American Railroads, American Railroads Building, 1920 L Street NW, Room 720, Washington, D.C. 20036.
D. (6) $22,361.09. E. (9) $22,361.09.

A. Association of American Veterinary Medical Colleges, 1522 K Street NW., No. 282, Washington, D.C. 20005.

A. Association of Data Processing Services Organization, Inc. (ADAPSO), 1300 North 17th Street, Suite 300, Arlington, Va. 22209.

A. Association of Maximum Service Telecasters, Inc., 1735 DeSales Street NW., Washington, D.C. 20036.
E. (9) $205.

A. The Association of Trial Lawyers of America, 1050 31st Street NW., Washington, D.C. 20007.
D. (6) $3,725. E. (9) $3,725.

A. George J. Aste, United Airlines, 1825 K Street NW., No. 607, Washington, D.C. 20006.
B. United Airlines, P.O. Box 66100, Chicago, Ill. 60666.
D. (6) $500.

A. Carl E. Atkinson, United States Steel Corp., 818 Connecticut Avenue NW., Washington, D.C. 20006.
B. United States Steel Corp., 600 Grant Street, Pittsburgh, Pa. 15230.
D. (6) $320. E. (9) $76.

A. Atlantic Richfield Co., 515 South Flower Street, Los Angeles, Calif. 90071.
E. (9) $2,960.

A. Lloyd G. Ator, Jr., American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $1,500. E. (9) $372.62.

A. George L. Atwood, Suite 500, 700 South Colorado Boulevard, Denver, Colo. 80222.
B. Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo. 63166.

A. Automotive Parts Rebuilders Association, 6849 Old Dominion Drive, McLean, Va. 22101.
D. (6) $4,630. E. (9) $4,628.39.

A. John S. Autry, Sperry Corp., 2000 L Street NW., Suite 810, Washington, D.C. 20036.
B. Sperry Corp., 2000 L Street NW., Suite 810, Washington, D.C. 20036.
E. (9) $2,000.

A. Aviation Consumer Action Project, Box 19029, Washington, D.C. 20036.

A. Avon Products, Inc., 9 West 57th Street, New York, N.Y. 10019.
E. (9) $72.

A. Walter C. Ayers, Virginia Petroleum Council, 1809 Staples Mill Road, Richmond, Va. 23230.
B. American Petroleum Institute, 2101 L Street, NW., Washington, D.C. 20037.

A. Joseph W. Ayres, American Farm Bureau Federation, 425 13th Street NW., Washington, D.C. 20004.
B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill. 60068.
D. (6) $3,239. E. (9) $120.

A. Craig H. Baab, American Bar Association, 1800 M Street NW., Washington, D.C. 20036.
B. American Bar Association, 1155 East 60th Street, Chicago, Ill. 60637.
D. (6) $400. E. (9) $117.45.

A. Jed L. Babbin, 4910 North 27th Street, Arlington, Va. 22207.
B. Shipbuilders Council of America, 1110 Vermont Avenue NW., Washington, D.C. 20005.
D. (6) $11,538.

A. Hope M. Babcock, National Audubon Society, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. National Audubon Society, 950 Third Avenue, New York, N.Y. 10022.
D. (6) $1,211. E. (9) $363.

A. Patti Jo Baber, 1737 H Street NW., Washington, D.C. 20006.
B. Diamond Shamrock Corp., 717 North Harwood Street, Dallas, Tex.
D. (6) $1,500. E. (9) $139.62.

A. Dale R. Babione, The Boeing Co., 1700 North Moore Street, Rosslyn, Va. 22209.
B. The Boeing Co., 1700 North Moore Street, Rosslyn, Va. 22209.

A. Bache Halsey Stuart Shields Inc., 100 Gold Street, New York, N.Y. 10038.
E. (9) $750.

A. Baer, Marks & Upham, 299 Park Avenue, New York, N.Y. 10171.
B. Commodity Exchange, Inc., Four World Trade Center, New York, N.Y. 10048.

A. Carl E. Bagge, National Coal Association, Washington, D.C. 20036.
B. National Coal Association, Coal Building, Washington, D.C. 20036.
D. (6) $2,750.

A. Joan N. Baggett, 815 15th Street NW., Washington, D.C. 20005.
B. International Union of Bricklayers and Allied Craftsmen, 815 15th Street NW., Washington, D.C. 20005.
D. (6) $5,042. E. (9) $516.90.

A. George F. Bailey, Jr., P.O. Box 21, Montgomery, Ala. 36101.
B. Alabama Railroad Association, P.O. Box 21, Montgomery, Ala. 36101.

A. Paul C. Bailey, Jr., Edison Electric Institute, 1111 19th Street NW., Washington, D.C. 20036.
B. The Edison Electric Institute, 1111 19th Street NW., Washington, D.C. 20036.
D. (6) $1,500. E. (9) $258.26.

A. William W. Bailey, Merck & Co., Inc., 1050 17th Street NW., Suite 1050, Washington, D.C. 20036.
B. Merck & Co., Inc., P.O. Box 2000, Rahway, N.J. 07065.
D. (6) $1,000. E. (9) $212.80.

A. Judith L. Baird, Atlantic Richfield Co., 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Atlantic Richfield Co., 515 South Flower Street, Los Angeles, Calif. 90071.

D. (6) $250.

A. John Baize, 1575 I Street NW., No. 360, Washington, D.C. 20005.
B. American Soybean Association, 1575 I Street NW., No. 360, Washington, D.C.
D. (6) $1,000.

A. Edward R. Bajer, 1015 15th Street NW., No. 802, Washington, D.C. 20005.
B. American Consulting Engineers Council, 1015 15th Street NW., No. 802, Washington, D.C. 20005.
D. (6) $450.

A. Baker & Botts, 1701 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Houston Lighting & Power Co., P.O. Box 1700, Houston, Tex. 77001.

A. Baker & Botts, 1701 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Pennzoil Co., Pennzoil Place, P.O. Box 2967, Houston, Tex. 77002.

A. Baker & Botts, 1701 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Rotan Mosle, Inc., 1500 South Tower, Pennzoil Place, Houston, Tex. 77002.
E. (9) $274.45.

A. Baker & Botts, 1701 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Texas International Airlines, Inc., P.O. Box 12788, Houston, Tex. 77017.

A. Baker & Botts, 1701 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Texasgulf, Inc., High Ridge Park, Stamford, Conn. 06904.

A. Baker & Daniels, 1920 N Street NW., Suite 600, Washington, D.C. 20036.
B. Rock Island Refining Corp., P.O. Box 68007, Indianapolis, Ind. 46268.
D. (6) $1,100.

A. Dennis J. Baker, Norton Co., 1 New Bond Street, Worcester, Mass. 01606.
B. Norton Co., 1 New Bond Street, Worcester, Mass. 01606.
D. (6) $8,250.

A. Emil F. Baker, 1303 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C. 20036.

A. J. R. Baker, P.O. Box 1806, Zephyr Cove, Nev. 89448.
B. Aircraft Technical Publishers, 655 Fourth Street, San Francisco, Calif. 94107.
D. (6) $4,929. E. (9) $1,676.

A. James Jay Baker, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.
B. National Rifle Association of America, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.
D. (6) $550. E. (9) $46.18.

A. Waldon L. Baker, 1015 15th Street NW., No. 802, Washington, D.C. 20005.
B. American Consulting Engineers Council, 1015 15th Street NW., No. 802, Washington, D.C. 20005.
D. (6) $100.

A. Albert L. Baldock, Richardson-Vicks, Inc., 1050 17th Street NW., Washington, D.C. 20036.
B. Richardson-Vicks, Inc., 10 Westport Road, Wilton, Conn. 06897.
D. (6) $140,000. E. (9) $75.75.

A. Donald F. Bale, 7236 Chummley Court, Falls Church, Va. 20043.
D. (6) $9,999.99. E. (9) $1,074.58.

A. H. R. Balikov, J. M. Huber Corp., Thornall Street, Edison, N.J. 08837.
B. J. M. Huber Corp., Thornall Street Edison, N.J. 08837.

A. Jacqueline Balk-Tusa, 1625 I Street NW., Suite 809, Washington, D.C. 20006.
B. Boise Cascade Corp., 1625 I Street NW., Suite 809, Washington, D.C. 20006.
D. (6) $13,075.

A. Ballard, Spahr, Andrews & Ingersoll, 1875 I Street NW., Suite 460, Washington, D.C. 20006.
B. Alaska Industrial Development Authority 1577 C Street, Suite 304, Anchorage, Alaska 99501.

A. Ballard, Spahr, Andrews & Ingersoll, 1875 I Street NW., Suite 460, Washington, D.C. 20006.
B. The Franklin Institute, Philadelphia, Pa. 19103.
D. (6) $510.

A. Ballard, Spahr, Andrews & Ingersoll, 1875 I Street NW., Suite 460, Washington, D.C. 20006.
B. Pennsylvania Association of Industrial Development Authorities, Suite 302, 5 West 10th Street, Erie, Pa. 16501.

A. Bally Manufacturing Corp., 2640 West Belmont Avenue, Chicago, Ill. 60618.

A. Michael Baly III, American Gas Association, 1515 Wilson Boulevard, Arlington, Va. 22209.
B. American Gas Association, 1515 Wilson Boulevard, Arlington, Va. 22209.
D. (6) $3,400. E. (9) $371.47.

A. Christine M. Bangert, International Telephone & Telegraph Corp., 1707 L Street NW., Washington, D.C. 20036.
B. International Telephone & Telegraph Corp., 320 Park Avenue, New York, N.Y. 10022.
E. (9) $90.

A. Samuel J. Baptista, American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $1,000.

A. William K. Barclift, 923 15th Street NW., Washington, D.C. 20005.
B. Transportation Institute, 923 15th Street NW., Washington, D.C. 20005.
D. (6) $4,500. E. (9) $474.87.

A. Carol M. Barger, Consumers Union, Southwest Regional Office, 500 West 13th, Austin, Tex. 78701.
B. Consumers Union of U.S., Inc., 256 Washington Street, Mount Vernon, N.Y. 10550.

A. Robert O. Barker, 801 Northland Towers West, Southfield, Mich. 48075.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
D. (6) $1,500. E. (9) $20.

A. Thomas H. Barksdale, Jr., 2101 L Street NW., Washington, D.C.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C.
D. (6) $5,200. E. (9) $482.63.

A. Barley & Malt Institute, 733 North Van Buren Street, Suite 610, Milwaukee, Wis. 53202.
D. (6) $24,468.01. E. (9) $5,224.90.

A. Donna R. Barnako, National Council of Health Centers, 2600 Virginia Avenue, Suite 1100, Washington, D.C. 20037.
B. NCHC, 2600 Virginia Avenue NW., Washington, D.C. 20037.
D. (6) $910. E. (9) $187.84.

A. John H. Barnard, Jr., 803 Ironbark Place, Orinda, Calif. 94563.
B. Bechtel Power Corp., 50 Beale Street, P.O. Box 3965, San Francisco, Calif. 94119.

A. Roger H. Barnard, National Association of Federal Credit Unions, 1111 North 19th Street, Suite 700, Arlington, Va. 22209.
B. National Association of Federal Credit Unions, 1111 North 19th Street, Suite 700, Arlington, Va. 22209.

A. Barnes, Richardson & Colburn, 1819 H Street NW., Suite 400, Washington, D.C. 20006.
B. Tartaric Chemicals Corp., 515 Madison Avenue, New York, N.Y. 10022.
E. (9) $3.50.

A. Barnes, Richardson & Colburn, 1819 H Street NW., Washington, D.C. 20006.
B. John W. Thatcher, c/o Banana Supply Co., Inc., 3030 Northeast Second Avenue, Miami, Fla. 33137.

A. Barnett & Alagia, 1627 K Street NW., Washington, D.C. 20006.
B. American School Food Service Association, 4101 East Illif Avenue, Denver, Colo. 80222.
D. (6) $1,650.36.

A. Barnett & Alagia, 1627 K Street NW., Washington, D.C. 20006.
B. Dade County Farm Bureau, 1850 Old Dixie Highway, Homestead, Fla. 33033.
D. (6) $270.

A. Barnett & Alagia, 1627 K Street NW., Washington, D.C. 20006.
B. Dairymen, Inc., 10140 Linn Station Road, Louisville, Ky. 40223.

A. Barnett & Alagia, 1627 K Street NW., Washington, D.C. 20006.
B. Florida Fruit & Vegetable Association, 4401 East Colonial Drive, Orlando, Fla. 32814.
D. (6) $8,749.50.

A. Barnett & Alagia, 1627 D Street NW., Washington, D.C. 20006.
B. Florida Tomato Exchange, 4401 East Colonial Drive, Orlando, Fla. 32814.
D. (6) $7,147.

A. Barnett & Alagia, 1627 K Street NW., Washington, D.C. 20006.
B. Hedged Portfolio Advisors, 500 Park Avenue, New York, N.Y. 10022.
D. (6) $115.

A. Barnett Yingling & Shay, P.C., 1090 Vermont Avenue NW., Suite 810, Washington, D.C. 20005.
B. Citibank, N.A., 399 Park Avenue, New York, N.Y. 10043.
D. (6) $3,000. E. (9) $12.

A. Barnett Yingling & Shay, P.C., 1090 Vermont Avenue NW., Suite 810, Washington, D.C. 20005.
B. Crocker National Bank, 1 Montgomery Street, San Francisco, Calif. 94104.

D. (6) $700. E. (9) $4.

A. Neil D. Baron, Booth & Baron, 122 East 42d Street, New York, N.Y. 10168.
B. Standard & Poor's Corp., 25 Broadway, New York, N.Y. 10004.

A. James C. Barr, Credit Union National Association., Inc., 1730 Rhode Island Avenue, Suite 810, Washington, D.C. 20036.
B. Credit Union National Association, Inc., 1730 Rhode Island Avenue NW., No. 810, Washington, D.C. 20036.
D. (6) $300. E. (9) $87.58.

A. Barrett Smith Schapiro Simon & Armstrong, 26 Broadway; Suite 1400, New York, N.Y. 10004.
B. Coffee, Sugar & Cocoa Exchange, Inc. and New York Coffee and Sugar Clearing Association, Inc., Four World Trade Center, New York, N.Y. 10048.
D. (6) $250. E. (9) $240.30.

A. Barrett Smith Schapiro Simon & Armstrong, 26 Broadway, New York, N.Y. 10004.
B. Irving Trust Co., One Wall Street, New York, N.Y. 10015.
E. (9) $157.

A. Barrett Smith Schapiro Simon & Armstrong, 26 Broadway, New York, N.Y. 10004.
B. Hugo Neu & Sons, Inc., 380 Madison Avenue, New York, N.Y. 10017.

A. Barrett Smith Schapiro Simon & Armstrong, 26 Broadway; Suite 1400, New York, N.Y. 10004.
B. New York Cocoa Clearing Association, Inc., Four World Trade Center, New York, N.Y. 10048.
D. (6) $250.

A. Barrett Smith Schapiro Simon & Armstrong, 26 Broadway, Suite 1400, New York, N.Y. 10004.
B. New York State Mortgage Loan Enforcement and Administration Corp., 11 West 42d Street, New York, N.Y. 10036.

A. Barrett Smith Schapiro Simon & Armstrong, 26 Broadway, New York, N.Y. 10004.
B. New York State Urban Development Corp., 1515 Broadway, New York, N.Y. 10036.

A. Robert W. Barrie, General Electric Co., 777—14th Street, NW., Washington, D.C. 20005.
B. General Electric Co., 3135 Easton Turnpike, Fairfield, Conn. 06431.
D. (6) $3,000.

A. Thea Rossi Barron, 106 Little Falls Street, Falls Church, Va. 22046.
B. Right to Life Crusade Inc., 1535 S. Memorial, Tulsa, Okla. 74112.
D. (6) $4,856.25. E. (9) $10.41.

A. Roger V. Barth, Suite 300, South 1120 20th Street NW., Washington, D.C. 20036.
B. American Association for Clinical Chemistry, Inc., 1725 K Street NW., Washington, D.C. 20006.

A. Richard A. Barton, Direct Mail Marketing Association, 1730 K Street NW., Suite 905, Washington, D.C.
B. Direct Mail Marketing Association, 6 East 43d Street, New York, N.Y. 10017.
D. (6) $1,400. E. (9) $843.56.

A. Lawerence R. Baskerville, National Cable Television Association, Inc., 1724 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Cable Television Association, Inc., 1724 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $276.44.

A. James P. Bass, 1101 17th Street NW., Washington, D.C. 20036.
B. American Airlines, 1101 17th Street NW., Washington, D.C. 20036.
D. (6) $650.

A. Robert E. Bates, Jr., Mobil Oil Corp., 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y. 10017.
D. (6) $1,125.

A. Davis M. Batson, 1155 15th Street NW., Suite 611, Washington, D.C. 20005.
B. Ethyl Corp., 1155 15th Street NW., Suite 611, Washington, D.C. 20005
D. (6) $1,200.

A. Laurie C. Battle, 1709 New York Avenue NW., Suite 801, Washington, D.C. 20006.
B. United States League of Savings Associations, 111 East Wacker Drive, Chicago, Ill.
D. (6) $2,600.

A. John F. Battles, Massachusetts Petroleum Council, 11 Beacon Street, Boston, Mass. 02108.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

A. Batzell, Nunn & Bode, 1015 15th Street NW., Suite 1100, Washington, D.C. 20005.
B. Emergency Small Independent Refiners Task Force, 1015 15th Street NW., Suite 1100, Washington, D.C. 20005.
D. (6) $500.

A. Batzell, Nunn & Bode, 1015 15th Street NW., Suite 1100, Washington, D.C. 20005.
B. Independent Terminal Operators Association, 1015 15th Street NW., Suite 1100, Washington, D.C. 20005.
D. (6) $500.

A. Robert J. Baughman, 717 Pendleton Street, Alexanderia, Va. 22314.
B. American Orthotic & Prosthetic Association, 717 Pendleton Street, Alexandria, Va. 22314.

A. Richard H. Bauer, Union Pacific Corp., 1120 20th Street NW., Suite 600 S, Washington, D.C. 20036.
B. Union Pacific Corp., 345 Park Avenue, New York, N.Y. 10154.
D. (6) $500. E. (9) $142.

A. Bayh, Tabbert & Capehart, 1575 I Street NW., Suite 1025, Washington, D.C. 20005.
B. Allied Fidelity Corp., 6320 N. Rucker Road, Suite A, Indianapolis, Ind. 46220.
D. (6) $2,000. E. (9) $230.

A. Bayh, Tabbert & Capehart, 1575 I Street NW., Suite 1025, Washington, D.C. 20005.
B. Cummins Engine Co., 432 Washington Street, Columbus, Ind. 47201.
D. (6) $3,000. E. (9) $990.

A. Bayh, Tabbert & Capehart, 1575 I Street NW., Suite 1025, Washington, D.C. 20005.
B. Georgia-Pacific, 900 S.W. Fifth Avenue, Portland, Oreg. 97204.
E. (9) $650.

A. Tina Marts Beach, General Electric Co., 777 14th Street NW., Washington, D.C.
B. General Electric Co., 3135 Easton Turnpike, Fairfield, Conn.
D. (6) $84.

A. Bruce A. Beam, American Electric Power Service Corp., 1801 K Street NW., Suite 1041, Washington, D.C. 20006.
B. American Electric Power Service Corp., 180 East Broad Street, Columbus, Ohio 43215.
D. (6) $347.20. E. (9) $339.47.

A. Donald S. Beattie, Railway Labor Executives' Association, 400 First Street NW., Washington, D.C. 20001.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C. 20001.
D. (6) $2,866.67.

A. Christine T. Beatty, 1730 Rhode Island Avenue NW., Suite 612, Washington, D.C. 20036.
B. St. Joe Minerals Corp., 250 Park Avenue, New York, N.Y. 10017.
D. (6) $6,000. E. (9) $81.55.

A. Hubert Beatty, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. Laura L. Beaty, 806 North Jefferson Street, Arlington, Va. 22205.
B. National Parks & Conservation Association, 1701 18th Street NW., Washington, D.C. 20009.
D. (6) $42.50. E. (9) $10.

A. Bob Beckel, U.S. Telephone Communications, Inc., 108 South Akard Street, Dallas, Tex. 75202.
B. U.S. Telephone Communications, Inc., 108 South Akard Street, Dallas, Tex. 75202.
D. (6) $10,500.

A. Robert J. Becker, Joint Council of Allergy & Immunology, 401 E. Prospect Avenue, Suite 210, Mount Prospect, Ill. 60056 or 229 North Hammes Avenue, Joliet, Ill. 60435.
B. Joint Council of Allergy & Immunology, 401 East Prospect Avenue, Suite 210, Mount Prospect, Ill. 60056.

A. William W. Beddow, 1101 15th Street NW., Washington, D.C. 20005.
B. National Constructors Association, 1101 15th Street NW., Washington, D.C. 20005.
D. (6) $925.

A. John C. Bennison, American Society of Travel Agents, Inc., 1300 19th Street NW., Washington, D.C. 20036.
B. American Society of Travel Agents, Inc., 711 Fifth Avenue, New York, N.Y. 10022.
D. (6) $5,000.

A. Jon Charles Bednerik, 499 South Capitol Street SW., Suite 417, Washington, D.C. 20003.
B. International Association of Drilling Contractors, 499 South Capitol Street SW., Suite 417, Washington, D.C. 20003.
D. (6) $1,800. E. (9) $1,643,71.

A. Edwin L. Behrens, Procter & Gamble Co., 1801 K Street NW., Suite 230, Washington, D.C. 20006.
B. The Procter & Gamble Co., 301 East Sixth Street, Cincinnati, Ohio 45201.
D. (6) $60.

A. Max J. Beilke, National Association for Uniformed Services, 5535 Hempstead Way, P.O. Box 1406, Springfield, Va. 22151.
B. National Association for Uniformed Services, 5535 Hempstead Way, P.O. Box 1406, Springfield, Va. 22151.
D. (6) $1,187.50.

A. James Beizer, American Mining Congress, 1920 N Street NW., Washington, D.C. 20036.

B. American Mining Congress, 1920 N Street NW., Washington, D.C. 20036.
D. (6) $1,401.

A. Alexander B. Bell, 9618 Cottrell Terrace, Silver Spring, Md. 20903.
B. United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, 901 Massachusetts Avenue NW., Washington, D.C. 20001.
D. (6) $3,750. E. (9) $316.39.

A. Bell, Boyd & Lloyd, Three First National Plaza, 70 West Madison Street, Chicago, Ill. 60602.
B. Boise Cascade Corp., One Jefferson Square, Boise, Idaho 83728.
D. (6) $3,137.50. E. (9) $475.80.

A. Winston Everett Bell, P.O. Box 26543, Las Vegas, Nev. 89126

A. T. A. Bellissimo, 1011 Beverly Drive, Alexandria, Va. 22302.
B. Household International, 2700 Sanders Road, Prospect Heights, Ill. 60070.
D. (6) $3,080. E. (9) $207.44.

A. C. Thomas Bendorf, 3615 Overcreek Road, Columbia, SC 29206.
B. The Assocation of Trial Lawyers of America, 1050 31st Street NW., Washington, D.C. 20007.
D. (6) $5,000 E. (9) $950.

A. C. Robert Benedict, American Osteopathic Hospital Association, 643 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. American Osteopathic Hospital Association, 930 Busse Highway, Park Ridge, Ill. 60069.
D. (6) $154. E. (9) $42.30.

A. Beneficial Management Corp. of America, 1300 Market Street, Wilmington, Delaware 19899.

A. Bruce Benefield, TRW Inc., 1000 Wilson Boulevard, Suite 2600, Arlington, Va. 22209
D. (6) $1,000.

A. Kenneth U. Benjamin, Jr., 1776 K Street NW., Washington, D.C. 20006.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill. 60610.
D. (6) $2,887.50. E. (9) $134.

A. W. M. Benkert, American Institute of Merchant Shipping, 1625 K Street NW., Suite 1000, Washington, D.C. 20006.
B. American Institute of Merchant Shipping, 1625 K Street NW., Suite 1000, Washington, D.C. 20006.
D. (6) $1,250.

A. Douglas P. Bennett, 3238 Prospect Street NW., Washington, D.C. 20007.
B. Jacques Borel Enterprises, Inc., 555 Madison Avenue, New York, 10022.
D. (6) $2,000.

A. James M. Bennett, Jos. Schlitz Brewing Co., 235 West Galena Street, Milwaukee, WI. 53201.
B. Jos. Schlitz Brewing Co., 235 West Galena Street, Milwaukee, Wis. 53201.
D. (6) $200. E. (9) $140.05.

A. William C. Bennett, Jr., Atlantic Richfield Co., 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Atlantic Richfield Co., 515 South Flower Street, Los. Angeles, Calif. 90071.
D. (6) $350.

A. Frederick S. Benson III, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y. 10016.

A. James E. Benton, N.J. Petroleum Council, 170 West State Street, Trenton, N.J. 08608.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $48.

A. John B. Benton, 1010 Lamar, Suite 1800, Houston, Tex. 77002.
B. Howell Corp., 1010 Lamar, Suite 1800, Houston, Tex. 77002.

A. John Berard, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. David A. Beren, 910 17th Street NW., Washington, D.C. 20006.
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 910 17th Street NW., Washington, D.C. 20006.

A. Rebecca J. Berg, RJR Industries, Inc., 2550 M Street NW., Suite 770, Washington, D.C. 20037.
B. RJR Industries, Inc., P.O. Box 2959, Winston-Salem, N.C. 27102.
D. (6) $400. E. (9) $159.03.

A. Paul C. Bergson, RJR Industries, Inc., 2550 M Street NW., Washington, D.C. 20037.
B. RJR Industries, Inc., P.O. Box 2959, Winston-Salem, N.C. 27101.
D. (6) $372.99. E. (9) $10.

A. Jason S. Berman, Warner Communications Inc., 1776 K Street NW., Suite 701, Washington, D.C. 20006.
B. Warner Communications Inc., 75 Rockefeller Plaza, New York, N.Y. 10019.
D. (6) $7,500. E. (9) $2391.53.

A. William R. Berman, American Automobile Association, 8111 Gatehouse Road, Falls Church, Va. 22047.
B. American Automobile Association, 8111 Gatehouse Road, Falls Church, Va. 22047.

A. Max N. Berry, 3213 O Street NW., Washington, D.C. 20007.
B. East-West Trade Council, 3213 O Street NW., Washington, D.C. 20007.

A. Max N. Berry, 3213 O Street NW., Washington, D.C. 20007.
B. Cheese Importers Association, 460 Park Avenue, New York, N.Y. 10002.

A. Max N. Berry, 3213 O Street NW., Washington, D.C. 20007.
B. Centre National Interprofessionel De L'Economic Laitiere, 8, Rue Dannielle Casanova, 75002 Paris, France.

A. Max N. Berry, 3213 O Street NW., Washington, D.C. 20007.
B. Committee To Assure the Availability of Casein, 3213 O Street NW., Washington, D.C. 20007
D. (6) $3,000.

A. Max N. Berry, 3213 O Street NW., Washington, D.C. 20007.
B. Meat Products Group, American Importers Association, 11 West 42d Street, New York, N.Y. 10036.
D. (6) $1,500.

A. Robert A. Best, Suite 4400, 475 L'Enfant Plaza SW., Washington, D.C. 20024.
B. American League for Exports and Security Assistance, Inc., Suite 4400, 475 L'Enfant Plaza SW., Washington, D.C. 20024.
D. (6) $7,500.

A. Robert A. Best, Suite 4400, 475 L'Enfant Plaza SW., Washington, D.C. 20024.
B. Archer Daniels Midland Co., Decatur, Ill. 62525.
D. (6) $1,500.

A. Robert A. Best, Suite 4400, 475 L'Enfant Plaza SW., Washington, D.C. 20024.
B. International Association of Bio-Energy Producers, Inc., 126 High Street, Boston, Mass. 02110.

A. Robert B. Betz, American Hospital Association, 444 North Capitol Street NW., Suite 500, Washington, D.C. 20001.
B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill. 60611.
D. (6) $1,706.68. E. (9) $118.43.

A. Robert L. Bevan, American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036
D. (6) $1,800. E. (9) $28.26.

A. Beveridge & Diamond, 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. American Paper Institute, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.

A. Beveridge & Diamond, 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Edison Electric Institute, 1111 19th Street NW., Washington, D.C. 20036.
D. (6) $106.25. E. (9) $6.

A. Beveridge & Diamond, 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. New England Electric System, 20 Turnpike Road, Westborough, Mass. 01581.
D. (6) $255. E. (9) $11.

A. Beveridge & Diamond, 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Union Camp Corp., Suite 390, International Square, Washington, D.C.
D. (6) $765. E. (9) $22.

A. Beveridge & Diamond, 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Union Mines, 1212 Avenue of the Americas, New York N.Y. 10036.

A. James N. Bierman, Foley, Lardner, Hollabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Foley, Lardner, Hollabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006 (for Independent Refiners Association of America, 1775 Pennsylvania Avenue NW., Washington, D.C.).

A. Walter J. Bierwagen, 5151 Wisconsin Avenue NW., Washington, D.C. 20016.
B. Amalgamated Transit Union, AFL-CIO, 5151 Wisconsin Avenue NW., Washington, D.C. 20016.

A. Thomas E. Biery, Mid-Continent Oil & Gas Association, 1919 Pennsylvania Avenue NW., Suite 503, Washington, D.C. 20006.
B. Mid-Continent Oil & Gas Association, 1111 Thompson Building, Tulsa, Okla. 74103.
D. (6) $966. E. (9) $135.75.

A. Moe Biller, American Postal Workers Union, AFL-CIO, 817 14th Street NW., Washington, D.C. 20005.

B. American Postal Workers Union, AFL-CIO, 817 14th Street NW., Washington, D.C. 20005.
D. (6) $8,914.52.

A. Leon G. Billings, 1660 L Street NW., Suite 713, Washington, D.C. 20036.
B. State of Montana, Office of the Governor, Helena, Mont. 59601.
D. (6) $9,750. E. (9) $9,750.

A. Sarah Massengale Billock, American Hospital Association, 444 North Capitol Street NW., No. 500, Washington, D.C. 20001.
B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill. 60611.
D. (6) $260.20. E. (9) $31.95.

A. Bingham, Dana & Gould, 1724 Massachusetts Avenue NW., Washington, D.C.
B. Consumer Bankers Association, 1725 K Street NW., Washington, D.C. 20006.
E. (9) $21.50.

A. Birch, Horton, Bittner and Monroe, 1140 Connecticut Avenue NW., No. 1100, Washington, D.C. 20036.
B. Alaska Power Authority, 333 West Fourth Avenue, Anchorage, Alaska 99501.

A. Birch, Horton, Bittner and Monroe, 1140 Connecticut Avenue NW., Suite 1100, Washington, D.C. 20036.
B. Calista Corp., 516 Denali Street, Anchorage, Alaska 99501.

A. Birch, Horton, Bittner and Monroe, 1140 Connecticut Avenue NW., Suite 1100, Washington, D.C. 20036.
B. Coastal Corp., Nine Greenway Plaza, Houston, Tex. 77046.

A. Birch, Horton, Bittner & Monroe, 1140 Connecticut Avenue NW., Suite 1100, Washington, D.C. 20036.
B. City of Haines, Box 576, Haines, Alaska 99827.

A. Birch, Horton, Bittner & Monroe, 1140 Connecticut Avenue NW., Suite 1100, Washington, D.C. 20036.
B. Mapco, Inc., 1800 S. Baltimore Avenue, Tulsa, Okla. 74119.

A. Birch, Horton, Bittner & Monroe, 1140 Connecticut Avenue NW., Suite 1100, Washington, D.C. 20036.
B. Sealaska Corp., One Sealaska Plaza, Juneau, Alaska 99801.

A. Birch, Horton, Bittner & Monroe, 1140 Connecticut Avenue NW., Suite 1100, Washington, D.C. 20036.
B. Teamsters Local 959, 1200 Airport Heights Road, Anchorage, Alaska 99504.

A. Birch, Horton, Bittner & Monroe, 1140 Connecticut Avenue NW., Suite 1100, Washington, D.C. 20036.
B. Teamsters 959 Employee Pension Trust, 1200 Airport Heights Road, Anchorage, Alaska 99504.

A. Birch, Horton, Bittner & Monroe, 1140 Connecticut Avenue NW., Suite 1100, Washington, D.C. 20036.
B. Westinghouse Electric Corp., 1801 K Street NW., Washington, D.C. 20006.

A. Birch, Horton, Bittner & Monroe, 1140 Connecticut Avenue NW., Suite 1100, Washington, D.C. 20036.
B. Wien Air Alaska, 4100 International Airport Road, Anchorage, Alaska 99502.

A. William J. Birkhofer 1015—15th Street NW., No. 802, Washington, D.C. 20005
B. American Consulting Engineers Council 1015—15th Street NW., No. 802 Washington, D.C. 2005.
D. (6) $875.

A. Carla J. Bishop, The Coastal Corp., 9 Greenway Plaza, Houston, Tex. 77046.
B. The Coastal Corp., 9 Greenway Plaza, Houston, Tex. 77046.
E. (9) $522.19.

A. James D. P. Bishop, Jr., Burson-Marsteller, 1800 M Street NW., 750-S, Washington, D.C., 20036.
B. Burson-Marsteller (for National Oil Jobbers Council, 1707 H Street NW., Suite 1100, Washington, D.C. 20006), 1800 M Street NW., Suite 750-S, Washington, D.C. 20036.

A. Phil M. Bitter, Chevron U.S.A. Inc., 1700 K Street NW., Suite 1204, Washington, D.C. 20006.
B. Chevron U.S.A. Inc., a subsidiary of Standard Oil Co. of California, 1700 K Street NW., Washington, D.C. 20006.
D. (6) $575.

A. Neal R. Bjornson, National Milk Producers Federation, 30 F Street NW., Washington, D.C. 20001
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C. 20001.
D. (6) $2,500. Est.

A. Black, Manafort & Stone, 435 North Lee Street, Alexandria, Va. 22314.
B. Air Transportation Assoc., 1709 New York Avenue NW., Washington, D.C. 20009.
(6) $6,250. E. (9) $56.57.

A. Black, Manafort & Stone, 435 North Lee Street Alexandria, Va. 22314
B. American Newspaper Publishers Association, The Newspaper Center, Reston, Va.
D. (6) $15,000. E. (9) $58.03.

A. Black, Manafort & Stone, 435 North Lee Street, Alexandria, Va. 22314.
B. Tosco Corp., 10100 Santa Monica Boulevard, Los Angeles, Calif. 90067.
D. (6) $21,000. E. (9) $266.97.

A. Bev D. Blackwood, 1899 L Street NW., Suite 1100, Washington, D.C. 20036.
B. Exxon Corp., 1251 Avenue of the Americas, New York, N.Y.

A. Donna C. Blair, Atlantic Richfield Co., 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Atlantic Richfield Co., 515 South Flower Street, Los Angeles, Calif. 90071.

A. Richard W. Blake, Beet Sugar Trade Association, 1156 15th Street NW., Suite 1019, Washington, D.C. 20005.
B. American Sugarbeet Growers Association, 1156 15th Street NW., Suite 1019, Washington, D.C. 20005.
D. (6) $300.

A. Helen K. Blank, 1520 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Children's Defense Fund.
D. (6) $530.99. E. (9) $11.70.

A. Paul M. Blanton, P.O. Box 970, Fort Worth, Tex. 76101.
B. Texas Electric Service Co., P.O. Box 970, Fort Worth, Tex. 76101.
D. (6) $111.84. E. (9) $48.15.

A. Blatchford, Epstein & Brady, 1000 Potomac Street NW., Washington, D.C. 20007.
B. Constructora Nacional de Carros de Ferrocarril, S.A., San Lorenzo No. 925, 5 piso, Mexico, D.F., Mexico.

A. Blatchford, Epstein & Brady, 1000 Potomac Street NW., Washington, D.C. 20007.
B. National Association of Private Enterprise (Asociacion Nacional de la Empresa Privada-ANEP), Alameda Roosevelt 2827, San Salvador, El Salvador.
E. (9) $120.45.

A. Blatchford, Epstein & Brady, 1000 Potomac Street NW., Washington, D.C. 20007.
B. North American Car Corp., 33 Monroe Street, 24th Floor, Chicago, Ill. 60603.

A. Blatchford, Epstein & Brady, 1000 Potomac Street NW., Washington, D.C. 20007.
B. Western Radiological Services, 2044 Armacost Avenue NW., Los Angeles, Calif. 90025.
D. (6) $9,000. E. (9) $60.85.

A. Kenneth I. Blaylock, American Federation of Government Employees, 1325 Massachusetts Avenue NW., Washington, D.C. 20005.
B. American Federation of Government Employees, 1325 Massachusetts Avenue, NW., Washington, D.C. 20005.
D. (6) $17,871. E. (9) $2,447.09.

A. Glenn E. Blitgen, American Mining Congress, 1920 N Street NW., Washington, D.C. 20036.
B. American Mining Congress, 1920 N Street NW., Washington, D.C. 20036.
D. (6) $120.90. E. (9) $12.

A. Jerald Blizin, 1425 K Street NW., Suite 1000, Washington, D.C. 20005.
B. Hill & Knowlton, Inc., 633 Third Avenue, New York, N.Y. 10017.

A. L. Thomas Block, Irving Trust Co., One Wall Street, New York, N.Y. 10015.
B. Irving Trust Co., One Wall Street, New York, N.Y. 10015.
D. (6) $1,000. E. (9) $450.

A. Peter L. Blocklin, American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $400.

A. Jessma Blockwick, National Organization for Women, 425 13th Street NW., Suite 1048, Washington, D.C. 20004.
B. National Organization for Women, 425 13th Street NW., Suite 1048, Washington, D.C. 20004.
D. (6) $375.

A. H. E. Blomgren, National Manufactured Housing Federation, 1700 Pennsylvania Avenue NW., Suite 745, Washington, D.C. 20006.
B. National Manufactured Housing Federation, 1700 Pennsylvania Avenue NW., Suite 745, Washington, D.C. 20006.
D. (6) $12,501.81.

A. Douglas M. Bloomfield, 444 North Capitol Street NW, Suite 412, Washington, D.C. 20001.
B. American Israel Public Affairs Committee, 444 North Capitol Street NW., Suite 412, Washington, D.C. 20001.
D. (6) $12,250.02.

A. Mark Bloomfield, American Council for Capital Formation, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. American Council for Capital Formation, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $1,437.

A. Jack A. Blum, 1015 18th Street NW., Washington, D.C. 20036.
B. Independent Gasoline Marketers Council, 1015 18th Street NW., Washington, D.C. 20036.

D. (6) $20,000. E. (9) $790.

A. Jared O. Blum, 1730 M Street NW., Washington, D.C. 20036.
B. Direct Selling Association, 1730 M Street NW., Washington, D.C. 20036.
D. (6) $300. E (9) $12.

A. Blum & Nash, 1015 18th Street NW., Washington, D.C. 20036.
B. Daytime Broadcasters Association, P.O. Box 564, Mattoon, Ill. 61983.

A. Blum & Nash, 1015 18th Street NW., Suite 408, Washington, D.C. 20036.
B. Twin Coasts Newspaper, the Journal of Commerce, 110 Wall Street, New York, N.Y. 10005.
D. (6) $125.

A. Charles R. Blumenfeld, Bogle & Gates, the Bank of California Center, Seattle, Wash. 98164
B. Pacific Seafood Processors Association, 1620 South Jackson Street, Seattle, Wash. 98144.
D. (6) $8,800. E (9) $2,721.59.

A. Wayne F. Boan, National Association of Manufacturers, 601 North Vermont Avenue, Los Angeles, Calif. 90004.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
D. (6) $1,300.

A. Boat Owners Association of the United States, 880 South Pickett Street, Alexandria, Va. 22304.
D. (6) $16,000. E. (9) $15,222.28.

A. David A. Bockorny, 777 14th Street NW., Washington, D.C. 20005.
B. National Association of Realtors, 777 14th Street NW., Washington, D.C. 20005.
D. (6) $2,500. E. (9) $1,036.46.

A. Helen Bogolubov, 1015 15th Street NW., Suite 802, Washington, D.C. 20005.
B. American Consulting Engineers Council, 1015 15th Street NW., Suite 802, Washington, D.C. 20005.
D. (6) $375.

A. Robert Z. Bohan, National Soft Drink Association, 1101 16th Street NW., Washington, D.C. 20036.
B. National Soft Drink Association, 1101 16th Street NW., Washington, D.C. 20036.
D. (6) $168.28. E. (9) $14.

A. Patricia M. Boinski, Atlantic Richfield Co., 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Atlantic Richfield Co., 515 South Flower Street, Los Angeles, Calif. 90071.
D. (6) $32. E. (9) $8.

A. Robert J. Bolger, National Association of Chain Drug Stores, Inc., P.O. Box 1417-D49, Alexandria, Va. 22313.
B. National Association of Chain Drug Stores, Inc., P.O. Box 1417-D49, Alexandria, Va. 22313.
D. (6) $1,650.

A. Bernadette Bolton, Brotherhood of Railroad Signalmen, 400 First Street NW., Washington, D.C. 20001.
B. Brotherhood of Railroad Signalmen, 601 West Golf Road, Box U, Mount Prospect, Ill. 60056.
D. (6) $300.

A. M. Warren Bolton, 2500 Dekalb Pike, Norristown, Pa. 19404.
B. Provident Indemnity Life Insurance Co., 2500 DeKalb Pike, Norristown, Pa. 19404.

A. A. Dewey Bond, American Meat Institute, P.O. Box 3556, Washington, D.C. 20007.
B. American Meat Institute, P.O. Box 3556, Washington, D.C. 20007, 1700 North Moore Street, Arlington, Va.
D. (6) $500.

A. L. H. Bonin, Jr., Gulf Oil Corp., 1025 Connecticut Avenue NW., Suite 700, Washington, D.C. 20036.
B. Gulf Oil Corp., Pittsburgh, Pa. 15230.
D. (6) $2,400.

A. Sharon Lee Bonitt, Shell Oil Co., 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. Shell Oil Co., 1 Shell Plaza, P.O Box 2463, Houston, Tex. 77001.
D. (6) $500.

A. Gaydon B. Booker, 1918 North Parkway, Memphis, Tenn. 38112.
B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn. 38112.

A. Edward T. Borda, 1625 I Street NW., Washington, D.C. 20006.
B. Association of General Merchandise Chains, 1625 I Street NW., Washington, D.C. 20006.
D. (6) $4,000.

A. Ann L. Bornstein, National Farmers Organization, 475 L'Enfant Plaza SW., Suite 2250, Washington, D.C. 20024.
B. National Farmers Organization, Corning, Iowa 50841.
D. (6) $2,333. E. (9) $157.05.

A. Laurence D. Bory, 1015 15th Street NW., Suite 802, Washington, D.C. 20005.
B. American Consulting Engineers Council, 1015 15th Street NW., Suite 802, Washington, D.C. 20005.
D. (6) $750.

A. Charles E. Bosley, Coalition for Legal Services, Inc., 1625 K Street NW., Washington, D.C. 20006.
B. Coalition for Legal Services, Inc., 1625 K Street NW., Washington, D.C. 20006.
D. (6) $9,999.99. E. (9) $245.

A. G. Stewart Boswell, American Apparel Manufacturers Association, Inc., 1611 N. Kent Street, No. 800, Arlington, Va. 22209.
B. American Apparel Manufacturers Association, Inc., 1611 North Kent Street, No. 800, Arlington, Va. 22209.
D. (6) $2,067. E. (9) $157.52.

A. Charles G. Botsford, The Botsford Co., 1730 M Street NW., Washington, D.C. 20036.
D. (6) $1,500. E. (9) $138.

A. Frank J. Bowden, Jr., Associated Petroleum Industries of Pennsylvania, Post Office Box 925, Harrisburg, Pa. 17108.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

A. David W. Bowers, 1801 K Street NW., Suite 1201, Washington, D.C. 20006.
B. United States Independent Telephone Association, 1801 K Street NW., Suite 1201, Washington, D.C. 20006.
D. (6) $1,000.

A. Robert R. Bowers, West Virginia Petroleum Council, Suite 714 Atlas Building, Charleston, W. Va. 25301.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $400. E. (9) $251.09.

A. The Bowery Savings Bank, 110 East 42d Street, New York, N.Y. 10017.
E. (9) $6,143.10

A. Randal R. Bowman, Wildlife Legislative Fund of America, 1050 17th Street NW., Washington, D.C. 20036.
B. Wildlife Legislative Fund of America, 50 West Broad Street, Columbus, Ohio 43215.
D. (6) $621.27 E. (9) $29.71.

A. Roy G. Bowman, Bowman Conner Touhey & Thornton, 2828 Pennsylvania Avenue NW., Washington, D.C. 20007.
B. Delta Steamship Lines, Inc., P.O. Box 50250, New Orleans, La. 70150.
D. (6) $1,500. E. (9) $140.

A. Bowmer, Courtney, Burleson & Pemberton, Inc., P.O. Box 844, Temple, Tex. 76503.
B. Tribal Council and Coushatta Tribe of Louisiana, P.O. Box 988, Elton, La. 70532.
E. (9) $260.

A. Jim D. Bowmer, P.O. Box 844, Temple, Tex. 76503.
B. Tribal Council of The Coushatta Tribe of Louisiana, c/o Ernest Sickey, P.O. Box 988, Elton, La. 70532.

A. Joan Costain Bowyer, Phelps Dodge Corp., 1015 15th Street NW., Washington, D.C. 20005.
B. Phelps Dodge Corp., 300 Park Avenue, New York, N.Y. 10022.
D. (6) $150.

A. John G. Boyd, IBM, 1801 K Street NW., Washington, D.C. 20006.
B. International Business Machines, Old Orchard Road, Armonk, N.Y. 10504.
D. (6) $239.85. E. (9) $11.

A. Robert K. Boyd, American Gas Association, 1515 Wilson Boulevard., Arlington, Va. 22209.
B. American Gas Association, 1515 Wilson Boulevard., Arlington Va. 22209.
D. (6) $3,200. E. (9) $281.68.

A. Van R. Boyette, American Petroleum Refiners Association, 1200 18th Street NW., Suite 607, Washington, D.C. 20036.
B. American Petroleum Refiners Association, 1200 18th Street NW., Suite 607, Washington, D.C. 20036.
D. (6) $75.

A. Stephen S. Boynton, 1901 North Fort Myer Drive, Suite 1204, Arlington, Va. 22209.
B. The American Fur Industry, 101 West 30th Street, New York, N.Y. 10001.
D. (6) $1,500. E. (9) $80.

A. Stephen S. Boynton, 1901 North Fort Myer Drive, Suite 1204, Arlington, Va. 22209.
B. Wildlife Legislative Fund of America, 50 West Broad Street, Columbus, Ohio 43215.
D. (6) $1,500. E. (9) $80.

A. Bracewell & Patterson, 1850 K Street NW., Suite 400, Washington, D.C. 20006.
B. American Petroleum Refiners Association, 1200 18th Street NW., 607 Ring Building, Washington, D.C. 20036.
D. (6) $560. E. (9) $223.44.

A. Bracewell & Patterson, 1850 K Street NW., Suite 400, Washington, D.C. 20006.
B. CLC of America, Inc., 1655 Des Peres Road, St. Louis, Mo. 63131.

A. Bracewell & Patterson, 1850 K Street NW., Suite 400, Washington, D.C. 20006.
B. Southdown/Pelto Oil Co., Two Greenspoint Plaza, Suite 400, 16825 Northchase, Houston, Tex. 77060.
D. (6) $420. E. (9) $167.58.

A. Bracewell & Patterson, 1850 K Street NW., Suite 400, Washington, D.C. 20006.

B. Valero Energy Corp., 530 McCullough Avenue, San Antonio, Tex. 78292.
D. (6) $840. E. (9) $335.16.

A. Dennis R. Braddock, Livestock Marketing Association., 4660 Kenmore Avenue, Suite 1018, Alexandria, Va. 22304.
B. Livestock Marketing Association, 4900 Oak Street, Kansas City, Mo. 64119.
D. (6) $7,750.

A. Frank W. Bradley, 1700 K Street NW., Washington, D.C. 20006.
B. Chevron U.S.A., Inc., a subsidiary of Standard Oil Co. of California, 1700 K Street NW., Washington, D.C. 20006.
D. (6) $1,600.

A. Mitchell H. Bradley, American Society of Mechanical Engineers, 2029 K Street NW., Washington, D.C. 20006.
B. American Society of Mechanical Engineers, 345 East 47th Street, New York, N.Y. 10017.

A. Wayne W. Bradley, American Medical Association, 1776 K Street NW., Washington, D.C. 20006.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill. 60610.
D. (6) $500.

A. Dennis M. Bradshaw, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. Charles N. Brady, American Automobile Association, 8111 Gatehouse Road, Falls Church, Va. 22047.
B. American Automobile Association, 8111 Gatehouse Road, Falls Church, Va. 22047.

A. Theresa M. Brady, Joint Maritime Congress, 444 North Capitol Street NW., Suite 801, Washington, D.C. 20001.
B. Joint Maritime Congress, 444 North Capitol Street NW., Suite 801, Washington, D.C. 20001.
D. (6) $717.60.

A. Charles G. Bragg, P.O. Box 12285, Memphis, Tenn. 38112.
B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn. 38112.
D. (6) $1,110. E. (9) $161,24.

A. Raymond F. Bragg, Jr., American Petroleum Refiners Association, 1200 18th Street NW., Suite 607, Washington, D.C. 20036.
B. American Petroleum Refiners Association, 1200 18th Street NW., Suite 607, Washington, D.C. 20036.
D. (6) $100.

A. Stuart J. Brahs, American Council of Life Insurance, 1850 K Street NW., Washington, D.C. 20006.
B. American Council of Life Insurance, Inc., 1850 K Street NW., Washington, D.C. 20006.
D. (6) $187.29. E. (9) $21.00.

A. Robert M. Brandon, 1300 Connecticut Avenue NW., Room 401, Washington, D.C. 20036.
B. Citizen/Labor Energy Coalition, 1300 Connecticut Avenue NW., Room 401, Washington, D.C. 20036.
D. (6) $1,850.00. E. (9) $199.30.

A. T. Edward Braswell, Jr., 888 17th Street, Suite 600, Brawner Building, Washington, D.C. 20006.
B. Newport News Shipbuilding Co., 4101 Washington Avenue, Newport News, Va. 23607.
D. (6) $3,750.

A. Roy Braunstein, American Postal Workers Union, AFL-CIO, 817 14th Street NW., Washington, D.C. 20005.
B. American Postal Workers Union, AFL-CIO, 817 14th Street NW., Washington, D.C. 20005.
D. (6) $13,399.44. E. (9) $210.34.

A. Edward T. Breathitt, Southern Railway Co., 920 15th Street NW., Washington, D.C. 20005.
B. Southern Railway Company, 920 15th Street NW., Washington, D.C. 20005.
D. (6) $1,000.

A. George W. Breece, Turner Broadcasting System, Inc., 2133 Wisconsin Avenue NW., Washington, D.C. 20007.
B. Turner Broadcasting System, Inc., 1050 Techwood Drive NW., Atlanta, Ga.
D. (6) $12,788.44. E. (9) $526.45.

A. Breed, Abbott & Morgan, 1875 I Street NW., Suite 1000, Washington, D.C. 20006.
B. Associated Hospital Service of New York, 80 Lexington Avenue, New York, N.Y. 10016.

A. Breed, Abbott & Morgan, 1875 I Street NW., Suite 1000, Washington, D.C. 20006.
B. Handy & Harman, 850 Third Avenue, New York, N.Y. 10022.
E. (9) $42.05.

A. Breed, Abbott & Morgan, 1875 I Street NW., Suite 1000, Washington, D.C. 20006.
B. The Lefrak Organization, 97-77 Queens Boulevard, Forest Hills, N.Y.

A. Breed, Abbott & Morgan, 1875 I Street NW., Suite 1000, Washington, D.C. 20006.
B. Donald C. Lubick, Hodgson, Russ, Andrews, Woods, & Goodyear, 1776 F Street NW., Washington, D.C.

A. Breed, Abbott & Morgan, 1875 I Street NW., Suite 1000, Washington, D.C. 20006.
B. David H. McConnell, 375 Park Avenue, New York, N.Y.
D. (6) $750.00. E. (9) $30.00.

A. Breed, Abbott & Morgan, 1875 I Street NW., Suite 1000, Washington, D.C. 20006.
B. Panhandle Eastern Pipe Line Co., 3000 Bissonnet Avenue, P.O. Box 1642, Houston, Tex. 77001.

A. Bregman, Abell & Kay, 1900 L Street NW., Suite 610, Washington, D.C. 20036.
B. The Air Transport Association of America, 1709 New York Avenue NW., Washington, D.C. 20006.
D. (6) $800.00.

A. Bregman, Abell & Kay, 1900 L Street NW., Suite 610, Washington, D.C. 20036.
B. American Car Rental Association, 1750 Pennsylvania Avenue NW., Suite 1303, Washington, D.C. 20006.
D. (6) $1,250.00.

A. Bregman, Abell & Kay, 1900 L Street NW., Suite 610, Washington, D.C. 20036.
B. American Psychiatric Association, 1700 18th Street NW., Washington, D.C. 20009.

A. Bregman, Abell & Kay, 1900 L Street NW., Suite 610, Washington, D.C. 20036.
B. Committee for Effective Tax Incentives, 1634 I Street NW., Eighth Floor, Washington, D.C. 20006.

A. Bregman, Abell & Kay, 1900 L Street NW., Suite 610, Washington, D.C. 20036.
B. Hilton International, Inc., 301 Park Avenue, New York, N.Y. 10022.

A. Bregman, Abell & Kay, 1900 L Street NW., Suite 610, Washington, D.C. 20036.
B. Norton Simon Inc., 277 Park Avenue, New York, N.Y. 10017.
D. (6) $1,500.

A. Bregman, Abell & Kay, 1900 L Street NW., Suite 610, Washington, D.C. 20036.
B. Trans World Airlines, 1000 16th Street NW., Suite 704, Washington, D.C. 20036.

A. Bregman, Abell & Kay, 1900 L Street NW., Suite 610, Washington, D.C. 20036.
B. Trans World Corp., 605 Third Avenue, New York, N.Y. 10158.

A. Bregman, Abell & Kay, 1900 L Street NW., Suite 610, Washington, D.C. 20036.
B. Truck Renting and Leasing Association, 1750 Pennsylvania Avenue NW., Suite 1303, Washington, D.C. 20006.
D. (6) $1,250.

A. Bregman, Abell & Kay, 1900 L Street NW., Suite 610, Washington, D.C. 20036.
B. The Washington Psychiatric Society, 1700 18th Street NW., Washington, D.C. 20009.
D. (6) $1,000.

A. Brenda I. Bregman, 100 Maryland Avenue NE., Washington, D.C. 20002.
B. Religious Coalition for Abortion Rights, Inc., 100 Maryland Avenue NE., Washington, D.C. 20002.
D. (6) $2,850.

A. Michael J. Brennan, 1750 New York Avenue NW., Washington, D.C. 20006.
B. International Association of Bridge, Structural and Ornamental Iron Workers, AFL-CIO, 1750 New York Avenue NW., Washington, D.C. 20006.
D. (6) $8,580. E. (9) $692.17.

A. Richard M. Brennan, Union Carbide Corp., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Union Carbide Corp., 270 Park Avenue, New York, N.Y. 10017.

A. Miles H. Bresee, Jr., 170 Altura Way, Greenbrae, Calif. 94904.
B. Bechtel Power Corp., 50 Beale Street, P.O. Box 3965, San Francisco, Calif. 94119.

A. Albert E. Brewster, 1000 Wilson Boulevard, Suite 2300, Arlington, Va. 22209.
B. Northrop Corp., 1000 Wilson Boulevard, Suite 2300, Arlington, Va. 22209.

A. Carolyn Brickey, 215 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Congress Watch, 215 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $2,750.01.

A. Andrea L. Bridgeman, Finley, Kumble, Wagner, Heine, Underberg & Casey, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. Finley, Kumble, Wagner, Heine, Underberg & Casey (for Stewart Environmental Systems, Inc., 485 Madison Avenue, New York, N.Y. 10022), 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $180. E. (9) $15.

A. Bill Brier, 2550 M Street NW., Suite 640, Washington, D.C. 20037.
B. CF Industries, Inc. Salem Lake Drive, Long Grove, Ill. 60047.
D. (6) $500.

A. Claude S. Brinegar, 461 South Boylston Street, Los Angeles, Calif. 90017.
B. Union Oil Co. of California, 461 South Boylston Street, Los Angeles, Calif. 90017.

D. (6) $150.

A. Belva B. Brissett, 1771 N Street NW., Washington, D.C. 20036.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C. 20036.
D. (6) $1,500. E. (9) $414.

A. Elizabeth Y. Britton, RJR Industries, Inc., 2550 M Street NW., Suite 770, Washington, D.C. 20037.
B. RJR Industries, Inc., P.O. Box 2959, Winston-Salem, N.C. 27102.
D. (6) $355. E. (9) $220.29.

A. Ellen Broadman, Consumers Union, 1511 K Street NW., Suite 1033, Washington, D.C. 20005.
B. Consumers Union, 256 Washington Street, Mount Vernon, N.Y. 10550.
D. (6) $105. E. (9) $4.

A. David A. Brody, Anti-Defamation League of B'nai B'rith, 1640 Rhode Island Avenue NW., Washington, D.C. 20036.
B. Anti-Defamation League of B'nai B'rith, 823 UN Plaza, New York, N.Y. 10017.
D. (6) $1,950.

A. Michael D. Bromberg, 1111 19th Street NW., No. 402, Washington, D.C. 20036.
B. Federation of American Hospitals, 1111 19th Street NW., No. 402, Washington, D.C. 20036.
D. (6) $4,500.

A. Michael R. Bromwich, Foley, Lardner, Hollabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Foley, Lardner, Hollabaugh & Jacobs (for Independent Refiners Association of America, 1775 Pennsylvania Avenue NW., Washington, D.C.), 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. E. R. Brooks, P.O. Box 841, Abilene, Tex. 79604.
B. West Texas Utilities Co., P.O. Box 841, Abilene, Tex. 79604.
D. (6) $800. E. (9) $1,346.

A. Phillip W. Brooks, Volunteer State Oil Committee, 18th Floor, Third National Bank Building, Nashville, Tenn. 37219.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $450. E. (9) $877.72.

A. Carol L. Bros, National Women's Political Caucus, 1411 K Street NW., No. 1110, Washington, D.C. 20005.
B. National Women's Political Caucus, 1411 K Street NW., No. 1110, Washington, D.C. 20005.
D. (6) $4,500. E. (9) $25.

A. Daniel T. Bross, United Gas Pipe Line Co., 1101 17th Street NW., Suite 704, Washington, D.C. 20036.
B. United Gas Pipe Line Co., P.O. Box 1478, Houston, Tex. 77001.
D. (6) $1,525. E. (9) $682.32.

A. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees, 3 Research Place, Rockville, Md. 20850.
D. (6) $51,995.50. E. (9) $51,995.50.

A. Donald G. Brotzman, Rubber Manufacturers Association, 1901 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Rubber Manufacturers Association, 1901 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $10,000.

A. Joseph Browder, 1015 18th Street NW., Washington, D.C. 20036.
B. Toledo Mining Co., Ten Broadway Building, Suite 500, Salt Lake City, Utah 84101.
D. (6) $4,000.

A. Ben Jarratt Brown, 1101 15th Street NW., Washington, D.C. 20005.
B. U.S. & Overseas Tax Fairness Committee, 1101 15th Street NW., Washington, D.C. 20005.
D. (6) $2,187.

A. Charles B. Brown, 900 17th Street NW., Washington, D.C. 20006.
B. Kaiser Aluminum & Chemical Corp., 900 17th Street NW., Washington, D.C. 20006.
D. (6) $437.50. E. (9) $4.50.

A. Charles T. Brown, Cities Service Co., Box 100, Miami, Ariz. 85539.
B. Cities Service Co., Box 100, Miami, Ariz. 85539.

A. David S. J. Brown, Monsanto Co., 1101 17th Street NW., Washington, D.C. 20036.
B. Montanto Co., 800 Lindbergh Boulevard, St. Louis, Mo. 63166.
D. (6) $450. E. (9) $125.96.

A. Diane V. Brown, International Paper Co., 1620 I Street NW., Suite 700, Washington, D.C. 20006.
B. International Paper Co., 1620 I Street NW., Suite 700, Washington, D.C. 20006.
D. (6) $2,500. E. (9) $750.

A. Ellen S. Brown, Council of Energy Resource Tribes, 1140 Connecticut Avenue NW., Suite 310, Washington, D.C. 20036.
B. Council of Energy Resource Tribes, 1140 Connecticut Avenue NW., Suite 310, Washington, D.C. 20036.

A. Howard C. Brown, Jr., 9618 Carriage Road, Kensington, Md. 20895.
B. Centar Associates, 369 Passiac Avenue, Fairfield, N.J. 07006.

A. Howard C. Brown, Jr., 9618 Carriage Road, Kensington, Md. 20895.
B. National Association of Life Science Industries, Inc., 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. J. D. Brown, 23d and M Streets NW., Washington, D.C. 20037.
B. American Public Power Association, 23d and M Streets NW., Washington, D.C. 20037.

A. Jesse B. Brown, Potomac Electric Power Co., 1900 Pennsylvania Avenue NW., Washington, D.C. 20068.
B. Potomac Electric Power Co., 1900 Pennsylvania Avenue NW., Washington, D.C. 20068.
D. (6) $76.35.

A. Karen H. Brown, 1750 K Street NW., Washington, D.C. 20006.
B. Food Marketing Institute, 1750 K Street NW., Washington, D.C. 20006.
D. (6) $450.

A. Ralph Brown, 701 South 22d Street, Omaha, Nebr.
D. (6) $10. E. (9) $10.

A. Theoran Brown, 2030 M Street NW, Third Floor, Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., Washington, D.C. 20036.
D. (6) $2,656.26.

A. Vincent D. Brown, Nebraska Petroleum Council, P.O. Box 95063, Lincoln, Nebr. 68509.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $200. E. (9) $27,80.

A. William E. Brown, Ford Motor Co., 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Ford Motor Co., Dearborn, Mich. 48121.
D. (6) $177.84. E. (9) $109.76.

A. William R. Brown, 499 South Capitol Street SW., Suite 412, Washington, D.C. 20003.
B. The Council of State Chambers of Commerce, 499 South Capitol Street SW., Suite 412, Washington, D.C. 20003.
D. (6) $160.

A. Brownstein, Zeidman & Schomer, 1025 Connecticut Avenue NW., Suite 900, Washington, D.C. 20036.
B. Canadian Financial Corp., 2030 Northwestern Financial Center, 7900 Xerxes Avenue South, Minneapolis, Minn. 55431.

A. Brownstein, Zeidman & Schomer, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. International Foodservice Manufacturers Association, 875 North Michigan Avenue, Chicago, Ill. 60611.

A. Brownstein, Zeidman & Schomer, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. International Franchise Association, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

A. Brownstein, Zeidman & Schomer, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. Merrill Lynch, Hubbard Inc., One Liberty Plaza, New York, N.Y. 10080.

A. Brownstein, Zeidman & Schomer, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. Mortgage Guaranty Insurance Corp., MGIC Plaza, Milwaukee, Wisc. 53201.

A. Brownstein, Zeidman & Schomer, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. Multifamily Finance Action Council, 1025 Connecticut Avenue NW., Suite 711, Washington, D.C. 20036.
D. (6) $12,438. E. (9) $367.71.

A. Brownstein, Zeidman & Schomer, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. National Housing Rehabilitation Association, 1300 19th Street NW., Suite 310, Washington, D.C. 20036.

A. Brownstein, Zeidman & Schomer, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. New York City Housing Development Corp., 75 Maiden Lane, New York, N.Y. 10038.
D. (6) $439. E. (9) $66.98.

A. Brownstein, Zeidman & Schomer, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. New York State Mortgage Loan Enforcement & Administration Corp., 11 West 42d Street, New York, N.Y. 10036.
D. (6) $10,055.50. E. (9) $656.56.

A. Brownstein, Zeidman & Schomer, 1025 Connecticut Avenue NW., Suite 900, Washington, D.C. 20036.

B. New York State Urban Development Corp., 1515 Broadway, New York, N.Y. 10036.

A. John R. Bruch, P.O. Box 5000, Cleveland, Ohio 44101.
B. The Cleveland Electric Illuminating Co., P.O. Box 5000, Cleveland, Ohio 44101.
D. (6) $800. E. (9) $5.50.

A. James W. Bruner, Jr., League To Save Lake Tahoe, P.O. Box 10110, South Lake Tahoe, Calif. 95731.
B. League to Save Lake Tahoe, 2197 Lake Tahoe, Boulevard, P.O. Box 10110, South Lake Tahoe, Calif. 95731.
D. (6) $9,000.

A. Kathryne M. Bruner, General Atomic Co., 2021 K Street NW., Suite 709, Washington, D.C. 20006.
B. General Atomic Co., San Diego, Calif.
D. (6) $750. E. (9) $107.48.

A. Robert O. Brunner, National Retired Teachers Association—American Association of Retired Persons, 1909 K Street NW., Washington, D.C. 20049.
B. National Retired Teachers Association—American Association of Retired Persons, 1909 K Street NW., Washington, D.C. 20049.
D. (6) $390.39. E. (9) $50.05.

A. J. Charles Bruse, Allstate Enterprises, Inc., 1700 Pennsylvania Avenue NW., No. 750, Washington, D.C. 20006.
B. Allstate Enterprises, Inc., Allstate Plaza, Northbrook, Ill. 60062.

A. J. Charles Bruse, Allstate Insurance Cos., 1700 Pennsylvania Avenue NW., No. 750, Washington, D.C. 20006.
B. Allstate Insurance Cos., Allstate Plaza, Northbrook, Ill. 60062.

A. Harvey F. Brush, 2006 Washington Street, San Francisco, Calif. 94109.
B. Bechtel Group, Inc., 50 Beale Street, P.O. Box 3965, San Francisco, Calif. 95119.

A. Susan Buck, U.S. Telephone Communications, Inc., 108 South Akard Street, Dallas, Tex. 75202.
B. U.S. Telephone Communications, Inc., 108 S. Akard Street, Dallas, Tex. 75202.
D. (6) $14,751. E. (9) $10,000.

A. Ronald B. Buckhalt, National Utility Contractors Association, 1235 Jefferson Davis Highway, Arlington, Va. 22202.
B. National Utility Contractors Association, 1235 Jefferson Davis Highway, Arlington, Va. 22202.
D. (6) $1,600. E. (9) $2,937.74.

A. John S. Buckley, National Tax Limitation Committee, 1523 L Street NW., Suite 600, Washington, D.C. 20005.
B. National Tax Limitation Committee, 1523 L Street NW., Suite 600, Washington, D.C. 20005.
D. (6) $1,000. E. (9) $117.

A. Robert D. Buehler, B. F. Goodrich Co., 1800 K Street NW., Suite 929, Washington, D.C. 20006.
B. The B. F. Goodrich Co., Akron, Ohio 44318.
D. (6) $400.

A. Douglas W. Bulcao, American Textile Manufacturers Institute, Inc., 1101 Connecticut Avenue NW., No. 300, Washington, D.C. 20036.
B. American Textile Manufacturers Institute, Inc., 1101 Connecticut Avenue NW., No. 300, Washington, D.C. 20036.
D. (6) $750. E. (9) $58.10.

A. David A. Bunn, 1211 Connecticut Avenue NW., No. 406, Washington, D.C. 20036
B. The Hearst Corp., 959 Eighth Avenue, New York, N.Y. 10019.
D. (6) $900.

A. David A. Bunn, 1211 Connecticut Avenue NW., No. 406, Washington, D.C. 20036.
B. Magazine Publishers Association, 575 Lexington Avenue, New York, N.Y. 10022.
D. (6) $4,000.

A. David A. Bunn, Parcel Shippers Association., 1211 Connecticut Avenue NW., No. 406, Washington, D.C. 20036.
B. Parcel Shippers Association, 1211 Connecticut Avenue NW., No. 406. Washington, D.C. 20036.
D. (6) $1,000.

A. Lawrence E. Burch, Potato Chip/Snack Food Association, 1735 Jefferson Davis Highway, Suite 903, Arlington, Va. 22202.
B. Potato Chip/Snack Food Association, 1735 Jefferson Davis Highway, Suite 903, Arlington, Va. 22202.

A. Norman D. Burch, College of American Pathologists, 1333 New Hampshire Avenue NW., Suite 520, Washington, D.C. 20036.
B. College of American Pathologists, 7400 North Skokie Boulevard, Skokie, Ill. 60077.
D. (6) $5,220. E. (9) $65.60.

A. David G. Burden, 200 E. Randolph Drive, Chicago, Ill. 60601.
B. Standard Oil Company (Indiana), 200 E. Randolph Drive, Chicago, Ill. 60651.
D. (6) $613.01. E. (9) $753.60.

A. Paul E. Burdett—Merrell Dow Pharmaceuticals, Inc., 10 Emerson Court, Severna Park, Md. 21146.
B. Merrell Dow Pharmaceuticals, Inc., Cincinnati, Ohio 45215.
E. (9) $28.

A. Burke & Burke, 529 Fifth Avenue, New York, N.Y. 10017.
B. Eleanor A. Clark P.O. Box 139, Corning, N.Y. 1480, et al.
E. (9) $487.21.

A. J. J. Burke, Jr., 40 East Broadway, Butte, Mont. 59701.
B. The Montana Power Co., Butte, Mont. 59701.
E. (9) $486.01.

A. Burley & Dark Leaf Tobacco Export Association, 1100 17th Street NW., Washington, D.C.
D. (6) $26,674.98. E. (9) $1,175.59.

A. Bill Burlison, Fairchild Building, Suite 102, 499 South Capitol Street SW., Washington, D.C. 20003.
B. Emerson Electric Co., St. Louis, Mo.
D. (6) $3,125. E. (9) $67.15.

A. Bill D. Burlison, Fairchild Building, Suite 102, 499 South Capitol Street, SW., Washington, D.C. 20003.
B. McDonnell Douglas Corp., St. Louis, Mo.
D. (6) $8,750. E. (9) $134.30.

A. Bill Burlison, Fairchild Building, Suite 102, 499 South Capitol Street SW., Washington, D.C. 20003.
B. Planning Research Corp., Washington, D.C.
D. (6) $2,500. E. (9) $67.15.

A. Charles S. Burns, Phelps Dodge Corp., 1015 15th Street NW., Washington, D.C. 20005.
B. Phelps Dodge Corp., 300 Park Avenue, New York, N.Y. 10022.
D. (6) $1,200.

A. Gerrie Bjornson Burns, B. F. Goodrich Co., 1800 K Street NW., Suite 929, Washington, D.C. 20006.
B. The B. F. Goodrich Co., Akron, Ohio 44318.
D. (6) $100.

A. Timothy F. Burns, Chemical Manufacturers Association, 2501 M Street NW., Washington, D.C. 20037.
B. Chemical Manufacturers Association, 2501 M Street NW., Washington, D.C. 20037.
D. (6) $300.

A. Busby, Rehm & Leonard, P.C., 1629 K Street NW., Suite 1100, Washington, D.C. 20006.
B. Bacardi Imports Inc., 2100 Biscayne Boulevard, Miami, Fla. 33137.
D. (6) $240.

A. Gary Bushell, Branscomb & Miller, 1700 Bank & Trust Tower, B&T 129, Corpus Christi, Tex. 78477.
B. Corpus Christi Oil & Gas, 1400 The 600 Building, Corpus Christi, Tex. 78473.
D. (6) $6,000. E. (9) $2,821.53.

A. Business Executive Move for New National Priorities, 901 North Howard Street, Baltimore, Md. 21201.
D. (6) $36.41. E. (9) $698.31.

A. Business Products Council Association, P.O. Box 53964, Fayetteville, N.C. 28305.
E. (9) $500.

A. James J. Butera, National Association of Mutual Savings Banks, 1709 New York Avenue NW., Suite 200, Washington, D.C. 20006.
B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y. 10166.
D. (6) $3,593.75.

A. Butler, Binion, Rice, Cook & Knapp, 1747 Pennsylvania Avenue NW., Suite 900, Washington, D.C. 20006.
B. Delaware River Port Authority, One Franklin Plaza, Philadelphia, Pa. 19102.
D. (6) $10,178.75. E. (9) $230.04.

A. Butler, Binion, Rice, Cook & Knapp, 1747 Pennsylvania Avenue NW., Suite 900, Washington, D.C. 20006.
B. City of Houston, Department of Aviation, P.O. Box 60106 AMF, Houston, Tex.

A. Butler, Binion, Rice, Cook & Knapp, 1747 Pennsylvania Avenue NW., Suite 900, Washington, D.C. 20006.
B. People Express Airlines, Inc., Room 205, North Terminal, Newark International Airport, N.J. 07114.
D. (6) $30,500. E. (9) $827.85.

A. Butler, Binion, Rice, Cook & Knapp, 1747 Pennsylvania Avenue, NW., Suite 900, Washington, DC 20006.
B. City of Philadelphia, 1600 Municipal Services Building, Philadelphia, Pa. 19107.

A. William A. Butler, National Audubon Society, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. National Audubon Society, 950 Third Avenue, New York, N.Y. 10022.
D. (6) $5,000. E. (9) $125.

A. Lex J. Byers, 1750 K Street NW., Washington, D.C. 20006.

B. Food Marketing Institute, 1750 K Street NW., Washington, D.C. 20006.
D. (6) $300.

A. John W. Byrnes, Foley, Lardner, Hollabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Foley, Lardner, Hollabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006 (for Independent Refiners Association of America, 1775 Pennsylvania Avenue NW., Washington, D.C.).

A. John W. Byrnes, Foley, Lardner, Hollabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Foley, Lardner, Hollabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006 (for Insurance Association of Connecticut).

A. John W. Byset, 1615 H Street NW., Washington, D.C. 20062.
B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C. 20062.
D. (6) $500.

A. Cable, McDaniel, Bowie & Bond, 900 Blaustein Building, Baltimore, Md. 21201.
B. Crown Central Petroleum Corp., 1 North Charles Street, P.O. Box 1168, Baltimore, Md. 21203.

A. Cadwalader, Wickersham & Taft, 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Ad Hoc Committee of Floor Brokers, c/o Cadwalader, Wickersham & Taft, 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
D. (6) $3,935.50. E. (9) $32.

A. Cadwalader, Wickersham, & Taft, 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Mocatta Metals Corp., 4 World Trade Center, Suite 5200, New York, N.Y. 10048.

A. Cain & Smith, 402 Scarbrough Building, Austin, Tex. 78701.
B. Judicial Section, State Bar of Texas, 1414 Colorado, Austin, Tex. 78701.
D. (6) $697.50. E. (9) $520.80.

A. Morrison Cain, 1625 I Street NW., Washington, D.C. 20006.
B. Association of General Merchandise Chains, 1625 I Street NW., Washington, D.C. 20006.
D. (6) $6,250.

A. Alan Caldwell, 1825 K Street NW., Washington, D.C. 20006.
B. Del Monte Corp., One Market Plaza, San Francisco, Calif. 94119.
D. (6) $1,000. E. (9) $50.

A. Califano, Ross & Heineman, 1575 I Street NW., Washington, D.C. 20005.
B. The Coca-Cola Co., 310 North Avenue, Atlanta, Ga. 30301.

A. Califano, Ross & Heineman, 1575 I Street NW., Washington, D.C. 20005.
B. Connecticut General Life Insurance Co., Hartford, Conn. 06152.

A. Califano, Ross & Heineman, 1575 I Street NW., Washington, D.C. 20005.
B. C. P. Rehab. Corp., 20 East 67 Street, New York, N.Y. 10021.

A. Califano, Ross & Heineman, 1575 I Street NW., Washington, D.C. 20005.
B. Federal National Mortgage Association, 3900 Wisconsin Avenue NW., Washington, D.C. 20016.

A. Califano, Ross & Heineman, 1575 I Street NW., Washington, D.C. 20005.
B. General Tire & Rubber Co., One General Street, Akron, Ohio 44329.

A. Peter E. Callanan, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Honeywell Inc., Honeywell Plaza, Minneapolis, Minn. 55408.
D. (6) $275. E. (9) $390.

A. John C. Callihan, Westvaco Corp., 299 Park Avenue, New York, N.Y. 10171.
B. Westvaco Corp., 299 Park Avenue, New York, N.Y. 10171.
D. (6) $658.82. E. (9) $375.50.

A. Calorie Control Council, 5775 Peachtree-Dunwoody Road, Suite 500-D, Atlanta, Ga. 30342.
E. (9) $3,283.

A. Gordon L. Calvert, Box 34-531, Washington, D.C. 20034.
B. Commercial Law League of America, 222 West Adams Street, Chicago, Ill. 60606.
D. (6) $3,000. E. (9) $30.24.

A. Arthur E. Cameron, 499 South Capitol Street SW., Suite 110, Washington, D.C. 20003.
B. American Greyhound Track Operators Association, 1065 Northeast 125th Street, Suite 219, North Miami, Fla. 33161.
D. (6) $3,750.

A. Arthur E. Cameron, 499 South Capitol Street SW., Suite 110, Washington, D.C. 20003.
B. Cataphote Division, Ferro Corp., et al., P.O. Box 2369, Jackson, Miss. 39205.
D. (6) $6,560.

A. Arthur E. Cameron, 499 South Capitol Street SW., Suite 110, Washington, D.C. 20003.
B. Ferro Corp., Cataphote Division, P.O. Box 2369, Jackson, Miss. 39205.
D. (6) $1,500.

A. Arthur E. Cameron, 499 South Capitol Street SW., Suite 110, Washington, D.C. 20003.
B. Gulf + Western Industries, Inc., 600 New Hampshire Avenue NW., Washington, D.C. 20037.
D. (6) $4,000.

A. Arthur E. Cameron, 499 South Capitol Street SW., Suite 110, Washington, D.C. 20003.
B. Safetran Systems Corp., Post Office Box 1037, Louisville, Ky. 40201.
D. (6) $5,362.50.

A. Camp, Carmouche, Palmer, Barsh & Hunter, 2550 M Street NW., Suite 695, Washington, D.C. 20037.
B. Committee of Railroad Shippers, 2550 M Street NW., 8th Floor, Washington, D.C. 20037.
D. (6) $1,387.50.

A. Camp, Carmouche, Palmer, Barsh & Hunter, P.C. 2550 M Street NW., Suite 275, Washington, D.C. 20037.
B. Conoco, Inc., 1025 Connecticut Avenue NW., Suite 1000, Washington, D.C. 20036.
D. (6) $4,500.

A. Camp, Carmouche, Palmer, Barsh & Hunter, P.C. 2550 M Street NW., Suite 695, Washington, D.C. 20037.
B. Eastern Central Motor Carrier Association, Inc., P.O. Box 3600, Arkron, Ohio 44310.

A. Camp, Carmouche, Palmer, Barsh & Hunter, P.C. 2550 M Street NW., Suite 275, Washington, D.C. 20037.
B. Evans Railcar Division, 2550 Golf Road, East Tower, Rolling Meadows, Ill. 60008.
D. (6) $25.

A. Camp, Carmouche, Palmer, Barsh & Hunter, 2550 M Street NW., Suite 275, Washington, D.C. 20037.
B. Louisiana Gasification Associates, One Gateway Center, Pittsburgh, Pa. 15222.

A. Camp, Carmouche, Palmer, Barsh & Hunter, P.C., 2550 M Street NW., Suite 275, Washington, D.C. 20037.
B. Pennzoil Co., 1155 15th Street NW., Suite 602, Washington, D.C. 20005.
D. (6) $600.

A. Camp, Carmouche, Palmer, Barsh & Hunter, P.C., 2550 M Street NW., Suite 275, Washington, D.C. 20037.
B. PLM, Inc., 500 California Street, Suite 3300, San Francisco, Calif. 94111.
D. (6) $25.

A. Camp, Carmouche, Palmer, Barsh & Hunter, P.C., 2550 M Street NW., Suite 275, Washington, D.C. 20037.
B. PORTEC, 300 Windsor Drive, Oak Brook, Ill. 60521.
D. (6) $25.

A. Camp, Carmouche, Palmer, Barsh & Hunter, P.C., 2550 M Street NW., Suite 275, Washington, D.C. 20037.
B. Pullman Standard, 200 South Michigan Avenue, Chicago, Ill. 60604.
D. (6) $25.

A. Camp, Carmouche, Palmer, Barsh & Hunter, P.C., 2550 M Street NW., Suite 275, Washington, D.C. 20037.
B. Richmond Leasing Co., 1700 West Loop South, Houston, Tex. 77027.
D. (6) $25.

A. Camp, Carmouche, Palmer, Barsh & Hunter, P.C., 2550 M Street NW., Suite 275, Washington, D.C. 20037.
B. Trailer Train Co., 101 North Wacker Drive, Chicago, Ill. 60606.
D. (6) $25.

A. Camp, Carmouche, Palmer, Barsh & Hunter, 2550 M Street NW., Suite 275, Washington, D.C. 20037.
B. Union Pacific Railroad, 345 Park Avenue, New York, N.Y. 10022.

A. Camp, Carmouche, Palmer, Barsh & Hunter, P.C., 2550 M Street NW., Suite 275, Washington, D.C. 20037.
B. Union Tank Car Co., 111 W. Jackson Boulevard, Chicago, Ill. 60604.
D. (6) $25.

A. Camp, Carmouche, Palmer, Barsh & Hunter, P.C., 2550 M Street NW., Suite 275, Washington, D.C. 20037.
B. United States Rail Services, Inc., 633 Battery Street, San Francisco, Calif. 94111.
D. (6) $25.

A. Campaign for Community-Based Economic Development, 715 15th Street, Suite 200, Washington, D.C. 20005.
D. (6) $23,000. E. (9) $28,686.34.

A. C. Russell Campbell, Jr., Suite 900, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. General Telephone & Electronics Corp., One Stamford Forum, Stamford, Conn. 06904.
D. (6) $2,500.

A. Carl C. Campbell, National Cotton Council of America, 1030 15th Street NW., Suite 700, Washington, D.C. 20005.
B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn. 38112.

A. Charles Argyll Campbell, National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.

B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.

A. Jerry L. Campbell, 831 Chestnut Street, Chattanooga, Tenn. 37402.
B. Tennessee Valley Public Power Association, 831 Chestnut Street, Chattanooga, Tenn. 34702.

A. Kevin B. Campbell, 101 Constitution Avenue NW., Washington, D.C. 20001.
B. United Brotherhood of Carpenters and Joiners of America, 101 Constitution Avenue NW., Washington, D.C. 20001.
D. (6) $5,275. E. (9) $3,199.19.

A. Thomas D. Campbell, 1000 16th Street NW., Suite 500, Washington, D.C. 20036.
B. Standard Oil Co., 200 East Randolph Drive, Chicago Ill. 60680.
D. (6) $1,500. E. (9) $562.73.

A. Alyce D. Canaday, Pacific Power & Light Co., 918 16th Street NW., Suite 404, Washington, D.C. 20006.
B. Pacific Power & Light Co., Public Service Building, Portland, Oreg. 97204.
D. (6) $740. E. (9) 867.83.

A. Canadian Coalition on Acid Rain, 105 Davenport Road, Suite 201, Toronto, Ontario M5R-1H6.
D. (6) $12,810. E. (9) $14,625.47.

A. Robert P. Canavan, National Education Association, 1201 16th Street NW., Washington, D.C. 20036.
B. National Education Association, 1201 16th Street NW., Washington, D.C. 20036.
D. (6) $3,184.80. E. (9) $106.

A. Sharon M. Canavan, Mortgage Bankers Association of America, 1125 15th Street NW., Washington, D.C. 20005.
B. Mortgage Bankers Association of America, 1125 15th Street NW., Washington, D.C. 20005.
D. (6) $3,850.

A. C&B Associates, 1750 New York Avenue NW., Washington, D.C. 20006.
B. Alcalde, Henderson, O'Bannon, Bracy and Williams, 1901 Fort Myer Drive, Rosslyn, Va. 22209.
D. (6) $250.

A. C&B Associates, 1750 New York Avenue NW., Washington, D.C. 20006.
B. Cladouhos & Brashares, 1750 New York Avenue NW., Washington, D.C. 20006—(for The Securities Groups).
D. (6) $250.

A. C&B Associates, 1750 New York Avenue NW., Washington, D.C. 20006.
B. Cladouhos & Brashares, 1750 New York Avenue NW., Washington, D.C. 20006 (for Toyota Motor Sales, U.S.A.).
D. (6) $125.

A. C & B Associates, 1750 New York Avenue NW., Washington, D.C. 20006.
B. Worldwide Information Resources, Inc., 1101 30th Street NW., Washington, D.C. 20007.
D. (6) $150.

A. Paul W. Cane, 5 Corte Alegra, Greenbrae, Calif. 94904.
B. Bechtel Power Corp., 50 Beale Street, P.O. Box 3965, San Francisco, Calif. 94119.

A. W. Dean Cannon, Jr., 9800 S. Sepulveda Boulevard, Suite 500, Los Angeles, Calif. 90045.
B. California Savings & Loan League, 9800 S. Sepulveda Boulevard, Suite 500, Los Angeles, Calif. 90045.
D. (6) $3,000. E. (9) $1,154.93.

A. Capitol Advocates, 1127 11th Street, No. 605, Sacramento, Calif. 95814.
B. Crowley Maritime Corp., No. 1 Market Plaza, San Francisco, Calif. 94105.
D. (6) $25,000. E. (9) $13,500.

A. Capitol Advocates, 1127 11th Street, No. 605, Sacramento, Calif. 95814.
B. Distilled Spirits Council of the United States, 1300 Pennsylvania Building, Washington, D.C.

A. Capitol Advocates, 1127 11th Street, No. 605, Sacramento, Calif. 95814.
B. Summa Corp., P.O. Box 14000, Las Vegas, Nev.
D. (6) $3,000. E. (9) $4,000.

A. Caplin & Drysdale, 1101 17th Street NW., Washington, D.C. 20036.
B. Council on Foundations, Inc., 1828 L Street NW., Washington, D.C. 20036.
D. (6) $19,975. E. (9) $195.

A. Caplin & Drysdale, Chartered, 1101 17th Street NW., Washington, D.C. 20036.
B. American Family Life Assurance Co. of Georgia, P.O. Box 1459, Columbus, Ga. 31902.

A. Ross Capon, National Association of Railroad Passengers, 417 New Jersey Avenue SE., Washington, D.C. 20003.
B. National Association of Railroad Passengers, 417 New Jersey Avenue SE., Washington, D.C. 20003.
D. (6) $7,749.95.

A. Ronald A. Capone, Kirlin, Campbell & Keating, 1150 Connecticut Avenue NW., No. 800, Washington, D.C. 20036.
B. Council of European & Japanese National Shipowners' Association, 30/32 St. Mary Avenue, London, EC3A 8ET England.
D. (6) $8,400. E. (9) $1,221.37.

A. Charles E. Capron, 2401 Calvert Street NW., Suite No. 905, Washington, D.C. 20008.

A. Arnold P. Caputo, 1970 Hopewood Drive, Falls Church, Va. 22043.
B. National Concrete Masonry Association, 2302 Horse Pen Road, Herndon, Va. 22070.
D. (6) $70. E. (9) $193.78.

A. Isaac R. Caraco, 4532 Park Monaco, Calabasas Park, Calif. 91302.
B. Bechtel Power Corp. P.O. Box 60860 Terminal Annex, Los Angeles, Calif. 90060

A. Denise A. Cardman, American Bar Association, 1800 M Street NW., Washington, D.C. 20036.
B. American Bar Association, 1155 East 60th Street, Chicago, Ill. 60637.

A. Norval E. Carey, General Atomic Co., 2021 K Street NW., Suite 709, Washington, D.C. 20006.
B. General Atomic Co., San Diego, Calif.
D. (6) $2,475. E. (9) $158.56.

A. David Carley, National Association of Public Television Stations, 955 L'Enfant Plaza SW., Suite 7200, Washington, D.C. 20024.
B. National Association of Public Television Stations, 955 L'Enfant Plaza SW., Suite 7200, Washington, D.C. 20024.
D. (6) $500. E. (9) $200.

A. Daniel P. Carmichael, 1901 L Street NW., Washington, D.C. 20036.
B. Eli Lilly & Co., 307 East McCarty Street, Indianapolis, Ind. 46285.
D. (6) $3,000. E. (9) $204.73.

A. Chapin Carpenter, Jr., Magazine Publishers Association, 1629 K Street NW., Suite 603, Washington, D.C. 20006.
B. Magazine Publishers Association, 575 Lexington Avenue, New York, N.Y. 10022.
D. (6) $1,500.

A. Jack Carpenter, American Mining Congress, 1920 N Street NW., Washington, D.C. 20036.
B. American Mining Congress, 1920 N Street NW., Washington, D.C. 20036.
D. (6) $46.15. E. (9) $17.60.

A. Patricia B. Carroll, National Cable Television Association, 1724 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Cable Television Association, 1724 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $312.50.

A. John R. Carson, 20 Chevy Chase Circle NW., Washington, D.C. 20015.
B. American Podiatry Association, 20 Chevy Chase Circle NW., Washington, D.C. 20015.
D. (6) $8,000.

A. Hans L. Carstensen III, 1625 I Street NW., Suite 902, Washington, D.C. 20006.
B. Weyerhaeuser Co., Tacoma, Wash. 98477.
D. (6) $808.50. E. (9) $75.55.

A. John R. Carter, Jr., 1000 Wilson Boulevard, Suite 2600, Arlington, Va. 22209.
B. TRW, Inc., 1000 Wilson Boulevard, Suite 2600, Arlington, Va. 22209.
D. (6) $1,000.

A. Joseph L. Carter, Jr., Association of American Railroads, 412 First Street SE., Suite 200, Washington, D.C. 20003.
B. Association of American Railroads, 1920 L Street NW., Washington, D.C. 20036.
D. (6) $536.70. E. (9) $237.71.

A. James P. Carty, National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
D. (6) $500.

A. Susan Carver, National Coal Association, Coal Building, Washington, D.C. 20036.
B. National Coal Association, 1130 17th Street NW., Washington, D.C. 20036.
D. (6) $232. E. (9) $636.07.

A. Jim Casey, 3470 Mildred Drive, Falls Church, Va. 22042.
B. Amfac Garden Products, Inc., 840 Malcolm Road, Burlingame, Calif. 94010.
E. (9) $199.

A. Jim Casey, 3470 Mildred Drive, Falls Church, Va. 22042.
B. Belle Fourche Irrigation District, Newell, S. Dak. 57760.
D. (6) $2,000. E. (9) $350.

A. Jim Casey, 3470 Mildred Drive, Falls Church, Va. 22042.
B. Garrison Diversion Conservancy District, P.O. Box 140, Carrington, N. Dak.
D. (6) $3,000.

A. Jim Casey, 3470 Mildred Drive, Falls Church, Va. 22042.
B. Committee on Power for the Southwest, Inc., 400 So. Broadway, Edmond, Okla. 73034.
E. (9) $60.

A. Jim Casey, 3470 Mildred Drive, Falls Church, Va. 22042.
B. Salt River Valley Water Users Association, P.O. Box 1980, Phoenix, Ariz. 85001.

E. (9) $384.

A. John S. Casey, P.O. Box 266, Heflin, Ala. 36264.
B. Alabama Railroad Association, P.O. Box 21, Montgomery, Ala. 36101.

A. Kathleen Casey, GTE Telenet, Inc., 8229 Boone Boulevard, Vienna, Va. 22180.
B. GTE Telenet Inc., One Stamford Forum, Stamford, Conn. 06904.
D. (6) $4,750.

A. James B. Cash, Jr., 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $2,000.

A. Allen R. Caskie, American Council of Life Insurance, 1850 K Street NW., Washington, D.C. 20006.
B. American Council of Life Insurance, Inc., 1850 K Street NW., Washington, D.C. 20006.
D. (6) $800. E. (9) $120.

A. Eugene I. Casraiss, Jr., United Automobile, Aerospace & Agricultural Implement Workers of America (UAW), 1757 N Street NW., Washington, D.C. 20036.
B. International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW), 8000 East Jefferson Avenue, Detroit, Mich. 48214.
E. (9) $96.85.

A. Daniel J. Cassidy, 1001 Connecticut Avenue NW., Washington, D.C. 20036.
B. Chemical Specialties Manufacturers Association, 1001 Connecticut Avenue NW., Washington, D.C. 20036.

A. John J. Castellani, TRW Inc., 27th Floor, 1000 Wilson Boulevard, Arlington, Va. 22209.
B. TRW Inc., 23555 Euclid Avenue, Cleveland, Ohio 44117.
D. (6) $1,000.

A. Joseph E. Cavanagh, International Brotherhood of Electrical Workers, 1125 15th Street NW., Washington, D.C. 20005.
B. International Brotherhood of Electrical Workers, AFL-CIO-CLC, 1125 15th Street NW., Washington, D.C. 20005.
D. (6) $2,675.

A. Dorothy Cecelski, 2030 M Street NW., 3d Floor, Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., 3d Floor, Washington, D.C. 20036.
D. (6) $3,750.01.

A. Cederberg & Associates, 7100 Sussex Place, Alexandria, Va.
B. Grumman Corp. 1000 Wilson Boulevard, Arlington, Va.
D. (6) $250.

A. Cederberg & Associates, 7100 Sussex Place, Alexandria, Va. 22307.
B. Martin Marietta Corp. Rockville, Md.
D. (6) $200.

A. Cederberg & Associates, 7100 Sussex Place, Alexandria, Va. 22307.
B. R.C.A., 1900 North Moore Street, Arlington, Va.
D. (6) $200.

A. Cederberg & Associates, 7100 Sussex Place, Alexandria, Va. 22307.
B. United Technologies, 1125 15th Street NW., Washington, D.C.
D. (6) $200.

A. Central States Resource Center, P.O. Box 477, Urbana, Ill. 61801.
D. (6) $7,500. E. (9) $5,044.69.

A. CF Industries, Inc., Salem Lake Drive, Long Grove, Ill. 60047.
E. (9) $1,000.

A. Owen R. Chaffee, 203 Yoakum Parkway, No. 1012, Alexandria, Va. 22304.
B. Manufactured Housing Institute, 1745 Jefferson Davis Highway, Suite 511, Arlington, Va. 22202.

A. Henry Chajet, American Mining Congress, 1920 N Street NW., Washington, D.C. 20036.
B. American Mining Congress, 1920 N Street NW., Washington, D.C. 20036.
D. (6) $54.94. E. (9) $8.

A. Elizabeth Prewitt Chalmers, The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C. 20006.
B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C. 20006.
D. (6) $750.

A. Charles E. Chamberlain, 1747 Pennsylvaina Avenue NW., Washington, D.C. 20006.
B. Committee for 806.30 and 807, Inc., 1611 Kent Street, Arlington, Va. 22209.
D. (6) $750.

A. John A. Chambers, 1050 17th Street NW., Suite 680, Washington, D.C. 20036.
B. Satra Corp., 21 East 63rd Street, New York, N.Y. 10021.
D. (6) $3,200. E. (9) $300.

A. Ed Chandler, 7901 Westpark Drive, McLean, Va. 22102.
B. National Machine Tool Builders' Association, 7901 Westpark Drive, McLean, Va. 22102.
D. (6) $5,626.50. E. (9) $500.

A. J. W. Chandler, York International, Borg-Warner Corp., 1575 I Street NW., Suite 1075, Washington, D.C. 20005.
B. York Division, Borg-Warner Corp., South Richland Avenue, York, Pa. 17405.
E. (9) $469.25.

A. A. Foster Chapman-Johnson, Smith and Hibbard, 220 N. Church Street, Suite 6, P.O. Box 5524, Spartanburg, S.C. 29304.
B. Milliken & Co., P.O. Box 1926, Spartanburg, S.C. 29304.
D. (6) $100. E. (9) $417.

A. William C. Chapman, General Motor Corp., 1660 L Street NW., Suite 805, Washington, D.C. 20036.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich. 48202.
D. (6) $3,000. E. (9) $4,210.08.

A. Richard M. Charlton, 229 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. EDS Corp., 229 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $368. E. (9) $219.56.

A. Leslie Cheek III, Crum & Forster Corp., 1120 Connecticut Avenue NW., Suite 1142, Washington, D.C. 20036.
B. Crum & Forster Corp., Madison Avenue at Canfield Road, Morristown, N.J. 07960.
D. (6) $16,250. E. (9) $1,116.80.

A. Jane Cheever, the First National Bank of Boston, 100 Federal Street, Boston, Mass. 02110.
B. The First National Bank of Boston, 100 Federal Street, Boston, Mass. 02110.

A. Jane Cheever, First National Boston Corp., 100 Federal Street, Boston, Mass. 02110.
B. First National Boston Corp., 100 Federal Street, Boston, Mass. 02110.

A. Chemical Manufacturers Association, 2501 M Street NW., Washington, D.C. 20037.
D. (6) $5,000. E. (9) $3,000.

A. Chemical Specialties Manufacturers Association, 1001 Connecticut Avenue NW., Suite 1120, Washington, D.C. 20036.
E. (9) $1,012.51.

A. Phillip Chisholm, National Oil Jobbers Council, 1707 H Street NW., Washington, D.C. 20006.
B. .National Oil Jobbers Council, 1707 H Street NW., Washington, D.C. 20006.
D. (6) $6,125.

A. Hal M. Christensen, 1101 17th Street NW., Washington, D.C. 20036.
B. American Dental Association, 1101 17th Street NW., Washington, D.C. 20036.
D. (6) $3,000.

A. William T. Christian, Atlantic Richfield Co., 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Atlantic Richfield Co., 515 South Flower Street, Los Angeles, Calif. 90071.
D. (6) $250.

A. Chugach Electric Association, Inc., P.O. Box 3518, Anchorage, Alaska 99501.

B. Title Associates, Inc., Route 2, Box 89, Columbia, Tenn. 38401.
A. Donald T. Chunn, Route 2, Box 89, Columbia, Tenn. 38401.

A. John Chwat, 5301 Inver-Chapel Road, Springfield, Va. 22151.
B. COMSAT Corp., 950 L'Enfant Plaza SW., Washington, D.C. 20024.
D. (6) $3,167. E. (9) $186.

A. Citizen/Labor Energy Coalition, 1300 Connecticut Avenue NW., Room 401, Washington, D.C. 20036.
D. (6) $2,049.30 E. (9) $2,049.30.

A. Citizens Committee for the Right To Keep and Bear Arms, 1601 114th SE., Suite No. 151, Bellevue, Wash. 98004.
D. (6) $243,290.16. E. (9) $40,393.56.

A. Citizens for Government Fairness, P.O. Box 1336, Brawley, Calif. 92227.
E. (9) $31.

A. Cladouhos & Brashares, 1750 New York Avenue NW., Washington, D.C. 20006.
B. Ashland Oil, Inc., 1401 Winchester Avenue, Ashland, Ky. 41101.

A. Cladouhos & Brashares, 1750 New York Avenue NW., Washington, D.C. 20006.
B. Crown Central Petroleum Corp., 1 North Charles, Baltimore, Md. 21203.

A. Cladouhos & Brashares, 1750 New York Avenue NW., Washington, D.C. 20006.
B. International Petroleum Refining & Supply, Sdad., Ltda., 1270 Avenue of the Americas, New York, N.Y. 10020.

A. Cladouhos & Brashares, 1750 New York Avenue NW., Washington, D.C. 20006.
B. International Processors, 4100 1 Shell Square, New Orleans, La. 70139.

A. Cladouhos & Brashares, 1750 New York Avenue NW., Washington, D.C. 20006.
B. The Securities Group, 500 Park Avenue, New York, N.Y. 10022.

D. (6) $100.

A. Cladouhos & Brashares, 1750 New York Avenue NW., Washington, D.C. 20006.
B. Seaview Petroelum Co., P.O. Box 231, Blue Bell, Pa. 19422.

A. Cladouhos & Brashares, 1750 New York Avenue NW., Washington, D.C. 20006.
B. Toyota Motor Sales, U.S.A., Inc., 2055 West 190th Street, Torrance, Calif. 90504.
D. (6) $125. E. (9) $125.

A. Anne Harrison Clark, Population Resource Center, 110 Maryland Avenue NE., Washington, D.C. 20002.
B. Population Resource Center, 622 Third Avenue, New York, N.Y. 10017.
D. (6) $7,108.

A. Julie Clark, National Legal Aid and Defender Association, 1625 K Street NW., Eighth Floor, Washington, D.C. 20006.
B. National Legal Aid and Defender Association, 1625 K Street NW., 8th Floor, Washington, D.C. 20006.
D. (6) $8,659.54. E. (9) $268.35

A. Kimball Clark, Association of American Railroads, 412 First Street SE., Suite 200, Washington, D.C. 20003.
B. Association of American Railroads, 1920 L Street NW., Washington, D.C. 20036.
D. (6) $487.12. E. (9) $603.88.

A. Susan Clark, American Express Co., 1700 K Street NW., Washington, D.C. 20006.
B. American Express Co., 1700 K Street NW., Washington, D.C. 20006.

A. Thoms R. Clark, General Electric Co., 777 14th Street NW., Washington, D.C. 20005.
B. General Electric Co., 777 14th Street NW., Washington, D.C. 20005.

A. Vernon A. Clark, 1899 L Street NW., Suite 403, Washington, D.C. 20036.
B. Outdoor Advertising Association of America, Inc., 1899 L Street NW., Suite 403, Washington, D.C. 20036.
D. (6) $1,250. E. (9) $823.

A. Donald M. Clarke, Collins & Smith Associates, Inc., 201 North Fairfax Street, Alexandria, Va. 22314.
B. International Harvester Co., 401 North Michigan Avenue, Chicago, Ill. 60611.
D. (6) $2,250.

A. Wade P. Clarke, Jr., Deere & Co., John Deere Road, Moline, Ill. 61265.
B. Deere & Co., John Deere Road, Moline, Ill. 61265.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Industrial Health Council, 1075 Central Park Avenue, Scarsdale, N.Y. 10583.
D. (6) $75.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. National Securities Clearing Corp., 55 Water Street, New York, N.Y. 10041.
D. (6) $490.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. Sporting Arms and Ammunition Manufacturers Institute, 104 Turnpike Road, Wallingford, Conn. 01492.

A. Ronald D. Clements, 1111-19th Street NW., Washington, D.C. 20036.
B. Edison Electric Institute, 1111-19th Street NW., Washington, D.C. 20036.
D. (6) $2,150. E. (9) $410.

A. The Cleveland Electric Illuminating Co., 55 Public Square, Cleveland, Ohio 44113.
E. (9) $805.50.

A. Clifford & Warnke, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Australian Meat & Live-Stock Corp., One World Trade Center, New York, N.Y. 10048.
D. (6) $1,350. E. (9) $321.03.

A. Clifford & Warnke, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Joint Corporate Committee on Cuban Claims, c/o Lone Star Industries, Inc., P.O. Box 5050, Greenwich, Conn. 06830.
D. (6) $900. E. (9) $270.

A. Clifford & Warnke, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. National Tour Brokers Association, 120 Kentucky Avenue, Lexington, Ky. 40502.
D. (6) $3,615. E. (9) $1,092.75.

A. Clifford & Warnke, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Phillips Petroleum Co., Bartlesville, Okla. 74004.
E. (9) $3.
A. Clifford & Warnke, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Warner-Lambert, 201 Tabor Road, Morris Plains, N.J. 07950.

A. Dexanne B. Clohan, American Medical Association, 1776 K Street NW., Washington, D.C. 20006.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill. 60610.
D. (6) $3,769.

A. Coalition for Legal Services, Inc., 1625 K Street NW., Washington, D.C. 20006.
D. (6) $3,084. E. (9) $13,033.54.

A. Coan, Couture, Lyons & Moorhead, 1625 I Street NW., No. 1015, Washington, D.C. 20006.
B. Tosco, 10100 Santa Monica Boulevard, Los Angeles, Calif. 90067.
D. (6) $1,200.

A. Coan, Couture, Lyons & Moorhead, 1625 I Street NW., No. 1015, Washington, D.C. 20006.
B. Westinghouse Electric Corporation Manufacture, Westinghouse Building, Gateway Center, Pittsburgh, Pa. 15222.
D. (6) $350.

A. Thomas B. Coates, Connecticut Petroleum Council, 410 Asylum Street, Hartford, Conn. 06103.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

A. Cobb Green & Associates, Postal 974, Las Vegas, Nev. 98125.
B. Council for a Competitive Economy.
D. (6) $9,375.

A. Richard B. Cobb, Petroleum Council of Georgia, 230 Peachtree Street NW., Ste. 1500, Atlanta, Ga. 30303.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $184. E. (9) $334.15.

A. John J. Coffey, 1700 K Street NW., Washington, D.C. 20006.
B. Chevron U.S.A. Inc., 1700 K Street NW., Washington, D.C. 20006.
D. (6) $650.

A. Don V. Cogman, MAPCO Inc., 1100 Connecticut Avenue NW., Suite 820, Washington, D.C. 20036.
B. MAPCO Inc., 1800 South Baltimore Avenue, Tulsa, Okla. 74119.
D. (6) $3,750. E. (9) $281.50.

A. David Cohen, 2030 M Street NW., Third Floor, Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., Third Floor, Washington, D.C. 20036.
D. (6) $9,000.

A. Cohen & Uretz, 1775 K Street NW., Washington, D.C. 20006.
B. Estate of Sylvia Buring, 1837 Harbor Avenue, Memphis, Tenn. 38113.
D. (6) $26,490. E. (9) $49.17.

A. Cohen & Uretz, 1775 K Street NW., Washington, D.C. 20006.
B. Northwest Energy Company, 315 East 200 South, Salt Lake City Utah 84111.
D. (6) $4,464.75. E. (9) $33.23.

A. Cohen & Uretz, 1775 K Street NW., Washington, D.C. 20006.
B. Pan American World Airways, Inc., Pan Am Building, New York, N.Y. 10017.

A. Cohen & Uretz, 1775 K Street NW., Washington, D.C. 20006.
B. Stichting Philips Pension Funds A and B, Tramstraat 62, Eindhover, The Netherlands.
D. (6) $17,612.50. E. (9) $520.03.

A. Cohen & White, 1218 16th Street NW., Washington, D.C. 20036.
B. Computer & Communications Industry Association, Suite 512, 1500 Wilson Boulevard, Arlington, Va. 22209.
D. (6) $1,050. E. (9) $98.35.

A. Herbert B. Cohn, Morgan, Lewis & Bockius, 1800 M Street NW., Washington, D.C. 20036.
B. Committee for Capital Formation Through Dividend Reinvestment, 1800 M Street NW., Suite 800 North, Washington, D.C. 20036.

A. Elizabeth A. Coker, Seafarers International Union, Room 510, 815 16th Street NW., Washington, D.C. 20006.
B. Seafarers International Union, 815 16th Street NW., Suite 510 Washington, D.C. 20006.
D. (6) $3,000. E. (9) 88.35.

A. Cole & Corette, 1200 17th Street NW., Washington, D.C. 20036.
B. American Petroleum Refiners Association, Ring Building, Washington, D.C.
E. (9) $56.

A. Cole & Corette, 1200 17th Street NW., Washington, D.C. 20036.
B. The Chase Manhattan Bank, N.A. One Chase Manhattan Plaza New York, N.Y. 10015.
D. (6) $3,532.73 E. (9) $353.57.

A. E. William Cole, Union Oil Co. of California, 1100 Connecticut Avenue NW., Suite 800 Washington, D.C. 20036
B. Union Oil Co. of Californa, 461 South Boylston Street, Los Angeles, Calif. 90017.
D. (6) $600. E. (9) $90.

A. Eleanor Cole UBA, Inc. 1800 M Street NW., Washington, D.C. 20036
B. UBA, Inc. 1800 M Street NW., 460 South Washington, D.C. 20036.
D. (6) $1,000.

A. Stacey W. Cole, 1 New Hampshire Petroleum Council 23 School Street Concord, N.H. 03301

B. American Petroleum Institute 2101 L St., NW Washington, D.C. 20037.

A. John M. Collier, 4436 Perrier New Orleans, La. 70115
B. Southern Forest Products Assn. P.O. Box 52468 New Orleans, La. 70152.
D. (6) $9,557.52.

A. Collier, Shannon, Rill & Scott, 1055 Thomas Jefferson Street NW., Suite 308, Washington, D.C. 20007.
B. American Frozen Food Institute, 1700 Old Meadow Road, Suite 100, McLean, Va. 22102.

A. Collier, Shannon, Rill & Scott, 1055 Thomas Jefferson Street NW., Suite 308, Washington, D.C. 20007.
B. American Meat Institute, 1700 North Moore Street, Arlington, Va. 22209.
D. (6) $888.75. E. (9) $17.30.

A. Collier, Shannon, Rill & Scott, 1055 Thomas Jefferson Street NW., Suite 308, Washington, D.C. 20007.
B. Norris Industries, Vernon Division, 5215 South Boyle, Los Angeles, Calif. 90058.
D. (6) $1,000. E. (9) $50.

A. Collier, Shannon, Rill & Scott, 1055 Thomas Jefferson Street NW., Suite 308, Washington, D.C. 20007.
B. Outdoor Power Equipment Institute 1901 L Street, NW., Washington, D.C. 20036.
D. (6) $6,000. E. (9) $252.38.

A. Collier, Shannon, Rill & Scott, 1055 Thomas Jefferson Street NW., Suite 308, Washington, D.C. 20007.
B. Tool & Stainless Steel Industry Committee, 1055 Thomas Jefferson Street NW., Washington, D.C. 20007.

A. Collier, Shannon, Rill & Scott, 1055 Thomas Jefferson Street NW., Suite 308, Washington, D.C. 20007.
B. West Texas Land & Royalty Owners Association, P.O. Box 67, Snyder, Tex. 79549.

A. Collier, Shannon, Rill & Scott, 1055 Thomas Jefferson Street NW., Suite 308, Washington, D.C. 20007.
B. Crop Insurance Research, Bureau, P.O. Box 68700, Indianapolis, Ind. 46268.

A. Collier, Shannon, Rill & Scott, 1055 Thomas Jefferson Street NW., Suite 308, Washington, D.C. 20007.
B. Ferrous Scrap Consumers Coalition, 1055 Thoms Jefferson Street NW., Washington, D.C. 20007.

A. Collier, Shannon, Rill & Scott, 1055 Thomas Jefferson Street NW., Suite 308, Washington, D.C. 20007.
B. Food Marketing Institute, 1750 K Street NW., Washington, D.C. 20006.

A. Collier, Shannon, Rill & Scott, 1055 Thomas Jefferson Street NW., Suite 308, Washington, D.C. 20007.
B. Independent Lubricant Manufacturers Association, 1055 Thomas Jefferson Street NW., Washington, D.C. 20007.

A. Collier, Shannon, Rill & Scott, 1055 Thomas Jefferson Street NW., Suite 308, Washington, D.C. 20007.
B. National Association of Convenience Stores, Three Skyline Place, Suite 809, 5201 Leesburg Pike, Falls Church, Va. 22041.

A. Collier, Shannon, Rill & Scott, 1055 Thomas Jefferson Street NW., Suite 308, Washington, D.C. 20007.
B. National Broiler Council, 1155 15th Street NW., Washington, D.C. 20005.

A. Frank Collins, 1126 16th Street NW., Washington, D.C. 20036.

B. Oil, Chemical and Atomic Workers International Union 1636 Champa Street Denver, Colo. 80201.
D. (6) $2,000.

A. George R. Collins, IUE-AFL-CIO, 1126 16th Street NW., Washington, D.C. 20036.
B. IUE-AFL-CIO, 1126 16th Street NW., Washington, D.C. 20036.
D. (6) $600. E. (9) $300.

A. Marvin Collins, American Council of Life Insurance, Inc., 1850 K Street NW., Washington, D.C. 20006.
B. American Council of Life Insurance, Inc., 1850 K Street NW., Washington, D.C. 20006.
D. (6) 430.

A. Mary M. Collins, Shell Oil Co., 1025 Connecticut Avenue NW., Suite 200, Washington, D.C. 20036.
B. Shell Oil Co., P.O. Box 2463, Houston, Tex. 77001.
D. (6) $500.

A. Paul L. Collins American Personnel & Guidance Association, 2 Skyline Place, Suite 400, 5203 Leesburg Pike, Falls Church, Va. 22041.
B. American Personnel & Guidance Association, 2 Skyline Place, Suite 400, 5203 Leesburg Pike, Falls Church, Va. 22041.

A. Geri Colombaro, National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
D. (6) $5.40. E. (9) $28.
A. Colorado Railroad Association, 420 Denver Club Building, Denver, Colo. 80220.
B. Colorado RR Association, 420 Denver Club Building, Denver, Colo.

A. Colorado Ski Country USA, 1410 Grant Street, Suite A-201, Denver, Colo. 80203.
D. (6) $400.

A. W. Kent Combs International Business Machines Corp., 1801 K Street NW., Washington, D.C. 20006.
B. International Business Machines Corp., Old Orchard Road, Armonk, N.Y. 10504.
D. (6) $767.05. E. (9) $67.60.

A. Committee for Capital Formation Through Dividend Reinvestment, 1800 M Street NW., Suite 800 N, Washington, D.C. 20036.
D. (6) $72. E. (9) $72.

A. Committee for Effective Capital Recovery, 1901 L Street NW., Suite 303, Washington, D.C. 20036.
D. (6) $1,315.54. E. (9) $1,315.54.

A. Committee for Effective Tax Incentives, One Farragut Square, Eighth Floor, Washington, D.C. 20006.

A. Committee for Humane Legislation, Inc., 11 West 60th Street, New York, N.Y. 10023.
D. (6) $5,113.36. E. (9) $5,622.36.

A. Committee of Urban Program Universities, 1300 19th Street NW., Suite 220, Washington, D.C. 20036.
D. (6) $29,100. E. (9) $9,607.20.

A. Committee To Assure the Availability of Casein, 3213 O Street NW., Washington, D.C. 20007.
D. (6) $30,750. E. (9) $3,000.

A. Common Cause, 2030 M Street NW., Washington, D.C. 20006.
D. (6) $1,696,339. E. (9) $278,625.72.

A. Community Nutrition Institute, 1146 19th Street NW., Washington, D.C. 20036.
E. (9) $396.12.

A. Lance Compa, United Electrical, Radio & Machine Workers of America, 1411 K Street NW., Suite 410, Washington, D.C. 20005.
B. United Electrical, Radio & Machine Workers of America (UE), 11 East 51 Street, New York, N.Y. 10022.
D. (6) $4,667. E. (9) $97.50.

A. Computer & Communications Industry Association, Suite 512, 1500 Wilson Boulevard, Arlington, Va. 22209.

A. Edward C. Cone, Jr., P.O. Box 1606, Forest Park, Ga. 30051.
B. Southeastern Lumber Manufacturers Association, P.O. Box 1606, Forest Park, Ga. 30051.
D. (6) $28.86.

A. Congress Watch, 215 Pennsylvania Avenue SE., Washington, D.C. 20003.
E. (9) $35,791.09.

A. Raymond F. Conkling, Texaco, Inc., 1050 17th Street NW., Washington, D.C. 20036.
B. Texaco Inc., 2000 Westchester Avenue, White Plains, N.Y. 10650.
D. (6) $300. E. (9) $15.75.
A. Stephen N. Conner, Route 1, Box 165, Easton, Md. 21601.
B. Ministry of Foreign Affairs, Kingdom of Saudi Arabia, c/o Royal Embassy of Saudi Arabia, 1520 18th Street NW., Washington, D.C.
D. (6) $10,000. E. (9) $2,016.25.

A. Albert J. Conners, Air Force Sergeants Association, 5211 Auth Road, Suitland, Md. 20746.
B. Air Force Sergeants Association, 5211 Auth Road, Suitland, Md. 20746.

A. John J. Connolly, the American Waterways Operators, Inc., 1600 Wilson Boulevard, Suite 1000, Arlington, Va. 22209.
B. The American Waterways Operators, Inc., 1600 Wilson Boulevard, Suite 1000, Arlington, Va. 22209.
D. (6) $2,000.

A. John P. Connolly, Suite 802, 2000 L Street NW., Washington, D.C. 20036.
B. Popham, Haik, Schnobrich, Kaufman & Doty, Ltd., 4344 IDS Center, Minneapolis, Minn. 55402 (for Newcomb Securities Co., 767 Fifth Avenue, 34th floor, New York, N.Y. 10153).
D. (6) $7,607.50. E. (9) $707.97.

A. John P. Connolly, Suite 802, 2000 L Street NW., Washington, D.C. 20036.
B. Popham, Haik, Schnobrich, Kaufman & Doty, Ltd., 4344 IDS Center, Minneapolis, Minn. 55402, (for Chicago Mercantile Exchange, 444 West Jackson Boulevard, Chicago, Ill, 60606.).

A. John P. Connolly, Suite 802, 2000 L Street NW., Washington, D.C. 20036.
B. Popham, Haik, Schnobrich, Kaufman & Doty, Ltd., 4344 IDS Center, Minneapolis, Minn. 55402, for Glenrock Refinery, Inc., P.O. Box 2553, Casper, Wyo. 82602.

A. Richard J. Connor, Jr., Distilled Spirits Council of the U.S., Inc., 1300 Pennsylvania Bldg., Washington, D.C. 20004.
B. Distilled Spirits Council of the U.S., Inc., 1300 Pennsylvania Bldg., Washington, D.C. 20004.
D. (6) $4,052.50 E. (9) $261.61.

A. Jerry C. Connors, American Automobile Association, 8111 Gatehouse Road, Falls Church, Va. 22047.

B. American Automobile Association 8111 Gatehouse Road, Falls Chruch, Va 22047.

A. Consolidated Edison Co. of New York, Inc., 4 Irving Place, New York, N.Y. 10003.
E. (9) $512.50.

A. Consolidated Natural Gas Service Co. Inc., Four Gateway Center, Pittsburgh, Pa. 15222.
D. (6) $3,500.

A. Constructora Nacional de Carros de Ferrocarril, S.A., San Lorenzo No. 925, 5 piso, Mexico, D.F., Mexico.
E. (9) $45.81.

A. Consumers Union of U.S., Inc., 256 Washington Street, Mt. Vernon, N.Y. 10550.
E. (9) $10,416.00

A. Control Data Corp., 500 West Putnam Avenue, Greenwich, Conn.
E. (9) $525.74.

A. John T. Conway, 410 First Street SE., Washington, D.C.
B. American Nuclear Energy Council, 410 First Street SE., Washington, D.C.
D. (6) $3,937.50 E. (9) $655.97.

A. Alexandra W. Cook, 229 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. EDS Corp., 229 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $532.50 E. (9) $483.81.

A. Charles F. Cook, American Mining Congress, 1920 N Street NW., Washington, D.C. 20036.
B. American Mining Congress, 1920 N Street NW., Washington, D.C. 20036.
D. (6) $90.86. E. (9) $6.50.

A. Frederick N. Cook, Vermont Petroleum Association, P.O. Box 566, Montpelier, Vt. 05602.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $450.

A. Harry N. Cook, 1130 17th Street NW., Washington, D.C. 20036.
B. Waterways Conference, Inc.

A. Crawford Cook and Co., P.O. Box 50485, Columbia, S.C. 29250.
B. Ministry of Foreign Affairs of the Kingdom of Saudi Arabia, Riyadh, Saudi Arabia,
D. (6) $325,000. E. (9) $174,978.06.

A. K. Richard Cook, General Electric Co., 777 14th Street NW., Washington, D.C. 20005.
B. General Electric Co., 3135 Easton Turnpike, Fairfield, Conn. 06431.
D. (6) $375.

A. Cook, Purcell, Hansen & Henderson, Chartered, 1015 18th Street NW., Washington, D.C. 20036.
B. American Academy of Ophthalmology, 1833 Filmore Street, San Francisco, Calif. 94120.

A. Cook, Purcell, Hansen & Henderson, Chartered, 1015 18th Street NW., Suite 1100, Washington, D.C. 20036.
B. American Motorcyclist Association, P.O. Box 141, Westerville, Ohio 43081.
D. (6) $1,175.

A. Cook, Purcell, Hansen & Henderson Chartered, 1015 18th Street NW., Suite 1100, Washington, D.C. 20036.
B. B.A.T. Industries, Ltd., P.O. Box 345—Windsor House, 50 Victoria Street, London SW1H ONL, England.
D. (6) $18,771.25. E. (9) $261.85.

A. Cook, Purcell, Hansen & Henderson, Chartered, 1015 18th Street NW., Washington, D.C. 20036.
B. Comprehensive Care Corp. (CompCare), 660 Newport Center Drive, Newport Beach, Calif. 92660.
D. (6) $150.

A. Cook, Purcell, Hansen & Henderson, Chartered, 1015 18th Street NW., Washington, D.C. 20036.
B. Congress of County Medical Societies, Doctors Building, Independence & Kenn., Shawnee, Okla.

A. Cook, Purcell, Hansen & Henderson Chartered, 1015 18th Street NW., Suite 1100, Washington, D.C. 20036.
B. Harley-Davidson Motor Co., Inc., P.O. Box 652, Milwaukee, Wis. 53201.
D. (6) $22,640.95. E. (9) $120.80.

A. Eileen D. Cooke, American Library Association, 110 Maryland Avenue NE., Box 54, Washington, D.C. 20002.
B. American Library Association, 50 E. Huron Street, Chicago, Ill. 60611.
D. (6) $1,085.

A. Paul H. Cooksey, 212 North Lee Street, Alexandria, Va. 22314.
B. Cooksey Corp., 212 North Lee Street, Alexandria, Va. 22314 (for Marconi Space & Defense Systems).
D. (6) $1,500. E. (9) $32.60.

A. Paul H. Cooksey, 212 North Lee Street, Alexandria, Va. 22314.
B. Cooksey Corp., 212 North Lee Street, Alexandria, Va. 22314 (for Messerschmitt-Bolkow-Blohm).
D. (6) $4,500. E. (9) $36.50.

A. Bernard J. Cooney, Howrey & Simon, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Paul E. Cooney, Foley, Lardner, Hollabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Suite 1000, Washington, D.C. 20006.
B. First Wisconsin National Bank of Milwaukee, 777 East Wisconsin Avenue, Milwaukee, Wis. 53202.

A. Paul E. Cooney, Foley, Lardner, Hollabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Suite 1000, Washington, D.C. 20006.
B. Phosphate Rock Export Association, 1311 North West Shore Boulevard, Tampa, Fla. 33607.

A. Edward Cooper, 1600 I Street NW., Washington, D.C. 20006.
B. Motion Picture Association of America, Inc., 1600 I Street NW., Washington, D.C. 20006.

A. Emanuel M. Cooper, 651 State Street, Bridgeport, Conn.

A. Jess Cooper, 1155 15th Street NW., Suite 314, Washington, D.C. 20005.
B. Rocky Mountain Oil and Gas Association, 345 Petroleum Building, Denver, Colo. 80202.
D. (6) $852. E. (9) $669.58.

A. Joshua W. Cooper, Portsmouth-Kittery Armed Services Committee, Inc., 626 South Lee Street, Alexandria, Va. 22314.
B. Portsmouth-Kittery Armed Services Committee, Inc., Box 1123, Portsmouth, N.H. 03801.
D. (6) $2,800. E. (9) $1,071.96.

A. Kathy J. Cooper, Chevron U.S.A. Inc., 1700 K Street NW., Suite 1204, Washington, D.C. 20006.
B. Chevron U.S.A., Inc., a Subsidiary of Standard Oil Co. of California, 1700 K Street NW., Suite 1204, Washington, D.C. 20006.
D. (6) $125.

A. Mitchell J. Cooper, 1001 Connecticut Avenue NW., Washington, D.C. 20036.
B. Council of Forest Industries, 1055 Hastings Street, Vancouver 1, Canada.
D. (6) $6,000.

A. Mitchell J. Cooper, 1001 Connecticut Avenue NW., Washington, D.C. 20036.
B. Footwear Division, Rubber Manufacturers Association, 1901 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $10,500.

A. Cooperative League of the U.S.A., 1828 L Street NW., Suite 1100, Washington, D.C. 20036.
D. (6) $5,766. E. (9) $18,388.52.

A. Darrell Coover, National Association of Independent Insurers, 499 South Capitol Street SW., No. 401 Washington, D.C. 20003.
B. National Association of Independent Insurers, 2600 River Road, Des Plaines, Ill. 60018.
D. (6) $2,000. E. (9) $317.

A. James M. Copeland, Chicago Mercantile Exchange, 1101 Connecticut Avenue NW., Suite 801, Washington D.C. 20036.
B. Chicago Mercantile Exchange, 444 West Jackson Boulevard, Chicago, Ill. 60606.
D. (6) $6,999.

A. Constance E. R. Corbino, 1015 15th Street NW., No. 802, Washington, D.C. 20005.
B. American Consulting Engineers Council, 1015 15th Street NW., No. 802, Washington, D.C. 20005.
D. (6) $375.

A. John F. Corcoran, Southern Railway Co., 920 15th Street NW., Washington, D.C. 20005.
B. Southern Railway Co., 920 15th Street NW., Washington, D.C. 20005.
D. (6) $1,000.

A. Corcoran, Youngman & Rowe, 1511 K Street NW., Suite 1100, Washington, D.C. 20005.
B. Frank G. Kingsley, 285 Canoe Road, New Canaan, Conn. 06840.
D. (6) $17,500 E. (9) $450.

A. Corcoran, Youngman & Rowe, 1511 K Street NW., Suite 1100, Washington, D.C. 20005.
B. Milliken & Co., P.O. Box 1927, Spartanburg, S.C. 29304.
D. (6) $10,000 E. (9) $230.

A. Samuel C. Corey, Jr., 2500 DeKalb Pike, Norristown, Pa.
B. Provident Indemnity Life Insurance Co., 2500 DeKalb Pike, Norristown, Pa. 19404.

A. Samuel C. Corey, Sr., 2500 DeKalb Pike, Norristown, Pa.
B. Provident Indemnity Life Insurance Co., 2500 DeKalb Pike, Norristown, Pa. 19404.

A. Bennett J. Corn, Coffee, Sugar & Cocoa Exchange, Inc., 4 World Trade Center, New York, N.Y. 10048.
Coffee, Sugar & Cocoa Exchange, Inc., 4 World Trade Center, 8th Floor, New York, N.Y. 10048.

D. (6) $250. E. (9) $530.02.

A. Corn Refiners Association, Inc., 1001 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $4,416. E. (9) $2,494.

A. Cornell Oil Co., 5440 Harvest Hill Road, Suite 200, Dallas, Tex. 75230.
E. (9) $4,653.27.

A. Allan D. Cors, Corning Glass Works, 1800 K Street NW., Suite 1104, Washington, D.C. 20006.
B. Corning Glass Works, Corning, N.Y. 14831.
D. (6) $750.

A. Glen S. Corso, Mortgage Bankers Association of America, 1125 15th Street NW., Washington, D.C. 20005.
B. Mortgage Bankers Association of America, 1125 15th Street NW., Washington, D.C. 20005.
D. (6) $6,750. E. (9) $262.

A. R. H. "Dick" Cory, 1510 American Bank Tower, Austin, Tex. 78701.
B. Central and South West Services, Inc., One Main Place, Suite 2700, Dallas, Tex. 75250.

A. John E. Cosgrove, Public Employee Department, AFL-CIO, 815 16th Street NW., Suite 308, Washington, D.C. 20006.
B. Public Employee Department, AFL-CIO, 815 16th Street NW., Suite 308, Washington, D.C. 20006.
D. (6) $11,979.89.

A. Tom Cosgrove, 530 7th Street SE., Washington, D.C. 20003.
B. National Clean Air Coalition, 530 7th Street SE., Washington, D.C. 20003.
D. (6) $3,000. E. (9) $38.64.

A. The Cosmetic, Toiletry and Fragance Association, Inc., 1110 Vermont Avenue NW., Suite 800, Washington, D.C. 20005.

A. Clark R. Cosse III, 5644 Hawthorne Place, New Orleans, La. 70124.
B. Southern Forest Products Association, P.O. Box 52468, New Orleans, La. 70152.
D. (6) $8,525.04.

A. James R. Costello, Jr., American Textile Manufacturers Institute, Inc., 1101 Connecticut Avenue NW., No. 300, Washington, D.C. 20036.
B. American Textile Manufacturers Institute, Inc., 1101 Connecticut Avenue NW., No. 300, Washington, D.C. 20036.
D. (6) $500. E. (9) $55.20.

A. Michael E. Costello, 1090 Vermont Avenue NW., Suite 600, Washington, D.C. 20005.
B. Texas Eastern Transmission Corp., P.O. Box 2521, Houston, Tex. 77001.
E. (9) $907.91.

A. Diane M. Costenoble, Food and Beverage Trades Department, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $386.69. E. (9) $48.37.

A. Cotton Farmers Association, 700 Texas Center, 900 Washington, Waco, Tex. 76703.
D. (6) $150.

A. J. Barry Coughlin, Ford Motor Co., 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Ford Motor Co., Dearborn, Mich. 48121.
D. (6) $1,530. E. (9) $1,025.76.

A. Paul J. Coughlin, Jr., 1120 20th Street NW., Suite 600 S, Washington, D.C. 20036.
B. Union Pacific Corp., 345 Park Avenue, New York, N.Y. 10154.
D. (6) $1,250.

A. Craig A. Coulter, 1660 L Street NW., Suite 207, Washington, D.C. 20036.
B. Cities Service Co., 1660 L Street NW., Suite 207, Washington, D.C. 20036.
D. (6) $787.50.

A. Council for a Livable World, 11 Beacon Street, Boston, Mass. 02108.
E. (9) $13,372.35.

A. Council for Languages and Other International Studies, 11 dupont Circle NW., Suite 210, Washington, D.C. 20036.
B. Council for Languages and Other International Studies.
D. (6) $3,833. E. (9) $3,813.

A. Council of Energy Resource Tribes, 1140 Connecticut Avenue NW., Suite 310, Washington, D.C. 20036.

A. Council of Industrial Boiler Owners, 11222 Silverleaf Drive, Fairfax Station, Va. 22039.
E. (9) $850.

A. Council of State Chambers of Commerce, 499 South Capitol Street SW., Suite 412, Washington, D.C. 20003.
D. (6) $608.89. E. (9) $365.14

A. Jean Anne Courey, National Association of Arab Americans, 1825 Connecticut Avenue NW., Washington, D.C. 20009.
B. National Association of Arab Americans, 1825 Connecticut Avenue NW., Washington, D.C. 20009.
D. (6) $1,812.50. E. (9) $425.

A. Willian R. Courtney, P.O. Box 844, Temple, Tex. 76501.
B. Tribal Council of The Coushatta Tribe of Louisiana, c/o Ernest Sickey, P.O. Box 988, Elton, La. 70532.
E. (9) $67.50.

A. James H. Cousins, Sr., National Savings and Loan League, 1101 15th Street NW., Washington, D.C. 20005.
B. National Savings and Loan League, 1101 15th Street NW., Washington, D.C. 20005.
D. (6) $2,000. E. (9) $201.

A. Covington & Burling, 1201 Pennsylvania Avenue NW., P.O. Box 7566, Washington, D.C. 20044.
B. American Association of Oral and Maxillofacial Surgeons, 211 East Chicago Avenue, Chicago, Ill. 60611.
E. (9) $3.70.

A. Covington & Burling, 1201 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. American Watch Association, Inc., 10 East 40th Street, New York, N.Y. 10016.
E. (9) $9.

A. Covington & Burling, 1201 Pennsylvania Avenue NW., P.O. Box 7566, Washington, D.C. 20044.
B. Association of Maximum Service Telecasters, Inc. ("MST"), 1735 DeSales Street NW., Washington, D.C. 20036.
D. (6) $1,080.

A. Covington & Burling, 1201 Pennsylvania Avenue NW., Washington, D.C. 20044.
B. Bristol Bay Native Corp., P.O. Box 220, Anchorage, Alaska 99510.

A. Covington & Burling, 1201 Pennsylvania Avenue NW., P.O. Box 7566, Washington, D.C. 20044.
B. Facet Enterprises, Inc., 7030 South Yale Avenue, Tulsa, Okla. 74177.
E. (9) $14.90.

A. Covington & Burling, 1201 Pennsylvania Avenue NW., P.O. Box 7566, Washington, D.C. 20044.
B. Investment Company Institute, 1775 K Street NW., Washington, D.C. 20006.
D. (6) $17,000. E. (9) $62.10.

A. Covington & Burling, 1201 Pennsylvania Avenue NW., Washington, D.C. 20044.
B. Irving Trust Company, 1 Wall Street, New York, N.Y. 10015.

A. Covington & Burling, 1201 Pennsylvania Avenue NW., Washington, D.C. 20044.
B. MasterCard International Incorporated, 888 Seventh Avenue, New York, N.Y. 10019.

A. Covington & Burling, 1201 Pennsylvania Avenue NW., Washington, D.C. 20044.
B. National Committee for Limited Profit Housing, c/o HHH Construction Corp., 515 Madison Avenue, New York, N.Y. 10022.

A. Covington & Burling, 1201 Pennsylvania Avenue NW., Washington, D.C. 20044.
B. Hugo Neu, 380 Madison Avenue, New York, N.Y. 10017 and Hugo Neu & Sons, Inc., 380 Madison Avenue, New York, N.Y. 10017

A. Covington & Burling, 1201 Pennsylvania Avenue NW., Washington, D.C. 20044.
B. New York State Urban Development Corp., 1515 Broadway, New York, N.Y. 10036.

A. Covington & Burling, 1201 Pennsylvania Avenue NW., P.O. Box 7566, Washington, D.C. 20044.
B. Phillips Petroleum Co., 1262 Adams Building, Bartlesville, Okla. 74044.

A. Covington & Burling, 888 Sixteenth Street NW., Washington, D.C. 20006.
B. Reichhold Energry Corp., P.O. Box 1482, Tacoma, Wash. 98401.

A. Covington & Burling, 1201 Pennsylvania Avenue NW., Washington, D.C. 20044.
B. Securities Industry Association, 489 L'Enfant Plaza East SE., Washington, D.C. 20024.

A. Eugene S. Cowen, 2759 Unicorn Lane NW., Washington, D.C. 20015.
B. American Broadcasting Co., 1150 17th Street NW., Washington, D.C. 20036.
D. (6) $111.60.

A. Archibald Cox, 2030 M Street NW., Suite 300, Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., Suite 300, Washington, D.C. 20036.
D. (6) $4,042.50. E. (9) $341.09.

A. C. Bryan Cox, P.O. Box 139, Kansas City, Mo. 64141.
B. Kansas City Life Insurance Co., P.O. Box 139, Kansas City, Mo. 64141.

A. Joseph S. Crane, American Institute of Architects, 1735 New York Avenue NW., Washington, D.C. 20006.
B. American Institute of Architects, 1735 New York Avenue NW., Washington, D.C. 20006.
D. (6) $437.50.

A. Charles S. Crawford, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

B. Gray and Co., The Power House, 3255 Grace Street NW., Washington, D.C. 20007 (for American Iron and Steel Institute).

A. Charles S. Crawford, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray and Co., (for Avis Enterprises), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
D. (6) $1,200.

A. Charles S. Crawford, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray and Co., The Power House, 3255 Grace Street NW., Washington, D.C. 20007 (for HTB Corp.).

A. Charles S. Crawford, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for the Joint Maritime Congress), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
D. (6) $2,000.

A. Charles S. Crawford, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Company (for Management Insights, Inc.), The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
D. (6) $25,000.

A. Charles S. Crawford, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray and Co., 3255 Grace Street NW., The Power House, Washington, D.C. 20007 (for Tera Corp.).

A. William D. Crawford, 400 1st Street NW., Washington, D.C. 20001.
B. Brotherhood Railway Carmen of the United States and Canada, 4929 Main Street, Kansas City, Mo. 64112.
D. (6) $2,031.96.

A. Credit Union National Association, Inc., 1730 Rhode Island Avenue NW., Suite 810, Washington, D.C. 20036.
D. (6) $300. E. (9) $1,005.72.

A. Kathryn Hilton Creech, National Cable Television Association, Inc., 1724 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Cable Television Association, Inc., 1724 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $125.

A. Richard C. Creighton, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.
D. (6) $5,000. E. (9) $500.

A. Joseph M. Cribben, 6900 Valley Brook Drive, Falls Church, Va. 22042.
B. United Association of Journeymen & Apprentices of the Plumbing & Pipe Fitting Industry of the United States & Canada, 901 Massachusetts Avenue NW., Washington, D.C. 20001.
D. (6) $1,750. E. (9) $30.

A. Richard E. Cristol, Calorie Control Council, 5775 Peachtree-Dunwoody Road, Suite 500-D, Atlanta, Ga. 30342.
B. The Robert H. Kellen Company, 5775 Peachtree-Dunwoody Road, Suite 500-D, Atlanta, Ga. 30342 (For: Calorie Control Council, 5775 Peachtree-Dunwoody Road, Suite 500-D, Atlanta, Ga. 30342).
D. (6) $175.

A. P. H. Croft, American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C. 20036.
B. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $1,625.

A. Robert W. Cromartie, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Rural Electric Cooperative Association, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $50.

A. Charles H. Cromwell, Inc., 6709 Georgia Street Chevy Chase, Md. 20815.
B. General Electric Corp., 777 14th Street NW., Suite 1000, Washington, D.C. 20005.

A. Charles H. Cromwell, Inc., 6709 Georgia Street, Chevy Chase, Md. 20815.
B. Hughes Helicopters, 1140 Connecticut Avenue NW., Washington, D.C. 20006.

A. Charles H. Cromwell, Inc., 6709 Georgia Street, Chevy Chase, Md. 20815.
B. Motorola, Inc., 1776 K Street NW., Suite 200, Washington, D.C. 20006.

A. Charles H. Cromwell, Inc., 6709 Georgia Street, Chevy Chase, Md. 20815.
B. Nortrop Corp., 1000 Wilson Boulevard, Suite 2300, Arlington, Va. 22209.

A. Charles H. Cromwell, Inc., 6709 Georgia Street, Chevy Chase, Md. 20815.
B. Vought Corp., 1725 Jefferson Davis Highway, Suite 900, Arlington, Va. 22202.

A. James H. Cromwell, Sr., 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.
D. (6) $3,000. E. (9) $500.

A. Donald A. Crosier, Nebraska Petroleum Council, P.O. Box 95063, Lincoln, Nebr. 68509.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

A. Crowell & Moring, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Associated Gas Distributors, 1100 Connecticut Avenue NW., Washington, D.C. 20036.

A. Crowell & Moring, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Avon Products, Inc., 9 West 57th Street, New York, N.Y. 10019
D. (6) $67. E. (9) $5.

A. Crowell & Moring, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Commuter Airline Association of America, Inc. 1100 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $451.50. E. (9) $7.50.

A. Crowell & Moring, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Control Data Corp., 500 West Putnam Avenue, Greenwich, Conn. 06830.

A. Crowell & Moring, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Eli Lilly & Co., 307 East McCarty Street, Indianapolis, Ind. 46285.
D. (6) $520. E. (9) $10.

A. Crowell & Moring, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. National Association of Wholesaler-Distributors, 1725 K Street NW., Washington, D.C. 20006.
D. (6) $2,280. E. (9) $10.

A. Crowell & Moring, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Pacific Southwest Airlines, 3225 North Harbor Drive, San Diego, Calif. 92101

A. Crowell & Moring, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Pacor Corp., 1900 North Sixth Street, Philadephia, Pa. 19122.
E. (9) $10.

A. Crowell & Moring, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Zimpro Inc., Military Road, Rothschild, Wis. 54474.
D. (6) $129. E. (9) $24.

A. David C. Crowley, 1050 17th Street NW., Suite 770, Washington, D.C. 20036.
B. American Association of Homes for the Aging, 1050 17th Street NW., Suite 770, Washington, D.C. 20036.
D. (6) $450. E. (9) $25.

A. Charles H. Crutchfield, Media Communications, 1409 East Boulevard, Charlotte, N.C. 28203.
B. General Tire & Rubber Co., One General Street, Akron, Ohio 44329.

A. Gerard L. Cullen, 7900 Callaghan Road, San Antonio, Tex. 78229.
B. Datapoint Corp., 9725 Datapoint Drive, San Antonio, Tex. 78284.

A. William E. Cumberland, Mortgage Bankers Assn. of America, 1125 15th Street NW., Washington, D.C. 20005.
B. Mortgage Bankers Assn. of America, 1125 15th Street NW., Washington, D.C. 20005.

A. Gary L. Curran, 328 F Street NE., Washington, D.C. 20002.
B. American Life Lobby, Inc., P.O. Box 490, Stafford, Va.
D. (6) $2,000.

A. Gary L. Curran, 328 F Street NE., Washington, D.C. 20002.
B. The Conservative Caucus, 450 Maple Avenue East, Vienna, Va. 22180.
D. (6) $6,000.

A. John T. Curran, 905 16th Street NW., Washington, D.C. 20006
B. Laborers' International Union of North America, AFL-CIO, 905 16th Street NW., Washington, D.C. 20006
D. (6) $13,282.50. E. (9) $425.85.

A. Sharon Allen Currens, American Institute of Architects, 1735 New York Avenue NW., Washington, D.C. 20006.
B. American Institute of Architects, 1735 New York Avenue NW., Washington, D.C. 20006.
D. (6) $1,400.

A. Carl T. Curtis, 1101 Connecticut Avenue NW., Suite 800, Washington, D.C. 20036.
B. Don Rick Co., 372 Franklin Avenue, Redlands, Calif. 92373.

A. Edward P. Curtis, Jr., Genesee Public Affairs, Inc., 36 West Main Street, Rochester, N.Y. 14614.
B. Ministry of the Environment, Province of Ontario, Canada. 135 St. Clair Avenue West, Toronto, Ontario M4V1P5.
D. (6) $12,250. E. (9) $4,789.89.

A. William K. Dabaghi, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $747.

A. Leslie Dach, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. National Audubon Society, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $4,300. E. (9) $1,225.

A. Fred L. Dahl, 10808 South Glen Road, Potomac, Md. 20854.
B. Bechtel Power Corp., 1620 I Street NW., Washington, D.C. 20006.

A. Terese C. D'Alessio, 2020 North 14th Street, Suite 402, Arlington, Va. 22201.
B. American Newspaper Publishers Association, P.O. Box 17407, Dulles International Airport, Washington, D.C. 20041.
D. (6) $6,670. E. (9) $166.70.

A. Terese C. D'Alessio, 2020 North 14th Street, Suite 402, Arlington, Va. 22201.
B. Media General, Inc., 333 East Grace Street, Richmond, Va. 23219.

A. William Kay Daines, American Retail Federation, 1616 H Street NW., Washington, D.C. 20006.
B. American Retail Federation, 1616 H Street NW., Washington, D.C. 20006.
D. (6) $300. E. (9) $26.80.

A. James G. Dalton, National Society of Professional Engineers, 2029 K Street NW., Washington, D.C. 20006.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C. 20006.
D. (6) $2,000.

A. Donald W. Dalrymple, American Cyanamid Co., Lederle Laboratories & Consumer Products Division, 1575 Eye Street NW., Suite 220, Washington, D.C. 20005.
B. American Cyanamid Co., Wayne, N.J. 07470 & Lederle Laboratories, Pearl River, N.Y. 10965.
D. (6) $3,135.

A. John M. Damgard, ACLI International Inc., 1735 I Street NW., Washington, D.C. 20006.
B. ACLI International Inc., 717 Westchester Avenue, White Plains, N.Y. 10604.

A. Damrell, Damrell & Nelson, P.C., 911 13th Street, P.O. Box 3489, Modesto, Calif. 95353.
B. The Coastal Corp., Nine Greenway Plaza, Houston, Tex. 77046.
D. (6) $1,420.63. E. (9) $358.83.

A. Tracy Danese, P.O. Box 529100, Miami, Fla. 33152.
B. Florida Power & Light Co., P.O. Box 529100, Miami, Fla. 33152.
D. (6) $1,128. E. (9) $1,132.09.

A. Dan Danner, 1747 Pennsylvania Avenue NW., Suite 702, Washington, D.C. 20006.
B. ARMCO, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $300. E. (9) $443.61.

A. Oneida L. Darley, 3251 Old Lee Highway, Suite 500, Fairfax, Va. 22030.
B. National Limestone Institute, Inc. 3251 Old Lee Highway, Suite 500, Fairfax, Va., 22030.

A. Diane Davenny Darneille, Schering-Plough Corp., 1100 17th St. NW., Suite 1206, Washington, D.C. 20036.
B. Schering-Plough Corp., 2000 Galloping Hill Road, Kenilworth, N.J. 07033.
D. (6) $202. E. (9) $203.24.

A. Thomas Roger Dart, Alabama Petroleum Council, P.O. Box 4220, Montgomery, Ala. 36195.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

A. Datapoint Corp., 9725 Datapoint Drive, San Antonio, Tex. 78284.
E. (9) $47,227.33.

A. John C. Datt, American Farm Bureau Federation, 425 13th Street NW., Washington, D.C. 20004.
B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill. 60068.

A. Philip J. Daugherty, Industrial Union Department, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.
B. Industrial Union Department, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $8,719.80. E. (9) $276.49.

A. John B. Davenport, Jr., 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Rural Electric Cooperative Association, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
(6) $170.

A. Larry C. Davenport, Calorie Control Council, 5775 Peachtree-Dunwoody Road, Suite 500-D, Atlanta, Ga. 30342.
B. The Robert H. Kellen Co., 5775 Peachtree-Dunwoody Road, Suite 500-D, Atlanta, Ga. 30342. (For: Calorie Control Council, 5775 Peachtree-Dunwoody Road, Suite 500-D, Atlanta, Ga. 30342.)
D. (6) $175.

A. Daniel I. Davidson, Spiegel & McDiarmid, 2600 Virginia Avenue NW., Washington, D.C. 20037.
B. Northern California Power Agency, 770 Kiely Boulevard, Santa Clara, Calif., 95051, and the cities of Alameda, Biggs, Gridley, Healdsburg, Lodi, Lompoc, Palo Alto, Redding, Roseville, Santa Clara, Ukiah, Calif., and associate member Plumas Sierra Rural Electric Cooperative.

A. Cheryl C. Davis, David Vienna & Associates, 510 C Street NE., Suite 100, Washington, D.C. 20002.
B. National Association of Credit Management, 475 Park Avenue South, New York, N.Y. 10016.

A. Christopher L. Davis Walsh, Cleary, Hamsher & Davis, P.C., 1301 Pennsylvania Avenue NW., Suite 1150, Washington, D.C. 20004.
B. Erie County Industrial Development Agency, Crosby Building, 170 Franklin Street, Buffalo, N.Y. 14202.

A. David R. Davis, Indiana Petroleum Council, 714 Harrison Building, Indianapolis, Ind. 46204.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
E. (9) $30.

A. Drew M. Davis, National Soft Drink Association, 1101 16th Street NW., Washington, D.C. 20036.
B. National Soft Drink Association, 1101 16th Street NW., Washington, D.C. 20036.
D. (6) $187.66.

A. Edward M. Davis, 410 First Street SE., Washington, D.C.
B. American Nuclear Energy Council, 410 First Street SE., Washington, D.C.
D. (6) $2,495. E. (9) $56.11.

A. Fred Davis, Edison Electric Institute, 1111 19th Street NW., Washington, D.C. 20036.
B. Edison Electric Institute, 1111 19th Street NW., Washington, D.C. 20036.
D. (6) $1,155. E. (9) $490.81.

A. Davis, Graham & Stubbs, 2600 Colorado National Building, P.O. Box 185, Denver, Colo. 80202 and 1920 N Street NW., Suite 810, Washington, D.C. 20036.
B. Integrity Oil & Gas Co., 410 17th Street, Suite 1670, Denver, Colo. 80202.
D. (6) $945. E. (9) $750.63.

A. Davis, Graham & Stubbs, 2600 Colorado National Building, P.O. Box 185, Denver, Colo. 80202 and 1920 N Street NW., Suite 810, Washington, D.C. 20036.
B. Snyder Oil Co., 410 17th Street, Suite 1300, Denver, Colo. 80202.
D. (6) $1,026. E. (9) $814.97.

A. Davis, Graham & Stubbs, 2600 Colorado National Building, P.O. Box 185, Denver, Colo. 80202 and 1920 N Street NW., Suite 810, Washington, D.C. 20036.
B. Tenneco Oil Co,, 126 North Point Drive, P.O. Box 2888, Houston Tex. 77001.
D. (6) $1,903.50. E. (9) $1,512.

A. R. Hilton Davis, 1615 H Street NW., Washington, D.C. 20062.
B. Chamber of Commerce of the U.S., 1615 H Street NW., Washington, D.C. 20062.
D. (6) $676. E. (9) $10.

A. Kenneth E. Davis, 1899 L Street NW., No. 807, Washington, D.C. 20036.
B. Rohm & Haas Co., Independence Mall West, Philadelphia, Pa. 19105.
D. (6) $500. E. (9) $81.86.

A. Ovid R. Davis, The Coca-Cola Co., P.O. Drawer 1734, Atlanta, Ga. 30301.
B. The Coca-Cola Co., P.O. Drawer 1734, Atlanta, Ga. 30301.

A. Davis Polk & Wardwell, 1 Chase Manhattan Plaza, New York, N.Y., and 1575 I Street NW., Washington, D.C. 20006.
B. International Paper Co., 77 West 45th Street, New York, N.Y.
D. (6) $970. E. (9) $988.14.

A. Davis Polk & Wardwell, 1575 I Street NW., Washington, D.C. 20005.
B. NLT Corp., National Life Center, Nashville, Tenn. 37250.

A. Robert W. Davis, Ford Motor Co., 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $1,440. E. (9) $903.26.

A. Davis, Wright, Todd, Riese & Jones, 1050 Thomas Jefferson Street NW., Sixth Floor, Washington, D.C. 20007.
B. Southern Pacific Communications Co., P.O. Box 974, Burlingame, Calif. 94010.
D. (6) $100. E. (9) $61.43.

A. William Lee Davis, Westvaco Corp., 299 Park Avenue, New York, N.Y. 10171.
B. Westvaco Corp., 299 Park Avenue, New York, N.Y. 10171.
D. (6) $4,531.25 E. (9) $3,747.77.

A. P. M. Davidson, Jr., North Dakota Railway Lines, 418 East Rosser Avenue, P.O. Box 938, Bismarck, N. Dak. 58501.
B. North Dakota Railway Lines.

A. Donald S. Dawson, Washington Building, Suite 723, Washington, D.C. 20005.
B. Opticians Association of America, 1250 Connecticut Avenue NW., Suite 602, Washington, D.C. 20036.

A. Donald S. Dawson, Washington Building, Suite 723, Washington, D.C. 20005.

B. United States Brewers Association, 1750 K Street NW., Washington, D.C. 20006.

A. Donald S. Dawson, 723 Washington Building, Washington, D.C. 20005.
B. Virgin Islands Gift & Fashion Shop Association, P.O. Box 2232, St. Thomas, V.I.

A. Donald S. Dawson, Washington Building, Suite 723, Washington, D.C. 20005.
B. Virgin Islands Merchants Association, St. Thomas, V.I. 00201.

A. Dawson, Riddell, Fox, Holroyd & Wilson, P.C., 723 Washington Building, Washington, D.C. 20005.
B. Beneficial Corp., Wilmington, Del. 19899.
D. (6) $5,000.

A. Dawson, Riddell, Fox, Holroyd & Wilson, P.C., 723 Washington Building, Washington, D.C. 20005.
B. Dial Finance Corp., 207 Ninth Street, Des Moines, Iowa 50307.

A. J. Edward Day, 21 Dupont Circle NW., Washington, D.C. 20036.
B. Associated Third Class Mail Users, 1725 K Street NW., Washington, D.C. 20006.

A. J. Edward Day, 21 Dupont Circle NW., Washington, D.C. 20036.
B. Electronic Industries Association, Consumer Electronics Group, 2001 I Street NW., Washington, D.C. 20006.

A. John Russell Deane III, 1607 New Hampshire Avenue NW., Washington, D.C. 20009.
B. American Metal Detectors Manufacturers, Inc., 2804 National Drive, Garland, Tex. 75401.

A. John Russell Deane III, 1607 New Hampshire Avenue NW., Washington, D.C. 20009.
B. Coalition of Automotive Associations, 1607 New Hampshire Avenue NW., Washington, D.C. 20009.

A. John Russell Deane III, 1607 New Hampshire Avenue NW., Washington, D.C. 20009.
B. National Outdoor Coalition, 8387 Tamarind Avenue, Fontana, Calif. 92335.

A. John Russell Deane III, 1607 New Hampshire Avenue NW., Washington, D.C. 20009.
B. Specialty Equipment Market Association, 11540 East Slauson Avenue, Whittier, Calif. 90606.
D. (6) $1,249.99. E. (9) $586.98.

A. Gaston de Bearn, Hoffmann-La Roche, Inc., 1775 K Street NW., Suite 300, Washington, D.C. 20006.
B. Hoffmann-La Roche, Inc., 340 Kingsland Street, Nutley, N.J. 07110.

A. Robert L. Debo, Missouri Oil Council, 428 E. Capitol Street, Suite 203, Jefferson City, Mo. 65101.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

A. Mark O. Decker, National Oil Jobbers Council, 1707 H Street NW., Washington, D.C. 20006.
B. National Oil Jobbers Council, 1707 H Street NW., Washington, D.C. 20006.
D. (6) $173.25. E. (9) $173.25.

A. Winston M. Decker, 1522 K Street NW., No. 828 Washington, D.C. 20005.
B. American Veterinary Medical Association, 1522 K Street NW., No. 828, Washington, D.C. 20005.
D. (6) $40.

A. Winston M. Decker, AAVMC, 1522 K Street NW., Suite 828, Washington D.C. 20005.
B. Association of American Veterinary Medical Colleges, 1552 K Street NW., Suite 828, Washington, D.C. 20005.

A. Brian Deery, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. George K. Degnon Associates, Inc., 1211A Dolley Madison Boulevard, Suite 3A, McLean, Va. 22101.
B. Association of State and Territorial Health Officials, 1311A Dolley Madison Boulevard, Suite 3A, McLean, Va. 22101.
E. (9) $500.

A. George K. Degnon Associates, Inc., 1311 A Dolley Madison Boulevard, Suite 3A, McLean, Va. 22101.
B. The National Association of Children's Hospitals and Related Institutes, Suite 34, Independence Mall, 1601 Concord Pike, Wilmington, Del. 19803.
E. (9) $500.

A. DeHart Associates, Inc., 1505 22d Street NW., Washington, D.C. 20037.
B. Recording Industry Association of America, Inc., 888 Seventh Avenue, New York, N.Y. 10106.
D. (6) $2,393. E. (9) $569.93.

A. Edward N. Delaney, 1000 16th Street NW., Washington, D.C. 20036.
B. COMARK, 4000 MacArthur Boulevard, Newport Beach, Calif. 92660.
D. (6) $49,684.42. E. (9) $1,500.60.

A. John W. Delaney, The First National Bank of Boston, 100 Federal Street, Boston, Mass. 02110.
B. The First National Bank of Boston, 100 Federal Street Boston, Mass. 02110.

A. John W. Delaney, First National Boston Corp., 100 Federal Street, Boston, Mass. 02110.
B. First National Boston Corp., 100 Federal Street, Boston, Mass. 02110.

A. Robert B. Delano, American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill. 60068.
B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill. 60068.
D. (6) $2,500.

A. Dell, Craighill, Fentress & Benton, 888 17th Street NW., Suite 1200, Washington, D.C. 20006.
B. Consejo Estatal de Desarrollo Carratera A Tecate, No. 1, Apartado 1798, Tijuana, Baja, Calif.

A. Dell, Craighill, Fentress & Benton, 888 17th Street NW., Suite 1200, Washington, D.C. 20006.
B. Governor Roberto de la Madrid, Gobernador de Baja, California, P.O. Box 286, San Ysidro, Calif. 92073.

A. Cartha D. DeLoach, 700 Anderson Hill Road, Purchase, N.Y. 10577.
B. Pepsi Co. Inc., 700 Anderson Hill Road, Purchase, N.Y. 10577.
D. (6) $600. E. (9) $213.03.

A. Susan C. DeMarr, 1615 H Street NW., Washington, D.C. 20061.
B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C. 20062.
D. (6) $2,500.

A. Tania L. Demchuk, 499 South Capitol Street SW, Suite 401, Washington, D.C. 20003.
B. National Association of Independent Insurers, 2600 River Road, Des Plaines, Ill. 60018.
D. (6) $100.

A. Bradford T. Dempsey, 512 West Maple Drive, Suite 210, Vienna, Va. 22180.

A. George H. Denison, 4827 Del Ray Avenue, Washington, D.C. 20014.
B. Westinghouse Electric Corp., 1801 K Street NW., Washington, D.C. 20006.
D. (6) $1,200.

A. Ray Denison, 815-16th Street NW., Washington, D.C. 20006.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $15,114.68. E. (9) $519.77.

A. John H. Denman, Missouri Oil Council, 428 East Capitol, Suite 203, Jefferson City, Mo. 65101.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

A. Wells Denyes, Eastman Chemical Products, Inc., 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Eastman Chemical Products, Inc., P.O. Box 431, Kingsport, Tenn. 37662.
D. (6) $175.00. E. (9) $11.05.

A. Department for Professional Employees, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $8,538.37. E. (9) $8,538.37.

A. Derrel B. De Passe, Container Corp., of America, 1100 Connecticut Avenue NW., Suite 540, Washington, D.C. 20036.
B. Container Corp., of America, 1100 Connecticut Avenue NW., Suite 540, Washington, D.C. 20036.
D. (6) $9,750. E. (9) $4,950.

A. Samuel L. Devine, Bricker & Eckler, 1301 Pennsylvania Avenue NW., Suite 1150, Washington, D.C. 20004.
B. American Small and Rural Hospital Association, 426 West Main Street, Bellevue, Ohio 44811.

A. Samuel L. Devine, Bricker & Eckler, 1301 Pennsylvania Avenue NW., Suite 1150, Washington, D.C. 20004.
B. Dilworth, Paxson, Kalish & Levy, 1819 H Street NW., Washington, D.C. 20006.

A. Samuel L. Devine, Bricker & Eckler, 1301 Pennsylvania Avenue NW., Suite 1150, Washington, D.C. 20004.
B. Grocery Manufacturers of America, Inc., 1010 Wisconsin Avenue NW., Suite 800, Washington, D.C. 20007.
D. (6) $1,268.75.

A. Samuel L. Devine, Bricker & Eckler, 1301 Pennsylvania Avenue NW., Suite 1150, Washington, D.C. 20004.
B. Occidental Petroleum Corp., 10889 Wilshire Boulevard, Los Angeles, Calif. 90024.
D. (6) $33,333.30. E. (9) $1.58.

A. Samuel L. Devine, Bricker & Eckler, 1301 Pennsylvania Avenue NW., Suite 1150, Washington, D.C. 20004.
B. Payco American Corp., 6230 Busch Boulevard, Columbus, Ohio 43229.

D. (6) $632.50.

A. Samuel L. Devine, Bricker & Eckler, 1301 Pennsylvania Avenue NW., Suite 1150, Washington, D.C. 20004.
B. Pepsico, Inc., Purchase, N.Y. 10577.
D. (6) $10,000. E. (9) $19.60.

A. R. Daniel Devlin, Trans World Airlines, Inc., 1000 16th Street NW., Washington, D.C. 20036.
B. Trans World Airlines, Inc., 605 Third Avenue, New York, N.Y. 10158.
D. (6) $360.

A. Doris J. Dewton, Ashland Oil, Inc., 1025 Connecticut Avenue NW., Suite 507, Washington, D.C. 20036.
B. Ashland Oil, Inc., P.O. Box 391; Ashland, Ky. 41101.
D. (6) $2,000.

A. DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. Airbus Industrie, Avenue Lucien Servanty, 31700 Blagnac, France.
D. (6) $455. E. (9) $6,725.90.

A. DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. European Aerospace Corp., 1101 15th Street NW., Washington, D.C. 20005.

A. DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. Sofreavia, 75 rue la Boetie, Paris 8eme, France.
E. (9) $1,612.50.

A. Diamond Shamrock Corp., 717 North Harwood Street, Dallas, Tex.
E. (9) $2,307.81.

A. Charles J. DiBona, 2101 L Street NW., Washington, D.C. 20037.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $1,875.

A. John M. Dickerman, John M. Dickerman & Associates, Inc., 1730 Rhode Island Avenue NW., Washington, D.C. 20036.
B. National Lumber and Building Material Dealers Association, 1990 M Street NW., Suite 350, Washington, D.C. 20036.
D. (6) $6,000. E. (9) $500.71.

A. Chester T. Dickerson, Jr., Monsanto Co., 1101 17th Street NW., Washington, D.C. 20036.
B. Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo. 63166.
E. (9) $200.98.

A. Ann Sanders Dickey, 1615 H Street NW., Washington, D.C. 20062.
B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C.
D. (6) $3,500. E. (9) $123.90.

A. Dickinson, Wright, Moon, Van Dusen & Freeman, Suite 801, 1901 L Street NW., Washington, D.C. 20036.
B. J. Aron & Company, Inc., 160 Water Street, New York, N.Y. 10038.
D. (6) $10,000. E. (9) $7.25.

A. Dickinson, Wright, Moon, Van Dusen & Freeman, Suite 801, 1901 L Street NW., Washington, D.C. 20036.
B. K Mart Corp., 3100 West Big Beaver Road, Troy, Mich. 48084.
D. (6) $2,295. E. (9) $83.98.

A. Dickstein, Shapiro & Morin, 2101 L Street NW., Washington, D.C. 20037.
B. American Fisheries Defense Committee, 2101 L Street NW., 10th Floor, Washington, D.C. 20037.

A. Dickstein, Shapiro & Morin, 2101 L Street NW., Washington, D.C. 20037.
B. Capeway Seafoods, Inc., 16 Front Street, New Bedford, Mass. 92742.

A. Dickstein, Shapiro & Morin, 2101 L Street NW., Washington, D.C. 20037.
B. Custom Automotive Sound Association, Inc., Suite 1000, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $1,000.

A. Dickstein, Shapiro & Morin, 2101 L Street NW., Washington, D.C. 20037.
B. Federated Cash Management Systems, 421 Seventh Avenue, Pittsburgh, Pa. 15219.

A. Dickstein, Shapiro & Morin, 2101 L Street NW., Washington, D.C. 20037.
B. L-5 Society, 1620 North Park, Tucson, Ariz. 86719.
D. (6) $310.

A. Dickstein, Shapiro & Morin, 2101 L Street NW., Washington, D.C. 20037.
B. Marine Engineers Beneficial Association, 444 North Capitol Street, Washington, D.C. 20001.

A. Dickstein, Shapiro & Morin, 2101 L Street NW., Washington, D.C. 20037.
B. National Federation of Societies for Clinical Social Work, 167 Arcar Road, Babylon, N.Y. 11702.
D. (6) $500.

A. Dickstein, Shapiro & Morin, 2101 L Street NW., Washington, D.C. 20037.
B. The Rockport Yacht & Supply Co., 1114 Main Street, Rockport, Tex. 78382.
D. (6) $5,025.

A. Dickstein, Shapiro & Morin, 2101 L Street NW., Washington, D.C. 20037.
B. The Shrimp Harvesters Coalition of the Gulf Coast & South Atlantic States, 2101 L Street NW., 10th Floor, Washington, D.C. 20037.

A. Dickstein, Shapiro & Morin, 2101 L Street NW., Washington, D.C. 20037.
B. Tennessee Gas Transmission Co., P.O. Box 2511, Houston, Tex. 77001.

A. John R. Dierker, 1150 17th Street NW., Suite 500, Washington, D.C. 20036.
B. McDonnell Douglas Corp., Aerospace Manufacturer, P.O. Box 516, St. Louis, Mo. 63166.
D. (6) $300. E. (9) $112.65.

A. Nancy Dietz, 45 Everett Street, Newton Centre, Mass. 02159.
B. Action for Children's Television, 46 Austin Street, Newtonville, Mass. 02160.
D. (6) $500.

A. Timothy V. A. Dillon, 1850 K Street NW., Suite 380, Washington, D.C. 20006.
B. Westlands Water District, P.O. Box 5222, Fresno, Calif. 93744.
D. (6) $2,400.92. E. (9) $150.92.

A. Thomas A. Dine, 444 North Capitol Street NW., Suite 412, Washington, D.C. 20001.
B. American Israel Public Affairs Committee, 444 North Capitol Street NW., Suite 412, Washington, D.C. 20001.
D. (6) $8,124.99.

A. Michael F. Dineen, Lumbermens Mutual Casualty Co., Suite 206, 600 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Lumbermens Mutual Casualty Co., Long Grove, Ill. 60049.
D. (6) $1,800.

A. Direct Selling Association, 1730 M Street NW., Washington, D.C. 20036.
E. (9) $672.50.

A. Disabled American Veterans, 3725 Alexandria Pike, Cold Springs, Ky. 41076.
D. (6) $67,429.52 E. (9) $67,429.52.

A. J. L. Disque, 556 Morris Avenue, Summit, N.J. 07901.
B. CIBA-GEIGY, 556 Morris Avenue, Summit, N.J. 07901.
D. (6) $1,000. E. (9) $1,174.

A. Patsy B. Dix, National Education Association, 1201 16th Street NW., Washington, D.C. 20036.
B. National Education Association, 1201 16th Street NW., Washington, D.C. 20036.
D. (6) $2,809. E. (9) $30.85.

A. O. L. Dixon III, Gulf Power Co., P.O. Box 1151, Pensacola, Fla. 32520.
B. Gulf Power Co., P.O. Box 1151, Pensacola, Fla. 32520.
D. (6) $1,490. E. (9) $1,580.45.

A. DoALL Co., 254 North Laurel Avenue, Des Plaines, Ill. 60016.
A. William H. Dodds, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW), 1757 N Street NW., Washington, D.C. 20036.
B. International Union, United Automobile, Aerospace & Agricultural Implement Workers of America, 8000 East Jefferson Avenue, Detroit, Mich. 48214.
D. (6) $13,116.75. E. (9) $92.80.

A. Steven P. Doehler, 1725 K Street NW., Suite 1405, Washington, D.C. 20006.
B. Mortgage Insurance Co. of America, 1725 K Street NW., Suite 1405, Washington, D.C. 20006.
D. (6) $5,000.

A. Domestic Wildcatters Association, 900 First City National Bank Building, Houston, Tex. 77002.

A. Brian J. Donadio, 499 South Capitol Street SW., No. 104, Washington, D.C. 20003.
B. American Osteopathic Association, 499 South Capitol Street, No. 104, Washington, D.C. 20003.
D. (6) $1,650.

A. Leo J. Donahue, 230 Southern Building, Washington, D.C. 20005.
B. American Association of Nurserymen, 230 Southern Building, Washington, D.C. 20005.

A. John Donaldson, 3255 Grace Street NW., The Power House, Washington, D.C. 20007.
B. Gray & Co., 3255 Grace Street NW., The Power House, Washington, D.C. 20037 (for Defense Logistics Supply Corp.).

A. John Donaldson, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co., 3255 Grace Street NW., The Power House, Washington, D.C. 20007 (for Tera Corp.).

A. Richard M. Donaldson, 1700 Guildhall Building, Cleveland, Ohio 44115.
B. The Standard Oil Co. (Ohio), Midland Building, Cleveland, Ohio 44115.

A. Timothy Donohoe, 1025 Connecticut Avenue NW., Suite 1014, Washington, D.C. 20036.
B. ENSERCH Corp., 300 South St. Paul Street, Dallas, Tex. 75201.

D. (6) $6,435. E. (9) $1,195.90.

A. Thomas J. Donohue, 1615 H Street NW., Washington, D.C. 20062.
B. Citizen's Choice, Inc., 1615 H Street NW., Washington, D.C. 20062.
D. (6) $5,000.10.

A. Jack C. Donovan, P.O. Box 5000, Cleveland, Ohio 44101.
B. The Cleveland Electric Illuminating Co., P.O. Box 5000, Cleveland, Ohio 44101.

A. William J. Donovan, National Association of Federal Credit Unions, 1111 North 19th Street, Suite 700, Arlington, Va. 22209.
B. National Association of Federal Credit Unions, 1111 North 19th Street, Suite 700, Arlington, Va. 22209.
D. (6) $300. E. (9) $1,810.96.

A. Ira Dorfman, Suite 850, 2020 K Street NW., Washington, D.C. 20006.
B. American Bakers Association, Suite 850, 2020 K Street NW., Washington, D.C. 20006.
D. (6) $186.92. E. (9) $4.35.

A. James A. Dorsch, 1750 K Street NW., Washington, D.C.
B. Health Insurance Association of America, Inc., 1750 K Street NW., Washington, D.C.

A. Dean R. Dort II, Deere & Co., 910 17th Street NW., Suite 808, Washington, D.C. 20006.
B. Deere & Co., John Deere Road, Moline, Ill. 61265.
D. (6) $341.25.

A. Joseph K. Doss, 3251 Old Lee Highway, Suite 500, Fairfax, Va. 22030.
B. National Limestone Institute, Inc., 3251 Old Lee Highway, Suite 500, Fairfax, Va. 22030.

A. Charlene Dougherty, National Audubon Society, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. National Audubon Society, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.
E. (9) $3,000.35.

A. Theodore Douglas, 2501 59th Street, St. Louis, Mo. 63110.
B. Painters District Council No. 2, 2501 59th Street, St. Louis, Mo. 63110.

A. Dow, Lohnes & Albertson, 1225 Connecticut Avenue NW., Washington, D.C. 20036.
B. Central California Educational Television, Inc., P.O. Box 6, Sacramento, Calif. 95801; et al.
E. (9) $4.80.

A. Dow, Lohnes & Albertson, 1225 Connecticut Avenue NW., Washington, D.C. 20036.
B. Hampton Roads Energy Company, Security Marine Terminal Company, Suite 202, Central Office Building, 330 County Street, Portsmouth, Va. 23704.

A. Charles P. Downer, 7901 Westpark Drive, McLean, Va. 22102.
B. National Machine Tool Builders' Association, 7901 Westpark Drive, McLean, Va. 22102.
D. (6) $800. E. (9) $250.

A. John P. Doyle, Jr., Bell Helicopter Textron, Suite 1100, 1090 Vermont Avenue NW., Washington, D.C. 20005.
B. Bell Helicopter Textron, 1090 Vermont Avenue NW., Suite 1100, Washington, D.C. 20005.
D. (6) $3.221.87. E. (9) $1,728.87.

A. Robert H. Doyle, 1130 17th Steet NW., Washington, D.C. 20036.
B. Water Quality Association, 477 East Butterfield Road, Lombard, Ill. 60148.
D. (6) $2,000.

A. Nancy Drabble, 215 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Congress Watch, 215 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $4,250.

A. James E. Drake, American Medical Association, 1776 K Street NW., Washington, D.C. 20006.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill. 60610.
D. (6) $4,043.

A. Jerome L. Dreyer, 1300 North 17th Street, Suite 300, Arlington, Va. 22209.
B. Association of Data Processing Services Organizations, Inc., 1300 North 17th Street, Suite 300, Arlington, Va. 22209.

A. Kevin J. Driscoll, American Bar Association, 1800 M Street NW., Washington, D.C. 20036.
B. American Bar Association, 1155 East 60th Street, Chicago, Ill. 60637.
D. (6) $400. E. (9) $50.

A. Edwin Jason Dryer, Foley, Lardner, Hallabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Foley, Lardner, Hallabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006 (for Independent Refiners Association of America), 1775 Pennsylvania Avenue NW., Washington, D.C.

A. Evelyn Dubrow, International Ladies' Garment Workers Union, 1710 Broadway, New York, N.Y. 10019.
B. International Ladies' Garment Workers Union, 1710 Broadway, New York, N.Y. 10019.
D. (6) $9,659. E. (9) $3,971.55.

A. Morgan D. Dubrow, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Rural Electric Cooperative Association, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $132.

A. Barbara S. Dudeck, 955 L'Enfant Plaza SW., Suite 905, Washington, D.C. 20024.
B. American Honda Motor Co., Inc., 100 West Alondra Boulevard, Gardena, Calif. 92047.

A. Earl C. Dudley, Jr., Nussbaum, Owen & Webster, 1800 M Street NW., Washington, D.C. 20036.
B. Plaintiff's Anti-Trust Liaison Society, 1776 K Street NW., Suite 708, Washington, D.C. 20006.
E. (9) $232.16.

A. Henry A. Dudley, 1737 H Street NW., Washington, D.C. 20006.
B. Republic of Turkey, 1606 23d Street NW., Washington, D.C. 20008.
D. (6) $6,249.

A. Jane McPike Dudley, 1101 15th Street NW., Washington, D.C. 20005.
B. National Constructors Association, 1101 15th Street NW., Washington, D.C. 20005.
D. (6) $375.

A. Douglas F. Duerr, Credit Union National Association, Inc., 1730 Rhode Island Avenue NW., Suite 810, Washington, D.C. 20036.
B. Credit Union National Association, Inc., 1730 Rhode Island Avenue NW., Suite 810, Washington, D.C. 20036.
D. (6) $300. E. (9) $343.62.

A. Ann Anderson Duff, National Association of Manufacturers, 222 South Prospect Avenue, Park Ridge, Ill. 60068.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.

A. C. R. Duggan, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees, Three Research Place, Rockville, Md. 20850.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees, Three Research Place, Rockville, Md., 20850.
D. (6) $560. E. (9) $490.

A. Francis J. Duggan, Association of American Railroads, 412 First Street SE., Suite 200, Washington, D.C. 20003.
B. Association of American Railroads 1920 L Street NW., Washington, D.C. 20036.
D. (6) $747.96. E. (9) $623.35.

A. Don R. Duncan, Phillips Petroleum Co., 1825 K Street NW., Suite 1107, Washington, D.C. 20006.
B. Phillips Petroleum Co., Bartlesville, Okla. 74004.

A. Robert B. Duncan, Schwabe, Williamson, Wyatt, Moore & Roberts, 1000 Potomac Street NW., Washington, D.C. 20007.
B. Eugene Water and Electric Board, Eugene, Oreg.
D. (6) $1,042.38 E. (9) $682.46.

A. Robert B. Duncan, Schwabe, Williamson, Wyatt, Moore and Roberts, 1000 Potomac Street NW., Washington, D.C. 20007.
B. General Aviation Manufacturers Association, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

A. Robert B. Duncan, Schwabe, Williamson, Wyatt, Moore & Roberts, 1000 Potomac Street NW., Washington, D.C. 20007.
B. Helicopter Loggers Association, P.O. Box 206, Wilsonville, Oreg. 97070.
D. (6) $787.50. E. (9) $462.31.

A. Robert B. Duncan, Schwabe, Williamson, Wyatt, Moore & Roberts, 1000 Potomac Street NW., Washington, D.C. 20007.
B. Litchstreet Co., 32 Cherry Law Lane, Northport, Long Island, N.Y. 11768.
D. (6) $99.73. E. (9) $66.04.

A. Robert B. Duncan, Schwabe, Williamson, Wyatt, Moore & Roberts, 1000 Potomac Street NW., Washington, D.C. 20007.
B. Mountain States Energy, Inc., P.O. Box 3767, Butte, Mont. 59702.
D. (6) $2,640.50. E. (9) $1,695.13.

A. Robert B. Duncan, Schwabe, Williamson, Wyatt, Moore & Roberts, 1000 Potomac Street NW., Washington, D.C. 20007.
B. Otis Elevator Co., Transportation Technology Division, 11380 Smith Road, Denver, Colo. 80207.
D. (6) $1,980.00. E. (9) $1,291.53.

A. Robert B. Duncan, Schwabe, Williamson, Wyatt, Moore & Roberts, 1000 Potomac Street NW., Washington, D.C. 20007.
B. State of Oregon, City of Portland, Oregon, Metro-Metropolitan Service District, Tri-County Metropolitan Transportation District.
D. (6) $13,052.17. E. (9) $8,101.41.

A. Duncan, Weinberg & Miller, P.C., 1775 Pennsylvania Avenue NW., Suite 1200, Washington, D.C. 20006.

B. Dayton-Montgomery County Park District, 1375 East Silbenthaler Avenue, Dayton, Ohio 45414.

A. Duncan, Weinberg & Miller, P.C., 1775 Pennsylvania Avenue NW., Suite 1200, Washington, D.C. 20006.
B. Delaware "5".

A. Duncan, Weinberg & Miller, P.C., 1775 Pennsylvania Avenue NW., Suite 1200, Washington, D.C. 20006.
B. East Bay Regional Park District, 11500 Skyline Boulevard, Oakland, Calif. 94169.

A. Duncan, Weinberg & Miller, P.C., 1775 Pennsylvania Avenue NW., Suite 1200, Washington, D.C. 20006.
B. Huron-Clinton Metropolitan Authority, 3050 Penobscot, Detroit, Mich. 48226.

A. Duncan, Weinberg & Miller, P.C., 1775 Pennsylvania Avenue NW., Suite 1200, Washington, D.C. 20006.
Iva May Harvey, Route 7, Box 117, Blythe, Calif. 92225.

A. Duncan, Weinberg & Miller, P.C., 1775 Pennsylvania Avenue NW., Suite 1200, Washington, D.C. 20006.
Adolph Kizas, 5715 Timothy Place, Alexandria, Va. 22303.

A. Duncan, Weinberg & Miller, P.C., 1775 Pennsylvania Avenue NW., Suite 1200, Washington, D.C. 20006.
B. Koniag, Inc., P.O. Box 746, Koniag, Alaska.

A. Duncan, Weinberg & Miller, P.C., 1775 Pennsylvania Avenue NW., Suite 1200, Washington, D.C. 20006.
B. Mid-West Electric Consumer Association, P.O. Box 5089, Evergreen, Colo.

A. Duncan, Weinberg & Miller, P.C., 1775 Pennsylvania Avenue NW., Suite 1200, Washington, D.C. 20006.
B. Western Fuels Association, 1225 19th Street NW., Suite 500, Washington, D.C. 20036.

A. Mari Lee Dunn, American Council for Capital Formation, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. American Council for Capital Formation, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $375.

A. James A. Durpree, Ford Motor Company, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Ford Motor Company, Dearborn, Mich. 48121.
D. (6) $1,820. E. (9) $947.82.

A. Joseph L. Duran, The First National Bank of Boston, 100 Federal Street, Boston, Mass. 02110.
B. The First National Bank of Boston, 100 Federal Street, Boston, Mass. 02110.

A. Michael V. Durando, American Farm Bureau Federation, 425 13th Street NW., Washington, D.C. 20004.
B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill. 60068.
D. (6) $3,750. E. (9) $114.

A. B. J. Durham, Central Power & Light Co., P.O. Box 2121, Corpus Christi, Tex. 78403.
B. Central Power & Light Co., P.O. Box 2121, Corpus Christi, Tex. 78403.
D. (6) $202. E. (9) $419.

A. Daniel A. Dutko, 412 First Street SE., Washington, D.C. 20003.
B. Beneficial Management Corp. of America, 200 South Street, Morristown, N.J. 07690.
D. (6) $833.

A. L. L. Duxbury, Burlington Northern Inc., 413 New Jersey Avenue SE., Washington, D.C. 20003.
B. Burlington, Northern Inc., 1111 Third Avenue, Seattle, Wash. 98101.
D. (6) $2,600. E. (9) $832.54.

A. Denis J. Dwyer, Railway Progress Institute, 700 N. Fairfax Street, Alexandria, Va. 22314.
B. Railway Progress Institute, 700 N. Fairfax Street, Alexandria, Va. 22314.
D. (6) $285.

A. Dennis J. Earhart, 1753 Euclid Street NW., Washington, D.C. 20009.
B. Bonneville Associates, Inc. (for Western Regional Council, Box 81244, Salt Lake City, Utah 84108), 200 East South Temple, Suite No. 300, Salt Lake City, Utah 84111.
D. (6) $290.58.

A. Jack D. Early, The Madison Building, Suite 514, 1155 15th Street NW., Washington, D.C. 20005.
B. National Agricultural Chemicals Association, 1155 15th Street NW., Suite 514, Washington, D.C. 20005.
D. (6) $210. E. (9) $49.

A. Roy W. Easley, Association of Maximum Service Telecasters, Inc., 1735 DeSales Street NW., Washington, D.C. 20036.
B. Association of Maximum Service Telecasters, Inc., Washington, D.C. 20036.

A. East-West Trade Council, 3213 O Street NW., Washington, D.C. 20007.

A. Donald R. Ebe, Goodyear Tire & Rubber Co., 1800 K. Street NW., Suite 800, Washington, D.C. 20006.
B. Goodyear Tire & Rubber Co., Akron, Ohio 44316.

A. Robert E. Ebel, ENSERCH Corp., 1025 Connecticut Avenue NW., Suite 1014, Washington, D.C. 20036.
B. ENSERCH Corp., 300 South St. Paul Street, Dallas, Tex. 75201.
D. (6) $1,450. E. (9) $784.

A. Harold F. Eberle, Independent Insurance Agents of America, Inc., 1120 19th Street NW., Suite 503, Washington, D.C. 20036.
B. Independent Insurance Agents of America, Inc., 100 Church Street, 19th Floor, New York, N.Y. 10007.
D. (6) $16,826.95.

A. N. Boyd Ecker, Mobil Oil Corp., 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y. 10017.
D. (6) $1,500. E. (9) $55.25.

A. Robert C. Eckhardt, 122 3d Street SE., Washington, D.C. 20006.
B. Investment Co. Institute, 1775 K Street NW., Washington, D.C. 20006.
D. (6) $3,750.

A. Daniel J. Edelman, Inc., 1730 Pennsylvania Avenue NW., Suite 460, Washington, D.C. 20006.
B. American Seat Belt Council, P.O. Box Drawer F, Jamesburg, N.J. 08831.
D. (6) $4,500.

A. Daniel J. Edelman, Inc., 1730 Pennsylvania Avenue NW., Suite 460, Washington, D.C. 20006.
B. Nestle Corporation, Inc., 100 Bloomingdale Road, White Plains, N.Y. 10605
D. (6) $82.

A. Daniel J. Edelman, Inc., 1730 Pennsylvania Avenue NW., Suite 460, Washington, D.C. 20006.
B. Toyota Motor Sales, U.S.A., Inc., 2055 West 190th Street, Torrance, Calif. 90504.
D. (6) $9,000. E. (9) $224.42.

A. Edelman International Corp., 1730 Pennsylvania Avenue NW., Washington, D.C. 20036.
B. DGA International, 1225 19th Street NW., Washington, D.C. 20036 (for Airbus Industrie, 31700 Blasnau, Toulouse, France).
D. (6) $6,630.

A. Edelman International Corp., 1730 Pennsylvania Avenue NW., Washington, D.C. 20036.
B. DGA International, 1225 19th Street NW., Washington, D.C. 20036 (for Sofreavia—75 Rue LaBoetie, 76008, Paris, France).
D. (6) $1,612.50.

A. Peter B. Edelman, Foley, Lardner, Hollabaugh & Jacobs, 1755 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Foley, Lardner, Hollabaugh & Jacobs, 1755 Pennsylvania Avenue NW., Washington, D.C. 20036 (for Independent Refiners Association of America), 1755 Pennsylvania Avenue NW., Washington, D.C.

A. William R. Edgar, Gates Learjet Corp., 815 Connecticut Avenue NW., Suite 401, Washington, D.C. 20006.
B. Gates Learjet Corp., 8220 West Harry, Wichita, Kan. 67277.
D. (6) $1,500. E. (9) $150.

A. Helen H. Edge, Railway Progress Institute, 700 North Fairfax Street, Alexandria, Va. 22314.
B. Railway Progress Institute, 700 North Fairfax Street, Alexandria, Va. 22314.
D. (6) $355.78.

A. Arthur B. Edgeworth, Jr., 1709 New York Avenue NW., Suite 801, Washington, D.C. 20006.
B. United States League of Savings Associations, 111 East Wacker Drive, Chicago, Ill.
D. (6) $3,750.

A. Edison Electric Institute, 1111 19th Street NW., 9th Floor, Washington, D.C. 20036.
D. (6) $23,566.26. E. (9) $63,030.62.

A. Stephen L. Edmiston, Disabled American Veterans, 807 Maine Avenue SW., Washington, D.C. 20024.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky. 41076.
E. (9) $54.84.

A. EDS Corp., 229 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $9,441.60. E. (9) $2667.39.

A. Edwards Associates, Inc., 507 Second Street NE., Washington, D.C. 20002.
B. Blue Ribbon Sports, Inc., 3900 SW Murray Boulevard, Beaverton, Oreg. 97005.

A. Edwards Associates, Inc., 507 Second Street NE., Washington, D.C. 20002.
B. The Confederated Tribes of Warm Springs, Warm Springs, Oreg. 97761.

A. Edwards Associates, Inc., 507 Second Street NE., Washington, D.C. 20002.
B. Portland General Electric Co., 121 SW Salmon Street, Portland, Oreg. 97204.

A. Christine A. Edwards, Sears, Roebuck & Co., 1211 Connecticut Avenue NW., No. 802, Washington, D.C. 20036.

B. Sears, Roebuck & Co., Sears Tower, Chicago, Ill. 60684.
E. (9) $13.50.

A. J. Rodney Edwards, 260 Madison Avenue, New York, N.Y. 10016.
B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y. 10016.

A. Macon T. Edwards, National Cotton Council of America, 1030 15th Street NW., Suite 700, Washington, D.C. 20005.
B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn. 38112.
D. (6) $1,800. E. (9) $46.73.

A. William A. Edwards, 250 Old Country Road, Mineola, N.Y. 11501.
B. Long Island Lighting Co., 250 Old Country Road, Mineola, N.Y. 11501.
D. (6) $1,800. E. (9) $939.47.

A. Paul S. Egan, American Legion, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $5,298. E. (9) $37.60.

A. Eggers & Greene, P.C., 1407 Main Street, Suite 335, Dallas, Tex. 75202.
B. The LTV Corp., P.O. Box 225003, Dallas, Tex. 75265.
D. (6) $3,000. E. (9) $2,582.24.

A. Eggers & Greene, P.C., 1407 Main Street, Suite 335, Dallas, Tex. 75202.
B. Whitney National Bank of New Orleans, 228 Saint Charles Avenue, New Orleans, La.

A. Sara Ehrman, 444 North Capitol Street NW., Suite 412, Washington, D.C. 20001.
B. American Israel Public Affairs Committee, 444 North Capitol Street NW., Washington, D.C. 20001.
D. (6) $8,749.98.

A. Mary Ann Eichenberger, The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C. 20006.
B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C. 20006.
D. (6) $2,800. E. (9) $18.

A. Fran Eizenstat, 9107 Brierly Road, Chevy Chase, Md. 20015.
B. Children's Defense Fund of the Washington Research Project, Inc.
D. (6) $1,120. E. (9) $6.

A. Jonathan P. Ela, Sierra Club, 142 West Gorham Street, Madison, Wis. 53703.
B. Sierra Club, 530 Bush Street, San Francisco, Calif. 94108.
D. (6) $552.15. E. (9) $2,199.92.

A. H. J. Elam III, Cone Mills Corp., 1201 Maple Street, Greensboro, N.C. 27405.
B. Cone Mills Corp., 1201 Maple Street, Greensboro, N.C. 27405.

A. Jane E. Elder, Sierra Club, 142 West Gorham Street, Madison, Wis. 53703.
B. Sierra Club, 530 Bush Street, San Francisco, Calif. 94108.
D. (6) $1,166.25.

A. George K. Eliades, Society of American Wood Preservers, Inc., 1401 Wilson Boulevard, Suite 205, Arlington, Va. 22209.
B. Society of American Wood Preservers, Inc., 1401 Wilson Boulevard, Suite 205, Arlington, Va. 22209.
D. (6) $75. E. (9) $200.

A. J. Burton Eller, Jr., 425 13th Street NW., Suite 1020, Washington, D.C. 20004-1886.
B. National Cattlemen's Association, 1001 Lincoln Street, Denver, Colo. 80203.
D. (6) $1,000.

A. Charles W. Elliott, Wisconsin Petroleum Council, 25 West Main Street, Room 703, Madison, Wis. 53703.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

A. John Doyle Elliott, 5500 Quincy Street, Hyattsville, Md. 20784.
E. (9) $99.89.

A. John Ellis, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. Dorothy A. Ellsworth, 1300 Connecticut Avenue NW., Washington, D.C. 20036.
B. International Association of Machinists and Aerospace Workers, 1300 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $5,438.51. E. (9) $243.75.

A. Perry R. Ellsworth, National Council of Agricultural Employers, 435 Southern Building, 1425 H Street NW., Washington, D.C. 20005.
B. National Council of Agricultural Employers, 435 Southern Building, 1425 H Street NW., Washington, D.C. 20005.
D. (6) $500.

A. Joseph T. Elvove, 54 Surfwatch Drive, Kiawah Island, S.C. 29455.
B. Publicker Industries, Inc., 777 West Putnam Avenue, Greenwich, Conn. 06830.
D. (6) $21,000. E. (9) $11,567.49.

A. Ely, Guess & Rudd, 1090 Vermont Avenue NW., Suite 630, Washington, D.C. 20005.

A. Law Offices of Northcutt Ely, Watergate 600 Bldg., Washington, D.C. 20037.
B. Outer Banks Civic League, P.O. Box 171, Corolla Beach, N.C. 26972.

A. Emergency Committee for American Trade, 1211 Connecticut Avenue NW., Suite 801, Washington, D.C. 20036.
D. (6) $31,148.50. E. (9) $28,820.42.

A. Emerson Electric Co., 8000 West Florissant, St. Louis, Mo. 63136.
E. (9) $4,583.90.

A. Employee Relocation Council, 1627 K Street NW., Suite 600, Washington, D.C. 20006.
E. (9) $15,506.67.

A. Lowell J. Endahl, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Rural Electric Cooperative Association, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $185.

A. Energy Consumers & Producers Association, P.O. Box 1726, Seminole, Okla. 74868.
D. (6) $34,345. E. (9) $12,176.04.

A. Gertrude Engel, 2450 Virginia Avenue, NW., Washington, D.C. 20037.
B. National Health Federation, P.O. Box 688, Monrovia, Calif. 91016.
D. (6) $3,000.

A. Gertrude Engel, 2450 Virginia Avenue, Washington, D.C. 20037.
B. York Barbell Co., York, Pa. 17405.
D. (6) $1,800. E. (9) $603.18.

A. Ralph Engel, 1001 Connecticut Avenue, NW., Washington, D.C. 20036.
B. Chemical Specialties Manufacturers Association, 1001 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $308. E. (9) $33.20.

A. Lewis A. Engman, 1155 15th Street, NW., Washington, D.C. 20005.
B. Pharmaceutical Manufacturers Association, 1155 15th Street NW., Washington, D.C. 20005.
D. (6) $2,500. E. (9) $10.

A. Patricia Hanahan Engman, Bristol-Myers Co., 1155 15th Street NW., Washington, D.C. 20005.
B. Bristol-Myers Co., 345 Park Avenue New York, N.Y. 10154.
D. (6) $1,000.

A. Christopher Engquist, 1957 E Street NW., Washington, D.C. 20036.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. M. Dale Ensign, Sinclair Oil Corp., 1100 17th Street NW., Suite 406, Washington, D.C. 20036.
B. Sinclair Oil Corp., P.O. Box 1677, Englewood, Colo. 80150.
D. (6) $500. E. (9) $107.22.

A. Vickie L. Erickson, 1750 K Street NW., Washington, D.C. 20006.
B. Food Marketing Institute, 1750 K Street NW., Washington, D.C. 20006.
D. (6) $450.

A. John M. Erskine, Jr., 1108 Lavaca, Suite 400, Austin, Tex. 78701.
B. Standard Oil Company (Indiana), P.O. Box 3092, Houston, Tex. 77001.

A. Jerry N. Ervin, Quintana Refinery Co., P.O. Box 3331, Houston, Tex. 77001.
B. Quintana Refinery Co., P.O. Box 3331, Houston, Tex. 77001.

A. Sam J. Ervin, Jr., P.O. Box 69, Morganton, N.C. 28655.
B. Mead Corp., Anheuser-Busch, and Westvaco, c/o Howrey & Simon, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
E. (9) $49.61.

A. Jane B. Esterly, 1615 H Street NW., Washington, D.C. 20062.
B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C. 20062.
D. (6) $255. E. (9) $178.06.

A. Ethyl Corp., 1155 15th Street NW., Suite 611, Washington, D.C. 20005.
E. (9) $3,200.

A. Joseph O. Evans, 4401 Lee Highway, Suite 21, Arlington, Va. 22207.

A. Robert D. Evans, American Bar Association, 1800 M Street NW., Washington, D.C. 20036.
B. American Bar Association, 1155 East 60th Street, Chicago, Ill. 60637.
D. (6) $400. E. (9) $50.

A. William J. Evans, Suite 901, 1660 L Street NW., Washington, D.C. 20036.
B. Pan American World Airways, Inc., Suite 901, 1660 L Street NW., Washington, D.C. 20036.
D. (6) $85. E. (9) $28.35.

A. Fawn K. Evenson, 1611 North Kent Street, Suite 900, Arlington, Va. 22209.
B. American Footwear Industries Association, 1611 North Kent Street, Suite 900, Arlington, Va. 22209.

D. (6) $435. E. (9) $20.35.

A. J. Ballard Everett, 311 First Street NW., Washington, D.C. 20001.
B. National Restaurant Association, 311 First Street NW., Washington, D.C. 20001.

A. Jeffrey P. Eves, Scott Paper Co., Scott Plaza, Philadelphia, Pa. 19113.
B. Scott Paper Co., Scott Plaza, Philadelphia, Pa. 19113.
D. (6) $1,500. E. (9) $1,513.92.

A. Ky P. Ewing, Jr., 1101 Connecticut Avenue NW., Washington, D.C. 20036.
B. Vinson & Elkins, 1101 Connecticut Avenue NW., Washington, D.C. 20036. (For: American General Investment Corp.)
D. (6) $6,350. E. (9) $68.08.

A. Ky P. Ewing, Jr., 1101 Connecticut Avenue NW., Washington, D.C. 20036.
B. Vinson & Elkins, 1101 Connecticut Avenue NW., Washington, D.C. 20036 (for Roy Cullen).
D. (6) $6,350. E. (9) $68.09.

A. Ky P. Ewing, Jr., 1101 Connecticut Avenue NW., Washington, D.C. 20036.
B. Vinson & Elkins, 1101 Connecticut Avenue NW., Washington, D.C. 20036 (for Mitchell Energy and Development Corp.).
D. (6) $6,350. E. (9) $68.09.

A. Michael E. Faden, Union of Concerned Scientists, Inc., 1725 I Street NW., Washington, D.C. 20006.
B. Union of Concerned Scientists, Inc., 1384 Massachusetts Avenue, Cambridge, Mass. 02238.
D. (6) $4,950.

A. Thomas L. Fagan, General Electric Co., 777 14th Street NW., Washington, D.C. 20006.
B. General Electric Co., 3135 Easton Turnpike, Fairfield, Conn.
D. (6) $250.

A. Robert R. Fahs, Cargill, Inc. 1050 17th Street NW., Washington, D.C. 20036.
B. Cargill, Incorporated, P.O. Box 9300, Minneapolis, Minn. 55440.
D. (6) $2,500.

A. Fair Opportunities for Competition in the U.S. (FOCUS), 1747 Pennsylvania Avenue NW., Suite 701, Washington, D.C. 20006.

A. Dale W. Fallat, First Federal Building, 5740 Southwyck Boulevard, Toledo, Ohio 43614.
B. The Andersons, P.O. Box 119, Maumee, Ohio 43537.

A. Thomas Boyd Farley II, American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $5,800. E. (9) $90.50.

A. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), Denver, Colo. 80251; 1012 14th Street NW., Washington, D.C. 20005.
D. (6) $104,562.15. E. (9) $55,574.48.

A. Robert S. Farron, LeBoeuf, Lamb, Leiby & MacRae, 1333 New Hampshire Avenue NW., Washington, D.C.
B. LeBoeuf, Lamb, Leiby & MacRae, 1333 New Hampshire Avenue NW., Washington, D.C.; 140 Broadway, New York, N.Y.

A. John W. Farquhar, 1750 K Street NW., Washington, D.C. 20006.
B. Ford Marketing Institute, 1750 K Street NW., Washington, D.C. 20006.
D. (6) $300.

A. Dagmar T. Farr, 1750 K Street NW., Washington, D.C. 20006.
B. Food Marketing Institute, 1750 K Street NW., Washington, D.C. 20006.
D. (6) $450.

A. Dolores L. Farr, American Nurses' Association, 1030 15th Street NW., Washington, D.C. 20005.
B. American Nurses' Association, 2420 Pershing Road, Kansas City, Mo. 64108.
D. (6) $3,271. E. (9) $129.18.

A. Michael Farrar, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y. 10016.

A. Jeffrey L. Farrow, 515 Madison Avenue, Suite 1600, New York, N.Y. 10022.
B. Lisboa Associates, Inc., 515 Madison Avenue, Suite 1600, New York, N.Y. 10022.
E. (9) $574.85.

A. Penelope S. Farthing, American Insurance Association, 1025 Connecticut Avenue NW., Suite 415, Washington, D.C. 20036.
B. American Insurance Association, 1025 Connecticut Avenue NW., Suite 415, Washington, D.C. 20036.
D. (6) $200.

A. Clinton B. Fawcett, The Coastal Corp., Nine Greenway Plaza, Houston, Tex. 77046.
B. The Coastal Corp., Nine Greenway Plaza, Houston, Tex. 77046.

A. Jane Fawcett-Hoover, 1801 K Street NW., Suite 230, Washington, D.C. 20006.
B. The Procter & Gamble Mfg. Co., 301 East Sixth Street, Cincinnati, Ohio 45202.
D. (6) $37.50.

A. Federation of American Controlled Shipping, 50 Broadway, New York, N.Y. 10004.
D. (6) $1,651.98. E. (9) $1,651.98.

A. Federation of American Hospitals, 1111 19th Street NW., Suite 402, Washington, D.C. 20036.
D. (6) $9,000. E. (9) $9,000.

A. Federation of American Scientists, 307 Massachusetts Avenue NE., Washington, D.C. 20002.

A. Kenneth E. Feltman, National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.

A. Edward T. Fergus, Bache Halsey Stuart Shields Inc., 100 Gold Street, New York, N.Y. 10038.
B. Bache Halsey Stuart Shields Inc., 100 Gold Street, New York, N.Y. 10038.
D. (6) $750.

A. Jack Ferguson Associates, Inc., 203 Maryland Avenue NE., Washington, D.C. 20002.
B. Alascom, Inc., 949 East 36th Avenue, Anchorage, Alaska 99502.
D. (6) $2,850. E. (9) $675.

A. Jack Ferguson Associates, Inc., 203 Maryland Avenue NE., Washington, D.C. 20002.
B. Alaska International Industries, 3201 C Street, Anchorage, Alaska 99503.
D. (6) $5,000. E. (9) $750.

A. Jack Ferguson Associates, Inc., 203 Maryland Avenue NE., Washington, D.C. 20002.
B. Foss Launch & Tug/Foss Alaska Line, 660 West Ewing Street, Seattle, Wash. 98119.
D. (6) $1,600. E. (9) $675.

A. Jack Ferguson Associates, Inc., 203 Maryland Avenue NE., Washington, D.C. 20002.
B. Northwest Alaskan Pipeline Co., P.O. Box 1526, Salt Lake City, Utah.
D. (6) $13,100. E. (9) $750.

A. Jack Ferguson Associates, Inc., 203 Maryland Avenue NE., Washington, D.C. 20002.
B. U. S. Borax & Chemical Corp., 3075 Wilshire Boulevard, Los Angeles, Calif. 90010.
D. (6) $750. E. (9) $700.

A. James H. Ferguson, 1140 Connecticut Avenue, Suite 609, Washington, D.C. 20036.
B. American Society for Personnel Administration, 30 Park Drive, Berea, Ohio 44017.
D. (6) $7,500. E. (9) $4,483.

A. John T. Ferguson II, Georgia-Pacific Corp., 1875 I Street NW., Washington, D.C. 20006.
B. Georgia-Pacific Corp., 900 Southwest Fifth Avenue, Portland, Oreg. 97204.
D. (6) $1,250. E. (9) $6.

A. John L. Festa, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y. 10016.

A. Blaine Fielding, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y. 10016.

A. C. H. Fields, American Farm Bureau Federation, 425 13th Street NW., Washington, D.C. 20004.
B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill. 60068.
D. (6) $5,153. E. (9) $42.

A. Gary W. Fields, American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Assoc., 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $300. E. (9) $386.64.

A. Edith U. Fierst, Suite 501, 1140 Connecticut Avenue NW., Washington, D.C. 20036.
B. Association of American Foreign Service Women, 6372 31st Place NW., Washington, D.C. 20015.
D. (6) $266.75.

A. Herbert A. Fierst, 610 Ring Building, 1200 18th Street NW., Washington, D.C. 20036.
B. Council of Forest Industries of British Columbia, 1500/1055 West Hastings Street, Vancouver, British Columbia, Canada V6E 2H1.
D. (6) $12,000. E. (9) $915.

A. Barbara A. Finamore, Natural Resources Defense Council, Inc., Suite 600, 1725 I Street NW., Washington, D.C. 20006.
B. Natural Resources Defense Council Inc., 1725 I Street NW., Suite 600, Washington, D.C. 20006.

A. Matthew P. Fink, Investment Company Institute, 1775 K Street NW., Washington, D.C. 20006.
B. Investment Company Institute, 1775 K Street NW., Washington, D.C. 20006.
D. (6) $76.50. E. (9) $32.50.

A. Mark Finkelstein, Industrial Union Department, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.

B. Industrial Union Department, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $415.85. E. (9) $107.25.

A. Finley, Kumble, Wagner, Heine, Underberg & Casey, 1120 Connecticut Avenue NW., 10th Floor, Washington, D.C. 20036.
B. Committee for Humane Legislation, Inc., 11 West 60th Street, New York, N.Y. 10023.
D. (6) $1,413.75.

A. Finley, Kumble, Wagner, Heine, Underberg & Casey, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. Population Crisis Committee, 1120 19th Street NW., Washington, D.C. 20036.
D. (6) $2,013.75.

A. Thomas D. Finnigan, Union Carbide Corp., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Union Carbide Corp., 270 Park Avenue New York, N.Y. 10017.
E. (9) $86.98.

A. Jill Finsen, 923 15th Street NW., Washington, D.C. 20005.
B. Transportation Institute, 923 15th Street NW., Washington, D.C. 20005.
D. (6) $3,000. E. (9) $962.31.

A. M. J. Fiocco, 1090 Vermont Avenue NW., Suite 410, Washington, D.C. 20005.
B. The National Industrial Traffic League, 1090 Vermont Avenue NW., Suite 410, Washington, D.C. 20005.
D. (6) $3,000. E. (9) $39.25.

A. Laurie A. Fiori, National Retired Teachers Association-American Association of Retired Persons, 1909 K Street NW., Washington, D.C. 20049.
B. National Retired Teachers Association-American Association of Retired Persons, 1909 K Street NW., Washington, D.C. 20049.
D. (6) $413.27. E. (9) $129.25.

A. First Class Mailers Association, 1101 New Hampshire Avenue NW., Suite 107, Washington, D.C. 20037.
E. (9) $80.

A. First Congressional District Action Committee, 6 Maxfield Court, Barrington, R.I. 02806.
D. (6) $500. E. (9) $787.21.

A. The First National Bank of Boston, 100 Federal Street, Boston, Mass. 02110.
E. (9) $6,824.12.

A. First National Boston Corp., 100 Federal Street, Boston, Mass. 02110.

A. Richard L. Fischer, Standard Oil Co. (Indiana), 1000 16th Street NW., Suite 500, Washington, D.C. 20036.
B. Standard Oil Co. (Indiana), 200 East Randolph Drive, Chicago, Ill. 60680.
D. (6) $630. E. (9) $45.

A. Fisher, Gelband, Sinick & Lamberton, P.C., Suite 440, 2020 K Street NW., Washington, D.C. 20006.
B. The League of New York Theatres & Producers, Inc., 226 West 47th Street, New York, N.Y. 10036.
D. (6) $1,750. E. (9) $60.

A. Victor E. Fitzmaurice, Union Oil Co. of California, 1100 Connecticut Avenue NW. (Suite 800), Washington, D.C. 20036.
B. Union Oil Co. of California, 461 South Boylston Street, Los Angeles, Calif. 90017.
D. (6) $2,000. E. (9) $209.99.

A. James H. Fitzpatrick, Hospital Association of New York State, 15 Computer Drive West, Albany, N.Y. 12205.
B. Hospital Association of New York State, 15 Computer Drive, Albany, N.Y. 12205.
D. (6) $313. E. (9) $30.

A. Hilliard J. Fjord, 602 Main Street, Room 600, Cincinnati, Ohio 45202.
B. The Ohio River Company, 580 Walnut Street, Suite 1400, Cincinnati, Ohio 45202.
D. (6) $1,500. E. (9) 353.80.

A. Susan Garber Flack, American Retail Federation, 1616 H Street NW., Washington, D.C. 20006.
B. American Retail Federation, 1616 H Street NW., Washington, D.C. 20006.
D. (6) $2,000. E. (6) $36.

A. James J. Flanagan, 25 Research Drive, Westborough, Mass. 01581.
B. New England Power Service Co., 25 Research Drive, Westborough, Mass. 01581.
D. (6) $425.92. E. (9) $138.05.

A. M. Kendall Fleeharty, Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C. 20062.
B. Chamber of Commerce of the United States, 1615 H Street, Washington, D.C. 20062.
D. (6) $2,000.

A. Claud D. Fleet, Jr., 681 Lafayette, Denver, Colo. 80218.
B. N. B. Hunt.

A. Ruth Flower, 245 Second Street NE., Washington, D.C. 20002.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C. 20002.
D. (6) $2,738.25.

A. David H. Foerster, National Education Association, 1201 16th Street NW., Washington, D.C. 20036.
B. National Education Association, 1201 16th Street NW., Washington, D.C. 20036.
D. (6) $1,999.35. E. (9) $63.

A. Robert P. Fogarty, 3499 Ridgewood Drive, Columbus, Ohio 43220.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
D. (6) $1,000.

A. Howard W. Fogt, Jr., Foley, Lardner, Hollabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Suite 1000, Washington, D.C. 20006.
B. Phosphate Rock Export Association, 1311 Northwest Shore Boulevard, Tampa, Fla. 33607.

A. L. J. Foley III, 267 Cape St. John Road, Cape St. John, Md. 21401.
B. Campaign for Community Economic Development, 734 15th Street NW., Washington, D.C. 20005.
D. (6) $1,000. E. (9) $1,020.

A. L. J. Foley III, 267 Cape St. John Road, Cape St. John, Md. 21401.
B. National Federation of Community Development Credit Unions, 16 Court Street, Brooklyn, N.Y. 11201.
D. (6) $1,500. E. (9) $1,270.

A. L. J. Foley III, 267 Cape St. John Road, Cape St. John, Md. 21401.
B. National Rural Development & Finance Corp., 1300 19th Street NW., Washington, D.C. 20036.
D. (6) $1,000. E. (9) $1,270.

A. L. J. Foley III, 267 Cape St. John Road, Cape St. John, Md. 21401.
B. Supported Work, 228 E. Division Street, Fond du Lac, Wis. 54935.
D. (6) $1,500. E. (9) $640.

A. Foley, Lardner, Hollabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Care Cabs, Inc., 5538 West National Avenue, West Allis, Wis. 53214.

A. Foley, Lardner, Hollabaugh & Jacobs, Suite 1000, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. First Wisconsin National Bank of Milwaukee, 777 East Wisconsin Avenue, Milwaukee, Wis. 53202.
D. (6) $10,355. E. (9) $3.90.

A. Foley, Lardner, Hollabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Independent Refiners Association of America, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $64,183.50. E. (9) $1,481.98.

A. Foley, Lardner, Hollabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Insurance Association of Connecticut, 60 Washington Street, Hartford, Conn. 06160.
D. (6) $3,500. E. (9) $5.67.

A. Foley, Lardner, Hollabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Phosphate Rock Export Association, 1311 North West Shore Boulevard, Tampa, Fla. 33607.
D. (6) $5,520. E. (9) $667.19.

A. R. D. Folsom, National Council on Synthetic Fuels Production, 1875 I Street NW., Suite 960, Washington, D.C. 20006.
B. National Council on Synthetic Fuels Production, 1875 I Street NW., Suite 960, Washington, D.C. 20006.

A. Food and Beverage Trades Department, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $11,830.63. E. (9) $11,830.63.

A. Food Marketing Institute, 1750 K Street NW., Washington, D.C. 20006.
E. (9) $5,424.

A. Foodservice & Lodging Institute, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Carol J. Forbes, 604 North Carolina Avenue SE., Washington, D.C. 20003.
B. General Leasing Corp., 11300 Rockville Pike, Rockville, Md.

A. Carol J. Forbes, 604 North Carolina Avenue SE., Washington, D.C.
B. Senator Charles E. Grassley, 232 Russell Senate Office Building, Washington, D.C. 20510.
D. (6) $2,250. E. (9) $3,631.83.

A. Carol J. Forbes, 604 North Carolina Avenue SE., Washington, D.C. 20003.
B. Impro, Inc., Waukon, Iowa.

A. Carol J. Forbes, 604 North Carolina Avenue SE., Washington, D.C. 20003.
B. Poly-Metrics Inc., 28 North Willard Street, Burlington, Vt.

A. Carol J. Forbes, 604 North Carolina Avenue SE., Washington, D.C. 20003.
B. Rushmore-Borgham Stong, Duane Parkratz, Keystone, S. Dak.

D. (6) $7,494. E. (9) $3,631.83.

A. Forest Farmers Association, P.O. Box 95385, Atlanta, Ga. 30347.I21E. (9) $434.24.

A. Forest Industries Committee on Timber Valuation & Taxation, 1250 Connecticut Avenue NW., Washington, D.C. 20036.

E. (9) $434.24.

A. Edward H. Forgotson, 1627 K Street NW., 10th Floor, Washington, D.C. 20006.

B. Texas Oil & Gas Corp., Fidelity Union Tower, Dallas, Tex. 75201.

A. Ira N. Forman, 444 North Capitol Street, NW., No. 412, Washington, D.C. 20001.

B. American Israel Public Affairs Committee, 444 North Capitol Street NW., Suite 412, Washington, D.C. 20001.

D. (6) $5,214.82.

A. Sallie H. Forman, National Broadcasting Co. Inc., 1825 K Street NW., Washington, D.C.

B. National Broadcasting Co., Inc., 1825 K Street NW., Washington, D.C. 20006.

D. (6) $125.

A. Ebert E. Fournace, 3706 Eaton Road NW., Canton, Ohio 44708.

B. American Electric Power Service Corp., 180 E. Broad Street, Columbus, Ohio 43215.

A. Eric R. Fox, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. Employee Relocation Council, 1627 K Street NW., Suite 600, Washington, D.C. 20006.

A. Susan E. Fracaroli, Johns-Manville Corp., 1025 Connecticut Avenue NW., Suite 214, Washington, D.C. 20036.

B. Johns-Manville Corp., P.O. Box 5108, Denver, Colo. 80217.

D. (6) $100.

A. Joseph L. Fraites, Coffee, Sugar & Cocoa Exchange, Inc., 4 World Trade Center, Eighth Floor, New York, N.Y. 10048.

B. Coffee, Sugar & Cocoa Exchange, Inc., 4 World Trade Center, Eighth Floor, New York, N.Y. 10048.

A. William H. G. France, National Motorsports Committee of ACCUS, 1701 K Street NW., Suite 1204, Washington, D.C. 20006.

B. National Motorsports Committee of ACCUS, 1701 K Street NW., Suite 1204, Washington, D.C. 20006.

A. Douglas L. Francisco, 1101 16th Street NW., Washington, D.C. 20036.

B. Independent Petroleum Association of America, 1101 16th Street NW., Washington, D.C. 20036.

E. (9) $60.50.

A. Alfred S. Frank, Jr., NCR Corp., 1612 K Street NW., Suite 706, Washington, D.C. 20006.

B. NCR Corp., 1700 S. Patterson Boulevard, Dayton, Ohio 45479.

A. Walter L. Frankland, Jr., 1717 K Street NW., Washington, D.C. 20006.

B. Silver Users Association, Inc., 1717 K Street NW., Washington, D.C. 20006.

D. (6) $1,200. E. (9) $116.62.

A. Thomas C. Franks, 777 14th Street NW., Washington, D.C. 20005.

B. National Association of Realtors, 777 14th Street NW., Washington, D.C. 20005.

D. (6) $1,500. E. (9) $649.81.

A. Charles L. Frazier, National Farmers Organization, 475 L'Enfant Plaza SW., Suite 2250, Washington, D.C. 20024.

B. National Farmers Organization, Corning, Iowa 50841.

D. (6) $3,500. E. (9) $2,713.92.

A. Robert M. Frederick, National Grange, 1616 H Street NW., Washington, D.C. 20006.

B. National Grange, 1616 H Street NW., Washington, D.C. 20006.

D. (6) $4,375.

A. Gary N. Freeman, Suite 1940, Tower Place, 3340 Peachtree Road NE., Atlanta, Ga. 30026.

B. CTI—Container Transport International, Trans America ICS, Trans Ocean Leasing Corp., The Chrysler Building, 405 Lexington Avenue, New York, N.Y. 10174.

D. (6) $606.54.

A. James O. Freeman, U.S. League of Savings Associations, 1709 New York Avenue NW., Suite 801, Washington, D.C. 20006.

B. United States League of Savings Associations, 111 East Wacker Drive, Chicago, Ill.

D. (6) $2,745. E. (9) $34.

A. Linda J. Freeman, National Cable Television Association, Inc., 1724 Massachusetts Avenue NW., Washington, D.C. 20036.

B. National Cable Television Association, Inc., 1724 Massachusetts Avenue NW., Washington, D.C. 20036.

D. (6) $337.50. E. (9) $62.45.

A. Pamela B. Freer, International Ladies Garment Workers Union, 1710 Broadway, New York, N.Y. 10019.

B. International Ladies Garment Workers Union, 1710 Broadway, New York, N.Y. 10019.

D. (6) $5,343. E. (9) $210.75.

A. Paula A. (Dilley) Freer, Marathon Oil Co., 1800 M Street NW., Washington, D.C. 20036.

B. Marathon Oil Co., Findlay, Ohio 45840.

A. Robert E. Freer, Jr., Kimberly-Clark Corp., 1000 Wilson Boulevard, Suite 2200, Arlington, Va 22209.

B. Kimberly-Clark Corp., 401 North Lake Street, Neenah, Wis. 54956.

D. (6) $62.50. E. (9) $5.

A. Ronna Freiberg, 3255 Grace Street NW., The Power House, Washington, D.C. 20007.

B. Gray & Co., 3255 Grace Street NW., Washington, D.C. 20007 (for ASARCO).

A. Ronna Freiberg, 3255 Grace Street NW., The Power House, Washington, D.C. 20007.

B. Gray & Co., 3255 Grace Street NW., The Power House, Washington, D.C. 20007 (for The Budd Co.).

A. Ronna Freiberg, 3255 Grace Street NW., The Power House, Washington, D.C. 20007.

B. Gray & Co., 3255 Grace Street NW., The Power House, Washington, D.C. 20007 (for General Telephone & Electronics).

A. Ronna Freiberg, 3255 Grace Street NW., The Power House, Washington, D.C. 20007.

B. Gray and Company for Management Insights, Inc., 3255 Grace Street NW., The Power House, Washington, D.C. 20007.

D. (6) $1,150.

A. Ronna Freiberg, 3255 Grace Street NW., The Power House, Washington, D.C. 20007.

B. Gray & Co., 3255 Grace Street NW., The Power House, Washington, D.C. 20007 (for Motorola).

A. Ronna Freiberg, 3255 Grace Street NW., The Power House, Washington, D.C. 20007.

B. Gray & Co., 3255 Grace Street NW., The Power House, Washington, D.C. 20007 (for Western Development).

A. Ronna Freiberg, 3255 Grace Street NW., The Power House, Washington, D.C. 20007.

B. Gray & Co., 3255 Grace Street NW., The Power House, Washington, D.C. 20007 (for Westinghouse Broadcasting).

A. Barry A. Friedman, Wilner & Scheiner, 1200 New Hampshire Avenue NW., Washington, D.C. 20036.

B. American Society of Travel Agents, Inc., 711 Fifth Avenue, New York, N.Y. 10022.

A. Verrick O. French, National Retail Merchants Association, 1000 Connecticut Avenue NW., No. 700, Washington, D.C. 20036.

B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y. 10001.

D. (6) $550. E. (9) $15.

A. George L. Frick, Delaware Oil Men's Association, 20 East Division Street, Dover, Delaware 19901.

B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

A. Susan Fridy, 30 F Street NW., Washington, D.C. 20001.

B. National Milk Producers Federation, 30 F Street NW., Washington, D.C. 20001.

D. (6) $105.54. E. (9) $1,925.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Suite 1000, Washington, D.C. 20037.

B. Automotive Dismantlers & Recyclers of America, 1000 Vermont Avenue, Washington, D.C. 20006.

D. (6) $401.25.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. Cheyenne River Sioux Tribe, Box 100, Eagle Butte, S. Dak.

D. (6) $2,710. E. (9) $6.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. The Makah Tribe of Indians, P.O. Box 115, Neah Bay, Washington, D.C. 98357.

D. (6) $243. E. (9) $12.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. Metlakatla Indian Community, P.O. Box 8, Metlakatla, Alaska 99926.

E. (9) $11.60.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. The Miccosukee Tribe of Indians, P.O. Box 44021, Tamiami Station, Miami, Fla.

D. (6) $1,183. E. (9) $9.

A. Fried, Frank, Harris, Shriver & Kampelman, Suite 1000, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. National Association of Pension Funds, Sunley House, Bedford Park, Croydon, England.

D. (6) $20,543. E. (9) $49.57.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. The Nez Perce Tribe, Lapwai, Idaho.

D. (6) $263. E. (9) $4.30.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.
B. Pueblo of Laguna, Laguna, N. Mex.
E. (9) $20.

A. Fried, Frank, Harris, Shriver & Kampelman, Suite 1000, 600 New Hampshire Avenue, NW., Washington, D.C. 20037.
B. Schenley Industries, Inc., 888 Seventh Avenue, New York, N.Y., 10019.

A. Fried, Frank, Harris, Shriver & Kampelman, Suite 1000, 600 New Hampshire Avenue NW., Washington, D.C. 20037.
B. Mrs. Daisy Schott, One North Ravine Road, Great Neck, New York 11023.
E. (9) $4.74.

A. Fried, Frank, Harris, Shriver & Kampelman, Suite 1000, 600 New Hampshire Avenue NW., Washington, D.C. 20037.
B. Sea Colony, Inc., c/o Carl Freeman Associates, Inc., Cabin John Center, 11325 Seven Locks Road, Potomac, Md. 20854.
D. (6) $14,350.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.
B. The Seneca Nation of Indians, Box 231, Salamanca, N.Y. 14779.
E. (9) $10.50.

A. Philip P. Friedlander, Jr., 1343 L Street NW., Washington, D.C. 20005.
B. National Tire Dealers & Retreaders Association, Inc., 1343 L Street NW., Washington, D.C. 20005.
D. (6) $1,500.

A. James M. Friedman, 700 Terminal Tower, Cleveland, Ohio 44113.
B. Cleveland Electric Illuminating Co., 55 Public Square, Cleveland, Ohio 44113.
A. Friedman & Mann, P.C., 810 18th Street NW., Suite 202, Washington, D.C. 20006.
B. Coushatta Tribe of Louisiana c/o Ernest Sickey, Tribal Chairman, Elton, La. 70532.

A. Gay H. Friedmann, 1150 Connecticut Avenue NW., Suite 717, Washington, D.C. 20036.
B. Southern California Gas Co., 720 West Eighth Street, M.L. 1208, Los Angeles, Calif. 90017.
D. (6) $6,375.

A. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C. 20002.
D. (6) $65,192.97. E. (9) $15,348.91.

A. Friends of the Earth (FOE), 530 Seventh Street SE., Washington, D.C. 20003.
D. (6) $29,976.48. E. (9) $36,483.92.

A. Owen V. Frisby, 900 17th Street NW., Washington, D.C. 20006.
B. The Chase Manhattan Bank, N.A., 1 Chase Manhattan Plaza, New York, N.Y. 10081.
D. (6) $1,050. E. (9) $128.69.

A. Gustave Fritschie, 1101 Connecticut Avenue NW., Suite 700, Washington, D.C. 20036.
B. National Fisheries Institute, 1101 Connecticut Avenue NW., Suite 700, Washington, D.C. 20036.
D. (6) $6,000. E. (9) $75.

A. Charles H. Fritts, 2009 North 14th Street, Suite 600, Arlington, Va. 22201.
B. New Bedford Seafood Council, Inc., 17 Hamilton Street, New Bedford, Mass. 02740.
D. (6) $6,600. E. (9) $630.38.

A. Robert D. Fritz, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 3 Research Place, Rockville, Md. 20850.
D. (6) $2,560. E. (9) $2,240.

A. Charles H. Fritzel, National Association of Independent Insurers, 409 South Capitol Street SW., Suite 401, Washington, D.C. 20003.
B. National Association of Independent Insurers, 2600 River Road, Des Plaines, Ill. 60018.
D. (6) $390. E. (9) $300.

A. Jeffrey A. Fritzlen, Tenneco Inc., 490 L'Enfant Plaza East SW., Suite 2202, Washington, D.C. 20024.
B. Tenneco Inc., P.O. Box 2511, Houston, Tex. 77001.
D. (6) $1,000.

A. Robert F. Froehlke, American Council of Life Insurance, 1850 K Street NW., Washington, D.C. 20006.
B. American Council of Life Insurance, Inc., 1850 K Street NW., Washington, D.C. 20006.
D. (6) $150.

A. Rich Fruchterman, U.S. Telephone Communications, Inc., 108 South Akard Street, Dallas, Tex. 75202.
B. U.S. Telephone Communications, Inc., 108 South Akard Street, Dallas, Tex. 75202.
D. (6) $1,500.

A. Gordon H. Fry, 1120 19th Street NW., Suite 410, Washington, D.C. 20036.
B. Cigar Association of America, Inc., 1120 19th Street NW., Suite 410, Washington, D.C. 20036.
A. Full Employment Action Council, 707 D Street SE., Washington, D.C. 20003.
D. (6) $12,500. E. (9) $239.

A. Ronald K. Fuller, 1150 Connecticut Avenue NW., Suite 517, Washington, D.C. 20036.
B. San Diego Gas & Electric Co., 101 Ash Street, San Diego, Calif. 92101.
D. (6) $1,117. E. (9) $783.

A. Claudia R. Fuquay, National Food Processors Association, 1133 20th Street NW., Washington, D.C. 20036.
B. National Food Processors Association, 1133 20th Street NW., Washington, D.C. 20036.
D. (6) $500. E. (9) $46.75.

A. Nancy H. Fussell, the Boeing Co., 1700 North Moore Street, Rosslyn, Va. 22209.
B. The Boeing Co., P.O. Box 3807, Seattle, Wash. 98124.
D. (6) $340. E. (9) $29.

A. David H. Fyock, GPU Service Corp., P.O. Box 376, Germantown, Md. 20874.
B. GPU Service Corp., 100 Interpace Parkway, Parsippany, N.J. 07054.
D. (6) $3,958. E. (9) $889.65.

A. Marc P. Gabor, Amalgamated Clothing & Textile Workers Union, 815 16th Street NW., Washington, D.C. 20006.
B. Amalgamated Clothing & Textile Workers Union, 15 Union Square, New York, NY. 10003.
D. (6) $546.87.

A. Terry Gabrielson, 490 L'Enfant Plaza, SW., Suite 3202, Washington, D.C. 20024.
B. Transcontinental Gas Pipe Line Corp., 2700 South Post Oak Road, Houston, Tex. 77251.
D. (6) $450.

A. James E. Gaffigan, American Hotel & Motel Association., 1101 Connecticut Avenue NW., Suite 1006, Washington, D.C. 20036.
B. American Hotel & Motel Association, 888 Seventh Avenue, New York, NY. 10019.
D. (6) $1,066.15.

A. Norman S. Gaines, RJR Industries, Inc., 2550 M Street NW., Suite 770, Washington, D.C. 20037.
B. RJR Industries, Inc., P.O. Box 2959, Winston-Salem, N.C. 27102.
D. (6) $619. E. (9) $250.92.

A. Michael R. Gale, 444 North Capitol Street NW., No. 412, Washington, D.C. 20001.
B. American Israel Public Affairs Committee, 444 North Capitol Street NW., No. 412, Washington, D.C. 20001.
D. (6) $8,125.02.

A. Ann E. Gallagher, National Association of Federal Credit Unions, 1111 North 19th Street, Suite 700, Arlington, VA. 22209.
B. National Association of Government Affairs, 1111 North 19th Street, Suite 700, Arlington, Va. 22209.
D. (6) $150.

A. Linda P. Gallagher, 1925 K Street NW., Washington, D.C. 20006.
B. Alliance To Save Energy, 1925 K Street NW., Washington, D.C. 20006.
D. (6) $427.56.

A. Carlos Galvis, CMP Group, Inc., 7315 Wisconsin Avenue, 535W, Bethesda, Md. 20814.
B. Tenant Owned Apartment Association, Inc., The Real Estate Board of New York, Inc., 12 East 41st Street, New York, N.Y. 10017.

A. William R. Ganser, Jr., 4804 Folse Drive, Metairie, La. 70002.
B. Southern Forest Products Association, P.O. Box 52468, New Orleans, La. 70152.
D. (6) $1,875.

A. Nicole Gara, American Academy of Physician Assistants, 2341 Jefferson Davis Highway, Suite 700, Arlington, Va. 22202.
B. American Academy of Physician Assistants, 2341 Jefferson Davis Highway, Suite 700, Arlington, Va. 22202.
D. (6) $2,192.28. E. (9) $2,430.10.

A. Gardner, Carton & Douglas, 1875 I Street NW., Suite 1050, Washington, D.C. 20006.
B. FTC Communications Inc., 90 John Street, New York, N.Y. 10038.
D. (6) $131.25. E. (9) $0.48.

A. Gardner, Carton & Douglas 1875 Eye Street, NW., Suite 1050, Washington, D.C. 20006.
B. Peoples Gas Co., 1120 Connecticut Avenue, NW., Washington, D.C. 20036.

A. Gardner, Carton & Douglas, 1875 Eye Street, NW., Washington, D.C. 20006.
B. Sealed Power Corp., 2001 Sanford Street, Muskegon, Mich. 49443.

A. Sherwin Gardner, 1010 Wisconsin Avenue NW., Suite 800, Washington, D.C. 20007.
B. Grocery Manufacturers of America, Inc., 1010 Wisconsin Avenue NW., Suite 800, Washington, D.C. 20007.

A. James J. Garry, Coffee, Sugar & Cocoa Exchange, Inc., Four World Trade Center, Eighth Floor, New York, N.Y. 10048.

B. Coffee, Sugar & Cocoa Exchange, Inc., Four World Trade Center, Eighth Floor, New York, N.Y. 10048.
E. (9) $100.36.

A. Garvey, Schubert, Adams & Barer, 1000 Potomac Street NW., Fifth Floor, Washington, D.C. 20007.
B. American Pyrotechnics Association, 407 Campus Avenue, Chestertown, Md. 21620.

A. Garvey, Schubert, Adams & Barer, 1000 Potomac Street NW., Fifth Floor, Washington, D.C. 20007.
B. Continental Airlines Employee Association, Denver Stapleton Airport, Denver, Colo. 80207.

A. Garvey, Schubert, Adams & Barer, 1000 Potomac Street NW., Fifth Floor, Washington, D.C. 20007.
B. Delaware and Hudson Railway Co., Delaware and Hudson Building, Albany, N.Y. 12207.

A. Garvey, Schubert, Adams & Barer, 1000 Potomac Street NW., Washington, D.C. 20007.
B. Grocery Manufacturers of America, Inc., 1010 Wisconsin Avenue, NW., Washington, D.C. 20007.

A. Garvey, Schubert, Adams & Barer, 1000 Potomac Street NW., Fifth Floor, Washington, D.C. 20007.
B. GTE Service Corp., 1120 Connecticut Avenue NW., Washington, D.C. 20036.

A. Garvey, Schubert, Adams & Barer, 1000 Potomac Street NW., Fifth Floor, Washington, D.C. 20007.
B. Noranda Mining Inc. 986 Atherton Drive, Suite 220, Salt Lake City, Utah 84107.

A. Garvey, Schubert, Adams & Barer, 1000 Potomac Street NW., Washington, D.C. 20007.
B. Northwest Marine Iron Works, P.O. Box 3109, Portland, Oreg. 97208.

A. Garvey, Schubert, Adams & Barer, 1000 Potomac Street NW., Fifth Floor, Washington, D.C. 20007.
B. PACCAR, Inc., 777 106th Avenue NE., Bellevue, Wash. 98009.

A. Garvey, Schubert, Adams & Barer, 1000 Potomac Street NW., Fifth Floor, Washington, D.C. 20007.
B. Pacific Rim Trade Association c/o Rockey Marsh Public Relations Counselors, 1990 SW., Fifth Avenue, Portland, Oreg. 97201.

A. Garvey, Schubert, Adams & Barer, 1000 Potomac Street NW., Fifth Floor, Washington, D.C. 20007.
B. Totem Ocean Trailer Express, Inc., 1100 Olive Way, Seattle, Wash. 98101.

A. Garvey, Schubert, Adams & Barer, 1000 Potomac Street NW., Fifth Floor, Washington, D.C. 20007.
B. Trailways, Inc., 1200 I Street NW., Washington, D.C. 20005.

A. Garvey, Schubert, Adams & Barer 1000 Potomac Street NW., Fifth Floor, Washington, D.C. 20007.
B. Washington Citizens for World Trade, Fourth & Battery Building, Suite 925, Seattle, Wash. 98121.

A. E. June Garvin, Ohio Petroleum Council, 88 East Broad Street, Suite 1960, Columbus, Ohio 43215.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $500.

A. Gas Appliance Manufacturers Association, Inc., 1901 North Fort Myer Drive, Arlington, Va. 22209.
E. (9) $99.40.

A. Lillian B. Gaskin, American Bar Association, 1800 M Street NW., Washington, D.C. 20036.
B. American Bar Association, 1155 East 60th Street, Chicago, Ill. 60637.
D. (6) $400. E. (9) $50.

A. Philip Gasteyer, United States League of Savings Associations, 1709 New York Avenue NW., Suite 801, Washington, D.C. 20006.
B. United States League of Savings Associations, 111 East Wacker Drive, Chicago, Ill.
D. (6) $2,225.

A. John A. Gauthier, 923 15th Street NW., Washington, D.C. 20005.
B. Transportation Institute, 923 15th Street NW., Washington, D.C. 20005.
D. (6) $3,000. E. (9) $227.87.

A. Dwight M. Geduldig, American Hospital Association, 444 North Capital Street NW., No. 500, Washington, D.C. 20001.
B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill. 60611.
D. (6) $1,373.08. E. (9) $136.76.

A. Robert C. Gelardi, Calorie Control Council, 5775 Peachtree-Dunwoody Road, Suite 500-D, Atlanta, Ga. 30342.
B. The Robert H. Kellen Co., 5775 Peachtree-Dunwoody Road, Suite 500-D, Atlanta, Ga. 30342 for: Calorie Control Council, 5775 Peachtree-Dunwoody Road, Suite 500-D, Atlanta, Ga. 30342.
D. (6) $420.

A. Morton A. Geller, First National Bank of Boston, 100 Federal Street, Boston, Mass. 02110.
B. First National Bank of Boston, 100 Federal Street, Boston, Mass. 02110.

A. General Aviation Manufacturers Association, 1025 Connecticut Avenue NW., Suite 517, Washington, D.C. 20036.
E. (9) $3,150.

A. General Instrument Corp., 1775 Broadway, New York, N.Y. 10019.
D. (6) $1,350. E. (9) $630.

A. Generic Pharmaceutical Industry Association, 600 Third Avenue—18th Floor, New York, N.Y. 10016.
D. (6) $4,872.25. E. (9) $4,872.25.

A. John Gentille, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. Joseph G. Gerard, Southern Furniture Manufacturers Association/National Association of Furniture Manufacturers, 918 16th Street NW., No. 402, Washington, D.C. 20006.
B. Southern Furniture Manufacturers Association, P.O. Box 2436, High Point, N.C. 27261.
D. (6) $1,500. E. (9) $1,725.24.

A. Louis Gerber, 1925 K Street NW., Washington, D.C. 20006.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C. 20006.
D. (6) $6,456.52. E. (9) $49.55.

A. Dorothy F. Gevinson, Procter & Gamble Manufacturing Co., 1801 K Street NW., Suite 230, Washington, D.C. 20006.
B. The Procter & Gamble Manufacturing Co., 301 East Sixth Street, Cincinnati, Ohio 45202.

A. Robert N. Giaimo, 499 South Capitol Street SW., Suite 110, Washington, D.C. 20003.
B. Insurance Association of Connecticut, 60 Washington Street, Suite 1304, Hartford, Conn. 06106.
D. (6) $8,750.

A. William T. Gibb III, American Council of Life Insurance, 1850 K Street NW., Washington, D.C. 20006.
B. American Council of Life Insurance, Inc., 1850 K Street NW., Washington, D.C. 20006.
D. (6) $280. E. (9) $5.

A. Wayne Gibbens, Mid-Continent Oil & Gas Association, 1919 Pennsylvania Avenue NW., Suite 503, Washington, D.C. 20006.
B. Mid-Continent Oil & Gas Association, 1111 Thompson Building, Tulsa, Okla. 74103.
D. (6) $5,250. E. (9) $91.

A. Anne Marie Gibbons, 2600 Virginia Avenue NW., Suite 212, Washington, D.C. 20036.
B. American Public Power Association, 2600 Virginia Avenue NW., Suite 212, Washington, D.C. 20037.
D. (6) $500.

A. Theresa M. Gibson, American Express Co., 1700 K Street NW., Washington, D.C. 20006
B. American Express Co., American Express Plaza, New York, N.Y. 10004

A. Thomas F. Gibson, 1750 Old Meadow Road, McLean, Va 22102.
B. Brick Institute of America, 1750 Old Meadow Road, McLean, Va 22102.

A. William G. Giery, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Foodservice and Lodging Institute, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Arthur P. Gildea, 274, Glenfield Court, Cincinnati, Ohio 45238.
B. Brewery & Soft Drink Workers National Conference, International Brotherhood Teamsters, Chauffeurs, Warehousemen & Helpers of America, 1400 Renaissance Drive, Park Ridge, Ill. 60068.

A. Michael Gildea, 815 16th Street NW., Washington, D.C. 20006.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $14,516.60.

A. John Giles, 1600 I Street NW., Washington, D.C. 20006.
B. Motion Picture Association of America, Inc., 1600 I Street NW., Washington, D.C. 20006.

A. Neal P. Gillen, American Cotton Shippers Association 1707 L Street NW., Suite 460, Washington, D.C. 20036.
B. American Cotton Shippers Association, 1707 L Street NW., Suite 460, Washington, D.C. 20036.
D. (6) $15,000. E. (9) $1,037.88.

A. William Gilmartin, 1220 19th Street NW., Suite 303, Washington, D.C. 20036.
B. Planned Parenthood Federation of America, Inc., 1220 19th Street NW., Suite 303, Washington, D.C. 20036.

D. (6) $1,499.21. E. (9) $352.06.

A. Marla F. Gilson, 444 North Capitol Street NW., No. 412, Washington, D.C. 20001.
B. American Israel Public Affairs Committee 444 North Capitol Street NW., Suite No. 412, Washington, D.C. 20001.
D. (6) $625.

A. Ginsburg, Feldman, Weil and Bress, 1700 Pennsylvania Avenue NW., Suite 300, Washington, D.C. 20006.
B. Coal Oil Producers Association, 1700 Pennsylvania Avenue NW., Suite 300, Washington, D.C. 20006.
D. (6) $750. E. (9) $226.22.

A. Gerard Giovaniello, 777 14th Street NW., Washington, D.C. 20005.
B. National Association of Realtors, 777 14th Street NW., Washington, D.C. 20005.
D. (6) $2,500. E. (9) $487.46.

A. Brenda M. Girton, Sears, Roebuck & Co., 1211 Connecticut Avenue NW., No. 802, Washington, D.C. 20036.
B. Sears, Roebuck & Co., Sears Tower, Chicago, Ill. 60684.
D. (6) $90. E. (9) $38.36.

A. Jonah Gitlitz, 1730 K Street NW., No. 905, Washington, D.C. 20006.
B. Direct Mail Marketing Association, 1730 K Street NW., No. 905, Washington, D.C. 20006.
D. (6) $1,400.

A. Michael J. Giuffrida, 1019 19th Street NW., Suite 800, Washington, D.C. 20036.
B. National Frozen Food Association, Inc., 604 West Derry Road, P.O. Box 398, Hershey, Pa. 17033.
D. (6) $2,242.16.

A. Larry Glantz, National Employment Law Project, 236 Massachusetts Avenue NE., Washington, D.C. 20002.
B. National Employment Law Project, 236 Massachusetts Avenue NE., Washington, D.C. 20002.
D. (6) $1,250. E. (9) $725.

A. Jay W. Glasmann, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Employee Relocation Council, 1627 K Street NW., Suite 600, Washington, D.C. 20006.
E. (9) $25.

A. Sol Glasner, Sperry Corp., 2000 L Street NW., Suite 810, Washington, D.C. 20036.
B. Sperry Corp., 2000 L Street NW., Suite 810, Washington, D.C. 20036.

A. Vernie Glasson, American Farm Bureau Federation, 425 13th Street NW., Washington, D.C. 20004.
B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill. 60068.
D. (6) $6,000. E. (9) $61.

A. Claude R. Glaze, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 3 Research Place, Rockville, Md. 20850.
D. (6) $1,040. E. (9) $910.

A. George L. Gleason, 410 First Street SE., Washington, D.C.
B. American Nuclear Energy Council, 410 First Street SE., Washington, D.C.
D. (6) $2,218.30. E. (9) $39.56.

A. John P. Gleason, Jr., 1750 Old Meadow Road, McLean, Va. 22102.
B. Brick Institute of America, 1750 Old Meadow Road, McLean, Va. 22102.

A. Robert Gleason, International Longshoremen's Association, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.
B. International Longshoremen's Association, AFL-CIO, 17 Battery Place, New York, N.Y. 10004.
D. (6) $5,567.69.

A. The Glenmede Trust Co., 229 South 18th Street, Philadelphia, Pa. 19103.

A. James T. Glenn, CSX Corp., 840 Washington Building, 15th Street and New York Avenue NW., Washington, D.C. 20005-2071.
B. CSX Corp., 1500 Federal Reserve Building, Richmond, Va. 23219.
D. (6) $3,000. E. (9) $441.20.

A. Godfrey Associates, Inc., 918 16th Street NW., Suite 501, Washington, D.C. 20006
E. (9) $39.15.

A. Horace D. Godfrey, 918 16th Street NW., Suite 501, Washington, D.C. 20006.
B. Godfrey Associates, 918 16th Street NW., Suite 501, Washington, D.C. 20006.
E. (9) $39.15.

A. J. F. Godfrey, P.O. Box 186, Fort Worth, Tex. 76101.
B. The Western Co. of North America, P.O. Box 186, Fort Worth, Tex. 76101.
D. (6) $18.

A. Richard D. Godown, Burson-Marsteller, 1800 M Street NW., Suite 750, Washington, D.C. 20036.
B. Burson-Marsteller, 1800 M Street NW., Suite 750-South Washington, D.C. (for: National Oil Jobbers Council, 1707 H Street NW., Suite 1100, Washington, D.C. 20006).

A. Harvey S. Gold, Velsicol Chemical Corporation, 1015 15th Street NW., Washington, D.C. 20005.
B. Veliscol Chemical Corporation, 341 East Ohio Street, Chicago, Ill. 60611.
D. (6) $2,640. E. (9) $1,357.50.

A. Michael Goldstein, National Association of Catalog Showroom Merchandisers, 276 Fifth Avenue, New York, N.Y. 10001.
B. National Association of Catalog Showroom Merchandisers, 276 Fifth Avenue, New York, N.Y. 10001.

A. William M. Goldstein, Morgan, Lewis & Bockius, 123 South Broad Street, Philadelphia, Pa. 19109.
B. Committee for Capital Formation Through Dividend Investment, 1800 M Street NW., Suite 800 N., Washington, D.C. 20036.

A. Jack, Golodner, 1140 Connecticut Avenue NW., Washington, D.C. 20036.
B. Actors Equity Association, 165 West 46th Street, New York, N.Y. 10036.
D. (6) $2,500. E. (9) $1,026.63.

A. Jack Golodner, 815 16th Street NW., Washington, D.C. 20006.
B. Department for Professional Employees, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $3,297.

A. Ruth Gonze, 2600 Virginia Avenue NW., Suite 212, Washington, D.C. 20037.
B. American Public Power Association, 2600 Virginia Avenue NW., Suite 212, Washington, D.C. 20037.
D. (6) $500.00.

A. Don A. Goodall, 1575 I Street NW., Suite 220, Washington, D.C. 20005.
B. American Cyanamid Co., Wayne, N.J. 07470.
D. (6) $585. E. (9) $149.21.

A. Charles E. Goodell, 1225 19th Street NW., Washington, D.C. 20036.
B. DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036 (for: European Aerospace Corp., 1101 15th Street NW., Washington, D.C. 20005.)

A. Charles E. Goodell, DGA International, Inc. 1225 19th Street NW., Washington, D.C. 20036.
B. DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036 (for: Sofreavia, 75 rue la Boetie Paris, 8 eme France.)

A. Vance V. Goodfellow, 307 4th Avenue South, P.O. 15047, Minneapolis, Minn. 55415.
B. Crop Quality Council, 307 4th Avenue South, P.O. 15047, Minneapolis, Minn. 55415.
D. (6) $9,269.40.

A. Bruce G. Goodman, 115 Fourth Avenue, Needham Heights, Mass. 02194.
B. Damon Corporation, 115 Fourth Avenue, Needham Heights, Mass. 02194.

A. Robert F. Goodwin, Meredith Corporation, 1850 K Street NW., Suite 275, Washington, D.C. 20006.
B. Meredith Corp., 1850 K Street NW., Suite 275, Washington, D.C. 20006.
D. (6) $40. E. (9) $37.

A. Benjamin Gordon, 2000 P Street NW., No. 708, Washington, D.C. 20036.
B. Health Research Group, 2000 P Street NW., No. 708, Washington, D.C. 20036.

A. Beth Gordon, Air Products & Chemicals, Inc., 1800 K Street NW., Suite 1016, Washington, D.C. 20006.
B. Air Products & Chemicals, Inc., P.O. Box 538, Allentown, Pa. 18105.
D. (6) $50. E. (9) $197.90.

A. Douglas B. Gordon, National Food Processors Association, 1133 20th Street NW., Washington, D.C. 20036.
B. National Food Processors Association, 113 20th Street NW., Washington, D.C. 20036.
D. (6) $375. E. (9) $216.08.

A. Brenda J. Gore, 1000 Wilson Boulevard, No. 2600, Arlington, Va. 22209.
B. TRW, Inc., 1000 Wilson Boulevard, No. 2600, Arlington, Va. 22209.
D. (6) $1,000.

A. Keith S. Gormezano, Le Beacon Presse, 2511½ East Yesler Way, Seattle, Wash. 98122.

A. James D. Gormley, 1025 Connecticut Avenue NW., Suite 517, Washington, D.C. 20036.
B. General Aviation Manufacturers Association, 1025 Connecticut Avenue NW., Suite 517, Washington, D.C. 20036.
D. (6) $2,025.

A. Ann Gosier, American Mining Congress, 1920 N Street NW., Washington, D.C. 20036.
D. (6) $9.62. E. (9) $1.20.

A. Peter J. Gossens, 1717 Massachusetts Avenue NW., Suite 503, Washington, D.C. 20036.
B. National Association of Independent Colleges and Universities, 1717 Massachusetts Avenue NW., Suite 503, Washington, D.C. 20036.

D. (6) $9,900.

A. George B. Gould III, National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.
D. (6) $10,407.28. E. (9) $2,810.20.

A. John T. Gould, Jr., St. Regis Paper Co., 1625 I Street NW., No. 805, Washington, D.C. 20006.
B. St. Regis Paper Co., 150 East 42d Street, New York, N.Y. 10017.
D. (6) $500. E. (9) $700.

A. Edmond Graber, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. Thomas E. Grace, Montgomery Ward & Co., Inc., 1100 Connecticut Avenue NW., No. 530, Washington, D.C. 20036.
B. Montgomery Ward & Co., Inc., One Montgomery Ward Place, Chicago, Ill. 60671.
D. (6) $16.

A. John R. Graff, International Association of Amusement Parks & Attractions, 1025 Vermont Avenue NW., Washington, D.C. 20005.
B. International Association of Amusement Parks & Attractions, 7222 West Cermak Road, North Riverside, Ill. 60546.
D. (6) $90. E. (9) $86.

A. Lawrence T. Graham, American Hotel & Motel Association, 1101 Connecticut Avenue NW., Suite 1006, Washington, D.C. 20036.
B. American Hotel & Motel Association, 888 Seventh Avenue, New York, N.Y. 10019.
D. (6) $1,066.15.

A. Wm. W. Grant, Utah International Inc., 1150 Connecticut Avenue NW., No. 710, Washington, D.C. 20036.
B. Utah International Inc., 550 California Street, San Francisco, Calif. 94104.
E. (9) $130.13.

A. James L. Granum, Southern Railway Co., 920 15th Street NW., Washington, D.C. 20005.
B. Southern Railway Co., 920 15th Street NW., Washington, D.C. 20005.
D. (6) $1,000.

A. Michael R. Graul, Law Offices of Sheldon I. London, 1725 DeSales Street NW., Suite 401, Washington, D.C. 20036.
B. American Hardware Manufacturers Association, 117 East Palatine Road, Palatine, Ill. 60067.
D. (6) $1,000.

A. James A. Grav 7901 Westpark Drive, McLean, Va. 22102.
B. National Machine Tool Builders' Association, 7901 Westpark Drive, McLean, Va. 22102.
D. (6) $649.98. E. (9) $25.

A. Robert K. Gray, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co., The Power House, 3255 Grace Street NW., Washington, D.C. 20007 (for: American Iron and Steel Institute).

A. Robert K. Gray, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co., The Power House, 3255 Grace Street NW., Washington, D.C. 20007 (for: El Paso Natural Gas).

A. Robert K. Gray, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co., The Power House, 3255 Grace Street NW., Washington, D.C. 20007.

A. Robert K. Gray, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co., The Power House, 3255 Grace Street NW., Washington, D.C. 20007 (for: General Telephone & Electronics).
D. (6) $600.

A. Robert K. Gray, The Power House, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co., The Power House, 3255 Grace Street NW., Washington, D.C. 20007 (for: Motorola, Inc.).
D. (6) $600.

A. Mark E. Grayson, Hill & Knowlton, Inc., 1425 K Street NW., Washington, D.C. 20005.
B. Hill & Knowlton, Inc., 633 3d Avenue, New York, N.Y. 10017.

A. Mark E. Grayson, Hill & Knowlton, Inc., 1425 K Street NW., Washington, D.C. 20005.
B. Hill & Knowlton, Inc., 633 3d Avenue, New York, N.Y. 10017 (for: National Tire Dealers & Retreaders Association).

A. Mark E. Grayson, Hill & Knowlton, Inc., 1425 K Street NW., Washington, D.C. 20005.
B. Hill & Knowlton, Inc., 633 3d Avenue, New York, N.Y. 10017 (for: RKO General).

A. Mark E. Grayson, Hill & Knowlton, Inc., 1425 K Street NW., Washington, D.C. 20005.
B. Hill & Knowlton, Inc., 633 3d Avenue, New York, N.Y. 100017 (for: Uniroyal).

A. Samuel Grayson, Union Pacific Railroad Co., P.O. Box 1745, Boise, Idaho 83701.
B. Union Pacific Railroad, 1416 Dodge Street, Omaha, Nebr. 68179.

A. The Great Atlantic & Pacific Tea Co. Inc., 2 Paragon Drive, Montvale, N.J. 07645.

A. The Great Western Sugar Co., P.O. Box 5308 T.A., Denver, Colorado 80217.
E. (9) $5,104.16.

A. The Greater Washington Board of Trade, 1129 20th Street NW., Washington, D.C. 20036.

A. Donald R. Greeley, Celanese Corp., 1101 17th Street NW., Suite 307, Washington, D.C. 20036-4776.
B. Celanese Corp., 1211 Avenue of the Americas, New York, N.Y. 10036.
D. (6) $750. E. (9) $178.45.

A. George R. Green, 1750 K Street NW., Washington, D.C. 20006.
B. Food Marketing Institute, 1750 K Street NW., Washington, D.C. 20006.
D. (6) $450.

A. James W. Green, National Education Association, 1201 16th Street NW., Washington, D.C. 20036.
B. National Education Association, 1201 16th Street NW., Washington, D.C. 20036.
D. (6) $4,312.80. E. (9) $231.80.

A. Micah S. Green, 777 14th Street NW., Washington, D.C. 20005.
B. National Association of Realtors, 777 14th Street NW., Washington, D.C. 20005.
D. (6) $2,500. E. (9) $207.48.

A. Robert Greenstein, Project on Food Assistance & Poverty, 236 Massachusetts Avenue NE., Washington, D.C. 20002.
B. Center for Community Change, 1000 Wisconsin Avenue NW., Washington, D.C. 20007.
D. (6) $2,012.50. E. (9) $90.

A. P. Michael Greenwald, American Hospital Association, 444 North Capitol Street NW., No. 500, Washington, D.C. 20001.
B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill. 60611.
D. (6) $578.55. E. (9) $29.75.

A. Saunders Gregg, Entex, Inc., P.O. Box 2628, Houston, Tex. 77001.
B. Entex, Inc., P.O. Box 2628, Houston, Tex. 77001.
D. (6) $1,774. E. (9) $4,244.82.

A. Chellis O. Gregory, Jr., 151 North Carolina Avenue SE., Washington, D.C. 20003.
B. Zuckert, Scoutt & Rasenberger, 888 17th Street NW., Washington, D.C. 20005. (For: Antaeus Enterprises, Inc.).
D. (6) $3,325. E. (9) $15.90.

A. Chellis O. Gregory, Jr., 151 North Carolina Avenue SE., Washington, D.C. 20003.
B. Zuckert, Scoutt & Rasenberger, 888 17th Street NW., Washington, D.C. (For: Republic Airlines.)
D. (6) $3,675. E. (9) $7.20.

A. William G. Greif, Bristol-Myers Co., 1155-15th Street NW., Washington, D.C. 20005.
B. Bristol-Myers Co., 345 Park Avenue NW., New York, N.Y. 10154.
D. (6) $25,000.

A. Lori Gribbin, 1899 L Street NW., No. 807, Washington, D.C. 20036.
B. Rohm and Haas Co., Independent Mall West, Philadelphia, Pa. 19105.
D. (6) $500. E. (9) $166.89.

A. Joan M. Griffin, 1717 Massachusetts Avenue NW., Suite 503, Washington, D.C. 20036.
B. National Association of Independent Colleges, 1717 Massachusetts Avenue NW., Suite 503, Washington, D.C. 20036.
D. (6) $4,700. E. (9) $99.44.

A. Edward D. Griffith, Atlantic Richfield Co., 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Atlantic Richfield Co., 515 South Flower Street, Los Angeles, Calif. 90071.
D. (6) $1,000.

A. Ellen B. Griffith, Child Advocacy Center, Suite 505, 1341 G Street NW., Washington, D.C. 20005.
B. For Love of Children, Inc., Child Advocacy Center, Suite 505, 1341 G Street NW., Washington, D.C. 20005.
D. (6) $18.

A. Mark N. Griffiths, NAM, 1776 F Street NW., Washington, D.C. 20006.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
D. (6) $200.

A. A. Jack Grimes, 8150 Leesburg Pike, No. 1100, Vienna, Va. 22180.
B. National Pest Control Association, 8150 Leesburg Pike, No. 1100, Vienna, Va. 22180.

A. Olga Grkavac, 1300 North 17th Street, Suite 300, Arlington, Va. 22209.

B. Association of Data Processing Service Organizations, Inc., 1300 North 17th Street, Suite 300, Arlington, Va. 22209.

A. Grocery Manufacturers of America, Inc., 1010 Wisconsin Avenue NW., Suite 800, Washington, D.C. 20007.

A. Groom & Nordberg, Chartered, 1775 Pennsylvania Avenue NW., Suite 450, Washington, D.C. 20006.
B. Ad Hoc Group on Life Insurance Company Taxation of Pension Funds, Groom & Nordberg, Chartered, 1775 Pennsylvania Avenue NW., Suite 450, Washington, D.C. 20006.

A. Groom & Nordberg, Chartered, 1775 Pennsylvania Avenue NW., Suite 450, Washington, D.C. 20006.
B. Aetna Life & Casualty, 151 Farmington Road, Hartford, Conn. 06115.

A. Groom & Nordberg, Chartered, 1775 Pennsylvania Avenue NW., Suite 450, Washington, D.C. 20006.
B. American President Lines, 1950 Franklin Street, Oakland, Calif. 94612.

A. Groom & Nordberg, Chartered, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Bally Manufacturing Corp., 2640 West Belmont Avenue, Chicago, Ill. 60618.

A. Groom & Nordberg, Chartered, 1775 Pennsylvania Avenue NW., Suite 450, Washington, D.C. 20006.
B. Connecticut General Insurance Co., Hartford, Conn. 06115.

A. Groom & Nordberg, Chartered, 1775 Pennsylvania Avenue NW., Suite 450, Washington, D.C. 20006.
B. The Equitable Life Assurance Society of the United States, 1285 Avenue of the Americas, New York, N.Y. 10019.

A. Groom & Nordberg, Chartered, 1775 Pennsylvania Avenue NW., Suite 450, Washington, D.C. 20006.
B. Gulf Oil Corp., P.O. Box 1166, Pittsburgh, Pa. 15230.
D. (6) $300. E. (9) $8.

A. Groom & Nordberg, Chartered, 1775 Pennsylvania Avenue NW., Suite 450, Washington, D.C. 20006.
B. John Hancock Mutual Life Insurance Co., P.O. Box 111, Boston, Mass. 02117.

A. Groom & Nordberg, Chartered, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Eli Lilly & Co., 307 East McCarty Street, Indianapolis, Ind. 46206.

A. Groom & Nordberg, Chartered, 1775 Pennsylvania Avenue NW., Suite 450, Washington, D.C. 20006.
B. Matson Navigation, 333 Market Street, San Francisco, Calif. 94105.

A. Groom & Nordberg, Chartered, 1775 Pennsylvania Avenue NW., Suite 450, Washington, D.C. 20006.
B. Natomas Co., 601 California Street, San Francisco, Calif. 94108.

A. Groom & Nordberg, Chartered, 1775 Pennsylvania Avenue NW., Suite 450, Washington, D.C. 20006.
B. Phillips Petroleum, 656 Information Center, Bartlesville, Okla. 74004.
D. (6) $200. E. (9) $8.

A. Groom & Nordberg, Chartered, 1775 Pennsylvania Avenue NW., Suite 450, Washington, D.C. 20006.
B. Phoenix Mutual Life Insurance Co., 1 American Row, Hartford, Conn. 06115.

A. Groom & Nordberg, Chartered, 1775 Pennsylvania Avenue NW., Suite 450, Washington, D.C. 20006.
B. The Prudential Insurance Co. of America, Prudential Plaza, Newark, N.J. 07101.
D. (6) $300. E. (9) $8.

A. Groom & Nordberg, Chartered, 1775 Pennsylvania Avenue NW., Suite 450, Washington, D.C. 20006.
B. The Travelers, 1 Tower Square, Hartford, Conn. 06115.

A. Groom & Nordberg, Chartered, 1775 Pennsylvania Avenue NW., Suite 450, Washington, D.C. 20006.
B. Western Conference of Teamsters Pension Trust Fund, P.O. 7880, San Francisco, Calif. 94102.

A. Groom & Nordberg, Chartered, 1775 Pennsylvania Avenue NW., Suite 450, Washington, D.C. 20006.
B. Westinghouse Electric Corp., Westinghouse Building, Gateway Center, Pittsburgh, Pa. 15222.
D. (6) $100. E. (9) $4.

A. David B. Gross, Shell Oil Company, Suite 200, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. Shell Oil Company, One Shell Plaza (P.O. Box 2463), Houston, Tex. 77001.
D. (6) $1,000.

A. Nina G. Gross, American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $650. E. (9) $286.79.

A. Frank N. Grossman, Santa Fe Industries, Inc., 1100 Connecticut Avenue NW., Suite 840, Washington, D.C. 20036.
B. Sante Fe Industries, Inc., 224 South Michigan Avenue, Chicago, Illinois 60604.
D. (6) *$1,500.

A. Jerome Grossman, 11 Beacon Street, Boston, Mass. 02108.
B. Council for a Livable World, 11 Beacon Street, Boston, Mass. 02108.
D. (6) $5,400.

A. John R. Groundwater, Jr., 3251 Old Lee National Limestone Institute, Inc., 3251 Old Lee Highway, Suite 500, Fairfax, Va. 22030.
E. (9) $9.90.

A. John T. Grupenhoff, 10,000 Falls Rd., No. 306, Potomac, Md. 20854.
B. American Academy of Dermatology, 820 Davis Street, Evanston, Ill. 60201.

A. John T. Grupenhoff, 10,000 Falls Rd., No. 306, Potomac, Md. 20854.
B. American Gastroenterological Association, c/o Charles Slack, Inc., Thorofare, N.J. 08086.

A. John T. Grupenhoff, 10,000 Falls Rd., No. 306, Potomac, Md. 20854.
B. National Association for Hospital Development, 1700 K Street NW., No. 605, Washington, D.C. 20006.
A. Richard F. Guay, 1101 15th Street NW., Washington, D.C. 20005.
B. National Constructors Association, 1101 15th Street NW., Washington, D.C. 20005.
D. (6) $3,375.

A. Jerome R. Gulan, National Small Business Association, 1604 K Street NW., Washington, D.C. 20006.
B. National Small Business Association, 1604 K Street NW., Washington, D.C. 20006.
D. (6) $4,500.

A. Jerome R. Gulan, Small Business Legislative Council, 1604 K Street NW., Washington, D.C. 20006.
B. Small Business Legislative Council, 1604 K Street NW., Washington, D.C. 20006.
D. (6) $2,500.

A. Gun Owners of America, Inc., 101 South Whiting Street, Alexandria, Va. 22304.
D. (6) $61,356.34. E. (9) $76,555.40.

A. David Gusky, 1016 16th Street NW., Washington, D.C. 20036.
B. National Federation of Federal Employees, 1016 16th Street NW., Washington, D.C. 20036.
D. (6) $8,543.58.

A. Susan L. Gustafson, American Automobile Association, 8111 Gatehouse Road, Falls Church, Va. 22047.
B. American Automobile Association, 8111 Gatehouse Road, Falls Church, Va. 22047.

A. Robert F. Guthrie, 815 16th Street NW., Washington, D.C. 20006.
B. Department for Professional Employees, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $4,374.62.

A. Ellen Haas, Community Nutrition Institute, 1146 19th Street NW., Washington, D.C. 20036.
B. Community Nutrition Institute, 1146 19th Street NW., Washington, D.C. 20036.

A. C. James Hackett, P.O. Box 11700, Tacoma, Wash. 98411.
B. American Plywood Association, P.O. Box 11700. Tacoma, Wash. 98411.

A. James M. Hacking, National Retired Teachers Association-American Association of Retired Persons, 1909 K Street NW., Washington, D.C. 20049.
B. National Retired Teachers Association-American Association of Retired Persons, 1909 K Street NW., Washington, D.C. 20049.
D. (6) $586.92. E. (9) $312.30.

A. Craig Hackler, 412 First Street SE., Suite 214, Washington, D.C. 20003.
B. Beneficial Management Corp. of America, 200 South Street, Morristown, N.J. 07960.
D. (6) $500.

A. Craig Hackler, 412 First Street SE., Suite 214, Washington, D.C. 20003.
B. Cadillac Fairview, c/o The Corporation Trust Co., 100 West 10th Street, Wilmington, Del. 19801.
D. (6) $3,500.

A. Craig Hackler, 412 First Street SE., Suite 214, Washington, D.C. 20003.
B. California Westside Farmers, 955 L'Enfant Plaza North, SW., Room 1101, Washington, D.C. 20024.

A. Craig Hackler, 412 First Street SE., Suite 214, Washington, D.C. 20003.
B. Guam Oil & Refining Co., 3400 Southland Center, Dallas, Tex. 75201.
D. (6) $2,000.

A. Craig Hackler, 412 First Street SE., Suite 214, Washington, D.C. 20003.
B. National Living Centers, 777 South Post Oak Road, Suite 600, Houston, Tex. 77056.

A. Craig Hackler, 412 First Street SE., Suite 214, Washington, D.C. 20003.

B. Stichting Philips Pensionenfonds A and B, Tramstraat 62, Eindhoven, the Netherlands.

A. Loyd Hackler, American Retail Federation, 1616 H Street NW., Washington, D.C. 20006.
B. American Retail Federation, 1616 H Street NW., Washington, D.C. 20006.
D. (6) $2,000. E. (9) $121.20.

A. William F. Haddad, 322 West 57th Street, New York, N.Y. 10019.
B. Generic Pharmaceutical Industry Association, 600 Third Avenue, 18th Floor, New York, N.Y. 10016.
D. (6) $1,350. E. (9) $409.

A. Ronald D. Hagen, National Retired Teachers Association-American Association of Retired Persons, 1909 K Street NW., Washington, D.C. 20049.
B. National Retired Teachers Association-American Association of Retired Persons, 1909 K Street NW., Washington, D.C. 20049.
D. (6) $383.65. E. (9) $30.63.

A. Bruce N. Hahn, 9300 Livingston Road, Washington, D.C. 20022.
B. National Tooling & Machining Association, 9300 Livingston Road, Washington, D.C. 20022.

A. Peter H. Hahn, 1100 17th Street NW., Washington, D.C. 20036.
B. Chromalloy American Corp., 120 South Central Avenue, St. Louis, Mo. 63105.
D. (6) $2,000. E. (9) $1,025.

A. Donald M. Haines, American Federation of Government Employees, 1325 Massachusetts Avenue NW., Washington, D.C. 20005.
B. American Federation of Government Employees, 1325 Massachusetts Avenue NW., Washington, D.C. 20005.
D. (6) $7,013.30. E. (9) $54.05.

A. Thomas F. Hairston, Union Oil Co. of California, 1100 Connecticut Avenue NW., Suite 800, Washington, D.C. 20036.
B. Union Oil Co. of California, 461 South Boylston Street, Los Angeles, Calif. 90017.
E. (9) $1,214.

A. Haley, Bader & Potts, 1730 M Street NW., Washington, D.C. 20036.
B. Pilots Rights Association, P.O. Box 7000-367, Redondo Beach, Calif. 90277.
D. (6) $142.50. E. (9) $324.41.

A. Cheryl A. Haley, American Hospital Association, 444 North Capitol Street NW., No. 500, Washington, D.C. 20001.
B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill. 60611.
D. (6) $794.59. E. (9) $47.33.

A. Martin Ryan Haley & Associates, Inc., 1015 15th Street NW., Washington, D.C. 20005.
B. Agri-Business Incorporated, 11411 Rendezvous, San Antonio, Tex. 78216.

A. Martin Ryan Haley & Associates, Inc., 1015 15th Street NW., Washington, D.C. 20005.
B. American Energy Inc., Forman, N. Dak. 58032.

A. Martin Ryan Haley & Associates, Inc. 1015 15th Street NW., Washington, D.C. 20005.
B. Central Texas Grain Products Marketing Cooperative, Box 184, Hutto, Tex. 78634.

A. Martin Ryan Haley & Associates, Inc., 1015 15th Street NW., Washington, D.C. 20005.
B. Grain Products Alcohol Cooperatives, 1 Pleasant Valley Plaza, 2200 Hidden Valley Drive, Little Rock, Ark. 72212.

A. Martin Ryan Haley & Associates, Inc., 1015 15th Street NW., Washington, D.C. 20005.
B. High Plains Grain Products Cooperative, Muleshoe, Tex. 79347.

A. Martin Ryan Haley & Associates, Inc., 1015 15th Street NW., Washington, D.C. 20005.
B. M&M/Mars Division of Mars, Inc., High Street, Hackettstown, N.J. 07840.

A. Martin Ryan Haley & Associates, Inc., 1015 15th Street NW., Washington, D.C. 20005.
B. The New England Council, Inc. Statler Office Building, Boston, Mass. 02116.

A. Martin Ryan Haley & Associates, Inc., 1015 15th Street NW., Washington, D.C. 20005.
B. New England Mutual Life Insurance Co., 501 Boylston Street, Boston, Mass. 02117.

A. Martin Ryan Haley & Associates, Inc., 1015 15th Street NW., Washington, D.C. 20005.
B. North Plains Grain Products Cooperative, Box 133, Canby, Minn. 56220.

A. Martin Ryan Haley & Associates, Inc., 1015 15th Street NW., Washington, D.C. 20005.
B. Operation Independence, 406 San Jacinto Building, Austin, Tex. 78701.

A. Martin Ryan Haley & Associates, Inc. 1015 15th Street NW., Washington, D.C 20005.
B. Power Authority of the State of New York, 10 Columbus Circle, New York, N.Y 10019.

A. Martin Ryan Haley & Associates, Inc., 1015 15th Street NW., Washington, D.C. 20005.
B. Tobacco Tax Council, P.O. Box 8269, 5407 Patterson Avenue, Richmond, Va. 23226.

A. Martin Ryan Haley & Associates, Inc., 1015 15th Street NW., Washington, D.C. 20005.
B. West Alabama Grain Products Cooperative, Inc., P.O. Box 237, Uniontown, Ala. 36786.

A. Martin Ryan Haley & Associates, Inc., 1015 15th Street NW., Washington, D.C. 20005.
B. Telephone & Data Systems, Inc., 79 Monroe Street, Chicago, Ill. 60603.
E. (9) $70.23.

A. Anne K. Hall, Chamber of Commerce of the United States, 1615 H Street NW., Washington. D.C. 20062.
B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C. 20062.
D. (6) $700. E. (9) $125.12.

A. Hall, Estill, Hardwick, Gable, Collingsworth & Nelson, P.C., 1750 K Street NW., Suite 350, Washington, D.C. 20006.
B. The Williams Cos., P.O. Box 2400, Tulsa, Okla. 74101.
D. (6) $100.

A. John F. Hall, National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $1,000.

A. Richard F. Hall, Union Oil Co. of California, 1100 Connecticut Avenue NW., Suite 800, Washington, D.C. 20036.
B. Union Oil Co. of California, 461 South Boylston Street, Los Angeles, Calif. 90017.
D. (6) $3,000. E. (9) $492.52.

A. Hallac Associates, Inc., 100 Wall Street, New York, N.Y. 10005.
E. (9) $964.25.

A. Maurice E. Halsey, Northern Illinois Gas Co., 1627 K Street NW., Suite 202, Washington, D.C. 20006.
B. Northern Illinois Gas Co., P.O. Box 190, Aurora, Ill. 60507.
D. (6) $2,500.

A. Paul T. Haluza, 1120 19th Street NW., Suite 333, Washington, D.C. 20036.
B. Motor and Equipment Manufacturers Association, 1120 19th Street NW., Suite 333, Washington, D.C. 20036.
D. (6) $795. E. (9) $240.48.

A. Jerald V. Halvorsen, Allied-General Nuclear Services, 1150 Connecticut Avenue NW., Washington, D.C. 20036.
B. Allied-General Nuclear Services, P.O. Box 847, Barnwell, S.C. 29812.
D. (6) $5,000.

A. Hamel, Park, McCabe & Saunders, 1776 F Street NW., Washington, D.C. 20006.
B. Belize Sugar Industries, Ltd., Belize City, Belize, Central America.
D. (6) $4,000.

A. Hamel, Park, McCabe & Saunders, 1776 F Street NW., Washington, D.C. 20006.
B. Government of Republic of Panama, Compania Azucarera La Estrella, S.A., and Azucarera Nacional, S.A, Panama City, Panama.
D. (6) $3,000.

A. Hamel, Park, McCabe & Saunders, 883 16th Street NW., Washington, D.C. 20006.
B. State of Alaska.

A. Hamel, Park, McCabe & Saunders, 1776 F Street NW., Washington, D.C. 20006.
B. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah 84101.
E. (9) $0.63.

A. Hamel, Park, McCabe & Saunders, 1776 F Street NW., Washington, D.C. 20006.
B. Sugar Association of the Caribbean, Port of Spain, Trinidad.
D. (6) $9,087.50.

A. Hamel, Park, McCabe & Saunders, 1776 F Street NW., Washington, D.C. 20006.
B. United Student Aid Funds, Inc., 200 East 42d Street, New York, N.Y. 10017.

A. Bruce Hamilton, Sierra Club, Box 1078, Lander, Wyo. 82520.
B. Sierra Club, 530 Bush St., San Francisco, Calif. 94108.
D. (6) $1,710. E. (9) $736.90.

A. James L. Hamilton, III, United States Steel Corp., 818 Connecticut Avenue NW., Washington, D.C. 20006.
B. United States Steel Corp., 600 Grant Street, Pittsburgh, Pa. 15230.
D. (6) $612.50.

A. Philip W. Hamilton, 1901 L Street NW., Suite 711, Washington, D.C. 20036.
B. Hamilton & Associates, Inc. (for the National Labor-Management Foundation, Louisville, Ky.), 1901 L Street NW., Suite 711, Washington, D.C. 20036.

E. (9) $7.

A. Stanley Hamilton, Common Carrier Conference-Irregular Route, 1616 P Street NW., Suite 204, Washington, D.C. 20036.
B. Common Carrier Conference-Irregular Route, 1616 P Street NW., Suite 204, Washington, D.C. 20036.
D. (6) $500. E. (9) $50.

A. William W. Hamilton, Jr., 1220 19th Street NW., Suite 303, Washington, D.C. 20036.
B. Planned Parenthood Federation of America, Inc., 1220 19th Street NW., Suite 303, Washington, D.C. 20036.
D. (6) $458.74. E. (9) $433.72.

A. Susan W. Hamlin, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, DC 20006.

A. Sara Hamric, 260 Madison Avenue, New York, N.Y. 10016.
B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y. 10016.

A. Nolan W. Hancock, Oil, Chemical & Atomic Workers International, 1126—16th Street NW., Washington, D.C. 20036.
B. Oil, Chemical & Atomic Workers International Union, 1636 Champa Street, Denver, Colo. 80201.
D. (6) $4,250.

A. Ted Handel, American Public Power Association, 2600 Virginia Avenue NW., Suite 212, Washington, D.C. 20037.
B. American Public Power Association, 2600 Virginia Avenue NW., Suite 212, Washington, D.C 20037.
D. (6) $500.

A. George J. Hanks, Jr., Union Carbide Corp., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Union Carbide Corp., 270 Park Avenue, New York, N.Y. 10017.

A. Elisabeth Hanlin, Sperry Corp., 2000 L Street NW., Suite 810, Washington, D.C. 20036.
B. Sperry Corp., 2000 L Street NW., Suite 810, Washington, D.C. 20036.

A. The Hannaford Co., Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. American Society of Composers, Authors & Publishers, One Liberty Plaza, New York, N.Y. 10023.
D. (6) $900. E. (9) $108.79.

A. The Hannaford Co., Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. Associacion de Amigos del Pais 6a. Av. "A", 10-38, Zona 9 Guatemala City, Guatemala.
D. (6) $4,000. E. (9) $4,281.80.

A. The Hannaford Co., Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. Baltic American Freedom League, P.O. Box 29657, Los Angeles, Calif. 90029.
E. (9) $308.89.

A. The Hannaford Co., Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. Century 21, 18872 MacArthur Boulevard, Irvine, Calif. 97215.
D. (6) $1,500. E. (9) $19.16.

A. The Hannaford Co., Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. China External Trade Development Council, 10th Floor, 201 Tunhna North Road, Taipei, Taiwan, ROC.
D. (6) $4,500. E. (9) $799.30.

A. The Hannaford Co., Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. The Hubbard Broadcasting Co., 3415 University Avenue, St. Paul, Minn. 55114.
D. (6) $2,100. E. (9) $271.78.

A. The Hannaford Co., Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. National Venture Capital Association, 1225 19th Street NW., Washington, D.C. 20036.
D. (6) $18,200. E. (9) $953.76.

A. The Hannaford Co., Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. Northwest Alaskan Pipeline Co., 1120 20th Street NW., Washington, D.C. 20036.
D. (6) $4,334.77. E. (9) $113.44.

A. The Hannaford Co., Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. TOSCO Oil Corp., 1919 Pennsylvania Avenue, NW., Washington, D.C. 20006.
D. (6) $800. E. (9) $58.98.

A. Hansell, Post, Brandon & Dorsey, 1747 Pennsylvania Avenue NW., Suite 920, Washington, D.C. 20006.
B. Associated Builders & Contractors, Inc., 444 North Capitol Street NW., Washington, D.C. 20001.
D. (6) $10,387. E. (9) $289.36.

A. Hansell, Post, Brandon & Dorsey, 1747 Pennsylvania Avenue NW., Suite 920, Washington, D.C. 20006.
B. Portman Properties, 1800 Peachtree Center South, 225 Peachtree Street NE., Atlanta, Ga. 30303.

A. J. E. Hansen, Brotherhood of Railroad Signalmen, 400 First Street NW., Washington, D.C. 20001.
B. Brotherhood of Railroad Signalmen, 601 West Golf Road, Box U, Mount Prospect, Ill. 60056.
D. (6) $350.

A. Rayburn Hanzlik, Coastal Corp., Suite 400, 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Coastal Corp., 9 Greeway Plaza, Houston, Tex. 77046.
D. (6) $2,405.

A. Peter J. Hapworth, 1511 K Street NW., Washington, D.C. 20005.
B. The Sugar Association, Inc., 1511 K Street NW., Washington, D.C. 20005.
D. (6) $500. E. (9) $90.85.

A. Harbison Ford, Inc., Route 1, Morrisville, Pa. 19067.
E. (9) $8,605.17.

A. William E. Hardman, 9300 Livingston Road, Washington, D.C. 20022.
B. National Tooling & Machining Association, 9300 Livingston Road, Washington, D.C. 20022.

A. Charles N. Harkey, 1700 North Moore Street, 1925 Rosslyn Center Building, Arlington, Va. 22209.
B. Beneficial Management Corp. of America, 1300 Market Street, Wilmington, Del. 19899.

A. Dan R. Harlow, Diamond Shamrock Corps., 1737 H Street NW., Washington, D.C.
B. Diamond Shamrock Corp., 717 N. Harwood Street, Dallas, Tex.
D. (6) $1,500. E. (9) $53.33.

A. Donald L. Harlow, Air Force Sergeants Association, 310 Riley Street, Falls Church, Va. 22046.
B. Air Force Sergeants Association, 5211 Auth Road, Suitland, Md. 20746.

A. Robert L. Harness, Monsanto Co., 1101 17th Street NW., Washington, D.C. 20036.
B. Monsanto Co., 800 N. Lindbergh Boulevard, St. Louis, Mo. 63166.
D. (6) $450. E. (9) $83.98.

A. Michael T. Harrigan, 2033 M Street NW., Washington, D.C. 20036.
B. United States Olympic Committee, 1750 East Boulder Avenue, Colorado Springs, Colo. 80909.

A. Toni Harrington, American Honda Motor Co., Inc., 955 L'Enfant Plaza SW., Suite 905, Washington, D.C. 20024.
B. American Honda Motor Co., Inc., 100 West Alondra Boulevard, Gardena, Calif. 90247.
D. (6) $200. E. (9) $139.44.

A. Harris, Berg & Creskoff, 2033 M Street NW., Washington, D.C. 20036.
B. American Academy of Federal Civil Service Physicians, 2007 I Street NW., Washington, D.C. 20006.
D. (6) $175. E. (9) $1.54.

A. Harris, Berg & Creskoff, 2033 M Street NW., Washington, D.C. 20036.
B. Association of Food Distributors, Inc., 115 Broadway, New York, N.Y. 10006.
D. (6) $1,200. E. (9) $158.86.

A. Harris, Berg & Creskoff, 2033 M Street NW., Washington, D.C. 20036.
B. P. L. Thomas & Co., Inc, P.O. Box 449, 75 Claremont Road, Bernardsville, N.J. 07924.
D. (6) $250. E. (9) $13.87.

A. Robert L. Harris, 818 Connecticut Avenue NW., Washington, D.C. 20006.
B. The Aluminum Association, 818 Connecticut Avenue NW., Washington, D.C. 20006.
E. (9) $50.

A. Jim Harrison, Committee of Urban Program Universities, 1300 19th Street NW., No. 220, Washington, D.C. 20036.
B. Committee of Urban Program Universities, 1300 19th Street NW., No. 220, Washington, D.C. 20036.
D. (6) $6,250. E. (9) $151.59.

A. William H. Harsha, 1102 Delf Drive, McLean, Va. 22101.
B. William H. Harsha & Associates, Inc., 499 South Capitol Street SW., Suite 102, Washington, D.C. 20003, for American Trucking Association, 1616 P Street NW., Washington, D.C. 20036.
D. (6) $7,500. E. (9) $606.89.

A. William H. Harsha, 1102 Delf Drive, McLean, Va. 22101.
B. William H. Harsha & Associates, Inc., 499 South Capitol Street SW., Suite 102, Washington, D.C. 20003, for Commuter Airline Association of America, 1101 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $3,000.

A. William H. Harsha, 1102 Delf Drive, McLean, Va. 22101.
B. William H. Harsha & Associates, Inc., 499 South Capitol Street SW., Suite 102, Washington, D.C. 20003, for Grumman Flexible, 1000 Wilson Boulevard, Suite 2100, Arlington, Va. 22209.
D. (6) $4,500. E. (9) $188.16.

A. William H. Harsha, 1102 Delf Drive, McLean, Va. 22101.
B. William H. Harsha & Associates, Inc., 499 South Capitol Street SW., Suite 102, Washington, D.C. 20003, for Slurry Transport Association, 490 L'Enfant Plaza East SW., Suite 3102, Washington, D.C. 20024.

D. (6) $12,000.

A. William H. Harsha, 1102 Delf Drive, McLean, Virginia 22101.
B. William H. Harsha & Associates, Inc., 499 South Capitol Street SW., Suite 102, Washington, D.C. 20003, for Zantop International Airlines, Detroit Willow Run Airport, Ypsilanti, Mich. 48197.
D. (6) $7,500

A. Charles D. Hartman, Texaco, Inc., 1050 17th Street NW., Suite 500, Washington, D.C. 20036.
B. Texaco Inc., 2000 Westchester Avenue, White Plains, N.Y. 10650.
D. (6) $668.

A. Robert S. Hartmann, 1425 K Street NW., Washington, D.C. 20005.
B. Hill & Knowlton, Inc., 633 Park Avenue, New York, N.Y. 10017.

A. Norman B. Hartnett, Disabled American Veterans, 807 Maine Avenue SW., Washington, D.C. 20024.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky. 41076.
D. (6) $19,952.80 E. (9) $884.03.

A. Clifford J. Harvison, National Tank Truck Carriers, Inc., 1616 P St., NW., Washington, D.C. 20036.
B. National Tank Truck Carriers, Inc. 1616 P Street, NW., Washington, D.C. 20036.

A. Lewis B. Hastings, 1776 K Street NW., Washington, D.C. 20006
B. Motorola Inc., 1776 K Street NW., Washington, D.C. 20006
D. (6) $500. E. (9) $80.

A. Walter A. Hasty, Jr., Procter & Gamble Manufacturing Co., 1801 K Street, NW., Suite 230, Washington, D.C. 20006.
B. The Procter & Gamble Manufacturing Co., 301 East Sixth Street, Cincinnati, Ohio 45202.
D. (6) $270.

A. Barbara J. Haugh, Union Oil Co. of California, 1100 Connecticut Avenue, NW., Suite 800, Washington, D.C. 20036.
B. Union Oil Co. of California, 461 South Boylston Street, Los Angeles, Calif. 90017.
E. (9) $1,235.87.

A. Rodney E. Haugh, Potato Chip/Snack Food Association, 1735 Jefferson Davis Highway, Suite 903, Arlington, Va. 22202.
B. Potato Chip/Snack Food Association, 1735 Jefferson Davis Highway, Suite 903, Arlington, Va. 22202.
D. (6) $600.

A. Mary W. Haught, Sun Co., Inc., 1800 K Street NW., Suite 820, Washington, D.C. 20006.
B. Sun Co., Inc., 100 Matsonford Road, Radnor, Pa. 19087.
D. (6) $700. E. (9) $44.16.

A. Charles W. Havens III, 1025 Connecticut Avenue NW., No. 512, Washington, D.C. 20036.
B. Reinsurance Association of America, 1025 Connecticut Avenue, NW., No. 512, Washington, D.C. 20036.

A. Sidney G. Hawkes, The Mead Corp., 1000 Connecticut Avenue NW., Suite 715, Washington, D.C. 20036.
B. The Mead Corp., Mead World Headquarters, Courthouse Plaza Northeast, Dayton, Ohio 45463.
D. (6) $7,200.

A. David G. Hawkins, Natural Resources Defense Council, 1725 I Street, NW., Washington, D.C. 20006.
B. Natural Resources Defense Council, 1725 I Street NW., Washington, D.C. 20006.
D. (6) $1,113.21. E. (9) $23.50.

A. John H. Hawkins, Jr., Alabama Power Co., 600 North 18th Street, Birmingham, Ala. 35291.
B. Alabama Power Co., 600 North 18th Street, Birmingham, Ala. 35291.
D. (6) $11,376. E. (9) $2,297.61.

A. Paul M. Hawkins, 1750 K Street NW., Washington, D.C.
B. Health Insurance Association of America, Inc., 1750 K Street NW., Washington, D.C.

A. Bruce Hawley, American Farm Bureau Federation, 425 13th Street NW., Washington, D.C. 20004.
B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill. 60068.
D. (6) $4,937. E. (9) $45.

A. Wesley F. Hayden, 5224 Cherokee Avenue, Alexandria, Va. 22312.
B. International Association of Fish and Wildlife Agencies, 1412 16th Street NW., Washington, D.C. 20036.
D. (6) $6,250.02. E. (9) $40.35.

A. Patrick B. Healy, National Milk Producers Federation, 30 F Street NW., Washington, D.C. 20001.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C. 20001.
D. (6) $543.75.

A. Robert L. Healy, Atlantic Richfield Co., 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Atlantic Richfield Co., 515 South Flower Street, Los Angeles, Calif. 90071.
D. (6) $200.

A. Health Research Group, 2000 P Street NW., No. 708, Washington, D.C. 20036.

A. William H. Hecht, 1875 I Street NW., Washington, D.C. 20006.
B. The Tobacco Institute, 1875 I Street, NW. Washington, D.C. 20006.
D. (6) $375.

A. Jay Hedlund, 2030 M Street NW., 3d Floor, Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., 3d Floor, Washington, D.C. 20036.
D. (6) $6,833.34. E. (9) $165.65.

A. Edward D. Heffernan, Shannon, Heffernan, Moseman & Goren, P.C., Suite 1025, 1875 I Street NW., Washington, D.C. 20006.
B. Ductile Iron Pipe Research Association, Oak Brook, Ill.

A. John Heffner, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. John F. Heilman, Disabled American Veterans, 807 Maine Avenue SW., Washington, D.C. 20024.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky. 41076.
D. (6) $13,988.80. E. (9) $1,404.31.

A. Helicopter Association International, 1110 Vermont Avenue NW., Suite 430, Washington, D.C. 20005.
E. (9) $25,150.61.

A. Lewis M. Helm, 1700 K Street NW., Suite 503, Washington, D.C. 20006.
B. Surrey & Morse (For: The Government of the Republic of Zaire), 1156 15th Street NW., Washington, D.C. 20005.
D. (6) $833.33.

A. Noel Hemmendinger, Arter, Hadden & Hemmendinger, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Arter, Hadden & Hemmendinger (For: Japan Iron & Steel Exporters' Association, Tokyo, Japan), 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Thomas R. Hendershot, Barnett & Alagia, 1627 K Street NW., Washington, D.C. 20006.
B. Partnership Placements, Inc., 11812 San Vincente Boulevard, Los Angeles, Calif. 90049.
D. (6) $4,593.50.

A. Thomas R. Hendershot, Barnett & Alagia, 1627 K Street NW., Washington, D.C. 20006.
B. Petroleum Heat & Power Company, 3000 Peltz Street, Philadelphia, Pa. 19146.

A. Thomas R. Hendershot, Barnett & Alagia, 1627 K Street NW., Washington, D.C. 20006.
B. Philadelphia Gas Works, 1518 Walnut Street, Philadelphia, Pa. 19102.
D. (6) $4,392.50.

A. Thomas R. Hendershot, Barnett & Alagia, 1627 K Street NW., Washington, D.C. 20006.
B. Philadelphia Stock Exchange, 1900 Market Street, Philadelphia, Pa. 19103.
D. (6) $8,993.50.

A. Thomas R. Hendershot, Barnett & Alagia, 1627 K Street NW., Washington, D.C. 20006.
B. Slurry Transport Association, 490 L'Enfant Plaza East SW., Suite 3210, Washington, D.C. 20024.
D. (6) $2,175.

A. Carol C. Henderson, American Library Association, 110 Maryland Avenue NE., Box 54, Washington, D.C. 20002.
B. American Library Association, 50 E. Huron Street, Chicago, Ill. 60611.
D. (6) $640.

A. John B. Henderson, Textron, Inc., 1090 Vermont Avenue NW., Suite 1100, Washington, D.C. 20005.
B. Textron Inc., 40 Westminster Street, Providence, R.I. 02903.
D. (6) $1,990. E. (9) $295.

A. Richard Dean Henderson, Private Truck Council of America, Inc., 1101 17th Street NW., Washington, D.C. 20036.
B. Private Truck Council of America, Inc., 1101 17th Street NW., Suite 310, Washington, D.C. 20036.
E. (9) $40.

A. Tom Henderson, U.S. Telephone Communications, Inc., 108 South Akard Street, Dallas, Tex. 75202.
B. U.S. Telephone Communications, Inc., 108 South Akard Street, Dallas, Tex. 75202.
D. (6) $10,500. E. (9) $3,785.14.

A. Edmund P. Hennelly, 150 East 42nd Street, New York, N.Y. 10017.
B. Mobil Oil Corp., 150 East 42nd Street, New York, N.Y. 10017.
D. (6) $1,500.

A. George F. Hennrikus, Jr., the Retired Officers Association, 201 North Washington Street, Alexandria, Va. 22314.
B. The Retired Officers Association, 201 North Washington Street, Alexandria, Va. 22314.

D. (6) $5,177.

A. LeAnn Hensche, RJR Industries, Inc., 2550 M Street NW., Suite 770, Washington, D.C. 20037.
B. RJR Industries, Inc., P.O. Box 2959, Winston-Salem, NC 27102.
D. (6) $263.74. E. (9) $66.01

A. Lawrence R. Herman, Independent Insurance Agents of America, Inc., 1120 19th Street NW., Suite 503, Washington, D.C. 10007.
B. Independent Insurance Agents of America, Inc., 100 Church Street, 19th Floor, New York, N.Y. 10007.
D. (6) $8,076.95.

A. Lyla M. Hernandez, American Association of Professional Standards Review Organizations, 11325 Seven Locks Rd., Suite 214, Potomac, Md. 20854.
B. American Association of Professional Standards Review Organizations, 11325 Seven Locks Road, Suite 214, Potomac, Md. 20854.
E. (9) $94.83.

A. Herrick, Allen, Davis & Bailey, 1701 K Street NW., Suite 706, Washington, D.C. 20006.
B. Amusement and Music Operators Association, 35 East Wacker Drive, Suite 1940, Chicago, Ill. 60601.
D. (6) $862.50. E. (9) $115.50.

A. Heublein, Inc., Munson Road, Farmington, Conn. 06032.
E. (9) $9,250.

A. Ted A. Heydinger, Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C. 20062.
B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C. 20062.
D. (6) $2,375. E. (9) $229.53.

A. Andrew I. Hickey, Jr., Federal National Mortgage Association, 3900 Wisconsin Avenue N.W., Washington, D.C. 20016.
B. Federal National Mortgage Association, 3900 Wisconsin Avenue N.W., Washington, D.C. 20016.
D. (6) $15,750. E. (9) $2,525.59.

A. Paul T. Hicks, R.I. Petroleum Association, 154 Francis Street, Providence, R.I. 02903.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $185.

A. J. Thomas Higginbotham, Mellon Bank N.A., Pittsburgh, Pa. 15230.
B. Mellon Bank N.A. and Mellon National Corp., Mellon Square, Pittsburgh, Pa. 15230.
D. (6) $2,000. E. (9) $573.49.

A. Kevin M. Higgins, 9 West 57th Street, New York, N.Y. 10019.
B. Avon Products, Inc., 9 West 57th Street, New York, N.Y. 10019.

A. Allan D. Hill, Phillips Petroleum Co., 1825 K Street NW., Suite 1107, Washington, D.C. 20006.
B. Phillips Petroleum Co., Bartlesville, Okla.
D. (6) $12,370. E. (9) $7,417.

A. Hill, Christopher & Phillips, P.C., 1900 M Street NW., Washington, D.C. 20036.
B. Campaign for Community-Based Economic Development, 1200 New Hampshire Avenue NW., Suite 320, Washington, D.C. 20036.

A. Hill, Christopher & Phillips, P.C., 1900 M Street NW., Washington, D.C. 20036.
B. Columbia Pictures Industries, Inc., 711 Fifth Avenue, New York, N.Y. 10022.

A. Hill, Christopher & Phillips, P.C., 1900 M Street NW., Washington, D.C. 20036.
B. SEARCH Group, Inc., 925 Secret River Drive, Sacramento, Calif. 95831.
D. (6) $700.

A. Hill, Christopher & Phillips, P.C., 1900 M Street NW., Washington, D.C. 20036.
B. Whitney National Bank of New Orleans, 228 Saint Charles Avenue, New Orleans, La. 70130.

A. J. Eldred Hill, Jr., UBA, Inc., 1800 M Street NW., 460 South, Washington, D.C. 20036.
B. UBA, Inc., 1800 M Street NW., 460 South, Washington, D.C. 20036.
D. (6) $2,000.

A. Moton A. Hill, S. J., 980 Park Avenue, New York, N.Y. 11028.
B. Morality in Media, Inc., 475 Riverside Drive, New York, N.Y. 10115.

A. Robert B. Hill, Chemical Manufacturers Association, 2501 M Street NW., Washington, D.C. 20037.
B. Chemical Manufacturers Association, 2501 M Street NW., Washington, D.C. 20037.
D. (6) $300.

A. Hill and Knowlton, Inc., 1425 K Street NW., Suite 1000, Washington, D.C. 20005.
B. Florists' Transworld Delivery Association, P.O. Box 2227, Southfield, Mich. 48037.
D. (6) $8,250.

A. E. Joseph Hillings, P.O. Box 44, Winter Park, Fla. 32790.
B. Continental Resources Co., P.O. Box 44, Winter Park, Fla. 32790.
D. (6) $2,500. E. (9) $676.95.

A. Maureen Kuwano Hinkle, National Audubon Society, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. National Audubon Society, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.
E. (9) $452.50.

A. Cornish F. Hitchcock, 2000 P Street NW., Suite 700, Washington, D.C. 20036.
B. Aviation Consumer Action Project, Box 19029, Washington, D.C. 20036.

A. Lawrence S. Hobart, 2301 M Street NW., Washington, D.C. 20037.
B. American Public Power Association, 2301 M Street NW., Washington, D.C. 20037.
D. (6) $500.

A. Claude E. Hobbs, Westinghouse Electric Corp., 1801 K Street NW., Washington, D.C. 20006.
B. Westinghouse Electric Corp., Westinghouse Building, Gateway Center, Pittsburgh, Pa. 15222.
D. (6) $3,700. E. (9) $110.

A. Robert J. Hobbs, National Consumer Law Center, 11 Beacon Street, Boston, Mass. 02108.
B. National Consumer Law Center, 11 Beacon Street, Boston, Mass. 02108.
D. (6) $10.09. E. (9) $19.38.

A. Jerald E. Hobson, El Paso Co., 1775 K Street NW., Suite 310, Washington, D.C. 20006.
B. The El Paso Co., P.O. Box 2185, Houston, Tex. 77001.
D. (6) $2,500. E. (9) $312.63.

A. Hodgson, Russ, Andrews, Woods & Goodyear, 1776 F Street NW., Washington, D.C. 20006.
B. J. C. Brock Corp., 95 Kentucky, Buffalo, N.Y.

A. Charles L. Hoebe, Carrier Corp., Suite 305, 1629 K Street NW., Washington, D.C. 20006.
B. Carrier Corp., Carrier Tower, Box 4800, Syracuse, N.Y. 13221.
D. (6) $3,300. E. (9) $1,108.22.

A. Howard E. Hoelter, Illinois Petroleum Council, P.O. Box 5034, Springfield, Ill. 62705.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

A. Irvin A. Hoff, 20 North Live Oak Road, Hilton Head Island, S.C. 29928.
B. U.S. Cane Sugar Refiners' Association, 1001 Connecticut Avenue, Washington, D.C. 20036.
D. (6) $458.33. E. (9) $279.80.

A. Ellen S. Hoffman, Chidren's Defense Fund of the Washington Research Project, Inc., 1520 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Chidren's Defense Fund of the Washington Research Project, Inc.
D. (6) $6,886.08. E. (9) $123.90.

A. Herbert E. Hoffman, American Bar Association, 1800 M Street NW., Washington, D.C. 20036.
B. American Bar Association, 1155 East 60th Street, Chicago, Ill. 60637.
D. (6) $400. E. (9) $50.

A. William L. Hoffman, American University of Beirut, 516 First Street SE., Washington, D.C. 20003.
B. American University of Beirut, 380 Madison Avenue, New York, N.Y. 10017.
D. (6) $7,500. E. (9) $580.81.

A. Hogan & Hartson, 815 Connecticut Avenue, Washington, D.C. 20006.
B. American Electronics Association, 1612 K Street NW., Washington, D.C. 20006.
D. (6) $4,577.25. E. (9) $96.74.

A. Hogan & Hartson, 815 Connecticut Avenue, Washington, D.C. 20006.
B. Computer & Business Equipment Manufacturers Association, 1828 L Street NW., Washington, D.C. 20036.
D. (6) $4,577.25. E. (9) $96.74.

A. Hogan & Hartson, 815 Connecticut Avenue, Washington, D.C. 20006.
B. Council of European & Japanese National Shipowners' Associations, 30/32 St. Mary Axe, London EC38ET, England.

A. Hogan & Hartson, 815 Connecticut Avenue, Washington, D.C. 20006.
B. Direct Selling Association, 1730 M Street NW., Washington, D.C. 20036.
D. (6) $172.50.

A. Hogan & Hartson, 815 Connecticut Avenue, Washington, D.C. 20006.
B. Electronics Industries Association, 2001 I Street NW., Washington, D.C. 20006.
D. (6) $5,764.75. E. (9) $96.74.

A. Hogan & Hartson, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Energy Transportation Systems, Inc., 50 Beale Street, San Francisco, Calif. 94106.

A. Hogan & Hartson, 815 Connecticut Avenue NW., Suite 600, Washington, D.C. 20006.
B. Florida State Hospice Organization, Inc., 111 Northwest 10th Avenue, Miami, Fla. 33128.

E. (9) $6.

A. Hogan & Hartson, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Guam Oil & Refining Co., Inc., 3400 Southland Center, 400 North Olive, Dallas, Tex. 75201.
E. (9) $23.

A. Hogan & Hartson, 815 Connecticut Avenue NW., Suite 600, Washington, D.C. 20006.
B. Hospital Association of New York State, 15 Computer Drive West, Albany, N.Y. 12205.

A. Hogan & Hartson, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Motorcycle Industry Council, Inc., 1001 Connecticut Avenue NW., Suite 522, Washington, D.C. 20036.
D. (6) $247.50.

A. Hogan & Hartson, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. National Farmers Organization, Corning, Iowa 50841.
E. (9) $1.20.

A. Hogan & Hartson, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. National Soft Drink Association, 1101 16th Street NW., Washington, D.C. 20036.
D. (6) $1,507.50. E. (9) $11.

A. Hogan & Hartson, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Newspaper-Broadcaster Committee, P.O. Box 3412, San Francisco, Calif. 94119.

A. Hogan & Hartson, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Scientific Apparatus Makers Association, 1101 16th Street NW., Washington, D.C. 20036.
D. (6) $4,577.25 E. (9) $96.74.

A. Hogan & Hartson, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Semiconductor Industry Association, 20380 Town Center Lane, Cupertino, Calif. 95014.
D. (6) $12,342.52. E. (9) $547.16.

A. Hogan & Hartson, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Toyota Motor Sales, U.S.A., Inc., 2055 West 190th Street, Torrance, Calif. 90509.
D. (6) $7,777.50. E. (9) $10.

A. Richard F. Hohlt, U.S. League of Savings Associations, 1709 New York Avenue NW., Suite 801, Washington, D.C. 20006.
B. U.S. League of Savings Associations, 111 East Wacker Drive, Chicago, Ill.
D. (6) $2,750. E. (9) $131.80.

A. Walter Holan, 20 North Wacker Drive, Chicago, Ill. 60606.
B. Profit Sharing Council of America, 20 North Wacker Drive, Chicago, Ill. 60606.

A. Bruce E. Holbein, Digital Equipment Corp., 111 Powdermill Road, F5, Maynard, Mass. 01754.
B. Digital Equipment Corp., 111 Powdermill Road, F5, Maynard, Mass. 01754.
D. (6) $9,500.

A. Michele O'Donnell Holbrook, National Fuel Gas Distribution Co., Room 900, 10 Lafayette Square, Buffalo, N.Y. 14203.
B. National Fuel Gas Distribution Corp., National Fuel Gas Supply Corp., National Fuel Gas Co., Penn-York Energy Co., Seneca Resources Co.
D. (6) $256. E. (9) $1,015.45.

A. Niels Holch, 3255 Grace Street NW., The Power House, Washington, D.C. 20007.
B. Gray & Co. (for: American Iron and Steel Institute), 3255 Grace Street NW., The Power House, Washington, D.C. 20007.

A. Holiday Inns, Inc., 3742 Lamar Avenue, Memphis, Tenn.
E. (9) $1,750.

A. Marcus A. Hollabaugh, Foley, Lardner, Hollabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Suite 1000, Washington, D.C. 20006.
B. Phosphate Rock Export Association, 1311 North West Shore Boulevard, Tampa, Fla. 33607.

A. Charlotte Holloman, 1220 19th Street NW., Suite 303, Washington, D.C. 20036.
B. Planned Parenthood Federation of America, Inc., 1220 19th Street NW., Washington, D.C. 20036.
D. $82.63. E. (9) $381.79.

A. Wendell M. Holloway, Ford Motor Co., 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $1,866.20. E. (9) $1,476.22.

A. Moses D. Holmes, Jr., National Education Association, 1201 16th Street NW., Washington, D.C. 20036.
B. National Education Association, 1201 16th Street NW., Washington, D.C. 20036.
D. (6) $3,580.80. E. (9) $22.60.

A. Holt Cicatiello Neiswanger & Ross, Inc., 1441 Irving Street, Rahway, N.J. 07065.
B. New York Mercantile Exchange, Four World Trade Center, New York, N.Y. 10048.

A. E. Y. Holt, Jr., National Association of Federal Credit Unions, 1111 North 19th Street, Suite 700, Arlington, Va. 22209.
B. National Association of Federal Credit Unions, 1111 North 19th Street, Suite 700, Arlington, Va. 22209.

A. Linwood Holton, American Council of Life Insurance, 1850 K Street NW., Washington, D.C. 20006.
B. American Council of Life Insurance, Inc., 1850 K Street NW., Washington, D.C. 20006.
D. (6) $500.

A. Lois Holwerda-Hoyt, American Osteopathic Association, 499 South Capitol Street SW., Suite 104, Washington, D.C. 20003.
B. American Osteopathic Association, 499 South Capitol Street SW., Suite 104, Washington, D.C. 20003.
D. (6) $1,500.

A. Karen C. Hontz, 600 New Hampshire Avenue NW., Suite 920, Washington, D.C. 20037.
B. Gulf + Western Management Co., 600 New Hampshire Avenue NW., Suite 920, Washington, D.C. 20037.
D. (6) $999. E. (9) $226.62.

A. Virginia E. Hopkins, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Taft, Stettinius & Hollister, First National Bank Center, Cincinnati, Ohio 45202 (for Machinery Dealers National Association, 1110 Spring Street, Silver Spring, Md. 20910).

A. Virginia E. Hopkins, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Taft, Stettinius & Hollister, First National Bank Center, Cincinnati, Ohio 45202 (for Miami Conservancy District, 38 East Monument Avenue, Dayton, Ohio 45402).

A. Virginia E. Hopkins, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.,
B. Taft, Stettinius & Hollister, First National Bank Center, Cincinnati, Ohio 45202 (for Taft Broadcasting Co., 1718 Young Street, Cincinnati, Ohio 45210).

A. Virginia E. Hopkins, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Taft, Stettinius & Hollister, First National Bank Center, Cincinnati, Ohio 45202 (for Telephone and Data Systems, Inc., 79 West Monroe Street, Chicago, Ill. 60603).

A. William B. Hopkins, P.O. Box 13366, Roanoke, Va. 24033.
B. Tulare Lake Water Users Committee, c/o John Penn Lee, P.O. Box 1206, Corcoran, Calif. 93212.
D. (6) $7,020. E. (9) $3,202.39.

A. Robert Jack Horn, Detroit Edison Co., 1990 M Street NW., Suite 480, Washington, D.C. 20036.
B. The Detroit Edison Co., 2000 Second Avenue, Detroit, Mich. 48226.
D. (6) $358. E. (9) $25.

A. Alison Horton, National Audubon Society, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. National Audubon Society, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $5,700.

A. Hospital Association of N.Y.S., 15 Computer Drive West, Albany, N.Y. 12205.
D. (6) $699. E. (9) $699.

A. William J. Hotes, Diamond Shamrock Corp., 1737 H Street NW., Washington, D.C. 20006.
B. Diamond Shamrock Corp., 717 North Harwood Street, Dallas, Tex.
D. (6) $1,000. E. (9) $589.44.

A. Thomas B. House, 1700 Old Meadows Road, Suite 100, McLean, Va. 22102.
B. American Frozen Food Institute, 1700 Old Meadows Road, Suite 100, McLean, Va. 22102.
D. (6) $1,000.

A. Housley, Goldberg & Kantarian, P.C., 1800 M Street NW., Suite 675 North, Washington, D.C. 20036.

A. Houston Natural Gas Corp., P.O. Box 1188, Houston, Tex. 77001.
E. (9) $13,609.88.

A. Howell Corp., 1010 Lamar, Suite 1800, Houston, Tex. 77002

A. C. T. Hoversten, 209 West 53d Street, Western Springs, Ill. 60558.
B. National Advertising Co., 6850 South Harlem Avenue, Argo Post Office, Bedford Park, Ill. 60501.

A. Donald L. Howell, First City National Bank Building, Houston, Tex. 77002.
B. Vinson & Elkins, First City National Bank Building, Houston, Tex. 77002 (for Slurry Transport Association).
D. (6) $175.

A. J. William Howell, International Business Machines Corp., 1801 K Street NW., Washington, D.C. 20006.
B. International Business Machines Corp., Old Orchard Road, Armonk, N.Y. 10504.
D. (6) $1,612. E. (9) $58.89.

A. Joe L. Howell, 1700 Pennsylvania Avenue NW., No. 750, Washington, D.C. 20006.

B. Allstate Enterprises, Inc., Allstate Plaza, Northbrook, Ill. 60062.

A. Joe L. Howell, 1700 Pennsylvania Avenue NW., No. 750, Washington, D.C. 20006.
B. Allstate Insurance Co.'s, Allstate Plaza, Northbrook, Ill. 60062.

A. Mary Lynch Howell, Textron, Inc., 1090 Vermont Avenue NW., Suite 1100, Washington, D.C. 20005.
B. Textron, Inc., 1090 Vermont Avenue, Suite 1100, Washington, D.C. 20005.
D. (6) $1,500. E. (9) $280.

A. John B. Howerton, ASARCO Inc., Suite 209, 1730 Rhode Island Avenue NW., Washington, D.C. 20036.
B. ASARCO Inc., 120 Boadway, New York, N.Y. 10271.
D. (6) $2,000.

A. Joanne Massey Howes, 1229 19th Street NW., Suite 303, Washington, D.C. 20036.
B. Planned Parenthood Federation of America, Inc., 1220 19th Street NW., No. 303, Washington, D.C. 20036.
D. (6) $2,141.73. E. (9) $350.24.

A. Karl T. Hoyle, Credit Union National Association, Inc., 1730 Rhode Island Avenue NW., Suite 810, Washington, D.C. 20036.
B. Credit Union National Association, Inc., 1730 Rhode Island Avenue NW., Suite 810, Washington, D.C. 20036.
D. (6) $300. E. (9) $333.75.

A. John S. Hoyt, Professional Insurance Agents, 400 North Washington Street, Alexandria, Va. 22314.
B. Professional Insurance Agents, 400 North Washington Street, Alexandria, Va. 22314.
D. (6) $250. E. (9) $200.

A. Tony R. Huerta N.A.L.C., 100 Indiana Avenue NW., Washington, D.C. 20001.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.
D. (6) $4,904.77.

A. David Emery Hughes, Union Mutual Life Insurance Co., 2211 Congress Street, Portland, Maine 04122.
B. Union Mutual Life Insurance Co., 2211 Congress Street, Portland, Maine 04122.
D. (6) $8.75.

A. Hughes Hubbard & Reed, 1660 L Street NW., Washington, D.C. 20036.
B. Bristol-Myers Co., 1155 15th Street NW., Washington, D.C. 20005.

A. Hughes Hubbard & Reed, 1660 L Street NW., Washington, D.C. 20036.
B. Business Roundtable, 1828 L Street NW., Washington, D.C. 20036.
D. (6) $900. E. (9) $9.

A. Hughes Hubbard & Reed, 1660 L Street NW., Washington, D.C. 20036.
B. Ford Motor Co., The American Road, Dearborn, Mich. 48121.
D. (6) $100. E. (9) $3.50.

A. Hughes Hubbard & Reed, 1660 L Street NW., Washington, D.C. 20036.
B. Pfizer, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Hughes Hubbard & Reed, 1660 L Street NW., Washington, D.C. 20036.
B. Texas International Airlines, 3 Allen Center, Houston, Tex.
D. (6) $1,800. E. (9) $9.50.

A. Peter W. Hughes, National Retired Teachers Association-American Association of Retired Persons, 1909 K Street NW., Washington, D.C. 20049.
B. National Retired Teachers Association-American Association of Retired Persons, 1909 K Street NW., Washington, D.C. 20049.
D. (6) $989.20. E. (9) $280.

A. Vester T. Hughes, Jr., 1000 Mercantile Dallas Building, Dallas, Tex. 75201.
B. Cornell Oil Co., 5440 Harvest Hill Road, Suite 200, Dallas, Tex. 75230.
D. (6) $500. E. (9) $4,153.27

A. Vester T. Hughes, Jr., 1000 Mercantile Dallas Building, Dallas Tex. 75201.
B. Herbert E. Russell, P.O. Drawer 888, Magnolia, Ark. 71753.
D. (6) $500. E. (9) $996.78.

A. Vester T. Hughes, Jr., 1000 Mercantile Dallas Building, Dallas, Tex. 75201.
B. Sammons Enterprises, Inc., 403 South Akard, Dallas, Tex. 75202.

A. William E. Hughes, Jr., 11 Hills Avenue, East Hampton, Conn. 06424.

B. Northeast Utilities Service Co., Selden Street, Berlin, Conn. 06037.

A. William G. Hughes, National Association of Federal Veterinarians, Suite. 836, 1522 K Street NW., Washington, D.C. 20005.
B. National Association of Federal Veterinarians, Suite 836, 1522 K Street NW., Washington, D.C. 20005.
D. (6) $34.92.

A. Edward L. Huie, Suite 415, Wheaton Plaza North, Wheaton, Md. 20902.
B. National Association of Air Traffic Specialists, Suite 415, Wheaton Plaza North, Wheaton, Md. 20902.
D. (6) $6,461.58. E. (9) $1,295.32.

A. Cordell W. Hull, 497 Stockbridge Avenue, Atherton, Calif. 94025.
B. Bechtel Group, Inc., 50 Beale Street, P.O. Box 3965, San Francisco, Calif. 94119.

A. A. Truman Hunt, Jr., Mississippi Petroleum Council, P.O. Box 42, Jackson, Miss. 39205.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $225. E. (9) $849.27.

A. Hunt Oil Co., 2900 First National Bank Building, Dallas, Tex. 75202.
E. (9) $1,882.27.

A. Harriet Hunt-Burgess, 82 Second Street, San Francisco, Calif. 94105.
B. The Trust for Public Land, 82 Second Street, San Francisco, Calif. 94105.
D. (6) $1,292.16. E. (9) $1,592.64.

A. Harry Hunter, National Association of Convenience Stores, Three Skyline Place, Suite 809, 5201 Leesburg Pike, Falls Church, Va. 22041.
B. National Association of Convenience Stores, Three Skyline Place, Suite 809, 5201 Leesburg Pike, Falls Church, Va. 22041.

A. Michael M. Hunter, International Telephone & Telegraph Corp., 1707 L Street NW., Washington, D.C. 20036.
B. International Telephone & Telegraph Corp., 320 Park Avenue, New York, N.Y. 10022.
D. (6) $3,000. E. (9) $80.

A. William J. Hunter, Jr., 1730 Pennsylvania Avenue NW., Suite 900, Washington, D.C. 20006.
B. The Mead Corp., Courthouse Plaza NE., Dayton, Ohio 45463.
E. (9) $4,802.50.

A. Milton F. Huntington, Maine Petroleum Association, 283 Water Street, Augusta, Maine 04330.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $25.

A. J. James Hur, Atlantic Richfield Co., 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Atlantic Richfield Co., 515 South Flower Street, Los Angeles, Calif. 90071.

A. Adele M. Hurley, 1825 K Street NW., Washington, D.C. 20006.
B. Canadian Coalition on Acid Rain, 105 Davenport Road, Suite 201, Toronto, Ont. M5R 1H6.
D. (6) $2,640. E. (9) $200.

A. John Edward Hurley, 1101 New Hampshire Avenue NW., Suite 107, Washington, D.C. 20037.

A. John Edward Hurley, 1101 New Hampshire Avenue NW., Suite 107, Washington, D.C. 20037.
B. National Association for Free Enterprise, 1101 New Hampshire Avenue NW., Suite 107, Washington, D.C. 20037.

A. Dewey M. Hutchins, Jr., Eastman Kodak Co., 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Eastman Kodak Co., 343 State Street, Rochester, N.Y. 14650.
D. (6) $450. E. (9) $229.

A. Philip A. Hutchinson, Jr., Volkswagen of America, Inc., 475 L'Enfant Plaza SW., Suite 2450, Washington, D.C. 20024.
B. Volkswagen of America, Inc., 27621 Parkview Boulevard, Warren, Mich. 48092.
D. (6) $250.

A. F. H. Hutchison & Co., 1744 R Street NW., Washington, D.C. 20009.
B. GeoProducts Corp., 1330 Broadway, Oakland, Calif. 94612.
D. (6) $766.66. E. (9) $247.05.

A. F. H. Hutchison & Co., 1744 R Street NW., Washington, D.C. 20009.
B. Hydrothermal Energy Corp., 6525 Sunset Boulevard, Los Angles, Calif. 90028.
D. (6) $1,270.83. E. (9) $183.55.

A. F. H. Hutchison & Co. 1744 R Street NW., Washington, D.C. 20009.
B. WESTEC Services, Inc., 3211 Fifth Avenue, San Diego, Calif. 92103.
D. (6) $930. E. (9) $258.61.

A. Randy Huwa, 2030 M Street NW., Third Floor, Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., Third Floor, Washington, D.C. 20036.
D. (6) $3,274.99.

A. Gary Hymel, 3255 Grace Street NW., Washington, D.C. 20007.
B. Gray & Co. (for American Iron & Steel Institute), 1000 16th Street NW., Washington, D.C. 20007.
D. (6) $56.

A. Gary Hymel, 3255 Grace Street NW., The Power House, Washington, D.C. 20007.
B. Gray & Co. (for Motorola), 3255 Grace Street NW., The Power House, Washington, D.C. 20007.

A. Gary Hymel, 3255 Grace Street NW., The Power House, Washington, D.C. 20007.

B. Gray & Co. (for National Association of Homebuilders), 3255 Grace Street NW., Washington, D.C. 20007.

A. Gary Hymel, 3255 Grace Street NW., The Power House, Washington, D.C. 20007.
B. Gray & Co. (for U.S.O., Inc.), 3255 Grace Street NW., The Power House, Washington, D.C. 20007.

A. Gary Hymel, 3255 Grace Street NW., The Power House, Washington, D.C. 20007.
B. Gray & Co. (for Westinghouse Broadcasting), 3255 Grace Street NW., Washington, D.C. 20007.

A. Gary Hymel, 3255 Grace Street NW., The Power House, Washington, D.C. 20007.
B. Gray & Co. (for ASARCO), 3255 Grace Street NW., The Power House, Washington, D.C. 20007.

A. Gary Hymel, 3255 Grace Street NW., The Power House, Washington, D.C. 20007.
B. Gray & Co. (for General Telephone & Electronics), 3255 Grace Street NW., The Power House, Washington, D.C. 20007.

A. Gary Hymel, 3255 Grace Street NW., The Power House, Washington, D.C. 20007.
B. Gray & Co. (for Health Insurance association of America), 3255 Grace Street NW., The Power House, Washington, D.C. 20007.

A. Gary Hymel, 3255 Grace Street NW., The Power House, Washington, D.C. 20007.
B. Gray & Co. (for HTB Corp.), 3255 Grace Street NW., The Power House, Washington, D.C. 20007.

A. Edward A. Hynes, Sperry & Hutchinson Co., 425 13th Street NW., Washington, D.C. 20004.
B. The Sperry & Hutchinson Co., 330 Madison Avenue, New York, N.Y. 10017.
E. (9) $1,600.

A. Robert D. Hynes, Jr., National Broadcasting Co., Inc., 1825 K Street NW., Washington, D.C. 20006.
B. National Broadcasting Co., 1825 K Street NW., Washington, D.C. 20006.
D. (6) $500. E. (9) $39.32.

A. Richard H. Ichord, Room 400, 499 South Capitol Street SW., Washington, D.C. 20003.
B. Washington Industrial Team, Inc., Room 400, 499 South Capitol Street SW., Washington, D.C. 20003.
D. (6) $900.

A. Independent Insurance Agents of America, Inc., 100 Church Street, New York, N.Y. 10007.
D. (6) $23,634.26. E. (9) $23,634.26.

A. Independent Producers Group, 240 Page Court, 220 West Douglas, Wichita, Kans. 67202.
D. (6) $4,245. E. (9) $20,821.17.

A. Independent Telecommunications Suppliers' Council, c/o Pierson, Ball & Dowd, 1200 18th Street NW., Washington, D.C. 20036.

A. Independent U.S. Tanker Owners Committee, 1612 K Street NW., Suite 510, Washington, D.C. 20006.

A. Industrial Union Department, AFL-CIO. 815 16th Street NW., Washington, D.C. 20006.
D. (6) $17,074.14. E. (9) $17,074.14.

A. Ingersoll Johnson Steel Co., P.O. Box 370, New Castle, Ind. 47362.
E. (9) $168.18

A. John H. Ingram, American Public Transit Association, 1225 Connecticut Avenue NW., Washington, D.C. 20036.
B. The American Public Transit Association, 1225 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $5,000. E. (9) $240.

A. Andrea L. Innes, Coal Building, Washington, D.C. 20036.
B. National Coal Association, Coal Building, Washington, D.C. 20036.
D. (6) $4,187.50. E. (9) $634.91.

A. Institute of Foreign Bankers, 200 Park Avenue, Suite 303 East, Room 23, New York, N.Y.
D. (6) $500. E. (9) $500.

A. Insurance Economics Society of America, 1700 Pennsylvania Avenue NW., Suite 590, Washington, D.C. 20006.
D. (6) $19,986.80.

A. Inter-American Associates, Inc., 1502 27th Street NW., Washington, D.C. 20007.
B. Government of Honduras.

A. Interlake, Inc., 2015 Spring Road, Commerce Plaza, Oak Brook, Ill. 60521.
E. (9) $4,850.92.

A. International Association of Bridge, Structural and Ornamental Iron Workers, 1750 New York Avenue NW., Washington, D.C. 20006.
E. (9) $8,580.

A. International Association of Machinists and Aerospace Workers, 1300 Connecticut Avenue NW., Washington, D.C. 20036.
E. (9) $25,374.58

A. International Longshoremen's Association, AFL-CIO, Suite 1530, 17 Battery Place, New York, N.Y.
E. (9) $43,736.53.

A. International Union of Bricklayers and Allied Craftsmen, 815 15th Street NW., Washington, D.C. 20005.
E. (9) $6,709.65.

A. International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW), 8000 East Jefferson, Detroit, Mich. 48214.
D. (6) $94,095.14. E. (9) $94,095.14.

A. Investment Company Institute, 1775 K Street NW., Washington, D.C. 20006.
E. (9) $18,447.01.

A. Investment Counsel Association of America, Inc., 50 Broad Street, New York, N.Y. 10004.

A. Iron Ore Lessors Association, Inc., 1500 First National Bank Building, St. Paul, Minn. 55101.
D. (6) $15,474.56. E. (9) $11,242.50.

A. John D. Isaacs, Council for a Livable World, 100 Maryland Avenue NE., Washington, D.C. 20002.
B. Council for a Livable World, 11 Beacon Street, Boston, Mass. 02108.
D. (6) $5,552.76.

A. ITEL Corp., Container Division, No. 2 Embarcadero Center, 24th Floor, San Francisco, Calif. 94111.
E. (9) $411.29.

A. Joseph S. Ives, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Rural Electric Cooperative Association, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $120.

A. Robert A. Jablon, Spiegel & McDiarmid, 2600 Virginia Avenue NW., Washington, D.C. 20037.
B. Fort Pierce Utilities Authority of the City of Fort Pierce, Gainesville-Alachua County Regional Electric Water & Sewer Utilities, Sebring Utilities Commission, Cities of Homestead, Kissimmee, Lakeland, Starke, Tallahassee, Fla.

A. Benjamin R. Jackson, 1607 New Hampshire Avenue NW., Washington, D.C. 20009.
B. Norman D. Shutler, 1607 New Hampshire Avenue NW., Washington, D.C. 20009.
D. (6) $3,000.

A. Mercer L. Jackson, National Association of Real Estate Investment Trusts, Inc., 1101 17th Street NW., Suite 700, Washington, D.C. 20036.
B. National Association of Real Estate Investment Trusts, Inc., 1101 17th Street NW., Suite 700, Washington, D.C. 20036.
D. (6) $200.

A. Robert S. Jackson, 1133 19th Street NW., Washington, D.C. 20036.
B. MCI Communications Corp., 1133 19th Street NW., Washington, D.C. 20036.
D. (6) $2,500. E. (9) $215.

A. Walter K. Jaenicke, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $5,000.

A. Jaffe, Squires & Foote, 1000 Potomac Street NW., Suite 103, Washington, D.C.
B. U.S. & Overseas Tax Fairness Committee, 1101 15th Street NW., Suite 1000, Washington, D.C. 20005.
D. (6) $4,725. E. (9) $270.

A. Margo L. James, American Gas Association, 1515 Wilson Boulevard, Arlington, Va. 22209.
B. American Gas Association, 1515 Wilson Boulevard, Arlington, Va. 22209.
D. (6) $5,000. E. (9) $365.86.

A. Japan Economic Institute of America, 1000 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $3,616.42. E. (9) $3,616.42.

A. Diane Steigler Jarrell, 777 14th Street NW., Washington, D.C. 20005.
B. National Association of Realtors, 777 14th Street NW., Washington, D.C. 20005.
D. (6) $2,500. E. (9) $543.91.

A. Joseph N. Jaquay, 5151 Wisconsin Avenue NW., Washington, D.C. 20016.
B. Amalgamated Transit Union, AFL-CIO, 5151 Wisconsin Avenue NW., Washington, D.C. 20016.

A. Jerry J. Jasinowski, National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
D. (6) $2,000.

A. Joseph A. Jeffrey, American Mining Congress, 1920 N Street NW., Washington, D.C. 20036.
B. American Mining Congress, 1920 N Street NW., Washington, D.C. 20036.
D. (6) $362.60.

A. Joseph S. Jenckes, Abbott Laboratories, 1730 M Street NW., Suite 808, Washington, D.C. 20036.

B. Abbott Laboratories, Abbott Park, North Chicago, Ill. 60064.
D. (6) $4,500. E. (9) $10.66.

A. Jenkens & Gilchrist, 2200 First National Bank Bldg., Dallas, Tex. 75202.
B. American College of Emergency Physicians, P.O. Box 61911, Dallas, Tex. 75261.
D. (6) $1,200. E. (9) $66.55.

A. James C. Jennings, Hill and Knowlton, Inc., 1425 K Street NW., Washington, D.C. 20005.
B. Hill and Knowlton, Inc., 633 Third Ave., New York, N.Y. 10017.

A. Jennings, Strouss & Salmon, 111 West Monroe, Phoenix, Ariz. 85003.
B. Shamrock Foods Co., 2228 North Black Canyon Road, Phoenix, Ariz. 85009.

A. Chris L. Jensen, Florida Petroleum Council, 111 North Gadsden Street, Tallahassee, Fla. 32301.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $1,207.50. E. (9) $1,809.32.

A. Jensen, Sanders & McConnell, 1200 North Main Street, Suite 900, Santa Ana, Calif. 92701, and 244 Maryland Avenue NE., Washington, D.C. 20002.
B. County of Orange, 10 Civic Center Plaza, Santa Ana, Calif. 92701.
D. (6) $9,500. E. (9) $321.

A. Jensen, Sanders & McConnell, 1200 North Main Street, Suite 900, Santa Ana, Calif. 92701, and 244 Maryland Avenue NE., Washington, D.C. 20002.
B. Orange County Transportation Commission, 1020 North Broadway, Santa Ana, Calif. 92701.
D. (6) $6,500. E. (9) $342.

A. Jensen, Sanders & McConnell, 1200 North Main Street, Suite 900, Santa Ana, Calif. 92701, and 244 Maryland Avenue NE., Washington, D.C. 20002.
B. Santa Ana Valley Irrigation Co., 1900 Bank of America Tower, 1 City Boulevard West, Orange, Calif. 92668.
D. (6) $1,500.

A. A. W. Jessup, 1899 L Street NW., Suite 1100, Washington, D.C. 20036.
B. Exxon Corp., 1251 Avenue of the Americas, New York, N.Y. 10020.
E. (9) $686.84.

A. Guy E. Jester, J. S. Alberici Construction Co., 2150 Kienlen Avenue, St. Louis, Mo. 63121.
B. Association for the Improvement of the Mississippi River, 10 Broadway, St. Louis, Mo. 63102.

A. Charles E. Joeckel, Jr., Disabled American Veterans, 807 Maine Avenue SW., Washington, D.C. 20024.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky. 41076.
D. (6) $10,376.80. E. (9) $1,416.03.

A. Ronald P. Johnsen, Columbia Gas System Service Corp., 1625 I Street NW., No. 303, Washington, D.C. 20006.
B. Columbia Gas System Service Corp., 20 Montchanin Road, Wilmington, Del. 19807.
D. (6) $175.
E. (9) $487.47.

A. Bruce T. Johnson, The Bowery Savings Bank, 110 East 42d Street, New York, N.Y. 10017.
B. The Bowery Savings Bank, 110 East 42d Street, New York, N.Y. 10017.
D. (6) $14,000.

A. Calvin P. Johnson, Hoffheimer, Johnson & Peterson, 1120 20th Street NW., Suite 520, Washington, D.C. 20036.
B. Computer Sciences Corp., 650 North Sepulveda Boulevard, El Segundo, Calif. 90245.
D. (6) $12,000. E. (9) $1,202.15.

A. Calvin P. Johnson, Hoffheimer, Johnsen & Peterson, 1120 20th Street NW., Suite 520, Washington, D.C. 20036.
B. Hancock/Dikewood Services, Inc., 1009 Bradbury Drive SE., Albuquerque, N. Mex. 87106.
D. (6) $480. E. (9) $22.80.

A. David H. Johnson, Mississippi Petroleum Council, P.O. Box 42, Jackson, Miss. 39205.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

A. George Dean Johnson, Jr., Johnson, Smith & Hubbard, P.O. Box 5524, 229 North Church Street, Suite 6, Spartanburg, S.C. 29304.
B. Milliken & Co., P.O. Box 1926, Spartanburg, S.C. 29304.
D. (6) $6,220. E. (9) $7,598.69.

A. Jess Johnson, Jr., Shell Oil Co., 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. Shell Oil Co., One Shell Plaza, P.O. Box 2463, Houston, Tex. 77001.
D. (6) $500.

A. John B. Johnson, Alabama Petroleum Council, P.O. Box 4220, Montgomery, Ala. 36195.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $886.67. E. (9) $836.73.

A. Rady A. Johnson, 1000 16th Street NW., No. 500, Washington, D.C. 20036.
B. Standard Oil Co. (Indiana), 200 East Randolph Drive, Chicago, Ill. 60601.
D. (6) $350. E. (9) $74.95.

A. Richard W. Johnson, Jr., 110 Maryland Avenue NE., Box 43, Washington, D.C. 20002.
B. National Headquarters, Marine Corps League, 933 North Kenmore Street, Suite 321, Arlington, Va. 22201.

A. Richard W. Johnson, Jr., 110 Maryland Avenue NE., Box 43, Washington, D.C. 20002.
B. Non-Commissioned Officers Association of the U.S.A., P.O. Box 33610, San Antonio, Tex. 78233.
D. (6) $3,097.26. E. (9) $218.85.

A. Spencer A. Johnson, 1800 K Street NW., Suite 600, Washington, D.C. 20006.
B. Paperboard Packaging Council, 1800 K Street NW., Suite 600, Washington, D.C. 20006.

A. Stanley L. Johnson, Texaco Inc., 1050 17th Street NW., Suite 500, Washington, D.C. 20036.
B. Texaco Inc., 2000 Westchester Avenue, White Plains, N.Y. 10650.
D. (6) $100.

A. Johnson, Swanson & Barbee, 4700 First International Building, Dallas, Tex. 75270.
B. Harbison Ford, Inc., Route 1, Morrisville, Pa. 19067.
D. (6) $6,374.17. E. (9) $1,759.27.

A. Johnson, Swanson & Barbee, 4700 First International Building, Dallas, Tex. 75270.
B. Hunt Oil Co., 2900 First National Bank Building, Dallas, Tex. 75202.
D. (6) $1,677.50. E. (9) $1,822.27.

A. David A. Johnston, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. James D. Johnston, General Motors Corp., 1660 L Street NW., Suite 801, Washington, D.C. 20036.
B. General Motor Corp., 3044 West Grand Blvd., Detroit, Mich. 48303.
D. (6) $3,600. E. (9) $1,834.30.

A. Joint Corporate Committee on Cuban Claims, c/o Lone Star Industries, Inc., P.O. Box 5050, Greenwich, Conn. 06830.
E. (9) $1,170.

A. Joint Maritime Congress, 444 North Capitol Street NW., No. 800, Washington, D.C. 20001.
D. (6) $12,750.59. E. (9) $12,750.59.

A. Charlie W. Jones, Man-Made Fiber Producers Association, Inc., 1150 17th Street NW., Washington, D.C. 20036.
B. Man-Made Fiber Producers Association, Inc., 1150 17th Street NW., Washington, D.C. 20036.
D. (6) $500. E. (9) $150.

A. Jones, Day, Reavis & Pogue, 1735 I Street NW., Washington, D.C. 20006.
B. Cities Service Co., Cities Service Building, Tulsa, Okla. 74102.
D. (6) $11,035. E. (9) $56.45.

A. Jones, Day, Reavis & Pogue, 1735 I Street NW., Washington, D.C. 20006.
B. Food Policy Center, 538 7th Street SW., Washington, D.C. 20003.
E. (9) $10.

A. Ernest W. Jones, Jr., 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. Gerald R. Jones, Sperry Corp., 2000 L Street NW., Suite 810, Washington, D.C. 20036.
B. Sperry Corp., 2000 L Street NW., Suite 810, Washington, D.C. 20036.

A. James E. Jones, Appalachian Power Co., 40 Franklin Road SW., Roanoke, Va. 24022.
B. Appalachian Power Co., 40 Franklin Road SW., Roanoke, Va. 24022.

A. James E. Jones, Jr., Alliance of American Insurers, 1110 Vermont Avenue NW., Washington, D.C. 20005.
B. Alliance of American Insurers, 20 North Wacker Drive, Chicago, Ill. 60606.
D. (6) $165. E. (9) $101.

A. Jones, Jones, Bell, Close & Brown, Ltd., the Flour Mill, Suite 302, 1000 Potomac Street NW., Washington, D.C. 20007.
B. The Mead Corp., Courthouse Plaza NE., Dayton, Ohio 45463.
D. (6) $3,329.37. E. (9) $2,214.99.

A. Norville Jones, Reynolds Metal Co., 1620 I Street NW., Washington, D.C. 20006.
B. Reynolds Metals Co., 6601 West Broad Street, Richmond, Va. 23261.
D. (6) $250.

A. Randall T. Jones, National Cotton Council of America, 1030 15th Street NW., Suite 700, Washington, D.C. 20005.
B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn. 38112.
D. (6) $825. E. (9) $36.90.

A. Theodore L. Jones, 1140 19th Street NW., Suite 600, Washington, D.C. 20036.

B. The Chicago Board of Trade, Jackson and LaSalle Street, Chicago, Ill.
D. (6) $18,412.50. E. (9) $30,931.34.

A. Gregory N. Jonsson, 114 Doral Court, Bellevue, Tenn. 37221.
B. U.S. Industrial Council, Third Floor, Realtor's Building, 306 Gat Street, Nashville, Tenn. 37201.
D. (6) $1,500. E. (9) $2,134.28.

A. De Soto Jordan, 229 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. EDS Corp., 229 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $308. E. (9) $144.99.

A. James V. Jordan, III, P.O. Box 2563, Birmingham, Ala. 35202.
B. Southern Natural Gas Co., P.O. Box 2563, Birmingham, Ala. 35202.

A. Jeffrey H. Joseph, 1615 H Street NW., Washington, D.C. 20062.
B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C. 20062.
D. (6) $1,365. E. (9) $52.

A. Ellen Josephson, National Legal Aid and Defender Association, 1625 K Street NW., Eighth Floor, Washington, D.C. 20006.
B. National Legal Aid and Defender Association, 11625 K Street NW., Eighth Floor, Washington, D.C. 20006.
D. (6) $8,750.

A. Robert E. Juliano, Hotel Employees and Restaurant Employees International Union, AFL-CIO, 1975 I Street NW., Suite 450, Washington, D.C. 20006.
B. Hotel Employees and Restaurant Employees International Union, AFL-CIO, 120 East Fourth Street, Suite 1300, Cincinnati, Ohio 45202.
D. (6) $16,238.64. E. (9) $1,289.92.

A. Ruth E. Jurman, Glass Packaging Institute, 2000 L. Street NW., Washington, D.C. 20036.
B. Glass Packaging Institute, 2000 L Street NW., Washington, D.C. 20036.

A. Byron E. Kabot, International Paper Co., 77 West 45th Street, New York, N.Y. 10036.
B. International Paper Co., 77 West 45th Street, New York, N.Y. 10036.
D. (6) $3,500. E. (9) $1,216.25.

A. Geza Kadar, Jr., 1750 K Street NW., Washington, D.C.
B. Health Insurance Association of America, Inc., 1750 K Street NW., Washington, D.C.

A. Linda Heller Kamm, Foley, Lardner, Hollabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Foley, Lardner, Hollabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006 (for: Care Cabs, Inc.).

A. Linda H. Kamm, Foley, Lardner, Hollabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Foley, Lardner, Hollabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006 (for: Independent Refiners Association of America, 1775 Pennsylvania Avenue NW., Washington, D.C.).

A. Linda Heller Kamm, Foley, Lardner, Hollabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Suite 1000, Washington, D.C. 20006.
B. Phosphate Rock Export Association, 1311 North West Shore Boulevard, Tampa, Fla. 33607.

A. Donald J. Kaniewski, 905 16th Street NW., Washington, D.C. 20006.
B. Laborers' International Union of N.A., AFL-CIO, 905 16th Street NW., Washington, D.C. 20006.
D. (6) $5,747.49. E. (9) $52.10.

A. Julius Kaplan, 1218 16th Street NW., Washington, D.C. 20036.
B. Kaplan, Russin & Vecchi, 1218 16th Street NW., Washington, D.C. 20036 (for: the Government of Colombia).

A. Charles W. Karcher, Room 850, Midland Building, Cleveland, Ohio 44115.
B. The Standard Oil Co. (Ohio), Midland Building, Cleveland, Ohio 44115.

A. Fred G. Karem, Shuffett, Kenton Curry & Karem, 109 North Mill Street, Lexington, Ky. 40507-1158.
B. Lincoln Property Co., 1500 East Tropicana Avenue, Suite 216, Las Vegas, Nev. 89109.
D. (6) $450.

A. Gene Karpinski, 215 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Congress Watch, 215 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $1,875.

A. Joseph E. Karth, 102 West Boca Raton Road, Phoenix, Ariz. 85023.
B. Archer, Daniels, Midland Co., Decatour, Iowa.
D. (6) $3,500.

A. Joseph E. Karth, 102 West Boca Raton Road, Phoenix, Ariz. 85023.
B. KBS Associates, Inc., Suite 4400, 475 L'Enfant Plaza, Washington, D.C. 20024.
D. (6) $20,000. E. (9) $1,204.48.

A. Patricia Louise Katson, 905 St. Stephens Road, Alexandria, Va. 22305.
B. Liberty Lobby, 300 Independence Avenue SE., Washington, D.C. 20003.
D. (6) $1,375.

A. Howard C. Katz, Coffee, Sugar, & Cocoa Exchange, Inc., Four World Trade Center, Eighth Floor, New York, N.Y. 10048.
B. Coffee, Sugar, & Cocoa Exchange, Inc., Four World Trade Center, Eighth Floor, New York, N.Y. 10048.

A. Laura Jo Katz, Shrimp Harvesters Coalition of the Gulf and South Atlantic States, 2101 L Street NW., Washington, D.C. 20037.
B. Shrimp Harvesters Coalition of the Gulf and South Atlantic States, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $1,500.

A. Lawrence W. Katz, Satellite Business Systems, 8283 Greensboro Drive, McLean, Va. 22102.
B. Satellite Business Systems, 8283 Greensboro Drive, McLean, Va. 22102.
D. (6) $1,350.

A. Linda E. Katz, 1111 19th Street NW., Washington, D.C. 20036.
B. Edison Electric Institute, 1111 19th Street NW., Washington, D.C. 20036.
D. (6) $964.29. E. (9) $396.

A. Everett E. Kavanaugh, Cosmetic, Toiletry & Fragrance Association, Inc., 1110 Vermont Avenue NW., Suite 800, Washington, D.C. 20095.
B. Cosmetic, Toiletry & Fragrance Association, Inc., 1110 Vermont Avenue NW., Suite 800, Washington, D.C. 20005.

A. Kaye, Scholer, Fierman, Hays & Handler, 1575 I Street NW., Suite 1150, Washington, D.C. 20005.
B. Dow Chemical Co., 2030 Dow Center, Midland, Mich. 48640.
E. (9) $343.75.

A. Kaye, Scholer, Fierman, Hays & Handler, 1575 I Street NW., Suite 1150, Washington, D.C. 20005.
B. Elsevier Scientific Publishers, BV, Overschiestratt 55-57, 1061 NH—Amsterdam; Slotervaart, The Netherlands.
E. (9) $1,176.25.

A. William J. Keating, 725 15th Street NW., Washington, D.C. 20005.
B. National Grain & Feed Association, P.O. Box 28328, Washington, D.C. 20005.

A. Howard B. Keck, 555 South Flower Street, Los Angeles, Calif. 90071.
B. Superior Oil Co., 555 South Flower Street, Los Angeles, Calif. 90071.
E. (9) $300.

A. W. M. Keck, Jr., 1801 Avenue of the Stars, Suite 1110, Los Angeles, Calif. 90067.

A. Teresa A. Keefe, League of Women Voters of the United States, 1730 M Street NW., Washington, D.C. 20036.
B. League of Women Voters of the United States, 1730 M Street NW., Washington, D.C. 20036.
D. (6) $2,688. E. (9) $36.

A. Patricia Keefer, 2030 M Street NW., Suite 300, Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., Suite 300, Washington, D.C. 20036.
D. (6) $4,500.

A. David A. Keene, 1000 Connecticut Avenue NW., Suite 600, Washington, D.C. 20036.
B. National Tax Limitation Committee, 1523 L Street NW., Suite 600, Washington, D.C. 20005.
D. (6) $170. E. (9) $5.

A. Robert C. Keeney, North Washington at Madison, Alexandria, Va. 22314.
B. United Fresh Fruit and Vegetable Association, North Washington at Madison, Alexandria, Va. 22314.
D. (6) $927.34 E. (9) $229.38.

A. Jefferson D. Keith, 8150 Leesburg Pike, Suite 1100, Vienna, Va. 22180.
B. National Pest Control Association, 8150 Leesburg Pike, Suite 1100, Vienna, Va. 22180.

A. Robert H. Kellen, Calorie Control Council, 5775 Peachtree-Dunwoody Road, Suite 500-D, Atlanta, Ga. 30342.
B. The Robert H. Kellen Co., 5775 Peachtree-Dunwoody Road, Suite 500-D, Atlanta, Ga. 30342 (for: Calorie Control Council, 5775 Peachtree-Dunwoody Road, Suite 500-D, Atlanta, Ga. 30342).
D. (6) $540.

A. Candace Keller, 624 9th Street NW., Seventh Floor, Washington, D.C. 20001.
B. Group Health Association of America, Inc., 624 9th Street NW., Seventh Floor, Washington, D.C. 20001.
D. (6) $3,300.

A. Keller and Heckman, 1150 17th Street NW., Washington, D.C. 20036.
B. Specialty Advertising Association International, 1404 Walnut Hill Lane, Irving, Tex. 75062.
D. (6) $250. E. (9) $25.50.

A. John G. Keller, 1899 L Street NW., Suite 1100, Washington, D.C. 20036.
B. Exxon Corp., 1251 Avenue of the Americas, New York, N.Y.

E. (9) $110.82.

A. John B. Kelley, 1025 Connecticut Avenue NW., Suite 1200, Washington, D.C. 20036.
B. Avco Corp., 1275 King Street, Greenwich, Conn. 06830.
D. (6) $1,500.

A. Ty Kelley National Association of Chain Drug Stores, Inc., P.O. Box 1417-D49, Alexandria, Va. 22313.
B. National Association of Chain Drug Stores, Inc., P.O. Box 1417-D49, Alexandria, Va. 22313.
D. (6) $1,500.

A. Stephen S. Kellner, 1001 Connecticut Avenue NW., Washington, D.C. 20036.
B. Chemical Specialties Manufacturers Association, 1001 Connecticut Avenue, Suite 1120, Washington, D.C. 20036.
D. (6) $610.98. E. (9) $60.33.

A. Brian F. Kelly, 1211 Connecticut Avenue NW., Suite 802, Washington, D.C. 20036.
B. Sears, Roebuck & Co., Sears Tower, Chicago, Ill. 60684.
E. (9) $164.15.

A. Ernest B. Kelly III, Satellite Television Corp., 1301 Pennsylvania Avenue NW., Washington, D.C. 20004.
B. Communications Satellite Corp., 950 L'Enfant Plaza SW., Washington, D.C. 20024.
D. (6) $1,000. E. (9) $385.

A. Harold V. Kelly, Republic Steel Corp., 1101 15th Street NW., Washington, D.C. 20005.
B. Republic Steel Corp., Republic Building, Cleveland, Ohio 44101.

A. Richard B. Kelly, 770 Lexington Avenue, New York, N.Y. 10021.
B. National Association of Catalog Showroom Merchandisers, 276 Fifth Avenue, New York, N.Y. 10001.

A. Mark L. Kemmer, General Motors Corp., 1660 L Street NW., Washington, D.C. 20036.
B. General Motors Corp., 3044 West Grand Blvd., Detroit, Mich. 48202.
D. (6) $2,500. E. (9) $870.26.

A. James B. Kenin, Suite 404, 2033 M Street NW., Washington, D.C. 20036.
B. Antaeus Enterprises, 59 Gary Road, Stamford, Conn.

A. Joseph W. Kennebeck, Volkswagen of America, Inc., 475 L'Enfant Plaza SW., Suite 2450, Washington, D.C. 20024.
B. Volkswagen of America, Inc., 27621 Parkview Boulevard., Warren, Mich. 48092.
D. (6) $300.

A. James J. Kennedy, Jr., Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 3 Research Place, Rockville, Md. 20850.
D. (6) $7,000. E. (9) $460.50

A. William F. Kennedy, Fairfield, Conn. 06431.
B. General Electric Co., Fairfield, Conn. 06431.
D. (6) $60. E. (9) $245.30.

A. Jeremiah J. Kenney, Jr., Union Carbide Corp., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Union Carbide Corp., 270 Park Avenue, New York, N.Y. 10017.

A. Peter B. Kenney, 1825 K Street NW., Washington, D.C. 20006.
B. National Broadcasting Co., Inc., 1825 K Street NW., Washington, D.C. 20006.
D. (6) $1,000.

A. Robert T. Kenney, Texaco, Inc., 1050 17th Street NW., Suite 500, Washington, D.C. 20036.
B. Texaco Inc., 2000 Westchester Avenue, White Plains, N.Y. 10650.

A. Jonathan H. Kent, Kent & O'Connor, Inc., 1919 Pennsylvania Avenue NW., No. 300, Washington, D.C. 20006.
B. American Supply Association, 221 North LaSalle Street, Chicago, Ill. 60601.
D. (6) $3,355. E. (9) $596.86.

A. Jonathan H. Kent, Kent & O'Connor, Incorporated, 1919 Pennsylvania Avenue, NW., No. 300, Washington, D.C. 20006.
B. American Warehousemen's Association, 1165 North Clark, Chicago, Ill. 60610.
D. (6) $1,076.87. E. (9) $363.05.

A. Jonathan H. Kent, Kent & O'Connor, Incorporated, 1919 Pennsylvania Avenue, NW., No. 300, Washington, D.C. 20006.
B. Seniorcenters of America, 2640 Peerless Road NW., Cleveland, Tenn. 37311.
D. (6) $3,280. E. (9) $719.15.

A. Paul A. Kerschner, National Retired Teachers Association-American Association of Retired Persons, 1909 K Street NW., Washington, D.C. 20049.
B. National Retired Teachers Association-American Association of Retired Persons, 1909 K Street NW., Washington, D.C. 20049.
D. (6) $726.92 E. (9) $30.93.

A. Robert M. Ketchel, 777 14th Street NW., Washington, D.C. 20005-3299.
B. General Electric Co., 777 14th Street NW., Washington, D.C. 20005-3299.

A. Earline A. Keyser, 7352 Lee Highway, falls Church, VA. 22046.
B. Bechtel Power Corp., 1620 I Street NW., Washington, D.C. 20006.

A. Richard F. Kibben, 200 Park Avenue, Suite 2222, New York, N.Y. 10166.
B. The Business Roundtable, 200 Park Avenue, Suite 2222, New York, N.Y. 10166.

A. William S. Kies, 1750 K Street NW., Washington, D.C. 20006.
B. Food Marketing Institute, 1750 K Street NW., Washington, D.C. 20006.
D. (6) $450.

A. Maryann Kilduff, 923 15th Street NW., Washington, D.C. 20005.
A. Transportation Institute, 923 15th Street NW., Washington, D.C. 20005.
D. (6) $3,000 E. (9) $402.50.

A. Margaret A. Kimball, Route 1, Box 118A, Bealeton, Va. 22712.
B. Bechtel Power Corp., 1620 I Street South NW., Washington, D.C. 20006.

A. Roberta D. Kimball, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. Richard H. Kimberly, Kimberly-Clark Corp., 1000 Wilson Blvd., Suite 2200, Arlington, Va. 22209.
B. Kimberly-Clark Corp., 401 North Lake Street, Neenah, Wis. 54956.
D. (6) $46.35 E. (9) $420.70.

A. Kimberly-Clark Corp., 401 North Lake Street, Neenah, Wis. 54956.
E. (9) $1,060.54.

A. Gene Kimmelman, 215 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Congress Watch, 215 Pennsylvania Avenue S.E., Washington, D.C. 20003.
D. (6) $2,500.

A. Charles L. King, American Council of Life Insurance, 1850 K Street NW., Washington, D.C. 20006.
B. American Council of Life Insurance Inc., 1850 K Street NW., Washington, D.C. 20006.
D. (6) $90.

A. Edward H. King, Walgreen Co., 200 Wilmot Road, Deerfield, Ill. 60015.
B. Walgreen Co., 200 Wilmot Road, Deerfield, Ill. 60015.

A. G. Jack King, U.S. Air, Inc., Washington National Airport, Washington, D.C. 20001.
B. U.S. Air, Inc., Washington National Airport, Washington, D.C. 20001.
D. (6) $1,000.

A. Rufus King, 910 17th Street NW., Washington, D.C. 20006.
B. D. Gottlieb & Co., 165 West Lake Street, Northlake, Ill.; Stern Electronics, Inc., 1725 Diversey Parkway, Chicago, Ill.; Williams Electronics, Inc., 3401 California Avenue, Chicago, Ill.
E. (9) $150.

A. King & Spalding, 2501 M Street NW., Suite 500, Washington, D.C. 20037.
B. American Petroleum Institute, 2101, L Street NW., Washington, D.C. 20037.
E. (9) $340.38.

A. King & Spalding, 2501 M Street NW., Suite 500, Washington, D.C. 20037.
B. Georgia-Pacific Corp., 1875 I Street NW., Washington, D.C. 20006.
D. (6) $1,500. E. (9) $4,944.44.

A. W. Russell King, 1730 Rhode Island Avenue NW., No. 400, Washington, D.C. 20036.
B. Freeport-McMoRan Inc., 200 Park Avenue, New York, N.Y. 10166.
D. (6) $250.

A. Francis L. Kinney, 76 Pheasant Run, Newington, Conn. 06111.
B. Northeast Utilities Service Co., Selden Street, Berlin, Conn. 06037.

A. Janie A. Kinney, Blum & Nash, 1015 18th Street NW., Suite 408, Washington, D.C. 20036.
B. Twin Coasts Newspaper, Inc., The Journal of Commerce, 110 Wall Street, New York, N.Y. 10005.

A. Kirby & Gillick, 600 Maryland Avenue SW., Suite 303, Washington, D.C. 20024.
B. American Bus Association, 1025 Connecticut Avenue NW, Suite 308, Washington, D.C. 20036.
D. (6) $3,925. E. (9) $79.70.

A. Kirby & Gillick, 600 Maryland Avenue SW., Suite 303, Washington, D.C. 20024.
B. Communities for an Effective Air Transportation System, 600 Maryland Avenue SW., Suite 303, Washington, D.C. 20024.
D. (6) $3,925. E. (9) $78.65.

A. Kirby & Gillick, 600 Maryland Avenue SW., Suite 303, Washington, D.C. 20024.
B. Continental Resources Co., P.O. Box 44, Winter Park, Fla. 32790.

D. (6) $3,000. E. (9) $128.

A. Kirby & Gillick, 600 Maryland Avenue SW., Suite 303, Washington, D.C. 20024.
B. Corn Refiners Association, 1001 Connecticut Avenue NW., Suite 1022, Washington, D.C. 20036.

A. Kirby & Gillick, 600 Maryland Avenue SW., Suite 303, Washington, D.C. 20024.
B. National Council of Farmer Cooperatives, 1800 Massachusetts Avenue NW., Suite 604, Washington, D.C. 20036.
D. (6) $4,550. E. (9) $166.

A. Alan G. Kirk II, Potomac Electric Power Co., 1900 Pennsylvania Avenue NW., Washington, D.C. 20068.
B. Potomac Electric Power Co., 1900 Pennsylvania Avenue NW., Washington, D.C. 20068.
D. (6) $15.84.

A. John R. Kirk, Bingham, Dane & Gould, 100 Federal Street, Boston, Mass. 02110.
B. The First National Bank of Boston, 100 Federal Street, Boston, Mass. 02110.

A. Kirkland & Ellis, 1776 K Street NW., Washington, D.C. 20006.
B. American Newspaper Publishers Association, 11600 Sunrise Valley Drive, Reston, Va. 22090.
D. (6) $1,164.

A. Sally Ann Kirkpatrick, Alliance of American Insurers, 1110 Vermont Avenue NW., Washington, D.C. 20005.
B. Alliance of American Insurers, 20 North Wacker Drive, Chicago, Ill. 60606.
D. (6) $588.

A. Ronald A. Kitlas, Kellogg Co., 235 Porter Street, Battle Creek, Mich. 49016.
B. Kellogg Co., 235 Porter Street, Battle Creek, Mich. 49016.
D. (6) $300. E. (9) $187.

A. Saul B. Klaman, National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y. 10166.
B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y. 10166.
D. (6) $1,599.99.

A. Catherine B. Klarfeld, Foley, Lardner, Hollabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Suite 1000, Washington, D.C. 20006.
B. Phosphate Rock Export Association, 1311 North West Shore Boulevard, Tampa, Fla. 33607.

A. Richard P. Kleeman, Association of American Publishers, Inc., 1707 L Street NW., No. 480, Washington, D.C. 20036.
B. Association of American Publishers, Inc., 1707 L Street NW., No. 480, Washington, D.C. 20036.

A. Kline, Knopf & Wojdak, Inc., 111 State Street, Harrisburg, Pa. 17101.
B. General Public Utilities Corp. 100 Interpace Parkway, Parsippany, N.Y. 07054.

A. Kline, Knopf & Wojdak, Inc., 111 State Street, Harrisburg, Pa. 17101.
B. The Medical College of Pennsylvania, 3300 Henry Avenue, Philadelphia, Pa. 19129.
D. (6) $500. E. (9) $1,907.73.

A. Richard A. Kline, 650 Independence Avenue SE., Washington, D.C. 20003.
B. Council of Active Independent Oil & Gas Producers, 650 Independence Avenue SE., Washington, D.C. 20003.
D. (6) $7,629.

A. William Klinefelter, United Steelworkers of America, 815 16th Street NW., Suite 706, Washington, D.C., 20006.
B. United Steelworkers of America, Five Gateway Center, Pittsburgh, Pa.
D. (6) $9,223.81.

A. James E. Kneale, 2335 South Meade Street, Arlington, Va. 22202.
B. Lockheed Corp., P.O. Box 551 Burbank, Calif. 91520.
D. (6) $1,100. E. (9) $138.35.

A. Peter E. Knight 3900 Wisconsin Avenue NW., Washington, D.C. 20016.
B. Federal National Mortgage Association, 3900 Wisconsin Avenue NW., Washington, D.C. 20016.

A. Daniel F. Knise, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. Keith R. Knoblock American Mining Congress, 1920 North Street NW., Washington, D.C. 20036.
B. American Mining Congress, 1920 North Street NW., Washington, D.C. 20036.
D. (6) $101.37. E. (9) $28.72.

A. Mary G. Knopke, 1828 L Street NW., Suite 800, Washington, D.C. 20036.
B. The American Humane Association, 9725 East Hampden, Denver, Colo. 80231.
D. (6) $2,583.34.

A. John C. Knott, Burlington Northern Railroad Co., 6800 Powderhouse Road, Cheyenne, Wyo. 82001.
B. Burlington Northern Railroad Co., 176 East 5th Street, St. Paul, Minn. 55101.

A. Robert L. Knous, Jr., 1410 Grant Street, Suite A-201, Denver, Colo. 80203.
B. Colorado Ski Country U.S.A., 1410 Grant Street, Suite A-201, Denver, Colo. 80203.

A. Ruth E. Kobell, 1012 14th Street NW., Washington, D.C. 20005.
B. The Farmers' Educational and Co-Operative Union of America Denver, Colo. 80251; 1012 14th Street NW., Washington, D.C. 20005.
D. (6) $4,264.63 E. (9) $142.16.

A. Thomas G. Kobus, National Parking Association, 2000 K Street NW., No. 350, Washington, D.C. 20006.
B. National Parking Association, 2000 K Street NW., No. 350, Washington, D.C. 20006.
D. (6) $12,937.47.

A. Bradley R. Koch, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Rural Electric Cooperative, Association, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $135.45.

A. Stanley E. Kolbe, Jr., the American Institute of Architects, 1735 New York Avenue NW., Suite 960, Washington, D.C. 20006.
B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C. 20006.
D. (6) $2,750. E. (9) $60.65.

A. Michael S. Koleda, National Council on Synthetic Fuels Production, 1875 I Street NW., Suite 960, Washington, D.C. 20006.
B. National Council on Synthetic Fuels Production, 1875 I Street NW., Suite 960, Washington, D.C. 20006.

A. Kominers, Fort, Schlefer & Boyer, 1776 F Street NW., Washington, D.C. 20006.
B. Aeron Marine Shipping Co., Triad Office Center, 2001 Marcus Avenue, Lake Success, N.Y. 11042.

A. Kominers, Fort, Schlefer & Boyer, 1776 F Street NW., Washington, D.C. 20006.
B. American Tankships, Inc., Ingram Tankships, Inc., 4100 1 Shell Square, New Orleans, La. 70139.

A. Kominers, Fort, Schlefer & Boyer, 1776 F Street NW., Washington, D.C. 20006.
B. Southern Overseas Corp., P.O. Box 2110, Wilmington, N.C. 28402.

A. Nicholas Kominus, 1001 Connecticut Avenue, Washington, D.C. 20036.
B. U.S. Cane Sugar Refiners' Association, 1001 Connecticut Avenue, Washington, D.C. 20036.
D. (6) $1,220.63.

A. Stephen Koplan, 815 16th Street NW., Washington, D.C. 20006.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $15,407.70. E. (9) $308.33.

A. Horace R. Kornegay, Suite 800, 1875 I Street NW., Washington, D.C. 20006.
B. The Tobacco Institute, Inc., 1875 I Street NW., Washington, D.C. 20006.
D. (6) $150 E. (9) $10.

A. Kenneth S. Kovack, United Steelworkers of America, 815 16th Street NW., Suite 706, Washington, D.C. 20006.
B. United Steelworkers of America, Five Gateway Center, Pittsburgh, Pa. 15222.
D. (6) $9,223.81.

A. E. J. Krabacher, Cincinnati Milacron, Inc., 4701 Marburg Avenue, Cincinnati, Ohio 45209.
B. Cincinnati Milacron, Inc., 4701 Marburg Avenue, Cincinnati, Ohio 45209.
D. (6) $2,100. E. (9) $1,315.

A. Mylio S. Kraja, the American Legion, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennslyvania Street, Indianapolis, Ind.
D. (6) $10,338. E. (9) $983.08.

A. Amos Kramer, Kansas Petroleum Council, 1414 Merchants Bank Building, Eighth and Jackson, Topeka, Kans. 66612.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

A. Joseph H. Kramer III, 3255 Grace Street NW., The Power House, Washington, D.C. 20007.
B. Gray Co. (for HTB Corp.), 3255 Grace Street NW., The Power House, Washington, D.C. 20007.

A. Louis C. Kramp & Associates, 1919 Pennsylvania Avenue NW., No. 301, Washington, D.C. 20006.
B. Holiday Inns, Inc., 3742 Lamar Avenue, Memphis, Tenn. 38118.
D. (6) $1,750.

A. Louis C. Kramp & Associates, 1919 Pennsylvania Avenue NW., No. 301, Washington, D.C. 20006.
B. National Association of Homes for Children, 104 East 35th Street, New York, N.Y. 10016.
D. (6) $2,050.

A. Louis C. Kramp & Associates, 1919 Pennsylvania Avenue NW., No. 301, Washington, D.C. 20006.
B. Service Master Industries, Inc., 2300 Warenville Road, Downers Grove, Ill. 60515.

D. (6) $1,625.

A. Louis C. Kramp & Associates, 1919 Pennsylvania Avenue NW., No. 301, Washington, D.C. 20006.
B. United States Industrial Council, Realtors Building, Third Floor, 306 Gay Street, Nashville, Tenn. 37219.
D. (6) $1,350.

A. Raymond R. Krause, TRW, Inc., Suite 2700, 1000 Wilson Boulevard, Arlington, Va. 22209.
B. TRW, Inc., 23555 Euclid Avenue, Cleveland, Ohio 44117.
D. (6) $1,000.

A. The Kroger Co., 1014 Vine Street, Cincinnati, Ohio.
E. (9) $5,589.14.

A. Joseph A. Kuchler, American Hospital Association, 444 North Capital Street NW., No. 500, Washington, D.C. 20001.
B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill. 60611.
D. (6) $1,406.86. E. (9) $95.73.

A. Lloyd R. Kuhn, Aerospace Industries Association, 1725 DeSales Street NW., Washington, D.C. 20036.
B. Aerospace Industries Association of America, Inc., 1725 DeSales Street NW., Washington, D.C. 20036.
D. (6) $12,180.

A. Thomas R. Kuhn, 401 First Street SE., Washington, D.C.
B. American Nuclear Energy Council, 410 First Street SE., Washington, D.C.
D. (6) $2,562.51. E. (9) $66.15.

A. Daniel M. Kush, CertainTeed Corp., 1627 K Street NW., Washington, D.C. 20006.
B. CertainTeed Corp., P.O. Box 860, Valley Forge, Pa. 19482.
D. (6) $500. E. (9) $71.43.

A. Labor Bureau, Inc., 1200 15th Street NW., Washington, D.C. 20005.

A. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C. 20001.
D. (6) $7,873. E. (9) $6,682.

A. Laborers' International Union of North America, AFL-CIO, 905 16th Street NW., Washington, D.C. 20006.
E. (9) $19,507.94.

A. Phillip Ray Lackey, 823 15th Street NW., Washington, D.C. 20005.
B. International Masonry Institute, 823 15th Street NW., Washington, D.C. 20005.
D. (6) $1,454.

A. Philip A. Lacovara, Hughes, Hubbard & Reed, 1660 L Street NW., Washington, D.C. 20036.
B. Merck & Co., Inc., P.O. Box 2000, Rahway, N.J. 07065.

A. Walter B. Laessig, 1115 Massachusetts Avenue NW., Suite 6, Washington, D.C. 20005.
B. National Association of Real Estate Investment Trusts, Inc., 1101 17th Street NW., Washington, D.C. 20036.
D. (6) $5,100. E. (9) $31.50.

A. Sandra L. LaFevre, Nationwide Insurance Companies and Affiliates, 1000 Connecticut Avenue NW., Washington, D.C. 20036.
B. Nationwide Insurance Companies, One Nationwide Plaza, Columbus, Ohio 43216.
D. (6) $500.

A. Sarah M. Laird, League of Women Voters of the United States, 1730 M Street NW., Washington, D.C. 20036.
B. League of Women Voters of the United States, 1730 M Street NW., Washington, D.C. 20036.
D. (6) $4,633. E. (9) $70.

A. Robert Lamb, 2101 L Street NW., Washington, D.C. 20037.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $5,000. E. (9) $580.69.

A. David F. Lambert III, Automotive Occupant Protection Association, 2001 Jeff Davis Highway, Suite 1101, Arlington, Va. 22202.
B. Automotive Occupant Protection Association, 2001 Jeff Davis Highway, Suite 1101, Arlington, Va. 22202.
D. (6) $11,000.

A. David R. Lambert, American Seed Trade Association, 1030 15th Street NW., Suite 964, Washington, D.C. 20005.
B. American Seed Trade Association, 1030 15th Street NW., Suite 964, Washington, D.C. 20005.
D. (6) $5,000.

A. Lamon, Elrod & Harkleroad, P.C., 229 Peachtree Street NE., Suite 2500, Atlanta, Ga. 30043.
B. National Association of Pension Consultants and Administrators, Inc., Three Piedmont Center, Suite 300, Atlanta, Ga. 30305.

A. Landis, Cohen, Singman & Rauh, 1019 19th Street NW., Washington, D.C. 20036.
B. American Society of Composers, Authors and Publishers, One Lincoln Plaza, Sixth Floor, New York N.Y. 10023.
D. (6) $1,500.

A. Landis, Cohen, Singman & Rauh, 1019 19th Street NW., Washington, D.C. 20036.
B. Committee to Preserve the Patent Jurisdiction of the U.S. Courts of Appeals, c/o Sidney Neuman, 77 West Washington Street, Chicago, Ill. 60625.
D. (6) $2,000.

A. Landis, Cohen, Singman & Rauh, 1019 19th Street NW., Washington, D.C. 20036.
B. Council of Creative Artists, Libraries, and Museums, 250 West 57th Street, Suite 626, New York, N.Y. 10019.
D. (6) $500.

A. Landis, Cohen, Singman & Rauh, 1019 19th Street NW., Washington, D.C. 20036.
B. NFL Players Association, 1300 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $2,000.

A. David W. Landsidle, National Association of Manufacturers, 1719 Route 10, Parsippany, N.J. 07054.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
D. (6) $200. E. (9) $271.86.

A. Karl S. Landstrom, 510 North Edison Street, Arlington, Va. 22203.
B. Geothermal Resources International, Inc., Suite 200, 545 Middlefield Road, Menlo Park, Calif. 94025.
D. (6) $750. E. (9) $8.25.

A. Lane and Edson, P.C., 1800 M Street NW., Suite 400S, Washington, D.C. 20036.
B. City of Baltimore, Mayor William Donald Schaefer, 250 City Hall, Baltimore, Md. 21202.
D. (6) $2,000.

A. Lane and Edson, P.C., 1800 M Street NW., Suite 400S, Washington, D.C. 20036.
B. Council for Rural Housing and Development, 1800 M Street NW., Suite 400S, Washington, D.C. 20036.
D. (6) $450. E. (9) $450.

A. Lane and Edson, P.C., 1800 M Street NW., Suite 400S, Washington, D.C. 20036.
B. National Association of Home Manufacturers, 6521 Arlington Boulevard, Falls Church, Va. 22042.

A. Lane and Edson, P.C., Suite 400S, 1800 M Street NW., Washington, D.C. 20036.
B. National Leased Housing Association, Suite 400S 1800 M Street NW., Washington, D.C. 20036.
D. (6). $450.

A. Laurence F. Lane, 1050 17th Street NW., Suite 770, Washington, D.C. 20036.
B. American Association of Homes for the Aging, 1050 17th Street NW., Suite 770, Washington, D.C. 20036.
D. (6) $975. E. (9) $38.

A. R. Josh Lanier, 400 North Capitol Street, Suite 323, Washington, D.C. 20001.
B. Leggett, Lanier & Associates, 400 North Capitol Street, Suite 323, Washington, D.C. 20001 (for: Shellfish Institute of North America, 400 North Capitol Street, Suite 323, Washington, D.C. 20001).
D. (6) $4,500.

A. Robin W. Lanier, National Retail Merchants Association, 1000 Connecticut Avenue NW., No. 700, Washington, D.C. 20036.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y. 10001.
D. (6) $100. E. (9) $5.

A. Wayne R. LaPierre, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.
B. National Rifle Association of America, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.
D. (6) $925. E. (9) $326.96.

A. Clifford C. LaPlante, General Electric Co., 777 14th Street NW., Washington, D.C.
B. General Electric Co., 3135 Easton Turnpike, Fairfield, Conn.
D. (6) $875.

A. Reed E. Larson, 8001 Braddock Road, Springfield, Va. 22160.
B. National Right to Work Committee, 8001 Braddock Road, Springfield, Va. 22160.

A. LaSalle, National Bank, 135 South LaSalle Street, Chicago, Ill. 60690.
E. (9) $4,178.75.

A. Glenn T. Lashley, American Automobile Association, 8111 Gatehouse Road, Falls Church, Va. 22047.
B. American Automobile Association, 8111 Gatehouse Road, Falls Church, Va. 22047.

A. Latham, Watkins & Hills, 1333 New Hampshire Avenue NW., Suite 1200, Washington, D.C. 20036.
B. Commonwealth of Puerto Rico, 734 15th Street NW., Suite 600 Washington, D.C. 20005.
D. (6) $2,575. E. (9) $93.89.

A. Louis F. Laun, 260 Madison Avenue, New York, N.Y. 10016.
B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y. 10016.

A. Dennis Lavallee, National Association of Plumbing-Heating-Cooling Contractors, 1016 20th Street NW., Washington, D.C. 20036.
B. National Association of Plumbing-Heating-Cooling Contractors, 1016 20th Street NW., Washington, D.C. 20036.

D. (6) $500. E. (9) $44.51.

A. Kathryn Lavriha League of Women Voters of the United States, 1730 M Street NW., Washington, D.C. 20036.
B. League of Women Voters of the United States, 1730 M Street NW., Washington, D.C. 20036.
D. (6) $2,736. E. (9) $33.

A. George H. Lawrence, American Gas Association, 1515 Wilson Boulevard, Arlington, Va. 22209.
B. American Gas Association, 1515 Wilson Boulevard, Arlington, Va. 22209.
D. (6) $415. E. (9) $119.77.

A. Henry J. Lawrence, Jr., American Institute of Architects, 1735 New York Avenue NW., Washington, D.C. 20006.
B. American Institute of Architects, 1735 New York Avenue NW., Washington, D.C. 20006.
D. (6) $2,500.

A. John Henry Leach II, P.O. Box 11125, Santa Ana, Calif. 92711.
B. Let the People Be Heard Committee, Diversified Business Management and Consultant, P.O. Box 11125, Santa Ana, Calif. 92711.

A. League NY Theatres & Producers, Inc., 226 West 47th Street, New York, N.Y. 10036.
D. (6) $5,007. E. (9) $5,007.

A. League of Women Voters of the United States, 1730 M Street NW., Washington, D.C. 20036.
D. (6) $25,377. E. (9) $22,377.

A. League To Save Lake Tahoe, 2197 Lake Tahoe Boulevard, P.O. Box 10110, South Lake Tahoe, Calif. 95731.
D. (6) $9,000.

A. John I. Le Berre, 900 17th Street NW., Washington, D.C. 20006.
B. Kaiser Aluminum & Chemical Corp., 900 17th Street NW., Washington, D.C. 20006.
D. (6) $128. E. (9) $25.

A. Kerley LeBoeuf, National Association of Convenience Stores, Three Skyline Place, Suite 809, 5201 Leesburg Pike, Falls Church, Va. 22041.
B. National Association of Convenience Stores, Three Skyline Place, Suite 809, 5201 Leesburg Pike, Falls Church, Va. 22041.

A. LeBoeuf, Lamb, Leiby & MacRae, 140 Broadway, New York, N.Y. 1333 New Hampshire Avenue NW., Washington, D.C.
B. Underwriters at Lloyd's, London, c/o Wm. G. Hockensmith, 409 McClure Building, Frankfort, Ky. 40601; c/o John Smith, Lord Bissell & Brook, 115 South LaSalle Street, Chicago, Ill. 60603.

A. Robert F. Lederer, 230 Southern Building, Washington, D.C. 20005.
B. American Association of Nurserymen, 230 Southern Building, Washington, D.C. 20005.

A. David A. Leff, Joint Maritime Congress, 444 North Capitol Street NW., Suite 801, Washington, D.C. 20001.
B. Joint Maritime Congress, 444 North Capitol Street NW., Suite 801, Washington, D.C. 20001.
D. (6) $2,086.35.

A. Caroline Mills LeGette, 215 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Congress Watch, 215 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $3,500.

A. Leggett, Lanier and Associates, 400 North Capitol Street, Suite 323, Washington, D.C. 20001.
B. Shellfish Institute of North America, 400 North Capitol Street, Suite 323, Washington, D.C. 20001.
D. (6) $9,000. E. (9) $6,900.

A. Joanna S. Lehane, 1120 19th Street NW., Suite 333, Washington D.C. 20036.
A. Motor & Equipment Manufacturers Association
D. (6) $120 E. (9) $126.50

A. Leighton, Conklin, Lemov, Jacobs & Buckley, Chtd., 2033 M Street NW., Suite 800, Washington, D.C. 20036.
B. American Association of Nurse Anethetists, 619 West Higgins Road, Park Ridge, Ill. 60068.

A. Leighton, Conklin, Lemov, Jacobs & Buckley Chtd., 2033 M Street NW., Suite 800, Washington, D.C. 20036.
B. City & Regional Magazine Association, 2033 M Street NW., Suite 800, Washington, D.C. 20036.

A. Leighton, Conklin, Lemov, Jacobs & Buckley Chtd., 2033 M Street NW., Suite 800, Washington, D.C. 20036.
B. The Clorox Co., 1221 Broadway, Oakland, Calif. 94612.

A. Leighton, Conklin, Lemov, Jacobs & Buckley Chtd., 2033 M Street NW., Suite 800, Washington, D.C. 20036.
B. General Instrument Corp., 320 West 57th Street, New York, N.Y. 10019.

A. Leighton, Conklin, Lemov, Jacobs, & Buckley, Chtd., 2033 M Street NW., Suite 800, Washington, D.C. 20036.
B. Grocery Manufacturers of America, Inc., 1010 Wisconsin Avenue NW., Suite 800, Washington, D.C. 20007.

A. Leighton, Conklin, Lemov, Jacobs, & Buckley, Chtd., 2033 M Street NW., Suite 800, Washington, D.C. 20036.
B. Mutual Savings Central Fund, 50 Congress Street, Boston, Mass. 02109.
D. (6) $3,000. E. (9) $125.

A. Leighton, Conklin, Lemov, Jacobs, & Buckley, Chtd., 2033 M Street NW., Suite 800, Washington, D.C. 20036.
B. National Cable Television Association, Inc., 918 16th Street NW., Washington, D.C. 20006.

A. Leighton, Conklin, Lemov, Jacobs, & Buckley, Chtd., 2033 M Street NW., Suite 800, Washington, D.C. 20036.
B. National Glass Dealers Association, 1000 Connecticut Avenue NW., Suite 802, Washington, D.C. 20036.

A. Leighton, Conklin, Lemov, Jacobs, & Buckley, Chtd., 2033 M Street NW., Suite 800, Washington, D.C. 20036.
B. Professional Air Traffic Controllers Organization, 444 North Capitol Street NW., Washington, D.C. 20001.

A. Leighton, Conklin, Lemov, Jacobs, & Buckley, Chtd., 2033 M Street NW., Suite 800, Washington, D.C. 20036.
B. Savings Bank Association of Massachusetts, 50 Congress Street, Boston Mass. 02109.
D. (6) $9,000. E. (9) $300.

A. Leighton, Conklin, Lemov, Jacobs, & Buckley, Chtd., 2033 M Street NW., Suite 800, Washington, D.C. 20036.
B. Turner Broadcasting System, Inc., 1018 West Peachtree Street NW., Atlanta, Ga. 30309.

A. Leighton, Conklin, Lemov, Jacobs, & Buckley, Chtd., 2033 M Street NW., Suite 800, Washington, D.C. 20036.
B. Whey Products Institute, 130 North Franklin Street, Chicago, Ill. 60606.

A. Joseph L. Leitzinger, 900 Fourth Avenue, Seattle, Wash. 98164.
B. Simpson Timber Co., 900 Fourth Avenue, Seattle, Wash. 98164.
D. (6) $87.50. E. (9) $307.85.

A. Gilbert A. LeKander, 1629 K Street NW., Washington, D.C.
B. Montana Power Co., 40 East Broadway, Butte, Mont. 59701, Washington Water Power Co., P.O. Box 3727, Spokane, Wash.
D. (6) $300.

A. Lynette B. Lenard, Dow Chemical Co., 1800 M Street NW., Suite 700 South, Washington, D.C. 20036.
B. The Dow Chemical Co., Midland, Mich. 48640.
D. (6) $125. E. (9) $62.50.

A. Edward A. Lenz, 1750 K Street NW., Washington, D.C.
B. Health Insurance Association of America, Inc., 1750 K Street NW., Washington, D.C.; 919 Third Avenue, New York, N.Y. 332 South Michigan Avenue, Chicago, Ill.

A. Earl T. Leonard, Jr., The Coca-Cola Co., P.O. Drawer 1734, Atlanta, Ga. 30301.
B. The Coca-Cola Co., P.O. Drawer 1734, Atlanta, Ga. 30301.
D. (6) $240. E. (9) $867.48.

A. Lloyd Leonard, League of Women Voters of the United States, 1730 M Street NW., Washington, D.C. 20036.
B. League of Women Voters of the United States, 1730 M Street NW., Washington, D.C. 20036.
D. (6) $3,456. E. (9) $43.

A. Charles Leppert, Jr., 1801 K Street NW., Suite 230, Washington, D.C. 20006.
B. The Procter & Gamble Co., 301 East 6th Street, Cincinnati, Ohio 45201.
D. (6) $35.35.

A. Dale Lestina, National Education Association, 1201 16th Street NW., Washington, D.C. 20036.
B. National Education Association, 1201 16th Street NW., Washington, D.C. 20036.
D. (6) $3,769.60. E. (9) $182.

A. Ernest M. LeSueur, Beneficial Management Corp. of America, 1700 North Moore Street, 1925 Rosslyn Center Building, Arlington, Va. 22209.
B. Beneficial Management Corp. of America, 1300 Market Street, Wilmington, Del. 19899.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. AIRCO, Inc., 85 Chestnut Ridge Road, Montvale, New Jersey 07645.
D. (6) $1,000.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Boston Edison Co., et al., 800 Boylston Street, Boston, Mass. 02199.
D. (6) $2,931.58.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Washington, D.C. 20006.

B. Commonwealth Edison Co., One First National Plaza, Chicago, Ill. 60603, et al.
D. (6) $171.86.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Don Langenegger, Representative of Estate of Blanca Rosa Langenegger, Lanegger AG. Service, Inc., P.O. Box 575; First and Warehouse Avenue, Sunnyside, Wash. 98944.
D. (6) $1,000. E. (9) $30.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. U.S. Industries, Inc., 250 Park Avenue, New York, N.Y. 10177.
D. (6) $520. E. (9) $4.

A. Robert J. Levering, 1730 M Street NW., Washington, D.C. 20036.
B. Direct Selling Association, 1730 M Street NW., Washington, D.C. 20036.
D. (6) $200. E. (9) $65.03.

A. Barbara W. Levine, American Public Health Association, 1015 15th Street NW., Washington, D.C. 20005.
B. American Public Health Association, 1015 15th Street NW., Washington, D.C. 20005.
D. (6) $3,362. E. (9) $3,362.

A. Harry LeVine, Jr. General Electric Co., 777 14th Street NW., Washington, D.C.
B. General Electric Co., 3135 Easton Turnpike, Fairfield, Conn.
D. (6) $165.

A. Roger N. Levy, Independent Insurance Agents of America, Inc., 1120 19th Street NW., Suite 503, Washington, D.C. 20036.
B. Independent Insurance Agents of America, Inc., 100 Church Street, 19th Floor, New York, N.Y. 10007.
D. (6) $10,675.02.

A. Charles L. Lewis, 5203 Leesburg Pike, No. 400, Falls Church, Va. 22041.
B. American Personnel & Guidance Association, 5203 Leesburg Pike, Falls Church, Va. 22041.
D. (6) $214.

A. E. David Lewis, Society of American Wood Preservers, Inc., 1401 Wilson Boulevard, Suite 205, Arlington, Va. 22209.
B. Society of American Wood Preservers, Inc., 1401 Wilson Boulevard, Suite 205, Arlington, Va. 22209.
D. (6) $150. E. (9) $260.

A. Michael R. Lewis, International Longshoremen's & Warehousemen's Union, 1133 15th Street NW., Suite 640, Washington, D.C. 20005.
B. International Longshoremen's & Warehousemen's Union, 1188 Franklin Street, San Francisco, Calif. 94109.
D. (6) $7,000. E. (9) $704.31.

A. John F. Leyden, Public Employee Department, AFL-CIO, 815 16th Street NW., Suite 308, Washington, D.C. 20006.
B. Public Employee Department, AFL-CIO, 815 16th Street NW., Suite 308, Washington, D.C. 20006.
D. (6) $3,313.12.

A. Wm. J. Lhota, 301 Cleveland Avenue SW., Canton, Ohio 44702.
B. Ohio Power Co., 301 Cleveland Avenue SW., Canton, Ohio 44702.
D. (6) $2,596.07. E. (9) $2,952.56.

A. Jan Pittman Liebman, 1120 20th Street NW., Suite 520, Washington, D.C. 20036.
B. National Committee for Research in Neurological and Communicative Disorders, 1120 20th Street NW., Suite 520, Washington, D.C. 20036.
D. (6) $6,000. E. (9) $100.

A. William C. Lienesch, 238 10th Street SE., Washington, D.C. 20003.
B. National Parks & Conservation Association, 1701 18th Street NW., Washington, D.C. 20009.
D. (6) $1,074.16. E. (9) $21.30.

A. Edward J. Lincoln, 1000 Connecticut Avenue NW., Washington, D.C. 20036.
B. Japan Economic Institute of America, 1000 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $100.

A. Kathleen M. Linehan, 1025 Connecticut Avenue NW., No. 700, Washington, D.C. 20036.
B. Gulf Oil Corp., P.O. Box 1166, Pittsburgh, Pa. 15230.
D. (6) $435. E. (9) $150.

A. John H. Lonquist, Jr., Johns-Manville Corp., 1025 Connecticut Avenue NW., No. 214, Washington, D.C. 20036.
B. Johns-Manville Corp., P.O. Box 5108, Denver, Colo. 80217.
D. (6) $100 E. (9) $100.

A. James P. Linse, United Airlines, 1825 K Street, NW., No. 607, Washington, D.C. 20006.
B. United Airlines, P.O. Box 66100, Chicago, Ill. 60666.
D. (6) $500.

A. Thomas L. Linton, Chevron U.S.A., Inc., 1700 K Street NW., Suite 1204, Washington, D.C. 20006.
B. Chevron U.S.A. Inc. (a subsidiary of Standard Oil Co. of California), 1700 K Street NW., Washington, D.C. 20006.
D. (6) $350.

A. Lisboa Associates, Inc., 515 Madison Avenue, Suite 1600, New York, N.Y. 10022.
D. (6) $4,000. E. (9) $14,666.64.

A. Robert G. Litschert, 1111 19th Street NW., Washington, D.C. 20036.
B. Edison Electric Institute, 1111 19th Street NW., Washington, D.C. 20036.
D. (6) $654.54. E. (9) $345.09.

A. Charles B. Little, UBA, Inc., 1800 M Street NW., Suite 460 South, Washington, D.C. 20036.
B. UBA, Inc., 1800 M Street NW., Suite 460 South, Washington, D.C. 20036.
D. (6) $1,000.

A. William F. Little, Ford Motor Co., 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Ford Motor Co., Dearborn, Mich. 48121.
D. (6) $362.50. E. (9) $430.

A. Roy Littlefield, 1343 L Street NW., Washington, D.C. 20005.
B. National Tire Dealers & Retreaders Association, Inc., 1343 L Street NW., Washington, D.C. 20005.
D. (6) $2,000. E. (9) $80.

A. David A. Litvin, Kennecott Corp., 1111 19th Street NW., Suite 310, Washington, D.C. 20036.
B. Kennecott Corp., Ten Stamford Forum, Stamford, Conn. 06904.
D. (6) $500. E. (9) $126.46.

A. E. F. Livaudais, Jr., Atlantic Richfield Co., 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Atlantic Richfield Co., 515 South Flower Street, Los Angeles, Calif. 90071.
D. (6) $210.

A. Livestock Marketing Association, 4900 Oak Street, Kansas City, Mo. 64112.
E. (9) $8,915.98.

A. Jim Lloyd, P.O. Box 943, 3240 Whitebirch Drive, West Covina, Calif. 91793.
B. Commuter Airline Association of America, 1101 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $3,000. E. (9) $1,374.

A. Jim Lloyd, P.O. Box 943, 3240 Whitebirch Drive, West Covina, Calif. 91793.
B. Hughes Helicopters, Inc., Centinela and Teale Streets, Building 1—M/S T-243, Culver City, Calif. 90230.
D. (6) $7,500. E. (9) $1,374.

A. Jim Lloyd, P.O. Box 943, 3240 Whitebirch Drive, West Covina, Calif. 91793.
B. Northrop Corp., 1000 Wilson, Suite 2300, Arlington, Va. 22209.
D. (6) $7,500. E. (9) $1,374.

A. Jim Lloyd, P.O. Box 943, 3240 Whitebirch Drive, West Covina, Calif. 91793.
B. Wien Air Alaska, 1140 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $2,550. E. (9) $1,374.

A. Lobel, Novins & Lamont, 1523 L Street NW., Suite 200, Washington, D.C. 20005.
B. Generic Pharmaceutical Industry Association, 600 Third Avenue, New York, N.Y. 10016.
D. (6) $2,534. E. (9) $144.06.

A. Leslie Loble, 1925 K Street NW., Washington, D.C. 20006.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C. 20006.
D. (6) $4,654.88. E. (9) $53.60.

A. Harold D. Loden, American Seed Trade Association, 1030 15th Street NW., Suite 964, Washington, D.C. 20005.
B. American Seed Trade Association, 1030 15th Street NW., Suite 964, Washington, D.C. 20005.
D. (6) $4.000.

A. Nils A. Lofgren, Motor Vehicle Manufacturers Association of the U.S., Inc., 1909 K Street NW., Suite 300, Washington, D.C. 20006.
B. Motor Vehicle Manufacturers Association of the U.S., Inc., 300 New Center Building, Detroit, Mich. 48202.
D. (6) $300.

A. Law Offices of Sheldon I. London, 1725 DeSales Street NW., Suite 401, Washington, D.C. 20036.
B. American Hardware Manufacturers Association, 117 East Palatine Road, Palatine, Ill. 60067.
D. (6) $1,500.

A. Nira Hardon Long, Smothers Douple & Long, 1800 M Street NW., Suite 880 South, Washington, D.C. 20036.
B. City of Los Angeles, Los Angeles, Calif. 90012.
D. (6) $6,540.01.

A. Robert W. Long, American Mining Congress, 1920 N Street NW., Washington, D.C. 20036.
B. American Mining Congress, 1920 N Street NW., Washington, D.C. 20036.
D. (6) $34.62 E. (9) $2.40.

A. Thomas R. Long, Westvaco Corp., 299 Park Avenue, New York, N.Y. 10171.
B. Westvaco Corp., 299 Park Avenue, New York, N.Y. 10171.

D. (6) $1,232. E. (9) $903.50.

A. Loomis, Owen, Fellman & Howe, 2020 K Street NW., Washington, D.C. 20006.
B. Association of Bituminous Contractors, 2020 K Street NW., Washington, D.C. 20006.

A. Loomis, Owen, Fellman & Howe, 2020 K Street NW., Washington, D.C. 20006.
B. Classroom Publishers Association, 2020 K Street NW., Washington, D.C. 20006.

A. Loomis, Owen, Fellman & Howe, 2020 K Street NW., Washington, D.C. 20006.
B. Industrial Diamond Association, 59 East Main Street, Moorestown, N.J. 08057.

A. Loomis, Owen, Fellman & Howe, 2020 K Street NW., Washington, D.C. 20006.
B. Optical Manufacturers Association, 1901 North Fort Myer Drive, Arlington, Va. 22209.

A. Loomis, Owen, Fellman & Howe, 2020 K Street NW., Washington, D.C. 20006.
B. Textile Rental Services Association of America, 1250 Hallandale Beach Boulevard, Hallandale, Fla. 33009.

A. Susan J. Loomis, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.
D. (6) $2,000. E. (9) $500.

A. Lord, Day & Lord, 25 Broadway, New York, N.Y. 10004.
B. Bowater North America Corp., 1500 East Putnam Avenue, Old Greenwich, Conn. 06870.
D. (6) $2,499.03.

A. Lord, Day & Lord, 25 Broadway, New York, N.Y. 10004.
B. Phosphate Chemicals Export Association, Inc.
D. (6) $17,000. E. (9) $357.

A. Philip J. Loree, 50 Broadway, New York, N.Y. 10004.
B. Federation of American Controlled Shipping, 50 Broadway, New York, N.Y. 10004.
D. (6) $200.

A. Robert E. Losch, P. C., Losch & DePuy, 1716 New Hampshire Avenue NW., Washington, D.C. 20009.
B. Great Lakes International, Inc., 2122 York Road, Oak Brook, Ill. 60521, et al.
D. (6) $17,500. E. (9) $3,044.18.

A. Robert E. Losch, P. C., Losch & DePuy, 1716 New Hampshire Avenue NW., Washington, D.C. 20009.
B. Pelican Terminal Corp. (PELCO), Box 937, Melville, N.Y. 11747, and Port of Galveston (Galveston Wharves), P.O. Box 328, Galveston, Tex. 77550.
D. (6) $10,000. E. (9) $2,149.10.

A. Claudia J. Louis, National Soft Drink Association, 1101 16th Street NW., Washington, D.C. 20036.
B. National Soft Drink Association, 1101 16th Street NW., Washington, D.C. 20036.

A. John T. Lounsbury II, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.
B. National Rifle Association of America, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.

A. James F. Lovett, Westinghouse Electric Corp., 1801 K Street NW., Washington, D.C. 20006.
B. Westinghouse Electric Corp., Westinghouse Building, Gateway Center, Pittsburgh, Pa. 15222.
D. (6) $500. E. (9) $200.

A. Richard J. Lovett, 1200 Northwestern Bank Building, Minneapolis, Minn. 55480.
B. Northwest Bancorporation, 1200 Northwestern Bank Building., Minneapolis, Minn. 55480.
D. (6) $500. E. (9) $573.18.

A. James P. Low, American Society of Association Executives, 1575 I Street NW., Washington, D.C. 20005.
B. American Society of Association Executives, 1575 I Street NW., Washington, D.C. 20005.

A. Matthew A. Low, 1607 New Hampshire Avenue, NW., Washington, D.C. 20009.
B. Norman D. Shutler, 1607 New Hampshire Avenue NW., Washington, D.C. 20009.
D. (6) $3,000.

A. Robert C. Lower, Alston, Miller & Gaines, 35 Broad Street, Suite 1200, Atlanta, Ga. 30335.
B. Board of Trade of the City of Chicago, 141 West Jackson Boulevard, Chicago, Ill. 60604.
D. $3,646. E. (9) $157.79.

A. William C. Lowrey, Shell Oil Co., 1025 Connecticut Avenue NW., Suite 200, Washington, D.C. 20036.
B. Shell Oil Co., P.O. Box 2463, Houston, Tex. 77001.
D. (6) $500.

A. Gerald M. Lowrie 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $5,000.

A. Donald C. Lubick, 1776 F Street NW., Washington, D.C. 20006.
B. Talisman Fund, 330 Washington Street, Suite 610, Marina Del Rey, Calif. 90291.

A. Freddie H. Lucas, General Motors Corp., 1660 L Street, NW., Suite 800, Washington, D.C. 20036.
B. General Motors Corp., 3044 West Grand Boulevard Detroit, Mich. 48202.
D. (6) $3,000. E. (9) $1,755.42.

A. Lumbermens Mutual Casualty Co., Long Grove, Ill. 60049.
E.(9) $2,736.

A. Milton F. Lunch, National Society of Professional Engineers, 2029 K Street NW., Washington, D.C. 20006.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C. 20006.
D. (6) $1,000.

A. Christian J. Lund, 1125 15th Street NW., Suite 500, Washington, D.C. 20005.
B. United Technologies Corp., United Technologies Building, Hartford, Conn. 06101; 1125 15th Street NW., Washington, D.C. 20005.
D. (6) $13,975.

A. Lund Levin & O'Brien, 1625 I Street NW., Washington, D.C. 20006.
B. Federation of American Controlled Shipping, 50 Broadway, New York, N.Y. 10004.
D. (6) $600. E. (9) $11.17.

A. Lund Levin & O'Brien, 1625 I Street NW., Washington, D.C. 20006.
B. National Product Liability Council, 600 New Hampshire Avenue, Suite 920, Washington, D.C. 20037.
D. (6) $300. E. (9) $14.04.

A. Lund Levin & O'Brien, 1625 I Street NW., Washington, D.C. 20006.
B. Pennsylvania Power & Light Co., Two North Ninth Street, Allentown, Pa. 18101.
D. (6) $2,080. E. (9) $176.95.

Edward L[illegible]e, 1925 K Street NW., Washington, D.C. 20006.
B. Alliance To Save Energy, 1925 K Street NW., Washington, D.C. 20006.
D. (6) $960.48.

A. Timothy C. MacCarthy, Motor Vehicle Manufacturers Association of the United States, Inc., 1909 K Street NW., Suite 300, Washington, D.C. 20006.
B. Motor Vehicle Manufacturers Association of the United States, Inc., 300 New Center Building, Detroit, Mich. 48202.
D. (6) $2,100.

A. Russell MacCleery, 1343 L Street NW., Washington, D.C. 20005.
B. National Tire Dealers & Retreaders Association, Inc., 1343 L Street NW., Washington, D.C. 20005.
D. (6) $4,300. E. (9) $30.

A. Jack A. MacDonald, National Council of Health Centers, 2600 Virginia Avenue NW., Suite 1100, Washington, D.C. 20037.
B. National Council of Health Centers, 2600 Virginia Avenue NW., Suite 1100, Washington, D.C. 20037.
D. (6) $975. E. (9) $107.18.

A. James E. Mack, National Confectioners Association, 5101 Wisconsin Avenue, Suite 506, Washington, D.C. 20016.
B. National Confectioners Association, 36 South Wabash Avenue, Chicago, Ill. 60603.
D. (6) $21,625. E. (9) $587.91.

A. James E. Mack, Peanut Butter & Nut Processors Association, 5101 Wisconsin Avenue, Suite 504, Washington, D.C. 20016.
B. Peanut Butter & Nut Processors Association, 5101 Wisconsin Avenue, Suite 504, Washington, D.C. 20016.
D. (6) $13,999.98. E. (9) $1,489.69.

A. James H. Mack, 7901 Westpark Drive, McLean, Va. 22102.
B. National Machine Tool Builders' Association, 7901 Westpark Drive, McLean, Va. 22102.
D. (6) $10,989. E. (9) $500.

A. John P. Mackey, Ad Hoc Committee in Defense of Life, Inc., 810 National Press Building, Washington, D.C. 20045.
B. Ad Hoc Committee in Defense of Life, Inc., 150 East 35th Street, New York, N.Y. 10016.
D. (6) $11,660. E. (9) $3,669.21.

A. W. Terry Maguire, American Newspaper Publishers Association, Box 17407, Dulles International Airport, Washington, D.C. 20041.
B. American Newspaper Publishers Association, Box 17407, Dulles International Airport, Washington, D.C. 20041.
D. (6) $1,500. E. (9) $440.

A. David L. Mahan, DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036 (for: Airbus Industrie, Avenue Lucien Servanty, 31700 Blagnac, France).

A. David L. Mahan, DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036 (for:

Sofreavia, 75 rue la Boetie, Paris, 8eme, France).

A. Thomas D. Maher, 1775 K Street NW., Washington, D.C. 20006.
B. Investment Company Institute, 1775 K Street NW., Washington, D.C. 20006.

A. John F. Mahoney, American Medical Association, 1776 K Street NW., Washington, D.C. 20006.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill. 60610.
D. (6) $4,015. E. (9) $54.76.

A. F. Anthony Maio, Foley, Lardner, Hollabaugh & Jacobs, 1775 Pennsylvania Avenue NW., Suite 1000, Washington, D.C. 20006.
B. First Wisconsin National Bank of Milwaukee, 777 East Wisconsin Avenue, Milwaukee, Wis. 53202.

A. Andre Maisonpierre, Alliance of American Insurers, 1110 Vermont Avenue NW., Washington, D.C. 20005.
B. Alliance of American Insurers, 20 North Wacker Drive, Chicago, Ill. 60606.
D. (6) $220.

A. David L. Mallino, United Steelworkers of America, 815 16th Street NW., Suite 706, Washington, D.C. 20006.
B. United Steelworkers of America, Five Gateway Center, Pittsburgh, Pa. 15222.
D. (6) $9,223.81.

A. J. Wilson Malloy, Jr., Eastman Chemical Products, Inc., 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Eastman Chemical Products, Inc., P.O. Box 431, Kingsport, Tenn. 37662.
D. (6) $650. E. (9) $26.

A. Mary Jo Malone, American Institute of Architects, 1735 New York Avenue NW., Washington, D.C. 20006.
B. American Institute of Architects, 1735 New York Avenue NW., Washington, D.C. 20006.
D. (6) $1,875.

A. Man-Made Fiber Producers Association, Inc., 1150 17th Street NW., Washington, D.C. 20036.
E. (9) $150.

A. Carter Manasco, 5932 Chesterbrook Road, McLean, Va. 22101.
B. National Coal Association, 1130 17th Street NW., Washington, D.C. 20036.
D. (6) $6,249.99. E. (9) $58.60.

A. Manatt, Phelps, Rothenberg & Tunney, 1200 New Hampshire Avenue NW., Suite 200, Washington, D.C. 20036.
B. GATX Corp., 120 S. Riverside Plaza, Chicago, Ill. 60606.
D. (6) $16,137.50. E. (9) $1,224.27.

A. Manatt, Phelps, Rothenberg & Tunney, 1200 New Hampshire Avenue NW., Suite 200, Washington, D.C. 20036.
B. General Telephone Co. of California, 100 Wilshire Boulevard, P.O. Box 889, Santa Monica, Calif. 90406.
D. (6) $3,343.75.

A. Manatt, Phelps, Rothenberg & Tunney, 1200 New Hampshire Avenue NW., Suite 200, Washington, D.C. 20036.
B. Los Angeles (City) Community Redevelopment Agency, 727 West Seventh Street, Los Angeles, Calif.
D. (6) $262.50.

A. Manatt, Phelps, Rothenberg & Tunney, 1200 New Hampshire Avenue NW., Suite 200, Washington, D.C. 20036.
B. Luz International Ltd., 110 Burlingame Avenue, Burlingame, Calif. 94010.
D. (6) $4,500.

A. Manatt, Phelps, Rothenberg & Tunney, 1200 New Hampshire Avenue NW., Suite 200, Washington, D.C. 20036.
B. Music Corp. of America, Inc., 100 Universal City Plaza, Universal City, Calif. 91608.
D. (6) $500.

A. Manatt, Phelps, Rothenberg & Tunney, 1200 New Hampshire Avenue NW., Suite 200, Washington, D.C. 20036.
B. Nissan Motor Corp. in U.S.A., 1919 Pennsylvania Avenue NW., Suite 707, Washington, D.C. 20036.

A. Manatt, Phelps, Rothenberg & Tunney, 1200 New Hampshire Avenue NW., Suite 200, Washington, D.C. 20036.
B. Northrop Corp., 1800 Century Park East, Los Angeles, Calif. 90067.
D. (6) $7,850.

A. Manatt, Phelps, Rothenberg & Tunney, 1200 New Hampshire Avenue NW., Suite 200, Washington, D.C. 20036.
B. Northwest Alaskan Pipeline Co., 1120 20th Street NW., Suite S-700, Washington, D.C. 20036.
D. (6) $5,712.50. E. (9) $131.41.

A. Manatt, Phelps, Rothenberg & Tunney, 1200 New Hampshire Avenue NW., Suite 200, Washington, D.C. 20036.
B. Penncorp. Financial, Inc., 3130 Wilshire Boulevard, Santa Monica, Calif. 90406.
D. (6) $2,025.

A. Manatt, Phelps, Rothenberg & Tunney, 1200 New Hampshire Avenue NW., Suite 200, Washington, D.C. 20036.
B. Pharmaceutical Manufacturers Association, 1155 15th Street NW., Washington, D.C. 20005.
D. (6) $2,100.

A. Manatt, Phelps, Rothenberg & Tunney, 1200 New Hampshire Avenue NW., Suite 200, Washington, D.C. 20036.
B. James Schneider, Esq., 432 F Street, Suite 500, San Diego, Calif. 92101.
D. (6) $10,000.

A. Manatt, Phelps, Rothenberg & Tunney, 1200 New Hampshire Avenue NW., Suite 200, Washington, D.C. 20036.
B. Texas Air Corp., P.O. Box 12788, Houston, Tex. 77017.
D. (6) $28,087.50.

A. Manatt, Phelps, Rothenberg & Tunney, 1200 New Hampshire Avenue NW., Suite 200, Washington, D.C. 20036.
B. 20th Century Fox Film Corp., P.O. Box 900, Beverly Hills, Calif. 90213.
D. (6) $3,550. E. (9) $317.50.

A. Manchester Associates, Ltd., 1155 15th Street NW., No. 1010, Washington, D.C. 20005.
B. Nissan Motor Co., Ltd., 560 Sylvan Avenue, P.O. Box 1606, Englewood Cliffs, N.J. 07632.

A. Forbes Mann, 1155 15th Street NW., Suite 1004, Washington, D.C. 20005.
B. The LTV Corp., 1525 Elm Street, Dallas, Tex. 75222.
D. (6) $500. E. (9) $20.

A. Ted R. Mannen, Health Industry Manufacturers Association, Suite 1100, 1030 15th Street NW., Washington, D.C. 20005.
B. Health Industry Manufacturers Association, Suite 1100, 1030 15th Street NW., Washington, D.C. 20005.

A. Armand G. Manson, Bell Aerospace Textron, 1090 Vermont Avenue NW., Suite 1100, Washington, D.C. 20005.
B. Bell Aerospace Textron, 1090 Vermont Avenue NW., Suite 1100, Washington, D.C. 20005.
D. (6) $2,760.

A. March for Life, Inc., P.O. Box 2950, Washington, D.C. 20013.
D. (6) $15,162.98. E. (9) $17,409.85.

A. Charles T. Marck, Dow Chemical Co., 1800 M Street NW., Suite 700 South, Washington, D.C. 20036.
B. The Dow Chemical Co., Midland, Mich. 48640.
D. (6) $1,000. E. (9) $250.

A. Robert V. Mariani, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 3 Research Place, Rockville, Md. 20850.
D. (6) $2,000. E. (9) $1,750.

A. Maritime Institute for Research and Industrial Development, 1133 15th Street NW., Suite 600, Washington, D.C. 20005.

A. E. Vernon Markham III, 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. Stephens Overseas Services Inc., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
D. (6) $23.40.

A. Lawrence D. Markely, P.O. Box 3518, Anchorage, Alaska 99501.
B. Chugach Electric Association, Inc., P.O. Box 3518, Anchorage, Alaska 99501.

A. John Marlin, 307 W. Nevada, Urbana, Ill. 61801.
B. Central States Resource Center, P.O. Box 477, Urbana, Ill. 61801.
D. (6) $2,875.

A. Howard Marlowe, 815 16th Street NW., Washington, D.C. 20006.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C. 20005.
D. (6) $14,591.22. E. (9) $513.42.

A. V. D. Maroney, Jr., 5151 Wisconsin Avenue NW., Washington, D.C. 20016
B. Amalgated Transit Union, AFL-CIO, 5151 Wisconsin Avenue NW., Washington, D.C. 20016

A. Chalmers Marquis, 955 L'Enfant Plaza SW., Suite 7200, Washington, D.C. 20024.
B. National Association of Public Television Stations, 955 L'Enfant Plaza SW., Suite 7200, Washington, D.C. 20024.
D. (6) $500. E. (9) $200.

A. C. Travis Marshall, 1776 K Street NW., Washington, D.C. 20006.
B. Motorola Inc., 1776 K Street NW., Washington, D.C. 20006.
D. (6) $1,500. E. (9) $18.

A. David O. Martin Kimberly-Clark Corp., North Lake Street, Neenah, Wis. 54956.
B. Kimberly-Clark Corp., North Lake Street, Neenah, Wis. 54956.
D. (6) $150. E. (9) $375.99.

A. John B. Martin, National Retired Teachers Association-American Association of Retired Persons, 1909 K Street NW., Washington, D.C. 20049.
B. National Retired Teachers Association-American Association of Retired Persons, 1909 K Street NW., Washington, D.C. 20049.

D. (6) $807.69. E. (9) $37.25.

A. John M. Martin, Jr., 6909 Fort Hunt Road, Alexandria, Va. 22307.
B. Food Marketing Institute, 1750 K Street NW., Washington, D.C. 20006.
D. (6) $300. E. (9) $24.

A. John M. Martin, Jr., 6909 Fort Hunt Road, Alexandria, Va. 22307.
B. National Association of Home Builders, 15th and M Streets NW., Washington, D.C. 20005.
D. (6) $2,000. E. (9) $12.

A. Katherine E. Martin, Association of American Railroads, 412 First Street SE., Suite 200, Washington, D.C. 20003.
B. Association of American Railroads, 1920 L Street NW., Washington, D.C. 20036.
D. (6) $301.87. E. (9) $159.99.

A. Larry K. Martin, Man-Made Fiber Producers Association, Inc., 1150 17th Street NW., Washington, D.C. 20036.
B. Man-Made Fiber Producers Association, Inc., 1150 17th Street NW., Washington, D.C 20036.

A. Thomas A. Martin, 2101 L Street NW., Washington, D.C. 20037.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $225.

A. Joseph J. Martyak, Union Carbide Corp., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Union Carbide Corp., 270 Park Avenue, New York, N.Y. 10017.

A. Maryland Savings-Share Insurance Corp., 901 North Howard Street, Baltimore, Md. 21201.
E. (9) $628.62.

A. Mike M. Masaoka, 900 17th Street NW., Suite 520, Washington, D.C. 20006.
B. Toyota Motor Sales, U.S.A., Inc., 1899 L Street NW., Suite 703, Washington, D.C. 20036.
D. (6) $750.

A. Mike M. Masaoka, 900 17th Street NW., Suite 520, Washington, D.C. 20006.
B. West Mexico Vegetable Distributors Association, P.O. Box 848, Nogales, Ariz. 85621.
D. (6) $500.

A. Scott A. Mason, Samaritan Health Service, 6137 East Calle Camelia, Scottsdale, Ariz. 85251.
B. Samaritan Health Service, 1410 North 3d Street, P.O. Box 25489, Phoenix, Ariz. 85004.
D. (6) $2,250.

A. W. A. Mason, 442 Ontario, Shreveport, La.
B. Southwestern Electric Power Co., P.O. Box 21106, Shreveport, La. 71156.
D. (6) $189.

A. James D. Massie, The Fertilizer Institute, 1015 18th Street NW., Washington, D.C. 20036.
B. The Fertilizer Institute, 1015 18th Street NW., Washington, D.C. 20036.
D. (6) $5,000. E. (9) $6,339.84.

A. William F. Massmann, Doctor Pepper Co., P.O. Box 225086, Dallas, Tex. 75265.
B. Doctor Pepper Co., P.O. Box 225086, Dallas, Tex. 75265.

A. Colin D. Mathews, 1101 Connecticut Avenue NW., Washington, D.C. 20036.
B. Vinson & Elkins, 1101 Connecticut Avenue NW., Washington, D.C. 20036 (for: American General Investment Corp.).
D. (6) $4,600.15. E. (9) $35.

A. Colin D. Mathews, 1101 Connecticut Avenue NW., Washington, D.C. 20036.
B. Vinson & Elkins, 1101 Connecticut Avenue NW., Washington, D.C. 20036 (for: Roy Cullen).
D. (6) $4,600.15. E. (9) $35.

A. Colin D. Mathews, 1101 Connecticut Avenue NW., Washington, D.C. 20036.
B. Vinson & Elkins, 1101 Connecticut Avenue NW., Washington, D.C. 20036 (for: Mitchell Energy & Development Corp.).
D. (6) $4,600.15. E. (9) $35.

A. Charles D. Matthews, 1050 17th Street NW., No. 700, Washington, D.C. 20036.
B. National Ocean Industries Association, 1050 17th Street NW., Suite 700, Washington, D.C. 20036.
D. (6) $1,622.28. E. (9) $120.

A. Robert A. Matthews, Railway Progress Institute, 700 North Fairfax Street, Alexandria, Va. 22314.
B. Railway Progress Institute, 700 North Fairfax Street, Alexandria, Va. 22314.
D. (6) $686.19.

A. Joanne E. Mattiace, 1211 Connecticut Avenue NW., No. 802, Washington, D.C. 20036.
B. Sears, Roebuck & Co., Sears Tower, Chicago, Ill. 60684.
D. (6) $50. E. (9) $38.50.

A. C. V. & R. V. Maudlin, 1334 G Street NW., Washington, D.C. 20005.
B. Joint Government Liaison Committee, 1334 G Street NW., Washington, D.C. 20005.

A. Anthony F. Mauriello, N.Y.S. Petroleum Council, 551 Fifth Avenue, Room 718, New York, N.Y.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

A. Samuel L. Maury, United States Steel Corp., 818 Connecticut Avenue NW., Washington, D.C. 20006.
B. United States Steel Corp., 600 Grant Street, Pittsburgh, Pa. 15230.

A. Thomas H. Maxedon, Kentucky Petroleum Council, 4010 Dupont Circle, Suite 469, Louisville, Ky. 40207.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

A. James C. May, Grocery Manufacturers of America, Inc., 1010 Wisconsin Avenue NW., Suite 800, Washington, D.C. 20007.
B. Grocery Manufacturers of America, Inc., 1010 Wisconsin Avenue NW., Suite 800, Washington, D.C. 20007.

A. Arnold Mayer, 1775 K Street NW., Washington, D.C. 20006.
B. United Food & Commercial Workers International Union, 1775 K Street NW., Washington, D.C. 20001.
D. (6) $16,153.83. E. (9) $972.43.

A. Mayer, Brown & Platt, 888 17th Street NW., Washington, D.C. 20006.
B. Aerospace Industries of America, Inc., 1725 DeSales Street NW., Washington, D.C. 20036.

A. Mayer, Brown & Platt, 888 17th Street NW., Washington, D.C. 20006.
B. Brunswick Corp., One Brunswick Plaza, Skokie, Ill. 60077.

A. Mayer, Brown & Platt, 888 17th Street NW., Washington, D.C. 20006.
B. Comdisco, Inc., 6400 Shafer Court, Rosemont, Ill. 60018.

A. Mayer, Brown & Platt, 888 17th Street NW., Washington, D.C. 20006.
B. The ERISA Industry Committee, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $37.50.

A. Mayer, Brown & Platt, 888 17th Street NW., Washington, D.C. 20006.
B. The National Association of Manufacturers' FTC-Antitrust Subcommittee, 1776 F Street NW., Washington, D.C. 20006.

A. C. H. Mayer, Inc., 3421 North Causeway Boulevard, No. 901, Metairie, La. 70002.
B. L. P. Management Corp., Summit Tower, Suite 3100, 11 Greenway Plaza, Houston, Tex. 77046.
D. (6) $1,250. E. (9) $298.74.

A. Jerry McAndrews, U.S. Telephone Communications, Inc., 108 S. Akard Street Dallas, Tex. 75202.
B. U.S. Telephone Communications, Inc., 108 S. Akard Street Dallas, Tex. 75202.
D. (6) $2,000.

A. William J. McAuliffe, Jr., American Land Title Association, 1828 L Street NW., Washington, D.C. 20036.
B. American Land Title Association, 1828 L Street NW., Washington, D.C. 20036.

A. Ann McBride, 2030 M Street NW., Third Floor, Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., Third Floor, Washington, DC. 20036.
D. (6) $9,000.02. E. (9) 38.50.

A. Martha L. McCabe, 1828 L Street NW., Suite 1100, Washington, D.C. 20036.
B. Cooperative League of the USA (CLUSA), 1828 L Street NW., Suite 1100, Washington, D.C. 20036.
D. (6) $6,249.99. E. (9) 63.05.

A. Julie P. McCahill, the Mead Corp., Suite 715, 1000 Connecticut Avenue, NW., Washington, D.C. 20036.
B. The Mead Corp., Mead World Headquarters, Courthouse Plaza NE., Dayton Ohio 45463.
D. (6) $275.

A. William C. McCamant, 1725 K Street NW., Washington, D.C.
D. (6) $300.

A. Robert C. McCandless, 1707 H Street NW., Washington, D.C. 20006.
B. International Paper Co., 1620 I Street NW., Suite 700, Washington, D.C. 20006.
D. (6) $500.

A. Robert C. McCandless, 1707 H Street NW., Washington, D.C. 20006.
B. Miller and Schroeder Municipals Inc., 7900 Xerxes Avenue South, Minneapolis, Minn. 55431.
D. (6) $1,800.

A. Robert C. McCandless, 1707 H Street NW., Washington, D.C. 20006.
B. Transamerica-Occidental Life Insurance Co., Transamerica-Occidental Center, Los Angeles, Calif. 90015.
D. (6) $37,788.85.

A. Katherine S. McCarter, American Public Health Association, 1015 15th Street NW., Washington, D.C. 20005.
B. American Public Health Association, 1015 15th Street NW., Washington, D.C. 20005.
D. (6) $5,766. E. (9) $5,766.

A. James W. McCarthy, American Gas Association, 1515 Wilson Boulevard, Arlington, Va. 22209.
B. American Gas Association, 1515 Wilson Boulevard, Arlington, Va. 22209.

D. (6) $2,000. E. (9) 931.51.

A. McCarty, Noone & Williams, 490 L'Enfant Plaza East SW., Suite 3306, Washington, D.C. 20024.
B. American Medical Technologists, 710 Higgins Road, Park Ridge, Ill. 60068.
D. (6) $225. E. (9) $49.96.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Suite 600, Washington, D.C. 20036.
B. Cities Service Co., Box 300, Tulsa, Okla. 74102.
E. (9) $178.25.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Suite 600, Washington, D.C. 20036.
B. The Coca-Cola Co., P.O. Box 1734, Atlanta, Ga. 30301.
E. (9) $281.59.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Suite 600, Washington, D.C. 20036.
B. Gulf Resources & Chemical Corp., 1100 Milam Building, Houston, Tex. 77002.
E. (9) $56.31.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Suite 600, Washington, D.C. 20036.
B. Gulf + Western Industries, Inc., One Gulf + Western Plaza, New York, N.Y. 10023.
E. (9) $422.27.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Suite 600, Washington, D.C. 20036.
B. Hercules, Inc., 910 Market Street, Wilmington, Del. 19899.
E. (9) $5.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Suite 600, Washington, D.C. 20036.
B. Mobil Corp., 150 East 42d Street, New York, N.Y. 10017.
E. (9) $120.57.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Suite 600, Washington, D.C. 20036.
B. Tracor, Inc., 6500 Tracor Lane, Austin, Tex. 78721.
E. (9) $26.97.

A. Richard M. M. McConnell, National Association of Federal Credit Unions, 1111 North 19th Street, Suite 700, Arlington, Va. 22209.
B. National Association of Federal Credit Unions, 1111 North 19th Street, Suite 700, Arlington, Va. 22209.

A. Molly McCormick, Philadelphia Electric Co., 2301 Market Street, S23-1, P.O. Box 8699, Philadelphia, Pa. 19101.
B. Philadelphia Electric Co., 2301 Market Street, P.O. Box 8699, Philadelphia, Pa. 19101.
D. (6) $1,675. E. (9) $263.82.

A. Sally McCormick, 2030 M Street NW., Third Floor, Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., Third Floor, Washington, D.C. 20036.
D. (6) $4,255.34.

A. E. L. McCulloch, Brotherhood of Locomotive Engineers, 819 Railway Labor Building, 400 First Street NW., Washington, D.C. 20001.
B. Brotherhood of Locomotive Engineers, Engineers Building, Cleveland, Ohio 44114.
D. (6) $284.60. E. (9) $85.20.

A. Albert L. McDermott, American Hotel & Motel Association, 1101 Connecticut Avenue NW., Suite 1006, Washington, D.C. 20036.
B. American Hotel & Motel Association, 888 Seventh Street, New York, N.Y. 10019.
D. (6) $2,070.84.

A. Edward T. McDonald, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 3 Research Place, Rockville, Md. 20850.
D. (6) $2,820. E. (9) $2,380.

A. Michael D. McDonald, Maryland Petroleum Association, 60 West Street, Annapolis, Md. 21401.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $25.

A. Patrick J. McDonough, 5203 Leesburg Pike, No. 400, Falls Church, Va. 22041.
B. American Personnel & Guidance Association, 5203 Leesburg Pike, No. 400, Falls Church, Va. 22041.
D. (6) $3,483.

A. Susan K. McDowell, National Grange, 1616 H Street NW., Washington, D.C. 20006.
B. National Grange, 1616 H Street NW., Washington, D.C. 20006.
D. (6) $875.

A. Darryl D. McEwen, Society of American Florists, 901 North Washington Street, Alexandria, Va. 22314.
B. Society of American Florists, 901 North Washington Street, Alexandria, Va. 22314.
D. (6) $2,500. E. (9) $206.15.

A. Robert H. McFadden, Motor Vehicle Manufacturers Association of the U.S., Inc., 1909 K Street NW., Suite 300, Washington, D.C. 20006.
B. Motor Vehicle Manufacturers Association of the U.S., Inc., 300 New Center Building, Detroit, Mich. 48202.
D. (6) $230. E. (9) $8.75.

A. Paul J. McGeady, 27 Hampton Place, Nutley, N.J. 07110.
B. Morality in Media, Inc., 475 Riverside Drive, New York, N.Y. 10115.

A. W. Curt McGee, 711 Ridge Drive, McLean, Va. 22101.
B. Bechtel National, Inc., 1620 I Street NW., No. 703, Washington, D.C. 20006.

A. P. Anne McGhee, 1750 K Street NW., Washington, D.C. 20006.
B. Food Marketing Institute, 1750 K Street NW., Washington, D.C. 20006.
D. (6) $450.

A. Robert M. McGlotten, 815 16th Street NW., Washington, D.C. 20006.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $15,921. E. (9) $728.98.

A. Christopher C. McGrath, N.Y.S. Petroleum Council, 551 Fifth Avenue, Room 718, New York, N.Y. 10176.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

A. Jerome J. McGrath, Interstate Natural Gas Association of America, 1660 L Street NW., Suite 601, Washington, D.C. 20036.
B. Interstate Natural Gas Association of America, 1660 L Street NW., Suite 601, Washington, D.C. 20036.
D. (6) $500.

A. Terrence G. McGreevy, First City National Bank Building, Houston, Tex. 77002.
B. Vinson & Elkins, First City National Bank Building, Houston, Tex. 77002 (for: Pelican Terminal).
D. (6) $4,725.

A. Peter E. McGuire, National Association of Retired and Veteran Railway Employees, Inc., 400 First Street NW., Washington, D.C. 20001.
B. National Association of Retired and Veteran Railway Employees, Inc., P.O. Box 6060, Kansas City, Kans. 66106, Hotel Employees & Restaurant Employees International Union, 1975 I Street NW. Washington, D.C. 20006, International Union of Police Association, 422 First Street SE., Washington, D.C. 20003.
D. (6) $5,999.98.

A. Clarence M. McIntosh, Jr., Railway Labor Executives' Association, 400 First Street NW., Washington, D.C. 20001.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C. 20001.
D. (6) $1,253.77.

A. Lyndley R. McIntosh, 410 First Street SE., Washington, D.C.
B. American Nuclear Energy Council, 410 First Street SE., Washington, D.C.
D. (6) $420. E. (9) $18.96.

A. Christine E. McKechnie, RJR Industries, 2550 M Street NW., Suite 770, Washington, D.C. 20037.
B. RJR Industries, Inc., P.O. Box 2959, Winston-Salem, N.C. 27102.
D. (6) $250. E. (9) $175.36.

A. Jean McKee, General Mills, Inc., 1200 New Hampshire Avenue NW., Suite 370, Washington, D.C. 20036.
B. General Mills Restaurant Group, Inc., P.O. Box 1431, Orlando, Fla. 32802.

A. William F. McKenna, 1800 M Street NW., No. 675 North, Washington, D.C. 20036.
B. Housley Goldberg & Kantarian, P.C., 1800 M Street NW., No. 675 North, Washington, D.C. 20036.

A. Jan E. McKenzie, Edison Electric Institute, 1111 19th Street NW., Washington, D.C. 20036.
B. Edison Electric Institute, 1111 19th Street NW., Washington, D.C. 20036.
D. (6) $301.30. E. (9) $71.57.

A. Janet E. McKenzie, Allied General Nuclear Services, 1150 Connecticut Avenue NW., Suite 702, Washington, D.C. 20036.
B. Allied-General Nuclear Services, P.O. Box 847, Barnwell, S.C. 29812.
D. (6) $500.

A. Robert T. McKernan, American paper Institute, Inc., 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y. 10016.

A. William Colm McKeveny, Chadbourne, Parke, Whiteside & Wolff, 30 Rockefeller Plaza, New York, N.Y. 10112.
B. American Pulpwood Association, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.

A. James D. McKevitt, National Federation of Independent Business, 490 L'Enfant Plaza East SW., Suite 3206, Washington, D.C. 20024.
B. National Federation of Independent Business, 490 L'Enfant Plaza East SW., Suite 3206, Washington, D.C. 20024.

D. (6) $3,500. E. (9) $175.

A. C. A. Mack McKinney, Non-Commissioned Officers Association of the U.S.A., 110 Maryland Avenue NE., Box 43, Washington, D.C. 20002.
B. Non-Commissioned Officers Association of the U.S.A., P.O. Box 33610, San Antonio, Tex. 78233.
D. (6) $7,123.14. E. (9) $15,590.23.

A. James D. McLaughlin, American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $675. E. (9) $460.89.

A. John S. McLees, 1615 H Street NW., Washington, D.C. 20062.
B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C. 20062.
D. (6) $1,543.85. E. (9) $225.15.

A. William F. McManus, General Electric Co., 777 14th Street NW., Washington, D.C. 20005.
B. General Electric Co., 3135 Easton Turnpike, Fairfield, Conn. 06431.
D. (6) $450.

A. Jane Pierson McMichael, American Federation of Government Employees, 1325 Massachusetts Avenue NW., Washington, D.C. 20005.
B. American Federation of Government Employees, 1325 Massachusetts Avenue NW., Washington, D.C. 20005.
D. (6) $10,777.20. E. (9) $27,209.26.

A. James D. McMillan, Exxon Corp., 1899 L Street NW., Suite 1100, Washington, D.C. 20036.
B. Exxon Corp., 1251 Avenue of the Americas, New York, N.Y.
E. (9) $194.69.

A. Laramie Faith McNamara, TRW Inc., 1000 Wilson Boulevard, Suite 2700, Arlington, Va. 22209.
B. TRW Inc., 23555 Euclid Avenue, Cleveland, Ohio 44117.
D. (6) $1,000.

A. John K. Meagher, LTV Corp., 1155 15th Street NW., Suite 1004, Washington, D.C. 20005.
B. The LTV Corp., 1525 Elm Street, Dallas, Tex. 75222.
D. (6) $2,500. E. (9) $610.

A. Francis X. Meaney, 1015 15 Street NW., Washington, D.C. 20005; One Center Plaza, Boston, Mass. 02108.
B. Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C., 1015 15th Street NW., Washington, D.C. 20005; One Center Plaza, Boston, Mass. 02108 (for: Goldman, Sachs & Co., 55 Broad Street, New York, N.Y. 10004).

A. Francis X. Meaney, 1015 15th Street NW., Washington, D.C. 20005; One Center Plaza, Boston, Mass. 02108.
B. Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C., 1015 15th Street NW., Washington, D.C. 20005; One Center Plaza, Boston, Mass. 02108 (for: Northern Energy Corp., 470 Atlantic Avenue, Boston, Mass. 02210).

A. Francis X. Meaney, 1015 15 Street NW., Washington, D.C. 20005; One Center Plaza, Boston, Mass. 02108.
B. Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C., 1015 15th Street NW., Washington, D.C. 20005; One Center Plaza, Boston, Mass. 02108 (for: Refuse Fuels, Inc., P.O. Box 83, Bradford, Mass. 08130).

A. Francis X. Meaney, 1015 15 Street NW., Washington, D.C. 20005; One Center Plaza, Boston, Mass. 02108.
B. Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C., 1015 15th Street NW., Washington, D.C. 20005; One Center Plaza, Boston, Mass. 02108 (for: SCA Services, Inc., 60 State Street, Boston, Mass. 02109).

A. Francis X. Meaney, 1015 15th Street, NW., Washington, D.C. 20005; One Center Plaza Boston, Mass. 02108.
B. Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C., 1015 15th Street, NW., Washington, D.C. 20005; One Center Plaza, Boston, Mass. 02108 (for: Securities Industry Association, 20 Broad Street, New York, N.Y. 10005).
D. (6) $700.

A. Joe J. Meder, Interlake, Inc., 1050 17th Street NW., Suite 1100, Washington, D.C. 20036.
B. Interlake, Inc., 2015 Spring Road, Commerce Plaza, Oak Brook, Ill. 60521.
D. (6) $9,000. E. (9) $602.47.

A. David O. Meeker, Jr., American Institute of Architects, 1735 New York Avenue NW., Washington, D.C. 20006.
B. American Institute of Architects, 1735 New York Avenue NW., Washington, D.C. 20006.
D. (6) $1,500.

A. William H. Megonnell, Edison Electric Institute, 1111 19th Street NW., Washington, D.C. 20036.
B. The Edison Electric Institute, 1111 19th Street NW., Washington, D.C. 20036
D. (6) $245.50. E. (9) $9.50.

A. Richard A. Mehler, 1225 Connecticut Avenue NW., Washington, D.C. 20036.
B. Automotive Parts Febuilders Association, 6849 Old Dominion Drive, McLean, Va. 22101.
D. (6) $1,000.

A. Louis L. Meier, Jr., American Society of Civil Engineers, 1625 I Street NW., Washington, D.C. 20006.
B. American Society of Civil Engineers, United Engineering Center, 345 East 47th Street, New York, N.Y. 10017.
D. (6) $1,128. E. (9) $1,493.

A. F. A. Meister, Jr., 1611 North Kent Street, Suite 900, Arlington, Va. 22209.
B. American Footwear Industries Association, 1611 North Kent Street, Suite 900, Arlington, Va. 22209.

A. Jack Menache, 7900 Callaghan Road, San Antonio, Tex. 78229.
B. Datapoint Corp., 9725 Datapoint Drive, San Antonio, Tex. 78284.
E. (9) $1,370.72.

A. Marilee Menard, American Meat Institute, P.O. Box 3556, Washington, D.C. 20007.
B. American Meat Institute, P.O. Box 3556, Washington, D.C. 20007; 1700 North Moore Street, Arlington, Va.
D. (6) $2,000.

A. Edward L. Menning, National Association of Federal Veterinarians, Suite 836, 1522 K Street NW., Washington, D.C. 20005.
B. National Association of Federal Veterinarians, Suite 836, 1522 K Street, Washington, D.C. 20005.
D. (6) $7.71.

A. Ellis E. Meredith, American Apparel Manufacturers Association, 1611 North Kent Street, Suite 800, Arlington, Va. 22209.
B. American Apparel Manufacturers Association, 1611 North Kent Street, Suite 800, Arlington, Va. 22209.

A. Charles L. Merin, National Rural Letter Carriers' Association, Suite 1204, 1750 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. National Rural Letter Carriers' Association, Suite 1204, 1750 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $9,461. E. (9) $385.

A. Edward L. Merrigan, 6000 Connecticut Avenue NW., Washington, D.C. 20815.
B. Central Gulf Lines, Inc., No. 2 Canal Street, New Orleans, La. 70130.
E. (9) $39.33.

A. Edward L. Merrigan, 6000 Connecticut Avenue NW., Washington, D.C. 20815.
B. Coalition of United States Citizen Award-Holders Against Czechoslovakia.
E. (9) $390.46.

A. Edward L. Merrigan, 6000 Connecticut Avenue NW., Washington, D.C. 20815.
B. National Association of Recycling Industries, Inc., 330 Madison Avenue, New York, N.Y. 10017.
E. (9) $428.88.

A. Merrill Lynch Money Markets, Inc., 165 Broadway, New York, N.Y. 10080.

A. M. Barry Meyer, The Aluminum Association, 818 Connecticut Avenue NW., Washington, D.C. 20006.
B. The Aluminum Association, 818 Connecticut Avenue NW., Washington, D.C. 20006.
D. (6) $50.

A. Larry D. Meyers, 412 First Street SE, Suite 214, Washington, D.C. 20003.
B. Beneficial Management Corp. of America, 200 South Street, Morristown, N.J. 07960.
D. (6) $500.

A. Larry Meyers, 412 First Street SE, Suite 214, Washington, D.C. 20003.
B. Independent Cattlemen's Association, 704 East Wonsley Avenue, Suite 202, Austin, Tex. 78753.
D. (6) $4,500.

A. Larry Meyers, 412 First Street SE, Suite 214, Washington, D.C. 20003.
B. Southwestern Peanut Growers, Box 338, Gorman, Tex. 76544.
D. (6) $5,000.

A. Brenda J. Michaud, 1410 Grant Street, Suite A-201, Denver, Colo. 80203.
B. Colorado Ski Country USA, 1410 Grant Street, Denver, Colo. 802 3.

A. Laurie L. Michel, Nabisco Foods, Inc., 1629 K Street NW., Washington, D.C. 20006.
B. Nabisco Foods, Inc., East Hanover, N.J. 07936.
D. (6) $3,500. E. (9) $1,055.13.

A. Ronald A. Michieli, 425 13th Street NW., Suite 1020, Washington, D.C. 20004-1886.
B. National Cattlemen's Association, 1001 Lincoln Street, Denver, Colo. 80203.
D. (6) $1,000.

A. Mid-Continent Oil & Gas Association, 1111 Thompson Building, Tulsa, Okla. 74103.
D. (6) $776.29. E. (9) $6,981.06.

A. Mid Continent Wildcatters Association, 200 Douglas Building, Wichita, Kans. 67202.

D. (6) $72,704.81. E. (9) $7,729.

A. Joy Midman, National Association of Private Psychiatric Hospitals, 1319 F Street, Washington, D.C. 20004.
B. National Association of Private Psychiatric Hospitals, 1319 F Street NW., Washington, D.C. 20004.
D. (6) $100.

A. Milbank, Tweed, Hadley & McCloy, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. LaSalle National Bank, 135 South LaSalle Street, Chicago, Ill. 60690.
D. (6) $4,178.75.

A. Miles & Stockbridge, 1701 Pennsylvania Avenue NW., Suite 540, Washington, D.C. 20006.
B. Pizza Hut, Inc., 9111 East Douglas, Wichita, Kans. 67201.
D. (6) $500. E. (9) $50.

A. Roy H. Millenson, Association of American Publishers, 1707 L Street NW., Room 480, Washington, D.C. 20036.
B. Association of American Publishers, 1707 L Street NW., Room 480, Washington, D.C. 20036.
D. (6) $2,215. E. (9) $222.63.

A. A. Stanley Miller, Federation of American Controlled Shipping, 910 16th Street, Room 302, Washington, D.C. 20006.
B. Federation of American Controlled Shipping, 50 Broadway, New York, N.Y. 10004.
D. (6) $200.

A. Miller Associates, Inc., 2500 Q Street NW., Washington, D.C. 20007.
B. Tosco Corp., 10100 Santa Monica Boulevard, Los Angeles, Calif. 90067.
D. (6) $1,500. E. (9) $55.75.

A. C. John Miller, 1101 16th Street NW., Washington, D.C. 20036.
B. Independent Petroleum Association of America, 1101 16th Street NW., Washington, D.C. 20036.
E. (9) $22.50.

A. Miller, Canfield, Paddock and Stone, 2555 M Street NW., Suite 300, Washington, D.C. 20037.
B. Internationl Paper Co., 77 West 45th Street, New York City, N.Y. 10036.
D. (6) $10,357.50. E. (9) $1,074.43.

A. Miller, Cassidy, Larroca & Lewin, 2555 M Street NW., Washington, D.C. 20037.
B. National Public Radio, 2025 M Street NW., Washington, D.C. 20036.

A. Miller & Chevalier, Chtd., 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. The Association of Private Pension and Welfare Plans, Inc., 1725 K Street NW., Suite 801, Washington, D.C. 20006.
D. (6) $8,988.03.

A. Miller & Chevalier, Chtd., 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. General Dynamics Corp., Pierre Laclede Center, St. Louis, Mo. 63105.

A. Miller & Chevalier, Chtd., 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Investors Diversified Services, Inc., IDS Tower, Minneapolis, Minn. 55402.

A. Miller & Chevalier, Chtd., 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Lockheed Corp., Burbank, Calif. 91520.
D. (6) $30.

A. Miller & Chevalier, Chtd., 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Nuclear Fuel Services, Inc., Suite 600, 6000 Executive Boulevard, Rockville, Md. 20852.
D. (6) $1,650.

A. Clinton R. Miller, 212 West Foothill Boulevard, Monrovia, Calif. 91016.
B. National Health Federation, 212 West Foothill Boulevard, Monrovia, Calif. 91016.
D. (6) $1,419.75. E. (9) $636.85.

A. Daniel R. Miller, Truck Trailer Manufacturers Association, 2430 Pennsylvania Avenue NW., Washington, D.C. 20037.
B. Truck Trailer Manufacturers Association, 2430 Pennsylvania Avenue NW., Washington, D.C. 20037.
D. (6) $700. E. (9) $55.41.

A. Herbert J. Miller, Jr., Miller, Cassidy, Larroca & Lewin, 2555 M Street NW., Washington, D.C. 20037.
B. Mead Corp., Courthouse Plaza, Dayton, Ohio 45463.
E. (9) $8.50.

A. James C. Miller, National Grange, 1616 H Street NW., Washington, D.C. 20006.
B. National Grange, 1616 H Street NW., Washington, D.C. 20006.
D. (6) $3,062.

A. John C. Miller, Suite 201, Blohm Building, Elko, Nev. 89801.
B. Cominco American Inc., P.O. Box 3087, Spokane, Wash. 99220.
D. (6) $3,075. E. (9) $1,097.23.

A. John R. Miller, 1750 Midland Building, Cleveland, Ohio 44115.
B. The Standard Oil Co. (Ohio), Midland Building, Cleveland, Ohio 44115.

A. Linda B. Miller, Suite 405, 2550 M Street NW., Washington, D.C. 20037.
B. Volunteer Trustees of Not-for-Profit Hospitals, Suite 405, 2550 M Street NW., Washington, D.C. 20037.
D. (6) $300.

A. Robert H. Miller, Tenneco Inc., 490 L'Enfant Plaza East, SW., No. 2202, Washington, D.C. 20024
B. Tenneco, Inc., P.O. Box 2511, Houston, Tex. 77001.

A. W. Kirk Miller, 733 North Van Buren Street, Suite 610, Milwaukee, Wis. 53202.
B. Barley and Malt Institute, 733 North Van Buren Street, Suite 610, Milwaukee, Wis. 53202.
D. (6) $4,083. E. (9) $391.90.

A. Christine Topping Milliken, 1717 Massachusetts Avenue NW., Suite 503, Washington, D.C. 20036.
B. National Association of Independent Colleges and Universities, 1717 Massachusetts Avenue NW., Suite 503, Washington, D.C. 20036.
D. (6) $7,860. E. (9) $163.82.

A. John C. Milliner, Jr., P.O. Box 1606, Forest Park, Ga. 30051.
B. Southeastern Lumber Manufacturers Association, P.O. Box 1606, Forest Park, Ga. 30051.
D. (6) $57.68.

A. Richard M. Millman, 1730 M Street NW., Suite 908, Washington, D.C. 20036.
B. Senate of Puerto Rico, San Juan, Puerto Rico.
D. (6) $22,425. E. (9) $2,806.40.

A. John F. Mills, 1875 I Street NW., Washington, D.C. 20006.
B. The Tobacco Institute, 1875 I Street NW., Washington, D.C. 20006.
D. (6) $50. E. (9) $6.

A. Edward J. Milne, Jr., 1111 19th Street NW., Washington, D.C. 20036.
B. Edison Electric Institute, 1111 19th Street NW., Washington, D.C. 20036.
D. (6) $187.40. E. (9) $183.

A. Minerals Exploration Coalition, Inc., 790 West Tennessee Avenue, Suite 103, Denver, Colo. 80223.
D. (6) $30,000.

A. Deborah M. Minnich, General Instrument Corp., 1200 New Hampshire Avenue NW., Suite 320, Washington, D.C. 20036.
B. General Instrument Corp., 1775 Broadway, New York, N.Y. 10019.
D. (6) $350. E. (9) $270.

A. Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, 1015 15th Street NW., Suite 1025, Washington, D.C. 20005; One Center Plaza, Boston, Mass. 02108.
B. National Cable Television Association, 1724 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $1,000.

A. Thom B. Miranda, 410 First Street SE., Washington, D.C.
B. American Nuclear Energy Council, 410 First Street SE., Washington, D.C.
D. (6) $750. E. (9) $18.14.

A. S. Michael Mishoe, National Pork Producers Council, 499 South Capitol Street SW., Washington, D.C., 20003.
B. National Pork Producers Council, P.O. Box 10383, Des Moines, Iowa 50306.
D. (6) $225. E. (9) $140.

A. Mark R. Misiorowski, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. Mitchell Energy & Development Corp., 1925 K Street NW., No. 200, Washington, D.C. 20006.

A. Joseph A. Mitchell, Hoffheimer, Johnson & Peterson, 1120 20th Street NW., S-520, Washington, D.C. 20036.
B. Church World Service, 475 Riverside Drive, New York, N.Y. 10115.

A. Thomas F. Mitchell, Georgia-Pacific Corp., 1875 I Street NW., Washington, D.C. 20006.
B. Georgia-Pacific Corp., 900 Southwest Fifth Avenue, Portland, Oreg. 97204.
E. (9) $369.

A. Stacey J. Mobley, E. I. du Pont de Nemours & Co., 1701 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. E. I. du Pont de Nemours & Co., 1007 Market Street, Wilmington, Del. 19898.
E. (9) $50.64.

A. Michael S. Moe, Tenneco Inc., 490 L'Enfant Plaza East SW., Washington, D.C. 20024.
B. Tenneco Inc., P.O. Box 2511, Houston, Tex. 77001.

A. Moery & Co., Knollwood, Route 1, Box 46, Shepherdstown, W. Va. 25443.
B. Surrey & Morse, 1156 15th Street NW., Washington, D.C. 20005. (For: Arab Republic of Egypt.)

D. (6) $550. E. (9) $20.

A. Robert M. Moliter, General Electric Co., 777 14th Street NW., Washington, D.C. 20005.
B. General Electric Co., 3135 Easton Turnpike, Fairfield, Conn. 06431.

A. John V. Moller, Manchester Associates, 1155 15th Street NW., No. 1010, Washington, D.C. 20005.
B. Manchester Associates, Ltd., 1155 15th Street, NW., No. 1010, Washington, D.C. 20005.

A. Michael J. Molony, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Rural Electric Cooperative Association, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $60.

A. C. Manly Molpus, American Meat Institute, P.O. Box 3556, Washington, D.C. 20007.
B. American Meat Institute, P.O. Box 3556, Washington, D.C. 20007; 1700 North Moore Street, Arlington, Va.
D. (6) $1,000.

A. Christopher S. Monek, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. John M. Monley, 1090 Vermont Avenue NW., Suite 600, Washington, D.C. 20005.
B. Texas Eastern Transmission Corp., P.O. Box 2521, Houston, Tex. 77001.
E. (9) $7.

A. Michael Monroney, TRW Inc., 1000 Wilson Boulevard, Suite 2700, Arlington, Va. 22209.
B. TRW Inc., 23555 Euclid Avenue, Cleveland, Ohio 44117.
D. (6) $1,000.

A. Montgomery Ward & Co., Inc., 1100 Connecticut Avenue NW., No. 530, Washington, D.C. 20036.
D. (6) $16. E. (9) $150

A. Steven M. Moodie, Federation of American Controlled Shipping, 910 16th Street, Room 302, Washington, D.C. 20006.
B. Federation of American Controlled Shipping, 50 Broadway, New York, N.Y. 10004.
D. (6) $200.

A. G. Merrill Moody, Association of American Railroads, 412 First Street SE., Suite 200, Washington, DC 20003.
B. Association of American Railroads, 1920 L Street NW., Washington, DC 20036.
D. (6) $37.47. E. (9) $64.78.

A. James P. Mooney, National Cable Television Association, Inc., 1724 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Cable Television Association, Inc., 1724 Massachusetts Avenue NW., Washington, D.C. 20036
D. (6) $5700. E. (9) $84.84

A. Alan J. Moore, The Atchison, Topeka and Santa Fe Railway Co., Suite 840, 1100 Connecticut Avenue NW., Washington, D.C. 20036
B. The Atchison, Topeka and Santa Fe Railway Co., 80 East Jackson Boulevard, Chicago, Ill. 60604.
D. (6) $1,000.

A. Janis E. Moore, National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
D. (6) $250.

A. Morality in Media, Inc., 475 Riverside Drive, New York, N.Y. 10115.

A. Vincent L. Morelli, Congoleum Corp., 2550 M Street NW., Suite 225, Washington, D.C. 20037.
B. Congoleum Corp., Portsmouth, N.H. 03801.
D. (6) $399. E. (9) $292.67.

A. J. Michael Morgan, Suite 802, 2000 L Street NW., Washington, D.C. 20036.
B. Popham, Haik, Schnobrich, Kaufman & Doty, Ltd., 4344 IDS Center, Minneapolis, Minn. 55402. (For: AMAX, Inc., 1707 Cole Blvd., Golden, Colo. 80401.)

J. Michael Morgan, Suite 802—2000 L Street NW., Washington, DC 20036.
B. Popham, Haik, Schnobrich, Kaufman & Doty, Ltd., 4344 IDS Center, Minneapolis, Minn. 55402. (For: Rocky Mt. Energy Co., 10 Longs Peak Drive—Box 2000, Broomfield, Colo. 80020.)
D. (6) $3,087.20. E. (9) $1,384.47.

A. Jo V. Morgan, Jr., American Humane Association, 1828 L Street NW., No. 800, Washington, D.C. 20036.
B. The American Humane Association, 9725 East Hampden, Denver, Colo. 80231.
D. (6) $414.30.

A. John Morgan, Communications Workers of America, 1925 K Street NW., Washington, D.C. 20006.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C. 20006.
D. (6) $875. E. (9) $30.05.

A. Morgan, Lewis & Bockius, 1800 M Street NW., Suite 800 N, Washington, D.C. 20036.
B. Committee for Capital Formation Through Dividend Reinvestment, 1800 M Street NW., Suite 800 N, Washington, D.C. 20036.
D. (6) $72. E. (9) $36.

A. James A. Morrill, Scott Paper Co., Scott Plaza, Philadelphia, Pa. 19113.
B. Scott Paper Co., Scott Plaza, Philadelphia, Pa. 19113.
D. (6) $2,250. E. (9) $1,119.96.

A. Martin S. Morris, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. Victor G. Morris, Montgomery Ward & Co., Inc., 1100 Connecticut Avenue NW., Suite 530, Washington, D.C. 20036.
B. Montgomery Ward & Co., Inc., One Montgomery Ward Plaza, Chicago, Ill. 60671.

A. Morrison & Foerster, 1920 N Street NW., Washington, D.C. 20036.
B. The City and County of San Francisco, City Hall, San Francisco, Calif. 94102.
D. (6) $168. E. (9) $10.15.

A. William C. Morrison, 2001 North Adams Street, Arlington, Va. 22201.
B. Meat Importers Council of America, Inc., 1901 North Fort Myer Drive, Arlington, Va. 22209.
D. (6) $875.

A. Sol Mosher, Crown Zellerbach Corp., 1660 L Street NW, Suite 215, Washington, D.C. 20036.
B. Crown Zellerbach, One Bush Street, San Francisco, Calif. 94104.

A. Bernard Moss, 2440 Virginia Avenue NW., Washington, D.C. 20037.
B. Association of Bank Holding Companies, 730 15th Street NW., Washington, D.C. 20005.
D. (6) $750.

A. Robert E. Moss, 1819 H Street NW., Suite 620, Washington, D.C. 20006.
B. Dilworth, Paxson, Kalish & Levy, Federal Bar Building West, Washington, D.C. 20006. (For: Northwest Alaskan Pipeline Co., 1120 20th Street NW., Suite S-700, Washington, D.C. 20036.)

D. (6) $1000.

A. Robert E. Moss, 1819 H Street NW., Suite 620, Washington, D.C. 20006.
B. Dilworth, Paxson, Kalish & Levy, 1819 H Street NW., Suite 620, Washington, D.C. 20006. (For: Western Pennsylvania Coal Mining Association, 2600 The Fidelity Building, Philadelphia, Pa. 19109.)
D. (6) $500.

A. Lynn E. Mote, InterNorth, 1015 15th Street NW., Suite 900, Washington, D.C. 20005.
B. InterNorth, 2223 Dodge Street, Omaha, Nebr. 68102.
D. (6) $2,000.

A. Motor and Equipment Manufacturers Association, 1120 19th Street NW., Suite 333, Washington, D.C. 20036.
E. (9) $1,281.98.

A. Motor Vehicle Manufacturers Association of the United States, Inc., 300 New Center Building, Detroit, Mich. 48202.
D. (6) $7,584.89. E. (9) $7,584.89.

A. Kelly Holley Mountain, Am. Paper Institute, Inc., 1619 Mass Avenue NW., Washington, D.C. 20036.
B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y. 10016.

A. Mountain West Associates, 2000 L Street NW., Suite 200, Washington, D.C. 20036.
B. Finlinson & Finlinson, 721 Kearns Buildings, Salt Lake City, Utah 84101.
D. (6) $4,400. E. (9) $34.25.

A. Mountain West Associates, 2000 L Street NW., Suite 200, Washington, D.C. 20036.
B. Great National Corp., 2320 South Tower L.B. 174, Plaza of the Americas, Dallas, Tex. 75201.
D. (6) $9,600. E. (9) $304.02.

A. Mountain West Associates, 2000 L Street NW., Suite 200, Washington, D.C. 20036.
B. Utah Power & Light Co., 1407 West North Temple, Salt Lake City, Utah 84110.
D. (6) $3,465. E. (9) $1,737.87.

A. James T. Mular, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 3 Research Place, Rockville, Md. 20850.
D. (6) $2,000. E. (9) $1,750.

A. William G. Mullen, 1725 K Street NW., Suite 607, Washington, D.C. 20006.
B. Associated Third Class Mail Users, 1725 K Street NW., Suite 607, Washington, D.C. 20006.
D. (6) $600.

A. John P. Mulligan, 1101 17th Street NW., Washington, D.C. 20036.

B. Tuna Research Foundation, Inc., 1101 17th Street NW., Washington, D.C. 20036.
D. (6) $1,779.

A. Albert E. Mullin, Jr., Digital Equipment Corp., 111 Powdermill Road, F5, Maynard, Maine 01754.
B. Digital Equipment Corp., 111 Powdermill Road, F5, Maynard, Maine 01754.
D. (6) $3,750.

A. Tracy Mullin, National Retail Merchants Association, 1000 Connecticut Avenue NW., Suite 700, Washington, D.C. 20036.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y. 10001.
D. (6) $100. E. (9) $15.

A. Robert J. Mullins, 1012 14th Street NW., Washington, D.C. 20005.
B. The Farmers' Educational and Cooperative Union of America, Denver, Colo. 80251; 1012 14th Street NW., Washington, D.C. 20005.
D. (6) $6,486.18. E. (9) $63.62.

A. Daniel J. Mundy, Building & Construction Trades Department, 815 16th Street NW., Suite 603, Washington, D.C. 20006.
B. Building & Construction Trades Department, 815 16th Street NW., Suite 603, Washington, D.C. 20006.
D. (6) $12,124.97. E. (9) $6,219.17.

A. Municipal Labor Committee, 140 Park Place, New York, N.Y. 10007.
D. (6) $7,901.86. E. (9) 7,901.86.

A. K. R. Murphy, Gulf Oil Corp., 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. Gulf Oil Corp., Pittsburgh, Pa. 15230.
D. (6) $1,000.

A. Richard E. Murphy, 2020 K Street NW., Washington, D.C. 20006.
B. Sevice Employees International Union, AFL-CIO, CLC, 2020 K Street NW., Suite 200, Washington, D.C. 20006.
D. (6) $1,000. E. (9) $61.50.

A. Richard W. Murphy, National Food Processors Association, 1133 20th Street NW., Washington, D.C. 20036.
B. National Food Processors Association, 1133 20th Street NW., Washington, D.C. 20036.
D. (6) $500. E. (9) $61.73.

A. D. Michael Murray, Suite 1128, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. Chicago, Milwaukee, St. Paul and Pacific Railroad, 516 West Jackson Boulevard, Chicago, Ill. 60606.
D. (6) $750.

A. D. Michael Murray, Suite 1128, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. The Cleveland Cliffs Iron Co., 1460 Union Commerce Building, Cleveland, Ohio 44115.
D. (6) $250.

A. D. Michael Murray, Suite 1128, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. Freeport Minerals Co., 161 East 42d Street, New York, N.Y. 10017.
D. (6) $250.

A. D. Michael Murray, Suite 1128, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. Iron Ore Lessors Association, 1500 First National Bank Building, St. Paul, Minn. 55101.
D. (6) $250.

A. D. Michael Murray, Suite 1128, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. The LTV Corp., P.O. Box 5003, Dallas, Tex. 75222.
D. (6) $500.

A. D. Michael Murray, Suite 1128, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. National Council of Coal Lessors, Inc., 1150 One Valley Square, Charleston, W. Va. 25301.
D. (6) $250.

A. William E. Murray, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Rural Electric Cooperative Association, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $179.50.

A. Frank Dominic Musica, American Institute of Architects, 1735 New York Avenue NW., Washington, D.C. 20006.
B. American Institute of Architects, 1735 New York Avenue NW., Washington, D.C. 20006.
D. (6) $2,750.

A. Harold D. Muth, 1600 Wilson Boulevard, Suite 1000, Arlington, Va. 22209.
B. The American Waterways Operators, Inc., 1600 Wilson Boulevard, Suite 1000, Arlington, Va. 22209.
D. (6) $300.

A. Robert J. Muth, ASARCO Inc., 120 Broadway, New York, N.Y. 10271.
B. ASARCO Inc., 120 Broadway, New York, N.Y. 10271.
D. (6) $300. E. (9) $78.75.

A. Lawrence P. Mutter, 6849 Old Dominion Drive, McLean, Va. 22101.
B. Automotive Parts Rebuilders Association, 6849 Old Dominion Drive, McLean, Va. 22101.

A. Fred J. Mutz, American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $1,000. E. (9) $15.

A. Gary D. Myers, The Fertilizer Institute, 1015 18th Street NW., Washington, D.C. 20036.
B. The Fertilizer Institute, 1015 18th Street NW., Washington, D.C. 20036.
D. (6) $500. E. (9) $1,785.65.

A. J. Walter Myers, Jr., P.O. Box 95385, Atlanta, Ga. 30347.
B. Forest Farmers Association, P.O. Box 95385, Atlanta, Ga. 30347.

A. Clifford M. Naeve, 2550 M Street NW., Suite 770, Washington, D.C. 20037.
B. RJR Industries, Inc., P.O. Box 2959, Winston-Salem, N.C. 27102.
D. (6) $115.37. E. (9) $35.

A. Gerald P. Nagy, National Home Furnishings Association, 900 17th Street NW., Suite 514, Washington, D.C. 20006.
B. National Home Furnishings Association, 405 Merchandise Mart, Chicago, Ill. 60654.
D. (6) $2,000.

A. Naman, Howell, Smith, Lee & Muldrow, 700 Texas Center, 900 Washington, Waco, Tex. 76703.
B. Cotton Farmers Association, 700 Texas Center, 900 Washington, Waco, Tex. 76703.

A. Frances E. Nathan, New York Public Library, 8 East 40th Street, New York, N.Y. 10016.
B. New York Public Library, 5th Avenue and 42d Street, New York, N.Y. 10018.
D. (6) $7,500.

A. Hardy L. Nathan, 1750 K Street NW., Washington, D.C. 20006.
B. Food Marketing Institute, 1750 K Street NW., Washington, D.C. 20006.
D. (6) $900.

A. Raymond Nathan, 4245 East-West Highway, Chevy Chase, Md. 20815.
B. American Ethical Union, 2 West 64th Street, New York, N.Y. 10023.
D. (6) $1,110. E. (9) $922.93.

A. National Agricultural Chemicals Association, 1155 15th Street NW., Washington, D.C. 20005.
D. (6) $6,003.50. E. (9) $6003.50.

A. National Air Carrier Association, 1730 M Street NW., Suite 710, Washington, D.C. 20036.

A. National Association for Free Enterprise, 1101 New Hampshire Avenue NW., Suite 107, Washington, D.C. 20037.

A. National Association for Humane Legislation, Inc., Post Office Box 11675, St. Petersburg, Fla. 33733-1675.
D. (6) $6.33.

A. National Association for Neighborhood Schools, Inc., P.O. Box 14887, Columbus, Ohio 43214.
D. (6) $7,594.96. E. (9) $12,644.35.

A. National Association for Uniformed Services, 5535 Hempstead Way, P.O. Box 1406, Springfield, Va. 22151.
D. (6) $2,351.35. E. (9) $3,045.59.

A. National Association of Air Traffic Specialists, Suite 415, Wheaton Plaza North, Wheaton, Md. 20902.
D. (6) $131,829.95. E. (9) $7,756.90.

A. National Association of Aircraft & Communications Suppliers, Inc., 7360 Laurel Canyon Boulevard, North Hollywood, Calif., 91605.
E. (9) $4,570.36.

A. National Association of Catalog Showroom Merchandisers, 276 Fifth Avenue, New York, N.Y. 10001.

A. National Association of Chain Drug Stores, Inc., P.O. Box 1417-D49, Alexandria, Va. 22313.
E. (9) $2,350.

A. National Association of Convenience Stores, 3 Skyline Place, Suite 809, 5201 Leesburg Pike, Falls Church, Va. 22041

A. National Association of Federal Veterinarians, Suite 836, 1522 K Street NW., Washington, D.C. 20005.
E. (9) $42.63.

A. National Association of Homes for Children, 104 East 35th Street, New York, N.Y. 10016.
E. (9) $2,050.

A. National Association of Independent Colleges and Universities, 1717 Massachusetts Avenue NW., Suite 503, Washington, D.C. 20036.

D. (6) $442,693.60. E. (9) $58,090.26.

A. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
D. (6) $50,740.98. E. (9) $50,740.98.

A. National Association of Mutual Insurance Cos., 3707 Woodview Trace, P.O. Box 68700, Indianapolis, Ind. 46268.

A. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y. 10166.
D. (6) $16,239.61. E. (9) $16,239.61.

A. The National Association of Pension Consultants & Administrators, Three Piedmont Center, Suite 300, Atlanta, Ga. 30305.
D. (6) $400. E. (9) 153.48.

A. National Association of Personnel Consultants, 1012 14th Street NW., Washington, D.C. 20005.
D. (6) $3,266.36. E. (9) 6,100.

A. National Association of Plumbing-Heating-Cooling Contractors, 1016 20th Street NW., Washington, D.C. 20036.
D. (6) $902.33. E. (9) 902.33.

A. National Association of Private Enterprise, (Asociacion Nacional de la Empresa Privada-ANEP) Alameda Roosevelt 2827, San Salvador, El Savador.

A. National Association of Public Hospitals, 1575 I Street NW., Suite 600, Washington, D.C. 20005.
D. (6) $15,000. E. (9) 11,925.37.

A. National Association of Real Estate Investment Trusts, Inc., 1101 17th Street NW., Suite 700, Washington, D.C. 20036.
D. (6) $5,500. E. (9) 5,331.50.

A. National Audio-Visual Association, Inc., 3150 Spring Street, Fairfax, Va. 22031.
D. (6) $15,297.44. E. (9) 3,792.47.

A. National Bail Bond Information Center, P.O. Box 010781, Miami, Fla. 33101.
B. Cotton Belt Insurance Co., 10001 Lake Forest Boulevard, New Orleans, La.
E. (9) $5,676.35.

A. National Broiler Council, 1155 15th Street NW., Washington, D.C. 20005.
D. (6) $1,750. E. (9) 1,750.

A. National Business Aircraft Association, One Farragut Square South, Washington, D.C. 20006.

A. National Cable Television Association, Inc., 1724 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $10,326.19. E. (9) 10,473.48.

A. National Cattlemen's Association, 1001 Lincoln Street, Denver, Colo. 80203.
E. (9) $2,000.

A. National Clean Air Coalition, 530 Seventh Street SE., Washington, D.C. 20003.
D. (6) $38,170.88. E. (9) $27,753.14.

A. National Coal Association, Coal Building, Washington, D.C. 20036.
D. (6) $1,418,168.06. E. (9) $16,356.11.

A. National Coalition for Marine Conservation, Inc., P.O. Box 23298, Savannah, Ga. 31403.
D. (6) $28,496.24. E. (9) $24,680.31.

A. National Committee on Small Issue Industrial Development Bonds, Box 1, 1800 M Street NW., Suite 900, Washington, D.C. 20036.
D. (6) $10,355. E. (9) $10,355.

A. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn. 38112.
D. (6) $11,129.23. E. (9) $11,129.23.

A. National Council of Agricultural Employers, 435 Southern Building, 1425 H Street NW., Washington, D.C. 20005.
D. (6) $4,223. E. (9) $1,419.

A. National Council of Health Centers, 2600 Virginia Avenue NW., Suite 1100, Washington, D.C. 20037.
D. (6) $6,303.61. E. (9) $2,757.27.

A. National Council of Technical Services Industries, 888 17th Street NW., Suite 212, Washington, D.C. 20006.
D. (6) $118.75. E. (9) $283.51.

A. National Council of Synthetic Fuels Production, 1875 I Street NW., Suite 960, Washington, D.C. 20006.

A. National Electrical Manufacturers Association, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $971.92. E. (9) $971.92..

A. National Federation of Federal Employees, 1016 16th Street NW., Washington, D.C.
D. (6) $33,620.64. E. (9) $33,620.64.

A. National Federation of Independent Business, 150 West 20th Avenue, San Mateo, Calif. 94403.
D. (6) $13,475. E. (9) $13,475.

A. National Food Processors Association, 1133 20th Street NW., Washington, D.C. 20036.
D. (6) $5,000. E. (9) $2,630.41.

A. National Grain & Feed Association, 725 15th Street NW., Washington, D.C. 20005.

A. National Grange, 1616 H Street NW., Washington, D.C. 20006.
D. (6) $12,500. E. (9) $9,062.

A. National Guard Association of the United States, 1 Massachusetts Avenue NW., Washington, D.C. 20001.
D. (6) $725,904.30. E. (9) $1,573.82.

A. National Home Furnishings Association, 405 Merchandise Mart, Chicago, Ill. 60654.
E. (9) $4,000.

A. The National Industrial Traffic League, 1090 Vermont Avenue NW., Suite 410, Washington, D.C. 20005.
D. (6) $4,125. E. (9) $3,660.

A. National Leased Housing Association, Suite 400 S, 1800 M Street NW., Washington, D.C. 20036.
D. (6) $450. E. (9) $450.

A. National Limestone Institute, 3251 Old Lee Highway, Suite 500, Fairfax, Va. 22030.
D. (6) $7,620.69. E. (9) $7,620.69.

A. National Manufactured Housing Federation, 1700 Pennsylvania Avenue NW., Suite 745, Washington, D.C. 20006.
D. (6) $29,072.79.

A. National Maritime Council, 1748 N Street NW., Washington, D.C. 20036.
D. (6) $184,500. E. (9) $306.28.

A. National Military Wives Association, Inc., 2666 Military Road, Arlington, Va. 22207.
D. (6) $3,364. E. (9) $374.40.

A. National Milk Producers Federation, 30 F Street NW., Washington, D.C. 20001.
D. (6) $7,905.78. E. (9) $7,905.78

A. National Motorsports Committee on ACCUS, 1701 K Street NW., Suite 1204, Washington, D.C. 20006.
D. (6) $2,000. E. (9) $3,000.

A. National Office Machine Dealers Association, 1510 Jarvis Avenue, Elk Grove Village, Ill. 60007.

A. National Oil Jobbers Council, 1707 H Street NW., Washington, D.C. 20006.
D. (6) $250,000. E. (9) $22,195.

A. National Organization for Women, 425 13th Street NW., Suite 1048, Washington, D.C. 20004.
E. (9) $975.

A. National Parking Association, 2000 K Street NW., No. 350, Washington, D.C. 20006.
E. (9) $20,303.

A. National Pest Control Association, 8150 Leesburg Pike, Suite 1100, Vienna, Va. 22180.

A. National Product Liability Council, 20 North Wacker Drive, Chicago, Ill. 60606.
E. (9) $314.04.

A. National Public Affairs, 1120 Connecticut Avenue NW., Suite 310, Washington, D.C. 20036.
B. Westinghouse Electric Corp., 1801 K Street NW., Washington, D.C. 20036.

A. National Realty Committee, Inc., 2033 M Street NW., No. 303, Washington, D.C. 20036.
D. (6) $3,547.30. E. (9) $3,547.30.

A. National Rehabilitation Association, 633 South Washington Street, Alexandria, Va. 22314.
E. (9) $4,500.

A. National Retail Merchants Association, 100 West 31st Street, New York, N.Y. 10001.
E. (9) $4,285.

A. National Right To Work Committee, 8001 Braddock Road, Springfield, Va. 22160.
D. (6) $4,501.22. E. (9) $4,501.22.

A. National Rural Electric Cooperative Association, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
E. (9) $3,429.68.

A. National Rural Letter Carriers' Association, Suite 1204, 1750 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $16,543. E. (9) $14,798.

A. National Savings & Loan League, 1101 15th Street NW., Suite 400, Washington, D.C. 20005.
D. (6) $8,766. E. (9) $269.80.

A. National School Transportation Association, 9001 West Braddock Road, Springfield, Va. 22151.
D. (6) $3,267.75. E. (9) $3,267.75.

A. National Security Traders Association, One World Trade Center, Suite 4511, New York, N.Y. 10048.
E. (9) $2,625.

A. National Small Business Association, 1604 K Street NW., Washington, D.C. 20006.
D. (6) $5,000. E. (9) $2,068.42.

A. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C. 20006.

D. (6) $12,500. E. (9) $15,450.

A. National Soft Drink Association, 1101 16th Street NW., Washington, D.C. 20036.
E. (9) $12,047.70.

A. National Solid Wastes Management Association, 1120 Connecticut Avenue NW., Suite 930, Washington, D.C. 20036.

A. National Tax Limitation Committee, 1523 L Street NW., Suite 600, Washington, D.C. 20005.
D. (6) $7,450. E. (9) $7,450.

A. National Tire Dealers & Retreaders Association, Inc., 1343 L Street NW., Washington, D.C. 20005.
D. (6) $8,135. E. (9) $8,135.

A. National Water Resources Association, 955 L'Enfant Plaza SW., Suite 1202, Washington, D.C. 20024.
D. (6) $5,218. E. (9) $9,247.

A. National Wheel & Rim Association 4836 Victor Street, Jacksonville, Fla. 32207.

A. Susan Bingham Neal, National Federation of Independent Business, 490 L'Enfant Plaza East SW., Washington, D.C. 20024.
B. National Federation of Independent Business, 490 L'Enfant Plaza East SW., Washington, D.C. 20024.
D. (6) $2,250. E. (9) $200.

A. Karen J. Neale, Chemical Manufacturers Association, 2501 M Street NW., Washington, D.C. 20037.
B. Chemical Manufacturers Association, 2501 M Street NW., Washington, D.C. 20037.
D. (6) $300.

A. Alan M. Nedry, Southern California Edison Co., 1111 19th Street NW., Suite 303, Washington, D.C. 20036.
B. Southern California Edison Co., P.O. Box 800, Rosemead, Calif. 91770.
D. (6) $50. E. (9) $50.

A. Frances E. Neely, 245 Second Street NE, Washington, D.C. 20002.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C. 20002.
D. (6) $3,419.97.

A. Mary Elizabeth Neese, National Savings & Loan League, 1101 15th Street NW., Suite 400, Washington, D.C. 20005.
B. National Savings & Loan League, 1101 15th Street NW., Suite 400, Washington, D.C. 20005.
D. (6) $1,000. E. (9) $68.80.

A. Gordon E. Nelson, 12005 Millstream Drive, Bowie, Md. 20715.
B. Farm/Water Alliance, 329 C Street SE., Apartment 1, Washington, D.C. 20003.
D. (6) $21,600. E. (9) $4,341.73.

A. Robert W. Nelson, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Rural Electric Cooperative Association, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.

A. Thomas C. Nelson, American Mining Congress, 1920 N Street NW., Washington, D.C. 20036.
B. American Mining Congress, 1920 N Street NW., Washington, D.C. 20036.
D. (6) $13.74.

A. A. S. Nemir Associates, Suite 1230, Pennsylvania Building, Washington, D.C. 20004.
B. Brazilian Sugar & Alcohol Institute (IAA), Rio de Janeiro, Brazil.
E. (9) $293.52.

A. Frederick H. Nesbitt, N.A.L.C., 100 Indiana Avenue NW., Washington, D.C. 20001.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.
D. (6) $625. E. (9) $147.63.

A. NETWORK, 806 Rhode Island Avenue SE., Washington, D.C. 20018.
D. (6) $23,131.66. E. (9) $42,195.12.

A. E. John Neumann, Baltimore Gas & Electric Co., 1100 Connecticut Avenue, Suite 820, Washington, D.C. 20036.
B. Baltimore Gas & Electric Co., Gas and Electric Building, P.O. Box 1475, Baltimore, Md. 21203.
D. (6) $1,635.35. E. (9) $247.47.

A. Carla B. Neuschel, American Medical Association, 1776 K Street NW., Washington, D.C. 20006.
B. American Medical Association, 535 North Deaborn Street, Chicago, Ill. 60610.
D. (6) $2,100. E. (9) $30.45.

A. Robert B. Neville, 311 First Street NW., Washington, D.C. 20001.
B. National Restaurant Association, 311 First Street NW., Washington, D.C. 20001.

A. Louis H. Nevins, National Association of Mutual Savings Banks, 1709 New York Avenue NW., Suite 200, Washington, D.C. 20006.
B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y. 10166.
D. (6) $5,218.75.

A. Bill Newbold, Bill Newbold & Associates, 1901 North Fort Myer Drive, Suite 809, Arlington, Va. 22209.
B. Bill Newbold & Associates (for: American Protestant Hospitals Association, One Woodfield Place, Suite 311, 1701 East Woodfield Drive, Schaumburg, Ill. 60195.)
D. (6) $10,000.02.

A. Bill Newbold, Bill Newbold & Associates, 1901 North Fort Myer Drive, Suite 809, Arlington, Va. 22209.
B. Bill Newbold & Associates (for: Arkansas Hospital Association, 1501 North University, Suite 400, Little Rock, Ark. 72207.)
D. (6) $1,500.

A. Bill Newbold, Bill Newbold & Associates, 1901 North Fort Myer Drive, No. 809, Arlington, Va., 22209.
B. Bill Newbold & Associates (for: Texas Hospital Association, P.O. Box 15587, Austin, Tex. 78761).
D. (6) $3,000.

A. Kathryn L. Newman, Republic Steel Corp., 1101 15th Street NW., Washington, D.C. 20005.
B. Republic Steel Corp., Republic Building, Cleveland, Ohio 44101.

A. Thomas E. Newman, National Association of Manufacturers, 1719 Route 10, Parsippany, N.J. 07054.
B. National Association of Manufacturers, 1776 F Street NW., Washington D.C. 20006.
D. (6) $250.

A. Janet G. Newport, National Oil Jobbers Council, 1707 H Street NW., Washington, D.C. 20006.
B. National Oil Jobbers Council, 1707 H Street NW., Washington, D.C. 20006.
D. (6) $3,875. E. (9) $148.

A. New York Committee of International Committee of Passenger Lines, 25 Broadway, New York, N.Y. 10004.

A. Charles E. Nichols, 101 Constitution Avenue NW., Washington, D.C. 20001.
B. United Brotherhood of Carpenters and Joiners of America, 101 Constitution Avenue NW., Washington, D.C. 20001.
D. (6) $9,500. E. (9) $447.62.

A. Nicholas John Nichols, American Institute of Certified Public Accountants, 1620 I Street NW., Washington, D.C. 20006.
B. American Institute of Certified Public Accountants, 1211 Avenue of the Americas, New York, N.Y. 10036.
D. (6) $500. E. (9) $2,562.50.

A. Robert Nichols, Consumers Union, 1511 K Street NW., No. 1033, Washington, D.C. 20005.
B. Consumers Union, 256 Washington Street, Mt. Vernon, N.Y. 10550.
D. (6) $7,500. E. (9) $20.

A. William W. Nickerson, 10955 Trotting Ridge Way, Columbia, Md. 21044.
B. Massachusetts Bay Transportation Authority, 50 High Street, Boston, Mass. 02110.
D. (6) $2,750. E. (9) $1,800.

A. Donald R. Niemi, Caterpillar Tractor Co., 100 Northeast Adams Street, Peoria, Ill., 61629.
B. Caterpillar Tractor Co., 100 Northeast Adams Street, Peoria, Ill. 61629.
D. (6) $612. E. (9) $1,217.41.

A. Patrick J. Nilan, American Postal Workers Union, AFL-CIO, 817 14th Street NW., Washington, D.C. 20005.
B. American Postal Workers Union, AFL-CIO, 817 14th Street NW., Washington, D.C. 20005.
D. (6) $14,288.30. E. (9) $5,038.30.

A. Nissan Motor Co., Ltd., 560 Sylvan Avenue, P.O. Box 1606, Englewood Cliffs, N.J.

A. Robert W. Nolan, 1303 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C. 20036.
D. (6) $100.

A. Walker F. Nolan, 1111 19th Street NW., Nineth Floor, Washington, D.C. 20036.
B. Edison Electric Institute, 1111 19th Street NW., Washington, D.C. 20036.
D. (6) $1,550. E. (9) $563.17.

A. H. Christopher Nolde, Chemical Manufacturers Association, 2501 M Street NW., Washington, D.C. 20037.
B. Chemical Manufacturers Association, 2501 M Street NW., Washington, D.C. 22037.
D. (6) $300.

A. Charles M. Noone, 490 L'Enfant Plaza East SW., Suite 3306, Washington, D.C. 20024.
B. National Association of Small Business Investment Cos., 618 Washington Building, Washington, D.C. 20025.
D. (6) $1,500. E. (9) $74.17.

A. M. Kathryn Nordstrom, 1575 I Street NW., Suite 725, Washington, D.C. 20005.
B. Pacific Seafood Processors Association, 1620 South Jackson Street, Seattle, Wash. 98144.

D. (6) $3,750. E. (9) $96.21.

A. Norfolk & Western Railway Co., 8 North Jefferson Street, Roanoke, Va. 24042.
E. (9) $455.20.

A. Richard B. Norment IV, National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.

A. Julia J. Norrell, American Council of Life Insurance, 1850 K Street NW., Washington, D.C. 20006.
B. American Council of Life Insurance, Inc., 1850 K Street NW., Washington, D.C. 20006.
D. (6) $357. E. (9) $45.75.

A. North American Car Corp., 33 Monroe Street, 24th Floor, Chicago, Ill. 60603.

A. J. Hallock Northcott, 1101 15th Street NW., Washington, D.C. 20005.
B. Minnesota Mining & Manufacturing Co. 3M Center, St. Paul., Minn. 55144.
D. (6) $1,500.

A. Northeast Utilities Service Co., Selden Street, Berlin, Conn. 06037.
E. (9) $1,603.03.

A. Clifford R. Northup, Credit Union National Association, Inc., 1730 Rhode Island Avenue, Suite 810, Washington, D.C. 20036.
B. Credit Union National Association, Inc., 1730 Rhode Island Avenue NW., Suite 810, Washington, D.C. 20036.
D. (6) $300. E. (9) $240.77.

A. Morgan Norval, 1202 South Washington Street No. 2, Alexandria, Va. 22314.
B. Citizen Committee for the Right to Keep and Bear Arms, 1601 114th SE., Suite 151, Bellevue, Wash. 98004.
D. (6) $300.

A. Nossaman, Krueger & Marsh, 1140 19th Street NW., Washington, D.C. 20036.
B. Aetna Life & Casualty, 151 Farmington Avenue, Hartford, Conn. 06156.
E. (9) $60.

A. Nossaman, Krueger & Marsh, 1140 19th Street NW., Washington, D.C. 20036.
B. Burlington Northern, Coal and Minerals, 175 North 27th Street, Billings, Mont. 59101.
D. (6) $550.

A. Nossaman, Krueger & Marsh, 1140 19th Street NW., Washington, D.C. 20036.
B. Dividend Support Group, c/o NWN Life Insurance Co., 20 Washington Avenue South, Minneapolis, Minn. 55440.
E. (9) $2,300.

A. Nossaman, Krueger & Marsh, 445 South Figueroa Street, Los Angeles, Calif. 90071 and 1140 19th Street NW., Suite 600, Washington, D.C. 20036.
B. Helionetics, Inc., 17312 Eastman Street, Irvine, Calif. 92714.

A. Nossaman, Krueger & Marsh, 1140 19th Street NW., Suite 600, Washington, D.C. 20036.
B. Insurance Association of Connecticut, 60 Washington Street, Hartford, Conn. 06106.
D. (6) $1,900. E. (9) $600.

A. Nossaman, Krueger & Marsh, 1140 19th Street NW., Washington, D.C. 20036.
B. New York Life Insurance Co., 51 Madison Avenue, New York, N.Y. 10010.

A. Nossaman, Krueger & Marsh, 445 South Figueroa Street, Los Angeles, Calif. 90071 and 1140 19th Street NW., Suite 600, Washington, D.C. 20036.
B. Ocean Energy Council, 1303 South Michigan Avenue, Chicago, Ill. 60605.

A. Nossaman, Krueger & Marsh, 445 South Figueroa Street, Los Angeles, Calif. 90071 and 1140 19th Street NW., Suite 600, Washington, D.C. 20036.
B. Office of the Governor, Commonwealth of the Northern Mariana Islands, Saipan, CM 96950.

A. Nossaman, Krueger & Marsh, 1140 19th Street NW., Washington, D.C. 20036.
B. Phoenix Mutual Life Insurance Co., One American Row, Hartford, Conn. 06115.
D. (6) $100.

A. Nossaman, Krueger & Marsh, 1140 19th Street NW., Suite 600, Washington, D.C. 20036.
B. Texas International Airlines, Inc., P.O. Box 12788, Houston, Tex. 77017.
E. (9) $3,000.

A. Nossaman, Krueger & Marsh, 1140 19th Street NW., Washington, D.C. 20036.
B. The Western Union Telegraph Co., 1828 L Street NW., Suite 1001, Washington, D.C. 20036.
D. (6) $200.

A. Ralph D. Nurnberger, 444 North Capitol Street NW., No. 412, Washington, D.C. 20001.
B. American Israel Public Affairs Committee, 444 North Capitol Street NW., No. 412, Washington, D.C. 20001.
D. (6) $7,179.52.

A. Franklin W. Nutter, 1025 Connecticut Avenue NW., No. 512, Washington, D.C. 20036.
B. Reinsurance Association of America, 1025 Connecticut Avenue NW., No. 512, Washington, D.C. 20036.

A. Mark J. Nuzzaco, 7901 Westpark Drive, McLean, Va. 22102.
B. National Machine Tool Builders' Association, 7901 Westpark Drive, McLean, Va. 22102.
D. (6) $3,616.67. E. (9) $500.

A. Donald A. Nyberg, The Standard Oil Co. (Ohio) 1050 17th Street NW., Suite 650, Washington, D.C. 20036.
B. The Standard Oil Co. (Ohio), Midland Building, Cleveland, Ohio 44115.
D. (6) $200.

A. Philip S. Nyborg, 1133 19th Street NW., Washington, D.C. 20036.
B. MCI Communications Corp., 1133 19th Street NW., Washington, D.C. 20036.
D. (6) $4,000. E. (9) $104.

A. George O'Bea, Jr., 815 16th Street NW., Suite 304, Washington, D.C. 20006.
B. United Paperworkers International Union, 815 16th Street NW., Suite 304, Washington, D.C. 20006.

A. Richard O'Brecht, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. Coleman C. O'Brien, U.S. League of Savings Associations, 1709 New York Avenue NW., Suite 801, Washington, D.C. 20006.
B. United States League of Savings Associations, 111 East Wacker Drive, Chicago, Ill.
D. (6) $4,200. E. (9) $22.25.

A. John F. O'Brien Connecticut Petroleum Council, 410 Asylum Street, Hartford, Conn. 06103.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

A. Raymond V. O'Brien, ITT Corp., 1707 L Street NW., Washington, D.C. 20036.
B. International Telephone & Telegraph Corp., 320 Park Avenue, New York, N.Y. 10022.
D. (6) $1,200. E. (9) $80.

A. Rosemary L. O'Brien, 2550 M Street NW., Suite 640, Washington, D.C. 20037.
B. CF Industries, Inc., Salem Lake Drive, Long Grove, Ill. 60047.
D. (6) $500. E. (9) $248.20.

A. David S. O'Bryon, American Chiropractic Association, 1735 De Sales Street NW., Suite 600, Washington, D.C. 20036.
B. American Chiropractic Association, 1735 De Sales Street NW., Suite 600, Washington, D.C. 20036

A. Kathie O'Callaghan-Burson-Marsteller, 1800 M Street NW., Suite 750, South Washington, D.C. 20036.
B. National Oil Jobbers Council, 1707 H Street NW., Suite 1100, Washington, D.C. 20006.

A. G. H. Ochenrider, Grumman Aerospace Corp., 1000 Wilson Boulevard, Arlington, Va. 22209.
B. Grumman Aerospace Corp., Bethpage, N.Y. 11714.
D. (6) $2,500. E. (9) $1,013.

A. William B. O'Connell, 111 East Wacker Drive, Chicago, Ill. 60601.
B. United States League of Savings Associations, 111 East Wacker Drive, Chicago, Ill. 60601.
D. (6) $10,312. E. (9) $2,423.47.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. American Association of Advertising Agencies, 1899 L Street NW., Washington, D.C. 20036.
D. (6) $500.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. American Clinical Laboratory Association, 1919 Pennsylvania Avenue NW., Suite 800, Washington, D.C. 20006.
D. (6) $2,500.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. American Family Life Assurance Co., P.O. Box 1459, Columbus, Ga. 31902.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. American Invsco Corp., 120 South LaSalle Street, Chicago, Ill. 60603.
D. (6) $4,768.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. American Institute of Certified Public Accountants, 1620 Eye Street NW., Washington, D.C. 20006.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Automotive Parts & Accessories Association, 5100 Forbes Boulevard, Lanham, Md. 20801.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Blyth Eastman Paine Webber, 140 Broadway, New York, N.Y. 10005.
D. (6) $875.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. Charles River Breeding Laboratories, Inc., 251 Ballardvale Street, Wilmington, Mass. 01887.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. CKLW Radio Broadcasting, Ltd., 1640 Ouellette Avenue, Windsor, Ontario, Canada.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Commonwealth of Puerto Rico, 734 15th Street NW., Washington, D.C. 20005.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Deak National Bank, Fleischmanns, N.Y. 12430.
D. (6) $260.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. First National Monetary Corp., 4000 Town Center, Suite 1500, Southfield, Mich. 48075.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Glass Packaging Institute, 2000 L Street NW., Suite 815, Washington, D.C. 20036.
D. (6) $516.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Health Care Financing Study Group, New York, N.Y.
D. (6) $2,000.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Investment Company Institute, 1775 K Street NW., Washington, D.C. 20006.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Investors Diversified Services, Inc., Number 2900, IDS Tower, Minneapolis, Minn. 55402.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Kimberly-Clark Corp., 1000 Wilson Boulevard, Arlington, Va. 22209.
D. (6) $2,000.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. National Coal Consumers Alliance, 414 Nicollet Mall, Minneapolis, Minn. 55401.
D. (6) $2,604.37.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. National Committee for Quality Health Care, New York, N.Y.
D. (6) $3,000.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. National Community Action Foundation, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $7,000.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Neighborhood TV Company, Inc., 1835 K Street NW., Washington, D.C.
D. (6) $970.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Nennepin County, 2400 Government Center, Minneapolis, Minn. 55415.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. John Nuveen & Co., 209 South LaSalle Street, Chicago, Ill. 60604.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. J. C. Penney Company, Inc., 1156 15th Street NW., Washington, D.C. 20005.
D. (6) $1,330.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Pfizer, Inc., 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $2,500.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Joseph E. Seagram & Sons, Inc., 375 Park Avenue, New York, N.Y. 10152.
D. (6) $3,915.62.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Securities Industry Association, 490 L'Enfant Plaza East SW., Washington, D.C. 20024.
D. (6) $ 10,089.20.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. TELE-CAUSE, 1200 18th Street NW., Washington, D.C. 20036.
D. (6) $6,250.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Transport Mutual Services, Inc., Two Broadway, New York, N.Y. 10004.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. The United Kingdom Mutual Steam Ship Assurance Association (Bermuda) Ltd., Mercury House, Front Street, P.O. Box 665, Hamilton 5, Bermuda.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. The West of England Ship Owners Mutual Protection and Indemnity Association (Luxembourg), 33 Boulevard Prince Henri, Luxembourg.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Westinghouse Electric Corp., 1801 K Street NW., Washington, D.C. 20006.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Wine & Spirits Wholesalers of America, 2033 M Street NW., Washington, D.C. 20036.
D. (6) $1,000.

A. Leonard F. O'Connor, The First National Bank of Boston, 100 Federal Street, Boston, Mass. 02110.
B. The First National Bank of Boston, 100 Federal Street, Boston, Mass. 02110.

A. Patrick C. O'Connor, Kent & O'Connor, Inc., 1919 Pennsylvania Avenue NW., Suite 300, Washington, D.C. 20006.
B. American Supply Association, 221 North LaSalle Street, Chicago, Ill. 60601.
D. (6) $3,355. E. (9) $596.86.

A. Patrick C. O'Connor, Kent & O'Connor, Inc., 1919 Pennsylvania Avenue NW., Suite 300, Washington, D.C. 20006.
B. American Warehousemen's Association, 1165 North Clark, Chicago, Ill. 60610.
D. (6) $1,076.87. E. (9) $363.05.

A. Patrick C. O'Connor, Kent & O'Connor, Inc., 1919 Pennsylvania Avenue NW., Suite 300, Washington, D.C. 20006.
B. Seniorcenters of America, 2640 Peerless Road NW., Cleveland, Tenn. 37311.
D. (6) $3,280. E. (9) $719.15.

A. Thomas A. O'Day, Alliance of American Insurers, 1110 Vermont Avenue NW., Washington, D.C. 20005.
B. Alliance of American Insurers, 20 North Wacker Drive, Chicago, Ill. 60606.
D. (6) $300. E. (9) $153.50.

A. T. J. Oden, National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $4,500.

A. Ashton J. O'Donnell, 89 Fair Oaks Lane, Atherton, Calif. 94025.
B. Bechtel National, Inc., 50 Beale Street, P.O. Box 3965, San Francisco, Calif. 94119.

A. Bradford C. Oelman, Owens-Corning Fiberglas Corp., 900 17th Street NW., Washington, D.C. 20006.
B. Owens-Corning Fiberglas Corp., Fiberglas Tower, Toledo, Ohio 43659.

A. Neil H. Offen, 1730 M Street NW., Washington, D.C.
B. Direct Selling Association, 1730 M Street NW., Washington, D.C. 20036.

A. Jane O'Grady, 815 16th Street NW., Washington, D.C. 20006.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $15,407.70. E. (9) $139.73.

A. Barbara E. O'Hara, American Society of Travel Agents, Inc., 1300 19th Street NW., Washington, D.C. 20036.
B. American Society of Travel Agents, Inc., 711 Fifth Avenue, New York, N.Y. 10022.
D. (6) $75.

A. Bartley O'Hara, 25 Louisiana Avenue NW., Washington, D.C. 20001.
B. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C. 20001.
D. (6) $11,095.54.

A. Matthew D. O'Hara, General Mills, Inc., 1200 New Hampshire Avenue NW., Suite 370, Washington, D.C. 20036.
B. General Mills, Inc., P.O. Box 1113, Minneapolis, Minn. 55440.
D. (6) $95.

A. Harold E. O'Kelley, 7900 Callaghan Road, San Antonio, Tex. 78229.
B. Datapoint Corp., 9725 Datapoint Drive, San Antonio, Tex. 78284.
E. (9) $27,167.83.

A. Alice O'Leary, P.O. Box 23691, Washington, D.C. 20024.
B. Alliance for Cannabis Therapeutics, P.O. Box 23691, Washington, D.C. 20024.
D. (6) $873.40.

A. Kathleen O'Leary, Columbia Gas Distribution Cos., 1625 I Street NW., Room 301, Washington, D.C. 20006.
B. Columbia Gas Distribution Cos., 99 North Front Street, Columbus, Ohio 43215.
D. (6) $3,500. E. (9) $88.32.

A. R. Q. Old & Associates, Inc., 205 The Strand, Alexandria, Va. 22314.
B. General Electric Co., P.O. Box 2444, Daytona, Fla. 32015.
D. (6) $250.

A. R. Q. Old & Associates, Inc., 205 The Strand, Alexandria, Va. 22314.

B. Gould, Inc., 1745 Jefferson Davis Highway, No. 405, Arlington, Va. 22202.
D. (6) $220.

A. R. Q. Old & Associates, Inc., 205 The Strand, Alexandria, Va. 22314.
B. Grumman Aerospace Corp., 1600 Wilson Boulevard, Arlington, Va. 22209.
D. (6) $220.

A. R. Q. Old & Associates, Inc., 205 The Strand, Alexandria, Va. 22314.
B. Hughes Aircraft Co., 1515 Wilson Boulevard, Arlington, Va. 22209.

A. R. Q. Old & Associates, Inc., 205 The Strand, Alexandria, Va. 22314.
B. Sperry Division, 1725 South Jefferson Davis Highway, No. 401, Arlington, Va. 22202.
D. (6) $220.

A. Alvin E. Oliver, 725 15th Street NW., Washington, D.C. 20005.
B. National Grain & Feed Association, P.O. Box 28328, Washington, D.C. 20005.

A. Dennis M. Olsen, 485 E Street, Idaho Falls, Idaho 83402.
B. Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo. 63166.

A. Dennis M. Olsen, 485 E Street, Idaho Falls, Idaho 83402.
B. State Farm Fire & Casualty Co., 4600 25th Avenue NE., Salem, Oreg. 97330.

A. Dennis M. Olsen, 485 E Street, Idaho Falls, Idaho 83402.
B. State Farm Mutual Automobile Insurance Co., 4600 25th Avenue NE., Salem, Oreg. 97330.

A. Charles E. Olson, National Education Association, 1201 16th Street NW., Washington, D.C. 20036.
B. National Education Association, 1201 16th Street NW., Washington, D.C. 20036.
D. (6) $3,769.60. E. (9) $189.

A. Nancy J. Olson, Johns-Manville Corp., 1025 Connecticut Avenue NW., No. 214, Washington, D.C. 20036.
B. Johns-Manville Corp., P.O. Box 5108, Denver, Colo. 80217.
D. (6) $400.

A. Roy E. Olson, 260 Madison Avenue, New York, N.Y. 10016.
B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y. 10016.

A. Donald K. O'Neill, TRW, Inc., 1000 Wilson Boulevard, Suite 2600, Arlington, Va. 22209.
B. TRW, Inc., 23555 Euclid Avenue, Cleveland, Ohio 44117.
D. (6) $1,000.

A. O'Neill & Haase, P.C., 1333 New Hampshire Avenue NW., Suite 1110, Washington, D.C. 20036.
B. Allegheny County, 119 Courthouse, Room 101, Pittsburgh, Pa. 15219.

A. O'Neill & Haase, P.C., 1333 New Hampshire Avenue NW., Suite 1110, Washington, D.C. 20036.
B. Chicago Board of Trade Clearing Corp., 141 West Jackson, Chicago, Ill. 60604.

A. O'Neill & Haase, P.C., 1333 New Hampshire Avenue NW., Suite 1110, Washington, D.C. 20036.
B. Chris-Craft Industries, Inc., 600 Madison Avenue, New York, N.Y. 10022.

A. O'Neill & Haase, P.C., 1333 New Hampshire Avenue NW., Suite 1110, Washington, D.C. 20036.
B. Commercial Union Assurance Co., One Beacon Street, Boston, Mass. 02108.

A. O'Neill & Haase, P.C., 1333 New Hampshire Avenue NW., Suite 1110, Washington, D.C. 20036.
B. Holly Corp., 2001 Bryan Tower, Dallas, Tex. 75201.

A. O'Neill & Haase, P.C., 1333 New Hampshire Avenue NW., Suite 1110, Washington, D.C. 20036.
B. Houston Natural Gas Corp., 1700 North Moore Street, Suite 919, Arlington, Va. 22209.

A. O'Neill & Haase, P.C., 1333 New Hampshire Avenue NW., Suite 1110, Washington, D.C. 20036.
B. Mahoning Valley Economic Development Corp., 3200 Belmont Avenue, Youngstown, Ohio 44505.

A. O'Neill & Haase, P.C., 1333 New Hampshire Avenue NW., Suite 1110, Washington, D.C. 20036.
B. Massachusetts Hospital Association, One Boston Place, Suite 1820, Boston, Mass. 02108.

A. O'Neill & Haase, P.C., 1333 New Hampshire Avenue NW., Suite 1110, Washington, D.C. 20036.
B. Santarelli & Gimer, 2033 M Street NW., Washington, D.C. 20036.

A. O'Neill & Haase, P.C., 1333 New Hampshire Avenue NW., Suite 1110, Washington, D.C. 20036.
B. Texas Utilities Services, Inc., 2001 Bryan Tower, Dallas, Tex. 75201.

A. O'Neill & Haase, P.C., 1333 New Hampshire Avenue NW., Suite 1110, Washington, D.C. 20036.
B. The Western Union Telegraph Co., Suite 1001, 1828 L Street NW., Washington, D.C. 20036.

A. O'Neill & Haase, P.C., 1333 New Hampshire Avenue NW., Suite 1110, Washington, D.C. 20036.
B. Westinghouse Electric Corp., 1801 K Street NW., Washington, D.C. 20006.

A. Philip C. Onstad, Control Data Corp., 500 West Putnam Avenue, Greenwich, Conn. 06830.
B. Control Data Corp., 500 West Putnam Avenue, Greenwich, Conn. 06830.
D. (6) $50. E. (9) $325.74.

A. Michael Orban, American Express, 1700 K Street NW., Suite 702, Washington, D.C. 20006.
B. American Express Co., American Express Plaza, New York, N.Y. 10004.

A. Organization for the Protection and Advancement of Small Telephone Companies, 1200 New Hampshire Avenue NW., Suite 320, Washington, D.C. 20036.
B. Organization for the Protection and Advancement of Small Telephone Companies, 1200 New Hampshire Avenue NW., Suite 320, Washington, D.C. 20036.
E. (9) $229.49.

A. Abraham Orlofsky, 1016 16th Street NW., Washington, D.C.
B. National Federation of Federal Employees, 1016 16th Street NW., Washington, D.C. 20036.
D. (6) $946.92.

A. Elvira Orly, 1111 19th Street NW., Washington, D.C. 20036.
B. Edison Electric Institute, 1111 19th Street NW., Washington, D.C. 20036.
D. (6) $1,187.50. E. (9) $342.58.

A. J. Denis O'Toole, American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $1,020.

A. M. Diane O'Toole, 1000 Wilson Boulevard, Suite 2300, Arlington, Va. 22209.
B. Northrop Corp., 1000 Wilson Boulevard, Suite 2300, Arlington, Va. 22209.
E. (9) $2,392.04.

A. Stephen E. O'Toole, General Motors Corp., 1660 L Street NW., Washington, D.C. 20036.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich. 48202.
D. (6) $3,000. E. (9) $2,541.10.

A. Roland A. Ouellette, General Motors Corp., 1660 L Street NW., Washington, D.C. 20036.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich. 48202.
D. (6) $3,600. E. (9) $3,076.57.

A. Cliff Ouse, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Rural Electric Cooperative Association, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $37.50.

A. Joseph A. Overton III, TRW, Inc., 1000 Wilson Boulevard, Suite 2600, Arlington, Va. 22209.
B. TRW Inc., 23555 Euclid Avenue, Cleveland, Ohio 44117.
D. (6) $1,000.

A. Thomas J. Owens, P.O. Box 12266, Seattle, Wash. 98102.
B. Dollar Savings, Fourth and Springfield, Pittsburgh, Pa. 15230. Washington Mutual Savings Bank, P.O. Box 834, Seattle, Wash. 98111.
D. (6) $13,650. E. $5,652.67.

A. William H. Owens, Jr., 1101 17th Street NW., Suite 1004, Washington, D.C. 20036.
B. American Dental Association, 1101 17th Street NW., Suite 1004, Washington, D.C. 20036.
D. (6) $1,000.

A. W. D. Page, American Plywood Association, 1581 Phoenix Boulevard, No. 6, Atlanta, Ga. 30349.
B. American Plywood Association, P.O. Box 11700, Tacoma, Wash. 98411.

A. Steven J. Paggioli, Investment Co. Institute, 1775 K Street NW., Washington, D.C. 20006.
B. Investment Co., Institute, 1775 K Street NW., Washington, D.C. 20006.
D. (6) $44. E. (9) $37.67.

A. Geri D. Palast, 2020 K Street NW., Washington, D.C. 20006.
B. Service Employees International Union, AFL-CIO, CLC, 2020 K Street NW., Suite 200, Washington, D.C. 20006.
D. (6) $5,000. E. (9) $124.25.

A. Henry S. Paula, The Retired Officers Association, 201 North Washington, Alexandria, Va. 22314.
B. The Retired Officers Association, 201 North Washington Street, Alexandria, Va. 22314.
D. (6) $822.

A. Diane M. Palmer, 1200 Northwestern Bank Building, Minneapolis, Minn. 55480.

B. Northwest Bancorporation, 1200 Northwestern Bank Building, Minneapolis, Minn. 55480.
D. (6) $100.

A. John N. Pannullo, National Utility Contractors Association, 1235 Jefferson Davis Highway, Suite 606, Arlington, Va. 22202.
B. National Utility Contractors Association, 1235 Jefferson Davis Highway, Suite 606, Arlington, Va. 22202.
E. (9) $1,611.08.

A. Fred Panzer, The Tobacco Institute, 1875 I Street NW., Suite 800, Washington, D.C. 20006.
B. The Tobacco Institute, 1875 I Street NW., Suite 800, Washington, D.C. 20006.
D. (6) $250. E. (9) $25.

A. Paperboard Packaging Council, 1800 K Street NW., No. 600, Washington, D.C. 20006.

A. G. Oliver Papps, N.J. Petroleum Council, 170 West State Street, Trenton, N.J. 08608.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $243. E. (9) $242.27.

A. Herschell E. Parent, Arkansas Petroleum Council, 302 Commercial National Bank, Little Rock, Ark. 72201.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

A. Ann L. Parenteau, National Association of Federal Credit Unions, 1111 North 19th Street, Suite 700, Arlington, Va. 22209.
B. National Association of Federal Credit Unions, 1111 North 19th Street, Suite 700, Arlington, Va. 22209.

A. Nancy L. Parke, Lone Star Industries, Inc., 1919 Pennsylvania Avenue NW., Suite 300, Washington, D.C. 20006.
B. Lone Star Industries, Inc., One Greenwich Plaza, Greenwich, Conn. 06830.
D. (6) $600. E. (9) $200.

A. John N. Parker, Mobil Oil Corp., 1100 Connecticut Avenue NW., Suite 620, Washington, D.C. 20036.
B. Mobil Oil Corp., 159 East 42d Street, New York, N.Y. 10017.
D. (6) $375.

A. Kimberly C. Parker, American Federation of Government Employees, 1325 Massachusetts Avenue NW., Washington, D.C. 20005.
B. American Federation of Government Employees, 1325 Massachusetts Avenue NW., Washington, D.C. 20005.
D. (6) $6,288.80. E. (9) $56.65.

Ken Parmelee, 1155 15th Street NW., Suite 611, Washington, D.C. 20005.
B. Ethyl Corp., 1155 15th Street NW., Suite 611, Washington, D.C. 20005.
D. (6) $2,000.

A. Tom E. Paro, Association of Maximum Service Telecasters, Inc., 1735 DeSales Street NW., Washington, D.C. 20036.
B. Association of Maximum Service Telecasters, Inc., 1735 DeSales Street NW., Washington, D.C. 20036.
D. (6) $205.

A. Parrish & Chambers, Inc., 1300 North 17th Street, Suite 1510, Arlington, Va. 22209.
B. Aerospatiale Helicopter Corp., 2701 Forum Drive, Grand Prairie, Tex. 75051.
D. (6) $11,130. E. (9) $2,812.78.

A. Parrish & Chambers, Inc., 1300 North 17th Street, Suite 1510, Arlington, Va. 22209.
B. Bangor & Aroostook Railroad, Northern Maine Junction, Bangor, Maine 04401.
D. (6) $3,600. E. (9) $2,759.01.

A. Parrish & Chambers, Inc., 1300 North 17th Street, Suite 1510, Arlington, Va. 22209.
B. Boston & Maine Railroad, Iron Horse Park, North Billerica, Mass. 01862.
D. (6) $4,749.99. E. (9) $3,326.21.

A. Parrish & Chambers, Inc., 1300 North 17th Street, Suite 1510, Arlington, Va. 22209.
B. Chicago & North Western Transportation Co., One North Western Center, 165 North Canal Street, Chicago, Ill. 60606.
D. (6) $14,000. E. (9) $2,847.16.

A. Parrish & Chambers, Inc., 1300 North 17th Street, Suite 1510, Arlington, Va. 22209.
B. Delaware Otsego System, One Railroad Avenue, Cooperstown, N.Y.
D. (6) $4,200. E. (9) $2,822.72.

A. Parrish & Chambers, Inc., 1300 North 17th Street, Suite 1510, Arlington, Va. 22209.
B. Lehigh Valley Estate, 415 Brighton, Bethlehem, Pa. 18015.
D. (6) $7,500. E. (9) $2,759.01.

A. Parrish & Chambers, Inc., 1300 North 17th Street, Suite 1510, Arlington, Va. 22209.
B. Oy Wartsila Ab, Helsinki Shipyard, P.O. Box 132, SF-00151, Helsinki 15, Finland.
D. (6) $50,218.54. E. (9) $2,825.56.

A. Parrish & Chambers, Inc., 1300 North 17th Street, Suite 1510, Arlington, Va. 22209.
B. Pittsburg & Shawmut, R.D. No. 2, Middle Street, Brookville, Pa. 15825.
D. (6) $2,100. E. (9) $2,759.01.

A. Linda K. Parson, 1660 L Street NW., Suite 207, Washington, D.C. 20036.
B. Cities Service Co., 1660 L Street NW., Suite 207, Washington, D.C. 20036.
D. (6) $72.

A. Jack Partridge, 1014 Vine Street, Cincinnati, Ohio 45201.
B. The Kroger Co., 1014 Vine Street, Cincinnati, Ohio 45201.
D. (6) $1,500. E. (9) $503.66.

A. Robert D. Partridge, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Rural Electric Cooperative Association, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $1,353.

A. Alan K. Parver, 1050 17th Street NW., Suite 770, Washington, D.C. 20036.
B. American Association of Homes for the Aging, 1050 17th Street NW., Suite 770, Washington, D.C. 20036.
D. (6) $840. E. (9) $25.

A. Richard M. Patterson, Dow Chemical Co., 1800 M Street NW., Suite 700 South, Washington, D.C. 20036.
B. The Dow Chemical Co., Midland, Mich. 48640.
D. (6) $500. E. (9) $239.50.

A. Thomas Patterson, National Cable Television Association, Inc., 1724 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Cable Television Association, Inc., 1724 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $231.

A. William H. Patterson, General Electric Co., 777 14th Street NW., Washington, D.C.
B. General Electric Co., 3135 Easton Turnpike, Fairfield, Conn.
D. (6) $220.

A. Kenton H. Pattie, National Audio-Visual Association, Inc., 3150 Spring Street, Fairfax, Va. 22031.
B. National Audio-Visual Association, 3150 Spring Street, Fairfax, Va. 22031.
D. (6) $2,922.

A. David J. Pattison, 1750 K Street NW., Washington, D.C. 20006.
B. Health Insurance Association of American, Inc., 1750 K Street NW., Washington, D.C. 20006; 919 Third Avenue, New York, N.Y.; 332 South Michigan Avenue, Chicago, Ill.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Alaska Housing Financial Corp., P.O. Box 1020, Anchorage, Alaska 99510.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 30037.
B. American Congress of Surveyors & Mappers, 210 Little Falls Street, Falls Church, Va. 22046.
D. (6) $5,960. E. (9) $267.35.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. American International Automobile Dealers Association, 1220 19th Street NW., Washington, D.C. 20036.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. American Maritime Association, 1612 K Street NW., Washington, D.C. 20006.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. American Movers Conference, 1117 North 19th Street, Arlington, Va. 22209.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. American Retail Federation, 1616 H Street NW., Washington, D.C. 20006.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. American Society of Association Executives, 1575 I Street NW., Washington, D.C. 20005.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Armco Inc., Middletown, Ohio 45052.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Bath Iron Works Corp., 700 Washington Street, Bath, Maine 04530.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Burlington Industries, Inc., 1800 M Street NW., 760 South Suite, Washington, D.C. 20036.
D. (6) $8,590. E. (9) $12.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. The Business Roundtable, 1801 K Street NW., Washington, D.C. 20006.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. California Westside Farmers, 9555 L'Enfant Plaza North, SW., Room 1101, Washington, D.C. 20024.
D. (6) $2,470. E. (9) $11.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.

B. Callery-Judge Grove, 612 Comeau Building, West Palm Beach, Fla. 33401.
D. (6) $2,207.50. E. (9) $50.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Cargill, Inc., No. 26, Box 9300, Minneapolis, Minn. 55440.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Castle & Cooke, Inc., P.O. Box 3928, San Francisco, Calif. 94119.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Central American Sugar Council, 2550 M Street NW., Washington, D.C. 20037.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Chrysler Corp., P.O. Box 1919, Detroit, Mich. 48288.
D. (6) $1,680. E. (9) $428.95.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. City of Birmingham, City Hall, Birmingham, Ala. 35203.
D. (6) $285.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Conoco, Inc., 1025 Connecticut Avenue, Washington, D.C. 20036.
D. (6) $14,695. E. (9) $214.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Council of State Chambers of Commerce, 1028 Connecticut Avenue NW., Suite 1018, Washington, D.C. 20036.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Donaldson, Lufkin & Jenrette, Inc., 140 Broadway, New York, N.Y. 10005.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Dredging Industry Size Standards Committee, 2550 M Street NW., Washington, D.C. 20037.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. E.G.G. Industries, 45 William Street, Wellesley, Mass.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. General Mills, Inc., P.O. Box 1113, Minneapolis, Minn. 55440.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Great Atlantic & Pacific Tea Co., Inc., No. 2 Paragon Drive, Montvale, N.J. 07645.
D. (6) $2,297. E. (9) $20.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Hobby Industry of America, 319 East 54th Street, Elmwood, N.J. 07407.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Institute of Scrap Iron & Steel, Inc., 1627 K Street NW., Washington, D.C. 20006.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. International Congeneration Society, 1111 19th Street NW., Washington, D.C. 20036.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Lasco Shipping Co., 3200 Northwest Yeon Avenue, Portland, Oreg. 97210.
D. (6) $465. E. (9) $3.50.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Lee Way Motor Freight, Inc., 300 West Reno, Oklahoma City, Okla. 73108.
D. (6) $292.50. E. (9) $50.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Litton Industries, Inc., 360 North Crescent Drive, Beverly Hills, Calif. 90210.
D. (6) $675. E. (9) $300.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. LOOP, Inc., 1010 Common Street, 250 Bank of New Orleans Building, New Orleans, La. 70112.
D. (6) $640.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Los Angeles Olympic Commemorative Coin Committee, 1 Rockefeller Center, New York, N.Y. 10200.
D. (6) $5,960. E. (9) $328.75.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Los Angeles Olympic Organizing Committee, 10100 Santa Monica Boulevard, Los Angeles, Calif. 90067.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Loss Reserve Deduction Committee, 205 East 42d Street, New York, N.Y. 10017.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Louisiana Pacific Corp., 1300 SW Fifth Avenue, Portland, Oreg. 97201.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. M & M Plastics, P.O. Box 6134, 41 South Creek Road, Chattanooga, Tenn. 37406.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Mars, Inc., 1651 Old Meadow Road, McLean, Va. 22101.
D. (6) $9,975. E. (9) $414.16.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. MCI Telecommunications, Inc., 1133 19th Street NW., Washington, D.C. 20036.
D. (6) $13,740. E. (9) $85.75.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Mocatta Metals Corp., 35 Broad Street, New York, N.Y. 10004.
D. (6) $1,285. E. (9) $135.25.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Montgomery Ward Co., Inc., 619 W. Chicago Avenue, Chicago, Ill. 60671.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Multi Mineral Corp., 330 North Belt East, Houston, Tex. 77060.
D. (6) $4,605. E. (9) $8.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
D. (6) $330. E. (9) $10.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. National Association of Small Business Investment Companies, 618 Washington Building, 1435 G Street NW., Washington, D.C. 20005.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. National Cable Television Association, 724 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $22,290. E. (9) $31.15.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. National Marine Manufacturers Association, 401 Michigan Avenue, Chicago, Ill. 60601.
D. (6) $1,650. E. (9) $35.35.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. The National Multi-Housing Council, 1800 M Street NW., Washington, D.C. 20036.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 22037.
B. National Soft Drink Association, 1101 16th Street NW., Washington, D.C. 20036.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Northwest Energy Corp., 315 East 200 South Salt Lake City, Utah 84111.
D. (6) $700.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Ocean Minerals Co., 465 North Bernardo, Mountain View, Calif. 94040.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Options Clearing Corp., 233 South Wacker Drive, Room 5950, Chicago, Ill. 60605.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. OSG Bulk Ships, Inc., 1114 Avenue of the Americas, New York, N.Y. 10036.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Penn Central Corporation, 2021 K Street NW., Washington, D.C. 20006.
D. (6) $17,100. E. (9) $105.25.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Pepsico, Inc., Purchase, N.Y. 10577.
D. (6) $897.50. E. (9) $100.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Jack Philip & Son, Inc., 724 Dupont Plaza Center, Miami, Fla. 33131.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. The Pillsbury Co., 608 Second Avenue South, Minneapolis, Minn. 55402.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Ralston Purina Co., Checkerboard Square, St. Louis, Mo. 63188.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Reader's Digest Association, Inc., Pleasantville, N.Y. 10570.
D. (6) $1,000.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Redwood Industry Park Committee, 2750 Sand Hill Road, Menlo Park, Calif. 94025.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.

B. Retail Tax Committee, 2550 M Street NW., Washington, D.C. 20037.
D. (6) $14,105. E. (9) $850.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. St. Joe Minerals, 1730 Rhode Island Avenue NW., Washington, D.C. 20005.
D. (6) $737.50.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Sheridan-Kalorama Neighborhood Council, c/o Samuel Scrivner, Jr., 2543 Waterside Drive NW., Washington, D.C. 20008.
D. (6) $1,600. E. (9) $71.80.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Shipbuilders' Council of America, 600 New Hampshire Avenue NW., Washington, D.C. 20037.
D. (6) $950.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. SSIE Council to Protect Earned Employment Rights, Smithsonian Science Information Exchange, 1730 M Street NW., Washington, D.C. 20037.
D. (6) $112.50. E. (9) $10.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. State of Alaska, Suite 345, 444 North Capitol Street, Washington, D.C. 20001.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. State of Louisiana, Department of Conservation, P.O. Box 44275, Baton Rouge, La. 70804.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Sultanate of Oman, 2550 M Street NW., Suite 800, Washington, D.C. 20037.
D. (6) $6,650.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Union Pacific Corp., 345 Park Avenue, New York, N.Y.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. U.S. Industries, Inc., 250 Park Avenue, New York, N.Y. 10017.
D. (6) $2,660.

A. Patton, Boggs, & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. U.S. Lines, 27 Commerce Drive, Cranford, N.J. 07016.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Western Union Telegraph Co., Suite 1101, 1826 L Street NW., Washington, D.C. 20036.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Weyerhauser Co., Tacoma, Wash. 98477.
D. (6) $292.50. E. (9) $20.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Wilshire Oil Co. of Texas, 250 Park Avenue, New York, N.Y. 10017.
D. (6) $1,330.

A. Andrew R. Paul, 600 New Hampshire Avenue NW., Suite 920, Washington, D.C. 20037.
B. Gulf & Western Management Co., 600 New Hampshire Avenue NW., Suite 920, Washington, D.C. 20037.
D. (6) $1,250. E. (9) $200.11.

A. Paul, Hastings, Janofsky & Walker, 1050 Thomas Jefferson Street NW., 6th Floor, Washington, D.C. 20007.
B. Best Employer's Association, 4201 Birch Street, Newport Beach, Calif. 90226.

A. Paul, Hastings, Janofsky & Walker, 1050 Thomas Jefferson Street NW., 6th Floor, Washington, D.C. 20007.
B. Capital Oil Co., 650 Independence Avenue SE., Washington, D.C. 20003.

A. Paul, Hastings, Janofsky & Walker, 1050 Thomas Jefferson Street NW., 6th Floor, Washington, D.C. 20007.
B. Council of Active Independent Oil and Gas Producers, 650 Independence Avenue SE., Washington, D.C. 20003.

A. Paul, Hastings, Janofsky & Walker, 1050 Thomas Jefferson Street NW., 6th Floor, Washington, D.C. 20007.
B. ENSERCH Corp., 1025 Connecticut Avenue NW., Suite 1014, Washington, D.C. 20036.
D. (6) $3,000.

A. Beth Peacock, 1707 L Street NW., Suite 950, Washington, D.C. 20036.
B. General Foods Corp., 1707 L Street NW., Suite 950, Washington, D.C. 20036.
D. (6) $1,765.

A. William E. Peacock, 8000 W. Florissant, St. Louis, Mo. 63136.
B. Emerson Electric Co., 8000 W. Florissant, St. Louis, Mo. 63136.

A. Frank Pecquex, Seafarers International Union, Suite 510, 815 16th Street NW., Washington, D.C. 20006.
B. Seafarers International Union, 815 16th Street NW., Suite 510, Washington, D.C. 20006.
D. (6) $3,000. E. (9) $206.

A. James M. Peirce, 1016 16th Street NW., Washington, D.C.
B. National Federation of Federal Employees, 1016 16th Street NW., Washington, D.C. 20036.
D. (6) $1,436.76.

A. Humberto R. Pena, Bristol-Myers Co., 1155 15th Street NW., No. 502, Washington, D.C. 20005.
B. Bristol-Myers Co., 345 Park Avenue, New York, N.Y. 10154.
D. (6) $500.

A. Pennsylvania Power & Light Co., Two North 9th Street, Allentown, Pa. 18101.
E. (9) $2,256.95.

A. Don Penny, Warner Communications, Inc., 1776 K Street NW., 701, Washington, D.C. 20006.
B. Warner Communications Inc., 75 Rockefeller Plaza, New York, N.Y. 10019.
D. (6) $7,500. E. (9) $8,190.10.

A. PenRon Corp.

A. Dominic V. Pensabene, 1700 K Street NW., Washington, D.C. 20006.
B. Chevron U.S.A., Inc., 1700 K Street NW., Washington, D.C. 20006.
D. (6) $1,000.

A. Gregory M. Pensabene, Santa Fe Industries, Inc., Suite 840, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Santa Fe Industries, Inc., 224 South Michigan Avenue, Chicago, Ill. 60604.
D. (6) $1,405.

A. Pension Rights Center, Room 1019, 1346 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $2,546. E. (9) $3,325.58.

A. Pepper & Corazzini, 1776 K Street NW., Washington, D.C. 20006.
B. Southern Satellite Systems, Inc., P.O. Box 45684, Tulsa, Okla. 74145.
D. (6) $1,167.50. E. (9) $280.

A. Pepper, Hamilton & Scheetz, 1776 F Street NW., Suite 200, Washington, D.C. 20006.
E. (9) $155.

A. Pepper, Hamilton & Scheetz, 1776 F Street NW., Washington, D.C. 20006.
B. Alarm Device Manufacturing Co., 165 Eileen Way, Syosset, N.Y. 11791.

A. Pepper, Hamilton & Scheetz, 1776 F Street NW., Washington, D.C. 20006.
B. Alarm Industry Telecommunications Committee of the Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $135.

A. Pepper, Hamilton & Scheetz, 1776 F Street NW., Washington, D.C. 20006.
B. The Glenmede Trust Co., 222 South 18th Street, Philadelphia, Pa. 19103.

A. Pepper, Hamilton & Scheetz, 1776 F Street NW., Washington, D.C. 20006.
B. Harris Corp., Melbourne, Fla. 32919.

A. Pepper, Hamilton & Scheetz, 1776 F Street NW., Washington, D.C. 20006.
B. Millicom Inc., Suite 5500, 153 53d Street, New York, N.Y. 10022.

A. Pepper, Hamilton & Scheetz, 1776 F Street NW., Washington, D.C. 20006.
B. National Association of Retail Druggists, 1750 K Street NW., Washington, D.C. 20006.

A. Pepper, Hamilton & Scheetz, 1776 F Street NW., Washington, D.C. 20006.
B. National Public Radio, 2025 M Street NW., Washington, D.C. 20036.

A. Pepper, Hamilton & Scheetz, 1776 F Street NW., Washington, D.C. 20006.
B. Russian Travel Bureau, 20 East 46th Street, New York, N.Y. 10017.

A. Pepper, Hamilton & Scheetz, 1776 F Street NW., Washington, D.C. 20006.
B. Sun Shipbuilding, Foot of Morton Avenue, Chester, Pa. 19113.
D. (6) $1,093.75. E. (9) $61.65.

A. Pepper, Hamilton & Scheetz, 1776 F Street NW., Suite 200, Washington, D.C. 20006.
B. TRT Telecommunications Corp., 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $232.50.

A. PepsiCo, Inc., 700 Anderson Hill Road, Purchase, N.Y. 10577.
E. (9) $1,413.03.

A. Barbara K. Pequet, 1921 Kalorama Road NW., No. 103, Washington, D.C. 20001.
B. National Consumers League, 1522 K Street NW., No. 406, Washington, D.C. 20005.
D. (6) $3,100. E. (9) $30.

A. Elinor Peretsman, 55 Tain Drive, Great Neck, N.Y. 11021.
B. United Action for Animals, Inc., 205 East 42d Street, New York, N.Y. 10017.
D. (6) $950. E. (9) $709.21.

A. Perito, Duerk, Carlson & Pinco, P.C., 1140 Connecticut Avenue NW., Suite 400, Washington, D.C. 20035.

B. Advanced Health Systems, Inc., 17861 Cartwright Road, Irvine, Calif. 92714.
D. (6) $5,000. E. (9) $140.

A. Perito, Duerk, Carlson & Pinco, P.C., Suite 400, 1140 Connecticut Avenue NW., Washington, D.C. 20036.
B. Society of Real Estate Appraisers, 645 North Michigan Avenue, Chicago, Ill. 60611.
D. (6) $135.

A. Tony Perkins, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Rural Electric Cooperative Association, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $50.

A. Gary J. Perkinson, Beneficial Management Corp. of America, 1700 North Moore Street, 1925 Rosslyn Center Building, Arlington, Va. 22209.
B. Beneficial Management Corp. of America, 1330 Market Street, Wilmington, Del. 19899.

A. Jeffry L. Perlman, Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C. 20062.
B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C. 20062.
D. (6) $2,420. E. (9) $313.30.

A. John P. Perrin, American Osteopathic Association, 499 South Capitol Street SW., Suite 104, Washington, D.C. 20003.
B. American Osteopathic Association, 499 South Capitol Street SW., Suite 104, Washington, D.C. 20003.
D. (6) $2,847.20. E. (9) $164.10.

A. Susan Perry, American Bus Association, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bus Association, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $2,687.50. E. (9) $75.

A. John J. Pesch, 1000 Wilson Boulevard, Suite 2300, Arlington, Va. 22209.
B. Northrop Corp., 1000 Wilson Boulevard, Suite 2300, Arlington, Va. 22209.

A. Peterson, Engberg & Peterson, 1730 M Street NW., Washington, D.C. 20036.
B. Federated Research Corp., 421 7th Avenue, Pittsburgh, Pa. 15219.
D. (6) $8,780. E. (9) $243.24.

A. Kenneth Peterson, 815 16th Street NW., Washington, D.C. 20006.
B. American Federation of Labor and Congress of Industrial Organization, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $15,957.90. E. (9) $213.74.

A. Mary B. Peterson, General Motors Corp., 1660 L Street NW., Washington, D.C. 20036.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich. 48202.
D. (6) $3,000. E. (9) $2,450.98.

A. Russell W. Peterson, National Audubon Society, 950 Third Avenue, New York, N.Y. 10022.
B. National Audubon Society, 950 Third Avenue, New York, N.Y. 10022.
D. (6) $1,000. E. (9) $790.

A. Joseph J. Petrillo, National Association of Aircraft and Communication Suppliers. Inc., 1625 K Street NW., Washington, D.C. 20006.
B. National Association of Aircraft and Communication Suppliers, Inc., 7360 Laurel Canyon Boulevard, North Hollywood, Calif. 91605.
E. (9) $4,571.16.

A. Michael J. Petrina, Jr., 1155 15th Street NW., Washington, D.C. 20005.
B. Pharmaceutical Manufacturers Association, 1155 15th Street NW., Washington, D.C. 20005.
D. (6) $4,000. E. (9) $91.75.

A. Paul F. Petrus, Mobil Oil Corp., 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y. 10017.
D. (6) $1,200.

A. John E. Pflieger, Time Inc., 888 16th Street NW., Washington, D.C. 20006.
B. Time Inc., Time & Life Building, Rockefeller Center, New York, N.Y. 10020.
D. (6) $1,700.

A. James R. Phalen, 1100 Connecticut Avenue NW., Suite 820, Washington, D.C. 20036.
B. MAPCO Inc., 1800 South Baltimore Avenue, Tulsa, Okla. 74119.
D. (6) $2,500. E. (9) $233.21.

A. Pharmaceutical Manufacturers Association, 1155 15th Street NW., Washington, D.C. 20005.
D. (6) $20,478.65. E. (9) $20,478.65.

A. Marshall A. Pharr, 6103 Adirondack, Amarillo, Tex. 79106.
B. Southwestern Public Service Co., P.O. Box 1261, Amarillo, Tex. 79170.
D. (6) $1,206. E. (9) $1,260.65.

A. John P. Philbin, Mobil Oil Corp., 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y. 10017.
D. (6) $1,500.

A. John D. Phillips, 1717 Massachusetts Avenue NW., Suite 503, Washington, D.C. 20036.
B. National Association of Independent Colleges and Universities, 1717 Massachusetts Avenue NW., Suite 503, Washington, D.C. 20036.
D. (6) $13,560. E. (9) $904.71.

A. Richard F. Phillips, Phillips Petroleum Co., 1825 K Street, NW., Suite 1107, Washington, D.C. 20006.
B. Phillips Petroleum Co., Bartlesville, Okla. 74004.

A. Susan L. Phillips, Industrial Union Department, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.
B. Industrial Union Department, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $2,313.85. E. (9) $69.20.

A. William G. Phillips, D.C. Associates, Inc., 402 Third Street SE., Washington, D.C. 20003.
B. Association of University Programs in Occupational Health & Safety, P.O. Box 20186, Houston, Tex. 77025.
D. (6) $6,000.

A. Phosphate Chemicals Export Association, Inc., 200 Park Avenue, New York, N.Y. 10166.
E. (9) $18,756.81.

A. Sam Pickard, Monsanto Co., 1101 17th Street NW., Washington, D.C. 20036.
B. Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo. 63166.
D. (6) $500. E. (9) $555.92.

A. Bill Pickens, 111 19th Street NW., Washington, D.C. 20036.
B. Edison Electric Institute, 1111 19th Street NW., Washington, D.C. 20036.
D. (6) $1,698. E. (9) $555.04.

A. W. D. Pickett, Brotherhood of Railroad Signalmen, 400 First Street NW., Washington, D.C. 20001.
B. Brotherhood of Railroad Signalmen, 601 West Golf Road, Box U, Mount Prospect, Ill. 60056.
D. (6) $350.

A. James Pickman, 1200 New Hampshire Avenue NW., Suite 320, Washington, D.C. 20036.
B. Campaign for Community-Based Economic Development, 734 15th Street, Suite 200, Washington, D.C. 20005.
D. (6) $15,070.25. E. (9) $2,629.79.

A. Mark M. Pierce, Standard Oil Co. (Ohio), 1050 17th Street NW., Suite 650, Washington, D.C. 20036.
B. The Standard Oil Co. (Ohio), Midland Building, Cleveland, Ohio 44115.

A. Pierson, Ball & Dowd, 1200 18th Street NW., Washington, D.C. 20036.
B. Dun & Bradstreet Corp., 299 Park Avenue, New York, N.Y. 10017.

A. Pierson, Ball & Dowd, 1200 18th Street NW., Washington, D.C. 20036.
B. General Tire & Rubber Co., One General Street Akron, Ohio. 44329

A. Pierson, Ball & Dowd, 1200 18th Street NW., Washington, D.C. 20036.
B. Independent Telecommunications Suppliers' Council, c/o Pierson, Ball & Dowd, 1200 18th Street NW., Washington, D.C. 20036.

A. Pierson, Ball & Dowd, 1200 18th Street NW., Washington, D.C. 20036.
B. Satellite Business Systems, 8283 Greensboro Drive, McLean, Va. 22102.
D. (6) $2,500.

A. Pierson, Ball & Dowd, 1200 18th Street NW., Washington, D.C. 20036.
B. Telecause, c/o Pierson, Ball & Dowd, 1200 18th Street NW., Washington, D.C. 20036.
D. (6) $25,000.

A. Pierson, Ball & Dowd, 1200 18th Street NW., Washington, D.C. 20036.
B. Turner Elementary School, Stanton and Alabama Avenue, SE., Washington, D.C.

A. Pierson Semmes Crolius & Finley, 1054 31st Street NW., Washington, D.C. 20007.
B. American Land Title Association (ALTA), 1828 L Street NW., Washington, D.C. 20036.
D. (6) $1,120. E. (9) $76.64.

A. Pierson Semmes Crolius & Finley, 1054 31st Street NW., Washington, D.C. 20007.
B. Edgington Oil Co., Inc., 2400 East Artesia Boulevard, Long Beach, Calif.

A. Pierson Semmes Crolius & Finley, 1054 31st Street NW., Washington, D.C. 20007.
B. Six Flags, Inc., 555 South Flower Street, 31st Floor, Los Angeles, Calif. 90071.
D. (6) $80. E. (9) $3.55.

A. Pilots Rights Association, P.O. Box 7000-367, Redondo Beach, Calif. 90277.
D. (6) $2,627.54. E. (9) $6,116.12.

A. Pitney Bowes, 69 Wheeler Drive, Stamford, Conn. 06926.

A. Ernest M. Pitt, Jr., P.O. Box 1264, Ashland, Ky. 41101.

B. Robert Lange, 8116 Bennington Drive, Knoxville, Tenn. 37919.
D. (6) $440. E. (9) $16.53.

A. Plains Cotton Growers, Inc., P.O. Box 3640, Lubbock, Tex. 79452.

A. Planned Parenthood Federation of America, Inc., 1220 19th Street NW., Suite 303, Washington, D.C. 20036.
D. (6) $4,434.70. E. (9) $5,766.96.

A. Ronald L. Plesser, Blum & Nash, 1015 18th Street NW., Suite 408, Washington, D.C. 20036.
B. Twin Coasts Newspaper, Inc., The Journal of Commerce, 110 Wall Street, New York, N.Y. 10005.

A. Richard J. Pollack, American Nurses' Association, 1030 15th Street NW., Washington, D.C. 20005.
B. American Nurses' Association, 2420 Pershing Road, Kansas City, Mo. 64108.
D. (6) $2,778.60. E. (9) $523.17.

A. Alfred M. Pollard, Security Pacific National Bank, 1901 L Street NW., Suite 702, Washington, D.C. 20036.
B. Security Pacific National Bank, 333 South Hope Street, Los Angeles, Calif. 90071.

A. Robert F. Pontzer, Lear Siegler, Inc., 1911 Jefferson Davis Highway, Suite 1002, Arlington, Va. 22202.
B. Lear Siegler, Inc., 3171 South Bundy Drive, Santa Monica, Calif. 90406.

A. Henry E. Poole, 9 West 57th Street, New York, N.Y. 10019.
B. Avon Products, Inc., 9 West 57th Street, New York, N.Y. 10019.

A. Raymond K. Pope, 1639 K Street NW., Suite 800, Washington, D.C. 20006.
B. Amfac, Inc., 50 O'Farrell Street, San Francisco, Calif. 94108.
D. (6) $3,145. E. (9) $242.

A. Population Resource Center, 622 Third Avenue, New York, N.Y. 10017.
D. (6) $1,969. E. (9) $9,714.

A. Paula D. Porpilia, American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $750. E. (9) $220.36.

A. Joan E. Porte, National Society of Professional Engineers, 2029 K Street NW., Washington, D.C. 20006.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C. 20006.
D. (6) $1,250.

A. Portman Properties, 1800 Peachtree Center South, 225 Peachtree Street NE., Atlanta, Ga. 30303.

A. Mary E. Post, American Personnel & Guidance Association, 5203 Leesburg Pike, Falls Church, Va. 22041.
B. American Personnel & Guidance Association, 5203 Leesburg Pike, Falls Church, Va. 22041.
D. (6) $5,326.20 E. (9) $62.91.

A. Alonzo M. Poteet, Veterans of Foreign Wars of the United States, 200 Maryland Avenue, Washington, D.C. 20002.
B. Veterans of Foreign Wars of the United States, 200 Maryland Avenue NW., Washington, D.C. 20002.
D. (6) $2,500.

A. Potter International, Inc., 900 17th Street NW., Suite 300, Washington, D.C. 20006.
B. Rockwell International, Inc., 600 Grant Street, Pittsburgh, Pa. 15219.
D. (6) $7,500.

A. Potter International, Inc., 900 17th Street NW., Suite 300, Washington, D.C. 20006.
B. Western Shipbuilding Association, P.O. Box 3976, San Francisco, Calif. 94119.
D. (6) $3,000.

A. Ramsay D. Potts, Shaw, Pittman, Potts & Trowbridge, 1800 M Street NW., Suite 900S, Washington, D.C. 20036.
B. Investment Company Institute, 1775 K Street NW., Washington, D.C. 20036.
D. (6) $600. E. (9) $2.35.

A. Michael M. Pousner, Calorie Control Council, 5775 Peachtree-Dunwoody Road, Suite 500-D, Atlanta, Ga. 30342.
B. The Robert H. Kellen Co., 5775 Peachtree-Dunwoody Road, Suite 500-D, Atlanta, Ga. 30342, (for Calorie Control Council), 5775 Peachtree-Dunwoody Road, Suite 500-D, Atlanta, Ga. 30342.

A. John M. Powderly, United Steelworkers of America, 815 16th Street NW., Suite 706, Washington, D.C. 20006.
B. United Steelworkers of America, Five Gateway Center, Pittsburgh, Pa. 15222.
D. (6) $9,223.81.

A. Powell, Goldstein, Frazer & Murphy, Suite 1050, 1110 Vermont Avenue NW., Washington, D.C. 20005.
B. Continental Employees' Association, Room G-283, 7300 World Way West, Los Angeles, Calif. 90009.

A. Powell, Goldstein, Frazer & Murphy, Suite 1050, 1110 Vermont Avenue NW., Washington, D.C. 20005.
B. Council of State Housing Agencies, 1133 15th Street NW., Washington, D.C. 20005.

A. Powell, Goldstein, Frazer & Murphy, Suite 1050, 1110 Vermont Avenue NW., Washington, D.C. 20005.
B. Dittler Brothers, Inc., P.O. Box 19833, Station N, Atlanta, Ga. 30325.

A. Powell, Goldstein, Frazer & Murphy, Suite 1050, 1110 Vermont Avenue NW., Washington, D.C. 20005.
B. Intergraph Corp., Post Office Box 5183, Huntsville, Ala. 35805.

A. Powell, Goldstein, Frazer & Murphy, Suite 1050, 1110 Vermont Avenue NW., Washington, D.C. 20005.
B. International Paper Co., 1620 Eye Street NW., Washington, D.C. 20006.

A. Powell, Goldstein, Frazer & Murphy, Suite 1050, 1110 Vermont Avenue NW., Washington, D.C. 20005.
B. Maryland Savings-Share Insurance Corp., 901 North Howard Street, Baltimore, Md.

A. Powell, Goldstein, Frazer & Murphy, Suite 1050, 1110 Vermont Avenue NW., Washington, D.C. 20005.
B. National Multi Housing Council, 1800 M Street NW., Washington, D.C. 20036.
D. (6) $2,600.

A. Powell, Goldstein, Frazer & Murphy, Suite 1050, 1110 Vermont Avenue NW., Washington, D.C. 20005.
B. Westinghouse Electric Corp., 1801 K Street NW., Washington, D.C. 20006.

A. Robert D. Powell, Suite 600, 1110 Vermont Avenue NW., Washington, D.C. 20005.
B. National Business Aircraft Association, One Farragut Square South, Washington, D.C. 20006.

A. Carlton H. Power, 1918 North Parkway, Memphis, Tenn. 38112.
B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn. 38112.

A. John (Jay) Power, 815 16th Street NW., Washington, D.C. 20006.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $13,082.30

A. Prather, Seeger, Doolittle & Farmer, 1101 16th Street NW., Washington, D.C. 20036.
B. Bankers' Association for Foreign Trade, 1101 16th Street NW., Washington, D.C. 20036.
D. (6) $1,000.

A. Prather, Seeger, Doolittle & Farmer, 1101 16th Street NW., Washington, D.C. 20036.
B. The First National Bank of Chicago, One First National Plaza, Chicago, Ill. 60670.

A. Prather, Seeger, Doolittle & Farmer, 1101 16th Street NW., Washington, D.C. 20036.
B. Ruhrkohle A.G., 43 Essen, Rellinghauser Strasse 1, Federal Republic of Germany.

A. William C. Prather, United States League of Savings Associations, 111 East Wacker Drive, Chicago, Ill. 60601.
B. United States League of Savings Associations, 111 East Wacker Drive, Chicago, Ill. 60601.
D. (6) $850.

A. William B. Prendergast, Distilled Spirits Council of the U.S., Inc., 1300 Pennsylvania Building, Washington, D.C. 20004.
B. Distilled Spirits Council of the U.S., Inc., 1300 Pennsylvania Building, Washington, D.C. 20004.
D. (6) $6,000. E. $481.50.

A. Brainard E. Prescott, 670 Main Street, East Aurora, N.Y. 14052.
B. Security New York State Corp., One East Avenue, Rochester, N.Y. 14638.

A. Lloyd T. Preslar, DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036 (For: Airbus Industrie, Avenue Lucien Servanty, 31700 Blagnac, France).

A. Lloyd T. Preslar, DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036 (For: European Aerospace Corp., 1101 15th Street NW., Washington, D.C. 20005).

A. Lloyd T. Preslar, DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036 (For

Sofreavia, 75 rue la Boetie, Paris, 8eme, France).

A. Preston, Thorgrimson, Ellis & Holman, 1776 G Street NW., Suite 500, Washington, D.C. 20006.
B. Calista Corp., 516 Denali Street, Anchorage, Alaska 99501.
E. (9) $22.

A. Preston, Thorgrimson, Ellis & Holman, 1776 G Street NW., Suite 500, Washington, D.C. 20006.
B. Employers Reinsurance Corp., 21 West 10th Street, Kansas City, Mo. 64105.
D. (6) $1,350.

A. Preston, Thorgrimson, Ellis & Holman, 1776 G Street NW., Suite 500, Washington, D.C. 20006.
B. Moore, McCormack Resources, 1 Landmark Square, Stamford, Conn. 06901.
D. (6) $3,040.

A. Preston, Thorgrimson, Ellis & Holman, 1776 G Street NW., Suite 500, Washington, D.C. 20006.
B. Schnitzer Investment Corp., 3200 Northwest Yeon Avenue, Portland, Oreg. 97210.

A. Preston, Thorgrimson, Ellis & Holman, 1776 G Street NW., Suite 500, Washington, D.C. 20006.
B. Transportation Institute, 923 13th Street NW., Washington, D.C. 20003.
D. (6) $2,880.

A. Preston, Thorgrimson, Ellis & Holman, 1776 G Street NW., Suite 500, Washington, D.C. 20006.
B. Washington Department of Ecology, Olympia, Wash.
D. (6) $242.

A. Preston, Thorgrimson, Ellis & Holman, 1776 G Street NW., Suite 500, Washington, D.C. 20006.
B. Western Resource Alliance, 2565 West 23d Street, Eugene, Oreg. 97401.
D. (6) $150. E. (9) $45.

A. Preston, Thorgrimson, Ellis & Holman, 1776 G Street NW., Suite 500, Washington, D.C. 20006.
B. WOMETCO Enterprises, Inc., 306 North Miami Avenue, Miami, Fla. 33128.
D. (6) $889.50. E. (9) $17.30.

A. Forrest J. Prettyman, 730 15th Street NW., Washington, D.C. 20005.
B. Association of Bank Holding Cos., 730 15th Street NW., Washington, D.C. 20005.
D. (6) $831.88.

A. Woodruff M. Price, CSX Corp., 840 Washington Building, 15th Street and New York Avenue NW., Washington, D.C. 20005-2071.
B. CSX Corp., 1500 Federal Reserve Building, Richmond, Va. 23219.
D. (6) $3,000. E. (9) $632.18.

A. Patricia Pride, Financial Accounting Standards, Board, 1229 20th Street NW., Washington, D.C. 20036.
B. Financial Accounting Standards Board, High Ridge Park, Stamford, Conn. 06905.
D. (6) $54.89. E. (9) $22.70.

A. Arnold J. Prima, Jr., American Institute of Architects, 1735 New York Avenue NW., Washington, D.C. 20006.
B. American Institute of Architects, 1735 New York Avenue NW., Washington, D.C. 20006.
D. (6) $1,200.

A. Gwenyth Pritchard, National Federation of Independent Business, 490 L'Enfant Plaza East SW., Washington, D.C. 20024.
B. National Federation of Independent Business, 490 L'Enfant Plaza East SW., Suite 3206, Washington, D.C. 20024.
D. (6) $2,250. E. (9) $200.

A. Jerry C. Pritchett, Mechanical Contractors Association of America, Inc., 5530 Wisonsin Avenue NW., Washington, D.C. 20015.
B. Mechanical Contractors Association of America, Inc., 5530 Wisconsin Avenue NW., Suite 750, Washington, D.C. 20015.

A. Stuart Proctor, American Farm Bureau Federation, 425 13th Street NW., Washington, D.C. 20004.
B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill. 60068.
D. (6) $4,500. E. (9) $95.

A. Profit Sharing Council of America, 20 North Wacker Drive, Chicago Ill. 60606.

A. Pro-Life CDAC, 12 P.O. Box 7145, Menlo Park, Calif. 94025.
D. (6) $3,326.30. E. (9) $507.41.

A. The Proprietary Association, 1700 Pennsylvania Avenue NW., Suite 700, Washington, D.C. 20006.
E. (9) $2,587.50.

A. Proskauer Rose Goetz & Mendelsohn, 300 Park Avenue, New York, N.Y. 10022, 1150 Connecticut Avenue, Washington, D.C. 20036.
B. The League of New York Theatres and Producers, Inc., 226 West 47th Street, New York, N.Y. 10036.
D. (6) $3,000. E. (9) $197.

A. Protect the Innocent, Inc., 451 South Indiana Street, Mooresville, Ind. 46158.
E. (9) $217.50.

A Provident Indemnity Life Insurance Co., 2500 DeKalb Pike, Norristown, Pa.

A. Public Employee Department, AFL-CIO, 815 16th Street NW., Suite 308, Washington, D.C. 20006.
D. (6) $34,722.16. E. (9) $10,572.72.

A. David E. Pullen, Johns-Manville Corp., 1025 Connecticut Avenue, NW., Suite 214, Washington, D.C. 20036.
B. Johns-Manville Corp., P.O. Box 5108, Denver, Colo. 802.17
D. (6) $600.

A. F. Eugene Purcell, Lone Star Industries, Inc., 1919 Pennsylvania Avenue NW., Suite 300, Washington, D.C. 20006.
B. Lone Star Industries, Inc., 1 Greenwich Plaza, Greenwich, Conn. 06830.
D. (6) $1,000. E. (9) $205.

A. Earle W. Putnam, 5151 Wisconsin Avenue, NW., Washington, D.C. 20016.
B. Amalgamated Transit Union, AFL-CIO, 5151 Wisconsion Avenue, NW., Washington, D.C. 20016.

A. Howard Pyle, 4930 Quebec Street NW., Washington, D.C. 20016.
B. Houston Lighting & Power Co., P.O. Box 1700, Houston, Tex. 77001.
D. (6) $2,678.58.

A. Mark C. Pyle, P.O. Box 3731, Washington, D.C. 20007.
B. Retail Bakers of America, 6525 Belcrest Road., Suite 250, Hyattsville, Md. 20782.

A. Robert N. Pyle, P.O. Box 3731, Washington, D.C. 20007.
B. Independent Bakers Association, P.O. Box 3731, Washington, D.C. 20007.
D. (6) $3,000.

A. John R. Quarles, Jr., Morgan, Lewis & Bockius, 1800 M Street NW., Washington, D.C. 20036.
B. National Environmental Development Association Clean Air Act Project (NEDA/CAAP), 3 National Press Building, Washington, D.C. 20045.
D. (6) $1,000. E. (9) $50.

A. Alex Radin, 2301 M Street NW., Washington, D.C. 20037.
B. American Public Power Association, 2301 M Street NW., Washington, D.C. 20037.
D. (6) $515.48.

A. Robert A. Ragland, National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
D. (6) $200.

A. Chamber of Commerce of the United States, Richard W. Rahn, 1615 H Street NW., Washington, D.C. 20062.
B. Chamber of Commerce of the U.S.A., 1615 H Street NW., Washington, D.C. 20062.
D. (6) $945. E. (9) $400.77.

A. Railway Labor Executives' Association, 400 First Street NW., Suite 804, Washington, D.C. 20001.
D. (6) $48,250. E. (9) $68,041.92.

A. Railway Progress Institute, 700 North Fairfax Street, Alexandria, Va. 22314.

A. Law Offices of John V. Rainbolt, 1800 K Street NW., Suite 429, Washington, D.C. 20006.
B. MidAmerica Commodity Exchange, 125 West Jackson Boulevard, Chicago, Ill. 60604.
D. (6) $31,537.50. E. (9) $2,227.

A. Joyce Ramonas, Detroit Edison, 1990 M Street NW., Suite 480, Washington, D.C. 20036.
B. Detroit Edison Co., 2000 Second Avenue, Detroit, Mich., 48226.
D. (6) $210. E. (9) $15.

A. Randall, Bangert & Thelen, 1625 K Street NW., Washington, D.C. 20006.
B. Business Roundtable, 1828 L Street NW., Washington, D.C. 20036.
D. (6) $1,992.

A. Randall, Bangert & Thelen, 1625 K Street NW., Washington, D.C. 20006.
B. Grocery Manufacturers of America, 1010 Wisconsin Avenue NW., Washington, D.C. 20006.
D. (6) $518.75.

A. Randall, Bangert & Thelen, 1625 K Street NW., Washington, D.C. 20006.
B. Pharmaceutical Manufacturers Association, 1155 15th Street NW., Washington, D.C. 20006.
D. (6) $3,750.

A. Randall, Bangert & Thelen, 1625 K Street NW., Washington, D.C. 20006.
B. Western Union International, One Western Union International Plaza, New York, N.Y. 10004.
D. (6) $2,202.

A. Donald A. Randall, 1625 K Street NW., Washington, D.C. 20006.
B. Automotive Service Councils, Inc., 188 Industrial Drive, Suite 112, Elmhurst, Ill. 60126.
D. (6) $2,219.34.

A. Donald A. Randall, 1625 K Street NW., Washington, D.C. 20006.

B. National Association for Milk Marketing Reform, 1625 K Street NW., Washington, D.C. 20006.
D. (6) $630.

A. Gary B. Randall, 1600 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Rural Electric Cooperative Association, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $100.

A. Robert Randall, 709-A 8th Street SE., Washington, D.C. 20003.
B. Alliance for Cannabis Therapeutics, P.O. Box 23691, Washington, D.C. 20024.
D. (6) $873.40. E. (9) $30.

A. Carol Randles, 1771 N Street NW., Washington, D.C. 20036.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C. 20036.
D. (6) $1,500. E. (9) $499.

A. R. Ray Randlett, Allied Corp., 1150 Connecticut Avenue NW., Washington, D.C. 20036.
B. Allied Corp., P.O. Box 3000-R, Morristown, N.J. 07960.
D. (6) $268.

A. Arthur G. Randol III, Exxon Corp., 1899 L Street NW., No. 1100, Washington, D.C. 20036.
B. Exxon Corp., 1251 Avenue of the Americas, New York, N.Y. 10020.
E. (9) $545.77.

A. Gayle K. Randol, Business Roundtable, 1828 L Street NW., Suite 402, Washington, D.C. 20036.
B. The Business Roundtable, 200 Park Avenue, New York, N.Y. and 1828 L Street NW., Washington, D.C.
D. (6) $200. E. (9) $40.

A. Howard W. Randolph, Jr., Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 3 Research Place, Rockville, Md. 20850.
D. (6) $2,400. E. (9) $2,100.

A. D. Michael Rappoport, P.O. Box 1980, Phoenix, Ariz. 85001.
B. Salt River Project, P.O. Box 1980, Phoenix, Ariz. 85001.
D. (6) $1,250. E. (9) $3,858.93.

A. Magda Ratajski, Norfolk & Western Railway Co., P.O. Box 23652, L'Enfant Plaza Station, Washington, D.C. 20024.
B. Norfolk & Western Railway Co., 8 North Jefferson Street, Roanoke, Va. 24042.
D. (6) $455.20.

A. Robert Rauch, 1925 K Street NW., Washington, D.C. 20006
B. Alliance to Save Energy, 1925 K Street NW., Washington, D.C.

A. Carol Raulston, American Paper Institute, Inc., 1619 Massachusetts Avenue NW., Washington, D.C. 2036.
B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y. 10016.

A. G. David Ravencraft, Ashland Oil, Inc., 1025 Connecticut Avenue NW., Suite 507, Washington, D.C. 20036.
B. Ashland Oil, Inc., P.O. Box 391, Ashland, Ky. 41101.
D. (6) $2,000.

A. W. Lee Rawls, Pennzoil Co., 1155-15th Street NW., Suite 602, Washington, D.C. 20005.
B. Pennzoil Co., Pennzoil Place, P.O. Box 2967, Houston, Tex. 77001.
D. (6) $750. E. (9) $13.70.

A. W. Randall Rawson, 3251 Old Lee Highway, Suite 500, Fairfax, Va. 22030.
B. National Limestone Institute, Inc., 3251 Old Lee Highway, Suite 500, Fairfax, Va. 22030.
E. (9) $15.40

A. J. Gene Raymond, 1016 16th Street NW., Washington, D.C. 20036.
B. National Federation of Federal Employees, 1016 16th Street NW., Washington, D.C. 20036.
D. (6) $1,009.83.

A. Sydney C. Reagan, 10 Duncannon Court, Glen Lakes, Dallas, Tex. 75225.
B. Southwestern Peanut Shellers Association, 10 Duncannon Court, Glen Lakes, Dallas, Tex. 75225.
D. (6) $210. E. (9) $60.

A. Linda S. Rearick, National Oil Jobbers Council, 1707 H Street NW., Washington, D.C. 20006.
B. National Oil Jobbers Council, Inc., 1707 H Street NW., Washington, D.C. 20006.
D. (6) $2,500. E. (9) $115.

A. Susan E. Recce, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.
B. National Rifle Association of America, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.
D. (6) $850. E. (9) $34.88.

A. Campbell L. Reed, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. Dwight C. Reed, National Soft Drink Association, 1101 16th Street NW., Washington, D.C. 20036.
B. National Soft Drink Association, 1101 16th Street NW., Washington, D.C. 20036.
D. (6) $108.23.

A. John H. Reed, 444 North Capitol Street NW., Washington, D.C. 20001.
B. Associated Builders and Contractors, Inc., 444 North Capitol Street NW., Washington, D.C. 20001.
D. (6) $9,500. E. (9) $171.14.

A. Charles C. Reely, 3251 Old Lee Highway, Suite 500, Fairfax, Va. 22030.
B. National Limestone Institute, Inc., 3251 Old Lee Highway, Suite 500, Fairfax, Va. 22030.

A. Joseph M. Rees, Delta Dental Plans Association, 1625 Massachusetts Avenue NW., Suite 505, Washington, D.C. 20036.
B. Delta Dental Plans Association, 211 East Chicago Avenue, Chicago, Ill. 60611.
D. (6) $1,500. E. (9) $59.76.

A. Thomas M. Rees, 1101 Connecticut Avenue NW., Suite 403, Washington, D.C. 20036.
B. Fluor Corp., 1627 K Street NW., Washington, D.C. 20006.

A. J. Ronald Reeves, U.S. Air, Inc., Washington National Airport, Washington, D.C. 20001.
B. U.S. Air, Inc., Washington National Airport, Washington, D.C. 20001.
D. (6) $2,000. E. (9) $173.75.

A. John T. Reggitts, Jr., R.D. No. 2 Boonton Avenue, Boonton, N.J. 07005.

A. Frank D. Register, National Association of Retail Grocers of the U.S., Inc., 11800 Sunrise Valley Drive, Reston, Va. 22091.
B. National Association of Retail Grocers of the United States, Inc., 11800 Sunrise Valley Drive, Reston, Va. 22091.
D. (6) $50. E. (9) $23.

A. Charlotte T. Reid, 1776 K Street NW., Washington, D.C. 20006.
B. Motorola Inc., 1776 K Street NW., Washington, D.C. 20006.
D. (6) $3,000.

A. Reid & Priest, 1111 19th Street NW., Washington, D.C. 20036.
B. The Edison Electric Institute, 1111 19th Street NW., Washington, D.C. 20036.
D. (6) $155. E. (9) $6.

A. Reid & Priest, 1111 19th Street NW., Washington, D.C. 20036.
B. Northeast Utilities Service Co., P.O. Box 270, Hartford, Conn. 06101.

A. Reid & Priest, 1111 19th Street NW., Washington, D.C. 20036.
B. South Carolina Electric & Gas Co., P.O. Box 764, Columbia, S.C. 29218.

A. Jerry E. Reider, 1745 Jefferson Davis Highway, Arlington, Va. 22202.
B. Emerson Electric Co., 8000 West Florissant, St. Louis, Mo. 63136.

A. Mark Reihl, Seafarers International Union, Suite 510, 815 16th Street NW., Washington, D.C. 20006.
B. Seafarers International Union, 815 16th Street NW., Suite 510, Washington, D.C. 20006.
D. (6) $3,000. E. (9) $149.17.

A. Gary B. Reimer, Tiger International, Inc., 1800 K Street NW., Suite 600, Washington, D.C. 20006.
B. Tiger International, Inc., 1888 Century Park East, Los Angeles, Calif. 90067.
D. (6) $1,410. E. (9) $291.24.

A. Nooley Reinheardt & Associates, P.O. Box 23190, Washington, D.C. 20024.
B. Rural Builders Council of California, P.O. Drawer GG, Newport Beach, Calif. 92662.

A. J. E. Reinke, Eastern Airlines, 1030 15th Street NW., Washington, D.C. 20005.
B. Eastern Airlines, Inc., 1030 15th Street NW., Washington, D.C. 20005.
E. (9) $887.

A. Harry O. Reinsch, 1310 Jones Street, Apartment 902, San Francisco, Calif. 94109.
B. Bechtel Power Corp., 50 Beale Street, P.O. Box 3965, San Francisco, Calif. 94119.

A. Jack Reiter, Tiger International, Inc., 1800 K Street N.W., Suite 600, Washington, D.C. 20006.
B. Tiger International, Inc., 1888 Century Park East, Los Angeles, Calif. 90067.
D. (6) $2,100. E.(9) $1,014.50

A. Religious Coalition for Abortion Rights, Inc., 100 Maryland Avenue NE., Washington, D.C. 20002.
D. (6) $7,336.09. E. (9) $11,897.38.

A. W. W. Renfroe, 69 Fountain Place, P.O. Box 417, Frankfort, Ky. 40602.
B. Kentucky Railroad Association, 69 Fountain Place, P.O. Box 417, Frankfort, Ky. 40602.

A. Diane Rennert, 1707 L Street NW., Washington, D.C. 20036.
B. Association of American Publishers, 1707 L Street NW., Washington, D.C. 20036.

D. (6) $3,300. E. (9) $176.55.

A. Research-Cottrell, Inc., 1800 K Street NW., Washington, D.C. 20006.
B. Research-Cottrell, Inc., P.O. Box 1500, Somerville, N.J. 08876.
E. (9) $119.

A. Resources Fund, Inc., 810 18th Street NW., Suite 804, Washington, D.C. 20006.
D. (6) $61,000. E. (9) $20,876,69.

A. The Retired Officers Association, 201 North Washington Street, Alexandria, Va. 22314.
D. (6) $7,698.

A. Forrest I. Rettgers, National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.

A. John H. Reurs, 25 Broadway, New York, N.Y. 10004.
B. New York Committee of International Committee of Passenger Lines, 25 Broadway, New York N.Y. 10004.

A. Lynne Revo-Cohen, 1010 Vermont Avenue NW., Suite 821, Washington, D.C. 20005.
B. Federally Employed Women, 1010 Vermont Avenue NW., Suite 821, Washington, D.C. 20005.
D. (6) $4,080. E. (9) $400.

A. Allan R. Rexinger, The Proprietary Association, 1700 Pennsylvania Avenue NW., Suite 700, Washington, D.C. 20006.
B. The Proprietary Association, 1700 Pennsylvania Avenue NW., Suite 700, Washington, D.C. 20006.
D. (6) $2,437.50. E. (9) $150.

A. Austin T. Rhoads, 910 17th Street NW., Washington, D.C. 20006.
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 910 17th Street NW., Washington, D.C. 20006.
E. (9) $541.96.

A. Robin Alan Rhodes, National Parking Association, 2000 K Street NW., No. 350, Washington, D.C. 20006.
B. National Parking Association, 2000 K Street NW., No. 350, Washington, D.C. 20006.
D. (6) $5,749.90.

A. Edmund B. Rice, American Hospital Association, 444 North Capitol Street NW., No. 500, Washington, D.C. 20001.
B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill. 60611.
D. (6) $4,573.54. E. (9) $98.54.

A. Rice Genocide Research, P.O. Box 7307, Washington, D.C. 20044; and 3046 Roosevelt, Detroit, Mich. 48216.
E. (9) $172.84.

A. Grace Ellen Rice, American Farm Bureau Federation, 425 13th Street NW., Washington, D.C. 20004.
B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill. 60068.
D. (6) $4,125. E. (9) $115.

A. Theron J. Rice, Conoco Inc., 1025 Connecticut Avenue, No. 1000, Washington, D.C. 20036.
B. Conoco Inc., High Ridge Park, Stamford, Conn. 06904.

A. Alan H. Richardson, American Public Power Association, 2301 M Street NW., Washington, D.C. 20037.
B. American Public Power Association, 2301 M Street NW., Washington, D.C. 20037.
D. (6) $1,000.

A. K. O. Richardson, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 3 Research Place, Rockville, Md. 20850.
D. (6) $1,600. E. (9) $1,400.

A. John T. Richardson, Monsanto Co., 1101 17th Street NW., Washington, D.C. 20036.
B. Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo. 63166.

A. Bruce Rickerson, American Society of Civil Engineers, 1625 I Street NW., No. 607, Washington, D.C. 20006.
B. American Society of Civil Engineers, 345 East 47th Street, New York, N.Y. 10017.
D. (6) $3,000.

A. Kerri Ridenour, 1155 15th Street NW., Washington, D.C. 20005.
B. National Boiler Council, 1155 15th Street NW., Washington, D.C. 20005.
D. (6) $750.

A. Lowell J. Ridgeway, North Dakota Petroleum Council, Box 1395, Bismarck, N. Dak. 58502.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $463.

A. Mark J. Riedy, Mortgage Bankers Association, of America, 1125 15th Street NW., Washington, D.C. 20005.
B. Mortgage Bankers Association, of America, 1125 15th Street, NW., Washington, D.C. 20005.

A. E. Philip Riggin, National Legislative Commission, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $8,079. E. (9) $588.90.

A. Valerie M. Riggins, Beneficial Management Corporation of America, 1700 North Moore Street, 1925 Rosslyn Center Building, Arlington, Va. 22209.
B. Beneficial Management Corporation of America, 1300 Market Street, Wilmington, Del. 19899.

A. John S. Rippey, 730 15th Street NW., Washington, D.C. 20005.
B. Association of Bank Holding Companies, 730 15th Street NW., Washington, D.C. 20005.
D. (6) $756.25. E. (9) $43.50.

A. Carol A. Risher, Association of American Publishers, 1707 L Street NW., Suite 480, Washington, D.C. 20036.
B. Association of American Publishers, 1707 L Street NW., Suite 480, Washington, D.C. 20036.
D. (6) $1,200. E. (9) $128.

A. James E. Ritchie, 499 South Capitol Street SW., Suite 400, Washington, D.C. 20003.
B. Gaming Industry Association of Nevada, Inc., One East First Street, Suite 1007, Reno, Nev. 89501.
D. (6) $3,200. E. (9) $608.23.

A. James E. Ritchie, 499 South Capitol Street SW., Suite 400, Washington, D.C. 20003.
B. National Association of Off-Track Betting Corp., Post Office Box 446, Batavia, N.Y. 14020.
D. (6) $2,000. E. (9) $866.35.

A. James E. Ritchie, 499 South Capitol Street SW., Suite 400, Washington, D.C. 20003.
B. National Association, of Optometrists and Opticians, Inc., 18903 South Miles Road, Cleveland, Ohio 44128.

A. James E. Ritchie, 499 South Capitol Street SW., Suite 400, Washington, D.C. 20003.
B. Nevada Resort Association, 1785 East Sahara Avenue, Suite 250, Las Vegas, Nev. 89104.
D. (6) $4,800. E. (9) $912.37.

A. Stark Ritchie, 2101 L Street NW., Washington, D.C. 20037.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

A. Roadside Business Association, 9001 West Braddock Road, Springfield, Va. 22151.
D. (6) $2,028.74. E. (9) $2,028.74.

A. Elizabeth Jane Robbins, 43 D Street SE., Washington, D.C. 20003.
B. Scholastic Magazines, Inc. 900 Sylvan Avenue, Englewood Cliffs, N.J. 07632.

A. Perry A. Roberts, 8000 West Florissant, St. Louis, Mo. 63136.
B. Emerson Electric Co., 8000 West Florissant, St. Louis, Mo. 63136.
E. (9) $1,373.95.

A. Ray Roberts & Associates, 499 South Capitol Street SW., Suite 102, Washington, D.C. 20003.
B. Brazos River Authority, P.O. Box 7555, Waco, Tex. 76710.
D. (6) $6,000. E. (9) $1,935.51.

A. Ray Roberts & Associates, 499 South Capitol Street SW., Suite 102, Washington, D.C. 20003.
B. Centex Corp., 1400 Republic National Bank Tower, Dallas, Tex. 75201.
D. (6) $3,000. E. (9) $212.14.

A. Ray Roberts & Associates, 499 South Capitol Street SW., Suite 102, Washington, D.C. 20003.
B. Guam Oil & Refining Co., Inc., 3400 Southland Center, Dallas, Tex. 75201.
D. (6) $9,000. E. (9) $4,070.

A. Ray Roberts & Associates, 499 South Capitol Street SW., Suite 102, Washington, D.C. 20003.
B. North Texas Municipal Water District, Lawson Road, Wylie, Tex. 75098.
D. (6) $3,000.

A. Ray Roberts & Associates, 499 South Capitol Street SW., Suite 102, Washington, D.C. 20003.
B. Texas Utilities Services, Inc., 2001 Bryan Tower, Dallas, Tex. 75201.
D. (6) $3,000. E. (9) $527.39.

A. Richard R. Roberts, 1899 L Street NW., Suite 403, Washington, D.C. 20036.
B. Outdoor Advertising Association of America, Inc., 1899 L Street NW., Suite 403, Washington, D.C. 20036.
D. (6) $276. E. (9) $454.

A. Steven M. Roberts, American Express Co., 1700 K Street NW., Washington, D.C. 20006.
B. American Express Co., American Express Plaza, New York, N.Y. 10004.

A. Betty S. Robinson, United Automobile, Aerospace & Agricultural Implement Work-

ers of America (UAW), 1757 N Street NW., Washington, D.C. 20036.
B. International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW), 8000 East Jefferson Avenue, Detroit, Mich. 48214.
D. (6) $10,648.97. E. (9) $141.75.

A. Charles A. Robinson, Jr., 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Rural Electric Cooperative Association, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $235.

A. Antoinette K. Roche, 2021 K Street NW., Suite 709, Washington, D.C. 20006.
B. General Atomic Co., San Diego, Calif.
D. (6) $500. E. (9) $25.

A. Thomas G. Roderick, Consolidated Natural Gas Service Co., Inc., 1101 16th Street NW., Washington, D.C. 20036.
B. Consolidated Natural Gas Service Co., Inc., Four Gateway Center, Pittsburgh, Pa. 15222.
D. (6) $3,500.

A. Rodey, Dickason, Sloan, Akin & Robb, P.A., P.O. Box 1888, Albuquerque, N. Mex. 87103.
B. The Navajo Tribe, Window Rock, Ariz. 86515.
E. (9) $2,862.95.

A. Quincy Rodgers, General Instrument Corp., Suite 320, 1200 New Hampshire Avenue NW., Washington, D.C. 20036.
B. General Instrument Corp., 1775 Broadway, New York, N.Y. 10019.
D. (6) $1,000. E. (9) $360.

A. Ted V. Rodgers, Nationwide Insurance Companies & Affiliates, 1000 Connecticut Avenue NW., Washington, D.C. 20036.
B. Nationwide Insurance Companies & Affiliates, One Nationwide Plaza, Columbus, Ohio 43216.
D. (6) $2,500.

A. Willie Roelli, Coffee, Sugar & Cocoa Exchange, Inc., 4 World Trade Center, New York, N.Y. 10048.
B. Coffee, Sugar & Cocoa Exchange, Inc., 4 World Trade Center, New York, N.Y. 10048.

A. Bruce N. Rogers, General Motors Corp., 1660 L Street NW., Washington, D.C. 20036.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich. 48202.
D. (6) $2,500. E. (9) $3,942.62.

A. Donald L. Rogers, 730 15th Street NW., Washington, D.C. 20005.
B. Association of Bank Holding Companies, 730 15th Street NW., Washington, D.C. 20005.
D. (6) $1,650.

A. Terrence L. Rogers, American Federation of Government Employees, 1325 Massachusetts Avenue NW., Washington, D.C. 20005.
B. American Federation of Government Employees, 1325 Massachusetts Avenue NW., Washington, D.C. 20005.
D. (6) $6,163.50. E. (9) $108.75.

A. Richard A. Rohrbach, 1625 I Street NW., No. 809, Washington, D.C. 20006.
B. Boise Cascade Corp., 1625 I Street NW., No. 809, Washington, D.C. 20006.
D. (6) $17,250.

A. Kenneth S. Rolston, Jr., 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
B. American Pulpwood Association, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.

A. Emil A. Romagnoli, ASARCO Inc., 120 Broadway, New York, N.Y. 10271.
B. ASARCO Inc., 120 Broadway, New York, N.Y. 10271.
D. (6) $600. E. (9) $1,091.74.

A. Tatiana Roodkowsky, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C. 20062.
D. (6) $2,500. E. (9) $35.

A. Nicholas Roomy, Jr., P.O. Box 1986, Charleston, W. Va. 25327.
B. Appalachian Power Co., P.O. Box 1986, Charleston, W. Va. 25327.
D. (6) $189.20. E. (9) $134.64.

A. Fred B. Rooney, 1300 19th Street NW., Suite 404, Washington, D.C. 20036.
B. American Iron & Steel Institute, 1000 16th Street NW., Washington, D.C. 20036.
D. (6) $175.

A. Fred B. Rooney, 1300 19th Street NW., Suite 404, Washington, D.C. 20036.
B. Association of American Railroads, 1920 L Street NW., Washington, D.C. 20036.
D. (6) $250.

A. Fred B. Rooney, 1300 19th Street NW., Suite 404, Washington, D.C. 20036.
B. California Portland Cement Co., 800 Wilshire Boulevard, Los Angeles, Calif. 90017.

A. Kevin M. Rooney, 1111 19th Street NW., Washington, D.C. 20036.
B. Edison Electric Institute, 1111 19th Street NW., Washington, D.C. 20036.
D. (6) $1,028. E. (9) $193.86.

A. Mark A. Root, 1100 17th Street NW., Suite 302, Washington, D.C. 20036.
B. Samuel E. Stavisky & Associates Inc., 1100 17th Street NW., Washington, D.C. 20036 (for: Broadcast Music Inc. (BMI), 320 West 57th Street, New York, N.Y.).
D. (6) $200. E. (9) $24.

A. John C. Roots, Atlantic Richfield Co., 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Atlantic Richfield Co., 515 South Flower Street, Los Angeles, Calif. 90071.
D. (6) $210.

A. Burt E. Rosen, Pfizer, Inc., 1700 Pennsylvania Avenue NW., Suite 730, Washington, D.C. 20006.
B. Pfizer, Inc., 235 East 42d Street, New York, N.Y. 10017.
D. (6) $200. E. (9) $700.44.

A. Walda W. Roseman, National Public Radio. 2025 M Street NW., Washington, D.C. 20036.
B. National Public Radio, 2025 M Street NW., Washington, D.C. 20036.
D. (6) $14,166. E. (9) $21.50.

A. Albert B. Rosenbaum III, National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C. 20036.
B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C. 20036.

A. Sara Rosenbaum, 1520 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Children's Defense Fund, 1520 New Hampshire Avenue NW., Washington, D.C. 20036.
D. (6) $10. E. (9) $250.

A. Francis C. Rosenberger, 6809 Melrose Drive, McLean, Va. 22101.
B. National Conference of Bankruptcy Judges, P.O. Box 2070, Oakland, Calif. 94604.
D. (6) $3,750. E. (9) $200.

A. Arthur F. Rosenfeld, 1615 H Street NW., Washington, D.C. 20062.
B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C. 20062.
D. (6) $140.

A. Harvey Rosenfield, 215 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Congress Watch, 215 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $2,750.01.

A. Peter D. Rosenstein, American Academy of Physician Assistants, 2341 Jefferson Davis Highway, Suite 700, Arlington, Va. 22202.
B. American Academy of Physician Assistants, 2341 Jefferson Davis Highway, Suite 700, Arlington, Va. 22202.
D. (6) $346.15.

A. Robert W. Ross National Cable Television Association, Inc., 1724 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Cable Television Association, Inc., 1724 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $1,650.

A. William F. Ross, South Carolina Petroleum Council, 716 Keenan Building, Columbia, S.C. 29201.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $214. E. (9) $606.09.

A. Alan J. Roth, Spiegel & McDiarmid, 2600 Virginia Avenue NW., Washington, D.C. 20037.
B. Fort Pierce Utilities Authority of the City of Fort Pierce, Gainesville-Alachua County Regional Electric Water & Sewer Utilities, Sebring Utilities Commission, Cities of Homestead, Kissimmee, Lakeland, Starke, Tallahassee, Fla.

A. Barry N. Roth, The Williams Cos., 1750 K Street NW., Suite 350, Washington, D.C. 20006.
B. The Williams Cos., P.O. Box 2400, Tulsa, Okla. 74101.
D. (6) $100.

A. Marcus Roth, National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.
D. (6) $4,263.03.

A. Donald D. Rounds, South Dakota Petroleum Council, P.O. Box 669, Pierre, S. Dak. 57501.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

A. William C. Rountree, The Standard Oil Co. (Ohio), 1050 17th Street NW., Suite 650, Washington, D.C. 20036.
B. The Standard Oil Co. (Ohio), Midland Building, Cleveland, Ohio 44115.

A. Michael J. Rourke, 2 Paragon Drive, Montvale, N.J. 07645.
B. The Great Atlantic & Pacific Tea Co., Inc., 2 Paragon Drive, Montvale, N.J. 07645.

A. Michael O. Roush, National Federation of Independent Business, 490 L'Enfant Plaza East SW., Suite 3206, Washington, D.C. 20024.

B. National Federation of Independent Business, 490 L'Enfant Plaza East SW., Suite 3206, Washington, D.C. 20024.
D. (6) $2,250. E. (9) $200.

A. Rouss & O'Rourke, Layers Building, 231 East Vermijo, Colorado Springs, Colo. 80903.
B. Union Nacional de Productores de Azucar, S.A. de C.V. (UNPASA), Balderas 36, Mexico, D.F., Mexico (for Mexican Sugar Industry).
D. (6) $2,400. E. (9) $2,875.20.

A. Mark Rovner, 2030 M Street NW., 3d Floor, Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., 3d Floor, Washington, D.C. 20036.
D. (6) $3,800.01.

A. Eugene F. Rowan, J. C. Penney Co., Inc., 1156 15th Street NW., Washington, D.C. 20005.
B. J. C. Penney Co., Inc., 1301 Avenue of the Americas, New York, N.Y. 10019.

A. James C. Rowland, Jr., Union Carbide Corp., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Union Carbide Corp., 270 Park Avenue, New York, N.Y. 10017.

A. John W. Rowland, 5151 Wisconsin Avenue NW., Washington, D.C. 20016.
B. Amalgamated Transit Union, AFL-CIO, 5151 Wisconsin Avenue NW., Washington, D.C. 20016.

A. James S. Rubin, Allied Corp., 1150 Connecticut Avenue NW., No. 700, Washington, D.C. 20036.
B. Allied Corp., P.O. Box 3000-R, Morristown, N.J. 07960.
D. (6) $309.

A. Paul M. Ruden, Wilner & Scheiner, 1200 New Hampshire Avenue NW., Washington, D.C. 20036.
B. American Society of Travel Agents, Inc., 711 Fifth Avenue, New York, N.Y. 10022.

A. Gloria Cataneo Rudman, Joint Maritime Congress, 444 North Capitol Street NW., Suite 801, Washington, D.C. 20001.
B. Joint Maritime Congress, 444 North Capitol Street NW., No. 800, Washington, D.C. 20001.
D. (6) $412.60.

A. Leonard H. Ruppert, N.J. Petroleum Council, 170 West State Street, Trenton, N.J. 08608.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

A. Charlotte Rush, Gulf Oil Corp., 1025 Connecticut Avenue NW., Suite 700, Washington, D.C. 20036.
B. Gulf Oil Corp., P.O. Box 1166, Pittsburgh, Pa. 15230.
D. (6) $75. E. (9) $14.

A. Albert R. Russell, P.O. Box 12285, Memphis, Tenn. 38112.
B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn. 38112.
D. (6) $351.39. E. (9) $37.90.

A. Barry Russell, 1101 16th Street NW., Washington, D.C. 20036.
B. Independent Petroleum Association of America, 1101 16th Street NW., Washington, D.C. 20036.
E. (9) $40.

A. Christine Anne Russell, 1615 H Street NW., Washington, D.C. 20062.
B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C. 20062.
D. (6) $7,100. E. (9) $181.79.

A. Herbert E. Russell, P.O. Drawer 888, Magnolia, Ark. 71753.
E. (9) $1,496.78.

A. Robert M. Russell, 2170 Piedmont Road NE., Atlanta, Ga. 30324.
B. Orkin Exterminating Co., Inc., 2170 Piedmont Road NE., Atlanta, Ga. 30324.
D. (6) $160. E. (9) $901.

A. Wally Rustad, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Rural Electric Cooperative Association, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $75.

A. Sheryl P. Rutledge, 1100 H Street NW., Washington, D.C. 20080.
B. Washington Gas Light Co., 1100 H Street NW., Washington, D.C. 20080.
D. (6) $85.37.

A. Ella Marice Ryan, J. C. Penney Co., Inc., 1156 15th Street NW., Washington, D.C. 20005..
B. J. C. Penney Company, Inc., 1301 Avenue of the Americas, New York, N.Y. 10019.
D. (6) $100.

A. John F. Ryan, International Telephone & Telegraph Corp., 1707 L Street NW., Suite 200, Washington, D.C. 20036.
B. International Telephone & Telegraph Corp., 320 Park Avenue, New York, N.Y. 10022.
D. (6) $68. E. (9) $5.

A. Joseph Ryan, 1725 DeSales Street, Suite 800, Washington, D.C. 20036.
B. General Instrument Corp., 1775 Broadway, New York, N.Y. 10019.

A. Paul R. Sacia, 1012 14th Street NW., Washington, D.C. 20005.
B. The Farmers' Education & Co-Operative Union of America, Denver, Colo. 80251; 1012 14th Street NW., Washington, D.C. 20005.
D. (6) $2,907.68. E. (9) $13.56.

A. Thomas L. Sager, E. I. du Pont de Nemours & Co., 1701 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. E. I. du Pont de Nemours & Co., 1007 Market Street, Wilmington, Del. 19898.
E. (9) $42.50.

A. Robert P. St. Louis, Congoleum Corp., 2550 M Street NW., Suite No. 225, Washington, D.C. 20037.
B. Congoleum Corp., P.O. Box 4040, Portsmouth, N.H. 03801.
D. (6) $1,000. E. (9) $383.82.

A. Samaritan Health Service, 1410 North 3rd Street, P.O. Box 25489, Phoenix, Ariz. 85004.
E. (9) $5,586.18.

A. Sammons Enterprises, Inc., 403 South Akard, Dallas, Tex. 75202.

A. Frank P. Sanders, The Signal Companies, Inc., 1575 I Street NW., Washington, D.C. 20005.
B. The Signal Companies, Inc., 11255 North Torrey Pines Road, La Jolla, Calif. 92037.
D. (6) $750.

A. Charles E. Sandler, 2101 L Street NW., Washington, D.C. 20037.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $5,000.

A. David Sandler, 2233 Wisconsin Avenue NW., Suite 322, Washington, D.C. 20007.
B. National Council of Community Mental Health Centers, 2233 Wisconsin Avenue NW., Suite 322, Washington, D.C. 20007.
D. (6) $3,000. E. (9) $150.

A. Peter G. Sandlund, Room 315, 1725 I Street NW., Washington, D.C. 20006.
B. Council of European & Japanese National Shipowners' Associations, 30/32 Street, Mary Axe, London EC3A 8ET, England.
D. (6) $300.

A. Albert C. Saunders, 1155 15th Street NW., Washington, D.C. 20005.
B. Pharmaceutical Manufacturers Association, 1155 15th Street NW., Washington, D.C. 20005.
D. (6) $4,000. E. (9) $10.40.

A. Lawrence H. Sawyer, General Mills, Inc., 1200 New Hampshire Avenue NW., Suite 370, Washington, D.C. 20036.
B. General Mills, Inc. P.O. Box 1113, Minneapolis, MN. 55440.

A. Henry Schacht, California Canners and Growers, 3100 Ferry Building, San Francisco, Calif. 94106.
B. California Canners and Growers, 3100 Ferry Building, San Francisco, Calif. 94106.
D. (6) $5,000. E. (9) $16.

A. Mark L. Schaffer, 2000 L Street NW., Suite 700, Washington, D.C. 20036.
B. AFL-CIO, 815 16th Street, NW., Washington, D.C. 20006.
D. (6) $1,902. E. (9) $50.

A. Harold A. Schaitberger, 1750 New York Avenue NW., Washington, D.C. 20006.
B. International Association of Fire Fighters, 1750 New York Avenue NW., Washington, D.C. 20006.
D. (6) $11,037.06.

A. Herbert Y. Schandler, Suite 4400, 475 L'Enfant Plaza SW., Washington, D.C. 20024.
B. American League for Exports and Security Assistance, Inc., Suite 4400, 475 L'Enfant Plaza SW., Washington, D.C. 20024.
D. (6) $3,000. E. (9) $40.27.

A. Kenneth D. Schanzer, 1771 N Street NW., Washington, D.C. 20036.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C. 20036.
D. (6) $3,000. E. (9) $875.

A. Jay T. Scheck, Jr., Ford Motor Co., 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Ford Motor Co., Dearborn, Mich. 48121.
D. (6) $562.50. E. (9) $539.68.

A. Henry Schein, Inc., 5 Harbor Park Drive, Port Washington, N.Y. 11050.

A. Jane N. Scherer, 1700 K Street NW., Suite 1204, Washington, D.C. 20006.
B. Chevron U.S.A. Inc., a subsidiary of Standard Oil Co. of California, 1700 K Street NW., Suite 1204, Washington, D.C. 20006.
D. (6) $100.

A. Jacques T. Schlenger, 1800 Mercantile Bank & Trust Building, 2 Hopkins Plaza, Baltimore, Md. 21201.
B. Maryland Savings-Share Insurance Corp., 901 North Howard Street, Baltimore, Md. 21201.
E. (9) $628.62.

A. Kenneth D. Schloman, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.

B. National Rifle Association of America, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.
D. (6) $837.50 E. (9) $67.05.

A. Schlossberg-Cassidy & Associates, Inc., 955 L'Enfant Plaza SW., Suite 1401, Washington, D.C. 20024.
B. Boston University, 147 Bay State Road, Boston, Mass. 02215.
D. (6) $875. E. (9) $14.

A. Schlossberg-Cassidy & Associates, Inc., 955 L'Enfant Plaza SW., Suite 1401, Washington, D.C. 20024.
B. Ocean Spray Cranberries, Inc., Plymouth, Mass. 02360.
D. (6) $750. E. (9) $440.

A. Schlossberg-Cassidy & Associates, Inc., 955 L'Enfant Plaza SW., Suite 1401, Washington, D.C. 20024.
B. Tufts University, Medford, Mass. 02155.
D. (6) $1,750. E. (9) $30.

A. Allan D. Schlosser, 1000 Connecticut Avenue NW., Washington, D.C. 20036.
B. Japan Economic Institute of America, 1000 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $270.

A. Forest S. Schmeling, American Gas Association, 1515 Wilson Boulevard, Arlington, Va. 22209.
B. American Gas Association, 1515 Wilson Boulevard, Arlington, Va. 22209.
D. (6) $250.

A. Amy Schmidt, International Longshoremen's Association, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.
B. International Longshoremen's Association, AFL-CIO, 17 Battery Place, New York, N.Y. 10004.
D. (6) $3,137,09.

A. Richard M. Schmidt, Jr., 1333 New Hampshire Avenue NW., Suite 600, Washington, D.C.
B. Association of American Publishers, Inc., Suite 480, 1707 L Street NW., Washington, D.C. 20036.
D. (6) $500.

A. Arthur L. Schmuhl, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. Mahlon C. Schneider, The Pillsbury Co., 608 Second Avenue South, Minneapolis, Minn. 55402.
B. The Pillsbury Co., 608 Second Avenue South, Minneapolis, Minn. 55402.
D. (6) $250. E. (9) $1,523.31.

A. Frank Schneller, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. Michael M. Schoor, National Society of Professional Engineers, 2029 K Street NW., Washington, D.C. 20006.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C. 20006.

A. N. Donald Schroeder, Maryland Petroleum Association, 60 West Street, Annapolis, Md. 21401.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

A. Stanley W. Schroeder, Gas Appliance Manufacturers Association, Inc., 1901 North Fort Myer Drive, Arlington, Va. 22209.
B. Gas Appliance Manufacturers Association, Inc., 1901 North Fort Myer Drive, Arlington, Va. 22209.
E. (9) $99.40.

A. Mark Schultz, 1615 H Street NW., Washington, D.C. 20062.
B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C. 20062.
D. (6) $5,000. E. (9) $73.08.

A. Robert L. Schulz, Iowa Petroleum Council, 1012 Fleming Building, Des Moines, Iowa 50309.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

A. Donald H. Schwab, VFW National Legislative Service, 200 Maryland Avenue NE., Washington, D.C. 20002.
B. Veterans of Foreign Wars of the United States, 200 Maryland Avenue NE., Washington, D.C. 20002.
D. (6) $4,250. E. (9) $666.

A. Schwabe, Williamson, Wyatt, Moore & Roberts, 1200 Standard Plaza, Portland, Oreg. 97204.
B. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
E. (9) $17.90.

A. Schwabe, Williamson, Wyatt, Moore & Roberts, 1200 Standard Plaza, Portland, Oreg. 97204.
B. Northwest Inland Waterways Committee, c/o Peter Brix, Knappton Corp., P.O. Box 03018, Portland, Oreg. 97203.
E. (9) $73.10.

A. Harry K. Schwartz, 1800 M Street NW., 400 S., Washington, D.C. 20036.
B. City of Philadelphia, 1650 Municipal Services Building, Philadelphia, Pa. 19107.
D. (6) $750.

A. Harry K. Schwartz, 1800 M Street NW., 400 S., Washington, D.C. 20036.
B. Tosco Corp., 10100 Santa Monica Boulevard, Los Angeles, Calif. 90067.
D. (6) $2,500.

A. Richard Schwartz, Boat Owners Association of The United States, 880 South Pickett Street, Alexandria, Va. 22304.
B. Boat Owners Association of The United States, 880 South Pickett Street, Alexandria, Va. 22304.
D. (6) $3,000.

A. Scientific Apparatus Makers Association, 1101 16th Street NW., Washington, D.C. 20036.
D. (6) $6,798.57. E. (9) $5,561.40.

A. Michael Sciulla, Boat Owners Association of The United States, 880 South Pickett Street, Alexandria, Va. 22304.
B. Boat Owners Association of The United States, 880 South Pickett Street, Alexandria, Va. 22304.
D. (6) $3,000.

A. H. B. Scoggins, Jr., 1101 16th Street NW., Washington, D.C. 20036.
B. Independent Petroleum Association of America, 1101 16th Street NW., Washington, D.C. 20036.
E. (9) $33.87.

A. Robert D. Scott, American Humane Association, 5351 South Roslyn Street, Englewood, Colo. 80111.
B. American Humane Association, 5351 South Roslyn Street, Englewood, Colo. 80111.

A. Joseph E. Seagram & Sons, Inc., 375 Park Avenue, New York, N.Y. 10152.
D. (6) $812.50.

A. Earl W. Sears, P.O. Box 12285, Memphis, Tenn. 38112.
B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn. 38112.
D. (6) $1,957.50. E. (9) $86.22.

A. Sandra Sedacca, 2030 M Street NW., 3rd Floor, Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., 3rd Floor, Washington, D.C. 20036.
D. (6) $3,924.

A. Charles M. Seeger III, Suite 802, 2000 L Street NW., Washington, D.C. 20036.
B. Popham, Haik, Schnobrich, Kaufman & Doty, Ltd., 4344 IDS Center, Minneapolis, Minn. 55402, (for Chicago Mercantile Exchange, 444 West Jackson Boulevard, Chicago, Ill. 60606).

A. Charles M. Seeger III, Suite 802, 2000 L Street NW., Washington, D.C. 20036.
B. Popham, Haik, Schnobrich, Kaufman & Doty, Ltd., 4344 IDS Center, Minneapolis, Minn. 55402, (for Glenrock Refinery, Inc., P.O. Box 2553, Casper, Wyo. 82602).

A. Charles M. Seeger III, Suite 802—2000 L Street NW., Washington, D.C. 20036.
B. Popham, Haik, Schnobrich, Kaufman & Doty, Ltd., 4344 IDS Center, Minneapolis, Minn. 55402; Newcomb Securities Co., 767 5th Avenue, 34th Floor, New York, N.Y. 10153.
D. (6) $9,429. E. (9) $778.61.

A. H. Richard Seibert, Jr., National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
D. (6) $400.

A. Paul J. Seidman, 1625 K Street NW., Suite 302, Washington, D.C. 20006.
B. Joseph J. Petrillo, P.C., 1625 K Street NW., No. 302, Washington, D.C. 20006 (for National Association of Aircraft & Communication Suppliers, 7360 Laurel Canyon Boulevard, N. Hollywood, Calif. 91605).
D. (6) $890.

A. Seifman & Lechner, P.C., 1000 Potomac Street NW., Suite 204, Washington, D.C. 20007.
B. Massachusetts Association of Contributory Retirement Systems, Inc., 182 Sunnyside Road, Norwood, Mass. 02062.
D. (6) $12,000.

A. Seifman & Lechner, P.C., 1000 Potomac Street NW., Washington, D.C. 20007.
B. National Association of Police Organizations, 12th & L Streets, Sacramento, Calif. 95814.
D. (6) $11,250. E. (9) $200.25.

A. Armistead I. Selden, Suite 4400, 475 L'Enfant Plaza SW., Washington, D.C. 20024.
B. American League for Exports and Security Assistance, Inc., Suite 4400, 475 L'Enfant Plaza SW., Washington, D.C. 20024.
D. (6) $13,000. E. (9) $49.70.

A. Stanton P. Sender, Sears, Roebuck & Co., 1211 Connecticut Avenue NW., Washington, D.C. 20036.
B. Sears, Roebuck & Co., Sears Tower, Chicago, Ill. 60684.
D. (6) $1,620. E. (9) $57.77.

A. Patricia Senner, 530 7th Street SE., Washington, D.C.
B. National Clean Air Coalition, 530 7th Street SE., Washington, D.C.

D. (6) $1,600.

A. David Senter, 100 Maryland Avenue NE., Box 69, Washington, D.C. 20002.
B. American Agriculture Movement, Inc., 100 Maryland Avenue NE., Box 69, Washington, D.C. 20002.
D. (6) $9,752.07.

A. Service Master Industries, Inc., 2300 Warrenville Road, Downers Grove, Ill. 60515.
E. (9) $1,625.

A. Service Station Dealers of America, Inc., 2021 K Street NW., Suite 303, Washington, D.C. 20006.
E. (9) $15,041.45.

A. Sarah Setton, 1511 K Street NW., Washington, D.C. 20005.
B. The Sugar Association, Inc., 1511 K Street NW., Washington, D.C. 20005.
D. (6) $115. E. (9) $8.

A. Seven Months Session for Congress, 3306 Yellowpine Terrace, Austin, Tex. 78757.
E. (9) $550.

A. J. Richard Sewell, Florida Power & Light Co., 1111-19th Street NW., Suite 1102, Washington, D.C. 20036.
B. Florida Power & Light Co., P.O. Box 529100, Miami, Fla. 33152.
D. (6) $400. E. (9) $233.90.

A. Seward & Kissel, 1050 17th Street NW., Washington, D.C. 20036.
E. (9) $25.

A. Seward & Kissel, 1050 17th Street NW., Washington, D.C. 20036.
B. Gray & Co., The Powerhouse, Washington, D.C. 20007.
E. (9) $14.

A. Seward & Kissel, 1050 17th Street NW., Washington, D.C. 20036.
B. Hallac Associates, Inc., 100 Wall Street, New York, N.Y. 10005.
D. (6) 964.25. E. (9) $116.

A. Seward & Kissel, 1050 17th Street NW., Washington D.C. 20036.
B. Merrill Lynch Money Markets, Inc., 165 Broadway, New York, N.Y. 10080.
E. (9) $18.49.

A. Leslie Sewell, National Public Radio, 2025 M Street NW., Washington, D.C. 20036.
B. National Public Radio, 2025 M Street NW., Washington, D.C. 20036.
D. (6) $9,500.

A. Seyfarth, Shaw, Fairweather & Geraldson, 1111 19th Street NW., Suite 500, Washington, D.C. 20036.
B. Agricultural Producers, 600 Commonwealth Avenue, Suite 212, Los Angeles, Calif. 90005.
D. (6) $2,197.50.

A. Seyfarth, Shaw, Fairweather & Geraldson, 1111 19th Street NW., Suite 500, Washington, D.C. 20036.
B. National Multi-Housing Council, 1800 M Street NW., Suite 285, Washington, D.C. 20036.

A. Seyfarth, Shaw, Fairweather & Geraldson, 1111 19th Street NW., Suite 500, Washington, D.C. 20036.
B. Shipbuilders Council of America, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

A. Clive Seymour, P.O. Box 2511, Houston, Tex. 77001.
B. Tennessee Gas Pipeline Co., P.O. Box 2511, Houston, Tex. 77001.
D. (6) $5.99.

A. Shack & Kimball, P.C., 1129 20th Street NW., Suite 500, Washington, D.C. 20036.
B. Eazor Express, Inc., Eazor Square, Pittsburgh, Pa. 15201.

A. Shack & Kimball, P.C., 1129 20th Street NW., Suite 500, Washington, D.C. 20036.
B. Five Tribes Confederacy of North Central Oklahoma, c/o Ponca Tribe, Ponca City, Okla. 74601.

A. Shack & Kimball, P.C., 1129 20th Street NW., Suite 500, Washington, D.C. 20036.
B. Kiowa-Comanche-Apache Intertribal, Land Use Committee, P.O. Box 72, Lawton, Okla. 73501.

A. Shack & Kimball, P.C., 1129 20th Street NW., Suite 500, Washington, D.C. 20036.
B. Kootznoowoo, Inc., P.O. Box 116, Angoon, Alaska 99820.

A. Shack & Kimball, P.C., 1129 20th Street NW., Suite 500, Washington, D.C. 20036.
B. Seneca-Cayuga Tribe of Oklahoma, P.O. Box 1283, Miami, Okla. 74354.

A. Shack & Kimball, P.C., 1129 20th Street NW., Suite 500, Washington, D.C. 20036.
B. Ukpeagvik Inupiat Corp., P.O. Box 427, Barrow, Alaska 99723.

A. William H. Shaker, National Tax Limitation Committee, 1523 L Street NW., Suite 600, Washington, D.C. 20005.
B. National Tax Limitation Committee, 1523 L Street NW., Suite 600, Washington, D.C. 20005.
D. (6) $540. E. (9) $1,255.

A. James M. Shamberger, 1025 Connecticut Avenue NW., Suite 512, Washington, D.C. 20036.
B. Reinsurance Association of America, 1025 Connecticut Avenue NW., Suite 512, Washington, D.C. 20036.
E. (9) $2.52.

A. Shamrock Foods Co., 2228 North Black Canyon Road, Phoenix, Ariz. 85009.

A. Lloyd D. Shand, Monsanto Co., 1101 17th Street NW., Washington, D.C. 20036.
B. Monsanto Co., 800 N. Lindbergh Boulevard, St. Louis, Mo. 63166.
D. (6) $400. E. (9) $116.23.

A. Debbie Shannon, Security Pacific National Bank, 1901 L Street NW., Washington, D.C. 20036.
B. Security Pacific National Bank, 333 S. Hope Street, Los Angeles, Calif. 90071.
D. (6) $1,300. E. (9) $306.98.

A. Harry D. Shapiro, 1800 Mercantile Bank & Trust Building, 2 Hopkins Plaza, Baltimore, Md. 21201.
B. Maryland Savings-Share Insurance Corp., 901 North Howard Street, Baltimore, Md. 21201.
E. (9) $628.62.

A. G. Jerry Shaw, Senior Executives Association, P.O. Box 7610, Ben Franklin Station, Washington, D.C. 20044.
B. Senior Executives Association, P.O Box 7610, Ben Franklin Station, Washington, D.C. 20044.
D. (6) $11,874.50 E. (9) $382.67.

A. Karen Dolmatch Shaw, BankAmerica Corp., 1800 K Street NW., Suite 920, Washington, D.C. 20006.
B. BankAmerica Corp., BankAmerica Center, San Francisco, Calif.
D. (6) $175.50. E. (9) $566.82.

A. Luther W. Shaw, The Madison Building, Suite 514, 1155 15th Street NW., Washington, D.C. 20005.
B. National Agricultural Chemicals Association, 1155 15th Street NW., Washington, D.C. 20005.
D. (6) $5,625. E. (9) $119.50.

A. Shaw, Pittman, Potts & Trowbridge, 1800 M Street NW., Suite 900S, Washington, D.C. 20036.
B. Association for the Improvement of the Mississippi River, 10 Broadway, St. Louis, Mo. 63102.

A. Shaw, Pittman, Potts & Trowbridge, 1800 M Street NW., Suite 900S, Washington, D.C. 20036.
B. Atlas Minerals Division, P.O. Box 1207, Moab, Utah 84532.
D. (6) $719.

A. Shaw, Pittman, Potts & Trowbridge, 1800 M Street NW., Suite 900S, Washington, D.C. 20036.
B. Cayman Turtle Farm, Ltd., P.O. Box 645, Grand Cayman Islands, British West Indies.

A. Shaw, Pittman, Potts & Trowbridge, 1800 M Street NW., Suite 900S, Washington, D.C. 20036.
B. Consolidated Grain & Barge Co., 5100 Oakland Avenue, St. Louis, Mo. 63110.

A. Shaw, Pittman, Potts & Trowbridge, 1800 M Street NW., Suite 900S, Washington, D.C. 20036.
B. Emerson Electric Co., 8000 W. Florissant, St. Louis, Mo. 63136.
D. (6) $973.

A. Shaw, Pittman, Potts & Trowbridge, 1800 M Street NW., Suite 900S, Washington, D.C. 20036.
B. Institute of Foreign Bankers, 200 Park Avenue, Suite 303 East, Room 23, New York, N.Y. 10017.
D. (6) $500.

A. Shaw, Pittman, Potts & Trowbridge, 1800 M Street NW., Suite 900S, Washington, D.C. 20036.
B. Investment Counsel Association of America, Inc., 50 Broad Street, New York, N.Y. 10004.

A. Shaw, Pittman, Potts & Trowbridge, 1800 M Street NW., Suite 900S, Washington, D.C. 20036.
B. National Committee on Small Issue Industrial Development Bonds, Box 1, 1800 M Street NW., Suite 900S, Washington, D.C. 20036.
D. (6) $10,355. E. (9) $38.50.

A. Shaw, Pittman, Potts & Trowbridge, 1800 M Street NW., Suite 900S, Washington, D.C. 20036.
B. Utility Nuclear Waste Management Group, c/o Edison Electric Institute, 1111 19th Street NW., Washington, D.C. 20036.
D. (6) $2,804. E. (9) 159.55.

A. Shea & Gould, 330 Madison Avenue, New York, N.Y. 10017.

B. Champion International Corp., 1875 I Street, Suite 540, Washington, D.C. 20006.

A. Shea & Gould, 330 Madison Avenue, New York, N.Y. 10017.
B. Chancellor Corp., 31 Milk Street, Boston, Mass. 02109.

A. Shea & Gould, 330 Madison Avenue, New York, N.Y. 10017.
B. Eleanor Clark, c/o J. Reynolds Barnes, 11 American Bank Building, 621 Northwest Morrison Street, Portland, Oreg. 97205.
E. (9) $56.46.

A. Shea & Gould, 330 Madison Avenue, New York, N.Y. 10017.
B. Encyclopedia Britannica, Inc., 425 North Michigan Avenue, Chicago, Ill.
D. (6) $15,000.

A. Shea & Gould, 330 Madison Avenue, New York, N.Y. 10017.
B. Nabisco, 100 DeForest Avenue, East Hanover, N.J. 07936.
E. (9) $38.18.

A. Shea & Gould, 330 Madison Avenue, New York, N.Y. 10017.
B. Ryder Systems, Inc., 3600 Northwest 82d Avenue, Miami, Fla. 33166.

A. Shea & Gould, 330 Madison Avenue, New York, N.Y. 10017.
B. Tosco Corp., 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Maureen Shea, 2030 M Street NW., Third Floor, Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., Third Floor, Washington, D.C. 20036.
D. (6) $7,562.52. E. (9) $81.60.

A. Shearman & Sterling, 53 Wall Street, New York, N.Y. 10005.
B. Amory Houghton, Sr., et al.

A. Shearman & Sterling, 153 East 53d Street, New York, N.Y. 10022.
B. The Business Roundtable, 200 Park Avenue, New York, N.Y. 10166.
D. (6) $10,000. E. (9) $1,215.

A. John J. Sheehan, United Steelworkers of America, 815 16th Street NW., Suite 706, Washington, D.C. 20006.
B. United Steelworkers of America, Five Gateway Center, Pittsburgh, Pa. 15222.
D. (6) $12,002.31.

A. John P. Sheffey, National Association for Uniformed Services, 5535 Hempstead Way, P.O. Box 1406, Springfield, Va. 22151.
B. National Association for Uniformed Services, 5535 Hempstead Way, P.O. Box 1406, Springfield, Va. 22151.
D. (6) $545.40.

A. Jonathan R. Sheiner, 4 Irving Place, New York, N.Y. 10003.
B. Consolidated Edison Co. of New York, Inc., 4 Irving Place, New York, N.Y. 10003.
D. (6) $512.50.

A. Debra K. Shelton, Distilled Spirits Council of the U.S., Inc., 1300 Pennsylvania Building, Washington, D.C. 20004.
B. Distilled Spirits Council of the U.S., Inc., 1300 Pennsylvania Building, Washington, D.C. 20004.
D. (6) $500. E. (9) $85.20.

A. Seymour Sheriff, 1126 Woodward Building, Washington, D.C. 20005.
B. Wyman Family, c/o Frank H. Wyman, 375 Park Avenue, New York, N.Y. 10022.
E. (9) $299.58.

A. Michael S. Sherman, 8401 Connecticut Avenue, Suite 911, Washington, D.C. 20815.
B. National Association of Furniture Manufacturers, 8401 Connecticut Avenue, Suite 911, Washington, D.C. 20815.
D. (6) $1,000. E. (9) $100.

A. Harvey A. Shipman, The Penn Central Corp., 1776 G Street NW., Suite 502, Washington, D.C. 20006.
B. The Penn Central Corp., 245 Park Avenue, 44th Floor, New York, N.Y. 10017.

A. Fred B. Shippee, American Apparel Manufacturers Association, 1611 North Kent Street, Suite 800, Arlington, Va. 22209.
B. American Apparel Manufacturers Association, Inc., 1611 North Kent Street, Suite 800, Arlington, Va. 22209.

A. James K. Shiver, 1629 K Street NW., Washington, D.C. 20006.
B. Diamond Shamrock Corp.

A. Mary Frances Shlagel, Union Oil Co. of California, 1100 Connecticut Avenue NW., Suite 800, Washington, D.C. 20036.
B. Union Oil Co. of California, 461 South Boylston Street, Los Angeles, Calif. 90017.

A. W. Ray Shockley, American Textile Manufacturers Institute, 1101 Connecticut Avenue NW., No. 300, Washington, D.C. 20036.
B. American Textile Manufacturers Institute, 1101 Connecticut Avenue NW., Suite 300, Washington, D.C. 20036.
D. (6) $2,550. E. (9) $4.50.

A. Debbie Leilani Shon, National Education Association, 1201 16th Street NW., Washington, D.C. 20036.
B. National Education Association, 1201 16th Street NW., Washington, D.C. 20036.
D. (6) $1,394.40. E. (9) $47.25.

A. G. Scott Shotwell, 1619 Massachusetts Avenue, Washington, D.C. 20036.
B. National Forest Products Association, 1619 Massachusetts Avenue, Washington, D.C. 20036.
D. (6) $2,475.

A. Richard G. Shoup, Union Pacific Corp., 1120 20th Street NW., Suite 600 S, Washington, D.C. 20036.
B. Union Pacific Corp., 345 Park Avenue, New York, N.Y. 10154.
D. (6) $2,850. E. (9) $912.65.

A. Norman D. Shutler, 1607 New Hampshire Avenue NW., Washington, D.C. 20009.
B. Clayton Manufacturing Co., 4213 N. Temple City Boulevard, El Monte, Calif. 91731.
D. (6) $6,000. E. (9) $3,164.41.

A. Candice J. Shy, 1025 Connecticut Avenue NW., Suite 1014, Washington, D.C. 20036.
B. Enserch Corp., 300 South St. Paul Street, Dallas, Tex. 75201.
D. (6) $3,625. E. (9) $1,361.24.

A. Mark A. Siegel & Associates, Inc., 400 N. Capitol Street NW., No. 368, Washington, D.C. 20001.
B. Archer-Daniels-Midland Co., Post Office Box 1470, Decatur, Ill. 62525.
D. (6) $6,000.

A. Mark A. Siegel & Associates, Inc., 400 North Capitol Street NW., No. 368, Washington, D.C. 20001.
B. Can-American Corp., 7900 Xerxes Avenue, Minneapolis, Minn. 55431.
D. (6) $3,000.

A. Mark A. Siegel & Associates, Inc., 400 North Capitol Street NW., No. 368, Washington, D.C. 20001.
B. City of Kansas City, Mo., City Hall, Kansas City, Mo. 64106.
D. (6) $9,999.99 E. (9) $671.10.

A. Mark A. Siegel & Associates, Inc., 400 North Capitol Street NW., No. 368, Washington, D.C. 20001.
B. Couzens Distribution System, 6600 South River Road, Hodgkins, Ill. 60525.
D. (6) $6,000.

A. Mark A. Siegel & Associates, Inc., 400 N. Capitol Street NW., No. 368, Washington, D.C. 20001.
B. Twin City Barge, Inc., 222 West Grand Avenue, South St. Paul, Minn. 55075.
D. (6) $6,000.

A. Richard H. Siemsen, 8000 West Florissant, St. Louis, Mo. 63136.
B. Emerson Electric Co., 8000 West Florissant, St. Louis, Mo. 63136.
E. (9) $2,017.29.

A. Bernard H. Sieracki, Illinois Petroleum Council, 79 West Monroe Street, Suite 514, Chicago, Ill. 60603.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $200. E. (9) $63.42.

A. Daniel W. Sigelman, 2000 P Street NW., Suite 708, Washington, D.C. 20036.
B. Health Research Group, 2000 P Street NW., Suite 708, Washington, D.C. 20036.

A. Mark Silbergeld, Consumers Union, 1511 K Street NW., Suite 1033, Washington, D.C. 20005.
B. Consumers Union of U.S., Inc., 256 Washington Street, Mount Vernon, N.Y. 10550.
D. (6) $2,200.

A. David Silver, 1775 K Street NW., Washington, D.C. 20006.
B. Investment Company Institute, 1775 K Street NW., Washington, D.C. 20006.
D. (6) $112.50.

A. Silver Users Association, 1717 K Street NW., Washington, D.C. 20006.
D. (6) $284.88. E. (9) $2,758.05.

A. Bruce A. Silverglade, Center for Science in the Public Interest, 1755 S Street NW., Washington, D.C. 20009.
B. Center for Science in the Public Interest, 1755 S Street NW., Washington, D.C. 20009.
D. (6) $2,000. E. (9) $50.

A. Barbara Silverman, 2500 DeKalb Pike, Norristown, Pa. 19404.
B. Provident Indemnity Life Insurance Co., 2500 DeKalb Pike, Norristown, Pa. 19404.

A. Silverstein and Mullens, 1776 K Street NW., Washington, D.C. 20006.
B. American Stock Exchange, 86 Trinity Place, New York, N.Y. 10006.

A. Silverstein and Mullens, 1776 K Street NW., Washington, D.C. 20006.
B. Association for Advanced Life Underwriting, 1922 F Street NW., Washington, D.C. 20006.
D. (6) $2,000.

A. Silverstein and Mullens, 1776 K Street NW., Washington, D.C. 20006.
B. Bristol Myers Co., 345 Park Avenue, New York, N.Y. 10002.

A. Silverstein and Mullens, 1776 K Street NW., Washington, D.C. 20006.

B. Champion Inc. Corp., One Landmark Square, Stamford, Connecticut 06921.

A. Silverstein and Mullens, 1776 K Street NW., Washington, D.C. 20006.
B. Federal National Mortgage Association, 1133 15th Street NW., Washington, D.C. 20005.

A. Silverstein and Mullens, 1776 K Street NW., Washington, D.C. 20006.
B. GATX Corp., 120 South Riverside Plaza, Chicago, Ill. 60606.
D. (6) $11,088.41. E. (9) $459.47.

A. Silverstein and Mullens, 1776 K Street NW., Washington, D.C. 20006.
B. HWL Properties, 5530 Corbin Avenue, Suite 245, Tarzana, Calif. 91356.
D. (6) $3,000.

A. Silverstein & Mullens, 1776 K Street NW., Washington, D.C. 20006.
B. Music Corporation of America, 100 Universal City Plaza, Universal City, Calif. 91608.

A. Silverstein & Mullens, 1776 K Street NW., Washington, D.C. 20006.
B. National Association of Home Builders, 15th and M Streets NW., Washington, D.C.

A. Silverstein & Mullens, 1776 K Street NW., Washington, D.C. 20006.
B. National Savings & Loan League, 1200 17th Street NW., Washington, D.C. 20036.

A. Gary D. Simms, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. Mark Simon, Food and Beverage Trades Department, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.
B. Food and Beverage Trades Dept., AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $401.95.

A. Talmage E. Simpkins, 100 Indiana Avenue NW., Washington, D.C. 20001.
B. AFL-CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C. 20001.
D. (6) $300. E. (9) $375.63.

A. Talmage E. Simpkins, 100 Indiana Avenue NW., Washington, D.C. 20001.
B. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C. 20001.
D. (6) $1,302.60. E. (9) $142.04.

A. C. Kyle Simpson, American Gas Association, 1515 Wilson Boulevard, Arlington, Va. 22209.
B. American Gas Association, 1515 Wilson Boulevard, Arlington, Va. 22209.
D. (6) $3,250. E. (9) $1,543.49.

A. Robert C. Singer, Soap & Detergent Association, 475 Park Avenue South, New York, N.Y. 10016.
B. Soap & Detergent Association, 475 Park Avenue South, New York, N.Y. 10016.

A. Richard L. Sinnott, 2021 K Street NW., Suite 306, Washington, D.C. 20006.
B. Port of Oakland, 66 Jack London Square, Oakland, Calif. 94604.
D. (6) $1,250.

A. Richard L. Sinnott & Co., 2021 K Street NW., Suite 306, Washington, D.C. 20006.
B. American President Lines, 1950 Franklin Street, Oakland, Calif. 94607.
D. (6) $3,750.

A. Donald E. Sinville, 227 North Street, Manchester, N.H. 03104.
B. Public Service Company of New Hampshire, Manchester, N.H. 03105.
D. (6) $550.

A. Skadden, Arps, Slate, Meagher & Flom, 1775 Pennsylvania Avenue NW., Washington, D.C.
B. Continental Oil Co., High Ridge Park, Stamford, Conn. 06404.

A. Skadden, Arps, Slate, Meagher & Flom, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Texas International Airlines, P.O. Box 12788, Houston, Tex. 77107.
D. (6) $5,000.

A. Skadden, Arps, Slate, Meagher & Flom, One Rodney Square, P.O. Box 636, Wilmington, Del. 19899.
B. Westvaco Corp., 299 Park Avenue, New York, N.Y. 10171; and Mead Corp., Courthouse Plaza Northeast, Dayton, Ohio 45463.
D. (6) $250.

A. Gregg P. Skall, Blum & Nash, 1015 18th Street NW., Washington, D.C. 20036.
B. Daytime Broadcasters Association, P.O. Box 564, Mattoon, Ill. 61983.

A. Angela G. Skelton, North Carolina Petroleum Council, P.O. Box 167, Raleigh, N.C. 27602.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

A. William J. Skinner, 815 15th Street NW., Washington, D.C. 20005.
B. United States Pharmacopeial Convention, Inc., 12601 Twinbrook Parkway, Rockville, Md. 20852.
D. (6) $2,504.05. E. (9) $13.65.

A. Barney J. Skladany, Jr., Mobil Oil Corp., 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y. 10017.
D. (6) $1,125.

A. Ruth L. Sky, Union Mutual Life Insurance Co., 2211 Congress Street, Portland, Maine 04122.
B. Union Mutual Life Insurance Co., 2211 Congress Street, Portland, Maine 04122.
D. (6) $157.50. E. (9) $28.

A. Carstens Slack, Phillips Petroleum Co., 1825 K Street NW., Suite 1107, Washington, D.C. 20006.
B. Phillips Petroleum Co., Bartlesville, Okla. 74004.

A. F. Slatinshek & Associates, Inc., 1102 Belle Vista Drive, Alexandria, Va. 22307.
B. Grumman Aerospace Corp., Bethpage, N.Y. 11714.
D. (6) $200.

A. Matthew B. Slepin, 1012 14th Street NW., Suite 805, Washington, D.C. 20005.
B. National Association of Housing Cooperatives, 1012 14th Street NW., Suite 805, Washington, D.C. 20005.
D. (6) $99.07. E. (9) $16.09.

A. Small Business Legislative Council, 1604 K Street NW., Washington, D.C. 20006.
D. (6) $3,000. E. (9) $432.16.

A. Peter Small & Associates, Inc., 400 Madison Avenue, New York, N.Y. 10017.
B. William M. Mercer, Inc., 1211 Avenue of the Americas, New York, N.Y. 10036.

A. Stephan K. Small, Suite 3212, 490 L'Enfant Plaza East SW., Washington, D.C. 20024.
B. Securities Industry Association, 490 L'Enfant Plaza East SW., Washington, D.C. 20024.
D. (6) $1,828.13.

A. Smathers, Symington & Herlong, 1700 K Street NW., Suite 400, Washington, D.C. 20006.
B. American Horse Council, 1700 K Street NW., Suite 300, Washington, D.C. 20006.
D. (6) $5,500.

A. Smathers, Symington & Herlong, 1700 K Street NW., Suite 400, Washington, D.C. 20006.
B. American Inland Waterway Committee, 7733 Forsyth Boulevard, St. Louis, Mo.
D. (6) $3,500.

A. Smathers, Symington & Herlong, 1700 K Street NW., Suite 400, Washington, D.C. 20006.
B. Goldman Sachs, 55 Broad Street, New York, N.Y. 10004.
D. (6) $1,500.

A. Smathers, Symington & Herlong, 1700 K Street NW., Suite 400, Washington, D.C. 20006.
B. Pennzoil Co., Houston, Tex. 77001.
D. (6) $6,000.

A. Smathers, Symington & Herlong, 1700 K Street NW., Suite 400, Washington, D.C. 20006.
B. Republic of South Africa, 3051 Massachusetts Avenue NW., Washington, D.C. 20008.
D. (6) $7,500. E. (9) $161.65.

A. Donald E. Smiley, Exxon Corp., 1899 L Street NW., No. 1100, Washington, D.C. 20036.
B. Exxon Corp., 1251 Avenue of the Americas, New York, N.Y.
E. (9) $143.22.

A. James R. Smircina, P.O. Box 44101, Cleveland, Ohio 44101.
B. Cleveland Electric Illuminating Co., P.O. Box 5000, Cleveland, Ohio 44101.

A. Arthur J. Smith, Shell Oil Co., 1025 Connecticut Avenue NW., Suite 200, Washington, D.C. 20036.
B. Shell Oil Co., P.O. Box 2463, Houston, Tex. 77001.
D. (6) $500.

A. Catherine Smith, 530 Seventh Street SE., Washington, D.C. 20003.
B. Friends of the Earth, 530 Seventh Street SE., Washington, D.C. 20003.
D. (6) $1,142.76.

A. Catherine S. Smith, 1025 Connecticut Avenue NW., Suite No. 209, Washington, D.C. 20036.
B. American Business Conference, Inc., 1025 Connecticut Avenue NW., Suite No. 209, Washington, D.C. 20036.
D. (6) $100. E. (9) $276.79.

A. Charles Ronald Smith, Diamond Shamrock Corp., 1737 H Street NW., Washington, D.C. 20006.
B. Diamond Shamrock Corp., 717 North Harwood Street, Dallas, Tex.
D. (6) $417.

A. Elizabeth M. Smith, Amalgamated Clothing & Textile Workers Union, 815 16th Street NW., Washington, D.C.
B. Amalgamated Clothing & Textile Workers Union, 15 Union Square, New York, N.Y. 10003.
D. (6) $3,964.48. E. (9) $158.75.

A. J. Kenneth Smith, Sun Co., Inc., 1800 K Street NW., Washington, D.C. 20006.
B. Sun Co., Inc., 100 Matsonford Road, Radnor, Pa. 19087.

D. (6) $3,700. E. (9) $129.50.

A. Kathleen Gramp Smith, Council of Energy Resource Tribes, 1140 Connecticut Avenue NW., Washington, D.C. 20036.
B. Council of Energy Resource Tribes, 1140 Connecticut Avenue NW., Washington, D.C. 20036.

A. Michael P. Smith, New York State Bankers Association, 485 Lexington Avenue, New York, N.Y. 10017.
B. New York State Bankers Association, 485 Lexington Avenue, New York, N.Y. 10017.
D. (6) $200. E. (9) $178.05.

A. Robert B. Smith, Jr., 1155 15th Street NW., Washington, D.C. 20005.
B. Pharmaceutical Manufacturers Association, 1155 15th Street NW., Washington, D.C. 20005.
D. (6) $4,000. E. (9) $16.50.

A. Robert T. Smith Weyerhaeuser Co., 1625 I Street NW., No. 902, Washington, D.C. 20006.
B. Weyerhaeuser Co., Tacoma, Wash. 98477.
D. (6) $1,600. E. (9) $87.04.

A. Sidney O. Smith, Alston, Miller & Gaines, 35 Broad Street, Suite 1200, Atlanta, Ga. 30335.
B. Board of Trade for the City of Chicago, 141 West Jackson Boulevard, Chicago, Ill., 60604.
D. (6) $224.

A. Talbott C. Smith, 1615 H Street NW., Washington, D.C. 20062.
B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C. 20062.
D. (6) $3,000. E. (9) $149.60.

A. William H. Smith, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

A. Wayne H. Smithey, Ford Motor Co., 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Ford Motor Co., the American Road, Dearborn, Mich. 48121.
D. (6) $2,750. E. (9) $143.98.

A. Arthur V. Smyth, Weyerhaeuser Co., 1625 I Street NW., No. 902 Washington, D.C. 20006.
B. Weyerhaeuser Co., Tacoma, Wash. 98477.
D. (6) $1,600. E. (9) $24.

A. Peter Leigh Snell, David Vienna Associates, 510 C Street NE., No. 100, Washington, D.C. 20002.
B. National Association of Credit Management, 475 Park Avenue South, New York, N.Y. 10016.
D. (6) $500.

A. Frank B. Snodgrass, 1100 17th Street NW., Suite 306, Washington, D.C. 20036.
B. Burley and Dark Leaf Tobacco Export Association, 1100 17th Street NW., Suite 306, Washington, D.C. 20036.
D. (6) $1,000.47. E. (9) $175.12.

A. Larry S. Snowhite, 1015 15th Street NW., Washington, D.C. 20005.
B. Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, 1015 15th Street NW., Washington, D.C. 20005; One Center Plaza, Boston, Mass. 02108 (for: Lion Lines, Ltd., 1178 Millington Road, Schenectady, N.Y. 12309.)

A. Larry S. Snowhite, 1015 15th Street NW., Washington, D.C. 20005.
B. Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, 1015 15th Street NW., Washington, D.C. 20005; One Center Plaza, Boston, Mass. 02108 (for: Massachusetts Construction Industry Council Truck Weight Committee, c/o R. Barton Rosenfeld Concrete, Box E, Milford, Mass. 01757).
E. (9) $134.20.

A. Larry S. Snowhite, 1015 15th Street NW., Washington, D.C. 20005.
B. Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, 1015 15th Street NW., Washington, D.C. 20005; One Center Plaza, Boston, Mass. 02108 (for: SCA Services, Inc., 60 State Street, Boston, Mass. 02109).
E. (9) $94.39.

A. Snyder & Ball Associates, Inc., No. 1610, 1700 North Moore Street, Arlington, Va. 22209.
B. Aerojet-General Corp., 9100 East Flair Drive, El Monte, Calif. 91734.

A. Snyder & Ball Associates, Inc., No. 1610, 1700 North Moore Street, Arlington, Va. 22209.
B. DSP, Inc., 1700 North Moore Street, Arlington, Va. 22209.

A. Snyder & Ball Associates, Inc., No. 1610, 1700 North Moore Street, Arlington, Va. 22209.
B. Gould, Inc., Gould Meadows, Rolling Meadows, Ill. 60008.

A. Charles W. Snyder, 6000 Clewerwall Drive, Bethesda, Md. 20034.
B. Bechtel Financing Services, Inc., 1620 I Street NW., No. 703, Washington, D.C. 20006.

A. Edward F. Snyder, 245 Second Street NE., Washington, D.C. 20002.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C. 20002.
D. (6) $3,696.63.

A. J. R. Snyder, United Transportation Union, 400 First Street NW., Suite 704, Washington, D.C. 20001.
B. United Transportation Union, 400 First Street NW., Suite 704, Washington, D.C. 20001.
E. (9) $1,000.

A. John M. Snyder, 600 Pennsylvania Avenue SE., Suite 205, Washington, D.C. 20003.
B. Citizens Committee for the Right To Keep and Bear Arms, Bellefield Office Park, 1601 114th Street SE., Suite 151, Bellevue, Wash. 98004.
D. (6) $6,000.

A. Society for Animal Protective Legislation, P.O. Box 3719, Georgetown Station, Washington, D.C. 20007.
D. (6) $34,125.80. E. (9) $13,294.40.

A. Michael L. Solomon, 5726 Thomas Edison Court, Alexandria, Va. 22310.
B. National Apartment Association, 1825 K Street NW., Suite 604, Washington, D.C. 20006.
D. (6) $1,000.

A. Vincent R. Sombrotto, National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.
D. (6) $3,235.17.

A. Frederick P. Somers, Seafarers International Union, Suite 510, 815 16th Street NW., Washington, D.C. 20006.
B. Seafarers International Union, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $3,000. E. (9) $417.85.

A. Edmund T. Sommer, Jr., Council of American-Flag Ship Operators, 1625 K Street NW., Suite 1200, Washington, D.C. 20006.
B. Council of American-Flag Ship Operators, 1625 K Street NW., Suite 1200, Washington, D.C. 20006.
D. (6) $350. E. (9) $8.20.

A. S. L. Sommer & Associates, Inc., 1000 Wilson Boulevard, Suite 2300, Arlington, Va. 22209.
B. Northrop Corp., 1000 Wilson Boulevard, Suite 2300, Arlington, Va. 22209.
D. (6) $2,500. E. (9) $2,152.

A. Charles B. Sonneborn, American Academy of Ophthalmology, 1100 17th Street NW., Suite 901, Washington, D.C. 20036.
B. American Academy of Ophthalmology, 1100 17th Street NW., Suite 901, Washington, D.C. 20036.

A. Sonosky, Chambers & Sachse, 1050 31st Street NW., Washington, D.C. 20007.
B. Assiniboine and Sioux Tribes, Fort Peck Indian Reservation, Poplar, Mont. 59255.

A. Sonosky, Chambers & Sachse, 1050 31st Street NW., Washington, D.C. 20007.
B. Shoshone Indian Tribe, Wind River Indian Reservation, Fort Washakie, Wyo. 82514.

A. Sonosky, Chambers & Sachse, 1050 31st Street NW., Washington, D.C. 20007.
B. Standing Rock Sioux Tribe, Fort Yates, N. Dak. 58538.

A. Southwestern Peanut Shellers Association, 10 Duncannon Court, Glen Lakes, Dallas, Tex. 75225.
D. (6) $210. E. (9) $210.

A. Frank J. Specht, Schenley Distillers, Inc., 1725 DeSales Street NW., Washington, D.C. 20036.
B. Schenley Distillers, Inc., 888 Seventh Avenue, New York, N.Y. 10106.

A. John F. Speer, Jr., 910 17th Street NW., Washington, D.C. 20006.
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 910 17th Street NW., Washington, D.C. 20006.

A. George Spiegel, Spiegel & McDiarmid, 2600 Virginia Avenue NW., Washington, D.C. 20037.
B. Northern California Power Agency, 770 Kiely Boulevard, Santa Clara, Calif. 95051 and the Cities of Alameda, Biggs, Gridley, Healdsburg, Lodi, Lampoc, Palo Alto, Redding, Roseville, Santa Clara, Ukiah, California and associate member Plumas-Sierra Rural Electric Cooperative.

A. Spiegel & McDiarmid, 2600 Virginia Avenue, Washington, D.C. 20037.
B. Northern California Power Agency, 770 Kiely Boulevard, Santa Clara, Calif. 95051 et al.

A. Larry N. Spiller, 1015 15th Street NW., No. 802, Washington, D.C. 20005.
B. American Consulting Engineers Council, 1015 15th Street NW., No. 802, Washington, D.C. 20005.
D. (6) $900.

A. Joseph L. Spilman, Jr., 2101 L Street NW., Washington, D.C. 20037.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.

D. (6) $200.

A. Frederick C. Spreyer, Pacific Resources, Inc., 2501 M Street NW., Suite 540, Washington, D.C. 20037.
B. Pacific Resources, Inc., 733 Bishop Street, P.O. Box 3379, Honolulu, Hawaii 96813.
D. (6) $500.

A. Earl C. Spurrier, Monsanto Co., 1101 17th Street NW., No. 604, Washington, D.C. 20036.
B. Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo. 63166.

A. Squire, Sanders & Dempsey, 21 Dupont Circle NW., Washington, D.C. 20036.
B. American Chamber of Commerce in Europe and the Mediterranean, 21 Dupont Circle NW., Washington, D.C. 20036.

A. Squire, Sanders & Dempsey, 21 Dupont Circle NW., Washington, D.C. 20036.
B. American Chamber of Commerce in Italy, Inc., 21 Dupont Circle NW., Washington, D.C. 20036.

A. Squire, Sanders & Dempsey, 21 Dupont Circle NW., Washington, D.C. 20036.
B. American Chamber of Commerce in Spain, Inc., 21 Dupont Circle NW., Washington, D.C. 20036.

A. Squire, Sanders & Dempsey, 21 Dupont Circle NW., Washington, D.C. 20036.
B. American Society of Anesthesiologists, 515 Busse Highway, Park Ridge, Ill. 60068.

A. Squire, Sanders & Dempsey, 21 Dupont Circle NW., Washington, D.C. 20036.
B. City of Painesville, Ohio Milburn Building Painesville, Ohio 44077.

A. Squire, Sanders & Dempsey, 21 Dupont Circle NW., Washington, D.C. 20036.
B. National Collegiate Athletic Association, Nall Avenue at 63d Street, P.O. Box 1906 Shawnee Mission, Kansas 66222.
D. (6) $21,385.15. E. (9) $167.48.

A. Squire, Sanders & Dempsey, 21 Dupont Circle NW., Washington, D.C. 20036.
B. United States Wrestling Federation, 405 West Hall of Fame Avenue, Stillwater, Okla.

A. John Sroka, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. Elvis J. Stahr, National Audubon Society, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. National Audubon Society, 950 Third Avenue, New York, N.Y. 10022.
D. (6) $400. E. (9) $288.

A. Lynn E. Stalbaum, 30 F Street NW., Washington, D.C. 20001.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C. 20001.
D. (6) $2,400. E. (9) $181.49.

A. Robert W. Staley, 800 West Florissant, St. Louis, Mo. 63136.
B. Emerson Electric Co., 8000 West Florissant, St. Louis, Mo. 63136.

A. The Standard Oil Co. (Ohio), Midland Building, Cleveland, Ohio 44115.
E. (9) $1,768.35.

A. Mitchel Stanfield, The Coastal Corp., Suite 205, 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. The Coastal Corp., Nine Greenway Plaza, Houston, Tex. 77046.
D. (6) $400. E. (9) $29.25.

A. David P. Stang, P.C. 1629 K Street NW., Washington, D.C. 20006.
B. McDermott Inc., P.O. Box 60035, New Orleans, La. 70160.
D. (6) $62.75.

A. David P. Stang, P.C. 1629 K Street NW., Washington, D.C. 20006.
B. Ocean Minerals Co., 465 Bernardo Avenue, Mountain View, Calif. 94043.
D. (6) $ 197.39

A. David P. Stang, P.C., 1629 K Street NW., Washington, D.C. 20006.
B. Offshore Industry Committee, 1629 K Street NW., Suite 601, Washington, D.C. 20006.
D. (6) $64.87.

A. David P. Stang, P.C., 1629 K Street NW., Washington, D.C. 20006.
B. Fred J. Russell, P.O. Box 54228, Los Angeles, Calif. 90054.

A. David P. Stang, P.C., 1629 K Street NW., Washington, D.C. 20006.
B. Superlite Builders Supply, Inc., 4150 West Turney, Phoenix, Ariz. 85019.

A. David P. Stang, P.C., 1629 K Street NW., Washington, D.C. 20006.
B. Zapata Corp., P.O. Box 4240, Houston, Tex. 77001.
D. (6) $123.62.

A. Michael J. Stanton, Motor Vehicle Manufacturers Association of the U.S., Inc., 1909 K Street NW., Suite 300, Washington, D.C. 20006.
B. Motor Vehicle Manufacturers Association of the U.S., Inc., 300 New Center Building, Detroit, Mich. 48202.
D. (6) $709.50.

A. Melvin L. Stark, Suite 321, 1707 L Street NW., Washington, D.C. 20036.
B. Hartford Fire Insurance Co., Hartford Plaza, Hartford, Conn. 06115.
D. (6) $6,000.

A. Walter M. Starke, P.O. Box 2563, Birmingham, Ala. 35202.
B. Southern Natural Gas Co., P.O. Box 2563, Birmingham, Ala. 35202.

A. Robert R. Statham, Robert R. Statham & Associates, 1000 Vermont Avenue NW., Washington, D.C. 20005.
B. Committee for Commercial Energy Conservation, No. 604, 1000 Vermont Avenue NW., Washington, D.C. 20005.

A. Charles D. Statton, 2130 Oaks Drive, Hillsborough, Calif. 94010.
B. Bechtel Power Corp., 50 Beale Street, P.O. Box 3965, San Francisco, Calif. 94119.

A. Randolph J. Stayin, Taft, Stettinius & Hollister, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Taft, Stettinius & Hollister, First National Bank Center, Cincinnati, Ohio 45202 (For: American Hot Dip Galvanizers Association, 1000 Vermont Avenue NW., Suite 1100, Washington, D.C. 20005.)

A. Randolph J. Stayin, Taft, Stettinius & Hollister, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Taft, Stettinius & Hollister, First National Bank Center, Cincinnati, Ohio 45202 (For: Machinery Dealers National Association, 1110 Spring Street, Silver Spring, Md. 20910.)
D. (6) $12,328.75. E. (9) $737.27.

A. Randolph J. Stayin, Taft, Stettinius & Hollister, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Taft, Stettinius & Hollister, First National Bank Center, Cincinnati, Ohio 45202 (For: Special Committee for Workplace Product Liability Reform, 1800 Massachusetts Avenue NW., Suite 708, Washington, D.C. 20036.

A. John L. Steele, Time Inc., 888 16th Street NW., Washington, D.C. 20006.
B. Time Inc., Time & Life Building, Rockefeller Center, New York, N.Y. 10020.
D. (6) $2,100.

A. Theodore Stein, 2030 M Street NW., Suite 300, Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., Suite 300, Washington, D.C. 20036.
D. (6) $3,311.83.

A. Stephens Overseas Services Inc., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
D. (6) $75.40. E. (9) $90.

A. Stephens Overseas Services Inc., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. National Office Machine Dealers Association, 1510 Jarvis Avenue, Elk Grove Village, Ill. 60007.
D. (6) $85.56. E. (9) $16.74.

A. Steptoe & Johnson, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. Committee for Effective Capital Recovery, 1901 L Street NW, Suite 303, Washington, D.C. 20036.
E. (9) $1,315.54.

A. Steptoe & Johnson, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. Forest Industries Committee on Timber Valuation and Taxation, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
E. (9) $434.24.

A. Steptoe & Johnson, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. Rule of Law Committee, Suite 800, 1250 Connecticut Avenue NW., Washington, D.C. 20036. D. (6) $1,275. E. (9) $15.50.

A. Richard W. Sternberg, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Rural Electric Cooperative Association, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $115.

A. Michael E. Steward, 7957 Revenna Lane, Springfield, Va. 22153.
B. Puget Sound Power & Light Co., Puget Power Bldg., Bellevue, Wash. 98009.
D. (6) $10,000. E. (9) $359.48.

A. Michael E. Steward, 7957 Revenna Lane, Springfield, Va. 22153.
B. Vitro Engineering Corp., P.O. Box 296, Richland, Wash. 99352.

A. Michael J. Stientjes, American Farm Bureau Federation, 425 13th Street NW., Washington, D.C. 20004.
B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill. 60068.
D. (6) $4,250. E. (9) $13.

A. LaVerne Still, National Cotton Council of America, 1030 15th Street NW., Suite 700, Washington, D.C. 20005.
B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn. 38112.
D. (6) $303.75. E. (9) $28.91.

A. John W. Stillwagon, Coffee, Sugar & Cocoa Exchange, Inc., 4 World Trade Center, 8th Floor, New York, N.Y., 10048.

B. Coffee, Sugar & Cocoa Exchange, Inc., 4 World Trade Center, 8th Floor, New York, N.Y. 10048.
E. (9) $176.61.

A. Edward W. Stimpson, 1025 Connecticut Avenue NW., Suite 517, Washington, D.C. 20036.
B. General Aviation Manufacturers Association, 1025 Connecticut Avenue NW., Suite 517, Washington, D.C. 20036.
D. (6) $1,125.

A. Stockholders of America, Inc., 1625 I Street NW., Suite 724A, Washington, D.C. 20006.
D. (6) $1,929. E. (9) $977.69.

A. Lisa Stolp, 1101 Connecticut Avenue NW., Washington, D.C. 20036.
B. Vison & Elkins, 1101 Connecticut Avenue NW., Washington, D.C. 20036 (For: Continental Resources Company).

A. Lisa Stolp, 1101 Connecticut Avenue NW., Washington, D.C. 20036.
B. Vinson & Elkins, 1101 Connecticut Avenue NW., Washington, D.C. 20036 (For: Slurry Transport Association).
D. (6) $2,275.

A. Adam D. Stolpen, Pitney Bowes, Inc., 1101 30th Street NW., Suite 203, Washington, D.C. 20007.
B. Pitney Bowes, Inc., 69 Wheeler Drive, Stamford, Conn. 06926.

A. George W. Stone, National Farmers Union, Denver, Colo. 80251, 1012 14th Street NW., Washington, D.C. 20005.
B. The Farmers' Educational and Co-Operative Union of America, Denver Colo. 80251; 1012 14th Street NW., Washington, D.C. 20005.
D. (6) $8,750. E. (9) $24.65.

A. Richard B. Storey, 455-B Carlisle Drive, Herndon, Va. 22070.
B. International Military Club Executives Association, 455-B Carlisle Drive, Herndon, Va. 22070.

A. M. Elizabeth Stotler, 30 F Street NW., Washington, D.C. 20001.
B. National Milk Producrs Federation, 30 F Street NW., Washington, D.C. 20001.
D. (6) $250.

A. Ros Stovall, 451 South Indiana Street, Mooresville, Ind. 46158.
B. Protect the Innocent, Inc., 451 South Indiana Street, Morresville, Ind. 46158.

A. Alan B. Stover, The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C. 20006.
B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C. 20006.
D. (6) $2,500. E. (9) $23.50

A. William M. Stover, Chemical Manufacturers Association, 2501 M Street NW., Washington, D.C. 20037.
B. Chemical Manufacturers Association, 2501 M Street NW., Washington, D.C. 20037.
D. (6) $1,000.

A. David E. Strachan, National Association of Personnel Consultants, 1012 14th Street NW., 15th Floor, Washington, D.C. 20005.
B. National Association of Personnel Consultants, 1012 14th Street NW., 15th Floor, Washington, D.C. 20005.
D. (6) $4,500.

A. Stradley, Ronon, Stevens & Young, 1100 One Franklin Plaza, Philadelphia, Pa. 19102.
B. Milliken Research Corp., P.O. Box 1926, Spartanburg, S.C. 29304.

A. Terrence D. Straub, United States Steel Corp., 818 Connecticut Avenue NW., Washington, D.C. 20006.
B. United States Steel Corp., 600 Grant Street, Pittsburgh, Pa. 15230.
D. (6) $293. E. (9) $356.

A. Richard H. Streeter, 1729 H Street NW., Washington, D.C. 20006.
E. (9) $1,348.43.

A. Stroock & Stroock & Lavan, 1150 17th Street NW., Washington, D.C. 20036.
B. J. Aron & Co., Inc., 160 Water Street, New York, N.Y. 10038.
D. (6) $6,500. E. (9) $17.

A. Stroock & Stroock & Lavan, 1150 17th Street NW., Washington, D.C. 20036.
B. Chemolimpex, P.O. Box 121, H-1305, Budapest, Hungary.
D. (6) $2,184.20.

A. Stroock & Stroock & Lavan, 1150 17th Street NW., Washington, D.C. 20036.
B. Chinoin, To utca 1-5, H-1045, Budapest, Hungary.
D. (6) $2,184.20.

A. Stroock & Stroock & Lavan, 1150 17th Street NW., Washington, D.C. 20036.
B. Crown Coach Corp., 2428 East 12th Street, Los Angeles, Calif. 90021.

A. Stroock & Stroock & Lavan, 1150 17th Street NW., Washington, D.C. 20036.
B. Mrs. Patsy Perry, 70 Glen Cove Road, Roslyn Heights, N.Y.

A. Stroock & Stroock & Lavan, 1150 17th Street NW., Washington, D.C. 20036.
B. Puerto Rico Federal Affairs Administration, 734 15th Street NW., Washington, D.C. 20005.

A. Stroock & Stroock & Lavan, 1150 17th Street NW., Washington, D.C. 20036.
B. Tenant-owned Apartment Association, Inc., 12 East 41st Street, New York, N.Y. 10017.
D. (6) $500. E. (9) $13.50.

A. Stroock & Stroock & Lavan, 1150 17th Street NW., Washington, D.C. 20036.
B. Shearson/American Express Inc., 14 Wall Street, New York, N.Y. 10005.
D. (6) $6,000.

A. Norman Strunk, U.S. League of Savings Associations, 111 East Wacker Drive, Chicago, Ill. 60601.
B. U.S. League of Savings Associations, 111 East Wacker Drive, Chicago, Ill. 60601.

A. Walter B. Stults, NASBIC, 618 Washington Building, Washington, D.C. 20005.
B. National Association of Small Business Investment Companies, 618 Washington Building, Washington, D.C. 20005.
D. (6) $1,500.

A. Eugene F. Sturgeon, 182 Crater Lane, Kensington, Conn. 06037.
B. Northeast Utilities Service Co., Selden Street, Berlin, Conn. 06037.
D. (6) $934.60. E. (9) $668.43.

A. Austin P. Sullivan, Jr., General Mills, Inc., P.O. Box 1113, Minneapolis, Minn. 55440.
B. General Mills, Inc., P.O. Box 1113, Minneapolis, Minn. 55440.

A. Sullivan & Beauregard, 1800 M Street NW., Washington, D.C. 20036.
B. Shipbuilders Council of America, 600 New Hampshire Avenue NW., Washington, D.C. 20037.
D. (6) $9,790.

A. Sullivan & Cromwell, 125 Broad Street, New York, N.Y. 10004, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. American International Group, Inc., 70 Pine Street, New York, N.Y. 10270.

A. Sullivan & Cromwell, 125 Broad Street, New York, N.Y. 10004, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Bache Group, Inc., 100 Gold Street, New York, N.Y. 10038.

A. Sullivan & Cromwell, 125 Broad Street, New York, N.Y. 10004, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Securities Industry Association, 490 L'Enfant Plaza East SW., Washington, D.C. 20024.

A. Sullivan & Cromwell, 125 Broad Street, New York, N.Y. 10004, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Goldman, Sachs & Co., 55 Broad Street, New York, N.Y. 10004.
E. (9) $4.90.

A. Sullivan & Cromwell, 125 Broad Street, New York, N.Y. 10004, 1775 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. INCO Limited, Toronto-Dominion Centre, Toronto, Ontario, Canada M5K 1E3.

A. Harold R. Sullivan, 1750 K Street NW., Washington, D.C. 20006.
B. Food Marketing Institute, 1750 K Street NW., Washington, D.C. 20006.
D. (6) $900.

A. Margaret Cox Sullivan, 1625 I Street NW., Suite No. 724A, Washington, D.C. 20006.
B. Stockholders of America, Inc. 1625 I Street NW., Suite No. 724A, Washington, D.C. 20006.
E. (9) $138.39.

A. Mary Beth Sullivan, 923 15th Street NW., Washington, D.C. 20005.
B. Transportation Institute, 923 15th Street NW., Washington, D.C. 20005.
D. (6) $3,000. E. (9) $929.26.

A. Patrick J. Sullivan, International Longshoremen's Association, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.
B. International Longshoremen's Association, AFL-CIO, 17 Battery Place, New York, N.Y. 10004.
D. (6) $6,343.49.

A. Richard C. Sullivan, Jr., National Peace Academy Campaign, 110 Maryland Avenue NE., Suite 409, Washington, D.C. 20002.
B. National Peace Academy Campaign, 110 Maryland Avenue NE., Suite 409, Washington, D.C. 20002.
D. (6) $1,500.

A. Scott K. Sullivan, American Federation of Government Employees, 1325 Massachusetts Avenue NW., Washington, D.C. 20005.
B. American Federation of Government Employees, 1325 Massachusetts Avenue NW., Washington, D.C. 20005.
D. (6) $6,670.30.

A. Sullivan & Worcester, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. Dollar Savings Bank, Fourth and Smithfield, Pittsburgh, Pa. 15230. Washington Mutual Savings Bank, 1101 Second Avenue, Seattle, Wash. 98111.
E. (9) $123.79.

A. Sullivan & Worcester, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. Marion Laboratories, Inc., 9221 Ward Parkway Kansas City, Mo. 64114.
D. (6) $5,342.05. E. (9) $404.17.

A. J. Mitchell Summers, 1747 Pennsylvania Avenue NW., Suite 702, Washington, D.C. 20006.
B. Armco, 1747 Pennsylvania Avenue NW., Suite 702, Washington, D.C. 20006.
D. (6) $940. E. (9) $205.

Peter B. Summerville, National Food Processors Association, 1133 20th Street NW., Washington, D.C. 20036.
B. National Food Processors Association, 1133 20th Street NW., Washington, D.C. 20036.
D. (6) $500. E. (9) $46.65.

A. Surrey & Morse, 1156 15th Street NW., Washington, D.C. 20005.
B. Arab Republic of Egypt, Cairo, Egypt.
D. (6) $18,474.50. E. (9) $715.

A. Surrey & Morse, 1156 15th Street NW., Washington, D.C. 20005.
B. Bench Ad Co., 4943 East Slauson Avenue, Maywood Calif. 90270.
D. (6) $560. E. (9) $10.

A. Surrey & Morse, 1156 15th Street NW., Washington, D.C. 20005.
B. Government of the Republic of Zaire, Kinshasa, Zaire.
D. (6) $625. E. (9) $838.33.

A. Surrey & Morse, 1156 15th Street NW., Washington, D.C. 20005.
B. Pietro Beretta, S.P.A., 25063 Gardone V.T. Italy.

A. Surrey & Morse, 1156 15th Street NW., Washington, D.C. 20005.
B. Walter E. Heller International Corp., 105 West Adams Street, Chicago, Ill. 60603.

A. Susman, Stern, Lurie, Sheehan, Popkin & Chervitz, 7733 Forsyth Boulevard, St. Louis, Mo. 63105.
B. American Inland Waterways Committee.

A. Susman, Stern, Lurie, Sheehan, Popkin & Chervitz, 7733 Forsyth Boulevard, St. Louis, Mo. 63105.
B. Medland Enterprises, Inc.

A. Susman, Stern, Lurie, Sheehan, Popkin & Chevnitz, 7733 Forsyth Boulevard, St. Louis, Mo. 63105.
B. The Valley Line.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. American Industrial Clay and Georgia Kaolin Division of Yara Engineering Corp., 511 Westminster Avenue, Elizabeth, N.J. 07207.
D. (6) $1,431.62. E. (9) $48.23.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Anglo-American Clays Corp., P.O. Box 471, Sandersville, Ga. 31082.
D. (6) $1,431.62. E. (9) $48.23.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Baker International, 500 City Parkway West, Orange, Calif. 92667.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Carnegie Corp. of New York, 437 Madison Avenue, New York, N.Y. 10022.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Connecticut Mutual Life Insurance Co., 140 Garden Street, Hartford, Conn. 06115.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Consumer Credit Insurance Association, 307 N. Michigan Avenue, Chicago, Ill. 60601.
D. (6) $2,000. E. (9) $67.65.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Council of Industrial Boiler Owners, 11222 Silverleaf Drive, Fairfax Station, Va. 22039.
D. (6) $1,102.12. E. (9) $450.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Engelhard Minerals & Chemicals Corp., 299 Park Avenue, New York, N.Y. 10017.
D. (6) $1,431.62. E. (9) $48.23.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Equifax Inc., P.O. Box 4081, Atlanta, Ga. 30302.
D. (6) $1,161.25 E. (9) $136.23.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Suite 800, Washington, D.C. 20006.
B. Flathead Joint Board of Control, Route 2, Box 69, Moiese, Mont. 59824.
E. (9) $20.60.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Freeport Kaolin Division of Freeport Minerals Co., 161 East 42d Street, New York, N.Y. 10017.
D. (6) $1,431.62. E. (9) $48.23.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Hagan Industries, Inc., P.O. Box 309, Montgomery, Ala. 36101.
D. (6) $659.65. E. (9) $9.67.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. John G. Hagan, P.O. Box 45, Lignum, Va. 22726.
D. (6) $659.65. E. (9) $9.67.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. J. M. Huber Corp., Thornall Street, Edison, N.J. 08817.
D. (6) $1,431.62. E. (9) $48.23.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Industrial Oil Consumers Group, 1666 K Street NW., Suite 800, Washington, D.C. 20006.
D. (6) $1,709.25. E. (9) $279.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Kansas Farm Bureau Life Insurance Co., 2321 Anderson Avenue, Manhattan, Kans. 66502; Farm Bureau Mutual Insurance Co., FKB Insurance Co., Manhattan, Kans. 66502.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Kentucky Farm Bureau Mutual Insurance Co., 120 South Hubbard Lane, Louisville, Ky. 40207; FB Insurance Co., 120 South Hubbard Lane, Louisville, Ky. 40207.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Liberty Corp., Box 789, Greenville, S.C. 29602.
D. (6) $659.65. E. (9) $9.67.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Lifetime Communities, Inc., 2740 Beach Boulevard, Suite 202, Jacksonville, Fla. 32207.
D. (6) $21,255.75. E. (9) $82.24.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Loyal Trust, 1401 Elm Street, Dallas, Tex.
D. (6) $659.65. E. (9) $9.67.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Mrs. A. Lester Marx, P.O. Box 2700, Honolulu, Hawaii 96765.
D. (6) $659.65. E. (9) $9.67.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Massachusetts Mutual Life Insurance Co., 1295 State Street, Springfield, Mass. 01111.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Mullite Co. of America, Andersonville, Ga. 31711.
D. (6) $1,431.62. E. (9) $48.23.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. The Mutual Benefit Life Insurance Co., 520 Broad Street, Newark, N.J. 07107.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Mutual Life Insurance Co. of New York, 1740 Broadway, New York, N.Y. 10019.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Mutual of Omaha Insurance Co., Mutual of Omaha Plaza, Omaha, Nebr. 68175,
D. (6) $1,000. E. (9) $35.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. National Association of Life Companies, Suite 1060, Tower Place, 3340 Peachtree Road NE., Atlanta, Ga. 30326.
D. (6) $1,500. E. (9) $50.82.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. National Home Life Assurance Co., Liberty Park, Frazer, Pa. 19355.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. New England Mutual Life Insurance Co., 501 Boylston Street, Boston, Mass. 02117.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Nord Resources Corp., Ole Town Park, 29 Iron Gate Drive, Dayton, Ohio 45459.
D. (6) $1,431.62. E. (9) $48.23.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. The Northwestern Mutual Life Insurance Co., 720 East Wisconsin Avenue, Milwaukee, Wis. 53202.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Southern Farm Bureau Life Insurance Co., P.O. Box 78, Jackson, Miss. 39205; Southern Farm Bureau Casualty Insurance Co., P.O. 1985, Jackson, Miss. 39205; Mississippi Farm Bureau Mutual Insurance Co., Jackson, Miss. 39205.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.

B. Louis H. Strauss, Room 500, 1015 18th Street NW., Washington, D.C. 20036.
D. (6) $659.65. E. (9) $9.67.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Benjamin J. and Hugh McMaster Tarbutton, P.O. Box 269, Sandersville, Ga. 31082.
D. (6) $659.65. E. (9) $9.67.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Thiele Kaolin Co., Kaolin Road, Sandersville, Ga.
D. (6) $1,431.62. E. (9) $48.23.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. United Farm Bureau Family Life Insurance Co., 130 East Washington Street, Indianapolis, Ind. 46204; United Farm Bureau Mutual Insurance Co., 130 East Washington Street, Indianapolis, Ind. 46204.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Mrs. Edna Winston, 525 Palm Drive, Golden Isles Hallandale, Fla. 33009.
D. (6) $659.65. E. (9) $9.67.

A. Donnae Sutherlin, National Association of Manufacturers, 17 West Market Street, Suite 341, Indianapolis, Ind. 46204.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.

A. Sutin, Thayer & Browne, P.O. Box 1945, Albuquerque, N. Mex. 87103.
B. Taxation & Revenue Department, P.O. Box 630, Santa Fe, N. Mex. 87509.
D. (6) $2,065. E. (9) $1,050.55.

A. W. Thomas Suttle, 1741 T Street NW., No. 104, Washington, D.C. 20009.
B. The Institute of Electrical & Electronics Engineers, Inc., 1111 19th Street NW., Washington, D.C. 20036.
D. (6) $1,440. E. (9) $492.

A. Frank S. Swain, National Federation of Independent Business, 490 L'Enfant Plaza SW., Suite 3206, Washington, D.C. 20024.
B. National Federation of Independent Business, 490 L'Enfant Plaza SW., Suite 3206, Washington, D.C. 20024.

A. Irving W. Swanson, 11212 Farmland Drive, Rockville, Md. 20852.
B. Harris Corp., 2600 Virginia Avenue NW., Suite 800, Washington, D.C. 20037.
D. (6) $14,000. E. (9) $2,761.93.

A. David A. Sweeney, 25 Louisiana Avenue NW., Washington, D.C. 20001.
B. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C. 20001.
D. (6) $15,378.99.

A. John R. Sweeney, 1000 16th Street NW., Suite 800, Washington, D.C. 20036.
B. Bethlehem Steel Corp., Bethlehem, Pa. 18016.

A. Rosemarie Sweeney, American Academy of Family Physicians, 475 L'Enfant Plaza W. SW., Suite 2970, Washington, D.C. 20024.
B. American Academy of Family Physicians, 1740 West 92d Street, Kansas City, Mo. 64114.
D. (6) $1,787.76. E. (9) $747.97.

A. Donald R. Sweitzer, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees, 825 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees, 3 Research Place, Rockville, Md. 20850.
D. (6) $5,000. E. (9) $1,005.

A. Russell A. Swindell, P.O. Box 2635, Raleigh, N.C. 27602.
B. North Carolina Railroad Association, P.O. Box 2635, Raleigh, N.C. 27602.
D. (6) $703.75 E. (9) $672.70.

A. Robert Taft, Jr., 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Taft, Stettinius & Hollister, First National Bank Center, Cincinnati, Ohio 45202. for: American Hospital Association, 444 North Capitol Street, Washington, D.C. 20001.
D. (6) $1,850. E. (9) $9.34.

A. Robert Taft, Jr., 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Taft, Stettinius & Hollister, First National Bank Center, Cincinnati, Ohio 45202. (For: American Hot Dip Galvanizers Association, 1000 Vermont Avenue NW., Suite 1100, Washington, D.C. 20005.)

A. Robert Taft, Jr., 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Taft, Stettinius & Hollister, First National Bank Center, Cincinnati, Ohio 45202. (For: Cincinnati Stock Exchange, 205 Dixie Terminal Building, Cincinnati, Ohio 45202.)

A. Robert Taft, Jr. 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Taft, Stettinius & Hollister, First National Bank Center, Cincinnati, Ohio 45202. (For: Hanna-Barbera Productions, Inc., 3400 Cahuenga Boulevard, Los Angeles, Calif. 90068.)

A. Robert Taft, Jr., 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Taft, Stettinius & Hollister, First National Bank Center, Cincinnati, Ohio 45202. (For: Hanna-Barbera's Marineland, Box 937, Rancho Palos Verdes, Calif. 90274.)

A. Robert Taft, Jr., 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Taft, Stettinius & Hollister, First National Bank Center, Cincinnati, Ohio 45202. (For: Machinery Dealers National Association, 1110 Spring Street, Silver Spring, Md. 20910.)

A. Robert Taft, Jr., 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Taft, Stettinius & Hollister, First National Bank Center, Cincinnati, Ohio 45202. (For: Miami Conservancy District, 38 East Monument Avenue, Dayton, Ohio 45402.)

A. Robert Taft, Jr., 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Taft, Stettinius & Hollister, First National Bank Center, Cincinnati, Ohio 45202. (For: Special Committee for Workplace Product Liability Reform, 1800 Massachusetts Avenue NW., Suite 708, Washington, D.C. 20036.)
D. (6) $3,650. E. (9) $64.65.

A. Robert Taft, Jr., 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Taft, Stettinius & Hollister, First National Bank Center, Cincinnati, Ohio 45202. (For: Taft Broadcasting Co., 1718 Young Street, Cincinnati, Ohio 45210.)
D. (6) $5,300.

A. Robert Taft, Jr., 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Taft, Stettinius & Hollister, First National Bank Center, Cincinnati, Ohio 45202. (For: Telephone and Data Systems, Inc. 79 West Monroe Street, Chicago, Ill. 60603.)
E. (9) $664.25.

A. Robert Taft, Jr., 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Taft, Stettinius & Hollister, First National Bank Center, Cincinnati, Ohio 45202. (For: Werner Von Clemm, 214 East 17th Street, New York, N.Y. 10003.)

A. Robert Taft, Jr., 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Taft, Stettinius & Hollister, First National Bank Center, Cincinnati, Ohio 45202. (For: Washington, Magazine, Inc., c/o Frank, Bernstein Conaway & Goldman, 2 Hopkins Plaza, 1300 Mercantile Bank & Trust Building, Baltimore, Md 21201.)
D. (6) $187.50. E. (9) $4.50.

A. Joe Tallakson, Suite 421, 1010 Vermont Avenue NW., Washington, D.C. 20005.
B. Sense, Inc. (For: Quinault Indian Nation) Suite 421, 1010 Vermont Avenue NW., Washington, D.C. 20005.
D. (6) $3,301.03. E. (9) $5,172.99.

A. Susan Tannenbaum, 2030 M Street NW., Third Floor, Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., Third Floor, Washington, D.C. 20036.
D. (6) $4,312.50. E. (9) $128.15.

A. Linda Tarr-Whelan, National Education Association, 1201 16th Street NW., Washington, D.C. 20036.
B. National Education Association, 1201 16th Street NW., Washington, D.C. 20036.
D. (6) $2,474. E. (9) $28.80.

A. William M. Tartikoff, Investment Company Institute, 1775 K Street NW., Washington, D.C. 20006.
B. Investment Company Institute, 1775 K Street NW., Washington, D.C. 20006.
D. (6) $272.25. E. (9) $254.49.

A. Dan C. Tate, National Broadcasting Co., 1825 K Street NW., Washington, D.C. 20006.
B. National Broadcasting Co., 1825 K Street NW., Washington, D.C. 20006.

A. Charles A. Taylor III, National Association of Independent Insurers, 499 South Capitol Street SW., No. 401, Washington, D.C. 20003.
B. National Association of Independent Insurers, 2600 River Road, Des Plaines, Ill. 60018.
D. (6) $1,000.

A. Clayton Taylor, One McDonald's Plaza, Oak Brook, Ill. 60521.
B. McDonald's Corp., One McDonald's Plaza, Oak Brook, Ill. 60521.

A. Dennis J. Taylor, Cummings & Lockwood, 1090 Vermont Avenue NW., Suite 650, Washington, D.C. 20005.
B. Central States Health & Life Co. of Omaha, Box 34350, Omaha, Nebr. 68134.
D. (6) $475.

A. Dennis J. Taylor, Cummings & Lockwood, 1090 Vermont Avenue NW., Suite 650, Washington, D.C. 20005.
B. Committee on Federal Contracting Practices, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Dennis J. Taylor, Cummings & Lockwood, 1090 Vermont Avenue NW., Suite 650, Washington, D.C. 20005.
B. Conoco, Inc., 1025 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $58,826.66.

A. Dennis J. Taylor, Cummings & Lockwood, 1090 Vermont Avenue NW., Suite 650, Washington, D.C. 20005.
B. Multi-State Communications, Inc., 230 Park Avenue, New York, N.Y.

D. (6) $6,150.

A. Dennis J. Taylor, Cummings & Lockwood, 1090 Vermont Avenue NW., Suite 650, Washington, D.C. 20005.
B. St. Joe Minerals Corp., 1730 Rhode Island Avenue NW., Suite 612, Washington, D.C. 20036.
D. (6) $2,000.

A. Peggy Taylor, 816 16th Street NW., Washington, D.C. 20006.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $14,944.10. E. (9) $478.73.

A. Sid Taylor, National Taxpayers Union, 325 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. National Taxpayers Union, 325 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $2,700. E. (9) $382.

A. B. W. Teague, Central Power & Light Co., P.O. Box 2121, Corpus Christi, Tex. 78403.
B. Central Power & Light Co., P.O. Box 2121 Corpus Christi, Tex. 78403.

A. Telecause, c/o Pierson, Ball & Dowd, 1200 18th Street NW., Washington, D.C. 20036.
D. (6) $100,000. E (9) $50,000.

A. Paul M. Tendler, 1899 L Street NW., Suite 1001, Washington, D.C. 20036.
B. Paul Tendler Associates Inc. (For: The National Federation of Licensed Practical Nurses, Inc.) 1899 L Street NW., Suite 1001, Washington, D.C. 20036.
D. (6) $1,500 E. (9) $170.

A. Paul M. Tendler, Paul M. Tendler Associates, Inc., 1899 L Street NW., Suite 1001 Washington, D.C. 20036.
B. Paul M. Tendler Associates, Inc. (For: Rasch Elektronik Albert Einstein, Strabe 18 6074 Rodermark 2, West Germany.)
D. (6) $2,000. E. (9) $100.

A. Betty-Grace Terpstra, Southern Furniture Manufacturers Association/National Association of Furniture Manufacturers, 918 16th Street NW., No. 402, Washington, D.C.
B. Southern Furniture Manufacturers Association, P.O. Box 2436 High Point, N.C. 27261.
D. (6) $750. E. (9) $624.58.

A. Edward F. Terrar, Jr., Room 400, 499 South Capitol Street SW., Washington, D.C. 20003.
B. Washington Industrial Team, Inc. Room 400, 499 South Capitol Street SW., Washington, D.C. 20003.
D. (6) $900.

A. Textron Inc., 40 Westminster Street, Providence, R.I. 02903.
E. (9) $11,925.74.

A. Bruce D. Thevenot, 1155 15th Street NW., Suite 424, Washington, D.C. 20005.
B. Casson, Calligaro & Mutryn, 2600 Virginia Avenue NW., Washington, D.C. (For: Humana, Inc., 1 Riverfront Plaza, Louisville, K.Y. 40201.)
D. (6) $1,500.

A. Bruce D. Thevenot, 1155 15th Street NW., Suite 424, Washington, D.C. 20005.
B. Oklahoma State Nursing Home Association, 200 Northeast 28th Street, Oklahoma City, Okla. 73105.
D. (6) $2,850.

A. Bruce D. Thevenot, 1155 15th Street NW., No. 424, Washington, D.C. 20005.
B. Spectrum Emergency Care, Inc., 970 Executive Parkway, St. Louis, Mo. 63141.
D. (6) $450.

A. E. Wayne Thevenot, Suite 1128, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. Hallmark Cards, 25th and McGee Street, Kansas City, Mo 64108.
D. (6) $900.

A. Thevenot, Murray & Scheer, 1120 Connecticut Avenue, Suite 1128, Washington, D.C. 20036.
B. American Institute of Architects, 1735 New York Avenue, Washington, D.C. 20006.
D. (6) $1,200.

A. Thevenot, Murray & Scheer, Suite 1128, 1120 Connecticut Avenue NW, Washington, D.C. 20036.
B. National Business Aircraft Association, One Farragut Square South, Washington, D.C. 20006.
D. (6) $400.

A. Thevenot, Murray & Scheer, Suite 1128, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. Joseph E. Seagram & Sons, Inc., 375 Park Avenue, New York, N.Y.
D. (6) $5,000.

A. Craig G. Thibaudeau, 3251 Old Lee Highway, Suite 500, Fairfax, Va. 22030.
B. National Limestone Institute, Inc., 3251 Old Lee Highway, Suite 500, Fairfax, Va. 22030.

A. Barbara Brendes Thies, National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20036.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20036.

A. 13th Congressional District Action Committee—Pro-Life, 986 Vicar Lane, San Jose, Calif. 95117.
D. (6) $175. E. (9) $149.11.

A. 38th Pro Life Congressional District Action Committee, 8654 Bonview Terrace, Williamsville, N.Y. 14221.
D. (6) $75. E. (9) $84.

A. 39th Congressional District Action Committee, RD 2, Allegany, N.Y. 14706.
D. (6) $75. E. (9) $51.12.

A. 36th Congressional District Action Committee—ProLife, 129 Belmont Avenue, Buffalo, N.Y. 14223.
D. (6) $84. E. (9) $119.78.

A. Edlu J. Thom, 1619 Massachusetts Avenue, Washington, D.C. 20036.
B. National Forest Products Association, 1619 Massachusetts Avenue, Washington, D.C. 20036.
D. (6) $1,350. E. (9) $105.92.

A. John W. Thomas, 1522 K Street NW., Suite 828, Washington, D.C. 20005.
B. American Veterinary Medical Association, 1522 K Street NW., Suite 828, Washington, D.C. 20005.

A. John W. Thomas, 1522 K Street NW., Suite 828, Washington, D.C. 20005.
B. Association of American Veterinary Medical Colleges, 1522 K Street NW., Suite 828, Washington, D.C. 20005.

A. Lawrence L. Thomas, 1740 Franklin Street, Apt. 3, San Francisco, Calif. 94109.
B. Bechtel Power Corp., 50 Beale Street, P.O. Box 3965, San Francisco, Calif. 94119.

A. Patricia Thomas, 1016 16th Street NW., Washington, D.C. 20036.
B. National Federation of Federal Employees, 1016 16th Street NW, Washington, D.C. 20036.

A. Robert L. Thomas, National Association of Private Psychiatric Hospitals, 1319 F Street NW., Washington, D.C. 20004.
B. National Association of Private Psychiatric Hospitals, 1319 F Street NW., Washington, D.C. 20004.
D. (6) $50.

A. Boyd Thompson, American Association of Foundations for Medical Care, 11325 Seven Locks Road, Suite 214, Potomac, Md. 20854.
B. American Association of Foundations for Medical Care, 11325 Seven Locks Road, Suite 214, Potomac, Md. 20854.

A. Boyd Thompson, American Association of Professional Standards Review Organizations, 11325 Seven Locks Road, Suite 214, Potomac, Md. 20854.
B. American Association of Professional Standards Review Organizations, 11325 Seven Locks Road, Suite 214, Potomac, Md. 20854.

A. Gary C. Thompson, Oil, Chemical & Atomic Workers International Union, 1126 16th Street NW., Washington, D.C. 20036.
B. Oil, Chemical & Atomic Workers International Union, 1636 Champa Street, Denver, Colo. 80201.
D. (6) $3,650.

A. James P. Thompson, Jr., 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. Jerry P. Thompson, 1300 Connecticut Avenue NW., Washington, D.C. 20036.
B. International Association of Machinists & Aerospace Workers, 1300 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $5,848.86.

A. Kenneth W. Thompson, Interstate Natural Gas Association of America, 1660 L Street NW., Suite 601, Washington, D.C. 20036.
B. Interstate Natural Gas Association of America, 1660 L Street NW., Suite 601, Washington, D.C. 20036.
D. (6) $300.

A. Richard L. Thompson, Abbott Laboratories, 1730 M Street NW., Suite 808, Washington, D.C. 20036.
B. Abbott Laboratories, North Chicago, Ill. 60064.
D. (6) $4,500.

A. Roger G. Thompson, 1701 Central Avenue, Ashland, Ky. 41101.
B. Kentucky Power Co., 1701 Central Avenue, Ashland, Ky. 41101.
D. (6) $1,250. E. (9) $1,296.68.

A. Vicki L. Thompson, San Diego Gas & Electric Co., 1150 Connecticut Avenue NW., Suite 517, Washington, D.C. 20036.
B. San Diego Gas & Electric Co., 101 Ash Street, San Diego, Calif. 92101.
D. (6) $550.

A. W. Reid Thompson, Potomac Electric Power Co., 1900 Pennsylvania Avenue NW., Washington, D.C. 20068.
B. Potomac Electric Power Co., 1900 Pennsylvania Avenue NW., Washington, D.C. 20068.

D. (6) $114.59.

A. William D. Thompson, Lear Siegler, Inc., 1001 Connecticut Avenue NW., Suite 601, Washington, D.C. 20036.
B. Lear Siegler, Inc., P.O. Box 2158, Santa Monica, Calif. 90406.
D. (6) $3,000. E. (9) $176.61.

A. Cynthia L. Thornburg, American Meat Institute, P.O. Box 3556, Washington, D.C. 20007.
B. American Meat Institute, P.O. Box 3556, Washington, D.C. 20007 (1700 North Moore Street, Arlington, Va.).
D. (6) $1,500. E. (9) $125.

A. James L. Thorne, Tennessee Gas Transmission Co., P.O. Box 2511, Houston, Tex. 77001.
B. Tennessee Gas Transmission Co., P.O. Box 2511, Houston, Tex. 77001.

A. William R. Thornhill, P.O. Box 2511, Houston, Tex. 77001.
B. Tennessee Gas Pipeline Co., Tenneeo, Inc., P.O. Box 2511, Houston, Tex. 77001.
D. (6) $41.07. E. (9) $118.86.

A. D. Whitney Thornton II, Bowman Conner, Touhey & Thornton, P.C., 2828 Pennsylvania Avenue NW., Suite 203, Washington, D.C. 20007.
B. Flyer Industries Ltd., Box 245, Transcona P.O., Winnipeg, Manitoba, Canada R2C 3T4.
D. (6) $543.75. E. (9) $44.24.

A. Gil Thrum, 777 14th Street NW., Washington, D.C. 20005.
B. National Association of Realtors, 777 14th Street NW., Washington, D.C. 20005.
D. (6) $2,500. E. (9) $65.61.

A. Ronald J. Tice, Marathon Oil Co., 1800 M Street NW., Washington, D.C. 20036.
B. Marathon Oil Co., Findlay, Ohio 45840.

A. Cyrus C. Tichenor III, A. H. Robins Co., 1050 17th Street NW., Suite 1104, Washington, D.C. 20036.
B. A. H. Robins Co., 1407 Cummings Drive, Richmond, Va. 23220.
D. (6) $785. E. (9) $71.

A. Drew V. Tidwell, The Consumer Bankers Association, 1300 North 17th Street, Suite 1200, Arlington, Va. 22209.
B. The Consumer Bankers Association, 1300 North 17th Street, Suite 1200, Arlington, Va. 22209.
D. (6) $2,000. E. (9) $6,960.51.

A. Paul J. Tierney, Transportation Association of America, 1100 17th Street NW., Suite 1107, Washington, D.C. 20036.
B. Transportation Association of America, 1100 17th Street NW., Suite 1107, Washington, D.C. 20036.

A. Roger Tilles, 1111 19th Street NW., Suite 1050, Washington, D.C. 20036.
B. First National Monetary Corp., 4000 Town Center, 15th Floor, Southfield, Mich. 48075.

A. Roger Tilles, 1111 19th Street NW., Suite 1050, Washington, D.C. 20036.
B. Michigan Department of Education, Room 520, Michigan National Tower, Lansing, Mich. 48909.

A. Roger Tilles, 1111 19th Street NW., Suite 1050, Washington, D.C. 20036.
B. National Con-Serv, Inc., 451 Hungerford Drive, Suite 205, Rockville, Md. 20850.

A. Roger Tilles, 1111 19th Street NW., Suite 1050, Washington, D.C. 20036.
B. Scholastic Magazines, Inc., 900 Sylvan Avenue, Englewood Cliffs, N.J. 07632.

A. Roger Tilles, 1111 19th Street NW., Suite 1050, Washington, D.C. 20036.
B. Southland-Arizona Colleges, 3160 West Fifth Street, Los Angeles, Calif. 90020.

A. Roger Tilles, 1111 19th Street NW., Suite 1050, Washington, D.C. 20036.
B. Washington Psychiatric Society, 1700 18th Street NW., Washington, D.C. 20009.

A. Roger Tilles, 1111 19th Street NW., Suite 1050, Washington, D.C. 20036.
B. Wayne State University, Detroit, Mich. 48202.

A. Wallace F. Tillman, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Rural Electric Cooperative Association, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $150.

A. Martin R. Tilson, P.O. Box 2563, Birmingham, Ala. 35202.
B. Southern Natural Gas Co., P.O. Box 2563, Birmingham, Ala. 35202.
E. (9) $297.14.

A. C. H. Timberlake, Phillips Petroleum Co., 1825 K Street NW., Suite 1107, Washington, D.C. 20006.
B. Phillips Petroleum Co., Bartlesville, Okla.

A. Timmons & Co., Inc., 1850 K Street NW., Washington, D.C. 20006.
B. American Inland Waterways Committee, One Mercantile Center, St. Louis, Mo. 63101.
D. (6) $937.50. E. (9) $85.14.

A. Timmons & Co., Inc., 1850 K Street NW., Washington, D.C. 20006.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $600.

A. Timmons & Co., Inc., 1850 K Street NW., Washington, D.C. 20006.
B. The Association of Trial Lawyers of America, 1050 31st Street NW., Washington, D.C. 20007.
D. (6) $225.

A. Timmons & Co., Inc., 1850 K Street NW., Washington, D.C. 20006.
B. Chrysler Corp., P.O. Box 1919, Detroit, Mich. 48288.
D. (6) $975.

A. Timmons & Co., Inc., 1850 K Street NW., Washington, D.C. 20006.
B. Eastern Air Lines, Inc., Miami International Airport, Miami, Fla. 33148.
D. (6) $637.50.

A. Timmons & Co., Inc., 1850 K Street NW., Washington, D.C. 20006.
B. Filmways, Inc., 2049 Century Park East, Los Angeles, Calif. 90067.
D. (6) $825.

A. Timmons & Co., Inc., 1850 K Street NW., Washington, D.C. 20006.
B. H. J. Heinz Co., P.O. Box 57, Pittsburgh, Pa. 15230.
D. (6) $375.

A. Timmons and Co., Inc., 1850 K Street NW., Washington, D.C. 20006.
B. Los Angeles Olympic Organizing Committee, 10995 Laconte Avenue, Los Angeles, Calif. 90024.
D. (6) $2,650.

A. Timmons and Co., Inc., 1850 K Street NW., Washington, D.C. 20006.
B. Major League Baseball, 75 Rockefeller Plaza, New York, N.Y. 10019.
D. (6) $750.

A. Timmons and Co., Inc., 1850 K Street NW., Washington, D.C. 20006.
B. Middle South Services, Inc., Box 61000, New Orleans, La. 70161.
D. (6) $562.50.

A. Timmons and Co., Inc., 1850 K Street NW., Washington, D.C. 20006.
B. National Rifle Association of America, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.
D. (6) $262.50.

A. Timmons and Co., Inc., 1850 K Street NW., Washington, D.C. 20006.
B. Northrop Corp., 1000 Wilson Boulevard, Arlington, Va 22209.
D. (6) $750.

A. Timmons and Co., Inc., 1850 K Street NW., Washington, D.C. 20006.
B. Office of the Governor of the State of Alaska, 444 North Capitol Street, Washington, D.C. 20001.
D. (6) $262.50.

A. Timmons and Co., Inc., 1850 K Street NW., Washington, D.C. 20006.
B. G. D. Searle & Co., P.O. Box 1045, Skokie, Ill. 60076.
D. (6) $637.50.

A. Timmons and Co., Inc., 1850 K Street NW., Washington, D.C. 20006.
B. Standard Oil of Indiana, 1000 16th Street NW., Washington, D.C. 20036.
D. (6) $675.

A. Mike Tiner, United Food & Commercial Workers International Union, 1775 K Street NW., Washington, D.C.
B. United Food & Commercial Workers International Union, 1775 K Street NW., Washington, D.C. 20006.
D. (6) $9,961.56. E. (9) $442.10.

A. E. Linwood Tipton, 910 17th Street NW., Washington, D.C. 20006.
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 910 17th Street NW., Washington, D.C. 20006.
E. (9) $541.96.

A. Eben S. Tisdale, Scientific Apparatus Makers Association, 1101 16th Street NW., Washington, D.C. 20036.
B. Scientific Apparatus Makers Association, 1101 16th Street NW., Washington, D.C. 20036.
D. (6) $1,450. E. (9) $123.50.

A. Title Associates, Inc., Route 2, Box 89, Columbia, Tenn. 38401.

A. Tobacco Associates, Inc., Suite 912, 1101 17th Street NW., Washington, D.C. 20036.
E. (9) $2,464.54.

A. James R. Tobin, Becton Dickinson & Co., Mack Centre Drive, Paramus, N.J. 07652.
B. Becton Dickinson & Co., Mack Centre Drive, Paramus, N.J. 07652.
D. (6) $2,000.

A. Warren D. Toburen, 1660 L Street NW., Suite 207, Washington, D.C. 20036.
B. Cities Service Co., 1660 L Street NW., Suite 207, Washington, D.C. 20036.

D. (6) $476.

A. David G. Todd, Ashland Oil, Inc., 1025 Connecticut Avenue NW., Suite 507, Washington, D.C. 20036.
B. Ashland Oil, Inc., P.O. Box 391, Ashland, Ky. 41101.
D. (6) $2,000.

A. M. Douglas Todd, 1000 Wilson Boulevard, Suite 2300, Arlington, Va. 22209.
B. Northrop Corp., 1000 Wilson Boulevard, Suite 2300, Arlington, Va. 22209.

A. William R. Tolley, Jr., Harris Corp., Melbourne, Fla. 32919.
B. Harris Corp., Melbourne, Fla. 32919.
E. (9) $9.25.

A. Wanda Townsend, National Cable Television Association, Inc., 1724 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Cable Television Association, Inc., 1724 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $318.75.

A. John P. Tracey, 1801 K Street NW., Suite 1201, Washington, D.C. 20006.
B. United States Independent Telephone Association, 1801 K Street NW., Suite 1201, Washington, D.C. 20006.
D. (6) $1,000.

A. TRAIN, Suite 200, 1776 F Street NW., Washington, D.C. 20006.

A. Joseph P. Trainor, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 3 Research Place, Rockville, Md. 20850.
D. (6) $6,000. E. (9) $980.

A. Jeffrey B. Trammell, 3255 Grace Street NW., The Power House, Washington, D.C. 20007.
B. Gray and Company, 3255 Grace Street NW., The Power House, Washington, D.C. 20007 (for: General Telephone and Electronics).

A. Jeffrey B. Trammell, 3255 Grace Street NW., The Power House, Washington, D.C. 20007.
B. Gray and Company, 3255 Grace Street NW., The Power House, Washington, D.C. 20007 (for: Health Insurance Association of America).

A. Jeffrey B. Trammell, 3255 Grace Street NW., The Power House, Washington, D.C. 20007.
B. Gray and Co. (for: Management Insights, Inc.), 3255 Grace Street NW., The Power House, Washington, D.C. 20007.

A. Jeffrey B. Trammell, 3255 Grace Street NW., The Power House, Washington, D.C. 20007.
B. Gray and Company, 3255 Grace Street NW., The Power House, Washington, D.C. 20007 (for: Motorola).

A. Jeffrey B. Trammell, 3255 Grace Street NW., The Power House, Washington, D.C. 20007.
B. Gray and Company, 3255 Grace Street NW., The Power House, Washington, D.C. 20007 (for: Westinghouse Broadcasting).

A. Transportation Association of America, Suite 1100, Washington, D.C. 20036.
A. Transportation Institute, 923 15th Street NW., Washington, D.C. 20005.
E. (9) $25,487.44.

A. Hubert Travaille, Potlatch Corp., 1090 Vermont Avenue NW., Suite 510, Washington, D.C. 20005.
B. Potlatch Corp., P.O. Box 3591, San Francisco, Calif. 94119.
D. (6) $650.

A. Paula C. Treat, National Home Furnishings Association, 900 17th Street NW., Suite 514, Washington, D.C. 20006.
B. National Home Furnishings Association, 405 Merchandise Mart, Chicago, Ill. 60654.
D. (6) $2,000.

A. Ernest B. Tremmel, Inc., 5908 Rossmore Drive Bethesda, Md. 20014.
B. Burns and Roe, Inc., 1850 K Street NW., Suite 220, Washington, D.C. 20006.
D. (6) $677. E (9) $138.

A. Richard S. Tribbe, Trans World Airlines, Inc., 1000 16th Street NW., Washington, D.C. 20036.
B. Trans World Airlines, Inc. 605 Third Avenue, New York, N.Y. 10158.
D. (6) $245.

A. Eugene M. Trisko, 9817 Rosensteel Avenue, Silver Spring, Md. 20910.
B. Stern Bros., Inc., P.O. Box 8, Parkersburg, W. Va. 26101.
D. (6) $12,370. E. (9) $7,417.

A. Glenwood S. Troop, Jr., U.S. League of Savings Associations, 1709 New York Avenue NW., Suite 801, Washington, D.C. 20006.
B. United States League of Savings Associations, 111 East Wacker Drive, Chicago, Ill.
D. (6) $11,875. E. (9) $178.

A. George G. Troutman, Bell Helicopter Textron 1090 Vermont Avenue NW., Suite 1100, Washington, D.C. 20005.
B. Bell Helicopter Textron, P.O. Box 482, Fort Worth, Tex., 76101
D. (6) $150.

A. Thomas L. Trueblood 401 North Michigan Avenue, Chicago, Ill. 60611.
B. International Harvester Co., 401 North Michigan Avenue, Chicago, Ill. 60611.
D. (6) $1,000. E. (9) $1,883.86.

A. The Trust for Public Land, 82 Second Street, San Francisco, Calif., 94105.
E. (9) $3,179.24.

A. Philip J. Tulimieri, Jr., 9 West 57th Street, New York, N.Y. 10019.
B. Avon Products, Inc., 9 West 57th Street, New York, N.Y. 10019.

A. Tuna Research Foundation, Inc., 1101 17th Street NW., Washington, D.C. 20036.
D. (6) $3,201.11. E. (9) $3,568.97.

A. Brian Turner, Industrial Union Department, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.
B. Industrial Union Department, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $4,162.50.

A. Richard F. Turney, 1725 K Street NW., Washington, D.C. 20006.
B. Courtney, McCamant & Turney, 1725 K Street NW., Washington, D.C. 20006.
D. (6) $300.

A. W. Glenn Tussey, American Farm Bureau Federation, 425 13th Street NW., Washington, D.C. 20004.
B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill. 60068.
D. (6) $6,000. E. (9) $48.

A. Carl R. Tuvin Tuvin Associates, Associate, 1302 18th Street NW., Suite 203, Washington, D.C. 20036.
B. John Guttenberg, Guttenberg Associate, Inc., Suite 401, 1627 K Street NW., Washington, D.C. (for North American Telephone Association).
D. (6) $6,000.

A. Carl R. Tuvin, Tuvin Associates, 1302 18th Street NW., Washington, D.C. 20036.
B. John Guttenberg, P. Guttenberg Associate, Inc., Suite 401, 1627 K Street NW., Suite 203, Washington, D.C. (For 20th Century Fox Film Corp).
D. (6) $3,000

A. St. Clair J. Tweedie, Scientific Apparatus Makers Association, 1101 16th Street NW., Washington, D.C. 20036.
B. Scientific Apparatus Makers Association, 1101 16th Street NW., Washington, D.C. 20036.
D. (6) $2,100.

A. Edgar H. Twine, Atlantic Richfield Co., 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Atlantic Richfield Co., 515 South Flower Street, Los Angeles, Calif. 90071.
D. (6) $450.

A. Jerry Udell, American Retail Federation, 1616 H Street NW., Washington, D.C. 20006.
B. American Retail Federation, 1616 H Street NW., Washington, D.C. 20006.
D. (6) $200. E. (9) $65.

A. Ullman Consultants, Inc., 1000 Potomac Street NW., Suite 302, Washington, D.C. 20007.
B. American Guaranty Financial Corp., 1430 Southwest Broadway, Portland, Oreg. 97201.
D. (6) $9,000.

A. Ullman Consultants, Inc., 1000 Potomac Street NW., Suite 302, Washington, D.C. 20007.
B. The Confederated Tribes of the Warm Springs Reservation of Oregon, Warm Springs, Oreg. 97761.

A. Ullman Consultants, 1000 Potomac Street NW., Suite 302, Washington, D.C. 20007.
B. Merck & Co., Inc., P.O. Box 2000, Rahway, N.J. 07065.
D. (6) $7,500. E. (9) $11.40.

A. Ullman Consultants, Inc., 1000 Potomac Street NW., Suite 302, Washington, D.C. 20007.
B. The Public Utility Tax Committee, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $15,000.

A. Ullman Consultants, Inc., 1000 Potomac Street, NW., Suite 302, Washington, D.C. 20007.
B. Spruell Development Corp., 6525 Belcrest Road, Suite 200. Hyattsville, Md. 20782.
D. (6) $3,000.

A. Ullman Consultants, Inc., 1000 Potomac Street NW., Suite 302, Washington, D.C. 20007.
B. Western Forest Industries Association, 1600 Southwest Taylor, Portland, Oreg.
D. (6) $10,000. E. (9) $17.10.

A. Union Mutual Life Insurance Co., 2211 Congress Street, Portland, Maine 04122.

E. (9) $578.

A. United Action for Animals, Inc., 205 East 42 Street, New York, N.Y. 10017.
D. (6) $1,689.11 E. (9) $1,689.11.

A. United Brotherhood of Carpenters & Joiners of America, 101 Constitution Avenue NW., Washington, D.C. 20001.
E. (9) $18,421.81.

A. United Fresh Fruit & Vegetable Association, 727 North Washington Street, Alexandria, Va. 22314.
E. (9) $1,156.72. D. (6) $498.22.

A. United Gas Pipe Line Co., P.O. Box 1478, Houston, Tex. 77001.
E. (9) $5,647.97.

A. U.S. Cane Sugar Refiners' Association, 1001 Connecticut Avenue, Washington, D.C. 20036.
D. (6) $4,908.75 E. (9) $5,021.67.

A. United States Industrial Council, Realtors Building; Third Floor, 306 Gay Street, Nashville, Tenn. 37219.
E. (9) $1,350.

A. United States League of Savings Associations, 111 East Wacker Drive, Chicago, Ill. 60601.
E. (9) $187,441.72.

A. U.S. & Overseas Tax Fairness Committee, Inc., 1101 15th Street NW., Washington, D.C. 20005.
D. (6) $7,000. E. (9) $29,596.47.

A. Lloyd N. Unsell, 1101 16th Street NW., Washington, D.C. 20036.
B. Independent Petroleum Association of America, 1101 16th Street NW., Washington, D.C. 20036.
E. (9) $46.

A. Marian S. Urnikis, American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

A. Jack J. Valenti, 1600 I Street NW., Washington, D.C. 20006.
B. Motion Picture Association of America, Inc., 1600 I Street NW., Washington, D.C. 20006.

A. David T. Van Camp, 1700 K Street NW., Suite 1204, Washington, D.C. 20006.
B. Chevron U.S.A. Inc. (a subsidiary of Standard Oil Co. of California), 1700 K Street NW., Suite 1204, Washington, D.C. 20006.
D. (6) $450.

A. Richard A. Van Deuren, Reinhart Boerner, Van Deuren, Norris & Rieselbach, S.C., 111 East Wisconsin Avenue, Suite 1800, Milwaukee, Wis. 53202.
B. National Employee Benefits Institute, 451 New Jersey Avenue SE., Washington, D.C. 20003.
E. (9) $274.22.

A. Van Fleet Associates, National Press Building, Suite 890, 529 14th Street NW., Washington, D.C. 20045.
B. Cadillac Gage, P.O. Box 1027, Warren, Minn. 48090.
D. (6) $1,155. E. (9) $53.35.

A. C. D. Van Houweling, P.O. Box 69, Centreville, Va. 22020.
B. National Pork Producers Council, P.O. Box 10383, Des Moines, Iowa 50306.
D. (6) $70.25

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.
B. Allied General Nuclear Services, P.O. Box 847, Barnwell, S.C. 29812.

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.
B. American Institute for Certified Public Accountants, 1620 I Street NW., Washington, D.C. 20006.
D. (6) $2,025.

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.
B. American President Lines, Ltd., 1950 Franklin Street, Oakland, Calif. 94610.
D. (6) $5,495. E. (9) $92.95.

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.
B. Arctic Slope Regional Corp., Barrow, Alaska.
D. (6) $50. E. (9) $14.

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.
B. Thomas Ludlow Ashley, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006. (For General Public Utilities, 100 Interpace Parkway, Parsippany, N.J. 07054.)

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.
B. Committee on Status and Transition, Seventh Palauan Legislature, P.O. Box 8, Koror, Palau, Western Caroline Islands 96940.
D. (6) $1,860. E. (9) $64.50.

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.
B. Continental Resources Co., P.O. Box 44, Winter Park, Fla. 32790.
D. (6) $750. E. (9) $193.25.

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.
B. Florida Agriculture Coalition, Inc., 249 Royale Palm Way, Palm Beach, Fla. 33480.

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.
B. Hawaiian Electric Co., P.O. Box 2750, Honolulu, Hawaii 96840.

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.
B. Metropolitan District Commission, Hartford County, Conn., 555 Main Street, Hartford, Conn. 06101.

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.
B. New York Air, LaGuardia Airport, Flushing, N.Y. 11317.
D. (6) $5,712.50. E. (9) $224.45.

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.
B. North Slope Borough, P.O. Box 69, Barrow, Alaska 99723.
D. (6) $824.50. E. (9) $163.

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.
B. Pacific Gas & Electric Co., 77 Beale Street, San Francisco, Calif. 94106.

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.
B. Palm Beach-Broward Farmers Committee for Legislative Action, P.O. Box 396, Boynton Beach, Fla. 33435.

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.
B. Republic Geothermal, Inc., 11823 East Slauson Avenue, Suite One, Santa Fe Springs, Calif. 90670.
D. (6) $1,887.50. E. (9) $264.50.

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.
B. Joseph E. Seagram & Sons, Inc., Simpson, Thatcher & Bartlett, One Battery Park Plaza, New York, N.Y. 10004.
D. (6) $7,875. E. (9) $33.

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.
B. South Florida Tomato & Vegetable Growers Association, P.O. Drawer B.B., Homestead, Fla. 33030.

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.
B. Southwest Winter Vegetable Growers Association, P.O. Box 1670, Immokalle, Fla. 33934.

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.
B. Standard Oil Co., (Indiana), 1000 16th Street NW., Washington, D.C. 20036.

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.
B. 25 E Street Associates, 1220 19th Street NW., Suite 400, Washington, D.C. 20036.
D. (6) $1,000. E. (9) $44.

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.
B. Union Carbide Corp., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.
B. U.S. Ethanol Corp., 405 Lexington Avenue, Suite 5004, New York, N.Y. 10174.
D. (6) $1,975. E. (9) $60.

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.

B. Wheelabrator-Frye, Inc., Liberty Lane, Hampton, N.H. 03842.

A. Van Ness, Feldman, Sutcliffe, Curtis & Levenberg, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, D.C. 20007.
B. Windfarms, Ltd., 639 Front Street, San Francisco, Calif. 94111.
D. (6) $837.50. E. (9) $26.

A. Glenn R. Van Schooneveld, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Armco, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $1,331.50. E. (9) $909.67.

A. Daniel W. Vannoy, National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
D. (6) $324.30. E. (9) $52.

A. Gerald W. Vaughan, 1850 K Street NW., Suite 390, Washington, D.C. 20006.
B. Union Camp Corp., 1850 K Street NW., Suite 390, Washington, D.C. 20006.
E. (9) $477.10.

A. Murle L. Vaughan, Beneficial Management Corp. of America, 1700 North Moore Street, 1925 Rosslyn Center Building, Arlington, Va. 22209.
B. Beneficial Management Corp. of America, 1300 Market Street, Wilmington, Del. 19899.

A. Velsicol Chemical Corp., 341 East Ohio Street, Chicago, Ill. 60611.
E. (9) $3,997.50.

A. Gilda Ventresca, American Hospital Association, 444 North Capital Street NW., No. 500, Washington, D.C. 20001.
B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill. 60611.
D. (6) $1,116.94. E. (9) $131.99.

A. Jerry T. Verkler, P.O. Box 2521, Houston, Tex. 77001.
B. Texas Eastern Transmission Corp., P.O. Box 2521, Houston, Tex. 77001.

A. C. John Vermilye, United States Steel Corp., 818 Connecticut Avenue NW., Washington, D.C. 20006.
B. United States Steel Corp., 600 Grant Street, Pittsburgh, Pa. 15230.
A. Verner, Liipfert, Bernhard & McPherson, 1660 L Street NW., Suite 1100, Washington, D.C. 20036.
B. Coalition of the United States Citizen Award-Holders Against Czechoslovakia.

A. Verner, Liipfert, Bernhard & McPherson, 1660 L Street NW., Suite 1100, Washington, D.C. 20036.
B. Pan American World Airways, Pan American Building, New York, N.Y. 10160.
D. (6) $3,450.

A. Werner, Liipfert, Bernhard & McPherson, 1660 L. Street, NW, No. 1100, Washington, D.C. 20036
B. Semicondutor Industry Association No., 28380 Town Center Lane, No. 155, Cupertino, Calif. 96014.

A. Verner, Liipfert, Bernhard & McPherson, 1660 L Street NW., Suite 1100, Washington, D.C. 20036.
B. Trans-Lux Corp., 110 Richards Avenue, Norwalk, Conn. 06854.
D. (6) $393.75.

A. Verner, Liipfert, Bernhard & McPherson, 1660 L Street NW., Suite 1100, Washington, D.C. 20036.
B. The Travelers Corp., One Tower Square, Hartford, Conn. 06115.
D. (6) $6,024. E. (9) $6,024.

A. Larry R. Veselka, 1101 Connecticut Avenue NW., Washington, D.C. 20036.
B. Vinson & Elkins, (For American General Corp). 1101 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $1,675. E. (9) $6.50.

A. Larry R. Veselka, 1101 Connecticut Avenue NW., Washington, D.C. 20036.
B. Vinson & Elkins, (For Continental Resources Co.) 1101 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $14,050. E. (9) $59.25.

A. Larry R. Veselka, 1101 Connecticut Avenue NW., Washington, D.C. 20036.
B. Vinson & Elkins, (for Ray Cullen) 1101 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $1,675. E. (9) $6.50.

A. Larry R. Veselka, 1101 Connecticut Avenue NW., Washington, D.C. 20036.
B. Vinson & Elkins, (For Houston Natural Gas Corp.) 1101 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $12,725. E. (9) $184.50.

A. Larry R. Veselka, 1101 Connecticut Avenue NW., Washington, D.C. 20036.
B. Vinson & Elkins, (For Mitchell Energy and Development Corp.) 1101 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $1,675. E. (9) $6.50.

A. Larry R. Veselka, 1101 Connecticut Avenue NW., Washington, D.C. 20036.
B. Vinson & Elkins, (For Pelican Terminal) 1101 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $9,125. E. (9) $83.50.

A. Larry R. Veselka, 1101 Connecticut Avenue NW., Washington, D.C. 20036.
B. Vinson & Elkins, (For Slurry Transport Association) 1101 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $5,225.

A. Larry R. Veselka, 1101 Connecticut Avenue NW., Washington, D.C. 20036.
B. Vinson & Elkins, (For Texas Eastern Transmission Corp.) 1101 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $250.

A. R. Eric Vige, 1660 L Street NW, No. 207, Washington, D.C. 20036
B. Cities Service Co., 1660 L Street NW., No. 207, Washington, D.C. 20036.

A. Rudolph A. Vignone, Goodyear Tire & Rubber Co., 1800 K Street NW., Suite 800, Washington, D.C. 20006.
B. Goodyear Tire & Rubber Co., Akron, Ohio 44316.

A. Steven A. Villas, Standard Oil Co. (Ohio), 1050 17th Street NW., Suite 650, Washington, D.C. 20036.
B. The Standard Oil Co. (Ohio), Midland Building, Cleveland, Ohio 44115.
D. (6) $58.35. E. (9) $10.

A. Howard A. Vine, National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
B. National Association of Manufacturers, 1176 F Street NW., Washington, D.C. 20006.
D. (6) $200.

A. Walter D. Vinyard, Jr., Alston, Miller & Gaines, 1800 M Street NW., Suite 1000, Washington, D.C. 20036.
B. Board of Trade of the City of Chicago, 141 West Jackson Boulevard, Chicago, Ill. 60604.
D. (6) $2,352.

A. Walter D. Vinyard, Jr., Alston, Miller & Gaines, 1800 M Street NW., Suite 1000, Washington, D.C. 20036.
B. Continental Insurance Co's., 80 Maiden Lane, New York, N.Y. 10038.
D. (6) $1,300.

A. Walter D. Vinyard, Jr., Alston, Miller & Gaines, 1800 M Street NW., Suite 1000, Washington, D.C. 20036.
B. The Hartford Insurance Group, Hartford, Conn. 06115.
D. (6) $1,000.

A. Virginia Association of Railway Patrons, P.O. Box 867, Richmond, Va. 23207.
D. (6) $156.39. E. (9) $156.39.

A. Christopher N. Visher, 1016 16th Street NW., No. 800, Washington, D.C. 20036.
B. Roisman, Reno & Cavanaugh (National Housing Law Project), 1016 16th Street NW., No. 800, Washington, D.C. 20036.
D. (6) $11,000. E. (9) $39.

A. Andrew Vitali, American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $6,000. E. (9) $74.46.

A. Volkswagen of America, Inc., 27621 Parkview Boulevard, Warren, Mich. 48092.
E. (9) $1,281.91.

A. Ingrid A. Voorhees, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.
D. (6) $2,000. E. (9) $500.

A. Vorys, Sater, Seymour & Pease, 1828 L Street NW., No. 1111, Washington, D.C. 20036.
B. Ad Hoc Committee for Individual Annuity Taxation, 10 Post Office Square, Boston, Mass. 02110.
D. (6) $12,069.31. E. (9) $1,335.84.

A. Vorys, Sater, Seymour & Pease, 1828 L Street NW., No. 1111, Washington, D.C. 20036.
B. American Life and Casualty Co., 207 North Fifth Street, Fargo, N. Dak. 58102.
D. (6) $785.75.

A. Vorys, Sater, Seymour & Pease, 1828 L Street NW., No. 1111, Washington, D.C. 20036.
B. Bowery Savings Bank, 110 East 42d Street, New York, N.Y. 10017.
D. (6) $12,745. E. (9) $576.11.

A. Vorys, Sater, Seymour & Pease, 1828 L Street NW., No. 1111, Washington, D.C. 20036.
B. Canadian Cablesystems Ltd., Toronto Dominion Center, Toronto, Canada

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A. Vorys, Sater, Seymour & Pease, 1828 L Street NW., No. 1111, Washington, D.C. 20036.
B. Committee of Publicly Owned Companies, 22 Thames Street, New York, N.Y. 10006.

A. Vorys, Sater, Seymour & Pease, 1828 L Street NW., No. 1111, Washington, D.C. 20036.

B. General Instrument Corp., 1200 New Hampshire Avenue NW., Washington, D.C. 20036.

A. Vorys, Sater, Seymour & Pease, 1828 L Street NW., No. 1111, Washington, D.C. 20036.
B. Grocery Manufacturers of America, Inc., 1010 Wisconsin Aveune NW., Washington, D.C.

A. Vorys, Sater, Seymour & Pease, 1828 L Street NW., No. 1111, Washington, D.C. 20036.
B. International Agricultural Development Service, 1133 Avenue of the Americas, New York, N.Y. 10036.
D. (6) $6,660.45. E. (9) $209.50.

A. Vorys, Sater, Seymour & Pease, 1828 L Street NW., No. 1111, Washington, D.C. 20036.
B. J. Paul NcNamara, 88 E Street, Columbus, Ohio 43215.

A. Vorys, Sater, Seymour & Pease, 1828 L Street NW., No. 1111, Washington, D.C. 20036.
B. Mowsafe Products, Inc., 205 Dearborn Drive, Columbus, Ohio 43215.

A. Vorys, Sater, Seymour & Pease, 1828 L Street NW., No. 1111, Washington, D.C. 20036.
B. National Hockey League, 1221 Avenue of the Americas, New York, N.Y. 10036.
D. (6) $450.

A. Vorys, Sater, Seymour & Pease, 1828 L Street NW., No. 1111, Washington, D.C. 20036.
B. North American Soccer League, 1133 Avenue of the Americas, New York, N.Y. 10036.
A. Vorys, Sater, Seymour & Pease, 1828 L Street NW., No. 1111, Washington, D.C. 20036.
B. Ohio Manufacturers Association, 100 East Broad Street, Columbus, Ohio 43215.
E. (9) $19.09.

A. Vorys, Sater, Seymour & Pease, 1828 L Street NW., No. 1111, Washington, D.C. 20036.
B. Toledo Trust Co., 245 Summit Drive, Toledo Ohio.
E. (9) $4,608.28.

A. Vorys, Sater, Seymour & Pease, 1828 L Street NW., No. 1111, Washington D.C. 20036.
B. Virginia State University, Petersburg, Va. 23803.
A. Vorys, Sater, Seymour & Pease, 1828 L Street NW., No. 1111, Washington, D.C. 20036.
B. Wagnalls Memorial, 150 East Columbus Street, Lithropolis, Ohio.

A. Robert J. Wager, Suite 850, 2020 K Street NW., Washington, D.C. 20006.
B. American Bakers Association, 2020 K Street NW., Suite 850, Washington, D.C. 20006.
D. (6) $2,126.25. E. (9) $9.35.

A. Howard W. Wahl, 240 Barton Shore Drive, Ann Arbor, Mich. 48105.
B. Bechtel Power Corp., P.O. Box 1000, Ann Arbor, Mich. 48106.

A. Herbert R. Waite, the First National Bank of Boston, 100 Federal Street, Boston, Mass. 02110.
B. First National Bank of Boston, 100 Federal Street, Boston, Mass. 02110.
D. (6) $3,375. E. (9) $3,449.12.

A. Herbert R. Waite, First National Boston Corp., 100 Federal Street, Boston, Mass. 02110.
B. First National Boston Corp., 100 Federal Street, Boston, Mass. 02110.

A. Robert E. Waldron, Associated Petroleum Industries of Michigan, P.O. Box 10070, Lansing, Mich. 48901.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $639.20.

A. E. F. Waldrop, Jr., Association of American Railroads, 412 First Street SE., Suite 200, Washington, D.C. 20003.
B. Association of American Railroads, 1920 L Street NW., Washington, D.C. 20036.
D. (6) $494.46.

A. Charles W. Walker, International Brotherhood of Electrical Workers, AFL-CIO-CLC, 1125 15th Street NW., Washington, D.C. 20005.
B. International Brotherhood of Electrical Workers, AFL-CIO-CLC, 1125 15th Street NW., Washington, D.C. 20005.
D. (6) $9,400.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Agrico Chemical Co., Bank of Oklahoma Tower, One Williams Center, Tulsa, Okla. 74103 et al.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Air Transport Association of America, 1709 New York Avenue NW., Washington, D.C. 20006.
D. (6) $1,562.50.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Aluminum Co. of America, 1200 Ring Building, Washington, D.C. 20036.
D. (6) $1,075.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. AMAX, Inc., Two Greenwich Plaza, Greenwich, Conn. 06830, et al.
D. (6) $3,750.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. American Airlines, Inc., P.O. Box 61616, Dallas/Ft. Worth Regional Airport, Tex. 75261.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. American Can Co., American Lane 1A9, Greenwich, Conn. 06830.
D. (6) $450.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. American Iron & Steel Institute, 1000 16th Street NW., Washington, D.C. 20036.
D. (6) $625.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. American Telephone & Telegraph Co., 1120 20th Street NW., Washington, D.C. 20036.
D. (6) $1,125.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Ashland Chemical, P.O. Box 2219, Columbus, Ohio 43216.
D. (6) $450.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Bechtel Power Corp., 1620 I Street NW., Washington, D.C. 20006.
D. (6) $1,250.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Bethlehem Steel Corp., Bethlehem, Pa. 18016.
D. (6) $625.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Board of Trade of the City of Chicago, 141 West Jackson Boulevard, Chicago, Ill. 60604.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Board of Trade Clearing Corp., 141 West Jackson Boulevard, Chicago, Ill. 60604.
D. (6) $6,250.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Caterpillar Tractor Co. 100 Northeast Adams Street, Peoria, Ill. 61629.
D. (6) $625.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Chicago Mercantile Exchange, 444 West Jackson Boulevard, Chicago, Ill. 60606.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Cigar Association of America, Inc., 1120 19th Street NW., Washington, D.C. 20036.
D. (6) $750.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Cities Service Co., Cities Service Building Tulsa, Okla. 74102.
D. (6) $5,000.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Container Corporation of America, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $450.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Crown Zellerbach Corp., One Bush Street, San Francisco, Calif. 94119

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. CSX Corp., P.O. Box C-32222, Richmond, Va. 23261.
D. (6) $625.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Dealer Bank Association, 1800 K Street NW., Washington, D.C. 20006.
D. (6) $12,500.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. Deere & Co., John Deere Road, Moline, Ill. 61265.
D. (6) $625.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Dresser Industries, Inc., 1100 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $625.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Eastern Air Lines, Inc., 10 Rockefeller Plaza, New York, N.Y. 10020.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Federal National Mortgage Association, 3900 Wisconsin Avenue NW., Washington, D.C. 20016.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. First Chicago Corp., One First National Plaza, Chicago, Ill. 60670
D. (6) $1,250.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Ford Motor Co., The American Road, Dearborn, Mich. 48121.
D. (6) $1,125.

A. Charls E. Walker Associates, Inc., 1777 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. General Electric Co., 1730 14th Street NW., Washington, D.C. 20005.
D. (6) $625.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. General Public Utilities Corp., 100 Interpace Parkway, Parsippany, N.J.. 07054.
D. (6) $4,000.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. General Telephone & Electronics, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $625.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Geothermal Kinetics, Inc., 301 West Indian School Road, Phoenix, Ariz. 85013.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. The Goodyear Tire & Rubber Co., 1800 K Street NW., Washington, D.C. 20006.
D. (6) $625.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. International Paper Co., 1620 I Street NW., Suite 700, Washington, D.C. 20006.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Kaiser Aluminum & Chemical Corp., 900 17th Street NW., Suite 1000, Washington, D.C. 20006.
D. (6) $450.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. The M. W. Kellogg Co., Three Greenway Plaza East, Houston, Tex. 77046.
D. (6) $625.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Lone Star Steel Co., 2200 W. Mockingbird Lane, Dallas, Tex. 75215.
D. (6) $2,500.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. The Mead Corp., 1000 Connecticut Avenue NW., Washington, D.C. 20036 and Weyerhaeuser Co., 1625 I Street NW., Washington, D.C. 20006.
D. (6) $3,000.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. J. P. Morgan & Co., Inc., New York, N.Y., et al.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. The Northwestern Mutual Life Insurance Co., 720 East Wisconsin Avenue, Milwaukee, Wis. 53202.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Olin Corp., 120 Lake Ridge Road, Stamford, Conn. 06904.
D. (6) $450.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Owens Corning Fiberglas Corp., Fiberglas Tower, Toledo, Ohio 43659.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Owens-Illinois, Inc., P.O. Box 1035, Toledo, Ohio 43666.
D. (6) $1,075.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Pan American World Airways, Inc., Pan Am Building, New York, N.Y. 10017.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Phelps Dodge Corp., 1015 15th Street NW., Washington, D.C. 20005.
D. (6) $625.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. The Procter & Gamble Co., Cincinnati, Ohio 45201.
D. (6) $625.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Scott Paper Co., Scott Plaza, Philadelphia, Pa. 19113.
D. (6) $625.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Tennessee Synfuels Associates.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Tracor, Inc., 6500 Tracor Lane, Austin, Tex. 78721.
D. (6) $500.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Trans World Airlines, Inc., 605 Third Avenue New York, N.Y. 10016.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Union Carbide Corp., 270 Park Avenue, New York, N.Y. 10017.
D. (6) $1,075.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. United Air Lines, Inc., P.O. Box 66100, Chicago, Ill. 60666.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Weyerhaeuser Co., 1625 I Street NW., Washington, D.C. 20006.

A. Linda Walker-Hill, Hill & Knowlton, 1425 K Street NW., Washington, D.C. 20005.
B. Hill and Knowlton, Inc. 633 Third Avenue, New York, N.Y. 10017.

A. Warren W. Walkley, General Electric Co., 777 14th Street NW., Washington, D.C. 20005-3299.
B. General Electric Co., 777 14th Street NW., Washington, D.C. 20005-3299.

A. R. Duffy Wall, 1730 Rhode Island Avenue NW., Suite 400, Washington, D.C. 20036.
B. Freeport-McMoRan, Inc., 200 Park Avenue, New York, N.Y. 10166.
D. (6) $300.

A. Carl S. Wallace, 1800 K Street NW., No 614, Washington, D.C. 20006.
B. Purolator, Inc., 255 Old New Brunswick Road, Piscataway, N.J. 08854.

A. Don Wallace Associates, Inc., 232 East Capitol Street NE., Washington, D.C. 20003.
B. American Sugar Cane League of the U.S.A., Inc., 416 Whitney Building, New Orleans, La. 70130.
D. (6) $6,000 E. (9) $3,174.56.

A. Don Wallace Associates, Inc., 232 East Capitol Street NW., Washington, D.C. 20003.
B. Cotton Warehouse Association of America, 232 East Capitol Street NE., Washington, D.C. 20003.
D. (6) $11,000. E. (9) $9,359.05.

A. R. C. Wallace, 5151 Wisconsin Avenue NW., Washington, D.C. 20016.
B. Amalgamated Transit Union, AFL-CIO, 5151 Wisconsin Avenue NW., Washington, D.C. 20016.

A. Rob Wallace, 203 Maryland Avenue NE., Washington, D.C. 20002.
B. Western Solar Utilization Network, 715 SW. Morrison, Portland, Oreg. 97205.
D. (6) $4,455. E. (9) $1,485.

A. Lionel L. Wallenrod, 260 Madison Avenue., New York, N.Y. 10016.
B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y. 10016.

A. R. Douglas Walling, Jr., Emerson Electric Co., 1745 Jefferson Davis Highway, Arlington, Va. 22202.
B. Emerson Electric Co., 8000 West Florissant, St. Louis, Mo. 63136.

E. (9) $219.66.

A. Bonnie B. Wan, Montgomery Ward & Co., Inc., 1100 Connecticut Avenue N.W., No 530, Washington, D.C. 20036.
B. Montgomery Ward & Co., Inc., 1 Montgomery Ward Plaza, Chicago, Ill. 60671.

A. John F. Wanamaker, The Retired Officers Association, 201 North Washington Street, Alexandria, Va. 22314.
B. The Retired Officers Association, 201 North Washington Street, Alexandria, Va. 22314.
D. (6) $1,699.

A. Barbara Wanner, 1000 Connecticut Avenue NW., Washington, D.C. 20036.
B. Japan Economic Institute of America, 1000 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $300.

A. Alan S. Ward, 818 Connecticut Avenue NW., Washington, D.C. 20006.
B. Baker & Hostetler, 815 Connecticut Avenue NW., Washington, D.C. 20006 (for: Soap & Detergent Association, 475 Park Avenue, New York, N.Y. 10016).

A. G. Fletcher Ward, Jr., Montgomery Ward & Co., Inc., 1100 Connecticut Avenue NW., No 530, Washington, D.C. 20036.
B. Montgomery Ward & Co., Inc., 1 Montgomery Ward Plaza, Chicago, Ill. 60671.
E. (9) $150.

A. John E. Ward, 182 Soundview Avenue, White Plains, N.Y. 10606.
B. Meat Importers Council of America, Inc., 1901 North Fort Myer Drive, Arlington, Va. 22209.
A. Richard D. Warden, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), 1757 N Street NW., Washington, D.C. 20036.
B. International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), 8000 East Jefferson Avenue, Detroit, Mich. 48214.
D. (6) $16,487.60. E. (9) $226.

A. Jack Ware, 2101 L Street NW., Washington, D.C. 20037.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $8,530. E. (9) $233.77.

A. Michael O. Ware, Conoco Inc., 1025 Connecticut Avenue NW., No. 1000, Washington, D.C. 20036.
B. Conoco Inc., High Ridge Park, Stamford, Conn. 06904.
D. (6) $1,000.

A. Peter F. Warker, TRW Inc., 1000 Wilson Boulevard, Suite 2700, Arlington, Va. 22209.
B. TRW Inc., 23555 Euclid Avenue, Cleveland, Ohio 44117.
D. (6) $1,250.

A. Ernest R. Warner, Jr., DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036 (for: Aurbus Industrie, Avenue Lucien Servanty, 31700 Blagnac, France).
D. (6) $95.90. E. (9) $58.76.

A. Ernest R. Warner, Jr., DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036 (for: Sofreavia, 75 rue la Boetie, Paris, 8 eme France).

A. Christine M. Warnke, American Textile Manufacturers Institute, Inc., 1101 Connecticut Avenue NW., Suite 300, Washington, D.C. 20036.
B. American Textile Manufacturers Institute, Inc., 1101 Connecticut Avenue NW., Suite 300, Washington, D.C. 20036.
D. (6) $400. E. (9) $65.65.

A. Washington Gas Light Co., 1100 H Street NW., Washington, D.C. 20080.
E. (9) $127.37.

A. Washington Industrial Team, Inc., Room 400, 499 South Capitol Street SW., Washington, D.C. 20003.
B. Boeing Co., 7755 East Marginal Way, Seattle, Wash. 98124.
D. (6) $375. E. (9) $364.37.

A. Washington Industrial Team, Inc., Room 400, 499 South Capitol Street SW., Washington, D.C. 20003.
B. General Dynamics Corp., Pierre Laclede Center, St. Louis, Mo. 63105.
D. (6) $375. E. (9) $364.37.

A. Washington Industrial Team, Inc., Room 400, 499 South Capitol Street SW., Washington, D.C. 20003.
B. General Electric Co., 3135 Easton Turnpike, Fairfield, Conn. 06431
D. (6) $375. E. (9) $364.37.

A. Washington Industrial Team, Inc., Room 400, 499 South Capitol Street SW., Washington, D.C. 20003.
B. Grumman Aerospace Corp., Bethpage, N.Y. 11714
D. (6) $375. E. (9) $364.37.

A. Washington Industrial Team, Inc., Room 400, 499 South Capitol Street SW., Washington, D.C. 20003.
B. Hughes Aircraft Co., Culver City, Calif. 90230.
D. (6) $375. E. (9) $364.37.

A. Washington Industrial Team, Inc., Room 400, 499 South Capitol Street SW., Washington, D.C. 20003.
B. McDonnell Douglas Corp., P.O. Box 516, St. Louis Mo. 63166.
D. (6) $375. E. (9) $364.37.

A. Washington Industrial Team, Inc., Room 400, 499 South Capitol Street SW., Washington, D.C. 20003.
B. Northrop Corp., 1800 Century Park East, Los Angeles, Calif. 90067.
D. (6) $375. E. (9) $364.37.

A. Washington Industrial Team, Inc., Room 400, 499 South Capitol Street SW., Washington, D.C. 20003.
B. Raytheon Co., 141 Spring Street, Lexington, Mass. 02173.
D. (6) $375. E. (9) $364.37.

A. Washington Industrial Team, Inc., Room 400, 499 South Capitol Street SW., Washington, D.C. 20003.
B. Rockwell International, 2230 East Imperial Highway, El Segundo, Calif. 90245.
D. (6) $375. E. (9) $364.37.

A. Washington Industrial Team, Inc., Room 400, 499 South Capitol Street SW., Washington, D.C. 20003.
B. TRW, Inc., 1 Space Park, Redondo Beach, Calif. 90278.
D. (6) $375. E. (9) $364.37.

A. Washington Industrial Team, Inc., Room 400, 499 South Capitol Street SW., Washington, D.C. 20003.
B. United Technologies Corp., United Technologies Building, Hartford, Conn. 06101.
D. (6) $375. E. (9) $364.37.

A. Washington Industrial Team, Inc., Room 400, 499 South Capitol Street SW., Washington, D.C. 20003.
B. Vought Corp., P.O. Box 225907, Dallas, Tex. 75265.
D. (6) $375. E. (9) $364.37.

A. Washington Industrial Team, Inc., Room 400, 499 South Capitol Street SW., Washington, D.C. 20003.
B. Westinghouse Electric Corp., Westinghouse Building, Gateway Center, Pittsburgh, Pa. 15222.
D. (6) $375. E. (9) $364.37.

A. Washington State NARAL, P.O. Box 15549, Seattle, Wash. 98115.
D. (6) $18,901.89. E. (9) $16,433.29.

A. Ralph J. Watson, 1745 Jefferson Davis Highway, Arlington, Va. 22202.
B. Rockwell International, 1745 Jefferson Davis Highway, Arlington, Va. 22202.
D. (6) $495. E. (9) $221.20.

A. Carolyn Herr Watts, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Rural Electric Cooperative Association, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $50.

A. George B. Watts, 1155 15th Street NW., Washington, D.C. 20005.
B. National Broiler Council, 1155 15th Street NW., Washington, D.C. 20005.
D. (6) $1,000.

A. James L. Watts, NASBIC, 618 Washington Building, Washington, D.C. 20005.
B. National Association of Small Business Investment Cos., 618 Washington Building, Washington, D.C. 20005.
D. (6) $1,500.

A. Bruce H. Watzman, National Coal Association, Coal Building, Washington, D.C. 20036.
B. National Coal Association, 1130 17th Street NW., Washington, D.C. 20036.
D. (6) $4,187.50. E. $715.88.

A. Judith G. Waxman, National Health Law Program, 1424 16th Street NW., Washington, D.C. 20036.
B. National Health Law Program, 2639 South La Cienega Boulevard, Los Angeles, Calif. 90034.
D. (6) $1,300.78. E. (9) $1,639.38.

A. William J. Way, General Motors Corp., 1660 L Street NW., Washington, D.C. 20036.
B. General Motors Corp. 3044 West Grand Boulevard, Detroit, Mich. 48202.
D. (6) $2500. E. (9) $1,449.98.

A. William H. Weatherspoon, N.C. Petroleum Council, P.O. Box 167, Raleigh, N.C. 27602.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $1,000. E. (9) $953.08.

A. Vernon Weaver, 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. Stephens Overseas Services Inc., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
D. (6) $52.

A. Douglas M. Webb, Kennecott Corp, 1111 19th Street NW., Suite 310, Washington, D.C. 20036.
B. Kennecott Corp., 10 Stamford Forum, Stamford, Conn. 06904.
D. (6) $500. E. (9) $167.96.

A. Frederick L. Webber, 1111 19th Street NW., Washington, D.C. 20036.
B. Edison Electric Institute, 1111 19th Street NW., Washington, D.C. 20036.

D. (6) $4,940. E. (9) $517.18.

A. Webster, Chamberlain & Bean, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. American Paratransit Institute, P.O. Box 340276, Coral Gables, Fla. 33134.
D. (6) $400.

A. Webster, Chamberlain & Bean, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. The American Society of Radiologic Technologists, 55 East Jackson Boulevard, Chicago, Ill. 60604.

A. Webster, Chamberlain & Bean 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Charles Stewart Mott Foundation, Mott Foundation Building, Flint, Mich. 48502.
D. (6) $1,500.

A. Webster & Sheffield, 1200 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Kidder, Peabody & Co. Inc., Washington, D.C. 20036.
D. (6) $16,635. E. (9) $933.40.

A. Webster & Sheffield, 1200 New Hampshire Avenue NW., Washington, D.C. 20036.
B. National Conference of Bankruptcy Judges, c/o Webster & Sheffield, 1200 New Hampshire Avenue NW., Suite 350, Washington, D.C. 20036.
D. (6) $16,000.

A. Webster & Sheffield, 1200 New Hampshire Avenue NW., Suite 350, Washington, D.C. 20036.
B. Penobscot Nation, Community Building, Indian Island, Maine 04468.
D. (6) $3,000. E. (9) $276.31.

A. Webster & Sheffield, 1200 New Hampshire Avenue NW., Suite 350, Washington, D.C. 20036.
B. Shanska U.S.A., Inc., 8330 Old Courthouse Road, Building Tycon 2, Vienna, Va. 22180.
D. (6) $9,473.75. E. (9) $999.40.

A. Lee Weddig, 1101 Connecticut Avenue NW., Suite 700, Washington, D.C. 20036.
B. National Fisheries Institute, 1101 Connecticut Avenue NW., Suite 700, Washington, D.C. 20036.
D. (6) $4,000. E. (9) $20.

A. Charles W. Wegner, Jr., Professional Insurance Agents, 600 Pennsylvania Avenue SE., Suite 202, Washington, D.C. 20003.
B. Professional Insurance Agents, 400 North Washington Street, Alexandria, Va. 22314.
D. (6) $375. E. (9) $355.

A. Edward L. Weidenfeld, McKenna, Conner & Cuneo, 1575 I Street NW., Washington, D.C. 20005.
D. (6) $250.

A. Joel A. Weiss, Acurex Solar Corp., 1730 North Lynn Street, Suite 400, Rosslyn, Va. 22209.
B. Acurex Solar Corp., 1730 North Lynn Street, Suite 400, Rosslyn, Va. 22209.
D. (6) $3,668.73. E. (9) $293.73.

A. Michael A. Weiss, Tenneco Inc., 490 L'Enfant Plaza East SW., Washington, D.C. 20024.
B. Tenneco Inc., P.O. Box 2511, Houston, Tex. 77001.
E. (9) $50.

A. Morton N. Weiss, National Security Traders Association, One World Trade Center, Suite 4511, New York, N.Y. 10048.
B. National Security Traders Association, One World Trade Center, Suite 4511, New York, N.Y. 10048.
D. (6) $2,625.

A. Judith H. Weitz, 1520 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Children's Defense Fund, 1520 New Hampshire Avenue NW., Washington, D.C. 20036.
D. (6) $321.75. E. (9) $20.25.

A. L. H. Wells, Shell Oil Co., 1025 Connecticut Avenue NW., Suite 200, Washington, D.C. 20036.
B. Shell Oil Co., P.O. Box 2463, Houston, Tex. 77001.
D. (6) $500.

A. Donald G. Weinert, National Society of Professional Engineers, 2029 K Street NW., Washington, D.C. 20006.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C. 20006.
D. (6) $1,500.

A. Anne P. Werner, Direct Mail Marketing Association, 1730 K Street NW., Suite 905, Washington, D.C.
B. Direct Mail Marketing Association, 6 East 43d Street, New York, N.Y. 10017.

A. W. R. Werner, CertainTeed Corp. 1627 K Street NW., Washington, D.C. 20006.
B. CertainTeed Corp., P.O. Box 860, Valley Forge, PA 19482.

A. Fred Wertheimer, 2030 M Street, NW., Suite 300, Washington, D.C. 20036.
B. Common Cause, 2030 M Street, NW., Suite 300, Washington, D.C. 20036.
D. (6) $13,064.37 E. (9) $559.62.

A. West Mexico Vegetable Distributors Association, P.O. Box 848, Nogales, Arizona 85621.
E. (9) $500.

A. West Texas Land & Royalty Owners Association, P.O. Box 67, Snyder, Tex. 79549.

A. Harry H. Westbay III, 1625 I Street NW., No. 805, Washington, D.C. 20006.
B. St. Regis Paper Co., 150 East 42d Street, New York, N.Y. 10017.
D. (6) $1,500 E. (9) $750.

A. The Western Co. of North America, P.O. Box 186, Fort Worth, Tex. 76101.
E. (9) $283.80.

A. Western Radiological Group, Suite 2—2044 Armacost Avenue, Los Angeles, Calif. 90015.
E. (9) $9,000.

A. John F. Wetzel, Jr., Motorcycle Industry Council, 1001 Connecticut Avenue NW., Washington, D.C. 20036.
B. Motorcycle Industry Council, 1001 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $1,500. E. (9) $226.97.

A. Wexler & Associates, Inc., 1616 H Street NW., Suite 400, Washington, D.C. 20006.
B. Armco, Inc., 1747 Pennsylvania Avenue NW., Suite 702, Washington, D.C. 20006.
D. (6) $25,000. E. (9) $139.54.

A. Wexler & Associates, Inc., 1616 H Street NW., Suite 400, Washington, D.C. 20006.
B. The GHK Cos., 6441 Northwest Grand Boulevard, Oklahoma City, Okla. 73116.
D. (6) $22,500. E. (9) $612.78.

A. Wexler & Associates, Inc., 1616 H Street NW., Suite 400, Washington, D.C. 20006.
B. National Radio Broadcasters Association, 1705 De Sales Street NW., Washington, D.C. 20036.
D. (6) $6,000. E. (9) $74.29

A. Wexler & Associates, Inc., 1616 H Street NW., Suite 400, Washington, D.C. 20006.
B. Tosco Corporation, 1817 Broadway, Boulder, Colo. 80302.
D. (6) $15,000. E. (9) $79.99.

A. Robert G. Weymueller, American Lung Association, Suite 401, 1629 K Street NW., Washington, D.C. 20006.
B. American Lung Association, 1740 Broadway, New York, N.Y. 10019.
D. (6) $3,600. E. (9) $5,600.

A. Brian B. Whalen, International Harvester Co., 401 North Michigan Avenue, Chicago, Ill. 60611.
B. International Harvester Co., 401 North Michigan Avenue, Chicago, Ill. 60611.
D. (6) $1,250. E. (9) $70.36.

A. Clyde A. Wheeler, Jr., Sun Co., Inc., 1800 K Street NW., Suite 820, Washington, D.C. 20006.
B. Sun Co., Inc., 100 Matsonford Road, Radnor, Pa. 19087.
D. (6) $15,000. E. (9) $1,527.88.

A. Edwin M. Wheeler, the Fertilizer Institute, 1015 18th Street NW., Washington, D.C. 20036.
B. The Fertilizer Institute, 1015 18th Street NW., Washington, D.C. 20036.
E. (9) $25.

A. Thomas E. Wheeler, National Cable Television Association, Inc., 1724 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Cable Television Association, Inc., 1724 Massachusetts Avenue, NW., Washington, D.C. 20036.
D. (6) $1,375.

A. June M. Whelan, Union Pacific Corp., 1120 20th Street, NW., Suite 600 South Washington, D.C. 20036.
B. Union Pacific Corp., 345 Park Avenue, New York, N.Y. 10154.
D. (6) $1,250. E. (9) $50.97.

A. Brenda J. White, 140 Park Place, Room 807, New York, N.Y. 10007.
B. Municipal Labor Committee, 140 Park Place, New York, N.Y. 10007.
D. (6) $9,550.06. E. (9) $1,021.89

A. Donald F. White, American Retail Federation, 1616 H Street NW., Washington, D.C. 20006.
B. American Retail Federation, 1616 H Street NW., Washington, D.C. 20006.
D. (6) $1,500. E. (9) $125.

A. John C. White, Suite 207, 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Coastal Corp., Nine Greenway Plaza, Houston, Tex. 77046 and Chicago Mercantile Exchange, 444 West Jackson, Chicago, Ill. 60606.
D. (6) $4,200.

A. John S. White, Marathon Oil Co., 1800 M Street NW., Washington, D.C. 20036.
B. Marathon Oil Co., Findlay, Ohio 45840.

A. John Thomas White II, Tenneco Inc., 490 L'Enfant Plaza East SW., Washington, D.C. 20024.

B. Tenneco Inc., P.O. Box 2511, Houston, Tex. 77001.

A. Bryan K. Whitehead, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 3 Research Place, Rockville, Md. 20850.
D. (6) $1,360. E. (9) $1,190.

A. Alton W. Whitehouse, 1750 Midland Building, Cleveland, Ohio 44115.
B. The Standard Oil Co. (Ohio), Midland Building, Cleveland, Ohio 44115.

A. James Whitman, National Association of Chain Drug Stores, Inc., P.O. Box 1417-D49, Alexandria, Va. 22313.
B. National Association of Chain Drug Stores, Inc., P.O. Box 1417-D49, Alexandria, Va. 22313.
D. (6) $500.

A. William F. Whitsitt, Sun Co., Inc., 1800 K Street NW., Suite 820, Washington, D.C. 20006.
B. Sun Co., Inc., 100 Matsonford Road, Radnor, Pa. 19087.
D. (6) $700. E. (9) $265.09.

A. David E. Whitten, The Fertilizer Institute, 1015-18th Street NW., Washington, D.C. 20036.
B. The Fertilizer Institute, 1015 18th Street NW., Washington, D.C. 20036.
D. (6) $5,000. E. (9) $1,551.42.

A. Wickwire, Lewis, Goldmark & Schorr, P.S., 500 Maynard Building, Seattle, Wash. 98104.
B. Mayor and city council, city of Seattle, Seattle, Wash. 98104.

A. Richard J. Wiechmann, American Paper Institute, Inc., 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y. 10016.

A. Guenther O. Wilhelm, Exxon Corp., 1899 L Street, NW., Suite 1100, Washington, D.C. 20036.
B. Exxon Corp., 1251 Avenue of the Americas, New York, N.Y.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.
B. Arapahoe Tribe of Indians, Fort Washakie, Wyo.
E. (9) $.90.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.
B. Association of Data Processing Service Organizations, Inc., 1300 North 17th Street, Suite 300, Arlington, Va. 22209.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006-5289.
B. State of Hawaii, Department of Regulatory Agencies, P.O. Box 541, Honolulu, Hawaii 96809.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.
B. The Hoopa Valley Tribe, P.O. Box 817, Hoopa, Calif.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.
B. Independent Data Communications Manufacturers Association, Inc., 1735 New York Avenue NW., Washington, D.C. 20006.
D. (6) $19,949.50. E. (9) $675.81.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.
B. Independent Insurance Agents of America, Inc., 100 Church Street, 19th Floor, New York, N.Y. 10007.
D. (6) $4,310.50. E. (9) $30.79.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.
B. Louisiana Pacific Corp., First National Bank Building, 1300 Southwest Fifth Avenue, Portland, Oreg. 97201.
D. (6) $1,866.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.
B. Marathon Oil Co., Findlay, Ohio.
E. (9) $9.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.
B. National Congress of American Indians, Inc., 202 E Street NE., Washington, D.C. 20002.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.
B. Shee Atika, Inc., P.O. Box 4578, Mount Edgecumbe, Alaska 99835.

A. Windels, Marx, Davies & Ives, 51 West 51st Street, New York, N.Y. 10005.
B. Waterman Steamship Corp., 120 Wall Street, New York, N.Y. 10005.
D. (6) $1,750. E. (9) $50.

A. Harry G. Wiles, II, 499 South Capitol Street SW., Suite 401, Washington, D.C. 20003.
B. National Association. of Independent Insurers, 2600 River Road, Des Plaines, Ill. 60018.
E. (9) $87.

A. Jerry C. Wilkerson, 1025 Connecticut Avenue NW., Suite 1005, Washington, D.C. 20036.
B. International Franchise Association, 1025 Connecticut Avenue NW., Suite 1005, Washington, D.C. 20036
D. (6) $650. E. (9) $685.

A. Sandra L. Willett, 624 C Street SE., Washington, D.C. 20003.
B. National Consumers League, 1522 K Street NW., Suite 406, Washington, D.C. 20005.
D. (6) $3,000. E. (9) $40.

A. Ralph E. Willham, 1750 New York Avenue, NW., Washington, D.C. 20006.
B. Sheet Metal Workers' International Association, 1750 New York Avenue NW, Washington, D.C. 20006.
D. (6) $8,977.50.

A. Barry Williams, National Association of Railroad Passengers, 417 New Jersey Avenue SE., Washington, D.C. 20003.
B. National Association of Railroad Passengers, 417 New Jersey Avenue SE., Washington, D.C. 20003.
D. (6) $4,990.35.

A. Williams & Connolly, 1000 Hill Building, Washington, D.C. 20006.
B. The LTV Corp., LTV Tower, 1525 Elm Street, Dallas, Tex. 75201.

A. Williams & Connolly, 839 17th Street NW., Washington, D.C. 20006.
B. William H. Sullivan, Jr., 500 Neponset Avenue, Dorchester, Mass. 02122.

A. James H. Williams, 3251 Old Lee Highway, Suite 500, Fairfax, Va. 22030.
B. National Limestone Institute, 3251 Old Lee Highway, Suite 500, Fairfax, Va. 22030.

A. Lee Williams, American Retail Federation, 1616 H Street NW., Washington, D.C. 20006.
B. American Retail Federation, 1616 H Street NW., Washington, D.C. 20006.
D. (6) $1,600.

A. Lucinda L. Williams, 1111 19th Street NW., Suite 402, Washington, D.C. 20036.
B. Federation of American Hospitals, 1111 19th Street NW., Suite 402, Washington, D.C. 20036.
D. (6) $4,500.

A. Williams, Myers & Quiggle, 888 17th Street NW., Washington, D.C. 20006.
B. Church Alliance for Clarification of ERISA, c/o Mr. Gary S. Nash, 511 North Akard Building, Suite 311, Dallas, Tex. 75201.
E. (9) $121.65.

A. Robert E. Williams, United Airlines, 1825 K Street NW., Suite 607, Washington, D.C. 20006.
B. United Airlines, P.O. Box 66100, Chicago, Ill. 60666.
D. (6) $1,500.

A. Betsy Willson-Messer, National Retired Teachers Association-American Association of Retired Persons, 1909 K Street NW., Washington, D.C. 20049.
B. National Retired Teachers Association-American Association of Retired Persons, 1909 K Street NW., Washington, D.C. 20049.
D. (6) $340.58 E. (9) $33.

A. Charlotte Wilmer, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Rural Electric Cooperative Association, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $60.

A. Wilmer, Cutler & Pickering, 1666 K Street NW., Washington, D.C. 20006.
B. Business Roundtable, 1820 L Street NW., Washington, D.C. 20036.
E. (9) $60.

A. Wilmer, Cutler & Pickering, 1666 K Street NW., Washington, D.C. 20006.
B. CPC International, Inc., International Plaza, Englewood Cliffs, N.J. 07632.

A. Wilmer, Cutler & Pickering, 1666 K Street, NW., Washington, D.C. 20006.
B. G-IV Children's Coalition Room 1100, 1666 K Street, NW., Washington, D.C. 20006.
E. (9) $41.

A. Bjorg Opdahl Wilson, UNICEF Information Service, 110 Maryland Avenue NE., Washington, D.C. 20002.
B. The United States Committee for UNICEF, 331 East 38th Street, New York, N.Y. 10016.
D. (6) $1,500. E. (9) $284.

A. Charles D. Wilson, Union Camp Corp., 1850 K Street NW., Suite 390, Washington, D.C. 20006
B. Union Camp Corp., 1850 K Street NW., Suite 390, Washington, D.C. 20006.
E. (9) $77.55.

A. Dena L. Wilson, 1600 Wilson Boulevard, Suite 1000, Arlington, Va. 22209.
B. The American Waterways Operators, Inc., 1600 Wilson Boulevard, Suite 1000, Arlington, Va. 22209.
D. (6) $650. E. (9) $84.05.

A. Donnie E. Wilson, Husky Oil Co., 1800 M Street NW., Suite 295 North, Washington, D.C. 20036.
B. Husky Oil Co., P.O. Box 380, Cody, Wyo. 82414.

D. (6) $250. E. (9) $140.18.

A. James E. Wilson, Jr., McDonnell Douglas Corp., 1150 17th Street NW., Suite 500, Washington, D.C. 20036.
B. McDonnell Douglas Corp., P.O. Box 516, St. Louis, Mo. 63166.

A. Robert C. Wilson, 216 South Carolina Avenue SE., Washington, D.C. 20003.
B. RMI, Inc., 225 West 30th Street, National City, Calif. 92050.
D. (6) $975.

A. Robert C. Wilson, Room 400, 499 South Capitol Street SW., Washington, D.C. 20003.
B. Washington Industrial Team, Inc., Room 400, 499 South Capitol Street SW., Washington, D.C. 20003.
D. (6) $900.

A. William A. Wilson III, 8001 Braddock Road, Springfield, Va. 22160.
B. National Right To Work Committee, 8001 Braddock Road, Springfield, Va. 22160.
D. (6) $200.

A. Joseph B. Winkelmann, 777 14th Street NW., Washington, D.C. 20005.
B. National Association of Realtors, 777 14th Street NW., Washington, D.C. 20005.
D. (6) $2,500. E. (9) $1,307.73.

A. Kathleen J. Winn, Pennzoil, 1155 15th Street NW., Suite 602, Washington, D.C. 20006.
B. Pennzoil Co., Pennzoil Place, P.O. Box 2967, Houston, Tex.
D. (6) $475.

A. James R. Winnie, Cities Service Gas Co., P.O. Box 25128, Oklahoma City, Okla. 73125.
B. Cities Service Gas Co., P.O. Box 25128, Oklahoma City, Okla. 73125.

A. Winston & Strawn, 2550 M Street NW., Suite 500, Washington, D.C. 20037.
B. Antaeus Enterprises, Inc., 59 Gary Road, Stamford, Conn. 06903.
E. (9) $7.25.

A. Winston & Strawn, 2550 M Street NW., Suite 500, Washington, D.C. 20037.
B. GIC Financial Services Corp., 9701 West Higgins Road, Suite 420, Rosemont, Ill. 60018.
D. (6) $95.

A. Winston & Strawn, 2550 M Street NW., Suite 500, Washington, D.C. 20037.
B. Gould Inc., 8550 Bryn Mawr Avenue, Chicago, Ill. 60631
E. (9) $420.

A. Winston & Strawn, 2550 M Street NW., Suite 500, Washington, D.C. 20037.
B. International Council of Shopping Centers, 665 Fifth Avenue, New York, N.Y. 10022.
D. (6) $25. E. (9) $57.25.

A. Mark E. Winter, American Land Title Association, 1828 L Street NW., Washington, D.C. 20036.
B. American Land Title Association, 1828 L Street NW., Washington, D.C. 20036.
D. (6) $3,000.

A. Alan M. Wiseman, 1730 Pennsylvania Avenue NW., Suite 900, Washington, D.C. 20006.
B. The Mead Corp., Courthouse Plaza Northeast, Dayton, Ohio 45463.
E. (9) $4,135.

A. Richard F. Witherall, Colorado Railroad Association, 420 Denver Club Building, Denver, Colo. 80202.
B. Colorado Railroad Association, 420 Denver Club Building, Denver, Colo. 80202.

A. Witkowski, Weiner, McCaffrey & Brodsky, P.C., 1575 I Street NW., Suite 350, Washington, D.C. 20005.
B. Coordinating Council on Manufactured Housing Finance, Suite 350, 1575 I Street NW., Washington, D:C. 20005.
D. (6) $3,564.

A. Witkowski, Weiner, McCaffrey & Brodsky, P.C., 1575 I Street NW., Suite 350, Washington, D.C. 20005.
B. Foremost Insurance Co., 5800 Foremost Drive SE., Grand Rapids, Mich. 49501.
D. (6) $396.50.

A. Witkowski, Weiner, McCaffrey & Brodsky, P.C., 1575 I Street NW., Washington, D.C. 20005.
B. Kankakee, Beaverville & Southern Railroad Co., 500 Railroad Avenue, Momence, Ill. 60912.

A. Witkowski, Weiner, McCaffrey & Brodsky, P.C., 1575 I Street NW., Suite 350, Washington, D.C. 20005.
B. National Manufactured Housing Finance Association, Suite 350, 1575 I Street NW., Washington, D.C. 20005.
E. (9) $2,216.50.

A. Witkowski, Weiner, McCaffrey & Brodsky, P.C., 1575 I Street NW., Suite 350, Washington, D.C. 20005.
B. National Truck Equipment Association, 25900 Greenfield Road, Suite 400, Oak Park, Mich. 48237.
D. (6) $7,500. E. (9) $10.

A. Glenn P. Witte, 910 17th Street, NW., Washington, D.C. 20006.
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 910 17th Street NW., Washington, D.C. 20006.

A. H. C. Witthaus, General Motors Corp., 1660 L Street NW., Suite 800, Washington, D.C. 20036.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich. 48202.
D. (6) $3,000. E. (9) $1,774.86.

A. James E. Wolf, the Trane Co., 2020 14th Street North, Arlington, Va. 22201.
B. The Trane Co., 3600 Pammel Creek Road, La Crosse, Wis. 54601.
D. (6) $4,000.

A. Don Womack, 1825 K Street NW., Suite 303, Washington, D.C. 20006.
B. Texas Utilities Services Inc., 2001 Bryan Tower, Dallas, Tex. 75201.
D. (6) $2,356. E. (9) $116.45.

A. Burton C. Wood, Mortgage Bankers Association of America, 1125 15th Street NW., Washington, D.C. 20005.
B. Mortgage Bankers Association of America, 1125 15th Street NW., Washington, D.C. 20005.
D. (6) $9,900. E. (9) $3,298.

A. Charles A. Wood, National Fuel Gas Distribution Corp., Room 900, 10 Lafayette Square, Buffalo, N.Y. 14203.
B. National Fuel Distribution Corp., National Fuel Gas Supply Co., Penn-York Energy Co., Seneca Resources Co., National Fuel Gas Co.
D. (6) $71.44. E. (9) $261.90.

A. Wilbur S. Wood, National Rural Letter Carriers' Association, Suite 1204, 1750 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. National Rural Carriers' Association, Suite 1204, 1750 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. W. Alan Woodford, Chemical Manufacturers Association, 2501 M Street NW., Washington, D.C. 20037.
B. Chemical Manufacturers Association, 2501 M Street NW., Washington, D.C. 20037.
D. (6) $300.

A. Diane Woodruff, Committee of Urban Program Universities, 1300 19th Street NW., No. 220, Washington. D.C. 20036.
B. Committee of Urban Program Universities, 1300 19th Street NW., No. 220, Washington, D.C. 20036.
D. (6) $2,361.

A. M. Alan Woods, DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036. (For Airbus Industrie, Avenue Lucien Servanty 31700 Blagnac, France.)

M. Alan Woods, DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036. (For European Aerospace Corp., 1101 15th Street NW., Washington, D.C. 20005.)

A. M. Alan Woods, DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036.
B. DGA International, Inc., 1225 19th Street NW., Washington, D.C. 20036. (For Sofreavia, 75 rue la Boetie, Paris, 8eme, France.)

A. Richard P. Woods, Pacific Resources, Inc., 2501 M Street NW., Suite 540, Washington, D.C. 20037.
B. Pacific Resources, Inc., 733 Bishop St., P.O. Box 3379, Honolulu, Hawaii 96813.
D. (6) $500.

A. Perry W. Woofter, Tesoro Petroleum Corp., 1801 K Street NW., Suite 530, Washington, D.C. 20006.
B. Tesoro Petroleum Corp., 8700 Tesoro Drive, San Antonio, Tex. 78286.
D. (6) $2,500.

A. Edward A. Woolley, 720 Fifth Avenue, Suite 605, New York, N.Y. 10019.
B. CTI-Container Transport International, Inc., 445 Hamilton Avenue, White Plains, N.Y. 10601, et al.
D. (6) $7,529.76. E. (9) $779.14.

A. Linda Anzalone Woolley, 1615 H Street NW., Washington, D.C. 20062.
B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C. 20062.
D. (6) $500.

A. Ronald L. Wooten, Consolidation Coal Co., 1025 Connecticut Avenue NW., No. 1000, Washington, D.C. 20036.
B. Consolidation Coal Co., Consol Plaza, 1800 Washington Road, Pittsburgh, Pa. 15241.
D. (6) $372. E. (9) $36.

A. World Federalist Political Education Committee, 600 Valley Road, Wayne, N.J. 07470.
D. (6) $14,642.53. E. (9) $12,473.56.

A. William R. Worthen, National Tax Limitation Committee, 1523 L Street NW., Suite 600, Washington, D.C. 20005.

B. National Tax Limitation Committee, 1523 L Street NW., Suite 600, Washington, D.C. 20005.
D. (6) $1,125. E. (9) $298.

A. Edward E. Wright, 1819 H Street NW., Suite 1175, Washington, D.C. 20006.
B. G-4 Children's Coalition, 7309 Delfield Street, Chevy Chase, Md. 20015.
D. (6) $1,331.05.

A. Franklin L. Wright, Jr., National Association of Mutual Savings Banks, 1709 New York Avenue NW., Suite 200, Washington, D.C. 20006.
B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y. 10166.
D. (6) $2,968.75.

A. William L. Wright, Eli Lilly & Co., 1901 L Street NW., Washington, D.C. 20036.
B. Eli Lilly & Co., 307 East McCarty Street, Indianapolis, Ind. 46285.
D. (6) $3,000. E. (9) $59.35.

A. Richard E. Wyckoff, 1771 N Street NW., Washington, D.C. 20036.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C. 20036.
D. (6) $1,500. E. (9) $675.

A. Marc D. Yacker, American Paper Institute, Inc., 1619 Massachusetts Avenue, NW., Washington, D.C. 20036.
B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y. 10016.

A. T. Albert Yamada, 900 17th Street NW., Suite 520, Washington, D.C. 20006.
B. Toyota Motor Sales, U.S.A., Inc., 1899 L Street NW., Suite 703, Washington, D.C. 20036.
D. (6) $500.

A. T. Albert Yamada, 900 17th Street NW., Suite 520, Washington, D.C. 20006.
B. West Mexico Vegetable Distributors Association, P.O. Box 848, Nogales, Ariz. 85621.
D. (6) $500.

A. Edward R. Yawn, 1111 19th Street NW., Washington, D.C. 20036.
B. The Edison Electric Institute, 1111 19th Street NW., Washington, D.C. 20036.
D. (6) $718.83. E. (9) $193.30.

A. Kim Yelton, 8120 Fenton Street, Silver Spring, Md. 20910.
B. Americans United for Separation of Church and State, 8120 Fenton Street, Silver Spring, Md. 20910.
D. (6) $5,229.84. E. (9) $1,622.89.

A. Jack Yelverton, 1303 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C. 20036.

A. G. Reynolds Young, American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $1,000.

A. Hugh F. Young, Jr., National Paint and Coatings Association, 1500 Rhode Island Avenue NW., Washington, D.C. 20005.
B. National Paint & Coatings Association, 1500 Rhode Island Avenue NW., Washington, D.C. 20005.
D. (6) $3,000.

A. John Andrew Young, Suite 207, 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. The Coastal Corp., Nine Greenway Plaza, Houston, Tex. 77046.
D. (6) $1,000.

A. Judith A. Young, 777 14th Street NW., Washington, D.C. 20005.
B. National Association of Realtors, 777 14th Street NW., Washington, D.C. 20005.
D. (6) $1,500 E. (9) $82.41.

A. Thane Young, 777 14th Street NW., Washington, D.C. 20005.
B. National Association of Realtors, 777 14th Street NW., Washington, D.C. 20005.
D. (6) $1,500. E. (9) $426.16.

A. Betsy Younkins, 2101 L Street NW., Washington, D.C. 20037.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $6,000. E. (9) $133.23.

A. Eugene A. Yourch, 50 Broadway, New York, N.Y. 10004.
B. Federation of American Controlled Shipping, 50 Broadway, New York, N.Y. 10004.
D. (6) $200.

A. Harry M. Zachem, Ashland Oil, Inc., 1025 Connecticut Avenue NW., Suite 507, Washington, D.C. 20036.
B. Ashland Oil, Inc.; P.O. Box 391, Ashland, Ky. 41101.
D. (6) $2,000.

A. Donald M. Zahn, 8001 Braddock Road, Springfield, Va. 22160.
B. National Right to Work Committee, 8001 Braddock Road, Springfield, Va. 22160.
D. (6) $185. E. (9) $478.87.

A. Lynn Zakupowsky, General Electric Co., 777 14th Street NW., Washington, D.C. 20005.
B. General Electric Co., 3135 Easton Turnpike, Fairfield, Conn. 06431.
D. (6) $2,500.

A. Steven S. Zaleznick, National Retired Teachers Association-American Association of Retired Persons, 1909 K Street NW. Washington, D.C. 20049.
B. National Retired Teachers Association-American Association of Retired Persons, 1909 K Street NW., Washington, D.C. 20049.
D. (6) $350. E. (9) $25.35.

A. Barry W. Zander, 6113 Amhurst, Metairie, La. 70003.
B. Southern Forest Products Association, P.O. Box 52468, New Orleans, La. 70152.
D. (6) $6,600.

A. John S. Zapp, American Medical Association, 1776 K Street NW., Washington, D.C. 20006.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill. 60610.
D. (6) $4,092. E. (9) $126.94.

A. Janice Zarro, 9 West 57th Street, New York, N.Y. 10019.
B. Avon Products, Inc., 9 West 57th Street, New York, N.Y. 10019.

A. L. Andrew Zausner, Pennzoil Co., 1155 15th Street NW., Suite 602, Washington, D.C. 20005.
B. Pennzoil Co., Pennzoil Place, P.O. Box 2967, Houston, Tex. 77001.
D. (6) $1,000. E. (9) $180.

A. Philip F. Zeidman, Suite 900, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. The American Business Conference, Suite 209, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

A. Jerome M. Zeifman, National Senior Citizens Law Center, 1424 16th Street NW., Suite 300, Washington, D.C. 20036.
B. National Senior Citizens Law Center, 1424 16th Street NW., Suite 300, Washington, D.C. 20036.
D. (6) $1,910. E. (9) $2,332.

A. Laurence W. Zoeller, Burson-Marsteller, 1800 M Street NW., 750-S, Washington, D.C. 20036.
B. Burson-Marsteller, 1800 M Street NW., #750-S, Washington, D.C. 20036 (for: National Oil Jobbers Council 1707 H Street NW., Suite 1100, Washington, D.C. 20006).

A. Zoological Action Committee, 1320 19th Street NW., Suite 400, Washington, D.C. 20036.
D. (6) $1,000.

A. Zuckert, Scoutt & Rasenberger, 888 17th Street NW., Washington, D.C. 20006.
B. Antaeus Enterprises, Inc., 59 Gary Road, Stamford, Conn. 06903.
D. (6) $9,650. E. (9) $593.75.

A. Zuckert, Scoutt & Rasenberger, 888 17th Street NW., Washington, D.C. 20006.
B. Harcourt Brace Jovanovich, 757 Third Avenue, New York, N.Y. 10017.
D. (6) $1,800. E. (9) $70.35.

A. Zuckert, Scoutt & Rasenberger, 888 17th Street NW., Washington, D.C. 20006-3959.
B. Republic Airlines, Inc., 7500 Airline Drive, Minneapolis, Minn. 55450.
D. (6) $3,174. E. (9) $3,315.

A. Leigh A. Zunke, National Food Processors Association, 1133 20th Street NW., Washington, D.C. 20036.
B. National Food Processors Association, 1133 20th Street NW., Washington, D.C. 20036.
D. (6) $375. E. (9) $9.20.

A. Charles O. Zuver, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue, Washington, D.C. 20006.
D. (6) $3,000.

A. Murray Zweben, 1140 19th Street NW., No. 600, Washington, D.C. 20036.
B. Nossaman, Krueger & Marsh, 1140 19th Street NW., No. 600, Washington, D.C. 20036. (For: Texas International Airlines, P.O. Box 12788, Houston, Tex. 77017.)
E. (9) $7,500.

QUARTERLY REPORTS*

*All alphanumeric characters and monetary amounts refer to receipts and expenditures on page 2, paragraphs D and E of the Quarterly Report Form.

The following reports for the second calendar quarter of 1981 were received too late to be included in the published reports for that quarter:

(NOTE.—The form used for report is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19.....

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:
(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)
(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".
(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:
(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.
(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:
1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (a) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (b) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(a) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).
(b) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).
(c) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, place an "X" in the box at the left, so that this Office will no longer expect to receive Reports. ☐

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (a) Short titles of statutes and bills; (b) House and Senate numbers of bills, where known; (c) citations of statutes, where known; (d) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (a) Description, (b) quantity distributed; (c) date of distribution, (d) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.

AFFIDAVIT

[Omitted in printing]

PAGE 1

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

NOTE ON ITEM "D."—(a) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302(a) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN EMPLOYER.—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(c) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Receipts (other than loans)

1. $.....Dues and assessments
2. $.....Gifts of money or anything of value
3. $.....Printed or duplicated matter received as a gift
4. $.....Receipts from sale of printed or duplicated matter
5. $.....Received for services (e.g., salary, fee, etc.)

6. $.....TOTAL for this Quarter (Add items "1" through "5")
7. $.....Received during previous Quarters of calendar year

8. $.....TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302(a).

9. $.....TOTAL now owed to others on account of loans
10. $.....Borrowed from others during this Quarter
11. $.....Repaid to others during this Quarter

12. $.....Expense money" and Reimbursements received this Quarter

Contributors of $500 or more (from Jan. 1 through this Quarter)

13. Have there been such contributors?

Please answer "yes" or "no": .....

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and address of Contributor* ("*Period*" from Jan. 1 through....., 19.....)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	TOTAL

NOTE ON ITEM "E".—(a) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302(b) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. EXPENDITURES (INCLUDING LOANS) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the spaces following the number.

Expenditures (other than loans)

1. $.....Public relations and advertising services
2. $.....Wages, salaries, fees, commissions (other than item "1")
3. $.....Gifts or contributions made during Quarter
4. $.....Printed or duplicated matter, including distribution cost
5. $.....Office overhead (rent, supplies, utilities, etc.)
6. $.....Telephone and telegraph
7. $.....Travel, food, lodging, and entertainment
8. $.....All other expenditures

9. $.....TOTAL for this Quarter (Add "1" through "8")
10. $.....Expended during previous Quarters of calendar year

11. $.....TOTAL from January 1 through this Quarter (Add "9" and "10")

Loans Made to Others

"The term 'expenditure' includes a . . . *loan* . . ."—Sec. 302(b).

12. $.....TOTAL now owed to person filing
13. $.....Lent to others during this Quarter
14. $.....Repayment received during this Quarter

15. Recipients of Expenditures of $10 or More

In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7-11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7-15, 8-15, 9-15: Britten & Blaten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00	TOTAL

A. Action for Children's Television, 46 Austin Street, Newtonville, Mass. 02160.
D. (6) $26,220.36. E. (9) $727.

A. Actors Equity Association, 165 West 46th Street, New York, N.Y. 10036.
D. (6) $2,500. E. (9) $2,500.

A. William J. Adler, Jr., Americans for Democratic Action, 1411 R Street NW., Suite 850, Washington, D.C. 20005.
B. Americans for Democratic Action, 1411 K Street NW., Suite 850, Washington, D.C. 20005.
D. (6) $833. E. (9) $25.

A. Ad-Hoc Committee for Competitive Telecommunications, 415 Second Street NE., Washington, D.C. 20003.
D. (6) $31,476.90. E. (9) $31,476.90.

A. Advocates to Save Legal Services, Inc., 1625 K Street NW., Eighth Floor, Washington, D.C. 20006.
D. (6) $1,811.98. E. (9) $1,811.98.

A. Aeron Marine Shipping Co., Triad Office Center, 2001 Marcus Avenue, Lake Success, N.Y. 11042.

A. Elizabeth Agle, 530 Seventh Street SE., Washington, D.C. 20003.
B. National Clean Air Coalition, 530 Seventh Street, SE., Washington, D.C. 20003.
D. (6) $6,750. E. (9) $396.04.

A. Agricultural Trade Council, 750 13th Street, SE., Washington, D.C. 20003.
D. (6) $3,000. E. (9) $3,000.

A. A-K Associates, Inc. 1225 Eighth Street, Suite 590, Sacramento, Calif. 95814.
B. California Society of Pathologists, 1225 Eighth Street, Suite 590, Sacramento, Calif. 95814.
D. (6) $6,999.99.

A. A-K Associates, Inc. 1225 Eighth Street, Suite 590, Sacramento, Calif. 95814.
B. City of South Lake Tahoe, P.O. Box 1210, South Lake Tahoe, Calif.
D. (6) $9,249.99. E. (9) $12,909.87.

A. A-K Associates, Inc., 1225 Eighth Street, Suite 590, Sacramento, Calif. 95814.
B. Pathologist Practice Association, 1225 Eighth Street, Suite 590, Sacramento, Calif. 95814.
D. (6) $18,000. E. (9) $3,106.48.

A. Alderson Ondov, Leonard & Sween, P.A. 105 East Oakland Avenue, Austin, Minn. 55912.
B. The Hormel Foundation, Austin, Minn.

A. Robert D. Allen, 2845 Summit Drive, Hillsborough, Calif. 94010.
B. Bechtel Power Corp., 50 Beale Street, P.O. Box 3965, San Francisco, Calif. 94119.

A. Alliance to Save Energy, 1925 K Street NW., Washington, D.C. 20006.
E. (9) $1,339.65.

A. Robert Alvarez, Environmental Policy Center, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Environmental Policy Center, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $2,499.99. E. (9) $312.

A. American Association for Respiratory Therapy, 1720 Regal Row, Dallas, Tex. 75235.
D. (6) $1397.02. E. (9) $19593.52.

A. American Association of University Women, 2401 Virginia Avenue NW., Washington, D.C. 20037.
E. (9) $947.97.

A. American Business Council, 2626 Pennsylvania Avenue N.W., Suite 202, Washington, D.C. 20037.

A. American Cancer Society, Inc., 777 Third Ave., New York, N.Y. 10017.
E. (9) $1,454.

A. American Clean Water Association, 1341 G Street NW., No. 200, Washington, D.C. 20005.
D. (6) $3,000. E. (9) $9,329.

A. American Dental Association, 211 East Chicago Avenue, Chicago, Ill. 60611.
D. (6) $25,317.81. E. (9) $25,317.81.

A. American Federation of State, County and Municipal Employees, AFL-CIO, 1625 L Street NW., Washington, D.C. 20036.
E. (9) $60,104.99.

A. American Gas Association, 1515 Wilson Boulevard, Arlington, Va. 22209.
D. (6) $30,777. E. (9) $30,889.

A. American Health Planning Association, 1601 Connecticut Avenue NW., Suite 700, Washington, D.C. 20009.
D. (6) $71,640.26. E. (9) $13,801.67.

A. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill. 60611.
D. (6) $25,800.50. E. (9) $25,800.50.

A. American League of Anglers, 810 18th Street NW., Washington, D.C.
D. (6) $12,392.97. E. (9) $2,452.31.

A. American Seed Trade Association, 1030 15th Street NW., Suite 964, Washington, D.C.
E. (9) $11,600.

A. American Society for Medical Technology, 1725 DeSales Street NW., Suite 403, Washington, D.C. 20036.
D. (6) $4,241.32. E. (9) $4,270.14.

A. Nancy Amidei, Food Research & Action Center, 1319 F Street NW., No. 500, Washington, D.C. 20004.
B. Food Research & Action Center, 1319 F Street NW., No. 500, Washington, D.C. 20004.
D. (6) $191.53.

A. Arnold & Porter, 1200 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Commissioner of Baseball, 15 West 51st Street, New York, N.Y. 10019.
E. (9) $28.

A. Arnold & Porter, 1200 New Hampshire Avenue NW., Washington, D.C. 20036.
B. American Association of Dealers in Ancient, Oriental & Primitive Art, 159½ East 94th Street, New York, N.Y. 10028.

A. Arnold & Porter, 1200 New Hampshire Avenue NW., Washington, D.C. 20036.
B. American Invsco Corp., 120 South LaSalle Street, Chicago, Ill. 60603.
E. (9) $555.

A. Arnold & Porter, 1200 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Recording Industry Association of America, 888 Seventh Avenue, Ninth Floor, New York, N.Y. 10106.
D. (6) $302.

A. Arnold & Porter, 1200 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Securities Industry Association, 490 L'Enfant Plaza, Suite 3212, Washington, D.C.
D.(6) $363.75. E. (9) $9.12.

A. Arnold & Porter, 1200 New Hampshire Avenue NW., Washington, D.C. 20036.
B. State Farm Mutual Automobile Insurance Co., One State Farm Plaza, Bloomington, Ill. 61701.
D.(6) $10,150. E. (9) $2.35.

A. Arnold & Porter, 1200 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Werner J. Fleischmann, 300 Jacksonville Road, Pompton Plains, N.J. 07444.
D. (6) $1,350. E. (9) $14.83.

A. Association of Private Pension and Welfare Plans, Inc., 1725 K Street NW., Suite 801, Washington, D.C. 20006.
D. (6) $11,023. E. (9) $11,027.78.

A. Automotive Materials Industry Council of the United States (AMICUS), 1055 Thomas Jefferson Street NW., Washington, D.C. 20007.

A. Avon Products, Inc., 9 West 57th Street, New York, N.Y. 10019.
E. (9) $72.

A. James D. Bachman, Cotten, Day & Doyle, 1899 L Street NW., Suite 1200, Washington, D.C. 20036.
B. Oasis Petroleum Co., 5901 Green Valley Circle, Culver City, Calif. 90230.
D. (6) $286.88. E. (9) $18.98.

A. William Douglas Badger, 12695 Castile Court, Woodbridge, Va. 22192.
B. Christian Action Council, 788 National Press Building, Washington, D.C. 20045.
D. (6) $4,560. E. (9) $3,950.57.

A. Albert L. Baldock, Richardson-Vicks, Inc., 1050 17th Street NW., Washington, D.C. 20036.
B. Richardson-Vicks, Inc., Ten Westport Road, Wilton, Conn. 06897.
D. (6) $140,000.

A. H. R. Balikov, J.M. Huber Corp., Thornall Street, Edison, N.J. 08837.
B. J.M. Huber Corp., Thonrall Street, Edison, N.J. 08837.

A. Bally Manufacturing Corp., 2640 West Belmont Avenue, Chicago, Ill. 60618.
E. (9) $200.

A. Patty Banksdon, National Board of Young Men's Christian Associations, 1725 K Street NW., Suite 408, Washington, D.C. 20006.
B. National Board of Young Men's Christian Associations, 291 Broadway, New York, N.Y. 10007.
D. (6) $2,000.

A. David J. Bardin, Arent, Fox, Kintner, Plotkin & Kahn, 1815 H Street, NW., Washington, D.C. 20006.
B. Solmecs Corp., 45 Sheldon Avenue, Highgate London N6; Clal Centre, Suite 917, 97 Jaffa Road, Jerusalem.

A. T. Michael Barry, 2626 Pennsylvania Avenue NW., Washington, D.C.
B. National Telephone Cooperative Association, 2626 Pennsylvania Avenue, Washington, D.C. 20037.
D. (6) $2,281. E. (9) $486.

A. James C. Barr, Credit Union National Association, Inc., 1730 Rhode Island Avenue NW., Suite 810, Washington, D.C. 20036.
B. Credit Union National Association, Inc., 1730 Rhode Island Avenue NW., Suite 810, Washington, D.C. 20036.

D. (6) $300. E. (9) $276.20.

A. Barrett Smith Schapiro Simon & Armstrong, 26 Broadway; Suite 1400, New York, N.Y. 10004.
B. Prudential Lines, Inc., One World Trade Center; 37th Floor, New York, N.Y. 10048.
D. (6) $7,184.

A. Eileen Barthelmy, American League of Anglers, 810 18th Street NW., Washington, D.C. 20006.
B. American League of Anglers, 810 18th Street NW., Washington, D.C. 20006
D. (6) $759.12. E. (9) $271.17.

A. Rose F. Bates, Richard W. Bliss, 1899 L Street NW., Suite 1200, Washington, D.C. 20036.
B. Oasis Petroleum Co., 5901 Green Valley Circle, Culver City, Calif. 90230.
D. (6) $221.38. E. (9) $26.80.

A. Rose F. Bates, 1899 L Street NW., Suite 1200, Washington, D.C. 20036.
B. Wood Enterprises, Inc., P.O. Box 3859, Abilene, Tex. 79604.

A. Josiah Beeman, 1625 L Street NW., Washington, D.C. 20036.
B. American Federation of State, County and Municipal Employees, AFL-CIO, 1625 L Street NW., Washington, D.C. 20036.
D. (6) $13,750.02. E. (9) $631.30.

A. David Berick, Environmental Policy Center, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Environmental Policy Center, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $3,500.01.

A. Karen S. Berky, 2501 M Street NW., Suite 380, Washington, D.C. 20037.
B. Ashland Oil, Inc., Suite 507, 1025 Connecticut Avenue NW., Washington, D.C. 20036. Clark Oil & Refining Corp., 1850 K Street NW., Suite 510, Washington, D.C. 20006. Pester Refining Co., P.O. Box 10006, Des Moines, Iowa 50306. Tenneco, 490 L'Enfant Plaza East SW., Washington, D.C. 20024.
D. (6) $175. E. (9) $60.36.

A. Gerda Bikales, 6711 Pine Creek Court, McLean, Va. 22101.
B. National Parks and Conservation Association, 1701 18th Street NW., Washington, D.C. 20009.

A. Bingham, Dana & Gould, 1724 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Consumer Bankers Association.
E. (9) $122.50.

A. Brent Blackwelder, Environmental Policy Center, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Environmental Policy Center, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $3,500.01.

A. Smith Blair, NARFE, 1533 New Hampshire Avenue NW., Washington, D.C. 20036.
B. National Association of Retired Federal Employees, 1533 New Hampshire Avenue NW., Washington, D.C. 20036.
D. (6) $2,268.

A. Michael K. Blevins, Society of American Florists, 901 North Washington Street, Alexandria, Va. 22314
B. Society of American Florists, 901 North Washington Street, Alexandria, Va. 22314.

A. Richard W. Bliss, 1899 L Street NW., Suite 1200, Washington, D.C. 20036.
B. Oasis Petroleum Co., 5901 Green Valley Circle, Culver City, Calif. 90230.
D. (6) $437.50. E. (9) $22.

A. Richard W. Bliss, 1899 L Street NW., Suite 1200, Washington, D.C. 20036.
B. St. Joe Minerals Corp., 1730 Rhode Island Avenue, Suite 612, Washington, D.C. 20036.
D. (6) $7,580.25. E. (9) $281.

A. Richard W. Bliss, 1899 L Street NW., Suite 1200, Washington, D.C. 20036.
B. Sunoco Energy Development Co. (SUNEDCO), 12700 Park Central Place, Dallas, Tex. 75251.
D. (6) $1,800. E. (9) $398.60.

A. Richard W. Bliss, 1899 L Street NW., Suite 1200, Washington, D.C. 20036.
B. Wood Enterprises, Inc., P.O. Box 3859, Abilene, Tex. 79604
D. (6) $1,200 E. (9) $349.

A. Jessma Blockwick, National Organization for Women, 425 13th Street NW., Suite 1048, Washington, D.C. 20004.
B. National Organization for Women, 425 13th Street NW., Suite 1048, Washington, D.C. 20004.
D. (6) $375.

A. Blount International, Ltd., P.O. Box 4577, Montgomery, Ala. 36101.

A. Blum & Nash, 1015 18th Street NW., Washington, D.C. 20036.
B. Daytime Broadcasters Association, P.O. Box 564, Mattoon, Ill. 61983.
D. (6) $342.50. E. (9) $7.20.

A. Bonsib, Inc., Box 1807, Washington, D.C. 20013.

A. William H. Borghesani, Jr., Keller & Heckman, 1150 17th Street NW., Washington, D.C. 20036.
B. Private Carrier Conference.

A. Connie Borken-Hagen, 29 Cambridge Street, London, SW1V 4PR, England.
B. American Chamber of Commerce (UK), 75 Brook Street, London, W1, England.
D. (6) $9,000. E. (9) $6,339.88.

A. Mary M. Bourdette, 733 15th Street, NW., Washington, D.C. 20005.
B. Legal Services Corporation, 733 15th Street, NW., Washington, D.C. 20005.
D. (6) $268.56. E. (9) $29.50.

A. Margueritte Bracy, 1625 L Street NW., Washington, D.C. 20036.
B. American Federation of State, County and Municipal Employees, AFL-CIO, 1625 L Street NW., Washington, D.C. 20036.
D. (6) $7,075.26. E. (9) $256.74.

A. Bradley, Arant, Rose & White, 1500 Brown-Marx Building, Birmingham, Ala. 35203.
B. Blount International, Ltd., P.O. Box 4577, Montgomery, Ala. 36101.

A. Dan J. Bradley, 733 15th Street NW., Washington, D.C. 20005.
B. Legal Services Corp., 733 15th Street NW., Washington, D.C. 20005.
D. (6) $591.10. E. (9) $44.

A. Gene M. Bradley, The Boeing Co., 1700 North Moore Street, 20th Floor, Rosslyn, Va. 22209.
B. The Boeing Co., P.O. Box 3707, Seattle, Wash. 98124.
D. (6) $230. E. (9) $95.

A. Daniel T. Bross, United Gas Pipe Line Co., 1101 17th Street NW., Suite 704, Washington, D.C. 20036.
B. United Gas Pipe Line Co., P.O. Box 1478, Houston, Tex. 77001.
D. (6) $1,525. E. (9) $868.11.

A. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees, Research Place, Rockville, Md. 20850.
D. (6) $54,210. E. (9) $54,210.

A. Andrew Brown, 2626 Pennsylvania Avenue NW., Washington, D.C. 20037.
B. National Telephone Cooperative Association, 2626 Pennsylvania Avenue NW., Washington, D.C. 20037.
D. (6) $1,400. E. (9) $42.

A. Diane V. Brown, International Paper Co., 1620 I Street NW., No. 700, Washington, D.C. 20006.
B. International Paper Co., 1620 I Street NW., No. 700, Washington, D.C. 20006.
D. (6) $2,500. E. (9) $550.

A. Donald K. Brown, 1127 11th Street, Suite 618, Sacramento, Calif. 95814.
B. Summa Corp., P.O. Box 14000, Las Vegas, Nev.

A. Howard C. Brown, Jr., 9618 Carriage Rd., Kensington, Md. 20795.
B. CENTAR Associates, 369 Passiac Avenue, Fairfield, N.J. 07006.

A. Howard C. Brown, Jr., 9618 Carriage Rd., Kensington, Md. 20795.
B. National Association of Life Science Industries, Inc., 1919 Pennsylvania Avenue NW., Suite 702, Washington, D.C. 20006.

A. John J. Brown, 1125 17th Street NW., Washington, D.C. 20036.
B. International Union of Operating Engineers, 1125 17th Street NW., Washington, D.C. 20036.
D. (6) $7,500. E. (9) $1,232.

A. Christine Capito Burch, 1625 L Street NW., Washington, D.C. 20036.
B. American Federation of State, County and Municipal Employees, AFL-CIO, 1625 L Street NW., Washington, D.C. 20036.
D. (6) $6,320.19. E. (9) $408.67.

A. Busby, Rehm & Leonard, P.C., 1629 K Street NW., Suite 1100, Washington, D.C.20006.
B. Automobile Importers of America, Inc., 1735 Jefferson Davis Highway, Arlington, Va. 22202.

A. Busby, Rehm & Leonard, P.C., 1629 K Street NW., Suite 1100, Washington, D.C. 20006.
B. Bacardi Imports Inc., 2100 Biscayne Boulevard, Miami, Fla. 33137.
D. (6) $330. E. (9) $5.

A. Nicholas J. Bush, Exxon Corp., 1899 L Street NW., Suite 1100, Washington, D.C. 20036.
B. Exxon Corp., 1251 Avenue of the Americas, New York, N.Y.
E. (9) $246.65.

A. Stuart A. Byer, Direct Selling Association, 1730 M Street NW., Suite 610, Washington, D.C. 20036.
B. Direct Selling Association, 1730 M Street NW., Suite 610, Washington, D.C. 20036.

A. Cable, McDaniel, Bowie & Bond, 900 Blaustein Building, Baltimore, Md. 21201.

B. Crown Central Petroleum Corp., 1 North Charles Street, P.O. Box 1168, Baltimore, Md. 21203.

A. Cadwalader, Wickersham & Taft, 1333 New Hampshire Avenue NW., Suite 700, Washington, D.C. 20036.
B. United States & Overseas Tax Fairness Committee, 1101 15th Street NW., Washington, D.C.

A. John C. Callihan, Westvaco Corp., 299 Park Avenue, New York, N.Y. 10171.
B. Westvaco Corp., 299 Park Avenue, New York, N.Y. 10171.
D. (6) $1,296. E. (9) $1,322.35.

A. Camp, Carmouche, Palmer, Barsh & Hunter, P.C., 2550 M Street NW., Suite 275, Washington, D.C. 20037.
B. Chemical Manufacturers Association, 2501 M Street NW., Second Floor, Washington, D.C. 20037.
D. (6) $300.

A. Camp, Carmouche, Palmer, Barsh & Hunter, P.C., 2550 M Street NW., Suite 275, Washington, D.C. 20037.
B. Mobil Oil Corp., 150 East 42d Street, 30th Floor, New York, N.Y. 10017.

A. Camp, Carmouche, Palmer, Barsh & Hunter, P.C., 2550 M Street NW., Suite 275, Washington, D.C. 20037.
B. Occidental Petroleum Corp., 10889 Wilshire Boulevard, Suite 1500, Los Angeles, CA.

A. Camp, Carmouche, Palmer, Barsh & Hunter, P.C., 2550 M Street NW., Suite 275, Washington, D.C. 20037.
B. PPG Industries, Inc. One Gateway Center, Pittsburgh, Pa. 15222.

A. Camp, Carmouche, Palmer, Barsh & Hunter, P.C., 2550 M Street NW., Suite 275, Washington, D.C. 20037.
B. United States League of Savings Association, 111 East Wacker Drive, Chicago, Ill. 60610.
D. (6) $337.50.

A. Canadian Coalition on Acid Rain, 105 Davenport Road, Suite 201, Toronto, Ont. M5R-1H6.
E. (9) $17,499.74.

A. Ross Capon, National Association of Railroad Passengers, 417 New Jersey Avenue SE., Washington, D.C. 20003.
B. National Association of Railroad Passengers, 417 New Jersey Avenue SE., Washington, D.C. 20003.
D. (6) $7,369.95.

A. Capitol Advocates, 1127 11th Street, Suite 605, Sacramento, Calif. 95814.
B. Crowley Maritime Corp., One Market Plaza, San Francisco, Calif. 94105.
E. (9) $4,696.21.

A. Capitol Advocates, 1127 11th Street, Suite 605, Sacramento, Calif. 95814.
B. Distilled Spirits Council of the United States, 1300 Pennsylvania Building, Washington, D.C.

A. Capitol Advocates, 1127 11th Street, Suite 605, Sacramento, Calif. 95814.
B. Summa Corporation, P.O. Box 14000, Las Vegas, Nev.
D. (6) $12,000. E. (9) $154.38.

A. Milton F. Capps, P.O. Box 50485, Columbia, S.C. 29250.
B. J. Crawford Cook, d.b.a. Crawford Cook & Co., P.O. Box 50485, Columbia, S.C. 29250.
D. (6) $1,933.14. E. (9) $1,389.93.

A. Denise A. Cardman, 1800 M Street NW., Washington, D.C. 20036.
B. American Bar Association, 1155 East 60th Street, Chicago, Ill. 60637.
D. (6) $100. E. (9) $50.

A. David Carley, National Association of Public Television Stations, 955 L'Enfant Plaza SW., Suite 7200, Washington, D.C. 20024.
B. National Association of Public Television Stations, 955 L'Enfant Plaza SW., Suite 7200, Washington, D.C. 20024.
D. (6) $500. E. (9) $200.

A. Peter Carlson, Environmental Policy Center, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Environmental Policy Center, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $2,750.01.

A. Donato Caruso, Lambos, Flynn, Nyland & Giardino, 29 Broadway, New York, NY. 10006.
B. New York Shipping Association, Inc., 80 Broad Street, New York, N.Y. 10004.

A. Casey, Lane & Mittendorf, 815 Connecticut Avenue NW., Suite 810, Washington, D.C. 20006.
B. The GHK Cos., 6441 NW. Grand Boulevard, Oklahoma City, Okla. 73116.
D. (6) $13,843.89. E. (9) $2,919.59.

A. Casey, Lane & Mittendorf, 815 Connecticut Avenue NW., Suite 810, Washington, D.C. 20006.
B. The Independent Producers Group, 220 West Douglas Street, Wichita, Kans. 67202.
D. (6) $1,990.50. E. (9) $376.72.

A. Rita L. Castle, Caterpillar Tractor Co., 100 Northeast Adams, Peoria, Ill. 61629.
B. Caterpillar Tractor Co., 100 Northeast Adams Street, Peoria, Ill. 61629.
D. (6) $2,000. E. (9) $1,900.

A. Cayman Turtle Farm, Ltd., P.O. Box 645, Grand Cayman Islands, Cayman Islands, British West Indies.
E. (9) $5,113.18.

A. R. S. Chamberlin, Dow Chemical U.S.A., 1800 M Street NW., Suite 700 South, Washington, D.C. 20036.
B. The Dow Chemical Co., Midland, Mich. 48640.
D. (6) $275. E. (9) $290.

A. William U. Chandler, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Environmental Policy Center, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $2,499.99.

A. Chappell Communications Management, 245 West Elwood Drive, P.O. Box 431, Dayton, Ohio 45459.
B. The National Management Association, 2210 Arbor Boulevard, Dayton, Ohio 45439.
D. (6) $309. E. (9) $40.28.

A. Seymour M. Chase, 1250 Connecticut Avenue, Washington, D.C. 20036.

A. Hal M. Christensen, 1101 17th Street NW., Washington, D.C. 20036.
B. American Dental Association, 101 17th Street NW., Washington, D.C. 20036.
D. (6) $3,000.

A. Donald D. Clancy, 7403 Greenfarms Drive, Cincinnati, Ohio 45224.
B. Tele-Press Associates, Inc., 341 East 79th Street, New York, N.Y. 10001. (For Japan Fisheries Association.)

A. Anne Harrison Clark, Population Resource Center, 110 Maryland Avenue NE., Washington, D.C. 20002.
B. Population Resource Center, 622 Third Avenue, New York, N.Y. 10017.
D. (6) $7,431.

A. Clean Water Action Project, 1341 G Street NW., Suite 200, Washington, D.C. 20005.
D. (6) $107,827. E. (9) $6,469.

A. Charles M. Clusen, 1901 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. The Wilderness Society, 1901 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $520. E. (9) $54.

A. Coalition for Full Nuclear Accountability, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $8,787.97. E. (9) $8,787.97.

A. Coalition for Legal Services, Inc., 1625 K Street NW., Washington, D.C. 20006.
D. (6) $14,086.77. E. (9) $14,086.77.

A. Cohen and Uretz, 1775 K Street NW., Washington, D.C. 20006.
B. Contract Staffing of America, Inc., 17601 East 17th Street, Tustin, Calif. 92680.
E. (9) $2.24.

A. Cohen and Uretz, 1775 K Street NW., Washington, D.C. 20006.
B. Stichting Philips Pension Funds A and B, Tramstraat 62, Eindhoven, The Netherlands.
D. 6. $9,023.75. E. (9) $2,343,71.

A. Timothy A. Colcord, Visa, U.S.A. Inc., 1620 I Street NW., Washington, D.C. 20006.
B. Visa, U.S.A., Inc., 300 Clearway View, San Mateo, Calif. 94403.
D. 6. $6,875. E. (9) $349.37.

Cole & Corette, 1200 17th Street NW., Washington, D.C. 20036.
B. American Petroleum Refiners Association, Ring Building, Washington, D.C.
E. (9) $28.

A. Cole & Corette, 1200 17th Street NW., Washington, D.C. 20036.
B. Council of American Chambers of Commerce—Europe and Mediterranean.

A. Collier, Shannon, Rill & Scott, 1055 Thomas Jefferson Street NW., Suite 308, Washington, D.C. 20007.
B. Automotive Materials Industry Council of the United States (AMICUS), 1055 Thomas Jefferson Street NW., Suite 308, Washington, D.C. 20007.

A. Collier, Shannon, Rill & Scott, 1055 Thomas Jefferson Street NW., Suite 308, Washington, D.C. 20007.
B. Murray Ohio Manufacturing Co., Franklin Road, Brentwood, Tenn. 37027.

A. Collier, Shannon, Rill & Scott, 1055 Thomas Jefferson Street NW., Suite 308, Washington, D.C. 20007.
B. Norris Industries, Vernon Division, 5215 South Boyle, Los Angeles, Calif. 90058.
D. (6) $1,000. E. (9) $50.

A. Robert B. Collyer, 1800 M Street NW., Suite 460, Washington, D.C. 20036.
B. UBA, Inc.

A. Committee for Do-It-Yourself Household Moving, 1100 17th Street NW., Suite 1000, Washington, D.C. 20036.

A. Stephen R. Conafay, Pfizer, Inc., 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Pfizer Inc., 235 East 42nd Street, New York, N.Y. 10017.

D. (6) $550. E. (9) $1,125.07.

A. Jay B. Constantine, David Vienna & Associates, 510 C Street NE., Suite 100, Washington, D.C. 20002.
B. State of California, Office of the Controller, State Capitol, Sacramento, Calif. 95805.

A. Continental Resources Co., P.O. Box 44, Winter Park, Fla. 32790.
E. (9) $46,299.71.

A. Cook, Purcell, Hansen & Henderson, Chtd., 1015 18th Street NW., Suite 1100, Washington, D.C. 20036.
B. American Rice, Inc., Houston, Tex. 77001
D. (6) $3,300. E. (9) $468.00.

A. Cook, Purcell, Hansen & Henderson, Chtd., 1015 18th Street NW., Suite 1100, Washington, D.C. 20036.
B. The Board of Trade of Kansas City, Mo., Inc., Kansas City, Mo. 64112.
D. (6) $1,961. E. (9) $23.39.

A. Cook, Purcell, Hansen & Henderson, Chtd., 1015 18th Street NW., Suite 1100, Washington, D.C. 20036.
B. Iowa Beef Processors, Inc., Dakota City, Nebr. 68731.
D. (6) $3,090. E. (9) $439.94.

A. Cook, Purcell, Hansen & Henderson, Chtd., 1015 18th Street NW., Suite 1100, Washington, D.C. 20036.
B. National Association of State Agencies for Food Distribution, Albany, N.Y. 12226.
D. (6) $700. E. (9) $10.68.

A. Cook, Purcell, Hansen & Henderson, Chtd., 1015 18th Street NW., Suite 1100, Washington, D.C. 20036.
B. Planters Peanuts, Suffolk, Va. 23434.
D. (6) $395. E. (9) $34.40.

A. Edward Cooney, Food Research and Action Center, 1319 F Street NW., Suite 500, Washington, D.C. 20004.
B. Food Research and Action Center, 1319 F Street NW., Suite 500, Washington, D.C. 20004.
D. (6) $5,791.58.

A. Emanuel M. Cooper, P.O. Box 779, Bridgeport, Conn.

A. Mark Cooper, Consumer Energy Council of America, 2000 L Street NW., Suite 320, Washington, D.C. 20036.
B. Consumer Energy Council of America, 2000 L Street NW., Suite 320, Washington, D.C. 20036.
D. (6) $846.21. E. (9) $15.

A. Peter D. Coppelman, 1901 Pennsylvania Avenue NW., Washington, D.C. 20036.
B. The Wilderness Society, 1901 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $2,840.76. E. (9) $225.95.

A. Patrick H. Corcoran, Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C. 20006
B. Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C. 20006.

A. Richard L. Corrigan, 1090 Vermont Avenue NW., Suite 560, Washington, D.C. 20005.
B. CH2M Hill, Inc., 1600 Southwest Western Boulevard, Corvallis, Oreg. 97330.
D. (6) $1,200.

A. Allan D. Cors, Corning Glass Works, 1800 K Street NW., Suite 1104, Washington, D.C. 20006.
B. Corning Glass Works, Corning, N.Y. 14831.
D. (6) $900.

A. William R. Corson, 1707 H Street NW., Washington, D.C. 20006.
B. Penthouse International Ltd., 1707 H Street NW., Washington, D.C. 20006.
D. (6) $10,500. E. (9) $7,450.

A. Tom Cosgrove, 530 7th Street SE., Washington, D.C. 20003.
B. National Clean Air Coalition, 530 7th Street SE., Washington, D.C. 20003.
D. (6) $3,000. E. (9) $403.12.

A. Council of Energy Resource Tribes, 1140 Connecticut Avenue NW., Suite 310, Washington, D.C. 20036.
D. (6) $15,750.

A. Raymond L. Courage, Carl Byoir & Associates, Inc., 1899 L Street NW., Washington, D.C. 20036.
B. Carl Byoir & Associations, Inc., 1899 L Street NW., Washington, D.C. 20036. (For Railway Tankcar Safety Institute.)

A. Roger C. Courtney, American Psychiatric Association, 1333 New Hampshire Avenue NW., Suite 670, Washington, D.C. 20036.
B. American Psychiatric Association, 1700 18th Street NW., Washington, D.C. 20009.
D. (6) $1,948.85. E. (9) $697.65.

A. Cramer & Cramer, 1320 19th Street NW., Suite 200, Washington, D.C. 20036.
B. Canaveral Port Authority, P.O. Box 267, Cape Canaveral, Fla. 32920.
D. (6) $22,500. E. (9) $573.93.

A. Cramer & Cramer, 1320 19th Street NW., Suite 200, Washington, D.C. 20036.
B. Dade County, Miami, Fla.
D. (6) $4,000.

A. Crawford Cook & Co., P.O. Box 50485, Columbia, S.C. 29250.
B. Ministry of Foreign Affairs of the Kingdom of Saudi Arabia, Riyadh, Saudi Arabia.
E. (9) $36,715.84.

A. Credit Union National Association, Inc., 1730 Rhode Island Avenue, No. 810, Washington, D.C. 20036.
D. (6) $300. E. (9) $809.02.

A. Crowell & Moring, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. The Brooklyn Union Gas Co., 195 Montague Street, Brooklyn, N.Y. 11201.
D. (6) $408. E. (9) $160.

A. Crowell & Moring, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Helicopter Association International, Suite 430, 1110 Vermont Avenue NW., Washington, D.C. 20005.

A. Crowell & Moring, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Sierra Pacific Power Co., P.O. Box 10100, Reno, Nev. 89502.

A. Charles H. Crutchfield, Media Communications, 1409 East Boulevard, Charlotte, N.C. 28203.
B. General Tire & Rubber Co., One General Street, Akron, Ohio 44329.

A. Culp, Dwyer, Guterson & Grader, 1300 Hoge Building, Seattle, Wash. 98104.
B. Pacific Northwest Utilities Conference Committee, 1151 Valley Mall Parkway, East Wenatchee, Wash. 98801.
D. (6) $28,369.90.

A. Cummins Engine Co., Inc., Columbus, Ind. 47201.

A. Gary L. Curran, 328 F Street NE., Washington, D.C. 20002,
B. The Conservative Caucus, 450 Maple Avenue, East Vienna, Va. 22180.
D. (6) $5,000.

A. Jay B. Cutler, American Psychiatric Association, 1333 New Hampshire Avenue NW., Suite 670, Washington, D.C. 20036.
B. American Psychiatric Association, 1700 18th Street NW., Washington, D.C. 20009.
D. (6) $4,703.50. E. (9) $911.07.

A. Daniels, Houlihan & Palmeter, 1819 H Street NW., Washington, D.C. 20006.
B. American Importers Association, 11 West 42d Street, New York, N.Y. 10036.
D. (6) $12,000. E. (9) $730.02.

A. John L. Davidson, Jr., The St. Louis Mercantile Library Association, 510 Locust Street, St. Louis, Mo. 63188.
B. The St. Louis Mercantile Library Association, 510 Locust Street, St. Louis, Mo. 63188.

A. Cheryl C. Davis, David Vienna & Associates, 510 C Street NE., Suite 100, Washington, D.C. 20002.
B. State of California, Office of the Controller, State Capitol, Sacramento, Calif. 95805.

A. Cheryl C. Davis, David Vienna & Associates, 510 C Street NE., Washington, D.C. 20002.
B. National Association of Credit Management, 475 Park Avenue South, New York, N.Y. 10016.

A. P. M. Davison, Jr., North Dakota Railway Lines, 418 East Roser Avenue, P.O. Box 938, Bismarck, N. Dak. 58501.
B. North Dakota Railway Lines.

A. Donald S. Dawson, Suite 723, Washington Building, Washington, D.C. 20005.
B. Legislature of the Virgin Islands, P.O. Box 7908, Charlotte Amalie, V.I. 00801.

A. Donald S. Dawson, 723 Washington Building, Washington, D.C. 20005.
B. Virgin Islands Gift & Fashion Shop Association, P.O. Box 2232, St. Thomas, V.I.

A. Dawson, Riddell, Fox, Holroyd & Wilson, P.C., 723 Washington Building, Washington, D.C. 20005.
B. Beneficial Corp., Wilmington, Del.

A. Dawson, Riddell, Fox, Holroyd & Wilson, P.C., 723 Washington Building, Washington, D.C. 20005.
B. Dial Finance Corp., 207 Ninth Street, Des Moines, Iowa 50307.

A. Dealer Bank Association, 1800 K Street NW., Suite 1014, Washington, D.C. 20006.
D. (6) $5,840. E. (9) $5,840.

A. Eliza Demetree, 2200 Columbia Pike, Suite 711, Arlington, Va. 22204.
B. Natural Gas Supply Association, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $2,375. E. (9) $260.51.

A. Dickstein, Shapiro & Morin, 2101 L Street NW., Washington, D.C. 20037.
B. Mitsubishi International Corp.

A. Nancy Dietz, 46 Austin Street, Newtonville, Mass. 02160.
B. Action for Children's Television, 46 Austin Street, Newtonville, Mass 02160.
D. (6) $500.

A. Timothy V. A. Dillon, 1850 K Street NW., Suite 380, Washington, D.C. 20006.
B. Westlands Water District, P.O. Box 5222, Fresno, Calif. 93744.

D. (6) $2,334.43 E. (9) $84.43.

A. Direct Selling Association, 1730 M Street NW., Washington, D.C. 20036.
E. (9) $1,600.

A. Theodore Douglas, 2501 59th Street, St. Louis, Mo. 63130.
B. Painters' District Council No. 2, 2501 59th Street, St. Louis, Mo. 63130.

A. Dow, Lohnes & Albertson, 1225 Connecticut Avenue NW., Washington, D.C. 20036.
B. Central California Educational Television, Inc., P.O. Box 6, Sacramento, Calif. 95801; et al.
E. (9) $2,479.18.

A. John C. Doyle, Jr., 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Environmental Policy Center, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $2,499.99.

A. Douglas F. Duerr, Credit Union National Association Inc., 1730 Rhode Island Avenue, Suite 810, Washington, D.C. 20036.
B. Credit Union National Association, Inc., 1730 Rhode Island Avenue NW., Suite 810, Washington, D.C. 20036.
D. (6) $300.

A. C. R. Duggan, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 3 Research Place, Rockville, Md. 20850.
D. (6) $2,000. E. (9) $1,460.

A. Louise C. Dunlap, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Environmental Policy Center, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $1,250.01.

A. Jean F. Dye, 12700 Lake Avenue, Cleveland, Ohio 44170.
B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill. 60611.

A. Ed Edmondson, P.O. Box 11, Muskogee, Okla. 74401.
B. American Inland Waterways Committee, 7733 Forsyth Boulevard, Suite 2201, St. Louis, Mo. 63105.

A. Ed Edmondson, P.O. Box 11, Muskogee, Okla. 74401.
B. Cherokee Nation, P.O. Box 119, Tahlequah, Okla. 74464.

A. Ed Edmondson, P.O. Box 11, Muskogee, Okla. 74401.
B. Doss Aviation, Inc., P.O. Box 725, Fort Rucker, Ala. 36360.

A. Ed Edmondson, P.O. Box 11, Muskogee, Okla. 74401.
B. IU International Management Corp., 1500 Walnut Street, Philadelphia, Pa. 19102.

A. Ed Edmondson, P.O. Box 11, Muskogee, Okla. 74401.
B. Oklahoma Association of Electric Co-ops., P.O. Box 11047, Oklahoma City, Okla. 73111.

A. Ed Edmondson, P.O. Box 11, Muskogee, Okla. 74401.
B. U.S. Maritime Committee, 600 New Hampshire Avenue NW., No. 420, Washington, D.C. 20037.

A. Sara Ehrman, 444 North Capitol Street, NW., Suite 412, Washington D.C. 20001.
B. American Israel Public Affairs Committee, 444 North Capitol Street NW., Suite 412, Washington, D.C. 20001.
D. (6) $8,749.98.

A. C. M. Elkins Associates, Suite 1100, 1100 17th Street NW., Washington, D.C. 20036.
B. Delaware & Hudson Railway, 40 Beaver Street, Albany, N.Y. 12207; Pittsburgh & Lake Erie Railroad, P & LE Terminal, Pittsburgh, Pa.; Missouri-Kansas-Texas Railroad, 701 Commerce Street, Dallas, Tex.
D. (6) $18,500. E. (9) $2,650.

A. Dorothy A. Ellsworth, 1300 Connecticut Avenue NW., Washington, D.C. 20036.
B. International Association of Machinists & Aerospace Workers, 1300 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $5,438.51. E. (9) $222.50.

A. Environmental Action Inc., Room 713, 1346 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $15,295.57. E. (9) $15,295.57.

A. Environmental Policy Center, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $2,499.99.

A. Epstein, Becker, Borsody & Green, P.C., 1140 19th Street NW., Suite 900, Washington, D.C. 20036.
B. American Association of Foundations for Medical Care, Suite 214, Cabin John Mall, 11325 Seven Locks Road, Potomac, Md. 20854.

A. Epstein, Becker, Borsody & Green, P.C., 1140 19th Street NW., Suite 900, Washington, D.C. 20036.
B. American Association of Professional Standards Review Organizations, Suite 214, Cabin John Mall, 11325 Seven Locks Road, Potomac, Md. 20854.

A. Jerry N. Ervin, Quintana Refinery Co., P.O. Box 3331, Houston, Tex. 77001.
B. Quintana Refinery Co., P.O. Box 3331, Houston, Tex. 77001.

A. Fallbrook Public Utility District, 1101 17th Street NW., Suite 705, Washington, D.C. 20036.
E. (9) $2,277.

A. George L. Farnham, 530 Eighth Street SE., Washington, D.C. 20003.
B. National Organization for the Reform of Marijuana Laws, 530 Eighth Street SE., Washington, D.C. 20003.

A. Federation for American Immigration Reform, 2028 P Street NW., Washington, D.C. 20036.
E. (9) $2,519.37.

A. Federation of American Scientists, 307 Massachusetts Avenue NE., Washington, D.C. 20002.
E. (9) $992.81.

A. Bernard Fensterwald, Jr., 2101 L Street NW., Suite 203, Washington, D.C. 20037.
B. Committee for Humane Legislation, Inc., One Pine Street, Neptune, N.J. 07753.
D. (6) $2,500. E. (9) $125.

A. 5th Pro-Life Congressional District Action Committee, c/o Mr. John Kelley, 1120 Michigan Boulevard, Dunedin, Fla. 33528.
E. (9) $140.69.

A. Samuel Fine, Priest & Fine, Inc., 1725 K Street NW., Washington, D.C. 20006.
B. National Technical Schools of Los Angeles, 4000 Figueroa, Los Angeles, Calif. 90037
D. (6) $90. E. (9) $7.50.

A. Theodora Fine, American Psychiatric Association, 1333 New Hampshire Avenue NW., Suite 670, Washington, D.C. 20036.
B. American Psychiatric Association, 1700 18th Street NW., Washington, D.C. 20009.
D. (6) $2,035.25. E. (9) $1,060.40.

A. First Class Mailers Association, 1101 New Hampshire Avenue NW., Suite 107, Washington, D.C. 20037.
E. (9) $69.

A. David M. Fitzgerald, Fitzgerald & Associates, 206 King Street, Alexandria, Va. 22314.
B. Goodyear Aerospace, 1210 Massillon Road, Akron, Ohio 44315.
D. (6) $1,500.

A. David M. Fitzgerald, Fitzgerald & Associates, 206 King Street, Alexandria, Va. 22314.
B. Litton Data Systems, P.O. Box 7601, Van Nuys, Calif. 91409.
D. (6) $1,250.

A. James H. Fitzpatrick, Hospital Association of New York State, 15 Computer Drive West, Albany, N.Y. 12205.
B. Hospital Association of N.Y.S., 15 Computer Drive West, Albany, N.Y. 12205.
D. (6) $1,000. E. (9) $864.

A. Daniel V. Flanagan, Jr., Southern Pacific Co., 1828 L Street NW., Suite 550, Washington, D.C. 20036.
B. Southern Pacific Co., One Market Plaza, San Francisco, Calif. 94105.
D. (6) $5,000. E. (9) $252.09.

A. Ruth Flower, 245 Second Street NE., Washington, D.C. 20002.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C. 20002.
D. (6) $2,738.25.

A. John J. Flynn, 1125 17th Street NW., Washington, D.C. 20036.
B. International Union of Operating Engineers, 1125 17th Street NW., Washington, D.C. 20036.
D. (6) $5,500. E. (9) $557.

A. Food Research and Action Center, 1319 F Street NW., No. 500, Washington, D.C. 20004
D. (6) $1,000. E. (9) $17,351.25.

A. Foodservice & Lodging Institute, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Jack T. Ford, 1101 17th Street NW., Suite 705, Washington, D.C. 20036.
B. Fallbrook Public Utility District, 1101 17th Street NW., Suite 705, Washington, D.C. 20036.
D. (6) $2,227.48.

A. Sallie H. Forman, National Broadcasting Co., Inc., 1825 K Street NW., Washington, D.C. 20006.
B. National Broadcasting Co., Inc., 1825 K Street NW., Washington, D.C. 20006.
D. (6) $342. E. (9) $87.44.

A. David H. Foster, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. Natural Gas Supply Association, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $4,750.01. E. (9) $1,223.35.

A. Robert U. Foster, 600 New Hampshire Avenue NW., Suite 420, Washington, D.C. 20037.

B. Shipbuilders Council of America, 600 New Hampshire Avenue NW., Suite 420, Washington, D.C. 20037.
D. (6) $11,000.

A. Eric R. Fox, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Employee Relocation Council, 1627 K Street NW., Suite 600, Washington, D.C. 20006.

A. Susan E. Fracaroli, Johns-Mansville Corp., Suite 214, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. Johns-Manville Corp., P.O. Box 5108, Denver, Colo. 80217.

A. Donald Fraher, 810 18th Street NW., Washington, D.C. 20006.
B. Handgun Control, Inc., 810 18th Street, NW., Washington, D.C. 20006.
D. (6) $4,730.76. E. (9) $161.40.

A. David E. Franasiak, 1615 H Street NW., Washington, D.C. 20062.
B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C. 20062.
D. (6) $960. E. (9) $18.35.

A. Thomas C. Franks, National Association of Realtors, 777 14th Street NW., Washington, D.C. 20005.
B. National Association of Realtors, 777 14th Street NW., Washington, D.C. 20005; 430 North Michigan Avenue, Chicago, Ill. 60611.
D. (6) $1,500. E. (9) $470.88.

A. Donald A. Frederick, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Council of Farmer Cooperatives, 1800 Massachusetts Avenue, NW., Washington, D.C. 20036.
D. (6) $1,575.

A. David W. Freer, Western Oil & Gas Association, 1050 17th Street NW., Washington, D.C. 20036.
B. Western Oil & Gas Association, 727 West Seventh Street, Suite 850, Los Angeles, Calif. 90017.
D. (6) $825.

A. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C. 20002.
D. (6) $80,399.47. E. (9) $25,160.53.

A. Robert D. Fritz, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees, 3 Research Place, Rockville, Md. 20850.
D. (6) $2,400. E. (9) $2,100.

A. Fulbright & Jaworski, 1150 Connecticut Avenue NW., No. 400, Washington, D.C. 20036.
B. Kenneth Lewis, 3300 Northwest Yeon Avenue, Portland, Oreg. 97210.
A. Full Employment Action Council, 707 D Street SE., Washington, D.C. 20003.
D. (6) $38,525 E. (9) $429.

A. David C. Fullarton, 2626 Pennsylvania Avenue NW., Washington, D.C. 20037.
B. National Telephone Cooperative Association, 2626 Pennsylvania Avenue NW., Washington, D.C. 20037.
D. (6) $2,329.

A. Ginger N. Gardner, Charter Oil Co., 2550 M Street NW., Washington, D.C. 20037.
B. Charter Oil Co., 21 West Church Street, Jacksonville, Fla. 32202.
D. (6) $116.32. E. (9) $51.63.

A. Theodore J. Garrish, 1607 New Hampshire Avenue NW., Washington, D.C. 20009.
B. National Outdoor Coalition.

A. Garvey, Schubert, Adams & Barer, 1000 Potomac Street NW., Fifth Floor, Washington, D.C. 20007.
B. American Pyrotechnics Association, 407 Campus Avenue, Chestertown, Md. 21620.

A. Garvey, Schubert, Adams & Barer, 1000 Potomac Street NW., Fifth Floor, Washington, D.C. 20007.
B. Noranda Mining Inc., 986 Atherton Drive, Suite 220, Salt Lake City, Utah 84107.
D. (6) $1,657.50. E. (9) $269.28.

A. Garvey, Schubert, Adams & Barer, 1000 Potomac Street NW., 5th Floor, Washington, D.C. 20007.
B. Totem Ocean Trailer Express, Inc., 1100 Olive Way, Seattle, Wash. 98101.
D. (6) $8,637. E. (9) $136.50.

A. Garvey, Schubert, Adams & Barer, 1000 Potomac Street NW., 5th Floor, Washington, D.C. 20007.
B. Trailways, 1200 I Street NW., Washington, D.C. 20005.
D. (6) $4,643.50. E. (9) $631.71.

A. Garvey, Schubert, Adams & Barer, 1000 Potomac Street NW., 5th Floor, Washington, D.C. 20007.
B. Washington Citizens for World Trade, 4th and Battery Building, Suite 925, Seattle, Wash. 98121.
D. (6) $3,995.54. E. (9) $58.75.

A. Gas Appliance Manufacturers Association, Inc., 1901 North Fort Myer Drive, Arlington, Va. 22209.
E. (9) $251.90.

A. Claire M. Geoghegan, 415 Second Street NE., Washington, D.C. 20002.
B. Ad-Hoc Committee for Competitive Telecommunications, 415 Second Street NE., Washington, D.C. 20002.
D. (6) $6,680.76.

A. Thomas W. George, Texas Water Conditioning Association, 315 Westgate Building, Austin, Tex. 78701.
B. Texas Water Conditioning Association, 8517 Appalachain Drive, Austin, Tex. 78751.
D. (6) $5,000. E. (9) $18.

A. Gerard, Byler & Associates, Inc., 1100 17th Street NW., Suite 1100, Washington, D.C. 20036.
B. Ak-Chin Indian Community Council, Route 2 Box No. 27, Maricopa, Ariz. 85239.
D. (6) $966. E. (9) $1,014.43.

A. Gerard, Byler & Associates, Inc., 1100 17th Street NW., Suite 1100, Washington, D.C. 20036.
B. Colville Business Council, Box 150, Nespelem, Wash. 99155.
D. (6) $1,918. E. (9) $678.53.

A. Gerard, Byler & Associates, Inc., 1100 17th Street NW., Suite 1100, Washington, D.C. 20036.
B. Commissioned Officers Association, U.S. Public Health Service, 1750 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $974. E. (9) $1,000.25.

A. Gerard, Byler & Associates, Inc., 1100 17th Street NW., Suite 1100, Washington, D.C. 20036.
B. The Minnesota Chippewa Tribe, P.O. Box 217, Cass Lake, Minn. 55633.
D. (6) $330. E. (9) $354.33.

A. Gerard, Byler & Associates, Inc., 1100 17th Street NW., Suite 1100, Washington, D.C. 20036.
B. Papago Tribe of Arizona, Box 837, Sells, Ariz. 85634.
D. (6) $2,096. E. (9) $2,212.68

A. Gerard, Byler & Associates, Inc., 1100 17th Street NW., Suite 1100, Washington, D.C. 20036.
B. The Tulalip Tribes, 6700 Totem Beach Road, Marysville, Wash. 98270.
D. (6) $224. E. (9) $253.73.

A. Getty Oil Co., 3810 Wilshire Blvd., Los Angeles, Calif. 90010.
E. (9) $14,566.41.

A. William G. Giery, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Foodservice & Lodging Institute, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. William Gilmartin, 1220 19th Street NW., Suite 303, Washington, D.C. 20036.
B. Planned Parenthood Federation of America, Inc., 1220 19th Street NW., Suite 303, Washington, D.C. 20036.
D. (6) $918. E. (9) $7.10.

A. Larry Glantz, National Employment Law Project, 236 Massachusetts Avenue NE., Washington, D.C. 20002.
B. National Employment Law Project, 236 Massachusetts Avenue NE., Washington, D.C. 20002.
D. (6) $1,250. E. (9) $1,380.

A. Jay W. Glasmann, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Employee Relocation Council, 1627 K Street NW., Suite 600, Washington, D.C. 20006.
E. (9) $28.

A. Claude R. Glaze, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees, 3 Research Place, Rockville, Md. 20850.
D. (6) $1,460. E. (9) $1,260.

A. Judith M. Goff, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Council of Farmer Cooperatives, 1800 Massachusetts Avenue NW., Washington, D.C. 20036
D. (6) $328.75.

A. Carl Goldfield, 134 Hubinger Street, New Haven, Conn. 06511.
B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C. 20037.
D. (6) $500.

A. Michael Goldstein, National Association of Catalog Showroom Merchandisers, 276 Fifth Avenue, New York, N.Y. 10001.
B. National Association of Catalog Showroom Merchandisers, 276 Fifth Avenue, New York, N.Y. 10001.
E. (9) $500.

A. Neil B. Goldstein, Sierra Club, 800 Second Avenue, New York, N.Y. 10017.
B. Sierra Club, 30 Bush Street, San Francisco, Calif. 94108.
D. (6) $1,250.77. E. (9) $2,872.58.

A. Jack Golodner, 1140 Connecticut Avenue NW., Washington, D.C. 20036.
B. Actors Equity Association, 165 West 46th Street, New York, N.Y. 10036.

D. (6) $2,500. E. (9) $545.87.

A. Alfonso J. Gonzalaz, National Association of Social Workers, Inc., 1425 H Street NW., Suite 600, Washington, D.C. 20005.
B. National Association of Social Workers, Inc., 1425 H Street NW., Suite 600, Washington, D.C. 20005.
D. (6) $9,000. E. (9) $720.

A. George Gould III, National Association of Letter Carriers, 100 Indiana Avenue, NW., Washington, D.C. 20001.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.
D. (6) $10,301.68 E. (9) $2,954.10.

A. Carl F. Graham, Amway Corp.. 7575 East Fulton Road, Ada Mich. 49355.
B. Amway Corp., 7575 East Fulton Road, Ada, Mich. 49355.

A. Donald E. Graham, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Council of Farmer Cooperatives, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $1,062,50.

A. John K. Gram, Public Timber Purchasers Group, 714 Oregon Bank Building, Portland, Oreg. 97204.
B. Public Timber Purchasers Group, 714 Oregon Bank Building, Portland, Oreg. 97204.
D. (6) $1,781.25 .E. (9) $846.45.

A. Edward Shawn Grandis, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Environmental Policy Center, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $2,499.99.

A. Ruth P. Graves, Reading Is Fundamental, Inc., 475 L'Enfant Plaza, Suite 4800, Washington, D.C. 20560.
B. Reading Is Fundamental, Inc. 475 L'Enfant Plaza, Suite 4800, Washington, D.C. 20560.
D. (6) $414. E. (9) $74.20.

A. Robert K. Gray, The Power House, Washington, D.C. 20007.
B. Gray & Co., The Power House (For The American Iron and Steel Institute), Washington, D.C. 20007.
D. (6) $700.

A. Robert K. Gray, 1425 K Street NW., Washington, D.C. 20005.
B. Hill & Knowlton, Inc., 633 Third Avenue, New York, N.Y. 10017 (For Distilled Spirits Council of the U.S.).

A. Robert K. Gray, 1425 K Street NW., Washington, D.C. 20005.
B. Hill & Knowlton, Inc., 633 Third Avenue, New York, N.Y. 10017 (For David A. Witts).

A. Robert K. Gray, 1425 K Street NW., Washington, D.C. 20005.
B. Hill & Knowlton, Inc., 633 Third Avenue, New York, N.Y. 10017 (For Health Insurance Association of America).

A. Phyllis Greenberger, American Psychiatric Association, 1333 New Hampshire Avenue NW., Suite 670, Washington, D.C. 20036.
B. American Psychiatric Association, 1700 18th Street NW., Washington, D.C. 20009.
D. (6) $1,020.15. E. (9) $786.88.

A. Margit S. Greenspon, 2626 Pennsylvania Avenue, NW., Washington, D.C. 20037.
B. National Telephone Cooperative Association, 2626 Pennsylvania Avenue NW., Washington, D.C. 20037.
D. (6) $3,000. E. (9) $629.

A. Group Health Association of America, Inc., 1717 Massachusetts Avenue NW., Suite 701, Washington, D.C. 20036.
E. (9) $3,300.

A. Larry Grupp, Northwest Business Consulting, Inc., Box 8032, Moscow, Idaho 83707.
B. J. R. Simplot Company, P.O. Box 27, Boise, Idaho 83707.
E. (9) $325.

A. Dan A. Gunderson, 608 Second Avenue South, Minneapolis, Minn. 55402.
B. The Pillsbury Company, 608 Second Avenue South, Minneapolis, Minn. 55402.

A. Harold T. Halfpenny, 111 West Washington Street, Chicago, Ill. 60602.

A. James Hall, 530 Eighth Street SE., Washington, D.C. 20003.
B. National Organization for the Reform of Marijuana Laws, 530 Eighth Street SE., Washington, D.C. 20003.

A. William W. Hamilton, Jr., 1220 19th Street NW., Suite 303, Washington, D.C. 20036.
B. Planned Parenthood Federation of America, Inc., 1220 19th Street NW., Suite 303, Washington, D.C. 20036.
D. (6) $116.

A. Robert N. Hampton, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Council of Farmer Cooperatives, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $781.25.

A. Handgun Control, Inc., 810 18th Street NW., Washington, D.C. 20006.
D. (6) $1,123,092.63. E. (9) $286,807.52.

A. Donald K. Hanes, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Council of Farmer Cooperatives, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $136.75.

A. Hansell, Post, Brandon & Dorsey, 1747 Pennsylvania Avenue NW., No. 20, Washington, D.C. 20006.
B. Portman Properties, 1800 Peachtree Center South, 225 Peachtree Street NE., Atlanta, Ga. 30303.

A. John L. Harmer, 350 South 400 East, Suite G-4, Salt Lake City, Utah 84111.
D. (6) $15,000. E. (9) $3,226.

A. Wiley C. Harell, Anheuser-Busch Cos., 1211 Connecticut Avenue NW., Suite 502, Washington, D.C. 20036.
B. Anheuser-Busch Cos., Inc. 721 Pestalozzi Street, St. Louis, Mo. 63118.
E. (9) $9.

A. Robert L. Harris, 818 Connecticut Avenue NW., Washington, D.C. 20006.
B. The Aluminum Association, 818 Connecticut Avenue NW., Washington, D.C. 20006.
E. (9) $50.

A. Jeff R. Hart, 1725 K Street NW., Suite 801, Washington, D.C. 20006.
B. The Association of Private Pension and Welfare Plans, Inc., 1725 K Street NW., Suite 801, Washington, D.C. 20006.
D. (6) $1,562.50. E. (9) $109.79.

A. Hartke & Hartke, Watergate 600, Washington, D.C.
B. National Cultural Liberation Movement and S.A. Black Alliance.

A. Lewis B. Hastings, 1776 K Street NW., Washington, D.C. 20006.
B. Motorola, Inc., 1776 K Street NW., Washington, D.C. 20006.

A. Richard W. Heim, David Vienna & Associates, 510 C Street NE., Suite 100, Washington, D.C. 20002.
B. State of California, Office of the Controller, Sacramento, Calif. 95805.

A. Barbara M. Heller, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Environmental Policy Center, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $291.67.

A. Noel Hemmendinger, Arter, Hadden & Hemmendinger, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Arter, Hadden & Hemmendinger, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006. (For Japan Iron and Steel Exporters' Association, Tokyo, Japan.)

A. Thomas M. Hennessy, Getty Oil Co., 1701 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Getty Oil Co., 3810 Wilshire Boulevard, Los Angeles, Calif. 90010.
D. (6) $1,749. E. (9) $424.74.

A. Hercules Inc., 910 Market Street, Wilmington, Del. 19899.
E. (9) $9,400.

A. Herrick, Allen, Davis & Bailey, 1701 K Street NW., Suite 706, Washington, D.C. 20006.
B. Amusement and Music Operators Association, 35 East Wacker Drive, Suite 1940, Chicago, Ill. 60601.
D. (6) $2,311.50. E. (9) $35.65.

A. Esther Herst National Committee Against Repressive Legislation, 1343 F Street NE., Washington, D.C. 20002.
B. National Committee Against Repressive Legislation, 1250 Wilshire Boulevard, Los Angeles, Calif. 90017.
D. (6) $3,195.

A. E. Joseph Hillings, P.O. Box 44, Winter Park, Fla. 32790.
B. Continental Resources Co., P.O. Box 44, Winter Park, Fla. 32790.
D. (6) $2,500. E. (9) $2,703.40.

A. Glen D. Hofer, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Council of Farmer Cooperatives, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $1,900.

A. Charlotte Holloman, 1220 19th Street NW., Suite 303, Washington, D.C. 20036.
B. Planned Parenthood Federation of America, Inc., 1220 19th Street NW., Suite 303, Washington, D.C. 20036.
D. (6) $42.

A. John H. Holloman III, O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. National Coal Consumers Alliance, 414 Nicollet Mall, Minneapolis, Minn. 55401.

A. John H. Holloman III, O'Connor & Hannan 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. Pfizer, Inc., 1700 Pennsylvania Avenue, NW., Washington, D.C. 20006.

A. John H. Holloman III, O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Sperry-Rand Corp., 3333 Pilot Knob Road, St. Paul, Minn.

A. John H. Holloman III, O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Westinghouse Electric Corp., 1801 K Street NW., Washington, D.C. 20006.

A. Harriet Holtzman, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Environmental Policy Center, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $1,500.

A. Hospital Association of New York State, 15 Computer Drive, West Albany, N.Y.
D. (6) $3,285. E. (9) $3,285.

A. Jack W. Houston, 315 West Ponce de Leon Avenue, Decatur, Ga. 30031.
B. Georgia Association of Petroleum Retailers, Inc., 315 West Ponce de Leon Avenue, P.O. Box 639, Decatur, Ga. 30031.
D. (6) $2,500. E. (9) $1,654.98.

A. C. T. Hoversten, 209 West 53d Street, Western Springs, Ill. 60558.
B. National Advertising Co., 6850 South Harlem Avenue, Argo Post Office, Bedford Park, Ill. 60501.

A. Karl T. Hoyle, Credit Union National Association, Inc., 1730 Rhode Island Avenue, Suite 810, Washington, D.C. 20036.
B. Credit Union National Association, 1730 Rhode Island Avenue, Suite 810, Washington, D.C. 20036.
D. (6) $300. E. (9) $165.64

A. Tony R. Huerta National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.
D. (6) $4,957.89.

A. Gregory A. Humphrey, American Federation of Teachers, AFL-CIO, 11 Dupont Circle NW., Washington, D.C. 20036.
B. American Federation of Teachers, AFL-CIO, 11 Dupont Circle NW., Washington, D.C. 20036.
D. (6) $12,700.66. E. (9) $96.

A. Robert R. Humphreys, Hoffheimer Johnson & Peterson, 1120 20th Street NW., S-520, Washington, D.C. 20036.
B. American Association of Workers for the Blind, Inc., National Council of State Agencies for the Blind, 1511 K Street NW., Washington, D.C. 20005.
D. (6) $2,900. E. (9) $1,450.

A. Robert R. Humphreys, Hoffheimer, Johnson & Peterson, 1120 20th Street NW., S-520, Washington, D.C. 20036.
B. Arthritis Foundation, 3400 Peachtree Road NE., Alanta, Ga. 30326.
D. (6) $1,250. E. (9) $75.

A. Robert C. Hunt, Cooperative Food Distributors of America, 1910 K Street NW., No. 700, Washington, D.C. 20006.
B. Cooperative Food Distributors of America, 1910 K Street NW., No. 700, Washington, D.C. 20006.

A. Harry Hunter, National Association of Convenience Stores, 3 Skyline Place, No. 809, 5201 Leesburg Pike, Falls Church, Va. 22041.
B. National Association of Convenience Stores, 3 Skyline Place, No. 809, 5201 Leesburg Pike, Falls Church, Va. 22041.

A. Hunton & Williams P.O. Box 1535, Richmond, VA 23212.
B. Edison Electric Institute, 1111 19th Street NW., Washington, D.C. 20036.
D. (6) $6,875.00. E. (9) $88.60.

A. Adele M. Hurley, 1825 K Street NW., Washington, D.C. 20006.
B. Canadian Coalition on Acid Rain, 105 Davenport Road, Suite 201, Toronto, Ontario M5R-1H6.
D. (6) $5,376.

A. John Edward Hurley, 1101 New Hampshire Avenue NW., No. 107, Washington, D.C. 20037.

A. John Edward Hurley, 1101 New Hampshire Avenue NW., No. 107, Washington, D.C. 20037.
B. National Association for Free Enterprise, 1101 New Hampshire Avenue NW., No. 107, Washington, D.C. 20037.

A. F. H. Hutchison & Co., 1744 R Street NW., Washington, D.C. 20009.
B. Hydrothermal Energy Corp., 6525 Sunset Boulevard, Los Angeles, Calif. 90028.
D. (6) $654.16. E. (9) $159.50.

A. F. H. Hutchison & Co., 1744 R Street NW., Washington, D.C. 20009.
B. Renewable Energy Inc., 1009 Grant Street, Denver, Colo. 80203.
D. (6) $210. E. (9) $95.

A. Independent Bankers Association of America, 1625 Massachusetts Avenue NW., Suite 202, Washington, D.C. 20036.
D. (6) $108,288. E. (9) $107,280.36.

A. Ingersoll Johnson Steel Co., P.O. Box 370, New Castle, Ind. 47362.

A. Institute of Foreign Bankers, 200 Park Avenue, Suite 303 East, Room 23, New York, N.Y.

A. International Association of Machinists and Aerospace Workers, 1300 Connecticut Avenue NW., Washington D.C. 20036.
E. (9) $32,075.79.

A. International Communications Association, P.O. Box 10013, Houston, Tex. 77206.
E. (9) $1,676.25.

A. International Union of Operating Engineers, 1125 17th Street NW., Washington, D.C. 20036.
E. (9) $14,789.

A. James D. Isbister, Blue Cross and Blue Shield Associations, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Blue Cross and Blue Shield Associations, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $800. E. (9) $36.15.

A. Itel Corp., Container Division, Suite 2, Embarcadero Center, 24th Floor, San Francisco, Calif. 94111.

A. Carol Jackson, 1625 L Street NW., Washington, D.C. 20036.
B. American Federation of State, County and Municipal Employees, AFL-CIO, 1625 L Street NW., Washington, D.C. 20036.
D. (6) $5,837.17. E. (9) $87.80.

A. Walter K. Jaenicke, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $5,000.

A. E. A. Jaenke & Associates, Inc., 1575 I Street NW., Suite 230, Washington, D.C. 20005.
B. Cooperative League of the USA, 1828 L Street NW., Suite 1100, Washington, D.C. 20036.
D. (6) $500. E. (9) $500.

A. E. A. Jaenke & Associates, Inc., 1575 I Street NW., Suite 230, Washington, D.C. 20005.
B. Farmland Industries, Kansas City, Mo.
D. (6) $500.

A. E. A. Jaenke & Associates, Inc., 1575 I Street NW., Suite 230, Washington, D.C. 20005.
B. University of Kansas, Lawrence, Kans.
D. (6) $250.

A. Japanese American Citizens League, 1765 Sutter Street, San Francisco, Calif., 94115.

A. Herbert N. Jasper, 415 Second Street NE., Washington, D.C. 20002.
B. Ad-Hoc Committee for Competitive Telecommunications, 415 2nd Street SE., Washington, D.C. 20002.
D. (6) $17,884.62.

A. Philip F. Jehle, 1150 Connecticut Avenue NW., Suite 310, Washington, D.C. 20036.
B. Smith/Kline Corp., 1500 Spring Garden Street, Philadelphia, Pa. 19101.
D. (6) $2,500. E. (9) $620.

A. Walter W. John, Organization of Professional Employees of the U.S. Department of Agriculture, Room 1414, South Building, USDA, Washington, D.C. 20250.
B. Organization of Professional Employees of the U.S. Department of Agriculture (OPEDA), Room 1414-South Building, USDA, Washington, D.C. 20250.
D. (6) $703.37.

A. Calvin P. Johnson, Hoffheimer Johnson & Peterson, 1120 20th Street NW., S-520, Washington, D.C. 20036.
B. Computer Sciences Corporation, 650 North Sepulveda Boulevard, El Segundo, Calif. 90245.
D. (6) $12,000. E. (9) $1,559.64.

A. Calvin P. Johnson, Hoffheimer, Johnson & Peterson, 1120 20th Street NW., S-520, Washington, D.C. 20036.
B. Hancock/Dikewood Services, Inc., 1009 Bradbury Drive SE., Albuquerque, N. Mex. 87106.
D. (6) $2,771. E. (9) $63.

A. Beverly E. Jones, 2501 M Street NW., Suite 380, Washington, D.C. 20037.
B. Ashland Oil, Inc., Suite 507, 1025 Connecticut Avenue NW., Washington, D.C. 20036; Clark Oil & Refining Corp., 1850 K Street NW., Suite 510, Washington, D.C. 20006; Pester Refining Co., P.O. Box 10006, Des Moines, Iowa 50306; Tenneco, 490 L'Enfant Plaza East SW., Washington, D.C. 20024.
D. (6) $760.

A. Jones, Day, Reavis & Pogue, 1735 Eye Street NW., Washington, D.C. 20006.
B. American Greetings Corp., 10500 American Road, Cleveland, Ohio 44144.
D. (6) $270. E. (9) $10.

A. Jones, Day, Reavis & Pogue, 1735 I Street NW., Washington, D.C. 20006.
B. Cities Service Co., Cities Service Building, Tulsa, Okla. 74102.

E. (9) $51.30.

Stanley B. Jones, Blue Cross & Blue Shield Associations, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Blue Cross & Blue Shield Associations, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $495.

A. H. Richard Kahler, Caterpillar Tractor Co., 1850 K Street NW., Suite 925, Washington, D.C. 20006.
B. Caterpillar Tractor Co., 100 Northeast Adams Street, Peoria, Ill. 61629.
D. (6) $2,500. E. (9) $2,614.62.

A. Elizabeth Kaplan, 530 Seventh Street SE., Washington, D.C. 20003.
B. Friends of the Earth, 530 Seventh Street SE., Washington, D.C. 20003.
D. (6) $1,782.

A. Keiki Kehoe, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Environmental Policy Center, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $4,500. E. (9) $133.32.

A. Candace Keller, 1717 Massachusetts Avenue NW., Suite 701, Washington, D.C. 20036.
B. Group Health Association of America, Inc., 1717 Massachusetts Avenue NW., Suite 701, Washington, D.C. 20036.
D. (6) $3,300.

A. Paul J. Kelley, 2727 North Central Avenue, Phoenix, Ariz. 85004.
B. U-Haul International, Inc., 2727 North Central Avenue, Phoenix, Ariz. 85004.
D. (6) $5,000.

A. Richard B. Kelly, 770 Lexington Avenue, New York, N.Y. 10021.
B. National Association of Catalog Showroom Merchandisers, 276 Fifth Avenue, New York, N.Y. 10001.
E. (9) $1,050.

A. Ann Kenkel, 1725 K Street NW., Suite 801, Washington, D.C. 20006.
B. The Association of Private Pension & Welfare Plans, Inc., 1725 K Street NW., Suite 801, Washington, D.C. 20006.
D. (6) $1,250. E. (9) $54.99.

A. James J. Kennedy, Jr., Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 3 Research Place, Rockville, Md. 20850.
D. (6) $7,000. E. (9) $550.

A. Richard J. Kinane, Room 731, 1346 Connecticut Avenue NW., Washington, D.C. 20036.
B. Environmental Action, Inc., Room 731, 1346 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $4,125.

A. Donald A. Kirtley, Hercules Inc., 910 Market Street, Wilmington, Del. 19899.
B. Hercules Inc., 910 Market Street, Wilmington, Del. 19899.
D. (6) $750.

A. Ralph W. Kittle, 1620 I Street NW., Suite 700, Washington, D.C. 20006.
B. International Paper Co., Room 700, 1620 I Street NW., Washington, D.C. 20006.
D. (6) $4,000. E. (9) $12,030.78.

A. Terrence H. Klasky, Independent Bankers Association of America, 1625 Massachusetts Avenue NW., No. 202, Washington, D.C.
B. Independent Bankers Association of America, 1168 South Main Street, Sauk Centre, Minn. 56378.
D. (6) $12,000. E. (9) $505.25.

A. Kline, Knopf & Wojdak, Inc., 111 State Street, Harrisburg, Pa. 17101.
B. General Public Utilities Corp., 100 Interpace Parkway, Parsippany, N.J. 07054.

A. Jeanne P. Kowalski, Southern Pacific Communications Co., 1828 L Street NW., Suite 500, Washington, D.C. 20036.
B. Southern Pacific Communications Co., P.O. Box 974, Burlingame, Calif. 94010.
D. (6) $3,440. E. (9) $358.34.

A. Chris Koyanagi, 2233 Wisconsin Avenue NW., No. 322, Washington, D.C. 20007.
B. National Council of Community Mental Health Centers, 2233 Wisconsin Avenue NW., Suite 322, Washington, D.C. 20007.

A. James S. Kryzminski, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Council of Farmer Cooperatives, 1800 Massachusetts Avenue NW., Washington, D.C.
D. (6) $1,442.50.

A. Dan Kuykendall, P.O. Box 40841, Washington, D.C. 20016.
B. Alpha 21 Corp., P.O. Box 4605, Midland, Tex. 79701.

A. Lake Carriers' Association, 1411 Rockefeller Building, Cleveland, Ohio 44113.

A. C. Peter Lambos, Lambos, Flynn, Nyland & Giardino, 29 Broadway, 9th Floor, New York, N.Y. 10006.
A. Stephen K. Lambright, Anheuser-Busch Cos., Inc., 1211 Connecticut Avenue NW., Suite 502, Washington, D.C. 20036.
B. Anheuser-Busch Cos., Inc., 721 Pestalozzi Street, St. Louis, Mo. 63118.
E. (9) $200.

A. A. M. Lampley, United Transportation Union, 400 First Street NW., Suite 704, Washington, D.C. 20001.
B. United Transportation Union, 400 First Street NW., Suite 704, Washington, D.C. 20001.

A. Lane & Edson, P.C., 1800 M Street NW., Suite 400S, Washington, D.C. 20036.
B. Council for Rural Housing and Development, 1800 M Street NW., Suite 400S, Washington, D.C. 20036.
D. (6) $450. E. (9) $450.

A. R. Josh Lanier, 400 North Capitol Street, Suite 323, Washington, D.C. 20001.
B. Leggett, Lanier & Associates, 400 North Capitol Street, Suite 323, Washington, D.C. 20001. (For: Shellfish Institute of North America, 400 North Capitol Street, Suite 323, Washington, D.C. 20001.)
D. (6) $4,500.

A. Latham, Watkins & Hills, 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Central City Association of Los Angeles, 523 West Sixth Street, Suite 200, Los Angeles, Calif. 90014.
D. (6) $2,800.

A. Latham, Watkins & Hills, 1333 New Hampshire Avenue NW., Suite 1200, Washington, D.C. 20036.
B. Commonwealth of Puerto Rico, 734 15th Street NW., Suite 600, Washington, D.C. 20005.
D. (6) $8,150. E. (9) $285.

A. Dennis Lavallee, National Association of Plumbing-Heating-Cooling Contractors, 1016 20th Street NW., Washington, D.C. 20036
B. National Association of Plumbing-Heating-Cooling Contractors, 1016 20th Street NW., Washington, D.C. 20036.
D. (6) $500. E. (9) $76.06.

A. John Henry Leach II, P.O. Box 11125, Santa Ana, Calif. 92711.
B. Let The People Be Heard Committee, P.O. Box 11125, Santa Ana, Calif. 92711.

A. Barbara Leary, Wagner & Baroody, 1100 17th Street NW., Suite 804, Washington, D.C. 20036.
B. Wagner & Baroody, 1100 17th Street NW., Suite 804, Washington, D.C. 20036. For: Coeur d'Alene Mines Corp., 416 River Street, Wallace, Idaho 83873.
D. (6) $279.

A. Kerley LeBoeuf, National Association of Convenience Stores, 3 Skyline Place, Suite 809, 5201 Leesburg Pike, Falls Church, Va. 22041.
B. National Association of Convenience Stores, 3 Skyline Place, Suite 809, 5201 Leesburg Pike, Falls Church, Va. 22041.

A. Leggett, Lanier & Associates, 400 North Capitol Street, Suite 323, Washington, D.C. 20001.
B. Shellfish Institute of North America, 400 North Capitol Street, Suite 323, Washington, D.C. 20001.
D. (6) $9,000. E. (9) $6,900.

A. Mary Nell Lehnhard, Blue Cross and Blue Shield Associations, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Blue Cross and Blue Shield Associations, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $151.

A. Leighton Conklin, Lemov, Jacobs & Buckley, 2033 M Street NW., Suite 800, Washington, D.C. 20036.
B. American Dental Assistants Association, 666 North Lake Shore Drive, Suite 1130, Chicago, Ill. 60611.
D. (6) $2,400. E. (9) $2,101.20.

A. Leighton, Conklin, Lemov, Jacobs & Buckley, 2033 M Street NW., Suite 800, Washington, D.C. 20036.
B. American Express Co., 1700 K Street NW., Washington, D.C. 20006.

A. Leighton, Conklin, Lemov, Jacobs & Buckley, 2033 M Street NW., Suite 800, Washington, D.C. 20036.
B. Federation of Apparel Manufacturers, 450 Seventh Avenue, New York, N.Y. 10001.
D. (6) $5,000. E. (9) $5,221.39.

A. Leighton, Conklin, Lemov, Jacobs & Buckley, 2033 M Street NW., Suite 800, Washington, D.C. 20036.
B. Fireman's Fund American Life Insurance Co., 1600 Los Gamos Drive, San Rafael, Calif. 94911.

A. Leighton, Conklin, Lemov, Jacobs & Buckley, 2033 M Street NW., Suite 800, Washington, D.C. 20036.
B. General Atomic Co., 2021 K Street NW., Washington, D.C. 20006.

D. (6) $3,200. E. (9) $2,646.45.

A. Leighton, Conklin, Lemov, Jacobs & Buckley, 2033 M Street NW., Suite 800, Washington, D.C. 20036.
B. Kaiser Aluminum & Chemical Corp., 900 17th Street NW., Washington, D.C. 20006.
D. (6) $3,200. E. (9) $2,668.23.

A. Leighton, Conklin, Lemov, Jacobs & Buckley, 2033 M Street NW., Suite 800, Washington, D.C. 20036.
B. Olin Corp., 120 Long Ridge Road, Stamford, Conn. 06904.
D. (6) $1,360. E. (9) $1,789.15.

A. Gilbert A. LeKander, 1629 K Street NW., Washington, D.C.
B. Montana Power Co., 40 East Broadway, Butte, Mont. 59701; Washington Water Power Co., P.O. Box 3727, Spokane, Wash.
D. (6) $250.

A. Kaye C. Leonard, 1090 Vermont Avenue NW., Suite 510, Washington, D.C. 20005.
B. Potlatch Corp., P.O. Box 3591, San Francisco, Calif. 94119.
D. (6) $246.52.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Suite 1001, Washington, D.C. 20006.
B. Commonwealth Edison Co., One First National Plaza, Chicago, Ill. 60603; et al.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Don Langenegger, Estate of Blanca Rosa Langenegger; Langenegger AG Services, Inc. P.O. Box 575, 1st and Warehouse Avenue, Sunnyside, Wash. 98944; et al.
E. (9) $24.

A. Harry LeVine, Jr., General Electric Co., 777 14th Street NW., Washington, D.C. 20006.
B. General Electric Co., 3135 Easton Turnpike, Fairfield, Conn.
D. (6) $325.

A. Lewis, Rice, Tucker, Allen & Chubb, 611 Olive Street, St. Louis, Mo. 63101.
B. The St. Louis Mercantile Library Association, 510 Locust Street, St. Louis, Mo. 63188.
D. (6) $363. E. (9) $11.57.

A. Lewis, Rice, Tucker, Allen & Chubb, 611 Olive Street, St. Louis, Mo. 63101.
B. Spectrum Emergency Care, Inc., 970 Executive Parkway, St. Louis, Mo. 63141.
D. (6) $1,483.60. E. (9) $41.60.

A. Lillick McHose & Charles, 1333 New Hampshire Avenue NW., Washington, D.C. 20036
B. Huthnance Drilling Co., Suite 500, 601 Jefferson Street, Houston, Tex. 77002.
E. (9) $246.32.

A. Lillick McHose & Charles, 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Jones, Loyd & Webster, Inc., 2327 San Felipe, Houston, Tex. 77019.
E. (9) $138.20.

A. Lillick McHose & Charles, 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Rotan Mosle, Inc., 1500 South Tower Pennzoil Place, Houston, Tex. 77002.
E. (9) $386.11.

A. Lillick McHose & Charles, 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Wisconsin Barge Line, Inc., 10825 Watson Road, St. Louis, Mo. 63127.
E. (9) $200.61.

A. Kathleen M. Linehan, Gulf Oil Corp., 1025 Connecticut Avenue NW., #700 Washington, D.C. 20036.
B. Gulf Oil Corp. P.O. Box 1166, Pittsburgh, Pa. 15230.
D. (6) $225. E. (9) $68.

A. Linton, Mields, Reisler & Cottone, Ltd., 1015 18th Street NW., Suite 200, Washington, D.C. 20036.
B. Ambassador Bridge Co., P.O. Box 447, Detroit, Mich. 48232.
D. (6) $3,000.

A. Linton, Mields, Reisler & Cottone, Ltd., 1015 18th Street NW., Suite 200, Washington, D.C. 20036.
B. Council of Pollution Control Financing Agencies, 1015 18th Street NW., Washington, D.C. 20036.
D. (6) $3,000. E. (9) $15.40.

A. Linton, Mields, Reisler & Cottone, Ltd., 1015 18th Street NW., Suite 200, Washington, D.C. 20036.
B. Lake Superior District Power Co., 101 West Second Street, Ashland, Wisconsin 54806.
D. (6) $137.

A. Linton, Mields, Reisler & Cottone, Ltd., 1015 18th Street NW., Suite 200, Washington, D.C. 20036.
B. Northern States Power Co., 100 North Barstow Street, Eau Claire, Wis. 54701.
D. (6) $1,305.

A. Linton, Mields, Reisler & Cottone, Ltd., 1015 18th Street NW., Suite 200, Washington, D.C. 20036.
B. Madison Gas and Electric Co., 100 North Fairchild Street, Box 1231, Madison, Wis. 53701.
D. (6) $966.

A. Linton, Mields, Reisler & Cottone, Ltd., 1015 18th Street NW., Suite 200, Washington, D.C. 20036.
B. The Metropolitan Sanitary District of Greater Chicago, 100 East Erie Street, Chicago, Ill. 60611.
D. (6) $4,647.

A. Linton, Mields, Reisler & Cottone, Ltd., 1015 18th Street NW., Suite 200, Washington, D.C. 20036.
B. National Association of Urban Flood Management Agencies, 1015 18th Street NW., Suite 200, Washington, D.C. 20036.
D. (6) $1,800.

A. Linton, Mields, Reisler & Cottone, Ltd., 1015 18th Street NW., Suite 200, Washington, D.C. 20036.
B. Oregon Department of Transportation, Transportation Building, Salem, Oreg.
D. (6) $3,000.

A. Linton, Mields, Reisler & Cottone, Ltd., 1015 18th Street NW., Suite 200, Washington, D.C. 20036.
B. State of Illinois Department of Transportation, 2300 South Dirksen Parkway, Springfield, Ill. 62764.
D. (6) $6,484. E. (9) $47.70.

A. Linton, Mields, Reisler & Cottone, Ltd., 1015 18th Street NW., Suite 200, Washington, D.C. 20036.
B. State Illinois Department of Transportation, Division of Water Resources, 2300 South Dirksen Parkway, Springfield, Ill. 62764.
D. (6) $3,843.

A. Linton, Mields, Reisler & Cottone, Ltd., 1015 18th Street NW., Suite 200, Washington, D.C. 20036.
B. Superior Water, Light & Power Co., 1230 Tower Avenue, Superior, Wis. 54880.
D. (6) $261.

A. Linton, Mields, Reisler & Cottone, Ltd., 1015 18th Street NW., Suite 200, Washington, D.C. 20036.
B. Wisconsin Electric Power Co., 231 West Michigan, Milwaukee, Wis. 53201.
D. (6) $4,235. E. (9) $99.95.

A. Linton, Mields, Reisler & Cottone, Ltd., 1015 18th Street NW., Suite 200, Washington, D.C. 20036.
B. Wisconsin Power & Light Co., Madison, Wis. 53701.
D. (6) $1,811.

A. Linton, Mields, Reisler & Cottone, Ltd., 1015 18th Street NW., Suite 200, Washington, D.C. 20036.
B. Wisconsin Public Service Corp., P.O. Box 700, Green Bay, Wis. 54305.
D. (6) $1,751.

A. Harold D. Loden, American Seed Trade Association, 1030 15th Street NW., Suite 964, Washington, D.C. 20005.
B. American Seed Trade Association, 1030 15th Street NW., Suite 964, Washington, D.C. 20005.
D. (6) $4,000.

A. Robert S. Long, Clark Oil & Refining Corp., 1850 K Street NW., Suite 510, Washington, D.C.
B. Clark Oil & Refining Corp., 8530 West National Avenue, Milwaukee, Wis. 53227.
D. (6) $2,000.

A. Lord, Day & Lord, 1120 20th Street NW., Washington, D.C. 20036.
B. Cargill, Inc., P.O. Box 9300, Minneapolis, Minn. 55440.
D. (6) $15,085.90.

A. Lord, Day & Lord, 1120 20th Street NW., Washington, D.C. 20036.
B. Cargill Leasing Corp., 15407 McGinty Road, Minnetonka, Minn.
D. (6) $2,074.47.

A. Lord, Day & Lord, 1120 20th Street NW., Washington, D.C. 20036.
B. Continental Grain Co., 277 Park Avenue, New York, N.Y. 10172.
D. (6) $491.25.

A. Lord, Day & Lord, 1120 20th Street NW., Washington, D.C. 20036.
B. Leslie Salt Co., P.O. Box 364, Newark, Calif. 94560.
D. (6) $1,048.19.

A. John T. Lounsbury, II, 1600 Rhode Island Avenue, NW., Washington, D.C. 20036.
B. National Rifle Association of America, 1600 Rhode Island Avenue, NW., Washington, D.C. 20036.

A. James P. Low, American Society of Association Executives, 1575 I Street NW., Washington, D.C. 20005.
B. American Society of Association Executives, 1575 I Street NW., Washington, D.C. 20005.

A. Edward Lyle, 1925 K Street NW., Washington, D.C. 20006.
B. Alliance to Save Energy, 1925 K Street NW., Washington, D.C. 20006.
D. (6) $1,210.61.

A. Timothy Lynch, American Natural Resources System, 1899 L Street NW., Suite 500, Washington, D.C. 20036.
B. American Natural Resources Co., One Woodward Avenue, Detroit, Mich. 48226.

D. (6) $450. E. (9) $30.

A. William T. Lyons, 1747 Pennsylvania Avenue NW., Suite 700, Washington, D.C. 20006.
B. CIBA-CEIGY Corp., Ardsley, N.Y. 10502.
D. (6) $3,500. E. (9) $2,934.36.

A. Samuel A. Mabry, Hercules Inc., 1800 K Street NW., Washington, D.C. 20006.
B. Hercules Inc., 910 Market Street, Wilmington, Del. 19899.
D. (6) $2,650. E. (9) $1,793.

A. Richard E. Mallory, 1060 Fulton Mall, Room 1115, Fresno, Calif. 93721.
B. California West Side Farmers, 1060 Fulton Mall, Room 1115, Fresno, Calif. 93721.

A. Robert V. Mariani, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 3 Research Place, Rockville, Md. 20850.
D. (6) $1,460.

A. Chalmers Marquis, NAPTS—955 L'Enfant Plaza SW., Suite 7200, Washington, D.C. 20024.
B. National Association of Public Television Stations, 955 L'Enfant Plaza SW., Suite 7200, Washington, D.C. 20024.
D. (6) $500. E. (9) $200.

A. Herbert S. Matthews, Box 72, Mechanicsville, Md. 20659.
B. Jacksonville Transportation Authority, P.O. Drawer "O", Jacksonville, Fla. 32207.
D. (6) $3,999.99. E. (9) $450.38.

A. Herbert S. Matthews, Box 72, Mechanicsville, Md. 20659.
B. Martin-Marietta Aerospace, 6801 Rockledge Drive, Bethesda, Md. 20034.
D. (6) $5,400. E. (9) $315.28.

A. Albert E. May, Council of American-Flag Ship Operators, 1625 K Street NW., Washington, D.C. 20006.
B. Council of American-Flag Ship Operators, 1625 K Street NW., Washington, D.C. 20006.
D. (6) $3,750. E. (9) $14.40.

A. H. Wesley McAden, 1155 15th Street NW., Suite 424, Washington, D.C. 20005.
B. J. G. Boswell Co. Inc., 333 S. Hope Street, Los Angeles, Calif. 90017.
D. (6) $9,000. E. (9) $1,930.

A. John N. McCamish, Jr., McCamish, Ingram, Martin & Brown, Inc., 900 Milam Building, East Travis at Soledad, San Antonio, Tex. 78205.
B. Datapoint Corp., 9725 Datapoint Drive, San Antonio, Tex. 78284.

A. Law Offices of Robert C. McCandless, 1707 H Street NW., Washington, D.C. 20006.
B. Energy Consumers & Producers Association, Petroleum Plaza, Seminole, Okla. 74868.

A. John L. McCormick, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Environmental Policy Center, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $2,916.67.

A. Rose McCullough, Sierra Club, 715 South 14th Street, Lincoln, Nebr. 68508.
B. Sierra Club, 530 Bush Street, San Francisco, Calif. 94108.
D. (6) $647.40. E. (9) $846.82.

A. Edward T. McDonald, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 3 Research Place, Rockville, Md. 20850.
D. (6) $2,560. E. (9) $2,240.

A. Christopher C. McGrath, N.Y.S. Petroleum Council, 551 Fifth Avenue, Room 718, New York, N.Y. 10176.
B. American Petroleum Institute, 2101 L Street NW., Washington, D.C. 20037.
D. (6) $608.94. E. (9) $366.10.

A. Philip A. McKeaney, American Federation of Teachers, 11 Dupont Circle, Washington, D.C. 20036.
B. American Federation of Teachers/AFL-CIO, 11 Dupont Circle, Washington, D.C. 20036.
D. (6) $7,718.34 E. (9) $216.

A. Francis X. Meaney, 1015 15th Street, NW., Washington, D.C. 20005; One Center Plaza, Boston, Mass. 02018.
B. Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. 1015 15th St., NW., Washington, D.C. 20005; One Center Plaza, Boston, Mass. 02108 (for the Claremont Co., Inc., 628 Pleasant St., P.O. Box E-81, New Bedford, Mass. 02742.)

A. Nanine Meiklejohn 1625 "L" Street NW., Washington, D.C. 20036.
B. American Federation of State, County and Municipal Employees, AFL-CIO, 1625 "L" Street NW., Washington, D.C. 20036.
D. (6) $8,749.98. E. (9) $113.40.

A. Julie Mencher, Consumer Energy Council of America, 2000 L Street NW., Suite 320, Washington, D.C. 20036.
B. Consumer Energy Council of America, 2000 L Street NW., Suite 320, Washington, D.C. 20036.
D. (6) $276.80. E. (9) $12.

A. Harold E. Mesirow, Lillick, McHose & Charles, 1333 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Foss Launch & Tug Co.; Foss Alaska Line; F.L. & T. Co., 660 West Ewing Street, Seattle, Wash., 98119.
E. (9) $415.69.

A. Sharon L. Messinger, Suite 2300, 1700 North Moore Street, Arlington, Va. 22209.
B. Datapoint Corp., 9725 Datapoint Drive, San Antonio, Tex. 78284.

A. Metzger, Shadyac & Schwarz, One Farragut Square South, Washington, D.C. 20006.
B. National Bank of Alaska.

A. Fred Millar, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Environmental Policy Center, 317 Pennsylvania Avenue SE, Washington, D.C. 20003.
D. (6) $386.36.

A. Miller & Chevalier, Chartered, 1700 Pennsylvania Avenue NW., Suite 800, Washington, D.C. 20006.
B. The Association of Private Pension & Welfare Plans, Inc., 1725 K Street NW., Suite 801, Washington, D.C. 20006.
D. (6) $7,500.50.

A. Miller & Chevalier, Chartered, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. California Savings & Loan, 9800 South Sepulveda Boulevard, Los Angeles, Calif. 90045.

A. Miller & Chevalier, Chartered, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Koppers Co., Inc., Koppers Building, Pittsburgh, Pa. 15219.
D. (6) $3,835.

A. Miller & Chevalier, Chartered, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Lockheed Corp., Burbank, Calif. 91520.
D. (6) $3,456.25.

A. Clinton R. Miller, National Health Federation, 212 East Foothill Boulevard, Monrovia, Calif. 91016.
B. National Health Federation, 212 E. Foothill Boulevard, Monrovia, Calif. 91016.
D. (6) $1,135.80. E. (9) $2,029.45.

A. Joseph S. Miller, 19 Third Street NE., Washington, D.C. 20002.
B. Assoc. of American Railroad, 1920 L Street NW., Washington, D.C. 20036.
D. (6) $4,500.

A. Joseph S. Miller, 19 Third Street NE., Washington, D.C.
B. O. & C. Counties Association, 1980 Haydon Road, Roseburg, Oreg. 97470.

A. Joseph S. Miller, 19 Third Street NE., Washington, D.C. 20002.
B. Port of Portland, Box 3529, Portland, Oreg. 97208.

A. Joseph S. Miller, 19 Third Street NE., Washington, D.C. 20002.
B. Western Forest Industries Association, 1500 Southwest Taylor, Portland, Oreg. 97205.
D. (6) $3,000. E. (9) $210.

A. Richard Linde Miller, 1700 North Moore Street, Arlington, Va. 22209.
B. The Boeing Co., P.O. Box 3707, Seattle, Wash. 98124.
D. (6) $750. E. (9) $1,948.83.

A. Thomas B. Miranda, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Rural Electric Cooperative Association, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $75.

A. Sandra S. Mitchell, Air Florida, Inc., 2000 L Street NW., Suite 200, Washington, D.C. 20036.
B. Air Florida, Inc., 3900 NW. 79th Avenue, Miami, Fla. 33166.
D. (6) $2,100.

A. Joy E. Moore, National Association of Realtors, 777 14th Street NW., Washington, D.C. 20005.
B. National Association of Realtors, 777 14th Street NW., Washington, D.C. 20005.

A. Russell N. Mosher, 1500 Wilson Boulevard, Suite 700, Arlington, Va. 22209.
B. American Boiler Manufacturers Association, 1500 Wilson Boulevard, Suite 700, Arlington, Va. 22209.
D. (6) $209. E. (9) $281.35.

A. John J. Motley, National Federation of Independent Business, 490 L'Enfant Plaza East SW., Washington, D.C. 20024.
B. National Federation of Independent Business, 490 L'Enfant Plaza East SW., Suite 3206, Washington, D.C. 20024.

D. (6) $2,250. E. (9) $200.

A. James T. Mular, Brotherhood of Railway, Airlines & Steamship Clerks, Freight Handlers, Express & Station Employees, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airlines & Steamship Clerks, Freight Handlers, Express & Station Employees, 3 Research Place, Rockville, Md. 20850.
D. (6) $1,360. E. (9) $1,140.

A. Daniel J. Mundy, Building & Construction Trades Department, 815 16th Street NW., Suite 603, Washington, D.C. 20006.
B. Building & Construction Trades Department, 815 16th Street NW., Suite 603, Washington, D.C. 20006.
D. (6) $12,124.97. E. (9) $5,103.29.

A. Jeanne Marie Murphy, Independent Bankers Association of America, 1625 Massachusetts Avenue NW., No. 202, Washington, D.C. 20036.
B. Independent Bankers Association of America, 1168 South Main Street, Sauk Centre, Minn. 56378.
D. (6) $6,250. E. (9) $92.45.

A. William T. Murphy, Jr., American Natural Resources System, 1899 L Street NW., Suite 500, Washington, D.C. 20036.
B. American Natural Service Co., One Woodward Avenue, Detroit, Mich. 48226.
D. (6) $300. E. (9) $17.50.

A. Rosemary Griffin Murray, 1660 L Street NW., Suite 901, Washington, D.C. 20036.
B. Pan American World Airways, Inc., Suite 901, 1660 L Street NW., Washington, D.C. 20036.
D. (6) $690. E. (9) $886.83.

A. Robert J. Muth, ASARCO Inc., 120 Broadway, New York, N.Y. 10271.
B. ASARCO Inc., 120 Broadway, New York, N.Y. 10271.
D. (6) $300. E. (9) $250.82.

A. Kenneth D. Naden, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Council of Farmer Cooperatives, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.

A. Frances E. Nathan, New York Public Library, 8 East 40th Street, New York City, N.Y. 10016.
B. New York Public Library, Fifth Avenue and 42nd Street, New York City, N.Y. 10018.
D. (6) $3,975.

A. National Air Carrier Association, 1730 M Street NW., Suite 710, Washington, D.C. 20036.

A. National Association for the Advancement of Colored People, 1790 Broadway, New York, N.Y. 10019.
D. (6) $38,378. E. (9) $50,172.

A. National Association for Free Enterprise, 1101 New Hampshire Avenue, NW., No. 107, Washington, D.C. 20037.

A. National Association of Catalog Showroom Merchandisers, 276 Fifth Avenue, New York, N.Y. 10001.
E. (9) $1,750.

A. National Association of Convenience Stores, Three Skyline Place, Suite 809, 5201 Leesburg Pike, Falls Church, Va. 22041.

A. National Association of Latino Elected & Appointed Officials, 430 Sixth Street NE., Washington, D.C. 20002.
D. (6) $19,628.00. E. (9) $26,729.39.

A. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.
D. (6) $5,429,400.12. E. (9) $143,573.49.

A. National Association of Plumbing-Heating-Cooling Contractors, 1016 20th Street NW., Washington, D.C. 20036.
D. (6) $894.61. E. (9) $894.61.

A. National Association of Public Hospitals, 2550 M Street NW., Suite 300, Washington, D.C. 20037.
D. (6) $20,000. E. (9) $28,422.74.

A. National Association of Railroad Passengers, 417 New Jersey Avenue SE., Washington, D.C. 20003.
D. (6) $54,202.08. E. (9) $34,850.40.

A. National Association of Retired Federal Employees, 1533 New Hampshire Avenue NW., Washington, D.C. 20036.
D. (6) $1,622.67. E. (9) $1,990.78.

A. National Association of Wheat Growers, 415 Second Street NE., Suite 300, Washington, D.C. 20002.
D. (6) $6,673.93. E. (9) $40,100.87.

A. National Clean Air Coalition, 530 Seventh Street SE., Washington, D.C. 20003.
D. (6) $31,419.49. E. (9) $22,112.20.

A. National Committee Against Repressive Legislation, 1250 Wilshire Boulevard, Los Angeles, Calif. 90017.
D. (6) $6,035.83. E. (9) $9,345.73.

A. National Consumer Finance Association, 1000 16th Street NW., Suite 601, Washington, D.C. 20036.
E. (9) $3,700.

A. National Council of Farmer Cooperatives, 1800 Massachussets Avenue NW., Washington, D.C. 20036.
D. (6) $28.055. E. (9) $44,794.36.

A. National Council of Technical Services Industries, 888 17th Street NW., Suite 212, Washington, D.C. 20006.
D. (6) $657.08. E. (9) $947.08.

A. National Family Planning & Reproductive Health Association, Inc., 425 13th Street NW., Room 35, Washington, D.C. 20004.
D. (6) $30,730. E. (9) $5,987.01.

A. National Federation of Licensed Practical Nurses Inc., 214 South Driver, P.O. Box 11308, Durham, N.C. 27703.
D. (6) $2,230. E. (9) $2,230.

A. National Newspaper Association, 1627 K Street NW., Suite 400, Washington, D.C. 20006.
D. (6) $8,614.77. E. (9) $3,805.23.

A. National Rifle Association of America, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.
D. (6) $55,008. E. (9) $113,481.

A. National School Transportation Association, 9001 W. Braddock Road, Springfield, Va. 22151.
D. (6) $3,474.15. E. (9) $3,474.15.

A. National Taxpayers Union, 325 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $6,036.49. E. (9) $12,220.61.

A. National Telephone Cooperative Association, 2626 Pennsylvania Avenue NW., Washington, D.C. 20037.
E. (9) $10,167.

A. Natural Gas Supply Committee, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $130,550. E. (9) $12,002.33.

A. Michael C. Nave, National Association of Retired Federal Employees, 1533 New Hampshire Avenue NW., Washington, D.C. 20036.
B. National Association of Retired Federal Employees, 1533 New Hampshire Avenue NW., Washington, D.C. 20036.
D. (6) $434.40. E. (9) $14.50.

A. Frances E. Neely, 245 Second Street NE., Washington, D.C. 20002.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C. 20002.

A. Gaylord Nelson, 1901 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. The Wilderness Society, 1901 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $12.92.

A. Sandie Nelson, Room 731, 1346 Connecticut Avenue NW., Washington, D.C. 20036.
B. Environmental Action, Inc., Room 731, 1346 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $4,125.

A. A. S. Nemir Associates, Suite 1230, Pennsylvania Building, Washington, D.C. 20004.
B. Brazilian Sugar & Alcohol Institute, Rio de Janeiro, Brazil.
E. (9) $244.33.

A. Frederick H. Nesbitt, NALC—100 Indiana Avenue NW., Washington, D.C. 20001.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.
D. (6) $240.39. E. (9) $4,794.03.

A. New York Shipping Association, Inc., 80 Broad Street, New York, N.Y. 10004.

A. Stewart E. Niles, Jr., 225 Baronne Street, 22d Floor, New Orleans, La. 70112.
B. Shipbuilders Council of America, 600 New Hampshire Avenue NW., American Waterways Operators, 1600 Wilson Boulevard, Suite 1101, Arlington, Va.
D. (6) $81.90.

A. North American Telephone Association, 511 Second Street NE., Washington, D.C. 20002.
D. (6) $26,395.98. E. (9) $26,395.98.

A. Clifford R. Northup Credit Union National Association, Inc., 1730 Rhode Island Avenue, Suite 810, Washington, D.C. 20036.
B. Credit Union National Association, Inc. 1730 Rhode Island Avenue NW., Suite 810, Washington, D.C. 20036.
D. (6) $300.00. E. (9) $367.18

A. Mary E. Oakes, Hercules Inc., 1800 K Street NW., Washington, D.C. 20006.
B. Hercules Inc., 910 Market Street, Wilmington, Del. 19899.
D. (6) $705. E. (9) $46.

A. O'Connor & Hannan, 1919 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Transport Mutual Services, Inc., 2 Broadway, New York, N.Y. 10004.

A. Neil H. Offen, 1730 M Street NW., Washington, D.C. 20036.
B. Direct Selling Association, 1730 M Street NW., Washington, D.C. 20036.

A. O'Keefe, Ashenden & Lyons, Suite 5100, One First National Plaza, Chicago, Ill. 60603.

B. American Invsco Corp. 120 South LaSalle Street, Chicago, Ill. 60603.

A. Kathleen O'Leary, 1625 I Street NW., Washington, D.C. 20006.
B. Columbia Gas Distribution Cos., 99 North Front Street, Columbus, Ohio 43215.
D. (6) $3,500.

A. Gerald L. Olson, 608 Second Avenue South, Minneapolis, Minn. 55402.
B. The Pillsbury Co., 608 Second Avenue South, Minneapolis, Minn. 55402.

A. Jean Olson, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Environmental Policy Center, 317 Pennsylvania Avenue SE, Washington, D.C. 20003.
D. (6) $750.

A. O'Neal & Claassen, Chartered, 600 New Hampshire Avenue NW., Suite 952, Washington, D.C. 20037.
B. Commodity Exchange, Inc., 4 World Trade Center, SE. Plaza Building, New York, NY 10048.
D. (6) $9,000.

A. O'Neal & Claassen, Chartered 600 New Hampshire Avenue NW., Suite 952, Washington, D.C. 20037.
B. National Air Tankers Association, 2200 South Price Road, Chandler, Ariz. 85224.
D. (6) $500.

A. O'Neal & Claassen, Chartered, 600 New Hamsphire Avenue NW., Suite 952, Washington, D.C. 20037.
B. National REA Telephone Association, 715 Cargill Building, Minneapolis, Minn. 55402.
D. (6) $500.

A. O'Neill & Haase, P.C., 1333 New Hampshire Avenue NW., Suite 1110, Washington, D.C. 20036.
B. Holly Corp., 2001 Bryan Tower, Dallas, Tex. 75201.

A. O'Neill & Haase, P.C., 1333 New Hampshire Avenue NW., Suite 1110, Washington, D.C. 20036.
B. Houston Natural Gas Corp., 1700 North Moore Street, Suite 919, Arlington, Va. 22209.

A. O'Neill and Haase, P.C., 1333 New Hampshire Avenue NW., Suite 1110, Washington, D.C. 20036.
B. Texas Utilities Services, Inc., 2001 Bryan Tower, Dallas, Tex. 75201.

A. Organization of Professional Employees of the U.S. Department of Agriculture, Room 1414-South, Agriculture Bldg., Washington, D.C. 20250.
D. (6) $1,998.03. E. (9) $1,346.87.

A. Charles Orasin, 810 18th Street NW., Washington, D.C. 20006.
B. Handgun Control, Inc., 810 18th Street NW., Washington, D.C. 20006.
D. (6) $4,926.92.

A. J. Allen Overton, Jr., American Mining Congress, 1920 N Street NW., Washington, D.C. 20036.
B. American Mining Congress, 1920 N Street NW., Washington, D.C. 20036.
D. (6) $1,298.69. E. (9) $42.

A. Pacific Northwest Utilities Conference Committee, 1151 Valley Mall Parkway, East Wenatchee, Wash. 98801.
D. (6) $21,573.60. E. (9) $28,369.90.

A. Judith E. Park, NARFE, 1533 New Hampshire Avenue NW., Washington, D.C. 20036.
B. National Association of Retired Federal Employees, 1533 New Hampshire Avenue NW., Washington, D.C. 20036.
D. (6) $9,256.

A. Sara Lynn Parker, Food Research and Action Center, 1319 F Street NW., Suite 500, Washington, D.C. 20004.
B. Food Research and Action Center, 1319 F Street NW., Suite 500, Washington, D.C. 20004.
D. (6) $264,20.

A. Parsons, Behle & Latimer, 79 South State Street, P.O. Box 11898, Salt Lake City, Utah.
B. Northwest Pipeline Co.

A. Patton, Boggs & Blow, 2550 M Street NW., Washington, D.C. 20037.
B. Penn Central Corp., 2021 K Street NW., Washington, D.C. 20006.

A. Peabody, Rivlin, Lambert & Meyers, P.C., 1150 Connecticut Avenue NW., Washington, D.C. 20036.
B. International Communications Association, P.O. Box 10013, Houston, Tex. 77206.
D. (6) $1,676.25.

A. Peabody, Rivlin, Lambert & Meyers, P.C., 1150 Connecticut Avenue NW., Washington, D.C. 20036.
B. Michigan Knife Co., 120 Pere Marquette Street, Big Rapids, Mich. 49307.
E. (9) $35.

A. Penny/Ohlmann/Neiman, Inc., 1605 North Main Street, Dayton, Ohio 45405.
B. The National Management Association, 2210 Arbor Boulevard, Dayton, Ohio 45439.
D. (6) $1,200. E. (9) $222.75.

A. Pepper, Hamilton & Scheetz, 1776 F Street NW., Washington, D.C., 20006.
B. Russian Travel Bureau, 20 East 46th Street, New York, N.Y. 10017.

A. Edmund J. Perret, II, American Psychiatric Association, 1333 New Hampshire Avenue NW., Suite 670, Washington, D.C. 20036.
B. American Psychiatric Association, 1700 18th Street NW., Washington, D.C. 20009
D. (6) $1,652.85 E. (9) $732.88.

A. Harold Peterson, 715 Cargill Building, Minneapolis, Minn. 55402.
B. National R.E.A. Telephone Association, 715 Cargill Building, Minneapolis, Minn. 55402.
D. (6) $1,500. E. (9) $952.87.

A. Richard W. Peterson, Indpendent Bankers Association of America, 1625 Massachusette Avenue NW., Suite 202, Washington, D.C. 20036.
B. Independent Bankers Association of America, 1168 South Main Street, Sauk Centre, Minn. 56378.
D. (6) $1,000.

A. Joan Piccolo, Commodity Exchange, Inc., 1875 I Street NW., Suite 730, Washington, DC 20006.
B. Commodity Exchange, Inc., Four World Trade Center, New York, N.Y. 10048.
D. (6) $1,000.

A. Rena S. Pies, 1611 North Kent Street, Suite 900, Arlington, Va. 22209.
B. American Footwear Industries Association, 1611 North Kent Street, Suite 900, Arlington, Va. 22209.
D. (6) $250 E. (9) $61.60.

A. Piper & Marbury, 1050 17th Street NW., Suite 1160, Washington, D.C. 20036.
B. American Automobile Leasing Association, Inc., 8330 N. Teutonia Avenue, Milwaukee, Wis. 53209.

A. Piper & Marbury, 1050 17 Street NW., Suite 1160, Washington, D.C. 20036.
B. Encyclopaedia Britannica, Inc., 425 North Michigan Avenue, Chicago, Ill. 60611.

A. Piper & Marbury, 1050 17th Street NW., Suite 1160, Washington, D.C. 20036.
B. PHH Group, Inc., 11333 McCormick Road, Hunt Valley, Md. 21031.
D. (6) $1,454. E. (9) $800.

A. Ernest M. Pitt, Jr., P.O. Box 1264, Ashland, Ky. 41101.
B. Dr. Robert Lange, 8116 Bennington Drive, Knoxville, Tenn. 37919.
E. (9) $254.63.

A. Planned Parenthood Federation of America, Inc., 1220 19th Street NW., Suite 303, Washington, D.C. 20036.
D. (6) $1,361.10. E. (9) $1,361.10.

A. Nathaniel Polster, 2128 Wyoming Avenue, Washington, D.C. 20008.
B. American Cancer Society, Inc., 777 Third Avenue, New York, N.Y. 10017, Research To Prevent Blindness, Inc., 598 Madison Avenue, New York, N.Y. 10022.
D. (6) $3,200. E. (9) $1,502.

A. Rafe Pomerance, 530 7th Street SE., Washington, D.C. 20003.
B. Friends of the Earth, Inc., 530 7th Street SE., Washington, D.C. 20003.
D. (6) $5,346.

A. Population Resource Center, 622 Third Avenue, New York, N.Y. 10017.
D. (6) $4,115. E. (9) $9,774.

A. Portman Properties, 1800 Peachtree Center South, 225 Peachtree Street NE., Atlanta, Ga. 30303.

A. John Post, 1828 L Street NW., Suite 402, Washington, D.C. 20036.
B. The Business Roundtable, 200 Park Avenue, New York, N.Y. and 1828 L Street, Washington, D.C. 20036.
D. (6) $200. E. (9) $40.

A. Edmond A. Potter, NCR Corp., 1612 K Street NW., Suite 706, Washington, D.C. 20006.
B. NCR Corp., 1700 South Patterson Boulevard, Dayton, Ohio 45479.

A. Prather Seeger Doolittle & Farmer, 1101 16th Street NW., Washington, D.C. 20036.
B. Bankers' Association for Foreign Trade, 1101 16th Street NW., Washington, D.C. 20036.
D. (6) $1,000.

A. Prather Seeger Doolittle & Farmer, 1101 16th Street NW., Washington, D.C. 20036.
B. The First National Bank of Chicago, One First National Plaza, Chicago, Ill. 60670.

A. Prather Seeger Doolittle & Farmer, 1101 16th Street NW., Washington, D.C. 20036.
B. Ruhrkohle A.G., 43 Essen, Rellinghauser Strasse 1, Federal Republic of Germany.
D. (6) $10,000.

A. PRC Planning & Economics, 7798 Old Springhouse Road, McLean, Va. 22102.

A. Preservation Action, 1722 Connecticut Avenue NW., Washington, D.C. 20009.

D. (6) $15,447.62. 1E. (9) $20,551.54.

A. Woodruff M. Price, CSX Corp., 840 Washington Building, 15th Street and New York Avenue NW., Washington, D.C. 20005.
B. CSX Corp., 1500 Federal Reserve Building, Richmond, Va. 23219.
D. (6) $3,000. E. (9) $423.80.

A. Daniel B. Priest, Priest & Fine, Inc., 1725 K Street NW., Washington, D.C. 20006.
B. National Technical Schools of Los Angeles, 4000 South Figueroa, Los Angeles, Calif. 90037.
D. (6) $120. E. (9) $511.

A. Protect the Innocent, Inc., 451 South Indiana Street, Mooresville, Ind. 46158.
D. (6) $1,400.

A. Public Timber Purchasers Group, 714 Oregon Bank Building, 319 Southwest Washington Street, Portland, Oreg. 97204.
D. (6) $24,500. E. (9) $6,614.77.

A. Jack I. Pulley, Dow Corning Corp., P.O. Box 1592, Midland, Mich. 48640.
B. Dow Corning Corp., P.O. Box 1592, Midland, Mich. 48640.
E. (9) $590.

A. Quintana Refinery Co., P.O. Box 3331, Houston, Tex. 77001.

A. Craig J. Rancourt, Suite 503, 1825 K Street NW., Washington, D.C. 20006.
B. American Association of Classified School Employees, 6805 Oak Creek Drive, Columbus, Ohio 43229.
D. (6) $6,483.81. E. (9) $6,483.81.

A. Gayle K. Randol, 1828 L Street NW., Suite 402, Washington, D.C. 20036.
B. The Business Roundtable, 200 Park Avenue, New York, N.Y., and 1828 L Street NW., Washington, D.C.
D. (6) $200. E. (9) $40.

A. Howard W. Randolph, Jr., Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 3 Research Place, Rockville, Md 20850.
D. (6) $2,400. E. (9) $2,100.

A. Robert Rauch, 1925 K Street NW., Washington, D.C.
B. Alliance To Save Energy, 1925 K Street NW., Washington, D.C.

A. Reading Is Fundamental, Inc., 475 L'Enfant Plaza, Suite 4800, Smithsonian Institution, Washington, D.C. 20560.
E. (9) $2,074.24.

A. J. E. Reinke, Eastern Airlines, 1030 15th Street NW., Washington, D.C. 20005.
B. Eastern Air Lines, Inc., 1030 15th Street NW., Washington, D.C. 20005.
E. (9) $61.

A. Renewable Fuels Association, 499 South Capitol Street SW., Suite 420, Washington, D.C. 20003.
D. (6) $6,000. E. (9) $7,083.39.

A. Reserve Officers Association of United States, 1 Constitution Avenue NE., Washington, D.C. 20002.
D. (6) $1,948.85. E. (9) $7,758.83.

A. Edmund B. Rice, American Hospital Association, 444 North Capitol Street NW., Suite 500, Washington, D.C. 20001.
B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill. 60611.
D. (6) $3,166.17. E. (9) $98.44.

A. K. O. Richardson, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 3 Research Place, Rockville, Md. 20850.
D. (6) $2,400. E. (9) $2,100.

A. Kevin J. Riordan, Gulf Oil Corp., 1025 Connecticut Avenue NW., No. 700, Washington, D.C. 20036.
B. Gulf Oil Corp., P.O. Box 1166, Pittsburgh, Pa. 15230.
D. (6) $150. E. (9) $45.

A. Len Rippa, 4201 Duncan Drive, Annandale, Va. 22003.
B. National Taxpayers Union, 325 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $3,125.

A. Selina F. Rissell, 415 Second Street NE., No. 301, Washington, D.C. 20002.
B. Ad-Hoc Committee for Competitive Telecommunications, 415 Second Street NE., No. 301, Washington, D.C. 20002.
D. (6) $6,911.52.

A. Robert L. Roach, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Environmental Policy Center, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $2,499.99.

A. Steven M. Roberts, American Express Co., 1700 K Street NW., Washington, D.C. 20006.
B. American Express Co., American Express Plaza, New York, N.Y. 10004.

A. Rogers Hoge & Hills, 1111 Ninth Street NW., Suite 301, Washington, D.C. 20036.
B. Formaldehyde Institute, 1075 Central Park Avenue, Scarsdale, N.Y. 10583.
D. (6) $9,962.50. E. (9) $123.

A. Emil A. Romagnoli, ASARCO, Inc., 120 Broadway, New York, N.Y. 10271.
B. ASARCO, Inc., 120 Broadway; New York, N.Y. 10271.
D. (6) $600. E. (9) $573.30.

A. Christine Root, 1532 Swann Street NW., Washington, D.C. 20009.
B. Washington Office on Africa, 110 Maryland Avenue NE., Washington, D.C. 20002.
D. (6) $2,692.34.

A. Marcus Roth, National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.
D. (6) $3,917.92.

A. Herman Max Ruth, P.O. Box 1000, Otisville, N.Y. 10963.

A. Arthur B. Sackler, National Newspaper Association, 1627 K Street NW., Suite 400, Washington, D.C. 20006.
B. National Newspaper Association, 1627 K Street NW., Suite 400, Washington, D.C. 20006.
D. (6) $2,200. E. (9) $155.23.

A. William Samuel, National Treasury Employees Union, 1730 K Street NW., Suite 1101, Washington, D.C. 20006.
B. National Treasury Employees Union, 1730 K Street NW., Suite 1101, Washington, D.C. 20006.
D. (6) $5,621.50.

A. Jerome D. Schaller, 1101 15th Street NW., Washington, D.C. 20005.
B. 3M (Minnesota Mining & Manufacturing Co.), 3M Center, St. Paul, Minn. 55144.
D. (6) $10,000. E. (9) $24.80.

A. Deborah M. Schechter, American Health Planning Association, 1601 Connecticut Avenue NW., Suite 700, Washington, D.C. 20009.
B. American Health Planning Association, 1601 Connecticut Avenue NW., Suite 700, Washington, D.C. 20009.
D. (6) $3,153. E. (9) $300.

A. Ann C. Scheiner, American Health Planning Association, 1601 Connecticut Avenue NW., Suite 700, Washington, D.C. 20009.
B. American Health Planning Association, 1601 Connecticut Avenue NW., Suite 700, Washington, D.C. 20009.

A. Robert I. Schramm, 1725 K Street NW., Suite 909, Washington, D.C. 20006.
B. The Superior Oil Co. and Superior Farming Co., 1725 K Street NW., Washington, D.C. 20006.

A. A. Kolbet Schrichte, National Restaurant Association, 311 First Street NW., Washington, D.C. 20001.
B. National Restaurant Association, 311 First Street NW., Washington, D.C. 20001.

A. Stanley W. Schroeder, Gas Appliance Manufacturers Association, Inc., 1901 North Fort Myer Drive, Arlington, Va. 22209.
B. Gas Appliance Manufacturers Association, Inc., 1901 North Fort Myer Drive, Arlington, Va. 22209.
E. (9) $251.90.

A. William B. Schultz, Public Citizen Litigation Group, Suite 700, 2000 P Street NW., Washington, D.C. 20036.
B. Public Citizen, Inc., Box 19404, Washington, D.C. 20036.
D. (6) $420. E. (9) $10.

A. Amy Schussheim, 815 16th Street NW., Washington, D.C. 20006.
B. Food and Beverage Trades Department, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $379.20. E. (9) $10.10.

A. Bari Lee Schwartz, Food Research & Action Center, 1319 F Street NW., Suite 500, Washington, D.C. 20004.
B. Food Research & Action Center, 1319 F Street NW., Suite 500, Washington, D.C. 20004.
D. (6) $3,660.96. E. (9) $26.80.

A. Elizabeth Nash Schwartz, 1700 North Moore Street, Rosslyn, Va. 22209.
B. The Boeing Co., P.O. Box 3707, Seattle, Wash. 98124.
D. (6) $540. E. (9) $493.16.

A. Carl F. Schwensen, 415 Second Street NE., Suite 300, Washington, D.C. 20002.
B. National Association of Wheat Growers, 415 Second Street NE., Washington, D.C. 20002.
D. (6) $3,786.53.

A. Joseph E. Seagram, Seagram & Sons, Inc., 375 Park Avenue, New York, N.Y. 10152.
D. (6) $812.50.

A. William E. Seale, Commodity Exchange, Inc., 1875 I Street NW., Suite 730, Washington, D.C. 20006.

B. Commodity Exchange, Inc., 4 World Trade Center, New York, N.Y. 10048.
D. (6) $3,000. E. (9) $1,500.

A. Patricia Senner, 530 Seventh Street SE., Washington, D.C. 20003.
B. National Clean Air Coalition, 530 Seventh Street SE,, Washington, D.C. 20003.
D. (6) $1,139.

A. Barbara J. Shailor, 1300 Connecticut Avenue NW., Washington, D.C. 20036.
B. International Association of Machinists & Aerospace Workers, 1300 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $5,098.61.

A. Norman R. Sherlock, 1025 Connecticut Avenue NW., Suite 308, Washington, D.C. 20036.
B. American Bus Association, 1025 Connecticut Avenue NW., Suite 308, Washington, D.C. 20036.
E. (9) $750.

A. Nelson Shields, 810 18th Street NW., Washington, D.C. 20006.
B. Handgun Control, Inc., 810 18th Street NW., Washington, D.C. 20006.
D. (6) $6,974.70.

A. Richard G. Shoup, Union Pacific Corp., 1120 20th Street NW., Suite 600, Washington, D.C. 20036.
B. Union Pacific Corp., 345 Park Avenue, New York, N.Y. 10154.
D. (6) $2,850. E. (9) $2,975.57.

A. Mark A. Siegel & Associates, Inc., Suite 368, 400 North Capitol Street NW., Washington, D.C. 20001.
B. Archer-Daniels-Midland Co., P.O. Box 1470, Decatur, Ill. 62525.
D. (6) $6,000.

A. Mark A. Siegel & Associates, Inc., Suite 368, 400 North Capitol Street NW., Washington, D.C. 20001.
B. The City of Kansas City, City Hall, Kansas City, Mo. 64106.
D. (6) $11,625. E. (9) $1,260.48.

A. Mark A. Siegel & Associates, Inc., Suite 368, 400 North Capitol Street NW., Washington, D.C. 20001.
B. Couzens Distribution System, 6600 South River Road, Hodgkins, Ill. 60525.
D. (6) $4,000. E. (9) $84.61.

A. Mark A. Siegel & Associates, Inc., Suite 368, 400 North Capitol Street NW., Washington, D.C. 20001.
B. Twin City Barge, Inc., 222 West Grand Avenue South, St. Paul, Minn. 55075.
D. (6) $6,000.

A. Stephen Silbiger, 1625 L Street NW., Washington, D.C. 20036.
B. American Federation of State, County and Municipal Employees, AFL-CIO, 1625 L Street NW., Washington, D.C. 20036.
D. (6) $10,500. E. (9) $85.42.

A. Larry Silverman, Clean Water Action Project, 1341 G Street NW., Suite 200, Washington, D.C. 20005.
B. Clean Water Action Project, 1341 G Street NW., Suite 200, Washington, D.C. 20005.
D. (6) $1,096. E. (9) $105.

A. Althea T. L. Simmons, NAACP, 1025 Vermont Avenue NW., Suite 820, Washington, D.C. 20005.
B. National Association for the Advancement of Colored People, 1790 Broadway, New York, N.Y. 10019.
D. (6) $4,000.

A. J. R. Simplot Co., P.O. Box 27, Boise, Idaho 83707.
E. (9) $325.

A. Jean Sindab, 2480 16th Street NW., Washington, D.C. 20009.
B. Washington Office on Africa, 110 Maryland Avenue NE., Washington, D.C. 20002.
D. (6) $4,000.02.

A. Marcus W. Sisk, Jr., Sisk, Foley, Hultin & Driver, 2501 M Street NW., Suite 380, Washington, D.C. 20037.
B. Tosco Corp., 10100 Santa Monica Boulevard, Los Angeles, Calif. 90067.
D. (6) $1,355. E. (9) $36.45.

A. Gregg P. Skall, Blum & Nash, 1015 Eighteenth Street NW., Washington, D.C. 20036.
B. Daytime Broadcasters Association, P.O. Box 564, Mattoon, Ill. 61983.
D. (6) $342.50. E. (9) $7.20.

A. Stephen L. Skardon, Jr., NARFE, 1533 New Hampshire Avenue NW., Washington, D.C. 20036.
B. National Association of Retired Federal Employees, 1533 New Hampshire Avenue NW., Washington, D.C. 20036.
D. (6) $8,186. E. (9) $28.

A. Smathers, Symington & Herlong, 1700 K Street NW., Washington, D.C. 20006.
B. National Farm and Power Equipment Dealers Association, 10877 Watson Road, St. Louis, Mo. 63127.
D. (6) $1,000. E. (9) $20.

A. Catherine Smith, 530 Seventh Street SE., Washington, D.C. 20003.
B. Friends of the Earth, 530 Seventh Street SE., Washington, D.C. 20003.
D. (6) $2,681.91.

A. Hugh H. Smith, American Express Co., 1700 K Street NW., No. 702, Washington, D.C. 20006.
B. American Express Co., American Express Plaza, New York, N.Y. 10004.

A. Douglas S. Smith, Noranda Mining Inc., P.O. Box 1268, Juneau, Alaska 99802.
B. Noranda Mining, Inc., P.O. Box 1268, Juneau, Alaska 99802.

A. Maynard H. Smith, P.O. Box 9198, Treasure Island, Fla. 33740.

A. Joseph S. Smolen, 9412 Old Mount Vernon Road, Alexandria, Va. 22309.
B. Overseas Education Association and National Education Association, 1201 16th Street NW., Washington, D.C. 20036.
D. (6) $1,000. E. (9) $25.44.

A. Peter Leigh Snell, David Vienna & Associates, 510 C Street NE., Washington, D.C. 20002.
B. National Association of Credit Management, 475 Park Avenue South, New York, N.Y. 10016.
D. (6) $1,340.

A. Peter Leigh Snell, David Vienna & Associates, 510 C Street NE., Suite 100, Washington, D.C. 20002.
B. State of California, Office of the Controller, State Capitol, Sacramento, Calif. 95805.

A. Larry S. Snowhite, 1015 15th Street NW., Washington, D.C. 20005.
B. Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, 1015 15th Street NW., Washington, D.C. 20005. One Center Plaza, Boston, Mass. 02108 (for: Lion Lines, Ltd.; c/o Leo Whitman, 1178 Millington Road, Schenectady, N.Y. 12309).
D. (6) $2,000. E. (9) $30.48.

A. Larry S. Snowhite, 1015 15th Street NW., Washington, D.C. 20005.
B. Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, 1015 15th Street NW., Washington, D.C. 20005. One Center Plaza, Boston, Mass. 02108 (for: Mass. Construction Industry Council, Truck Weight Committee, c/o R. Barton, Rosenfeld Concrete, Box E, Milford, Mass. 01757).
D. (6) $950. E. (9) $37.02.

A. Larry S. Snowhite, 1015 15th Street NW., Washington, D.C. 20005.
B. Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, 1015 15th Street NW., Washington, D.C. 20005. One Center Plaza, Boston, Mass. 02108 (for: SCA Services, Inc., 60 State St., Boston, Mass. 02109).
D. (6) $450. E. (9) $18.05.

A. Edward F. Snyder, 245 Second Street NE., Washington, D.C. 20002.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C. 20002.
D. (6) $3,696.63.

A. Vincent R. Sombrotto, National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.
D. (6) $3,327.60.

A. S. L. Sommer & Associates, Inc., 1701 N. Fort Myer Drive, Suite 1208, Arlington, Va. 22209.
B. Northrop Corp., 1701 North Fort Myer Drive, Suite 1208, Arlington, Va. 22209.
D. (6) $1,500.

A. Terry Sopher, 1901 Pennsylvania Avenue NW., Washington, D.C.
B. The Wilderness Society 1901 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $471.03. E. (9) $16.80.

A. Southern Forest Products Association, P.O. Box 52468, New Orleans, La.
D. (6) $42,150.44. E. (9) $42,150.44.

A. Claudia R. Spady, Utah International, Inc., 1150 Connecticut Avenue NW., Suite 710, Washington, D.C. 20036.
B. Utah International, Inc.

A. Charles A. Speir, 2022 Brookwood Medical Center Drive, Birmingham, Ala. 35209.
B. Brookwood Health Services, Inc., 2022 Brookwood Medicine Center Drive Birmingham, Ala. 35209.

A. Spradling, Stagner, Alpern & Friot, 700 Continental Savings Building, Oklahoma City, Okla. 73102.
B. Kansas Delaware Tribe of Indians, Inc.

A. St. Louis Mercantile Library Association, 510 Locust Street, St. Louis, Mo. 63188.
E. (9) $11.57.

A. Elvis J. Stahr, 645 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. National Audubon Society, 950 Third Avenue, New York, N.Y. 10022.
D. (6) $700. E. (9) $755.

A. Charles D. Statton, 2130 Oaks Drive, Hillsborough, Calif. 94010.
B. Bechtel Power Corp., 50 Beale Street, P.O. Box 3965, San Francisco, Calif. 94119.

A. Elliott Stern, American Health Planning Association, 1601 Connecticut Avenue NW., Suite 700, Washington, D.C. 20009.
B. American Health Planning Association, 1600 Connecticut Avenue NW., Suite 700, Washington, D.C. 20009.

D. (6) $4,000. E. (9) $712.40.

A. Robert B. Stewart, 1701 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Getty Oil Co., 3810 Wilshire Boulevard, Los Angeles, Calif. 90010.
D. (6) $3,590. E. (9) $411.19.

A. Ros Stovall, 451 South Indiana Street, Mooresville, Ind. 46158.
B. Protect the Innocent, Inc., 451 South Indiana Street, Mooresville, Ind. 46158.

A. Fred Stratton, Briggs & Stratton Corp., P.O. Box 702, Milwaukee, Wis. 53201.
B. Outdoor Power Equipment Institute.

A. Peter B. Summerville, 1425 K Street NW., Washington, D.C. 20005.
B. Hill and Knowlton, Inc., 633 Third Avenue, New York, N.Y. 10017.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. American Industrial Clay & Georgia Kaolin Division of Yara Engineering Corp., 511 Westminster Avenue, Elizabeth, N.J. 07207.
D. (6) $113.65. E. (9) $3.43.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Anglo-American Clays Corp., P.O. Box 471, Sandersville, Ga. 31082.
D. (6) $113.65. E. (9) $3.43.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Baker International, 500 City Parkway West, Orange, Calif. 92667.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Carnegie Corp. of New York, 437 Madison Avenue, New York, N.Y. 10022.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Connecticut Mutual Life Insurance Co., 140 Garden Street, Hartford, Conn. 06115.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Consumer Credit Insurance Association, 307 North Michigan Avenue, Chicago, Ill. 60601.
D. (6) $1,640. E. (9) $150.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Engelhard Minerals & Chemicals Corp., 299 Park Avenue, New York, N.Y. 10017.
D. (6) $113.65. E. (9) $3.43.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Equifax Inc., P.O. Box 4081, Atlanta, Ga. 30302.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Freeport Kaolin Division of Freeport Minerals Co., 161 East 42d Street, New York, N.Y. 10017.
D. (6) $113.65. E. (9) $3.43.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. J. M. Huber Corp., Thornall Street, Edison, N.J. 08817.
D. (6) $113.65. E. (9) $3.43.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Lifetime Communities, Inc., 2740 Beach Boulevard, Suite 202, Jacksonville, Fla. 32207.
D. (6) $4,000. E. (9) $137.50.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Massachusetts Mutual Life Insurance Co., 1295 State Street, Springfield, Mass. 01111.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Mullite Co. of America, Andersonville, Ga. 31711.
D. (6) $113.65. E. (9) $3.43.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. The Mutual Benefit Life Insurance Co., 520 Broad Street, Newark, N.J. 07107.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Mutual Life Insurance Co. of New York, 1740 Broadway, New York, N.Y. 10019.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Mutual of Omaha Insurance Co., Mutual of Omaha Plaza, Omaha, Nebr. 68175.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. National Association of Life Companies, Suite 1060, Tower Place, 3340 Peachtree Road NE., Atlanta, Ga. 20236.
D. (6) $706. E. (9) $95.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. National Home Life Assurance Co., Liberty Park, Frazer, Pa. 19355.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. New England Mutual Life Insurance Co., 501 Boylston Street, Boston, Mass. 02117.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Nord Resources Corp., Ole Town Park, 29 Iron Gate Drive, Dayton, Ohio 45459.
D. (6) $113.65. E. (9) $3.43.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. The Northwestern Mutual Life Insurance Co., 720 East Wisconsin Avenue, Milwaukee, Wis.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Process Gas Consumers Group, 1666 K Street NW., Washington, D.C. 20006.
D. (6) $1,665.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Thiele Kaolin Co., Kaolin Road, Sandersville, Ga.
D. (6) $113.65. E. (9) $3.43.

A. Sutin, Thayer & Browne, P.C., P.O. Box 1945, Albuquerque, N. Mex. 87103.
B. Taxation & Revenue Department, P.O. Box 603, Santa Fe, N. Mex. 87509.
D. (6) $2,047.50. E. (9) $827.61.

A. Donald R. Sweitzer, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 815 16h Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employes, 3 Research Place, Rockville, Md. 20850.
D. (6) $5,000. E. (9) $810.

A. Richard P. Swigart, American Can Co., 1660 L Street NW., Suite 201, Washington, D.C. 20036.
B. American Can Co., American Lane, Greenwich, Conn. 06830.
E. (9) $841.40.

A. Scott R. Swirling, National Family Planning & Reproductive Health Association, Inc., 425 13th Street NW., Room 350, Washington, D.C. 20004.
B. National Family Planning & Reproductive Health Association, Inc., 425 13th Street NW., Room 350, Washington, D.C. 20004.
D. (6) $845.03.

A. Task Force against Nuclear Pollution, Inc., P.O. Box 1817, Washington, D.C. 20013.
D. (6) $2,902.57. E. (9) $1,161.65.

A. Textron, Inc., 40 Westminster Street, Providence, R.I. 02903.
D. (6) $9,621.87. E. (9) $2,303.87.

A. Thaxter, Lipez, Stevens, Broder & Micoleau, 1825 K Street NW., Suite 503, Washington, D.C. 20006.
B. American Express Co., 1700 K Street NW., Washington, D.C. 20006.
D. (6) $500. E. (9) $525.

A. Thaxter, Lipez, Stevens, Broder & Micoleau, 1825 K Street, Suite 503, Washington, D.C. 20006.
B. National Alliance for Hydroelectric Energy, 1629 K Street NW., Suite 700, Washington, D.C. 20006.

A. Thaxter, Lipez, Stevens, Broder & Micoleau, 1825 K Street, Suite 503, Washington, D.C. 20006.
B. National Beer Wholesaler's Association., 5202 Leesburg Pike, Suite 505, Falls Church, Va. 22041.
D. (6) $15,000. E. (9) $15,250.

A. 13th Congressional District Action Committee, 986 Vicar Lane, San Jose, Calif. 95117.
D. (6) $140.

A. Charles P. Thompson, Arizona Public Service Co., P.O. Box 21666, Station 1807, Phoenix, Ariz. 85036.
B. Arizona Public Service Co., P.O. Box 21666, Phoenix, Ariz. 85036.
D. (6) $2,000. E. (9) $3,605.20.

A. Jerry P. Thompson, 1300 Connecticut Avenue NW., Washington, D.C. 20036.
B. International Association of Machinists & Aerospace Workers, 1300 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $5,848.86.

A. Thompson & Mitchell, One Mercantile Center, Suite 3400, St. Louis, Mo. 63101.
B. American Inland Waterways Committee, One Mercantile Center, St. Louis, Mo. 63101.
D. (6) $598. E. (9) $8,067.18.

A. Roger G. Thompson, 1701 Central Avenue, Ashland, Ky. 41101.
B. Kentucky Power Co., 1701 Central Avenue, Ashland, Ky. 41101.
D. (6) $1,160. E. (9) $1,148.78.

A. James L. Thorne, Tennessee Gas Transmission Co., P.O. Box 2511, Houston, Tex. 77001.
B. Tennessee Gas Transmission Co., P.O. Box 2511, Houston, Tex. 77001.

A. Drew V. Tidwell, 1725 K Street NW., Washington, D.C. 20006.
B. The Consumer Bankers Association, 1725 K Street NW., Washington, D.C. 20006.
D. (6) $2,000. E. (9) $2,429.24.

A. Joseph P. Trainor, Brotherhood of Railway, Airline & Steamship Clerks,

Freight Handlers, Express & Station Employees, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees, 3 Research Place, Rockville, Md. 20850.
D. (6) $6,000. E. (9) $850.

A. TransAfrica, 1325 18th Street NW., Suite 202, Washington, D.C. 20036.
D. (6) $113,964.58. E. (9) $87,775.08.

A. Paul E. Trimble, Lake Carriers' Association, 1411 Rockefeller Building, Cleveland, Ohio 44113.
B. Lake Carriers' Association, 1411 Rockefeller Building, Cleveland, Ohio 44113.

A. United Food & Commercial Workers, International Union, AFL-CIO, 1775 K Street NW., Washington, D.C.
D. (6) $43,151.13. E. (9) $43,151.13.

A. United Gas Pipeline Co., P.O. Box 1478, Houston, Tex. 77001.
E. (9) $3,519.11.

A. Roy Thomas Van Arsdall, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Council of Farmer Cooperatives, 1800 Massachusetts Avenue NW., Washington, D.C.
D. (6) $2,525.

A. Richard A. Van Deuren, Reinhart, Boerner, Van Deuren, Norris & Rieselbach, s.c., 111 East Wisconsin Avenue, Suite 1800, Milwaukee, Wis. 53202.
B. National Employee Benefits Institute, 451 New Jersey Avenue SE., Washington, D.C. 20003.
E. (9) $820.

A. Verner, Liipfert, Bernhard & McPherson, 1660 L Street NW., Suite 1100, Washington, D.C. 20036.
B. Labor-Industry Coalition for International Trade, 1660 L Street NW., Suite 1100, Washington, D.C. 20036.
D. (6) $1,550. E. (9) $210.22.

A. Verner, Liipfert, Bernhard & McPherson, 1660 L Street NW., Suite 1100, Washington, D.C. 20036.
B. Nissan Motor Corp., Ltd., 17-1 Ginza, 16-Chome, Chuo-Ku, Japan; Nissan Motor Corp. in U.S.A., 18501 South Figueroa Street, Carson, Calif. 90248.

A. Verner, Liipfert, Bernhard & McPherson, 1660 L Street NW., Suite 1100, Washington, D.C. 20036.
B. Semiconductor Industry Association, 20380 Town Center Lane, Suite 155, Cupertino, Calif. 95014.
D. (6) $1,450. E. (9) $677.22.

A. John C. Vickerman, American Society of Association Executives, 1575 I Street NW., Washington, D.C. 20005.
B. American Society of Association Executives, 1575 I Street NW., Washington, D.C. 20005.

A. David Vienna, David Vienna & Associates, 510 C Street NE., Washington, D.C. 20002.
B. National Association of Credit Management, 475 Park Avenue South, New York, N.Y. 10016.
D. (6) $150.

A. David Vienna, David Vienna & Associates, 510 C Street NE., Washington, D.C. 20002.
B. State of California, Office of the Controller, State Capitol, Sacramento, Calif. 95805.

A. Abe J. Voron, 6204 White Oak Lane, Tamarac, Fla. 33319.
B. National Radio Broadcasters Association, Suite 500, 1705 DeSales Street NW., Washington, D.C. 20036.
E. (9) $2,350.

A. Howard W. Wahl, 240 Barton Shore Drive, Ann Arbor, Mich. 48105.
B. Bechtel Power Corp., P.O. Box 1000, Ann Arbor, Mich. 48106.

A. Eleanor Walters, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
B. Environmental Policy Center, 317 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $1,250.01.

A. Geoffrey Webb, 530 Seventh Street SE., Washington, D.C. 20003.
B. Friends of the Earth, 530 Seventh Street SE., Washington, D.C. 20003.
D. (6) $369.60.

A. Paul Weller, Jr., 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Council of Farmer Cooperatives, 1800 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $1,525.

A. Lance Wells, 2901 Lexington Avenue, Anchorage, Alaska 99502.
D. (6) $3,500. E. (9) $4,100.

A. Elizabeth S. Weltner, Hill & Knowlton, Inc., 1425 K Street NW., Washington, D.C. 20005.
B. Hill & Knowlton, Inc., 633 Third Avenue, New York, N.Y. 10017.

A. Marchant Wentworth, Room 731, 1346 Connecticut Avenue NW., Washington, D.C. 20036.
B. Environmental Action, Inc., Room 731, 1346 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $4,125.

A. Western Resource Alliance, 2565 West 23d Street, Eugene, Oreg. 97401.
E. (9) $540.

A. Curtis E. Whalen, P.O. Box 44, Winter Park, Fla. 32790.
B. Continental Resources Co., P.O. Box 44, Winter Park, Fla. 32790.
D. (6) $2,875. E. (9) $1,090.

A. June M. Whelan, 1120 20th Street NW., Suite 600 South, Washington, D.C. 20036.
B. Union Pacific Corp., 345 Park Avenue, New York, N.Y. 10154.
D. (6) $1,250. E. (9) $637.18.

A. Bryan K. Whitehead, Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employes, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employes, 3 Research Place, Rockville, Md. 20850.
D. (6) $1,760. E. (9) $1,540.

A. Thomas D. Wilcox, P.C., 1899 L Street NW., Suite 705, Washington, D.C. 20036.
B. National Association of Stevedores, 1899 L Street NW., Washington, D.C. 20036.
D. (6) $6,800. E. (9) $11,258.85.

A. Barry Williams, National Association of Railroad Passengers, 417 New Jersey Avenue SE., Washington D.C. 20003.
B. National Association of Railroad Passengers, 417 New Jersey Avenue SE., Washington, D.C. 20003.
D. (6) $3,780.35.

A. William & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. American Physical Therapy Association, 1156 15th Street NW., Washington, D.C. 20005.
D. (6) $1,386. E. (9) $94.85.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. American Trucking Association, 430 First Street SE., Washington, D.C. 20003.
D. (6) $6,650. E. (9) $574.27.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. Association for Responsible Housing Policy, Inc., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. C. Brewer & Co., Ltd., P.O. Box 1826, Honolulu, Hawaii 96801.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. Burger King Corp., 7360 North Kendall Drive, Miami, Fla. 33152.
D. (6) $1,455. E. (9) $81.30.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. Consolidated Foods Corp., 135 South LaSalle Street, Chicago, Ill. 60603.
D. (6) $550. E. (9) $27.10.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. Domestic Petroleum Council, 1101 Connecticut Avenue NW., Washington, D.C. 20036.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. The First Boston Corp., 20 Exchange Place, New York, N.Y. 10005.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. Lloyd Hayes, P.O. Box 1447, Port Arthur, Tex. 77640.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. IU International Management Corp., 1500 Walnut Street, Philadelphia, Pa. 19102.
D. (6) $4,670. E. (9) $271.01.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. Kellogg Co., 235 Porter Street, Battle Creek, Mich. 49016.
D. (6) $5,667.50. E. (9) $420.07.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. Krause Milling Co., P.O. Box 1156, Milwaukee, Wis. 53201.

D. (6) $15. E. (9) $13.55.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. The Louisiana Land & Exploration Co., P.O. Box 60350, New Orleans, La. 70160.
D. (6) $700. E. (9) $27.10.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. Mustang Fuel Corp., 1100 First National Center East, Oklahoma City, Okla. 73102.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. National Association of Water Companies, 1019 19th Street NW., Suite 1110, Washington, D.C. 20036.
D. (6) $305. E. (9) $27.10.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. National Soft Drink Association, 1101 16th Street NW., Washington, D.C. 20036.
D. (6) $872.50. E. (9) $67.76.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. Nationwide Insurance Co., One Nationwide Plaza, Columbus, Ohio 43216.
D. (6) $982.50. E. (9) $67.76.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. Olympia & York Developments, Ltd., 1 First Canadian Place, Toronto, Ontario, Canada.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. Olympia & York Equity Corp., 245 Park Avenue, New York, N.Y.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. Paralyzed Veterans of America, 4350 East-West Highway, Suite 900, Washington, D.C. 20014.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. The Pillsbury Co., 608 Second Avenue South, Minneapolis, Minn. 55402.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. Securities Industry Association, 490 L'Enfant Plaza East SW., Washington, D.C. 20024.
D. (6) $187.50. E. (9) $13.55.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. Southern Railway System, 920 15th Street NW., Washington, D.C. 20005.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. Student Loan Marketing Association (Sallie Mae), 1055 Thomas Jefferson Street NW., Washington, D.C. 20007.
D. (6) $2,002.50. E. (9) $203.26.

A. Williams & Jensen, P.C., 1101 Connecticut Avenue NW., Suite 500, Washington, D.C. 20036.
B. Universal Foods, Inc., 433 E. Michigan Avenue, Box 737, Milwaukee, Wis. 53201.

A. Margie R. Williams, 415 Second Street NE., Suite 300, Washington D.C. 20002.
B. The National Association of Wheat Growers, 415 Second Street NE., Washington D.C. 20002.
D. (6) $1,349.30.

A. Frederick L. Williford, Suite 911, 8401 Connecticut Avenue NW., Washington, D.C. 20015.
B. National Association of Furniture Manufacturers.

A. Judith A. Winchester, 2939 Van Ness Street NW., Suite 520, Washington, D.C. 20008.
B. City of Philadelphia, Office of the Mayor.
D. (6) $3,140. E. (9) $1,788.27.

A. Witkowski, Weiner, McCaffrey & Brodsky, P.C., 1575 I Street NW., Suite 350, Washington, D.C. 20005.
B. National Truck Equipment Association, 25900 Greenfield Road, Suite 410, Oak Park, Mich. 48237.
D. (6) $7,330.73.

A. Kim Yelton, 8120 Fenton Street, Silver Spring, Md. 20910.
B. Americans United for Separation of Church & State, 8120 Fenton Street, Silver Spring, Md. 20910.
D. (6) $4,980.78. E. (9) $173.89.

A. Kevin B. Zeese, 530 Eighth Street SE., Washington, D.C. 20003.
B. National Organization for the Reform of Marijuana Laws, 530 Eighth Street SE., Washington, D.C. 20003.

A. Zero Population Growth, Inc., 1346 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $1,194. E. (9) $2,039.

A. Michael J. Zimmer, Wickwire, Gavin & Gibbs, P.C., 1828 L Street NW., Washington, D.C. 20036.
B. Cogeneration Coalition, Inc., 1828 L Street NW., Suite 804, Washington, D.C. 20036.

QUARTERLY LOBBY POSTCARD

The following Quarterly Lobby Postcards were filed with the Clerk of the House of Representatives for the third calendar quarter of 1981:

A POSTCARD MAY BE USED WHEN A REGISTRANT HAS NOT INCURRED REPORTABLE RECEIPTS AND EXPENDITURES AND HAS NOT ENGAGED IN ANY LOBBYING ACTIVITY DURING THE QUARTER.

NOTE: THE FOLLOWING INFORMATION IS BEING PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

The Postcard has been reproduced below:

HLF3

QUARTERLY LOBBY POSTCARD

To be submitted in lieu of a Quarterly Report when registrant has not incurred reportable receipts or expenditures and has not engaged in any lobbying activity during the quarter.

IMPORTANT: File a separate postcard for each employer or client

REGISTRANT_____

Business Address_____
(*number, street/P.O. Box*)

_____ _____
(*city, state, zip code*)

Employer_____

(If REGISTRANT is an agent of someone OTHER THAN "EMPLOYER" state below whose interest is represented. If not applicable, state "NONE".)

CLIENT_____

For the period (check one box only): 19____

☐ April 10 Report (Jan. 1—Mar. 31) ☐ Oct. 10 (July 1—Sept. 30)

☐ July 10 Report (April 1—June 30) ☐ Jan. 10 (Oct. 1—Dec. 31)

I certify that the above named registrant did not engage in any lobbying activities or incur reportable receipts or expenditures in connection with previous or future lobbying activities. I am aware that the Act requires a resumption of reporting in the event that activity commences; otherwise I can continue to submit a postcard in lieu of a report.

Executed on_____ _____
(*date*) (*signature*)

A. Hobson H. Adcock.
B. PepsiCo, Inc.

A. Agency for Instructional TV.

A. Bruce Aitken.
B. BMW of North America, Inc.

A. Akin, Gump, Strauss, Hauer & Feld.
B. City of Houston.

A. Akin, Gump, Strauss, Hauer & Feld.
B. Great National Corp.

A. Akin, Gump, Strauss, Hauer & Feld.
B. Louisiana Alcohol Fuel Co.

A. Akin, Gump, Strauss, Hauer & Feld.
B. Missouri Terminal Oil Co., Inc.

A. Akin, Gump, Strauss, Hauer & Feld.
B. Northwest Pipeline Co.

A. Akin, Gump, Strauss, Hauer & Feld.
B. Shearson, Loeb, Rhoades.

A. Akin, Gump, Strauss, Hauer & Feld.
B. Richard Suman.

A. Akin, Gump, Strauss, Hauer & Feld.
B. Sun Co., Inc.

A. Akin, Gump, Strauss, Hauer & Feld.
B. Worldwide Church of God.

A. Joseph C. Allwarden.

A. Amalgamated Transit Union, AFL-CIO.

A. Amalgamated Transit Union, National Capital Local 689.

A. American Advertising Federation.

A. American Association of Foundations for Medical Care.

A. American Hellenic Institute Public Affairs Committee, Inc.

A. American Honey Producers Association.

A. American Orthotic & Prosthetic Association.

A. American Pulpwood Association.

A. American Soybean Association.

A. American Waterways Shipyard Conference.

A. The American Way.

A. Gwen A. Anderson.
B. Small Business On-Premise Sign Foundation.

A. Jack R. Angell.
B. United Gas Pipe Line Co.

A. Apartment & Office Building Association.

A. John D. Aquilino, Jr.
B. National Rifle Association of America.

A. John Christian Archer.
B. Brown & Root, Inc.

A. Roy A. Archibald.
B. National Education Association.

A. Associated Employers, Inc.

A. Association of American Foreign Service Women.

A. Association of American Veterinary Medical Colleges.

A. Association of Government Accountants.

A. George J. Aste.
B. United Airlines.

A. Frank M. Ault.
B. Norwich-Eaton Pharmaceutical.

A. John D. Austin, Jr.
B. American Mining Congress.

A. William H. Axtman.
B. American Boiler Manufacturers Association.

A. Frances L. Babb.
B. Renewed Energy Corp.

A. James D. Bachman.
B. Oasis Petroleum Co.

A. John M. Baines.
B. Johnson Oil Co., Inc.

A. John M. Baines.
B. Silver Eagle Refining Co., Inc.

A. John Baize.
B. American Soybean Association.

A. H. R. Balikov.
B. J. M. Huber Corp.

A. Ballard, Spahr, Andrews & Ingersoll.
B. Alaska Industrial Development Authority.

A. Ballard, Spahr, Andrews & Ingersoll.
B. Pennsylvania Association of Industrial Development Authorities.

A. Judy Bardacke.
B. American Federation of Teachers, AFL-CIO.

A. David J. Bardin.
B. Arent, Fox, Kintner, Plotkin & Kahn (for Solmecs Corp.).

A. Carol M. Barger.
B. Consumers Union of United States, Inc.

A. John H. Barnard, Jr.
B. Bechtel Power Corp.

A. Barnett & Alagia.
B. Dairymen, Inc.

A. Roger V. Barth.
B. American Association for Clinical Chemistry, Inc.

A. Rose F. Bates.
B. Oasis Petroleum Co.

A. Rose F. Bates.
B. Wood Enterprises, Inc.

A. Lynne D. Battle.
B. College Placement Council, Inc.

A. John E. Baughman.
B. PA State Education Association.

A. Robert J. Baughman.
B. American Orthotic & Prosthetic Association.

A. Bayh, Tabbert & Capehart.
B. Mayflower Corp.

A. Reginald E. Beane.
B. Risk & Insurance Management Society, Inc.

A. Howard H. Bell.
B. American Advertising Federation.

A. Douglas P. Bennett.
B. Association of Executive Recruiting Consultants, Inc.

A. Frederick S. Benson III.
B. American Paper Institute, Inc.

A. David E. Beren.
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation.

A. O. M. Berge.
B. Brotherhood of Maintenance of Way Employes.

A. Richard B. Berman.
B. Steak & Ale Restaurants of America, Inc.

A. Mary E. Bernhard.
B. Flexible Packaging Association.

A. Charles Bernhardt.
B. National Federation of Federal Employees.

A. Max N. Berry.
B. Centre National Interprofessional De L'Economic Laitiere.

A. Max N. Berry.
B. Cheese Importers Association.

A. Max N. Berry.
B. East-West Trade Council.

A. Bison and Wenning.
B. National Food Brokers Association.

A. Tom C. Black.
B. National Federation of Federal Employees.

A. Jerald Blizin.
B. Hill & Knowlton, Inc.

A. Christie K. Bohner.
B. Government Relations Associates, Inc.

A. Christie K. Bohner.
B. Kaiser Steel Corp.

A. M. Warren Bolton.
B. Provident Indemnity Life Insurance Co.

A. Charles E. Boswell.
B. Amalgamated Transit Union, National Capital Local 689.

A. Botein, Hays, Sklar & Herzberg.
B. Henry Schein, Inc.

A. Rodney A. Bower.
B. International Federation of Professional & Technical Engineers, AFL-CIO.

A. J. Patrick Boyle.
B. United Fresh Fruit & Vegetable Association.

A. Mitchell H. Bradley.
B. American Society of Mechanical Engineers.

A. David Branand.
B. American Mining Congress.

A. Gerard M. Branand.

B. American Council of Life Insurance.

A. Peter Elliot Braveman.
B. Joan Irvine Smith.

A. John Henry Brebbia.
B. Alston, Miller & Gaines (for Board of Trade Clearing Corp.).

A. John Henry Brebbia.
B. Alston, Miller & Gaines (for Northern Solar Systems, Inc.).

A. John Henry Brebbia.
B. Alston, Miller & Gaines (for RCA Global Communications, Inc.).

A. Breed, Abbott & Morgan.
B. Associated Hospital Service of New York.

A. Breed, Abbott & Morgan.
B. Lefrak Organization.

A. Breed, Abbott & Morgan.
B. Donald Lubick and Talisman Fund.

A. Breed, Abbott & Morgan.
B. Panhandle Eastern Pipe Line Co.

A. Miles H. Bresee, Jr.
B. Bechtel Power Corp.

A. Albert E. Brewster.
B. Northrop Corp.

A. Charles T. Brown.
B. Cities Service Co.

A. Howard C. Brown, Jr.
B. CENTAR Associates.

A. Howard C. Brown, Jr.
B. National Association of Life Science Industries, Inc.

A. Mary Elizabeth Brown.
B. National Education Association.

A. Ralph Brown.
B. M.O.A.A.I.O.A. & Subs, Inc.

A. Stanley R. Browne.
B. E. I. du Pont de Nemours & Co., Inc.

A. Thomas H. Brownell.
B. Boeing Co.

A. David Brubaker.
B. National Rehabilitation Counseling Association.

A. Harvey F. Brush.
B. Bechtel Group, Inc.

A. Jeremiah S. Buckley.
B. Greater Boston Real Estate Board.

A. Gerard P. Burke.
B. International Air Leases.

A. Robert W. Busha.
B. National Asphalt Pavement Association.

A. Thomas D. Byrne.
B. Stone Container Corp.

A. Cadwalader, Wickersham & Taft.
B. Asphalt Roofing Manufacturing Association.

A. Cadwalader, Wickersham & Taft.
B. Mocatta Metals Corp.

A. Roy C. Cahoon Associates.
B. National Automatic Merchandising Association.

A. Thomas A. Callaghan, Jr.
B. Contract Carrier Conference.

A. Donald L. Calvin.
B. New York Stock Exchange.

A. Camp, Carmouche, Palmer, Barsh & Hunter.
B. Eastern Central Motor Carriers Association.

A. Camp, Carmouche, Palmer, Barsh & Hunter.
B. Union Pacific Railroad.

A. Jerry L. Campbell.
B. Tennessee Valley Public Power Association.

A. Paul W. Crane.
B. Bechtel Power Corp.

A. Capital Counselors, Inc.
B. Electronic Data Systems.

A. Caplin & Drysdale, Chtd.
B. American Family Life Assurance Co. of Georgia.

A. Donald Capshaw.
B. Airline Pilots Association.

A. Isaac R. Caraco.
B. Bechtel Power Corp.

A. C. G. Caras.
B. Ogden Corp.

A. Walter L. Carmo, Jr.
B. Pennsylvania State Education Association.

A. Donato Caruso.
B. New York Shipping Association, Inc.

A. John L. Casey.
B. Investment Counsel Association of America, Inc.

A. Daniel J. Cassidy.
B. American Association of Blood Banks.

A. Chain Saw Manufacturers Association.

A. William Cherkasky.
B. International Franchise Association.

A. Howard P. Chester.
B. Stone, Glass & Clay Coordinating Committee.

A. Children's TV Workshop.

A. Citizen Victims of Chrysler.

A. Chugach Electric Association, Inc.

A. Cladouhos & Brashares.
B. Ashland Oil, Inc.

A. Cladouhos & Brashares.
B. Crown Central Petroleum Corp.

A. Cladouhos & Brashares.
B. International Processors.

A. Cladouhos & Brashares.
B. Seaview Petroleum.

A. Cladouhos & Brashares.
B. Toyota Motor Sales, U.S.A., Inc.

A. Bob Clark & Associates.
B. Ryder Systems, Inc.

A. Gilbert M. Clark.
B. American Association of Blood Banks.

A. Joseph J. F. Clark.
B. Eaton Associates, Inc.

A. Thomas R. Clark.
B. General Electric Co.

A. William F. Clarken.
B. International Council of Airshows.

A. Clifford & Warnke.
B. The Federated States of Micronesia.

A. Clifford & Warnke.
B. Warner-Lambert Co.

A. Coalition of Automotive Associations.
B. John Russell Deane III.

A. Coalition of Concerned Charities.

A. Coan, Couture, Lyons & Moorhead.
B. A-C Valley Corp.

A. Coan, Couture, Lyons & Moorhead.
B. Internatio, Inc.

A. Michael J. Cohen.
B. American International Group.

A. Cole & Corette.
B. American Express Co.

A. Collier, Shannon, Rill & Scott.
B. American Frozen Food Institute.

A. Collier, Shannon, Rill & Scott.
B. Crop Insurance Research Bureau.

A. Collier, Shannon, Rill & Scott.
B. Cylinder Manufacturers Association.

A. Collier, Shannon, Rill & Scott.
B. Ferrous Scrap Consumers Coalition.

A. Collier, Shannon, Rill & Scott.
B. Food Marketing Institute.

A. Collier, Shannon, Rill & Scott.
B. Independent Lubricant Manufacturers Association.

A. Collier, Shannon, Rill & Scott.
B. National Association of Convenience Stores.

A. Collier, Shannon, Rill & Scott.
B. National Broiler Council.

A. Collier, Shannon, Rill & Scott.
B. Society of Independent Gasoline Marketers of America.

A. Collier, Shannon, Rill & Scott.
B. Tool and Stainless Steel Industry Committee.

A. Collier, Shannon, Rill & Scott.
B. West Texas Land and Royalty Owners Association.

A. Stephen J. Collins.
B. Motor Vehicle Manufacturers Association of the United States, Inc.

A. Colorado Railroad Association.

A. Commercial Union Insurance Co.

A. Committee for Equality of Citizens before the Courts.

A. Congressional District Action Committee.

A. Congressional District Action Committee, No. 7.

A. James T. Conner.
B. Mobay Chemical Corp.

A. John P. Connolly.

B. Popham, Haik, Schnobrich, Kaufman, & Doty, Ltd. (for Chicago Mercantile Exchange).

A. John P. Connally.
B. Popham, Haik, Schnobrich, Kaufman, & Doty, Ltd. (for Glenrock Refinery, Inc.).

A. Gregory E. Conrad.
B. American Mining Congress.

A. John J. Contney.
B. Textile Rental Services Association of America.

A. Emanuel M. Cooper.
B. Inner-City Children's Center.

A. Alfred C. Cordon.
B. Buffalo Broadcasting Co., Inc.

A. Samuel C. Corey, Jr.
B. Provident Indemnity Life Insurance Co.

A. Samuel C. Corey, Sr.
B. Provident Indemnity Life Insuance Co.

A. Mary Marcotte Corrigan.
B. National Rifle Association of America.

A. The Cosmetic, Toiletry & Fragrance Association.

A. Daniel T. Coughlin.
B. Joseph Schlitz Brewing Co.

A. John F. Cove.
B. Cove Associates, Inc. (for Aerospace/Optical Division, ITT).

A. C. Bryan Cox.
B. Kansas City Life Insurance Co.

A. Charles S. Crawford.
B. Gray & Co. (for American Iron & Steel Institute).

A. Charles S. Crawford.
B. Gray & Co. (for HTB Corp.).

A. Charles S. Crawford.
B. Gray & Co. (for The Tera Corp.).

A. Donald J. Creola.
B. Pennsylvania State Education Association.

A. Charles H. Cromwell, Inc.
B. General Electric Co.

A. Charles H. Cromwell, Inc.
B. Hughes Helicopters.

A. Charles H. Cromwell, Inc.
B. Motorola, Inc.

A. Charles H. Cromwell, Inc.
B. Northrop Corp.

A. Charles H. Cronwell, Inc.
B. Vought Corp.

A. James H. Cromwell, Sr.
B. Med-E-Jet Corp.

A. James H. Cromwell, Sr.
B. Worldgate Office Park.

A. Bobby E. Crow.
B. Columbia Gulf Transmission Co.

A. Charles H. Crutchfield.
B. General Tire & Rubber Co.

A. Cuba Claims Association.

A. William E. Cumberland.
B. Mortgage Bankers Association of America.

A. Richard C. Cunan.
B. California Canners & Growers.

A. John T. Curran.
B. National Coordinating Committee for Multiemployer Plans.

A. Everett E. Cutter.
B. Oregon Railroad Association.

A. Fred L. Dahl.
B. Bechtel Power Corp.

A. Eugene B. Dalton.
B. National League of Postmasters.

A. John C. Datt.
B. American Farm Bureau Federation.

A. P. M. Davison, Jr.
B. North Dakota Railway Lines.

A. Donald S. Dawson.
B. Opticians Association of America.

A. Donald S. Dawson.
B. United States Brewers Association.

A. Donald S. Dawson.
B. Virgin Islands Gift & Fashion Shop Association.

A. Donald S. Dawson.
B. Virgin Islands Merchants Association.

A. J. Edward Day.
B. Associated Third Class Mail Users.

A. J. Edward Day.
B. Electronic Industries Association.

A. John Russell Deane III.
B. American Metal Detectors Manufacturers, Inc.

A. Winston M. Decker.
B. Association of American Veterinary Medical Colleges.

A. Stephen T. Delamater.
B. Halliburton Co.

A. John L. Delano.
B. Montana Railroad Association.

A. O. Mark De Michele.
B. Arizona Public Service Co.

A. Bradford T. Dempsey.

A. Claude J. Desautels.
B. Carl Byoir & Associates.

A. Claude J. Desautels.
B. Carl Byoir & Associates (for Flavor & Extract Manufacturers Association).

A. Detroit Edge Tool Co.

A. James T. Devine.
B. Bowling Proprietors Association of America.

A. Kendall P. Dexter.
B. MacMillan Bloedel, Inc.

A. Dickstein, Shapiro & Morin.
B. American Fisheries Defense Committee.

A. Dickstein, Shapiro & Morin.
B. Capeway Seafoods, Inc.

A. Dickstein, Shapiro & Morin.
B. Federated Cash Management Systems.

A. Dickstein, Shapiro & Morin.
B. Marine Engineers Beneficial Association.

A. Dickstein, Shapiro & Morin.
B. Shrimp Harvestors Coalition of the Gulf Coast & South Atlantic States.

A. Dickstein, Shapiro & Morin.
B. Tennessee Gas Transmission Co.

A. Debra N. Diener.
B. National Education Association.

A. Harley M. Dirks.
B. Health and Medicine Counsel of Washington, Inc.

A. James E. Doherty.
B. Group Health Association of America, Inc.

A. John D. Doherty, Jr.
B. Chase Manhattan Bank, N.A.

A. John Donaldson.
B. Gray & Co. (for Defense Logistics Supply Corp.).

A. John Donaldson.
B. Gray & Co. (for Tera Corp.).

A. Jack C. Donovan.
B. Cleveland Electric Illuminating Co.

A. James C. Dorsch.
B. Health Insurance Association of America.

A. Richard Morgan Downey.
B. American Speech-Language-Hearing Association.

A. Robert H. Doyle.
B. Plumbing Manufacturers Institute.

A. Robert H. Doyle.
B. Water Systems Council

A. Drinker, Biddle & Reath.
B. Phoenix Steel Corp.

A. W. H. Drushel, Jr.
B. Vinson & Elkins (for Quintana Refinery Co.).

A. Barbara S. Dudeck.
B. American Honda Motor Co., Inc.

A. Mary Jane Due.
B. American Mining Congress.

A. Evelyn Dukovic.

A. Don R. Duncan.
B. Phillips Petroleum Co.

A. Duncan, Weinberg & Miller.
B. Dayton-Montgomery County Park District.

A. Duncan, Weinberg & Miller.
B. Delaware "5".

A. Duncan, Weinberg & Miller.
B. East Bay Regional Park District.

A. Duncan, Weinberg & Miller.
B. Iva May Harvey.

A. Duncan, Weinberg & Miller.
B. Huron-Clinton Metropolitan Authority.

A. Duncan, Weinberg & Miller.
B. Adolphi Kizas.

A. Duncan, Weinberg & Miller.
B. Koniag, Inc.

A. Duncan, Weinberg & Miller.
B. Mid-West Electric Consumer Association.

A. Duncan, Weinberg & Miller.

B. Western Fuels Association, Inc.

A. John H. Dunne.
B. International Federation of Professional & Technical Engineers, AFL-CIO.

A. Joseph L. Duran.
B. First National Bank of Boston.

A. Henry I. Dworshak.
B. American Mining Congress.

A. Rod Dwyer.
B. American Mining Congress.

A. East-West Trade Council.

A. Eaton Associates, Inc.

A. Robert E. L. Eaton.
B. Eaton Associates, Inc.

A. William D. Echols.
B. American Mining Congress.

A. Economic Service Consortium, Inc.

A. Edelman International Corp.
B. Republic of Uganda/Embassy of Uganda.

A. Anne Edlund.
B. Motor Vehicle Manufacturers Association.

A. Edwards Associates, Inc.
B. Blue Ribbon Sports, Inc.

A. Edwards Associates, Inc.
B. Confederated Tribes of Warm Springs.

A. Edwards Associates, Inc.
B. Portland General Electric Co.

A. J. Rodney Edwards.
B. American Paper Institute, Inc.

A. Joseph J. Eley.
B. Squibb Corp.

A. Stephen W. Elliott.
B. Fidelity Union Bank.

A. Ely, Guess & Rudd,

A. Law Offices of Northcutt Ely.
B. Associated Electric Cooperative.

A. Law Offices of Northcutt Ely.
B. Ocean Mining Associates.

A. Steven L. Engelberg.
B. American Association of Marriage & Family Therapy.

A. John M. Erskine, Jr.
B. Standard Oil Co. (Indiana).

A. Jerry N. Ervin.
B. Quintana Refinery Co.

A. Donald C. Evans.

A. Joseph O. Evans.

A. Ellen Egan Eves.
B. ICI Americas, Inc.

A. Robbie G. Exley.
B. National Federation of Federal Employees.

A. George W. Falltrick.
B. Brotherhood of Railway & Airline Clerks.

A. Robert S. Faron.
B. LeBoeuf, Lamb, Leiby & MacRae.

A. Michael Farrar.

B. American Paper Institute, Inc.

A. Arthur Fefferman.
B. American Council of Life Insurance.

A. John W. Feist.
B. Kaiser Steel Corp.

A. C. W. Fendrich.
B. Research-Cottrell, Inc.

A. Betsy Ferguson,
B. Times Mirror Co.

A. John Festa.
B. American Paper Institute, Inc.

A. Blaine Fielding.
B. American Paper Institute, Inc.

A. John H. Fitch, Jr.
B. National Association of Wholesaler Distributors.

A. Mary Clare Fitzgerald.
B. The Chase Manhattan Bank, N.A.

A. Raymond J. Foley.
B. National Candy Wholesalers Association, Inc.

A. Gordon Forbes.
B. Minnesota Railroads Association.

A. Richard D. Ford.
B. Port of Seattle.

A. Susan E. Fracaroli.
B. Johns-Manville Corp.

A. Joseph L. Fraites.
B. Coffee, Sugar & Cocoa Exchange, Inc.

A. William C. France.
B. National Motorsports Committee of ACCUS.

A. Lewis R. Freeman, Jr.
B. The Society of the Plastics Industry, Inc.

A. Ronna Freiberg.
B. Gray & Co. (for ASARCO).

A. Ronna Freiberg.
B. Gray & Co. (for the Budd Co.).

A. Ronna Freiberg.
B. Gray & Co. (for General Telephone & Electronics).

A. Ronna Freiberg.
B. Gray & Co. (for Motorola).

A. Ronna Freiberg.
B. Gray & Co. (for Western Development).

A. Ronna Freiberg.
B. Gray & Co. (for Westinghouse Broadcasting).

A. Fried, Frank, Harris, Shriver & Kampelman.
B. Doyon, Ltd.

A. Fried, Frank, Harris, Shriver & Kampelman.
B. Norton Sound Health Corp.

A. Fried, Frank, Harris, Shriver & Kampelman.
B. Oglala Sioux Tribe of the Pine Ridge Reservation.

A. Fried, Frank, Harris, Shriver & Kampelman.
B. Rosebud Sioux Tribe.

A. Barry A. Friedman.

B. American Society of Travel Agents, Inc.

A. James M. Friedman.
B. The Cleveland Electric Illuminating Co.

A. Susan Frost.
B. Congressional District Action Committee (Pro-Life).

A. Richard G. Fuller.
B. National Audio-Visual Association.

A. Terry Gabrielson.
B. Transcontinental Gas Pipe Line Corp.

A. Gailor, Elias & Matz.
B. National Association of State Savings & Loan Supervisors.

A. Joe H. Galis.

A. Lawrence H. Gall.
B. Transco Cos., Inc.

A. Gardner, Carton & Douglas.
B. Peoples Gas Co.

A. Gardner, Carton & Douglas.
B. Sealed Power Corp.

A. Edward A. Garmatz.
B. Baltimore Gas & Electric Co.

A. Nick Garnett.
B. NICA.

A. Garvey, Schubert, Adams & Barer.
B. Delaware & Hudson Railway Co.

A. Garvey, Schubert, Adams & Barer.
B. Grocery Manufacturers of America, Inc.

A. Garvey, Schubert, Adams & Barer.
B. PACCAR, Inc.

A. Garvery, Schubert, Adams & Barer.
B. Pacific Rim Trade Association.

A. Morton A. Geller.
B. First National Bank of Boston.

A. George & George, P.C.
B. Continental Resources.

A. George & George, P.C.
B. Pepsico, Inc.

A. Phyllis H. Gerstell.
B. American Council of Life Insurance, Inc.

A. Thomas F. Gibson.
B. Brick Institute of America.

A. GIC Financial Services Corp.

A. Susan Gilbert.
B. National Federation of Federal Employees.

A. Arthur P. Gildea.
B. Brewery & Soft Drink Workers, National Conference.

A. Mark W. Gillaspie.
B. Houston Natural Gas Corp.

A. Joe L. Gilmore.
B. Chrysler Defense, Inc.

A. Michael K. Gire.
B. American Small & Rural Hospital Association.

A. John P. Gleason.

B. Brick Institue of America.

A. Law Office of Thomas W. Gleason.
B. International Longshoremen's Association, AFL-CIO.

A. Vance V. Goodfellow.
B. Crop Quality Council.

A. Benjamin Gordon.
B. Health Research Group.

A. Robert D. Gordon.
B. International Union of Police Associations.

A. Irmgard Gordos.
B. American Security Council

A. Government Relations Associates, Inc.
B. Kaiser Steel Corp.

A. Robert K. Gray.
B. Gray & Co.

A. Robert K. Gray.
B. Gray & Co. (for American Iron & Steel Institute).

A. Robert K. Gray.
B. Gray & Co. (for El Paso Natural Gas).

A. Mark E. Grayson.
B. Hill & Knowlton, Inc.

A. Mark E. Grayson.
B. Hill & Knowlton, Inc. (for National Tire Dealers & Retreaders Association).

A. Mark E. Grayson.
B. Hill & Knowlton, Inc. (for RKO General).

A. Mark E. Grayson.
B. Hill & Knowlton, Inc. (for Uniroyal).

A. Edward M. Green.
B. American Mining Congress.

A. Wayne Green.
B. 73 Magazine.

A. Dale Greenwood.
B. Washington Railroad Association.

A. A. Jack Grimes.
B. National Pest Control Association.

A. John T. Grupenhoff.
B. American Academy of Dermatology.

A. John T. Grupenhoff.
B. American Gastroenterological Association.

A. John T. Grupenhoff.
B. National Association for Hospital Development.

A. Dan A. Gunderson.
B. Pillsbury.

A. Thomas M. Gunn.
B. McDonnell Douglas Corp.

A. Ann Hageman.
B. American Broadcasting Co.

A. William D. Hager.
B. American Academy of Actuaries.

A. Beverly Halem.
B. Halem Industries.

A. Martin Ryan Haley & Associates, Inc.
B. Agri-Business, Inc.

A. Martin Ryan Haley & Associates, Inc.
B. American Energy, Inc.

A. Martin Ryan Haley & Associates, Inc.
B. Central Texas Grain Products Marketing Cooperative.

A. Martin Ryan Haley & Associates, Inc.
B. Grain Products Alcohol Cooperatives.

A. Martin Ryan Haley & Associates, Inc.
B. High Plains Grain Products Cooperative.

A. Martin Ryan Haley & Associates, Inc.
B. M&M/Mars Division of Mars, Inc.

A. Martin Ryan Haley & Associates, Inc.
B. New England Council, Inc.

A. Martin Ryan Haley & Associates, Inc.
B. New England Mutual Life Insurance Co.

A. Martin Ryan Haley & Associates, Inc.
B. North Plains Grain Products Cooperative.

A. Martin Ryan Haley & Associates, Inc.
B. Northwest Texas Grain Products Cooperative.

A. Martin Ryan Haley & Associates, Inc.
B. Operation Independence.

A. Martin Ryan Haley & Associates, Inc.
B. Power Authority of the State of New York.

A. Martin Ryan Haley & Associates, Inc.
B. Tobacco Tax Council.

A. Martin Ryan Haley & Associates, Inc.
B. West Alabama Grain Products Cooperative, Inc.

A. Norman S. Halliday.
B. National Association of Greeting Card Publishers.

A. Joseph Halow.
B. North American Export Grain Association, Inc.

A. Halt, Inc.

A. Hamel, Park, McCabe & Saunders.
B. State of Alaska.

A. Robert E. Hampton.
B. ICI Americas, Inc.

A. Sara Hamric.
B. American Paper Institute, Inc.

A. George J. Hanks, Jr.
B. Union Carbide Corp.

A. Hannaford Company, Inc.
B. Trans World Airlines.

A. Erling Hansen.
B. Group Health Association of America, Inc.

A. David T. Hardy.
B. National Rifle Association.

A. Michael T. Harrigan.
B. United States Olympic Committee.

A. Harris, Berg & Creskoff.
B. Committee of Domestic Steel Wire Rope & Specialty Cable Manufacturers.

A. Robert S. Hartmann.
B. Hill & Knowlton, Inc.

A. Edwin H. Harvey.
B. National Federation of Federal Employees.

A. Paul T. Hasse.
B. Halt, Inc.

A. Gary Hattal.
B. International Federation of Professional & Technical Engineers, AFL-CIO.

A. Kathryn JoAnn Hawes.
B. International Federation of Professional & Technical Engineers, AFL-CIO.

A. Paul M. Hawkins.
B. Health Insurance Association of America.

A. Health Insurance Association of America.

A. Health Research Group.

A. Charles L. Hebner.
B. ICI Americas, Inc.

A. Robert E. Heggestad.
B. Manufactured Housing Institute, Inc.

A. Richard L. Hellwege.
B. Lear Siegler, Inc.

A. Thomas R. Hendershot.
B. Petroleum Heat & Power Co.

A. C. Dayle Henington.
B. Chicago Mercantile Exchange.

A. Bruce Heppen.
B. National Federation of Federal Employees.

A. William G. Herrold.
B. Institute of Electrical and Electronics Engineers.

A. Kevin M. Higgins.
B. Avon Products, Inc.

A. Allan D. Hill.
B. Phillips Petroleum Co.

A. Hill, Christopher & Phillips.
B. Michigan State Housing Development Authority.

A. Hill, Christopher & Phillips.
B. Morgan Guaranty Trust Company of New York.

A. Hill, Christopher & Phillips.
B. Republic National Bank of New York.

A. Gerald Hill.
B. Standard Oil Co. (Indiana).

A. Hill & Knowlton.
B. Florists' Transworld Delivery.

A. Morton A. Hill.
B. Morality in Media, Inc.

A. Beverly Hines.
B. VISA-USA, Inc.

A. Elmo R. Hoffman.
B. Global Exploration & Development.

A. Hoffman, Hendry, Stoner, Sims & Sawicki.
B. Global Exploration & Development.

A. William H. Hoffman, Jr.
B. American Iron & Steel Institute.

A. Niels Holch.
B. Gray & Co. (for American Iron & Steel Institute).

A. Robert L. Holding.
B. Association of Home Appliance Manufacturers.

A. Henry W. Holling.

B. Caterpillar Tractor Co.

A. Richard C. Holmquist.
B. American Mining Congress.

A. Holt Cicatiello Neiswanger & Ross, Inc.
B. New York Mercantile Exchange.

A. John W. Holton.
B. American Bankers Association.

A. Douglass C. Horstman.
B. Maytag Co.

A. Douglass C. Horstman.
B. Northern Textile Association.

A. John F. Horty.
B. National Council of Community Hospitals.

A. Housely Goldberg & Kantarian, P.C.

A. Mary Greer Houston.
B. Hamilton & Associates Inc. (for Farm Labor Research Committee).

A. C.T. Hoversten.
B. National Advertising Co.

A. Virginia A. Hoy.
B. National Multi Housing Council.

A. Margaret Renken Hudson.
B. Korf Industries, Inc.

A. Gary E. Hughes.
B. American Council of Life Insurance.

A. Vester T. Hughes, Jr.
B. Sammons Enterprises, Inc.

A. William E. Hughes, Jr.
B. Northeast Utilities Service Co.

A. Cordell W. Hull.
B. Bechtel Group, Inc.

A. Frederick D. Hunt, Jr.
B. Society of Professional Benefit Administrators.

A. Peter C. Hunt.
B. Brooklyn Union Gas Co.

A. Harry C. Hunter.
B. National Association of Convenience Stores.

A. Gerard F. Hurley.
B. National Club Association.

A. John Edward Hurley.
B. National Association for Free Enterprises.

A. Robert R. Hurt.
B. Merck & Co., Inc.

A. B. Melvin Hurwitz.
B. Mitchell Energy & Development Corp.

A. Gary Hymel.
B. Gray & Co. (for ASARCO).

A. Gary Hymel.
B. Gray & Co. (for General Telephone & Electronics).

A. Gary Hymel.
B. Gray & Co. (for Health Insurance Association of America).

A. Gary Hymel.
B. Gray & Co. (for HTB Corp.)

A. Gary Hymel.
B. Gray & Co. (for Motorola).

A. Gary Hymel.
B. Gray & Co. (for National Association of Homebuilders).

A. Gary Hymel.
B. Gray & Co. (for USO, Inc.).

A. Gary Hymel.
B. Gray & Co. (for Westinghouse Broadcasting).

A. Bernard J. Imming.
B. United Fresh Fruit & Vegetable Association.

A. Independent U.S. Tanker Owners Committee.

A. Nancy J. Ingalsbee.
B. U.S. Ski Association.

A. Inter-American Associates, Inc.
B. Government of Honduras.

A. Inter-American Services, Inc.

A. Roy Jacobsen.
B. Parents & Friends of UAG.

A. Joseph N. Jaquay.
B. Amalgamated Transit Union, AFL-CIO.

A. Donald A. Johnson.
B. Plains Cotton Growers, Inc.

A. Spencer A. Johnson.
B. Paperboard Packaging Council.

A. Barbara W. Johnston.
B. Utah International, Inc.

A. James E. Jones.
B. Appalachian Power Co.

A. James V. Jordan III.
B. Southern Natural Gas Co.

A. Ardon B. Judd, Jr.
B. Dresser Industries, Inc.

A. Geza Kadar, Jr.
B. Health Insurance Association of America.

A. Hans Kaehler.
B. Consultants Research Service.

A. Kaiser Steel Corp.

A. Howard C. Katz.
B. Coffee, Sugar & Cocoa Exchange, Inc.

A. Everett E. Kavanaugh.
B. The Cosmetic, Toiletry & Fragrance Association.

A. Kaye, Scholer, Fierman, Hays & Handler.
B. American Psychoanalytic Association.

A. William J. Keating.
B. National Grain & Feed Association.

A. Vicki R. Keenan.
B. Bechtel Power Corp.

A. Jefferson D. Keith.
B. National Pest Control Association.

A. Don W. Keller.
B. Quintana Petroleum Corp.

A. Don W. Keller.
B. Quintana Refinery Co.

A. Don Kellerman.
B. The Times Mirror Co.

A. Stephen G. Kellison.
B. American Academy of Actuaries.

A. William T. Kendall.
B. Alliance for Free Enterprise.

A. William J. Kenney.
B. Bay State Gas Co.

A. Vytautas Kazimieras Kerbelis.
B. ARAS.

A. Robert M. Ketchel.
B. General Electric Co.

A. Gilbert W. Keyes.
B. The Boeing Co.

A. Earline A. Keyser.
B. Bechtel Power Corp.

A. Richard F. Kibben.
B. The Business Roundtable.

A. Edward J. Kiernan.
B. International Union of Police Associations.

A. Kikkoman Foods, Inc.

A. Daniel L. Kiley.
B. Norfolk & Western Railway Co.

A. Margaret A. Kimball.
B. Bechtel Power Corp.

A. James L. Kimble.
B. American Insurance Association.

A. Francis L. Kinney.
B. Northeast Utilities Service Co.

A. Edward H. King.
B. Walgreen Co.

A. G. Jack King.
B. U.S. Air, Inc.

A. Roger P. Kingsley.
B. American Speech-Language-Hearing Association.

A. Robert B. Kittredge.
B. Loomis, Sayles & Co., Inc. (for Investment Counsel Association of America, Inc.).

A. Allie C. Kleinpeter, Jr.
B. Louisiana Banker's Association.

A. Kline, Knopf & Wojdak, Inc.
B. General Public Utilities Corp.

A. John J. Klocko III.
B. E. I. du Pont de Nemours & Co., Inc.

A. Glenn Knapp.

A. Jeffrey W. Knight.
B. Friends of the Earth.

A. Joe Kramer.
B. Gray & Co. (for HTB Corp.).

A. Stephen W. Kraus.
B. American Council of Life Insurance.

A. Anthony L. Kucera.
B. The American Waterways Operators, Inc.

A. Philip Kugler.
B. American Federation of Teachers.

A. Labor Bureau, Inc.

A. Bruce C. Ladd, Jr.
B. Laclede Gas Co.

A. R. D. Laime.
B. National Education Association.

A. C. P. Lambos.

B. New York Shipping Association.

A. Thomas M. Landin.
B. Smith Kline Corp.

A. B. A. Landy.
B. B.A.L. Co.

A. B. A. Landy.
B. Cryogenic Vacuum Technology Co.

A. Albert E. Lane.
B. People Opposed to Energy Lobby-Potel.

A. Bruce Lanthorn.
B. Douglas County Hospital and M.O.A.A.I.O.A. & Subs, Inc.

A. Reed E. Larson.
B. National Right to Work Committee.

A. Lawrence C. Laser.
B. Cities Service Co.

A. Michael J. Lashbrook.
B. National Rifle Association.

A. Glenn T. Lashley.
B. American Automobile Association.

A. Latham, Watkins & Hills.
B. Kona Coast Co.

A. Theodore A. Lattanzio.
B. National Rifle Association.

A. Louis F. Laun.
B. American Paper Institute, Inc.

A. Linda L. Lawrence.
B. Brown & Root, Inc.

A. Richard A. Legatski.
B. National Ocean Industries Association.

A. Richard J. Lease.

A. Kerley Le Boeuf.
B. National Association of Convenience Stores.

A. LeBoeuf, Lamb, Leiby & MacRae.
B. Underwriters at Lloyd's, London.

A. David A. Lefeve.
B. Merrill Lynch & Co, Inc.

A. Leighton, Conklin, Lemov, Jacobs & Buckley.
B. Advesive & Sealant Council, Inc.

A. Leighton, Conklin, Lemov, Jacobs & Buckley.
B. American Association of Nurse Anesthetists.

A. Leighton, Conklin, Lemov, Jacobs & Buckley.
B. Intraocular Lens Manufacturers Association.

A. Leighton, Conklin, Lemov, Jacobs & Buckley.
B. National Glass Dealers Association.

A. Edward A. Lenz.
B. Health Insurance Association of America.

A. Rodney E. Leonard.
B. Community Nutrition Institute.

A. Richard L. Lesher.
B. Chamber of Commerce of the United States.

A. Robert Lesmeister.
B. National Association of Federally Licensed Firearms Dealers/American Firearms Industry.

A. Joseph Letorney.
B. National Education Association.

A. Leva, Hawes, Symington, Martin & Oppenheimer.
B. American Electric Power Service Corp.

A. Leva, Hawes, Symington, Martin & Oppenheimer.
B. Business Roundtable.

A. Leva, Hawes, Symington, Martin & Oppenheimer.
B. Commerzbank AG.

A. Leva, Hawes, Symington, Martin & Oppenheimer.
B. Consolidated Edison Co. of New York.

A. Leva, Hawes, Symington, Martin & Oppenheimer.
B. Cooperative for American Relief Everywhere, Inc. (CARE).

A. Leva, Hawes, Symington, Martin & Oppenheimer.
B. General Electric Co.

A. Leva, Hawes, Symington, Martin & Oppenheimer.
B. G. K. Technologies, Inc.

A. Leva, Hawes, Symington, Martin & Oppenheimer.
B. Glass Packaging Institute.

A. Leva, Hawes, Symington, Martin & Oppenheimer.
B. Holy Cross Hospital.

A. Leva, Hawes, Symington, Martin & Oppenheimer.
B. National Association for Hospital Development.

A. Leva, Hawes, Symington, Martin & Oppenheimer.
B. National Association of Supermarket Shoppers.

A. Leva, Hawes, Symington, Martin & Oppenheimer
B. Tosco, Inc.

A. Leva, Hawes, Symington, Martin & Oppenheimer.
B. Union Investment GmbH.

A. Manuel Levine.
B. Wood, Lucksinger & Epstein.

A. Charles L. Lewis
B. APGA.

A. James B. Liberman.
B. Public Service Electric & Gas Co., et al.

A. Lillian C. Liburdi.
B. Ganz Mavag.

A. Lillian C. Liburdi.
B. Westinghouse Electric Corp.

A. Russell B. Light.
B. The Boeing Co.

A. Richard A. Lillquist.
B. Flexible Packaging Association.

A. James P. Linse.
B. United Airlines.

A. Elena Linthicum.
B. Allied Corp.

A. Thomas A. Lisk.
B. National Rifle Association.

A. Theodore M. Littman.
B. Rockwell International.

A. H. Richard Lloyd, Jr.
B. General Electric Co.

A. Robert H. Loeffler.
B. State of Alaska.

A. Robert C. Lohse.
B. Service Station Dealers of America, Inc.

A. Nira Hardon Long.
B. National Black Media Coalition.

A. John H. Lonnquist, Jr.
B. Johns-Manville Corp.

A. Robert C. Lower
B. Board of Trade Clearing Corp.

A. James E. Mack.
B. National Association of Mirror Manufacturers.

A. Curtis T. Mackey.
B. NICA.

A. Marion M. Macrae.
B. BankAmerica Corp.

A. Robert L. Maier.
B. Kaiser Aluminum & Chemical Corp.

A. Manatt, Phelps, Rothenberg & Tunney.
B. Institute of Electrical & Electronic Engineers.

A. Manatt, Phelps, Rothenberg & Tunney.
B. National Investment Development Corp.

A. Manchester Associates, Inc.
B. Nissan Motor Co., Ltd.

A. Richard J. Mannix.
B. Brooklyn Union Gas Co.

A. Lawrence D. Markley.
B. Chugach Electric Association, Inc.

A. Ronald Anthony Marks.

A. D. V. Maroney, Jr.
B. Amalgamated Transit Union, AFL-CIO.

A. Chalmers H. Marquis.
B. Agency for Instructional TV.

A. Chalmers H. Marquis.
B. Children's TV Workshop.

A. Reynaldo L. Martinez.
B. National Education Association.

A. E. C. Marty.

A. J. L. Marty.

A. Mike M. Masaoka.
B. American Japanese Trade Committee.

A. Mike M. Masaoka.
B. Nisei Lobby.

A. William F. Massmann.
B. Dr. Pepper Co.

A. C. V. & R. V. Maudlin.
B. Joint Government Liaison Committee.

A. Samuel L. Maury.
B. United States Steel Corp.

A. Charles H. Mauzy.
B. National Education Association.

A. Douglas McAllister.
B. American Mining Congress.

A. William J. McAuliffe, Jr.

B. American Land Title Association.

A. Michael J. McCabe.
B. Allstate Enterprises, Inc.

A. Michael J. McCabe.
B. Allstate Insurance Co.

A. John A. McCahill.
B. United States Olympic Committee.

A. A. R. McCammon.
B. Tennessee Railroad Association.

A. Robert S. McConnaughey.
B. American Council of Life Insurance, Inc.

A. Toni McCrary.
B. American Mining Congress.

A. Patrick J. McDonough.
B. American Personnel & Guidance Association.

A. Dinah D. McElfresh.
B. Hauck & Associates, Inc. (for National Association of Child Care Management).

A. James M. McGarry, Jr.
B. Eaton Associates, Inc.

A. Paul J. McGeady.
B. Morality in Media, Inc.

A. Donna Lee McGee.
B. Burlington Industries, Inc.

A. W. Kurt McGee.
B. Bechtel National, Inc.

A. William P. McGuire.
B. National Rifle Association.

A. William F. McKenna.
B. Housley Goldberg & Kantarian.

A. Robert T. McKernan.
B. American Paper Institute, Inc.

A. William Colm McKeveny.
B. American Pulpwood Association.

A. William G. McMurtrie.
B. William H. Sullivan, Jr.

A. R. E. McWilliams.
B. Boeing Commercial Airplane Co.

A. R. Otto Meletzke.
B. American Council of Life Insurance.

A. Edward A. Merlis.
B. New Energy Corp. of Indiana.

A. Metzger, Shadyac & Schwarz.
B. Melex USA, Inc.

A. Andrice J. Michaels.
B. American Mining Congress.

A. Brenda J. Michaud.
B. Colorado Ski Country, U.S.A.

A. Miller & Chevalier.
B. Hercules, Inc.

A. Dale Miller.
B. Gulf Intracoastal Canal Association.

A. Dale Miller.
B. Texasgulf, Inc.

A. Luman G. Miller.
B. Oregon Railroad Association.

A. Paul J. Miller.
B. Investment Counsel Association of America, Inc.

A. Richard Linde Miller.
B. Boeing Co.

A. Robert H. Miller.
B. Tenneco, Inc.

A. Richard V. Minck.
B. American Council of Life Insurance.

A. Robert M. Moliter.
B. General Electric Co.

A. John V. Moller.
B. Manchester Associates, Ltd. (for Nissan Motor Co.).

A. Herman J. Molzahn.
B. American Waterways Operators, Inc.

A. John C. Monsul.

A. J. Michael Morgan.
B. Popham, Haik, Schnobrich, Kaufman & Doty, Ltd. (for AMAX, Inc.).

A. Morgan, Lewis & Bockius.
B. Knoll Fine Chemicals.

A. Robert Morin.
B. Society of Real Estate Appraisers.

A. Victor G. Morris.
B. Montgomery Ward & Co., Inc.

A. Russell N. Mosher.
B. American Boiler Manufacturers Association.

A. Kelly Holley Mountain.
B. American Paper Institute, Inc.

A. F. A. Muhammad.
B. Prisoners of the State of Indiana.

A. Lawrence P. Mutter.
B. Automotive Parts Rebuilders Association.

A. Paul J. Myer.
B. American Broadcasting Co.

A. National Association for Free Enterprise.

A. National Association of Convenience Stores.

A. National Club Association.

A. National Consumer Center for Legal Services.

A. National Council for a Responsible Firearms Policy.

A. National Grain and Feed Association.

A. National Outdoor Coalition.

A. National Pest Control Association.

A. National Turkey Federation.

A. National Wheel & Rim Association.

A. Carolyn B. Nelson.
B. Metropolitan Properties, Inc.

A. Mark D. Nelson.
B. E. I. du Pont de Nemours & Co., Inc.

A. Michael A. Nemeroff.
B. Sidley & Austin (for DeKalb AgResearch, Inc.).

A. Michael A. Nemeroff.
B. Sidley & Austin (for Stern Electronics, Inc.).

A. Milton E. Neshek.
B. Godfrey, Pfeil & Neshek, S.C. (for Kikkoman Foods, Inc.).

A. New York Committee of International Committee of Passenger Lines.

A. Nissan Motor Co., Ltd.

A. North American Export Grain Association, Inc.

A. C. D. Nyberg.
B. Geo. A Hormel & Co.

A. M. Eileen O'Brien.
B. Dow Corning Corp.

A. O'Connor & Hannan.
B. American Institute of Certified Public Accountants.

A. O'Connor & Hannan.
B. Automotive Parts & Accessories Association.

A. O'Connor & Hannan.
B. Commonwealth of Puerto Rico.

A. O'Connor & Hannan.
B. Hennepin County.

A. O'Connor & Hannan.
B. Investment Company Institute.

A. O'Connor & Hannan.
B. Investors Diversified Services, Inc.

A. O'Connor & Hannan.
B. John Nuveen & Co.

A. O'Connor & Hannan.
B. Westinghouse.

A. John B. O'Day.
B. Insurance Economics Society of America.

A. Ashton J. O'Donnell.
B. Bechtel National, Inc.

A. John A. O'Donnell.
B. Philippine Sugar Commission.

A. R. Q. Old & Associates, Inc.
B. General Electric Co.

A. R. Q. Old & Associates, Inc.
B. Gould, Inc.

A. R. Q. Old & Associates, Inc.
B. Grumman Aerospace Corp.

A. R. Q. Old & Associates, Inc.
B. Hughes Aircraft Co.

A. R. Q. Old & Associates, Inc.
B. Sperry Division.

A. Robert A. Olexy.
B. Browning-Ferris Industries.

A. Alvin E. Oliver.
B. National Grain & Feed Association.

A. Nancy J. Olson.
B. Johns-Manville Corp.

A. Roy Olson.
B. American Paper Institute, Inc.

A. Lee W. Paden.
B. Public Service Co. of Oklahoma.

A. Paperboard Packaging Council.

A. Douglas L. Parker.
B. Institute for Public Representation.

A. David J. Pattison.

B. Health Insurance Association of America.

A. Patton, Boggs & Blow.
B. New Process Co.

A. Larry E. Paulick.
B. National Spa & Pool Institute.

A. Richard A. Paysor.
B. First Capitol Associates-Gateway, Inc.

A. Peabody, Rivlin, Lambert & Meyers.
B. Tuna Research Foundation.

A. David Peltier.

A. Pepper, Hamilton & Scheetz.
B. Coalition of Concerned Charities.

A. Victor J. Perini, Jr.
B. Highway Users Federation for Safety & Mobility.

A. John J. Pesch.
B. Northrop Corp.

A. Gwen Pharo.
B. Oilfield Industrial Lines.

A. Richard F. Phillips.
B. Phillips Petroleum Co.

A. Paul E. Pierce.
B. Service Station Dealers of America, Inc.

A. Pierson, Ball & Dowd.
B. Dun & Bradstreet Corp.

A. Pierson, Ball & Dowd.
B. General Tire & Rubber Co.

A. Pierson, Ball & Dowd.
B. Turner Elementary School, Neighborhood School Council.

A. Stuart F. Pierson.
B. Commonwealth of Puerto Rico, et al.

A. Ronald L. Platt.
B. Burger King Corp.

A. Wyll W. Pleger.
B. Brown & Root, Inc.

A. Robert Plett Associates, Ltd.

A. Michael A. Poling.
B. American Mining Congress.

A. Nathaniel Polster.
B. Research to Prevent Blindness, Inc.

A. Henry E. Poole.
B. Avon Products, Inc.

A. Powell, Goldstein, Frazer & Murphy.
B. Lincoln Property Co.

A. Janet Power.
B. Visa-USA, Inc.

A. Graydon R. Powers, Jr.
B. Scientific Apparatus Makers.

A. Preston, Thorgrimson, Ellis & Holman.
B. State of Alaska.

A. Preston, Thorgrimson, Ellis & Holman.
B. American Waterways Shipyard Conference.

A. Preston, Thorgrimson, Ellis & Holman.
B. BPA Industrial Customers.

A. Preston, Thorgrimson, Ellis & Holman.
B. Chugach Natives, Inc.

A. Preston, Thorgrimson, Ellis & Holman.
B. Commercial Union Assurance Co.

A. Preston, Thorgrimson, Ellis & Holman.
B. Dravo Corp.

A. Preston, Thorgrimson, Ellis & Holman.
B. Northern Tier Pipeline Co.

A. Preston, Thorgrimson, Ellis & Holman.
B. Port of Seattle.

A. Preston, Thorgrimson, Ellis & Holman.
B. Ronan Telephone Co.

A. Preston, Thorgrimson, Ellis & Holman.
B. Tennessee Gas Pipeline Co.

A. Preston, Thorgrimson, Ellis & Holman.
B. United States Cruises.

A. Preston, Thorgrimson, Ellis & Holman.
B. Washington Natural Gas.

A. Preston, Thorgrimson, Ellis & Holman.
B. Yardarm Knot Corp.

A. Keith A. Pretty.
B. Standard Oil Co. (Indiana).

A. Provident Indemnity Life Insurance Co.

A. Gerald H. Pugh.
B. Combined Insurance Company of America.

A. David E. Pullen.
B. Johns-Manville Corp.

A. Earle W. Putnam.
B. Amalgamated Transit Union, AFL-CIO.

A. James M. Quigley.
B. Champion International Corp.

A. William A. Quinlan
B. Retail Bakers of America.

A. Quintana Refinery Co.

A. Rare Animal Relief Effort.

A. Carol Raulston.
B. American Paper Institute, Inc.

A. Julian O. Read
B. Central & South West Corp.

A. Robert E. Redding.
B. Shippers National Freight Claim Council.

A. Martha L. Rees.
B. E. I. du Pont De Nemours & Co.

A. Reid & Priest.
B. Shanghai Power Co.

A. Harry O. Reinsch.
B. Bechtel Power Corp.

A. Murray P. Reiser.
B. Edward Blankstein, Inc.

A. W. W. Renfroe.
B. Kentucky Railroad Association.

A. John H. Reurs.
B. New York Committee of International Committee of Passenger Lines.

A. John T. Richardson.
B. Monsanto Co.

A. Russell W. Richardson.
B. Lear Siegler, Inc.

A. Don L. Ricketts.
B. American Mining Congress.

A. Mark J. Riedy.
B. Mortgage Bankers Association of America.

A. James E. Ritchie.
B. National Association of Optometrists & Opticians, Inc.

A. Stark Ritchie.
B. American Petroleum Institute.

A. George Roberts.
B. National Education Association.

A. Ronn Robinson.
B. National Education Association.

A. Robinson, Silverman, Pearce, Aronsohn & Berman.
B. National Realty Committee, Inc.

A. Willi Roelli.
B. Volkart Brothers, Inc.

A. Susan Rogers.
B. National Rifle Association.

A. Rogers & Wells.
B. A. Johnson & Co., Inc.

A. Rogers & Wells.
B. Merrill Lynch International, Inc.

A. Rogers & Wells.
B. Merrill Lynch Leasing, Inc.

A. Rogers & Wells.
B. Pan American World Airways, Inc.

A. Rogers & Wells.
B. F. & M. Schaefer Corp.

A. Rogers & Wells.
B. Squibb Corp.

A. Rogers & Wells.
B. Teachers Insurance & Annuity Association/CREF.

A. Rogers & Wells.
B. Twentieth Century Fox Film Corp.

A. Carole M. Rogin.
B. Hauck & Associates, Inc. (for National Association for Child Care Management).

A. Kenneth S. Rolston, Jr.
B. American Pulpwood Association.

A. Gary W. Rossow.
B. Motor Vehicle Manufacturers Association.

A John W. Rowland.
B. Amalgamated Transit Union, AFL-CIO.

A. Eric M. Rubin.
B. Meadville Corp.

A. Eric M. Rubin.
B. Outdoor Advertising Association of America.

A. Paul M. Ruden.
B. Wilner & Scheiner (for American Society of Travel Agents, Inc.).

A. Herman Max Ruth.

A. Sammons Enterprises, Inc.

A. Dale E. Schell.
B. GATX Corp.

A. Walter A. Schumann III.
B. Potomac Overlook Associates.

A. Steve A. Schwartz.
B. International Federation of Professional & Technical Engineers, AFL-CIO.

A. Charles M. Seeger III.

B. Popham, Haik, Schnobrich, Kaufman & Doty, Ltd. (for Chicago Mercantile Exchange).

A. Charles M. Seeger III.
B. Popham, Haik, Schnobrich, Kaufman & Doty, Ltd. (for Glenrock Refinery, Inc.).

A. Donald H. Seifman.
B. Seifman & Lechner (for United Food & Commercial Workers International Union).

A. David Senter.
B. American Agriculture Movement, Inc.

A. Yvonne L. Shafer.
B. National Education Association.

A. Barbara J. Shailor.
B. International Association of Machinists & Aerospace Workers.

A. Seymour Sheriff.
B. Man-Made Fiber Producers Association, Inc.

A. Russell L. Shipley, Jr.
B. National Candy Wholesalers Association, Inc.

A. Shipley, Smoak & Akerman.
B. Bluejay Oil Co.

A. Shipley, Smoak & Akerman.
B. WBNO Radio and WLKM Radio.

A. Shippers National Freight Claim Council.

A. Mary Frances Shlagel.
B. Union Oil of California.

A. A. Z. Shows & Co.

A. Barbara A. Silverman.
B. Provident Indemnity Life Insurance Co.

A. Robert C. Singer.
B. Soap & Detergent Association.

A. Carstens Slack.
B. Phillips Petroleum Co.

A. Small Business Council of America, Inc.

A. Peter Small & Associates, Inc.
B. William M. Mercer, Inc.

A. James R. Smircina.
B. Cleveland Electric Illuminating Co.

A. Douglas J. Smith.
B. Small Business On-Premise Sign Foundation.

A. Douglas J. Smith & Associates.
B. Sperry Corp.

A. Douglas S. Smith.
B. Noranda Mining, Inc.

A. Gordon L. Smith.
B. Hill and Knowlton, Inc. (for Florists' Transworld Delivery).

A. Robert Wm. Smith.
B. Railway Progress Institute.

A. Thomas Blaisdell Smith.
B. Community Nutrition Institute.

A. Snyder & Ball Associates, Inc.
B. Aerojet-General Corporation.

A. Snyder & Ball Associates, Inc.
B. DSP, Inc.

A. Snyder & Ball Associates, Inc.
B. Gould, Inc.

A. Charles W. Snyder.
B. Bechtel Financing Services, Inc.

A. Richard D. Snyder.
B. Asphalt Roofing Manufacturers Association.

A. William A. Speary.
B. Browning-Ferris Industries, Inc.

A. John F. Speer, Jr.
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation.

A. William C. Spence.
B. Columbia Gulf Transmission Co.

A. Earl C. Spurrier.
B. Monsanto Co.

A. Elisabeth A. Squeglia.
B. American Small & Rural Hospital Association.

A. Melvin R. Stahl.
B. Motorcyle Industry Council.

A. David P. Stang.
B. Superlite Builders Supply, Inc.

A. Walter M. Starke.
B. Southern Natural Gas Co.

A. Robert R. Statham.
B. Committee for Commercial Energy Conservation.

A. Charles D. Statton.
B. Bechtel Power Corp.

A. Samuel E. Stavisky.
B. Samuel E. Stavisky & Associates, Inc. (for Broadcast Music, Inc.).

A. Samuel E. Stavisky & Associated, Inc.
B. Broadcast Music, Inc.

A. Leon P. Stavrou.
B. American Hellenic Institute Public Affairs Committee, Inc.

A. David J. Steinberg.
B. National Council for a Responsible Firearms Policy.

A. Travis B. Stewart.
B. Hoffmann-La Roche, Inc.

A. Steven F. Stockmeyer.
B. National Multi Housing Council

A. O. R. Strackbein.
B. International Allied Printing Trades Association.

A. Roger Stroh.
B. United Fresh Fruit and Vegetable Association.

A. George Strumpf.
B. Group Health Association of America, Inc.

A. Austin P. Sullivan, Jr.
B. General Mills, Inc.

A. Thomas M. Susman.
B. William Carter Co.

A. William W. Suttle.
B. American Insurance Association.

A. John R. Sweeney.
B. Bethlehem Steel Corp.

A. A. B. Swindell IV.
B. North Carolina Railroad Association.

A. Merribel Symington.
B. Champion International Corp.

A. Elinor D. Talmadge.
B. Tanners' Council of America, Inc.

A. H. William Tanaka.
B. Bridgestone Tire Co., Ltd.

A. Clayton C. Taylor.
B. McDonald's Corp.

A. Frank A. Taylor.
B. National Federation of Federal Employees.

A. Teamsters for Democratic Union.

A. Thevenot, Murray & Scheer.
B. Swaziland Sugar Association.

A. Barbara Brendes Thies.
B. Planning Research Corp.

A. John W. Thomas.
B. American Veterinary Medical Association.

A. John W. Thomas.
B. Association of American Veterinary Medical Colleges.

A. Lawrence L. Thomas.
B. Bechtel Power Corp.

A. Boyd Thompson.
B. American Association of Foundations for Medical Care.

A. Boyd Thompson.
B. American Association of Professional Standards Review Organizations.

A. Robert N. Thomson.
B. Moore McCormack Resources.

A. Title Associates, Inc.

A. M. Douglas Todd.
B. Northrop Corp.

A. Edward Tonat.
B. Robert Goff & Associates.

A. Jeff Trammell.
B. Gray & Co. (for General Telephone and Electronics).

A. Jeff Trammell.
B. Gray & Co. (for Health Insurance Association of America).

A. Jeff Trammell.
B. Gray & Co. (for Motorola).

A. Jeff Trammell.
B. Gray & Co. (for Westinghouse Broadcasting).

A. Transportation Association of America.

A. Robert C. Troup.

A. Rebecca C. True.
B. Browning-Ferris Industries, Inc.

A. Philip J. Tulimieri, Jr.
B. Avon Products, Inc.

A. 23rd Congressional District Action Committee.

A. Harold R. Tyler, Jr.
B. International Paper Co.

A. Joseph R. Tyler.

B. U.S. Fiber Corp.

A. United Services Automobile Association.

A. United States Ski Association.

A. Drew A. Upton.
B. Scientific Apparatus Makers Association.

A. Mathew T. Valencie.
B. Halt, Inc.

A. Richard F. Vander Veen.
B. American Seating Co.

A. R. Dick Vander Woude.
B. National Education Association.

A. Nick L. Van Nelson.
B. Champion International Corp.

A. A. Randall Vehar
B. United Mine Workers of America.

A. Jerry T. Verkler
B. Texas Eastern Transmission Corp.

A. C. John Vermilye.
B. United States Steel Corp.

A. Verner Liipfert, Bernhard & McPherson.
B. Semiconductor Industry Association.

A. Frank A. Verrastro.
B. Tosco Corp.

A. John C. Vickerman.
B. International Conference Industry Association.

A. Brenda R. Viehe-Naess.
B. American Insurance Association.

A. R. Eric Vige.
B. Cities Service Co.

A. Marcos Von Goiman.
B. Guyana Airways.

A. Vorys, Sater, Seymour & Pease.
B. Canadian Cablesystems, Ltd.

A. Vorys, Sater, Seymour & Pease.
B. Committee of Publicly Owned Cos.

A. Vorys, Sater, Seymour & Pease.
B. Grocery Manufacturers of America.

A. Vorys, Sater, Seymour & Pease.
B. J. Paul McNamara.

A. Vorys, Sater, Seymour & Pease.
B. Mowsafe Products, Inc.

A. Vorys, Sater, Seymour & Pease.
B. North American Soccer League.

A. Vorys, Sater, Seymour & Pease.
B. Virginia State University.

A. Vorys, Sater, Seymour & Pease.
B. Wagnalls Memorial.

A. Catherine Waelder.
B. National Federation of Federal Employees.

A. Howard W. Wahl.
B. Bechtel Power Corp.

A. Christine M. Waisanen.
B. ICI Americas Inc.

A. Linda Walker-Hill.
B. Hill & Knowlton, Inc.

A. Warren W. Walkley.
B. General Electric Co.

A. Carl S. Wallace.
B. Purolator, Inc.

A. R. C. Wallace.
B. Amalgamated Transit Union, AFL-CIO.

A. Lionel L. Wallenrod.
B. American Paper Institute.

A. Bonnie B. Wan.
B. Montgomery Ward & Co., Inc.

A. Alan S. Ward.
B. Baker & Hostetler (for Soap & Detergent Association).

A. G. Fletcher Ward, Jr.
B. Montgomery Ward & Co., Inc.

A. John E. Ward.
B. Meat Importers Council of America, Inc.

A. George M. Warden.
B. Hill & Knowlton.

A. Clarke R. Watson.
B. Westland Companies.

A. Horace S. Webb.
B. Iowa Electric Light & Power Co.

A. Jack R. Wehrly.
B. Dow Corning Corp.

A. Robert E. Weigend, Jr.
B. Communications Satellite Corp.

A. Thomas F. Wenning.
B. National Association of Retail Grocers of the United States.

A. West Texas Land & Royalty Owners Association.

A. William Whichard, Jr.
B. Union Oil Co. of California.

A. Clem White.
B. DSM North America & Subsidiaries.

A. White, Fine & Verville.
B. Turlock Irrigation District.

A. John T. White II.

A. Wickwire, Lewis, Goldmark & Schorr.
B. Mayor and City of Seattle.

A. Richard J. Wiechmann.
B. American Paper Institute, Inc.

A. Guenther O. Wilhelm.
B. Exxon Corp.

A. Wilkinson, Cragun & Barker.
B. Confederated Salish & Kootenai Tribes of the Flathead Reservation.

A. Wilkinson, Cragun & Barker.
B. European Travel Commission.

A. Wilkinson, Cragun & Barker.
B. NANA Regional Corp.

A. David K. Willis.
B. Motor Vehicle Manufacturers Association of the United States, Inc.

A. Wilmer, Cutler & Pickering.
B. Browning-Ferris Industries, Inc.

A. Wilmer, Cutler & Pickering.
B. Dealer Bank Association.

A. Wilmer, Cutler & Pickering.
B. Morgan Guaranty Trust Co.

A. Wilmer, Cutler & Pickering.
B. Motor Vehicle Manufacturers Association of the United States, Inc.

A. Wilmer, Cutler & Pickering.
B. National Corporation for Housing Partnerships.

A. Wilmer, Cutler & Pickering.
B. Owens-Illinois.

A. Dorothy R. Wilson.
B. Coalition of Concerned Charities.

A. Judith A. Winchester.
B. City of Philadelphia.

A. James R. Winnie.
B. Cities Service Gas Co.

A. Curtin Winsor, Jr.
B. Alliance for Free Enterprise.

A. Winston & Strawn.
B. American Association of Museums.

A. Winston & Strawn.
B. Building Owners & Managers Association, Inc.

A. Winston & Strawn.
B. Cummins Engine Co., Inc.

A. Ann R. Wise.
B. Hollingsworth & Vose Co.

A. Richard F. Witherall.
B. Colorado Railroad Association.

A. Witkowski, Weiner, McCaffrey & Brodsky.
B. Kankakee, Beaverville & Southern Railroad.

A. Glenn P. Witte.
B. International Association of Ice Cream Manufacturers/Milk Industry Foundation.

A. Sidney M. Wolfe.
B. Health Research Group.

A. Benjamin Wolff.
B. United States Windpower.

A. Ronald Wolsey
B. Amoco Oil Co.

A. Dee Workman.
B. Mobil Oil Corp.

A. Frederick S. Wyle.
B. Federated States of Micronesia.

A. Wyman, Bautzer, Rothman, Kuchel & Silbert.
B. American Boiler Manufacturers Association.

A. Wyman, Bautzer, Rothman, Kuchel & Silbert.
B. Eklutna, Inc.

A. Wyman, Bautzer, Rothman, Kuchel & Silbert.
B. Filmways, Inc.

A. Marc D. Yacker.
B. American Paper Institute, Inc.

A. Edward A. Yopp.
B. State National Bank of El Paso.

A. Michael Zagorac, Jr.
B. Jack Eckerd Corp.

A. Janice Zarro.
B. Avon Products, Inc.

A. Thomas K. Zaucha.

B. Cooperative Food Distributors of America.

A. Myron Zeitz.

B. Community Nutrition Institute.

A. Carl Zwisler.

B. International Franchise Association.

HOUSE OF REPRESENTATIVES—*Monday, November 30, 1981*

The House met at 12 o'clock noon.

Rev. Don Duvall, pastor, First Baptist Church, Dripping Springs, Tex., offered the following prayer:

Lord, we pray that You would teach us how to live and love so we can be an example to others. Help each of us to have a vision of complete honesty and freedom.

Give us the courage to seek Your wisdom and knowledge and the strength to stand on sound convictions as we make decisions each day.

Make us aware that faith properly used can still move mountains; love properly used can change worlds. This we pray in Jesus' name. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last legislative day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed a concurrent resolution of the House of the following title:

H. Con. Res. 220. Concurrent resolution providing for the commemoration of the 100th anniversary of the birth of Franklin Delano Roosevelt.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1098) entitled "An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes."

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 708. An act to amend and clarify the Foreign Corrupt Practices Act of 1977;

S. 1192. An act to amend the National Visitor Center Facilities Act of 1968 to provide for the rehabilitation and completion of Union Station in Washington, District of Columbia, and for other purposes; and

S. Con. Res. 45. Concurrent resolution expressing the sense of the Congress with respect to the rights of the people of Afghanistan.

WHITE HOUSE CONFERENCE ON AGING

(Mr. PEYSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PEYSER. Mr. Speaker, in the past, White House Conferences on the Aging have produced important results in legislation affecting the elderly. Medicare and the Older Americans Act are two outstanding contributions of past conferences.

Today, the 1981 Conference opens and the heavy shadow of White House politics has already cast doubt on the outcome. I and many Members of Congress are hopeful, Mr. President, that you will lift the restraints that have been placed on the representatives of our 26 million senior citizens. If there ever was a need and a time for free expression to help this important segment of our country, it is now.

Mr. President, you, as the oldest elected President of the United States, should recognize that the elderly have a great deal to contribute. Please give them a chance.

CHAIRMAN ROSTENKOWSKI CALLS FOR NEW, REALISTIC ECONOMIC POLICY

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. STARK) is recognized for 5 minutes.

● Mr. STARK. Mr. Speaker, on November 19, 1981, our colleague, the chairman of the Ways and Means Committee (Mr. ROSTENKOWSKI), addressed the members of the American Stock Exchange gathered in Chicago on the state of the economy and on the desperate need for a new, more realistic economic policy by the administration.

Our chairman's speech was both challenging and thought provoking. I would like to include it at this point in the RECORD for the benefit of all the Members.

Our colleague's speech documents how the tax bill of this summer "went too far" and why the administration and the business community must now work together with the Congress to repair the damage:

He (the President) has got to make it clear that he is prepared to accept some trade-offs between tax increases and budget cuts; between deeper cuts in domestic programs and smaller increases in defense spending. He's got to get out of the laboratory—and out on the streets where social and economic policy is ultimately made.

Mr. Speaker, the full text of Mr. ROSTENKOWSKI's speech is as follows:

I've spent so many years defending presidential policy that I find the role of "Mr.-I-told-you-so" not only strange, but uneasy. Many of you on the American Stock Exchange supported the President's tax and budget bills. I and most others in Congress—Democrats and Republicans—shared (and continue to share) the President's original goals of increased savings, investment and productivity. We all agreed that capital formation incentives were needed to rev up productivity. Last April, when the Administration was still talking about two tax bills, I introduced the original list of savings and investment tax reforms—including expanded individual retirement accounts and Keogh Plans for long-term savings and a drop in the maximum tax rate capital gains from 70 to 50 percent.

Where most Democrats ultimately disagreed with the President was over the size and duration of the tax cut. My original proposal of a one-year, $40 billion tax bill ran smack into an ideological wall. The notion that Congress would willingly extend—or even increase—the personal tax cut if the economy grew was rejected by the President and his supply-side advisors. Instead, they demanded (and won) a three-year cut—followed by an indexed income tax system—amounting to $750 billion over the next five years. They put all their chips on the table. There was no hedging against the possibility that the economy would fail to take flight. Apparently, no one (with the belated exception of David Stockman) had the least doubt that Americans would be less than bullish on Reaganomics.

Matching $750 billion in tax cuts against $200 billion in budget cuts (completely putting aside defense spending) does not invite overconfidence from the "hard money" managers. A balanced budget in 1984—the battle cry of Reaganomics—has now been abandoned. The resulting Federal assault on the credit markets will only stiffen long-term interest rates.

David Stockman's candid admission that the Administration's economic assumptions were little more than wishful thinking—that the pursuit of political victory overrode any consideration of economic reality—have futher destroyed faith in the President's economic theories.

No one ever told us that a full blown recession was to initiate the supply-side miracle. No one told us that unemployment would reach nine percent—or that economic growth may only hit one percent for all of next year.

No longer is the Administration talking about a shallow recession. Predictions of a strong recovery by mid-year are less and less convincing, as the supply-siders jockey for position with the monetarists for dominance at the White House.

The President is receiving little help from his own party in Congress—especially those who face election next year. Senate Republicans are backing away from budget cuts and looking hard at tax increases as a way of closing the enormous deficit gap.

So much for history. The onset of a recession—contrary to all forecasts—is not novel to Washington. Nor are the embarrassing contradictions and disarray within the Administration.

The question is "what now"?

It's the President's call. He has proven himself a formidable politician—an unquestioned leader who can arouse public support and focus the heat on Congress. The country wants Ronald Reagan to succeed.

But, Wall Street and business leaders like you are not going to cling to Reaganomics in its present form. From now on, seeing is believing. The President must send a strong message to the financial markets that the day of the "rosy scenario" is over—that he is ready to produce a credible budget, based on credible economic assumptions and credible odds of fighting it through Congress.

The President has two choices as he presents his budget in January. He can "hang tough," claiming that Congress is to blame for the recession. And then add billions more in social cuts to the list for 1983 and beyond.

Or he can concede that his theory was faulty and return to a more conservative approach to the boom and bust syndrome in national economic policy by adopting a formula that tempers today's highly expansive fiscal policy and tight monetary policy.

He may not be able to balance the budget in 1984, but it's absolutely essential to give you in the private sector the confidence that deficits can be brought down to manageable levels.

And that means setting a new balance of spending and tax measures next year. It's going to take a bit of tongue biting and political moxie, but the President must face the fact that the tax bill went too far. The revenue hemorrhage is too great. He's also got to face the fact that Congress is indeed a representative body—that we're a pretty fair measure of how much punishment this nation will take—that budget cuts, especially in social programs, have very real, very human, limits.

He's got to make it clear that he is prepared to accept some trade-offs between tax increases and budget cuts; between deeper cuts in domestic programs and smaller increases in defense spending. He's got to get out of the laboratory—and out on the streets where social and economic policy is ultimately made.

Until you and the millions of Americans who invest in your companies believe that economic policy is shifting to a sounder foundation, interest rates will continue to strangle growth. All those billions of dollars in capital formation incentives will sit out there gathering dust. The tentative equilibrium between wages and prices will break down and the inflationary race will be on. And bitterness bred by the highest rate of unemployment since the Depression will turn the economic debate into a political street fight.

Business pressure provided the margin of victory for the President's original economic plan. The euphoria of last November's mandate for change—the prospect of so many billions of dollars in tax relief—and the residual frustration with Washington—presented an invitation you couldn't turn down. I'll never forget trying to turn around a vote on the tax bill as the telephones rang off the hook in the next office, and telegrams from CEOs and plant managers arrived in mail sacks. More than any other factor in the closing days of the tax debate, the business lobby tipped the balance. Take it from a man who's fought this fight for 23 years, it was a superb performance.

But that season is over. Much of what was said last summer has faded; much of what was promised is forgotten. The economy is now headed into winter. And the mandate for change is even more critical now than it was a year ago. The business sector has proven its power to force change. You have a unique compact with this Administration. It's time you returned to the White House and the Treasury with an appeal for realism. If dogma continues to prevail over discretion, next year will be traumatic.

I am not a lawyer or an economist. I am a pragmatic politician—a realist. I am chairman of the Ways and Means Committee, the most critical economic forum in Congress. The last thing we wanted in 1981 was a political battle over the economy—and it's the last thing we want in 1982.

If the economy continues to slide at its present rate, the country can't stand the delay of a political battle.

You have the opportunity to use your influence not only to change the structure of economic policy—but also in the way that policy is brought to Capitol Hill. I hope you can convince the Administration that it is far more productive to seek compromise with Congress than an all-out political victory over Congress. A new era of diplomacy along Pennyslvania Avenue would be a welcome turn.●

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BEILENSON) to revise and extend their remarks and include extraneous material:)

Mr. STARK, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GONZALEZ, for 15 minutes, today.

Mr. COELHO, for 5 minutes, today.

Mr. ALEXANDER, for 30 minutes each day on December 7, 8, 9, 10, and 11.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. BEREUTER) and to include extraneous matter:)

Mr. NELLIGAN.

Mr. GILMAN.

(The following Members (at the request of Mr. BEILENSON) and to include extraneous matter:)

Mr. BEILENSON.

Mr. D'AMOURS.

Mr. ANDERSON in 10 instances.

Mr. GONZALEZ in 10 instances.

Mr. BROWN of California in 10 instances.

Mr. ANNUNZIO in six instances.

Mr. JONES of Tennessee in 10 instances.

Mr. BONER of Tennessee in five instances.

Mr. PEASE.

Mr. AUCOIN.

Mr. FAUNTROY.

SENATE BILL AND CONCURRENT RESOLUTION REFERRED

A bill and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 708. An act to amend and clarify the Foreign Corrupt Practices Act of 1977; to the Committee on Energy and Commerce.

S. Con. Res. 45. Concurrent resolution expressing the sense of the Congress with respect to the rights of the people of Afghanistan; to the Committee on Foreign Affairs.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. HAWKINS, from the Committee on House Administration, reported that that committee did on November 23, 1981, present to the President, for his approval, a joint resolution of the House of the following title:

H.J. Res. 368. Joint resolution making further continuing appropriations for the fiscal year 1982.

ADJOURNMENT

Mr. BEILENSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 6 minutes p.m.) under its previous order, the House adjourned until Thursday, December 3, 1981, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2575. A letter from the Comptroller General of the United States, transmitting his review of the proposed rescissions and deferrals of budget authority contained in the message from the President dated October 23, 1981, pursuant to section 1014 (b) and (c) of Public Law 93-344; to the Committee on Appropriations.

2576. A letter from the Assistant Secretary of Defense (Comptroller), transmitting a list of contract award dates for the period November 15, 1981, to February 15, 1982, pursuant to 10 U.S.C. 139; to the Committee on Armed Services.

2577. A letter from the Deputy Assistant Secretary of Defense (Facilities, Environment, and Economic Adjustment), transmitting notice of the location, nature, and estimated cost of various construction projects proposed to be undertaken by the Naval and Marine Corps Reserve, pursuant to 10 U.S.C. 2233a(1); to the Committee on Armed Services.

2578. A letter from the Deputy Assistant Secretary of Defense (Facilities, Environment, and Economic Adjustment), transmitting notice of the location, nature, and estimated cost of various construction projects proposed to be undertaken by the Army Reserve, pursuant to 10 U.S.C. 2233a(1); to the Committee on Armed Services.

2579. A letter from the District of Columbia Auditor, transmitting a report on "Acquisition and Renovation of 1133 North Capitol Street", pursuant to section 455 of Public Law 93-198; to the Committee on the District of Columbia.

2580. A letter from the Secretary of Transportation, transmitting a report on separation of passenger and freight operations in the Northeast corridor, pursuant to section 703(3)(B)(v) of Public Law 94-210; to the Committee on Energy and Commerce.

2581. A letter from the General Counsel, Department of Energy, transmitting notice of a meeting relating to the International Energy Program to be on December 1, 1981, in Paris, France; to the Committee on Energy and Commerce.

2582. A letter from the Director of Policy, Planning and Analysis, Department of Energy, transmitting the ninth report on the Economic Impact of Energy Actions covering the period July 1, 1980 through June 30, 1981, pursuant to section 18(d), Public Law 93-275; to the Committee on Energy and Commerce.

2583. A letter from the Secretary of State, transmitting notice of determination to furnish assistance to private sector organizations operating within the country of Nicaragua, pursuant to section 620(g) of the Foreign Assistance Act of 1961; to the Committee on Foreign Affairs.

2584. A letter from the Acting Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

2585. A letter from the Assistant Secretary for Congressional Relations, transmitting a text of agreements between the American Institute in Taiwan and the Coordination Council for North American Affairs, pursuant to section 12(a) of Public Law 96-8; to the Committee on Foreign Affairs.

2586. A letter from the Assistant Secretary for Congressional Relations, transmitting notice of the State Department's intention to consent to a request by the Government of Brazil for permission to transfer certain U.S. origin defense articles to the Government of the Republic of Korea, pursuant to section 3(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2587. A letter from the Assistant Secretary of the Treasury for Legislative Affairs, transmitting additional reports of the International Bank for Reconstruction, and the Asian Development Bank, pursuant to public law; to the Committee on Foreign Affairs.

2588. A letter from the Secretary of Defense, transmitting the semiannual report on the activities of the audit, inspection, and investigative units of the Department of Defense, covering the period ended September 30, 1981, pursuant to section 8(a)(1) of Public Law 95-452; to the Committee on Government Operations.

2589. A letter from the Assistant Secretary for Administration, Department of Housing and Urban Development, transmitting notice of a proposed new records system, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

2590. A letter from the Comptroller General of the United States, transmitting a list of reports issued or released by the General Accounting Office during October 1981, pursuant to section 234 of the Legislative Reorganization Act of 1970; to the Committee on Government Operations.

2591. A letter from the Comptroller General of the United States, transmitting a report on the Department of Defense's effectiveness and efficiency in managing land on military bases (PLRD-82-9, November 25, 1981); jointly, to the Committees on Government Operations and Armed Services.

2592. A letter from the Comptroller General of the United States, transmitting the third report, required annually by the Outer Continental Shelf Lands Act Amendments of 1978, concerning (OCS) wells to be shut-in or to flare natural gas, (EMD-8-17, November 19, 1981); jointly, to the Committees on Government Operations and Interior and Insular Affairs.

2593. A letter from the Plan Administrator, Farm Credit Banks of Omaha, transmitting the annual report of the District's Retirement Plan for calendar year 1980, pursuant to section 121(a)(2) of the Budget and Accounting Procedures Act of 1950, as amended; to the Committee on Government Operations.

2594. A letter from the Comptroller General of the United States, transmitting a report and recommendation concerning the claim of the Virginian-Pilot and the Ledger-Star for advertising provided for the Naval Facilities Engineering Command, Norfolk, Va., pursuant to the act of April 10, 1928 (45 Stat. 413, 31 U.S.C. 236); to the Committee on the Judiciary.

2595. A letter from the U.S. Trade Representative, transmitting a draft of proposed legislation to amend section 2 of the International Coffee Agreement Act of 1980; to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. RODINO (for himself, Mr. BUTLER, Mr. BROOKS, Mr. EVANS of Georgia, Mr. FISH, Mr. HUGHES, Mr. HYDE, Mr. IRELAND, Mr. JOHNSTON, Mr. MAZZOLI, Mr. MCCLORY, Mr. MOORHEAD, Mr. RAILSBACK, and Mr. WHITLEY):

H.R. 5106. A bill to amend the Clayton Act to modify the amount of damages payable to foreign states and instrumentalities of foreign states which sue for violations of the antitrust laws; to the Committee on the Judiciary.

By Mr. RODINO (for himself, Mr. EVANS of Georgia, and Mr. BUTLER):

H.R. 5107. A bill to amend title 28, United States Code, to provide improved retirement benefits for bankruptcy judges, and for other purposes; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

226. By the SPEAKER: Memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to Americans listed missing in action during the Vietnam conflict; to the Committee on Foreign Affairs.

227. Also, memorial of the Assembly Legislature of the State of New York, relative to Ireland; to the Committee on Foreign Affairs.

228. Also, memorial of the Legislature of the State of Ohio, relative to enforcement of the antitrust laws of the United States; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. BARNES introduced a bill (H.R. 5108) for the relief of Jane Dubs, Catherine B. Hanna, Mona Hardee, and Jane Herndon-Smith, which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 2: Mr. STUMP.

H.R. 374: Mr. MATSUI.

H.R. 375: Mr. FORD of Tennessee and Mr. MOTTL.

H.R. 2007: Mr. QUILLEN and Mr. HUTTO.

H.R. 2102: Mr. ROBERTS of South Dakota, Mr. MINETA, Mr. DOUGHERTY, Mr. JAMES K. COYNE, Mrs. CHISHOLM, and Mr. CARNEY.

H.R. 2782: Mr. SPENCE, Mr. WILSON, Mr. LOTT, Mr. WHITTAKER, Mr. HUTTO, Mr. FROST, Mr. GOODLING, and Mr. BEVILL.

H.R. 3595: Mr. BEDELL, Mr. BROWN of California, Mr. SIMON, Mr. HUTTO, Mr. GRAY, Mrs. CHISHOLM, Mr. HOWARD, Mr. FAUNTROY, Mr. WON PAT, Mr. FORSYTHE, Mr. HUGHES, Mr. STOKES, and Mr. DYSON.

H.R. 4673: Mr. MINETA and Mr. JAMES K. COYNE.

H.R. 4773: Mr. FORSYTHE, Mr. WEAVER, Mr. PORTER, Mr. KOGOVSEK, Mr. GINGRICH, Mr. BURGENER, Mr. SENSENBRENNER, Mr. FRENZEL, Mr. JAMES K. COYNE, Mr. WILSON, Mr. GREGG, Mr. GEPHARDT, Mr. MORRISON, Mr. JEFFORDS, Mr. MOLLOHAN, Mr. CHENEY, Mr. MCCLORY, Mr. CLINGER, Mr. EDGAR, Mr. BLILEY, Mr. HILER, Mr. ARCHER, and Mr. CONABLE.

H.R. 4815: Mr. MCDADE, Mr. BEVILL, and Mr. SMITH of Pennsylvania.

H.R. 5004: Mr. MCEWEN, Mr. WYLIE, Mr. HALL of Ohio, and Mr. HOLLAND.

H. Con. Res. 192: Mr. MOLLOHAN.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

292. The SPEAKER presented a petition of the Council of the Village of Wayne, Wood County, Ohio, relative to the deregulation of natural gas prices; which was referred to the Committee on Energy and Commerce.

SENATE—*Monday, November 30, 1981*

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, the Reverend Richard C. Halverson, LL.D., D.D., offered the following prayer:

Let us pray.

Father in Heaven, we thank Thee for the blessings of the Thanksgiving recess, for caring times with family and friends; for relaxation, rest and renewal. Now these next 2 weeks the Senate faces imponderables, stubborn issues, which defy solution. In this place, Father, is concentrated the greatest personal and political power in the modern world. Yet it seems that nothing done here really works. Despite all the study, debate, struggle, and decision, international tension grows, the economy continues to decline, divorce, family failures, alcoholism, drug abuse, violence, crime, youth rebellion increase to epidemic proportions. It is almost as if the best efforts of this powerful body are an exercise in futility.

Lord God, more than human wisdom is called for. Grant to the Senators and their staffs superhuman ability to address the impossible in the resources of Almighty God. Do in our midst what God alone can do. Break in and through our human best, that justice, truth and peace may prevail. In the name of God we pray. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

Mr. BAKER. Mr. President, I thank the Chair.

BREATH

Mr. BAKER. Mr. President, while returning to Washington after Thanksgiving, my mind traveled to Dorothy and her immortal words, "Oh, Auntie Em, there's no place like home."

Tom Absher, in his poem, "Breath," walks along a somewhat similar path, and I ask unanimous consent that his poem may be printed in the RECORD.

There being no objection, the poem was ordered to be printed in the RECORD, as follows:

BREATH

Sometimes late at night I am drawn into my
children's rooms to stand by their
beds and watch them sleep.
With the house quiet I can hear each child
make a soft groove in the darkness.
Everything in the room moves inside that
rhythm, the gentle gathering entering
deeply in the body then the smooth
deliverance.
The sound holds me to it and I feel my own
breath joining in our one whisper
passing through the silence like a sail.

ORDER OF PROCEDURE TODAY

Mr. BAKER. Mr. President, according to my recollection and in keeping with the order entered before the Senate adjourned for the Thanksgiving holiday, there is a unanimous-consent order to dispense with the reading of the Journal, to provide that no resolution shall come over under the rule, to dispense with the call of the calendar, and to provide for a 30-minute period for the transaction of routine morning business with speeches therein limited to 5 minutes each. Is my recollection correct?

The PRESIDENT pro tempore. The majority leader is correct.

Mr. BAKER. I thank the Chair.

Mr. President, at no later than 1 p.m., according, also, to an order previously entered, the Senate will turn to consideration of H.R. 4995, the Department of Defense appropriations bill. It is my hope that good progress can be made on that measure today. I shall consult with the distinguished managers of the bill in the course of the day on how long they feel the Senate can act profitably on this measure. I am prepared to ask the Senate to remain reasonably late this evening if progress can be made on this measure, for it will be my hope that the bill can be completed by tomorrow at the close of business.

Mr. President, there are a number of other matters that can be taken up, including a number of appropriation bills that I hope can be disposed of before it is necessary for the Senate to consider another continuing resolution.

POSTPONEMENT OF RESOLUTION TO PROVIDE TELEVISION/RADIO COVERAGE OF SENATE PROCEEDINGS

Mr. BAKER. Mr. President, I am sensitive to the fact that scheduling the activities of the Senate is an arduous task and that the schedule itself is an arduous undertaking at best. As is often the case, countless constraints and priorities throughout a legislative session do not permit each item which has been reported by a committee to be considered immediately. Senate Resolution 20, which provides for television and radio coverage of the proceedings of the Senate, has been on the calendar since August 13, but the Senate's legislative agenda has been overflowing due to the necessity of formulating a sound economic program for our country. As a result, there has not been enough time to consider each and every legislative possibility.

Mr. President, it was my original hope that the Senate would be able to consider Senate Resolution 20 sometime this year. Because we are already nearing the end of the session and because I believe that this matter should be brought before the Senate without the pressures of the clock, I am today announcing that it is not my intention to proceed with the consideration of Senate Resolution 20 until we reconvene in January of next year. This arrangement should afford each Senator the opportunity publicly to state his opinion on this important concern and to be in a position to participate in the debate when the leadership asks the Senate to proceed to that matter sometime after we reconvene in January.

H. STUART KNIGHT RETIRES AS DIRECTOR OF U.S. SECRET SERVICE

Mr. BAKER. Mr. President, today a man well-known and well-loved by Members of this Senate is retiring—H. Stuart Knight, Director of the U.S. Secret Service. It is a privilege for me to pay tribute both to the extraordinary contribution he has made to the Federal law enforcement profession—and to him personally as a friend and colleague.

Stu Knight has served in the Federal Government for 35 years—32 of those years in the Secret Service. As Director of the Secret Service for the past 8 years, he has unquestionably added to the stability of this Nation—by watching over the safety of the President of the United States.

We would expect a man in his position to possess exceptional skill and ability in his field, and Stu Knight does. But he has brought an added ingredient to his office that has earned the respect of all who have known him. Throughout his career, Stu Knight has exemplified the term "public servant." Without fanfare, he has expended his full energies and resources to fulfill the obligation of his office. And he has done so without partisanship to any person or office. This caliber of leadership is needed throughout the Government. But it is critical in the organization he heads and in the field of law enforcement.

Very recently Members of this Senate listened to testimony reflecting the quality of Stu Knight's leadership. We rose to applaud the heroic, selfless dedication of the men who saved President Reagan's life on March 30. This was one of many episodes during Stu Knight's tenure when we on the Hill, and, indeed the Nation, have stood in awe of the dedication and professionalism of the men and women of the Secret Service.

But the ultimate honor goes to him, who, by example, molded the organization into one of the premier law enforcement agencies in the world today.

In his role as Director of the Secret Service, Stu Knight has worked with leaders of the international law enforcement community, as well as nearly every State and local law enforcement agency in this country. Without question, he has

extended the prestige and reputation of the Secret Service as an able, effective arm of the U.S. Government. This respect that he has earned for himself and his agency has indeed brought honor on all the rest of us in Government.

It is for these reasons that I extend my sincere gratitude to H. Stuart Knight for his contributions to the law enforcement profession, for his honesty, integrity, and leadership which has spanned the administrations of eight Presidents.

Mr. President, I ask that you and all my colleagues join me in saluting this outstanding citizen as he leaves office today. H. Stuart Knight has well earned our accolades and our sincere best wishes.

Mr. President, I have no further need for my time under the standing order. I am prepared to yield it to any Senator or to the control of the minority leader if he so wishes.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The minority leader is recognized.

Mr. ROBERT C. BYRD. Mr. President, I thank the majority leader. I shall accept his offer of the time.

THE GENEVA TNF TALKS

Mr. ROBERT C. BYRD. Mr. President, as my colleagues are aware, American-Soviet negotiations on nuclear weapons in the European theater begin in Geneva today.

There should be no misunderstanding as to where the Senate stands on these negotiations. I believe that the Senate completely supports the position and the proposals made by the President on November 18, 1981. I am convinced there is broad bipartisan support for sticking with the NATO Pershing II and cruise missile deployment decision unless the Soviets are willing to eliminate the cause of that allied decision—most particularly the deployment by the Soviets of medium-range ballistic missiles characterized as "SS–20's."

The negotiations will be tough and probably prolonged. There may be no progress for a full year. The Soviets can be expected to make offers and propose solutions calculated to manipulate European public opinion, particularly those elements of public opinion which sincerely oppose the NATO deployment decision. Our success in these negotiations should be measured by certain elements, among which are these:

First, whether we can effect a complete Soviet dismantling of its SS–20 force, or,

Second, whether the alliance will hang together and move forward with the TNF modernization schedule if the Soviet dismantling cannot be achieved.

This will involve American leadership which is at once flexible but strong; which is creative but unwavering; and which is sympathetic to European concerns but committed to an alliance which will not be bullied or blackmailed.

It is a test of NATO's resiliency, a test of American leadership, and a test of this administration's negotiating skill.

The Soviets are impressed only with determination, credible planning, and meaningful action. They may well perceive their interest to lie in stalling the talks, while offering superficially attractive counterproposals aimed at European public opinion. They can be expected to conduct discussions with our principal allies in order to probe potential cracks in NATO solidarity. The U.S. position in these talks is particularly complex since we are negotiating on behalf of the alliance and not simply on behalf of the United States.

This raises a point which some critics of the decision to deploy nuclear missiles on Western European soil seem to overlook. The TNF decision was a decision made by the NATO Alliance as an alliance. It was not some edict foisted on unsuspecting European governments by an American Government desirous of making Europe a superpower battleground. A number of our key allies were players in that decision. They remain central players. The decision must, therefore, remain an alliance decision.

There was legitimate reason for the TNF modernization decision in 1977. The deployment of SS–20 missiles by the Soviets is an act of supreme belligerency. The deployment has been ongoing at a furious pace. By July of 1981, the Soviets had placed 250 SS–20 launchers in the field capable of delivering 750 warheads. Most of these, some 175 systems, or 575 warheads, are aimed at Western European targets. Currently, another 65 SS–20 bases are under construction, with a new start undertaken every week. They are partially completed. An additional 100–150 bases are believed planned before the Soviet program is scheduled to reach its conclusion in the mid-1980's. This is a total of 1,395 warheads, with probably over 1,000 of them zeroed in on the cities and military bases of our European allies.

To illustrate the imbalance of forces in the European theater, I shall ask unanimous consent that a chart developed by the authoritative Institute for Strategic Studies in London be incorporated into the RECORD at the conclusion of my remarks. The chart shows that the Warsaw Pact has a total inventory of 4,430 long- and medium-range nuclear systems in the European theater, whereas NATO has a total of 1,512. By means of a complex formula, the institute arrives at the following comparisons:

The number of available warheads totals 2,004 for the Warsaw Pact, and 1,168 for NATO. The 1,168 total for NATO includes those warheads—some 400 of them—aboard U.S. Poseidon nuclear ballistic-missile firing submarines because they are in fact targeted on the Soviet Union.

Even more striking, if one excludes those weapons which can be delivered by aircraft, and considers only those warheads deliverable by ballistic missiles, one finds that the Warsaw Pact has an inventory of 1,335 systems, with 1,108 warheads "available" whereas the NATO alliance has 342 systems and 242 warheads available. The SS–20 component of the Warsaw Pact inventory comprises 410 of the 1,108 warheads considered available.

It can be readily seen that, even with the inclusion of Poseidon on the Western side, the balance is distinctly unfavorable to NATO, and becoming even more so as the Soviets continue to deploy more SS–20's. The NATO cruise and Pershing II missile program is the only alliance response designed to produce some semblance of balance between these systems. Surely the defeat of this deployment decision would be a psychological blow to the alliance and a major victory for the Soviets.

The "zero option" proposal endorsed by the NATO defense ministers in Scotland on October 21, 1981, which formed the basis of President Reagan's proposal announced last week, is really nothing new. It is but a restatement of the rationale for the original NATO decision. For without SS–20's, no NATO TNF deployment schedule would have been drawn up. So it stands to reason that if the original cause of the NATO deployment were to disappear, then the deployment should be canceled.

A second point is made by the critics of the TNF decision. It is claimed that European targets which can be demolished by the Russian SS–20 missiles can just as easily be demolished by retargetted Soviet intercontinental ballistic missiles. Europe is just as exposed. And American stubbornness in going forward with the NATO TNF modernization is needlessly exacerbating strains within the alliance, fueling an anti-American movement throughout Europe and putting unnecessary pressures on those European governments which strongly support the modernization program. The alliance, these critics claim, would be better off devoting its energies to the numerous economic problems besetting us all, rather than focusing on weaponry which will never be used or is superfluous.

What is one to make of this argument? What is the purpose of the Soviet SS–20 deployment in the first place? Why such a heavy investment in "purposeless missiles?" Is it so difficult to evaluate the psychology of this action? A key goal of Soviet diplomacy over the past 30 years has been the destruction of NATO. Any thinking American, be he a grocer, an auto worker, or a school teacher, can immediately recognize this Soviet behavior for what it is: It is the action of a bully designed to intimidate.

There is only one way to counter this kind of bullying, and that is to make life perceptively more difficult for the Soviet

regime. If the threat of the NATO TNF deployment is not absolutely real, is not a certainty, then the Soviets will continue to act with impunity.

Therefore, the Soviets should know that the Senate is providing strong bipartisan support on this matter, that we stand by our negotiators, and we will not countenance the tactic of intimidation. We support the TNF deployment schedule so long as the SS–20, SS–4, and SS–5 threat remains a reality in Europe.

Mr. President, I ask unanimous consent to have certain material printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

INTERNATIONAL INSTITUTE FOR STRATEGIC STUDIES, SEPTEMBER 1981—LONG AND MEDIUM-RANGE NUCLEAR SYSTEMS FOR THE EUROPEAN THEATRE

Category and type	Range/ combat radius	First deployment	Inventory	Factors			Warheads available (approx.)	Indices			Arriving warheads (approx.)	Operating countries and notes (U.S.S.R. unless noted)
				Warheads per system	Utilization	Serviceability		Survivability	Reliability	Penetration		
WARSAW PACT												
IRBM:	(nm/km)											
SS–20	2,700/5,000	1977	230	3	0.66	0.9	410	0.9	0.8	1.0	295	MIRV (?) reload per system).
SS–5 Skean	2,200/4,010	1961	40	1	1.0	.75	30	.6	.7	1.0	13	
MRBM: SS–4 Sandal	1,000/1,900	1959	340	1	1.0	.7	238	.5	.65	1.0	77	
SRBM:												
SS–12 Scaleboard	490/900	1959	650	1	.75	.8	390	.7	.75	1.0	205	
Scud B	160/300	1965										
Scud B	160/300	1965	18	1	1.0	.8	14	.7	.75	1.0	7	German Democratic Republic.
LBM: SS–N–5 Serb	600/1,120	1964	57	1	1.0	.45	26	.8	.6	1.0	12	On 13 G–11, 7 H–11 subs.
Ballistic missile subtotal			1,335				1,108				[1] 609	
Aircraft:	(km)											
Tu–22M/–26 Backfire B	4,025	1974	65	4	.4	.8	83	.7	.85	.7	35	
Tu–16 Badger	2,800	1955	310	2	.4	.7	174	.7	.75	.5	46	
Tu–22 Blinder	3,100	1962	125	2	.4	.7	70	.7	.8	.55	22	
Su–24 (Su 19) Fencer	1,600	1974	480	2	.2	.8	154	.55	.8	.65	44	
MiG–27 Flogger D	720	1971	500	1	.4	.8	160	.6	.8	.65	50	
Su–17 Finer C/D	600	1974	700	1	.2	.8	112	.55	.8	.65	32	
Su–7 Finer A	600	1959	165	1	.2	.7	23	.5	.7	.5	4	
MiG–21 Fishbed J–N	400	1970	750	1	.2	.8	120	.5	.8	.6	30	
Air-delivered weapon subtotals			3,095				896				[2] 263	
Warsaw Pact totals			4,430				2,004				872	
NATO												
IRBM: SSBS S–2/–3	(nm/km) 1,600/3,000	1971/80	18	1	1.0	.9	16	.6	.8	1.0	8	France, 9 S–3 in placer.
SRBM: Pershing 1A	390/720	1962	180	1	1.0	.9	162	.7	.8	1.0	91	United States, Federal Republic of Germany.
SLBM:												
Polaris A3	2,500/4,600	1967	64	1	1.0	.45	28	.9	.8	1.0	20	Britain, MRV, MARV.
MSBS M–20	1,600/3,000	1977	80	1	1.0	.45	36	.9	.8	1.0	26	France.
Ballistic missile subtotal			342				242				[3] 145	
Land based aircraft:	(km)											
Vulcan B–2	2,800	1960	57	2	1.0	.7	79	.6	.8	.5	19	Britain incls. OCU ac.
F–111E/F	1,900	1967	156	2	.5	.8	125	.6	.8	.75	45	United States ac in Europe.
Mirage IVA	1,600	1964	33	1	1.0	.7	23	.6	.8	.5	6	France.
Buccaneer	950	1962	60	2	.5	.7	42	.6	.8	.5	10	Britain.
F–104	800	1958	318	1	.3	.7	67	.4	.8	.3	6	Belgium, FRG, Greece, Netherlands. Turkey.
F–4	750	1962	40	1	.3	.8	10	.4	.8	.55	2	Turkey.
F–4	750	1962	324	1	.3	.8	78	.4	.8	.55	14	United States/dual-base.
Jaguar	720	1974	80	1	.5	.8	32	.4	.8	.6	6	Britain, France.
Mirage IIIE	600	1964	30	1	.5	.8	12	.4	.8	.45	2	France.
Carrier-based aircraft:	(nm/km)											
A–6E	540/1,000	1963	20	2	.5	.8	16	.5	.8	.6	4	United States.
A–7E	480/900	1966	40	2	.5	.8	32	.5	.8	.4	6	United States.
Super Etendard	300/560	1980	12	2	.5	.8	10	.5	.8	.5	2	France.
Air-delivered weapon subtotal			1,170				526				[4] 122	
NATO total (excluding Poseidon)			1,512				768				267	
U.S. Central, SLBM: Poseidon C–3	2,400/4,500	1971					400	.9	.8	1.0	288	
NATO total (including Poseidon)							1,168				555	

[1] 46 percent of available warheads.
[2] 29 percent of available warheads.
[3] 60 percent of available warheads.
[4] 23.2 percent of available warheads.

ROUTINE MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business not to exceed 30 minutes, in which statements are limited to 5 minutes each.

Mr. BAKER. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. RUDMAN). Without objection, it is so ordered.

OUR LONG SILENCE

Mr. PROXMIRE. Mr. President, time after time, history shows us examples of man's inhumanity to man—his capacity

for hatred, his indifference to the plight of others. Most tragic is the tendency to remain silent in the face of great moral questions.

On November 17, Alexandra Johnson wrote an article for the Christian Science Monitor about one man who has not been silent. A man who has explored these unpleasant themes in book after book. This is Elie Wiesel, Chairman of the President's Commission on the Holocaust and author of several seminal works on human rights.

This article makes it clear that Wiesel did not choose his role in life. He was thrown into it by the sheer force of his childhood experiences. His father was killed before his eyes. Later his mother was separated from him at Auschwitz. He suffered through the destruction of his whole family and millions of other Jews around him.

He has spent the rest of his life attempting to keep alive the memory of these atrocities. For he believes that nothing threatens and diminishes man more than silence. He fights to make his voice heard not just to honor the victims of the Holocaust but to break the thickening silence surrounding present day atrocities—mass murder in Cambodia, the massacre in Biafra, human rights violations in Latin America; he has helped focus attention on all of these atrocities.

His need to bear witness to man's dark legacy comes with the realization that silence will not solve our problems. Those in power during World War II, notably the allied heads of government, knew about Nazi atrocities but did not act in time. Their silence cost humanity dearly.

After the war these leaders resolved never to allow another Holocaust to occur. The Genocide Convention was drafted for just that purpose. That was 1948, Mr. President.

Thirty-three years have now passed and we have yet to ratify this treaty. Our voice has been silent for too long. It is time for us to clearly state to the world our support of the right of every man to live. I urge my colleagues to join me in seeking ratification of this convention.

Mr. President, I ask unanimous consent that the article in the Christian Science Monitor be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ELIE WIESEL TRIUMPH OVER THE SILENCE OF THE HOLOCAUST

(By Alexandra Johnson)

In the preface to his latest novel, Elie Wiesel retells the story of the Just Man who tried to save Sodom from destruction. Ignoring his warnings, mocking him with silence, inhabitants shielded themselves with indifference. But still he persisted. Taking pity on him, a child asks, "Why do you go on?" "I'll tell you why," the teacher replies. "In the beginning, I thought I could change man. Today, I know I cannot. If I still shout today, if I still scream, it is to prevent man from ultimately changing me."

Of all Wiesel's parables, those literary prisms through which he refracts his questions, none comes closer in self-portrait and purpose than this one. Like the Just Man, Wiesel is burdened by the survivor's dark legacy: the need to bear witness. To tell the tale that cannot—but must—be told: the Nazi Holocaust, an event which he survived as an adolescent and which he's spent his adult life recounting. If in book after book he's chronicled man's inhumanity to man—the killer's capacity for hatred, the spectator's for indifference—he's also borne witness to the very dignity they threaten. Like the Just Man, he refuses to be contaminated by despair. Rather by witnessing he affirms life even if it means recounting all that conspires to reduce it.

For Wiesel, nothing threatens and diminishes man more than silence. It is the theme and matrix of his work. Every book, every lecture is a study of men's silences—guilty silence redemptive silence Silence as God's presence as His absence In one novel silence is even a character To understand why silence haunts his life and work one must willingly confront the event that spawned it: the world's silence over the Holocaust. A world Wiesel points out that from 1942 on knew but did not act.

With every book he writes, Wiesel triumphs over that silence, speaking for those whom history denied a voice. In keeping alive the memory of the Holocaust, he asks us to honor its victims; to break the silence that afflicts its survivors. Moreover, he asks us to shatter the silence that has grown since then—recent silence over atrocity in Cambodia massacre in Biafra, human rights violation in Latin America.

While, by the very magnitude of its horrors, the Holocaust denies comparison to anything, for Wiesel it serves as a dark measurement against which all subsequent history is gauged. Each of his books bristles with Santayana's observation that "those who cannot remember the past are condemned to repeat it." In his warnings, Elie Wiesel, the survivor of two death camps, hopes to prevent us from such lethal redundancies. In his ceaseless witnessing, past and present he has come to symbolize not only the Holocaust survivor but also, for many, the living conscience of a world of which Auschwitz wasn't the end but the beginning.

In a recent interview in his New York home, Wiesel talked about the shift in emphasis that has attended his work since the 1971 publication of "One Generation After," his final collection of Holocaust essays. Since then, he's stopped writing directly about "the war" (the term he now uses), a decision stemming from his desire to preserve the "sacred dimension" of his subject and prevent its trivialization by others. Instead he's turned to the broader themes that now characterize his work: biblical studies; Hasidic tales; human rights violations, specifically, the plight of Soviet Jewry, the subject of his latest book. The subject that, in turn, sparks our discussion of the recent intensification of anti-Semitic incidents here and abroad; the thickening of silence over human rights; the menace of nuclear confrontation, a possibility he says "obsesses" him.

A man of elaborate courtesy, Wiesel graciously gestured you into his study, a small book-lined room overlooking Central Park. Nesting in a canvas chair, careful not to topple the books that rise in Talmudic columns near his feet, he fixes his listener with a look of focused intensity. One stare back into that face whose sharply defined features lead Francois Mauriac, Wiesel's earliest supporter, to describe him as having "the look of Lazarus." A face that is a kind of silence in itself. A wound with an eye.

Earlier this spring when I visited Wiesel he was busy with last-minute preparations for the White House ceremony during which April 28 and 29 would be officially declared "Day of Remembrance" for the victims of the Holocaust. He flew to Washington where he officiated as chairman of the President's Commission on the Holocaust, the 34-member panel established in 1978 to propose a permanent monument to the 11 million people, 6 million of whom were Jewish, who perished in Nazi camps. The panel has recommended that a national museum be created, dedicated to the research and documentation of the Holocaust and European life before and after the war. While commemorating those who risked their lives sheltering victims from Nazi persecution, the center will also document those in power, notably the Allied heads of government who knew but did not act in time (a subject fully treated in Walter Laquer's recent book, "The Terrible Secret").

On a conference call to Washington, he switched, often in mid-sentence, from English to Hebrew. He's discussing the address he will soon give. His theme: "For the first time in history, being became a crime. We must tell the tale. And two days later, in an emotionally charged ceremony, he did. A visibly moved President Reagan, responding to Wiesel's call to "turn history into a moral endeavor," issued his strongest statement yet on the need to champion and safeguard human rights. A few hours later, however, the White House would qualify the President's words, blunting their impact.

None of this will surprise Mr. Wiesel. As we speak, his conversation is already pocked with doubt over the effect his speech will have. Yet like the Just Man, he will speak even though he knows many will not listen. But many do. And it is always an experience to listen to him. A man who, in conversation, is by turns curious, self-aware, gentle, always sincere. Often his stories are laced with mild self-muckery as, for example, when describing how his students at Boston University petitioned that he teach his own books, a practice he has rigorously avoided. Yielding just once, he devoted one semester to his fiction, another to his nonfiction.

"I don't think they know how many books there were," he smiles ruefully. One is sure they did. Just as they knew that, in class, Wiesel would repeatedly force them back on their own questions. So, too, in interviews are questions answered with parables; often with other questions. For Wiesel, "the essence of man is to be a question. I only have questions," he says in a voice so quiet it seems to be shuffling away.

"For me," he says, "writing isn't an occupation, but a duty. I write as much to understand as to be understood. What obsesses me is how to transmit experience." No one could fault him on that score. The author of 18 books—seven novels, two plays, and nine nonfiction works—he produces a prolific stream of essays while averaging a book a year. An indefatigable lecturer, crisscrossing the globe, he draws large crowds. His annual lecture at New York's 92nd Street YM-YWHA, for example, is sold out months in advance. In turn, his Monday seminar at Boston University, where since 1976 he's been the Andrew H. Mellon Professor of the Humanities, is always filled to capacity. There, students of all religious persuasions enter in concert dialogue on moral and literary issue. It's these students, emblematic of a generation willing to question, in whom Wiesel places most hope for the future.

And it's in the person of Elie Wiesel that many have placed their hope, as evidenced by the honorary doctorates and humanitarian awards that crowd his study walls. In him, many see "the spirit of authenticity, of authority," of the Jewish experience. A man whose work grapples with the issue of Jewish identity before and after the Holocaust. "For me," he says, "to be a Jew today means telling the story of that change." Regarded as a "spiritual archivist," he resolutely details the historic cycle of Judiac themes: the guilt and burden of survival, the need to testify, the duty to celebrate and forge continuity of tradition.

In his literature of survival, Wiesel has sparked a wide contemporary audience that transcends background. His legacy, in a

sense, is his ability to summon the universal lesson out of the deeply partisan problem. In the most profound sense, he is a teacher, a thinker turned activist by an urgent moral passion. And at the center of all his work one discovers the poet, the poet of silence and survival. A writer whose stories of flight and exile, interrogatory and incantory in style, are grounded in a stubborn affirmation of life. If, together, his books constitute a 20th-century Book of Exodus—studies in election and exile—they also constitute a modern Book of Psalms, a celebration of a tradition that has survived 3,500 years of opposition.

Nowhere is this continuity more celebrated than in Wiesel's latest novel. "The Testament." The book was sparked by an incident during a visit he made to the Soviet Union in 1965, when he stood outside Moscow's Central Synagogue watching Russian Jews celebrating Yom Kippur with song. "People," he says, "who will wait an entire year just to celebrate one day." Wiesel, one of the first Western writers to call world attention to the plight of Soviet Jews, says he wrote his novel as "a debt to Soviet Jewry. It's what I owe them for speaking out at great danger to themselves. And in doing so, they united the conscience of world Jewry."

In chilling counterpoint to this recent speaking, Wiesel selected a moment of historic silence as his narrative vehicle. On Aug. 12, 1952, Stalin ordered scores of Russia's finest Jewish writers shot. No record survives. In his novel, he thus amplifies poet Anna Akhmatova's lines from "Requiem," her elegy to an entire generation of Stalin's victims: "No sound. No sound. Yet how many/Innocent lives are ending."

"The Testament," nominated for France's Prix Goncourt, charts the dark political odyssey of Paltiel Kossover, a minor Jewish poet who embodies his real-life counterparts. Set against a broad historical canvas, the novel, written in the form of Kossover's prison diary, traces his drift from judaism to the secular millennialism of Marxism. Kossover's "testament," the reaffirmation of his religious identity, is secretly passed to his son, Grisha, by the prison stenographer, Zupanev. The latter, whose life has been profoundly changed by Kossover's, seeks to transform Grisha's in turn. In giving him the historic record, Zupanev also bequeaths Grisha its moral responsibility: to tell the tale that will change others.

As in all Wiesel's work, "The Testament" takes a hard look at whatever thwarts that telling. In Kossover's misplaced ambitions—political ideas over religious truths, propaganda over poetry—Wiesel implies that in assuming the world's voice, Kossover lost his own. Yet in the tradition of Dante and Akhmatova, poets must first sterilize memory. By consciously remembering and speaking, he knows he's preserving more than his dignity, he's preserving its history. So will Zupanev. So will Grisha.

In reading about Paltiel Kossover, one can't help thinking of the dark displacement of Wiesel's own life. Born in Sighet, a tiny Hungarian village nestled in the Carpathian Mountains now part of Romania, he grew up in a devout family. Insulated by timeless tradition, he studied the Talmud by day, the cabala by night. Had events been different, he says, he would "still be poring over the same page of the same book." It was not to be. In the spring of 1944, with the Russians shelling only 30 miles away, the Nazis rounded up Sighet's 15,000 Jews and jammed them into cattle cars, the first step of the long descent into night. Arriving at Auschwitz, the 15-year-old Wiesel protested to his father. "It's impossible. We live in the 20th century, not the Middle Ages—people cannot be silent." But, condemned from camp to camp, from Auschwitz to Buchenwald, he discovered that the world could indeed be silent. "Where was man in all of this?" he was to ask over and over.

After the Allied liberation, Wiesel refused repatriation to Sighet. (Of his family, only he and two older sisters survived.) Instead, he was sent to France with 400 other orphans. On a French children's-aid scholarship he went to Paris, where he learned French by silently reading Racine to himself. Later, supporting himself as a tutor and translator, he attended the Sorbonne, where from 1947 to 1950 he studied philosophy. In the early '50s, after a trip to Israel, he became a political correspondent for various Israeli newspapers. Describing his coverage of the first Israeli-German conference at Wassenaar, he says, "Nobody could have guessed that it concerned me any more than the other delegates."

For Wiesel, the Holocaust had spawned the most harrowing of paradoxes: While proficient, even prolific, as a journalist, he was unable to utter a single word about his past experience. Words only tamed the present. How could he describe the indescribable? Should he even try? Like most survivors, he transformed the silence that stalked him into an oath. For 10 years. It was only after Francois Mauriac, a writer and humanitarian he greatly admired, urged him to write that Wiesel sat down and produced what is still considered the most searing of all such accounts: "Night." In this highly autobiographical work, whose power issues from its restraint and sparse style. Wiesel chronicles how "the child discovers the old man within himself." As critic George Steiner once wrote, the only way "to review" such a book is to recopy it "line by line, pausing at the names . . . until we know the words by heart."

In 1956 he came to the United States, where, since his naturalization in 1965, he has settled with his family. Yet his true self, he says, "belongs to a world that is not here." It exists only in his books, his "pilgrimages to the past." Written in French and translated by his wife, Marion. Wiesel's books are hallmarked by their unrelenting, spare style, their powerful, aphoristic portraits and dialogue. Noting that all survivors' writing reads "as if it were written by one man." Wiesel scrupulously observes a tradition that "wrote not with words, but against them." Wiesel's "voice," then, is that of all survivors; one that burns and whispers in every sentence.

Acknowledging the burden of responsibility to the past, he says, "It's always there. I feel their presence always. It's so physical." Here, as in his books, it's not what is said but what isn't that startles—the echoing ellipsis. "Their presence," for example, conjures the father killed before Wiesel's eyes, the mother from whom he was separated at arrival at Auschwitz. He is haunted by the dark inheritance of his art. As a voice in "One Generation After" says: "Millions of human beings had to die so that you might become a sculptor, and I, a storyteller."

In writing, Wiesel stresses, the survivor "doesn't create, he re-creates." By re-creating Sighet, repopulating it with its beggars and storytellers, he fulfills his primary duty as a witness. Like Kossover's testament, Wiesel's work transcends the very history that tried to silence him. In the beginning and in the end was the word.

In an interview with translator Lily Edelman, Wiesel once observed, "For almost 3,000 years the Jewish people have had no army, no political leverage, nothing. The only power we have had is in the word. . . . Jews have never believed in statues, we have never believed in buildings. . . . Jewish building is in words, we build words."

"Our memory does not begin with our own," writes Wiesel. "A Jew never says 'I' but 'we.' The source of our strength is history, not geography." In the Jew, he sees the symbol of today's Everyman: practiced in survival, skilled in alliances. The world's survival, he says, is actively dependent on fulfilling "a dynamic collective morality." In the spirit of Camus, his modern philosophic mentor, Wiesel says, "Our fate is never ours alone. If I have one moral message, it's this: Save one person. If you've saved one person, you've saved the world."

Wiesel has acted upon his own words many times. In June 1979, for example, he traveled to Cambodia with the International Rescue Committee to aid those fleeing the Pol Pot regime. "Worse than fear, torture, even humiliation," he said at the time, "is the feeling of abandonment, that you don't count. I've come here because no one came when I was there." Outraged at the sight of the "boat people" set "adrift with no country willing to welcome them ashore." Wiesel could only think of the 1939 incident when 936 German Jews, sailing on the St. Louis, were repelled from Cuban shores and sent back to Nazi Germany, where they perished.

"You must choose to act. A witness you choose to be. A spectator, you are," he notes. Today, though, Wiesel sees "a world drifting rather than choosing." He cites a society dulled by overfamiliarized images of horror; a media generation "without imagination, without memory." In a society that, for Wiesel, came close to suicide at Auschwitz, "ideology is still more important than truth, machines more indispensable than men. . . .

"The world hasn't learned. It didn't want to listen. Is that the world's fault? Is it mine? I don't know. We spoke out at costs nobody can imagine. If survivors had the strength to write those words, we must have the strength to read them." If we silently drift toward a Holocaust universe, ignoring the testimony of our latest witnesses—the Sakharovs and Timermans—Wiesel says our real literary prophets won't be Babel or Camus, but Hitler in "Mein Kampf."

Wiesel describes his dilemma as "a messenger unable to deliver his message." As a writer, he says, "words fall into place, but, in truth, I know where they lead. To where there are no words." What, then, does he think of the current fictionalization of the Holocaust? Novels like Styron's "Sophie's Choice" and Leslie Epstein's "King of the Jews"? While attributing sincere motives to such authors, he nonetheless offers: "It's an either-or-situation. Either it's a novel or it's about Auschwitz. A novel about Auschwitz is either not a novel, or not about Auschwitz."

While saddened by "a certain lack of saredness" that pervades many contemporary Jewish novels, Wiesel is, interestingly, an admirer of postwar German novelists Heinrich Boll and Gunter Grass. Both are writers who, like Wiesel, have been mentioned for a Nobel Prize and have attempted to come to grips with the Holocaust. "They understood that to gain self-respect as men, they first had to earn the respect of their fathers' victims," Wiesel says. On Grass: "His entire body of work is one long outcry of a shattered conscience crushed by the burdens imposed by others."

In America, "where more books are published than 'written.'" Wiesel notes that the public routinely accepts 10 books on the Holocaust "repetitive." He gives one example of why he continues to publish. In August 1979, he visited Kiev with members of the President's Commission on the Holocaust. Laying a wreath at the monument at Babi Yar, where in 1941 the Nazis machine-gunned 100,000 citizens, including 70,000 Jews, over a 10-day period, he noticed there was no mention of them among the Soviet dead. Once again, they were invisible to history.

Wiesel turns to the subject of renewed anti-Semitism here and abroad. Alarmed by its sharp rise, he cites incidents that range from the desecration of synagogues in New York to the slathering of swastikas on the

Simon Wiesenthal Center for Holocaust Studies in Los Angeles. Fearful that acts such as the terrorist bombing of a Paris synagogue will escalate in an increasingly conservative climate, he foresees greater hostility toward Israel. As we talk, he notes the rising tensions in the Mideast. "We now know that a war against the Jews would no longer be limited to Jews alone. It is bound to end in world destruction. It's this that obsesses me most."

For a man who in his youth witnessed both the Holocaust and the resurrection of Israel, Wiesel is constantly poised between fear and hope. While, like the Just Man, he no longer believes he can reshape the world, he hopes that he might safeguard his message by transmitting it to a younger generation. "Each generation is richer in its tradition," he says, "and more burdened in its task. I am deeply moved by my students, by their desire to understand what they know will shock and pain them. All I can do is give them certain tools. I can try to help them formulate the right questions. We all have to raise ourselves to God's questions."

To his students, as to his readers, he urges: "not that you live, but that you choose to live. It is the most important commandment. That means a refusal to capitulate to despair, a refusal to see life through the enemy's eyes. You must try to transform suffering into a vehicle of compassion and meaning. Above all, of meaning." That, in turn, means "asserting the right of spirituality in a world that denies it: it means singing louder and louder. Laughter is man's defiance, it is also his victory."

And in his own life? "I know that each minute I live is grace, a gift, and I must do something with it. There's a feeling of gratitude for small things. I want to be more capable of gratitude in my life. All I want to do now is celebrate."

Listening to Elie Wiesel, one thinks, strangely, of Keats, the poet of negative capability, and his comment, "A man's life of any worth is a continual allegory . . . his works are the comments on it." It's particularly fitting for Wiesel. But here, as always, another writer's words are painfully misplaced. If you're reading these words, let them lead you to those of Elie Wiesel. All other words silence the four that quietly sing in his work and person:

I remember. I am.

WISCONSIN PETITION REGARDING SECRETARY OF THE INTERIOR JAMES G. WATT

Mr. PROXMIRE. Mr. President, I ask unanimous consent that a petition from the State Assembly of the State of Wisconsin memorializing Congress and the President to seek the dismissal of the Secretary of the Interior, James G. Watt, be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

1981 ASSEMBLY JOINT RESOLUTION 70

Whereas, the wise use of our natural resources and the protection of our national heritage are important duties of the federal government; and

Whereas, lands managed by the Department of the Interior are owned by all the people of the United States and should be managed for the benefit of all the people; and

Whereas, James G. Watt has consistently, in public statements and actions, disregarded the interests of the American people by advocating and implementing policies that would destroy decades of bipartisan commitment to environmental protection and preservation of our priceless national heritage; now, therefore, be it

Resolved by the assembly, the senate concurring, That the legislature and the people of the state of Wisconsin hereby urge the Congress and the President of the United States to seek the dismissal of the Secretary of the Interior, James G. Watt; and, be it further

Resolved, That a duly attested copy of this resolution and a list of those who voted in favor thereof and those who opposed be transmitted to each member of this state's congressional delegation.

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SYMMS). Without objection, it is so ordered.

SENATOR HARRY F. BYRD, JR., WILL NOT BE A CANDIDATE FOR REELECTION

Mr. WARNER. Mr. President, at 12 noon today our distinguished colleague, the senior Senator from Virginia, in Richmond announced that he would not seek reelection as a U.S. Senator as his term ends with the 97th Congress.

From the very first day that I arrived in the U.S. Senate, my old friend and colleague, HARRY F. BYRD, JR. of Winchester, Va., accorded me the status of a full partner in representing the Commonwealth of Virginia.

Based on a strong mutual respect and complete trust in one another, we were always able to conduct our business here in the U.S. Senate in such a manner as to represent the interests of Virginia as our first priority, and never to let partisan politics or personal differences interfere with that obligation to our constituents.

Mr. President, his strong voice for individual freedom and fiscal responsibility will be sorely missed by me and, I am certain, by my colleagues as he finishes his career of public service in the U.S. Senate with complete dignity and grace.

Mr. President, I ask unanimous consent that a letter from Senator BYRD to me, together with his statement to the people of Virginia, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., November 30, 1981.

Hon. JOHN W. WARNER,
Senate Office Building.

MY DEAR JOHN: As a colleague—and more importantly as a friend—I want to get the attached statement to you at the earliest possible time. As you can probably see in reading between the lines, I had a most difficult time making a decision.

Warm regards,

HARRY F. BYRD, Jr.

A STATEMENT TO THE PEOPLE OF VIRGINIA,
NOVEMBER 30, 1981

Through the years, I have tried to be candid with the people of Virginia.

So I want to say frankly that I have had a most difficult struggle in my own mind as to whether I should seek a fourth term in the Senate of the United States.

In the Summer of 1980—more than a year ago—Mrs. Byrd and I agreed that I would not seek another term, believing that 18 years is long enough.

I know of no greater honor that could come to a person than to represent the five million citizens of Virginia.

But it also is a great responsibility.

I feel a deep obligation to the people of Virginia who in 1976 gave me the largest vote ever given to any Virginian for any public office.

I love Virginia—every mountain, every valley, every seashore—every area of our beloved State. I am deeply grateful to the people of Virginia for giving me the opportunity to serve our State and our Nation.

Through the years, I have continually expressed and voted the strong conviction that the federal government must cease living beyond its means, that excessive federal spending is eroding the purchasing power of our working men and women and mortgaging the future of our young people—and that excessive centralization of power in Washington threatens individual freedom.

The battle to control the cost of government and to balance the budget has been a lonely one.

But last year the people seemed to vote the sentiments I have been expressing. With the election of Ronald Reagan, the atmosphere in Washington has improved.

In 1981, progress has been made toward curbing excessive government and moderating its cost. But final victory is not yet here. The year of 1982 will be a crucial one.

During this important year—the 14 months remaining in my present term—I shall continue to devote my time and energy to helping our Nation lay a sound foundation, one which will control inflation, expand our economy and reduce centralization of power in Washington, D.C.

As I said, three terms in the Senate of the United States—18 years—is a long time. During nearly 200 years, 47 Virginians have served in the Senate—and only six served longer than have I.

I shall not be a candidate for reelection.

Since my term does not expire until 1983, I shall continue for quite a while yet doing what I have been doing for the past 16 years, representing to the best of my ability the people of Virginia in the United States Senate.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. The time for morning business has expired.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1982

The PRESIDING OFFICER. Under the previous order, the hour of 1 p.m. having arrived, the Senate will now proceed to the consideration of H.R. 4995, which will be stated by title.

The legislative clerk read as follows:

A bill (H.R. 4995) making appropriations for the Department of Defense for the fiscal year 1982, and for other purposes.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, the defense appropriations bill we are presenting today for fiscal year 1982 contains

recommended appropriations totaling more than $208.5 billion. As drafted, it is a resounding endorsement of President Reagan's major initiative to modernize and strengthen our Armed Forces. The total appropriation is some $37 billion over 1981 funding. It is $7.6 billion over current budget estimates and $11 billion above the House allowance.

The defense funding numbers are always big, and these increases are substantial even by that measure. However, most of the increase above the budget involves two features. One is immediate funding of the October 1 military pay raise—$4.8 billion—and the other is $1.6 billion to finance a 10-percent inflation rate for defense purchases.

MAJOR INCREASES

Very briefly, Mr. President, we are funding the currently unbudgeted military pay costs now because this bill is running so late and because we think it is important to present the full costs of the defense bill in one package. These are entitlements that must be funded sooner or later, and funding them now minimizes program disruption.

The committee is also attempting to be straightforward about inflation. With the actual rate for defense purchases in fiscal year 1981 at a composite 13.3 percent, it is clear that the optimistic projections of the President's budget—8.4 percent—are not going to happen. Even the 10-percent rate funded under our recommendations is moderate.

If we do not provide for a realistic inflation rate, in my opinion, we are kidding the American public and we are kidding ourselves. Fiscal year 1981, for example, took a $2 billion program cut out of defense because of underestimated inflation costs.

In the same vein, we are recommending the financing of cost overruns up front in the case of two major weapons systems, the B–1B bomber and the MX missile. Overbudget funding for these two systems is based on an annual 3-percent cost growth excluding inflation, which is about the low average of cost overruns on all major military weapons systems of recent years.

Our bill is also attempting to take care of another longstanding problem with a recommended budget increase of $400 million for that continuing huge backlog of real property maintenance in all three services. This is double the authorized increase, but I do not think we can continue to address this problem with token increases. Getting military facilities back up to basic operating requirements is something that must be done, and our recommendation is to address that in a realistic manner now, not some time in the future.

On the question of fuel pricing, where we understand the House has preliminarily recommended a $490 million reduction, we are recommending staying with the President's budget and its fuel price forecast. Again, it is my opinion we should not be guilty of underfunding defense needs. If the price of fuel does, indeed, approximate the lower estimates of the House Appropriations Committee, this funding that we recommend can either lapse or can be reprogramed to meet other unanticipated shortfalls.

FUNDING POLICY

The basic policy underlying all these committee recommendations, as the Senate will discern, is to address the priorities established by the President's budget and the initiatives developed by Senate/House conferees on the defense authorization bill. In all but a few instances, we have fully funded the program authorizations, and we have fully funded the budget estimates except where selected reductions can be achieved without impairing readiness or modernization of the armed services.

This also stems from a realization that a long and rocky road lies ahead for the defense appropriation bill before it is finally enacted. It is our hope that in the final analysis we will come out with a bill that is close to what the President has asked for and what we recommend should be funded.

B–1 BOMBER

Let me discuss some specific weapons issues. First, the B–1 bomber. This is a highly controversial issue, and there is deep division over the need and the cost of this strategic bomber. My position is that it is an interim weapon that we must have to span a critical gulf in strategic superiority with the Soviet Union, It is a costly system—more than $20 billion even in 1981 dollars and at current minimum cost estimates. But it is an evolving system that I hope can continue to improve and address our bomber penetration requirements well into the 1990's.

Let me point out that the alternatives to the B–1 are not attractive. It is nearly just as expensive to try to maintain the aging B–52 bomber fleet at full strength into the 1990's. And the Nation would find itself relying on a totally obsolete aircraft as its primary manned offensive weapon in the strategic air arm, if we did so. The B–52 is a big, slow target, totally unsuited for the fast maneuvering needed by a modern penetrating bomber. And even as a cruise missile platform its value is questionable today. It needs more than 10,000 feet of runway to get airborne and is almost fatally slow in gaining required altitude for a quick response launch of cruise missiles.

The B–1B, however, gives us a modern, multimission capability. With application of certain Stealth technologies and other modern electronics and avionics, it is a fast, agile, hard to locate and hard to target penetrator that Air Force Chief of Staff Gen. Lew Allen says will be effective in that mission well into the 1990's.

Down the road, in addition to its continuing mission as a conventional bomber, the B–1B will serve as a fast-climbing, durable cruise missile launcher.

We cannot talk now about the details of the advanced technology bomber—the Stealth bomber—but our committee's recommendation is to provide the full budget request for the B–1 bomber and also supports maximum funding for the new generation of advanced technology that must come behind it.

Accordingly, our recommendation is to provide the full budget request for the B–1B bomber with an additional amount for estimated cost overruns.

MX

With regard to the MX the full budget estimate plus cost growth is recommended for the MX missile under the Research and Development budget although I recognize there is hardly a single Senator who does not have serious questions about the full breadth of the recommended program. I also recognize that the administration has not supplied budget justifications not only on the MX but on other features of the strategic program.

But we must proceed with this funding. We cannot afford the penalty of withholding funding now. And the House of Representatives realized this by upholding the full estimate of the budget.

Deferral of the President's request for MX research and development, according to the Department, would force a 19-month slip in the system's operational availability now planned for late 1986. And the Senate must remember this important weapon system development has already been delayed by controversy and uncertainty over how best to deploy it. Meanwhile, the cost continues to grow with each period of delay.

The most modern and potent missile system in the world is no more effective than its basing. We cannot afford to delay front-end planning and design efforts for which an estimated $345 million is needed this year to develop more secure silos for the MX. At the same time, there is $20 million available for research and development of long-term basing options such as deep basing and continuous patrol aircraft.

The $1.5 billion for missile development includes the full scope of design evaluation and testing for propulsion, guidance, and reentry systems. Missile handling and transportation equipment are included in that estimate, also.

Mr. President, the committee has recommended the full budget estimate plus costs, as I indicated, and I believe this amount should be provided to the Department with no further delay. Others may have differing opinions but I am confident a full debate of the issues should sustain the committee's recommendation.

Whatever amount is finally appropriated, I believe the Appropriations Committees of both Houses should require full budget justifications and subsequent additional review prior to any substantial obligation of the amounts appropriated for these programs.

OTHER WEAPONS

Among other weapon systems, we have recommended the full authorization for the Army's new attack helicopter, which involves a $73.4 million budget increase. We do this even though we learned only a few days ago of a substantial cost increase in this program—a cost increase so substantial that even with this additional funding only 8 aircraft will be procured in fiscal year 1982 instead of the 14 originally budgeted.

Another weapon system that has been

plagued with development problems and cost overruns, the F/A–18 strike fighter, is also recommended at the full budget estimate. The Navy insists it has licked all the serious problems and has given its highest priority to maintaining the production of this dual-role aircraft which is needed in the fleet air arm as both a fighter and attack bomber for the Navy and Marines.

I call the Senate's attention to the fact that the committee is not adopting every proposal advanced by the Pentagon. We have disagreed on the CX proposal for a new airlift system for the Air Force and have included no appropriations for development of a new aircraft. We have, however, provided limited funding for airlift enhancement research and airlift augmentation designed to pursue lower cost alternatives to a new system.

SHIPBUILDING

With regard to the Navy we have agreed in full with the authorized increase of $510.2 million for shipbuilding, and we consider this to be an endorsement of the policy which takes us toward a 600-ship Navy. At the same time, we have included $300 million in this bill which is to be transferred to the Coast Guard for acquisition and improvements of vessels and aircraft. Coast Guard equipment becomes naval equipment in wartime, and this is a method for giving to the Coast Guard the same priority that we have accorded to the other armed services on the expansion and modernization of capital equipment.

The committee's shipbuilding recommendation includes the full budget request of $658 million to begin long-lead procurement for another nuclear carrier and sufficient advance funding to maintain construction of three nuclear attack submarines in 1983 and again in 1984. We have funded the full cost of reactivating the battleship *New Jersey* although we deferred the $88 million requested for the *Iowa* pending better cost estimates. Additional funding has also been recommended for construction of frigates, a landing ship dock, and a helicopter assault ship.

BILL TIMING

Finally, Mr. President, let me discuss briefly the situation regarding the defense appropriation bill this year. Because we are moving so late in the current session of Congress, the committee found it necessary to begin marking up at one point actually ahead of the House Appropriations Committee. As you know, the traditional practice is for the House to originate a bill and pass it before the Senate takes action. However, with time running out on the continuing resolution as well as the congressional session, we found it best to have a reported bill ready for the Senate even before the House had passed its measure. Subsequently, we have transferred the committee's recommended amendments to the House-passed bill so that we can return to the normal procedures of dealing with the House-passed bill.

There was no time for departmental appeals, for assessment of all House proposals, and for other normal practices. For instance, we found it necessary to leave specific program allowances of the other body out of our report and, in fact, the House figures used in the bill summaries have changed slightly as a result of floor amendments in the other body.

The bill that is before the Senate is the House-passed bill with the Senate committee amendments, and it is important to finish the Senate's work on this bill, pass it as quickly as possible, so that we can take this bill to conference and, hopefully, finish congressional action on the defense appropriation bill before the end of this session.

I believe we have a gentlemen's understanding with the members of the committee in the other body to that effect, that we will finish this bill and get it out of conference before we finish this session.

Mr. President, it is impossible to summarize a bill as complex and wide ranging as the defense appropriation bill in a few short remarks. I have only touched on a few of the modernization and readiness initiatives in the bill, but I stand ready to respond to any questions from Senators.

I intend to go further into the reason for our including the inflation item and the cost overrun item.

Before I do so, I would like to inquire of my good friend, the Senator from Mississippi, if he wishes to make a statement at this time?

Mr. STENNIS. Mr. President, I thank the Senator from Alaska.

I consider this a highly important bill, and I consider it a privilege to be associated with the Senator from Alaska, the chairman of our subcommittee, who, with his fine capacity to start with, has worked long and diligently with reference to the subject matter of the bill, the complications that have arisen, and the very large sums of money that are involved.

The Senator from Alaska does not take the spending of money, even for military preparedness, as a casual thing but as a serious matter, and I applaud him for that and emphasize that we must continue to have a full scrutiny of the expenditures for military preparedness, and with a demand that the money be spent with caution and care and that it not be just thrown at a problem, the idea of trying to drown it with money, but trying to get value received for the tax dollar.

This military program is mounting, still mounting, by leaps and bounds, as it has been for a number of years. The present situation is due partly to inflation and other contributory factors, but the cost of effective military preparedness in this day and time is just a very expensive proposition, at the very best.

In the missile age, particularly, so many of these contracts are contracts where the Government is the only customer, and that within itself adds to the costs. But, at the same time, that system is a whole lot better than it would be if we were trying to manufacture these products ourselves.

I notice the Senator from Alaska has made reference here to some of the items that are in this bill, very large sums, that are not in the House bill, which very readily explains the difference between the totals of the two bills. But one thing is so obvious; we put in this bill $4.8 billion extra for the military pay increase which became effective October 1, 1981, this year, and we put that in for the obvious reason that we are spending that money now, and I personally have not favored the idea of some previous years where we carry over the pay part of the military cost for a supplemental bill later in the year.

It made some record look a little better, but it was not totally honest, as I saw it, so I am pleased that we could bring out a bill that included these items and some other matters that go along of the same nature, particularly to support an estimated average inflation rate which, for instance, carries $1.6 billion extra.

I know all the arguments for not putting those amounts in now, but I think it is far better that we bring it in now.

I want to refer to the fact that I am very much pleased that this bill, because of its very nature as well as its amount, has come forth to the Senate floor now for a full debate. That is exactly what we need, and that is the prerogative as well as the responsibility of every Member who feels that he should take part in this debate and, at least, should know the facts of the case. Members who are not on the Armed Services Committee, who are not on the Appropriations Committee, are relatively left, after all, without the facts, without the explanation of the facts, from the standpoint of the Senate Members, unless we have some floor discussion and floor debate.

So I have always favored, and we have had, fairly good debates here for a number of years with reference to these programs.

No. 2, I am totally opposed to the idea of trying to bodily push into a continuing resolution that may be pending just to take care of a continuing interim of time which is usually a few days. I am totally opposed to the idea of trying to force all the appropriations bills, or almost all, into that continuing resolution and thereby put them in issue and thereby possibly cut off what would be a wholesome debate on many of the items.

I think we are destroying our institution of the U.S. Senate when we go that route time after time. I think we are deteriorating greatly and detracting from and actually gradually destroying the committee system in the Senate when we permit these matters to come up primarily in continuing resolutions or even in budget resolutions, subject to amendments without limitation.

We need not fool ourselves—the real work of the Senate, the accomplishments of the Senate, at least, are in the committees. That is where our facts are really developed and that is where the professional expertise is given in the way of testimony as well as staff work and that is the highly valuable process of writing a sound bill. Then there is the experience, I will put it, and understanding and knowledge of the subject matter that is cranked into the bill by the Members themselves who have had a chance to develop and get the facts and also, as I have said, the experience.

So there is the product then that is

brought to the floor and debated for the benefit of the press, the media, the people, and also the membership here of this body. I know that system is sound. I have seen it work for years and years. When we abandon that and try to curtail the debate, we abandon strength and service of the Senate, really, and sound legislation.

I commend those that agreed to have a reasonable debate on this bill and put it up for passage and put it up for amendment. We will fight these things out on the floor here under our rules.

I want to point out that, as I understand the debate now, there is not so much contest after all about the ships, the naval part of the bill. That did not just happen. But it is a different type subject matter. It is a little better understood and it is generally a part of our processes of armament for a long, long time. It is well known, our duties and responsibilities to ourselves and to members of the free world to patrol the sea lanes for the benefit of traffic and communications throughout the free world. It is known that we are the only nation in the free world that has the capacity, the capability, the know-how, and the money to carry on that part of our freedom or our preparedness in the military field. It is known that we have a number of highly capable shipyards and some Federal yards and very capable personnel that are connected with them. And I am glad to see these ship programs move along.

I want to mention in passing that there is some new recognition given to our Reserves and National Guard. I will make a special statement about that before the debate is over. But we have the seed corn, at least, here for more attention that is going to be given to our Reserves and our National Guard in the way of equipment—some new equipment—and some equipment in the field of little things where you can take a relatively few million dollars and spread it around in a number of units. Nothing encourages these Reserves and members of the Guard any more than to give them the benefit of new weapons and new field pieces and equipment that goes with training and makes them front-line military men, so to speak.

I believe I know, by observation, something on this subject. I consider the Guard and Reserves have some of the very finest potential military men that we have and some that are already among the very best. We have Guard units, for instance, Air Guard units particularly that I know of, that train with such intensity and have such talent within their ranks that they outscore the Regulars—and that is no reflection on the regulars—but they outscore the regulars in many fields of endeavor. And you find the men there, they are people that live in the community, they are part of the churches, the schools, the social clubs, and the activities of the community area. They have some love, at least, for the military concept and military training or they would not continue in it. They have enormous talent and many of them have much experience in this very field.

I would greatly extend their responsibilities and their duties, and I would greatly extend the number of men and women involved and the support therefor, and thereby be able to cut down on the enormous numbers that we are accumulating in the regular forces. That is an unusual statement now, but I make it deliberately; that we should build up the manpower more in the Reserves and the Guards, even at the expense of retarding the growth under present conditions of the manpower, personnel power at least in the regulars.

We are accumulating enormous responsibilities of retired pay and the add-up of the salaries that we pay the regulars to where it is a very large proportion of the military dollar. It is a trend that has developed in the last few years and something has to be done about it. I emphasize it now because I do think we have a remedy and, as I have already said, that relates to the Reserves and the National Guard units that we have.

Mr. President, we also have a requirement in the law this year, the authorization bill has required that a report be made by the Department of Defense every year—every year—to the Congress, covering, in concept, the Guard and the Reserve as to what their needs are and their capabilities.

Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The Senator is correct. The Senate will be in order.

Mr. STENNIS. I am told by those that are knowledgeable that we will have a very fine guideline made mandatory on the Department of Defense to be brought in every year for the advanced notice and study by the Congress itself.

I think that will prove to be a highly valuable step in that direction.

Mr. President, the primary points that I have in mind today are these: I do not know of anyone who is informed in this body who fails to realize that we must make a step forward with reference to our strategic forces. Concerning those forces—nuclear and long range, primarily—by the very nature of things, each year we have to be certain that we not drop behind or that we are not overcome, that we are not left out, on knowledgeable and necessary advances or changes, at least, in our weaponry.

The SALT agreements, even though they have done some good so far, have not contributed very much. It is still a race with the Soviets as to who is going to have the most or the best weapons in this field. Conditions are such that we believe, and they believe, that neither side can take a chance on being left out or left second best.

I have no doubt about our present situation being that we are capable of taking care of ourselves, but I do feel that unless we move forward and meet certain developments which have been made in recent years, we will become second rate and will become unable to take care of ourselves, but, more particularly, unable to have a deterring influence on the Soviets.

I look upon these weapons primarily as deterrents, primarily for that purpose. We already have enough to destroy half of their land area, and the Lord only knows what percent of their people. They, in turn, have the same capacity to destroy us, unthinkable as that thought be. There is no weapon defense against these missiles so we have to have the power, the capacity, and let it be known fully that we do have it, so as not to be attacked on the thought that they could destroy us in such a way there would be no capacity to get back.

We have been working along this line for several years in what we call the MX, a new intercontinental ballistic missile. There has been no dissent from that. The missile has gone forward in a regular way. It is a new missile with added concepts, added capacity. One has been in the bill now for several years. I am familiar with it because I was floor manager of the bill during those years. I know the debates we had in the committee and the debates we had here on the floor. I am talking about the missile itself. It has had a good development era, a span of years. As a whole, it is in good shape now. There is no contest about that.

The delay and the dispute, the unsatisfactory part of it all, has been the basing point. What type of basing are we going to have for this land-based missile?

Then it was that we got into the large, underground concept, that it would be a hidden base and an uncertain base because it could not be seen or detected; it would be a moving base because the carriages would move the missiles around from spot to spot and have a constantly hidden and unknown target spot for the Soviets to try to destroy.

We put various strings on that in the way of conditions and limitations, but still we went forward. We had very good discussions in the committee. I said at the beginning of the year 1980 that we were going to move the MX along and bring it to a vote, and after additional hearings, although there were a lot of differences in approaches, there was almost a unanimous vote again, as there had been for 3 or 4 years at least, in favor of this system of basing the MX missile.

Now we have considerable change in the proposal which is before us. That has been studied, carefully studied, by different individuals and by different offices, including the President of the United States, reaching somewhat different conclusions. I do not think we will ever have a system proposed that would be agreed upon by all. Naturally, there is a difference of opinion within the military and within the civilian authorities. Fortunately, we do have very capable men in these fields who have devoted years to these problems.

Whatever may be the final form that the basing mode takes for this missile. I am supporting all of it as it is in the bill rather than trying to hold it up and outguess or second guess somebody—moving forward strongly on this with the knowledge that corrections can and will be made by those in charge of the program and those of us here in the Senate. We are not doing a reckless thing or a careless thing, but we are moving forward on a necessary step. There will be plenty of time later to modify.

There is one thing we cannot afford to do, as I see it, and that is to lose time.

Now I refer to the B–1 bomber. There is no use in relating the details. The B–1 bomber has been before this body for many years, for several years, and for several rollcall votes. Finally, we took the very unfortunate step, as I saw it, which I did not favor, and we put a provision in the law that the President of the United States in the year 1980, whomever he might be—and this was done in 1979—would make a judgment on whether or not the B–1 bomber should be continued.

That was almost a judgment itself by the legislative branch. Maybe it was not necessary, as I saw it.

Anyway, Mr. Carter came in and was really acting under a statute passed by the Congress. He gave a judgment on it, and that was that it should be discontinued. I thought the judgment should have gone the other way but he did not think so.

Anyway, the Congress acceded to that judgment and took the money out of the bill. I was standing right here in this identical place and I remember it so well. We had the appropriation bill already written up and on the floor. But we took the money out under that ruling of the President, except for the research and development money. Then on a rollcall vote we voted to keep that research and development money in the bill. To an extent, that research and development has continued on even until now. The year I was talking about was 1977 or 1978. That research and development money has been spent to some degree during those intervening years since Mr. Carter's ruling and it has been worthwhile. We are reaping the benefits of it now.

So the B–1 bomber, except for some benefits, is the same instrument that we have had all these years. Everybody knows, too, that there is a prospective bomber for the future. I say prospective because those of us who watch these things grow from year to year know you just do not put them together as if you were building an automobile from a model that was already established and approved. You go inch by inch, foot by foot, yard by yard, and process by process and, over and over again, the stops and starts occur. No one knows how long it will take to perfect and deploy this Stealth bomber, although all agree that it is worthwhile and should be moved forward.

That is why I am not too concerned about just how long the B–1 bomber will be able to penetrate, as we say, or how long it will be useful. Who am I to guess or who is the Secretary of Defense to guess about just how long it will be? No one can tell firmly. That is why I do not deter one bit because his estimate was that it might not be useful beyond 1990.

We must have effective instruments in this field. So, with confidence, I can support, even though it is not too happy a thought, these two bomber units going forward at the same time, knowing that we shall be closing the gap and being more careful about not creating a gap and, at the same time, insuring the very best that science can build or that money can buy in the foremost type of developed bomber of the future.

Mr. President, that just about covers the situation as I see it from a practical standpoint, except for forthcoming events in the field of nuclear weaponry controlled by mutual agreements. We called it the SALT treaty in the past—SALT I, SALT II. I am convinced fully that something, if possible, must be done in this field of more effective agreements that can be given surveillance so each side will know whether the other is carrying it out or not. The day has come when that must be given a preeminence that it has not had before.

I feel that so strongly, Mr. President, and I do not think I have been a fanatic on the subject at all. I have personally told the President of the United States that I think the most important problem he has, as well as opportunity, in his 4 years as President, is to get an effective advance agreement in this field, along with the idea that it will take some of our most talented men to act first as his negotiators that are firm and know the subject matter. At the same time, his responsibility should be shown, and I hope it will be shown, by his being active in this field himself and letting it be known right and left that his hand is on the throttle and his hand is giving the guidance and is going to give the guidance as to what the final form of this treaty would be.

Of course, that would be subject, under our constitutional law, to approval or rejection of the U.S. Senate. But in view of those conditions, I have no doubt we do not have any time to lose. Experience proves that we shall be back here next year with arguments and points about these missiles and about the bombers and about other things that go along with it. There will be a lot that can be said, but the question now is, What are we going to do?

Mr. Reagan, with the common consent, I think, of this body and the entire Congress and most of the people, is already arranging to have that conference. So he is going to have to go to it and it is unthinkable that we should send him there limping or lame or inadequately prepared, weaponwise, to cope with this problem. It is a lot of money and it is paving the way for an expenditure of enormous sums of money. But I know from experience that care will be taken and judgments will be made and corrections can and will be made as we go along.

I believe that if events develop such that the money should not be spent, the President and others are not going to go along a willful and reckless expenditure course with these funds. It is an expression of faith and backing up of the ones in responsible positions that we must meet. But by all means, we must not make the mistake here of trying to be too accurate and too demanding that we must know positively that these results can be obtained before we appropriate the money. That would be the worst mistake that we could make. The deterrent value of these weapons—I pray God they will never be used—is the main value, anyway. Unfortunately, that will be true for years to come. So we have to get the best agreement that we can and put up the strongest showing that we can and get the maximum deterrence out of that situation. I believe that it is a new start.

I am delighted that the short-range missiles in Western Europe, too, are being included in these discussions and pray that we shall be able to reach some kind of start, at least, toward settlement in this field of nuclear weapons. Frankly, I have never understood how you are ever going to start a nuclear war and then call it to a halt. Once you go to firing these weapons into the atmosphere and signals sound all around the world, it is virtually impossible to stop such a war as that and such weaponry as that once it has had its start.

That, in broad detail, Mr. President, outlines what I see in this matter. I am very proud that we are having a debate on the bill. We should have it. Every Member should have a right to offer an amendment if he thinks he should, and discussion should follow. That, in itself, is a strong showing of firmness and determination that this matter has been fully considered and that we have started out on this course and we do not expect to stop and we are going to get the value for the dollar to the extent that we can, but that we are going to have a product that is superior. I believe it will be superior; certainly, it will be equal to anything that could possibly be conceived and put into being that might be used against us. There may not be a second chance, after all.

Mr. President, I perhaps will use some time on other subjects later. Again, I express my appreciation to the Senator from Alaska for the way he has worked on this bill.

I yield the floor.

Mr. STEVENS. Mr. President, I thank our distinguished colleague for his comments. I am grateful to him for his kind comments concerning our relationship, and I am delighted to have the opportunity to work with him again on the bill.

(By request of Mr. BAKER, the following statement was ordered to be printed in the RECORD:)

● Mr. GOLDWATER. Mr. President, today the Senate begins consideration of the Department of Defense appropriations bill for fiscal year 1982. There has been a substantial delay already in appropriating these funds, and I strongly urge my colleagues to move forward without further delay. We should enact this bill in expeditious fashion and support it in conference with the House of Representatives.

Any further efforts to reduce this year's defense budget could easily result in a budget which is below the Carter budget of last year. That budget, and the defense posture which resulted, left us in a position where we did not dare challenge the actions of anyone, no matter how aggressive, anywhere in the world. Our country must have a greater degree of security than that.

After all, freedom is the question. Is it worth protecting or not? If not, let us forget the facade and just give up. As my colleagues are well aware, I do not recommend that solution. Our heritage is too precious and the freedom which we enjoy is too important for us to abandon our goals. We have seen this administration begin an important process to achieve peace in the world and that process is necessarily composed of two facets. One facet is negotiations for genuine arms reduction and our President has recently recommitted himself to that goal. The other, and very important, facet is the restoration of our military establishment. These two factors, along with such factors as the restoration of our economy, will determine our national security posture and the future of our Nation.

Mr. President, the appropriations bill we will consider involves very substantial sums of money and that is clear to all of us. What is not quite as clear to some outside observers is that this bill represents a very careful scrutiny of the Defense Department requests. Sure, money can be saved at the Defense Department. One can always find instances or programs where we can save. The Appropriations Committee, and the respective Armed Services Committees before them, have taken a long, hard look at these programs. Some funds were reduced in certain areas and, in others, increases were made to appropriate levels by committees which have analyzed the situation thoroughly. There has been a multitude of hearings, great numbers of witnesses and many field investigations which led to the conclusions listed in this bill. So, although the sums involved in this appropriations bill are indeed large, we can all feel confident that this bill has been very thoroughly scrutinized to insure the most efficient use of the taxpayer's dollar. In addition, we have something else to look forward to under this administration.

We can expect to see real savings, in my view, under the leadership of Secretary of Defense Weinberger and Deputy Secretary of Defense Carlucci. They have deserved reputations in this town for being able to achieve economies, and you can expect them to live up to those reputations. Economies and efficiencies in the defense budget must begin at the top levels of the Pentagon and the individuals at the top are very capable of making that happen. In turn, they deserve our support and our best judgments on their recommendations.

This bill, which we will consider has several very important programs included. As I pointed out to my colleagues several days ago, one of the most important programs is the B–1 bomber. Along with that, this bill supports the President's strategic programs to include the beginnings of the MX missile program and improvements in our command, control and communications capabilities. Along with these major initiatives, the bill represents a continuation of our efforts in several important areas. We have moved the Army forward with the procurement of attack and transport helicopters. The air defense network of the Army also benefits substantially by the procurement items in this bill and, very importantly, the recommendations for tracked combat vehicles will enable our Army to come closer to meeting worldwide requirement.

Substantial sums are also proposed for procurement of Navy and Air Force fighter aircraft and missiles. Most appropriately, in the area of research, development, test, and evaluation, this bill will bolster our defense posture in the out years. Although the individual programs are too numerous to highlight, it is apparent that real progress is inevitable in many aspects of research and development.

Mr. President, I extend my congratulations to the chairman of the Subcommittee on Defense, Senator STEVENS, and his committee members for producing a bill which helps restore our military posture. Not only did they recommend important procurement of hardware, but they have provided solid recommendations in the area of military personnel to insure that we not only have the best equipped personnel in our Armed Forces, but also the best trained and best qualified.

Mr. President, after careful consideration, I heartily urge my fellow colleagues to adopt the provisions of this defense appropriations bill for fiscal year 1982.●

Mr. SCHMITT. Mr. President, I just wanted to say, while the Senator from Alaska is here and the Senator from Mississippi, to compliment them on what they have done on the measure that is before the Senate at this time. It really is a remarkable bill. It is one which I think at least from the Senate's perspective will be known as the truth-in-defense bill.

It does have not only the necessary programs and projects funded but it does recognize what the real world of defense spending is all about.

Mr. President, there is no more important measure before the Senate than this bill because without an adequate national defense all the programs that we as liberals or we as conservatives or as Republicans or as Democrats may be interested in for the country will go for naught.

We must have a national defense, and we must have an adequate defense that recognizes realities currently in place in this world.

The bill the Senator from Alaska has placed before the Senate is one which funds conventional and strategic operations at an adequate level, in fact I think a desirable level.

Some of the other measures implicit in this bill, as well as explicit, deal with procurement, with manpower, inflation, real costs of defense programs, all of which must be dealt with realistically by this body and by the Congress as a whole.

There are some things missing, Mr. President. The air defense both for U.S. borders and for U.S. bases abroad is inadequate. We have a great deal more work to do in that area.

Seapower, particularly that which relates to protecting our sealanes, the merchant marine, is imperfect, and we have a great deal more work to do in that area.

There is not yet sufficient recognition of the strategic minerals crisis that faces this country and faces our national security, and future measures must deal with that far more vigorously and completely than this one does.

There is also an inadequate understanding of the future of defense activities related to space and the commitment that this Nation must make to that in the future.

Mr. President, also if there is one major philosophical problem in the bill it is that we have not yet recognized, we must have nonnuclear alternatives to nuclear strategic weapons, that is, the nonnuclear alternatives that will make weapons of mass destruction obsolete in the future.

The Senator from Alaska recognizes this as do, I think, all members of the committee.

These and other deficiencies are there. We cannot do everything all at once. I believe there is a commitment, however, of the Senate Appropriations Subcommittee and full committee to continue to move along the lines that have been outlined by this bill as we proceed toward its consideration and proceed to conference and eventually a signature by the President.

Again, Mr. President, the Senator from Alaska is to be complimented for his efforts in seeing that the Senate has a chance to deal with a comprehensive appropriation bill relative to national defense, one which I believe will serve the country well, and I congratulate him for it.

Mr. STEVENS. Mr. President, I thank the Senator from New Mexico.

Mr. President, this bill will now be subject to amendment, and the majority leader has indicated that there will be votes this afternoon. I do have some technical amendments which I will present in a moment.

However, let me sum up our position by saying that, as the President now prepares for the new START talks—the Strategic Arms Reduction Talks—it is imperative that the Senate demonstrate our firm resolve to maintain our defensive position and to show the dedication that I feel our people have to totally modernize our weapons systems and proceed with the restoration of superiority over the Soviets in the event those talks are not successful. He has dedicated a great deal of his foreign policy to these new talks.

As the Senator from Mississippi has indicated, the position the President has outlined with regard to missile deployment in Europe is a startling one and a good one. But it must be backed by a firm resolve that if the Soviets are not to meet us halfway and to enter into these new talks with the resolve to reduce the tensions that exist between our nations, this country is dedicated to being capable of maintaining the peace of the world.

Mr. President, one last item, and that is the MX missile system. We understand that there will be an amendment on the MX. There has been a series of amendments over the past years that has prevented the expenditure of moneys on

the MX so that the expenditure of funds by the Department of Defense would commit us to one deployment option. We are not committed to just one deployment option by these moneys. There is an option that has been selected for the first of the MX's.

I believe it is essential for us to realize that this is an evolving program, as the Senator from Mississippi has stated. He has done so well in shepherding these weapons systems through in the past that he knows better than anyone else in this Chamber the negotiations that have gone into the whole procurement scheme so that we are at the position we are in now.

I hope the Senate will stand firm on the major weapons systems and that we will be able to send the President a message reaffirming the position he has taken on behalf of our country as we prepare for these talks abroad.

Mr. President, I ask unanimous consent that the recommendations of the committee, as reported in S. 1857, be considered as committee amendments and agreed to en bloc; that the House bill as thus amended be regarded for the purpose of amendment as original text, provided no point of order shall be considered to have been waived by agreeing to this request.

The PRESIDING OFFICER (Mr. ARMSTRONG). Is there objection to the request of the Senator from Alaska? The Chair hears none, and it is so ordered.

The committee amendments agreed to en bloc are as follows:

On page 2, line 10, strike "$12,288,300,000", and insert "$14,095,781,000";

On page 2, line 19, strike "$8,807,520,000", and insert "$10,453,767,000";

On page 3, line 3, strike "$2,703,970,000", and insert "$3,151,526,000";

On page 3, line 11, strike "$10,209,920,000", and insert "$11,688,381,000";

On page 3, line 24, strike "$962,500,000", and insert "$1,054,750,000";

On page 4, line 12, strike "$346,420,000", and insert "$361,643,000";

On page 5, line 4, strike "$138,120,000", and insert "$152,212,000";

On page 5, line 17, strike "$291,548,000", and insert "$326,399,000";

On page 6, line 4, strike "$1,287,600,000", and insert "$1,468,136,000";

On page 6, line 17, strike "$421,392,000", and insert "$475,078,000";

On page 7, line 2, strike "$14,931,815,000", and insert "$14,944,815,000";

On page 7, line 12, strike "$15,019,062,000", and insert "$15,354,400,000";

On page 7, line 13, strike "$898,600,000", and insert "$998,600,000";

On page 7, line 17, strike "$163,300,000", and insert "$211,300,000";

On page 7, line 25, strike "$19,345,000,000", and insert "$19,944,389,000";

On page 8, line 1, strike "$646,500,000", and insert "$736,800,000";

On page 8, beginning on line 7, strike ": Provided", through and including line 22;

On page 8, line 24, strike "$5,435,000", and insert "$17,435,000";

On page 9, line 4, strike "$1,184,540,000", and insert "$1,186,440,000";

On page 9, line 16, strike "$15,978,376,000", through and including "aircraft" on line 18, and insert "$16,906,069,000";

On page 9, line 22, strike "$67,800,000", and insert "$107,800,000";

On page 10, line 5, strike "$4,949,470,000", and insert "$4,768,000,000";

On page 10, line 15, strike "$59,000,000", and insert "$79,000,000";

On page 10, line 23, strike "$661,635,000", and insert "$619,700,000";

On page 11, line 8, strike "$585,540,000", and insert "$565,540,000";

On page 11, line 19, strike "$40,299,000", and insert "$40,799,000";

On page 12, line 4, strike "$668,454,000", and insert "$682,608,000";

On page 12, line 21, strike "$1,087,250,000", and insert "$1,047,600,000";

On page 13, line 19, strike "$1,643,818,000", and insert "$1,682,568,000";

On page 14, line 22, strike "$155,700,000", and insert "$198,200,000";

On page 15, line 22, strike "$1,903,500,000", and insert "$1,940,900,000";

On page 16, line 16, strike "$2,131,200,000", and insert "$2,177,200,000";

On page 17, line 8, strike "$3,818,200,000", through and including "delay" on line 10, and insert "$3,958,600,000";

On page 18, line 3, strike "$2,350,900,000", and insert "$2,338,400,000";

On page 19, line 2, strike "$3,804,300,000", and insert "$3,728,071,000";

On page 19, after line 3, insert the following:

ARMY NATIONAL GUARD EQUIPMENT

For military equipment for Army National Guard units, $50,000,000, to remain available until September 30, 1984.

On page 19, line 19, strike "$8,946,800,000", and insert "$9,431,400,000";

On page 20, line 9, strike "$3,196,100,000", and insert "$3,327,100,000";

On page 20, line 25, strike "$230,700,000", and insert $330,700,000";

On page 21, line 2, strike "$475,000,000", and insert "$658,000,000";

On page 21, line 4, beginning with "; for", strike through and including the sum on line 5;

On page 21, line 6, strike "$81,000,000", and insert "$100,000,000";

On page 21, line 8, strike "$2,929,300,000", and insert "$2,946,300,000";

On page 21, line 9, after the sum, insert "for the LHA/LHDX helicopter assault ship program, $45,000,000";

On page 21, line 11, strike "$926,100,000"; and insert "$971,900,000";

On page 21, line 16, strike "$135,500,000", and insert "$160,500,000";

On page 21, line 17, strike "$184,000,000", and insert "$323,000,000";

On page 21, line 20, strike "$754,700,000", and insert the following: $808,500,000; for inflation adjustments to be distributed by the department as appropriate among the programs in this appropriation, $105,000,000; for acquisition, construction and improvement, Coast Guard, $300,000,000, to be transferred to the Coast Guard: "Acquisition, Construction and Improvements";

On page 22, line 1, strike "$73,100,000", and insert "$102,400,000";

On page 22, beginning on line 1, strike "$15,100,000" through and including the end of line 3;

On page 22, line 6, after "1985", ", insert the following: and $44,400,000 shall be derived by transfer from the "fast logistics ship (T-AKRX) program" of "Shipbuilding and Conversion, Navy, 1981/1985";

On page 22, line 10, strike "$12,000,000 for inflation offsets;";

On page 22, line 10, strike "$13,700,000", and insert "$7,000,000";

On page 22, line 11, strike "and $11,900,000", through and including "transfer;" on line 12;

On page 22, line 13, strike "$8,148,900,000", and insert "$9,243,900,000";

On page 22, line 14, strike "$73,100,000", and insert "$102,400,000";

On page 22, line 15, strike "1986", and insert the following: 1988: *Provided*, That of the appropriation for "Shipbuilding and Conversion, Navy," that expired for obligation on September 30, 1981, $119,000,000 shall remain available for obligation until September 30, 1983.

On page 23, line 17, strike "$3,695,577,000", and insert "$3,880,268,000";

On page 24, line 3, strike "$1,682,556,000", and insert "$1,758,716,000";

On page 24, line 20, strike "$13,835,898,000", and insert "$14,044,298,000";

On page 24, beginning on line 22, strike the sum, through and including "aircraft," on line 24;

On page 24, line 25, strike "$334,300,000", and insert "$344,300,000";

On page 25, line 7, after "Programme,", insert the following: and $89,700,000 shall be derived by transfer from Aircraft Procurement, Air Force, 1981/1983, ;

On page 25, line 25, strike "$4,555,550,000", and insert "$4,217,746,000";

On page 26, line 19, strike "$5,379,288,000", and insert "$5,357,589,000";

On page 27, line 16, strike "$511,500,000", and insert "$518,700,000";

On page 28, line 1, strike "$3,577,119,000", and insert "$3,759,409,000";

On page 28, line 9, strike "$5,617,671,000", and insert "$6,111,579,000";

On page 28, line 17, strike "$8,501,210,000", and insert "$9,076,906,000";

On page 29, line 4, strike "$1,613,204,000", and insert "$1,843,495,000";

On page 34, line 5, strike "; (m)", through and including line 17;

On page 43, line 10, strike ". Neither", through and including "stores" on line 14;

On page 43, line 14, strike "That", through and including "further," on page 44, line 4;

On page 51, line 15, strike ": Provided", through and including line 18;

On page 52, line 7, strike "(e)", through and including "changes" on line 11, and insert the following:

(e) surgery which improves physical appearance but which is not expected to significantly restore functions including, but not limited to, mammary augmentation, face lifts and sex gender changes except that breast reconstructive surgery following mastectomy and reconstructive surgery to correct serious deformities caused by congenital anomalies, accidental injuries and neoplastic surgery are not excluded;

On page 53, line 3, after "midwife,", insert the following: certified nurse practitioner, or for the purpose of conducting a test during fiscal year 1982, by a certified clinical social worker;

On page 61, strike line 15, through and including line 22, and insert the following:

SEC. 765. None of the funds made available by this Act shall be used in any way for the leasing in the United States of military aircraft or vehicles when suitable aircraft or vehicles are commercially available in the private sector.

On page 63, strike line 16, through and including page 64, line 8, and insert the following:

SEC. 771. None of the funds made available by this Act shall be used for the evaluation or procurement of new 9 mm weapons to replace existing .45 and .38 calibre military handguns.

On page 64, strike line 13, through and including page 65, line 7,

SEC. 772. Not to exceed $1,700,000 of the funds available to the Department of Defense for Reserve Personnel shall be available for transfer to appropriations available to the Federal Emergency Management Agency.

On page 65, strike line 12, through and including line 18, and insert the following:

SEC. 773. None of the funds appropriated by this Act shall be obligated under the competitive rate program of the Department of Defense for the transportation of house-

hold goods to or from Alaska and Hawaii.

On page 65, strike line 23, through and including page 66, line 4, and insert the following:

SEC. 774. Notwithstanding the provisions of section 505(c) of the Omnibus Budget Reconciliation Act of 1981, funds made available to the Department of Defense by this Act for payments and arrangements authorized by section 505(c) shall be administered by the Secretary of Defense who shall be responsible for the conduct of programs with such funds and who shall not delegate such responsibility outside of the Department of Defense.

On page 66, strike line 19, through and including page 67, line 8, and insert the following:

SEC. 776. Not to exceed $25,000,000 of the funds provided in this Act for the Civilian Health and Medical Program of the Uniformed Services may be used to conduct a test program, under such terms and conditions as the Secretary of Defense deems appropriate, to provide preventive and basic restorative dental care to such beneficiaries as he determines appropriate.

On page 67, strike line 16, through and including page 68, line 3, and insert the following:

SEC. 777. Funds available to the Department of Defense during the current fiscal year shall be available to establish a program to provide child advocacy and family counseling services to deal with problems of child and spouse abuse.

On page 68, line 17, strike "780", and insert "778";

On page 69, strike line 1, through and including line 7;

On page 69, line 8, strike "782. (a)", and insert "779";

On page 69, strike line 13, through and including page 71, line 3;

On page 71, line 8, strike "$12,563,000", and insert "$13,563,000";

UP AMENDMENT NO. 713

Mr. STEVENS. Mr. President, as I indicated, there are a couple of small items. I send an amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Alaska (Mr. STEVENS) proposes an unprinted amendment numbered 713:

On page 63, strike section 770 beginning on line 10 and ending on line 15.

Mr. STEVENS. Mr. President, as I explained to the Senate earlier, it was necessary for the committee to begin marking up the Defense appropriations bill this session even before the House had completed action on it. This tight schedule did not permit the usual careful review of all of the general provisions added by the House. Consequently, the committee failed to note the full implications of section 770, which applies to contractor reimbursements for insurance coverage.

We have now determined that this section should not be accepted by the Senate for two reasons:

First, most of it is a repetition of language that was established as permanent law in the fiscal year 1981 Supplemental Appropriations Act. Since it is permanent law it does not need to be carried in every annual appropriation act.

Second, the last phrase in that provision beginning on line 14 may have far reaching consequences not intended by the other body and should be subject to more review before being enacted. Deleting it here will insure that it will be an issue in conference with the House.

That phrase in effect extends the limitation of Federal support of contractor insurance involving defects in materials or workmanship to fortuitous or casualty losses. Both contractors and the Department of Defense tell us this new limitation would not only remove the Federal Government from insuring such losses but may drive the cost of insurance beyond the reach of contractors.

I point out that the American Bar Association has dispatched a letter to all Members of the Senate with regard to this section.

At any rate, more time is needed to assess this particular provision, and my amendment will assure that there is opportunity for adequate review, by deleting the last clause of section 770, which applies to contract reimbursements for insurance coverage. The matter will be in conference.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter I mentioned from the American Bar Association, pertaining to this amendment.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN BAR ASSOCIATION,
Long Beach, Calif., November 24, 1981.

Hon. TED STEVENS,
U.S. Senate, Russell Senate Office Building, Washington, D.C.

DEAR SENATOR STEVENS: The Section of Public Contract Law, American Bar Association, submits the following comments on the 1982 DOD Appropriation Bill, H.R. 4995. These comments are presented only on behalf of the Public Contract Law Section, and have not been approved by the House of Delegates or the Board of Governors, and should not be construed as representing the position of the American Bar Association.

These comments are directed to Section 770 of the bill, as amended by the Senate Appropriations Committee, and particularly the last thirteen words of this section, which read ". . . or against the costs of fortuitous or casualty losses resulting from such defects."

The quoted language is objectionable on many counts and not justifiable on any basis of which we are aware.

First, it eliminates the allowability of tort liability insurance and workers compensation insurance costs as a part of the pricing or costs of DOD prime and subcontracts. This is a radical departure from existing and carefully considered U.S. Government and DOD policy which encourages and in many instances requires such insurance. See, Defense Acquisition Regulation (DAR) 7-203.22 Insurance—Liability to Third Persons (1966 Dec.) especially paragraph (c). See, also, DAR 10-701, DAR 10-702, DAR 7-303.61, DAR 7-403.56, DAR 7-303.62, DAR 7-403.67. See, especially, DAR 7-104.2 which reflects the statutory requirement of 42 U.S.C. 1657, that the contractor must maintain "such Workman's Compensation Insurance or security as is required by the Defense Base Act. . . ."

Inasmuch as contractors are required as a matter of law or regulation having the force and effect of law to maintain such insurance, we can see no justification for disallowing the cost of such insurance.

Second, the objectionable language of Section 770 would disallow such insurance costs without regard to the question of fault. Under both workers compensation as well as various product liability doctrines, a contractor may be liable even though its conduct was entirely prudent and blameless. Indeed, in some cases, the courts have recognized that it was the government's fault and not that of the contractor which was the primary cause of the accident, but it was the contractor and not the government which was held liable. To disallow the costs of insuring against such risks is to doubly penalize the innocent contractor.

Third, the objectionable language grossly oversimplifies an extremely complex and intricate legal fabric. The allocation of responsibility for casualty losses involving DOD contractors and subcontractors brings into issue many bodies of law and special policy areas. These include product liability law as enunciated by each of the fifty states, and indeed international law since the accident may take place abroad or in space, government contract law, constitutional law, especially since the sovereign immunity of the U.S. Government is frequently involved, as well as casualty insurance and workman's compensation law to mention some of the most prominent. To disallow the costs of handling a significant portion of such risks without a careful consideration of the consequences within these various legal and policy disciplines is, we submit, egregiously ill advised.

Fourth, the objectionable language is unclear and legally inadequate inasmuch as the question of what may constitute a defect in materials or workmanship is not resolved, if indeed it can be resolved. For example, would it be a defect in workmanship and materials if the contractor was in full compliance with the specifications which the government imposed in its contract? How would DOD and its contracting officers and auditors decide in advance which costs of insurance were incurred to cover such defects and which insurance costs were incurred to cover other "fortuitous or casualty losses"? Since insurance is purchased before an accident, it would be impossible to predict the basis for claims at the time of incurring such costs. To be compliant with this section, if enacted, DOD would be incentivized to require contractors to exclude such risks from their general liability insurance coverage. Is it wise to induce such a change, and is the insurance industry willing to make it?

Lastly, and this certainly does not exhaust the reasons which can be advanced in criticism of the objectionable language, the enactment of Section 770 would further erode the industrial base vital to our national security. Putative contractors and subcontractors confronting such a draconian law would be induced to decline to do business on such onerous terms.

Under applicable American Bar Association procedures, the Public Contract Law Section of the Association submitted its Section comments and gave testimony in support of H.R. 5351 of the last Congress, and H.R. 1504 of this Congress. The thrust of both these bills, which were labeled as "Government Contractor's Product Liability Acts," was to alleviate the grossly inequitable product liability risks being borne by blameless government contractors and subcontractors even though they fully complied with the performance requirements of their contracts in every way. Because of the widespread adoption of no-fault bases for liability, government contractors have repeatedly been held liable even though the government was primarily responsible for the accident and damage. H.R. 1504 is still being considered by the House Judiciary Committee, Subcommittee on Government Operations and Administrative Law, which has received much testimony in favor of the policy revision embraced in the bill.

The Public Contract Law Section urges that Section 770 be reconsidered and that

the objectionable language be deleted from the bill. If consideration by the Congress should be given to the question of the allocation of liability risks confronting DOD and other government contractors and subcontractors, such consideration should address and take into account all the legal, social and national security issues involved. We are in favor of an appropriate and equitable reallocation of such risks, which in our considered view should alleviate the plight of contractors rather than increase it.

Very truly yours,

DAVID L. HIRSCH III,
Chairman.

Mr. STENNIS. Mr. President, if the Senator will yield, I believe his reference here is to page 63, near the middle of the page. That language reads: "or against the costs of fortuitous or casualty losses resulting from such defects."

Mr. STEVENS. The Senator is correct.

Mr. STENNIS. Mr. President, I heartily agree with the Senator from Alaska. He has called attention to a very serious clause which may be a major defect in this whole section, even though it is written in good faith. It applies to all contractors in this enormous program and certainly should be deleted for the time being. It will be in conference. I support the Senator.

Mr. STEVENS. I thank the Senator.

The effect of the amendment is to take the entire section out, because the previous portion, not quoted by the Senator from Mississippi, is already permanent law.

Mr. WARNER. Mr. President, I wish to commend and support the senior Senator from Alaska with respect to his amendment to section 770 of the pending bill providing for defense appropriations for fiscal year 1982. His amendment deletes the language, which was contained in both the House and Senate committee versions of the bill, which would have prohibited the use of fiscal year 1982 DOD funds to reimburse a contractor for the cost of commercial insurance for fortuitous or casualty losses resulting from a contractor's own defects in materials and workmanship.

The record should reflect that the amendment leaves intact the permanent provisions of law on this subject in the fiscal year 1981 Supplemental Appropriations Act.

JUSTIFICATION FOR AMENDMENT

Mr. President, the issue of fortuitous and casualty losses in defense contracts, and the division of costs between contractors and the Government, is a most involved and complex subject. It involves the entire interrelationship of contract law, insurance law, and product liability law, and all the regulations and policies involved therein.

INVOLVED PROBLEM

It is most appropriate that the Congress, as well as the executive branch, examine in detail what is involved before amending the laws and regulations on this subject.

DOD OPPOSITION

The Department of Defense is opposed to the inclusion of the language which was deleted and, therefore, supports the amendment.

In a letter of November 25, 1981, addressed to Senators STEVENS, STENNIS, and TOWER, the Office of the Under Secretary of Defense, in referring to the words now stricken by the amendment stated: "This restriction on commercial insurance cost allowability is likely to increase or our contract costs, reduce competition, and cause further erosion in our industrial base."

I ask unanimous consent that the complete DOD letter be printed in the RECORD at this point, Mr. President.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF THE UNDER
SECRETARY OF DEFENSE,
Washington, D.C., November 25, 1981.

Hon. JOHN G. TOWER,
Chairman, Committee on Armed Services, Washington, D.C.

DEAR MR. CHAIRMAN: The Senate mark-up of the FY 1982 Appropriations bill includes the very restrictive language added by the House on the allowability of commercial insurance premium costs on defense contracts. This new language goes far beyond the restrictions contained in the Supplemental Appropriations and Rescission Act, 1981 (Public Law 97–12). Public Law 97–12 provides that a contractor cannot be reimbursed for costs of commercial insurance that would protect the contractor against costs of correcting the contractor's own defects in materials and workmanship, unless the contractor normally maintains such insurance in the general course of his business. DOD is currently in the process of implementing these provisions.

The new general provision is so broadly phrased that it would appear to preclude the reimbursement, under defense contracts, of costs for product liability insurance. Suppliers normally insure against potential liability for damages to third persons resulting from the use of their products, even after the product has been accepted by the purchaser; in this case, the Government.

Since such liability could be great, even where the risk is low, suppliers maintain commercial insurance to protect themselves from potential losses and with respect to small business to protect their corporate survival. Costs for such insurance are considered to be normal business expenses, and it is our position that they should be reimbursable.

This restriction on commercial insurance cost allowability is likely to increase our contract costs, reduce competition, and cause further erosion in our industrial mobilization base. Some defense contractors will elect to become self-insurers; others will remove themselves as a defense supplier. If they choose to self-insure, these costs could greatly exceed the costs of maintaining commercial insurance and would be passed to the Government.

If the contractor chooses not to bid on defense contracts because they are unable to recover their necessary business expenses, our costs will still increase because competition would be reduced. Reducing the number of our suppliers will also impair our efforts to improve our industrial mobilization base.

I strongly believe that it is in the Government's best interest to delete this additional restriction on allowability of commercial insurance costs.

Sincerely,

ROBERT F. TRIMBLE,
Assistant Deputy Under Secretary of Defense for Acquisition.

OTHER ISSUES—PRESENT COST OF COMMERCIAL PREMIUMS

Mr. WARNER. Mr. President, the cost of commercial premiums for third party liability is presently an allowable cost to DOD contractors for liabilities to third parties resulting from defects in workmanship or materials. The cost of these premiums are presently allowable regardless of the type of contract. Defense contracts sometimes require such coverage (Contract providing for indemnity). If the stricken language were to become law, the use of DOD funds would be precluded for this purpose.

SELF INSURANCE

A large portion of DOD contracts contain self-insurance clauses under which the Government becomes the insurer of the contractor in lieu of the contractor obtaining commercial insurance. This policy of long standing is based on being cheapest for the Government.

In recent contracts, the Navy has adopted the practice of not only excluding as an item of allowable cost the cost of commercial insurance, as has been required by the fiscal year 1981 DOD Supplemental Appropriations Act regarding commercial insurance for defense contractors, but has also excluded the customary protection under its self-insurance provision. It can be expected that DOD will expand the area where the Government will neither pay for the insurance nor act as self-insurer, if this bill is not modified.

SUBCONTRACTORS

Mr. President, the language is unclear as to whether subcontractors would be denied the commercial insurance reimbursement. If subcontractors are not reimbursed, issues are raised as to the effect on small business.

OTHER QUESTIONS

Does this proposed language prohibit coverage where defects clearly conform to Government specifications?

Does the Congress intend that premiums for workmen's compensation be disallowed as cost of doing business?

Is there sufficient commercial insurance available to assume the commercial risk?

Can insurance for catastrophic risk only be obtained abroad and at excessive premiums?

Would the nonreimbursement of premiums expense ultimately raise the cost of the hardware, especially if it involves activities such as a manufacturer of ammunition and involvement in unusually hazardous risks?

CONCLUSION

Mr. President, in view of the foregoing considerations, all of the facts and issues should be carefully examined before Congress proceeds with legislation on this involved subject.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (UP No. 713) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STENNIS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UP AMENDMENT NO. 714

(Purpose: To raise the limitation on the value of ammunition which may be issued from other funds available from $340,000 to $680,000)

Mr. STEVENS. Mr. President, I send another amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

The Senator from Alaska (Mr. STEVENS) proposes an unprinted amendment numbered 714:

On page 14, line 7, line out "$340,000" and insert in place thereof the number "$680,000".

Mr. STEVENS. Mr. President, this amendment is offered in recognition of the fact that the price of .22 caliber ammunition has doubled since last year. Every year the Defense Appropriations Acts have included the provision that not more than $340,000 worth of ammunition may be issued for the purposes of national competitions or matches. The amendment will raise this limitation to $680,000 to reflect a recent increase in the price of ammunition from 1 cent to 2 cents per round, thereby doubling the cost. Funding for the procurement of ammunition for the National Board for the Promotion of Rifle Practice's competitive matches is from other sources than this particular appropriation account. Therefore, this amendment has no direct dollar effect on this account, but merely raises the limitation on the value of the ammunition that may be issued for use by the National Board for the Promotion of Rifle Practice's competitive matches. I consider it a technical amendment.

Mr. STENNIS. Mr. President, if the Senator will yield, I support his position with reference to this amendment, and I think the amendment should be taken to conference.

Mr. STEVENS. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (UP No. 714) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STENNIS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UP AMENDMENT NO. 715

(Purpose: To correct a printing error inadvertently omitting italics to reflect the Senate amendment in Committee)

Mr. STEVENS. Mr. President, I send another technical amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

The Senator from Alaska (Mr. STEVENS) proposes an unprinted amendment numbered 715:

On page 14, line 8, after "section 4311" insert: *Provided*, That competitors at national matches under title 10, United States Code, section 4312, may be paid subsistence and travel allowances in excess of the amounts provided under title 10, United States Code, section 4313

Mr. STEVENS. Mr. President, this amendment provides for increased travel and subsistence payments for competitors of national matches under the direction of the National Board for the Promotion of Rifle Practice.

The fiscal year 1981 Defense Appropriations Act contains this provision which lifts the limitation on the amount which may be paid for this purpose and allows the Department of Defense to establish the amount.

Existing provisions specify that competitors at national matches may receive not more than $1.50 per day for subsistence and 5 cents per mile for travel. Clearly that limitation has long been overcome by inflation.

The Department of Defense has in past appropriations acts had authority that this amendment will give to pay competitors at a rate not to exceed the established DOD travel and per diem allowances.

In short, Mr. President, the adoption of this amendment merely continues the provision which was in the 1981 act which the House of Representatives apparently deleted. It is a discretionary provision to pay the amount that is established by DOD for other purposes.

Mr. STENNIS. Mr. President, if the Senator will yield, I approve the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alaska.

The amendment (UP No. 715) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STENNIS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, we are informed that there are several amendments that will be offered. I hope that Members of the Senate will come forward particularly with the amendments that have been discussed with us.

Mr. BAKER. Mr. President, will the Senator yield to me?

Mr. STEVENS. I yield.

Mr. BAKER. Mr. President, I join the distinguished Senator from Alaska in urging Senators to come forward and offer their amendments.

It is 2:20 in the afternoon. This matter has been set for some time and was set to convenience the maximum number of Senators and also, may I say, to try to assure that this bill will get to conference and be passed well before the time that we anticipate sine die adjournment of the Senate.

But, Mr. President, at this late date on November 30 we simply cannot squander a day. We simply cannot afford a day.

It is beginning to appear that no one is going to be ready to offer his amendment. We simply have to try as best we can to dispose of as much of this bill today as we can because, as I announced earlier today, I am willing to stay late tonight. I hope we can finish tomorrow. But if we have any chance of doing that and if we have any chance of finishing the necessary work of the Senate in time for a December 18 adjournment, it is imperative that Senators come to the Chamber and offer their amendments.

Mr. President, if we do not have an amendment to be offered shortly and on which there can be serious business transacted it will be the intention of the leadership on this side to put in a live quorum call and ask Senators to come to the Chamber so that we can take a canvass of how many amendments there are and try to do something about scheduling.

We are now 1 hour and 25 minutes into this bill, and it is high time that Senators made an effort to offer amendments if indeed they have amendments to offer.

Mr. STEVENS. Mr. President, I thank the majority leader.

QUORUM CALL

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The assistant legislative clerk called the roll, and the following Senators entered the Chamber and answered to their names:

[Quorum Call No. 10 Leg.]

Armstrong	Pressler	Stevens
Baker	Stennis	Tower

The PRESIDING OFFICER. A quorum is not present. The clerk will call the roll of the absent Senators.

Mr. BAKER. Mr. President, I move that the Sergeant at Arms be instructed to request the attendance of absent Senators, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from South Dakota (Mr. ABDNOR), the Senator from North Dakota (Mr. ANDREWS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Arizona (Mr. GOLDWATER), the Senator from California (Mr. HAYAKAWA), the Senator from Kansas (Mrs. KASSEBAUM), the Senator from Maryland (Mr. MATHIAS), the Senator from Idaho (Mr. MCCLURE), the Senator from Alaska (Mr. MURKOWSKI), the Senator from South Carolina (Mr. THURMOND),

the Senator from Wyoming (Mr. WALLOP), and the Senator from Connecticut (Mr. WEICKER), are necessarily absent.

Mr. ROBERT C. BYRD. I announce that the Senator from Texas (Mr. BENTSEN), the Senator from Delaware (Mr. BIDEN), the Senator from Virginia (Mr. HARRY F. BYRD, JR.), the Senator from California (Mr. CRANSTON), the Senator from Connecticut (Mr. DODD), the Senator from Alabama (Mr. HEFLIN), the Senator from Kentucky (Mr. HUDDLESTON), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Louisiana (Mr. LONG), the Senator from Ohio (Mr. METZENBAUM), the Senator from Rhode Island (Mr. PELL), the Senator from Maryland (Mr. SARBANES), the Senator from Massachusetts (Mr. TSONGAS), and the Senator from Nebraska (Mr. ZORINSKY), are necessarily absent.

The PRESIDING OFFICER (Mr. EAST). Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 73, nays 1, as follows:

[Rollcall Vote No. 427 Leg.]

YEAS—73

Armstrong	Garn	Moynihan
Baker	Glenn	Nickles
Baucus	Gorton	Nunn
Boren	Grassley	Packwood
Boschwitz	Hart	Percy
Bradley	Hatch	Pressler
Bumpers	Hatfield	Proxmire
Burdick	Hawkins	Pryor
Byrd, Robert C.	Heinz	Randolph
Cannon	Helms	Riegle
Chafee	Hollings	Roth
Chiles	Humphrey	Rudman
Cohen	Inouye	Sasser
D'Amato	Jackson	Schmitt
Danforth	Jepsen	Simpson
DeConcini	Johnston	Specter
Denton	Kasten	Stafford
Dixon	Laxalt	Stennis
Dole	Leahy	Stevens
Domenici	Levin	Symms
Durenberger	Lugar	Tower
Eagleton	Matsunaga	Warner
East	Mattingly	Williams
Exon	Melcher	
Ford	Mitchell	

NAYS—1

Quayle

NOT VOTING—26

Abdnor	Goldwater	Metzenbaum
Andrews	Hayakawa	Murkowski
Bentsen	Heflin	Pell
Biden	Huddleston	Sarbanes
Byrd, Harry F., Jr.	Kassebaum	Thurmond
	Kennedy	Tsongas
Cochran	Long	Wallop
Cranston	Mathias	Weicker
Dodd	McClure	Zorinsky

So the motion was agreed to.

The PRESIDING OFFICER. With the addition of Senators voting who did not answer the quorum call, a quorum is now present.

Mr. BAKER. Mr. President, if I may have the attention of the Senate for a moment, it is absolutely imperative, in my opinion, that we get on with this bill. We are now 2 hours into the debate on this measure. We are close to the end of the session. There has not been one single amendment of consequence that has been offered. There are a number of important amendments that must be dealt with. We have 74 Senators present who answered on this rollcall vote.

Mr. President, I urge Members to come to the floor, to stay on the floor, and to participate in this measure. I am prepared to ask the Senate to remain in late. If we can proceed to dispose of this matter tonight it would please me mightily. If we cannot, I would hope we can finish the matter tomorrow. But it is an important bill, Mr. President. It is one of the vital measures that must be dealt with. It is one that was set with great care to try to accomplish the maximum convenience for the maximum number of Senators. We have to go to conference on this bill. We have a tentative agreement with the other body on when they will go to conference. So, Mr. President, I hope that all Senators will come to the floor now and offer their amendments.

In addition to that, Mr. President, I would hope it might be possible to agree on a time certain for final passage of this measure.

I would like to make a proposal. I do not now make the request, but I do invite reaction to this proposal.

Mr. President, I would hope——

Mr. STENNIS. Mr. President, may we have quiet? This is very important.

The PRESIDING OFFICER. The Senate will be in order.

Mr. BAKER. Mr. President, I would hope we can finish consideration of this measure by 4 p.m. on Wednesday. There are a number of amendments that will have to be dealt with in the meantime but there are two in particular that I would hope we can set now. I would hope, for instance, that we could get a vote on a B–1 amendment, which I understand will be offered, at 2:30 on tomorrow, and an MX vote—I understand there will be an MX amendment—by 2:30 on Wednesday, and final passage by not later than 4 o'clock Wednesday.

Mr. President, as far as I can tell, that would meet the convenience of the greatest number of Senators and would permit us to go on with the dispatch of this important piece of legislation.

I am prepared at this time, Mr. President, to yield the floor or to yield to any Senator who wishes to call up an amendment or any Senator who wishes to comment on this suggestion.

Mr. HEINZ addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

UP AMENDMENT NO. 716

(Purpose: To provide funds for research and development on the reactivation of the U.S.S. *Iowa*)

Mr. HEINZ. Mr. President, having listened with great care to the admonitions of the majority leader, I send an amendment to the desk and ask for its immediate consideration.

Mr. JACKSON. That is progress.

Mr. BAKER. Mr. President, that is known as pump priming.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Pennsylvania (Mr. HEINZ), for himself and Mr. HOLLINGS, Mr. THURMOND, Mr. SPECTER, Mr. HAYAKAWA, Mr. BRADLEY, Mr. DENTON, Mr. JEPSEN, Mr. WARNER, and Mr. D'AMATO, proposes an unprinted amendment numbered 716.

Mr. HEINZ. Mr. President, I ask unanimous consent that further reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 21, after the semicolon in line 5, insert "for the reactivation of the U.S.S. Iowa, $88,000,000;".

On page 28, line 10, strike out "$6,111,579,000" and insert in lieu thereof "$6,114,579,000".

Mr. HEINZ. Mr. President, earlier this year, the House and the Senate both authorized the expenditure of funds for the rehabilitation of the battleship *Iowa*. The appropriation bill before us, as reported by the Senate Appropriations Committee, contains at this point no funds to follow through on the DOD authorization that was agreed to. My amendment quite simply, seeks to restore the funds that were authorized and that the administration wants and needs to proceed with reactivation and modernization of that very well-known battleship.

Mr. President, let me point out to my colleagues, especially those on the Appropriations Committee, that this amendment before us would restore $88 million in advanced procurement and $3 million in R.D.T. & E. for the *Iowa*. At the present time, that is included in this one amendment and might, if someone asked for it, be divisible into two separate questions. But I ask, since these two elements go hand in hand, unanimous consent, Mr. President, that the two changes be considered en bloc.

Mr. BUMPERS. Mr. President, reserving the right to object, will the Senator elaborate on the unanimous-consent request?

Mr. HEINZ. Yes, Mr. President. The Senator from Pennsylvania asked unanimous consent, with regard to the amendment—which changes two numbers in this appropriations bill, increasing one by $88 million in advance procurement for the *Iowa*, and $3 million in R.D.T. & E. for the *Iowa*—that the two items be considered en bloc; that is, that it would not, in the future, be in order for them to be divided.

The rationale for that is that they really go hand in hand, they are parts of the same request by the administration.

Mr. BUMPERS. Mr. President, are they in separate parts of the bill?

Mr. HEINZ. The Senator is correct, Mr. President. They are.

Mr. BUMPERS. Mr. President, the Senator says the $3 million is for R.D.T. & E.?

Mr. HEINZ. The Senator is correct.

Mr. BUMPERS. Why would the Senator want to include $88 million for procurement before the $3 million in R.D.T. & E. is appropriated, anyway, Mr. President?

Mr. HEINZ. Mr. President, these two items go hand in hand. The $88 million is for advance procurement. That has been asked for for that purpose by the administration. The R.D.T. & E., obviously, has to do with research and development and is apparently quite necessary in order to follow through over the 2-year period it will take to rehabilitate the *Iowa*.

I say to the Senator further that both of these items were authorized by the House and the Senate Armed Services Committees.

Mr. BUMPERS. Mr. President, why would the Senator propose to be procuring something before the research and development is done?

Mr. HEINZ. Because, Mr. President, in this instance, some of the items, as I understand it, that are going to be researched will be actually funded for procurement and other purposes in future years. In order for us to have an orderly process of accommodating those other procurement decisions, we have to spend the research and development money on those.

Mr. BUMPERS. Could the two expenditures be carried out simultaneously, Mr. President? Is that what the Senator is suggesting?

Mr. HEINZ. Yes, Mr. President.

Mr. BUMPERS. The reason I have questioned the Senator is that normally we do research and development to determine the feasibility of something before we start procuring it. Since the Appropriations Committee chose not to put any money in this bill for the *Iowa*, it seems to me that the Senator is going pretty far afield to suggest doing all of it at one time.

Mr. HEINZ. Let me just say to my good friend, Mr. President, that I am advised that not only did both the authorizing committees see fit to authorize both, but the House Appropriations Committee apparently has appropriated both the $88 million and the $3 million.

If the Senator would prefer, I shall withdraw my unanimous-consent request and we can have two votes.

Mr. BUMPERS. Mr. President, I shall have to object for the time being. Let me meditate on it a little bit and maybe later I can agree.

Mr. HEINZ. Mr. President, the only reason I made the unanimous-consent request is to expedite the business of the Senate. The Senator is perfectly within his right not only to object, but to divide the question. I am not sure what purpose that serves, but he is within his right.

Mr. BUMPERS. Mr. President, I am going to object and ask that it be divided. Later, I may recant and suggest that it be done the way the Senator suggests.

The PRESIDING OFFICER. Objection is heard.

Mr. HEINZ. Mr. President, let me say that there was a time not long past when the U.S. Navy was second to none on the oceans of the world, where not only did it help to defeat our enemies but acted as a deterrent to those who wished to challenge us and our friends. Our allies in the Middle East and all over the world could and did rely on the protection we afforded by our unchallenged domination of the seas.

Today, Mr. President, we are no longer second to none. Today, the Soviet Union has more naval vessels than at any time in their history and more warships than any nation on Earth. We can no longer afford our allies the same level of protection that we once could.

The President of the United States, President Reagan, wants to do something about that. He wants to change that. What the President wants to do is give our Nation the much-needed margin of safety we must have in our military and in our Navy. I also believe that the American people want this change and the security that it will bring us. I want this change and I believe the large majority of this body shares that desire.

However, Mr. President, the American taxpayer has been asked to shoulder a great burden and it is our responsibility to see that the tax dollars they send to Washington are spent judiciously. The reactivation of the battleship U.S.S. *Iowa* is, in my judgment and the judgment of several committees of the Congress, cost effective. For little more than the cost of a frigate, we can provide the United States with a battleship with all its strength, speed, and devastating firepower and all of this within a shorter time frame than a frigate would be built in.

Mr. President, it would be prohibitively expensive in this day and age to build a new battleship—as much as $3 billion.

The *Iowa* features internal and external armor of up to 17 inches thick, triple bottoms and high tensile steel—highly redundant systems built in an era when there was no constraint on cost, quality, or quantity of materials.

Mr. President, the *Iowa* will be tougher than any ship in anyone's navy, ours or the Soviets, This ship was designed to withstand shellfire from Japanese naval gunfire, and the Japanese had some big guns of their own—18 inch guns capable of firing 2,700 pound armor piercing shells at three times the speed of sound—a far more formidable threat than any conventional warhead the Soviets are prepared to throw at us today.

It is no wonder that no U.S. battleship has ever been destroyed in battle.

The *Iowa*'s 16-inch guns are unique and unparalleled for destructive power in support of marines in an amphibious landing, capable of firing a shell the weight of a Volkswagen more than 22 miles with great accuracy—a shell so powerful that, at 4 miles, it can penetrate 30 feet of reinforced concrete.

In addition to her 9 original 16-inch guns and 12 5-inch guns, the reactivated *Iowa* will feature 32 Tomahawk cruise missiles; 16 Harpoon cruise missiles, 4 anticruise missile close-in weapons systems; modern electronic warfare and radar equipment; and modern communications technology—all state-of-the-art systems.

This ship features an unparalleled combination of speed, range stability, and ruggedness. At 35 knots, it can match any nation's capital warships—including the modern nuclear aircraft carrier *Nimitz* or the Soviet *Kirov* battle cruiser—and at 15 knots, it can travel up to 14,000 miles without refueling.

Further, while opponents may argue that the manpower requirements of the *Iowa* would burden a Navy already spread far too thin, the *Iowa* would require less than three-tenths of 1 percent of Navy personnel. In fact, Navy recruiting reports that the battleship program is having a positive impact on recruiting in general, and over 4,000 active duty navymen volunteered for duty on the *New Jersey*, whose reactivitation has already begun.

The *New Jersey*, it is important to note, recently entered drydock—ahead of schedule and within cost.

But being ahead of schedule and on budget is nothing new for battleship reactivation. The last time the *New Jersey* was reactivated in 1967, the reactivation was done on schedule and at a cost of 12.5 percent below budget. I am proud to point out that the yard that did that work was the Philadelphia Navy Yard, in my home State of Pennsylvania.

The issue we face today is the funding of $88 million in advance procurement and $3 million in R.D.T. & E. for the *Iowa*. Without this funding, the *Iowa* will be delayed from service by at least 1 to 1½ years.

This is an intolerable delay. The threat is real and immediate. Mr. President, America at this time is playing catchup with the Soviets. The *Iowa* must follow the *New Jersey* into service for America. I ask my colleagues to join me in making this happen by restoring cost-effective funding for a much-needed battleship.

Mr. STEVENS. Mr. President, I have been here before, and I know what the Senate is going to do with this amendment; but I feel obligated to make a record about it, anyway.

As the Senate will recall, I opposed the reactivation of the *New Jersey*, and we lost on the floor of the Senate. It appears that there is substantial support for the position of the Senator from Pennsylvania, notwithstanding my feelings in the matter. I will just point out a few things that bother me.

The estimate for the *Iowa* is $407.6 million. That is $81.6 million more than for the *New Jersey*.

We had some problems on the *New Jersey*, from my point of view, because I thought we had a firm understanding that the cost of that reactivation would be within a specified limit. We find now, however, that the Navy is moving its ship overhauls that were scheduled in the Long Beach Naval Shipyard to other shipyards in order to take the *New Jersey* into the public shipyard. From the point of view of recordkeeping, this ap-

pears to be cheaper. I do not believe that this is really the case, but this is the way it appears in terms of accounting.

It is my opinion that it is premature to begin reactivation of the *Iowa* now, as suggested by the Senator from Pennsylvania, since we really are unable to determine how much it is going to cost to reactivate the *New Jersey*. It is very difficult to know what that ship is going to cost.

We feel that the annual operating cost for just one battleship, for example, is about $100 million. We do not know. We think that the total procurement costs are going to be about $408 million. There will have to be a battle group operating with each of these battleships, at about $200 million annually. So we really are looking at somewhere around $2.8 billion to $3 billion acquisition costs for a total battle group. For what? They are missile-launching platforms. They are not battleships at all.

As I said, I understand the position of the authorizing committee and particularly the position of the Senator from Pennsylvania. The *Iowa* is tied up at the Philadelphia Naval Shipyard; and it is unquestioned, I believe, that if the funds are provided, it will be reactivated on the east coast.

We are putting a great deal of money into the defense bill, and I think this could have waited. However, as I say, I understand the position of the Senator. Having lost the *New Jersey* round, I do not expect to win this one.

It is difficult for me to understand why we have to go back two generations in order to try to go forward one.

Mr. BUMPERS. Mr. President, I was saddened to hear the distinguished chairman of the Subcommittee on Defense of the Appropriations Committee say that he expected to lose this one. I think that without his very talented opposition to this, we might lose it.

According to the figures I have before me, this appropriation bill is precisely $12 billion higher than the House bill and about $8 billion higher than the President wants.

I heard the distinguished chairman of the Budget Committee, the Senator from New Mexico (Mr. DOMENICI), say on one of the talk shows yesterday that we were going to have to trim $26 billion to $28 billion more from the defense budget over the next 3 years.

I take all these things at face value. I assume that we will have to trim the defense budget, and that places an additional burden on every Member of this body to determine what is the most cost-effective way to spend defense dollars, whether it is the House version of $196 billion or the Senate's roughly $208 billion or the President's request of roughly $202 billion. It does not make any difference what figure you are talking about. The question is: What is the most effective way to build our defenses?

I submit to the Senate that certainly the most effective way is not to bring another battleship out of mothballs.

The Senator from Alaska pointed out that we did indeed lose, and if the Senator will recall at one time we lost by a very narrow margin in our opposition to bringing out the battleship *New Jersey*. It is indeed a majestic looking ship, and if one looks at the color photos that were circulated through this Chamber when we debated bringing the *New Jersey* out, it was impressive. One just almost has to be against defense when he looks at that picture and votes no, not to bring a 40-year-old battleship out of mothballs and try to convince the Soviet Union that we are dead serious about improving our defense posture.

One of the things that I hear constantly, of course, is the numbers game, particularly when we are talking about ships. Tanks are the things that most people love to compare the numbers on and next are ships.

Everyone knows that if we wish to play the numbers game we are going to have to change our entire naval strategy, and we are going to have to change our entire conventional war strategy.

The figure I saw in the spring of this year for the renovation of the battleship *Iowa* was $392 million. That figure is now $407 million.

But there are a couple of points I wish to make even on the $407 million, and that is I believe they call it a class F estimate, which is where four admirals sit around and each one puts a figure in the hat as to what he thinks it will cost to reactivate the battleship *Iowa* and someone pulls out a figure and that is it. Now, I am jesting, of course. But a class F estimate is nothing more than someone's idea of about what it might take to do the job.

What do we get for $407 million, assuming that that figure holds up? Do we get something along the lines of a *Virginia*-class missile-guided nuclear cruiser? The answer is "No."

What we get are a few 16-inch guns which I think most sensible, objective naval experts will tell us were found to be rather obsolete even so recently as the Vietnam war.

And they talk about a carrier deck for at least helicopters and maybe a few V/STOL aircraft. But do not be mislead. That is not included in the $407 million.

There is always an argument about the thickness of the armor plating on these four battleships, that everyone seems to insist on bringing out, and that is that they have 16 inches of steel.

Let me ask the Senator a question. What is the deck of the *Iowa* made out of?

Mr. HEINZ. I assume the Senator is asking a rhetorical question.

Mr. BUMPERS. No; I am asking a question. I wish the Senator to answer.

Mr. HEINZ. The decks of battleships are plank wood over steel.

Mr. BUMPERS. It is teak, is it not?

Mr. HEINZ. It is teak over steel.

Mr. BUMPERS. How substantial does the Senator think teak would be against a cruise missile crashing into the superstructure of this ship?

Mr. HEINZ. Mr. President, will the Senator yield?

Mr. BUMPERS. I am asking a question for an answer.

Mr. HEINZ. The Senator made a case that he would prefer, I gather, to see a *Virginia* class nuclear cruiser built. Does the Senator maintain that such a cruiser could be built for $407 million?

Mr. BUMPERS. Let me tell the Senator something. The U.S.S. *Arkansas*, with which I happen to be rather familiar because my wife christened it, and loves it, cost $340 million. But I know that that ship today costs $1 billion. But we are not going to get anything even close to a CGN40 ship for $407 million which is the estimated cost of this ship.

Mr. HEINZ. Mr. President, will the Senator yield further?

Mr. BUMPERS. I yield.

Mr. HEINZ. How long would it take to build a CGN or *Virginia*-class nuclear cruiser?

Mr. BUMPERS. I do not know the answer to that. I assume it is somewhat longer than this. I can tell the Senator one thing. After we get it built it has a 35-year life expectancy, and after we have spent a half billion dollars on this ship it has a 15-year life expectancy.

Mr. HEINZ. If the Senator will yield further, just let me say that it is my understanding it would take 5 to 6 years to build from scratch a new ship such as the one as he suggests. Today the cost of that, by the Senator's own admission, is $1 billion. What it would be 6 years from now is the Senator and anyone's guess. So it seems to me when we can have the equivalent, maybe better—we can argue about whether it is better or worse—but it certainly has all the firepower and more of a Virginia-class nuclear cruiser, it has far more Tomahawk cruise missiles, it has far more armament, it has far more gun firepower, and we can have it in less than 2 years at a fraction of the $1 billion, at $407 million.

Mr. TOWER. Mr. President, will the Senator yield to me to ask the Senator from Arkansas a question?

Mr. HEINZ. I yield.

Mr. TOWER. The Senator from Arkansas said that the experts say that this is not a good idea. I believe it was words to that effect.

Mr. BUMPERS. No; I did not say that. I did not say that the experts said this is not a good idea. I know a lot of admirals down there who probably want this ship.

Mr. TOWER. What about the marines who fought with it in Vietnam? Were they talking out of their hats or are they wrong? Are they lying to us when they say that they could use that 16-inch gunfire based on their Vietnam experience?

Mr. BUMPERS. Let me tell the Senator that the man who was Secretary of the Navy during a good portion of the Vietnam war is now a Member of the Senate and he will tell the Senator that the *New Jersey* with its 16-inch guns was virtually ineffective in Vietnam.

Mr. TOWER. We have another Secretary of the Navy who holds otherwise and the marines hold otherwise.

Mr. BUMPERS. That is what makes a horserace.

Mr. TOWER. Is the Senator suggesting that the marines are lying to us?

Mr. BUMPERS. I am an ex-marine. The Senator cannot get me to say that marines ever lie.

Mr. TOWER. What about testimony we have had from combat veterans who say it was an enormous help in Vietnam?

Mr. BUMPERS. I am not saying they are lying. I do not know who the marines the Senator is talking about are. I assume marines can be mistaken.

Mr. TOWER. Let us start with General Barrow. Does the Senator question his integrity?

Mr. BUMPERS. Let me ask the Senator this. From a pure cost-effectiveness standpoint is it better to spend $1 billion for a ship that is electronically sophisticated with guided missiles that I think even the marines would love to see offshore or any other place, than it is to drag out a 40-year-old ship and spend a half billion dollars on it for a 15-year life expectancy?

Mr. TOWER. The Senator is engaging in a little misrepresentation here. Yes, the ship was built 40 years ago, but we base ship life on the basis of service life. There is a lot of service life left in this ship. It has more armor than any other ship we have in our inventory, 12 to 18 inches. It is a very survivable ship and from the cost-effectiveness standpoint there is hardly anything we could do that is more cost-effective.

The Marines and the Navy both believe it would be a great force multiplier, and there is expert naval testimony to that effect.

When the U.S. Marines come in and say that if they have to make forcible entry they would dearly love to have those 16-inch guns. I think they know what they are talking about when they are basing it on actual combat experience.

If we want to have a force multiplier at relatively low cost this is the way to go.

I say to the Senator from Arkansas that we have debated this over and over again in this Chamber. He has been beaten on this issue 2 to 1 every time it has come up.

Mr. BUMPERS. That was on the *New Jersey*.

Mr. TOWER. I do not know why he is trying to delay this.

Mr. BUMPERS. The Senator is going to have to beat me every time he tries to bring one of these rust buckets out of mothballs. He is going to have to beat me every time he does that.

Mr. TOWER. "Rust bucket" is a misrepresentation. Do not tell us that. We have had experts all over these ships. The engineering system works beautifully. They are not rust buckets. The average service life of all four of the *Iowa*-class battleships is longer than the average service life of all of the combat vessels in the U.S. Navy.

Mr. BUMPERS. Senator——

Mr. TOWER. You guys are always wanting to bring down the cost of defense, a lot of you are. Well, I will tell you this is the most cost-effective way you can do it and get more ships.

Mr. BUMPERS. You still have not told me why this is cost-effective.

Mr. TOWER. And an effective ship.

Mr. BUMPERS. How is it going to be cost-effective? It is going to cost another $407 million. They talk about helicopters and cruise missiles, but that is not included in the cost. You are talking about another $400 million when you talk about that.

Mr. TOWER. Let me tell you something else, because you do not talk about the crew complement this ship is designed for. There will be room on that vessel for over a battalion of Marines, indeed for about 1,000-1,200 men.

When we are talking about rapid deployment and the need to get some lift into the Marines, here is another partial solution to our problem because we cannot possibly build all the amphibious lift that is required to move two Marine amphibious forces over the next decade, and if we are going to meet our rapid deployment requirements in the near term we are going to have to look to solutions like this, and this is an enormously cost-effective solution, and I hope we will not have to romance this issue over and over again.

Mr. BUMPERS. You are taking over the debate from the Senator from Pennsylvania.

Mr. TOWER. It has been decided upon in the House.

Mr. BUMPERS. Senator, let me ask you this. You got here just a tad late from the time the Senator from Pennsylvania and I were arguing. Will you talk about what the deck of the ship is made of? Everybody talks about 16-inch armor on the sides of the ship and front, but nobody talks about a teak deck.

Mr. HEINZ. Let us talk about the deck since the Senator is concerned about it. Which does the Senator think is stronger, the deck of the CGN or the deck of the ship? Which is stronger if the Senator wants to make comparisons?

Mr. BUMPERS. Well, the CGN would be stronger, and I have been on both of them.

Mr. HEINZ. Does the Senator believe the cruise missile will damage the CGN less than the *Iowa*?

Mr. BUMPERS. Maybe not a cruise missile, but just a nice little shell lobbed on top of that ship.

Mr. HEINZ. A nice little shell. But what the Senator fails to realize is he is talking about a ship that was built to withstand coastal gunfire of a very significant source. The Japanese had huge, 18-inch guns, and this ship, and ships of this class, were built to withstand that kind of attack.

Now, the fact is that there is no way on Earth that a CGN could be more survivable than this ship unless you want to take all the naval architects who operated during World War II and accuse them of perjury, lock them up for having built or being unable to build a decent battleship, and the Senator knows that is not true. The naval architects who built these ships were not fools, they knew what they were doing.

Why, Mr. President——

Mr. BUMPERS. If this is such a red-hot ship why do we not start building battleships?

Mr. HEINZ. For the same reason, Mr. President——

Mr. TOWER. Because you cannot build them at this cost any more. In fact, to reproduce that ship today would cost an enormous amount of money. That is why it is such a bargain.

Mr. BUMPERS. It is going to cost a lot more money.

Mr. TOWER. You cannot build a ship today for anything like the cost-effective price.

Mr. HEINZ. Mr. President, if I may make just one other comment, why is it that we are approaching, first, the *New Jersey*, and now the *Iowa* with a sense of urgency? The reason——

Mr. BUMPERS. Because they are going to be retrofitted in Pennsylvania. That is the reason why we are doing it. That is why we are urging it.

Mr. HEINZ. I will say to my good friend that the *New Jersey* does not have anything to do with Pennsylvania. It is on the west coast, and I supported that. So I thank the Senator to understand that this is not a matter of any parochial interest.

Mr. BUMPERS. Senator, I am not——

Mr. HEINZ. The chances are I might say——

Mr. BUMPERS. I apologize.

Mr. HEINZ. It is no better than 50–50 that this ship will ever be rehabilitated in Philadelphia. There are other yards that want it and have just as good a shot at it as we do.

Mr. BRADLEY. Mr. President, will the Senator yield on that?

Mr. HEINZ. In a minute.

What I want to say to my colleagues, Mr. President, is this: The reason why there is some urgency about first the *New Jersey* and then the *Iowa*, these battleships, is that we have made a strategic commitment of a brand new kind in the last few years in the Middle East, and as of today we simply do not have the wherewithal to back up that commitment.

Now we either believe that there is a potential threat to the oilfields of the Middle East or we do not. But if we do believe there is some kind of threat, we had better have something more than the plans for a rapid deployment force on paper someplace. We had better have the capacity of sending in a task force

group; we had better have the capacity of having some marines that, if necessary, can go ashore; we had better have the ability to support them, and we had better have the ability to defend ourselves.

The reason why the Defense Department and the Navy Department and the President of the United States and the Armed Services Committee want this battleship is that we can get it fast, we can get it within 2 years.

Now, some people might say that is too slow; some people might say that there is a threat today. Well, I would not disagree with that. I would like to have this capability much sooner, Mr. President, but there is no way we can get this much capability any sooner. The other alternatives are 5, 6, or 7 years in the future, the end of this decade, and they are all, even by the Senator from Arkansas' own admission, vastly more expensive.

This is a $400 million proposition. Sure, we could spend $1 billion; we could spend $2 billion, like the Russians did on their Kirov class cruiser, and would we have a ship any sooner? Would we have a ship that was substantially more survivable? No. That is why I say, Mr. President, that this is in our best interests, and if we expect to be credible with the rapid deployment force we had better vote "yes," on this; otherwise the Soviets will know we are just a paper tiger.

I yield to the Senator from New Jersey.

Mr. BRADLEY. The Senator stated this refurbishing might not be at the Penn-Jer-Del Naval Yard in Philadelphia. Could he say for the record where else it might be accomplished?

Mr. HEINZ. The Senator would prefer not to. You never advertise other shipyards, and I would have to say to my friend from New Jersey that by far the best place to have it done would be at the Penn-Jer-Del Shipyard, but I would have to say in all honesty there are other shipyards capable of doing this work. I see the Senator from Virginia on his feet.

Mr. BRADLEY. I would like to suggest——

Mr. HEINZ. The Senator has opened a Pandora's box.

Mr. BRADLEY. We had better not open this box as to where the best shipyard is located. I think the Senator has a meritorious amendment, which I cosponsored, and I am also pleased to agree fully with what the distinguished chairman of the Armed Services Committee had to say about the coincidence of interests here with the Marines and the rapid deployment force and our international defense generally.

Mr. HEINZ. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, I rise in support of the amendment to the fiscal year 1982 appropriations bill to reactivate the battleship *Iowa*. I support this amendment for the following reasons:

First, reactivation of the *Iowa* is one cost-effective step in the direction of redressing the current naval imbalance between our country and the Soviet Union. Today, we have only 450 ships in our fleet. This compares to 800 Soviet ships.

To redress this imbalance, the administration is striving to build up to a naval strength of 550 to 600 ships by the 1990's. Reactivating the *Iowa* in addition to the *New Jersey*, which is already in the process of reactivation and modernization, would add two fine fighting ships to the Navy at a cost of one-fifth what it would cost to build two new ships.

Second, the *Iowa* would be a significant asset of fire power to our Rapid Deployment Force. This class of ships has 16-inch guns which can fire a 2,700 pound projectile a distance in excess of 20 miles. This projectile can penetrate over 20 feet of reinforced concrete when fired from a distance of 4 to 5 miles. With these guns, the *Iowa* would provide a strong power projection in many of the volatile areas of the Third World.

Furthermore, the capability of the *Iowa* is not confined to these guns. In addition, this battleship will have other capabilities such as the Tomahawk missile, the Harpoon missile, anticruise missile close-in weapon systems, and many others that are necessary for modern warfare.

Third, the *Iowa* is a highly survivable floating asset. It is armored to a minimum thickness of about 12 to 13 inches of welded armor, and in some places, the thickness is up to 16 inches. Furthermore, the armored hull is not the outer one, but the fourth one in. This increases its survivability because the explosives would have to penetrate the three outer hulls before reaching the 12-inch armor. This ship can indeed take a beating and keep on fighting. Currently, we do not have this level of survivability in our fleet.

In addition, the *Iowa* has a range of 15,000 miles at 17 knots, or 5,000 miles at 30 knots. This endurance level is due to the 9,000 tons of fuel that this battleship can carry. This capacity gives it the ability to respond to emergency situations requiring refueling of other ships that do not have this range.

Mr. President, the *Iowa* has served only 7 years and has over 20 more years of service life that we can tap by reactivating it. The capabilities that I mentioned can be obtained in about 21 months after reactivation; while building another ship would take no less than 6 years.

The *Iowa* reactivation, like that of *New Jersey*, is uncomplicated, and the modernization is simple, direct, and effective. In fact, this ship will be an exact copy of *New Jersey*.

At a time when we are rearming America at a minimum cost, reactivating the *Iowa* is a sound investment that brings quick results. I urge the Senate to vote for this amendment to the appropriations bill.

I cannot imagine the Secretary of the Navy recommending this modernization if it were not advisable and could get us a ship quickly. It would take 5 or 6 years to build a new one, and it would cost five times as much. I cannot imagine the Secretary of Defense approving this ship if it were not the kind of ship that would save money and enable us to obtain a ship quickly at this crucial period, when we need more ships between now and 1985 and 1986. And I cannot imagine the President of the United States approving the ship unless he felt that it was necessary and would save money and we could get it quicker than to build a new ship.

Mr. President, I urge the Senate to approve this ship. It would be foolish to do otherwise. The only commonsense position we can take here is to approve this ship.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, I am not going to extend the debate on this matter. First of all, if the Senator from Pennsylvania was affronted in any way by what I said a moment ago, I apologize. There are a couple of things in here that are made in Arkansas and if anyone tries to take them out, I will be on the floor defending them. It is part of our job to look after our constituents. I understand that. I did not mean to denigrate the State of Pennsylvania at all.

To get back to the subject, I have to ask a few questions that I think are relevant. No. 1, if 16-inch guns are a highly desirable thing, I cannot help but ask why have we not put one on a ship in 35 years?

No. 2, if cruise missiles are desirable, and I believe they are, what is the most invulnerable way to deploy a sea-launched cruise missile? Is it on the deck of a battleship 40 years old with a wooden deck, with vertical launch tubes for the cruise missiles? Or is it on the new Los Angeles class attack submarine where one can put 12 cruise missiles that are absolutely invulnerable?

Everybody here knows that the Navy is busily engaged not only in putting sea-launched cruise missiles on all new attack submarines, but that it is the present plan, and there is money in this budget, to retrofit the existing Los Angeles type attack submarines to put cruise missiles on all of them.

This $407 million is today's figure. And, of course, all of us know it will cost more than $407 million and everybody knows we will not get it completed in 2 years—those things just never turn out that way—to put the best face on it. Is it a wise expenditure of money to put 32 cruise missiles on the desk of a 40-year-old battleship the speed of which will be questionable, and the electronic gear on which will be questionable because you will be retrofitting? You will have to tear out the insides of that ship and start all over again.

Then, let us talk about the personnel problems. I am a person who believes

that we have a good Navy. Everybody talks about how many ships the Soviet Union has and how few we have. Nobody ever mentions the fact that we have twice the tonnage in our Navy that the Soviet Union has and we have twice the tonnage for very good reasons, very good naval reasons. Our Navy has chosen the aircraft carriers and the large battle task groups. I am not quarreling with that. I support the Navy, I support the Marine Corps, I support the modernization of our Navy, and the building of a 600-ship Navy. However, we are now 20,000 enlisted men short in the existing Navy required to man some 467 ships we are sailing today. We are short 2,500 midgrade officers. We are going to have to have 60,000 more men and women in the U.S. Navy to man a 540-ship Navy which we are shooting for in 1987.

So you have to ask yourself this question: Is it sensible from a manpower standpoint alone to retrofit a ship, which I consider highly questionable, that will require 1,500 men to man, whereas the CGN cruiser we were talking about a moment ago requires 508 men? And I think it is a much better ship from the firepower standpoint, from the mission of the battle task group; you name it and it is better.

It has been said that this ship has 16-inch guns and will lob a 1-ton shell 20 miles. That is fine, if you are shooting at somebody who is not going to shoot back. I recommend bringing this ship in to within 20 miles of the shore of any country to which the Soviet Union has not supplied any sophisticated missiles, or any country that the Soviet Union has not given artillery pieces to, which will fire back. Or any country that does not happen to have an airplane capable of flying 20 miles.

But I could not recommend taking it in within 20 miles of the shore of any country that has any of those things.

As I say, if 16-inch guns are so great, why have we not put one on a ship for the past 35 years?

I knew when we were standing here debating the battleship *New Jersey*, Mr. President, that there was a good possibility we were going to have to go through this again and again and again. I said "again" three times because this is the second ship and we have two more. There are four of these battleships.

My final question, Mr. President, is: What is the urgency of rebuilding this ship, retrofitting the battleship *Iowa* right now, before we even find out whether this is a feasible approach or not? The battleship *New Jersey* has been under retrofit for 3 months and it was said here time and time again during the debate on the battleship *New Jersey* that that ship could be retrofitted within 21 months. That is 18 months off. Is that too long to wait to see whether or not we are on the proper course of bringing two battleships, let alone four, out of mothballs, to spend somewhere between $350 million and a half billion dollars to put 32 cruise missiles on a very vulnerable ship for a 15-year life expectancy?

Just look at the cost figures. You can be emotional about this. I love railroads and I love ships. I love to watch them sail the oceans. But how I feel about these things nostalgically as an old marine or how I feel about these things emotionally have nothing to do with the way I feel about these things in outfitting a 540-ship Navy that will mean something to the Soviet Union. One thing it can mean is that we are serious.

But from a cost-effective standpoint, not one Senator in this body believes that the final cost on this ship is going to be $407 million. But assume for the moment that it is. What you are getting is a 40-year-old ship retrofitted to last 15 years, carry 1,500 sailors, and carry 32 cruise missiles that will be in a very vulnerable position, in a vertical position, with a deck that is made of wood.

If people consider that cost effective, if they consider that good naval planning, vote for the Senator's amendment. If you think that does not make sense in light of the manpower requirements of this country, if you do not think that makes good sense from a cost-effective standpoint, and if you think we are going gung-ho to bring four of these ships out of mothballs without ever knowing whether the first one was a good buy or not, then do not vote for the Senator's amendment.

I yield the floor, Mr. President.

Mr. STEVENS. Mr. President, I see my good friend from Alabama seeks the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. DENTON. Mr. President, before beginning my formal remarks, I would like to respond to my friend from Arkansas who asked the question why have we not put 16-inch guns on ships for 35 years. Part of the answer is that there was a feud between the battleship and the carrier sailors, a classic example of interservice politics. The main answer is it was a mistake. This was evidenced when we reactivated the battleship *New Jersey* during the conflict in Vietnam.

I know that the question from the Senator is sincere, and I give him a sincere answer. In Vietnam, we lost hundreds of aircraft at a great cost in lives, as well as dollars, that could have been saved had a battleship been on station.

A battleship could have knocked out the Thanh Hoa bridge that I was bombing at the time I was shot down.

We lost five planes in 1 day on that one target. I point out that the Thanh Hoa bridge was only 12 miles inland, well within the range of the 16-inch guns on the *Iowa* class battlehips. There is a reason for those ships and thank God, the Navy is coming forward asking for them again.

Mr. President, I wish to address this issue, which I believe is of vital importance as we act on the fiscal year 1982 Department of Defense appropriations bill. It is my belief that the Senate's action on the pending amendment offered by the senior Senator from Pennsylvania will underscore our commitment, or lack thereof, to address effectively the growing defense imbalance between the United States and the Soviet Union.

Allies and adversaries alike are acutely aware that our naval forces have been spread dangerously thin. We have forced our one-and-a-half-ocean Navy to maintain a three-ocean commitment. This tenuous situation comes at a time when a strong naval presence is required to insure deterrence, presenting proof of our capacity to protect our interests, honor our commitments, and, above all, win the war over control of the seas should deterrence fail.

It is indeed a tribute to the quality of American seamanship that, to date, our Navy has been able to preserve success in her assigned mission. If the fleet is not brought up to the level of strength recommended by the administration, however, the naval balance of power will have been permitted to deteriorate to a condition that I must label unconscionably dangerous.

It is for this reason that I have joined with my distinguished colleagues from Pennsylvania and South Carolina, and others, in cosponsoring this amendment that seeks to appropriate the $91 million previously authorized for the reactivation of the U.S.S. *Iowa*. *Iowa* reactivation, which will follow the already initiated reactivation of the U.S.S. *New Jersey*, represents a responsible and effective effort to redress the neglect that our naval forces have endured for most of the past decade. Moreover, *Iowa*, together with her sister ships, enjoys the distinction of being the most survivable, seagoing weapons platform in our arsenal, with respect to nuclear, as well as conventional assault.

The planned phase I modernization of *Iowa* is identical to that being presently performed on *New Jersey*, and will provide these battleships with the most advanced and versatile weapons systems available, including 32 Tomhawk cruise missiles, 16 Harpoon antiship missiles, 4 Phalanx antiair systems, modernized communications, and air search radar systems.

These improvements, combined with her present configuration of nine 16-inch guns, capable of firing an unassisted 2,700-pound projectile 23 miles, transform *Iowa* into a formidable offensive platform capable of effective interdiction in both high- and low-threat contingencies. The fact that this reactivation can be undertaken at less cost and time than it would take to procure a new surface combatant with far less capability, reflects a fiscally responsible initiative that will fill a perilous gap in terms of time and capability.

The commitment of the Secretary of the Navy, together with the facts that the *New Jersey* reactivation is on cost and ahead of schedule, is indicative that *Iowa* offers a speed of production that is appropriate to the need: the mid-1980's. This need can be filled in no other manner. *Iowa* offers an opportunity to get more bang for less bucks. Moreover, the battleships in that class have a greater versatility for effective performance than any other type ship, or weapon, in the U.S. Navy. I point out that, with 19.5 inches of steel surrounding the conning tower and 13 inches around the hull, the *Iowa* class battle-

ship is an order of magnitude more survivable than any other ship afloat.

Charges have been made that the battleship is not a modern weapon. It could be said that neither is the bayonet or, for that matter, man himself. This fact becomes poignant when we realize that there are no longer any battleship men in the Navy, yet the U.S. Navy, as a whole, has passed judgment that this ship is necessary and preferable to certain new surface combatants, or even aircraft. I rely on that judgment, I have agreed with it for years, and I continue to support it wholeheartedly.

Mr. President, the Navy has asked for this ship. The administration has asked for this ship. The Department of Defense has asked for this ship. The House of Representatives has concurred in this determination, and this Senate has already authorized funding for this ship.

Finally, Mr. President, some have stated that a decision on the reactivation of the U.S.S. *Iowa* should be postponed pending an evaluation of *New Jersey* after she returns to active duty in the fleet. This course of action represents a luxury we can no longer afford.

The expansion of our Navy can no longer be viewed as a long-term goal. It is a pressing necessity. We do not have 15, 10, or even 5 years to begin to address the existing shortfall. It is imperative that we take substantive action now. I urge my colleagues to join me in demonstrating a unified and credible national resolve, and move for the adoption of this amendment.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, I have been listening to my distinguished colleague from Alabama. Obviously, he knows far more about the Navy and ships and the utility of battleships than, of course, even my distinguished colleague and principal author, the Senator from Pennsylvania (Mr. HEINZ).

The Senator from Arkansas is not here just now, but it is really interesting to hear him talk about the 16-inch guns. When we make these political talks, how silly it is that we here "we are going back to World War I and World War II equipment," the fact of the matter is, Mr. President, as the Senator from Alabama has just emphasized, the reactivation of battleships has been under very, very careful study by many of us who have been working in the defense field over the years. As Senator DENTON has said, the program has been authorized by both the House and the Senate.

The amount has been included in the House appropriations bill, and the House Appropriations Committee has not been necessarily liberal or gracious toward the military. They are passing a substantially smaller defense measure than we are on the Senate side. But it has been included, Mr. President, I think for a very good reason: We are looking for hulls, ship hulls, to put afloat to carry all kinds of weapons.

Mr. President, when you come down to the capability of the United States of America to produce a vessel, it is very limited. The fact of the matter is that the Secretary of the Navy this year had to threaten the construction of Trident submarines overseas if the particular manufacturer did not come to terms with the deficiencies in construction and the stretchouts and the delays that have been suffered in the construction of the Trident sub.

On that point I wish I had the file here. I do not want to lengthen the debate, but I think our Department of the Navy now has set a new kind of precedent in not only coming to grips with General Dynamics and other manufacturers, but laying out a plan where, at Newport News and other places, we have these stopgap measures, somewhat as intended by the Nunn amendment to prevent cost overruns. We have these stopgap measures written into the various contracts so the Department of the Navy will know whether a cost overrun or a delay is imminent and they can move in adroitly and lessen any overrun or any unusual cost.

Mr. President, it is with that approach that they have been reactivating the *New Jersey*. It is on course and on schedule, and, very, very interestingly, it has attracted enlistments. In fact, it has over-enlisted its crew.

There is a good deal of latent pride in this country. We have been running it down from every angle: We do not have an energy plan, we do not have an economic plan, we do not have a defense plan, we do not have any kind of plan except some individual public officeholder running around talking about what is wrong with Government. The fact is that the people are ready, willing, and able to volunteer if given a proper assignment. They see in the reactivation of a battleship a usage, and quick usage, if you please, if for no other purpose than rapid deployment of our personnel in the Persian Gulf.

We have been trying to flesh out that commitment, Mr. President. There has been a lot of big talk. We saw on TV that if the Soviets moved toward the Persian Gulf, that would mean war. Well, Mr. President, we are not prepared in the Persian Gulf for any kind of war, in spite of the successful exercise that we have just had in Egypt. We are not about to be prepared if we are just going to sit and debate, as the Senator from Arkansas has said, for another 18 months.

Every time we come to a defense feature, there are certain Members who appeal to the Senate that we do not have the manpower if we get the equipment; or, if we get the manpower, we do not or should not have the equipment.

Mr. President, this proposal is a very well thought out and well conceived move toward increasing the range, increasing the firepower, and increasing the capability of the U.S. Navy, at the cost of one B–1—$400 million. We will get into a debate tomorrow on the Air Force and its particular equipment, specifically bombers.

The fact is that we have about 354 B–52's. We have many F–111's. We have F–15's that can be used as bombers. The Saudis were asking for bomb racks for the F–15's. We have the F–16's, which were employed by our Israeli friends in the bombing of the reactor at Baghdad. We have the F–18's a fighter bomber, which is the best of the best. We can go down the list to the A–6's, A–7's, and everything else—and in this amendment we are just talking about the cost of one B–1 which is included in this particular defense appropriation measure. I submit we are buying a lot of capability with this ship for comparatively little money.

Here is a ship that can travel over 30 knots an hour, with a range of 14,000 miles, heavily armored, double-hulled, and provide a cruise missile carrier. I think it is highly important that it be put in use.

We are not going to put all the cruise missiles under the sea, on submarines. Although we need more submarines to carry those cruise missiles. We additionally need some to protect that Navy, to be used in naval exercise. That is the whole idea.

That incidentally was one of the great reasons for the resistance I had to SALT II, where we had restricted the limit and the range of our intermediate cruise missile but had not restricted in anyway the intermediate ballistic missile or SS–20's, SS–4's, or SS–5's, which could be employed with the addition of a booster and become intercontinental. We had not restricted the intermediate ballistic missile system.

As to those who talk about waste, fraud, and abuse, and the value of a dollar spent, and trying our best to keep up and keep pace with our technology—I say yes, with our cruise missile we can increase the firepower, we can increase the range, and we can economize on the construction of ships. If you want to see an economical buy, the reactivation of the *Iowa* certainly is one.

It is said, it is an impossible task. Not so. We have reactivated one of these vessels before. We know we can put it on schedule, and we know it can be done on a 2-year schedule. You can put a better hull on line in 2 years, rather than 5 years, at one-third to one-fourth the cost; and we will have the manpower, I can guarantee, for this added ship strength of the U.S. Navy. We cannot argue on the floor of the Senate that we have only a certain force level for the Navy and therefore cannot produce new ships and can only restore old ones. I hope that is not the argument here.

I urge the Senate to approve this amendment. It is in the House appropriations bill. It is very much needed and can be employed very quickly, extending our force and firepower. And we can economize on the construction of various other vessels that would, in order to have similar armament and similar firepower, require 4 to 5 times the cost and over 2 to 3 times the construction period involved.

With respect to waste, fraud, and abuse, or cost overrun, is it the desire of those who oppose this amendment to come back after 18 months and let inflation take over, then let the contract, and then try to play catch-up ball with the Soviet Navy? I daresay not.

I think the wise course of action is to join in the amendment of the Senator from Pennsylvania and move along with our colleagues on the Armed Services Committee, in both Houses, who have ap-

proved this and get in step and move to other vital items in this measure.

(Mr. QUAYLE assumed the chair.)

Mr. STEVENS. Mr. President, it would be of no great avail to me, I guess, to debate at length with my good friend from South Carolina about the relative merits of one B–1 as opposed to one aged battleship that is to be put out in the middle of the Indian Ocean to scare the Russians. We have made that record before. But it seems strange to me that these battleships have been tied up for so long and everyone is looking around for some way to modernize the Navy, and we suddenly bring them out when we want to launch cruise missiles.

At a time when we are looking for cruise missile launchers and for versatility in the Navy as well as the Air Force, I cannot understand bringing out the great-great-granddaddies of them all and saying suddenly that we have some vessels that have some superiority. If they have that, why were they retired? If they have the invulnerability that everyone talks about, why has it taken so long for us to decide to use battleships?

I am constrained to think that the President I remember most, President Eisenhower, would say that this is another example of the military-industrial complex dreaming up something it cannot forget.

I cannot think of a mistake we have made in terms of naval policy that is greater and in the long run will cost the American taxpayers more than the concept of using these four aged battleships as the opening wedge of the naval structure for the year 2000. I wonder how many Senators realize that it will be about that time before they are all on line, because reactivation will be stretched out and stretched out once we see what the costs are.

Mr. President, I see no reason to make a motion to table. If my friend is ready to vote, I am ready to vote. A motion to table, in my opinion, will only lead to two votes, and we might as well have an up-and-down vote. If the Senator from Pennsylvania is ready, I am ready.

Mr. HEINZ. I say to my good friend from Alaska that I am ready.

Mr. President, I do have a unanimous-consent request which is in part a technical and conforming change to the amendment, in that we can reduce the number in the amendment by $1 million, because I am advised by staff that we have slightly more money in there than necessary, given the fact that there was an increase in committee.

I so modify the amendment. I have cleared this with Senator BUMPERS and Senator STEVENS.

Mr. STEVENS. Mr. President, I urge that the Senate permit this modification.

Mr. HEINZ. I send the modification to the desk.

The PRESIDING OFFICER. The amendment is so modified.

The modified amendment is as follows:

On page 21, after the semicolon in line 5, insert "for the reactivation of the U.S.S. Iowa, $88,000,000;".

On page 28, line 10, strike out "$6,111,-579,000" and insert in lieu thereof "$6,113,-579,000".

On page 22, line 13, strike out "$9,243,-900,000" and insert in lieu thereof "$9,331,-900,000".

Mr. HOLLINGS. Mr. President, let me just add one little point to the point my distinguished colleague from Alaska made.

He says that suddenly they decided there was something to do for the old battleship lying at port there at Bremerton.

The fact of the matter is I had that same attitude. I went to Bremerton when they pulled the U.S.S. *Missouri* up at Bremerton over 10 years ago and I saw her rusting up there and came upon the idea as did others, "why not bring that battleship to my home town of Charleston, S.C.?" I could get her painted up and everyone going up I-95 or U.S. 1 would see the sign that would say "turn left or right and see the Japanese surrender aboard the deck of the U.S.S. *Missouri*."

So I went about getting this particular ship, all the time claiming it was rusting and no good and of no use.

Mr. President, I learned the contrary was true. The Navy would not put her and many of these other ships on the inactive reserve for the same reasons that we now have here. They realized that we are not building ships any more. We are certainly not building them with this kind of hull strength, capability and range. The capability is just not going to be duplicated. We cannot afford for that kind of ship to be constructed any longer.

So they said no, we would have to hold up, and I have been, of course, disappointed in one sense but enthused in another sense, that they intend to move forward and go ahead with this plan. There is a good bit of usage, in other words, in these particular vessels. It was not just a quick decision of some naval preeminence who came along and said, "We need a bunch of ships; let us reactivate them." The Navy has been trying for years to have these ships renovated. Of course, the cruise missile alone has proved the worthiness of these ships as a platform, in and of itself, to increase the firepower and range of our Navy.

● Mr. SPECTER. Mr. President, I am pleased to support my distinguished colleague from Pennsylvania, Senator HEINZ, and join in cosponsoring this amendment to restore advance procurement funds for the reactivation and modernization of the U.S.S. *Iowa*, the second of four *Iowa*-class battleships that the Navy has planned to reactivate. These funds, $88 million for procurement and $3 million in R.D.T. & E., were authorized in the fiscal year 1982 Defense authorization conference report and are a vitally important element in securing a strengthened and more effective U.S. Navy.

From a once unchallenged supremacy of the seas, the U.S. Navy is now facing a growing Soviet naval threat, characterized by one of the most rapid shipbuilding and naval expansion efforts in recent history. The Soviet Navy, after many years of concerted effort and attention, has achieved a quantitative and qualitative superiority in several important aspects of their naval forces, while the U.S. Navy's resources have been stretched to a point where two aircraft carriers can no longer remain in the Mediterranean and maintain U.S. peacetime commitments. Immediate steps must be taken to redress the imbalance, and reactivating battleships is one of the most cost-effective and efficient ways to fill the needs of an overcommitted Navy.

Battleships provide speed, stability, survivability, and massive gunfire support capability. They are as fast as the *Nimitz* aircraft carrier and will be equipped with an impressive strike system and a family of cruise missiles that will allow them to be used for power projection, to enhance sea-based tactical air power and fire support. Battleships are among the least vulnerable ships because of their very resilient hulls and, as Secretary of the Navy John Lehman noted, are "tougher than any ship in anybody's navy." For the cost of a frigate, each modernized battleship will add a rapid, effective, and inexpensive capability to the naval fleet at a time when we need it the most.

I would also like to address questions that have repeatedly been raised about cost overruns and schedule delays in the battleship reactivation and modernization program. The *New Jersey*, the first of these *Iowa*-class battleships to be reactivated, is now on cost and on schedule; and the Navy has good reason to believe it will continue to meet its cost and deadline targets. Manning for the *New Jersey* is also proceeding well without adversely affecting other Navy activities. The *Iowa* will undergo an identical modernization program to the *New Jersey*, and Secretary Lehman has pledged to complete the *Iowa* by the end of 1984.

I would thus urge my colleagues to support this amendment. The Senate has already recorded its support for the battleship reactivation program in last year's defense supplemental bill and in the fiscal year 1982 authorization bills. Few programs in this year's defense budget can provide the range of force in so short a time and so cheap a price. It would be shortsighted for us not to realize these benefits and to delay advance procurement of the *Iowa*, which will lead to a year and a half delay in getting this ship to the fleet. I urge my colleagues to vote in favor of the amendment and commend Senators HEINZ and HOLLINGS for their foresight in introducing it.●

SEVERAL SENATORS. Vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from South Dakota (Mr. ABDNOR), the Senator from North Dakota (Mr. ANDREWS), the Senator from Arizona (Mr. GOLDWATER), the Senator from California (Mr. HAYAKAWA), the Senator

from Kansas (Mrs. KASSEBAUM), the Senator from Maryland (Mr. MATHIAS), the Senator from Idaho (Mr. MCCLURE) and the Senator from Alaska (Mr. MURKOWSKI) are necessarily absent.

I further announce that, if present and voting, the Senator from South Dakota (Mr. ABDNOR) would vote "yea."

Mr. ROBERT C. BYRD. I announce that the Senator from Texas (Mr. BENTSEN), the Senator from Delaware (Mr. BIDEN), the Senator from California (Mr. CRANSTON), the Senator from Connecticut (Mr. DODD), the Senator from Alabama (Mr. HEFLIN), the Senator from Kentucky (Mr. HUDDLESTON), the Senator from Louisiana (Mr. LONG), the Senator from Ohio (Mr. METZENBAUM), the Senator from Rhode Island (Mr. PELL), the Senator from Michigan (Mr. RIEGLE), the Senator from Massachusetts (Mr. TSONGAS), and the Senator from Nebraska (Mr. ZORINSKY) are necessarily absent.

On this vote, the Senator from Michigan (Mr. RIEGLE) is paired with the Senator from Rhode Island (Mr. PELL).

If present and voting, the Senator from Michigan would vote "yea" and the Senator from Rhode Island would vote "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 29, as follows:

[Rollcall Vote No. 428 Leg.]

YEAS—51

Armstrong	Ford	Nickles
Baker	Garn	Nunn
Boschwitz	Glenn	Packwood
Bradley	Grassley	Percy
Byrd, Harry F., Jr.	Hatch	Quayle
	Hawkins	Sasser
Byrd, Robert C.	Heinz	Schmitt
Cannon	Helms	Simpson
Chiles	Hollings	Specter
Cochran	Humphrey	Stennis
Cohen	Inouye	Symms
D'Amato	Jackson	Thurmond
Danforth	Jepsen	Tower
DeConcini	Johnston	Wallop
Denton	Kasten	Warner
Dixon	Laxalt	Williams
Durenberger	Lugar	
East	Melcher	

NAYS—29

Baucus	Hart	Proxmire
Boren	Hatfield	Pryor
Bumpers	Kennedy	Randolph
Burdick	Leahy	Roth
Chafee	Levin	Rudman
Dole	Matsunaga	Sarbanes
Domenici	Mattingly	Stafford
Eagleton	Mitchell	Stevens
Exon	Moynihan	Weicker
Gorton	Pressler	

NOT VOTING—20

Abdnor	Hayakawa	Metzenbaum
Andrews	Heflin	Murkowski
Bentsen	Huddleston	Pell
Biden	Kassebaum	Riegle
Cranston	Long	Tsongas
Dodd	Mathias	Zorinsky
Goldwater	McClure	

So Mr. HEINZ' amendment (UP No. 716), as modified, was agreed to.

Mr. TOWER. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. THURMOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HATFIELD. Mr. President, as my friend and colleague from Alaska is well aware, the question of a long-term basing option for the MX missile has been one of the most vexing problems we have faced. Consecutive Presidents and Congresses have grappled with it for many years.

It is a decision which has the gravest implications for the ultimate costs to the taxpayer of a multibillion-dollar missile system, and also to the sense of strategic stability which must always be present in an age shadowed by the threat of nuclear war.

My colleague from Alaska is no newcomer to this problem. He has been a leader in attempting to find an effective option for MX basing. I recall that some 2 years ago the senior Senator proposed an amendment on the floor of the Senate mandating an objective analysis by the Department of Defense of all basing options. It was an excellent amendment, receiving the unanimous support of the Senate.

Unfortunately, and perhaps predictably, the Air Force did not initiate a thorough and objective study of options which did not fit snugly into President Carter's concept of a multiple protective shelter (or "racetrack") deployment in Utah and Nevada. Other options seemed to receive distinctly short shrift, if indeed they were seriously analyzed at all. Rejection of the dubious MPS racetrack was left to President Reagan.

Given the reluctance of the Carter administration to study long-term MX basing options, it was fortunate that the Congress had the foresight to commission a comprehensive analysis by the Office of Technology Assessment. This study did undertake a thorough study of MX basing options without the notable bias found in the various branches of the Department of Defense. OTA's conclusions were published earlier this year.

The study came up with five alternatives for MX basing which could make the U.S. land-based missile force survivable. Make no mistake. All these proposed solutions had certain problems, of cost and design. Some of the most serious problems, according to the OTA study, affect two of the three proposed long-term solutions suggested by President Reagan. These two options are the continuous air patrol (CAP) option—also known as "bigbird," and the ballistic missile defense (BMD) option. The President's third option—deep mountain basing—is a new concept which was not available during OTA's study.

One of the five options studied by the OTA did remarkably well compared to the other four. This concept proposed to place MX missiles on a fleet of submarines substantially smaller in size than the current Trident force. These submarines, which would carry up to 4 missiles each outside their pressurized hull would patrol in over 1 million square miles of the near-coastal waters of the United States. They would be able to accommodate any land-based missile, while staying in continuous communications with the National Command Authority and giving missiles the accuracy normal to land basing. The small submarine alternative studied by the OTA was based on a proposal I brought to the Senate floor 2 years ago known then as the shallow underwater missile (SUM) system.

According to OTA's study, the small submarine basing option was superior to other proposed systems in a number of important ways. It provides invulnerability well into the 1990's. It will cost an estimated $39 billion to deploy and operate the small submarine with MX missiles aboard through the year 2000. With Minuteman III missiles aboard, it would cost even less. By contrast, the MPS system proposed by President Carter and the continuous air patrol system proposed by President Reagan could, for example, cost $100 billion. The costs and size of these systems depend importantly on Soviet strategic decisions, not our own. Small submarines cannot be threatened by added numbers of Soviet warheads.

In short, the small submarine alternative offers great potential in a group of long-term options which offer many drawbacks and serious flaws. I believe it is vital that such a viable alternative be thoroughly studied by the Navy as an alternative to the three long-term options we are now limited to.

I had an amendment to offer on this subject. I am hopeful that my distinguished colleague from Alaska might agree to seek strong and exact language commissioning a study by the Navy on the small submarine concept, and that such language could be incorporated into the agreements of the House-Senate conference committee. If this were possible, it would eliminate the need for an amendment at this time.

Mr. STEVENS. Mr. President, the chairman of our full Appropriations Committee makes a great deal of sense. I will commit to him that we will raise the question of the shallow underwater missile system in conference. It does seem to me that there ought to be assessed as part of our strategic package the whole variety of options that we have for missile deployment. That, of course, has been this Senator's objective over the past few years.

I can only tell the Senator that I do not know what the House position will be, but I see no reason why they should be opposed to conference report language which would guarantee that this option, the SUM option, be thoroughly explored by the Navy analysts prior to making a final decision. The Senator from Oregon will be present at the conference and will be able to assist in obtaining language in the conference report to seek his objective and I certainly will support it. I commit myself to supporting that.

Mr. HATFIELD. Mr. President, I appreciate the commitment of the Senator from Alaska, the chairman of our Subcommittee on Defense.

Mr. President, let it be known clearly for the record that I do not support the MX missile, but I do feel that before a basing mode, would be established through probably a majority vote, we should have all options before us in order that we might more intelligently make such a decision.

I would only add that with such a fleet of shallow submarines, we could

actually place the Minuteman III missile on such submarines without escalating to a new generation missile, such as the MX missile, which is a new generation, and thereby escalating the armed services. I will address the MX missile at a later time.

At this moment I only seek to get this kind of support from the chairman of the subcommittee to provide the Senate, the Congress, and the President with objective and good analyses of all the options available before we launch out on something that is pretty much open ended at this time.

Mr. President, 2 years ago I offered an amendment on the Senate floor to deny funding for the Carter administration's proposed multiple protective shelter (MPS) deployment of the MX missile. I suggested a different strategic alternative at that time which I believe made more sense. My proposal involved the deployment of a significant percentage of the U.S. land-based missile force on a new fleet of small submarines operating in almost 1 million square miles of United States near-coastal waters. The option was known as the shallow underwater missile system, or SUM.

The SUM deployment alternative was developed by two of the foremost strategic scientists in the country. It offers a remarkable and innovative solution to the vexing problems posed by land-based deployment of missiles. SUM is a system which provides virtually all the attributes of land basing, with a minimum number of the substantial environmental and strategic vulnerability problems associated with any of the proposed long-term solutions to the MX problem.

SUM provides direct communications with the National Command Authority in times of crisis; it insures the accuracy of missiles will be comparable to land-based systems; it would be dramatically cheaper than any other land-based alternative available or under serious study; it would not have to be enlarged should the Soviets decide to deploy thousands of additional warheads in the years ahead. In short, the SUM concept is designed to have virtually all the attributes of a land-based missiles system, without the deep flaws which characterize land-based designs.

Mr. President, there has been one singularly important study made of proposed deployment options for the MX missile system. That study was undertaken by the Congressional Office of Technology Assessment (OTA) and was completed this year. In it, OTA compares the SUM concept with the continuous air patrol and ballistic missile defense options proposed by President Reagan for possible long-term basing of the MX. The study also compares SUM to the MPS deployment proposed by President Carter, a derivation of which is still apparently supported by some Members of Congress. Against all of these alternatives, the SUM concept fared extremely well in the OTA study. For this reason, I have proposed an amendment today to add a submarine basing option with the basic SUM design to the list of three long-term options for MX missile basing.

The reasons for requiring a new submarine-based missile concept, one that would be independent to the Trident program, are both strategic and economic.

Strategically, the three concepts being proposed for land basing the MX have serious flaws.

The continuous aircraft patrol concept (CAP), also known as "Bigbird", would require great operational complexity, according to OTA. CAP could be vulnerable to a future submarine-launched attack by the Soviet Union, and would only remain airborne a short while after an attack before having to land and refuel. There are serious concerns whether landing fields will even exist after a nuclear attack. There are a number of other serious strategic obstacles to CAP deployment.

The proposal to guard silo-based missiles by a ballistic missile defense system (BMD) has deeply serious technical problems. First, deployment of BMD defense systems to guard more than one missile site would be a direct violation of the ABM treaty. Abrogation of that treaty would open the floodgates for a new, ominous antiballistic missile arms race on earth and in space. Furthermore, the OTA study raises grave doubts as to whether it will ever be possible to defend a missile containing 10 warheads in a single silo from Soviet attack. OTA indicates that a land- and space-based BMD system:

> ... is not a system that is developed and ready for the role of defending silo-based MX. As the concept matures, it will have to deal with the fundamental problem of decoy discrimination as well as with the design of a specific working system. For the moment, it would be quite risky to rely on the Overlay, or on layered defense as the basis for MX basing.

The final proposal that President Reagan has requested be studied for a long-term solution to land-based MX development is deep mountain basing. The concept is new that it has not been given serious consideration by Congress or OTA. There is only sparse information available on the concept at this time. On the basis of preliminary data, however, deep mountain basing of the MX would seem to also have serious strategic flaws, principally centered on the responsiveness of the system, the time it would take before final deployment of the missiles, and environmental degradation.

Mr. President, despite the obvious strategic flaws in these three systems, there is an equal weakness that they also share: enormous cost.

In a year of unprecedented budget reductions, the time has long since passed that Congress should be expected to write blank checks for gold-plated strategic concepts which may not work and which demand unprecedented amounts of taxpayer money. Compared to the SUM concept, the three, long-term basing options chosen by the President are budget busters of the first magnitude.

The OTA projected that the small submarine basing of MX missiles would cost a total of $39 billion including the missile and operating costs through the year 2000. Should the Congress choose to deploy a portion of the existing Minuteman III missile force on these submarines, the costs would obviously be reduced; $39 billion is still a great deal of money.

But the money is well spent if it prevents our own strategic planners from assuming our missiles are vulnerable and giving in to launch on warning pressures in time of international crisis or nuclear alert. A failure of nerve or judgment under these circumstances would after all likely be the last human action of our civilization and culture.

But the President's proposed three alternatives would cost far more than this. And this cost would be incurred without any guarantee of invulnerability to the missile system we are trying to protect.

For example, the CAP alternative could cost $80 to $100 billion according to the OTA. The MPS system chosen by former President Carter, should a version of that be revived, was estimated to cost between $43 and $82 billion. The ultimate cost of deep mountain basing and overlay ballistic missile defense system are unknown, but they might also be expected to be formidable. Inflation is not included in any of these estimates, nor are cost overruns.

Mr. President, the Congress has an obligation to insure that it does not inadvertently lock the Nation into long-term basing options for the MX which have virtually open-ended costs, and suffer serious technical difficulties. I believe the OTA study of basing options reveals that, on balance, the concept of basing some portion of our land-based missile force on smaller submarines operating near the coasts of the United States emerges the superior concept. And yet, this concept is not receiving $1 in funding for long-term solutions to the problem of ICBM vulnerability. The amendment I propose today would change that serious mistake.

The amendment directs that the Navy's system analysts, specifically sections OP 96 and OP 963, undertake a comprehensive study of basing the MX missile, or a portion of the present Minuteman III missile force, on submarines which are relatively small and designed to carry no more than four missiles each. In order to give the Navy maximum latitude, the amendment does not specify the exact concept of SUM studied by OTA or proposed by me. The point of the amendment is to simply guarantee that the best strategic analysts in the Navy build on this concept and, if possible, improve it to provide the Congress and the President with a viable strategic alternative to address this growing problem.

It should be made plain that this projected submarine-based concept would be independent of and in addition to the proposed Trident program. Furthermore, the study should compare the basing of the MX and Minuteman III missile on relatively small submarines with guidance systems appropriately modified in addition to the ongoing Trident program, as against the ongoing Trident

program plus the MX missile on various land-basing alternatives. The study should compare these two alternatives in terms of costs, survivability, schedule and other pertinent areas of concern.

Questions of particular interest which should also be addressed by the study should include the possibility for compressing the scheduled delivery of submarines to reduce the so-called window of vulnerability of our land-based forces, and the possibility of small nuclear reactors or other propulsion systems being incorporated into the submarines.

Mr. President, I would finally like to address the one point which is invariably raised by opponents of a new submarine concept such as SUM. They claim that deployment of a second fleet of strategic submarines will put too many of our strategic eggs into one basket. We will be vulnerable to a future Soviet breakthrough in antisubmarine warfare technology (ASW).

In response to this allegation, I will for the moment put aside the simple fact that any of the strategic options proposed by Presidents Reagan or Carter have serious vulnerabilities to Soviet technology which is in place now, or soon will be. By stark contrast, and while admitting the theoretical possibility that there may be a Soviet ASW threat in the future that may threaten U.S. submarines, OTA nonetheless says this about a Soviet threat to a small submarine system like SUM:

OTA could find no existing technology, and no technology is believed to be on the horizon, which offers any promise for permitting an effective Soviet attack on a fleet of small MX-carrying submarines.

However, the possibility that the Soviets may discover and deploy some anti-submarine warfare technology which cannot be foreseen cannot be excluded. If this were to happen, the differences between the Trident fleet (a small number of high-speed boats operating in an enormous deployment area) and the MX fleet (a large number of slower boats operating relatively close to the United States) could make it more difficult, and perhaps impossible, for the Soviets to deploy an anti-submarine warfare force capable of attacking both U.S. ballistic missile submarine forces.

Mr. President, I believe the facts accumulating in favor of this concept are close to overwhelming. At a very minimum, this concept must be given a complete and thorough analysis by the Navy. I ask the Senate to adopt this amendment.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, the Senator from Illinois has two amendments. The first one we will want a rollcall vote on. The second one the committee is prepared to accept without a rollcall. I believe there will be other amendments now that will be forthcoming.

Mr. STENNIS. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order. Those Senators desiring to converse, please retire from the Chamber. The Senate will come to order.

Mr. STEVENS. Mr. President, I do want to inform the Senate that other Senators now have told us of amendments that they intend to bring forward this evening and we do intend to go ahead with this bill. The Senate ought to be on notice that there will be more rollcall votes this evening.

Mr. BUMPERS. Mr. President, could the Senator from Illinois tell us about how long he intends to debate this amendment?

Mr. PERCY. I would say, at the maximum, 20 minutes.

Mr. BUMPERS. I thank the Senator.

UP AMENDMENT NO. 717

Mr. PERCY. Mr. President, I send an amendment to the desk on behalf of myself and Senator NUNN and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will state the amendment.

The assistant legislative clerk read as follows:

The Senator from Illinois (Mr. PERCY), for himself and Mr. NUNN, proposes an unprinted amendment numbered 717.

On page 69, line 8, delete section 779 of H.R. 4995 and renumber the remaining sections accordingly.

Mr. PERCY. Mr. President, the amendment I offer, along with Senator NUNN, would delete section 779.

Mr. STEVENS. Mr. President, may we have order, please?

The PRESIDING OFFICER. The Senate will please come to order. Those Senators in the rear of the Chamber desiring to converse, please retire from the Chamber.

The Senator from Illinois.

Mr. PERCY. Mr. President, the amendment that I offer, along with Senator NUNN, would delete section 779 of this bill.

That section stipulates that—

None of the funds in this Act may be used to transfer any article of military equipment or data related to the manufacture of such equipment to a foreign country prior to the approval in writing of such transfer by the Secretary of the military service involved.

As presently worded, the provision would seem to require that the most routine of transfers of defense articles to a foreign government receive first the approval of a military service Secretary. This requirement even applies to routine transfers in the field, such as temporary transfers under the NATO Mutual Support Act. It would require the written approval by the Service Secretaries on all of the more than 10,000 FMS sales and roughly 90 percent of the 36,000 munition control licenses handled every year.

Mr. President, the Governmental Affairs Committee, on which the distinguished manager of the bill, the assistant majority leader, serves, has set up a Commission on Paperwork. The idea of the whole Commission was to eliminate paperwork and cut down as much of this unnecessary flow back and forth of papers that we possibly can. An awful lot of bureaucrats and an awful lot of top executives of the Government may feel important sitting there signing their signature time after time after time, but what in heaven's name is it necessary for, particularly when we are requiring that a Secretary of a particular service sign and approve and sign off on a particular item when that matter has already been cleared and approved and supported by higher authority.

So if ever there was a make-work program, this is it. Senator NUNN and I just simply feel—Senator NUNN also serves on the Governmental Affairs Committee and also on the Armed Services Committee, as well—we feel that this is absolutely unnecessary.

The provision is far too sweeping in scope and would drastically complicate management of the security assistance program and be in conflict with the Secretary of State's responsibilities under the Arms Export Control Act (AECA) and the President's prerogative for delegating authority for management of the arms sales program.

As mandated by the AECA, the Secretary of State, under the direction of the President, is responsible for the continuous supervision and direction of FMS sales and commercial exports involving defense articles. Legislative alternatives relating to arms sales should be mindful of this Presidential prerogative and should be consistent with the existing statutory requirement.

There does not appear to be a need for section 779. Currently, there are provisions requiring decisions by DOD whenever sales of defense articles from U.S. stocks could significantly impact on U.S. readiness; that is, section 21(i) of the AECA; 10 U.S.C. 975; section 813 of the DOD Appropriations Authorization Act of 1976. We know of no need to go beyond this.

I simply point out the unnecessary nature of this particular section in the bill and the reason why it should be deleted. So many times we go through and pass legislation here, not realizing the monster that we are setting up. The best time to cut back on unnecessary paperwork, unnecessary approvals and redundant authorities offered is to do so in the original bill.

For that reason I, together with Senator NUNN, respectfully bring it to the attention of the floor manager of the bill and suggest that, if it was overlooked that this authority is unnecessary and unneeded, we delete it by enacting the amendment.

Mr. STEVENS. Mr. President, I originally indicated we might want a vote on this section. I was referring to another section, I say to my good friend from Illinois. So, unless someone else wants a vote on this amendment, I shall not ask for one.

I agree with the Senator from Illinois, Mr. President. This is a paperwork burden with which I really cannot agree.

Since the provision is in the House bill, it should be deleted. We will see how the House can justify it in the conference. I know of no justification for it.

Mr. STENNIS. Will the Senator yield to me briefly?

Mr. STEVENS. I yield.

Mr. STENNIS. Mr. President, I agree with the Senator from Illinois that this needs to be stricken.

Mr. NUNN. Will the Senator yield?

Mr. STEVENS. I yield.

Mr. NUNN. I am pleased to join with the Senator from Illinois in offering this amendment. We have worked for a long time to establish more coordination with our NATO allies, less duplication, less waste, less inefficiency. The amendment that the Senator offers deleting a part of the bill will certainly further that goal. If we do not have this amendment, then all of the many efforts on standardization will certainly be diluted.

I am proud to join the Senator from Illinois in offering this amendment, and I hope it will be accepted.

Mr. PERCY. I thank my colleague.

Mr. STEVENS. Mr. President, as indicated by my distinguished friend from Mississippi, the committee is prepared to accept this amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (UP No. 717) was agreed to.

Mr. PERCY. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UP AMENDMENT NO. 718

Mr. PERCY. Mr. President, on behalf of myself and Senator NUNN, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Illinois (Mr. PERCY), for himself and Mr. NUNN, proposes an unprinted amendment numbered 718.

Mr. PERCY. Mr. President, I ask uanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 66, line 13, delete Section 775 of H.R. 4995 and renumber the remaining sections accordingly.

Mr. PERCY. Mr. President, section 21(e)(2) of the Arms Export Control Act provides authority for the President to waive certain nonrecurring research and development costs for arms sales if such sales significantly advance U.S. Government interests in NATO standardization or if foreign procurement in the United States is advanced under coproduction arrangements.

Section 775 of this bill complicates the implementation of this worthwhile provision by requiring advance notice of such waivers to the Appropriations Committees.

The amendment which I offer together with Senator NUNN would delete this requirement for advance notification.

Section 775 was added by the House, and I understand that the Senate managers of the bill agree that this section should be deleted. The Defense Department also supports this amendment.

I would note that the Congress will be notified of the use of this waiver provision in quarterly reports under section 36(a) of the Arms Export Control Act.

Additional reporting would be duplicative of the reporting already agreed to by the DOD, when the DOD is striving to reduce or eliminate additional paperwork requirements.

None of the funds appropriated by the DOD Appropriations Act are affected by waivers made by the President under section 21(e)(2) of the Arms Export Control Act. The nonrecurring cost recoupment charge is a pro rata charge for partial recovery of past U.S. sunk investment in research, development, and production.

Mr. STEVENS. Mr. President, again, this is an amendment to delete language that the House placed in this bill. I have studied the statement of the Senator from Illinois and understand it. The matter will still be in conference. I am of the opinion that his position is correct.

As we have indicated, I would support the deletion of this section. The Department of Defense supports the deletion of it since we will have the reports of the waivers in any event. I support the Senator's amendment.

Mr. NUNN. Mr. President, I am delighted to join with the Senator from Illinois on this amendment. I think it is a step toward standardization. I would hope the Senate would accept the amendment.

Mr. STENNIS. Mr. President, I am prepared to support the amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (UP No. 718) was agreed to.

Mr. PERCY. Mr. President, I have one other matter that I would like to discuss with the distinguished floor manager of the bill.

Mr. President, a general provision was added to the fiscal year 1982 DOD appropriations bill by the House but deleted by the Senate Appropriations Committee which would prohibit the use of funds appropriated by this act after April 1, 1982, to pay for the direct or indirect hiring of any local hired non-U.S. citizen in a position in an overseas base where qualified U.S. citizens are available at the overseas area and have applied for employment by the Department of Defense in such a position.

Both the Departments of Defense and State were gratified that this provision was deleted in the Senate Appropriations Committee markup and urge that it be deleted from the joint bill in conference.

The enactment into law of section 777 of the House bill would place the United States in violation of its obligations under international agreements and international law. U.S. agreements with the Governments of the Philippines, Spain, Turkey, Iceland, and the United Kingdom, among others, granting the United States the right to use military facilities in these countries all require that local nationals be given some form of hiring preference for those positions not occupied by U.S. military personnel or U.S. civil servants.

The United States does not pay rent for major military facilities in other nations. The hiring preference for host-country nationals provides a tangible economic benefit which many nations view as a substitute for such rent. Termination of this benefit through enactment of section 777 would make it more difficult politically for the United States to use these facilities or to have access to them in times of crisis. In particular, current negotiations with Spain could be quite seriously damaged by enactment of this amendment and similar harmful effects could be expected in pending negotiations with Portugal, the Philippines, and probably Greece.

Some host nations might view enactment of 777 as a material breach of our agreements, thus entitling them to open negotiations on terminating, redefining or further restricting U.S. basing and use rights. Nations could, for example, retaliate by suspending or reducing our current rights to engage in routine military operations such as aircraft transits.

U.S. violation of international agreement and international law through adoption of section 777 would make it more difficult to obtain future base or facility rights from other countries. In addition, as the United States could be in violation of its own law by hiring host-country nationals or in violation of international law by hiring U.S. nationals we would be unable, as a practical matter, to hire anyone other than military or civil service employees of the U.S. Government. The result would be an important reduction of our ability to perform security functions.

I would ask the distinguished floor manager of this bill, Senator STEVENS, if he intends to oppose inclusion of section 777 in conference with the House on the final DOD appropriations bill?

I would like to point out, parenthetically, that I assume this does not apply to any position, of course, which is sensitive. There, of course, we would have to have our nationals perform such functions. But where you have jobs that have no particular sensitivity or where an individual resident of the host country can perform the function and be cleared for it, then it would appear that considering the problems that we have in certain areas of the world even today with a military base, where we are not paying rent, we are not leasing, we are not paying any stipend to the government for it, and there is resistance against it, we would help build up a body of support if the base does provide local employment to local nationals.

So it is not only a matter of practicality from our own standpoint, creating a climate for the establishment of such a facility, but also in the case of the countries that I have outlined a case of adhering to a binding international treaty that we now have.

Mr. President, we certainly cannot pass laws on the floor of the Senate or accept a law from the House or the Senate that abridges or breaches an existing, binding treaty supported by a two-thirds vote of the Senate.

So I pose the question to my distinguished colleague as to what position he, as the floor manager of this bill in the Senate, would intend to take in opposing inclusion of section 777 in conference with the House on the final DOD appropriations bill?

Mr. STEVENS. Mr. President, I would state to my good friend from Illinois that we have deleted this section, as he has indicated, and it would be our intention, of course, to oppose in conference any attempt to include this provision. The matter will be subject to conference, and we will need the continued support of all Members of the Senate on the conference committee to maintain this position.

I do understand the House position, however, because of the problems that we have had with regard to employment in this country. I point out that this House provision applied only where the citizen of the United States was at the overseas area and had applied for employment.

It was a limited provision. In any event, under the circumstances, we took the same position as did the Senator from Illinois and the Department of Defense. We have deleted this section and intend to maintain that position.

Mr. PERCY. Mr. President, I thank my distinguished colleague.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. JEPSEN). Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I am constrained to say that perhaps it is now time to go to third reading, unless someone is going to come forward with an amendment. I really believe that there are many issues that should be debated, and if no one wants to address them, perhaps we should vote on the bill. I am ready to go to conference with the House on the bill as it stands now.

Mr. BAKER. Mr. President, I could not agree more. I hope that Members who are hearing this colloquy will understand that the manager of the bill is dead serious. If we do not get amendments up, I think it is time to dispose of this measure.

We have not really made haste swiftly today, and I think it is time that Members either offer their amendments or we go to third reading and final passage on this bill.

Mr. NUNN. Mr. President, it is my understanding that the majority leader and the manager of the bill prefer that the MX and B–1 amendments come up tomorrow or Wednesday. Am I correct?

Mr. BAKER. Mr. President, my preference is that we do the whole thing today. As I indicated earlier today, I am prepared to ask the Senate to remain late in order to do that and, in any event, to finish it by tomorrow, which I believe is the statement I made.

However, I also suggested a possible form of unanimous-consent agreement that would provide for final passage not later than 4 p.m. on Wednesday, with a vote at 2:30 tomorrow on either the MX or the B–1 and a vote at 2:30 on Wednesday on either the MX or the B–1.

All I was trying to do was to arrange a schedule of events that would provide the maximum convenience for the greatest number of Senators.

Let me make another suggestion: If we are not going to finish this tonight—and that would be my preference—then I think that rather than waste a good part of the Senate's time tomorrow, since it appears that some Members will not be here tomorrow and will not be able to vote on critical issues tomorrow, perhaps we should temporarily lay aside this bill and take up something else on Tuesday, with the proviso that we return to this measure on Wednesday and then have a vote on final passage sometime Wednesday afternoon.

Other matters that could be handled are the military construction bill, S. 10, the Hoover Commission bill; S. 881, the small business bill; S. 1700, the Court of Claims Act. All these are matters that could be done tomorrow. There may be others.

All I want to do is to see that we try to make some progress. It is November 30, and I devoutly wish for sine die adjournment in the next 18 days or less.

So, Mr. President, in answer to the Senator from Georgia, I am willing to do it any way we can, but the one thing I am not willing to do is to continue to fritter away the valuable time of the Senate.

Mr. NUNN. I agree with the Senator from Tennessee on that.

I had understood that it was the hope of the manager of the bill that we would have the MX and B–1 amendments no sooner than Tuesday and Wednesday.

Mr. STEVENS. I say to the Senator that, with the cooperation of the majority leader, I was trying to work out a schedule so that we would be certain that Members would be on notice as to when the important votes would take place.

We are trying to have the votes no later than tomorrow, if it is at all possible. I think we could finish this bill by 3 o'clock tomorrow, if we really tried. But we cannot seem to get an agreement to vote.

I can only say that I will continue to press for third reading if we cannot get an agreement. There is no reason to delay this bill.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. STEVENS. I yield.

Mr. STENNIS. I have no specific suggestion to make. There is an impression that the main amendments would probably come up on Tuesday and Wednesday. This situation here seems to me to be that a good part of the debate has sort of blown over and blown out. If we could carry it over until Wednesday and have an agreement to vote on both these major items and final passage on Wednesday, that might meet the situation.

Mr. STEVENS. I thank the Senator from Mississippi. I think that is true. But I do not understand why we cannot get an agreement to vote tomorrow on one of the main amendments and on Wednesday on the other, or some alternative.

Maybe we should work with the majority leader and the minority leader and get an agreement to vote on both main amendments on Wednesday and take up the military construction bill tomorrow and some other bills.

This Senator changed his plans that had been made for over a year in order to be here today and tomorrow, and he does not relish the circumstance of now not being able to continue with the bill. So I am prepared to go to third reading, Mr. President.

Mr. PRYOR. Mr. President, may I address an inquiry to the Senator from Alaska? Is the Senator from Alaska looking for amendments to be offered at this time?

Mr. STEVENS. Yes.

Mr. PRYOR. I inform the Senator that I do have an amendment, and I will send it to the desk in a moment. I should like to make a brief statement. I see both leaders in the Chamber. I wonder if I am preempting their time.

Mr. BAKER. We are listening with great interest and hoping that the Senator will offer an amendment.

Mr. PRYOR. I can tell that the Senator is breathless.

UP AMENDMENT NO. 719

(Purpose: To place a limit on the use of appropriations to pay for lobbying costs under Government contracts)

Mr. PRYOR. Mr. President, 2 months ago I delivered a little speech on the Senate floor. As usual, the persons listening were a few pages and the Senate Chaplain. I made a talk about the practice in the Department of Defense of contractors charging lobbying expenses against existing contracts with the Department.

I continue to find it unbelievable that contractors are allowed to charge to the Government their costs in attempting to influence the legislative process where their action is undeniably designed to benefit themselves.

This practice of the Government's underwriting lobbying expenses exists for no other group, and I consider it an injustice to allow such a favored treatment to continue. When I brought this to my colleagues' attention in September, I announced my intention to introduce legislation intended to prevent the continuation of this subsidy, and today I am pleased to present an amendment to the Senate which I hope will prohibit the continuation of that practice.

Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Arkansas (Mr. PRYOR) proposes an unprinted amendment numbered 719.

Mr. PRYOR. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 71, between lines 3 and 4, insert the following new section:

SEC. . (a) No funds made available under this Act may be used to pay, directly or under any contract with the Federal Government, any costs directly associated with lobbying, including any amounts attributable to salaries and fees, or portions thereof, of any person engaged in lobbying.

(b) For the purposes of this section:

(1) Except as provided in paragraph (2), the term "lobbying" means—

(A) any activity or communication which is directed to any Member of Congress or any member of the legislative body of any State or political subdivision thereof, or to any individual on the staff of a Member of Congress or of a member of any such legislative body, or to any member of a staff of a committee of Congress or of any such legislative body, and which is intended to influence—

(i) the introduction, content, or disposition of any bill or resolution in either House of Congress or any house of any such legislative body,

(ii) the content or disposition of any report of a committee of Congress or of any such legislative body, or

(iii) the conduct, content, or disposition of any hearing or investigation being conducted by the Congress or any such legislative body or any committee or subcommittee thereof; and

(B) any activity or communication which is directed to any person for the purpose of encouraging such person to engage in any activity or communication described in subparagraph (A).

(2) The term "lobbying" does not include—

(A) a communication made in response to a request from any individual or committee referred to in paragraph (1)(A);

(B) attendance, without engaging in an activity or communication described in paragraph (1), at a proceeding of Congress or a legislative body of a State or political subdivision thereof;

(C) a communication made through—

(i) a speech or address; or

(ii) a newspaper, book, periodical, or magazine published for distribution to the general public, or a radio or television transmission, unless such communication is a paid advertisement; and

(D) an inquiry which concerns only the existence, subject matter, or status of any bill, resolution, hearing, report, or investigation.

(3) The term "agency" shall have the meaning provided in section 551(1) of title 5, United States Code.

(4) The term "communication" includes any personal discussion, paid advertisement, telegram, telephone communication, and letter.

(5) The term "contract" means a written agreement, including amendments and modifications thereto, between an agency and any person for the procurement of goods or services.

(6) The term "person" shall have the meaning provided in section 551(2) of such title.

Mr. PRYOR. Mr. President, this amendment, put simply, prohibits the use of appropriated funds to pay, under contract with the Federal Government, any costs directly associated with lobbying.

The key element in this prohibition lies in the definition of lobbying. For the purposes of this legislation, lobbying is defined as any activity or communication directed to—

First, a Member of Congress,

Second, a member of a State or political subdivision legislative body,

Third, any member of the staff of such members, or

Fourth, any member of the staff of a committee of Congress or such other legislative body which is intended to influence the content or disposition of any pending or anticipated bill or resolution, report of a committee, or any hearing or investigation being conducted.

Lobbying is also defined to include activities or communications directed to other persons for the purpose of encouraging such other persons to engage in a defined lobbying activity. Thus, contractors cannot do indirectly what they are prohibited from doing directly.

While lobbying may be conceived as somewhat broad, certain activities are excluded from the definition, such as the following: communications made in response to a request from a Member of Congress; passive attendance at legislative proceedings, that is, attendance without engaging is prohibited lobbying activities; nonpaid communications made through public information channels; and inquiries made regarding the existence or status of legislation.

Mr. President, this is not just a minor problem of a few dollars. Procurement dollars in the Department of Defense have grown over the last 20 years to such a point that a single contract may be worth hundreds of millions of dollars. Many defense contractors have come to realize the importance of a Washington office and the services it can perform.

The irony is that these services and functions delegated to the Washington office have changed from information gathering and monitoring to a focus of pressure and absolute influence. Whether defined as lobbying or "public relations," the thrust is usually the same: Pressure on the executive and legislative branches designed to shape legislative, procurement, and appropriations decisions that affect all citizens. Often the influence takes the form of strategy involving not only direct pressure but also grassroots efforts and campaign contributions.

In 1976 and 1977, the Defense Contract Audit Agency (DCAA) undertook a series of special audits of 10 defense contractors based in Washington, the Nation's Capital. In both the preliminary and final audits, DCAA found that a substantial part of the expenditures was for "lobbying activities." Much of this expense had been charged against existing Government contracts and thus was subsidized by Federal dollars, that is, paid for by the taxpayer. While not questioning the right of the contractors to engage in such activity, DCAA did question whether such expenditures should be charged to Government contracts.

For the 2 years in question, DCAA questioned over $11 million for five of the contractor's Washington offices alone. In plain English, what was happening was that the taxpayer was footing the bills for the contractors to exert their influence to benefit guess who?—themselves.

DOD reacted I think in an expected fashion. To address the issue of allowability of lobbying costs, DOD spent several years trying to decide how to define lobbying. After some effort the attempt was abandoned. No regulation was issued, and the problem was ignored. If it had not been for the fortitude of Common Cause, and its willingness to go to court to seek disclosure of these audits, the problem would very likely have been forgotten and the taxpapers allowed to continue taking it on the chin year after year. Today, however, the taxpayer is striking back. Through this amendment, the issue should be laid to rest once and for all.

Mr. President, this situation cannot be allowed to continue. Only a few weeks ago, Common Cause published a follow-up article to its original expose of this situation. In that second article it was revealed that Rockwell's Los Angeles division charged at least $653,000 in lobbying expenses to Government contracts—all of which DCAA questioned as inappropriate expenses for the Government to pay.

How many other untold millions have been charged, and not discovered by audit, is anyone's guess. It is clear from these few past audits that contractors involved have been less than candid in reporting such expenditures and, in the audit process even refused to allow thorough investigation by Government auditors. While the degree of cooperation between auditors and contractors itself raises a concern on my part I will refrain from diverging.

Mr. President, no doubt the fact that DOD has recently directed that such a prohibition be incorporated into the Defense Acquisition Regulations will be raised against the need for a legislative solution. But I think this is insufficient to moot the legislative need.

First, the legislation is aimed not only at present practices within DOD but potential problems at the various other agencies and departments.

Second, to resolve the issue once and for all I feel legislation is appropriate and absolutely necessary. Regulations do not have the force that laws have; further, laws are not subject to degrees of implementation which regulations so often are depending on the present circumstances and personnel in office.

Finally, the outline for the DOD regulation reveals a number of shortcomings and loopholes which I feel will act to allow, in many circumstances, the continuation of this subsidy. I am very pleased that DOD recognizes the severity of this problem and the need for a solution which will lay to rest this improper spending of taxpayer funds. I urge them to support this legislation.

I also urge my colleagues to support this initiative. It is a sound response to a problem which if left unchecked will grow like a weed with the victim being the taxpayer. Subsidization such as this cannot continue as it erodes the confidence the taxpayers have in our Government.

Mr. President, I ask unanimous consent that the distinguished Senator from Wisconsin (Mr. PROXMIRE) be added as a cosponsor of this legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PRYOR. Mr. President, I also ask unanimous consent to have printed in the RECORD two Common Cause articles regarding this matter, and a letter which I received today from Fred Wertheimer, president of Common Cause.

There being no objection, the material

was ordered to be printed in the RECORD, as follows:

THE HIGH AND THE MIGHTY

(By Florence Graves)

Can you imagine the U.S. government picking up the costs incurred by political activist Jane Fonda and her husband Tom Hayden for trips to Washington to lobby against the B–1 bomber, the MX missile or the F–14?

Can you imagine the U.S. government picking up all or part of the tab for you or a member of your family to travel to Washington to encourage your congressman to vote against or even for selling AWACS to Saudi Arabia?

Now try to figure out why the government was expected to pick up the salary of the Martin Marietta Co.'s director of Washington relations whose job functions, according to audits released recently to Common Cause, "relate to liaison with congressmen and their staff aides. He builds rapport with Congressmen—from 35 states in which Martin Marietta has divisions and solicits Martin Marietta employees for campaign contributions."

Try to figure out why the government was expected to shoulder the retainer fees paid to Gen. W. W. Quinn, USA (Ret.), also a lobbyist for Martin Marietta.

Or the salary of Sperry Univac's public relations and sales promotion managers who, in effect, was a lobbyist?

The government has footed untold millions of dollars of defense contractors' lobbying expenses because the Defense Department has no definition of "lobbying" and therefore no regulation that specifically prevents lobbying costs from being charged against government contracts.

Sen. William Proxmire (D-Wis.) is incredulous. "Every citizen has the right to communicate with his elected representatives. However, no citizen has the right to ask the government to reimburse the costs of these communications and, to my knowledge, no segment of society other than government contractors has had the temerity to make such a request."

A fascinating but incomplete picture of the millions of dollars in lobbying expenses charged against government contracts by defense contractors emerges in the audits of 10 major defense contractors' Washington offices released to Common Cause four years after the Air Force denied a Freedom of Information Act (FOIA) request.

After CC's FOIA request was refused, Common Cause went to court to win the release of the audits which were conducted in 1976 and 1977 and cover the years 1974 and 1975.

The audits include those of the Washington offices of the Boeing Company, Rockwell International, Lockheed Aircraft, Raytheon, Hughes Aircraft, General Dynamics, Martin Marietta, Collins Radio Group, Sperry Univac and Sperry Rand Corp.

The exact extent to which the taxpayers are footing contractors' lobbying costs is not known. But these audits reveal a total of more than $2 million in lobbying-related costs questioned by auditors during 1974 and 1975 for these ten contractors. There are hundreds of defense contractors. Of the top 100, 67 have Washington offices. So simple mathematical calculations indicate the grand total could be many millions.

Despite the fact that Defense Department auditors strongly oppose contractors' charging of lobbying costs to taxpayers, it is unlikely the practice will be discontinued because the powerful defense contractors have vigorously opposed any attempts to prohibit this practice.

The audits were kicked off by the highly publicized revelations in 1975 that some defense contractors, Rockwell and Northrop Corp., in particular, had entertained military and congressional personnel with parties at hunting lodges on the Maryland shore, goose hunts, rides on corporate jets and yachts, and football tickets.

During hearings held in 1976 in Proxmire's aggressive Committee on Joint Defense Production, the Defense Department announced it was auditing the Washington offices of several contractors to determine if the costs of any of this lavish entertainment were being charged to the taxpayers. And that's the last the public heard of the audits until their release to Common Cause.

CLASSIC WASTE

If the Marx Brothers, themselves, had decided to make a film about defense contractors, they probably wouldn't have come up with more classic examples of waste than those found by the contract auditors.

Raytheon claimed the costs of lodging, meals, and guides for goosehunts in the Maryland area for company employees and unidentified guests.

General Dynamics wanted the taxpayers to foot the bill for F–16 tie tacs.

Hughes Aircraft claimed some costs for a condominium in the Shoreham (an exclusive Washington apartment house). The costs represented depreciation, garage maintenance, maid service and other expenses related to the condominium purchased in 1972. Also claimed were entertainment supplies and services which included silverware, linens, bartender, reception and limousine services as well as decorations and furnishings for a "sky suite" at the Capital Center (a sports arena).

Lockheed Aircraft charged off travel expenses to the Farnborough and Paris Air shows, including first class air fare and wives' travel costs.

Rockwell Corp. claimed the bill for 100 prints of the film, "The Threat, What Can One Do?" The auditors felt the film "furthers the image of the B–1 bomber programs. It appears the films are being shown to the public and Members of Congress. We question the costs because they represent effort designed to influence legislation. The contractor does not concur. It maintains this is public relations effort."

("Public relations" costs, it should be noted, are considered legitimate expenses to changes to government contracts.)

The Defense Contract Audit Agency, which plays an advisory role in negotiating contracts, allocating costs, and seeing that terms of contracts have been met, questioned the legitimacy of not only more than $2 million in lobbying-related costs but more than $2.5 million in entertainment expenses as well. These totals do not include the more than $2 million which the contractors originally charged, but voluntarily deleted, during the audit negotiations. Furthermore, all of the totals are probably much higher, but auditors repeatedly said that most of the contractors refused to let them see the proper records to verify costs.

A Pentagon official, John Kendig, deputy director for cost, pricing and finance, says "it is reasonable to assume" that not all of these costs were eventually paid by the government. As part of the overhead, he says, some of these costs may have been eventually allocated to a company's commercial divisions as well.

However, Christopher Paine, a staff assistant for arms control at the Federation of American Scientists, maintains that defense contractors try to put as many of their total expenses as they can into government overhead. "They all do it. They think, if you can get the government to pay for it, why not?"

While the government explicitly forbids federal employees from using taxpayers' money to engage in lobbying, there is no specific regulation prohibiting contractors from charging lobbying expenses against contracts. (There are, however, specific regulations prohibiting contractors from charging entertainment and some advertising expenses.[1])

However, in lieu of a specific lobbying cost principle, the auditors could question the costs on such bases as "reasonableness" or appropriateness and aggressively did so, touching off a several-year debate in the defense community about the validity of contractors charging such expenses to their overhead.

In response to these audits, the Pentagon tightened its conflict of interest standards and most observers agree the lavish entertainment has been kept to a minimum. To address the lobbying costs, the Pentagon spent several years trying to come up with a definition of lobbying which would outlaw such costs being charged to the government.

The effort was abandoned, however, in June 1980 because officials say it was too hard to define lobbying.

The audits, which give an exclusive, inside glimpse of the kinds of costs contractors expected the government to bear, also give an indication of the magnitude of the lobbying effort being made in the Washington offices, the nerve center of contractors' selling efforts. The audits also reveal:

Defense contractors are spending large sums of money to lobby for their weapons and are reporting only a fraction of these costs under the loophole-ridden 1946 Federal Regulation of Lobbying Act. In 1974–75, for example, the DCAA questioned more than $2 million as possible lobbying expenses.

This total does not include those amounts which the contractors voluntarily did not charge to the government, so the actual amounts spent on lobbying are not known. In those same years, only three of those 10 companies had registered lobbyists and they reported spending only $89,251.20.

The auditors' inquiries met a consistent pattern of stonewalling. In audit after audit, the auditors noted, as in the case of Martin Marietta, "The scope of our review was severely restricted. . . . This prevented the full application of generally-accepted auditing standards and tests of accounting records which would ordinarily be done."

In the audit of Hughes Aircraft, the auditor wrote: "The contractor imposed rigid conditions under which we were allowed to interview its personnel. It required the corporate marketing vice president to be present at each interview and a contractor stenographer to record the entire interview. The contractor refused to answer any questions on details or activities relating to unclaimed costs.

"It also would not permit questions relating to an apartment which the contractor owns and maintains in the Washington area. We advised the vice president that the cost of this apartment had been claimed by the contractor in its 1972, 1973, and 1974 overhead claims.

"Nevertheless, the contractor requested that the auditor not ask any further questions about it since most of the employees were not even aware of its existence. . . ." Moreover, "the lack of time or activity records, denial of access to documentation, and restrictions imposed by the contractor during our review prevented us from reaching an unqualified opinion on the allowability of costs not otherwise specifically questioned."

While theoretically, the auditors should have access to all necessary records, audit officials say the contractors vehemently dispute what records are really "necessary." An intransigent contractor can keep such disputes in the courts for years.

The interdependent relationship between

[1] An official says that when contractors were questioned about expenses they charged which were clearly related to entertainment, they would just say they'd made a "mistake."

defense contractors, Congress and the executive branch brings contractors "so close to government that they not only carry out military policy, but often create it," says Gordon Adams of the Council on Economic Priorities (a public interest group based in New York City) who just released an investigation of the politics of defense contracting, The Iron Triangle.

This "triangle" is formed, Adams says, "by the powerful flow of people and money" moving "between the defense contractors, the executive branch and Congress."

Explains Adams, "Once molded, the triangle sets with rigidity of iron. The three participants exert strenuous efforts to keep isolated and protected from outside points of view. In time, they become unwitting victims of their own isolation, convinced that they are acting not only in their own but in the public interest."

Contributing to this is a practice frequently called the "revolving door."

For example, Dale Babione, former director of contracts and system acquisition at the Department of Defense, joined the Boeing Company as the director of government business relations in 1979 during the attempt to define a lobbying principle.

The flow of personnel among the points on the triangle "creates a community of shared assumptions about policy issues and developments," Gordon Adams concludes.

THE WASHINGTON OFFICES

For a number of defense contractors, the U.S. government is one of their largest clients. It's the job of their Washington offices to grease the connections and ease the way for the multibillion dollar sales.

"Our business base is sustained in Washington," Richard Cook, a deputy assistant for congressional relations to Richard Nixon who now heads the Washington office of Lockheed Aircraft Corp. told the National Journal. (In the early 70s, Lockheed, the Chrysler of the defense industry, got a federal loan guarantee to keep it afloat.)

To sustain the business base, contractors "must succeed in the influence business," says Adams.

Contractors do not consider the efforts of most of those in their Washington offices "lobbying," although most would probably agree that some of what they do is "lobbying," which is perfectly legal. Some of the remaining activities they consider to be "legislative liaison" which means providing information to Congress and to the executive rather than exerting pressure. Most apparently consider both of these activities legitimate overhead expenses which are routinely passed onto government contracts.

But during these audits, the Defense Contract Audit Agency made a distinction between the two. They felt many of the Washington office employees were engaged in "lobbying" ("influencing legislation"), activities they felt should not be charged against government contracts. They therefore questioned whether more than $2 million charged against government contracts should be allowed, emphasizing the totals could be much higher but the contractors refused to give them the documentation they needed to make the determination.

In questioning lobbying-related costs, the auditors usually included this notation, "We found no recognizable benefit to government contracts since the Department of Defense and other executive agencies make determinations of policy and program needs, and justify their own requirements for appropriations.

"Attempts by contractors to influence legislation favoring procurement of their products can be inimical to DOD policies as well as requirement determinations."

One company, Martin Marietta (one of only two contractors who would answer any questions for this story) maintains that the company does not lobby and therefore does not have any lobbying expenses.

But the DCAA did not concur: it questioned a total of approximately $300,000 in lobbying expenses for Martin Marietta, including salaries of several staff members. For example, the DCAA found that K. K. Bigelow, the director of Washington Relations, maintains contacts with government personnel to solve problems and makes appointments for company officials to meet with government representatives.

"Mr. Bigelow follows issues in Congress that affect the company in the areas of tax reform, energy, and pollution control. He builds rapport with congressmen from the 35 states in which Martin has divisions and solicits Martin Marietta employees for campaign contributions. In our opinion, these activities are concerned with influencing legislation and are unallowable . . ."

Moreover, "a review of Mr. Bigelow's travel expense reports indicate extensive entertainment at home, the Congressional Country Club, Kennedy Center, and numerous Washington restaurants. In most cases, there is no record of who participated in this entertainment. We have questioned Mr. Bigelow's salary, his secretary's salary, the cost of the chauffeur's support, fringe benefits, travel and related expenses."

It is clear from reading the audits that the DCAA does not believe the taxpayers should be picking up lobbying costs. Fred Newman, then head of the DCAA, now with a private firm, says he does not think such costs are legitimate expenses; the current head, Charles Starrett, agrees. But the DCAA has only an advisory role; the contracting officers make the final decisions. (A contracting officer is the person at the Pentagon who has overall responsibility for an individual contract. This person monitors the defense contractor's performance and makes final determinations about costs.)

So in this case, what the DCAA thinks does not count.

No one has come right out and said it, but the Defense Contract Audit Agency must have really put the Pentagon brass on the spot by boldly questioning what appeared to the auditors to be lobbying expenses.

After the audits were completed, the Pentagon, apparently displeased with the first audits, handed the DCAA a set of guidelines to follow in questioning which costs were valid and told them to do the audits over again.

Not surprisingly, the amounts of costs questioned were significantly reduced. (As part of the documents released to Common Cause, the Air Force sent several but not all final audits which showed significant reductions in "costs questioned." However, an exact analysis is not possible because significant portions of the final audits are whited out.)

In fact, it seems clear from a memo, obtained by Common Cause, which Charles Starrett, then deputy director of the DCAA (now director) wrote to the deputy assistant secretary of defense (acquisition), that the Pentagon knew full well that some glaring costs would not be questioned as a result of their "guidance."

Starrett used examples from the audits of Rockwell's Washington office as well as an audit of Rockwell's B–1 division (which was not provided to CC).

These are some of the expenses charged by Rockwell to its overhead account which Starrett said the auditors probably would not be able to question as a result of the Pentagon's new instructions about which costs the auditors could question:

$10,000 paid a subcontractor for a study on the impact of the B–1 program on the U.S. economy. The study was used in preparing white papers designed to influence B–1 legislation.

The total costs of a military relations function in which the director provided material to editors, publishers and reporters in several states to elicit articles favorable to the B–1 and made presentations to government and contractor personnel throughout the country.

The development of a speakers' bureau on behalf of the B–1.

Several films prepared to develop positive support for the B–1 and other defense programs.

TRYING TO DEFINE "LOBBYING"

While the contractors' Washington office audits were never publicly released, Proxmire and his staff apparently got a peek and he took to the Senate floor in 1977, demanding that lobbying costs not be charged against government contracts.

Said Proxmire, "The current practice sets up a vicious circle. Contractors get generous allotments from the government to produce weapons systems. But rather than using all of it for production of these weapons systems, they siphon some of it off to lobby for even more money . . .

"There is enough favoritism and behind-the-scenes influence on large defense contracts without the added insult of having the taxpayer pay for the bill."

In an apparent attempt to pacify Proxmire, the procurement officials asked the DAR (Defense Acquisition Regulations) Council, which writes the regulations used in defense contracting, to try to come up with a lobbying cost principle. They did so, defining lobbying this way: "Lobbying is defined as any activity or communication which is intended or designed to directly influence members, their staffs or committee staffs of any federal, state, local or foreign government legislative body to favor or oppose pending, proposed or existing legislation. Lobbying activity includes but is not limited to personal discussions or conferences, advertisements, telegrams, telephone communications, letters and the like, and the directly associated costs related thereto."

"Legislative liaison" activities such as attendance at committee hearings or meetings with congressional representatives at their invitation and gathering information regarding pending legislation were not included in the definition.

The definition was circulated for comment throughout the industry and other government agencies (the government does not have a lobbying principle for other agencies' contractors either and was proposing to use the one the Defense Department wrote).

An inch-thick stack of paperwork was generated. Common Cause obtained this correspondence too, under a Freedom of Information Act request. Most government agencies which responded enthusiastically supported a lobbying cost principle, agreeing that it was inappropriate for the government to foot such costs. Several emphasized that the contractors should be required to maintain the documentation to prove the validity of their claims.

A number of industry representatives, however, vehemently opposed the principle. None of the contractors directly involved in the audits responded but another contractor, United Technologies, said the principle would, among other things, impose burdensome paperwork.

The chairman of the American Bar Association's section of Public Contract Law, contended the "lobbying principle would inhibit commercial organizations from exercising their First Amendment constitutional rights," an argument frequently made by the defense community.

Counters Proxmire. "They're perfectly free to speak all they want. They can lobby to their heart's content. But to charge the cost of all that to the taxpayer is really adding

insult to injury. It's a real loser for the taxpayer; there's no way the taxpayer can win."

But after Proxmire's spotlight had faded and three and a half years had passed. Dale Church, then deputy undersecretary of defense for acquisition policy, made the decision in June 1980 to reject the proposed lobbying principle.

John Kendig, now deputy director for cost, pricing and finance at the Pentagon, says the Pentagon dropped the proposed lobbying principle because "we really couldn't get a consensus on what constituted lobbying . . . It's very difficult. What is lobbying? Is a contractor lobbying if he goes over and speaks to a congressman? He may or may not be."

But Proxmire scoffs at that explanation. "That's absurd. It's easy to find a definition for lobbying. It would be hard to find any definition that's acceptable to everyone. You can't find a definition of 'cat' that's acceptable to everyone."

Kendig, who had a say, although not the final say, in the attempt to develop a lobbying cost principle, personally thinks lobbying should be considered a normal business expense that the government should absorb, although he concedes that the government has declared other "normal business expenses" such as entertainment and advertising unallowable.

The DAC council disagreed with Kendig. According to a memorandum obtained by Common Cause, the council concluded that "most defense contract dollars are on contracts under which contractors are able to recover costs. Expenditures for lobbying would therefore be passed through to the government.

"By contrast firms in the private sector are usually operating in a competitive market. In this situation, any expenditure for lobbying would reduce profit. We believe defense companies should be put on the same footing."

Gordon Adams says even if lobbying were a routine business expense reflected in the cost of products such as shoes or cars, lobbying expenses spent to sell weapons should not be included in the costs of those weapons. "The taxpayer, who is the ultimate consumer, is not really in a position to vote with his wallet the way he can on an automobile. It's very hard for the taxpayer not to buy and it's very hard for the taxpayer to make the argument that counters the impact of the lobbying in Washington that leads to the decision to buy . . ."

Fred Newman, the former head of the DCAA, says the proposed principle was dropped because the "procurement people felt the keeping of records was too onerous and too costly for the contractor." But Newman says if the contractors think such a principle would be "too administratively costly, then maybe they shouldn't pass on any of the costs."

Newman says "undoubtedly" there was "considerable pressure" placed on Pentagon officials by the contractors.

Proxmire attributes the failure to the "revolving door." "The difficulty is that both the Congress and especially the executive are very, very heavily lobbied. There are people in the executive who are dealing with the military and the contractors who, in many cases, are going back to work for the same contractors they dealt with.

"And then they may come down and work in the Defense Department as a civilian procurement official. Therefore, you have an atmosphere in which these people serve their continuing conflict of interest. That's why I think the regulation has not been promulgated . . ."

When it became clear the Defense Department was not going to establish a lobbying cost principle, Proxmire turned to the Office of Federal Procurement Policy (OFPP) in the White House Office of Management and Budget. He suggested such a cost principle be incorporated into government-wide procurement regulations. Again a stone wall. Karen Hastie Williams, administrator of OFPP under Carter, wrote that she was "inclined to agree with the Department of Defense's view that its present cost principles and audit guidelines are adequate to preclude the reimbursement of costs specifically identifiable with lobbying activities."

But some DCAA officials say that without a specific principle, it is very unlikely that many of the lobbying costs they question will be upheld in negotiations when contractors and Pentagon contracting officers discuss the bills.

Williams suggested that if Proxmire wanted a principle so badly, he should legislate one.

"Why doesn't he (Proxmire) pass legislation?" asks Dale Babione, the former director of contracts and systems acquisition at the Department of Defense, who is now director of government business relations for the Boeing Company. Babione, by the way, was involved in the discussion over developing a lobbying cost principle.

Concludes Babione, "Because he can't get anyone to agree with him. The fact that somebody feels strongly about something doesn't make it so. It just means he feels strongly about it. This is a democratic country, and if everyone feels the law should be changed, then why don't they change it?"

THE LOOPHOLE-RIDDEN LAW

While there may have been no attempt to pass legislation outlawing lobbying costs charged to government contracts, there have been a number of unsuccessful attempts to strengthen the 1946 lobby disclosure law.

Both contractors and government officials have said that they base their definition of lobbying on the 1946 law which they interpret as saying a person or company does not have to register unless their "principal purpose" is to lobby.

Apparently applying that rule of thumb in 1974–75, only three of the companies had any registered lobbyists or expenditures; Boeing ($33,840.85), Lockheed ($53,765); Rockwell ($1,745.25). Yet DCAA auditors questioned many times more than those amounts as probable lobbying costs. (A spot check of 1980 disclosure forms by these companies show no significant improvement in reporting.)

During the Boeing audit, the DCAA questioned the salaries and benefits of five corporate employees whom the auditors felt were involved in lobbying. In fact, the auditors said two of the employees told them that "100 percent of their work is spent on lobbying, either talking directly to congressmen or their staffs or obtaining information to support company positions."

Boeing, however, vigorously disagreed. Peter Bush, a spokesman for Boeing, says the two employees say they couldn't possibly have told the auditors they spent most of their time lobbying.

As evidence, Bush says, the lobbying reports these employees filed with Congress under the 1946 lobbying law "show only 5 to 10 percent of their time" was spent lobbying.

"Look at their lobbying reports?" says Gordon Adams in astonishment. "That's an answer? You've got to be kidding.

"Sure, given a statute that is riddled like swiss cheese, it's very easy for someone to waltz down there and say that they spent five percent of their time lobbying. Who's going to follow that up? Who audits that claim? Nobody."

The defense industry, of course, is not the only one which interprets the lobby disclosure law narrowly. Because there are numerous loopholes, and no enforcement of the law, thousands of lobbyists are not registered and hundreds of millions of dollars spent on lobbying are not reported.

In his analysis of the politics of defense contracting, Adams not surprisingly concludes that one of the steps that needs to be taken to "pry open the iron triangle of defense policy and weapons procurement" is reforming the loophole-ridden lobby disclosure act. Common Cause has worked for years for a more comprehensive law.

Why is a stronger law needed? What difference does it make to the public whether the defense or any other industry spends $5 or $5 million lobbying? After all, lobbying is perfectly legal. What difference does it make whether an individual spends all of his time or part of his time lobbying?

Says Adams, "I think the most convincing argument for revision is that the public has no idea of the magnitude of the activities of special interests in Washington. And current disclosure and reporting requirements give them no way to even begin to guess at the magnitude of the effort. The closest we can get are those DCAA audits.

"My hunch is that corporations and trade associations related to industry have massive resources that they can bring to bear (on the political process) which far outweigh those of smaller special interests or those of the public at large to present their cases. Until we have that data, what do we do? Throw up our hands and say it doesn't make a difference? It obviously makes a difference."

AUDIT FOLLOW UP

Were any of the millions of dollars of lobbying, entertainment and other costs questioned by the Defense Contract Audit Agency (DCAA) eventually paid by the contractors?

We don't know. The DCAA acts only as a financial advisor to Defense Department contracting officers who sit down with the contractors to determine which of the questioned costs will be allowed. The DCAA's audit findings are in no way binding. And, of course, the results of the negotiations between the contractors and the contracting officers are not made public.

But a study of the DCAA by the General Accounting Office (GAO), the government's watchdog, gives a clue as to what may have happened. The GAO pointed out that the contracting officers do not always use the findings of the DCAA and that disagreements between DCAA and contracting officers are rarely reported to higher officials. The contracting officer has the final say.

Moreover, contracting officers rarely report the rules of their negotiations to the auditors, GAO found. Elmer Staats, former comptroller general of the U.S., told a House committee hearing that "morale is low at DCAA. They need assurance their findings will have an impact."

The failure of agencies throughout government to follow up and resolve audit findings is, in the words of one GAO official, "a national scandal."

After much pressure, the Defense Department came up with a process for tracking the results of audits, but did not include DCAA audit findings in that process. After pressure from Rep. Jack Brooks (D–Tex.), the Department of Defense (DOD) came up with a proposed plan to follow up findings at DCAA. Deputy Secretary of Defense Frank C. Carlucci told a subcommittee of the House Committee on Government Operations in July that the Defense Department had drafted a process for monitoring follow-up action on contract audit reports, including a provision for resolving significant differences between auditors and contracting officers. Carlucci said a final directive should be issued by the end of August.

Critics say there should be some check on the enormous power of the contracting officers who make final decisions, because some feel contracting officers can become advocates

of the weapons they are responsible for and, therefore, not as objective as they might be when negotiating contract cost differences.

John Kendig, deputy director for cost, pricing and finance at the Pentagon, says such a generalization is wrong and makes him "sick."

Other critics feel the effectiveness of the DCAA could be strengthened if the DOD had an Inspector General (IG) as most other agencies do.

DOD was left out of the Inspector General Act of 1978 because of their strong objections to being included. One Capitol Hill aide says DOD was not included because the sponsors of the bill feared DOD's anticipated heavy lobbying against the act would have killed the entire act.

But Rep. Brooks does not give up easily. His bill to institute an IG at Defense (and four other agencies not covered by the 1978 act) has passed the House and is pending in the Senate.

The Defense Department opposed the House bill because, DOD General Counsel William H. Taft IV testified, an autonomous Inspector General "is completely inconsistent with the hierarchial commander/subordinate relationship that is at the heart of any military organization and embodied in the chain of command. These provisions do not encourage the individual to work with the secretary on his team."

Asked how strenuously the Defense Department had lobbied against the House bill, a Capitol Hill aide replied, "They have been spending only slightly more time on this than they are on the Russians. If they are as aggressive about the Russians as they are about this, then I guess we can sleep nights."

In Senate hearings, Taft said the Department of Defense really wants an Inspector General, but they want the secretary of defense to have the power to veto "any review process or investigation that the Inspector General may initiate which could jeopardize national security." The secretary would have to report the reasons for any veto to Congress. The House bill does not provide such "veto power."

The Defense Department also opposes including the DCAA under the aegis of an IG because, Taft says, DCAA's "principal mission is an advisory role in the acquisition process, not oversight of DOD operations."

On this point the GAO agrees with Defense. But the bill which passed the House includes the DCAA within the purview of the IG because some sponsors felt it would give the DCAA more clout.

To deflect some of the heavy criticism about the potential for finding waste in DOD, the Defense Department recently created the position of assistant to the secretary of defense for review and oversight. This office is supposed to advise the secretary of ways to combat waste, fraud and abuse, but unlike the IG proposed by the House, this position is not independent of the secretary.

CC WINS DOCUMENTS AFTER COURT BATTLE

The audits of the 10 defense contractors' Washington offices which form the basis of this story, were obtained by Common Cause under the Freedom of Information Act (FOIA). After the Air Force refused Common Cause's 1977 request for the audits, CC went to court. The audits were awarded to CC in January of this year.

In court, the Air Force maintained that release of the audits would cause competitive injury to the companies—in other words, rival contractors would be able to learn about the staffing and funding of the companies' Washington offices and somehow use this information to their own advantage. But testimony revealed most of the companies already knew about the workings of their rivals' Washington offices.

Another claim made was that the alleged "mislabeling" of certain contractor expenses as lobbying and entertainment costs by the Defense Contract Auditing Agency (DCAA) would harm the companies in the public's eye and would thus diminish their overall sales, because adverse public opinion would cause Congress to refuse to appropriate funds for defense contracts awarded to these companies.

To support their claims, the Air Force submitted affidavits from high-level officials from each of the 10 companies. "Since these officials were based all around the country, it would have proven difficult and very costly for our staff attorneys to cross examine them," says Ellen Block, Common Cause associate general counsel.

"Instead," says Block, "we drew upon the services of volunteer lawyers in California, St. Louis, Seattle and Minneapolis to take the depositions of the companies' witnesses. These depositions were key to winning the case because the testimony brought out on cross examination clearly contradicted the claims made by the Air Force."

In making the case, the Air Force relied on a provision of the Freedom of Information Act which allows the government to withhold business data only if its release would be likely to cause substantial competitive injury to the business which supplied the data.

During recent hearings on a proposed revision of the FOIA, this section was attacked by the business community. Opponents want to revise the law to prohibit the government from releasing any document that a company would not be willing to release.

TAXPAYERS FOOT B–1 LOBBY COSTS

Right now the born-again B–1 bomber has the blessings of both President Reagan and Defense Secretary Caspar Weinberger. Most people would say the B–1 is a "shoo-in."

But the political winds change quickly in Washington, and just recently there seem to be faint breezes carrying questions about the necessity of the B–1 bomber, which was axed and buried by the Carter administration in 1977 after a nasty battle in Congress.

If the Rockwell Corp., the folks who have brought us the Space Shuttle and who would like to bring us the B–1 bomber, sees the need, it could probably again launch a grassroots campaign to save the B–1—modeled on their extensive campaign waged back in 1974–76—some of it at taxpayers' expense.

Just exactly how much of that B–1 lobbying campaign was paid for by taxpayers is not known, but an audit of Rockwell's B–1 Division in Los Angeles, Calif., during 1974–75 shows Rockwell charged at least $653,400 in lobbying expenses to government contracts, all of which the Pentagon's independent Defense Contract Audit Agency (DCAA) questioned as inappropriate expenses for the government to foot.

This does not include approximately $1.5 million of costs questioned by DCAA auditors when they audited the Washington office 1974–75 expenses of Rockwell and Collins Radio Group (a Rockwell subsidiary). Those questioned costs included some $800,000 in lobbying-related expenses and more than $600,000 in entertainment expenses, as revealed in the August issue of Common Cause magazine.

A separate audit of the B–1 division was obtained by Gordon Adams of the Council on Economic Priorities. While DCAA auditors do not consider lobbying expenses legitimate charges to government contracts, the Pentagon does not have a specific regulation to prohibit contractors from charging such expenses. The auditors can question the costs as "unreasonable," but their word is not final.

A $10,000 study of the economic impact of the B–1 in congressional districts across the country—billed to taxpayers—was probably one of Rockwell's most useful expenses. The study reportedly showed Members of Congress which subcontractors in their districts were making parts for the B–1. Capitol Hill staffers say Rockwell lobbyists and subcontractors peddled the study from one Hill office to another, trying to show Members the economic importance of the B–1 to their district.

It's just that kind of pitch, which Rockwell reportedly had honed to a fine art, that might worry Sen. Barry Goldwater (R-Ariz.), dyed-in-the-wool conservative, consistent champion of military spending, retired Air Force reserves general, and more recently, a critic of waste in defense spending.

He told Time magazine that he worries about the political factors that help shape defense spending. "I don't care how good or bad the equipment or weapons system is," he says. "The senators from the states where it is put together [always] scream for it."

To sustain those kinds of screams, the Rockwell B–1 Division had a variety of programs to promote the B–1. Here's a rundown of some of the expenses auditors said the B–1 Division inappropriately charged to the taxpayers during 1974 and 1975:

$83,645 in "military relations costs" which paid for Rockwell employees to speak with editors, writers and publishers and government and contractor personnel throughout the country.

$115,895 for "Operation Common Sense" and "Keep the B–1 Sold," public relations programs to promote the B–1.

$156,235 in administrative expenses for a director of program relations "whose time appeared to be spent on efforts to influence B–1 legislation."

$152,931 for the costs of presentations, decals, pictures, displays, handouts and so forth.

$42,708 of costs associated with several films, which the auditors believed "were made and shown in attempts to develop positive support for the B–1 and other defense programs."

$36,399 for a speakers' bureau "which provides to Rockwell employees a basic speakers' package that appears to attempt to influence public opinion for the B–1 program."

$8,816 for costs associated with briefings and presentations made at or to Air Force Association symposiums, Strategic Air Command conferences, a Thunderbird reunion, the Society of Experimental Test Pilots, the Air Force Association Convention, the Strategic Air Command Bomb/Navigation Competition and more.

The B–1 Division audit report, done at the request of Sen. William Proxmire (D-Wis.), was preliminary. Which of these expenses were eventually paid for by taxpayers after negotiations with Rockwell is not known.—FLORENCE GRAVES.

COMMON CAUSE,
Washington, D.C., November 30, 1981.

Hon. DAVID PRYOR,
Russell Senate Office Building, U.S. Senate, Washington, D.C.

DEAR SENATOR PRYOR: Common Cause strongly supports your proposed amendment to the defense appropriation bill (H.R. 4995) for fiscal year 1982 to prohibit the use of appropriations for the payment of certain lobbying costs of defense contractors.

This is an area in which the Defense Department could make cuts in spending with absolutely no harm being done to the quality of the present or future defense of this nation. Government payment of contractor lobbying costs is wrong on two counts: one, there is no reason for taxpayers to subsidize defense contractors' lobbying; two, at a time of unprecedented cuts in government programs, there is no justification for continuing to pay costs which do not enhance defense capability but only add to contractor profit margins without merit.

In its September issue, Common Cause Magazine outlined one portion of the unjustifiable reimbursement of defense contractors' lobbying costs. The audits of only 10 major defense contractors' Washington offices covering the years 1974 and 1975 revealed a total of more than $2 million in lobbying-related costs questioned by the auditors. And that is just the tip of the iceberg. Of the hundreds of defense contractors, 67 of the top 100 have Washington offices. This $2 million does not even include other expenses which the contractors originally charged, but voluntarily deleted during the audit negotiations. Furthermore, all the totals are undoubtedly higher, but auditors repeatedly said that most of the contractors refused to let them see the proper records to verify the costs.

The Defense Department is currently considering adopting guidelines on lobbying expenses. Past attempts by the Defense Department, however, have failed under heavy pressure from industry representatives. Passage of your amendment would ensure that contractor lobbying costs are not passed on to taxpayers.

Debate over the nation's defense policies should involve fundamental questions of defense strategy, available resources, and foreign policy goals. The fact that defense contractors currently are able to receive government payment for their lobbying costs does not relate to any of those issues. Passage of your amendment is a cost-saving measure which all Senators serious about cutting government spending should support enthusiastically.

Sincerely,

FRED WERTHEIMER,
President.

Mr. STEVENS. Mr. President, the Senator has tackled a subject that warms the hearts of anyone who has served in any defense matter.

I am willing to recommend that we take the amendment to conference. I am not certain that it is an effective amendment. We do have existing law that prohibits this. As a matter of fact, there is not only law that prohibits lobbying of the type that he is discussing but there is another existing provision that prohibits executive lobbying.

I wonder how many Members of the Senate are aware that no funds at all could be spent to lobby a Member of the Senate on this bill from any portion of the executive branch.

All I am saying is that we have tried, tried, and tried to devise a means to prohibit the type of activity that the Senator is addressing with his amendment and ways have been found to accomplish the result in spite of the past provisions that have become law.

I know of no one on this side who would object to taking that amendment to conference.

I have not had a chance to discuss the matter with the Senator from Mississippi but under the circumstances again, since this amendment will be in conference and the Senator is aware that there is no similar provision in the House bill, I see no reason why the Senate should not adopt the amendment and discuss it with the House of Representatives to see if there is some way to work out an effective limit on charging to defense contracts—those lobbying activities which benefit the contractors.

I am prepared to recommend acceptance of the Senator's amendment.

Mr. PRYOR. I sincerely thank the distinguished floor manager. I hope this will be a step in the right direction, and I certainly hope our conferees will press hard for this step, which I say once again is a step in the right direction.

Mr. President, I ask unanimous consent that the distinguished Senator from Maine (Mr. COHEN) be added to this amendment as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COHEN. Mr. President, if the Senator will yield, I would like to raise a question. This type of lobbying activity might not be considered a legitimate business expense under existing tax laws. If in fact, a major contractor engages in substantial letterwriting activity or makes trips to Washington to speak to Congressmen, the question is whether or not that is deductible as a legitimate business expense and, if so, would there not be a possibility of collecting both ways, one, by including it in the contract itself and, second, by taking a deduction.

I wonder if the Senator from Arkansas will enlighten me.

Mr. PRYOR. If I might explain, the matter of taking a deduction as a business expense is a matter between that particular business and the IRS, and that individual's or that corporation's financial situation in its income tax returns is a matter separate from the thrust of this amendment.

This legislation is an attempt to stop these companies from getting it both ways. It is an attempt, I say to my friend from Maine, we have devised to keep those contractors who do work for the Department of Defense from charging the taxpayer with these costs by billing into their costs these lobbying expenses, as some of these audit reports have so clearly pointed out.

I once again do not know whether this is the perfect solution to the problem. I think it is an answer that we have got to try to come up with, and I think for us to basically roll over and play dead and say the issue is not there, would indicate that we are derelict in our duty. That is one of the reasons why I am so very pleased that the Senator has joined on as a cosponsor, that the distinguished Senator from Alaska has stated that this amendment would be acceptable to him and to his side of the aisle, and that it would go to conference as a part of this bill.

Mr. COHEN. I thank the Senator.

Mr. PRYOR. I sincerely appreciate the remarks of my friend from Maine and the statement of my friend from Alaska.

Mr. STEVENS. Mr. President, I see the distinguished Senator from Mississippi is here now, and I am prepared to state that we will take the amendment to conference. I do not know what is going to happen to it there, but it will be an item in conference.

Mr. STENNIS. I am sorry I was away for a few minutes. Mr. President, if the Senator will yield, I know the import of the amendment and I approve it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arkansas.

The amendment (UP No. 719) was agreed to.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DANFORTH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UP AMENDMENT NO. 720

(Purpose: To make available $103,500,000 for procurement of B–707 aircraft to provide for engines and parts for KC–135 aircraft and $46,800,000 for installation of modification kits into such aircraft)

Mr. DANFORTH. Mr. President, on behalf of myself and Senator EAGLETON I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri (Mr. DANFORTH), for himself and Mr. EAGLETON proposes an unprinted amendment numbered 720.

Mr. DANFORTH. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 9, line 19, insert "of which not less than $46,800,000 shall be available only for the installation of modification kits into KC–135 aircraft," after "$16,906,069,000,".

On page 24, line 25, before "$344,300,000" insert "$103,500,000 shall be available only for the procurement of B–707 aircraft to provide for engines and parts to re-engine KC–135 aircraft,".

Mr. DANFORTH. Mr. President, I rise to offer an amendment which would get the modernization of the Air Force's KC–135 tanker fleet underway this year and save the taxpayers money at the same time.

During this fiscal year, around 3 dozen KC–135 tankers will be taken out of service temporarily for reskinning. The House of Representatives wisely recognized that all of these aircraft could be reengined with existing JT3D engines while they are grounded for reskinning. The House earmarked money from both the Air Force aircraft procurement account and the Air Force operation and maintenance account for the transplantation of engines from Boeing 707 commercial aircraft—which are being grounded because of Federal noise regulations—to the Air Force's KC–135 tankers. My amendment would make the Senate measure agree exactly with the House-passed language.

As the House Appropriations Committee indicated in its report on this legislation, there is an alternative to the JT3D engine. The Air Force is pursuing the possibility of using the CFM–56 engine, a new engine which would improve the KC–135's capabilities and cost-effectiveness even more than the JT3D would.

But CFM–56's cost more than five times what JT3D's would cost and, even more importantly, it is not possible to reengine a substantial number of the KC–135s with CFM–56's this year.

The House, by earmarking funds for the JT3D program this year, would make it possible to proceed with that program and thereby get some of the modernization work behind us, and, at the same time, it would make it possible to proceed with the CFM–56 program and put these engines to work for the Air Force as soon as they are ready for installation.

Like the House, the Senate should approve this approach as the best way to make every defense dollar count.

In short, Mr. President, here is the situation with respect to this amendment. The United States now flies tankers known as KC–135's, and the tankers are used for the purpose of refueling aircraft.

The tankers now bear engines known as J–57's. These J–57 engines are old, they are noisy, they are fuel-guzzling, and it is universally agreed, as far as I know, that these old engines must be replaced.

For this reason in both the House bill and the Senate bill appropriations are set aside for the purpose of replacing the old engines on the tankers. Both bills have approximately a quarter of a billion dollars appropriated for the purpose of replacing the engines on the tankers.

The Senate bill, while it does not specify the precise way in which the engines are to be replaced, I think it is fair to say that the Senate bill anticipates that the engines, the old engines, will be replaced by new engines known as CFM–56's. The new engines are now being developed for the purpose of installation on the tankers. However, it would be approximately late 1983 before a replacement program would be underway for the new CFM–56's.

The House bill by contrast, specifies that slightly over $150 million of the available funds for replacing the old engines would be earmarked to be spent for an engine known as the JT3D. Mr. President, the JT3D is the engine which is now presently being used on 707 aircraft, commercial 707 aircraft. In fact, the engine that now is used to fly Air Force 1 is the JT3D.

These JT3D engines must be taken off commercial aircraft. Why? They must be taken off commercial aircraft because they do not meet the new Federal noise-pollution standards.

So they would just, under normal circumstances, be taken off and discarded. The House recognized that, instead of just throwing them away, these same JT3D engines could be used to be placed on the tankers, replacing the old J–57's; and that if that were done, first of all, instead of waiting until late 1983 and 1984 and 1985 to substantially reequip the tankers, we could begin the process now. And in fact, in 1982, some three dozen airplanes which are going to be overhauled anyhow, which are going to be reskinned, as they say in the trade, could be outfitted in 1982 with the JT3D.

Second, the cost per airplane of using the 707 engines is about 20 percent per airplane, about 20 percent of the cost of the new engines, the CFM–56's. So it is a savings of 20 percent to the dollar, 20 cents to the dollar.

Third, and finally, it is not as though the JT3D is an old, outmoded, useless engine. In fact, it has been estimated that the engines are good until the year 2000. So they have a very substantial useful life. They are being taken off the 707's merely to meet noise pollution problems.

So, Mr. President, in order to get the show on the road, in order to begin the process of reequipping these tankers at the earliest possible date when they are in for being reskinned, in any event, and in order to save about 80 percent of the cost that would otherwise go for new engines, this amendment is offered.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, as pointed out on page 87 of our report, the Senator from Missouri is correct. We do have $250 million to reengine and modernize this KC–135 tanker. And the program is designed to reengine the KC–135 with a CFM–56 engine. It is a total tanker modernization program. It is going to provide substantial fuel savings, increased fuel offload and some vastly improved environmental benefits.

Now the Department has told us that they did evaluate the program that is supported by the Senator from Missouri, and there is no question that there is an interim advantage to pursue his suggestion.

However, this program would be very short-lived. The suggestion he makes would not increase the takeoff gross weight of the KC–135, which is one of the goals. It would not meet the Federal Aviation Administration regulation standards for noise, smoke, and pollution.

As the Senator has pointed out, the airlines have to retire those engines because they do not meet those FAA noise, smoke, and emission standards. But also let me point out that they are not fuel efficient either. It is true that the military does not have to meet these standards yet and it may be possible for the military to use the engines that the civilian airlines cannot use because Congress has not required the military to meet the same standards as far as noise, smoke, and emissions standards are concerned.

I would hope that the Senate will allow us to maintain our position. This issue will be in conference, and it is a question that we may be able to work out on a short term, interim basis with the House.

But I personally see no reason to put us in the position where we tell the civilian airlines that they cannot use these engines which are in the 707 aircraft because of EPA and FAA noise, smoke, and emission standards which we have mandated and then turn around and buy them for the military to have the military use them in tankers.

It is one thing to say that we are not going to impose the same standards on the military because of the necessity of defense policy; it is another thing to take action directly contrary to standards we have established and to allow the military to install as a modernization step engines which do not meet standards which we have imposed upon them.

Again, let me point out that the JT3D is only a limited system of modernization. It would not be a new system. We would be installing used equipment.

I hope that the Senate will look at our report and see that we have dealt with this fully. We want to have the Air Force follow the directions of Congress. We gave the Air Force the direction to go into long leadtime materials and tool up to replace the engines on the KC–135 tanker to re-engine; and we have the new CFM–56 engines which will bring about a total modernization of that tanker.

I, for one, cannot support the concept of using these used engines or retooled engines in a modernization program. And I hope the Senate will support the committee in opposing this concept.

Now, again, I say to the Senator from Missouri, we know that in conference we are going to have to deal with the House on this matter and it is possible that there will be an interim measure worked out here with the House as far as using some of those engines. But we just cannot see recommending to the Senate an abandonment of the CFM–56 program in order to earmark the funds he wishes to earmark for this program.

The CFM–56 should be our priority in this measure and, above all, we should attempt to live with our own standards. We mandated the standards of the civilian airlines and I do not see any reason to let the military go backward and do what we have told the civilian airlines they must abandon.

UP AMENDMENT NO. 721

Mr. HATFIELD. Mr. President, I send a sense-of-the-Senate resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Oregon (Mr. HATFIELD) proposes an unprinted amendment numbered 721.

Mr. HATFIELD. Mr. President, I ask unanimous consent that further reading of the resolution be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the bill insert the following:

Resolved, That Congress remains concerned about the rapidly escalating cost of the chemical and biological warfare programs that have not yet been adequately justified by the Administration.

Congress directed the Administration as part of the Conference Report to the fiscal year 1981 supplemental appropriations bill (H. Rept. No. 97–124) to provide studies of:

The long-range costs of the modernization program;

A country-by-country report from our NATO allies with respect to their official views on that long-range program;

An overview of the mission-oriented requirements for the various binary weapons; and

An arms control impact study of the mission-oriented requirements.

This information has yet to be supplied to

Congress. The Congress reaffirms the language of the Supplemental Conference Report as adopted earlier this year by Congress. Funding for binary weapons in this year's appropriation is not production or construction-oriented, but rather limited strictly to research and development. Therefore, these requirements do not apply to funding provided in this Act. The Congress views such requirements with the utmost concern and seriousness, and fully expects them to be fulfilled prior to any future request for production or construction-oriented binary weapons funding.

Congress also urges the Administration to resume as rapidly as possible negotiations with the Union of Soviet Socialist Republics to prohibit the development, production and stockpiling of chemical weapons. These negotiations are vital to enhance United States national security and achieve budgetary stability.

Mr. HATFIELD. Mr. President, this is really a followup to the conference report on fiscal 1981. I have discussed this with the Senator from Alaska and the Senator from Mississippi (Mr. STENNIS).

As you will recall, in that conference report what we suggested and what was adopted by the conference in both the House and the Senate was that the Congress be provided with long-range costs for the modernization program of the weapons system; that we have a country-by-country report from our NATO allies with respect to their official views on that long-range program; an overview of the mission-oriented requirements for the various binary weapons; and an arms control impact study of the mission-oriented requirements.

Basically, Mr. President, this material that we are asking for has not been forthcoming. It has only to do with construction and production.

The money in this bill has only to do with the research and development. So it does not in any way impact upon the money in this bill but, rather, it is a restatement of our expectation that such information shall be furnished the Congress before we move that program to the point of production and construction.

As I say, I have discussed this with the Senator from Alaska and the staff person of the Senator from Mississippi. I understand there is no objection to this being adopted.

Mr. STENNIS. Mr. President, if the Senator will yield, I want to endorse the sentiments of the Senator from Oregon. I approve of the resolution and I hope we can agree to it.

Mr. HATFIELD. I thank the Senator from Mississippi for his endorsement.

Mr. STEVENS. Mr. President, it is my understanding that this is a sense-of-the-Senate resolution dealing with the subject the Senator has discussed with both me and the Senator from Mississippi. We are prepared to accept the amendment.

The PRESIDING OFFICER. The Chair will advise the Senator it will take unanimous consent to set aside the Danforth amendment, which is pending.

Mr. HATFIELD. Mr. President, I ask unanimous consent to temporarily set aside the amendment of the Senator from Missouri.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HATFIELD. Mr. President, I move adoption of the resolution.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (UP No. 721) was agreed to.

Mr. HATFIELD. I move to reconsider the vote by which the amendment was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, it is my understanding that the Danforth amendment is back before the Senate again.

The PRESIDING OFFICER. The Senator is correct.

Mr. HUMPHREY addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire.

UP AMENDMENT NO. 720

Mr. HUMPRHEY. Mr. President, this Senator had an interesting experience some weeks ago when he was permitted to board a KC–135 tanker making a takeoff run from the Air Force base in the State of New Hampshire. I say it was interesting; it was also exciting in that one began to wonder as the far end of the runway came rushing into sight whether this airplane would get off the ground or not. Of course, it did, but they plan those takeoff runs with a very thin margin for error.

The fact of the matter is, Mr. President, that there is not a single strategic Air Force base today at which KC–135's are based which can handle a fully loaded KC–135 on takeoff. All of them must be restricted in weight in order to be airborne before they run out of runway.

At long last, we seem to be moving forward with a program to reengine these KC–135 tankers. A number of engines have been considered by the Air Force, principally the CFM–56 and the JT3D.

The Air Force has selected the CFM–56.

The Senate Armed Services Committee has essentially agreed with that selection and has authorized the expenditure of funds, although it leaves the final choice in the end to the Air Force.

Mr. President, my key point is aircraft performance. As the Senator from Missouri correctly pointed out, the JT3D is a fine engine, good enough to be used on *Air Force One* and other VIP aircraft. That is certainly true. It is a fine and safe engine. But the fact is that those aircraft do not carry the huge loads of fuel which these KC–135 aircraft must carry.

The key point is performance. They can reengine the KC–135's with the 15-year-old JT3D engines. Some 25 percent of the SAC bases will then be capable of taking off fully loaded KC–135's.

If we choose instead the CFM–56, which the Air Force wants, every SAC base will be capable of launching a fully loaded KC–135 tanker. It is a goal very much to be desired.

The key issue is performance of the JT3D.

The takeoff run would be much greater for the KC–135 with the old JT3D's, much greater than with the CFM–56.

There are other aspects of performance which are important; noise, pollution, and fuel efficiency. Again, the JT3D engine falls far short of the CFM–56. The JT3D is an old engine, an old design. It is noisy. It is dirty. It is not fuel efficient.

The CFM–56 is also less expensive to maintain, an estimated $26 per effective flight hour versus $45 per effective flight hour for the JT3D. So it seems to me, Mr. President, there is just not any argument for reengining the KC–135 with the 15-year-old JT3D engines which the airlines are eager to get rid of, for good reason. They are undesirable engines today.

Here is an interesting point, Mr. President: What kind of engines do you suppose the airlines are going to use as replacement for the JT3D engines which they would love to unload on the unwilling Air Force? It is the CFM–56, precisely the engine the Air Force wants and needs.

I would urge my colleagues, Mr. President, with all due respect to the Senator from Missouri—certainly, the State of Missouri and its interests deserve representation in this body, and that State and its citizens are admirably represented—to support the CFM–56. Others of us are parochially interested, too. I have a SAC base in my State. The residents in that State are eagerly looking forward to more quiet and restful nights with the CFM–56 engines coming along. They feel the aircraft thundering overhead at low altitude barely making it off the end of the runway with the JT3D engines.

Mr. President, I simply close by saying that there are few issues—I guess there is not another issue with which the Senator from New Hampshire is more familiar and better qualified to advise his colleagues than the matter of aviation and aircraft. It would just be a step backward, really, to try to modernize what is getting to be an old aircraft by putting on 15-year-old engines when we have much better, quieter, more efficient, cleaner and, in every respect, more capable engines available to us, which the Air Force wants and which, in the final analysis, represent the kind of increase and improvement in performance which is so badly needed by not only the Strategic Air Command but by the other users of the tanker fleet.

Mr. President, it is important to remember that those tankers are used not only for refueling bombers but for refueling transports as well. Their strategic capability today is very limited. We would be severely hard pressed to reinforce our troops in Europe or the Middle East if we were called upon to do it on any significant scale today.

We have to increase our capability. One KC–135, reengined with the CFM–56, is the equal of four, according to statistics, KC–135's reengined with the JT3D engine.

The case seems pretty clear to this Senator, Mr. President. I urge my col-

leagues to vote against the amendment of the Senator from Missouri.

Mr. DANFORTH. Mr. President, I shall not attempt to debate this issue much longer. It does appear that it will require a rollcall vote. Therefore, Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. DANFORTH. Mr. President, before the clerk calls the roll, I should like to add a point or two of clarification.

First, this has been debated as though the JT3D, which is the 707 engine, the existing engine, would be to bump the CFM–56. It has been debated as though it is an either/or proposition: Either we install the 707 engine, the existing engine, and scrap the CFM–56, or we proceed with the CFM–56 and forget about the JT3D, the 707 engine. That is not the case that is before the Senate.

The case that is before the Senate is, can we proceed with the CFM–56? No one has stated that we should do otherwise. Proceed to develop it, use it where necessary, but, where possible, proceed at an early date to install the JT3D, which is now available—these engines are being taken off the 707—and put them on the tankers. So it would not totally replace the tanker fleet. Nobody has suggested that.

In fact, for the 1982 fiscal year appropriations, it would earmark a little over half of the appropriations for refitting the tankers, not all of them.

The issue is, Mr. President, can we get on with the job now and can we begin doing that job, and for every plane that we do it on with the 707 engine, we will do it at 20 percent of the cost of using the more expensive CFM–56.

With respect to noise, clearly, there is a de minimis rule. The same noise requirements that pertain nationwide to all of the commercial air transportation in the country do not apply to the relatively small tanker fleet. So, in the process of taking these off of the large commercial fleet, can we not make use of some of these engines, and can we not begin doing so now?

Of the three engines that are around, the old engines that are being taken off and the JT3D, which is the 707 engine, and the new CFM–56, clearly, the noisiest is the existing engine. So, from the standpoint of the constituents of the Senator from New Hampshire, the sooner we get on with the job of replacing those old noisy engines, the better they will sleep at night. I say let us get on with the job now.

Of course, Mr. President, there is a reason which is beyond all others for using the available equipment which would otherwise be scrapped. It is this: We have budget problems in this country and many people have looked to the military. Many people have said:

Can't the military give something? Can't the Pentagon give something, a little saving here and there? We do not ask that you scrap the whole Pentagon, but are there not a few places where prudence can save a few dollars for the Treasury, a few dollars for the taxpayer?

Here is a case where, on a selective basis, we could proceed with engines which otherwise would be scrapped and we could do so at 20 percent of the cost of the new engines. It seems to me, Mr. President, that here is a chance to prove that we can use a cost-effective method of satisfying the needs of the Defense Department and we can do so for the benefit of the economy and the benefit of the American people.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Missouri. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from South Dakota (Mr. ABDNOR), the Senator from North Dakota (Mr. ANDREWS), the Senator from Arizona (Mr. GOLDWATER), the Senator from California (Mr. HAYAKAWA), the Senator from Kansas (Mrs. KASSEBAUM), the Senator from Maryland (Mr. MATHIAS), the Senator from Idaho (Mr. MCCLURE), and the Senator from Alaska (Mr. MURKOWSKI) are necessarily absent.

I further announce that, if present and voting, the Senator from South Dakota (Mr. ABDNOR) would vote "nay."

Mr. ROBERT C. BYRD. I announce that the Senator from Texas (Mr. BENTSEN), the Senator from Delaware (Mr. BIDEN), the Senator from California (Mr. CRANSTON), the Senator from Alabama (Mr. HEFLIN), the Senator from Kentucky (Mr. HUDDLESTON), the Senator from Louisiana (Mr. JOHNSTON), the Senator from Louisiana (Mr. LONG), the Senator from Ohio (Mr. METZENBAUM), the Senator from Michigan (Mr. RIEGLE), the Senator from Massachusetts (Mr. TSONGAS) and the Senator from Nebraska (Mr. ZORINSKY) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 16, nays 65, as follows:

[Rollcall Vote No. 429 Leg.]

YEAS—16

Boschwitz	Dole	Pressler
Bradley	Eagleton	Roth
Chiles	Inouye	Weicker
Cohen	Lugar	Williams
Danforth	Mitchell	
Dodd	Pell	

NAYS—65

Armstrong	Glenn	Nickles
Baker	Gorton	Nunn
Baucus	Grassley	Packwood
Boren	Hart	Percy
Bumpers	Hatch	Proxmire
Burdick	Hatfield	Pryor
Byrd, Harry F., Jr.	Hawkins	Quayle
Byrd, Robert C.	Heinz	Randolph
Cannon	Helms	Rudman
Chafee	Hollings	Sarbanes
Cochran	Humphrey	Sasser
D'Amato	Jackson	Schmitt
DeConcini	Jepsen	Simpson
Denton	Kasten	Specter
Dixon	Kennedy	Stafford
Domenici	Laxalt	Stennis
Durenberger	Leahy	Stevens
East	Levin	Symms
Exon	Matsunaga	Thurmond
Ford	Mattingly	Tower
Garn	Melcher	Wallop
	Moynihan	Warner

NOT VOTING—19

Abdnor	Heflin	Metzenbaum
Andrews	Huddleston	Murkowski
Bentsen	Johnston	Riegle
Biden	Kassebaum	Tsongas
Cranston	Long	Zorinsky
Goldwater	Mathias	
Hayakawa	McClure	

So the amendment (UP No. 720) was rejected.

Mr. STEVENS. Mr. President, I believe the Senator from Michigan has an amendment now, and it is my understanding that he wants 20 minutes to discuss his amendment dealing with the KC–10's. It will be my intention to ask for a rollcall vote on the Senator's amendment, and unless he has some objection, I would ask for a rollcall vote at this time.

Mr. President, I ask unanimous consent that it be in order to order a rollcall vote on the amendment of the Senator from Michigan.

The PRESIDING OFFICER (Mr. DANFORTH). Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. LEVIN. I thank my friend from Alaska.

The PRESIDING OFFICER. The Senator from Michigan will withhold for just a minute. The Senate will be in order.

Mr. STEVENS. Mr. President, will the Senator yield for just one moment?

Mr. LEVIN. I will be happy to.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. President, with the indulgence of the Senator from Michigan, and in view of the circumstances that have developed here, I ask the Senator if he would be prepared to agree to a time limit. How much would the Senator like?

Mr. LEVIN. I need 15 minutes, so whatever you need add onto that.

Mr. STEVENS. Mr. President, I ask unanimous consent that there be a time agreement of 30 minutes on the Senator's amendment, and it would be the first item on the agenda tomorrow and be voted on at the end of the 30 minutes beginning in the morning.

The PRESIDING OFFICER. Is there objection?

Mr. BAKER. Mr. President, reserving the right to object, I have a notation on behalf of two other Senators, I regret to say, that prevents me from doing this. I encouraged the assistant majority leader to make this request and I am somewhat embarrassed. But now I find two other Senators have requested to be consulted before any agreement in this respect is entered into.

Mr. STEVENS. Could we do it this way? Could we allow the Senator from

Michigan to lay down his amendment. It will be the first amendment on tomorrow, and I can state that the two of us can end the discussion in 30 minutes.

Mr. BAKER. That sounds to me like the best way to do it. I will ask him to obtain recognition to do that.

Mr. STEVENS. Has the Senator introduced his amendment?

Mr. LEVIN. I will send it to the desk.

Mr. BAKER. Before the Senator does that, may I say, if the managers of the bill are agreeable, that I will announce there will be no more record votes. Mr. President, there will be no more record votes tonight.

UP AMENDMENT NO. 722

(Subsequently numbered amendment No. 638.)

(Purpose: To add funds to procure four additional KC–10A tanker/cargo aircraft in fiscal 1982)

Mr. LEVIN. Mr. President, on behalf of Senators HOLLINGS, NUNN, PRYOR, EXON, and myself, I send an amendment to the desk, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Michigan (Mr. LEVIN), for himself and others proposes an unprinted amendment numbered 722:

On page 24, line 20, strike out the figure $14,044,298,000 and insert in lieu thereof the following: "$14,266,298,000".

Mr. LEVIN. Mr. President, I now understand that there is an agreement that we have this debate and it be limited to a half hour and that it begin in the morning, and I am happy to yield the floor.

CHEMICAL AND BIOLOGICAL WARFARE PROGRAMS

Mr. WARNER. Mr. President, I would like the record to reflect my concerns about a sense of the Senate resolution adopted earlier this evening without a record vote or even a simple voice vote.

I regret that I was not consulted in advance about this resolution because, had such an opportunity been available, I would have attempted to correct several errors of fact that are contained therein.

First, I believe the administration has adequately justified the requests that have been made for funds needed to restore credibility to our chemical deterrent. If anything, the necessity of improving our ability to protect our forces against chemical attacks, and, if required, of responding in kind against such attacks, has become more obvious than ever before in the light of recent indications of Soviet and Soviet-proxy use of these weapons in nations of the Third World. I refer my colleagues to a letter sent to me by the Secretary of Defense which emphasizes this point.

Second, the resolution states that the items specifically requested in the conference report on the fiscal year 1981 supplemental appropriations bill—upon which further funding for chemical warfare preparedness was made contingent—have not been received by the Congress. In fact, the two items specifically identified as being required have been received by the Congress. The "overview of the mission-oriented requirements for the various binary weapons" and "an arms control impact study of such requirements" were provided to the Congress on the 16th and the 18th of November respectively.

Mr. President, I also wish to include at this point in the RECORD a letter from the Secretary of State urging, as did the Secretary of Defense, that the funds sought by the President and approved by the Senate Appropriations Committee be appropriated by the full Senate.

I believe that this legislative history is of crucial importance to a proper understanding of the context in which this resolution was considered and adopted. I hope that it will inform the deliberations of the conferees as they consider this issue.

The letters follow:

THE SECRETARY OF DEFENSE,
Washington, D.C.

Hon. JOHN WARNER,
U.S. Senate,
Washington, D.C.

DEAR JOHN: As the Senate prepares to consider recommendations made by the Appropriations Committee on the FY 1982 Defense Budget, I want to take the opportunity to express formally the position of the Department of Defense and the Administration on the urgent need for funds to support chemical warfare programs.

The U.S. objective in this area is to deter the use of chemical weapons against U.S. or allied forces; however, our current capability to meet this objective falls far short of requirements. The Soviets possess the world's most formidable capability to wage chemical warfare. The recent hard evidence of mycotoxin use in Laos and Kampuchea adds impetus to the need to address now the effects of years of neglect while the Soviets were expanding their capabilities.

A credible deterrent requires both the defensive capability to survive a toxic attack and continue operations and the ability to retaliate with chemical weapons to force the enemy into his protective equipment, thereby negating any major advantages to him from chemical use.

Furthermore, our chemical warfare programs must be strengthened if the Soviet Union is ever to be motivated to accept a genuine prohibition of chemical weapons.

I fully support the Appropriations Committee markup for chemical warfare funds. The full amount is urgently needed now to redress the current imbalance between U.S. and Soviet capabilities in this critical mission area, and I urge you to resist any attempt to undercut or reduce the funding for this vital area as reported by the Appropriations Committee.

Sincerely,

CASPAR W. WEINBERGER.

THE SECRETARY OF STATE,
Washington, D.C., November 30, 1981.

Hon. TED STEVENS,
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: In May of this year I wrote to Senator TOWER concerning the importance of the United States maintaining a credible and effective chemical weapons deterrent. I would like at this time to reaffirm my strong support for the chemical weapons deterrence programs contained in the defense appropriations bill which is now being considered by the United States Senate.

The Soviet Union continues to maintain its significant capability in chemical weapons, and extensive resources have been devoted by the Soviet Union to ensure its forces are capable of operating in a chemical warfare environment. The United States, however, has taken no new steps since 1969 and its chemical weapons deterrent is in danger of losing its credibility.

I firmly believe that we should take action to ensure this does not occur, and thus urge approval of the relevant programs contained in the defense appropriations bill. Please let me know if I can be of any assistance in this matter.

Sincerely,

ALEXANDER M. HAIG, Jr.,
Secretary of State.

Mr. ROTH. Mr. President, I have a matter to take up that, with the assistance of the able chairman of the Defense Appropriations Subcommittee, we can dispense with quickly. On page 86 of the committee's report, $109.5 million is earmarked for the purchase of eight C–130 aircraft, pursuant to the authorization bill. Would the chairman, Mr. STEVENS, confirm my understanding that these aircraft are intended for use by the Air National Guard and are not to be placed in the inventory of the Active Air Force.

I believe that the history of the authorization, and the discussions leading up to the inclusion of this money in the appropriation bill for fiscal year 1982 indicates that these C–130H's are needed urgently by the Air National Guard.

Mr. STEVENS. The Senator from Delaware is correct. The additional eight C–130H aircraft to be purchased are intended for the Air National Guard.

ROUTINE MORNING BUSINESS

Mr. STEVENS. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business during which Senators may speak therein for not to exceed 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMENDING THE FIREFIGHTERS WHO FOUGHT THE RECENT FIRE IN LYNN, MASS.

Mr. KENNEDY. Mr. President, I send to the desk a resolution on behalf of myself and Senator TSONGAS and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated by title.

The legislative clerk read as follows:

A resolution (S. Res. 248) commending the firefighters who fought the recent fire in Lynn, Mass.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts?

There being no objection, the Senate proceeded to consider the resolution.

Mr. KENNEDY. Mr. President, over the Thanksgiving break, tragedy struck the city of Lynn, Mass. One of the worst fires in our region's history devastated a half-mile area of the city, destroying 17 buildings and seriously damaging 9 others. Thousands were evacuated as their homes and apartments were destroyed.

The fire would have been even more

serious however, if it were not for the effort of the 600 firefighters who fought the blaze for 2 days. Led by the Lynn Fire Department, firefighters from communities all across Massachusetts and two other New England States brought the fire under control and prevented further loss to the city. And because of their extraordinary efforts, there were no major injuries or loss of life.

Mr. President, today I am introducing with Senator TSONGAS a Senate resolution to commend the firefighters who battled bravely and at the risk of their own safety to protect the people of Lynn. I hope that the full Senate will go on record in expressing gratitude for their heroic effort.

I urge the adoption of the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 248) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 248

Whereas on Saturday, November 28, 1981, the city of Lynn, Massachusetts, suffered one of the worst fires in New England's history;

Whereas approximately 600 firefighters from 95 communities from three New England states battled the fire for two full days;

Whereas thousands of elderly citizens were evacuated from the fire area without loss of life or major injury;

Therefore, be it resolved by the United States Senate that we join in expressing our deep appreciation to Lynn Mayor Antonio Marino, Lynn Fire Chief, Joe Scanlon and the 600 firefighters who joined in this heroic act of service to the people of Lynn, Massachusetts.

NO WARMONGERS HERE

Mr. HATCH. Mr. President, recently the President of the United States, Ronald Reagan, made a statement on this Nation's nuclear policy in an attempt to clarify his position toward nuclear weapons and their use. He made this statement in the face of a steady stream of accusations that his administration is leading us toward a renewal of the arms race and, according to some of his critics, the possibility of nuclear war. In short, this administration has been accused of saber rattling, bellicose rhetoric, and warmongering.

When Ronald Reagan was on the campaign trail he promised the American people he would return us to the position of deliberative strength. In order to accomplish this task he has been required to request increases in our defense spending levels. He had to reverse a trend which had brought our military posture to one of a force ill-equipped, undermanned, and unprepared to meet the missions it was tasked to accomplish.

A classic example of this phenomenon is the issue of theater level nuclear weapons. In a recently released report on this issue Dr. Jeffrey Record writes:

In sum, the declared functions of NATO's Theater Nuclear Forces are: (1) to deter a Soviet first use of TNW; (2) to provide a hedge against the possible failure of NATO's conventional defenses in the face of a major nonnuclear Warsaw Pact attack; and (3) to provide a credible escalatory link to the possible invocation of U.S. strategic forces." [1]

Over the years we have lost the capability to fulfill any one of these functions and as a result the NATO ministers met in December of 1979 and issued a communique which called for a thorough modernization of our theater nuclear force.

The issue of theater nuclear force (TNF) modernization is receiving quite a bit of attention in the media these days. In Europe we have seen large demonstrations against the program in cities such as Bonn, London, Paris, Brussels, and Rome. In all cases the demonstrators claim to be the "party of peace" and want to bring a halt to the spiraling arms race. In conversations I have had with various political leaders of Europe they also espouse a policy of peace, yet they are pragmatic enough to realize that we cannot achieve peace if we remain ignorant of the growing Soviet threat in central Europe.

Earlier this month Soviet President Leonid Brezhnev gave an interview with the German magazine Der Spiegel in which he claimed to be amazed at the rearmament program in the West when any student of the subject could see that the balance now present in Europe clearly favored the West. For the first time he was willing to disclose the number of missiles the Soviets have deployed in Europe, a number that I have no doubt could be inspected with a little more clarity, and stated:

When almost 600 additional missiles are stationed in Western Europe, NATO will achieve a superiority of one and a half times in the number of delivery systems and about two times in the number of nuclear warheads. Is it perhaps not obvious that it thereby could come to a significant disturbance of the existing approximate balance (considering all factors) and that a serious threat to the security of the U.S.S.R. and its allies would arise?

This statement is typical of the propaganda that has been put out by the Soviet Union for the past year in its attempt to arouse public opposition to the decision by the NATO ministers to deploy an upgraded Pershing missile along with ground-launched cruise missiles (GLCM). The Soviet press and its supporters in Europe claim that Soviet policies in the realm of nuclear armament are only reactionary to the aggressive policies of the West, particularly the United States. They try to portray the Soviet Union as a peace-loving nation that only seeks harmony within Europe. The surprising aspect of all this is how many people seem to buy this convoluted logic.

Since the end of World War II the Soviet Union has made every possible attempt to dominate European politics. The people who have demonstrated in Berlin and Bonn should look back at the Berlin blockade and decide what Soviet policy really is toward peace. The demonstrators in London should remember Soviet actions in Hungary in 1956, for all the people in Budapest wanted were the basic freedoms that all men should enjoy. The cacophony of sound coming from demonstrators in Paris and Belgium should lessen so that they can hear the cries of the people of Czechoslovakia in 1968. All of Europe should be listening and looking at the current situation in Afghanistan. Is this the policy of a nation that only seeks peace? I think not.

One must only examine the history of the past 10 to 15 years to comprehend the seriousness of the situation. In this time frame the Soviet Union and its allies have made remarkable strides in the areas of military strength. The entire basis of NATO's concept of a forward defense is based on the use of a nuclear deterrent on the theater level. This is no longer possible as the Soviets have now amassed an advantage in strategic and theater level nuclear forces. When this is coupled with their traditional advantage in conventional land forces it makes the strategies employed by the alliance appear more as political rhetoric, designed to appease a public uneasy about the thought of a Soviet invasion, than a workable war-fighting strategy.

There is a simple irony in a situation that occurred last month in Sweden. For the past several years the Soviet Union has been conducting, and with some measure of success, a massive propaganda campaign against NATO's decision to modernize its nuclear forces in Europe. At the same time Moscow has been in the forefront of a move to declare Scandinavia a nuclear free zone. All of a sudden we find that one of its submarines has run aground in a sensitive military area of Sweden. When the captain of the submarine was asked how he got there his response bordered on the ludicrous. His explanation was that his submarine was suffering from a malfunctioning of navigation equipment. Something about this just failed to ring true. Here was a Soviet submarine, well into Swedish waters, in an area that would have taken considerable navigational skill to get into, and now he says his equipment is malfunctioning.

The experts that I have spoken to on this issue indicate that if he did experience navigational problems it was only when he attempted to leave, resulting in his running aground. The irony in this is that while the submarine was being detained by the Swedish authorities, pending an explanation from the Soviets, it was discovered that nuclear materials were onboard the submarine. If I were a Swedish citizen I would be a little more worried about future Soviet activities and a lot more disbelieving when it came to Soviet statements about a nuclear-free Scandinavia.

Here in the United States there has been a great deal of criticism of the actions taken in European capitals. Some have even ventured to say that maybe we ought to bring our troops home from Europe. This topic, along with the overall question, was addressed quite well in an editorial in the November 2, 1981, issue of Aviation Week by William Gregory.

Europe's peace marchers are even handed in that they are calling for removal of the Soviet SS-20 from Europe as well. That naive

[1] Jeffrey Record, "NATO's Theater Nuclear Force Modernization Program: The Real Issues," Institute for Foreign Policy Analysis, Inc., November 1981.

attitude—wishing that all nuclear weapons would go away—missed the point. Even if the Soviets did withdraw SS-20's, their tactical forces in Eastern Europe are overwhelming. U.S. tactical nuclear weapons in Europe now are short range, too short to hit Soviet targets as a deterrent to the Soviets using their massive conventional forces. If Europe decides it does not want American Pershing 2 and cruise missiles based on its soil, it will invite the very spector read into President Reagan's give-and-take with the visiting editors. If the U.S. sees no reasonable defense to a Soviet thrust in NATO's Central Region, it could simply withdraw to Fortress U.S.A., build up its strategic missile and bomber force and let Europe worry about its own defense.

Of course this is not possible, for if you will recall the introductory language in the report submitted several years ago by our colleagues, Senator NUNN and the late Senator Bartlett, the industrial heartland of central Europe, one of the richest in the world, is one of the major goals of the Soviet Union. To withdraw U.S. troops would be a signal to the Soviets that this area has been abandoned and left for their plucking.

A close look at what the President announced will disclose that he is enunicating the policy line adopted by NATO in 1979—that being to deploy and negotiate. He has expressed a willingness to come to the bargaining table with the Soviet Union, not only on the issue of theater nuclear forces, but also on the question of strategic level weapons and the entire issue of security on the European continent. Even the Washington Post has joined the call for those protagonists within the antinuclear movement in Europe to take the President's remarks in a serious vein:

Ronald Reagan has just made a genuine and unthreatening commitment to the Atlantic Alliance. He has laid out a basis on which American support for European security can be sustained indefinitely, and he has put forward a respectable position from which to launch a serious nogotiation. It is not for any American. however, to define Europe's concept of its own security. Europeans must decide for themselves whether it is better to respond or not—on the double track on which they insisted—to the new Soviet missile force and to the political purpose represented by the force. In brief, Mr. Reagan has returned the question of Europe's security to the only place where it can finally be answered: Europe. (Washington Post 19 Nov. 81)

I urge the governments in Europe as well as the people of Europe to look at this proposal closely. This President has made what many regard as the first serious attempt to bring the so-called arms race to a halt. not just slow it down. He is a man of peace and has indicated this feeling on many occasions. While many have attempted to color him as a warmonger, they do so without any credible evidence.

I was especially pleased to see the President mention the efforts that are being put forward through the session in Madrid of the Commission on Security and Cooperation in Europe. This is the proper forum to discuss the wide ranging issues that are related to peace on the continent. As a Commissioner to CSCE I am aware of the importance this vehicle can play in the promotion and implementation of policy decisions. This message sends a signal to both the Soviet Union and our European allies, especially the French, that we are serious about sitting down and finding a solution to the security problems of Europe. We are willing to discuss the issues in the broadest sense so that we might move forward to the more detailed negotiation stage. Let us hope that the leadership within the Kremlin can see the wisdom in this offer.

In conclusion, I would like to emphasize that President Reagan is a man of not only peace, but vision. He has looked ahead and tried to conceptualize a world of peace, one that is "free from the fear of nuclear war" if I may paraphrase a former President. While many may applaud the actions of the demonstrators in Europe, it can be pointed out that they are a conglomeration of various groups, all opposing the deployment of nuclear weapons for a wide variety of reasons. At the same time, it is equally evident that an undercurrent exists that forments such dissidence for the express reason that it benefits the Soviet Union.

Last week West German Chancellor Helmut Schmidt met with Soviet President Leonid Brezhnev and the topic of TNF was at the top of the agenda. Chancellor Schmidt, under fire in his own party for his support of the NATO decision, stressed the importance of Reagan's offer. He made the firm point that we are now dealing not only with Europe, but all the peoples of the world. It is a message that hopefully was carried back to the Kremlin for discussion within the Politburo.

Mr. President, Ronald Reagan, truly understands the forces that affect any negotiations between two superpowers. His tough line and demonstrated willingness to rearm the United States has brought the Soviets to the negotiating table with a warning that they must negotiate in good faith. Is this the action of a warmonger? President Reagan has laid down the gauntlet of an arms race, and beside it he has laid down the flower of peace. The choice is now up to the Soviets.

CRIME AND (NON)PUNISHMENT, U.S.A.

Mr. JEPSEN. Mr. President, the rising crime level is becoming the most serious problem facing America today. A recent article in Reader's Digest goes a long way toward explaining why crime is such a serious problem: The odds of a criminal escaping punishment, even if caught, have skyrocketed. I urge my colleagues to examine this interesting article.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Reader's Digest, November 1981]

CRIME AND (NON)PUNISHMENT, U.S.A.

MOORESVILLE, IND.—An Indianapolis man who has a history of vicious attacks on women has been charged with the slayings of Mrs. Terry Chasteen and her three small children.

Only days before the murders, Stephen T. Judy, 22, had been released on bond following an arrest for armed robbery. At the time he was free on parole from the Illinois State Penitentiary. He has a long criminal record, including convictions in Indiana and Illinois for offenses similar to the abduction of Mrs. Chasteen and her children.

Police say Mrs. Chasteen's auto was stopped on an interstate highway near Indianapolis. Her bound, nude body and those of her children were later discovered in a creek near the highway.

Marion County prosecutors had opposed the reduction of Judy's bond to $7,500 at a recent hearing, but Indiana law prevented them from introducing evidence of previous criminal convictions.

"It's nonsense that he was released," declared prosecutor Stephen Goldsmith. "This is sad testimony of how our criminal-justice system has failed." [Some 16 months after this tragedy, the bond law was changed.]—Indianapolis Star.

MIAMI.—One man charged with the killing of off-duty policeman Sgt. Alfred Terrinoni had been set free on probation the previous day despite the plea of a police officer who urged that he be jailed.

Tommie Jerome Hicks, 18, a suspect in at least three similar armed robberies, is charged with murder in connection with the death of Terrinoni as he carried night deposits from a restaurant.

Metro Dade Officer Larry Gray had arrested Hicks three months earlier for petty theft. In Hicks' car police found three knives, a pellet gun, and credit cards bearing various names. Gray says he warned the prosecutors that Hicks was a suspect in several armed robberies of restaurants and was dangerous.

"Terrinoni's dead because nobody listened," Gray believes.—Miami Herald.

CHICAGO.—For many years, on the corner of Rockwell Street and Potomac Avenue, there was a drive-in drug business.

It was no secret. No business that makes $20,000 a day could be a secret. But, so brazen were the drug dealers that nothing, not even police raids, slowed them down. If arrested, they had the money—from the sales of heroin, cocaine, PCP and LSD—to post bail and return to the corner.

The police department's narcotics unit and the federal Drug Enforcement Administration filmed the operation and made buys. They spent almost $60,000 on the investigation and then arrested 23 people for selling drugs to undercover police.

That was over a year ago. Now the five leaders of the drive-in drug business have been in court. According to police, all five had previous histories of drug arrests. All five pleaded guilty to the drug-selling charges. All five were put on probation by Criminal Court Judge Robert Massey.

At Roberto Clemente High School the students know the corner of Rockwell and Potomac well. After reading that nothing happened to the operators of the drive-in, students in two English classes wrote letters to the judge.

"Your Honor," began one student, "the pushers are destroying our community. They sell drugs to young kids. If they already had criminal records, why shouldn't they be kept in jail?"

A police investigator said simply, "You wonder why drugs are our No. 1 problem?"—Column by Anne Keegan in Chicago Tribune.

BALTIMORE.—There were photographs on the desk. "Anybody want to look?" asks Bill Swisher, State's Attorney for Baltimore.

They were baby pictures, only the baby was dead. In a courtroom across the hall, James McClain, the man convicted of killing the child, had just been released.

The baby belonged to McClain's girlfriend. She was out when a friend came to the high-

rise apartment and showed McClain a picture of his girl with another man.

In his confession, McClain said, "I carried (the baby) to the garbage opening, (laid) him in (it) and just let him go." McClain was convicted of killing the child and sentenced to life behind bars.

Almost 18 months after that confession, the Court of Appeals, Maryland's highest court, ruled in another case that a defendant had to be taken before a court commissioner within 24 hours of arrest, or the state could not use any subsequent confession. McClain was not taken before a commissioner until he had given his confession—24 hours and 12 minutes after arrest.

The Court of Appeals decided to make its ruling retroactive.

So James McClain is a free man.—Column by Michael Olesker in Baltimore Sun.

ESSEX JUNCTION, VT.—Her small body, bound and gagged, was found hidden under an abandoned mattress. Melissa Walbridge, 12, had been tortured and stabbed to death. Authorities say the assailants took "calculated actions intended to cause as much pain as possible." A companion, also 12, was sexually assaulted and stabbed in the chest. Miraculously, that child survived.

Police arrested two local youths—ages 16 and 15—for aggravated sexual assault and murder.

The 16-year-old is expected to be tried as an adult this fall. At the time of the murder, he was free on a one year's suspended sentence for threatening a woman with a knife.

His 15-year-old partner, however, can be charged only with delinquency for his alleged role in the sexual assault and murder. He may be sentenced to a juvenile institution, but at age 18, he will be freed.

A Vermont law—which State Attorney General John Easton called a "license to kill"—prevented prosecuting juveniles under age 16 as adults no matter how serious the crime. It also mandated that juvenile criminals be freed with a clean record upon reaching age 18.

That's what happened in July to a young man who was 15 when he shot and killed his 63-year-old aunt and stole her car. The shooting took place less than three years ago.

He still is regarded as a danger to society by psychiatrists and prosecutors familiar with the case. But there was no legal way to hold him in custody after his 18th birthday. And he is free.

[Outrage over the Essex Junction case forced the Vermont legislature to change the law last summer so that juveniles 10 and older can be prosecuted as adults for violent crimes. But juvenile offenders already in the system will be released in accordance with the previous statute.]—Boston Globe.

SAN FRANCISCO.—The former court-appointed attorney for a California man who confessed repeatedly to a multiple murder has written the U.S. Supreme Court to protest a state Supreme Court decision that invalidated his client's confessions.

Asserted respected defense attorney James Leonard Crew, "It is difficult to understand how a system of laws conceived to protect innocent people can become twisted to give freedom to a person who deliberately kills three innocent human beings, and then confesses repeatedly to the killings."

Crew's letter involved the case of Barry Floyd Braeseke, convicted of the murders of his mother, father and grandfather. The state Supreme Court threw out the confessions and reversed Braeseke's conviction. Earlier this year the U.S. Supreme Court refused to reinstate the conviction.

The ruling attracted widespread attention, in part because, following his conviction, he again confessed to the murders. Braeseke described the slayings on the CBS program "60 Minutes"—a confession which the high court has yet to consider. He contended that the drug "angel dust" made him commit the crimes. Braeseke is now scheduled to be retried. Michael Cardoza, prosecutor in the case, concedes he may have difficulty obtaining a second conviction if the courts forbid use of the confession.

The attorney's letter drew praise from Cardoza, who said, "In effect, Crew is saying to the court, 'As an attorney, I did what I was supposed to do. But your function is to do justice, not to buy spurious arguments.' "—Los Angeles Times.

WASHINGTON, D.C.—It is hard to comprehend that a man accused of shooting you is back on the streets.

Just ask one victim, an attorney who requests his name be withheld because he fears reprisal. "I am outraged and disgusted," he declares. His anger is directed at the criminal-justice system.

It was "the system" that permitted the attorney's accused assailant, 23-year-old Allen Graves, to make bond and disappear just before his scheduled trial. Graves was free on bond from another case the night the attorney was shot during a robbery. Less than a month before, Graves had been arrested for the kidnapping and robbery of one Washington woman and kidnapping and assault of another.

It was "the system" that had enabled Graves to be on the streets at the time the women were kidnapped, too. Before that attack, a jury had convicted Graves for armed robbery and assault with intent to kill. But that conviction was overturned on a technicality, and Graves was allowed to plead guilty to robbery only, and was freed on bond pending sentencing.

[He was apprehended and again permitted to plea bargain for conviction on lesser charges. Finally, he was sentenced to prison.]—Washington Star.

MIAMI.—Within hours of arrest and arraignment, suspected drug smugglers post huge bonds and return to South America, beyond the reach of U.S. law, according to complaints by the authorities trying to stop drug trafficking here.

Documenting the need to toughen bond standards, officials cite the case of Alfredo Gutierrez, whose arrest they called the biggest cocaine bust in the nation's history.

Gutierrez was arrested in Miami when undercover agents offered him $9 million in cash for 854 pounds of coca base, which is refined into cocaine. He was charged with conspiracy to import cocaine. Bond, first set at $3 million, was reduced to $1 million. Within hours the money was delivered to the court. Needless to say, Gutierrez did not appear for trial.

Authorities insist there should be no bonds for suspected major drug smugglers, especially repeat offenders. But a bill to toughen bond standards for drug offenders has yet to be enacted by Congress.—AP.

NEW YORK.—Manhattan Supreme Court justice Arthur Blyn has sentenced a convicted killer to five years' supervised probation because a prison sentence would have no "constructive result." Blyn—in effect—ruled that the killer's life is more important than the victim's.

We don't know of any prison sentences that produce constructive results for convicts. The purpose of a sentence is to protect society and to punish people for violating the rules of civilization. And the taking of a human life, under any circumstances, demand a severe punishment.

Sure, there were special circumstances in this case. The killer, Richard Schreiner, claimed he blacked out from too much beer and marijuana and doesn't remember tying up, then stabbing and strangling his 22-year-old victim.

By treating homicide as a venial sin, the result of a "personality disorder," Blyn—and other judges—are encouraging the current epidemic of murder and violence that is claiming a record number of our citizens. Blyn's sentence is just one of countless examples of denied justice in our criminal courts.

Laws aren't enforced. Serious crimes are too frequently plea-bargained away. Crime pays. Criminals rule our streets. We have to fight back by locking up the criminals.—An editorial in New York Daily News.

[Less than six months after Schreiner was freed on probation, he was arrested for attempted murder in the stabbing of a 15-year-old boy. Charges against Schreiner are pending.]

SENATOR HARRY F. BYRD, JR., WILL NOT SEEK REELECTION

Mr. ARMSTRONG. Mr. President, today marks the end of an era. The distinguished senior Senator from Virginia, the honorable HARRY F. BYRD, JR., has today announced his intention to retire from this body at the end of this 97th Congress.

Senator and Mrs. Byrd are doubtless looking forward to a well-earned rest following an arduous career of public service that included service as a naval aviator during World War II, six terms in the Virginia State senate, and, since November 12, 1965, as a Member of this body.

But their gain will be our loss, and the Nation's loss. During more than 16 years of service in the U.S. Senate, HARRY FLOOD BYRD, JR. has established a reputation as perhaps the foremost watchdog of the Treasury in either House of Congress. The taxpayer has had no better friend.

For years HARRY BYRD has been warning all who would listen, and many who would not, of the dangers and folly in excessive Federal spending and unmanageable deficits. We now know all too well how right he has been.

Virginia, which supplied us with Washington, Jefferson, and Madison, is accustomed to sending great leaders to Washington. HARRY FLOOD BYRD, JR. has carried on the proud Virginia tradition. His successor will have very large shoes to fill.

SENATOR HARRY F. BYRD, JR.

Mr. DOLE. Mr. President, this is a Chamber familiar with history, an institution graced for nearly two centuries by men and women with their country's best interest close to their hearts. Few names on the Senate's long rollcall have earned more luster than BYRD. And few among us have reflected as much credit upon the State of our births as HARRY F. BYRD, JR.

He comes from the Old Dominion of Virginia—a State that has nourished American leadership from the beginning of the Republic. He comes from a family whose years of service to Virginians have created a legend all their own. But HARRY BYRD, JR. has never been content merely to carry on traditions. He has made history of his own. He has written a very personal chapter in the story of this body. And his decision to leave us after 18 years leaves a hole in our ranks that can hardly be filled.

He leaves at a time when his own concerns—the concerns of Virginians for fiscal responsibility and a strong national defense—are national priorities. He leaves at a time when his personal message of conservative government—a message that spanned both major parties in his State—is now accepted as national policy. He leaves knowing that the scale of history has once more come down on Virginia's side. He leaves triumphant.

HARRY's fellow Virginian, Thomas Jefferson, was onced asked how he intended to replace America's departing Ambassador to France, Benjamin Franklin. He said that he might occupy Franklin's shoes for a while—but that no one could ever really fill them. HARRY filled some pretty illustrious shoes himself when he first came here. In 16 years since then. he only enlarged them.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–2250. A communication from the Chairman of the Joint Subcommittee on Aquaculture, Department of Agriculture, transmitting pursuant to law, the biennial Report on Aquaculture; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2251. A communication from the Comptroller General of the United States transmitting, pursuant to law, a report on twenty-six deferrals contained in the President's first special message for fiscal 1982, totaling $737.2 million; jointly, pursuant to the order of January 30, 1975, to the Committee on Agriculture, Nutrition, and Forestry; to the Committee on Armed Services; to the Committee on Commerce, Science, and Transportation; to the Committee on Energy and Natural Resources; to the Committee on Finance; to the Committee on Foreign Relations; to the Committee on the Judiciary; and to the Committee on Labor and Human Resources.

EC–2252. A communication from the Assistant Secretary of Defense (Comptroller), transmitting, pursuant to law, 45 secret Selected Acquisition Reports and Summary Tables for the quarter ending September 30, 1981; to the Committee on Armed Services.

EC–2253. A communication from the Director of the Defense Security Assistance Agency transmitting, pursuant to law, a confidential report on a proposed foreign military sale to Pakistan; to the Committee on Armed Services.

EC–2254. A communication from the Director of the Defense Security Assistance Agency transmitting, pursuant to law, a confidential report on a proposed foreign military sale to Pakistan; to the Committee on Armed Services.

EC–2255. A communication from the Director of the Defense Security Assistance Agency transmitting, pursuant to law, a confidential report on a proposed foreign military sale to Pakistan; to the Committee on Armed Services.

EC–2256. A communication from the Assistant Secretary of the Navy for Shipbuilding and Logistics transmitting, pursuant to law, notification of a decision made to convert the maintenance and repair of office equipment at Marine Corps Base, Camp Lejeune, North Carolina to performance under contract; to the Committee on Armed Services.

EC–2257. A communication from the Assistant Secretary of the Army for Installations, Logistics and Financial Management transmitting, pursuant to law, notice of a decision made to convert the containers, textiles, tents, and tarpaulins activity at Fort Bragg, North Carolina to performance under contract; to the Committee on Armed Services.

EC–2258. A communication from the Assistant Secretary of the Air Force for Research, Development and Logistics transmitting, pursuant to law, a report on a decision made to convert the publishing distribution function at Hill Air Force Base, Utah to performance under contract; to the Committee on Armed Services.

EC–2259. A communication from the Assistant Secretary of the Air Force for Research, Development and Logistics transmitting, pursuant to law, notice of a decision made to convert the base information transfer center function at Hill Air Force Base, Utah to performance under contract; to the Committee on Armed Services.

EC–2260. A communication from the Assistant Secretary of the Navy for Shipbuilding and Logistics transmitting, pursuant to law, a decision made to contract without cost comparison analysis, for private urological medical service at the Naval Submarine Medical Center, Groton, Connecticut; to the Committee on Armed Services.

EC–2261. A communication from the Principal Deputy Assistant Secretary of the Navy for Shipbuilding and Logistics transmitting, pursuant to law, notice of a decision made to contract, without a cost comparison study, for the aircraft maintenance function at the Naval Air Test Center, Patuxent River, Maryland; to the Committee on Armed Services.

EC–2262. A communication from the General Counsel of the Department of Defense transmitting, pursuant to law, a copy of Executive Order 12315, Amendments to the Manual for Courts-Martial, United States; to the Committee on Armed Services.

EC–2263. A communication from the Secretary of the Army transmitting, pursuant to law, the annual report of the United States Soldiers' and Airmen's Home, 1980 and the annual General Inspection of the Home, 1981; to the Committee on Armed Services.

EC–2264. A communication from the Secretary of Transportation transmitting, pursuant to law, the semiannual Report of the Inspector General of the Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC–2265. A communication from the Assistant Attorney General of the United States for Legislative Affairs transmitting a draft of proposed legislation relative to the confidentiality of information filed by individual taxpayers with the Internal Revenue Service; to the Committee on Finance.

EC–2266. A communication from the Director of the Defense Security Assistance Agency transmitting, pursuant to law, a report on the provision of emergency military assistance given to El Salvador up to $25 million; to the Committee on Armed Services.

EC–2267. A communication from the Acting Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting pursuant to law, copies of international agreements, other than treaties, entered into by the United States within the previous sixty days; to the Committee on Foreign Relations.

EC–2268. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of legislation adopted by the Council on October 27, 1981; to the Committee on Governmental Affairs.

EC–2269. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of legislation adopted by the Council on October 27, 1981; to the Committee on Governmental Affairs.

EC–2270. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of legislation adopted by the Council on October 27, 1981; to the Committee on Governmental Affairs.

EC–2271. A communication from the Deputy Administrator of the General Services Administration, transmitting, pursuant to law, a report on the cost of travel and the cost of operating privately owned vehicles to Government employees while engaged on official business; to the Committee on Governmental Affairs.

EC–2272. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the semi-annual report of the Office of Inspector General, Community Services Administration, for the six month period ending September 30, 1981; to the Committee on Governmental Affairs.

EC–2273. A communication from the Administrator of the Veterans' Administration, transmitting, pursuant to law, the fiscal year 1981 report on deceptive advertising; to the Committee on Veterans' Affairs.

EC–2274. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the summary report on the Assessment of Current State Practices in Title XX Funded Day Care Program; to the Committee on Finance.

EC–2275. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Acquisition and Renovation of 1133 North Capitol Street"; to the Committee on Governmental Affairs.

EC–2276. A communication from the Attorney General of the United States, transmitting a draft of proposed legislation to provide for Seabed Boundary Agreements Between the United States and any Coastal State and the Immobilization of the Seabed Boundary of Any State; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–614. A resolution adopted by the House of Representatives of the Second Northern Marianas Commonwealth Legislature; to the Committee on Appropriations.

"HOUSE RESOLUTION 134

"Whereas, after the cessation of hostilities in the battle of Saipan in World War II, the United States Government won control and dominion over the Northern Mariana Islands; and

"Whereas, pursuant to Chapters XI through XII of the Charter of the United Nations, on July 18, 1947 the United States Government as the Administering Authority of the Northern Mariana Islands accepted a sacred trust to perform the obligations provided by the Trusteeship Agreement for the Former Japanese Mandated Islands; and

"Whereas, Article 6 of such Trusteeship Agreement obligated the United States Government to protect the inhabitants of the Northern Mariana Islands against the loss of their lands and resources; and

"Whereas, during the period from 1944 until 1963, the United States Government took over the lands of approximately 865 inhabitants of the Northern Mariana Islands; and

"Whereas, during such land take-overs, approximately 47 landowners received nothing and approximately 81 landowners received inadequate and inequitable amounts and values in exchange for their lands; and

"Whereas, Amendments V of the United States Constitution, as applied in the Northern Mariana Islands by Section 501 of the Covenant to Establish A Commonwealth of the Northern Mariana Islands in Political Union with the United States of America (U.S. P.L. 94–241), prohibits the taking of private property without just compensation and due process of law; and

"Whereas, it is the sense of the House of Representatives that the failure of the United States Government to provide any compensation to such 47 landowners and the failure to provide adequate and equitable compensation to such 81 landowners is a clear violation of the obligations and responsibilities of the United States Government imposed by the United Nations Charter, such Trusteeship Agreement and Amendment V of the United States Constitution; now, therefore,

"Be it resolved by the House of Representatives, Second Northern Marianas Commonwealth Legislature, Third Special Session, 1981 that the United States Congress is hereby requested to appropriate an adequate and equitable amount to compensate the approximately 128 landowners in the Northern Mariana Islands for the failure of the United States Government to provide adequate compensation for land takings and land exchanges from 1944 until 1963; and

"Be it further resolved that certified copies of this Resolution be transmitted to the President of the United States; the President of the United States Senate; the Speaker of the House of Representatives of the United States Congress; and the Trusteeship Council of the United Nations."

POM–615. A petition from citizens of Texas, relative to regulation and licensing of CB radios; to the Committee on Commerce, Science, and Transportation.

POM–616. A resolution adopted by the City Council of Santa Cruz, California, opposing United States intervention in El Salvador; to the Committee on Foreign Relations.

POM–617. A resolution adopted by the City Council of Oxford, Ohio, favoring a permanent international nuclear weapons ban; to the Committee on Foreign Relations.

POM–618. A petition from a citizen of Los Angeles, California, relative to the "Gay Bill of Rights"; to the Committee on the Judiciary.

POM–619. A petition from a citizen of Washington, D.C., favoring hand gun control; to the Committee on the Judiciary.

POM–620. A petition from a citizen of Daytona Beach, Florida, relative to union violence in America; to the Committee on Labor and Human Resources.

POM–621. A petition from a citizen of Harrisburg, Pennsylvania, relative to union violence in America; to the Committee on Labor and Human Resources.

POM–622. A petition from a citizen of North Attleboro, Massachusetts, relative to union violence in America; to the Committee on Labor and Human Resources.

POM–623. A petition from a citizen of Hawthorne, New Jersey, relative to monopoly bargaining in the Federal service; to the Committee on Labor and Human Resources.

POM–624. A petition from a citizen of Portland, Oregon, relative to monopoly bargaining in the Federal service; to the Committee on Labor and Human Resources.

POM–625. A resolution adopted by the Common Council of the City of Buffalo, New York, relative to the Head Start Program; to the Committee on Labor and Human Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PERCY, from the Committee on Foreign Relations, without amendment:

S. 1611. A bill to amend Public Law 90–553, to authorize the transfer, conveyance, lease, and improvement of, and construction on, certain property in the District of Columbia, for use as a headquarters site for an international organization, as sites for governments of foreign countries, and for other purposes (with minority views) (Rept. No. 97–281).

By Mr. SIMPSON, from the Committee on Environment and Public Works, and on behalf of Mr. McCLURE, from the Committee on Energy and Natural Resources; with amendments:

S. 1662. A bill to establish a limited program for Federal storage of spent fuel from civilian nuclear powerplants, to set forth a Federal policy, initiate a program, and establish a national schedule for the disposal of nuclear waste from civilian activities, and for other purposes (with additional and supplemental views) (Rept. No. 97–282).

By Mr. PERCY, from the Committee on Foreign Relations with amendments:

S. 854. A bill to promote the orderly conduct of international relations by facilitating the operation of foreign missions in the United States, thereby promoting the security and efficient operation of United States missions abroad (Rept. No. 97–283); pursuant to the order of June 4, 1981, referred to the Committee on Governmental Affairs for a period of 45 calendar days, excluding weekends, holidays, and those periods when the Senate is not in session.

By Mr. LAXALT, from the Committee on the Judiciary:

Report to accompany the bill (S. 1080) to amend the Administrative Procedure Act to require Federal agencies to analyze the effects of rules to improve their effectiveness and to decrease their compliance costs; to provide for a periodic review of regulations, and for other purposes (Rept. No. 97–284).

By Mr. GARN, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. Res. 249. An original resolution waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of H.R. 3484.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. PERCY, from the Committee on Foreign Relations; without reservation:

Treaty Doc. Ex. L, 96–2. Reciprocal Fisheries Agreement between the Government of the United States and the Government of the United Kingdom of Great Britain and Northern Ireland, 1979, with its agreed minute, done at London, March 27, 1979 (Ex. Rept. No. 97–37).

Treaty Doc. Ex. X, 96–2. Convention on the Conservation of Antarctic Marine Living Resources adopted at a diplomatic conference held in Canberra, Australia, May 7–20, 1980, and signed on behalf of the United States on September 11, 1980, with a Process-Verbal of Rectification dated March 18, 1981. (Ex. Rept. No. 97–38).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. HART (for himself and Mr. KENNEDY):

S. 1892. A bill to prohibit the U.S. Government from importing oil extracted in Libya; to the Committee on Finance.

By Mr. DIXON:

S. 1893 A bill for the relief of Alejo White and Sonia White; to the Committee on the Judiciary.

By Mr. MELCHER:

S. 1894. A bill to permit Indian tribes to enter into certain agreements for the disposition of tribal mineral resources, and for other purposes; to the Select Committee on Indian Affairs.

By Mr. CANNON:

S. 1895. A bill to amend chapter 85 of title 5, United States Code, to revise the unemployment compensation eligibility requirements for former members of the Armed Services; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HART:

S. 1892. A bill to prohibit the U.S. Government from importing oil extracted in Libya; to the Committee on Finance.

OIL IMPORTS FROM LIBYA

● Mr. HART. Mr. President, last month, I proposed an amendment to the foreign assistance bill to ban American imports of Libyan oil. This is a matter of immense moral and political significance for the United States. When we buy Libyan oil, we replenish Colonel Qadhafi's treasuries, allowing the man whom Anwar Sadat called a certified lunatic to embark on more adventurism in the most volatile region of the world today—the Middle East and North Africa. With my amendment, offered with Senators KASSEBAUM, KENNEDY, and several other colleagues, I sought to end this embarrassing spectacle.

Today, I offer a new proposal. It is a more modest one, a bill prohibiting the U.S. Government from purchasing oil extracted in Libya.

The U.S. Government is a major importer of Libyan oil. As of October 31, 1981, the United States had bought over 23 million barrels of Libyan oil for the strategic petroleum reserve (SPR). Ten percent of all SPR oil has been bought from Libya. Only the United Kingdom and Mexico have provided more oil for the SPR than Libya. In sum, the U.S. Government has paid over $660 million for Libyan oil supplies.

Since resuming fill of the SPR in September 1980, the U.S. Government has bought 13 million barrels of Libyan oil. Out of the 32 importers of Libyan oil to the United States in 1981, the U.S. Government ranked fourth in the number of barrels imported—averaging about 30,000 barrels a day in the first 8 months of this year. Only Conoco, Gulf, and Marathon imported more Libyan oil to the United States during this period.

Although the American Government does not negotiate with the Libyan Government for these supplies, it buys from oil traders who do. For Department of Energy purposes, the United States is the importer of record.

To end American support for Colonel Qadhafi, the U.S. Government should look first to its own oil purchases. Earlier this year, when the SPR supply needed light, sweet crudes, Libyan oil was bought in great volumes. At present, the United States is not buying Libyan oil for the SPR and has not since July. But next spring, if there is sufficient

capacity available, DOE again may buy Libyan supplies especially if Qadhafi is still having trouble finding markets for his oil.

Some Senators may question the efficacy of this proposal. They may contend, as they have before, that by prohibiting the import of Libyan oil to the United States we bring greater hardship on ourselves than on the Libyans. Recent events, however, indicate this is not the case.

In the month since I offered my amendment to ban all American imports of Libyan oil, the Exxon Corp. has announced its plans to withdraw from oil and gas operations in Libya. Although Exxon has not detailed the reasons for its action, informed reports suggest the decision was motivated by the high price Libya was charging for its crude and out of concern for the safety of Exxon employees working in Libya. Whatever the reason, the decision by Exxon to withdraw from Libya has demonstrated that the withdrawal of American oil companies and the loss of American markets for Libyan oil will force Qadhafi to reevaluate not only his oil pricing strategy but also Libyan military and terrorist activities.

Since the first of the year, Libyan oil production has fallen from 1.7 million barrels a day to about 700,000 barrels a day. This has drained Qadhafi's purse. Annual Libyan oil revenues have fallen from over $22 billion to less than $10 billion. And because Libya has virtually no wealth apart from oil—little agriculture and no industry—as oil revenues fall, Qadhafi faces some painful choices—basic choices between guns and butter.

Exxon's decision, and reports that Mobil may also withdraw from Libya, clearly concern Qadhafi. Earlier this month in an effort to discourage other American companies from following Exxon's lead, Libya notified the Oasis Group—a consortium of American oil companies extracting Libyan oil—that Libya would cut the average price of its crude for these buyers by more than $1, bringing the price of Libyan oil to about $36 a barrel. This new price makes Libyan crude comparable in price to Nigerian crude—an oil of a comparable quality to Libyan crude.

If the impact of the withdrawal of American oil companies and the loss of American oil markets for Libyan oil was ever in question, recent events should relieve those doubts. Qadhafi depends heavily on American technicians and technology to produce Libyan oil. He depends on American oil companies to market and sell Libyan oil. And he depends on American consumers to purchase some 40 percent of Libyan oil exports.

By prohibiting the U.S. Government from purchasing Libyan oil, supplies that could be easily replaced with oil from other sources like Nigeria and the North Sea, the Congress can show its resolve to end American support for Colonel Qadhafi. It can provide an example for American oil companies and other national governments. And it can restore a sense of integrity to our Government's dealings in international oil markets.●

By Mr. DIXON:

S. 1893. A bill for the relief of Alejo White and Sonia White; to the Committee on the Judiciary.

RELIEF OF ALEJO WHITE AND SONIA WHITE

● Mr. DIXON. Mr. President, I send to the desk special legislation on behalf of two children in Illinois, to permit them to be classified as the son and daughter of Mr. and Mrs. Peter L. White, citizens of the United States, and ask that it be referred to the appropriate committee.

Mr. President, Alejo (note: pronounced A-lay-o) White and his sister, Sonia White, were adopted by Mr. and Mrs. Peter L. White in Argentina in May 1978. Alejo and Sonia's natural parents were close friends of the Whites.

Their natural father died in 1968 and 6 years later the children's mother passed away. Just before the mother died she asked the Whites to adopt her son and daughter as there were no other living relatives in Argentina who could take care of her children. At the time of the natural mother's death Alejo was 13 years old and Sonia was 11 years old. The Whites immediately began the long adoption procedure in Argentina to adopt the children. The Argentinian courts gave final approval to the adoption in 1978. However, because the children were over 14 years of age at the time the adoption was decreed, the Immigration Service declared the two children were not eligible for U.S. citizenship. The children are presently in the United States, Alejo on a student visa attending Rensselaer Polytechnic Institute in Troy, N.Y., and Sonia is on a multiple entry visa waiting to begin college in January.

Mr. President, the gentleman from Massachusetts, Mr. FRANK, has introduced a similar measure in the House.

I urge early consideration and passage of this bill.

Mr. President, I ask unanimous consent to have the bill printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1893

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Alejo White and Sonia White may be classified as children within the meaning of section 101(b)(1)(F) of the Act; upon approval of a petition filed in their behalf by Mr. and Mrs. Peter L. White, citizens of the United States, pursuant to section 204 of the Act: *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.●

By Mr. MELCHER:

S. 1894. A bill to permit Indian tribes to enter into certain agreements for the disposition of tribal mineral resources, and for other purposes; to the Select Committee on Indian Affairs.

DISPOSITION OF TRIBAL MINERAL RIGHTS

● Mr. MELCHER. Mr. President, I am introducing today a bill that will permit Indian tribes greater flexibility in the development of their mineral resources. Although a number of tribes have vast mineral resources there has been little consideration since the 1938 Indian Mineral Leasing Act was passed to determine business opportunities that fit modern-day practices. That act limits tribes to leasing under long-established competitive-bidding procedures.

As energy development becomes more profitable many tribes are seeking to enter into more lucrative and beneficial agreements with energy development companies. Some have already done so but the Department of the Interior insists that the only statutory authority for disposition of tribal mineral resources is the 1938 act.

My bill will allow tribes to enter into joint venture agreements, operation agreements, joint production agreements, managerial agreements, noncompetitive lease arrangements and similar agreements both for the production and sale of oil, gas, and other mineral resources.

The Secretary of the Interior will be required to continue to exercise his trust responsibility to Indian tribes and to individual Indian owners of minerals held in trust. The bill requires the Secretary to consider a tribe's proposed energy agreement. The Secretary can disapprove if he finds in writing that an agreement is not in the best interest of the tribe. There are review provisions in the bill should the Secretary make a disapproval finding. Further, while the bill permits individual Indian owners of trust minerals to join in agreements with tribes or to make their own agreements, it provides that such agreements are subject to secretarial approval.

The bill leaves the 1938 Indian Mineral Leasing Act in place so that tribes and individual Indian mineral owners may continue to use the longstanding competitive lease procedures if they wish to do so.

The flexibility offered by my bill will, I believe, further promote Indian self-determination for energy development by allowing tribes to be involved in managing the development of their own resources in a number of ways not now possible under existing law.

Long-range economic development, which is so intertwined with the ultimate goal of tribal economic enhancement will be furthered if the tribes are given the latitude they need to seek the best return they can for their mineral resources. In short, this bill permits a tribe or individual Indians with mineral resources under the trust responsibility of the Federal Government to strike a better deal on developing their mineral resources just like any other person seeking to bargain with an energy company.

The prudent oversight responsibility of the Secretary of the Interior will remain, but the bill seeks to add flexibility to that prudent management.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1894

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any Indian tribe may enter into any joint venture agreement, operating agreement, joint production agreement, risk services agreement, managerial agreement, lease (other than a lease approved pursuant to the Act of May 11, 1938), or other agreement approved by the Secretary of the Interior (hereinafter referred to as the "Secretary") for the disposition of oil and gas, geothermal, or other mineral resources of tribal lands, or for the sale of production from operations on tribal lands. Any such agreement shall be for such term and be subject to such conditions as may be prescribed by the Secretary by regulation. The Secretary shall approve any such agreement within one year of submission to him unless the Secretary finds that—

(a) such agreement is not in the best interest of the tribe; and

(b) whenever the Secretary disapproves an agreement pursuant to subsection (a) he shall state his findings in writing within 30 days of making his decision. Upon disapproval of a tribal proposal the tribe shall have an opportunity for Presidential review provided that request for review is filed within 30 days.

SEC. 2. (a) Individual Indians owning trust or restricted minerals within the boundaries of a reservation subject to an agreement entered into pursuant to section 1 of this Act may join in such an agreement with the tribe, subject to the approval of the Secretary of the Interior.

(b) The Secretary at his discretion may approve agreements listed in section 1 for individual Indians owning trust or restricted minerals.

SEC. 3. Agreements of the type described in the first section of this Act for the development of production of oil and gas or other mineral resources of tribal lands approved by the Secretary prior to the date of the enactment of this Act are hereby ratified as of the date of such approval.

SEC. 4. Nothing in this Act shall affect the validity of any lease approved or hereafter approved pursuant to the Act of May 11, 1938 (52 Stat. 347; 25 U.S.C. § 396a *et. seq.*).

SEC. 5. Within 180 days, the Secretary of the Interior shall promulgate rules and regulations to implement the provisions of this Act.●

By Mr. CANNON:

S. 1895. A bill to amend chapter 85 of title 5, United States Code, to revise the unemployment compensation eligibility requirements for former members of the Armed Forces; to the Committee on Finance.

UNEMPLOYMENT COMPENSATION ELIGIBILITY FOR FORMER MEMBERS OF THE ARMED FORCES

● Mr. CANNON. Mr. President, I wish to introduce today a bill to make honorably discharged military members eligible for unemployment compensation.

Public Law 97–35, the Omnibus Budget Reconciliation Act of 1981, changed the unemployment compensation eligibility of honorably discharged military members.

Formerly, they received compensation on the basis that they were unemployed. Now, they are denied because they turned down reenlistment and thereby theoretically turned down a job.

There are many who enlist to discharge what they perceive to be a citizens obligation with no intention of making the military a career. After all, becoming a professional soldier is not everyone's cup of tea, but patriotism should be. Let us not discourage the concept of duty, honor, country.

The Omnibus Reconciliation Act imposed a switch that should not have happened and should make most Members of Congress uncomfortable. It is a good example of what can occur when you use the meat-ax approach in cutting the budget. Obviously this was not a thoroughly thought out, rational judgment. Unquestionably it imposes an inequity which needs correction.

The main defense strength of this Nation has always been in a voluntary armed force. Now in an unprecedented move this has all been changed. My bill aims to correct that oversight, and I urge my colleagues to support this effort.●

ADDITIONAL COSPONSORS

S. 265

At the request of Mr. PERCY, the Senator from Indiana (Mr. QUAYLE), the Senator from Idaho (Mr. SYMMS), the the Senator from Washington (Mr. GORTON), the Senator from New Mexico (Mr. SCHMITT), the Senator from Virginia (Mr. HARRY F. BYRD, JR.), the Senator from Iowa (Mr. JEPSEN), and the Senator from New Mexico (Mr. DOMENICI) were added as cosponsors of S. 265, a bill to amend the Congressional Budget Act of 1974 to establish procedures for setting targets and ceilings, in the congressional budget process, for loans and loan guarantees under Federal credit programs.

S. 1182

At the request of Mr. NICKLES, the Senator from Virginia (Mr. HARRY F. BYRD, JR.) was added as a cosponsor of S. 1182, a bill to amend the Longshoremen's and Harbor Workers' Compensation Act to revise the manner of computing the benefits provided under such act, to provide for certification of physicians eligible to provide medical care to workers covered by such act, to provide for an attorney to serve as the representative of the special fund established under such act, to establish a Benefits Review Board the members of which are appointed by the President, to establish an advisory committee to evaluate the manner in which the provisions of the act are carried out, and for other purposes.

S. 1348

At the request of Mr. SASSER, the Senator from Georgia (Mr. MATTINGLY), and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. 1348, a bill to amend the Internal Revenue Code of 1954 to clarify certain requirements which apply to mortgage subsidy bonds.

S. 1637

At the request of Mr. D'AMATO, the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1637, a bill to establish a Federal annuity program to compensate participants in private pension plans which terminated before July 1, 1974, for nonforfeitable pensions benefits which were lost by reason of the termination, and for other purposes.

S. 1752

At the request of Mr. HEINZ, the Senator from New Hampshire (Mr. RUDMAN) was added as a cosponsor of S. 1752, a bill to amend the Home Owners' Loan Act to increase the lending, investment and operating authority of Federal mutual savings banks.

S. 1881

At the request of Mr. SASSER, the Senator from Montana (Mr. MELCHER) was added as a cosponsor of S. 1881, a bill to provide for the issuance of a commemorative stamp to honor the dedication of the Vietnam Veterans Memorial.

S. 1892

At the request of Mr. HART, the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 1892, a bill to prohibit the U.S. Government from importing oil extracted in Libya.

SENATE JOINT RESOLUTION 121

At the request of Mr. MITCHELL, the Senator from Indiana (Mr. LUGAR), the Senator from Arizona (Mr. DECONCINI), the Senator from Montana (Mr. BAUCUS), the Senator from Michigan (Mr. RIEGLE), the Senator from Illinois (Mr. DIXON), the Senator from Wisconsin (Mr. KASTEN), the Senator from Massachusetts (Mr. TSONGAS), the Senator from Colorado (Mr. HART), the Senator from Wisconsin (Mr. PROXMIRE), the Senator from West Virginia (Mr. RANDOLPH), the Senator from Vermont (Mr. STAFFORD), the Senator from Kentucky (Mr. HUDDLESTON), the Senator from Missouri (Mr. EAGLETON), the Senator from California (Mr. CRANSTON), the Senator from Tennessee (Mr. SASSER), and the Senator from Arkansas (Mr. BUMPERS) were added as cosponsors of Senate Joint Resolution 121, a joint resolution to provide for the designation of the year 1982 as the "Bicentennial Year of the American Bald Eagle" and the designation of June 20, 1982, as "National Bald Eagle Day."

SENATE JOINT RESOLUTION 130

At the request of Mr. WARNER, the Senator from Wisconsin (Mr. KASTEN), the Senator from New Mexico (Mr. DOMENICI), the Senator from Oregon (Mr. HATFIELD), the Senator from Minnesota (Mr. BOSCHWITZ), the Senator from Kentucky (Mr. HUDDLESTON), the Senator from Hawaii (Mr. INOUYE), the Senator from Indiana (Mr. LUGAR), and the Senator from Washington (Mr. GORTON) were added as cosponsors of Senate Joint Resolution 130, a joint resolution designating February 22, 1982, the 250th anniversary of the birth of George Washington, a "Day of National Celebration."

SENATE RESOLUTION 209

At the request of Mr. JEPSEN, the Senator from Oklahoma (Mr. BOREN), the Senator from Pennsylvania (Mr. HEINZ), the Senator from Kansas (Mrs. KASSEBAUM), the Senator from Utah (Mr. HATCH), the Senator from Minnesota (Mr. BOSCHWITZ), the Senator from Washington (Mr. GORTON), the Senator from New Hampshire (Mr. RUDMAN), the Senator from Arkansas (Mr. PRYOR), the Senator from Alaska (Mr. MURKOWSKI), the Senator from South Dakota (Mr. PRESSLER), the Senator from Illinois (Mr.

PERCY), and the Senator from North Dakota (Mr. ANDREWS) were added as cosponsors of Senate Resolution 209, a resolution expressing the sense of the Senate that the President of the United States, the U.S. Senate, and the Senate Committee on Banking, Housing, and Urban Affairs should pay careful deference to the specific provisions of the Federal Reserve Act, requiring broad regional and economic representation on the Board of Governors of the Federal Reserve System, in their consideration of nominees to the Board.

SENATE RESOLUTION 248—COMMENDING THE FIREFIGHTERS OF LYNN, MASS.

Mr. KENNEDY (for himself and Mr. TSONGAS) submitted the following resolution which was considered and agreed to:

S. RES 248

Whereas on Saturday, November 28, 1981, the city of Lynn, Massachusetts suffered one of the worst fires in New England's history;

Whereas approximately 600 firefighters from 95 communities from three New England states battled the fire for two full days;

Whereas thousands of elderly citizens were evacuated from the fire area without loss of life or major injury; therefore be it

Resolved by the U.S. Senate that we join in expressing our deep appreciation to Lynn Mayor Antonio Marino, Lynn Fire Chief, Joe Scanlon and the 600 firefighters who joined in this heroic act of service to the people of Lynn, Massachusetts.

SENATE RESOLUTION 249—ORIGINAL RESOLUTION WAIVING THE BUDGET ACT

Mr. GARN, from the Committee on Banking, Housing, and Urban Affairs, reported the following original resolution; which was referred to the Committee on the Budget:

S. RES 249

Resolved, That pursuant to section 402(c) of the Congressional Budget Act of 1974, the provisions of section 402(a) of such Act are waived with respect to the consideration of H.R. 3484, the George Washington Commemorative Coin Act. Such waiver is necessary to permit consideration of an additional fiscal year 1982 authorization of appropriations for the Department of Treasury to carry out the purposes of H.R. 3484.

Such waiver is necessary as H.R. 3484 was sent to the Senate on May 19, 1981; and therefore was not reported by May 15, 1981, as required by section 402(a) of the Congressional Budget Act of 1974.

● Mr. GARN. Mr. President, last Friday, November 20, 1981, I reported to the floor H.R. 3483 which was unanimously agreed to by the members of the Committee on Banking, Housing and Urban Affairs. To facilitate consideration of this legislation, the attached resolution must be reported by the Banking Committee and then favorably reported by the Budget Committee.●

AMENDMENTS SUBMITTED FOR PRINTING

DEPARTMENT OF DEFENSE APPROPRIATION ACT, 1982

AMENDMENT NO. 638

(Ordered to be printed.)

Mr. LEVIN (for himself, Mr. HOLLINGS, Mr. NUNN, Mr. PRYOR, and Mr. EXON) proposed an amendment to the bill (H.R. 4995) making appropriations for the Department of Defense for the fiscal year ending September 30, 1982, and for other purposes.

AMENDMENT NO. 639

(Ordered to be printed and to lie on the table.)

Mr. GLENN submitted an amendment intended to be proposed by him to the bill H.R. 4995, supra.

REGULATORY REFORM ACT

AMENDMENT NO. 640

(Ordered to be printed and lie on the table.)

Mr. LAXALT (for himself, Mr. ROTH, Mr. LEAHY, and Mr. EAGLETON), submitted an amendment intended to be proposed by them to the bill (S. 1080) to amend the Administrative Procedure Act to require Federal agencies to analyze the effects of rules to improve their effectiveness and to decrease their compliance costs; to provide for a periodic review of regulations, and for other purposes.

REGULATORY REFORM

● Mr. LAXALT. Mr. President, today I am introducing for printing an amendment in the nature of a substitute for S. 1080, the "Regulatory Reform Act." This amendment will be proposed by the Senator from Vermont (Mr. LEAHY), the Senator from Delaware (Mr. ROTH), the Senator from Missouri (Mr. EAGLETON), and myself.

S. 1080 was introduced on April 30 of this year, was referred to the Committees on the Judiciary and on Governmental Affairs, and was favorably reported by both of those committees. Though there were some significant differences in the bill as reported by each committee, the vast majority of differences were either technical in nature, or were merely different approaches to reach the same goals.

In order to expedite the legislative process and to refine the issues for debate on the Senate floor, the committees have devoted the last months to working on a consensus version of S. 1080 which would resolve most of the differences between the bill as reported by each committee, leaving only the most significant issues open for further resolution.

The amendment submitted for printing today is the product of this effort to build a consensus. It is this version of S. 1080 which will be the vehicle for further amendment and ultimate floor action. Some matters which were considered in one or another of the committees, but which were not included in this consensus substitute, may be proposed as floor amendments and subject to further debate.

There are three discrete provisions contained in this substitute amendment on which the committees are not in agreement and which will be the subject of further debate. The Judiciary Committee provisions in these areas were removed by the Governmental Affairs Committee during its markup. For that reason, and other parliamentary reasons, it was thought fair and efficient to present these issues for debate and vote by the full Senate by having these unresolved provisions in this substitute amendment. The fact that these provisions are contained in the amendment is not in any way intended to give them preferred standing or to weigh the Senate debate in their favor.

The unresolved provisions are: First, the limited form of judicial review of the agency determination concerning whether a rule will have a $100 million impact, and therefore be a major rule subject to regulatory analysis; second, the provisions of the "Bumpers" judicial review proposal requiring that an agency have substantial support for its factual determinations and prohibiting courts from deferring to agency interpretations of law; and third, the exact language of the provision authorizing the President to establish procedures for agency compliance with the regulatory analysis requirements of the bill.

Mr. President, both committees involved with this legislation held extensive hearings and devoted time and energy to refining and improving this bill. There are many complicated and highly technical aspects involved with this legislation. With this consensus substitute amendment and with the spirit of productive cooperation that has dominated the work on this legislation, I am confident that the fundamental issues needing debate will be clearly and fully presented to the Senate in a way which will allow for their fair and expeditious resolution.

Mr. President, I ask unanimous consent that this substitute amendment and the summary of its provisions be printed in the RECORD. A more detailed explanation of the compromises contained in this substitute amendment will be inserted in the RECORD shortly.

There being no objection, the amendment and summary were ordered to be printed in the RECORD, as follows:

AMENDMENT NO. 640

On page 26, beginning on line 21, strike out through line 4 on page 103 and insert in lieu thereof the following: That this Act may be cited as the "Regulatory Reform Act".

DEFINITION OF RULE

SEC. 2. Section 551(4) of title 5, United States Code, is amended by inserting before the semicolon at the end thereof a comma and the following: "except that the term 'rule' does not include agency statements involving a matter relating to public property or contracts or general statements of policy of the Tennessee Valley Authority except where an applicable statute requires notice and hearing pursuant to this chapter or the statement to be made on the record after opportunity for an agency hearing".

RULEMAKING

SEC. 3. Section 553 of title 5, United States Code, is amended to read as follows:

"§ 553. Rulemaking

"(a) This section applies to every rulemaking, according to the provisions thereof, except to the extent that there is involved—

"(1) a matter pertaining to a military or foreign affairs function of the United States;

"(2) a matter relating to the management and personnel practices of an agency;

"(3) an interpretive rule, general statement of policy, or rule of agency organization, procedure, or practice, unless such rule or statement has general applicability and substantially alters or creates rights or obligations of persons outside the agency; or

"(4) a rule relating to the acquisition, management, or disposal by an agency of real or personal property or of services that is promulgated in compliance with criteria and procedures established by the Administrator for Federal Procurement Policy or the Administrator of General Services.

"(b)(1) General notice of proposed rulemaking shall be published in the Federal Register, unless all persons subject thereto are named and either personally served or otherwise have actual notice thereof in accordance with law. Each notice of proposed rulemaking shall include—

"(A) a statement of the time, place, and nature of public rulemaking proceedings;

"(B) a succinct explanation of the need for and specific objectives of the proposed rule;

"(C) an explanation of the specific statutory authority under which the rule is proposed;

"(D) the proposed provisions of the rule;

"(E) a statement that the agency seeks proposals from the public and from State and local governments for alternative methods to accomplish the objectives of the rulemaking that are more effective or less burdensome than the approach used in the proposed rule;

"(F) a description of any data, methodologies, reports, studies, scientific evaluations, or other similar information on which the agency plans to substantially rely in the rule making, including an identification of each author or source of such information and the purposes for which the agency plans to rely on such information; and

"(G) a statement specifying where the file of the rule making proceeding maintained pursuant to subsection (f) of this section may be inspected and how copies of the items in the file may be obtained.

"(2) Except when notice or hearing is required by statute, a final rule may be adopted and may become effective without prior compliance with the provisions of this subsection and subsections (c) and (f) of this section if—

"(A) the agency for good cause finds that providing notice and public procedure thereon before the rule becomes effective is impracticable or contrary to an important public interest;

"(B) the agency publishes the rule in the Federal Register with such finding and a succinct explanation of the reasons therefor; and

"(C) the agency complies with the provisions of this subsection and subsections (c) and (f) of this section to the maximum extent feasible prior to the promulgation of the final rule and fully complies with such provisions as soon as reasonably practicable after the promulgation of the rule.

"(3) Except when notice or hearing is required by statute, this subsection and subsections (c) and (f) of this section do not apply to a rule when the agency for good cause finds that notice and public procedure thereon are unnecessary due to the insignificant impact of the rule and publishes, at the time of publication of the final rule, such finding and a succinct explanation of the reason therefor.

"(4) Whenever the provisions of a final rule that an agency plans to adopt are so different from the provisions of the proposed rule that the original notice of proposed rule making did not fairly apprise the public of the issues ultimately to be resolved in the rule making or of the substance of the rule, the agency shall publish in the Federal Register a notice of the final rule the agency plans to adopt, together with the information relevant to such rule which is required by the applicable provisions of this section and which has not previously been published in the Federal Register. The agency shall allow a reasonable period for comment on such final rule.

"(c)(1) After providing the notice required by this section, the agency shall give interested persons at least sixty days to participate in the rule making through the submission of written data, views, or arguments.

"(2) In order to collect relevant information, and to identify and elicit full and representative public comment on the significant issues of a particular rule making, the agency may use such other procedures as the agency determines are appropriate, including—

"(A) the publication of an advance notice of proposed rule making;

"(B) the provision of notice, in forms which are more direct than notice published in the Federal Register, to persons who would be substantially affected by the proposed rule, but who are unlikely to receive notice of proposed rule making through the Federal Register;

"(C) the provision of opportunities for oral presentation of data, views, information, or rebuttal arguments at informal public hearings, which may be held in the District of Columbia and other locations;

"(D) the provision of summaries, explanatory materials, or other technical information in response to public inquiries concerning the issues involved in the rule making; and

"(E) the adoption or modification of agency procedural rules to reduce the cost or complexity of participation in a rule making.

The decision of the agency to use or not to use such other procedures in a rule making pursuant to this paragraph shall not be subject to judicial review.

"(3)(A) The opportunity for participation in a rule making for a major rule (as defined in section 621(1) of this title) shall include the opportunity for oral presentation of data, views, and information at informal public hearings. Such public hearings—

"(i) may include an opportunity for oral rebuttal or argument where appropriate; and

"(ii) shall include an opportunity for direct and cross-examination of the principal agency employees or other persons who prepared for the agency data on which the agency substantially relied in formulating the rule, and of any other persons who present testimony, documents, or other information at such hearings, where other procedures, such as the convening of public meetings, conferences or panel discussions, or the presentation of staff arguments for comment and rebuttal, are determined to be inadequate for the resolution of significant issues of fact upon which the rule is based.

"(B) No court shall hold unlawful, or set aside an agency rule because of a failure by the agency to use a particular procedure pursuant to subparagraph (A) of this paragraph unless—

"(i) an objection to the failure to use such procedure was presented to the agency in a timely fashion or there are extraordinary circumstances that excuse the failure to present a timely objection; and

"(ii) the court finds that such failure substantially precluded a fair consideration and informed resolution of a central issue of the rule making taken as a whole.

"(4) To ensure an orderly and expeditious proceeding, the agency may establish reasonable procedures to regulate the course of informal public hearings under paragraphs (2) and (3) of this subsection, including the designation of representatives to make oral presentations or engage in direct or cross-examination on behalf of several parties with a common interest in a rule making. Transcripts shall be made of all such public hearings.

"(5) An agency shall publish any final rule it adopts in the Federal Register, together with a concise statement of the basis and purpose of the rule and a statement of when the rule may become effective. The statement of basis and purpose shall include—

"(A) an explanation of the need for, objectives of, and statutory authority for the rule;

"(B) a discussion of any significant issues raised by the comments on the proposed rule, including a description of the reasonable alternatives to the rule proposed by the agency and by interested persons, and the reasons why each such alternative was rejected; and

"(C) an explanation of how the factual conclusions upon which the rule is based are substantially supported in the rule making file maintained pursuant to subsection (f) of this section.

"(6) When rules are required by statute to be made on the record after opportunity for an agency hearing, sections 556 and 557 of this title apply instead of this subsection.

"(d)(1) An agency shall publish the final rule adopted in the Federal Register at least thirty days before the effective date of the rule. An agency may make a rule effective in less than thirty days after publishing the final rule in the Federal Register in the case of a rule that grants or recognizes an exemption or relieves a restriction, or in the case of a rule for which the agency for good cause finds that such a delay in the effective date would be contrary to an important public interest and publishes such finding and an explanation of the reasons therefore, with the final rule.

"(2) In promulgating a final rule, the agency may not substantially rely on any factual or methodological material that was not placed in the rule making file maintained pursuant to subsection (f) of this section in time to afford an adequate opportunity for public comment thereon during the period for public participation in the rule making. Notwithstanding the preceding sentence, an agency may rely on such material—

"(A) if, in the case of material developed by or for the agency, such material was placed in the rule making file promptly upon its completion and, if such material is of central relevance to the rule making, was made available in time for interested persons to have an adequate opportunity to comment thereon;

"(B) if, in the case of material submitted by a person outside the agency, such material was placed in the rule making file promptly upon its receipt by the agency and, if such material is of central relevance to the rule making, the agency provided not less than fifteen days for interested persons to comment thereon in addition to the period for comment provided under paragraph (1) of subsection (c);

"(C) if such material is material of which the agency properly can take official notice; or

"(D) if such material is material referred to in subsection (f)(2) of this section and the agency has complied with the requirements of that subsection.

"(e) Each agency shall give an interested

person the right to petition for the issuance, amendment, or repeal of a rule, for an interpretation regarding the meaning of a rule, and for a variance or exemption from the terms of a rule if the agency may grant such variance or exemption. The agency shall act on such petitions with reasonable promptness. The response of the agency to each such petition shall be in writing accompanied by a statement of reasons.

"(f)(1) The agency shall maintain a file for each rule making proceeding conducted pursuant to this section and shall maintain a current index to such file. The file and the material excluded from the file pursuant to paragraph (2) of this subsection shall constitute the rule making record for purposes of judicial review. Except as provided in paragraph (2) of this subsection, the file shall be made available to the public beginning on the date on which the agency makes an initial publication concerning the rule. The file shall include—

"(A)(i) the notice of proposed rule making and any supplement to or modification or revision of such notice; and

"(ii) any advance notice of proposed rule making;

"(B) copies of all written comments received on the proposed rule;

"(C) a transcript of any public hearing conducted in the rule making;

"(D) copies, or an identification of the place at which copies may be obtained, of all material described by the agency pursuant to subsection (b)(1)(F) of this section and of other factual and methodological material not described by the agency pursuant to such subsection that pertains directly to the rule making and that the agency considered in connection with the rule making, or that was prepared by or for the agency in connection with the rule making; and

"(E) any statement, description, analysis, or any other material that the agency is required to make public in connection with the rule making, including any preliminary or final regulatory analysis issued by the agency pursuant to chapter 6 of this title.

"(2) The file required by paragraph (1) of this subsection need not include any material that need not be made available to the public under section 552 of this title if the agency includes in such file a statement that notes the existence of such material and the basis upon which the material is exempt from public disclosure under such section. The agency may not substantially rely on any such material in formulating a rule unless it makes the substance of such material available for adequate comment by interested persons. The agency may use summaries, aggregations of data, or other appropriate mechanisms so as to protect the confidentiality of such material to the maximum extent possible.

"(g) For a period of one year after the effective date of a final rule issued pursuant to this section, such rule shall not substantially change the requirements of any contract, cooperative agreement, or grant existing on such effective date between a Federal agency and a State or local government. The preceding sentence does not apply to any case in which the agency for good cause finds that a delay in the effect of the rule would be contrary to an important public interest and publishes such finding and an explanation of the reasons therefor, with the final rule.

"(h) Nothing in this section authorizes the use of appropriated funds available to any agency to pay the attorney's fees or other expenses of persons participating or intervening in agency proceedings.".

REGULATORY ACTIVITIES: ANALYSIS; PRIORITIES AND REVIEW; REPORT

SEC. 4. (a) Chapter 6 of title 5, United States Code, is amended by adding at the end thereof the following:

"Subchapter II—Analysis of Agency Proposals

"§ 621. Definitions

"For purposes of this subchapter and subchapters III and IV of this chapter:

"(1) The term 'agency' has the same meaning as in section 551(1) of this title.

"(2) The term 'person' has the same meaning as in section 551(2) of this title.

"(3) The term 'rule' has the same meaning as in section 551(4) of this title, except that such term does not include a rule of particular applicability that approves or prescribes for the future rates, wages, prices, services, or allowances therefor, corporate or financial, structures, reorganizations, mergers or acquisitions, or accounting practices or disclosures bearing on any of the foregoing.

"(4) The term 'major rule' means—

"(A) a rule or a group of closely related rules that the agency, the President, or the officer selected under section 624 of this title reasonably determines is likely to have an annual effect on the economy of $100,000,000 or more in reasonably quantifiable direct and indirect costs; and

"(B) a rule or a group of closely related rules that is otherwise designated a major rule by the agency proposing the rule, or is so designated by the President, or by the officer selected under section 624 of this title, on the ground that the rule is likely to result in—

"(i) a substantial increase in costs or prices for wage earners, consumers, individual industries, nonprofit organizations, Federal, State, or local government agencies, or geographic regions; or

"(ii) significant adverse effects on competition, employment, investment, productivity, innovation, the environment, public health or safety, or the ability of enterprises whose principal places of business are in the United States to compete in domestic or export markets.

For purposes of subparagraph (A) of this paragraph, the term 'rule' does not mean—

"(I) a rule that involves the internal revenue laws of the United States;

"(II) a rule that authorizes the introduction into commerce or recognizes the marketable status of a product, pursuant to sections 408, 409(c), and 706 of the Federal Food, Drug, and Cosmetic Act; or

"(III) a rule exempt from notice and public procedure pursuant to section 553(a) of this ttile.

"(5) The term 'benefit' means the reasonably identifiable significant benefits and beneficial effects, including social and economic benefits and effects, that are expected to result directly or indirectly from implementation of a rule or an alternative to a rule.

"(6) The term 'cost' means the reasonably identifiable significant costs and adverse effects, including social and economic costs and effects, that are expected to result directly or indirectly from implementation of a rule or an alternative to a rule.

"§ 622. Regulatory analysis

"(a) Prior to publishing notice of proposed rule making for any rule, each agency shall determine whether the rule is or is not a major rule within the meaning of section 621(4)(A) of this title and, if it is not, whether it should be designated a major rule under section 621(4)(B) of this title. For the purpose of any such determination or designation, a group of closely related rules shall be considered as one rule. Every notice of proposed rule making shall include a succinct statement and explanation of the agency's determination of whether or not the rule is a major rule within the meaning of section 621(4)(A) of this title and, if applicable, of its designation as a major rule under section 621(4)(B) of this title.

"(b) The President or the officer selected by the President under section 624 of this title may determine that a rule is a major rule within the meaning of section 621(4)(A) of this title or may designate a rule as a major rule under section 621(4)(B) of this title not later than thirty days after the publication of the notice of proposed rule making for that rule. Such determination or designation shall be published in the Federal Register, togther with a succinct statement of the basis for the determination or designation. The President or the officer selected by the President under section 624 of this title may designate not more than 75 rules as major rules under section 621(4)(B) of this title in any fiscal year.

"(c)(1) When the agency publishes a notice of proposed rule making for a major rule, the agency shall issue and place in the rule making file maintained under section 553(f) of this title a preliminary regulatory analysis and shall include in such notice of proposed rule making a summary of the analysis. When the President or the officer selected by the President under section 624 of this title has published a determination or designation that a rule is a major rule after the publication of the notice of proposed rule making for that rule, the agency shall promptly issue and place in the rule making file maintained under section 553(f) of this title a preliminary regulatory analysis for the rule and shall publish in the Federal Register a summary of such analysis. Following the issuance of a preliminary regulatory analysis under the preceding sentence, the agency shall give interested persons an opportunity to comment thereon pursuant to section 553 of this title in the same manner as if the preliminary regulatory analysis had been issued with the notice of proposed rule making.

"(2) Each preliminary regulatory analysis shall contain—

"(A) a succinct description of the benefits of the proposed rule, including any beneficial effects that cannot be quantified, and an explanation of how the agency anticipates each benefit will be achieved by the proposed rule, including a description of the persons, classes of persons, or particular levels of Government likely to receive such benefits;

"(B) a succinct description of the costs of the proposed rule, including any costs that cannot be quantified, and an explanation of how the agency anticipates each such cost will result from the proposed rule, including a description of the persons, classes of persons, or particular levels of Government likely to incur such costs;

"(C) a succinct description of reasonable alternatives for achieving the identified benefits of the proposed rule, including alternatives that—

"(i) require no Government action;

"(ii) will accommodate differences between geographic regions; and

"(iii) employ performance or other standards which permit the greatest flexibility in achieving the identified benefits of the proposed rule;

"(D) in any case in which the proposed rule is based on scientific evaluations or information, a description of action undertaken by the agency to verify the quality, reliability, and relevance of such scientific evaluations or scientific information; and

"(E) where it is not expressly or by necessary implication inconsistent with the provisions of the enabling statute pursuant to which the agency is proposing the rule, an explanation of how the identified benefits of the proposed rule are likely to justify the identified costs of the proposed rule, and an explanation of how the proposed rule is likely to substantially achieve the rule making objectives in a more cost-effective manner than the alternatives to the proposed rule.

"(d)(1) When the agency publishes a final major rule, the agency shall also issue and place in the rule making file maintained

under section 553(f) of this title a final regulatory analysis, and shall include a summary of the analysis in the statement of basis and purpose required by section 553(c)(6) of this title. Notwithstanding the preceding sentence, in any case in which an agency, under section 553(b)(2) of this title, is not required to comply with subsections (b) through (f) of section 553 of this title prior to the adoption of a final rule, an agency is not required to comply with the preceding sentence prior to the adoption of the final rule but shall comply with such sentence when complying with section 553(b)(2)(C) of this title.

"(2) Each final regulatory analysis shall contain—

"(A) a description and comparison of the benefits and costs of the rule and of the reasonable alternatives to the rule described in the rule making; and

"(B) where it is not expressly or by necessary implication inconsistent with the provisions of the enabling statute pursuant to which the agency is acting, a reasonable determination, based upon the rule making file considered as a whole, that the benefits of the rule justify the costs of the rule, and that the rule will substantially achieve the rule making objectives in a more cost-effective manner than the alternatives described in the rule making.

"(e)(1) An agency shall describe the nature and extent of the nonquantifiable benefits and costs of a proposed and a final rule pursuant to this section in as precise and succinct a manner as possible. The description of the benefits and costs of a proposed and a final rule required under this section shall include a quantification or numerical estimate of the quantifiable benefits and costs. Such quantification or numerical estimate shall be made in the most appropriate unit of measurement and shall specify the ranges of predictions and explain the margins of error involved in the quantification methods and in the estimates used.

"(2) In evaluating and comparing costs and benefits, the agency shall not rely on cost or benefit information submitted by any person that is not accompanied by data, analysis, or other supporting materials that would enable the agency and other persons interested in the rule making to assess the accuracy and reliability of such information. The agency evaluations of the relationships of the benefits of a proposed and final rule to its costs required by this section shall be clearly articulated in accordance with the provisions of this section. An agency is not required to make such evaluation primarily on a mathematical or numerical basis.

"(f) The preparation of the preliminary or final regulatory analysis required by this section shall only be performed by an officer or employee of the agency. The provisions of the preceding sentence do not preclude a person outside the agency from gathering data or information to be used by the agency in preparing any such regulatory analysis or from providing an explanation sufficient to permit the agency to analyze such data or information. If any such data or information is gathered or explained by a person outside the agency, the agency shall specifically identify in the preliminary or final regulatory analysis the data or information gathered or explained and the person who gathered or explained it, and shall describe the arrangement by which the information was procured by the agency, including the total amount of funds expended for such procurement.

"§ 623. Judicial review

"(a) Compliance or noncompliance by an agency with the provisions of this subchapter shall not be subject to judicial review except according to the provisions of this section.

"(b) Any determination by the President or by the officer selected under section 624 of this title that a rule is a major rule within the meaning of section 621(4)(A) of this title, and any designation by the President or the officer selected under section 624 of this title that a rule is a major rule under section 621(4)(B) of this title shall not be subject to judicial review in any manner.

"(c) The determination of an agency of whether a rule is or is not a major rule within the meaning of section 621(4)(A) of this title shall be set aside by a reviewing court only upon a clear and convincing showing that the determination is erroneous in light of the information available to the agency at the time it made the determination. Any designation by an agency that a rule is a major rule under section 621(4)(B) of this title shall not be subject to judicial review in any manner.

"(d) Any regulatory analysis prepared under section 622 of this title shall not be subject to judicial consideration separate or apart from review of the rule to which it relates. When an action for judicial review of a rule is instituted, any regulatory analysis for such rule shall constitute part of the whole rule making record of agency action for the purpose of judicial review of the rule and shall, to the extent relevant, be considered by a court in determining the legality of the rule.

"§ 624. Executive oversight

"(a) The President shall have the authority to establish procedures for agency compliance with this subchapter and subchapter III of this chapter. Such procedures shall be adopted after the public has been afforded an opportunity to comment thereon, and shall be consistent with the prompt completion of rule making proceedings. The President shall have the authority to monitor, review, and ensure agency implementation of such procedures. The President shall report annually to the Congress on agency compliance or noncompliance with the requirements of this chapter.

"(b) The President may delegate the authority granted by subsection (a) of this section, in whole or in part, to the Vice President or to an officer within the Executive Office of the President whose appointment has been subject to the advice and consent of the Senate. Notice of any such delegation, or any revocation or modification thereof, shall be published in the Federal Register.

"(c) The exercise by the President or by an officer to whom authority granted under subsection (a) of this section has been delegated pursuant to subsection (b) of this section, or any failure to exercise such authority, shall not be subject to judicial review in any manner under this Act.

"Subchapter III—Regulatory Priorities and Review

"§ 631. Review of agency rules

"(a)(1)(A) Not later than nine months after the effective date of this section, each agency shall prepare and publish in the Federal Register a proposed schedule for the review, in accordance with this section, of—

"(i) each rule of the agency which is in effect on such effective date and which, if adopted on such effective date, would be a major rule under section 621(4)(A) of this title, and

"(ii) each rule of the agency in effect on such effective date (in addition to the rules described in clause (i)) which the agency has selected for review.

"(B) Each proposed schedule required by subparagraph (A) shall include—

"(i) a brief explanation of the reasons the agency considers each rule on the schedule to be such a major rule under section 621(a)(4)(A) of this title or of the reasons why the agency selected the rule for review;

"(ii) a date set by the agency, in accordance with the provisions of subsection (b)(1) of this section, for the completion of the review of each such rule; and

"(iii) a statement that the agency requests comments from the public on the proposed rule.

"(C) The agency shall set a date to initiate review of each rule on the schedule in a manner which will ensure the simultaneous review of related items and which will achieve a reasonable distribution of reviews over the period of time covered by the schedule.

"(2) At least ninety days before publishing in the Federal Register the proposed schedule required under paragraph (1), each agency shall make the proposed schedule available to the President or an officer in the Executive Office of the President designated by the President whose appointment has been subject to the advice and consent of the Senate. The President or that officer may select for review in accordance with this section any additional rule that the President or such officer determines to be a major rule under section 621(4)(A) of this title.

"(3) Not later than one year after the effective date of this section, each agency shall publish in the Federal Register a final schedule for the review of the rules referred to in paragraphs (1) and (2) of this subsection. Each agency shall publish with the final schedule the response of the agency to comments received concerning the proposed schedule.

"(b)(1) Except where explicitly provided otherwise by statute, the agency shall, pursuant to subsections (c) through (e) of this section, review:

"(A) each rule on the schedule promulgated pursuant to subsection (a) of this section;

"(B) each major rule under section 621(4) of this title promulgated, amended, or otherwise renewed by an agency after the date of the enactment of this section; and

"(C) each rule promulgated after the date of enactment of this section which the President or the officer designated by the President pursuant to subsection (a)(2) of this section determines to be a major rule under section 621(4)(A) of this title.

Except where an extension has been granted pursuant to subsection (f) of this section, the review of a rule required by this section shall be completed within ten years after the effective date on which the rule is adopted, amended, or renewed, whichever is later.

"(2) If, at the time an agency intends to review a rule required to be reviewed under subparagraph (B) or (C) of paragraph (1), an agency determines that such rule would not be a major rule under section 621(4) of this title if such rule were adopted at that time, the agency need not review such rule pursuant to this section. When the agency makes such a determination, it shall publish a notice and explanation of the determination in the Federal Register.

"(c) An agency shall publish in the Federal Register a notice of its proposed action under this section with respect to a rule being reviewed. The notice shall include—

"(1) an identification of the specific statutory authority under which the rule was promulgated and a statement specifying the agency's determination of whether the rule continues to fulfill the intent of Congress in enacting that authority;

"(2) an assessment of the benefits and costs of the rule during the period in which it has been in effect;

"(3) an explanation of the proposed agency action with respect to the rule; and

"(4) a statement that the agency seeks proposals from the public for modifications or alternatives to the rule which may accomplish the objectives of the rule in a more effective or less burdensome manner.

"(d) If an agency proposes to repeal or amend a rule under review pursuant to this section, the agency shall, after issuing the notice required by subsection (c) of this section, comply with the provisions of this chapter and chapter 5 of this title or other

applicable law. The requirements of such provisions and related requirements of law shall apply to the same extent and in the same manner as in the case of a proposed agency action to repeal or amend a rule which is not taken pursuant to the review required by this section.

"(e) If an agency proposes to renew without amendment a rule under review pursuant to this section, the agency shall—

"(1) give interested persons not less than sixty days after the publication of the notice required by subsection (c) of this section to comment on the proposed renewal; and

"(2) publish in the Federal Register notice of the renewal of such rule and an explanation of the continued need for the rule, and, if the renewed rule is a major rule under section 621(4) of this title, include with such notice an explanation of the reasonable determination of the agency that the rule complies with the provisions of section 622(d)(2)(B) of this title.

"(f)(1) Any agency, which for good cause finds compliance with this section with respect to a particular rule to be impracticable during the period provided in subsection (b) of this section, may request the President, or the officer designated by the President pursuant to subsection (a)(2) of this section, to establish a period longer than ten years for the completion of the review of such rule. The President or that officer may extend the period for review of a rule to a total period of not more than fifteen years. Such extension shall be published in the Federal Register with an explanation of the reasons therefor.

"(2) An agency may, with the concurrence of the President or the officer designated by the President pursuant to subsection (a)(2) of this section, or shall, at the direction of the President or that officer, amend any schedule required by this section for the review of rules if such amendment is published in the Federal Register.

"(g) In any case in which an agency has not completed the review of a rule within the period prescribed by subsection (b) or (f) of this section, the agency shall immediately publish in the Federal Register a notice proposing to amend, repeal, or renew the rule under subsection (c) of this section, and shall complete proceedings pursuant to subsection (d) or (e) of this section within one hundred and eighty days of the date on which the review was required to be completed under subsection (b) or (f) of this section.

"(h)(1) Agency compliance or noncompliance with the provisions of subsection (a) of this section shall not be subject to judicial review in any manner.

"(2) Agency compliance or noncompliance with the provisions of subsections (b), (c), (e), (f), and (g) of this section shall be subject to judicial review only pursuant to section 706(a)(1) of this title.

"(i) Nothing in this section shall relieve any agency from its obligation to respond to a petition to issue, amend, or repeal a rule, for an interpretation regarding the meaning of a rule, for a variance or exemption from the terms of a rule, submitted pursuant to section 553(e) of this title.

"§ 632. Regulatory agenda and calendar

"(a) Each agency shall publish in the Federal Register in April and October of each year an agenda of the rules that the agency expects to propose, promulgate, renew, or repeal in the succeeding twelve months. For each such rule, the agenda shall contain, at a minimum, and in addition to any other information required by law—

"(1) a general description of the rule, including a citation to the authority under which the action with respect to the rule is to be taken, or a specific explanation of the congressional intent to which the objectives of the rule respond;

"(2) a statement of whether or not the rule is or is expected to be a major rule;

"(3) an approximate schedule of the significant dates on which the agency will take action relating to the rule, including the dates for any notice of proposed rule making, hearing, and final action on the rule;

"(4) the name, address, and telephone number of an agency official responsible for answering questions from the public concerning the rule;

"(5) a statement specifying whether each rule listed on the previous agenda has been published as a proposed rule, has been published as a final rule, has become effective, has been repealed, or is pending in some other status; and

"(6) a cumulative summary of the status of the rules listed on the previous agenda in accordance with clause (5) of this subsection.

"(b) The President or an officer in the Executive Office of the President whose appointment has been subject to the advice and consent of the Senate shall publish in the Federal Register in May and November of each year a Calendar of Federal Regulations listing each of the major rules identified in the regulatory agendas published by agencies in the preceding month. Each rule listed in the calendar shall be accompanied by a summary of the information relating to the rule that appeared in the most recent regulatory agenda in which the rule was identified.

"(c) An agency may propose or promulgate a major rule that was not listed in the regulatory agenda required by subsection (a) of this section only if the agency publishes with the rule an explanation of the omission of the rule from such agenda and otherwise complies with this section with respect to that rule.

"(d) Any compliance or noncompliance by the agency with the provisions of this section shall not be subject to judicial review.

"§ 633. Establishment of deadlines

"(a)(1) Whenever any agency publishes a notice of proposed rule making pursuant to section 553 of this title, the agency shall include in such notice an announcement of the date by which it intends to complete final agency action on the rule.

"(2) If any agency announcement under this section indicates that the proceeding relating to such rule will require more than one year to complete, the agency shall also indicate in the announcement the date by which the agency intends to complete each major portion of that proceeding. In carrying out the requirements of this subsection, the agency shall select dates for completing agency action which will assure the most expeditious consideration of the rule which is possible, consistent with the interests of fairness and other agency priorities.

"(3) The requirements of this subsection shall not apply to any rule on which the agency intends to complete action within one hundred and twenty days after providing notice of the proposed action.

"(b) If an agency fails to complete action in a proceeding, or a major portion of the proceeding, by the date announced pursuant to subsection (a) of this section, or, in the case of a proceeding described in paragraph (3) of such subsection, if an agency fails to complete action within one hundred and twenty days after providing notice of such proposed action, and the expected delay in completing action will exceed thirty days, the agency shall promptly announce the new date by which the agency intends to complete action in such proceeding and new dates by which the agency intends to complete action on each major portion of the proceeding.

"(c) Compliance or noncompliance by an agency with the provisions of this section shall not be subject to judicial review except in accordance with subsection (d).

"(d) In determining whether to compel agency action unreasonably delayed pursuant to section 706(a)(1) of this title, the reviewing court shall consider, in addition to any other relevant factors, the extent to which the agency has failed to comply with this section.

"Subchapter IV—Report to the Congress

"§ 641. Annual report

"Not later than January 31 of each year, the President shall report to the Congress on the regulatory activities of the Government. The report shall include—

"(1) a description of the regulatory functions and activities of the Government, and the relationship of such functions and activities to national needs; and

"(2) an estimate, for the national economy and for each of the major sectors of the national economy, of the costs and benefits resulting from—

"(A) all major rules promulgated during the preceding fiscal year;

"(B) all major rules included on the regulatory agenda published under section 632 of this title during April and October of the year preceding the year in which the report is made; and

"(C) all major rules scheduled for review under section 631 of this title to the extent possible.".

(b) Such chapter is further amended—

(1) by inserting after the chapter analysis the following new subchapter heading:

"Subchapter I—Regulatory Flexibility";

and

(2) by striking out "this chapter" each place it appears in subchapter I and inserting in lieu thereof in each such place "this subchapter".

(c) The chapter analysis of such chapter is amended—

(1) by inserting after the chapter heading the following new subchapter heading:

"Subchapter I—Regulatory Flexibility";

and

(2) by adding at the end thereof the following:

"Subchapter II—Analysis of Agency Proposals

"Sec.
"621. Definitions.
"622. Regulatory analysis.
"623. Judicial review.
"624. Executive oversight.

"Subchapter III—Regulatory Priorities and Review

"631. Review of agency rules.
"632. Regulatory agenda and calendar.
"633. Establishment of deadlines.

"Subchapter IV—Report to the Congress

"641. Annual report.".

JUDICIAL REVIEW

SEC. 5. Section 706 of title 5, United States Code, is amended to read as follows:

"§ 706. Scope of review

"(a) To the extent necessary to decision and when presented, the reviewing court shall independently decide all relevant questions of law, interpret constitutional and statutory provisions, and determine the meaning or applicability of the terms of an agency action. The reviewing court shall—

"(1) compel agency action unlawfully withheld or unreasonably delayed; and

"(2) hold unlawful and set aside agency action, findings, and conclusions found to be—

"(A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law;

"(B) contrary to constitutional right, power, privilege, or immunity;

"(C) in excess of statutory jurisdiction, authority, or limitations, or short of statutory right;

"(D) without observance of procedure required by law;

"(E) unsupported by substantial evidence in a proceeding subject to sections 556 and 557 of this title or otherwise reviewed on the record of an agency hearing provided by statute;

"(F) without substantial support in the rule making file, viewed as a whole, for the asserted or necessary factual basis, as distinguished from the policy or legal basis, of a rule adopted in a proceeding subject to section 553 of this title; or

"(G) unwarranted by the facts to the extent that the facts are subject to trial de novo by the reviewing court

"(b) In making the foregoing determinations, the court shall review the whole record or those parts of it cited by a party, and due account shall be taken of the rule of prejudicial error.

"(c) In making determinations concerning statutory jurisdiction or authority under subsection (a)(2)(C) of this section, the court shall require that action by the agency is within the scope of the agency jurisdiction or authority on the basis of the language of the statute or, in the event of ambiguity, other evidence of ascertainable legislative intent. In making determinations on other questions of law, the court shall not accord any presumption in favor of or against agency action.".

VENUE

SEC. 6. (a) Section 2112 of title 28, United States Code, is amended—

(1) by striking out the last three sentences of subsection (a);

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(3) by inserting the following new subsection:

"(b)(1) If proceedings have been instituted in two or more courts of appeals with respect to the same agency action and the first such proceeding was instituted more than five days before the second, the record shall be filed in that court in which the proceeding was first instituted. If the first such proceeding was not instituted more than five days before the institution of a later proceeding with respect to the same agency action, and the agency, board, commission, or officer concerned has received written notice from the parties instituting each of these proceedings, the agency, board, commission, or officer concerned shall promptly advise in writing the Administrative Office of the United States Courts, with respect to the first proceeding and all proceedings initiated within five days of the first proceeding, that such multiple proceedings have been instituted and shall identify each court for which it has notice that such proceedings are pending. Pursuant to a system of random selection devised for this purpose, the Administrative Office thereupon shall select the court in which the record shall be filed from among those identified by the agency. Upon notification of such selection, the agency, board, commission, or officer concerned shall promptly file the record in such court. For the purpose of review of agency action which has previously been remanded to the agency, board, commission, or officer concerned, the record shall be filed in the court of appeals which remanded such order.

"(2) Where proceedings have been instituted in two or more courts of appeals with respect to the same agency action and the record has been filed in one of such courts pursuant to paragraph (1), the other courts in which such proceedings are pending shall promptly transfer such proceedings to the court of appeals in which the record has been filed. Pending selection of a court pursuant to subsection (1), any court in which a proceeding has been instituted may postpone the effective date of the agency action until fifteen days after the Administrative Office has selected the court in which the record shall be filed. Such postponement by the court may thereafter be modified, revoked, or extended by the court in which the record is to be filed.

"(3) Any court in which a proceeding with respect to any agency action is pending, including any court selected pursuant to paragraph (1), may transfer such proceeding to any other court of appeals for the convenience of the parties or otherwise in the interest of justice.".

(b) Section 604(a) of title 28, United States Code is amended—

(1) by redesignating paragraphs (17) and (18) as paragraphs (18) and (19), respectively, and

(2) by inserting after paragraph (16) the following new paragraph:

"(17) Pursuant to section 2112 of this title, where proceedings with respect to action of any agency, board, commission, or officer have been instituted in two or more courts of appeals, administer a system of random selection to determine the appropriate court in which the record is to be filed.".

ADVISORY COMMITTEE

SEC. 7. Clause (iii) of section 3(2)(C) of the Federal Advisory Committee Act is amended to read as follows: "(iii) any committee which is composed wholly of full-time officers or employees of the Federal Government, or officials of State or local governments acting in their official capacities".

PRESIDENTIAL AUTHORITY

SEC. 8. Nothing in this Act (1) limits the exercise by the President of the authority and responsibility that he otherwise possesses under the Constitution and other laws of the United States with respect to regulatory policies, procedures, and programs of departments, agencies, and offices, or (2) alters in any manner rulemaking authority vested by law in an agency to initiate or complete a rulemaking proceeding, or to issue, modify, or rescind a rule.

CONFORMING AMENDMENTS

SEC. 9. (a) Section 33(c) of the Federal Energy Administration Act of 1974 (15 U.S.C. 789(c)) is amended by striking out "(without regard to subsection (a)(2) thereof)" and inserting in lieu thereof "(without regard to clauses (2) and (4) of subsection (a) of such section)".

(b)(1) Section 3(e)(1) of the Federal Hazardous Substances Labeling Act (15 U.S.C. 1262(e)(1)) is amended by striking out "(other than clause (B) of the last sentence of subsection (b) of such section)" and inserting in lieu thereof "(other than paragraphs (2)(A) and (3) of subsection (b) of such section)".

(2) Section 3(a)(3)(C) of such Act (15 U.S.C. 1262(e)(3)(C) is amended by inserting "(a)" after "section 706".

(c)(1) Section 5(3) of the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1474(a)) is amended by striking out "(other than paragraph (3)(B) of the last sentence of subsection (b) of such section)" and inserting in lieu thereof "(other than paragraphs (2)(A) and (3) of subsection (b) of such section)".

(2) Section 5(b)(3) of such Act (15 U.S.C. 1474(b)(3)) is amended by inserting "(a)" after "section 706".

(d) Section 19(c)(1)(B)(iii)(II) of the Toxic Substances Control Act (15 U.S.C. 2618(c)(1)(B)(iii)(III)) is amended by striking out "section 553(c)" and inserting in lieu thereof "section 553(c)(6)".

(e) Section 4218(b) of title 18, United States Code, is amended—

(1) by striking out "section 553(b)(3)(A)" and inserting in lieu thereof "section 553(a)(3)"; and

(2) by striking out "statements" and inserting in lieu thereof "statement".

(f) Section 409 of the General Education Provisions Act (20 U.S.C. 1221e-4) is amended by striking out "exception provided under section 553(b)" and inserting in lieu thereof "exceptions provided under subsection (a)(3) and paragraphs (2)(A) and (3) of subsection (b) of section 553"

(g)(1) Section 508 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 358) is amended—

(A) by striking out "section 4 of the Administrative Procedure Act (5 U.S.C. 1003)" in subsection (c) and inserting in lieu thereof "section 553"; and

(B) by striking out "section 4 of the Administrative Procedure Act (5 U.S.C. 1003)" in subsection (e) and inserting in lieu thereof "section 553".

(2) Section 514(e)(4) of such Act (21 U.S.C. 360d(e)(4)) is amended by striking out "subsection (b)(A)" and inserting in lieu thereof "subsection (a)(3)".

(h) Section 426(a) of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. 936(a)) is amended by striking out "subsection (a) thereof" and inserting in lieu thereof "subsection (a) (1), (2), and (4) of such section".

(i) Section 5(a) of the Deepwater Port Act of 1974 (33 U.S.C. 1504(a)) is amended by striking out "without regard to subsection (a) thereof" and inserting in lieu thereof "without regard to clauses (1), (2), and (4) of subsection (a) of such section".

(j) Section 10(a) of the Act of June 30, 1936 (49 Stat. 2036, as amended; 41 U.S.C. 43a(a)) is amended by striking out "section 4 of the Administrative Procedure Act, such Act" and inserting in lieu thereof "section 553 of title 5, United States Code, the provisions of chapters 5, 6, and 7 of such title".

(k) Section 2(a)(2) of the Act of June 25, 1936 (52 Stat. 1196; 41 U.S.C. 47(a)(2)) is amended by striking out "subsections (b), (c), (d), and (e) of section 553 of title 5, United States Code," and inserting in lieu thereof "section 553 of title 5, United States Code (without regard to clauses (1), (2), and (4) of subsection (a) of such section)".

(l) Section 170A(c) of the Atomic Energy Act of 1954 (42 U.S.C. 2210a(c)) is amended by striking out "(without regard to subsection (a)(2) thereof)" and inserting in lieu thereof "(without regard to clauses (2) and (4) of subsection (a) of such section)".

(m) Section 6(c)(2) of the Noise Control Act of 1972 (42 U.S.C. 4905(c)(2)) is amended by striking out "the first sentence of".

(n) Section 501(b)(3) of the Department of Energy Organization Act (42 U.S.C. 7191(b)(3)) is amended by striking out "subsection (a)(2) of such section with respect to public property, loans, grants, or contracts" and inserting in lieu thereof "subsection (a)(4) of such section".

(o) Section 307(d) of the Clean Air Act (42 U.S.C. 7607(d)) is amended by striking out "subparagraphs (A) or (B) of subsection 553(b)" in paragraph (1)(N) and inserting in lieu thereof "subsection (a)(3) and paragraphs (2)(A) and (3) of subsection (b) of section 553".

(p) Section 102(a) of the Ocean Thermal Energy Conversion Act of 1980 (42 U.S.C. 9112(a)) is amended by striking out "without regard to subsection (a) thereof" and inserting in lieu thereof "without regard to clauses (1), (2), and (4) of subsection (a) of such section".

(q) Section 310 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1740) is amended by striking out "section 553(a)(2)" and inserting in lieu thereof "clauses (2) and (4) of section 553(a)".

EFFECTIVE DATE

SEC. 10. (a) Sections 2, 3, 5, and 9 of this Act, and the provision of section 4 of this Act adding a new subchapter II of chapter 6

of title 5, United States Code, shall take effect on January 1, 1983, and shall not apply to any proceeding for which a notice of proposed rulemaking was issued before such effective date or to any other agency action initiated before such effective date.

(b) The provisions of section 4 of this Act adding a new subchapter III to chapter 6 of title 5, United States Code, shall take effect six months after the date of enactment of this Act and shall apply according to the provisions thereof.

(c) Section 6 of this Act shall take effect three months after the date of enactment of this Act and shall apply, according to the provisions thereof, to review proceedings instituted after such date.

(d) The provision of section 4 of this Act adding a new subchapter IV of chapter 6, United States Code, and sections 7 and 8 of this Act shall take effect immediately upon enactment.

SUMMARY OF THE REGULATORY REFORM ACT

(Consensus substitute amendment)

INTRODUCTION

The "Regulatory Reform Act," S. 1080, contains a series of amendments to certain provisions of the Administrative Procedure Act. This legislation is not intended to be a comprehensive "regulatory reform" bill, but is focused on the procedures for rule making and for judicial review of agency actions. It is expected that legislation addressing such areas as agency adjudication, agency subpoena power, and the role of administrative law judges will be developed for future consideration.

THE CONSENSUS SUBSTITUTE

S. 1080 was introduced on April 30 of this year and referred to the Committees on the Judiciary and Governmental Affairs. Both Committees held hearings and made significant improvements in the bill as introduced. Both Committees favorably reported the bill, and, though there were some significant differences in the bill as reported by each Committee, the vast majority of those differences were either technical in nature or merely different approaches to reach the same goals. The Committees have devoted the last months to working on a consensus substitute for the versions reported by the Committees which resolves most of these differences, leaving only the most significant issues open for further resolution.

The consensus version of S. 1080 summarized here will be offered as a substitute amendment by Senators Laxalt, Leahy, Roth, and Eagleton and will become the vehicle for further floor action. Some provisions which have not been agreed upon are contained in this substitute for purposes of presenting the involved issue for floor debate. Those unresolved provisions will be noted in this summary. Other matters considered by one or both of the Committees which are not contained in the consensus substitute may be proposed as floor amendments. These matters are not summarized here.

OVERVIEW

In brief, the major changes to the A.P.A. proposed in this bill—

Require agencies to evaluate on a nonmathematical basis the trade-offs of "major rules" and to determine that such rules are worth their costs and are cost-effective;

Allow oral presentations in major rule making, including cross-examination where needed to resolve central factual issues;

Require agencies to review major rules every ten years to determine if they should be revised or withdrawn;

[Require agency factual determinations in rule making to be based on substantial support in the record,] require that agency actions be within the agency's statutory jurisdiction, and [prohibits the courts from presuming that agency interpretations of law are valid;] (Bracketed provisions are contained in this substitute, but were deleted by the Governmental Affairs Committee.)

Authorizes the President, or his designee, to establish, and ensure implementation of, procedures for the agency evaluation of the trade-offs of major rules; (Provisions insulating "independent" agencies from this Presidential oversight added by the Governmental Affairs Committee are not contained in this substitute.)

Address the "race-to-the-courthouse" problem in review of agency action by assigning a case randomly where review proceedings have been instituted in different courts within five days of each other; and

Require agencies to publish a semi-annual agenda and calendar of regulatory actions.

SUMMARY

Rule making provisions

Sections 2 and 3 of the bill amend the definitions and the "informal rule making" provisions of the A.P.A. (5 U.S.C. §§ 551, 553). The major amendments are:

In the notice of proposed rule making an agency must include:

A statement of the objectives of the rule,

A description of the legal authority for the rule and the substantive material on which the rule is based, and

A solicitation of proposals for alternatives to the rule.

Interested persons are given sixty days to submit written comments on the proposed rule.

For a normal rule making, an agency is authorized to use additional procedures to enhance public comment. A list of some alternative procedures is included. An agency choice of such procedures is not subject to judicial review.

For a major rule making, interested persons are given an opportunity to make oral presentations, including cross-examination if other procedures are inadequate to resolve a material issue of fact. Judicial review of the choice of procedure is limited to cases where an objection to the procedure used was made and where the failure to use a particular procedure precluded a "fair consideration and informed resolution of a central issue" of the rule making.

In promulgating the final rule, the "statement of basis and purpose" must include:

An explanation of the objectives of the rule;

A description of significant issues raised, including alternatives considered and the reasons for their rejection; and

An explanation of the agency's factual conclusions.

An agency must give interested persons an opportunity to comment on factual or methodological material developed by or for the agency which becomes available after the normal public comment period if the material is of "central relevance" to the rule making. If such material is submitted by a person outside of the agency, not less than an additional fifteen days for public comment must be provided.

A file of the rule making, which is the record for review, must be maintained. The file includes the notice of proposed rule making, the statement of basis and purpose, all written comments on the rule, and other documents of the rule making.

Regulatory analysis

The first part of section 4 of the bill adds a new subchapter II to chapter 6 of title 5 of the U.S. Code. The major provisions are:

Only "major rules" are subjected to regulatory analysis. A "major rule" is:

A rule that the agency, or the President, determines is likely to have an effect on the economy of $100 million or more in reasonably quantifiable direct and indirect costs; or

A rule designated as major by the agency, or the President, because it will cause a substantial increase in costs or prices for wage earners, consumers, individual industries, etc., or because it will have an adverse effect on competition, employment, public health, etc.

"Benefit" and "cost" are defined to mean significant benefits and costs, including direct and indirect social and economic benefits and costs.

The preliminary regulatory analysis, published with the notice of proposed rulemaking, must include:

A description of the quantifiable and nonquantifiable benefits and costs of the proposed major rule;

A description of alternatives to the rule; and

Where it is not expressly or by necessary implication inconsistent with the provisions of the enabling statute pursuant to which the agency is acting, an explanation of how the agency expects the benefits of the rule to justify its costs and why the rule is more cost-effective than the alternatives.

(Agency evaluations of the effects of a major rule are explicitly not required to be done mathematically.)

The final regulatory analysis, published with the final rule includes:

A description and comparison of the benefits and costs of the rule; and

Where it is not expressly or by necessary implication inconsistent with the provisions of the enabling statute pursuant to which the agency is acting, the agency's determination that the benefits of the rule justify its costs, and that the rule is more cost-effective than the alternatives considered.

The regulatory analysis cannot be contracted outside of the agency. However, the gathering and explanation of raw data to be used in the regulatory analysis can be contracted if the source is identified. (The Governmental Affairs Committee adopted a more limited version of this provision.)

Judicial review of the determination of what is a major rule and of the regulatory analysis is limited:

Regarding the major rule determination, only the agency's determination of whether a rule will have a $100 million impact may be set aside by a court if a "clear and convincing showing" is made that the determination was erroneous. (The Governmental Affairs Committee deleted this provision.)

The regulatory analysis is not subject to separate judicial review, but is a part of the rulemaking record.

No interlocutory review is allowed.

Executive oversight

In order to ensure some oversight of agency performance of regulatory analysis in the face of limited judicial review, section 4 gives the President a limited oversight role in this area:

The President is authorized to establish procedures for agency compliance with the regulatory analysis requirements. He can ensure agency implementation of these procedures.

The President may delegate this authority to the Vice President or to an officer in the Executive Office of the President confirmed by the Senate.

The President's exercise of this authority is not subject to judicial review.

(The Governmental Affairs Committee added amendments limiting Presidential review of the regulatory analyses of "independent" agencies to 120 days, and making any oversight procedures "advisory" with respect to such agencies.)

Regulatory priorities and review

The second part of section 4 of the bill adds a new subchapter III to chapter 6 of title 5 of the U.S. Code, requiring agencies to review major rules every ten years, to publish an agenda and calendar of expected regulatory

actions, and to establish deadlines for the completion of such action.

The major features of the regulatory review provisions are:

One year after the effective date of this section, each agency must publish a schedule for review of existing major rules within a ten-year period.

New major rules must be reviewed within ten years of their effective date. Amended major rules and major rules which have been reviewed must be reviewed ten years after their amendment or review.

The review is initiated by a notice which explains the proposed agency action, assesses the effects of the rule while it was in operation, determines if the rule is still a major rule, and invites suggestions for improvements in the rule.

Pursuant to the review, the agency amends, repeals, or renews the rule.

If the agency plans to amend or repeal the rule, the normal rule making procedures apply (5 U.S.C. § 553).

If the agency plans to renew the rule without change, it must allow sixty days for public comment and publish the renewed rule with a determination that the rule continues to comply with the rule making provisions.

If it is impracticable for the agency to review a rule within ten years, the President or his designee may grant an extension for up to an additional five years.

If an agency fails to review a rule within the prescribed period, it must immediately publish a notice proposing to withdraw or renew the rule and complete rule making proceedings within 180 days.

The major features of the regulatory agenda and calendar provisions are:

Each agency must publish an agenda in April and October of rules that the agency will be acting on during the following twelve months.

In May and November, the President or his designee must publish a calendar of major rules on which agencies will be acting in the following twelve months.

An agency may propose a major rule that was not included in an agenda if it publishes an explanation for the ommission.

The provisions of this section are not subject to judicial review.

The major features of the provisions for agency deadlines are:

For a rule making expected to take longer than four months, an agency must set a date in the notice of proposed rule making by which it expects to complete action on the rule, including, where the rule making will take longer than a year, dates by which each major part of the rule making will be completed.

If an agency fails to complete action by the date set, it must set a new deadline.

No judicial review of agency compliance with these provisions is allowed, except that a reviewing court is directed to consider a failure to meet deadlines in determining whether to compel delayed agency action.

Report to Congress

The last part of section 4 of the bill adds a new requirement for an annual report from the President on the regulatory activities of the government. The report includes a description of the relationship of the various regulatory activities to national needs, and an estimate, for each major sector of the economy, of regulatory benefits and costs.

Judicial review provisions

Section 5 makes three major changes in the A.P.A. provision outlining the scope of judicial review of agency actions (the "Bumpers" proposal). They are:

[Agency factual determinations made during informal rule making must have substantial support in the rule making record.]

A court must require agency action to be within their statutory authority.

[A court is prohibited from presuming that agency interpretations of law are valid. No burden of proof is shifted.]

(Bracketed provisions are contained in this substitute, but were deleted by the Governmental Affairs Committee.)

Venue ("Race-to-the-courthouse") provisions

Section 6 of the bill amends the venue provisions of the U.S. Code to deal with the so-called "race-to-the-courthouse" problem. Title 28 U.S.C. § 2112 provides that when proceedings to review an agency order have been filed in two or more courts of appeals, the agency must file the record for review in the court where such proceedings were first filed. Though the filing of the record is not legally determinative of where venue lies, as a practical matter proceedings are rarely transferred from the court where the record has been filed.

Thus, parties often "race" to file a review proceeding in what they consider to be a favorable court. This bill essentially adopts a proposal of the Administrative Conference of the U.S. to randomly select a court when review proceedings have been instituted in two or more courts of appeals within five days of each other.

Federal Advisory Committee Act amendment

Section 7 of the bill amends the Federal Advisory Committee Act to ensure that officials of State and local governments will be able to advise agency officials about the impact of proposed federal rules on those levels of government.

Presidential authority—"savings clause"

Section 8 of the bill sets out what the "Executive Oversight" provisions of this bill do not do:

S. 1080's provision for Executive Oversight does not limit either the President's inherent, Constitutional authority or his authority under other laws concerning regulatory policies and activities.

This provision also does not displace whatever person or entity might be the ultimate decisionmaker in a rule making under other provisions of law. As under current law, an agency may be authorized to promulgate rules by an enabling statute, and therefore may be the decisionmaker in a rule making under that statute; but it must do so in compliance with the provisions of the A.P.A.

Conforming amendments

Section 9 of the bill contains conforming amendments which change cross references to the A.P.A. in other statutes where S. 1080 has changed the numbering or lettering of A.P.A. provisions.●

AUTHORITY FOR COMMITTEES TO MEET

SELECT COMMITTEE ON INTELLIGENCE

Mr. BAKER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session on Monday, November 30, at 2 p.m. to hold a closed business meeting on pending calendar business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Monday, November 30, at 2 p.m., to hold a hearing on S. 1758, the Betamax bill.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I ask unanimous consent that the Subcommittee on Productivity and Competition of the Committee on Small Business be authorized to meet during the session on Tuesday, December 1, at 9:30 a.m., to hold a hearing on Federal antitrust policy implication over small business.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SUBCOMMITTEE ON ENERGY AND MINERAL RESOURCES

Mr. STEVENS. Mr. President, I ask unanimous consent that the Subcommittee on Energy and Mineral Resources of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, December 1, at 9:30 a.m., to hold an oversight hearing on coal exports.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. STEVENS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Tuesday, December 1, at 2 p.m., to hold a closed business meeting on pending calendar business.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, December 1, at 2 p.m., to hold a hearing on four treaties dealing with the South Pacific Islands.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

PROBLEMS IN GOVERNMENT BILL PAYING

● Mr. DANFORTH. Mr. President, a few weeks back I reported on the continued problems Government contractors are experiencing in securing timely payment from the Government. Senator WEICKER and I have authored legislation to address the problem, S. 1131, and 59 of our colleagues have joined in cosponsoring that effort. I am pleased to report that the subcommittee has completed its consideration of the bill and that markup before the full committee is expected soon.

The purpose of my remarks was to call attention to a GAO report which assessed the current state of bills payment performance. The GAO noted that bills were being paid late—and early—at shocking rates, at great cost to both contractors and the Government. As an example, I cited a case that had been brought to my attention involving the Department of Commerce. There, one small contractor had gone unpaid for months on several contracts while other invoices were inadvertently paid two and even three tmies.

I wrote Commerce Secretary Malcolm Baldrige concerning this case, and I am pleased to report his reply, recently received. Secretary Baldrige reports that administative changes are now underway to consolidate some 28 separate payment systems. The new system

is expected to be in place by April 1982. Administrative savings alone are expected to reach $1.5 million—but improved services to vendors and improved fiscal management can be expected to result in even greater savings.

Mr. President, I am always happy to put good news in the RECORD. I ask that Secretary Baldrige's letter be printed in the RECORD.

The letter follows:

THE SECRETARY OF COMMERCE,
Washington, D.C., November 18, 1981.

Hon. JOHN C. DANFORTH,
Committee on Governmental Affairs, Washington, D.C.

DEAR JOHN: Thank you for your letter on the bill payment practices of the Department of Commerce (DOC). I am pleased to provide details on our efforts to improve performance in this area.

We are participating with the Office of Management and Budget in a study of Government bill paying practices. We will furnish you a copy of our findings in January 1982.

Administrative payments in the DOC are processed by 28 separate and geographically dispersed offices. In fiscal year 1981, those offices processed 430,000 payments. There is a great deal of overlap, duplication and redundancy and very little standardization and coordination. The systems were established ten to fifteen years ago and are still labor-intensive despite the proven advances in automatic data processing technology.

In July 1981, the Assistant Secretary of Administration completed a plan to consolidate administrative payment systems. Administrative payments processing will begin at the Department level in April 1982. In addition to an estimated annual savings of $1,500,000, we plan to improve services to vendors. Consolidation of the administrative payments function is one of the actions the DOC is taking to improve financial management.

Sincerely,

MAC,
Secretary of Commerce.●

GOOD NEWS: THE ENERGY CRISIS IS OVER

● Mr. ARMSTRONG. Mr. President, a few days ago, the Rocky Mountain News published an excellent article which pointed out how price controls have distorted the market for oil, encouraging wasteful consumption, and discouraging conservation and new oil production.

In the article, William Tucker discusses the benefits which have resulted from President Reagan's decision to end oil price controls. I commend his excellent article to my colleagues. I ask that it be printed in the RECORD.

The article follows:

[From the (Denver, Colo.) Rocky Mountain News, Nov. 1, 1981]

GOOD NEWS: ENERGY CRISIS OVER

(By William Tucker)

On Jan. 28, 1981, President Ronald Reagan announced that he was bringing an immediate end to the price controls that had governed American oil for almost 10 years, speeding up a process already set in motion by Jimmy Carter. With that simple act, the energy crisis of the 1970s ended.

You would have hardly known it from reading the newspapers. The consumer groups put up their usual howl, complaining that the decision would only mean higher prices. There was not the slightest suggestion of what the long-term effects of the decision might be. Nor has there been since, except for some scattered editorials.

For a few weeks after Reagan's action, oil prices did rise, just as consumer groups had predicted. Within a month, gas prices at the pump had climbed about eight cents a gallon. Heating oil also went up a bit. Domestic oil prices, freed from constraints that had kept them at less half the world price of $36 a barrel, quickly jumped to around $30 a barrel. It looked as if consumers might be in for a rough time.

But then strange things started to happen.

As late as December 1980, the Department of Energy had been predicting that world oil supplies would remain tight indefinitely and that their prices might soon be moving up through the range of $45–50 per barrel. By March, however, the major oil companies suddenly found themselves with growing inventories on their hands. By May, refineries had a 20 percent oversupply of oil products and were starting to worry about storage problems. They did the only sensible thing. They started to cut prices.

At the end of May, heating oil prices were down by four to five cents throughout the country. Gas prices at the pump fell below their January levels. The national average of gasoline prices nationwide fell to its lowest level in two years. Sporadic price wars broke out in various areas. By midsummer, competition among service stations in Cincinnati, for example, had lowered the price of gasoline 75 cents per gallon in some places.

These events started to have repercussions on the world market. By early summer, every major OPEC nation found itself with growing stockpiles. Libya, always the most militant of OPEC members, lost 60 percent of its customers between April and August because it refused to lower its prices.

What happened in Mexico was tragicomic. In June the nation found itself unable to sell its oil at the premium price of $40 a barrel, so the minister for oil, Lopez el Gomez, lowered the price by four dollars. The Mexican public was outraged and demanded that the old price be restored. Lopez el Gomez, till then considered the favorite to succeed Lopez Portillo to the presidency next year, was forced to resign from office, his political career ruined.

The oil still could not be sold at $40 a barrel, and subsequent oil ministers have now lowered the price by $3.90—holding back the last 10 cents apparently in an effort to avoid Lopez el Gomez's fate.

OPEC's attempts at an emergency August meeting to reach agreement on a price and regain control of the market were a failure. Two days after the meeting fell apart, Nigeria voluntarily lowered its oil price from $40 to $36 per barrel, the largest price reduction an OPEC nation has ever imposed on itself. There is no indication that prices have hit bottom yet.

Few people seem to realize the OPEC's monopoly of the market lasted only about three years. From 1973 to 1977 the relatively few oil-producing countries probably could have charged any price they wanted to Western consumers.

Like any monopoly, it quickly attracted new competition into the field. The high price of oil sent geologists scurrying out all over the world looking for new reserves. Britain and Norway developed the fields under the North Sea; the American oil companies were allowed to finish the Alaskan pipeline, dozens of other small countries began to develop their deposits.

In addition, the old patterns of ever-increasing consumption were quickly reversed everywhere.

Everywhere, that is, except the United States. Almost from the day in February 1976 when Congress had instructed that the price of domestic oil be lowered, Americans had rushed back to their old pre-1973–74 oil embargo habits. Over the next 12 months, big-car divisions of the three major auto companies broke sales records in each succeeding month of the year. Small cars were left sitting on the lots, and even huge rebate programs failed to win back the public to conservation.

Gasoline consumption resumed its pre-embargo climb, surpassing 1973's record level in 1977 and breaking it again in 1978. We were headed for even higher consumption in 1979 until events in Iran put a stop to that. Domestic producers, on the other hand, could not begin to hope to make back their money from drilling for new oil. They sat on their hands or put their money into real estate. Once again, there was a shortage of domestic oil.

Yet there was no time between 1976 and 1979 that motorists couldn't get gas. We made up for our self-inflicted domestic shortages by importing more oil, climbing from 33 percent of domestic consumption to almost 50 percent by mid-1979.

Just about everything Congress did to solve the energy crisis in the 1970s was aimed at keeping cheap gas flowing to the consumer. Washington was filled with liberal congressmen singing the joys of conservation and wringing their hands about foreign dependence. Yet not one of them was ever willing to accept the simple formula that would have ended the whole dilemma: paying a market price for our own oil.

It is commonly assumed that the events in Iran and the gas shortages in 1979 finally curbed the nation's appetite for foreign oil. This is not quite correct. Redoubled international oil prices and the resulting rise in the cost of gasoline certainly reminded people of the realities of the world oil situation. But the effect would probably only have been a temporary one if Carter had not become convinced that domestic price controls were a self-defeating policy fit to be abandoned.

Incredibly, even at this late date, congressmen howled and consumer groups moaned. Yet the payoff came almost immediately.

Within one year, U.S. oil imports fell by 25 percent to their 1975 level. Oil drilling increased as never before, and consumers finally began demonstrating unsuspected capabilities for conserving energy. Reagan's January decision completed the process.

Drilling for new oil has increased by 50 percent in the last six months. Domestic oil production is holding steady, and consumers—finally deprived of the "protection" of Congress—seem permanently set on a conservation course.

Is the energy crisis over then? Not quite. Unfortunately, we still have a 40-year-old chaotic state of resources created by government intervention in the natural gas industry.

Price controls were originally imposed in 1939 because of a supposed "monopoly" held by the natural gas pipelines. Actually, there was no monopoly, since gas has to compete with coal, oil, electricity and other fuels. The world of natural gas producers is competitive and occupied almost entirely by small producers. One out of every 100 Americans owns interest in a natural gas well. Nevertheless, the price controls persisted.

The results have been perverse. The natural gas industry became a kind of national utility company. No one was ever encouraged to go out and find more. The only gas we have used is the "waste product" now associated with oil deposits. Yet all indications now are that we have staggering amounts of natural gas, perhaps as much as 200 years' supply at current prices.

Carter finally opted for a phased pricing program ending with complete decontrol in 1985. The results, however, have been chaos because the pricing was soon outdated. Taking inflation into account, natural gas consumers are once again paying 1960s prices

for energy. (Because of the resulting shortages, industry and utilities are rapidly being squeezed out of the market, and consumption of natural gas is now concentrated almost entirely in home heating.)

Congress also freed all gas found below 15,000 feet from price controls, which spurred new exploration. Yet new owners of gas deposits below 15,000 feet oppose decontrol, fearing they will be undersold by all the gas that obviously exists between 5,000 and 15,000 feet. In a final irony, the pipeline owners have become a principal opponent of deregulation. They are paid according to the amount of gas that flows through their lines, and they fear that if prices are decontrolled, people will start conserving gas.

The energy battle then is only half won. We have ended OPEC's dominance of the market within a few short months by swallowing what turned out to be a relatively mild pill and accepting a market price for our own oil. All we have to do now is decontrol our natural gas prices, and we will be home free.●

ATLANTA HOSPITAL HOSPITALITY HOUSE

Mr. NUNN. Mr. President, over the past 2 years many concerned Atlantans have been involved in an innovative project designed to provide lodging and supportive companionship to relatives of patients hospitalized in metropolitan Atlanta.

I believe that Atlanta Hospital Hospitality House fills a significant gap in the health care system in Atlanta. It extends a welcome of caring and concern to individuals and families at a time of personal distress and fear. I also feel that the Atlanta Hospital Hospitality House is an excellent example of a social service that has been initiated and funded by a concerned community in response to a demonstrated need and with no Government money.

Mr. President, I ask that this article, which appeared in the Atlanta Constitution on Monday, September 4, be printed in the RECORD.

The article follows:

HOSPITAL VISITORS GET A SNUG HAVEN

(By Sharon Bailey)

High on a tree-shaded knoll, the once-elegant mansion on Ponce de Leon Avenue seems a world away from the crowded corridors and antiseptic chrome-and-linoleum atmosphere of Atlanta's 40-some hospitals.

Four towering Ionic columns frame the front entrance. A wide veranda overlooks azaleas and dogwood trees. Inside, marble fireplaces and delicate plaster flowers and kissing birds add a graceful note to parlor and dining room.

But the two-story, white-stucco mansion at 1815 Ponce de Leon Ave. is not the private retreat of some wealthy Atlanta entrepreneur, although it was built in 1926 for that purpose.

Instead, newly painted and renovated from the roof to the basement, the house will become a different kind of retreat on Tuesday, when the first guest—a relative of a sick or even dying patient at some area hospital—arrives to take up quarters.

The Atlanta Hospital Hospitality House, a dream in the making for almost four years, will have become reality.

"We're almost doing this on faith," said Tom Clark, showing a visitor through the spacious and once-again cheerful rooms of the mansion Thursday. Clark is president of the board of the non-profit, private organization which will operate the facility.

The project had its beginnings in 1977, when a committee at All Saints Episcopal Church was studying ways to meet community needs, recalls Clark, a member of the church and an associate professor of management at Georgia State University.

Talking with officials at area hospitals, committee members discovered that Atlanta's many medical facilities often draw patients from far-distant places.

And for a patient's relatives, that can mean sleeping and eating in waiting-room chairs, washing clothes in a public restroom, eating meals from vending machines and—perhaps worst of all—spending endless hours waiting, often alone, to find out what will happen to a loved one.

The church contacted others interested in the problem, and in 1979 a non-profit, independent organization was formed to work for the development of a "hospital hospitality house"—a place where out-of-town relatives of hospital patients without a place to stay could find housing and emotional support as well.

In January 1980, the group located the then-vacant mansion on Ponce de Leon, originally constructed as the elegant home of Cator Woolford, founder of the retail-credit firm now known as Equifax.

For 25 years or so, however, the structure had housed other agencies: the Cerebral Palsy Center of Atlanta, then the Howard School. Its owner—the Children's Rehabilitation Center—agreed to lease it for $1 a year.

With time, the mansion had become like an old shoe, run down at the heels. "It was leaking like a sieve, there was a lot of busted plumbing," recalls Clark. More than 50 groups—churches, VFW organizations, foundations, businesses, other civic concerns—joined hands to raise the money to fix it up.

Last Thursday, the results of the $130,000 effort were clearly visible. New yellow paint brightened the parlor. Donated dishes and canned goods filled the refurbished kitchen. The final touches were being put on several sunny bedrooms upstairs.

Clark and Carolyn D. McKinney, executive director of the house, explain that only chaplains and social workers at area hospitals may refer patients' relatives in need of housing to the facility, which normally will have space for 25 persons.

The guests will have to live at least 30 miles away and have no other relatives with whom to stay in Atlanta. Children under 13—generally not permitted in hospitals to visit patients, anyway—will not be allowed.

The housing will be free of charge, and the emotional support of being with others facing similar problems—ill and perhaps dying relatives—is expected to be as important as the room and board, say the officials. A similar facility in Nashville has shown that to be the case.

In the meantime, there is still work to be done. Atlanta Hospital Hospitality House Inc. has raised $25,000 to $30,000 to begin operations, which should last through the end of the year, but fund-raising will be an ongoing effort, Clark emphasized.

The group is looking for an organization willing to sponsor a major fund-raising auction early next year and would welcome fund-raising efforts by civic or church groups.

There are other needs. Two examples: groups willing to provide covered-dish suppers for guests, and a donation of lawn furniture.

It's clearly been a labor of love.

Clark hopes that kind of public interest will continue and grow in months ahead.

DAVIS-BACON ACT

● Mr. EAST. Mr. President, I have strongly supported and will continue to support all legislative initiatives to repeal the Davis-Bacon Act. The General Accounting Office has concluded that the act costs the American taxpayers $1 billion per year. The economic growth of our country hinges on continued congressional perseverance in cutting spending by the Federal Government. The cost to our taxpayers of the Davis-Bacon Act is a luxury we in the Congress can no longer ethically afford.

Mr. President, a recent article in the Reader's Digest, by Irwin Ross, is one of the best explanations available on the compelling need to repeal the Davis-Bacon Act. I ask that the article be printed in the CONGRESSIONAL RECORD.

The article follows:

[From the Reader's Digest, December 1981]

THE OUTDATED LAW THAT'S COSTING TAXPAYER'S BILLIONS

(By Irwin Ross)

Initially, the contractor had figured the cost of a residential high-rise in Gaithersburg, Md., to be $4,694,452. But then the developer asked the Department of Housing and Urban Development to subsidize the project. Result: an extraordinary escalation of labor costs.

With federal money involved, the contractor was required, under provisions of the Davis-Bacon Act—a law passed in 1931—to pay his work force the prevailing wages in the community, as determined by the Department of Labor.

Common laborers at Gaithersburg now had to be paid $10.95 an hour, rather than the $4.50 to $6 at which they could have been hired. Excavation-equipment operators were entitled to $14.40 an hour rather than $9, carpenters to $13.61 rather than $8.60. Overall, the project's cost jumped to $5,142,260—an increase of nearly ten percent.

Most people have never heard of the Davis-Bacon Act, but it is a major cause of our skyrocketing construction costs. In 1979 the General Accounting Office surveyed 30 federal construction projects. In 12 instances, they found that rates established by the Department of Labor were unrealistically high—raising wage costs 36.8-percent higher than they should have been. The GAO also concluded that Davis-Bacon had saddled the government with excess costs of perhaps $700 million a year.

Two years ago, an inter-agency task force of the Carter Administration came to similar conclusions. It calculated that if the inflated wage rates of Davis-Bacon were eliminated, federal-construction-payroll costs would be reduced by ten percent—a saving of a billion dollars a year on a federal-construction budget of $40 billion.

The Davis-Bacon Act served a purpose during the Depression. It protected local workers from contractors who might bid low on a government project and then import itinerant workers who found substandard wages preferable to starvation. Initially, the act applied only to construction projects directly undertaken by the federal government, but gradually it was extended to include just about every construction program with a federal subsidy or loan guarantee.

The basic problem with the act involves the bewildering rules the Department of Labor uses in determining what wage "prevails." Under department regulations, the prevailing rate is the one received by a majority of workers in a specific craft. The majority rule seems fair enough, and in highly unionized areas there is generally no argument about the prevailing wage.

The rub comes, however, when 50 percent or more of the workers do not receive the same wage—a characteristic of open-shop, or lightly unionized areas. Then the Department of Labor invokes the "30-percent rule." If 30 percent of the workers in a classification receive the same wages and fringe benefits—to

the penny—then that rate becomes the prevailing one. The likeliest circumstance in which that can occur is when 30 percent of the workers in a particular craft are unionized. Thus, the minority-union rate becomes the prevailing rate, even though 70 percent of the craftsmen are paid less. Only when the 30-percent rule cannot be applied does Labor average all the local wages.

In its 1979 study, the GAO chronicled a typically absurd example of the 30-percent rule that turned up in Carson City, Nev. To determine the prevailing wage for painters, the Department of Labor surveyed 11 projects, finding eight painters at work. Two were paid $6.25 an hour, two were paid $8.74 and one $9. But three painters were getting $12.40 an hour. Three out of eight comes to 37.5 percent—so $12.40 became the prevailing wage.

Sometimes Labor does not even bother to take a wage survey. When the GAO was conducting its study, it asked the department for the basis for the 530 area-wage determinations that were in effect in October 1976. But no surveys had been conducted for 57 percent of them. The Labor Department simply adopted the union rates of each locality.

The "importing" of union rates from big cities into smaller communities also prompts a persistent criticism of Davis-Bacon. Michael Callas, a general contractor in Hagerstown, Md., told a Senate committee that he had been interested in bidding on a government project in Adams County, Pa. He was already working on a similar project four miles away, at Fort Ritchie, Md. Callas was amazed to learn that Labor Department wage rates were more than double the Davis-Bacon rates he was paying at Fort Ritchie. The reason; the department had gone to Harrisburg, Pa.—75 miles away—to find the prevailing wage rates.

Callas refused to bid on the project because of the inevitable friction that would have resulted within his work force over widely varying rates for identical work. For the same reason, many non-union contractors refuse to bid on federal construction. Where this occurs, there is less competition for government work—a phenomenon that hardly keeps prices down.

Davis-Bacon inflates costs in another way as well. Non-union contractors often employ "helpers" and "learners" at considerably lower rates to assist qualified craftsmen. But the Labor Department generally requires all workers on a federally subsidized construction project to be paid journeymen's wages.

The absurdities of Davis-Bacon have led to widespread demands for its demise. The GAO argues that besides being inflationary, "other wage legislation and changes in economic conditions makes the law obsolete. GAO believes it should be repealed." Support for repeal also comes from newspapers with such diverse editorial views as the New York Times and The Wall Street Journal. The liberal organization Common Cause as well as many building-contractor groups point to flaws in Davis-Bacon.

Several bills are currently being considered in Congress to rescind the act completely. A piecemeal approach is also being tried—tacking on a Davis-Bacon exemption to expenditure bills as they come up. Such an exemption was part of the military-construction bill that recently emerged from Senate committee.

The staunch defenders of Davis-Bacon are the construction unions of the AFL–CIO. They maintain that if the act were discarded, workers would be subject to the potential abuses that were feared in 1931. Union spokesmen also minimize any deficiencies in the Labor Department's application of the law. But organized labor has a clear economic stake, for whenever it maintains high union rates, unionized contractors can compete effectively and thus obtain more jobs for union members.

The Department of Labor and the Reagan Administration favor reform rather than repeal of the Davis-Bacon Act. Proposed reforms, announced in August, would substitute a 50-percent rule for the present 30-percent one, prohibit the importing of urban rates into rural areas, and allow one helper for every five journeymen.

But the case for repeal is more compelling. A 50-percent rule would still be inequitable, if, for example, other wage rates in an area were lower; the Labor Department would be establishing a minimum-wage rate rather than a true prevailing one. Besides such details, the problem with changing the regulations is that the reforms of one Administration can be undone by the next. Moreover, whatever the changes, the Davis-Bacon Act by its very nature imposes an impossible burden on bureaucrats by obliging them, if need be, to issue wage determinations for more than 3,100 counties and at least 19 crafts.

As Sen. Donald Nickles (R., Okla.), author of one of the repeal bills, says, "I find it ludicrous that the Department of Labor—in Washington, D.C.—is in the business of setting local wage rates for projects all across the United States."

Indeed, the country is too large and diverse, local economic conditions are too varied, for centralized bureaucratic wage determination. Beyond that, the Davis-Bacon Act is expensive, inequitable and unnecessary. We would be well off without it.●

SOCIAL DEMOCRACY: SELF-DEFEATING?

● Mr. ARMSTRONG. Mr. President, I hope every Senator will read the very thought-provoking essay by Ashby Bladen, published in Forbes magazine on November 9. Mr. Bladen argues that social democracy, the dominant political movement of the 20th century, is ultimately self-defeating. He believes, as many thoughtful observers do, that politicians in a democratic society lack the discipline necessary to avoid financial and political disaster. I am personally more optimistic than Mr. Bladen; but Mr. Bladen's concerns are well-founded and worthy of serious attention.

I ask that the article be printed in the RECORD.

The article follows:

PROMISES, PROMISES

(By Ashby Bladen)

The people who read this magazine are worried and, in my opinion, rightly so. I can see it in my mail. The basic theme running through all of my writings is that the dominant political movement of the 20th century, social democracy, is ultimately self-defeating. The heart of social democracy is the notion that people deserve an income just for being people, regardless of whether or not they contribute to the common weal. Virtually all countries that can afford it, and quite a few that really cannot, provide a "safety net" level of income as a matter of legal right.

I presume that a safety net hung somewhere above the minimum subsistence level is a political imperative today. But it does create a problem. The higher the safety net is hung, the greater the incentive it creates for people not to produce, but to live off the productive efforts of others. Thus the higher the standard of living a society promises as a matter of legal right, the lower the actual standard of living is likely to be. The practical working out of this paradox has taken Britain within a single lifetime from the richest country in the world to the poorest country in northern Europe.

I am the investment officer of a rather large financial institution. As such, I am charged with the responsibility for a few billion dollars of other people's savings.

The worst problem that my company's policyholders face is one that many investment officers choose to ignore altogether: Politicians have a penchant for promising a higher standard of living than it is practically possible to provide in real terms. They can provide it in money terms by borrowing on the credit of the State, which is unlimited because it is based on force, not on earned income. But there is no way to create with a stroke of the pen the real goods and services that make up our actual standard of living. Somebody has to go to the effort and bother of producing them. To the extent that we create more purchasing power by borrowing than we have earned by producing real goods or services, the equation is necessarily balanced by inflation. The inflation also erodes and can ultimately destroy the real value of the savings that productive people have accumulated out of their earned incomes. That is why you and I, who do not wish to spend our declining years in the safety net, are worried.

Thus, the original motive for my literary efforts was political—I wanted to help elect an Administration that would restrain the growth of social democracy before it destroyed our real standard of living. We now have such an Administration. In this column, I will continue to try to prod the Administration in the right direction. But I have also pointed out that ending the inflation will necessarily involve a financial crisis, and reader letters remind me that many of you are worried not only about what inflation is doing to the real value of all financial promises but also about the risk that the promises you are relying on will not be kept even in terms of money. Well, some such promises are worrisome but many really aren't. As a professional investment analyst, I am in a position to help you sort out the two kinds. I cannot go into the business of individual investment counseling, but from time to time, I will devote a column to telling you which kinds of financial promises are likely to be kept and which aren't.

Several of you have written me to ask whether you should worry about specific investments that are in fact full faith and credit obligations of the U.S. government. I believe that it is wholly unreasonable to worry about whether such obligations will be paid in money; although what the money will be worth at the time is, of course, a cause for concern. Any government of a sovereign state can declare its notes to be legal tender and force the people to accept them. So it can always refinance its debts unless and until its authority has dwindled to the point at which the people believe that they can defy it with impunity. When governments get to that point, they have to issue more and more promises to pay for the resources they need to maintain their authority. That is one reason why revolution and hyperinflation frequently go hand in hand. Obviously, we are very far from that point in this country.

Here is a list of the publicly held obligations that are not obviously, but are in fact, backed by the full faith and credit of the U.S. government: notes backed by the Chrysler Corp. Loan Guarantee Board; Farmers Home Administration Insured Notes and Certificates of Beneficial Ownership; Federal Housing Authority Debentures; General Services Administration Participation Certificates; Federal Home Loan Mortgage Corp. and Federal National Mortgage Association obligations (that is, those that are guaranteed by the Government National Mortgage Association); GNMA Participation Certificates and Passthroughs; Title XI Federal Maritime Administration Guarantees; New Community Debentures; Small Business Ad-

ministration Debentures; and Washington Metropolitan Transit Authority Bonds.●

REAGANOMICS

● Mr. PACKWOOD. Mr. President, Business Week magazine published an article this week about President Reagan's economic recovery program. Considering the significant and increasing budget deficits with which we are faced, I urge all my colleagues to read this insightful article.

I ask that the entire text of this article be printed in the RECORD.

The article follows:

[From Business Week, Nov. 30, 1981]

REAGANOMICS RACES THE CLOCK

Although the Reagan Administration moved swiftly to silence Office of Management & Budget Director David A. Stockman after he publicly undercut President Reagan's contention that he could cut taxes, raise defense spending, and balance the budget in the foreseeable future, the damage done by Stockman's revelations in The Atlantic Monthly may be irreparable. Stockman's sin was to admit openly what many in the business community and on Capitol Hill had already come to realize; that the short-term effect of Reaganomics is to produce enormous budget deficits and that the Administration has no viable plan to deal with them.

President Reagan is not prepared to make a U-turn in economic policy right now, and there will be little pressure on him to do so. With the economy in a deep slide—November housing starts hit a 15-year low (page 46)—no one will be asking for spending cuts or tax increases soon. But the size of future budget deficits make almost inevitable major policy initiatives in the budget for fiscal 1983 that will go to Congress two months from now. These could include:

A draconian fiscal 1983 budget that will make sharp slashes in a wide range of non-defense spending, including programs of vital interest to business.

A possible cap for safety-net programs other than Social Security.

Tacit acceptance of smaller increases in defense spending than originally proposed by the Administration.

New attempts to raise revenues by closing loopholes, particularly those that benefit business and wealthy individuals; one possible candidate for extinction is the leasing provision of the tax act.

A reassessment of Reagan's policy has long been unavoidable. But the recession, with its devastating impact on the budget deficit, is forcing the Administration's hand. Even before the economy's slide became obvious, Stockman's budget watchers at the Office of Management and Budget were looking at steadily mounting deficits. By August, before the course the economy would take this fall was known, the OMB realized that the 1982 deficit could not be held to the Administration's projection of $42.5 billion. With the recession now draining receipts and driving up expenditures, the OMB expects this year's deficit to be at least $80 billion and perhaps $100 billion. Without further budget cuts, the deficit grows in future years, reaching $145 billion in fiscal 1984.

Even the measures now under consideration at the White House will not close a budget gap of this magnitude. As Stockman was quoted as saying in the Atlantic article, even after 20 social programs had been killed and 25 more cut in half, "huge bites . . . would have to be taken out of Social Security. I mean really fierce blood-and-guts stuff. . . . And it still didn't add up to $40 billion." Concedes one dispirited senior Reagan aide: "Maybe what we'll have to do is live with those big deficits."

OBSTACLES

That will not be easy. The Administration is counting on a robust recovery starting in the middle of next year—well before the mid-term congressional elections—to save it from economic and political disaster. Reagan still believes in his program and thinks that the combination of scheduled installments of the tax cut, rising defense spending, and lower interest rates and inflation will produce a dramatic turn-around by next summer. "Reagan has great faith in his program and thinks it's going to work," says Senator Paul Laxalt (R.-Nev.). "Whenever anyone tries to get him to waver, he comes down hard."

But Reagan's faith will not make the financial markets believe, and their skepticism casts a cloud over the recovery. Although interest rates are currently plunging, the specter of deficits and a potential clash between an expansive fiscal policy and monetary restraint continues to haunt the financial community. Investors' expectations that large deficits mean high inflation rates is one reason why long-term interest rates have dropped much less than the short end of the market.

The major risk to the Administration, pointed out by Stockman in his unsuccessful bid for a policy change in early November, is that growing private credit demand will collide with the Treasury's vast borrowing needs and the Fed's continued tight rein on the money supply early in the recovery.

The problem could come even earlier than that. The Fed currently is trying to get money growth up into its target range but, as is often the case during recessions, this is proving difficult to do. Many Fed watchers believe that the central bank will not let rates plunge very much further, both because it wants to keep short-term rates a point or two above the rate of inflation and because a continued decline would begin to put serious downward pressure on the dollar in international money markets. Although sticky interest rates could prolong the recession or abort the recovery, the Fed feels it has little room to become more accommodative until the pressure caused by large deficits abates.

The Administration hopes to make the best of those deficits by using them as a spur to goad Congress to act on further spending cuts next year. The magnitude of the cuts that will be proposed is now becoming clear. The Commerce Department, which lost one-third of its budget this year, faces the elimination or sharp reduction of its trade development programs. "If we get into trying to cut the trade or economic areas, it will backfire on the taxpayers," says Commerce Secretary Malcolm Baldrige. Even so staunch a Reaganite as Environmental Protection Administrator Anne M. Gorsuch was shocked when OMB more than doubled her proposed cut in the EPA research budget to 44 percent.

ASSIGNING BLAME

But cuts of this size will be hard for Congress to swallow in the middle of a recession and with an election only months away. "They are clearly pursuing an anti-Congress strategy," says a Senate GOP aide.

The price Congress will exact for any major new budget cuts will be measures to raise substantial new revenues beginning in 1983. Reagan remains opposed to any change in the basic 1981 personal tax cuts or to the adoption of a broad-based consumption tax—he is reluctant to accept any tax increases. But if the President clings tenaciously to his belief that the supply-side program can still work without changes, Congress may seize the economic policy initiative and take his program apart piece by piece.●

ORDER OF BUSINESS

Mr. STEVENS. Mr. President, is there an order for convening tomorrow?

The PRESIDING OFFICER. The order is for 10 a.m.

ORDER FOR RECOGNITION OF CERTAIN SENATORS TOMORROW

Mr. STEVENS. Mr. President, following the time for the two leaders under the standing order, I ask unanimous consent that Senators PROXMIRE, EAGLETON, and BUMPERS be recognized for special orders for 15 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I ask unanimous consent that Senator CANNON be added to the list to have a special order in the morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

Mr. STEVENS. Mr. President, is there additional morning business?

The PRESIDING OFFICER. If there is no further business, morning business is closed.

EXECUTIVE CALENDAR

TREATIES

Mr. STEVENS. As in executive session, I ask unanimous consent that at 4:20 p.m. on Wednesday, December 2, the Senate go into executive session to consider four treaties on the Executive Calendar, those being Executive Calendar items: 20, 21, 22, and 23.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I ask unanimous consent that the four treaties be advanced through their various parliamentary stages, up to and including the presentation of the resolution of ratification, and that no other action occur on the resolutions other than a rollcall vote.

The PRESIDING OFFICER. Without objection, the treaties will be considered as having passed through their various parliamentary stages, up to and including the presentation of the resolutions of ratification, which the clerk will state.

The resolution of ratification of Treaty Document No. 97–7 was read, as follows:

EXTRADITION TREATY WITH THE KINGDOM OF THE NETHERLANDS

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty of Extradition Between the United States of America and the Kingdom of the Netherlands (Netherlands), signed at The Hague on June 24, 1980.

The resolution of ratification of Treaty Document No. 97–8 was read, as follows:

EXTRADITION TREATY WITH THE REPUBLIC OF COLOMBIA

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty of Extradition Between the United States of America and the Republic of Colombia, signed at Washington on September 14, 1979.

The resolution of ratification of Treaty Document No. 9711 was read, as follows:

MUTUAL LEGAL ASSISTANCE TREATY WITH THE REPUBLIC OF COLOMBIA

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty of Mutual Legal Assistance Between the United States of America and the Republic of Colombia, signed at Washington on August 20, 1980.

The resolution of ratification of Treaty Document No. 97–16 was read as follows:

TREATY ON MUTUAL LEGAL ASSISTANCE WITH THE KINGDOM OF THE NETHERLANDS

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty of Mutual Legal Assistance Between the United States of America and the Kingdom of the Netherlands, together with a related exchange of notes, signed at the Hague on June 12, 1981.

Mr. STEVENS. Further, I ask unanimous consent that at 4:20 p.m. on Wednesday, one rollcall vote occur, which would count for four rollcall votes, on the Resolutions of Ratification, and further, I ask that it may be in order now to order the "yeas" and "nays" on the Resolutions of Ratification.

The PRESIDING OFFICER. Is there objection?

Mr. ROBERT C. BYRD. Mr. President, reserving the right to object. The distinguished acting Republican leader is not asking unanimous consent that the rollcall vote be ordered. He is asking now that it be in order to order the yeas and nays.

Mr. STEVENS. That is correct.

Mr. ROBERT C. BYRD. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Finally, I ask unanimous consent that following the 4:20 p.m. rollcall vote, and a motion to table the motion to reconsider, the Senate return to legislative session and resume the pending business. That is one unanimous-consent request.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I do ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. ROBERT C. BYRD. Mr. President, may I ask the acting Republican leader, when will a statement appear in the RECORD in explanation of the treaties?

Mr. STEVENS. I might state to the minority leader that it is my information that a statement will be placed in the RECORD tomorrow, Tuesday.

Mr. ROBERT C. BYRD. I thank the distinguished Senator.

RECESS UNTIL 10 A.M. TOMORROW

Mr. STEVENS. Mr. President, if there be no further business to come before the Senate, I move that the Senate stand in recess in accordance with the previous order.

The motion was agreed to; and at 6:43 p.m., the Senate recessed until Tuesday, December 1, 1981, at 10 a.m.

EXTENSIONS OF REMARKS

HADLEY MEMORIAL HOSPITAL: AN ACHIEVING INNER-CITY HOSPITAL

HON. WALTER E. FAUNTROY
OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 1981

● Mr. FAUNTROY. Mr. Speaker, at a time of public concern that many organizations have been too reliant on Government aid and have failed to properly help themselves or search elsewhere for solutions, I am pleased to report that a financially pressed inner-city hospital in the District of Columbia, Hadley Memorial Hospital, has constructed a $3 million ambulatory care center, raising funds the hard way.

This 80-bed nonprofit health care institution serves the residents of wards 7 and 8 in southeast/southwest Washington, D.C., an area which comprises nearly 30 percent of the District's population. About 50 percent of Hadley Memorial's patient population receives public assistance, and it carries out its work in an area recognized as having "the greatest unmet health care need" in the Greater Metropolitan Washington, D.C., area, and where there are also the fewest physicians to population.

Consequently, and apart from most of the Nation's hospitals, Hadley Memorial's expenses are exceeding its revenues, so that little "seed money" is available for modernization and expansion.

I am pleased to report that funds for this hospital-based ambulatory care center were in-gathered after successful competition for grants from national foundations, large business corporations, small local businesses, grateful former patients, the parent Seventh-day Adventist Church, Embassies of foreign countries, hospital employees, physicians, and community.

One indigent patient, at a cost of $0.50, mailed in a money order for $3.50 saying that it was all he had. The hospital's HELPS Committee, employee volunteers, worked on yard and bake sales, group buying and theater trips, raising $100, then $250, finally raising over $6,500.

It has taken years to write, inform, persuade, call on potential givers; the result: dedication of a modern south wing ambulatory care facility on October 4, 1981.

Mr. Speaker, several of the dedicatory remarks bear stark witness to the great and unmet health care needs in the urban catchment area served by Hadley Memorial Hospital, and I submit them for review by my colleagues:

STATEMENT OF MAYOR MARION BARRY, JR.

First, let me say good afternoon to you and to tell you I am delighted to take part in the dedication of the Ambulatory Care Facility. It is a splendid example of private initiative in the service of a public good. While the District is doing all that it can to make ambulatory health services available east of the river, we need the partnership of the private sector.

The course that Hadley Hospital has chosen—emphasizing primary and preventive services, which avoid hospitalization and keep medical costs down, is supportive of good modern medical practice. Offering preventive services, rather than meeting the needs of people only when they are sick enough to need a hospital, is better for patients and pocketbooks. It is particularly important that the Center is opening in the most medically underserved area of the entire city. The resources are going where they are needed, and this will complement the focus of my community and economic development programs to focus attention, programs and assistance on this long-neglected part of the District. The District has one of the highest ratios of physicians to citizens in the nation, including more psychiatrists, per 1,000 population, than anywhere else in the world. Some other specialties are as densely represented. In contrast, however, the community in Wards 7 and 8 is one of the most medically underserved in the nation. Ward 8, alone, with some 16 percent of the population of the District, has only 4 percent of the physicians; moreover, the physician population here is aging; the number of practices is declining rather than growing; and of the two hospitals in the area, only Hadley is actively expanding its outpatient services, through the opening of this Kresge Center.

The evidence indicates that this lack of medical services is related to the income levels of residents. The study of poverty in the District, which I directed my administration to conduct, shows that 44 percent of the families in Ward 7, and 47 percent of the families in Ward 8, fall in the low-income category. It is not surprising that they do not make much use of the downtown physician community, when an initial office visit can cost more than 70 percent of their weekly income. That statistic alone makes the point about how desperately the Kresge Center is needed. Almost half of the District's Medicaid clientele lives in these two wards, and the District is working aggressively to encourage physicians to enroll in the Medicaid program as a part of a balanced medical practice and as part of their responsibility to their community. Nevertheless, the kind of walk-in family medical practice in the community that Hadley provides, with comprehensive and preventive care, clearly is an excellent way to meet the health care needs in this community.

The need for increased medical care in this part of the District is substantial. The incidence of venereal disease in Ward 7, for example, is eighteen hundred percent higher than in more affluent areas of the city. The incidence of tuberculosis is three hundred and fifty percent higher. The overall crude death rate is only twenty-one percent lower in Wards 7 and 8, which have a population with an average age under twenty-five, than it is in areas with a population half again as old.

In light of these conditions, the completion of this new facility and Hadley's continuing record of service to the community are especially significant. Early care for any condition dramatically lowers the mortality and morbidity associated with it. The key is making early care affordable and accessible.

Through a number of programs, the District has done what it can to make medical care affordable for the residents of Wards 7 and 8 who are most in need. To make this care accessible, we must depend on the cooperation of the medical community and the medical institutions of the District. Hadley Hospital has set an example of good citizenship—an example that I fervently hope the rest of the medical community in the District will follow.

The gift that Hadley has given to Wards 7 and 8 is far more precious than buildings, machinery, and medicine. It will be the gift of release from pain, from worry, and from fear. For some, it will literally be the gift of life. On behalf of not only the people that the Kresge Center will serve, but on behalf of the entire District, I would like to extend my most sincere thanks, and warmest congratulations.

STATEMENT OF MR. JESSIE BROWN, DIRECTOR GOVERNMENT RELATIONS

Good afternoon Mayor Marion Barry, Councilmembers Rolark, Mason, and Kane, members of the Hadley staff, honored speakers and Guests, Ladies and Gentlemen.

I am glad to have the opportunity today to speak with all of you about the recent achievement of our community and Hadley Memorial Hospital. Today's dedication, I hope, would honor the past history of quality health care that Hadley has provided to the Anacostia area, as well as the christening of the Kresge Medical Center.

Since the opening of Hadley Memorial some 19 years ago, our community has been part of a constant series of transitions that no other area of the country has experienced. As the focal point of the Federal Government and a constantly changing local scene, I feel that the need for a cohesive community is especially strong. We've seen the inauguration of 7 presidents, a myriad of critical legislative decisions, and the establishment and disappearance of many institutions. In order to face these transitions, I believe our community needs a common interest—something to unify us in our ability to function in a healthy way. Hadley Memorial Hospital, a mainstay of the Washington area, has provided stability and maintained the well being of our citizens in these past years. The ability of Hadley Hospital to meet our mutual concern of quality health care has made my involvement in these efforts a very memorable and rewarding experience.

I feel that the opening of the Kresge Medical Center is a victory for citizen involvement and cooperation. The Washington business community and its citizens have realized the acute need of quality health care and, I am proud to say, have responded to this need. Hadley Memorial Hospital, more than any other health care facility in the Washington area, provides vital services to a surrounding community that is severely limited in the number of hospitals and clinics. Our active participation—business, community leaders, and citizens—in united efforts with the Hadley staff, was instrumental in the successful completion of the Kresge Medical Center.

I am personally proud to be involved in the exchange of cooperation in which we've all taken part. The recent completion of the Kresge Medical Center is, so to speak, a testament of our ability to combine our efforts in a very fulfilling way. And, although the Center stands as a successful achievement of our community, I would hope it's not the culmination of our efforts to improve the quality of life in metropolitan Washington. I look forward to these efforts as the continuation of a cycle that shows the responsiveness and unselfishness of our community, and I hope we will continue to prove ourselves. Business, community leaders, and citizens must persist in our work to improve facilities for medical treatment and overall living conditions.

I am very optimistic about the future contributions of Hadley Memorial Hospital to out community. The Kresge Medical Center will, undoubtedly, provide a great source of relief to the Anacostia area. These improved medical resources have made Hadley better equipped to meet the underserved medical needs of the surrounding community. I believe that this wonderful development in the area of local medical care will help to meet the goals and aspirations of the hospital: the attraction of more medical professionals to the Anacostia area, and diversified methods of medical treatment.

We owe a great deal to Hadley Memorial Hospital for maintaining our political and business health—all of which rely on our individual, physical well-being. I believe that we've shown, through our cooperation, that we have a healthy community—a community that is able to provide, in turn, quality health care to those most in need. With the opening of the Kresge Medical Center, our community will have the capability to face the many transitions and hardships with a greater degree of stability.

On behalf of PEPCO, I would like to thank Hadley Memorial Hospital for the opportunity to be a part of the efforts that have made the Kresge Medical Center possible. I have, personally, enjoyed my work with the Hadley Community Advisory Board, and cooperation with the professional staff, who have tirelessly coordinated all our efforts. I would like to especially thank Mr. James Mailler and Mr. James Suzuki for the pleasure of working with them toward the completion of the Kresge Medical Center. My involvement in the past year has been a very fulfilling one, and I, again, thank you.

In dedicating the Kresge Medical Center, congratulations to Hadley Memorial Hospital for their successful achievements and ceaseless efforts.

REMARKS OF COUNCILMEMBER ROLARK

The Honorable Marion S. Barry, Honorable members of the D.C. City Council, Ladies and Gentleman.

It gives me great pleasure today to join all of you at this dedication ceremony of Hadley Memorial Hospital's Kresge Memorial Center—the only hospital—bases ambulatory center east of the Anacostia River.

As you know, I have always shared the health concerns of my constiutents and since I have been in office it has been one of my priorities to ensure that high quality comprehensive health services are available and accessible at reasonable cost to sustain lives and improve the phsical and mental well-being of my people.

I have long observed that poor planning by the authorities has tended to produce excesses of vital health care resources in many parts of the city while leaving the residents of other parts such as this area east of the Anacostia River served by Hadley Memorial—with extremely limited access to health care resources which has always been identified as critical. To help overcome the notoriously unmet health care needs of my people, I have, over the years, consistently supported and encouraged the struggles and activities of Hadley Memorial Hospital to build the Kresge Medical Center which will become an irreplaceable part of the community.

The expansion of primary care facilities and services at Hadley Memorial is considered vital and necessary to satisfy the unmet health care needs of my people. By the provision of the Kresge Medical Center, Hadley Memorial has been given the chance to demonstrate its commitment to the residents of Ward 7 and 8 who make up about thirty percent of the people of the District. The Kresge Medical Center is a proud reminder of Hadley Memorial's struggle, and is also a shining example of the civic contribution and cooperative vision that has enriched the quality of local health care services to the people. The Hospital's accreditation of Hospital is a further positive indication of hospital service and progress to the community.

Ladies and gentlemen, I strongly believe that Hadley Memorial Hospital with its Kresge Medical Center merits all the encouragement and the much needed financial help and partnership from the public. Owing to inadequate reimbursement and multiplying care cost to our low-income patients, Hadley Memorial may be operating on a deficit. Without necessary funds the hospital will be unable to meet the technological demands of the 1980's placed on it by our patients. Abandonment of the public to adequately finance the health care of the needy would reduce the likelihood of such partnership to meaningless rhetoric. I fervently appeal to the public and especially the business community to contribute—even if it is the widow's mite—toward Hadley Memorial's fund raising activities to sustain the plan. As you are aware, this is the only hospital east of the Anacostia River where patient admissions comprise over eighty percent (80%) of District residents. The geographical remoteness of my constituents make Hadley Hospital the only realistic accessible hospital they can use.

My people and I are proud of the achievement of Hadley Memorial Hospital. We offer our continued support to Hadley as it strives to meet the health care needs of my people. We appreciate greatly all the planning effort by all concerned; the Board of Directors, the medical staff and workers of the Hospital—which went to Kresge Medical Center Project. We share your high expectations for this new health care facility. We also share your determination to see the completion of Phase III of the project which will, among other things, provide enough beds for the facility.

Thank you.

REMARKS BY LYSLE S. FOLLETTE, M.D. MEDICAL DIRECTOR, FAMILY HEALTH SERVICE, HADLEY MEMORIAL HOSPITAL

We are pleased, Mayor Barry, that you came to share this celebration with us today. Your presence embellishes even more the historicity of this event.

Today is a day we have looked forward to for nearly 3 years. To witness this goal achieved and marked in this way today, gives us cause to thank God and be glad.

Many delays and frustrations have come our way as we have anticipated this milestone but we have pressed on knowing that with persistence and determination the goal would be realized.

Hadley Memorial Hospital has made a contribution to fulfilling the health care needs of this community through all of its years.

During the past 6 years, in face of the more keenly felt need to make a more adequate contribution in health care delivery in this community, we have moved to significantly enhance our ability to meet the need in ambulatory health care. That is the reason for and the mission of the Family Health Service.

In addition to this general mission, we are pleased to announce that we are now an official part of the team in the District of Columbia which is shouldering the responsibility of the Mayor's Health-Care Initiative.

We already have the WIC program functioning here and have more than 200 registrants in 12 weeks. the WIC program is a nutritional supplement program for truly needy women, infants and children. Just prior to the close of the fiscal year, we effected agreements with the District of Columbia which provide funds to support aggressive activity at this site with an Improved Child Heath Initiative which has both a maternal and child care component. This program provides a lever to overcome the severe infant mortality picture this area so heavily contributes to.

We have also approved as a site for the Early Periodic Screening, Diagnosis and Treatment Program which is also aimed at the needy young who might not otherwise get the care they need in their first years.

Each of these programs should have an impact on infant mortality, child health and maternal health.

The involvement of Hadley Memorial Hospital in these programs is due to a team effort of the Family Health Service Medical Staff, the Administration, our Community Board and spearheaded by the expertise, the contracts and the very fruitful efforts or Administrator, Mr. Leonard Harris.

I want to ask Mr. Harris if he will give you some further insights into our participation in these programs he has had such a strong role in establishing here and some figures which reflects the significant budgetary considerations that are such a large part of these kinds of programs.

REMARKS BY LEONARD HARRIS, ADMINISTRATOR, FAMILY HEALTH SERVICE, HADLEY MEMORIAL HOSPITAL

Thank you, Dr. Follette. I would like to summarize our operational concept in one word—"Comprehensiveness" i.e., we will provide a wide array of general medical services to include dentistry and optometry. Our concept provides for Family Health

Services patients to be followed both in the out-patient and in-patient environment as well as at home.

Also, I would like to emphasize the importance of the Improved Child Health Program to the community and Hadley Memorial Hospital as well. Without the $202,000 provided by the D.C. Government, we could not have provided many critical services. Thank you for this partnership.

Lastly, I would like to indicate to the officials of the District of Columbia how greatful we at Hadley are for your support of the Improved Child Health Program.●

COUNT POLARECZKY

HON. MILLICENT FENWICK

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 1981

● Mrs. FENWICK. Mr. Speaker, I would like to pay tribute to Count Janos Laszlo Polareczky, a distinguished Hungarian nobleman who voluntarily participated in our national fight for freedom 200 years ago. Count Polareczky commanded the Bercsenyi hussars, a crack French-Hungarian cavalry unit. The hussars, from beginning to end, made a tremendous campaign to protect the French, later united French-American, army from enemy attack. They contributed immensely to the glorious success of Yorktown.

At the end of the war, Janos Polareczky abdicated his Hungarian rank as count and became an American citizen. He died and is buried in the State of Maine.

Joining in honoring Count Polareczky is the city of Trenton, State capital of New Jersey. Trenton, along with three other cities, has dedicated a memorial plaque to Janos Laszlo Polareczky; further, the mayor of Trenton designated October 31, 1981, as Count Janos Laszlo Polareczky Day. Governors of four States have issued proclamations in Count Polareczky's honor.

I hope my colleagues will join me in commemorating the memory of Count Janos Laszlo Polareczky, a great American patriot. It is altogether fitting that we pay homage to this great leader, and acknowledge his heroic contribution to our Nation's independence.●

SOVIET JEWS: FOUR SUCCESS STORIES TELL US THAT YOU STILL CAN "MAKE IT" IN AMERICA

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 1981

● Mr. GILMAN. Mr. Speaker, together with many of my colleagues on both sides of the aisle, I have been working to win the freedom of the Jews in the Soviet Union, who are subject to cruel oppression if they attempt to exercise their human right to practice their religion.

Many of these Soviet Jews have found refuge in the United States, coming here in strict compliance with the immigration laws; and they have, for the most part, adjusted very well to their new environment—an environment of freedom of conscience and freedom of enterprise, of considerable moral elevation, and of wide economic opportunities.

Mr. Speaker, at this point in the RECORD, for the information of my colleagues, I am inserting an article from the December 7, 1981, issue of Forbes magazine, entitled "Four Who Made It," describing the successes of four Soviet Jewish families who found new lives in the United States and are making real contributions to our society, having been here just a few years. I commend this article, Mr. Speaker, to my colleagues and their constituents.

FOUR WHO MADE IT

(By Beth Brophy)

Of all the new immigrant groups coming to America, few make a more exuberant transition from communism to capitalism than Soviet Jews. Some revel in the differences: If they make money, they don't hide it. They like Cadillacs, swimming pools, fancy clothes.

They have learned in a hard school, these Russian Jews. Survival, let alone escape, means manipulating, scheming, bribing and lying. "Their mores in society are different than ours. They're used to keeping their mouths shut, not trusting neighbors or coworkers. Some may have sticky fingers," says Celia Jacobs of Chicago's Jewish Vocational Services. To them America is fresh air after the stale atmosphere of Soviet society.

Since 1971 more than 250,000 Soviet Jews have left the Soviet Union: 150,000 heading for Israel; 90,000 for the U.S.; 10,000 to Canada and Australia. Although the exodus from the U.S.S.R. to the U.S. has tapered off to 500 a month, it nevertheless amounts to the largest migration of Jewish refugees coming to the U.S. since World War II. They concentrate in major cities: 40,000 in the New York City area; 8,000 in Los Angeles, 7,000 each in Chicago and Philadelphia; 1,000 each in Houston and Minneapolis-St. Paul.[1]

For many, perhaps most, opportunity is what they seek, not religious freedom. In fact, they are themselves often nonreligious. "Once here, they quit being Jews and become Russian immigrants," says one émigré who uncharacteristically joined a synagogue "to give Judaism a chance." Says Leon Weiner, chairman of Houston's 78-store Weiner retail chain and a job counselor to the émigrés since 1974: "They are not interested in religion. They are more interested in breathing the free air and learning how to do the grocery shopping."

The Russian Jews stick together, as immigrants do. One apartment complex in St. Paul is so inhabited by Russians it has been dubbed "Gorki Manor." And, as is also common with new immigrant groups, their neighbors aren't always enchanted. Says a resident of the Midwood section of Brooklyn: "I always had a lot of sympathy for the Russian Jews until they moved here. Some of them will knock you down to get on the subway."

Furtiveness, understandably, is another trait. "They don't always tell us where their money comes from," says Leonard Zeff of Jewish Family and Children's Service of Minneapolis. "They can't always bring cash out of Russia, but they convert jewelry they've stashed away. We've seen so many families purchase homes just one year after arriving."

Leaving the U.S.S.R., of course, is a long and painful process. Once they ask to leave, they are fired or demoted from their jobs, and relatives are pressured by the government to make them stay. The Soviet Union, after all, is losing skilled people. It can take three months to a year to get an exit permit after an invitation has been obtained from a relative or friend outside the U.S.S.R. They travel first to Vienna where they are met by a representative of the Jewish Agency for Israel. Those going to Israel are sent immediately. The others are kept longer and further encouraged to move to Israel. Then, when it is clear the refugees want to go to a Western country, those with relatives in the U.S. are referred to the Hebrew Immigration Aid Society (HIAS). HIAS takes responsibility for resettlement because often the relatives are newcomers themselves.

Once here, they must adjust to a foreign work ethic. Firings, layoffs, performance evaluations, job interviews are all alien concepts. "When a Russian finishes school, his first job is assigned to him, and then he maneuvers for promotions," says Jacobs. "It's a very corrupt system, and the road to advancement is paved with contracts, favors, no 'rocking the boat'," explains Bruce Liemsidor, exectuve staffer at HIAS.

Job mobility is another incomprehensible idea. "They can't understand that you move up to a better job, or a nicer apartment," says Weiner. "Over and over, like a broken record, I tell them your first isn't your last." Soviet training is narrow and highly specialized at an early age. That engenders an inflexible attitude toward trying a new job or career in the U.S. Some émigrés aren't entirely truthful about their former jobs, either. "Everyone says they were dentists or engineers," says Zeff skeptically. "Maybe they were some type of technician."

Why do so many of them become entrepreneurs? "It is a declaration of independence," says Leimsidor. Here are some who took that giant step.

GOLDEN TIMES OF OPPORTUNITY

Yuri Radzievsky, 36, president of Euramerica Translations, Inc., leans back in his

[1] The Immigration and Nationality Act (1965) allows 270,000 aliens into the U.S. each year under a preference system that gives priority to relatives, professionals of exceptional ability and skilled and unskilled workers in short supply. Husbands, wives and children of U.S. citizens—immediate family—are admitted immediately, without regard to quotas.

Exempt from quotas, too, are Russian Jews and others seeking to enter the U.S. to escape persecution. Under the provisions of the Refugee Act of 1980, the President after consultation with Congress, sets a ceiling for the number of refugees to be admitted each year. This year the Reagan Administration sought to admit 174,000 refugees, but the Congress trimmed the number to 125,000.

leather swivel chair in his well-decorated Fifth Avenue office and recounts how he won his first client six years ago.

"My wife and I bid on a $150,000 contract to translate technical materials into French for an American manufacturer. The vice president of the manufacturing firm was very impressed with our samples until a competitor for the job told him I was operating out of a phone booth. So he asked to inspect my offices the very next day."

In less than 24 hours Radzievsky rented a suite in midtown Manhattan, painted it himself, hauled a used desk up on his back and put in an impressive "reference" library. "The books were in Russian; how would an American businessman know they were my Tolstoy?" To make it look busy, four or five friends came in to type on borrowed typewriters. The vice president was impressed—until he asked to use the phone. It wasn't connected, and Radzievsky confessed the charade.

He won the job anyway. "The vice president said he knew he was taking a chance but didn't want to miss the opportunity to make a capitalist out of a Russian," says Radzievsky with a grin. A television personality in Moscow, Radzievsky, who was born and educated in the Latvian S.S.R., his wife—a chemical engineer—and infant daughter left the Soviet Union in 1973 after he figured his brand of wisecracking social criticism made it dangerous to stay.

Leaving was not easy. "Because of my special job and my wife's family, we were rich in Russia," he says. "We had a huge, beautiful apartment in Riga, a dacha [summer home] on the Baltic Sea with cars and a private forest." They left with a few clothes and $200, came to the Boro Park section of Brooklyn, and after three months Radzievsky landed an electrical engineering job in Parsippany, N.J. Then he worked as a free-lance translator.

He saw an opportunity in 1975. "The technological state of the translation business was a tower of Babel," says Radzievsky. "Mom-and-pop shops, an army of free-lancers just like us. The demand for good translation services was growing as the world was shrinking."

Euramerica brought professionalism to an amateur business. Today it translates audiovisual materials for 350 corporate clients into 38 languages, including commercials, training films and manuals, promotional kits, filmstrips and videotapes. It employs 70 full- and part-timers and has hundreds of consultants on call, even an Urdu-speaking expert in nuclear medicine.

In June Radzievsky sold the company to Ogilvy & Mather, the advertising agency, for more than $1 million. He retains the title and duties of president. "I'm tired of hearing that the golden times of opportunity are over in the U.S.," he says. Clearly, Radzievsky proves they are not.

OUT OF THE CLOSET

In Odessa, Frank Farber (who was Efim Farber in Russia) stood over his bench eight hours a day, making eyeglasses by hand, melting the frames over an open flame. He shared an office with 25 other opticians to make eyeglasses that were considered primitive by American standards: Prescriptions weren't accurate; bifocals were almost out of the question; there was a very limited choice of styles. "You take what you can get," says Farber, 52, a genial, balding man who dresses these days in cranberry polyester slacks, a camel-colored V-necked sweater and bright pink shirt.

After a six-month wait for an appointment, another six-month wait for the glasses, Russian customers are happy to receive anything, he says. "People get used to not seeing so well."

Like others in the Soviet Union, Farber had joined the underground economy. After hours, he worked in a large closet that served as his private office for treating paying customers, mostly friends. From his state job he earned about 200 rubles a month (about $200 at the official exchange rate) and doubled that with his private clients.

He was no rich man. His family of five lived in a three-room apartment. In 1973 he immigrated to Chicago with his wife, son and daughter-in-law, and mother-in-law. Today Farber & Son Optical Co. has two branches on Chicago's North Side. Farber and son Michael, 33, are also looking for a third place in a shopping mall in a nearby suburb.

"We knew almost nothing and learned by our mistakes. We really suffered that first year," says dark-bearded Michael, who dresses in jeans and speaks rapidly in very good idiomatic English.

The Farbers didn't pay much attention to packing and cleaning the lenses for their wholesale clients—other opticians who sent them frames and prescriptions to be filled. After all, who cared about such things in the U.S.S.R.? "Now we have learned that's as important as getting the prescription right," says Frank. The lesson cost them several accounts. They didn't know that as wholesalers they were entitled to discount rates. "Now we are experts at how to get goods better and cheaper," says Michael, who studied mechanical engineering at the technological institute in Odessa and learned the optician's trade by helping his father on Saturdays.

Last year the Farbers' gross sales passed $100,000. The two families pay themselves $400 a week each. The Farber wives run the second store. Each family owns a three-bedroom house and two cars. Frank drives a 1981 Cadillac Coupe De Ville. The Farbers are still amazed at the choices available to Americans. "There's an item for every need—ski glasses, scuba-diving glasses," says Michael. "Americans think about everything to make another dollar. There are more ideas here than requests for them."

The other side of such abundance, of course, is competition. "We have to use our brains in order to make the business run right," says Frank. "The customers won't line up outside, as they do in Russia. In Russia you get the same salary no matter how hard you work."

Yet the government does play a role in their business. The Farbers are groaning these days about President Reagan's budget cuts. The government used to allow every welfare recipient two new pairs of eyeglasses each year. "Now they get only one pair. They have to reuse the old frames, and we wait months to see if the government will pay the bill." says Michael.

STRONG PEOPLE—AN EMPTY LAND

Lida Gleizer, sleek and svelte, wearing a silk top, wool suit and gold-colored boots, seems at home among the floor-to-ceiling mirrors, thick maroon carpeting, silver walls and rock music (drowning out the blow-driers) at Lida Hair Design in Minneapolis.

Lida worked in the Ministry of Metallurgy in Moscow until 1973, when she immigrated to Minneapolis where her husband had relatives. She was an accountant, called an "economic engineer," and to earn extra money she took in typing. That was illegal, of course, as private enterprise generally is there. "America surprised me. I thought maybe it would be twice better but it's ten times better—economically, morally. I sleep better at night. It's a nice feeling to do everything under the law."

Lida, 41, learned the beauty trade working illegally during her ten-month stopover in Italy while her immigration papers were being processed. In the U.S. she attended beauty school and worked as a hairdresser and manicurist for eight years before hanging out her own shingle four months ago.

Husband Nathan was a dentist in Russia where, like his wife, he worked underground—filling cavities for friends to earn extra money. In the U.S., he worked part time as a dental technician but is now manager for a scrap-metal company.

"Our experience with the Russian government helped us," says Lida. "If you could do a job there under pressure, secretly, with the threat of jail, you can do it here better because you're free. In the Soviet Union you go to jail for buying something and reselling it; in this country it is called profit."

She's tough. Lida recounts how a cosmetics salesman tried to bully her into using his shampoo products exclusively. "I told him I am the owner and competition is good," she says.

Lida invested $50,000 plus a $10,000 bank loan to open her shop. The Gleizers had made $27,000 from buying and selling their first two homes. Then there were savings, she says, from her $400-a-week job as a manicurist.

How's she doing? "Business is good," she says. And if it fails, "I can always do manicures again." The Gleizers live comfortably in a five-room condominium they bought three years ago for $100,000, and drive a Volvo. Lida isn't interested in expanding, but wants to earn enough to help her married 21-year-old daughter buy a condominium and send her 10-year-old son to a private high school when the time comes.

She says she used to dream about what life was like in America after reading American novels. "It's true," she says. "Strong people who come to an empty land, working hard, finding success."

NO MORE POLITICAL MEETINGS

"My sense of security is high and that surprised me," says Michael Bleyzer, 30, an electrical engineer at Exxon's Baytown refinery, 20 miles east of Houston. "Soviet propaganda says in the capitalist jungle workers are laid off all the time. Everyone has an unsure future. That's a 100 percent lie. The Soviets tell you everything is nice, you're taken care of, but pensions are nothing—$20 to $30 a month."

In Russia, Bleyzer was a senior researcher at the Kharkov Pedagogical Institute. His job: to help develop an electronic device for measuring the speed of corrosion in pipelines. In 1978, two months after arriving in Houston, he was hired by Exxon. He started as an instrument engineer, then moved up to coordinate data and make a monthly plan for running the Baytown refinery. The job descriptions are similar but not the work environments, he says.

"The atmosphere is much friendlier here. When you start something new, it is a pleasant process to get help. In the Soviet Union people concentrate more on their own jobs. There is no incentive to help someone else," he says. "Surprisingly, too, there is less pressure at Exxon," he says. "Deadlines are reasonable and they are always negotiable."

No more endless political meetings, either. "In Russia, 90 percent of the meetings were ideologically oriented and had nothing to do with my work. Here people don't like to waste time. I don't even go to a meeting unless I think it will be beneficial to my everyday work."

He has also noticed a difference in job prestige. "Engineers are among the poorest people in the Soviet Union. You are just an engineer. Here I am a professional, and that's very rewarding."

Along with the prestige, of course, comes a higher standard of living that Bleyzer describes as "the difference between a barbaric and a galactic civilization." In Russia he lived with his wife and small daughter in a four-room flat, without a car, always struggling to find food on the shelves in the grocery. In Baytown he and his wife, also an engineer at Exxon, have a combined income of $65,000, which affords them a four-bedroom house with a swimming pool, two cars, a Christmas vacation in Hawaii, membership at a health spa, frequent evenings out with friends at restaurants and theaters.

Bleyzer's neat, windowless cubicle has gray carpeting, black file cabinets, a wall of green chalkboard covered with mathematical equations. A poster over his desk states, "This year in Russia it is still against the law to say 'Next year in Jerusalem' " (a traditional Jewish toast). "For a Jew there is no future in the Soviet Union," he says.

But how different is the Soviet bureaucracy from the bureaucracy of the immense, 177,000-employee Exxon Corp.?

Bleyzer's comparison is prompt and pointed: "Here the horizons are so much wider. It's all up to you. You can leave your area of specialization. In Russia an electrical engineer is always an electrical engineer. At Exxon I've also worked as a chemical engineer because I wanted to develop my expertise. At a big corporation like Exxon I can get a view of what can happen in 5 or 10 or even 20 years." But there are cultural barriers to overcome, such as learning the right moment to walk into your boss' office and how to dress. "Here you wear a different set of clothes every day while in Russia you wear the same outfit for a week," he says.

The Bleyzers are the only Russian family living in Baytown. Most of the Russian community lives in southwest Houston. "It was our conscious decision," says the young engineer. "I felt we would make a faster transition away from the environment of the Russian community in Houston."

Surely a country is mindless to lose such people. Surely a country is fortunate to receive them.●

POSITION ON H.R. 4677 PROVISIONS

HON. HAROLD C. HOLLENBECK

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 1981

● Mr. HOLLENBECK. Mr. Speaker, I rise to clarify my position over several provisions contained in H.R. 4677, legislation introduced by my colleague from Pennsylvania, Mr. ERTEL. Although I am a cosponsor of the measure, I find I have objections over several specific sections of the bill.

Shortly after introduction, my office received a number of inquiries from businesses and individuals concerning the two sections repealing the deferral of income of Domestic International Sales Corporations (DISC) as well as repealing the deferral of taxation of undistributed profits of U.S. companies operating through foreign subsidiaries. After carefully examining the concerns and information provided, I find I have reservations over the enactment of the aforementioned provisions of H.R. 4677.

Let me take this opportunity to clarify my views. The importance of DISC is illustrated by the fact that U.S. companies have verified impressive statistics on the growth of exports as well as the important role these exports play in company employment opportunities. The repeal of these two sections will place an additional hardship on U.S. companies that have extensive foreign transactions. In addition, the revenue raising provisions of this bill, with exception of those pertaining to oil, will do little to significantly impact the Federal deficit. This circumstance coupled with the positive effect DISC and the deferral of taxation on undistributed profits has on U.S. competitiveness abroad makes it unwise at this juncture to repeal this tax language. I believe it is imperative that U.S. industries remain competitive in the world market and these provisions do promote competitiveness and growth in exports. Furthermore, it should be noted that in the recently completed General Agreement on Tariffs and Trade (GATT) Council on Credit Terms it was tentatively agreed that there was no need to repeal DISC to remain consistent with international trade policy.

Much of the same rationale in support of DISC can be applied to a discussion on the deferral of taxation on the undistributed profits of U.S. companies operating through foreign subsidiaries. This tax deferral also encourages the growth of exports which permits U.S. industry to retain its competitive edge further leading to an increased capacity for additional growth in international sales. It is imperative that we guard against putting American companies at a disadvantage with the recognition that their foreign competitors are not subject to such tax regulation.

Finally, Mr. Speaker, I want to reiterate that my concerns as discussed above do not alter my strong support for the bill's provisions calling for the repeal of an estimated $7.8 billion in tax breaks for oil and oil-related industries. During floor and conference consideration of the Tax Incentive Act of 1981 (Public Law 97-34), I indicated my strong opposition to new tax reductions for the oil industry. These costly incentives, in my view, were a dangerous departure from the original mission of Congress and the administration to arrive at comprehensive and fair tax revisions. I do not believe that the tax reductions for the oil companies have any place as expensive afterthoughts in a multibillion-dollar tax package.

I still stand ready to work with like-minded Members to remove the special tax reductions enacted in Public Law 97-34 to the benefit of the oil industry. Mr. Speaker, it is for this reason I felt it imperative to clarify my views and share them with other Members of the House.●

TRIBUTE TO MANNY BERKOWITZ

HON. ANTHONY C. BEILENSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 1981

● Mr. BEILENSON. Mr. Speaker, I would like to take the opportunity to pay tribute to Manny Berkowitz on the occasion of his retirement from Government service. I have known Mr. Berkowitz for many years, and I can attest to his unparalleled service with the Small Business Administration, especially in 1980 when he served as Acting District Director of the Los Angeles SBA for 6 months, and in his most recent position as manager of the financial and lending programs at the SBA's Los Angeles office.

Mr. Berkowitz was a small businessman for 17 years prior to his employment with the SBA. His knowledge of small business, along with his intelligence and dedication, enabled him to become an excellent administrator for that agency.

A prime example of Mr. Berkowitz's innovative leadership was his foresight in developing and promoting the guaranteed lending program through banks and private lenders. As a result of his efforts, more than 95 percent of the SBA's present loans in the Los Angeles area are being handled through private lenders.

Because of his special ability to address the concerns of small business as well as those of the larger financial community, Mr. Berkowitz's career serves as a model for Government administrators. His departure from Federal Government service will be a great loss to the SBA and to the public.●

REAGAN ADMINISTRATION AND CIVIL RIGHTS

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 1981

● Mr. EDWARDS of California. Mr. Speaker, as chairman of the House Judiciary Subcommittee on Civil and

Constitutional Rights, I have the dubious distinction of observing at close range the Reagan administration's retreat from the struggle for equal rights and opportunity for all Americans. I am, of course, committed to doing my utmost to assure that the Federal Government enforces the laws enacted by Congress to win this struggle. But, lest anyone believe that this goal and the program of the Reagan administration are not fundamentally at odds, I urge my colleagues to read the following two items. The first is an editorial which appeared in the Los Angeles Times last week. The second is a column written by my esteemed colleague, Representative PATRICIA SCHROEDER. Representative SCHROEDER's column on the Reagan administration's "Sorry Record on Women's Rights" appeared recently in the Los Angeles Times.

THE UNRAVELING FABRIC

In the last quarter-century, court decisions, congressional actions and presidential orders have painstakingly designed a fabric of civil-rights laws and practices to provide minorities and women with equal access to education, jobs and the political process. The Reagan Administration is unraveling that fabric.

There has always been a need for strong federal leadership in this area—at first because entrenched forces opposed the basic principle that blacks have the same unalienable rights as whites, and more recently because even well-intentioned people disagree on the methods through which equal opportunities should be opened to blacks, Latinos, other minorities and women.

Although there remains a need for this strong leadership, the Reagan Administration seems bent on reducing the government's role in securing and maintaining these rights. The Administration should, of course, examine old laws and existing agencies to see whether they are still necessary and, if so, whether they are performing effectively. But some of the Administration's recent proposals are disturbing. For example:

The Labor Department is backing away from requiring many of the federal government's small contractors to submit written plans outlining their hiring and promotion practices. These are the employers who often provide the entry for women and minorities into the job market.

President Reagan has named as new head of the Equal Employment Opportunity Commission William M. Bell, who runs a small job-placement service in Detroit and seems to lack the experience necessary to administer a major agency. Key civil-rights organizations oppose Bill's appointment.

The Department of Education is seeking to relax various sex-discrimination provisions, in part by reducing the number of schools to which they would apply.

The Office of Management and Budget is "definitely interested" in a House Republican plan to consolidate civil-rights enforcement into the Justice Department. That plan would mean abolishing the Labor Department's Office of Federal Contract Compliance, which monitors federal contractors' performance in hiring and promoting women and minorities.

Reagan delayed his endorsement of the Voting Rights Act extension, and even then said that he would accept some amendments that could seriously weaken the act.

And, finally, the dismissal of Arthur S. Flemming as chairman of the U.S. Commission on Civil Rights removes an advocate who has not been afraid to challenge any Administration on lax enforcement of laws on fair housing, school integration and other concerns of minorities and women.

The very same day he was fired, Flemming told reporters that he thought the Administration was headed in the wrong direction on affirmative action. "In our judgment," he said, "there is situation after situation in both the private and public sector where you're not going to achieve equal employment opportunity unless you use the management tool of affirmative action."

His replacement, Clarence M. Pendleton, president of the San Diego Urban League, has a much more restricted view of government's role. Although other black leaders are reluctant to criticize him publicly, they are not doing handstands about his appointment. They know the need for leadership at the commission, and they fear that Pendleton will not provide it.

Discrimination may be more subtle now than it was 25 years ago, but it is still very much alive. Rather than a retreat in the fight against this discrimination, the country needs vigorous government leadership and law enforcement.

[From the Los Angeles Times, Nov. 3, 1981]

A SORRY RECORD ON WOMEN'S RIGHTS

REAGAN GOES BACK ON HIS CAMPAIGN PROMISE IN A BIG WAY

(By PATRICIA SCHROEDER)

Ronald Reagan was the only major presidential candidate in the last two elections to oppose the Equal Rights Amendment. While insisting that he supported equal rights for women ("little 'e'" and "little 'r'"), he said that the ERA was not needed because he would push for legislation to advance these rights.

To back up that promise, he issued a "white paper," which stated that he "supports the enforcement of all equal-opportunity laws, and urges the elimination of discrimination against women . . . (and) therefore pledges vigorous enforcement of laws to assure equal treatment in job recruitment, hiring, promotion, pay, credit, mortage access and housing."

But, in his nine months in office, the President not only has failed to make good on his campaign promise, he also has moved in precisely the opposite direction. The only exception has been his appointment of Sandra D. O'Connor to the U.S. Supreme Court, in fulfillment of another campaign pledge. It is clear that Reagan is actively opposed to programs designed to further or protect women's rights, and that his Administration has all but declared war on women. Here is what the Reagan record shows:

Economics

Earlier this year, the President sought the elimination of the $122 minimum benefit for recipients of social security, a proposal that would have had a disproportionate effect on women. All but 700,000 of the persons who receive minimum benefits are women. The proposal was withdrawn after a storm of protest.

The economic package that Reagan pushed through Congress last summer reduced or eliminated benefits for nearly three-quarters of a million recipients of Aid to Families with Dependent Children and prohibited AFDC recipients from owning more than $1,000 worth of assets, half the amount that used to be allowed. Work incentives have been eliminated; consequently, poor women will be forced to choose between keeping their jobs and losing needed additional income or quitting to go on welfare and thereby increase their income. (Eighty percent of all AFDC recipients live in households headed by women.)

Sex discrimination

The Justice Department has abandoned the use of any numerical or statistical formulas in connection with affirmative action, thereby rendering equal-employment goals (for minorities as well as women) meaningless. The Labor Department has proposed reducing by 75 percent the number of companies that must make written reports and outline recruitment procedures; as a result, most federal contractors will have less incentive to hire and promote women.

In a move apparently aimed at weakening the Labor Department's Women's Bureau, the primary office charged with promoting equal opportunity for women in the job market, its staff was reduced 28 percent. By contrast, across-the-board staff reductions in the department amounted to only 5.5 percent. Similarly, Reagan has left vacant three of the five seats on the Equal Employment Opportunity Commission, the chief federal enforcer of Title 7 of the Civil Rights Act of 1964, which prohibits discrimination in employment. The commission thus lacks a quorum and is limited in the action it can take. At the same time, the Justice Department is seriously considering abolishing class-action discrimination suits.

Other Reagan Administration proposals would affect Title 9 of the Education Amendments Act of 1972, which bans sex discrimination in schools that receive federal aid. The Education Department has proposed narrowing the scope of Title 9 to specific programs receiving direct federal aid; these account for only 4 percent of the $13 billion in federal funds spent on schools. Vice President George Bush announced in August that his Task Force on Regulatory Relief has targeted for review regulations that protect women from sexual harassment and discrimination in college athletics.

Appointments

Here the President's record is nothing short of dismal. Only 44 of the 398 top-level appointments have gone to women. And the appointments have reflected Reagan's attitudes toward women. For example, Anne M. Gorsuch, head of the Environmental Protection Agency, is well-known to women's groups for her efforts while serving in the Colorado Legislature to dismantle the State Commission on Women. For jobs with particular significance for women, the President named Rex Lee, a leading opponent of the ERA, as solicitor general and Dr. C. Everett Koop, an active opponent of abortion, as surgeon general. Another appointee, Donald J. Devine, director of the Office of Personnel Management, eliminated abortion coverage from all federal employee health-insurance plans. (The decision was struck down by a U.S. district court but is being appealed; meanwhile, Devine has agreed to permit coverage for abortions in a small percentage of the plans.)

The President has yet to appoint a single women to the federal district or circuit bench or to fill the White House post that oversees the intergovernmental Task Force on Women.

One may quibble with some of these examples. Not every program, just because it

seems beneficial to women, is worth maintaining. We need to scrutinize all federal spending as we try to balance the budget.

But here's no question that President Reagan, instead of fulfilling his campaign promise, is moving to weaken, cut back or abolish just about every federal program, law or office designed to advance women.

(Patricia Schroeder (D-Colo.) is co-chairwoman of the Congresswomen's Caucus.)●

VOLUNTEER FIREMAN CELEBRATES 50TH ANNIVERSARY

HON. DON BAILEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 1981

● Mr. BAILEY or Pennsylvania. Mr. Speaker, John H. Simon is celebrating a very special 50th anniversary. He has been a volunteer fireman for the West Newton Volunteer Fire Department for fully one-half century now.

John, 72 years of age, is still an active member of the department, still driving the firetruck, still fighting fires in West Newton and neighboring communities. John's service to his community has been exemplary and, as often goes the life of a firefighter, he has placed his own life on the line so that other people and their property will be safe from the ravages of fire and natural disaster.

When we hear the President call for a new voluntarism in our Nation, when we hear him speak of the neighborliness of small communities, when we hear him talk of hands being extended to help others, we pause and wonder if he had John Simon in mind as an example.

I am very proud to join the citizens of West Newton and all of John's friends in honoring him on this very great occasion. John has been a quiet but important leader of West Newton. The service he has given to his town and his neighbors can never be repaid. Only in the hearts of those he has served is a true testimonial written. I only wish to add my humble congratulations to the many John has received, and ask a blessing that I be permitted to participate on the 100th anniversary of John's community service, knowing full well that the spirit of men like John continue in towns like West Newton far beyond our ability to recognize and acknowledge them.●

SHUTTLE'S CORK FROM PORTUGAL

HON. TONY COELHO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 1981

● Mr. COELHO. Mr. Speaker, as the only Portuguese Member of the House, I am proud that the country of my native heritage was able to contribute to the success of our recent space mission. The second flight of the *Columbia* Space Shuttle was something that the entire world will benefit from, and it certainly added to my sense of pride in the scientific boldness of the United States. It is gratifying that this effort was joined by other nations of the world, and I take particular pride in the fact that the 497 pounds of cork that insulated the *Columbia*'s huge external fuel tanks was taken from the bark of 225 cork trees in Portugal. Mr. Speaker, I would like to share with my colleagues the following article which describes Portugal's important contribution to the Space Shuttle program.

[From the New York Times, Nov. 3, 1981]

SHUTTLE'S CORK FROM PORTUGAL

CAPE CANAVERAL, FLA., November 2.—The space shuttle Columbia's huge external fuel tank is partly insulated by 497 pounds of cork taken from the bark of 225 cork oak trees in Portugal.

The cork is mixed with other material to insulate the 154-foot tall tank, which carries supercold liquid hydrogen and oxygen for the shuttle's three main engines.

The tank is the only segment of the shuttle that is not re-used. It will be jettisoned at an altitude of 70 miles and will fall in pieces into the Indian Ocean.

The tank is built by the Martin Marietta Corporation at Bay St. Louis, Miss. The company bought 45,000 pounds of cork for a series of external tanks and numerous ground tests.

Arthur Dodge, a spokesman for the Cork Institute of America, said the basic reason for the use of cork on the whole system is that "when the unit is going out, it reaches a certain speed where friction is generated high enough that it gets hot and the cork protects against that."

The cork's light weight compared with other insulating materials was also a major factor in its selection. In addition to providing insulation, Mr. Dodge said, cork burns at a uniform speed, carrying heat away from the rocket while it disintegrates.

Leslie Lieber of the Cork Institute of America said the cork used on the space shuttle came from 225 trees in Alentejo, Portugal that were especially set aside for the shuttle.●

SOVIET MILITARY EXPERTS WILLIAM F. AND HARRIET F. SCOTT—PART II

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 1981

● Mr. McDONALD. Mr. Speaker, in this part II, Mr. and Mrs. Scott continue their discussion with Dr. Eugene Griessman on the Soviet military threat to this Nation. In this part the Scotts discuss the possibility of war with the United States and how it might occur. Part I appeared in the CONGRESSIONAL RECORD of November 20, 1981, on pages E5472 and E5473. I commend part II to the thoughtful attention of my colleagues.

The Soviets for the first time are building two or three very big aircraft carriers. Why?

Dr. SCOTT. The first big effort of the Soviets after World War II was to neutralize the U.S. strategic nuclear power. First they had to break what they said was the U.S. nuclear monopoly. So in the '50's and throughout the '60's, they concentrated primarily on building up a strategic nuclear force. Once that program was going and well along, they then turned attention to building up their theater forces—combined armed forces, both conventional and nuclear—because the theater forces might be required to fight in either a nuclear or a nonnuclear environment. They built up those forces. When in the '50's we went into Lebanon, we were not particularly worried about anything the Soviets were doing or might do because we had superior strategic nuclear power. In 1962 the Soviets withdrew from Cuba because we had superior strategic nuclear power.

Okay. So they matched that.

Dr. SCOTT. So they matched that. Then the next task was to have sufficient combined armed forces, both nuclear and conventional, so that they could handle anything comfortably with respect to China or NATO. Once they had those two tasks taken care of, then the third area was to project military power. And that's the area that they're going into now and that's where the carriers become——

Project military power. For the layman, what does that mean?

Dr. SCOTT. We have been able to project military power with our Navy and with our aircraft. An example of projection of power would be the rapid-deployment force that we are talking about moving into the Persian Gulf. That is projection of power. In fact, we projected power during World War I when we put armed forces in France. We did the same thing in World War II. We probably had the greatest capability the world has ever known for the projection of military power, as witness—what we did in Southeast Asia, what we did in the Pacific, and then with the forces we put into the European theater.

Do we have anything in production to match the Backfire—the Soviet's long-range aviation aircraft? Do we need anything?

Dr. SCOTT. If we do, it is the best-kept secret in the U.S. People keep thinking we have something up our sleeves. We probably have some R and D [research and development] coming along. Yes, we need them because they can be dispersed.

Do we have anything to match their SS-18's, which I understand are the largest ICMB's in the world with twice the throw weight of the Titan? Do we have anything like that?

Dr. SCOTT. As before, it would be the best-kept secret in the——

We have nothing like it? Do we have anything on the drawing board? We must.

Dr. SCOTT. You could talk about the MX, but that, of course, is a little different category.

Do we need to match the Soviets weapon for weapon?

HARRIET SCOTT. No. We have different problems.

Could you elaborate?

Dr. SCOTT. The U.S. Army must be designed to move out of this country and fight overseas—that is, the U.S. Army is not designed to fight Canada or Mexico. It has to be formed, organized, and equipped so that is can move out and deploy wherever it might be needed in the world. The Soviets traditionally have been fighting either on

their borders, inside the country, or immediately outside. They have a completely different problem in designing forces. They have not even thought, until fairly recently, of designing forces that could be lifted by ship or by aircraft to fight battles thousands of miles away, together with the logistical support that goes with it.

And you think, that the building of these new aircraft carriers signals a change in their thinking?

Dr. SCOTT. Yes. It has come out in their writings where they talk about the external role of the Soviet armed forces.

I read that the Soviet Union's heavy bomber force is small, yet it can easily be augmented by various medium-to-long-range bombers or even by cargo aircraft. The reason is simple. Soviet aircraft seeking to drop bombs in the United States do not need speed, low-altitude, or deception to counteract American air defenses because none exist. Do we have any defenses?

Dr. SCOTT. We have a very limited air defense. It's very limited. You will note that aircraft taking off from Latin America loaded with marijuana and cocaine and so on do not have any trouble coming into the country.

One article I've read suggests a scenario of nuclear attack different from the one I've grown up with. That scenario is that the Soviets would not wipe out large segments of the civilian population or destroy the economy. Their nuclear strike objective is to destroy our nuclear weapons and leave our economy intact so that there would be very little loss of life in relative terms in their initial strike. Do you accept that scenario?

HARRIET SCOTT. No. Our nuclear weapons come first because that's what can hurt them; however, if they left our industry intact we could continue fighting.

I understand that our strategy is not the same as theirs, that our missiles are not directed at their missiles but are aimed at population centers like Moscow and the industrial sector. Is that your understanding?

Dr. SCOTT. I'd rather not comment at all upon our own targeting. Should a nonnuclear war start between NATO and the Warsaw Pact, Soviet doctrine calls for going after our nuclear weapons even though nuclear weapons are not being used.

Who has satellite superiority in terms of nuclear weapons linked to satellites? Is there any unclassified evidence of that? Do we have satellites that are nuclear armed?

Dr. SCOTT. There's an agreement on that.

Do you feel that there are none [armed satellites]?

Dr. SCOTT. I would imagine that the Soviets would be taking a tremendous risk to break a treaty that is supposed to be that binding.

HARRIET SCOTT. We know every scrap of stuff that goes up.

This would be one agreement the Soviets have kept?

Dr. SCOTT. Agreements that are in their own best interest they will sign. They have a different concept maybe of keeping an agreement than we have.

Do you believe that the Soviets have submarine superiority in terms of tactical ability?

Dr. SCOTT. I have enough confidence in the U.S. Navy and in our equipments, submarine for submarine, and in our tactical ability——

HARRIET SCOTT. But they have a whole class we don't have.

Dr. SCOTT. They are moving ahead. We keep stuff on the drawing board. They are producing it.

That's the question I wanted to ask. They have a submarine that presumably can go as low as 2,000 feet, with a titanium hull. We apparently don't have anything like that. Is that correct?

Dr. SCOTT. Again, if we have anything approaching that, no one knows about it.

Now, this ties in very much with your own research. Why is it that something a Soviet writer wrote 10 or 15 years ago is valid today?

HARRIET SCOTT. Well, you look to see if they have built the weapons systems that are consistent with the strategy that they wrote about earlier. When they first wrote about the nuclear battlefield . . . in 1960, they then proceeded to build weapons that were capable of fighting in a nuclear battlefield. And that was one way you could prove that they were writing about what they were doing.

Dr. SCOTT. We have at least several hundred books all saying the same thing. We looked at the books that the young men use for training manuals, the textbooks in their schools. We looked at everything, and they all say the same thing. It's outlined: where they were going in the '60's, what they were doing, how they were doing it.

Could you summarize what the Russians say they are going to do?

Dr. SCOTT. No. If you had asked that question 10 years ago, or even eight years ago, we could have brought out book after book, paragraph after paragraph, all saying the same thing. Today they are very, very cautious. They know that we are reading what they are writing and they are not saying nearly as much now, within the last three or four years, as they were saying previously.

Do you look for a decisive collision between the super powers or should we look for limited wars?

Dr. SCOTT. If we continue going downhill, we could get so weak that the Soviets would think it was relatively safe to strike, have the final collision with the leading capitalist power and get it over with. [But] if we maintain reasonable defenses and if we have a moderate buildup in our defense posture, then we can prevent the massive clash between the two systems.

If you were to pick places where limited wars would occur, what would you pick as say, one, two, three, four—just briefly.

HARRIET SCOTT. More likely Africa, I should think.

What about Central America?

HARRIET SCOTT. Usually there's an economic reason for a limited war. And there's more there [South Africa] I would say, than there is in Central America.

Do you think that nuclear war between the U.S. and the Soviet Union is likely in the next five years?

HARRIET SCOTT. An all-out war isn't likely within the next five years, unless perhaps our oil was cut off and we started going downhill economically. It [oil shortages] would create such tensions in the world that the outcome would be uncertain.

In an all-out war between the Soviet Union and China, who do you think would win?

HARRIET SCOTT. I just don't see that they could kill off a billion Chinese.

Dr. SCOTT. The Soviets might win, but the Chinese would not lose.

In a nuclear war between ourselves and the Soviet Union at this time, who would win?

Dr. SCOTT. That would be dependent upon who launched first.

If the Soviets launched first, would they win?

HARRIET SCOTT. If the Soviets launched first, they would win.

If we launched first.

Dr. SCOTT. We might survive.

We would not win?

Dr. SCOTT. It would be hard for us to win. But the Soviets, though, have a problem that I'm very glad we don't have. If the Soviets are damaged in a nuclear war, suppose that they destroy us but we are able to retaliate and seriously weaken the Soviet Union, then you would have the Chinese ready to move in, you would have Eastern Europe ready to rise up.

You'd have restless autonomous regions of the Soviet Union that would break away.

Dr. SCOTT. You surely would.

HARRIET SCOTT. And Estonia, Latvia, and Lithuania would probably declare themselves independent the next day.

Dr. SCOTT. The Soviet Union does not have a friendly neighbor except possibly Bulgaria. And so if they are weakened, and I think they know this, if they are weakened in a nuclear exchange, then the Chinese, Western, Eastern Europe, all the rest will be watching closely.

HARRIET SCOTT. They would dismantle them?

Dr. SCOTT. They would be ready to dismantle them. If the U.S. is injured in a nuclear strike, I feel, and this is one of Western civilization's strong points, that our good neighbors would—I think—be sympathetic and I would expect that if Western Europe, again assuming an exchange just between the U.S. and U.S.S.R. and that we are damaged, would have a Marshall Plan in reverse, and would come to our aid the best they could and then our good friends to the north and south.

Is there any way out of this unending circle [arms buildup]? They [Soviets] build more bombers and more missiles, we build more bombers and missiles. Does it ever end? Do you have any thought about how it might end?

Dr. SCOTT. Even though common sense says it will not happen, being human and being eternally optimistic, we think maybe somewhere they will see it's not getting them anywhere and they will stop building.

HARRIET SCOTT. It has kept the peace for 35 years in the big sense.

What, by being strong? The arms race has kept the peace for 35 years?

Dr. SCOTT. Careful, careful!

Say it if you think it.

HARRIET SCOTT. Yes, I think so.●

FUEL CELLS PROMISE BRIGHT FUTURE

HON. LES AuCOIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 1981

● Mr. AuCOIN. Mr. Speaker, one of the first field tests in the Nation of a 40 kW natural gas fuel cell will begin in Portland, Oreg., early next year. The Portland testing is part of the 40 kW onsite fuel cell field test project, sponsored by the Gas Research Institute and the Department of Energy, involving utilities throughout the Nation and Japan.

The advantages of fuel cells to consumers, utilities and the environment

abound. Fuel cells generate electricity and heat from natural gas and air with virtually no pollutant emissions. Energy losses, are minimized by the high energy-conversion efficiencies that can be achieved. With cogeneration, fuels cells can provide energy efficiencies of over 80 percent compared to the 38 percent maximum efficiencies provided by conventional powerplants. Fuel cell generators are quiet, quick to install and can be located in close proximity to the user. This lowers transmission costs, cuts energy losses, and means additional dollar and energy savings for both consumers and utilities.

For these reasons, it is with great expectation that I await the installation of the first onsite test fuel cell at Rawlinson's New System Laundry in Portland, Oreg. I am enthusiastic about the potential of fuel cells to contribute to our national energy supply and urge my colleagues to support the further research and development of this exciting power source.

With continued cooperation on the part of both government and private industry, the day rapidly approaches when the benefits of fuel cell technology—clean and efficient energy production—can be fully realized.●

LIST OF KEY VOTES

HON. DONALD J. PEASE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 1981

● Mr. PEASE. Mr. Speaker, it has become my practice to periodically list in the CONGRESSIONAL RECORD the key votes I have cast in the U.S. House of Representatives.

This list of my key votes is arranged as follows: Each item begins with the rollcall number of the vote, followed by the number of the bill or resolution, and a description of the question on which the vote was taken. This is followed by my own vote on the issue. Finally, the vote of the entire House of Representatives is indicated by passed or failed followed by the yea/nay vote totals.

The list printed here includes key votes taken between July 9, 1981, and November 24, 1981.

LIST OF KEY VOTES OF CONGRESSMAN DON J. PEASE, 97TH CONGRESS, 1ST SESSION

(115) H.R. 3519. Amendment to prohibit expenditure of funds for MX missile system until both Houses of Congress have adopted a resolution approving the system selected by the President. Yes. Failed 201-207.

(117) H.R. 3519. Amendment to delete $2.4 billion for development of the MX missile system. Yes. Failed 96-316.

(127) H.R. 3975. Bill to facilitate the production of oil from tar sands on Federal lands. Yes. Passed 416-0.

(129) H.R. 3519. Amendment to permit U.S. Armed Forces personnel to participate in certain circumstances in drug seizures or arrests outside the land area of the United States. No. Passed 248-168.

(134) H.R. 3519. Amendment to delete provisions requiring selective service registrants to provide their social security numbers and allowing for the Departments of Defense, Treasury, and Health and Human Services to share names and addresses of registrants. Yes. Failed 125-290.

(136) H.R. 3519. Amendment in the form of a substitute to direct the President to submit to Congress his recommendations for improving efficiency and management in the Defense Department and for eliminating waste, fraud and abuse. Yes. Passed 416-0.

(137) 3519. Amendment to prohibit funding for research and development, testing or procurement of F-18 fighter aircraft. Directed that $3.1 billion in the bill for that program be made available for other Navy and Marine aircraft programs. Yes. Failed 101-316.

(139) H.R. 3519. Amendment to prevent any armed service from signing a contract of more than $50,000 to buy any civilian cars or light trucks not made in the United States or Canada without legislative authority. Yes. Passed 213-187.

(140) H.R. 3519. Bill to authorize $136.1 billion for Defense Department weapons procurement, military research, operations and maintenance, and civil defense in fiscal 1982. Yes. Passed 354-63.

(142) H. Res. 177. Adoption of a resolution calling on President to develop and implement a nuclear nonproliferation policy and fully implement the 1978 Nuclear Non-Proliferation Act. Yes. Passed 365-0.

(145) H. Res. 181. Motion to adopt a resolution that the House "strongly urges that the necessary steps be taken to insure that social security benefits are not reduced for those currently receiving them." Yes. Passed 405-13.

(146) H.R. 4034. Amendment to cut appropriations for the National Science Foundation from $1.06 billion to $995 million. No. Failed 152-264.

(147) H.R. 4034. Bill to appropriate $626 billion, $600 million less than President Reagan requested, for Department of Housing and Urban Development. Yes. Passed 362-54.

(153) H.R. 4035. Bill to appropriate $11.1 billion, $77 million less than President Reagan requested, for Interior Department and related agencies. Yes. Passed 358-46.

(156) H.R. 4144. Amendment to delete $189 million for the Tennessee-Tombigbee Waterway project. Yes. Failed 198-208.

(159) H.R. 4144. Amendment to cut $4 million for the Garrison Diversion water project in North Dakota. Yes. Failed 188-206.

(161) H.R. 4144. Amendment to cut $228 million for the Clinch River nuclear breeder reactor. Yes. Failed 186-206.

(163) H.R. 4144. Bill to appropriate $13.2 billion, $220 million less than President Reagan requested, for energy and water development programs. No. Passed 244-104.

(166) H.R. 4119. Bill to provide $22.7 billion, $1.1 billion less than President Reagan requested, for Agriculture appropriations. Yes. Passed 343-33.

(167) H.R. 1311. Bill to establish a "U.S. Travel and Tourism Administration" within the Department of Commerce and authorize $6.5 million for tourism programs. No. Passed 321-98.

(168) H. Con. Res. 160. Motion to express "the sense of the Congress" in opposition to destructively high interest rates and encourage the Federal Reserve to lower interest rates. Yes. Passed 403-17.

(176) H.R. 4242. Amendment in the form of a substitute that would provide for a 1-year tax cut to favor taxpayers earning less than $50,000 per year and targeting business and investment tax incentives. Yes. Failed 144-288.

(177) H.R. 4242. Amendment in the form of a substitute to adopt the Reagan tax cut bill rather than the committee approved version. Provides large business and investment tax incentives, an individual cut of 25 percent over 3 years, and indexing. No. Passed 238-195.

(182) H.R. 4121. Amendment to prevent use of Federal funds under the Federal Employees Health Benefit program for abortions, except when the life of the mother is endangered. No. Passed 253-167.

(185) H.R. 4121. Bill appropriating $9.7 billion, $120 million less than President Reagan had requested, for operations of the Treasury, Postal Service, and General Government. Yes. Passed 323-94.

(189) H.R. 4331/H.R. 3892. Bill to restore minimum social security benefits that had been ended by the administration's budget reconciliation bill. Yes. Passed 404-20.

(191) H.R. 4169. Amendment to prevent Justice Department from requiring communities to accept subsidized housing as part of its enforcement of the 1968 fair housing law. No. Failed 188-202.

(192) H.R. 4169. Amendment to prevent Justice Department from using appropriated funds to block voluntary prayer and meditation in public schools. Yes. Passed 333-54.

(193) H.R. 4169. Amendment to delete $241 million for the Legal Services Corporation. No. Failed 122-272.

(194) H.R. 4169. Bill to appropriate $8.7 billion, $77 million less than President Reagan requested, for operations of the Departments of State, Justice, and Commerce, and related agencies. Yes. Passed 245-145.

(203) H.R. 4304. Adoption of final bill appropriating $60.7 billion, $2.5 billion less than President Reagan requested, for the Department of Housing and Urban Development and 20 related agencies. Yes. Passed 209-197.

(206) H.J. Res. 325. Joint resolution providing interim funding authority to Nov. 1, 1981, for certain Federal agencies whose appropriations had not yet become law. Yes. Passed 281-107.

(207) H.R. 4241. Bill to appropriate $6.9 billion for military construction projects in fiscal 1982. Yes. Passed 382-24.

(211) H.R. 3518. Bill to authorize 1982 and 1983 programs of the State Department, the International Communication Agency, and the Board for International Broadcasting. Yes. Failed 165-226.

(219) H.R. 4. Intelligence Agent Identities Protection Act to make it a crime to disclose names of certain U.S. intelligence agents even if the information is already public knowledge. No. Passed 354-56.

(223) H.R. 1520. Bill to authorize $1.08 billion for the National Science Foundation. Yes. Passed 262-149.

(224) H.R. 3210. Bill to authorize $3.1 billion in fiscal 1983 for interstate highway construction. Yes. Passed 377-25.

(232) H. Res. 208. Resolution disapproving action of the District of Columbia Council in revising criminal penalties in certain sex-related offenses. Yes. Passed 281-119.

(233) H.R. 4612. Bill setting dairy price supports until November 15, 1981. Yes. Passed 328-58.

(242) H.R. 3112. Bill to extend key enforcement provisions of the 1965 Voting Rights Act. Yes. Passed 389-24.

(248) H.R. 4560. Motion to recommit appropriations bill for Labor and Health and Human Services Departments to committee. No. Failed 168-249.

(252) S. 1181. Adoption of final bill authorizing $4.5 billion for military pay raises. Yes. Passed 417-1.

(253) H.R. 3603. Amendments to reduce by $1 billion the committee-approved outlays for certain farm programs. Yes. Passed 400-14.

(254) H.R. 3603. Amendment to set minimum dairy price support level and allow supports to rise to a minimum of 75 percent of parity in fiscal 1983. No. Failed 123-277.

(257) H. Con. Res. 194. Resolution disapproving sale of AWACs radar planes, F-15 aircraft and other military equipment to Saudi Arabia. Yes. Passed 301-111.

(260) H.R. 3603. Amendment to repeal the poundage quota and the acreage allotment system for growing peanuts and eliminate specific loan rate for peanuts. Yes. Passed 250-159.

(261) H.R. 3603. Amendment to end the price supports program for sugar. Yes. Passed 213-190.

(271) H.R. 3603. Amendment to repeal the tobacco allotment system and tobacco price support loans. Yes. Failed 184-231.

(278) S. 884. Final approval of the Food and Agriculture Act, reauthorizing for 4 years farm program price supports and food stamps. Yes. Passed 192-160.

(282) H. Res. 251. Resolution changing House of Representatives rules to increase the amount of outside income Congressmen may earn from 15 percent to 40 percent of official salaries, and to increase the limit on individual honorariums from $1,000 to $2,000. No. Failed 147-271.

(283) H.R. 4603. Bill to provide expanded financial aid to troubled savings and loan institutions. No. Passed 371-46.

(285) H.R. 4437. Bill to extend daylight saving time by 2 months by starting it the first Sunday in March. No. Passed 243-165.

(289) S. 1193. Bill to authorize $2.9 billion in fiscal 1982 and $2.8 billion for fiscal 1983 for operation of the Department of State. Yes. Passed 317-58.

(290) H.R. 3464. Bill to prohibit construction of U.S. naval vessels in foreign shipyards except where the President determines. Yes. Passed 366-21.

(291) H.R. 3502. Bill to mandate guidelines for increased coordination and sharing of Veterans' Administration and Defense Department medical facilities. Yes. Passed 386-0.

(297) H.R. 4035. Motion to recommit to conference the Interior appropriations bill containing $7.5 billion. No. Failed 199-199.

(302) H.J. Res. 357. Motion to recommit continuing appropriations bill with instructions to committee to cut 5 percent from discretionary spending except for defense, social security, veterans' medical care, and food stamps. No. Failed 189-201.

(303) H.J. Res. 357. Resolution to provide funding authority for Federal Government agencies for the period November 20, 1981 through September 30, 1982. Yes. Passed 195-187.

(309) S. 815. Adoption of final conference report language authorizing $130.7 billion for Defense Department programs for fiscal 1982. Yes. Passed 335-61.

(311) H.R. 3454. Final bill authorizing secret amounts of funding for U.S. intelligence operations for fiscal 1982. Yes. Passed 379-22.

(312) H.R. 4522. Final bill authorizing Federal funds of $557 million, $13 million less than President Reagan's request, and local funds of $1.9 billion, the same as President Reagan's request, to the District of Columbia. Yes. Passed 228-174.

(315) H.R. 4995. Amendment to delete $1.8 billion for B-1 bomber. Yes. Failed 142-263.

(316) H.R. 4995. Amendment to delete $1.9 billion for Air Force's research, development and testing of the MX missile basing system. Yes. Failed 139-264.

(319) H.R. 4995. Amendment to exempt spare parts and ammunition from proposed 5 percent cut of another amendment. Yes. Failed 197-202.

(320) H.R. 4995. Bill to appropriate $197.4 billion, $3.5 billion less than President Reagan's request, for Department of Defense programs in fiscal 1982. Yes. Passed 335-61.

(321) H. Con. Res. 224. Concurrent resolution expressing Congressional support for President Reagan's November 18, 1981, proposals for limiting strategic and intermediate range weapons. Yes. Passed 382-3.

(322) H.R. 3413. Final bill to authorize $5.1 billion for national security programs of the Department of Energy in fiscal 1982. Yes. Passed 335-55.

(325) H.R. 3663. Bill reducing Government regulation of intercity bus industry. Yes. passed 305-83.

(326) H.J. Res. 349. Resolution authorizing U.S. participation in a multinational peacekeeping force in the Sinai Peninsula following Israeli withdrawal in April 1982, and authorizing $125 million as the U.S. contribution. Yes. Passed 368-13.

(333) H.J. Res. 357. Final bill authorizing "continuing appropriations" for Federal agencies through September 30, 1982. Yes. Passed 205-194.●

BULLDOGS AND CRUSADERS CARRY OUT PROUD FOOTBALL TRADITION

HON. JAMES L. NELLIGAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 1981

● Mr. NELLIGAN. Mr. Speaker, northeastern Pennsylvania has a proud tradition of producing outstanding high school football teams. This tradition breeds fierce competition among area teams, and makes it all the more noteworthy that the two finalists in the eastern conference class A high school competition are both from the 11th Congressional District, which I am proud to represent.

One finalist is Wilkes-Barre's Coughlin High Crusaders, with their spirited young coach, J. P. Meck. Led by a tenacious defense, and a high-powered offense featuring quarterback Nick Volpetti and running back Joe Parsnik, the Crusaders defeated Pottsville High's Crimson Tide 37 to 9 on Thanksgiving Day to gain the finals.

The other finalist is the Berwick High Bulldogs, under the tutelage of Coach George Curry. Led by triple-threat back Keith Seely, who scored 17 points on two touchdowns, a field goal and two extra points, the Bulldogs defeated the visiting Lakeland Chiefs 25 to 11 in a semifinal game last Saturday afternoon.

With their respective victories, Coughlin and Berwick won the right to represent their leagues in the eastern conference class A finals. The game between the once-defeated Crusaders and the undefeated Bulldogs will be played Saturday, December 5, in Berwick.

No matter what the outcome, both teams are to be commended for their outstanding records this season. Their coaches and their players have given the people of Berwick and Wilkes-Barre a just reason for the community pride which has long been associated with winning football teams in our area. I salute both teams, and wish each one the best of luck in the title game next Saturday.●

VETO CANNOT MASK FAILURE OF REAGAN ECONOMICS

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 1981

● Mr. OBERSTAR. Mr. Speaker, President Reagan's veto of the continuing resolution has given him the confrontation which he sought with Congress. He has vetoed a continuing resolution which would have funded Government activities at a level below the amounts established in Gramm-Latta I and the Omnibus Reconciliation Act signed by President Reagan on August 13, 1981.

This summer, Congress enacted not only the President's budget but also his tax proposal, now labeled a "Trojan horse" by the chastened high priest of Reagan economics, David Stockman. The enactment of his tax bill assures the United States record deficits in the coming fiscal years, with a projected deficit for fiscal year 1982 of $100 billion. President Reagan vetoed the continuing resolution because he said it exceeded his latest budget request—his fourth—by some $2 billion. The projected deficit for this year resulting from his tax bill is 50 times that amount.

President Reagan is obviously trying to divert the legitimate outrage of the American people from the betrayal of their confidence in his economic program by attempting to blame Congress for the failures of that program. The people will see through this gimmick. This past summer, Congress gave the President everything he wanted: Budget, reconciliation, and taxes. So now, faced with the inevitable consequences of the failure of his program, and the notoriety of the apostate Stockman, and the accommodating Allen, the President vetoes an essential Government funding resolution which members of his own party in

the Senate believed he would sign, a resolution which they themselves signed in conference over the weekend.

At this point, there is little doubt that the continuing resolution passed by this House will ultimately hand the President the figures he wants, although I believe we all must expect those figures to change, as they have so many times in the past month as the President struggles to offset the damage resulting from his economic program. Two years ago, GEORGE BUSH, now Vice President, recognized the inherent nature of Reagan economics as "voodoo economics." In the coming months, those Members of this House who still cling to some independent judgment must bear the responsibility of serving as protectors of economic realism in the proceedings of this House.

Mr. Speaker, even if the Congress had given Mr. Reagan dollar for dollar, the exact budget proposal he wanted, we would not have changed the fundamental problem facing the administration and the American people: the deepening failure of the administration's economic program. The Reagan administration persuaded Congress to enact budget and tax proposals based on untried and questionable economic theories for the purpose of lowering the marginal tax rate for the wealthiest of Americans, financing overpriced, unnecessary, and dangerous weapons system, and destroying programs enacted over the past 40 years to address critical national problems.●

COMMUNITY BOARDS: LOCAL GOVERNMENT AT ITS BEST

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 1981

● Mr. BIAGGI. Mr. Speaker, I wish to bring to the attention of my colleagues an example of how local government in New York City, called community boards, has been successful in responding to the needs of local citizens in their area for vital social and human services. Mayor Koch declared last week "Community Board Week" in order to generate public awareness of community boards and how citizens may become involved in their activities. It is both fitting and timely that attention be focused on their work as they provide a vital role for the democratic process at the grassroots level.

Community boards are composed of 30 to 50 citizens who are appointed by elected and at-large members of the city council and the borough president. Appointees serve for a term of 2 years. Each borough is divided into a number of boards, according to population. The Bronx has 12 boards, Queens 14, Staten Island 3, Manhattan 12, and Brooklyn 18 boards. Each board has its own agenda and its daily operations are conducted by a district manager who serves at the pleasure of the board and makes recommendations to the board on issues of direct concern and interest to citizens, including budget matters. The district manager is also responsible for advising board members of the concerns of the local community.

Each community board, which meets once a month, makes important decisions which directly affect the lives of residents within their districts. This includes issues such as renovation of old or abandoned buildings, seeking additional police protection, parking matters, and health services for the community. The fact that the community boards operate for and by the community makes them the proper forum where these issues can be discussed and debated. The multinatured character of New York City lends itself to neighborhoods which are economically, socially, and ethnically diverse, each with its own needs and concerns. The notion of the community boards has helped to foster and support this diversity and lends itself as a stabilizing factor in preserving and protecting these neighborhoods.

In my own 10th Congressional District, community boards are seeking to respond to residents needs in a variety of ways. For example, board 8 is conducting a neighborhood car registration program with the 50th police precinct which will assist in the tracking of vehicles. Board 9 has been actively involved in opposing the establishment of a methadone treatment center, but also is activly involved in soliciting new citizens to assist the board in its work. Community board 10 has planned several outreach tours into senior citizen centers and local public schools to enlighten residents about the role of the community board and boards 7 and 8 are jointly sponsoring an arson awareness seminar to alert residents of the problem and to halt its spread into the community.

These are but a few examples of the kinds of activities that are undertaken by community boards. They are vital units of local government and have lent stability and support to neighborhoods in New York which are seeking to preserve and protect their residents and their services. In an era of diminishing human resources, the links that the community boards provide are essential if we are to continue to address the basic needs of our citizens and insure that ever-shrinking resources are targeted to those who rightly need and deserve them.

In an effort to assist New York City residents in learning more about community board leaders and activities, I am including a list of all community boards and urge interested citizens and organizations to take this opportunity to become involved with them if they have not already done so.

COMMUNITY BOARDS

BRONX

Board No. 1: 384 East 149 St., Bronx, N.Y. 10455; 585-7117; Ms. Carmen Arroyo, Chairperson; Mr. Raymond Cruz, District Manager.

Board No. 2: 953 Southern Blvd., Bronx, N.Y. 10459; 328-9125-6; Sister Thomas, Chairperson; Mr. Peter Contillo, District Manager.

Board No. 3: 1191 Boston Road, Bronx, N.Y. 10456; 589-6300; Mr. Lawrence Burr, Chairperson; Ms. Christine P. Reeves, District Manager.

Board No. 4: 1650 Selwyn Ave., Bonx, N.Y. 10457; 299-0800; Mr. Jose Gonzalez, Chairperson; Mr. Herbert Samuels, District Manager.

Board No. 5: Bronx Community College, Sage Engineering Bldg., Rm. 212, University Ave. & W. 181 St., Bronx, N.Y. 10453; 298-3818; Mr. George P. Golovchenko, Chairperson; Ms. Lorraine Holtz, District Manager.

Board No. 6: 1932 Arthur Ave., Rm. 707, Bronx, N.Y. 10457; 583-2302; Rev. Robert Bonome, Chairperson; Mr. Edwin Martinez, District Manager.

Board No. 7: Lehman College, Poe Center, 2641 Grand Concourse, Bronx, N.Y. 10468; 933-5650; Mr. John O'Toole, Chairperson; Mr. Bernard Englander, District Manager.

Board No. 8: 210 West 233 St., Bronx, N.Y. 10463; 884-3959; Mr. Herbert Lieberman, Chairperson; Ms. Grace Belkin, District Manager.

Board No. 9: 1967 Turnbull Ave., Bronx, N.Y. 10473; 823-3034; Mr. Clyfee Madhu, Chairperson; Ms. Lucy Cruz, District Manager.

Board No. 10: 3100 Wilkinson Ave., Bronx, N.Y. 10461; 892-1161, 885-1432; Ms. Peggy Vega, Chairperson; Mr. James Vacca, District Manager.

Board No. 11: 2280 Wallace Ave., Bronx, N.Y. 10467; 653-0936; Mr. Soloman Lirtzman, Chairperson; Mr. Thomas Brown, District Manager.

Board No. 12: 4101 White Plains Rd., Bronx, N.Y. 10466; 881-4456; Mr. William Badinelli, Chairperson; Mr. Samuel Bea Jr., District Manager.

BROOKLYN

Board No. 1: 151 Mauier St., Rm. 302, Brooklyn, N.Y. 11206; 388-4440; Mr. Vincent V. Abata, Chairperson; Mr. Gerald A. Esposito, District Manager.

Board No. 2: 185 Montague St., 8th Fl., Brooklyn, N.Y. 11201; 596-5410; Mr. Howard Zimmerman, Chairperson; Ms. Evelyn Williams, District Manager.

Board No. 3: 1360 Fulton St., Brooklyn, N.Y. 11216; 622-6601; Ms. Joan E. Withington, Chairperson; Ms. Priscilla Boyles, District Manager.

Board No. 4: 335 Central Ave., Brooklyn, N.Y. 11221; 443-8400; Rev. Peter Mahoney, Chairperson; Ms. Irish Rodriguez, District Manager.

Board No. 5: 2094 Pitkin Ave., Brooklyn, N.Y. 11207; 498-5711; Ms. Corinna Grant, Chairperson; Mr. Walter Campbell, District Manager.

Board No. 6: 250 Baltic St., Brooklyn, N.Y. 11201; 643-3027; Ms. Anita De Martini, Chairperson; Mr. Robert Acito, District Manager.

Board No. 7: 4201 4th Ave., Bklyn, N.Y. 11232; 854-0003; Mr. Andrew DiOrio, Chairperson; Mr. Dennis Sedita, District Manager.

Board No. 8: 217 Eastern Parkway, Bklyn, N.Y. 11238; 636-0800; Ms. Ruth G. Goring, Chairperson; Mr. Alphonso Wright, District Manager.

Board No. 9: 890 Nostrand Ave., Bklyn, N.Y. 11225; 778-9281; Rabbi Jacob Goldstein, Chairperson; Ms. Enid Ford, District Manager.

Board No. 10: 621 86th St., Bklyn N.Y. 11209; 745-6827; Mr. Joseph Bova, Chairperson; Mr. Louis Freda, District Manager.

Board No. 11: 2214 Bath Ave., Bklyn N.Y. 11214; 266-8800; Ms. Helen Wolfsohn, Chairperson; Mr. Howard Feuer, District Manager.

Board No. 12: 4613 18th Ave. Bklyn N.Y. 11204; 851-0800; Mr. Edward M. Rappaport, Chairperson; Mr. Noah Dear, District Manager.

Board No. 13: 1224 Neptune Ave. Bklyn N.Y. 11224; 266-3001; Mr. Harold Fallick, Chairperson; Mr. Herbert Elsenberg, District Manager.

Board No. 14: 1510 Ave H. Bklyn N.Y. 11230; 859-6357; Mr. Ira B. Harkavy, Chairperson; Mr. Jeffery Ewing, District Manager.

Board No. 15: 2333 Coney Island Ave., Bklyn N.Y. 11223; 998-4931; Mr. Maurice Kolodin, Chairperson; Mr. Michael Boyars, District Manager.

Board No. 16: 216 Rockaway Ave., 1E, Bklyn N.Y. 11233; 385-0323-4-5; Mr. Charles Hamilton, Chairperson; Mrs. Jeannette Gadson, District Manager.

Board No. 17: 555 Remsen Ave., Bklyn N.Y. 11236; 345-5511; Mr. William Hurley, Chairperson; Ms. Rochelle Tenner, District Manager.

Board No. 18: 5715 Ave. H, Apt. 1D, Bklyn N.Y. 11234; 241-04422; Mr. Joseph Marano, Chairperson; Mr. Frank Seddio, District Manager.

MANHATTAN

Board No. 1: 51 Chambers St. Rm. 809, N.Y.C. 10007; 374-1421-2; Mr. Lloyd Merrill, Chairperson; Mr. Claus Reinisch, District Manager.

Board No. 2: 3 Washington Sq. Village, Apt. 1-A, N.Y.C. 10012, 533-1617-18; Mr. Anthony Dapolito, Chairperson; Ms. Rita Lee, District Manager.

Board No. 3: 137 Second Ave., N.Y.C. 10003; 533-5300; Mr. Frank Mosco, Chairperson; Mr. Steve Juhan, District Manager.

Board No. 4: 330 West 42nd St., Ground Fl, N.Y.C. 10036; 736-4536-7; Ms. Camille Truchel, Chairperson; Mr. Norman Dion, District Manager.

Board No. 5: 345 Park Ave., Level C, N.Y.C. 10022; 688-9805; Mr. Daniel A. Biederman, Chairperson; Mr. Thomas Cusick, District Manager.

Board No. 6: 330 East 26th St., 2L, N.Y.C. 10010; 679-0907; Ms. Joanna Battaglia, Chairperson; Ms. Lydia Brown, District Manager.

Board No. 7: 5 West 63rd St., N.Y.C. 10023; 362-4008; Ms. Sally Goodgold, Chairperson; Ms. Carol Pieper, District Manager.

Board No. 8: 316 East 88th St., N.Y.C. 10028; 427-4840; Mr. Morton Delson, Chairperson; Ms. Trudy Emanuel, District Manager.

Board No. 9: 530 West 133rd St., N.Y.C. 10031; 234-7768; Rev. George Thomas, Chairperson; Mr. Leslie Wyche, District Manager.

Board No. 10: 215 West 125th St., Rm. 340, N.Y.C. 10027; 666-6130; Mr. Lloyd Williams, Chairperson; Ms. Deborah Hall, District Manager.

Board No. 11: 55 East 115th St., N.Y.C. 10029; 831-8929-30; Mr. Robert Deleon, Chairperson; Mr. Frank J. Negron, District Manager.

Board No. 12: 711 West 168th St., N.Y.C. 10032; 586-8500; Mrs. Hope Irvine, Chairperson; Ms. Anne Loftus, District Manager.

QUEENS

Board No. 1: 34-31 35th St., Astoria, N.Y. 11106; 786-3335; Mr. Vinicio Donato, Chairperson; Mr. George Delis, District Manager.

Board No. 2: 55-11 Queens Blvd., Woodside, N.Y. 11377; 779-3213; Ms. Karen Berger Morello, Chairperson; Mr. John M. Mullins, District Manager.

Board No. 3: 34-33 Junction Blvd., N.Y. 11372; 458-2707; Mrs. Mary A. Vavruska, Chairperson; Ms. Mary Sarro, District Manager.

Board No. 4: 86-22 Broadway, Elmhurst, N.Y. 11373; 651-8070; Mr. Louis F. Simeone, Chairperson; Mr. John Rowan, District Manager.

Board No. 5: 71-24 Fresh Pond Rd., Ridgewood, N.Y. 11385; 366-1834; Mr. Fred Haller, Chairperson; Ms. Joannene Coppinger, Acting District Manager.

Board No. 6: 73-05 Yellowstone Blvd., Forest Hills, N.Y. 11375; 263-9250; Mr. Anthony H. Atlas, Chairperson; Ms. Kathleen H. Reilly, District Manager.

Board No. 7: 136-51 37th Ave., Flushing, N.Y., 11354; 359-2800; Mrs. Mary McVay, Chairperson; Ms. Wilhelmina Jimney, District Manager.

Board No. 8: 81-26 150th St., Jamaica, N.Y. 11435; 591-6000; Mr. Albert Daly, Chairperson; Ms. Annabelle Glasser, Acting District Manager.

Board No. 9: Queens Boro Hall, Rm. 222; 120-55 Queens Blvd., Kew Gardens, N.Y. 11424; 520-3090; Mr. David Friedrich, Chairperson; Ms. Barbara R. Kuchuk, District Manager.

Board No. 10: 92-05 Rockaway Blvd., Ozone Park, N.Y. 11417; 843-4488; Mr. Joel Miele, Chairperson; Ms. Anne Grossberg, District Manager.

Board No. 11: 38-08 Bell Blvd., Bayside, N.Y. 11361; 225-1054-5; Mr. Bernard Haber, Chairperson; Ms. Helen Philbin, District Manager.

Board No. 12: 90-28 161 St., Jamaica, N.Y. 11432; 658-3308; Ms. Vivian Bailey, Chairperson; Mr. Douglas Harnett, District Manager.

Board No. 13: Queens Reform Church; 219-41 Jamaica Ave., Queens Village, N.Y. 11428; 464-9700; Ms. Susan M. Noreika, Chairperson; Ms. Teresa F. Moran, District Manager.

Board No. 14: 1931 Mott Ave., Rm. 311, Far Rockaway, N.Y. 11691; 471-7300; Mr. George R. Stein, Chairperson; Ms. Elaine Castas, District Manager.

STATEN ISLAND

Board No. 1: 111 Canal St., Staten Island, N.Y. 10304; 981-6900; Mr. Joseph Sciandra, Chairperson; Mr. Norman L. Berger, District Manager.

Board No. 2: Sea View Hosp. Admin. Bldg., 460 Brielle Ave., Staten Island, N.Y. 10314; 390-8235; Mr. Joseph Manifold, Chairperson; Ms. Lillian Prado, District Manager.

Board No. 3: 100 Johnston Terrace, 3rd Fl., Staten Island, N.Y. 10309; 356-7900; Mr. Philip Iskowitz, Chairperson; Mr. Frank X. Beraud, District Manager.●

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Tuesday, December 1, 1981, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

DECEMBER 2

9:30 a.m.

Finance

To hear and consider the nominations of Jules G. Korner III, of Maryland, Perry Shields, of Tennessee, and Meade Whitaker, of Michigan, each to be a judge of the U.S. Tax Court.

2221 Dirksen Building

10:00 a.m.

*Energy and Natural Resources

Business meeting, to resume markup of S. 1484, promoting the development of oil shale resources by revising the authority to lease lands containing oil shale deposits, and other pending calendar business.

3110 Dirksen Building

Environment and Public Works

Business meeting, to mark up S. 1692, providing for the operation, maintenance, and construction of deep-draft channels and national harbors.

4200 Dirksen Building

Foreign Relations

To hold hearings on activities of the International Atomic Energy Agency (IAEA), focusing on its programs of safeguards.

4221 Dirksen Building

10:30 a.m.

Conferees

On S. 884, authorizing funds for fiscal years 1982 through 1985 for commodity price support programs administered by the Department of Agriculture, for agriculture research and conservation, and agriculture exports.

324 Russell Building

1:30 p.m.

Foreign Relations

To hold hearings on the nominations of Kenneth L. Brown, of California, to be Ambassador to the People's Republic of the Congo, and Francis T. McNamara, of Vermont, to be Ambassador to the Gabonese Republic and to serve concurrently and without additional compensation as Ambassador to the

Democratic Republic of Sao Tome and Principe.
4221 Dirksen Building

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
2228 Dirksen Building

DECEMBER 3

9:30 a.m.
Energy and Natural Resources
Energy and Mineral Resources Subcommittee
To resume oversight hearings on America's role in the world coal export market, focusing on the domestic coal transportation network.
3110 Dirksen Building

Finance
Health Subcommittee
To hold hearings on competitive contracting for the administration of medicare.
2221 Dirksen Building

Judiciary
To hold hearings on S. 432, establishing the Commission on the International Application of Antitrust Laws.
2228 Dirksen Building

10:00 a.m.
Environment and Public Works
Business meeting, to resume markup of proposed amendments to the Clean Air Act (Public Law 95-95).
1202 Dirksen Building

Foreign Relations
To hold hearings on the Convention on the Prevention and Punishment of the Crime of Genocide, adopted unanimously by the General Assembly of the United Nations in Paris on December 9, 1948 and signed on behalf of the United States on December 11, 1948, (Ex. O, 81st Cong., 1st sess.).
4221 Dirksen Building

Governmental Affairs
Federal Expenditures, Research, and Rules Subcommittee
To hold hearings on an Office of Federal Procurement Policy proposal establishing a uniform procurement system within the Federal Government, pursuant to Public Law 96-83.
3302 Dirksen Building

DECEMBER 4

9:30 a.m.
Finance
Savings, Pensions, and Investment Policy Subcommittee
To hold hearings on S. 829, increasing annuities payable to survivors of Tax Court judges in accordance with certain salary increases, S. 1607, providing a minimum interest and dividend exclusion for each individual, and S. 1645, permitting funds in an individual retirement account to be invested in collectibles.
2221 Dirksen Building

Governmental Affairs
Energy, Nuclear Proliferation and Government Processes Subcommittee
To hold hearings on Federal regulatory enforcement policy.
3302 Dirksen Building

10:00 a.m.
Joint Economic
To hold hearings on the employment/unemployment situation for November.
2118 Rayburn Building

DECEMBER 7

10:00 a.m.
Banking, Housing, and Urban Affairs
To hold hearings on Senate Resolution 209, S. 1859, Senate Concurrent Resolution 40, S. 971, S. 1609, and S. 1691, measures revising certain provisions of the Federal Reserve Act relating to the structure and membership of the Federal Reserve Board.
5302 Dirksen Building

Judiciary
To resume hearings on S. 995, providing for contribution of damages in antitrust price-fixing suits.
2228 Dirksen Building

Joint Economic
Agriculture and Transportation Subcommittee
To hold hearings on the economic effects of transportation on U.S. agricultural products, focusing on agriculture exports.
5110 Dirksen Building

1:30 p.m.
Judiciary
Constitution Subcommittee
To resume hearings on Senate Joint Resolution 110, Senate Joint Resolution 17, Senate Joint Resolution 18, and Senate Joint Resolution 19, measures amending the Constitution to establish legislative authority in the Congress and the States with respect to abortion.
6226 Dirksen Building

DECEMBER 8

9:00 a.m.
Governmental Affairs
To hold hearings on debt collection procedures in the health professions student loan program, focusing on high delinquency rates.
5110 Dirksen Building

9:30 a.m.
Environment and Public Works
To hold oversight hearings on the Endangered Species Act (Public Law 96-159).
4200 Dirksen Building

Labor and Human Resources
To resume oversight hearings to examine affirmative action regulations of the Office of Federal Contract Compliance Programs, Department of Labor.
4232 Dirksen Building

National Ocean Policy Study
To hold hearings on the status of Atlantic bluefin tuna stocks.
235 Russell Building

10:00 a.m.
Commerce, Science, and Transportation
To hold hearings on S. 1879, providing the Interstate Commerce Commission with authority to review good faith purchase applications which have been rejected by the trustees of the bankrupt Rock Island Railroad.
6226 Dirksen Building

Rules and Administration
To hold hearings on Senate Joint Resolution 95, providing for the construction of the Franklin D. Roosevelt Memorial in the District of Columbia, and S. 1638, establishing a national memorial to Franklin D. Roosevelt on Roosevelt Island, New York City.
301 Russell Building

DECEMBER 9

10:00 a.m.
Energy and Natural Resources
Business meeting on pending calendar business.
3110 Dirksen Building

2:00 p.m.
Joint Economic
Monetary and Fiscal Policy Subcommittee
To hold hearings on Federal Government policy as it relates to the defense industrial base.
6226 Dirksen Building

DECEMBER 10

9:00 a.m.
Energy and Natural Resources
To hold hearings on S. 1867, to increase the acreage limitations and abolish the residency requirements of the Federal reclamation laws.
3110 Dirksen Building

Judiciary
*Criminal Law Subcommittee
To hold hearings on S. 613, amending the Federal Criminal Code to revise the scope of, and penalties under the Hobbs Act, prohibiting interference with commerce by threat or violence.
2228 Dirksen Building

9:30 a.m.
Commerce, Science, and Transportation
Business meeting, on pending calendar business.
235 Russell Building

Environment and Public Works
To resume oversight hearings on the Endangered Species Act (Public Law 96-159).
4200 Dirksen Building

Labor and Human Resources
To resume oversight hearings to examine affirmative action regulations of the Office of Federal Contract Compliance Programs, Department of Labor.
4232 Dirksen Building

10:00 a.m.
Governmental Affairs
Energy, Nuclear Proliferation and Government Processes Subcommittee
To hold oversight hearings on activities of the Department of Energy.
3302 Dirksen Building

10:30 a.m.
Judiciary
Juvenile Justice Subcommittee
To hold hearings on current conditions of correctional institutions.
6226 Dirksen Building

DECEMBER 11

9:00 a.m.
Energy and Natural Resources
To continue hearings on S. 1867, to increase the acreage limitations and abolish the residency requirements of the Federal reclamation laws.
3110 Dirksen Building

9:30 a.m.
Veterans' Affairs
Business meeting, to mark up S. 349, providing for limited judicial review of the administrative action of the Veterans' Administration, and for reasonable fees to attorneys representing legal counsel for veterans.
412 Russell Building

10:00 a.m.
Environment and Public Works
Business meeting, to resume markup of proposed amendments to the Clean Air Act (Public Law 95-95).
1202 Dirksen Building

DECEMBER 16

10:00 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To hold oversight hearings on training and testing programs for air traffic controllers.
235 Russell Building

JANUARY 13, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To hold hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

JANUARY 14, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To continue hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

JANUARY 20, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

JANUARY 26, 1982

9:30 a.m.
Labor and Human Resources
Labor Subcommittee
To resume hearings on S. 1541, amending the Employee Retirement Income Security Act (ERISA) by simplifying both reporting and disclosure requirements, and the process for employers to provide retirement income to employees, and providing incentives for employers to provide pension benefits to employees.
4232 Dirksen Building

JANUARY 28, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

Labor and Human Resources
Labor Subcommittee
To hold hearings on S. 1785, increasing the penalties for violations of the Taft-Hartley Act, requiring immediate removal of certain individuals convicted of crimes relating to his official position, broadening the definition of the types of positions an individual is barred from upon conviction, increasing the time of disbarment from 5 to 10 years, escrowing a convicted official's salary for the duration of his appeal, and clarifying the jurisdiction of the Department of Labor relating to detecting and investigating criminal violations relating to ERISA.
4232 Dirksen Building

FEBRUARY 4, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

FEBRUARY 10, 1982

9:30 a.m.
Labor and Human Resources
Labor Subcommittee
To hold hearings on S. 1748, exempting certain employers from withdrawal and plan termination insurance provisions of title IV of the Employee Retirement Income Security Act (ERISA).
4232 Dirksen Building

FEBRUARY 11, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

FEBRUARY 18, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all State and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

FEBRUARY 23, 1982

11:00 a.m.
Veterans' Affairs
To hold hearings on legislative recommendations of the Disabled American Veterans.
Room to be announced

FEBRUARY 25, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

CANCELLATIONS

DECEMBER 1

9:30 a.m.
Agriculture, Nutrition, and Forestry
To hold joint hearings with the Committee on Labor and Human Resources on S. 1442, revising and updating American food safety laws.
4232 Dirksen Building

Labor and Human Resources
To hold joint hearings with the Committee on Agriculture, Nutrition, and Forestry on S. 1442, revising and updating American food safety laws.
4232 Dirksen Building

DECEMBER 2

9:30 a.m.
Agriculture, Nutrition, and Forestry
To continue joint hearings with the Committee on Labor and Human Resources on S. 1442, revising and updating American food safety laws.
4232 Dirksen Building

Labor and Human Resources
To continue joint hearings with the Committee on Agriculture, Nutrition and Forestry on S. 1442, revising and updating American food safety laws.
4232 Dirksen Building

DECEMBER 4

9:30 a.m.
*Banking, Housing, and Urban Affairs
To hold hearings on the use of Defense Production Act authorities to stimulate domestic production of titanium.
5302 Dirksen Building

SENATE—*Tuesday, December 1, 1981*

(Legislative day of Monday, November 30, 1981)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, the Reverend Richard C. Halverson, LL.D., D.D., offered the following prayer:

Let us pray.

Almighty God, Supreme Ruler of the Universe, Thy word declares:

Righteousness exalteth a nation, but sin is a reproach to any people.—Proverbs 14: 34.

We do not hear these words as a threat or a warning, O Lord, but as a simple statement of fact, an inviolate rule of history. Righteousness brings blessing, sin brings a curse; righteousness is constructive, sin is destructive. No civilization or empire has been able to survive the violation of this principle.

Deliver us, O God, from the presumption that we somehow are the exception, that the rule does not apply to us and can be ignored. Protect us against the false and insidious assumption that we can disregard the divine order and get away with it. Help us to see that whatever else we do, repentence for sin and turning to righteousness is the surest way out of our critical situation. Teach us that intransigence toward God's moral order is the surest way to destruction. Help us, mighty God, to take seriously Thy word to Thy glory and to our national preservation. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. Under the standing order, the majority leader is recognized.

Mr. BAKER. Mr. President, I thank the Chair.

THE JOURNAL

Mr. BAKER. Mr. President, I ask unanimous consent that the Journal of the proceedings of the Senate be approved to date.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that after the expiration of time allocated to the two leaders under the standing order and the four Senators under the special order entered on yesterday, there be a brief period for the transaction of routine morning business to extend not past the hour of 11:30 a.m., in which Senators may speak for not more than 3 minutes each.

The PRESIDENT pro tempore. Without objection, it is so ordered.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1982

Mr. BAKER. Mr. President, at the conclusion of morning business, what will the Chair lay before the Senate as the pending business?

The PRESIDENT pro tempore. The Senate will resume consideration of the pending business, H.R. 4995.

Mr. BAKER. Which is the defense appropriations bill.

The PRESIDENT pro tempore. The majority leader is correct.

Mr. BAKER. Mr. President, it is the hope of the leadership that good progress can be made on the defense appropriations bill today. Senators will recall that there was some difficulty with the managers of the bill being able to handle amendments yesterday because of the delay in Senators presenting them for the consideration of the Senate. I remarked on more than one occasion yesterday that time is short. Today is the first day of December and we hope for sine die adjournment on the 18th of December, and we do not have a day to waste. I hope we can do better than that today.

I now urge all Senators to come to the floor and offer their amendments this morning. I will encourage the managers of the bill to call for third reading if amendments are not forthcoming.

Mr. President, there are other matters on the calendar that may be dealt with. There are other appropriations bills, for instance the military construction appropriations bill. There is the Small Business Act, and perhaps other matters.

If my effort to move the defense appropriations bill does not succeed, and I devoutly wish for the result that it should succeed, I am prepared, Mr. President, as much as I regret to say, to lay aside the measure and take up some other bill so we can make progress. Senators should be on notice that by early afternoon if we are not making good progress on this bill, the leadership will either ask for third reading or ask unanimous consent to temporarily lay aside this measure and proceed first to the military construction appropriations bill or perhaps the small business bill. It will be the intention of the leadership, however, to resume consideration of the Department of Defense appropriations bill either later today or as the first order of business on tomorrow.

Mr. President, it may be that I will make another statement on another subject in a moment, but at present I prefer to reserve the remainder of my time under the standing order and I yield to the distinguished acting minority leader.

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDENT pro tempore. The distinguished acting minority leader is recognized.

Mr. INOUYE. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COCHRAN). Without objection, it is so ordered.

Mr. BAKER. Mr. President, I yield now to the distinguished Senator from Hawaii.

The PRESIDING OFFICER. The Senator from Hawaii.

POSTPONEMENT OF THE MATTER RELATING TO SENATOR WILLIAMS

Mr. INOUYE. Mr. President, according to the legislative calendar announced previously by the majority leader, the matter of the senior Senator from New Jersey is to be taken up this Thursday. For the past few weeks I have looked over the matter and I have decided to participate very actively in those proceedings. I intend to be on the floor at all times and to assure that the gentleman from New Jersey is accorded his full day in court.

In order to do that, Mr. President, I will need sufficient time to prepare myself. I do not speak as a defense counsel. I have not been asked to do that, nor am I imposing myself on the gentleman from New Jersey. But I wish to actively participate and, therefore, I will need some time.

Accordingly and most respectfully, I ask the leadership of the Senate, Mr. BAKER and Mr. ROBERT C. BYRD, to provide me sufficient time to prepare myself.

Mr. BAKER. Mr. President, I may say that the request just made by the Senator from Hawaii is not a surprise to this Senator. Indeed, he had conveyed to me privately the substance of what he has just remarked. Yesterday, I consulted with the distinguished Senator from Hawaii and with the distinguished minority leader on this subject.

I may say, Mr. President, that there have been many suggestions or reasons why this matter should be postponed, some of them more meritorious than others. But the joint leadership has resisted any suggestions that the debate on this resolution, that is to say, Sen-

ate Resolution 204, as reported by the Ethics Committee, should be postponed.

I know I speak for this part of the leadership when I say that I feel the Senate has a special and powerful responsibility to deal with this constitutional duty to pass on the fitness of its Members.

The request made informally yesterday and now stated on the floor by the Senator from Hawaii is in an entirely different category. There are no Members of the Senate held in higher regard and esteem than the Senator from Hawaii. He has few peers.

I congratulate him on his decision to participate in this matter, for no one on either side of the aisle wishes to see the Senator from New Jersey without counsel or without advocates on the floor. I believe the Senator from Hawaii is undertaking an important and honorable responsibility.

In view of that, Mr. President, it is my responsibility to say that if this request is supported by the distinguished minority leader, I am prepared to accede to it and to announce that the matter will be postponed until the convening of the Senate in January.

I may say, Mr. President, that I continue to believe that the matter should be dealt with promptly and if, indeed, it is postponed, if this becomes a decision of the joint leadership, then it will be my intention to ask the Senate to turn to consideration of this resolution as one of the earliest, if not, indeed, the earliest item of business to be considered by the Senate when we reconvene in January.

Mr. ROBERT C. BYRD. Mr. President, I share the majority leader's view and his decision that the request that has been stated to us privately on yesterday and now publicly by the distinguished senior Senator from Hawaii be granted. It is a reasonable request. It is a logical request, it is a legitimate request.

I share the majority leader's viewpoint—I do not presume to speak for him—that legal counsel from outside the Senate should not speak on the floor of the Senate. In the final analysis, that would be a judgment for the Senate to make, of course, but I do not believe that legal counsel outside the Senate should address the Senate or ask questions of Senators or examine witnesses or cross-examine witnesses in the Senate Chamber. Legal counsel outside the Senate has not been elected to the Senate by any constituency and answers to no constituency through the political and representative process. I think that only Senators should speak to the Senate on this floor with respect to this or any other similar matter.

That is not to say, however, that Senator WILLIAMS should not have ample opportunity on the floor to speak for himself or that he should not have an advocate or advocates on the floor in the persons of other Senators.

I respect Senator INOUYE for assuming this task. I admire him and, without any reservation, I join with him in expressing to the majority leader the rightness of this course of action.

I also share the majority leader's position that the Senate should not arrange its schedule in this matter in accordance with the schedule of any court. This is not a legal proceeding which will occur in this Chamber, it is a constitutional proceeding.

It should not be equated with a legal proceeding in the sense that the accused would have witnesses, witnesses would be sworn and would speak and would be examined and cross-examined by lawyers for the defense and for the opposite side. The Senate has the responsibility under the Constitution to determine the qualifications of its own Members and to make decisions in cases of expulsion and censure and so on.

I congratulate and thank the majority leader on acceding to the request of Mr. INOUYE. I also compliment the majority leader on adhering to what he believes is the overriding prerogative and responsibility of the Senate. The Senate must reach a decision at some point in this matter. The majority leader has been most considerate in his decisions in regard to this matter. He has not rushed the Senate to judgment; he has not pressed it at all unduly. But, having the responsibility of programing the work of the Senate, having the responsibility of upholding the Senate's constitutional prerogatives and pressing for a just and reasonable decision in regard to one of the Senate's responsibilities, he has, at all times, demonstrated a clear understanding of the process and also a clear understanding of the sensitivities and the needs of Senator WILLIAMS.

He has not sought for any partisan gain. If he had pressed the Senate for a decision today or tomorrow or the next day or last week or a month ago, I think there are those who might have perceived his actions and decisions as being partisan. But he has studiously bent over backward, based on my observations, to avoid that perception. I fully support his decision, as I have supported his previous inclinations in this matter, because I think they have been right. I think they have been fully cognizant of the rights of a fellow Senator. But, also, he has kept in clear view the responsibilities of the institution.

I again express my deepest admiration for Senator INOUYE and I think that this is the right conclusion. I, therefore, yield the floor.

Mr. INOUYE. Mr. President, may I just say that I am most grateful to the leadership for this most considerate accommodation.

Thank you very much.

Mr. BAKER. Mr. President, I thank the Senator from Hawaii.

Mr. President, I suppose that, in many ways, the distinguished minority leader has perhaps a heavier burden of responsibility in this matter than do I.

I wish to express now to the Senate my appreciation and gratitude to him for the exemplary way in which he has conducted himself in this matter and in the innumerable meetings that have occurred between him and me as the joint leadership. No one could have been fairer, more resolute, and more courteous than the minority leader has been in the face of this political adversity. Throughout, Mr. President, consideration of this matter has been fully and truly a bipartisan undertaking. That is not a foregone result. It could happen only with the caliber of the leadership the minority leader has brought in his role here and in his previous role as majority leader.

I remarked to the Senator from West Virginia a few days ago on the floor how fortunate I am to have been in the position he occupies as minority leader, because he knows the Senate so well and has such a feel for this institution, its traditions, and its precedents, and perhaps how unfortunate he was as majority leader to have me as minority leader for 4 years.

I freely confess, Mr. President, that he has, by reason of experience and inclination, an understanding of the Senate and the requirements of the Senate that perhaps could not be gained other than as serving in the role of majority leader.

The Senator from West Virginia has never more eloquently shown his credentials as a man of the Senate, as a distinguished Senator, than he has today, in his address with me, as the joint leadership, in this delicate but important issue.

Mr. President, I express my appreciation to him and my appreciation to the Senator from Hawaii for his careful and honorable presentation of a point of view that must be represented in the Senate as we deal with this matter.

Finally, I express my appreciation to the distinguished chairman of the Ethics Committee, Senator WALLOP, and the vice chairman, Senator HEFLIN. They have worked harder than perhaps anybody else in seeing that this matter is dealt with fairly and professionally, that they have undertaken their work with skill and dignity, and that they were fully prepared to proceed with the debate on Senate Resolution 204. It is a mark of their understanding and competence when they recognize the merit of the request made by the Senator from Hawaii and accede in the recommendation of the joint leadership. I commend them.

Mr. President, in view of the colloquy which has just transpired, I announce that the debate on Senate Resolution 204 will not occur beginning on December 3, but will be postponed until the earliest days of the next session of Congress, after sine die adjournment.

Mr. ROBERT C. BYRD. Mr. President, I thank the distinguished majority leader for his kind words.

RETIREMENT FOR HARRY F. BYRD, JR.

Mr. ROBERT C. BYRD. Mr. President, it is with genuine regret that I learned yesterday of the decision by the distinguished senior Senator from Virginia not

to seek reelection next year. I know this was a difficult personal decision and one which must carry with it the mixed emotions of leaving an institution which has played so large a part in his family's history. The State of Virginia has been represented in the Senate by a member of the Byrd family for some 48 years. It is hard to realize that this era will be coming to a close.

Senator HARRY F. BYRD, JR., first came to the Senate in 1965, succeeding his illustrious father, Senator Harry F. Byrd. During his 15-year tenure in the Senate, HARRY BYRD, JR., has become best known as a champion of economy in Government and reduced Government spending. The Senator from Virginia has long warned that deficit spendign and ambitious Federal programs are unwise, and he has remained the constant guardian of the role of States' rights in our constitutional scheme. In that, he has fashioned a truly independent role and has earned the admiration of all his Senate colleagues.

It was in 1970 that the distinguished Senator from Virginia first sought reelection as an Independent. He ran on this ticket again in 1976, winning the largest vote ever given any Virginia candidate. The people of his State knew that, above all else, Senator HARRY F. BYRD, JR., represented them and their interests. That meant his commitment to coal as a crucial domestic energy resource, his concern for the unique role of Virginia's harbors in this Nation's transportation network, and his dedication to a strong and secure America. It meant his determination that the Federal tax dollars of Virginia's citizens be wisely spent. And it meant his tireless efforts to represent his beloved State of Virginia with honor and integrity.

When the distinguished Senator from Virginia retires from the Senate, I will lose a long-time friend from the Senate. I often refer to him as my "cousin," although we are of no known relation. I will miss him. Despite his independent political views, Senator HARRY F. BYRD, JR., has always caucused with this side of the aisle, lending his wisdom to our deliberations.

So, I say again and again that I will miss him, and his Democratic colleagues will miss him.

Erma and I wish for HARRY and Gretchen God's blessings in the years ahead.

Mr. BAKER. Mr. President, will the Senator yield?

Mr. ROBERT C. BYRD. I yield.

Mr. BAKER. Mr. President, I join the distinguished minority leader in his statement of regret concerning the upcoming retirement of Senator HARRY F. BYRD, JR., of Virginia.

I am sure I join every Member of the Senate when I salute Senator HARRY F. BYRD, JR., for his distinguished service and express our appreciation for his independence, for his political acuteness, and for the balanced judgment which he has contributed to the deliberations of the Senate for so many years.

More than that, Mr. President, the Senator from Virginia is a marvelous human being. On many occasions, I witnessed the warmth of that humanity permeate the most difficult and controversial debates, and that calmness and reason led to a more useful and productive result than might otherwise have been the case.

Also, he is a good friend. Many of us have visited his home in Virginia. Some of us have his apple trees in our back yard. Some of us will continue to call on him as a friend and as a political adviser for years to come. I know that the contribution of HARRY F. BYRD, JR., of Virginia, to the mainstream of the political life of this Nation will not end when his term expires in 1982; but, rather, his restless spirit and deep commitment to the welfare of this Republic will continue to make itself known and his voice heard for many years to come.

RECOGNITION OF SENATOR PROXMIRE

The PRESIDING OFFICER. The time for the leadership has expired.

Under the previous order, the Senator from Wisconsin (Mr. PROXMIRE) is recognized for not to exceed 15 minutes.

THE DEBT LIMIT AND THE BATTLE TO HOLD DOWN FEDERAL SPENDING

Mr. PROXMIRE. Mr. President, a week ago we stumbled through the first day in American history in which the entire executive branch of the Federal Government operated without any funds. Because Congress and the President could not agree on the level of spending, we did pass a resolution a week ago Monday that postponed a decision until December 15. On or about that date we will confront almost exactly the same situation again. We may have completed and sent to the President a defense appropriations bill that will obligate us to spend about $200 billion during the fiscal year. But we will probably have all the remaining Government spending bills pending. We could and should send all the other appropriation bills to the President by December 15, and we can and should stay here in Washington in session until we act on every spending bill even if that means we work on Christmas and New Years.

DO IT RIGHT

But, Mr. President, we should do more than simply complete this business. We should do it right. We should send the President appropriation bills that will cut spending much more deeply even than the President has asked. We must find a way to cut spending. We must slash even good, popular, and useful programs. Federal health programs, for example, have generally served an inspiring and compassionate purpose. But they have grown far faster than we can possibly afford. Twenty-one short years ago in 1960 these programs constituted 2 percent of the budget. They now make up a fat 12 percent of a much larger budget.

We have increased our spending on these programs literally 44 fold in those brief 21 years. Consider that. We have not simply doubled or tripled or quadrupled our spending on health research and medicare and medicaid. In real terms allowing fully for inflation and in per capita terms allowing for our growth in population, we have increased this spending far more than tenfold. This year we slow the momentum a little but the cost surges on.

We should promptly agree to cut the Federal payments for medicaid by 5 percent. Chairman HARRISON SCHMITT, of the Labor, Health and Human Services, Education Subcommittee, has urged that for weeks. We should limit student loans to the market rate; that is, provide the loans but eliminate the subsidy. Those two actions; particularly the medicaid cut, will save even more than the President has requested on this appropriation and almost surely assure that it could go forward forthwith and without a Presidential veto. And we should promptly get to work on workfare. We can make similar progress on other spending bills. We can and should cut the HUD budget further. In fact, if we can cut the Health and Human Services budget as I have indicated, why can we not reduce these other budgets that generally do not have as high a human-need priority? Each reduction will require sacrifice, but this is the price we must pay for an economy with more stable prices, with reasonable interest rates that allow the homebuilding and auto and other industries to prosper and provide the job essential for the economy to function.

DEBT LIMIT—THE KEY

On September 30, when we in Congress passed the increase in the Federal debt limit, we had given ourselves $94 billion of leeway before the debt limit expired on September 30, 1982. The Treasury has reported that as of November 24—that is about a week ago—less than 2 months later the Government had sunk another $25 billion into debt. As of that day the national debt had reached $1.10 trillion. They also said they did not expect to have an official projection of our debt for the remainder of the fiscal year until the President's budget report in January.

Mr. President, I call on my fellow Senators to think about these appalling figures. Far from moving toward a balanced budget, are we on the way to a $70 or $80 billion deficit in this fiscal year? Indeed, the way this fiscal year has begun we could easily exceed $100 billion. And, Mr. President, I cannot think of a worse, more damaging fiscal policy. What has caused this serious recession into which we find ourselves moving? Answer: Inflation and high interest rates. And what constitutes a prime cause of inflation and especially of high interest

rates? Answer: the domination of the credit markets by the Federal Government.

WHY INTEREST RATES ARE HIGH

With a national debt in excess of a trillion dollars—one thousand billion dollars—with a looming Federal deficit meaning a one hundred billion dollars, with this huge, exploding Federal demand for credit, can there be any wonder why private investors have become convinced that once we move out of the recession, the Federal demand for credit will choke off any reviving private demand and thwart any prospect of a sustained recovery for home building and autos? Obviously, even with the best will in the world we cannot and will not balance the budget in a recession year like fiscal 1982. But we can limit the deficit this year and we can take advantage of the 1983 recovery to balance the budget then, and the debt limit offers by far the strongest way to achieve that 1983 balance.

We have arrived at the time when prudent, restrained, conservative fiscal policy will put our people to work. Can anyone reasonably argue with the fact that failure to cut spending and hold down the deficit will cut any general economic recovery short? Who will deny that with our enormous and growing Federal borrowing, high interest rates, as they did both last year and this year, will slow recovery and turn it into recession by smothering all the credit-sensitive industries into recession? So what do we need for more jobs? The precise opposite of what we needed in our deflationary, low-interest-rate environment of the 1930's. We have to do what comes hard to economists and even harder to Members of Congress who are elected or defeated based on our constancy.

CHANGE OUR THINKING

We have to change our thinking about the economy. How beautifully simple, when people need jobs: Just appropriate Federal money to put them to work. Beautiful and under some circumstances right. But when our people need housing, for example, and also need the jobs housing construction brings, and when we know that the private sector produces that housing far more efficiently than the Government can, and when the private sector does not produce housing because mortgage interest rates are too high, and when they are too high because of excessive Government spending and borrowing, then we can actually put far more to work and far more efficiently by actually reducing Federal spending than by increasing it.

This brings us to how we solve the most difficult part of this problem. It is this: Can the President persuade Congress to make the kind of sharp and prolonged reductions in spending we need to balance the budget?

Some have argued that President Reagan has had to reduce his goal of balancing the budget in order to accommodate a hostile Congress that has far less interest in a balanced budget and far more in maintaining or increasing spending on social programs. Do you believe it? Do not. It is not true. How do I know? Here is how. President Reagan can get a balanced budget, if he wants it. And he can get it when? Precisely the year he wants it. He can force Congress to give him a balanced budget or a $20 or $30 or $100 billion deficit in 1983, 1984, or 1985 or any time.

HOW PRESIDENT USES DEBT LIMIT

How can the President do all this? Answer: By using the debt limit. And here is how: The President can decide now that he will not increase the debt limit above its present $1.79 trillion level. By the end of the current fiscal year, even with careful and conservative fiscal policies, holding down spending and with no further reduction, we will still use up almost all of the remaining $70 billion. That would mean that if we do not increase the debt limit by next September then we will have to balance the budget in fiscal 1983 or come very close to doing so. But, you ask, why could not Congress simply pass a higher debt limit? Answer: Because the President could veto any such action by Congress and Congress could not possibly override his veto.

PRESIDENT HAS POWER

In the first place, the leaders of Congress know that the President has this capacity to stop any increase in the debt limit. They know that for them to originate such an increase and try to pass it over his objections by a majority vote would, in all likelihood, fail. They also know that if, for any reason, Congress over the President's objections succeeded in the initial passage of an increase in the debt limit, they know they could not come close to persuading two-thirds of the House of Representatives, let alone two-thirds of the Republican Senate, to vote to override the President.

Would Congress then put the Federal Government at long last on a cash, pay-as-you-go basis? Yes. And here is why:

NO ALTERNATIVE

The alternative to pay as you go would be even worse, because if Congress should continue to refuse to balance the budget, then when the Government ran out of cash it could not send out social security checks. It could not meet its obligations to pay its soldiers, sailors, and marines. It could not buy oil to keep its ships sailing, its planes flying, its tanks running. Consider the plight of the Members of Congress who refused to cut spending, or, if necessary, raise taxes to meet these vital national needs. He would thereby sign his political death warrant. And not many, in fact, probably no Members of Congress would rush out to commit political suicide.

WE DO IT OUR WAY

All this would not assure the country that Congress would balance the budget the way the President wanted it balanced. We might cut military spending more than the President desired. We might reduce the space program. We might slash water projects. We might cut foreign aid. And we might increase taxes, possibly postpone some or all of the scheduled July 1, 1982 10-percent income tax cut. We might rescind some of the corporate tax cuts. But we would balance the budget and stop net off-budget borrowing. Interest rates would come down and, as long as we persisted in this absolute end of increasing Federal pressure on the credit markets, interest rates would stay down.

BALANCED BUDGET MEANS MORE JOBS

That would happen for two reasons. In the first place, a balanced budget plus the end of net off-budget borrowing by the Federal Government would mean, as compared with 1981, more than $100 billion of reduction in Federal borrowing.

Second, for the first time in many years the Federal Government would actually borrow less than in the preceding year.

Third, and most important of all, balancing the Federal budget and the adoption of a pay-as-you-go approach by the Federal Government would provide the vital psychological basis for an effective war against both inflation and high interest rates. With this firm, conservative fiscal policy in place—demonstrated—not by rhetoric but by a balanced budget, investors would have a solid basis for believing that the Federal Government at long last meant business about fighting inflation.

THE HARD SELL

But can we fight recession by slowing Government spending and possibly increasing taxes? Doesn't this run smack into the conventional wisdom that has governed this country for 50 years? Whatever psychological faith Americans may have in a balanced budget was not their belief that in a recession the Government should increase spending and cut taxes overwhelm it? And would any attempt to balance the budget in the coming year not only fail in the light of 8-percent unemployment but while failing, at the same time, aggravate and prolong the recession? Let us recognize that as of now we cannot and will not balance the budget in 1982. But we can and should balance the budget in 1983.

A DIFFERENT RECESSION

Second, we must realize that this recession differs sharply from other recessions in the following respects: First, we still suffer from extraordinarily high interest rates, especially long term mortgage rates which remain close to a devastating 16 percent. This key economic fact accounts for half or more of our present unemployment. Any expansionary fiscal policy—more Federal spending or deficit—causing tax cuts—that push this rate up will push more people out of jobs than it can employ; second, we still suffer from powerful inflationary pressures. Any spending or tax measures that increase the deficit will aggravate that inflation, and destroy the faith of consumers, savers, investors that they can count on a gradual, steady reduction in

inflation; third, potential demand for houses and autos has become enormous. Consumer income remains high. Economic recovery can become strong and sustained when people become confident that we have really begun to get inflation under control and interest rates have come down to stay.

FISCAL RESTRAINT: THE ANSWER

For each of these three reasons—because unlike previous recessions we have super-high interest rates, continued inflationary pressure and a potential demand that above all needs to find faith in a policy of fiscal restraint—the balanced budget not in 1982 but in 1983 constitutes the best policy we can follow out of this recession. Selling that policy in the teeth of the recession will be like selling a deep freeze to an impoverished Eskimo family at the Arctic Circle. It is going to be tough. We have to overcome a habit engrained by two generations of steady, unremitting, knee-jerk, increase-spending as the reaction to unemployment. We have to face the grim fact that increased spending will deepen and lengthen unemployment by keeping interest rates and inflation high and rising. And we cannot wait until late 1982 or 1983 after we start recovering to put a fiscal policy in place. We must act now and stick with it.

But the key to all is the will of the President to use the debt limit to balance the budget in 1983.

REMINDERS OF THE PAST

Mr. PROXMIRE. Mr. President, the latest work of Russian author Varlam Shalamov has just been published and was reviewed this past Sunday by Clarence Brown in the Washington Post's "Book World."

Shalamov's work has been given the English title Graphite. It consists of 31 short stories describing his experiences in Russian concentration camps. It is not pleasant reading, but it is important for anyone who wishes to better understand how life was in the Stalinist death camps of the 1930's, 1940's and 1950's.

These stories take place in the camps of Kolyma, a Siberian region infamous for its slave operated gold mines. Here the author eked out his existence for 17 years, living the terrible experiences he recounts for us in his book.

His themes revolve around man's ability to forget. Shalamov treats this ability in one sense as a much-admired feat and, at the same time, as a great tragedy. These men forget, in order to cope. They forget their wives, their children, their former lives of happiness. Their sole preoccupation is to survive. In the process they also forget they are men.

As Brown points out in his review, these men are saddled with the excusable desire to go on living. So they accommodate themselves to a world of thieves, learn their language and do whatever they must to survive.

Mr. President, in this environment human dignity is an early casualty and human life follows soon after. It is estimated that between 20 to 30 million Russians perished in these camps. Those that survived suffer permanent scars.

We are lucky that Varlam Shalamov survived. His writings remind us of the need to protect man's basic human rights. Most basic, of course, is the right to live. It transcends all political, social, or economic rights man could hope to enjoy. Yet to this day, Mr. President, we have not ratified a treaty designed to guarantee the right to live. We have avoided action on the Genocide Convention for over three decades.

Why, Mr. President? Have we forgiven a heritage whose foundation rests on the natural rights of man? Have we forgotten the misery of untold millions who have perished in the most horrible of manner? If we have forgotten, Mr. President, there will be other Shalamovs in the future to remind us—for this problem will not disappear.

As the leader of the free world—we cannot forget—if this convention is ever to have any meaningful effect. Therefore, I strongly urge my colleagues to ratify the Genocide Convention.

Mr. President, I yield the remainder of my time to the Senator from Missouri (Mr. EAGLETON) who will be on the floor in just a moment.

RECOGNITION OF SENATOR EAGLETON

The PRESIDING OFFICER. Under the previous order, the Senator from Missouri (Mr. EAGLETON) is recognized for not to exceed 15 minutes and 58 seconds.

ON PROVIDING FOR THE NATIONAL DEFENSE

THE REAGAN PROPOSAL

Mr. EAGLETON. Mr. President, the Founding Fathers entrusted the responsibility of providing for our Nation's defense to the Congress. At no time in history has this responsibility been more crucial to our well-being than it is today. It has become a regrettable fact of life that every year the Congress appropriates more funding for peacetime war preparation than any other nation in history. No matter what the outcome of the debate on the defense appropriations bill now before us, this year will prove no exception.

Even in the early post-Vietnam years, when antidefense sentiment ran high, President Carter—who was elected in part because of his pledge to reduce defense expenditures—provided for real growth in defense programs in every year of his administration. In his final budget submission to Congress, he—like his successor—proposed massive increases in defense spending in fiscal year 1982. All of this notwithstanding, the size of the defense spending proposal that we debate today is unprecedented.

President Reagan, if he has his way, will spend a staggering $1.6 trillion on defense over the next 5 years. This equates to almost $1 billion a day or about $34 million every hour. His program will cost the average American taxpayer about $10,800 over the 5-year period at a time when most Americans are finding it difficult to make ends meet.

A strengthened national defense is a clear part of President Reagan's November mandate, and all of us are aware of the need to respond to the continuing Soviet military buildup by sensible increases in defense spending—particularly in the area of conventional preparedness and readiness. Yet even as a general consensus remains about the need to strengthen our defenses, major areas of dispute continue to surface about the economic pitfalls of pursuing a massive buildup at this time.

Any earnest attempt to improve our defense capabilities must be based on a sound, realistic evaluation of the ever-changing "threat" environment. The true measure of our Nation's defense posture is how well it meets our national need, not how much it costs. As the leader of free-world nations, America must have a military capability that will effectively deter aggression by our enemies, this we do not get by throwing money about indiscriminately. During last year's election campaign, Republican candidates got a good deal of mileage out of accusing Democrats of committing this mistake in addressing domestic problems. The tables are now turned, but the stakes are substantially higher.

DAVID STOCKMAN ON FRAUD, WASTE, AND ABUSE IN THE PENTAGON

It has been clear for some time that the President's principal thought about defense spending is that we need more hardware. He was prepared to throw as much money at the problem as the generals and admirals wanted. The Pentagon was posted "strictly off-limits" to the administration's fraud, waste and abuse hunters.

In his Atlantic Monthly interviews OMB Director David Stockman expressed his frustration at the willingness of the President to overlook the massive waste involved in defense spending. He acknowledged that OMB had taken only a cursory glance at the proposed defense budget. He recognized, as he put it:

> There's a kind of swamp of $10 to $20 to $30 billion worth of waste that can be ferreted out if you really push hard.

Later in the same interview, Stockman described the problem of Pentagon spending as "blatant inefficiency, poor deployment of manpower (and) contracting idiocy."

Mr. Stockman's revelations have been widely disparaged by administration spokesmen as the indiscretions of an overworked young man. Not a word has been said about the substance of Mr. Stockman's comments. There has been no effort to deny his charges; no attempt to refute his account of White House budget making. The reason, I think, is simple. What Mr. Stockman said about indiscriminately showering tax dollars on the Pentagon without the

smallest effort to assure that the money is well spent is absolutely true.

A few days ago, this President was so anxious to demonstrate his commitment to reduce Federal spending that he was willing to close down the Government over a small dispute about spending for domestic programs. But, this same tight-fisted "watchdog of the Treasury" quietly hands a blank check to the Pentagon to spend and waste as much as it wants.

I think it is time this administration leveled with the American people and faced up to the enormous problem of waste in defense spending.

THE ABSENCE OF A CLEAR DEFENSE STRATEGY

From the outset of the Reagan Presidency, there has been no shortage of White House and Pentagon rhetoric in support of the President's enormous rearmament program. In contrast, there has been scant justification of what purpose the purported additional military capability will serve. Throughout his quest for the Presidency, Mr. Reagan strongly criticized the ideas and assumptions that have governed American defense planning from the outset of the Truman administration. In a recent column, Robert Scheer of the Los Angeles Times observed:

The emphasis of the new administration seems to be less one of preserving a delicate post-World War II peace and more that of preparing for a possible World War III.

Candidate Reagan called for the renegotiation of the SALT II Treaty. He took the hard line position that further progress in arms control could only be linked to a decrease of Soviet global adventurism. He criticized what he termed one-sided détente policies and he took exception to unilateral U.S. concessions in the area of trade, technology transfer, grain sales, and arms control.

Since moving into the White House, President Reagan has failed to articulate a clear, comprehensive alternative to the policies of past administrations.

True modernization and improvement of our military deterrent must be based on realistic assumptions. Valid Pentagon contingency planning must necessarily rely on a firm, coherent statement of domestic and foreign policy. Rhetoric alone is not enough. For instance, America must be prepared for more than an all-out strategic nuclear exchange or a short, high-intensity war in Europe. Today, a far more likely threat to our national security comes from the turbulent Persian Gulf region. That is not to say that the Soviet Union does not remain of paramount concern.

THE NEED TO RESUME ARMS CONTROL NEGOTIATIONS AND CURTAIL FOREIGN MILITARY SALES

In recent days, President Reagan took the first step toward rectifying his disturbing inattention to the most pressing issue facing mankind today: the containment and control of nuclear weapons. It took the President a full 10 months to present his views and he did so, in part, in response to the mounting pressure brought about by the growing European peace movement. I applaud the President's statement but, as the New York Times pointed out, "A speech is not a policy."

The true test of the policy espoused will be the vigor with which the administration pursues the precepts of President Reagan's speech initially at Geneva in the negotiations over theater nuclear weapons in Europe and subsequently in negotiations with the Soviets over limiting strategic nuclear weapons.

Nuclear arms control is not just an issue for liberals and Democrats; to illustrate this, I offer the following comments of three leading conservatives:

Senators JAKE GARN and PAUL LAXALT: The U.S. should make every effort to negotiate an equitable and verifiable strategic nuclear offensive arms reduction agreement with the Soviet Union at the earliest possible date. Such an agreement must contribute to the security of both countries by reducing the dimensions of their strategic arsenals, particularly in those weapons which constitute first-strike counterforce systems.

JAMES J. KILPATRICK: When will we and the Soviets come mutually to our senses? When will all the imperiled peoples of this earth rise up, and through their leaders demand that this insanity be stopped?

No problem in our lifetimes—not energy, not water, not race relations, not the trivial perplexities of politics and budgets—no problem cries so urgently for solution as the problem of atomic arms. . .

The bombs we dropped upon Japan . . . were the merest Model T's. The mind of man cannot conceive the destructive power of today's atomic missiles. We are talking of great cities wiped out in fractions of a second, of millions dead and other millions maimed, of a massive radioactive fallout spread by winds around the world. In such a war there would be no victory; there would be survival only—and survival in an unimaginable land in which civilized humans would fight like savages for the means of existence.

While certainly the most pressing concern, containment of nuclear weapons is not the only focus of attention in the area of arms control. At a most delicate time in world history, the Reagan administration has displayed a disturbing trend toward enhancing the U.S. leadership role in exporting arms abroad. Nowhere is this better illustrated than in the sale of AWACS and other arms to the Kingdom of Saudi Arabia.

Approval of the $8.5 billion arms package to the Saudis constituted the largest foreign weapons sale in history. I opposed the sale for numerous reasons. I still do not believe it will do anything to enhance Saudi security; rather, I believe it will increase local tension by destabilizing the military balance in the region, jeopardize the Middle East peace process, and ultimately endanger American security interests. Nevertheless, the sale is behind us and I can only hope that future events will prove my misgivings unfounded.

The Saudi sale is only the most notable example. Now before the Senate is a proposal to sell F–16's to Pakistan. This $1.1 billion transaction narrowly survived a 10 to 7 vote in the Senate Foreign Relations Committee; nevertheless, it survives and will probably be approved. Besides my concern over the propriety of selling such sophisticated weaponry to a developing nation, I fear that it may send just the wrong signal to the government of General Zia at a time when we are lobbying his government to desist its efforts to produce an atomic bomb.

The traffic in international arms has reached a truly frightening level; the United States must not be the leading wholesaler if we are to be credible in our efforts to reduce global tensions.

If we are going to reassert ourselves in the role as the spokesman of free world nations, we must first resume serious nuclear arms control negotiations with the Soviets and curtail the excessive exportation of weapons abroad.

THE REAGAN STRATEGIC REVITALIZATION PROGRAM: BUILD THE B–1 AND PROCEED WITH MX DEVELOPMENT

After months of deliberation and delay, the President unveiled his five-point program to revitalize America's strategic forces. In addition to placing the MX missile in existing, hardened silos in the Midwest, it calls for developing a variant of the B–1 bomber. Under this plan we would deploy 100 MX missiles and build 100 so-called B–1B's—with the first squadron to be deployed by the end of 1986.

The Reagan decision to build the B–1 is based, in part, on his belief that the earlier decision to rely on converted B–52's in the 1980's and develop the advanced technology—or Stealth—bomber for the 1990's was risky given the age and vulnerability of the B–52 force.

But at issue is the penetrating capability of the B–1. In open testimony, Secretary of Defense Caspar Weinberger has made it clear that the B–1 will have little, if any, penetration capability by the year 1990.

Soviet air defenses, by any measure, are the best in the world. The Soviet national air defense system boasts more than 500,000 individuals manning some 2,500 interceptors and 12,000 SAM's at more than 1,000 separate sites. Nonetheless, as impressive as this system is, it is not wholly effective against low-flying aircraft and high-speed ballistic missiles. Development and deployment of the radar-evading stealth technology and the cruise missile will go a long way toward mitigating this Soviet advantage: nothing short of this will.

The decision on the manned bomber is basically a choice between cruise missile platforms. We can build the B–1, as President Reagan suggests, for a total program cost of possibly $36 billion; but to be effective it will have to carry the cruise missile.

The alternative is to proceed with upgrading the B–52 force as President Carter proposed. The B–52 fleet is already undergoing such an upgrading; a complete conversion can be expected by 1988. The first aircraft will be completely fitted out this fall and a squadron of 15 aircraft will be on station by the end of 1982. By 1988, 172 of these planes will be carrying 20 cruise missiles each if the program proceeds as planned.

It makes little sense to go ahead with the B–1 when what is needed is the Stealth bomber. Better we continue with the B–52 conversion than risk losing Stealth through a B–1 drain on the budget now.

Likewise, there are reasons why basing the MX in hardened Titan silos may be the least desirable means of shoring up our strategic forces. Foremost among them is the obvious fact that if the Soviets do attack on any scale, the results could be particularly damaging. The inevitable fallout would wreak havoc across a large portion of the United States. Some projections estimate that as many as 100 million people would require relocation from areas that would remain radioactive for generations to come. Large agricultural and energy producing regions would be contaminated for decades if not totally abandoned.

Plans for a new land-based missile program have been on the drawing board for years. In September 1979, President Carter proposed that we build a "racetrack" version featuring a multiple protective structure (MPS) basing mode. He chose this over some 30-odd other alternatives such as air-launched MXS, a "trench" system, and vertical silos. Carter argued that the MPS system would "do the best job" noting that it was compatible with the then-pending SALT II Treaty and would keep the Soviets from attacking since, under SALT, they would not have enough warheads to effectively kill all 4,600 of the proposed MX shelters.

President Reagan has decided to "narrow the window of vulnerability" by putting this newest and most accurate missile in our most vulnerable hole, the present Titan hole. In my opinion, there is no way to adequately harden the Titan hole to protect it as the new receptacle for the MX.

What the President's decision does do is to enhance our first-strike capability against the Soviet Union. This may warm the hearts of America's superhawks, but will chill the minds of the Soviet Union's generals and possibly put those generals on a nuclear war hair-trigger. Seventy percent of the Soviet Union's missile force is land based—as contrasted with the United States roughly one-third land, one-third air, and one-third sea. The MX missile in the old Titan hole poses a potential first-strike threat to the heart of the Soviet missile system and thus risks greater United States/Soviet destabilization.

Further, the placement of the MX in the vulnerable Titan hole makes presumed sense from an American retaliatory point of view only if we pretend to protect that Titan hole with a point-site ABM. Thus, if the President gets his way on placing the MX in the Titan hole, he will in time then seek to abrogate the ABM treaty between ourselves and the Soviets. But do we need an ABM system?

In an editorial in the respected Strategic Review, retired Rear Adm. Arthur Metcalf argues that—

Nothing has been put forward which technologically supports the belief that we (or the Soviets) could, with any degree of confidence, expect to hit one silo at ICBM range, let alone 1,000 of them distributed over an area equal to one-third of the United States.

From this standpoint, an ABM system would be no more than symbolism.

There seems no end to the number of respected commentators and military experts who have voiced various concerns about the MX. I offer the following sampling:

Columnist JAMES J. KILPATRICK: The Pentagon budget drips with fat. In the MX missile system, beloved of the generals, the taxpayers face the biggest boondoggle of all time—a $60 or $70 billion squandering of public funds.

Former Defense Intelligence Agency Director and Co-Chair of Coalition for Peace Through Strength, General DANIEL GRAHAM: The problem is that MX is the grotesque child of bad strategy. It's grotesque to take a missile that's designed for counterforce—that is, to hit certain of the most dangerous Soviet weapons before they can hit you—and then deploy it in a system that is supposed to absorb all the effects of those weapons before you fire. That's a grotesquery, from a military standpoint.

And then to put $50–$60 billion into that grotesquery is absolutely stupid. The MX deployment scheme should be rejected, not because it's going to endanger the pronghorn antelope or the desert tortoise, but because it is the final offspring of very bad strategy.

Major General W. T. FAIRBOURN of the U.S. Marine Corps, Former Senior Strategic Planner with the U.S. Joint Chiefs of Staff: To continue with the deployment of a system that is already vulnerable, that cannot be fully deployed for 10 years, that cannot accomplish its mission when deployed, that increases the attractiveness of the United States as a target; while failing to investigate reasonable concepts such as presented herein is in the author's judgment strategic lunacy.

Former C.I.A. Director STANSFIELD TURNER: I believe the MX project as presently conceived is a serious mistake . . . There is little time left to reverse the momentum of the MX. A dramatic commitment by the new Administration will be needed to accomplish such a reversal, and the key word is 'commitment.' There are great vested and parochial interests in the military and in industry that are intent upon going ahead with the project. But the United States cannot let such interests dictate the course of its security, and indeed, the security of the world. A new program is needed to correct the strategic imbalance—to the extent that it does exist—but, especially, to correct the perception that the United States itself has generated, that it is falling behind. Thus, a prompt but thorough review of where the MX may be taking us, as well as what alternatives there are to the MX, is crucial to America's long-term security.

General MAXWELL TAYLOR: Thus far, it is my opinion that the proponents of the MX have not made a convincing case either as to the need for a new weapons system to replace our silo-based ICBMs or as to the claims of the MX as the preferred replacement. On these issues, I would need to be convinced that, during the next decade, there is a strong probability that the Soviets will launch a surprise attack upon our ICBMs, despite the risk of incurring a destructive retaliation in response. There must also be reason to believe that such an attack would destroy most of the ICBMs. I am unconvinced on both points and would give a very low probability rating to this threat.

Dr. SEYMOUR ZEIBERG, Deputy Under Secretary of Defense for Research and Engineering, Office of Technology Assessment: This (MX basing options) is a question of what is the least rotten apple in a barrel of rotten apples. We see that all available modes of basing MX pose serious problems . . . None of them is without serious risks, high cost, important uncertainties, or significant drawbacks.

WILLIAM H. GREGORY, Editor-in-Chief, Aviation Week and Space Technology: The Air Force wishes deep down the MX would go away, just as the Navy wishes Trident would. Babysitting a motionless tube in a hole in the ground or in the confines of a submerged submarine at sea for months at a time has little career appeal. It is a factor in the retention problem that both services have.

A recent New York Times article on the subject of the Reagan strategic program quoted "well-placed" administration officials as saying that Defense Secretary Caspar Weinberger and others—especially OMB officials—would not be upset if the Congress voted to delay plans to base the MX in hardened silos, but suggested that the administration would fight a little harder to save the B–1 program. But, one acknowledged that the White House is now wedded to the proposed timetable of either program. Deferring the MX basing decision and cancelling the B–1 would go a long way towards reducing a deficit now growing out of control. In addition, such an action would not jeopardize our overall defense posture.

One official, noting that Secretary Weinberger had not promised a decision on the MX basing mode until 1984, said:

You'd have to be awfully naive if you thought that date just fell out of the sky.

CONVENTIONAL FORCES: BEEFING UP THE RAPID DEPLOYMENT FORCE (RDF)

Even more critical a challenge to improving our Nation's military capabilities than putting a new face on our strategic arsenal is properly addressing the documented deficiencies in our conventional force structure. For the Reagan administration, this means developing the RDF; it is a strategy of growing controversy. Only three things can be said about the RDF today with certainty; it is not rapid; it is not deployed; and it is not a force.

On January 20, 1980, during the annual state of the Union address, President Carter announced the so-called "Carter Doctrine" and spelled out a specific U.S. policy toward the troubled Persian Gulf region. With it he gave birth to the RDF mission.

In President Carter's words:

Any attempt by any outside forces to gain control of the Persian Gulf region will be regarded as an assault on the vital interests of the United States of America, and such an assault will be repelled by any means necessary, including military force.

Initially created by Presidential Directive 18, in August 1977, the RDF was envisioned to be principally an army force of about 100,000 strong under direct control of the Army Chief of Staff.

The principal justification for creating this quick strike capability was to preserve the all-important Persian Gulf shipping lanes. No doubt that the timing of the decision was affected by the Soviet invasion of Afghanistan and it was issued as a warning to the Soviets that the United States intends to deter any form of intervention—specifically in the Middle East and Persian Gulf region. But the RDF has yet to prove itself a deterrent.

In the fall of 1980, in a test of the RDF's capabilities, it took a disappointing 6 days to complete the movement of a 900-man infantry battalion from the United States to Egypt. This is a far cry from the stated goal.

In his book, "The Rapid Deployment Force, and U.S. Military Intervention in the Persian Gulf," Jeffrey Record, a critic, charges:

> The RDF is little more than a hodgepodge of improperly equipped and structured units lumped together under a confused command apparatus rent by unusually vicious and debilitating inter-service rivalry for domination of the rapid deployment mission.

He and others claim that it will take at least 5 years and another $25 billion to field a force capable of combating large-scale aggression in the Persian Gulf region.

If there were a challenge to the security of the Persian Gulf oil fields, for instance, it is estimated that we would need three Army divisions, four air wings of 72 planes each, a Marine amphibious force of 50,000 men, and two carrier task forces on hand; the RDF of today is not equal to the challenge.

Notwithstanding the fact that the Reagan administration has budgeted an extra $2.5 billion for the RDF in fiscal years 1981 and 1982, many critics continue to argue that the developing force is still too oriented toward a Soviet takeover of the area, an area in which the United States would be unable to counter trouble caused by indigenous forces.

A Library of Congress study on the subject estimated that it would take the United States a full 10 days to transport just the 82d Airborne, its ammunition, and a 5-day supply of rations and fuel to the Persian Gulf. This does not include the tactical air wings the 82d would need for ground support.

The most serious problem confronting RDF planners is a serious shortage of airlift capability. Today, we must rely on the Air Force's fleet of 77 C–5's and 234 C–141's. The standard C–5 requires a runway of at least 5,000 feet—a rare item in most parts of the world; in addition, the C–141's are not capable of carrying our larger equipment, such as the M–1 tank. Regrettably, plans to buy a fleet of McDonnell-Douglas C–17's—the CX—have all but been abandoned. Unless changed, this apparent decision will leave the United States with a growing inventory of out-sized equipment and no effective means of transporti: ~ it.

If we are going to proceed with plans to field a force that we can rapidly project and subsequently support from a distance, we must enhance our airlift capability. In addition, we must increase the training time of our forces so as to improve the mobility of both troops and equipment. We must buy more ammunition and spare parts for our equipment. These programs are not glamorous and do not receive a great deal of attention; nevertheless, they are nothing short of essential. Finally, we must work more closely with our allies to increase the leverage of our respective military strengths and defense investments.

GLOBAL COMMITMENTS: SHARING THE BURDEN

Senator SAM NUNN said it best during consideration of this year's Defense authorization bill: "A bipartisan consensus supporting increased defense spending currently exists," but that the consensus could dissolve unless Congress is satisfied that the "spending priorities are being established within the context of a coherent national strategy." The problem we face is determining what direction to take. Many defense analysts argue that a military reorganization by the United States and its NATO allies could vastly increase the West's conventional defense capability without a large increase in costs. One such approach would be a shift in the balance of roles, with the United States increasing its naval and air defense contributions to NATO and Europe increasing ground roles.

This arrangement would go a long way toward alleviating the horrifying economic problems encountered by enlisted personnel and their dependents living in Europe and would significantly reduce the bitter exchanges we are having with our allies over the matter of NATO burden sharing.

During floor debate on the authorization bill, I spoke to this particular issue.

Burden sharing is defined as "the fair distribution of political, manpower, material and economic costs of maintaining our alliance posture." Today, relations between the United States and her major allies—the NATO countries and Japan—are strained by a basic disagreement over what constitutes a "fair distribution" of defense responsibilities.

In May 1977, the Carter administration proposed a new "long-term defense program" for NATO. The keystone of this proposal called on the NATO nations to pledge to increase defense expenditures to achieve real growth on the magnitude of 3 percent per annum. In May 1977, NATO defense ministers issued a communique that embraced the call to increase defense expenditures and stated that such increases "should be in the region of 3 percent recognizing that for some individual countries: Economic circumstances will affect what can be achieved."

A Library of Congress review of the performance of the Allies in meeting this objective during 1979 and 1980 produced mixed results. Only three countries met or exceeded the 3-percent goal. Luxembourg, 9.9 percent; United States, 3.6 percent; and Portugal, 3.2 percent.

Denmark's performance was rated so poorly—and planning for 1981 included so many reductions in defense efforts—that the term "Denmarkization" came to be used to characterize wealthy democracies with extensive social welfare programs, which in times of limited economic growth, cut defense efforts.

Burden sharing is not a new issue. It has been with us for years. Virtually every Secretary of Defense in the past 10 years has discussed this American concern in testimony before Congress.

A decade ago, then Secretary of Defense Clark Clifford testified before the Congress that:

> We are acutely aware and seriously concerned that maintaining large numbers of U.S. troops in Europe has caused a considerable budgetary strain and has contributed to a substantial deficit in the U.S. balance of payments. In this regard, we have pressed upon our allies the need for them to do more for their own defense. We have long felt that, by almost every measure, the tremendous growth in the economies of our European allies has not been accompanied by a commensurate increase in their respective contributions to the common defense.

A major U.S. role in the defense of Europe and Japan was warranted in the early post-World War II era when our allies were weak economically and had fragile political structures; but the economic and political maturity of the allies now suggests that they should play an increasingly more responsive role in providing for the common defense.

Under the protective shield of the United States, European countries and Japan have been able to modernize their industrial plants. The U.S. industrial base is, on average, considerably older than those of Europe and Japan. This gives a competitive advantage to our allies in matters of international trade.

The increased threat of Soviet aggression in the European theater mandates increases in allied defense spending. If the United States is going to make sacrifices to take the lead in this effort, the Europeans and Japanese should be encouraged to follow.

To date, America's efforts to convince our allies to increase expenditures and share a greater portion of support costs have been disappointing. It is evident that our efforts have failed to convey the message that increased participation is of critical importance. A clearer message is obviously needed.

SOME NEW THOUGHTS ON SOME OLD PROBLEMS: THE WORK OF SPINNEY AND BOYD

A considerable amount of attention is currently being paid to a small school of so-called "military reformers" who are characterized as espousing the theme that "America's defense is not giving value for the money and needs 'more bang for the buck'." The basic contention of this group is that U.S. military hardware tends to be too sophisticated, too complicated, too unreliable, and too expensive.

In the coming 5 years, the President proposes that the Congress fund the MX, the B–1 bomber, and a new generation Trident missile. The emphasis is clearly on weapons procurement and will be to the exclusion of the other key elements of a balanced defense posture. That is not

to say that vast sums have not already been expended building the most technologically sophisticated war machine ever. Make no mistake about it, in their respective classes, our front line weaponry is the world's finest, notwithstanding its shortcomings. But, weapons superiority did not prevail in Vietnam and there are those who would contend that it will never suffice in future conflicts.

Nowhere is this warning sounded louder than in an impressive pair of studies conducted by two analysts of the Secretary of Defense's program evaluation staff—his in-house think tank. Between them, John Boyd and Chuck Spinney have put together a two-session, 7-hour presentation of their material.

To my knowledge, I am the only Senator who has taken the time to attend both sessions of their briefing; I would strongly urge my colleagues to take advantage of their availability. According to the two, military conflict can generally be distilled to three basic ingredients: Manpower, weaponry, and strategy.

Boyd, in his work entitled, "Patterns of Conflict," focuses on the role of strategy and manpower in the mixture. His research and his conclusions are persuasive. Beginning with the battle of Marathon (490 B.C.) and working his way forward, Boyd points out that in a surprising number of historical engagements, superior military forces succumbed to the surprise, deception, and confusion tactics employed by a weaker opponent. Despite numerical disadvantages, successful commanders have effectively employed strategy to achieve lethal leverage over adversaries.

Perhaps the most interesting note of Boyd's historical perspective is that although military strategy remains a developing yet imprecise science, the general body of theory upon which it relies has been with us since the Chinese master Sun Tzu gave us his "The Art of War" treatise around 400 B.C.

The point to be made is that although warfare has changed dramatically since then, the basic principles of engagement have not. For that matter, evolution notwithstanding, little has changed concerning the role of the individual. As always, the foot soldier does little more than employ the weaponry available to him in the manner prescribed by his superiors. What has changed dramatically, though, is the weaponry itself. Technological breakthroughs continue to insure that our Armed Forces have the advantage of superior firepower over all adversaries.

We had such superior firepower when we went into Southeast Asia; we did not return the victors. There is still no consensus on the matter of the Vietnam war, but numerous defense experts have questioned the suitability of the weapons we employed given the nature of that guerrilla war.

Evidence continues to mount that the Defense Department's preoccupation with state-of-the-art technology has led us to develop weapon systems that are increasingly more costly and of very questionable reliability under battle conditions.

Chuck Spinney, in his work entitled, "Defense Facts of Life," explores the matter of "high-tech" complexity in weaponry—particularly as it has affected Air Force tactical aviation.

Building on the work of a former Pentagon analyst, Mr. Pierre Sprey, Spinney has analyzed the variance in the Defense budget over the past 30 years. He approached the subject with an eye toward a better understanding of how budgets have changed in the past and to better project how procurement planning will respond to future, but unforeseen, changes.

What his study dramatically depicts is that in the years of measured defense increases, funding has been disproportionately distributed between investment in weaponry and operation and maintenance accounts. While we have vigorously pursued the promise of technological achievements, we have neglected our inventories, facilities, and—most importantly—our people. While we have built a large tactical air force, we have systematically cut back the training of pilots, the replenishment of spare parts inventories, and aircraft maintenance.

All the time, the costs of providing for the national defense are rising. As vital operation and maintenance programs take a back seat to weapons procurement, the rising cost of these programs tends to decrease overall readiness.

In Spinney's words:

> This pattern reflects a tendency to reduce our current readiness to fight in order to modernize for the future; however, because of rising operating costs, the price of even low readiness is rising inexorably over the long-term. We will see this as happening despite a long-term decline in the overall quantity of people and equipment. Moreover, modernization is being slowed and forces are declining because (a) the cost of replacement is increasing and (b) because the long-term budget constraint has made it necessary to squeeze total investment growth in order to relieve the unavoidable long-term growth pressures in the O&S and Retirement accounts.
>
> We have uncovered a pattern of destructive growth—when some parts of the whole start growing faster than the whole itself, they start eating up the remaining parts. One could think of this as a form of organizational cancer. The short-term strategy of trying to hold down growth in the O&S account to pump growth into the investment account does not cure the problem because although we have been able to hold O&S growth to a level approximating overall growth, we have reduced force size and we are accumulating a current readiness bill (in terms of deferred people and material costs) that is not reflected in the budget data. Sooner or later, this bill will have to be paid.
>
> This pattern of behavior can be expected to continue as long as costs, particularly operating costs, grow faster than the budget.

The Spinney study drives home three significant points. First of all, budget growth, by itself, is not a solution to our defense problems and may, in fact, exacerbate an already difficult situation. Second, the current plans for historically unprecedented growth displays the same unrealistic pumping up investment—the same pattern that in the past has failed to yield increased readiness over the long term. Finally—and most importantly—Spinney points out that we will continue to suffer the undesirable consequences of increasing technological complexity if we continue to pursue the course of action implied in the Reagan defense proposals.

The message of the Spinney briefing is indeed disturbing. An obsession with high technology has led Pentagon planners to create a lineage of weapons in which each succeeding generation of weapons costs between 2 and 10 times more in constant dollars than its predecessors. Acknowledging that constant increases will always be a fact of life, statistical analysis indicates that no "practical" amount of spending can match the trend in increasing per unit costs. Norman Augustine, vice president of Martin Marietta puts it this way:

> From the days of the Wright brothers through the F–18, aircraft costs have been increasing by a factor of four every ten years. If the trend continues, in the 2054, the entire defense budget will purchase just one tactical aircraft. This aircraft will have to be shared between the Air Force and the Navy, three and a half days per week.

The F–16 presents a good example of a weapon system that has grown in complexity and cost over time. The constant dollar cost of the aircraft has grown strikingly since it was initially priced out in 1972. Much of the cost growth is attributed to increasing complexity of the aircraft and its changing mission.

To quote from Spinney:

> What started off as an austere high performance within visual range air-to-air fighter will be transformed by the later 1980s into a lower performance radar missile air-to-air fighter with avionics intended to attack ground targets in night or adverse weather. These increases in the complexity of the F–16 imply downstream cost and supportability consequences that were not imagined when the decision was made to develop the F–16 in 1972—consequences that, although still imperfectly understood, we will have to live with in the year 2000.

According to the Spinney findings, the rising costs and complexity of our tactical aviation programs has had a profound impact on equipment inventories and the effect is likely to grow in magnitude. According to his research, some tactical aircraft programs have experienced cost increases of between 30 and 40 percent. This has occurred at a time when the total inventory of American fighter planes has fallen off from 18,000 to about 7,000. Since the midfifties, our substantial inventory of proven aircraft have been retired and are being replaced by smaller numbers of more complex and expensive planes.

As James Fallows points out in an Atlantic article entitled, "High Tech Weaponry—Why More Money Is Buying America Less Defense," the growing cost of complex weapons is not a phenomenon unique to aircraft procurement. It is shared by every weapons system now in production or development. Pentagon designers have so successfully pushed increased technology as the solution to American defense woes, that the cost of

any new weapon is predestined to rise irrespective of increased efficiency or reliability.

In an attempt to put the magnitude of such cost increases into perspective, Fallows offers that, in constant dollars, the M–1 tank today will cost more than seven times as much as did the World War II Sherman tank, and the next nuclear aircraft carrier will cost five times as much as its World War II counterpart.

Of course, rapidly escalating costs cannot be looked at in a vacuum. They must be evaluated against the value of the high technology weaponry we are producing. But here, too, the message is sobering. Thus far, "more complex" has not meant "better". Too often, "more complex" has meant either "not combat-ready" or "still in production."

Reports by the General Accounting Office have frequently focused on reliability of high-technology weapons. For example, in a letter to Secretary Weinberger dated January 21, 1981, Comptroller General Elmer Staats noted:

> We believe that the sophistication of many weapons systems deployed today is one of the contributing factors that has led to budget problems, inventory short falls, and a low state of readiness for certain combat categories.
>
> We have not advocated that DOD elements do anything which would tend to lessen any technological advantage currently existing or that DOD use cheap or simple weapons in quantity as substitutes for more costly, more capable equipment. However . . . a much better balance between performance and reliability must be obtained.

QUALITY VERSUS QUANTITY: THE TRADE-OFF DECISION

By all odds, our individual weapon systems are the best in the world. In their respective classes, for example, the F–14, F–15, and F–16 aircraft, when in a one-on-one posture, are clearly superior to comparable Soviet craft. However, when confronted by more numerous but less sophisticated aircraft, technological superiority rapidly dissipates.

In June, CBS aired a five-part documentary entitled "The Defense of the United States." It was, in my opinion, an excellent journalistic work. The report's visual format allowed layman and expert alike to follow the lines of the arguments presented and conclusions offered. One particularly noteworthy segment dealt with the matter of quality versus quantity under combat conditions.

Both CBS and Fallows, in National Defense, point to the findings of a relatively little-known test program—code named AIMVAL/ACEVAL—conducted during the late 1970's in the skies over Nellis Air Force Base in Nevada—to support the contention that quality does not always provide the necessary edge over quantity.

For 2 years, 1976 and 1977, two teams of Air Force and Navy pilots—one flying sophisticated F–14's and F–15's, the other flying the "simple" F–5's—engaged each other in simulated aerial combat. The test results were conclusive. When the F–14's or F–15's were matched one-on-one against the F–5's, technology reigned supreme. But when the match-ups were, say four-on-four, the technological advantages of the more complex aircraft were neutralized completely. Essentially, pilots found that with eight planes in the air at one time, things were too chaotic and moving too quickly for sophisticated avionics to be of much use.

As part of CBS's look at these tests, Richard Threlkeld interviewed Bob Fay, the now-retired Air Force officer who was in charge of the testing. Quoting now from Fay:

> When you're up in the sky searching for something in that gray mass . . . your eyes tend to gravitate to the first object you see. And you can see large airplanes quicker than you can see small airplanes.

Fallows recounts the recollection of two Air Force officers who participated in the tests:

> There was not a single ACEVAL 4-versus-4 trial in which the Blue (F–15) side managed to target a missile against all four Red machines at the outset of the flight. This outcome is rather sobering given the high costs of F–15/F–14 avionics, together with the fact that air combat in a future war in Central Europe is likely to be more on the order of 50-versus-20.

Pierre Sprey, the former Pentagon analyst who contributed much to Chuck Spinney's work, once conducted a major study of the relative combat capabilities of U.S. fighter aircraft—comparing all major fighters built between 1950 and 1975. Sprey's study purposely avoided comparisons of design specification; rather, Sprey measured performance using what he termed "combat-derived criteria." The study conclusions support Mr. Sprey's contention that instead of comparing top speed figures and electronics complexity, a plane's relative worth is better measured in terms of: First, ability to surprise; second, ability to outnumber the enemy; third, maneuverability; and fourth, lethality. Of these figures, Sprey argues that the ability to surprise one's enemy is paramount.

Indeed, the "element" of surprise remains the single most important ingredient in an aerial encounter. And while advanced technology has given us bigger, more powerful, more lethal aircraft than those possessed by any other nation on Earth, it has also made us more vulnerable to attack. It is easy to appreciate that a larger aircraft is easier to see. In addition, the pilot who turns on a powerful radar to scan airspace leaves a "calling card" for all other aircraft in the area. To use Fallows' analogy:

> For the same reason that automobiles equipped with a "fuzz-buster" can tell when police are running a radar speed check, pilots with passive radar warning systems are instantly aware when another plane has turned on its radar to look for them.

A plane with a radar warning system will know that another plane is scanning the area long before visual contact is even possible.

In the words of Charles Myers, a former Pentagon official:

> Imagine yourself holding a gun and a flashlight in a pitch-dark room, with a lot of other guys with flashlights and guns. Who's going to turn on his flashlight first: Well, radar is that flashlight.

In summing up the AIMVAL/ACEVAL tests, I refer to the comments of Mr. Michael Kramer as carried in a New York magazine article.

> AIMVAL/ACEVAL taught the Air Force—or, more precisely, should have taught it—four lessons. First, combat is always confused. The only textbook battles are in textbooks. Second, the number of planes available to fight was far more important than the technical capabilities of the planes in the fight. Third, the smaller, harder-to-see planes outlived the bigger ones—no matter the advanced gadgetry on the "better" planes. And, fourth, the pilots of the smaller, less souped-up planes learned to fly them faster and, for the most part, flew them better.
>
> As for the powerful radar that our "hot" planes utilize in order to let them "see" the enemy early—well, that radar often backfires. When in use, it acts like a beacon, and thus denies its user the single most important advantage in air warfare—surprise.

THE DEFENSE ACQUISITION PROCESS: THE COST OF COMPLEXITY

It is a basic fact of life that it takes years to bring new weapons systems "on line." In recognition of the difficulties that accompany the development and construction of complex weaponry, the Congress appropriates multiyear funding to support procurement programs. Take for example, the case of shipbuilding; the Navy regularly receives a 5-year obligational authority. Unfortunately, it is all but impossible to complete a construction program in a 5-year time frame, given the complexity of the modern naval combatant. In actuality, the life span of some major ship construction programs extends to 10 years.

The first of our Trident submarines—the *Ohio*—took 7 years to build and was delivered 2½ years behind schedule and $280 million over budget. The rapidly increasing lifespan of procurement programs—coupled with the growing complexity of the weapons in general—and the perils of an uncertain economic future contribute significantly to the out-year ramifications of defense spending decisions.

When President Nixon granted production approval in the early 1970's, the Navy envisioned having seven Tridents at sea by the summer of 1983. This was considered essential to counter the decommissioning of Polaris and Poseidon submarines that will reach their planned retirement age in the early 1980's.

Last March, Vice Adm. Earl Fowler, Commander of the Naval Sea Systems Command, testified before a House subcommittee on the status of the Trident submarine construction program underway at the electric boat shipyard in Groton, Conn. According to Admiral Fowler, we will be lucky to have two Tridents at sea in 1983.

Engineering changes have caused delays and contributed to increased costs. Costs on the *Ohio* rose during its construction life from $1.5 billion to $2 billion, in fiscal year 1982 dollars. Construction delays were caused by an alarming number of basic failures; the most graphic example was the discovery of some 2,700 faulty or defective welds on the *Ohio*'s hull after it was determined that substandard grade steel with

inferior crack-resistance and "weldability" was used in hull construction.

To use another example, the M–1 tank—hailed at the Pentagon as the world's finest armored and combat vehicle—has also experienced surging costs and production delays, while questions linger about its performance. In 1972, the cost per tank was estimated at $500,000. The Pentagon's latest estimate for a production of 7,000 tanks is $2.68 million per copy, if you include research and development costs.

If this alone is not alarming enough, Chrysler, who is building the tank, reports having difficulties meeting production schedules. The company still is not producing tanks at its Lima, Ohio, plant at the specified rate of 30 per month. To boot, an internal Army report notes that while some design flaws uncovered earlier have been remedied, the tank still does not meet military requirements for durability and reliability.

The problems experienced with the Trident submarine and M–1 tank programs cannot be dismissed as aberrational. They seem to be symptomatic of serious failings in the way that the Pentagon approaches the planning and development of high-technology weapons and the shortcomings of the defense contractors who provide the weapons.

Commenting on the "Spinney briefing," James Fallows notes:

> The real message of Spinney's analysis is that unrealistic military planning, which chronologically pays too little attention to the economic and military effects of complexity, constitutes a "form of organizational cancer." The pattern, in essence, involves four steps. . . .
>
> First, the planners are eternally optimistic about the amounts of money they will be able to spend to buy new equipment.
>
> Second, in their desire to buy more equipment for the force, the planners forget or fool themselves about how much money they need to set aside for "operations and maintenance" of new equipment, especially the more complex varieties.
>
> Third, as a natural consequence of the second step, the military has to make unexpected cuts in its "investment" in order to make up the cost of maintenance and overruns on previous programs.
>
> Fourth, when certain parts of the military do enjoy monetary prosperity, they tend to use the money not to bail out the projects they have already started, but to get yet another complex system, with yet another inadequate maintenance budget, underway.

The Trident and M–1 construction problems are also symptomatic of problems faced throughout an industry that lacks the depth to competitively provide for the Pentagon's increasingly exotic needs.

Weapons systems tend to change in configuration as development programs extend in length. Whether because of the lure of evolving technology or the need to address changing mission requirements, Pentagon planners routinely reconfigure weapons without the slightest consideration for the impact change will have on basic program objectives.

In addition, the effects of escalation and cost growth caused by change are magnified by program decisions that invariably increase the complexity of systems. A good example would be the Navy F/A–18 (Hornet) program.

Initially planned to be a low-cost alternative to the expensive F–14 fighter—the mainstay of the current fleet air defense—the program quickly exploded into the "strike fighter" program known today.

Originally, the F–18 was intended to cost no more than $5 million a copy. But at the time of the fiscal year 1977 budget, the F/A–18 was priced out at $10.3 million—flyaway unit cost—per copy. In 1981, the cost grew to an incredible $16.1 million. Recent Defense Department estimates have an F/A–18 program of 1,377 aircraft costing $35.3 billion—a unit cost of $21.6 million. It is significant to note in citing these figures that "flyaway" costs do not include amounts spent on initial spares, support equipment, research and development, and military construction.

Inflation notwithstanding, the F/A–18 program has grown dramatically in cost during its short life. Nevertheless, the F/A–18 continues to be sold as the most "cost effective" solution to meeting fleet aviation requirements. When the "cost saver" becomes more expensive than the aircraft it is replacing—which is the case here—we kid ourselves to talk of low-cost or cost-effective replacement systems.

Another good example of extraordinary cost growth is the Black Hawk helicopter program. When this transport was designed in the early 1970's, planners projected that the aircraft would cost less than $1 million apiece. By fiscal year 1980, the Black Hawk costs better than $2.5 million per copy. In fiscal year 1982, the Black Hawk—with only minor engineering changes—will cost in excess of $5.2 million per, a 100-percent increase over 2 years.

To add to this dilemma, once investment decisions and commitments have been made, they acquire a momentum of their own. They are not easily undone or modified even if, as sometimes happens, evidence accumulates that the initial decision was ill advised, or is rendered obsolete by changed circumstances.

The August 11, 1980, issue of Business Week carried a much heralded article entitled "Missiles, missiles, and missiles: The New Defense Posture." The article format features this quote by William Perry, the Pentagon's chief of research and development. "The new missiles * * * will revolutionize warfare." To many, technology is synonomous with superiority; not everyone agrees. The same article recounts at length, the views of Norman Augustine, vice president of Martin Marietta and former Pentagon official, and the tale of the Maverick missile.

"Change a few of the names, and this (Maverick) could have been any account of any exciting new weapon written in the last 25 years," was the comment of one defense analyst. No matter how sophisticated we make our front-line weaponry, it is just a matter of time before advancing technology offers a new bauble to focus on. No matter how well a weapon performs, it is always behind the state-of-the-art by the time it is deployed. We must ask ourselves, "at what point should we be satisfied?"

The story of Maverick and its successors as recounted in the Business Week article, merits repeating.

Maverick was initially developed as an electro-optically guided missile that carried a small television camera in its nose. The camera was to photograph potential targets and assist the missile in locking on to them. Trouble arose when it was discovered that the camera did not work well in clouds and at night. This led the Air Force to abandon the camera in favor of an infrared guidance system.

While the infrared system made the Maverick an all-weather missile, it was not sensitive enough to distinguish between some targets, leaving the computer guidance system unable to accurately steer the missile.

Because it did not see full shapes or images, Mavericks still could not distinguish among real and spurious targets. Now we look to the air-to-ground Wasp and a new missile called AMRAAM (advanced medium range air-to-air missile), to correct this.

Perhaps the single best example of the extremes to which a runaway procurement system can take us is recounted by James Fallows in his book "National Defense":

> During the time when Curtis LeMay was the Air Force chief, there was a big movement to develop the Air Force flashlight. Flashlights never work, so they decided to develop their own. It's nice to have one to read maps in the cockpit, to count the turbine blades before you take off at night, things like that. Well, people started thinking about all the extra things it should do. Somebody said, wouldn't it be great if it were a signal flashlight, so you could read maps at night and protect your night vision. And there were the usual military specs about performing after two weeks on the North Pole, or in the Sahara. Finally, it became the Tri-Command Flashlight: the Strategic Air Command, the Tactical Air Command, and the Air Defense Command all added their requirements. By that time, the thing was so huge that you couldn't fit it in your flight suit—hell, if you had to bail out, you'd never take it with you, so what was the point of all the signal flashing or the heat and cold requirements.
>
> The Air Force turned out about 100 of the things and left them around Andrews Air Force Base for pilots to try out. General LeMay came out one time, saw one of them all wrapped up, and asked what it was. 'That's the new Air Force Flashlight, General!' the supply officer said. He asked LeMay if he wanted to take one on this flight, and LeMay said sure. So they peeled the air-tight wrapping off one of them, got out a new battery—and it just wouldn't work. The lights wouldn't even turn on. They opened up a second one, with a second battery, and it wouldn't work either. Finally they got the third one to work, but that was the end of the Air Force Flashlight. Most pilots use the $1.50 plug-in model now.

AN AILING DEFENSE INDUSTRY: A SECURITY CANCER

Last December, a special panel of the House Armed Services Committee published a report questioning the Defense Department's ability to procure military equipment in a "timely, efficient manner." The report characterizes the defense industry as "crippled" by declining productivity, aging facilities, and shortages of skilled labor and strategic materials. This assessment was bolstered by a recent study by the Defense Science Board, a group of industry executives

and former Government officials which faults the Pentagon for giving "little effective attention" to industrial preparedness.

In his book, "The Defense Industry," Jacques Gansler, former Deputy Assistant Defense Secretary for Materials Acquisition, has cataloged the bottlenecks and shortcomings afflicting the defense industry. Gansler notes that after the Vietnam war, as defense procurement decreased, the number of defense subcontractors fell dramatically, weakening the industrial base, reducing competition, and driving up costs.

One result of buying fewer more costly weapons, Gansler notes, "is that the peacetime defense industrial base cannot achieve high production rates or be easily maintained for future emergency surge demands." Generally, instability in demand has forced large contractors to undertake production chores previously farmed out to subcontractors, thereby further increasing concentration in the industry, reducing competition, and driving up costs. In short, Gansler makes the crucial point that defense contracting is presently a "thin" industry with few firms capable of providing for DOD's very demanding needs.

At the present time, for example, only one company makes castings for tank hulls, only one makes airframe bearings, and only one makes the titanium extrusions found in our more sophisticated planes. Even if these few firms could meet the demands of the administration's defense wish list—an open question among defense experts—the noncompetitive nature of the industry must raise prices higher and higher.

According to a report by Coopers and Lybrand, materials such as titanium sponges are the "driving force" in price increases. Competition between the military and commercial firms—particularly in the aviation sector—for limited production facilities and materials could increase production delays and further inflate costs. As MIT economist Lester Thurow has written:

> These companies have little extra capacity for production, and few other firms can surmount the technical and bureaucratic obstacles to entering the field. As a result, when demand goes up, as it has modestly done in the last few years and will dramatically do in the next few years, prices go up faster.

Concern about the complexity of the weapons sought by the Pentagon, and the structure of the defense industry, is intensified by the Defense Department's vulnerability to fraud, waste, and mismanagement. As Senator GOLDWATER noted in a letter to Secretary Weinberger, our defense procurement policies and the management of defense contracts have been disastrous:

> Runaway costs characterize our entire defense program. These vast expenses have nothing to do with maintaining the strength of our military forces. They are, pure and simple, the result of a system that premits DOD officials to operate as though the public purse has no limits. It is a system that can and must be changed.

During the Carter administration, W. Graham Claytor, Secretary of the Navy and then Deputy Secretary of Defense, once told Congress that "there is nothing wrong with the Navy that money won't fix." Such a mindset is wrong, and dangerously so. Given the problems often associated with high technology weapons, the present structure of the defense industry, and the Pentagon's approach to procurement and management, the worst thing we could do is simply give the Defense Department a blank check without addressing underlying problems which plague defense production.

MAINTAINING A "HIGH-TECH" INVENTORY: THE PROBLEM OF OPERATIONAL READINESS

Last year, Armed Forces Journal ran an article that quoted a then-classified memo authored by Secretary of Defense Harold Brown on the subject of readiness as it relates to "high-tech" aircraft.

As he had testified before a House Appropriations Subcommittee, Brown admitted that the overall readiness rate of tactical aircraft often hovers at about 50 percent. Loosely translated, this says that without sufficient warning, some 1,700 of the tactical aircraft now in our inventories would be inefficient or ineffective if suddenly needed. In a world where turbulence is the order of the day, such a grim assessment is cause for serious concern.

There are numerous factors that contribute to low operational readiness rates. Two key factors in the case of tactical aircraft are equipment maintenance and spare parts availability. Despite the $1 trillion pumped into the Pentagon over the past decade, these programs remain woefully underfunded.

Secretary Brown expressed his concern that—

> During peacetime, underfunding of depot maintenance . . . reduces the availability of operational aircraft despite the low operating tempos.

He pointed out that the backlog in the Navy's aircraft maintenance program has grown in 3 years from $60.3 to $284.1 million and the Air Force backlog from $67.7 to $196.1 million. Such a trend, allowed to continue unabated, threatens our ability to maintain a credible deterrent. The swiftest and surest means of enhancing military air capabilities is to revitalize our inventories and resist the temptation to divert required funding to procurement programs. Increasing spare parts inventories is deserving of the same priority treatment.

In his memo, Brown pointed out that inadequate inventories of spares requires cannibalization of aircraft and the drawing down of war reserves, especially in the case of the more complex aircraft:

> Cannibalization is a particularly inefficient use of resources in which increasingly scarce, highly-skilled manpower is wasted on the removal and reinstallation of two pieces of equipment instead of one, and aircraft bought to fight the enemy are turned into grounded "hangar queens." Drawing down war reserves to maintain peacetime activity rates can be extremely dangerous particularly since the drawdown tends to be greatest in precisely those parts we would need most in wartime.

Maintenance programs require and must receive an increased share of our limited defense dollars.

One has to take into account the time that sophisticated equipment is "down" for repair and maintenance. As a rule of thumb, the more sophisticated the weapon, the greater the likelihood it will require increased maintenance and increased skills on the part of those doing the maintaining. This raises, of necessity, the military personnel problem. We are terribly undermanned in the skills necessary to maintain the most sophisticated military equipment and the situation worsens every day. More and more of our skilled personnel opt out of the services for more lucrative job opportunities in the private sector.

We can have the best fighter aircraft on the Earth, but if we cannot maintain them adequately and keep them operational a high percentage of the time, then they do not give us the security protection that the heavy investment in such equipment ostensibly is designed to provide.

THE ALL-VOLUNTEER FORCE: DWINDLING MANPOWER RESOURCES

History shows that the single most important element in the defense equation is manpower. The military services are going to have to come to grips with its burgeoning manpower problems. According to General Edward Meyer, the Army Chief of Staff, it will take "in the neighborhood of 80,000 men" to accommodate the new Army role. If the White House persists in its plans to build a 600 ship Navy and add additional air wings to the Air Force structure, Pentagon manpower requirements are going to increase dramatically—about 200,000 additional individuals by the mid-1980's.

Dwindling manpower resources cannot be attributed solely to the All-Volunteer Force (AVF) recruitment shortfalls. Scuttling the AVF in favor of returning to the conscriptive service will not, in itself, improve the situation. At issue is the alarming exodus of those who—in years past—could be relied on to make the military a career. Today, skilled technicians are completing their tour of duty and instead of reenlisting, they are leaving the service at an increasingly alarming rate.

Statistically, the Defense Department reports achieving most of its recruitment goals. In contrast, reenlistment rates have fallen dramatically. The first-time reenlistment rates have fallen dramatically. The first-time reenlistment rate of Army personnel is down 8 percent and retention of Air Force pilots with 12 years of experience is down 9 percent. A Time magazine article on the subject, pointed out that an Air Force pilot with 12 years of experience has received pay, allowances, and training worth roughly $4 million.

The need to address the issue of the growing manpower shortage in the congressional decisionmaking process is evidenced in the growing support for reactivating the battleship fleet. While there is no doubt that room can be made in the coming year's defense bills to overhaul those mothballed giants, the Congress is in no position to ignore the vital issue of manning.

At this point, we can only hope that the Navy would be able to come up with the number of officers and enlisted per-

sonnel required to properly staff these ships. With the Navy now estimating that it is short some 21,000 petty officers—the backbone of the fleet—there is cause for skepticism.

Since the Congress moved in 1972 to increase military pay to bring it more in line with private sector compensation, there has been the need for a comprehensive revamping of the total military pay and benefits structure.

All too often, you hear the charge that the Congress has been systematically eliminating the "perks" of military life and that this has caused the mass exodus. This is simply not the case. I believe that a careful study of the issue would support the conclusion that the money we spend maintaining some of the more outmoded and increasingly more expensive benefits programs has minimal—if any—impact on retention.

Last year, Congress passed the so-called Nunn/Warner compensation package. Despite critics who say it did not go far enough, Nunn/Warner provided a fresh approach to the problem of addressing critical skill shortages. This year the Senate passed the Exon graduated pay bill. Experience has shown that "across-the-board" pay raise approach to retention has been a failure. We need to go further in this direction. I favor giving the Secretary of Defense more discretion in determining how future pay increases are to be distributed.

The military compensation issue has become increasingly more controversial in recent years. It has been nearly a decade now since Congress altered its philosophy on military pay. But retired pay, designed in part to compensate for what was once a low wage structure, has not yet been brought into line with the revised active pay structure. As a result, retirement benefits—which are linked directly to the pay system and tied to the cost of living—have skyrocketed. Even the Defense Department has been motivated at times to say that the system "provides excessively liberal benefits." Former President Carter offered some of these same sentiments—especially as they relate to federally reemployed military retirees, or "double-dippers" as they are popularly called.

> And I've been particularly concerned at the excessive retirement benefits that are available to those who served in the military, who then retire and get full-time jobs working for the government. This is too expensive.

This problem of "double-dipping" is inextricably entwined with the "20-year-and-out" syndrome so prevalent in the military services today. There is something basically wrong with a system where more than half—50.5 percent—of all military retirees leave at or shortly after reaching their 20th year of service, usually at an age of under 45. It is very disturbing to me that so much talent and expertise is being lost to the military through this premature retirement. The costs to the Defense Department are considerable in that skills, training, and professionalism developed in a 20-year career are very difficult to replace.

I do not find persuasive the argument, used so often in defense of the current system, that extended career will result in a military force that is too old to fight. Much of the support capability, command, control, and communications operations, can be handled as well—if not better—by older, more experienced personnel.

If we are going to solve the critical problem of manpower drain, some immediate action is essential. We have to come to grips with the unique aspect of military service that requires sacrifice beyond that of regular Government service. We can never be comparable in pay to the private sector, but we can be competitive.

We must reward excellence and achievement through pronounced pay differentials. If necessary, we must track military pay so that those who sign on for longer terms in critical skill areas receive higher pay and benefits than short terms and nonskilled counterparts. Such a scale could be enhanced with bonuses for greater lengths of service and rewards for filling critical combat assignments.

THE ECONOMICS OF DEFENSE: THE GREATEST DANGER

Military manpower shortages and the serious problems we are experiencing with our weapons development programs are not the only threat to our national well-being. It may well be that the greatest danger facing us today is economic. The decline in our standing in the world relates more to double-digit inflation, falling productivity, decay in our industries, and debilitating energy dependence, than it does to any shortage of military manpower. We must ask ourselves, "at what cost do we pursue a course of massive increases in defense spending?"

Sound national defense involves far more than powerful military forces. Measures to strengthen our economy, increase energy independence and improve public education are examples of nonmilitary efforts which enhance the financial, industrial, and social elements of a sound national defense program.

The proposed Reagan defense buildup threatens to divert resources from more productive investment, perhaps delaying the revitalization of U.S. industry. American allies, unburdened by similar increases in their defense programs, may well gain a competitive edge while the United States revitalizes its role as the world's preeminent military power.

In May, the Brookings Institution published its annual review of the Presidential budget. Mr. William Kaufman—a leading authority on the subject of military expenditures—observed in the publication:

> The United States can afford whatever is necessary for a prudent defense. It cannot afford to overshoot the mark . . . Aside from the undesirability of provoking an even greater arms race, the expansion of defense spending must be tempered by budgetary and economic consideration.

Certainly, we must enhance our defense, but we must do so in a way that is somehow consistent with strengthening and revitalizing our economy.

To quote from a work by John Kenneth Galbraith, entitled "The Economics of the Arms Race—and After":

> Military expenditure is at a cost to economic strength; and it is upon economic strength that our world position in the past has rested.

He reminds us that the prestige and position our Nation enjoyed in the early years that followed World War II depended more on our economic strength than our military might.

The Reagan administration would have us believe that military prowess plays a more vital role in our national and international politics than does our economic strength. The respected Wall Street economist, Henry Kaufman, disagrees:

> The influence on our economy caused by a rise in defense expenditures . . . is probably not fully appreciated. We have not had a flourishing defense sector for well over a decade.
>
> The powerful stimulative combination of large tax cuts and sizeable increases in defense spending is likely to more than off-set the restraining influence of a slow in federal expenditures.
>
> Massive tax cuts, large leaps in defense spending, and a slowdown in other Government outlays will not, in my opinion, be enough. These measures will place an extravagant strain on monetary policy, leading to further distortions in financial markets, much higher interest rates, and additional fragility of our financial system.

In an article entitled "How To Wreck the Economy," economist Lester Thurow warns that a massive increase in defense spending, undertaken during a period of tax reductions, could have a devastating effect on the economy—locking it into double-digit inflation for years to come.

Professor Thurow emphasizes three points.

First, he points out that the "military buildup that is currently being contemplated is three times as large as the one that took place during the Vietnam war."

Second, he asserts that "President Johnson's refusal to raise taxes to pay for the Vietnam war is legitimately remembered as one of the key factors leading us into our current economic mess * * * President Reagan wants both dramatic tax cuts to encourage investment and an even more extensive military buildup (without increasing taxes). If his current program is carried out, he too will wreck the economy * * *"

Thurow notes that the ill effects may not be immediately evident: "Initially, output will rise and unemployment will fall," as it did during the Vietnam experience from 1966 to 1968. "But eventually, a sustained inflation will result from the economy's inability to produce both the civilian and military goods that are being demanded of it." And unlike Vietnam, where inflation took off from a starting point of 2.9 percent in 1966 to 1967, we start this time from the neighborhood of 12 to 14 percent.

Third, in addition to dangerous inflation, the massive defense increase coupled with sizable tax cuts, threatens irreparable harm to our hope of rebuilding economic productivity. Thurow points out that the proposed buildup is to take place at a time when our allies are not raising their military expenditures at anything like the rapid pace of the United States.

THE SOVIET RESPONSE AND DOMESTIC SOCIAL COSTS

In addition to economic considerations, we must anticipate what the Soviet response will be to our massive arms buildup, however misplanned or misdirected that buildup is. Clearly the Soviets will view it as a grave threat. Clearly they will view our prospective sale of "lethal" weapons to the People's Republic of China as a grave threat. Clearly they will respond to both our massive arms buildup and our "playing of the China card" as compelling reason, to even further augment their already escalating arms buildup.

The Soviet response will surely take into account their growing alarm about the direction of American policy. According to Soviet Defense Minister Marshal Ustinov, the current U.S. policy will "undo whatever good was done in Soviet-American relations during the 1970's and break the rough military parity between the U.S.S.R. and the United States." Mr. Ustinov claims the United States hopes to undermine the Soviet bloc economies by drawing them into a heated arms race. He wrote recently:

It is already being calculated by some men in Washington how many of the U.S.S.R.'s economic programs would thereby be frustrated and how much less the people in the Socialist countries would get of food and medical care.

Five years from now, after the expenditure of $1.6 trillion and with the People's Republic of China armed with modern American equipment, we may find ourselves no better off vis-a-vis the Soviets than we are today. The Soviets will not benignly sit by and watch us attain dominance or overwhelming superiority in armaments. As we dare them, they fear us. As we build, so will they.

To me, we would be well advised to heed the prophetic words of George F. Kennan:

We have gone on piling weapon upon weapon, missile upon missile, new levels of destructiveness upon old ones. We have done this helplessly, almost involuntarily: like the victims of some sort of hypnotism, like men in a dream, like lemmings heading for the sea, like the children of Hamlin marching blindly along behind their Pied Piper. And the result is that today we have achieved, we and the Russians together, in the creation of these devices and their means of delivery, levels of redundancy of such grotesque dimensions so to defy rational understanding. . . . no one could deny, I think, that the present Soviet and American arsenals, presenting over a million times the destructive power of the Hiroshima bomb, are simply fantastically redundant to the purpose in question. If the same relative proportions were to be preserved, something well less than twenty percent of these stocks would surely suffice for the most sanguine concepts of deterrence, whether as between the two nuclear superpowers or with relation to any of those other governments that have been so ill-advised as to enter upon the nuclear path. Whatever their suspicions of each other, there can be no excuse on the part of these two governments for holding, poised against each other and poised in a sense against the whole northern hemisphere, quantities of these weapons so vastly in excess foany rational and demonstrable requirements.

If the current trend continues unabated, the likely outcome is predictable, if not pleasant: American scientists, engineers, and technicians will increasingly be drawn into the defense sector, leaving the civilian sector, while our allies' finest scientists, engineers, and technicians will be devoting their talent to civilian endeavors.

In a memorable speech delivered to the American Society of Newspaper Editors on April 16, 1953, President Eisenhower spoke passionately of the social cost of this type of resource drain.

Every gun that is made, every warship launched, every rocket fired signifies, in the final sense, a theft from those who hunger and are not fed, those who are cold and not clothed. This world in arms is not spending money alone. It is spending the sweat of its laborers, the genius of its science, the hopes of its children . . .

In the area of national defense, it is vital that we learn from our experiences of the past decade. If the record suggests high technology weapons inevitably produce soaring costs, production delays, and disappointing reliability, we ignore those lessons at our peril.

There are a range of choices available to us: For example, we could avoid the "technology trap" by turning to simpler weapons; or make improvement in technology more likely by spurring competition in the defense sector through vigorous reforms in procurement and contracting. We could—and probably should—pursue some combination of the two.

The worst possible course would be to pretend that the problems do not exist, and commit ourselves to some Pentagon "wish-list" which will never be attainable. Our defense effort must be grounded in reason, not rhetoric.

Nothing could be more important than to correctly assess the likely impact of our proposed defense buildup on our economy. We may discover that we simply cannot afford to do everything that might be desirable from a defense standpoint. Choices and tradeoffs must be made. It would not be startling to discover that we cannot cut taxes and engage in a massive military buildup at the same time.

Back in the early 1960's, Lyndon Johnson said we could have "guns and butter" at the same time. This policy, exacerbated by the energy price surge, became the inflation momentum of the 1970's. Ronald Reagan, in the face of double-digit inflation, says we can have "guns and Kemp-Roth" in the 1980's. One has to wonder if we will ever learn the lessons of history.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. BAKER. Mr. President, I am advised that the Senator from Arkansas and the Senator from Nevada have no further requirement for time under the special orders heretofore entered. I ask unanimous consent that the orders be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business, not to extend past the hour of 11:30 a.m., during which Senators may speak for not more than 3 minutes each.

Mr. BAKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DURENBERGER). Without objection, it is so ordered.

CONGRATULATIONS TO DONNA AND PAT BUTLER

Mr. BAKER. Mr. President, that blessed of blessed events has been bestowed upon a member of my staff, and I want to take this opportunity to send my congratulations to Donna and Pat Butler on the birth of their first born—a baby girl.

The good news is that mother and daughter are doing fine, and anxious to go home. The bad news is that Papa Pat is a nervous wreck. We all hope things settle down for the old man, and we look forward to his return.

THE NATION'S ECONOMIC PERIL

Mr. CANNON. Mr. President, I am compelled to speak out today on an issue that is perhaps the most serious issue this country has faced during all my years in the U.S. Senate. It is the issue presented by the continuing double-digit inflation with which we are all burdened as individuals, and as a nation. Inflation and the resulting high interest rates threaten to destroy not only the traditional dreams and hopes of individual Americans and their families, but also our way of life, our economy, and our security and position in the world at large.

From every possible source and without regard to party affiliation, political ideology or economic school of thought, we are assailed by only the bleakest of forecasts for the economy. Over the next 3 years we face huge Federal budget deficits amounting to $200 or $300 billion. And we are, it is now commonly conceded, in a recession that began earlier this fall and continues to advance. All the indicators show that this current downtrend is exacting a terrible price from the American people and from the life of the country as a whole.

Housing starts have reached the lowest levels since the Depression of the 1930's. The stock market is in a long continuing decline. Unemployment is up to 8 percent and rising. Interest rates are still

too high to end the rigid credit crunch that holds our economy in check. Recession may indeed be too soft a word to describe the fix we are in today. To read or to hear the news today is to encounter over and over again a litany of words called back from the 1930's—loss, default, slumping, falling, and fear.

And there is much to fear. It is not just that the individual American cannot afford to maintain his livelihood, or that there is now little or no development money to start new enterprises. Industry itself complains that it cannot afford the credit needed to expand or, in some shocking cases, even to survive. Failure, bankruptcy, acquisition, and merger are the words today as American business and industry fight the high interest rates, the general lack of credit, and the high costs of everything that plague us all.

Worse yet, Government itself is squeezed in the prevailing vice of inflation. The Federal Government, perhaps the biggest borrower of all, has paid increasingly high interest rates in today's money market. And those higher and higher interest rates have fed inflation even more with well near disastrous results.

We are finding, for instance, that no matter how serious the weakness in our defense—and even in the face of a continually growing threat to peace throughout the world—we cannot afford the new weapons we need, and we can acquire them only at the cost of multi-billion-dollar deficits. Talk of a new bomber—the B–1 or the Stealth * * * talk of an MX missile system, of more Trident submarines and other naval weapons, of an adequate and effective rapid deployment force * * * talk of maintaining the combat effectiveness of our forces overseas and in reserve * * * all talk of achieving and maintaining military parity in the world of the future is problematical today. It all hinges on ever-rising costs, and it hinges on our resulting necessity to accept what are really unacceptable multi-billion-dollar deficits.

All talk of our ability to go on providing minimal social programs is also problematical, if not specious, with today's economy. In the face of continuing inflation and continuing high credit rates, the outlook for the individual hard-pressed American—the outlook for the American family, the outlook for American communities and their needs—is as bleak and unpromising as it is for the country as a whole. Local government is as hard pressed by inflation and high interest rates today as is the Federal Government.

Yet, it is still blandly supposed or blindly assumed that the enormous shortfalls of needed revenues can be made up by further taxing our working men and women—or that the greater share of the tax burden still to be levied can fall without further damage on the backs of our senior citizens—that the American family can somehow be made to pay the bill, or that even our children can be further penalized in order to somehow make up the deficit and bail us out.

I am reminded of the story of the old Nevada miner who, when his mule fell dead in the traces, replaced the old mule with his little terrier. "That dog," they told him, "will never pull your load." But the old miner, still stolidly determined to get where he had to go, said, "Yes, he will. I'll walk ahead of him and whistle."

Well, we can go on whistling. But, if you ask me, I have to say we have put the wrong dog in the traces. The everyday American is already asked to carry more than his or her fair share of the tax burden. But we have somehow exempted the only class of citizens who can afford to bear their share—but who do not even begin to bear their share—the super rich and the huge conglomerate corporations for whom we have provided generous tax advantages which are no longer justified, and which must be ended if any semblance of fairness or a free market economy is to survive. For the plain and simple fact is that this country can no longer afford to give the super rich a super tax break.

Consider the chief among those who have benefited from this liberality of ours in the past—the big oil companies with their windfall profits, depletion and exploration and other allowances, that run into the billions of dollars every year. And year after year since the early 1970's these oil producers—and I want to make it clear I am not talking about retailers or distributors—have reported increasing and tremendous profits. Since the mid-1970's these beneficiaries of our tax liberality have risen from 50th or 60th ranking among the richest and most profitable corporations in America to being four of the top five, according to a recent House Committee study. With what result for the rest of us?

Energy has been the single largest factor in inflation. As the oil company profits have increased, so have the prices of oil and gas at the pumps where we fill our cars, and on the meters that measure fuel fed into our homes. The high price of oil, the ever rising cost of energy, continues to escalate year after year. Yet, we have done nothing to seriously tax the rising profits big oil has earned for itself over the years since the disastrous Arab oil boycott of 1973.

On the contrary, we have, in effect, lowered their taxes and increased their profits. We did so in the conviction that those lowered tax rates and increased benefits would be plowed back into exploration and discovery of new energy supplies—and that this exploration and discovery would, in turn, lower our energy costs.

But that has not happened. And why we continue to excuse the super rich oil companies from paying their fair share of taxes to help meet the rising costs of their energy driven inflation is beyond my ability to understand. It is also beyond my ability to believe that we must continue to expect this kind of tax loss to be made up by the average American taxpayer.

But that is what we are left with at the moment—the necessity to now consider once again how to further tax retired American workers, and thus further deprive them of social security and pension benefits they have earned with their labor over their working years—how to further cut school lunch funds—how to more certainly end for American families the dream of owning a home—how to further deprive the needy—and how to further reduce our support of schools, of research, of the development of minds and of ideas on which our future as a people will depend.

Rather, I firmly believe, we must now take a look at our tax structure and our tax laws in the harsh light of today's reality. We must take a new look at the gross inequities that exist. And I encourage my colleagues of the Finance Committee to take that second hard look at the law and the legislation now proposed or still to be proposed. I charge them to search out and to close the loopholes and alter the shelters that allow—and even encourage—immoral tax inequities to stay on the books.

I do this for more than reasons of alarm at the clear and present dangers we face today—threats to our economy, threats to our defense, threats to our health as a nation. I do so for reasons other than those of concern for the injustice and unfairness suffered by most American taxpayers today. I do so for what I regard as soundly pragmatic, economic reasons as well. The present tax structure in America is more than unfair or unjust. It is dangerously inefficient and uneconomic as it is immoral.

Exempting the super rich from their share of the tax burden is a costly procedure we can no longer afford. Looking around the world we can see ample evidence that this is so. Where the super rich escape their tax responsibilities, national economies are as soft and as inflation-driven as our own. That of Great Britain is a fair reflection of this. Great Britain now has an average yearly rate of unemployment of almost 6 percent. Our own unemployment rate now stands at 8 percent. Great Britain has an average yearly increase of 14.4 percent in consumer prices. Our rate of increase is now 10 percent.

On the other hand, when we look at Germany and Japan, two of the most successful and sound economies in the world today, we see another picture.

Both Germany and Japan are 10-percent dependent on foreign oil with resulting high energy costs. Both have inflation and all that it entails. Our high interest rates, for example, impacts on their economies. In Japan, however, the unemployment rate is only 2.1 percent and their average yearly increase in consumer prices is only 6.5 percent. Germany is similarly better off than we are, with unemployment at only 4.2 percent and consumer prices increasing at only 4.1 percent. Neither Germany nor Japan faces the slowdown in growth and the enormous deficits we are facing today. That is largely because, in both Germany and Japan, the big corporations pay their share of the tax burden and also pick up the tab for many social services as well.

It is certainly true that in the past the undoubted health of the German and Japanese economies has been due to our support. Their economies have further benefited from the fact that both Japan and Germany have very low defense costs. But if the super rich in Germany and Japan were not paying their fair

share of the national tax bills, their economies would be as shaky as our own.

It therefore behooves us, it seems to me, to look askance at our own situation with respect to theirs, and to wonder at the sorry and unbelievable spectacle of an America—groggy, disabled, and all but disarmed under the blows of economic forces that Germany and Japan have survived with undeniable prosperity. And that they are prosperous is undeniable, even with their dependency on foreign oil.

We, on the contrary, have allowed our privileged few to escape their fair share of the tax burden. Year after year since the 1973 Arab oil boycott, the super rich companies have racked up billions in earnings, much of it very lightly taxed and some of it not taxed at all. Should there be any doubt of this, let me refresh your memory with some facts.

Between 1972 and 1980 the after-tax profits of the nation's 20 largest oil companies quintupled—that is, increased five-fold. From 1976 to 1980 their gains nearly tripled—from $11 to $29 billion annually. In 1980 the major petroleum, oil service, and oil supply companies showed an annual profit that increased from 29 to 46 percent, while all other major industries—including steel—showed an average after-tax profit increase of only 4 to 5 percent. Just this past weekend I read a newspaper account of a new congressional staff study, which traced the $19.6 billion increase in combined net income of the 500 largest industrial corporations during the past 2 years. The study says the 20 largest oil and gas companies accounted for 83.7 percent of the $19.6 billion, and that 24 others plus 12 industry and supply firms accounted for an additional 14.2 percent. That left only 2.1 percent—or $403 million—for the rest of the corporations. The net cash flow of just one oil company—Exxon—last year equalled $1 billion a month.

What kind of taxes do these companies pay on all that money? Not very much. By virtue of their deductions, allowances, write-offs, and adjustments, oil companies have been able to cut their Federal tax bills well below the percentage paid by all other industries. In 1977, for example, the oil industry had an adjusted income subject to tax totaling $47.7 billion. For this the industry paid $18 billion in foreign taxes—37.5 percent—and only $3.5 billion in American taxes—7.5 percent. If the oil industry would pay as much to our Treasury as they pay to foreign countries, we would have the President's $12 billion deficit paid in a year's time.

And what have the oil companies done with these enormous tax savings? They would lead you to believe they are putting money into exploration. Yet, the major oil companies spent less than 2 percent of their adjusted revenue in 1980 for exploration of new oil and other energy sources. In fact, 90 percent of all new wells being drilled, and 80 percent of all significant oil and gas discoveries, is the work—not of the major oil companies with all their tax allowances but—of wildcat independents. What the oil companies seem to be doing in this regard is not much of a mystery. They seem to be tying up land with leases and waiting for the price of oil to rise even higher.

So it is not into new oil discoveries and new wells that the major oil companies are putting their money. It is into mergers and new acquisitions. Of the 204 such mergers and acquisitions by major oil companies since 1968, 116 of them were in nonenergy fields. These include, I must advise you, life insurance companies, almond growing, fabrics, paperback books, jet engine parts, crushed stone, ready-mix concrete plants, magnetic tapes, a shipyard, carpet dyes, perfume, motel operations, shoe manufacturing, and even a Scottish trout farm—to say nothing of a computer software firm. Commendable enterprises all. But how, may I ask, do they improve our energy situation or help to relieve us of our deadly dependence on Arab oil? Must we continue to be the potential victims of blackmail by a handful of feudal Arab princes and our own oil barons so that, with the taxpayers' help, Exxon can develop a word processor to compete with Remington Rand or IBM?

And where else do you think their money goes? In a recent major newspaper investigation it was revealed that 94 oil Political Action Committees—PAC groups—doubled their congressional campaign contributions from $2.1 million in 1978 to $4.5 million in 1980. The headline of the special newspaper series was "How Oil Money Helped To Change The Face Of Congress." The article stated that four U.S. Senate candidates last year received oil money totaling $100 thousand each.

And what about advertising? Every time I turn on the television or read a newspaper or magazine, I am reminded by oil company advertisements of their efforts to spend money helping our Nation become more self-sufficient in energy. What kind of budget does the oil industry have for magazine ads, television specials, and fancy photography? I do not know what this enormous budget is. I am sure it is one of their better kept secrets. And I am sure that a portion of that budget would go a long way toward helping us find funding alternatives.

It disturbs me to realize that all this expansion into new fields by the oil companies, all this growth, and all this prosperity has been funded by the American public. And it has been funded through the guise of tax benefits granted in the belief that the American oil industry would, in turn, deliver some relief for the energy squeeze and its attendant ills of inflation, the credit crunch, and now recession, unemployment, and the rest. What has been delivered to us is not the promised energy independence. Instead, it is, as David Stockman has pointed out, a Trojan horse, saddled and bridled to fit the superrich, a long disproven Republican white elephant theory of trickle-down economics under another name, and a $200 to $300 billion deficit to be faced by the American taxpayers in the next 3 years.

Think of $200 to $300 billion. Our President seeks just $12 billion to supposedly make his economic program work. Just think of the money spent by oil companies for exploration, campaign contributions, and even advertising. Just think of the $400 million a year that an Interior Department Commission claims nine oil companies underpaid the Government for petroleum and gas produced on Federal property. Just think of the billions in taxes the oil companies should be paying to the Federal Treasury, and what it would do to end the credit crunch, stop inflation, eliminate much of our deficit, and bring our Nation back to economic health.

Instead, we have only that enormous deficit. It is a dismal prospect we face, dismal unless we call an end to unfair tax benefits and allowances and other giveaways enjoyed by the superrich today—dismal unless we call an end and say enough—stop—no more. For the truth is that if the superrich had been paying their fair share of the taxes, we would be facing no super billion-dollar deficits today. And only if they pay their fair share of the taxes can we hope to see our economy thrive as it should, and our country secure in the world as it must be.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business?

If not, morning business is closed.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1982

The PRESIDING OFFICER. The clerk will state the pending business.

The legislative clerk read as follows:

A bill (H.R. 4995) making appropriations for the Department of Defense for the fiscal year 1982, and for other purposes.

The Senate resumed consideration of the bill.

AMENDMENT NO. 638

(Purpose: To add funds to procure four additional KC-10A tanker/cargo aircraft in fiscal 1982)

The PRESIDING OFFICER. The pending question is the amendment of the Senator from Michigan.

TIME LIMITATION REQUEST

Mr. BAKER. Mr. President, I inquire of the Senator from Michigan and the distinguished manager of the bill on the majority side if they will be agreeable to a unanimous-consent order that the debate on this measure will occur as they may prefer but that the vote will occur at 2 p.m.?

Mr. LEVIN. I appreciate that.

Mr. BAKER. I thank the Senator.

I intend to ask that the Senate stand in recess from 12 o'clock until 2 p.m. I can adjust that time, but there are caucuses on both sides of the aisle that such a recess would facilitate.

Will 20 minutes provide enough time for debate?

Mr. LEVIN. I shall try to end it in 20 or 25 minutes, but it may take a few minutes more than 20 depending on the other side. May I have a few additional minutes?

ORDER FOR RECESS FROM 12:15 P.M. UNTIL 2 P.M. TODAY

Mr. BAKER. Let me put the request this way: I ask unanimous consent that

at the conclusion of the debate on the Levin amendment but in no event later than 12:15 p.m. the Senate stand in recess until the hour of 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I further ask unanimous consent that the vote on this amendment, the rollcall, if a rollcall is ordered, occur at 2 p.m. when the Senate reconvenes.

The PRESIDING OFFICER. It is the understanding of the Chair that the rollcall has been ordered.

Mr. BAKER. I thank the Chair.

Mr. President, I ask unanimous consent that that vote occur at 2 p.m. on the reconvening of the Senate after the recess.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BAKER. Mr. President, I thank the Chair.

Mr. LEVIN. Mr. President, the amendment was introduced last night. It was introduced on behalf of myself, Senators HOLLINGS, NUNN, and PRYOR.

This amendment would restore $220 million to purchase four KC–10A refueling tanker airplanes. I say restore because the Senate had these planes in its authorization bill; the House had the planes in its authorization bill; the planes were in the President's March budget proposal. But then the President sent over some cuts in readiness and operations in October, and a number of those cuts were adopted in conference, including a cut in the number of KC–10 tankers from eight to four. That leaves us below the authorization bills which the Senate and the House had previously adopted.

Even though the conference reports accepted the President's level of four tankers, it was only because, in my opinion, there was no practical way of amending the conference report.

The decision was made certainly by me at that time and, I think, by others, that we would support on the appropriations bill an increase in the level to restore the number of tankers purchased this year from four to eight, as originally intended in March by the President, as clearly intended through the authorization bills by the Senate and by the House.

There has been some question raised as to what is the relationship between this amendment and another amendment that a "Dear Colleague" letter has been sent around on, a "Dear Colleague" letter signed by Senator HOLLINGS and myself, which indicated that we would be offering an amendment to strike the B–1 bomber and to spend the money on readiness items and on the Stealth bomber.

We pointed out in that letter there had been serious cuts in readiness from the levels adopted by the House and the Senate in their authorization bills and the levels established by the President in March, in his March budget, and that we felt the B–1 bomber, because of the inadequacies of it compared with Stealth, was something that should be cut and the money spent instead on readiness, operation, and maintenance and on Stealth.

We decided because of the great interest in the number of items we would have funded with that money to try to add in those items first to the appropriation bill. There was so much support for additional funding for some of these operations, including people who did not want to cut the B–1 program in order to fund them, that we have decided to offer a number of amendments which will make these readiness restorations so that the Senate will have an opportunity to vote on individual amendments doing things such as restoring the Indian Ocean presence and readiness. We have cut that by 25 percent, unbelievable, a 25-percent reduction in Indian Ocean and Persian Gulf readiness.

We have reduced the size of the Army, we have eliminated the B–52 program—part of that has been restored by the Appropriations Committee—but the early retirement has not been totally rescinded because insufficient funds have been placed in this appropriation bill to eliminate that early retirement and to go back to our planned B–52 program.

Other reductions in our readiness which have been outlined in that "Dear Colleague" letter are now going to be made the subject of individual amendments.

Then, at the end, later on in this debate, we will be offering the B–1 cut itself.

Some of us may want to fund some of these add-ons through the B–1 elimination. Others may want to fund the add-ons which will be proposed in a series of amendments by different Senators in many ways. There are some Senators who may want to simply increase the size of the appropriation bill in order to fund these critical readiness items and the Stealth item. But, in any event, a number of individual Senators will be offering individual amendments on these add-on items, and only at the end, when that process is through, will we be offering the B–1 elimination amendment.

Mr. President, I ask unanimous consent that the "Dear Colleague" letter, which summarizes these additional funding items, these readiness and Stealth items, that has been signed by Senator HOLLINGS and myself be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., November 25, 1981.

DEAR COLLEAGUE: The Federal Government is currently experiencing fierce competition for increasingly scarce resources. No where is this more prevalent than in our defense budget. And yet, in spite of this fact, we are embarking on a program to procure three new major strategic systems; the B–1, the ATB, and the M–X missile system. These three systems over the next ten years will require tens of billions of dollars. If we, in fact, pursue this course of action, we will do so at the expense of readiness and force modernization and we will be weaker, rather than stronger, militarily in both strategic and conventional capabilities.

Therefore, we the undersigned intend to offer to the Department of Defense Appropriation Bill for FY 1982, an amendment to delete funding for the B–1B Bomber and allocate these savings to certain Defense modernization and readiness priorities.

Our amendment would reallocate a portion of the B–1B funding for the following items:

(A) Additional funding for restoration of full amount of requested Navy steaming hour program, $73 million;

(B) Additional funding for restoration of reductions in Air Force and Army active end strengths, $77 million;

(C) Additional funds for acceleration of advanced technology bomber, $300 million;

(D) Additional funding for a classified program, $350 million;

(E) Additional funding for procurement of ammunition for the Army, $148 million;

(F) Additional funding for one attack submarine, $518 million;

(G) Additional funding for B–52D modifications/spares, $82 million;

(H) Additional funding for B–52D flight simulator development, $5 million;

(I) Additional funding for Navy fleet modernization program, $80 million;

(J) Additional funding to retain nine ships in the Navy active and reserve fleet, $15 million;

(K) Additional funding to support the Trident submarine program, $20 million;

(L) Additional funding for Army force modernization, $60 million;

(M) Additional funding for procurement of thirty M88A1 recovery vehicles for the Army, $29 million;

(N) Additional funding for procurement of four KC–10A (ATCA) aircraft for the Air Force, $220 million;

(O) Additional funding for procurement of 100 AGM–84A Harpoon missiles for the Navy, $50 million.

We have reached the juncture in defense budgeting where the Congress must exercise its responsibilities and begin to make hard choices. We must begin to choose between competing weapon systems designed for a similar mission and between competing priorities within the overall defense posture.

You will find attached a reprint of Fritz's speech made to the Senate on Monday detailing a rationale for the amendment. If you are interested in co-sponsoring this amendment, please contact Mike Joy at 4–0850 or Peter Lennon at 4–9104.

Sincerely,

CARL LEVIN.
ERNEST F. HOLLINGS.

[From the CONGRESSIONAL RECORD, Nov. 23, 1981]

DEFENSE AND THE B–1 BOMBER

Mr. HOLLINGS. Mr. President, to understand the controversy over the B–1 bomber, a person must appreciate: First, the nature of modern weapons; second, the limits of our economic resources; and third, the limits to the usefulness of a manned penetration bomber.

THE NATURE OF MODERN WEAPONS

The strategy for American survival is premised on the superiority of technology. We do not and cannot compete against the Russians or Chinese militarily on a man-for-man basis. We do not and cannot compete against the Soviets one tank versus one tank.

We have 11,000 tanks while the Soviets have 50,000. How do we hope to fight and win given this ratio? The answer is in a superior tank with a superior tank operator.

We intentionally include on our tanks sophisticated fire control systems advanced suspension systems, laminated armor, and other state-of-the-art gear because we know it is not going to be one-for-one situation. Our one tank must be capable of knocking out 5 or 10 of theirs in order to prevail.

We are constantly hearing today that America's weaponry is too sophisticated, that it contains too much expensive technological gear, and that we cannot find the

skilled personnel to operate and maintain the weaponry. Some argue that all we need is a cheap, "tough" tank—like the Soviets build—to survive better in battlefield conditions.

We could easily produce that kind of tank, if we are ready, willing, and able to produce and man 50,000 of them. This we cannot do. For one thing, we do not intend to have that large a standing Army, so we go for the superior tank, making sure the advanced technology is designed for the needs of the battlefield. This has always been our military approach.

It applies to the shoes the soldier wears as well as to the bombers we send aloft. The constant task facing Congress is to insure that we keep ahead with technology. We want our troops to have the best equipment in every aspect. Of course, we must also be able to afford it.

THE LIMITS OF OUR ECONOMIC RESOURCES

When we fought World War II, an M–1 rifle cost $41.20. A Sherman tank went for $40,000. And a B–17 manned penetration bomber cost $97,000. Right now it appears that the projected cost for each B–1 bomber would be $400 million.

Everyone knows that today we are operating with limited economic resources. In a world reeling under inflation and high interest rates, every program is being cut. While we are trying to increase our defenses, that is not to say we are trying to increase our costs. We must look at each proposed military expenditure from every angle—not only how much it costs, but how much it costs to repair; not only how much one of them costs, but how much do 100 cost and what is the effect on the budget and the economy.

We must make economical buys, and when it comes to bombers they must last. We are not looking at the cost of just long-range bombers, but the cost of medium bombers, the cost of fighter bombers, the cost of fighters, of helicopters, and observation planes all the way down to the Piper Cub. And we must figure the cost of the manned Shuttle because it too has military applications.

These costs must be seen within the larger context of the overall defense budget—the cost of equipping the infantry, the cost of building aircraft carriers and Trident submarines at $2 billion apiece, and the cost of ammunition from the rifle bullet to one piece of ammunition fired from a plane—the Phoenix missle costing over $1 million a copy. Over and above hardware come personnel costs which exceed $100 billion a year.

All these defense costs must be considered against the backdrop of other Government endeavors—like law enforcement, highways, health costs, social security, price supports for agriculture, and aid for small business. Somewhere there is a limit—and we have been exceeding the limit. We have been borrowing from the next generation in order to pay for all this Government. The results—busted budgets, tax cuts written in red ink, and high interest rates.

At $400 million each, the 100 B–1 bombers being asked for will cost us $40 billion; $40 billion over the next 5 years is about what we had hoped to increase the entire defense budget.

For $40 billion, we can buy a lot of sorely needed infantry-fighting vehicles, submarines, tanks, helicopters, destroyers, pre-positioning ships, landing gear for the Marines, and ammunition for everybody.

So before we commit to $40 billion and 5 years on a single weapon, we must stop, look, and listen. We must understand that our conventional forces are in a sorry state of readiness—the principal trouble being that we have denied them the equipment, the flying hours, the steaming hours, and the vehicles necessary for training, mobility, and readiness.

We are 60,000 trucks short in the Army right this minute. Look at our inability to defend against gas or chemical warfare. The next war will not be fought by one soldier just shooting at another man. The field of battle for conventional forces may very well be gassed by our adversary. The Russians have already used gas in Laos, Cambodia, and Afghanistan.

Their infantry wears protective clothing developed for this kind of warfare. In another advance, Soviet troops travel in modern infantry-fighting vehicles. They have 76,000 of these—the United States has none. It is tough to tell the Commandant of the Marine Corps that we cannot give him the gear he needs because the B–1 has just gobbled up all the money. I just did that this week.

We are not prepared to fight a conventional war. Clausewitz said, "History shows that a nation fights the war that it is prepared to fight."

We are not prepared to fight in the Indian Ocean, so we will not. We are not prepared to fight a conventional war in NATO, so we will not. We are only prepared to fight a nuclear war—so we will if one comes. The best way to avoid the nuclear holocaust is to be prepared to fight the conventional battle. But the B–1 is a nuclear carrier. Underprepared for conventional war, the B–1 overprepares us for nuclear.

The Soviets did not march on Angola or Afghanistan with a nuclear attack. They went with conventional forces. For 10 years now, we have been "détenting" and dillying and disarming while the Soviets have been beefing up and outspending us militarily by $500 billion.

We cannot repair this difference in a year. It will take several years. So we must set priorities. Is the primary need another Trident submarine, or is it an aircraft carrier? Is the first order "X" number of tanks, or helicopters? A manned bomber, or more and better equipment for our conventional forces?

I believe the first priority is manpower. I have written about the draft in a previous newsletter. I believe that the one best move to build our military and show our commitment is the universal draft. It would get a cross-section of our society participating in America's defense. It would give us the skills. It would cost less, and it would evidence our will power as well as our military power.

My second priority would be readiness. That includes money for ammunition, money for fuel, money for operations and maintenance of the equipment, and money for adequate flying, steaming, and training hours.

Rather than $40 billion for a single weapon—a manned penetration bomber—I would rather spend that same amount over the next 5 years on fleshing out the Rapid Deployment Force in the Indian Ocean, equipping the Marines, equipping our National Guard and Reserves, refitting nine Navy ships, buying some attack submarines, tanks, helicopters and fighters, and speeding up development of the next generation of manned, penetration bombers—the Stealth.

THE LIMITS TO THE USEFULNESS OF A MANNED PENETRATION BOMBER

So you will understand where I am coming from, I am a strong believer in the military and a strong supporter of the Air Force. At this moment, we have many bombers. We have long-range penetration bombers, such as 345 B–52's and 63 FB–111's. We have many medium- and short-range bombers such as the F–15's, remember the Saudis were asking for bomb racks for their F–15's; hundreds of F–16's, remember this is the plane that Israel used to bomb Baghdad. We soon will have the superior F–18 fighter-bomber by the hundreds. We have A–6's, A–7's, and VSTOL fighter-bombers. I touch on this to emphasize the difference between medium-range bombers and the long-range bombers needed to penetrate Soviet defenses. We are continuing to build and capitalize on America's technology. But as concerns the B–1, there are limits to its ability to penetrate. Generally, there are limits on the manned bomber which makes it necessary for us to put our egg in more than one basket.

Everyone agrees that the B–1 bomber can no longer be depended upon as a penetration weapon after 1990. We know that the B–52, old as it is, can carry us that far. And we know that we cannot get the first squadron of B–1's flying until 1987 at the earliest.

The bottom line then, if everything proceeds on schedule is a $40 billion program to provide penetration for the 3 years between 1987 and 1990. After that the state of Soviet defenses will make it impossible for either the B–52 or the B–1 to get through.

The B–1 has simply become too expensive for its primary mission. Surely it can be used after 1990 as a stand-off cruise missile carrier but paying $400 million a copy for this role is unthinkable. The $400 million cost has been disputed.

But special studies by the General Accounting Office and the Congressional Budget Office confirm this cost.

Finally as a maneuver with the Congress, the Air Force has been citing inflated costs to keep the B–52's going until the 1980's inferring that rather than paying the expense to keep the B–52's in the air, you could use the same money to buy the new B–1.

Whether you go for the B–1 or go for the Stealth or go for both or go for neither, every plan shows that the B–52 must be kept current and flying until 1993. And so those costs will have to be paid.

Then when they are phased out in 1993, the question is: shall they be replaced totally by the Stealths that can penetrate or by the B–1 that cannot or by both—if we had the money.

The B–1 is a superb plane and I wish we had 200 B–1's on the line today. Five years ago, I implored President Carter to move forward with the B–1. Instead we wasted 5 years and $5 billion and the opportunity to have them flying over the kind of reasonable lifetime that such a huge investment requires.

Carter made his decision, the factory has closed down, and the cost has soared from $100 million apiece to $400 million. There is a time for every weapon, and the B–1's is passing.

On November 5, Secretary of Defense Caspar Weinberger testified:

"I think there is no question whatever that we will not be able to use the B–1 as a penetrator after 1990."

Earlier, Secretary Weinberger had emphasized the limits of the B–1 after 1990 by stating:

"If you do the B–1 only you spend a lot of money—again I am trying to guess at the extent of development of the Soviet air defenses, so if I use a couple of years, give me leeway 1989, 1990, probably 1988 to 1989—you lose the ability to penetrate unless someone wants to direct suicide missions and that is not anything I am going to do."

This only confirms a similar statement by Fred C. Ikle, Under Secretary of Defense for Policy before the Armed Services Committee on October 27, 1981.

Recently, the United States has been developing a Stealth or advanced technology bomber. This plane is designed to confuse the enemy radar and fire control system so that it can penetrate successfully and reach targets well within the land mass of the Soviet Union. Some would argue that the technology is unproved, too "chancey" to count on and will not be ready by 1990.

However, the technology has been proved and as former Assistant Secretary of Defense for Policy Perry has stated, it can be developed by 1989.

Wanting both the B–1 and the Stealth, the Air Force is dragging its feet on the Stealth to make it seem that both planes will be necessary.

Accordingly, the administration has re-

quested both the B–1 and the Stealth. Given the limited usefulness of the B–1, given our other defense needs, and given the general state of the budget and the economy, I do not believe we can afford to proceed with both.

It would be far more cost effective, and far better for the overall strength of the military, if we speeded up the Stealth bomber and tried to get it on line a year or two earlier than presently projected.

To understand the limits on manned bombers generally—and to appreciate why proceeding with two new systems is outlandish—we need to remember that America's strategic defense consists of a triad: First, the intercontinental ballistic missile, or ICBM; second, the Poseidon or Trident submarine; and third, the manned bomber.

These provide the options for penetrating the defenses of the Soviet Union over a long distance. If the military need ever comes to penetrate all the way to Moscow, the best way is with a ballistic missile launched from either land or sea.

An almost equally good way is with a cruise missile, whether it is land launched from Europe, submarine launched from the sea, or launched from a B–52 standing off outside the borders of Russia. The most inefficient way is by manned bomber, given Soviet defenses and the vulnerability of the weapon.

So, in recent years, the long-range manned bomber role is being more and more taken over by the small, difficult-to-detect cruise missile. It is relatively cheap, accurate, and better able than a bomber to get through to its target.

Some of our armchair experts argue for the superiority of the bomber over the missile by saying that once the missile is launched, there is no calling it back. My answer is that we better not have a plane with a nuclear bomb wandering around Moscow while we are still wondering if we have given the right order.

In fact, I cannot imagine an American Commander in Chief ordering a manned bomber to attack Moscow unless we are already into a nuclear holocaust.

When that point in warfare has been reached, it seems pretty clear that we would be going with our ICBM's, intermediate ballistic missiles, and cruise missiles.

This is not to say that the role for the manned bomber is finished. But it is to say that it does not have the commanding role it once had. It is now part of a larger weapons inventory that includes faster and more accurate systems.

Some, like the cruise missile, are far cheaper. We can and should retain the ability to penetrate Soviet airspace with a manned bomber. We have that capability with the B–52 which has served us long and well and which can be used to fly those 3 additional years beyond 1987.

After 1987, neither the B–52 nor the B–1 will be able to penetrate Soviet air defcnse. After that, only the Stealth will be able to get through.

So is it not the wisest policy to accelerate Stealth? It will be able to penetrate from the 1990's on, and it can be delivered as early as 1989. By taking this course, we can save the $40 billion and expend it on readiness and in all those other areas of preparedness that we have been short changing for the past decade.

I know this disappoints my friends in the Air Force. Secretary of Defense McNamara back in 1964 canceled the B–70, and in 1977 President Carter canceled the B–1. I am sure by now that if someone could give a guarantee that the Stealth would be built as a replacement for the B–52, the Air Force would abandon its drive for the B–1.

They have been worried for years about a replacement for the B–52 and now they have a President, finally, willing to go along—even though it is economic nonsense.

As a result of this paranoia, the Air Force has requested a $400 million conventional bomber and a $300 million Stealth strategic bomber. For a conventional bomber, we could easily and far more economically beef up our FB–111's at $64 million a copy rather than $400 million as recommended by Gen. Richard H. Ellis, former Commander in Chief of the Strategic Air Command. But we cannot afford the B–1 and the Stealth.

We need to strengthen our Triad with the Stealth. We need to strengthen our overall readiness in defense. The task is to allocate limited resurces. On this basis, I oppose the B–1, favor expediting the Stealth, and favor immediately allocating this $40 billion to readiness.

Mr. LEVIN. I thank the Chair.

Mr. President, less than a month after this body went through a bruising fight on the AWACS and F–15 enhancement package, a package which the administration argued was necessary to protect our interests in the Persian Gulf region, the administration slashed a critical program designed to improve our capabilities to rapidly deploy forces to the Persian Gulf and to Europe and to defend our vital interests, and that program is the Air Force's KC–10A advanced tanker cargo aircraft procurement program.

As a matter of fact, the cut in this program from the March budget level of the President, from the Senate-authorized and House-authorized level, the cut was part of a number of cuts in airlift and in sealift, and shockingly enough—and I say shockingly advisedly, because as a member of the Armed Services Committee which has reviewed our airlift and sealift needs so closely, we have actually made over $1 billion in cuts from March to October in airlift and in sealift while, at the same time, talking about how critical it is that we be able to rapidly deploy our forces to the Persian Gulf and to Europe to defend those vital interests.

This KC–10A program, this program which originally was intended to purchase eight of these refueling tanker airplanes, but in the present bill are only four, is a way of restoring and achieving some of this critical airlift that is so essential if we are going to be able to rapidly deploy our forces.

We have short-changed our airlift and our sealift. General Davis, the head of SAC, testified as follows in front of the Armed Services Committee on October 28. He said that:

> Modernization of SAC's tanker force is one of the Air Force's highest priorities. As you correctly noted, the air refueling shortfall has been of deep concern for several years. . . .
>
> In addition, tanker support for general purpose airlift and fighter requirements will also increase over time. DOD planned enhancements to U.S. force projection capabilities cannot be fully attained without commensurate increases in aerial refueling capabilities. Of particular concern is the requirement to responsively deploy and employ our Rapid Deployment Joint Task Force, a formidable mission under the best of circumstances. Suffice it to say that the Air Force will continue to operate through this decade with a shortfall . . . unless aggressive steps are taken to modernize the tanker force.

Let me underscore one of those sentences that General Davis stated:

> DOD planned enhancements to U.S. force projection capabilities cannot be fully attained without commensurate increases in aerial refueling capabilities.

That means quite literally, Mr. President, that we cannot get there from here. Our tactical fighter aircraft will find it extremely difficult to ferry nonstop to the Persian Gulf or Europe, and critical delays could occur in our efforts to reinforce those areas.

We need aggressive steps to modernize the tanker force. Instead we took a critical step backward between March and October when we cut over $1 billion in airlift and sealift from the first budget and from the first bill on which we had a chance to vote here in the Senate with the authorization bill for the DOD.

General Davis said:

> The KC–10 is being procured specifically to support general purpose users. This unique cargo-tanker aircraft provides an outstanding opportunity to increase both airlift and aerial refueling while incurring minimal RDT&E risk and expense.

This is an ongoing program, Mr. President. This is not a risky program. This is an ongoing program which has fallen desperately short of what everybody concedes is needed.

As a matter of fact, we originally were going to buy eight in March, and whereas this Senate, and the House in their authorization bills before the conference took place said eight, we had a recommendation from the administration that it be zero, that we buy zero, that is what they said in October. The armed services authorization bill, the bill which the Armed Services Committees of both Houses referred to this body, and to the other body in conference restored four of those eight. This amendment will restore the other four.

We would add back sufficient funding to restore in fiscal year 1982 these four tankers that were so inadvisedly cut in that authorization conference that we previously voted.

Mr. President, the Senate and the House Armed Services Committees and the Senate and House themselves have been on record as supporting this full tanker program. For instance, the House Armed Services Committee wrote the following in the report which they submitted to the full House. They said:

> The budget request contained $437 million for the procurement of eight KC–10A aircraft in fiscal year 1982.

They pointed out the KC–10A is a modified DC–10 aircraft capable of providing air refueling capability for airlift support. They said:

> The air refueling capability of the KC–10 will permit deployment and reinforcement of U.S. military forces without reliance on uncertain intermediate foreign basing rights. Tactical fighter forces and their support equipment may be deployed simultaneously. In addition, the KC–10 aircraft will significantly expand U.S. strategic airlift capacity, especially with respect to long-range movement of oversize cargo.

Mr. President, the JCS, the Joint Chiefs of Staff, in their 1982 posture statement wrote:

> The KC–10 provides increased fuel offload capability over a greater operating range, thereby reducing dependence on staging bases in other countries. It also carries cargo

to facilitate more rapid worldwide deployment of general purpose and airlift forces.

The Reagan administration was correct to add eight KC–10's to the fiscal year 1982 DOD budget in March. The Senate and the House were right when we authorized the eight. It was wrong for the administration to reduce that eight to zero in its October budget. It was wrong for the conference of the House and the Senate on the authorization bill simply to reduce four.

We could not correct that in any practical way at the time of the vote on the conference report because it was not amendable. We can correct that today. We can restore the additional four KC–10 tankers which were originally supported both by the Reagan administration in March and again by the Senate and House in their original actions on the authorization bill.

Mr. President, at this time I would be happy to yield the floor. I see my colleague from Georgia is here. I know he did have a few words on it, but I do not know whether the manager of the bill wants at this point to speak or to allow the Senator from Georgia to speak.

Mr. NUNN. Mr. President, I support this amendment and I congratulate the Senator from Michigan for sponsoring the amendment.

One of the most critical deficiencies is aerial refueling capability to support strategic and conventional missions, and that would be enhanced if this amendment is adopted.

We must look at the overall tanker requirements, and we must look at the KC–135's and the KC–10's, and that is what the amendment focuses on.

Gen. Bennie Davis, the new commander of the Strategic Air Command, testified that modernization of SAC's tanker force is one of the Air Force's highest priorities.

Currently the KC–135 tankers are integral to the SIOP and a very significant percentage of the bomber force is limited in its effectiveness due to inadequate air refueling availability. The KC–135 enhancement program is necessary to provide additional capability.

The KC–10 is being procured specifically to support general purpose users. It is unique cargo-tanker which increases both airlift and aerial refueling with minimal R. & D.

It is essential to the rapid deployment force; it is essential to many of our other contingency missions.

I urge that the amendment of the Senator from Michigan be adopted. I hope the committee will accept it, but I will certainly urge the Senate to adopt it.

Mr. STEVENS. Mr. President, I am pleased to see this amendment presented because I think the Senate ought to realize that this is the beginning now of the battle on the B–1. The letter that the Senator from Michigan has placed in the RECORD, comes from the distinguished Senator from Michigan and the distinguished Senator from South Carolina. It adds some $2.27 billion to the budget that the Appropriations Committee adopted. The strategy by my good friends, is to delete the funding in the bill for the B–1 bomber, while attempting to make the case that these items are needed more than is the B–1.

The KC–10 is not needed to fuel in flight the B–52's. The KC–135's do that. The KC–10 is related to the generation of the B–1 bomber and the ATB.

The decision was made to go ahead with both the B–1 and the development of new technologies. In doing so, it was necessary to reduce some of the items that will be needed later. The Senator is correct; and our committee has observed the authorization bill. We have funded the full amount of the authorization bill, which was signed into law today by the President. The DOD authorization bill provides for four KC–10's. As a matter of fact, that is in addition to the President's September mark with respect to the budget request.

I find it very interesting that the committee has been criticized for having such a large budget; yet this is the first of a series of amendments designed to add over $2 billion to the bill. The impact here seems to be that there is great support for financing our efforts to modernize our defense forces, but as long as we keep the numbers in, it makes no difference for what the money is spent.

Our committee has worked long and hard trying to allocate the funds we feel are absolutely necessary to meet the strategic priorities of our defense forces. I must say parenthetically here that I am a little bit disturbed that there is always some group in every one of the services that is willing to gather around any Senator who wants to add more money to their particular service. The time will come when we will find some way to have the services follow the lead of the Commander in Chief in deeds rather than merely in words. These amendments are wrong, and I intend to make a motion to table each one of them as they are offered.

I hope the Senate will recognize them for what they are. They are good tactics. I hold no malice for my good friend from Michigan. I think it is one of the most delightful and strategic tactics I have seen on the floor in a long time.

He is going to put me in the position of voting against the KC–10's, and I do favor, ultimately, the construction of all eight KC–10's. There are other items in this list. Just so the Senate will know what we are going to face, there is going to be an amendment, I assume, to restore the money for the Navy steaming hour program, $73 million. I will discuss these as they come up.

I anticipate amendments to restore the reductions of the Air Force and Army active end strengths; to accelerate the advance technology bomber; and to provide additional funds for a classified program, although I hope this amendment is not offered on the floor. There is no way this Senator can control the information.

We have everything from an additional attack submarine at $518 million to the pending amendment which proposes additional funding for the four KC–10 attack aircraft.

This amendment adds $220 million, Mr. President. We have been criticized, as I said, for going over the President's budget, and we are over the budget. We are over the budget in some areas that are critical in terms of the relationship of this body and its negotiations with the other body over what the final version of this bill will be. We are over the budget because of two major items: One is the $4.8 billion associated with the pay raise, and the other is the necessary $1.6 billion to fund a level of inflation with regard to the procurement item. This funding level is more realistic and compares more accurately to our actual experience.

Mr. President, the difficulty that I have with this amendment is again, the level of funding. I hope the Senate will understand the problem that we would have in getting this bill through conference. Currently we have a bill which is conferenceable. There is enough difference in this bill as compared to the House version for both the House and the Senate to want to come to an agreement, to get a bill before the Christmas recess. Actually, it is in everyone's best interest to get a bill. It is in the best interest of the Department of Defense, because they will know what they can spend. They will not be forced to sit there and see themselves affected by the tactics of having to absorb something like the pay increase or other items, while living under a continuing resolution.

Because the B–1 and MX are in the House version of the bill, the impact of that bill is such that if we do not get a final version of the bill the major weapons systems will be funded. But the minor weapons systems are where we have the major disagreement. Mr. President, that is where the current jobs are. That is where people are working now, in the smaller procurement items. We really do not have the massive procurement going on yet in terms of B–1 and MX. So if you are interested in the employment picture of this country, you want to build. If you are interested in getting the best possible defense for the least amount of money, you want to build this year.

We want to build. The amendment before us is one of the amendments that, if it is adopted, will lessen the necessity for a conference.

We have conferenceable items that exist between the House and the Senate repeated throughout this bill. Many of the items listed on the "Dear Colleague" letter sent by the distinguished Senators from South Carolina and Michigan, as I said, are substitutes for our items. The Senators have chosen the areas where we have actually reduced the House bill or changed the House bill so that we know there is a reason to get together and reach a final version of the bill.

I am hopeful that the Senate will realize that this is not an item that is of immediate priority. It is a high priority item, there is no question about that. But the outlay of money in this fiscal year for that item is of low priority. We believe that the $220 million that we are already over the budget to acquire four KC–10's is enough for this year.

Mr. President, I intend to offer a motion to table the Senator's amendment, but I ask unanimous consent that it be in order to make that motion when we reconvene at 2 o'clock. As I under-

stand it, there is still time for debate here and I do not want to make that motion now to cut off debate.

The PRESIDING OFFICER. (Mr. D'AMATO). Is there objection?

Mr. LEVIN. Reserving the right to object, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BRADLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BRADLEY. Mr. President, I ask unanimous consent that the Senate proceed to an amendment which I will offer on the defense appropriations bill immediately after the disposition of the amendment that is presently pending, offered by the Senator from Michigan.

Mr. STEVENS. Reserving the right to object, it is just my understanding that the Senator wants the privilege of being recognized after the disposition of the Levin amendment. I do not have any objection, if that is what he seeks.

Mr. BRADLEY. That is correct.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there objection?

Mr. LEVIN. Mr. President, I do object.

The PRESIDING OFFICER. Objection is heard.

Mr. LEVIN. I understand that the request of the Senator from New Jersey has been granted.

The PRESIDING OFFICER. That is correct. Does the Senator still lodge an objection?

Mr. LEVIN. Yes; I do object. I understand we had a prior unanimous-consent agreement that there would be a rollcall vote on my amendment at 2 o'clock, so I object to the unanimous-consent request being granted.

Mr. STEVENS. I ask that the clerk get the record. It was my understanding that the majority leader made the request that the rollcall vote take place at 2 o'clock. I have not made a motion to table yet. I intend to make a motion to table unless foreclosed. I ask that the clerk get the record and read it, to see if a vote is ordered to take place at 2 o'clock.

The PRESIDING OFFICER. The Official Reporter will be asked to read back the record.

Mr. STENNIS. Mr. President, I ask unanimous consent that the proceedings for looking up the record be suspended for the time being. I want to use about 5 minutes, Mr. President, on the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, I certainly have no objection to these KC–10 tanker planes by their nature. The authorization bill has four of them in it. But, Mr. President, an overall judgment has been made here of the relative importance of these items, and the request itself has been moved back and forth and changed twice this year. I respectfully submit that to get four now in view of the large, increased amounts that are admitted to be necessary in a year when we are trying to make reductions overall, that that is enough.

Let me say this about the offered amendment. The Senator is a member of our committee and we do not have a more valuable member. He has a fine capacity. He is a hard worker. He is determined but open to reason always. He is making himself felt. I am proud of his record. I do not want to flatter him. However, I had something to do with him having a chance, as the newest member of that committee, to dig in, and to ask him to take work. He would take the tough ones, the hard ones, and would do a good job. But I cannot support him in this position.

Mr. President, let me generally observe that this bill is the largest we have ever had. This does not qualify me to know what is best, but for at least 15 years, every year, I have been in the debate about this appropriations bill. For a good number of those years, it was my privilege to handle the bill on the floor, back in the Johnson administration during the war in Vietnam, then the Nixon administration and the war in Vietnam; the effort to withdraw troops from NATO, from Europe, to put conditions on appropriations bills which would weaken NATO, all of those things.

That is an experience. Through all these innovations, though, we have never gone in in a big way for the cargo plane, I mean on a broad scale. This item has been knocking on the door of the Senate Committee on Armed Services for authorization for the last few years along with the MX, the B–1, and other modern weapons. It has run second best. It has not gotten authorized in a big way by our committees.

There is reason for it, the plausibilities are there, but you just cannot do everything. When the chips are down, the choices that have to be made are not in favor of a new cargo plane. There is reason for that.

So, as these extra planes in this amendment go along with the cargo concept on a larger scale, I think that is highly relevant. This is something that we can leave off and we ought to leave it off the bill, this time; and when there is an advancement in the cargo plane generally, these tankers will really have their part to play. Right now, they are not in the center part of the advanced stage but they are having to wait their time. I shall oppose the amendment for those reasons, Mr. President.

I yield the floor.

Mr. LEVIN. Mr. President, let me make a couple of points clear. First, this amendment is totally delinked from a subsequent amendment relative to the B–1. There is so much evidence supporting this amendment and other amendments that they were delinked from the B–1 and have nothing to do with the B–1. As a matter of fact, many supporters of the B–1 program assured me they would be voting for this amendment and other amendments.

Second, the list of items that are part of the letter referred to by Senator HOLLINGS and myself are examples of possible amendments. They do not constitute necessarily all the possible amendments, nor is there any assurance that all of these itemized items will be made part of separate amendments. It was my statement, which is accurate, that many of these on the list relative to readiness and Stealth improvements, fleet modernization and the restoring of the size of the Army, I do expect will be made part of individual amendments. But this has nothing to do with a B–1 program.

(By unanimous consent the name of Mr. DECONCINI was added as a cosponsor of the amendment.)

RECESS UNTIL 2 P.M. TODAY

Mr. STEVENS. Mr. President, I ask unanimous consent that we recess in accordance with the previous order.

There being no objection, the Senate, at 12:14 p.m., recessed until 2 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. MATTINGLY).

Mr. BAKER. Mr. President, is there an order for a vote to occur at 2 p.m.?

The PRESIDING OFFICER. Yes, there is.

Mr. BAKER. Have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. BAKER. I thank the Chair.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Michigan. The yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from Arizona (Mr. GOLDWATER), the Senator from Oregon (Mr. HATFIELD) and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

I further announce that, if present and voting, the Senator from Oregon (Mr. HATFIELD) would vote "nay."

Mr. CRANSTON. I announce that the Senator from Louisiana (Mr. LONG), the Senator from Mississippi (Mr. STENNIS), the Senator from Massachusetts (Mr. TSONGAS) and the Senator from Nebraska (Mr. ZORINSKY) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 38, nays 55, as follows:

[Rollcall Vote No. 430 Leg.]

YEAS—38

Baucus	Eagleton	Matsunaga
Bentsen	Exon	Melcher
Biden	Ford	Metzenbaum
Boren	Hart	Mitchell
Bradley	Heflin	Moynihan
Bumpers	Hollings	Nunn
Byrd, Robert C.	Huddleston	Pryor
Cannon	Inouye	Randolph
Chiles	Jackson	Riegle
Cranston	Johnston	Sarbanes
DeConcini	Kennedy	Sasser
Dixon	Leahy	Williams
Dodd	Levin	

NAYS—55

Abdnor	Glenn	Pell
Andrews	Gorton	Percy
Armstrong	Grassley	Pressler
Baker	Hatch	Proxmire
Boschwitz	Hawkins	Quayle
Burdick	Hayakawa	Roth
Byrd, Harry F., Jr.	Heinz	Rudman
Chafee	Helms	Schmitt
Cochran	Humphrey	Simpson
Cohen	Jepsen	Specter
D'Amato	Kassebaum	Stafford
Danforth	Kasten	Stevens
Denton	Laxalt	Symms
Dole	Lugar	Thurmond
Domenici	Mattingly	Tower
Durenberger	McClure	Wallop
East	Murkowski	Warner
Garn	Nickles	Weicker
	Packwood	

NOT VOTING—7

Goldwater	Mathias	Zorinsky
Hatfield	Stennis	
Long	Tsongas	

So Mr. LEVIN's amendment (No. 638) was rejected.

Mr. TOWER. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. HELMS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senator from New Jersey is recognized.

Mr. ROBERT C. BYRD. Mr. President, under the order previously entered, Mr. BRADLEY is to be recognized to call up an amendment at this time. I should like to call up an amendment at this time. I have discussed this with Mr. BRADLEY and I have alerted the distinguished floor manager on the other side of the aisle. I ask unanimous consent that I may be recognized to call up an amendment at this time without prejudice to the order for the recognition of Mr. BRADLEY to call up his amendment following my amendment.

Mr. STEVENS. Reserving the right to object, Mr. President, and I shall not object because the distinguished minority leader has discussed this question with us, I will object to putting aside the Bradley amendment any longer. He asked for priority and his amendment will be the next amendment.

I shall also object to any attempt to set aside an amendment once it is brought up until we can get it to a vote. It seems to me, Mr. President, that we have to find some way to handle this bill. I hear now that we have a lot of votes, we are going to be here a long time today. So, with due respect to my good friend from West Virginia, I do not object, but I will object to any subsequent attempt to put aside the Bradley amendment.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

UP AMENDMENT NO. 723

Mr. ROBERT C. BYRD. Mr. President, I send an amendment to the desk and ask that it be stated by the clerk.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from West Virginia (Mr. ROBERT C. BYRD), for himself, Mr. NUNN, and Mr. LEVIN, proposes an unprinted amendment numbered 723.

On page 28, line 18, strike "$9,076,906,000" and insert in lieu thereof "$9,326,960,000."

Mr. ROBERT C. BYRD. Mr. President, I yield to the distinguished Senator from Georgia (Mr. NUNN).

Mr. NUNN. Mr. President, I ask the Senator from West Virginia, how much time does he have on this amendment? It is my understanding that the bill will be set aside at 3 o'clock. I do not want to take an undue amount of time, but my remarks relate to the B–52 and the costing of that, the B–1, and also the Stealth. I do not want to take up too much of the Senator's time.

Mr. ROBERT C. BYRD. Mr. President, there is no time limit on this amendment. I wish the distinguished Senator would take whatever time he desires. I think it will be helpful for the Senate to hear what he has to say.

Mr. NUNN. I thank the Senator.

Mr. President, unfortunately, the major strategic issues facing us were not debated thoroughly during the military authorization process because the administration did not submit its strategic program until the authorization bill was already in conference. At a later point——

The PRESIDING OFFICER. The Senate will please come to order. Those desiring to speak, please go to the cloakroom.

The Senator from Georgia.

Mr. NUNN. I thank the Chair.

Mr. President, at a later point in the debate on this appropriation bill, I intend to have a more thorough statement on the President's overall strategic package because of the long-term and far-reaching consequences of that package for our national security. At this point, however, with the amendment of the Senator from West Virginia pending to add money to a very important program called the Stealth program, I want to focus on just one problem area. That is the issue of affordability, particularly as it relates to the strategic bomber program.

Mr. President, I believe that our Nation must allocate sufficient resources to our overall security to assure our freedom and to provide every incentive for peace. It is naive, however, to assume that the defense budget is openended. If we allocate so much of our defense budget to strategic programs that we allow our conventional posture to suffer, we will inadvertently decrease our options in protecting our vital interests without resorting to the use of nuclear weapons.

We have seen much focus on the $180 billion price tag for the President's strategic program.

Few people in the news media and few people in Congress at this point seem to realize that this $180 billion figure is only the 6-year cost measured in constant 1982 dollars. The $180 billion figure does not include inflation. Neither does it include most of the cost of the Stealth bomber, the procurement of the Trident II(D–5) missile, or the permanent basing mode for the MX. Those are not exactly what you call small ticket items. Given this budget situation, it is no wonder that the Army and Navy as well as the Marine Corps and some in the Air Force are concerned about the allocation of resources for conventional programs, when this overall strategic package comes to fruition.

There are two critical questions on the B–1. The reason why I bring this up at this time is that I have to make a rational, informed judgment on the amendment of the Senator from West Virginia, which is, to accelerate the Stealth. I think we need to discuss the B–1 in that capacity, and that is the reason why I make this argument at this time.

There are two critical questions on the B–1.

No. 1, will the B–1 penetrate Soviet air defenses for a period of time sufficient to justify its expense as a penetrating bomber? For this answer, I submit that it is a matter of picking your expert.

Dr. Richard DeLauer, Under Secretary of Defense for Research and Development, testified:

I am confident that the low radar cross section of the B–1B (which is less than one-one hundredth that of the B–52) and its state of the art electronics will allow it to penetrate to needed targets well into the 1990s.

Dr. William Perry, who held the same job in the Carter administration, testified:

I have no idea how anyone could make that kind of projection if the penetration depended on ECM (electronic countermeasures). . . . I can't think of any field in which there is more dynamics and in which there is see-saw back and forth between measures, countermeasures and counter-countermeasures.

So we are not going to resolve that decision in this debate. Experts who hold sincere views have profoundly different views on this subject.

I may also say that the former head of the Strategic Air Command, General Ellis, has a fundamentally different view on this subject from that of his successor, Gen. Benny Davis.

The question of penetration of the B–1, again, is a matter of choosing your expert, so far as I am concerned. I do not have the answer to it, and I am not sure that anyone can have the answer here on the floor. It is a matter of judgment.

The second question on the B–1 is a question of economics, as I see it. I believe that the economic consequences of the B–1, over a period of time, may well exceed the military effect of the B–1 on the balance of power. The question is, can we afford to spend $400 million per unit for a plane that even in the best penetrating case—in other words, if you take the best case for penetration—will be limited to being a conventional bomber or a cruise missile carrier for most of its useful life? Not for all its useful life, but for most of its useful life. That is the economic question.

Based on the Air Force's extensive research and development of the B–1, and Rockwell International's excellent reputation, I have confidence that the B–1 will be a sound airplane. The issue is, how much should we spend for this plane as compared to extending the B–52's and accelerating the Stealth bomber program, which is exactly what the Senator from West Virginia proposes we do here.

Much attention has been given a recent DOD cost analysis as provided to

Congress by Dr. Richard DeLauer during critical decisions by the Senate Appropriations Committee.

Over and over again, I have heard members of the Appropriations Committee say that this was the main part of their decisionmaking progress—that is, a comparison of cost for the B–1 and the ATB or Stealth bomber, compared to the B–52 extension with the Stealth bomber added on.

For the purposes of analysis, these two estimates are $93 billion for the current B–52 force extended and $114 billion for the B–1B Stealth program. These figures are about the same as estimates previously provided by the Air Force and contained in the Air Force Secretary's recommendations to Secretary Weinberger which has now officially been provided to the committee. The point is obvious. For $21 billion more, if these figures are accurate, a new two-bomber program is indeed an attractive bargain and an attractive option.

These figures, however, must be subjected to detailed scrutiny, since there is considerable disagreement over what is actually required in modification costs for the current B–52's.

In July of 1981—and at that time I did know about these figures; I had no idea about the figures—I asked Gen. Richard Ellis, then SAC Commander, to provide an analysis of what modifications of the B–52's would be necessary if this Nation opted to produce only the Stealth and to extend the B–52 force as needed. SAC's analysis was provided in writing and did not include a significant number of the B–52 modifications and costs which Dr. DeLauer now includes in his list. I will give a few examples.

For example, Dr. DeLauer included $6.3 billion for reengining the B–52 G's and H's. General Ellis did not. Is this $6.3 billion modification necessary or not? There is no testimony supporting this requirement for the B–52 extension.

Dr. DeLauer includes a $4.3 billion requirement for modifications for the B–52D's. General Ellis did not. What is the justification for spending $4.3 billion on the B–52's which, I think everyone agrees will be useless as a penetrator in the mid-80s and which will not be modified to carry cruise missiles? These planes were supposed to be phased out in 1986, even before the B–1 was revived. So we are talking about a $4.3 billion requirement for modification included in the DeLauer list for the B–52D models which are going out in 1986. There is no testimony to support this level of modification.

Dr. DeLauer includes $5.7 billion in operating and support costs for the B–52's beyond 1986. General Ellis does not. What is the basis for this cost estimate? There is no testimony I know of supporting this position.

Dr. DeLauer includes $4.9 billion for electromagnetic pulse hardening work. General Ellis did not. General Ellis agreed with the January 1982 budget justification data as submitted by the Air Force in which the total costs of this program was stated to be $465 million. This estimate was based on the only actual nuclear trestle test and supported by the nuclear labs. Where is the testimony to support a tenfold increase in this program from January 81 to November 81? $465 million is a long way from $4.9 billion. Even in the history of cost overruns, I do not know of any 1,000 percent program increase that has occurred in this timespan.

The total in question in the DeLauer submission, as I will call it, at this point adds up to over $21 billion.

To summarize, that $21 billion would include $6.3 billion for re-engining the B–52G's and H's; $4.3 billion for modifications of the B–52's; $5.7 billion in operating cost for the B–52 after 1986; and $4.9 billion for electromagnetic pulse hardening work.

Both the Strategic Air Command and the Air Force conducted a considerable amount of detailed analysis as to what was needed to extend the B–52 force after former President Carter canceled the B–1 in 1977. I think everyone should keep in mind that this work was done by the U.S. Air Force after the B–1 was canceled, when there was no B–1 or Stealth on the horizon and the B–52's actually were being extended. Even when the Stealth was the only follow-on bomber option, these modifications to the B–52's were not included. None of Dr. DeLauer's questionable $21 billion add ons appeared until the promotional program began for the B–1.

It is interesting to note in a letter I just received—and other colleagues received it—from Senator GARN, for whom I have a great deal of respect in this area, and other Senators supporting the two-bomber approach that they state—

The B–52 and is not sufficiently hardened to withstand nuclear blast effects and it cannot be modified to do so.

I believe that these Senators would be interested in learning that in the projection that Dr. DeLauer submitted to the Appropriations Committee showing the comparison of B–52 extended versus B–1 and Stealth combined, I think they would be interested in recognizing that Dr. DeLauer included in that list $4.9 billion in his current fourth projection for the hardening of the B–52, even though I would certainly agree with the signers of that letter that that program does not make sense, but that is a part of the comparison of cost that is officially before the Appropriations Committee and that they made a great deal of their decision on.

The letter from our colleagues also cites this very analysis by Dr. DeLauer on extending the B–52's as a major reason to support the B–1 and Stealth package. In other words, the letter, first of all, says you should not harden and cannot harden the B–52's and then it goes further to include the B–52 hardening by implication when it includes the DeLauer letter that has that $4.9 billion electromagnetic pulse hardening work.

So it is clear, Mr. President, that this package of costs for extending the B–52, at least it is clear to me, was engineered to convince the Senate that it is cheaper to procure and operate two new bombers than produce only the so-called Stealth or ATB and maintain the B–52 as needed.

Where are the facts—I ask again where are the facts and where is the testimony supporting Dr. DeLauer's analysis? How did it change so much from the SAC analysis that was submitted back in early summer? These are very, very large differences.

If this $21 billion in questionable costs for the B–52's is removed, then the total differential between extending the current force and procuring the planned two-bomber program is significantly larger than the figures given to the Senate Appropriations Committee. The difference, if these $21 billion in costs are eliminated, the difference is $43 billion and the $21 billion unsupported add-on costs is coincidentally, I am sure, about the same as the constant dollar estimates for the procurement of the B–1.

Mr. President, until I receive further evidence, and perhaps there is further evidence on this, but until I do I would at this stage conclude that this analysis by Dr. DeLauer and the Air Force is clearly designed to make the B–1 option look like a bargain. In my mind, however, it raises more questions than it answers.

The issue of affordability also applies to the number of B–1's being procured. A great deal has been focused on the total costs of the B–1—from the $20.5 billion that Secretary Weinberger supports to the $25.2 billion GAO estimates. If DOD makes good on its promise to hold the costs to $20.5 billion, will they also make good on their promise to procure 100 B–1's for that amount? If the costs increase as much as commonsense and history indicate, will then the sacrifice occur with reduction in numbers of the B–1's? What number of planes, then, is affordable as the unit costs increase and the numbers decrease? What number makes sense in terms of force size?

What number of planes will be cut out of the overall program?

These are questions that I think probably cannot be answered now but certainly are important ones in considering both this amendment and the overall bomber program.

The final issue on what I call affordability or economic analysis relating to the strategic bomber relates not to our budget in this country but rather to the budget of the Soviet Union.

Although it is difficult to quantify and assess precisely, the Soviets have already expended a significant amount of resources to counter and defend against low-altitude penetrators such as the B–52, the air-launched cruise missile, and B–1. Experts estimate these costs in excess of $100 billion. Determining the gap between expenditures to counter the B–1 and additional expenditures to counter the Stealth is very, very difficult to make.

And certainly my remarks should be understood with that background.

Testimony indicates that our own technical wizards have great difficulty in projecting a defense against the Stealth. This means the Soviets will probably have an even greater problem. It is reasonable to assume from the Soviet's historical emphasis on strategic defense that they will expend significant sums over a long period to deal with Stealth and if and when we develop it and they will have to largely redo their current $100

billion defense system if and when we develop the Stealth.

The critical economic question then must be asked. Would Stealth cause the Soviets to divert and expend resources for defenses at far greater levels than currently planned?

My answer to that without any equivocation is, yes, it would.

Although no defense experts are willing to speculate on the record as to the costs for Soviet defense of the B–1 versus Stealth, off-the-record, reliable defense sources—and I hate to use that term but I must in this case——

Mr. STEVENS. Mr. President, will the Senator yield?

Mr. NUNN. I am glad to yield for a question.

Mr. STEVENS. I have great respect for the Senator. But I have sat here listening to things I have read only in classified documents and I am concerned that this may not be unclassified.

Mr. NUNN. The Senator is incorrect. There is nothing here that is classified. Every bit of this has been in unclassified sources.

The Senator is in a position, and I did not intend to bring this up at this time, of having done damage to some of the classified programs in this budget and then every time anyone brings it up in committee or in the Chamber or in conversation, the Senator says any discussion is classified.

Now the Senator is not going to put me in that position because I know that what I am talking about is not classified. If the Senator wants to have someone on his staff check it out I will be delighted.

Mr. STEVENS. Mr. President, I am going to be happy to do that.

I want to tell the Senator I have not done what he says. He knows better than that. I have been in this body almost as long as many of the people in the Chamber right now, and I never remember a Senator making the suggestion that the Senator has made before to me here dealing with a highly classified category and in effect saying that it is political.

Mr. NUNN. I am not saying that.

Mr. STEVENS. We have to get this straightened out somewhere. If we have to go into a classified session of the Senate, then we are going to do it. Even the very word "Stealth" was classified as far as technology until barely a year ago.

Mr. NUNN. Does that mean I cannot use the word?

Mr. STEVENS. No, not now. It has been divulged now.

The things the Senator is talking about put together add up to classification and he knows they do. He knows they do when he talks about the amount of money it is going to take the Russians to overcome certain strategies. Those conclusions become classified in terms of our analysis of their strategies vis-a-vis ours.

Mr. President, I am serious. I have not stayed in this Senate for the 13 years I have been here to be the manager of the defense bill and see the classification system that protects our security weakened in the Chamber, and I hope the Senator understands that. I have great respect for the Senator.

Mr. NUNN. I yielded for a question.

Mr. STEVENS. It is going too far to suggest that I have damaged the classification system by virtue of responding to a request which we have discussed with the Senator at length.

Mr. NUNN. We had about a 15-minute discussion and during that discussion we were not even permitted to go into detail there because the Senator felt that the classification was too high.

Mr. STEVENS. It is too high to be discussed in the Chamber or in the room we were in. I offered to go into the classification room in this building and to invite members of the Armed Services Committees of both the House of Representatives and the Senate, the Appropriations Committees of both the House of Representatives and the Senate, and discuss the matter with the Senator, without any rancor and without any politics.

Mr. NUNN. I would say to the Senator the Senator is talking about a different amendment and a different program that I have not even decided to bring up yet. We are talking about Senator BYRD's amendment to the Stealth bomber. I submit the Senator from Alaska may not have seen the transcript before the Armed Services Committee and what has been unclassified. This has been very thoroughly researched. I have been informed by the staff of the Armed Services Committee that it is unclassified, and I would like to see anywhere that this is not unclassified, and so I am very carefully avoiding that.

But I would say to the Senator, as I have said privately, when you start having very significant cuts in black box programs the Senator invites discourse on the subject, and I am going to avoid that if at all possible. But when you do that in the appropriations bill then you are inviting the kind of discussion that you say you fear, and which I will avoid.

I will assure the Senator I will avoid that. But the Senator puts everyone who is concerned about these programs in a virtually untenable position regarding classification after making very serious cuts in the program, and I find that to be disconcerting.

I do not think anyone in the Senate has more respect for the security of our classified secrets than I do, and if the Senator implies otherwise, then I would issue him a challenge to find anyplace in this statement that I in any way used anything other than unclassified sources. If he cannot find that, then I would expect at some appropriate time for him to correct the RECORD at this point.

Mr. STEVENS. Mr. President, I will be happy to look at the RECORD. I have not yet said what I would like to say in terms of that black box reference, and the time will come when I will do it. We will just have to wait and see whether the Senator wishes to raise that question on the floor or not. If he does, we will have a closed session and we will discuss it.

The amendment before the Senate now, the amendment of Senator BYRD, does not say anything other than to delete an item, strike an item, and add another. It amounts to an increase, and it adds the same amount that the Senator addressed before.

Mr. NUNN. The Senator is mistaken. I have not even discussed this program with the Senator.

Mr. STEVENS. Will the Senator tell us what program he is discussing?

Mr. NUNN. I am discussing the advanced technical bomber program which is the subject of the amendment.

Mr. STEVENS. Maybe I am wrong, is that not Stealth?

Mr. NUNN. That is right. But the Senator and I were not discussing this program the other day.

I am now talking about the ATB program. That is the one the Senator from West Virginia is now amending.

The PRESIDING OFFICER. May I advise both Senators to address all questions to the Chair.

Mr. GLENN. Mr. President, will the Senator yield for a question?

Mr. NUNN. Yes.

Mr. GLENN. This brings up something—I will not belabor this discussion which has been going on here—but I was in discussion with the majority leader yesterday just very briefly and the Senator from Alaska addressing the same thing as well as the Senator from Georgia. How do we get effectively the word across on some of these very complex and secret programs to 100 Senators so that they can vote intelligently without risking giving away some of our secrets, and that is a problem here.

I have wrestled with this for the last 3 days, thinking about it as to whether I would ask for a closed session of the Senate to go into these very matters that are being kicked around here right now.

There are matters pertaining to the whole Stealth technology, very highly classified, but which we cannot—which every Senator needs to know to vote intelligently, and yet if we close the doors and brief 100 Senators on the technical aspects that some of us have gone into privately, I can imagine about how secret it would be. Yet how can we vote intelligently on these things without having that kind of information?

The same thing applies to the MX basing and some of the other things we are faced with here.

But the issue under discussion here of Stealth technology is one that I am very vitally involved with, and it is one of the key elements in whether Members here will vote for the B–1, whether we will vote straight for Stealth, whether they will vote for a B–52 add-on of some kind here that is a modification program, and I do not know how we do this. I do not think this body is well set up to handle it.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield?

Mr. GLENN. In just a second.

We supposedly have a room set up here—I personally set up two different meetings in which I had all the Pentagon experts over so I could put forward with other Senators some of the reservations I had about some of these technologies that have been touted to the skies and I do not believe are that good.

Nevertheless, we had those meetings, and we got about 10 or a dozen Senators at each one of those meetings, which is not bad. Some of those were repeats, so we actually have only briefed on the real

technologies involved here on the questionable aspects of them, we have only briefed, I would say probably not more than 15 Senators or maybe 20 Senators here who have gone into all these real details, and yet we are expecting to come out here and vote.

I am still debating whether we should have a closed session, and I hope Members could be impressed with the fact that this is something that each Senator should treat as the most highly classified information and keep it to himself, not even to his staff. But it is a lack that this body seems to have to deal with classified material, and we are getting more into this all the time.

I hope that everybody listening in their offices or anyplace else is thinking about this so maybe we can have some sort of a closed session here tomorrow or the next day before this bill is off the floor so that we really can go into some of these details, because we cannot intelligently, without knowing them—and yet we risk putting these things out in public to somebody through inadvertent slips of the lips, if they do not treat this with the most confidentiality.

I yield.

Mr. ROBERT C. BYRD. Mr. President, the distinguished Senator raises an important question. Arrangements have been made for the program director to converse with Senators about this matter. This is in room 407, which is a secure room, and I would hope any Senator who wishes to have such a discussion would go to that room and raise any questions they have or may have.

Mr. GLENN. Mr. President, if the Senator will yield, that is the same room that is cleared and in which I set up two previous meetings. We got about a dozen Senators there for each one. But every Senator here should know this information to vote intelligently, and yet we are not going to. We will have about 25 or 30 Senators who will really be informed, and the others will come running in asking, "Which side of the aisle am I on and how am I voting because I am on this side of the aisle," and we are talking about a 25- or 30-year program. I think I can imagine how many people are going up to that room this afternoon to get briefed with all the other pressing things, committee meetings, and so forth, and we are just not set up to deal with this, and I would like to have some more discussion with the majority leader on this.

I do not know how we handle this, but we cannot require Senators to go up there and get briefed nor can I sit up there for 2 days bringing up my doubts for people as to what they should be looking into and get answers to. So we are going to vote as an ill-informed body, as I see it, when we vote on this Thursday or Friday.

Mr. EXON. Mr. President, will the Senator yield for a question?

Mr. NUNN. I will be glad to yield.

Mr. EXON. Mr. President, I would like to ask a question, trying to figure this out. I have been listening to the debate. I am on the Armed Services Committee, and I know about most of these things. I am simply confused now myself, and I hope the body is not as confused as I am. But it seems to me in listening to the amendment offered by the Senator from West Virginia, and having listened quite carefully to the statements thereon by my colleague from Georgia, it seems to me that all this amendment has to do with is the advanced technology bomber, sometimes known as the Stealth bomber, and there is not anything classified about those words, nor have I heard the Senator from Georgia make any classified statements.

The question is simply this: To my friend from Georgia, does not the amendment offered by the Senator from West Virginia, which you have been talking to, have only to do with adding additional money to the advanced technology bomber, sometimes known as the Stealth bomber, nothing more and nothing less, with the idea of moving that along faster than the administration wants to do?

Mr. NUNN. That is right. The Senator from Nebraska is absolutely correct.

The Senator's amendment is aimed at that. It is clear on the record it is aimed at that. There is nothing classified about those words.

Just to save members of the news media time if they look through my remarks very carefully, which I normally encourage, they will not find any new information whatsoever except the matter of opinion on these programs, and they would certainly find nothing that has not already been declassified completely. That was done very carefully before we even started this.

It seems that the Senator from Alaska had in mind a different program, and that different program is one that we have discussed and that different program has been cut, and that it is not classified, that itself is not classified. Beyond that I do not say any more. But at this point in time I have not chosen to bring up an amendment on that. I keep my options open on that, and I will be glad to discuss it in a specific way with the Senator from Alaska if we can find a way to deal with that subject.

But the Senator from Nebraska is entirely correct. The point I was about to close with in supporting the amendment of the Senator from West Virginia is simply this one: On the question of economics and the question of the B–1 versus the Stealth B–52 combination, one of the most critical elements is one that most defense experts do not have any answer to as a matter of judgment, a matter of speculation, and I have not seen any defense expert go on the record on this not because of classification but because it is highly speculative. That is the judgment of about how much the Soviet Union is going to have to spend to defend against the Stealth as opposed to how much they have to spend to defend against the B–1.

If the Senator from Alaska is concerned about that being classified I would alleviate his worries because these figures do not even exist. They are not on the record, classified or otherwise. It is a matter of judgment.

I think one of the judgments that people need to make in considering this overall area is the question of what it does to Soviet resources in trying to defend and also the question of what happens if they decide that they cannot make adequate defense in these areas and decide at that stage that the penetration capability of the Stealth will not be interfered with in their air defense.

Those are crucial questions and will affect the balance of power.

Now with all our saying on that subject, there is nothing in it even in any way remotely concerning classification. I do close by saying that the Senator from West Virginia has a good amendment, it is an important amendment, and I would hope that it would pass. I would hope that it would pass overwhelmingly.

Mr. ROBERT C. BYRD. Mr. President, I apologize. If the distinguished majority leader wanted someone to yield to him, I will be glad to yield.

Mr. GLENN. Will the Senator yield for a question?

Mr. ROBERT C. BYRD. Yes.

Mr. GLENN. Mr. President, I do not know whether this is classified or not. I will preface my question with that. Can the Senator tell us how much money is already provided for?

Mr. ROBERT C. BYRD. I think that would be a highly classified figure.

Mr. NUNN. The increments are not classified. The total program is.

Mr. GLENN. The increments are not but the total is. Is that figure available to us privately?

Mr. ROBERT C. BYRD. I beg the Senator's pardon.

Mr. GLENN. Is that figure available?

Mr. ROBERT C. BYRD. Is what figure available?

Mr. GLENN. Is the total figure being spent available? I do not mean here, but can that be made available to Members who request it?

Mr. ROBERT C. BYRD. It can be available to any Senator who goes to room 407.

(Mrs. HAWKINS assumed the Chair.)

Mr. GLENN. The total cost?

Mr. ROBERT C. BYRD. That is my understanding.

Madam President, I thank the distinguished Senator from Georgia (Mr. NUNN) for his meaningful and forceful supporting statement. May I say for the benefit of the Senate that I have cleared every word that I am about to say with the appropriate people in the program as to classified material because I certainly would not want to say anything on the floor or anywhere else with respect to unclassified material if it would endanger the program in any way or endanger this Nation's security.

This amendment, in which I propose $250 million of additional funding to the advanced technology bomber, or Stealth bomber program, would assure the delivery of an operational aircraft at the earliest feasible date.

I have been concerned, as have many of my colleagues, that the initiative on the B–1 program will delay important classified programs, including the ATB or Stealth bomber. Many in the Senate have expressed concern that the initial operational capability—or IOC, which is defined as a 15-plane operational squadron—of Stealth not be allowed to slip. I believe most of my colleagues agree it is desirous to have the earliest possible deployment of Stealth technology.

It is my understanding that the administration has assured the Senate that it is committed to the fastest track possible and the earliest IOC feasible tak-

ing into consideration the various uncertainties which must be resolved.

Yet, Madam President, I do not know to what IOC the administration has in fact committed itself. Obviously, we cannot pin a date certain down with absolute assurance, because we have not yet finished answering all the questions. Nor can anyone say with complete certainty the exact amount of funding which would bring us to the earliest possible IOC. But I am very concerned that, because the administration has also opted for the B–1 bomber, funding for Stealth will be inadequate. The Congressional Budget Office is now estimating the B–1 could well end up costing us $400 million per copy over the next 5 years. In light of the almost certain competition for funds between the B–1 and Stealth, I am satisfied that the evidence shows this appropriations bill does not contain enough resources to launch a vigorous program. I am concerned the IOC will be delayed as a result—perhaps substantially—if this practice continues. The net result could well be one in which by the early 1990's we will not have a manned bomber in place which can penetrate Soviet air defenses with assurance.

Why am I so concerned that the program offered by this bill does not meet the urgent national need in this area? First, I have relied upon the testimony of our strategic air commanders on the question. Second, the action of the other Chamber on this bill which increased funding for the Stealth program. Third, my own knowledge of the program. And fourth, a pattern that seems to be emerging which is one of delaying the necessary hard decisions to correct the strategic imbalance with the Soviet Union.

Both past and present commanders of the Strategic Air Command have testified that the enormous cost of the B–1 will require a stretching out of the Stealth program. They have also stated that the uncertainties of B–1 penetration capability after 1990 make an early Stealth IOC a matter of urgent national security.

General Ellis, the highly respected, recently retired, SAC commander stated in Senate testimony that:

> The B–1's would have questionable capability in terms of sucecssful penetration to the degree that would be acceptable in warplanning in the early 1990's.

Although he stated that a case could be made that developments in electronic-countermeasures, or ECM, might allow our SAC forces to stretch that date beyond 1990, it is a "weak crutch and it is one that could be protected by early development of the ATB," or Stealth. The unique characteristics of the ATB, he further stated, are such that the airplane would cause the Soviets "great difficulty through the 1990's and into the next century."

There are many unknowns in this game, so the decisions we make are calculated risks. How fast will Soviet air defenses be upgraded? How quickly can technological uncertainties in Stealth be solved? But, as General Ellis again stated, if there are many unknowns in the 1980's, there are a "lot more unknowns in the 1990's." Given these uncertainties and what is known about Stealth capabilities, he concludes that it would be better to "take the risk in the 1980's than in the 1990's. The earlier we get the ATB the less risk we have in the 1990's."

General Davis, the present SAC Commander, admitted in open testimony that going with the B–1 would delay Stealth. He said that "we couldn't afford to proceed at the same pace with ATB if you went with the B–1."

As has been stated in this debate before, Senators should not delude themselves as to the serious question of whether or not the B–1 can penetrate Soviet airspace after 1990. I remind my colleagues that the Secretary of Defense was quoted on November 5, 1981, less than a month ago, that sending our boys into Soviet air space in a B–1 after 1990 would be tantamount to directing "suicide missions and that is not anything I am going to do." The Secretary reiterated this statement several times. Since that time, he has restated his position, and other officials have had to revamp their arguments. Now we are told the B–1 is judged able to penetrate Soviet airspace "well into the 1990's." This changed analysis disturbs me. It reduces my confidence that this bomber decision is being made on the merits, on the basis of cold technological fact, and with the best risk calculation we can develop.

Let us be clear about this scenario. If the B–1 could penetrate only until 1990 or thereabouts, it might make sense to still build the airplane as a cruise-missile carrier or conventional bomber. But it only makes sense to do this after we have funded Stealth fully. In other words, if penetration is our top priority, and I think it should be, we must develop Stealth first. Then we should look at the B–1 as something we might evaluate as a successor to the B–52 in a conventional sense.

General Davis was asked his view of these dates. He was asked whether or not he would recommend procurement of the B–1 if we knew it could not penetrate Soviet airspace in the "early 1990's." He answered that he could not make such a recommendation. Yet, that is precisely what is happening.

We must ask about what could be characterized a "window of nonpenetrability" between the time when our B–52's lose their penetration ability and when the Stealth comes on board. I submit that an accelerated Stealth program, which gave us an IOC in the very early 1990's, would assure us that a penetration gap would not occur. To support this contention, I point to General Davis' statement that the B–52H, the latest model of which we have about 90 in our inventory, could penetrate to "1989 or so." Indeed, according to public reports the Central Intelligence Agency, in testimony before the Appropriations Defense Subcommittee, testified that the B–52 force could indeed penetrate Soviet air defense with acceptable degree of risk throughout the remainder of this decade.

Madam President, it may be argued that the B–1 would be a more effective penetrator than the B–52, but the point is that both aircraft could do the job. Soviet air defense could be likened to a hitter in baseball, and our bombers as a pitcher on the mound. If the batter can only hit baseballs traveling at 80 miles per hour, it really does not matter if a pitcher can throw a ball at 85 miles an hour or a second pitcher can throw it at 90 miles per hour. Both pitchers will be able to strike out the batter. In other words, both the B–52H and B–1 can do the job.

But if the next batter can hit any ball under 100 miles per hour, then we had better be getting a new pitcher ready in the bullpen. Because the betting is that only our Stealth pitcher will be able to win inning after inning, and game after game, as the decade of the nineties opens up.

I want to be sure that it is the technology, and not the funding level, which limits the pace of the Stealth program.

The second point I want to make is that the House of Representatives has funded the Stealth program at the level I am proposing in my amendment. It should be noted also that the House version of this bill is some $11 to $12 billion below the level of the Senate bill. I pose the question, then: Are we to assume that the House is being overly extravagant with this vital program at the same time it is so far below the Senate appropriations bill in our overall defense spending effort? I do not believe this to be the case. The House also sees the desirability of avoiding a "window of nonpenetrability" in our strategic bomber systems.

Third, I have consulted other Senators who have studied the details of the Stealth program. It should be pointed out that these Senators are well briefed and up to date on the status of the program. I am confident that the present funding level in the bill, as opposed to the full funding I propose, will lead to an IOC that will be measurably delayed—at least a year, but more probably longer if the B–1 funding eats up more and more of the budget in the out-years.

The important thing is not the $250 million additional for Stealth development in fiscal year 1982. The important thing is the initiation of a practice of seriously underfunding the development of a technology which, in its many uses, may very well have a major impact on the Soviet-American strategic balance through the end of this century. It could very well negate a Soviet air defense infrastructure into which the Russians have invested well over $100 billion thus far.

The administration has argued that it will be more successful in conducting negotiations with the Soviets on strategic weaponry only if it goes into those negotiations from a renewed position of strength. Yet, there is a growing feeling that the recent mix of strategic decisions announced by the administration, in reality, only reduces our strategic capabilities. In sum, we intend to retire B–52 bombers earlier than previously scheduled and retire Titan missiles earlier than previously scheduled. There is nothing to take their place until after 1985. The hardening of our current silos,

be they Titan or Minuteman, from what I understand, will not add to our missile survivability.

Therefore, it is probably a waste of money for the lack of a workable program. In the meantime, we are delaying a decision on the possibility of a mobil MX basing mode until 1984—a 3-year delay. On top of that, Stealth would be delayed if Congress agrees to the administration's funding request contained in this bill. Furthermore, we shall be reducing our procurement of cruise missiles very significantly, from about 5,000 if we kept the B–52 in service, down to only 3,000 if we opt for the B–1.

In sum, Madam President, this defense appropriations bill does not look like a commitment to strengthen our strategic posture. Indeed, General Davis admitted in open testimony that we "lose capability" with the program funded by this appropriations bill. This is extraordinary. The head of our Strategic Air Command has testified that the strategic program announced by the administration, and funded by this bill, will be providing us with a gradual reduction in our capability over the next 5 years.

In my estimation, there are serious flaws in this program which weaken our entire strategic posture. The Senate has a responsibility to correct these flaws to the extent it is possible. The Stealth issue is merely a part of the problem, but a very important part.

It is possible that the Senate will endorse the administration's decision on the B–1. But this administration's policy is purportedly one of pursuing an aggressive Stealth program which will not be sacrificed at the alter of the B–1. I do not have confidence that there are sufficient funds in this bill to carry out the administration's policy on both the B–1 and Stealth, and that is the purpose of my amendment. The Senate should agree here and now that we fund the Stealth technology at the maximum level until the aircraft are all delivered.

To those who argue that the technology is not developed enough and that we would only be throwing money at it, I would agree there are risks. But if one goes to the major corporations involved in the development of Stealth, they will tell one that the risks are no greater than they take with any major new commercial development. Further, it is hard to address risks by conducting only paper research. We have to start spending money to build the equipment in order to find out the potential problems of any premise.

To say that since all our programs slip, so must this one, is simply throwing in the towel. It is the same criticism that this administration leveled at the previous administration's defense program, Madam President.

Our leverage with the Soviets rests upon exploiting our technology to the fullest and Stealth represents the most advanced technology we have the capability of developing in a critical strategic program. If we fail to provide adequate resources for the Stealth program, it would be a tragic mistake.

Madam President, my amendment would fulfill a commitment made by the administration that the Stealth program would be funded at the fastest prudent pace. I share that commitment. My amendment is putting the resources behind the administration's commitment.

I urge the adoption of the amendment, Madam President.

Mr. STEVENS. Madam President, my good friend from West Virginia makes an interesting presentation to the Senate. It is a complicated one. I can say at the outset that, as he may recall and other Members of the Senate will recall, when I first started digging into the overall question of the manned bomber and the ATB and the program for the future, I had some question whether we could afford the course that we are on. As a consequence, we have had hearings. We have had a series of hearings in our subcommittee examining into the question of the options that we have.

The first option is obvious, to maintain the B–52 force, the present force. The second would be to go to the B–1. The third would be to go to the combined B–1/ATB, and the third one would be to put all our eggs in the ATB as quickly as possible.

As I examined that and the members of our committee examined it, it became apparent that the first option was unworkable. The B–52's, which originated in the generation of Harry Truman as President, have served the country well. To maintain them into the future involves a substantial cost and does not present a change in technology that is necessary to deal with the ever-increasing threat that we face. The cost of maintaining them through the year 2000 is substantial and, should we decide to do that, maintain them into the 1990's, when we reach whatever deadline we set, we would have no more manned bomber. We would have no asset value left in our main vehicle as far as manned bomber force is concerned.

The B–1B is a different breed of cat than the B–1 and we are presenting here in the committee bill the approach which is basically the combined B–1B/ATB option. That option is cost effective. It means that we can, in fact, go into an interim vehicle, the B–1B, which will meet all our program objectives, have a life span beyond the year 2000, and, at the same time, be able to concentrate as much of our defense funds as possible in the area of ATB.

Following the appearance of representatives of the Department of Defense in a classified session of our subcommittee—and we did receive a classified statement at that time—I asked for an unclassified explanation of the position of the administration on the bomber modernization portion of the President's strategic modernization program. It is, I think, a very enlightening document. It is one that I hope Members of the Senate will study, because it contains enough information, in my judgment, to reach an opinion on the bill before us without any classified information. As a matter of fact, if Members of the Senate wish to compare the two, I would be happy to let them read the classified document and the unclassified document. It becomes apparent what is classified in this process. But that classification is not, in my judgment, a determining criterion as far as the issue before us is concerned.

Madam President, there have been many things mentioned about the Secretary's testimony and Secretary Weinberger has testified before several committees, including ours, that the B–1B will penetrate with competence well into the 1990's. In a letter of November 9 to the chairmen of the Appropriations and the Armed Services Committees, Secretary Weinberger and the CIA Director, Mr. Casey, maintained the B–1B would have the capability to penetrate anticipated Soviet air defenses well into the 1990's in a multitude of employment modes and perform effectively as a cruise missile carrier and a bomber into the next century.

It was that judgment that led us to decide to recommend to the Senate the combined program.

We do not have an ATB option only. We are not abandoning the B–52's. There is money in the B–52's to keep them operational until the B–1B's are delivered and operational ready for combat.

However, we are looking for the ability to deal with the projected changes in Soviet air defenses, and the program we present to the Senate gives us that ability.

I quote from Dr. DeLauer's letter, which was declassified. He states:

> The combined prog:am offers both near and far term modernization that will force the Soviets to improve their air defense program starting now, and continuing throughout the rest of the century. The heavy investment this will require will provide the U.S. with significant leverage and restrict the Soviet's ability to upgrade their offensive forces. In contrast to this, an ATB only program allows the Soviets to delay the improvements to their air defenses and gives them many years to work exclusively on ways to counter ATB technology. Finally, the combined program allows us the option of deciding to buy more or less of either the B–1B or ATB at mid-decade depending on the progress made and the cost of each program. This competitive posture is extremely important in controlling costs and exists only in the combined program.

Madam President, Dr. DeLauer goes on to say:

> Air defense in today's world is done in depth and consists of varying degrees of defense depending on the importance of the target and timing of the attack.

Madam President, I ask unanimous consent that the unclassified letter from the Under Secretary of Defense, together with the statistics which are attached, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE UNDER SECRETARY OF DEFENSE,
Washington, D.C., November 17, 1981.

Hon. TED STEVENS,
Chairman, Subcommittee on Defense, Washington, D.C.

DEAR MR. CHAIRMAN: Yesterday I sent to you a classified explanation of the Bomber modernization portion of the President's strategic modernization program. At that time you and other members of the committee expressed a desire for an unclassified explanation. This letter is in response to your request.

The President's recommendations for a two bomber force have their genesis in the joint, Office of the Secretary of Defense, Air Force, Bomber Alternatives Study, which was mandated by the FY 81 Department of Defense Authorization Act, As you know the Authorization Act directed our study to focus on a multirole bomber that would be operational prior to 1987 and be able to perform the missions of a nuclear weapons delivery paltform, cruise missile carrier, and a conventional bomber. This study and other analyses have convinced the Air Force and the Administration that the aging B–52 must be replaced as soon as possible.

As you know, to be an effective deterrent a manned bomber must be able to accomplish three basic parts of the manned bomber mission; take off and base escape prior to being struck, with particular concern toward a surprise attack; navigate and fly safely the long range to its targets; and, penetrate any defenses required to reach its targets.

As the Soviets deploy increasing numbers of warheads (which can be used for barrage attack), and develop more effective forward air defenses, the B–52's ability to accomplish all three parts of its mission in sufficient numbers to be an effective and credible deterrent becomes increasingly questionable in the last half of the 1980's. In addition, the cost of the B–52's operation and maintenance is rising dramatically as its age increases. In contrast to this, the B–1B and the ATB can accomplish all three parts of the bomber mission effectively and will be able to do so for many years to come.

As I mentioned to you during your hearing, we were able to narrow our bomber alternatives to four basic options: (1) modifying and modernizing the present force of B–52's and FB–111's, and (2) an all B–1B force, (3) an all ATB force, and (4) a mixed force of B–1B's and ATB's.

When these alternatives were examined in detail, we found that the cost of operating the persent force until the year 2000 would range between approximately 85 and 100 billion (FY 81$) including tanker costs, cruise missiles, and other costs needed to keep the force operational and depending on the modification and retirement schedule for the B–52.

The cost for an equivalent force of B–1B's turned out to range between approximately 86 and 106 billion (FY 81$) given an IOC for the B–1B of 1986 and depending on the retirement schedule for the B–52. The cost of the ATB only option is, of course, classified but I can say that the cost is not significantly different from the cost of the combined B–1/ATB program recommended by the President. The combined program, however, is much more effective in maintaining the deterrence of the manned bomber force. It also provides significant added capabilities in this decade which the ATB only program does not. An unclassified cost comparison of these programs is attached for your information.

The combined program offers both near and far term modernization that will force the Soviets to improve their air defense program starting now, and continuing throughout the rest of the century. The heavy investment this will require will provide the U.S. with significant leverage and restrict the Soviet's ability to upgrade their offensive forces. In contrast to this, an ATB only program allows the Soviets to delay the improvements to their air defenses and gives them many years to work exclusively on ways to counter ATB technology. Finally, the combined program allows us the option of deciding to buy more or less of either the B–1B or ATB at mid-decade depending on the progress made and the cost of each program. This competitive posture is extremely important in controlling costs and exists only in the combined program.

In closing, I would like to briefly mention the controversy over the issue of the ability of manned bombers to penetrate Soviet air defenses. On 10 November 1981, Secretary Weinberger and Mr. Casey, the Director of the CIA, sent a joint letter to you which discussed this subject in detail. I can only add that people uninformed with the facts and technical details of air defense often imagine air defense as a wall or barrier that is or is not broken at any given point in time. This conception is misleading. Air defense in today's world is done in depth and consists of varying degrees of defense depending on the importance of the target and timing of the attack.

Thus, there is no magic moment when a given type of bomber cannot "penetrate." What occurs is that the probability of air defenses being effective over a range of desired targets gradually increases over time as defenses are improved. These improvements, however, can be offset through the introduction of new equipment and tactics in the attacking force. I am confident that the low radar cross section of the B–1B (which is less than one one hundredth that of the B–52) and its state-of the-art electronics will allow it to penetrate to needed targets well into the 1990s. The improvements that the ATB will offer in these areas promises to allow similar effectiveness to be maintained well into the next century. By combining these two programs, we maintain the important deterrent capability of manned bombers, that is, reliability, survivability, recallability, endurance, and ability to hit mobile targets, well into the future for essentially the same cost we would incur if we continued to operate our older obsolete systems.

Attached per your request are unclassified point papers which elaborate further on our bomber modernization program. I trust you will find them helpful. Please feel free to contact me at any time if you desire additional information.

Sincerely,

DICK DELAUER.

B–1B/B–52 COMPARISONS

	B–1B	B–52 G/H
Physical characteristics:		
Length (feet)	147	159
Wing span (feet)	78/137	185
Wing sweep (degrees)	67.5/15	
Takeoff gross weight (pounds)	477,000	488,000
Maximum inflight gross weight (pounds)	477,000	488,000
Performance data:		
Power plant/number of engines	F/101–GE–102/4	J—57/TF—33/8
Takeoff distance (feet)	8,300	10,500/9,500
Speeds (mach number)		
Maximum high altitude	1.20	0.90
High altitude cruise	0.70	0.77
Low altitude penetration	0.85	0.53–0.55

	B–1B internal	B–1B internal and external	B–52 internal	B–52 internal and external
Weapon carriage capacities:				
Nuclear gravity:				
B–28	12	20	4	16
B–43	12	26	4	16
B–61	24	38	4	16
B–83	24	38	4	16
Nuclear guided:				
AGM–69 (SRAM)	24	38	8	20
AGM–86B (ALCM)	8	22	8	20
Conventional gravity:				
MK–82	84	128	27	51
MK–84	24	38	8	18

	B–52	B–1A
Historical perspective:		
B–52 aircraft requirement established	January 1946	June 1970.[1]
1st flight	April 1952	December 1974.
B–52D delivered to SAC	June 1956–December 1957	
B–52G delivered to SAC	February 1959–February 1961.	
B–52H delivered to SAC	May 1961–October 1962	
B–1A DSARC III		December 1976.

[1] DSARC II (full-scale development).

Planned programs:

B–52G IOC for ALCM/OAS, (one squadron), 1982.

B–52H with ALCM carriage, 1986.

B–1B IOC (15 aircraft to SAC), 1986.

B–1B FOC (100 aircraft to SAC), 1988.

Operational inventory:

B–52D, 78.

B–52G, 127.

B–52H, 96.

B–1A, 4 in non-flyable storage at Edwards AFB, CA.

Components for survival:

Base escape characteristics:

Distance from incoming weapon detonation.

Altitude from incoming weapon detonation.

Aircraft hardness from multiple nuclear effects.

Base location relative to Soviet SSBNs.

Range: Increased SIOP range allows for more flexibility in timing, circumnavigation of threat areas, target coverings, etc.

Penetration characteristics B–1B vice B–52:

Reduced radar cross-section (B–52 RCS is 100 times that of the B–1B):

Reduces engagement opportunities.

Provides more ECM choices.

Speed and altitude.

Dilution effects of ALCM.

COST SUMMARY

[In billions of 1981 constant dollars]

	Present force extended	All B–1B 1986 (IOC)
R. & D	0–1	2–3
Procurement	4–6	35–36
Existing force modifications required.	28–33	7–12
Operation and support	53–60	42–55
Total [1]	[2] 85–100	86–106
(Fiscal year 1982–2000)	[2] (105–125)	

[1] The ranges reflect different force structure decisions that might be made over the next 20 yrs, especially the precise retirement profile for the B–52's as cruise missile carriers.
[2] It should be noted that around the year 2000 the B–52 will exhaust its structural life and have to be replaced at a cost of approximately $20 to $25 billion in fiscal year 1981 dollars. Thus, these costs should be included.

Note: ATB costs are classified. Further breakdown of these figures is available to cleared personnel only.

A COMPARISON OF B–52/B–1 BOMBER FORCES [1]

[Costs shown in billions of fiscal year 1981 dollars]

	Present force extended (376 PAA)	B–1B only (200 PAA)
Bomber:		
O. & S.:		
B–52	30.3	9.6
FB–111	3.2	1.2
B–1	0	15.2
Missile (CM/SRAM)	3.9	3.8
Mods:		
B–52	27.4	6.3
FB–111	1.2	.5
Tanker (KC–135) O. & S./Mods	20.1	15.3
Procurement (aircraft and missiles):		
R. & D	.7	3.4
Production	6.6	36.6
Total	93.4	91.9

[1] Hypothetical force structure for comparison purposes only (fiscal year 1982 through year 2000).

B–52/B–1 COST COMPARISONS

Unclassified comparisons of the cost of extending the present force of B–52s versus the President's combined B–1/ATB program are not possible due to the classified nature of the ATB program.

A comparison of the B–1B portion of that package and the B–52 can be done on an incremental basis.

The operation and maintenance (O&M) costs through the year 2000 of the President's program is over 6 billion (FY 81$) less than the O&M cost of extending the present force of B–52s and FB–111s. O&M comparisons are:

Present Force (O&M): 60 Billion.

President's Program (O&M): 54 Billion.

Since the President's program replaces the aging B–52 with modern state-of-the-art equipment, many aircraft modifications are avoided. The President's program avoids approximately 20 billion dollars (FY 81$) of these modifications. This 20 billion cost avoidance is approximately equal to the cost of acquiring the B–1B force planned by the President. Modification comparisons are as follows:

Present Force (Mods): 28 Billion (FY 81$).

President's Program (Mods): 8 Billion (FY 81$).

RATIONALE FOR A B–1B/ATB PROGRAM

B–52 effectiveness rapidly declining:

Poor base escape characteristics: Increasingly vulnerable to SLBM threat. Incentive for Soviet first strike.

Vulnerability to nuclear effects.

Vulnerability to forward defenses: Long range fighters and SuAWACS.

Age (structural life ends approx. year 2000).

B–1B operational in 1986:

Near term response to redress strategic imbalance.

Provides survivable, enduring, recallable, strategic force.

Provides effective means to penetrate defenses well into the 1990s.

Provides Cruise Missile carriage well into the next century.

Improve conventional air power: Range/payload exceeds B–52. Greatly improved penetration. Near term capability.

ATB available in early 1990s:

Allows development to proceed at fastest prudent pace.

Available before B–1B penetration capability is at risk.

Provides highly effective approach to penetrate into the next century.

Bomber Force Costs:

Modernization of the B–52 will range between 85B and 100B (FY81$) thru the year 2000 depending on the modernization and retirement schedule of the B–52. New plane needed in approx 2000 at cost of 20–25 billion (not included in above range).

"B–1B only" force would range between 86B and 106B (FY81$) thru year 2000 depending on the retirement schedule of the B–52. Advantage of ATB lost. Allows early retirement of costly B–52 force.

"ATB only" force would cost essentially the same as a combined B–1/ATB program depending on IOC thru the year 2000. Cost of waiting for ATB pays for the B–1B.

Combined B–1B/ATB program. Provides cost competition between the B–1B and ATB. Allows early retirement of costly B–52 force.

Impact on Soviet Defense Expenditures:

B–1B plus ATB place maximum stress on defenses:

B–1B will stimulate massive Soviet investment:

Soviets will spend several times the cost of our bomber program for air defense in this decade.

Defenses optimized for low altitude.

ECCM retrofits.

B–1B and ALCM will be extremely difficult to defend against despite massive investment in defenses.

When ATB is available:

Soviets must maintain defenses against B–1B.

Limits resources available to develop new systems against.

Combination of B–1B, ALCM and ATB will drive Soviets to massive investment in defenses, diverting resources from other forces.

Despite enormous investment, defenses not likely to be successful.

Risk:

B–1B plus ATB minimizes risk of program execution;

ATB provides incentive to control B–1B performance, cost.

B–1B provides incentive to achieve ATB performance, cost.

ATB only program yields potentially unacceptable risks:

Leaves US dependent on B–52 for more than ten additional years.

Possibility of ATB development problems:

Known risk areas of unconventional design.

Unknown risk areas.

Impact on reactive defenses;

Without B–1B, Soviets focus on ATB.

Possibility of dramatic breakthrough.

Summary: B–1B plus ATB Program:

Provides effective military forces into 21st century.

Produces near term response to redress strategic balance.

Provides near term conventional force projection capability and improved support for conventional missions.

Costs the same as B–52 plus ATB force (within estimating uncertainty).

Allows needed time to design and develop an operationally effective ATB.

Avoids risk of depending on aging B–52 force until an effective ATB is developed, produced and available in significant numbers.

Mr. STEVENS. Madam President, let me emphasize, in terms of costs, what we are doing. We are providing a cost-effective program. It is not possible for us to put in the RECORD a comparison of the total costs because of the classified nature of the ATB program. But a comparison of the B–1B portion and the B–52 can be done and has been given to us by Dr. DeLauer.

The President's program avoids the modification costs on the B–52. The President's program avoids the heavy cost of continued maintenance of the B–52's beyond 1990, in terms of their need as a penetrating bomber. I believe that if we compare the President's program costs, the rationale of the B–1B, and the ATB program, with the maintenance of the B–52's until the B–1B's have been delivered for the penetrating bomber, the Senate will find that we have the most cost-effective program.

The effect of the Senator's amendment is to put into the bill additional money for the ATB.

Mr. NUNN. Madam President, will the Senator yield for a brief question on that point?

Because of our disclosure, I hope the Senator will emphasize and clarify that point, that this amendment is directed at the advanced technical bomber, the so-called Stealth bomber.

Mr. STEVENS. This amendment, as I understand it, is directed at Stealth technologies, and it is my understanding that the sponsor of the amendment intends it to be directed toward the ATB.

Does that answer the Senator's question?

Mr. NUNN. That does, and that is exactly the point I was trying to make a little while ago.

Mr. STEVENS. Madam President, there are other items in the Stealth technologies in the same category that this money is being added to, and that is the difficulty of dealing with it.

I have a letter which is not classified but which has not been released for distribution, so I do not feel right in reading it.

Let me make the same point, and that is the point that there is no intention whatsoever, from the point of view of the Appropriations Committee, to allow the ATB technologies to slip.

On the contrary, they present some of the greatest opportunities for us to show the ingenuity of the American system and our ability to deal with innovation and to adapt it to our needs of anything this Senator has come across.

We are dedicating the maximum amount of money possible for the ATB technologies, consistent with the decision that we must maintain the B–52's until we get the B–1B's delivered as penetrating bombers; and we must be able to utilize, to the maximum extent possible, any of the developing technologies that would enhance the B–1B as it is delivered.

I have said it before—perhaps I am a dreamer—but I am one who believes that

we will see the B–1B, as it goes into subsequent generations, incorporate the product of this fantastic research that is going on in our country. It is research that every American can be proud of, because it is full-scale engineering capability to deal with wholly new concepts.

I am now informed that I can quote from this letter. It is a letter that I believe the Senator from Georgia, the Senator from Texas, and the Senator from Virginia sent in November to the Secretary of Defense, concerning the ATB and whether or not the IOC—that is, initial operational capability—of the advanced technology bomber would be allowed to slip and what steps they were prepared to take to provide the earliest production schedule for the program which was reduced.

Secretary Weinberger wrote back to the three Senators as follows:

Regarding your concerns pertaining to the bomber program, let me assure you that I do not intend to permit the Advanced Technology Bomber Program (ATB) (Stealth) to slip. As I stated in my letter of 10 November 1981, the ATB will serve as an essential element of a mixed force of penetrating bombers and cruise missiles through the 1990s and well into the next century. In accordance with the importance attached to the ATB, we have identified the technical risk areas and have adequately funded them. As soon as technical progress allows, we will move into full-scale development. Funds have been set aside in our out-year planning to fund this program fully and to cover the earliest start of full-scale engineering development that we now forecast to be prudent. We are, in sum, committed to proceed at the fastest prudent pace based on demonstrated technical progress. We intend to hold periodic technical reviews under the sponsorship of the EXCOM to reassess progress and future schedules.

The Secretary goes on to discuss other aspects of the Stealth technology.

However, my point in regard to this amendment is that we have more than enough money in this budget to cover the ATB, the Stealth technologies, the B–1B, and the B–52. As other people have pointed out, this is the largest budget in peacetime, so far as weapons procurement is concerned, that has been presented to the Senate.

I hope the Senate will recognize that this issue has been explored thoroughly. After having started from a position different from that of the authorization committee, we have come back to the point where our committee believes the program that was presented and authorized is the correct one, and that is what is funded here, so far as the bill before the Senate is concerned.

Mr. GARN. Madam President, I support the distinguished Senator from Alaska, the chairman of the Senate Appropriations Subcommittee on Defense.

Senator STEVENS has done an excellent job, in my opinion, in putting this package together to insure that we can have the best possible spread of weapons systems with money properly allocated.

I certainly do not intend to take much time now debating the whole issue of B–1, B–52, and Stealth. As a matter of fact, it becomes rather difficult in the Chamber to be able to talk about the so-called ATB because of the highly classified nature of it.

In my opinion, there has been far too much talk in public over the last year or two in any event. Still as unfortunate as it is, it is not a secret program, and we have been talking about it so much.

But I do wish to speak briefly about points that Senator STEVENS has made about the options available and specifically one at this point and only one, and I will have more to say when we get to the B–1 amendments.

We are constantly told by some that the B–52 is a viable option well into the 1990's, that the airframe will still be good in the 1990's.

I have no doubt that the airframe will fly in the 1990's. The DC–3 was built in the middle to late 1930's and the airframes are still flying by the hundreds all over the world.

But we have to ask the question about capability. There are lots of old automobiles that still travel the roads of this country but their capability I do not think would be considered in a number of areas equal to the newer models that are out.

But a B–52, as Senator STEVENS pointed out, is a very old airplane. The comment that has been made over and over again is true, that many of the crews who are flying that aircraft were not born when it became operational.

I had not yet gone through flight training when the B–52 became operational. I have had the opportunity to fly the B–52's, and 15 to 20 years ago it was a very fine airplane. It was the best we could produce. But it simply is not anymore. It is not a penetrator in 1981.

At the very best, the B–52 might get a few into the Soviet Union. I doubt if anyone would come out, with the air defenses they have and the tremendously large radar cross sections where the B–52 will simply appear big on the radarscope to our enemy.

And something else is true about all our planes, whether it is the B–52 or whatever it is, and possibly a lot of the old planes I used to fly as an Air Force pilot. The older they get the more expensive they are to maintain.

So when we first of all look at the capabilities of the B–52 and what it will do if it is still around in the 1990's this Senator will not vote for any funds under any circumstances to waste a lot of money on an old airframe that is not capable of doing the job in 1981 that it was designed to do 25 years ago, and to suggest that we should spend billions and billions of dollars to try and make it continue to do that job into the 1990's, is the most foolish military expenditures we could possibly make.

The second point is as to these estimates about how much it will cost to retrofit, upgrade it, and try and put new black boxes on it to make it do that job. I do not care how much money we spend on the B–52 we cannot turn it into a B–1. We can reskin it. We can restring the wings. We can put new engines on it. We can do all sorts of things, but it is still a B–52. We are on the H model now and as much as I am an advocate of increased military strength to spend more money into the 1990's for an old, old airplane does not make any sense.

Mr. NUNN. Madam President, will the Senator yield for a brief question?

Mr. GARN. I am happy to yield to the distinguished Senator from Georgia.

Mr. NUNN. I have a great deal of respect for the Senator's opinion on this subject. We have talked about it many times.

The Senator signed a letter with several other Senators today, and in the letter the Senator says the B–52 is not sufficiently hardened to withstand nuclear blast effects and cannot be modified to do so.

The Senator goes on to refer to the cost comparison of the B–52 taking all the way to the year 2000 versus the B–1/ATB.

I agree with the Senator. I think that that would be a foolish expenditure to try to have B–52's with electromagnetic pulse hardening work.

Does the Senator realize in the cost comparison we received from Dr. DeLauer on the B–52 he includes $4.9 billion for just that expenditure, and that was not part of the program that anyone had advocated and so in effect it is a strawman simply jacking up the cost of the B–52? Does the Senator realize that?

Mr. GARN. May I say to my colleague from Georgia that I am aware of that and what I was just about to say is that the cost estimates well in the 7 years I have been in the Senate and served on the Senate Armed Services Committee, with the Senator from Georgia, I have yet to see anyone's cost estimates on anything be correct.

Mr. NUNN. I agree with that.

Mr. GARN. That is in 7 consecutive years. So, when we have figures out here in constant this year dollars and inflation rates and all of that I kind of smile that anyone's estimates of being close. Maybe some estimates we get in the ball park.

So my reply is simply I do not doubt that. Everyone tries to make his best case. Those who are opposed to the B–1 will inflate it as far out as they can show the most huge cost overruns and increases they possibly think they can get away with. Those on the other side will try and inflate or deflate the figures as necessary to show the best possible case.

I am not here to argue dollar figures one way or another.

Mr. NUNN. The Senator would agree, then, to spend $4.9 billion for electromagnetic pulse hardening work on the B–52 would be a foolish expenditure, would he not?

Mr. GARN. I think my statement about not wishing to spend any additional money on the B–52 to make it try to do something in the 1990's certainly covers that particular point rather well so I agree with the Senator.

But again we are looking, I am looking at the total package and not an individual item. But I am willing to bet that even those figures increased to show the best possible case, I am willing to bet anyone in this Chamber or out of this Chamber that we will find that the cost

of maintaining that B–52 through those years if we decided to do that would be more than those estimates, even though we may agree they are sort of padded now, simply from history, my hindsight does tell me when I have seen most everything cost considerably more, whether it is in the social field or military field constantly running on and on and on, that they probably are low. I do not think there is much doubt about that. But I say that from a practical experience standpoint of the cost of maintaining older airplanes I have seen it happen over and over again. The Senator from Georgia remembers the C–124 which I spent a large number of years flying back and forth across the Pacific. We were hand-making parts the last 3 or 4 years of operation of that because they were not in production anymore. The C–124 is about the same vintage as the B–52, not too much difference, the old Boeing Stratocruiser, the old fighters, and so on, and the cost when we have no production facilities remaining but we continue them far beyond their original intended service life they become very costly.

So I think on just from the standpoint of the maintenance figures by any hindsight we want to apply we want to keep that B–52 going through the year 2000 I think the costs are going to be far, far beyond what DOD is saying today even if we want to subtract out the $4.9 billion. That is one of the reasons I am so opposed to attempting to do than on the basis of cost alone, even if I thought it would do some of these functions in the 1990's, but I repeat again we simply cannot turn a B–52 into a B–1 or have the capabilities that it has.

The other point I wish to make, without getting into any classified or technical information, is that Senator STEVENS in this budget has tried to present a very truthful budget by increasing the inflation rate that is shown and by also on the B–1 including a 3-percent cost overrun per year, which from his study showed that that was the average cost overrun in a large number of aircraft purchased over the last several decades.

I think that is a fair thing to do to try and present realistic figures. But, on the other hand, if it is fair to do that for those who propose to go directly to the Stealth and ignore the B–1(D) at this time and say that it will be flying in 1991 or even spend additional money to make it fly faster, I think that is one of those cases where the difficulties of the technology involved to expect to speed that up before 1991 are ridiculous. It is simply not possible. We pour all sorts of money and reach a point of diminishing returns where the money will not produce any faster results.

But again I will be willing to make most anyone a bet that we are not going to have that aircraft until 1995 at the earliest because again if it is fair to apply an average cost overrun it is also fair to apply an average time overrun. It is almost impossible to find a major weapons system that has not had months and years of time overrun from when they were originally supposed to be operational. The Trident first boat in the water was 2 years after they originally said it would be and they hope to accelerate that program.

I will not take the time of the Senate to go through all of the examples, but I cannot find examples of major weapons systems where they were completed prior to the original time. They have all been late by a factor of years in many cases.

Forgetting what Stealth can do, we are dealing with from a pilot standpoint stability, flyability, and all sorts of new technologies. When we get into the actual testing phase, usually it is necessary to redesign this part of it. They change this. "Well, we goofed on that." You have to add a little fuselage here and change the empennage and so on.

I think just again from the practical standpoint we are looking at a situation where it is going to drift into the middle 1990's.

So to those who say let us go with the B–52 we are giving the choice of spending money on an old outmoded aircraft that will probably be much higher than most people estimate or waiting all the way until the mid-1990's and having nothing capable in between.

So I believe the only responsible position we can take, both from a cost standpoint and operational capability, is the B–1B, not really that I want to make a choice like I want a choice between a Model A or a possible future car model that may be out in the 1990's, and I will not do anything in between except continue to try and upgrade the Model T during those years until we get it. We are really betting on the "to come" in my opinion.

So as I think I said, the distinguished Senator from Alaska, the chairman of the subcommittee, has done an excellent job on balancing out these strategic weapons systems and I certainly hope the Senate will support that position.

Mr. LEVIN. Madam President, I rise in support of the amendment of the Senator from West Virginia and I only wish to make a couple points.

First, in response to the Senator from Utah, we will indeed see the IOC of the Stealth bomber drift into the 1990's if we do not fund it adequately.

One of the purposes of this amendment is to fund it adequately.

I might also point out that I do not know anybody who is supporting the B–52 as an alternative. The alternatives which are going to be offered are an all ATB and a mixed force. The question is which new bomber or bombers, not whether we have a new bomber. There is a critical need for this amendment.

In testimony before the Strategic Air Subcommittee earlier this year, General Ellis stated:

> The most pressing requirement is to prepare for the long term, 1990 and beyond. To do this right, we should start now to develop a new technology bomber with the earliest possible initial operational capability (IOC).

That, my colleagues, is the definition of the Stealth bomber.

I would point out also to my colleagues that Secretary Weinberger himself said in public testimony:

> Our vigorous ATB program will lead to that plane's deployment under current plans beginning in 1989.

He said that on October 5. Now the IOC slipped several years between October 5 and October 29. Now we are told the IOC is the early nineties. But I repeat that on October 5 in public session the Secretary of Defense said that:

> Our vigorous ATB program will lead to that plane's deployment under current plans beginning in 1989.

Finally, Madam President, I would, of course, want to avoid any risk of getting into classified information. There has been enough debate about that already this afternoon, although I might say that I was at the same meetings of the Armed Services Committee in public that the Senator from Georgia was at, and the information about which he spoke earlier this afternoon, to my memory, was information which was discussed in public session before the Armed Services Committee. There was nothing that he said, to my recollection, that was not discussed in public session at the Armed Services Committee.

But I do want to say that while the questions and the proofs as to how we can speed up resolution of design uncertainty of ATB and how we can give ourselves the option of accelerating the IOC is classified, how we can do that and how fast we can do it is classified, it is not classified information that we can speed up resolution of design uncertainties of the ATB and give ourselves the option of accelerating the IOC. That is not classified information. That is the purpose of the amendment of the Senator from West Virginia, the amendment which is before us.

It is the most critical thing which we are about in the entire strategic program of this country, to have a Stealth bomber earlier rather than later. It is the most advanced technology bomber known to mankind. It makes use of American technology, and I hope we will adopt the amendment of the Senator from West Virginia.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. I thank the Chair.

I rise, Madam President, to support the amendment proposed by the Senator from West Virginia. I have listened to most of the debate on this and I fully recognize and realize there are two legitimate sides to this question.

Those of us who are supporting this amendment are simply saying we are convinced that with the addition of $250 million provided for in this amendment we will indeed, not necessarily have assurance, but the high likelihood we can, move up the IOC on the advanced technology bomber. There are those who do not agree.

But I believe if you would talk to those who are in charge of this program they would likely be with the Senator from West Virginia in simply stating the only thing we could do by not approving this amendment is to make sure that the advanced technology bomber would not come on line sooner than the administration is presently projecting.

It seems to me, Madam President, that with the extensive funding we are going to assure ourselves of the best possible defense, and that we would be wise indeed to take the chance of the $250 million provided for in this amendment, which will indeed allow us to move ahead months, if not a year or more, faster on the IOC for the Stealth advanced technology bomber.

I yield the floor.

Mr. STEVENS. Madam President, if the committee thought additional funds could be used for the research that is involved, we would have added them. We have not been at all reticent about moving to increase the funds available for the Department of Defense at this critical time.

The plain and simple fact of the matter is there must be continued research. I think my friend from New Hampshire probably has spent as much time as any member of our committee on this, and perhaps he wishes to make a comment about it. But he makes the point to me quite often that there is just a limit to the number of people who can be employed in technology research such as this.

The impacts of those limits have been measured. The money we have in this bill now to deal with these technologies is more than sufficient. There is no question that our committee is dedicated, and that the administration is dedicated, to the concept of pursuing the ATB and related technologies at the fastest prudent pace.

I call the attention of the Senate respectfully to the fact that this is another one of the items that was listed on the "Dear Colleague" letter of the Senator from Michigan and the Senator from South Carolina, "additional funds for acceleration of the advanced technology bomber."

Maybe I am not understanding the situation, but I seem to remember so much rhetoric from people who say we are spending too much for defense, that we brought out a bill that is too big.

Now I think we are going to face a series of amendments, as I have said to the Members of the Senate, to add to the largest bill in history in peacetime. Who is kidding whom? No one is kidding me. If there is some indication that people think they can attempt to make the whole concept of defense into sort of a through-the-looking-glass type of proposition, that somehow or other this bill is not big enough, then I think we need a better explanation.

This money is not needed. The money that is needed is in the bill. There is a sufficient amount of money, as a matter of fact, in the R. & D. account to reprogram funds, and they could come back and get additional approval forthwith in this regard.

I know of no Member of the U.S. Senate who would deny the Department of Defense the moneys that were requested to pursue the concept of the ATB and the technologies related thereto.

I yield to my friend from New Hampshire.

Mr. RUDMAN. Madam President, I rise to oppose the amendment offered by the distinguished Senator from Georgia and the minority leader.

After listening with some interest to the rather spirited exchange between the chairman of our subcommittee and my friend from Georgia, I rise with some trepidation because unquestionably we are all debating this issue, Madam President, with our hands tied behind our backs.

It is impossible to address the real issues that underlie this amendment without disclosing data which cannot be divulged in open session.

Having said that, let me try to address the salient points of this discussion: First, although the chairman of our subcommittee, the Senator from Alaska, is unable to announce on the floor and to the American people the level of funding in the program this year, let no one think for 1 minute that it is a small, minuscule sum.

It is an enormous sum of money.

Second, although I am sure the Senator from Nebraska is correct when he says that the people involved in this program would like more, I have yet to find anybody from the Defense Department, either civilian, military, or contractor, who did not want more for the particular program that was before the Senate.

Third, I would like one scrap of evidence presented to this Senate today from any responsible contractor who, in fact, is involved in this program to indicate that any additional money, beyond that which is authorized and which will be appropriated in this bill, will contribute 1 minute of increased efficiency toward reaching an early IOC.

Without going into classified material, let me simply say that the broad technical problems facing the Stealth program are far from solved. They challenge technology, they challenge the state of the art, and they challenge the companies that, in fact, are working on them. We best move slowly and carefully lest we find we have in 1990 a boondoggle that costs billions of dollars and will not fulfill the mission.

This debate at this moment has nothing to do with the B–1 or the B–52. It has to do with whether or not what we are spending is enough.

Further, for those of my colleagues who are on the floor and those who are listening in their offices, the greatest service they can do for their constituents would be to partake of the briefings that are available to us on the Stealth program. When they listen to those briefings and ask the right questions, they will come to some conclusions the nature of which cannot be disclosed in an open session of this type.

So I hope that the $206 billion or $209 billion, or whatever the figure will finally amount to when this bill is passed today or tomorrow, is enough. There is an enormous amount of money in this appropriation for the Stealth technology and we do not need a dime more. I hope we can defeat the amendment.

Mr. STEVENS. Madam President, I move to table the amendment and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. ROBERT C. BYRD. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ABDNOR). Without objection, it is so ordered.

The question is on agreeing to the motion to lay on the table the amendment of the Senator from West Virginia. The yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. HARRY F. BYRD, JR. (after having voted in the affirmative). Mr. President, on this vote, I have a pair with the Senator from Tennessee (Mr. SASSER). If he were present and voting, he would vote "nay." I have already voted "yea." Therefore, I withdraw my vote.

Mr. STEVENS. I announce that the Senator from Arizona (Mr. GOLDWATER), the Senator from Oregon (Mr. HATFIELD), and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

I further announce that, if present and voting, the Senator from Oregon (Mr. HATFIELD) would vote "yea."

Mr. CRANSTON. I announce that the Senator from Louisiana (Mr. LONG), the Senator from Tennessee (Mr. SASSER), the Senator from Mississippi (Mr. STENNIS), the Senator from Massachusetts (Mr. TSONGAS), and the Senator from Nebraska (Mr. ZORINSKY) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 51, nays 40, as follows:

[Rollcall Vote No. 431 Leg.]

YEAS—51

Abdnor	Gorton	Packwood
Andrews	Grassley	Percy
Armstrong	Hatch	Pressler
Baker	Hawkins	Quayle
Boschwitz	Hayakawa	Roth
Chafee	Heinz	Rudman
Cochran	Helms	Schmitt
Cohen	Humphrey	Simpson
D'Amato	Jepsen	Specter
Danforth	Kassebaum	Stafford
Denton	Kasten	Stevens
Dole	Laxalt	Symms
Domenici	Lugar	Thurmond
Durenberger	Mattingly	Tower
East	McClure	Wallop
Garn	Murkowski	Warner
Glenn	Nickles	Weicker

NAYS—40

Baucus	Eagleton	Melcher
Bentsen	Exon	Metzenbaum
Biden	Ford	Mitchell
Boren	Hart	Moynihan
Bradley	Heflin	Nunn
Bumpers	Hollings	Pell
Burdick	Huddleston	Proxmire
Byrd, Robert C.	Inouye	Pryor
Cannon	Jackson	Randolph
Chiles	Johnston	Riegle
Cranston	Kennedy	Sarbanes
DeConcini	Leahy	Williams
Dixon	Levin	
Dodd	Matsunaga	

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Harry F. Byrd, Jr., for.

NOT VOTING—8

Goldwater	Mathias	Tsongas
Hatfield	Sasser	Zorinsky
Long	Stennis	

So the motion to lay on the table Mr. ROBERT C. BYRD's amendment (UP No. 723) was agreed to.

Mr. STEVENS. Mr. President, I move to consider the vote by which the motion was agreed to.

Mr. BAKER. I move to lay that motion on the table.

Mr. STEVENS. Mr. President, it is my understanding that the Senator from New Jersey has an amendment.

The PRESIDING OFFICER. Under the previous order, the Senator from New Jersey is recognized.

UP AMENDMENT NO. 724

(Purpose: To require the President to submit certain reports to Congress)

Mr. BRADLEY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

The Senator from New Jersey (Mr. BRADLEY) proposes an unprinted amendment numbered 724.

Mr. BRADLEY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place and the following new section:

"SEC. . (a) The national security requires a sustained enhancement of our military capability during the 1980s and 1990s. An adequate base of domestic economic power and enduring public acceptance of the cost are essential to a sustained improvement in our military readiness.

(b) The Administration's original forecast of economic and productivity growth, had it proven correct, would have substantially ensured that we could have satisfied these requirements. However that forecast presumed a radical improvement in our economic performance compared with the actual experience of the past several years. Moreover, our most recent experience, as well as the Administration's revised projections, confirm that we will not achieve the high growth levels on which the 1982–86 defense budget was premised. Furthermore, the economy is now in a recession of uncertain magnitude and duration. Because output has fallen, the burden of defense spending on American taxpayers has risen. If this burden grows, it could erode both the economic and the political base for a sustained increase in defense spending. To anticipate this threat and provide a comprehensive framework for Congress to evaluate the Administration's 1982 Posture Statement and 1963 Budget Request, the President shall prepare a report to Congress by January 31, 1982 describing:

(1) How the combination of a three-year tax cut and the projected defense spending increases for the period fiscal year 1982 through fiscal year 1986 will affect inflation, interest rates, and unemployment given low (under 2 percent), medium (2 to 4 percent), and high (over 4 percent) real economic growth rates.

(2) What alternative tax and expenditure policies the Administration will propose and what specific adjustments to our military strategy and programs will be required for the near, medium, and long term if economic and productivity growth continue to fall far below originally projected levels.

(3) The specific adjustments to our military strategy, requirements, and programs that would be needed if inflation in the defense sector is significantly higher than in the economy at large.

(c) A sustained enhancement of our military capability also requires a strategy that efficiently serves our most important national security and foreign policy objectives. This requires recognition that the U.S. no longer has the resources to defend independently all Western interests that will be threatened by Soviet power in the late 1980s and 1890s. We must therefore concentrate improvements in our military capability either on helping allies deter Soviet attacks in Western Europe and Northeast Asia or on defending friends and assets in the Near East. We must also foster progressive redistributions of the burdens and responsibilities for the defense of Western Europe, Northeast Asia, and the Near East. Accordingly, by January 31, 1982, the President shall prepare a report that answers the following questions:

(1) To what extent and in what ways does the Administration intend to allocate additional resources to securing vital allied interests in the Near East?

(2) What are the relative, long-term costs of defending the Persian Gulf region with and without at least one nearby base complex or set of facilities that could support major air defense and maritime operations as well as training, command, control, communication, intelligence, and logistics functions?

(3) How do the requirements for defending the Near East differ from those of Western Europe and how does the Administration plan to design more effective and efficient forces for this region's climate, terrain, and logistical environment to minimize the costs of developing and deploying such forces?

(4) What plans does the Administration have to increase our forward deployment capability by home-porting more ships in foreign bases, by pre-positioning equipment and material, or by building greater logistical facilities near the Persian Gulf?

(5) How does the Administration's long-range defense planning take account of economic competition between America and its allies and the decline in U.S. productivity relative to Japan and Western Europe?

(6) What assumptions does the Administration's budget make about the long-term redistribution of roles and responsibilities between the U.S. and its allies in defending Western Europe, Northeast Asia, the Near East, and their adjacent seas or ocean areas?

Mr. BRADLEY. Mr. President, before I begin my statement on this amendment, which will be lengthy, I yield to the Senator from Arizona for a unanimous-consent request.

Mr. DECONCINI. I thank the Senator from New Jersey.

Mr. President, due to circumstances beyond my control, it will be difficult for me to offer tomorrow an amendment I have, and I have notified the Policy Committee. I have talked with the manager of the bill, the majority leader, and the minority leader, and I ask unanimous consent that following the conclusion of the amendment offered by the Senator from New Jersey, my amendment be the next pending amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BRADLEY. Mr. President, the amendment I am offering today is substantially the same one I offered last May when we were debating the first concurrent budget resolution.

I argued then that our national security requires a sustained enhancement of our military capabilities.

I further argued that sustaining a large increase in defense spending requires a sound economy and good prospects for future economic growth.

I suggested that the administration's economic forecasts on which their original defense budget was based would prove excessively optimistic, and I suggested that the tax and expenditure policies premised on those forecasts would lead to high interest rates and rising unemployment.

Finally, I argued that the administration's exclusive reliance on tight money to control inflation would choke off any potential we might have for rapid economic growth in America.

Mr. President, I did not then, nor do I now, share the administration's faith that a supply-side miracle will cause productivity and economic growth rates to surge. I was concerned about how to preserve a consensus for a sustained defense buildup in the face of a recession of unknown magnitude and duration.

One reason for my concern is that rising unemployment means lower output. This, in turn, increases the burden the defense spending imposes on American taxpayers. I feared that this additional burden, at a time when our economic future is uncertain at best, would erode support for defense before our buildup had even begun.

To help us avoid this outcome, I proposed an amendment that would have required the President to do four things: to anticipate, first of all, the implications of both low economic growth and high inflation for the administration's defense policies; second, to consider what alternative economic strategies the administration might pursue should their original forecasts prove incorrect; third, to identify the adjustments to our defense strategy programs and requirements that might be needed, given high inflation and low economic growth; finally, to report these findings to Congress by October 1981.

Mr. President, had this amendment been adopted, it is my belief that Congress would be in a much better position today to manage the appropriation and budget processes. It was not adopted, and I offer it again in the same bipartisan spirit that I offered it last May.

Let me repeat the purpose of the amendment. It is to underscore the importance to our Nation of a sustained enhancement of our military capability. This is necessary both to deter conflict and, should deterrence fail, to win that conflict.

Mr. President, in a democracy as robust and open as ours, sustaining a big defense buildup in the face of strong competition from civilian programs requires several things.

First and foremost, it requires a healthy economy and good prospects for continued economic growth.

If a lot of people are out of work, or if there is a pervasive fear of high inflation, the consensus for allocating the growing share of our resources to defense will rapidly erode.

Experience bears this out. In the past our defense spending has undergone cycles of boom and bust. This pattern has done a number of things.

It has increased cost. It has undermined our defense industrial base. It has impaired the readiness of our general purpose forces. It has interfered with the efficient evolution of our strategic programs, and it has caused friend and foe alike to question the reliability and credibility of our security guarantees.

If we are serious about avoiding past errors and improving our military capability over the long haul, we must act now to foster the vigorous economic growth on which those improvements in defense depend.

Had the administration's economic forecasts been correct, there would probably be no need for this amendment.

But instead of high growth and low unemployment we have a recession. Instead of growth in fiscal 1982 of 5.2 percent, as the administration projected, we are now more likely to have 1.5 percent or 2 percent max. Instead of unemployment at 7.3 percent, as the administration projected, we are more likely in fiscal 1982 to have unemployment at 9 percent. Maybe the tax cuts we have enacted will keep that recession short and shallow. Right now, though, a lot of analysts are betting it will be long and deep.

Let us say it is short and shallow because the tax cuts are coming online in July. What does that signal? It signals the possibility of renewed inflationary pressures.

When the President's budget is fully implemented in 1986, he will have cut taxes by over $750 billion, raised military spending by over $180 billion and cut civilian programs by no more than $130 to $140 billion.

Even if the President gets all his civilian cuts, most of which are still unspecified, they still are not large enough to do the job.

Were the administration wholeheartedly committed to a sustained improvement in our defense programs the President would have been calling for tax increases not tax cuts. Why did he not? Presumably because he believed in the supply side miracle, that that would produce sufficient revenues for the military buildup and in fact at one point he said that the increased revenues from the tax cuts would provide the revenues to finance the military buildup.

As one of a handful of Senators who voted against the multiyear tax cuts but for the spending cuts, I can say unequivocally that I do not believe in the supply side miracle.

I do not think that we can count on it to finance our buildup in national defense.

Guns, butter, and a balanced budget cannot all be delivered by 1984. Yet so far the administration has shown reluctance to trim its ideology to economic reality, and here I put in evidence, the latest budget resolution coming out of the Budget Committee where the administration refuses to take a position on economic prospects.

The amendment I offer will assist them to do so.

If the budget deficit is to be contained, even at levels previously held unthinkable, either defense will have to be cut or more revenue will have to be raised. Those are our choices.

As I pointed out earlier, cutting nondefense will not give us the numbers. If this amendment is adopted, it will increase the likelihood that our economic policies can accommodate the level of military spending our leaders demonstrate we need.

We should not have to formulate defense policies in terms of what we can afford. The notion that we cannot afford the defense effort our security requires is a dangerous illusion.

We are fortunate that with proper economic policies we can sustain the level of defense spending our military and foreign policy objectives deserve and require. The key phrase though is "with proper economic policies."

I remain skeptical, as I said, that the present combination of tight money and highly stimulative fiscal policy is well designed to promote noninflationary growth. On the contrary, it is likely to lead to a possibly protracted recession followed by increasing inflation. This outcome quite simply will not permit us to maintain the level of defense spending the President and the Senate Armed Services and Appropriations Committees say we need.

My distinguished colleagues on these committees have already voiced fears similar to those I have expressed today. In fact, in the report of the Senate Armed Services Committee to accompany the 1982 defense authorization bill, S. 815, the members stated:

> The Committee is convinced that a sustained and increased defense effort is required. Moreover, it is the commitment to defense programs—not to a defense funding level—that is essential.
>
> In this regard, the committee is concerned about the potential impact of underestimates in inflation on the execution of defense programs. The President has embarked on an ambitious economic recovery program intended to curb the increase in inflation. There is substantial disagreement, however, between the inflation projected by CBO and that of the President. Based on the CBO estimates of inflation, additional spending will be required to execute the President's planned defense programs.

And I emphasize that.

The report says:

> Based on the CBO estimates of inflation, additional spending will be required to execute the President's planned defense programs.

The report goes on:

> The committee found no basis for accepting the CBO estimates of inflation instead of the President's estimates.

That report was issued last May. Since then, it has become clear that the President's estimates were wrong. This fact is acknowledged by the distinguished members of the Senate Appropriations Committee in their November report to S. 1857 which states:

> The Committee has carefully analyzed inflationary trends in the national economy, particularly as they apply to defense activities and purchases. Two points become vividly clear: the rate of inflation is not slowing to the degree projected in the President's budget, and inflation in defense activities and purchases continues to exceed by a substantial margin the national average.
>
> Although the budget anticipated an inflation rate of 8.7 percent for fiscal year 1981, the final composite figure was actually 13.3 percent. And there is no evidence yet that this rate has slowed markedly.
>
> These developments make it painfully apparent that the optimistic 8.4 percent inflation rate projection contained in the President's September budget is not attainable.
>
> The impact of badly underestimating inflation is severe. It will cut back FY81 program levels by more than $2 billion and the impact in FY82 will be much the same if steps are not taken now to finance a more realistic rate. . . .
>
> Based on its analysis the Committee is recommending an increase above the President's budget and above the authorization level for FY82 totalling $1.6 billion, which is the amount needed to finance a 10 percent inflation rate. Even this projection is considered moderate, but it at least presents a more realistic approach to the economic realities confronting the Nation.

What I have to say about the Appropriations Committee's report expressing grave reservations about these economic forecasts is that I commend my colleagues for their realism and their candor in bringing these important considerations to the Senate's attention. But I submit that it is unlikely we will have the votes to expand defense spending to accommodate rising inflation. Rather, we will more likely have to absorb inflation within existing budget levels. It is therefore essential that, as the administration prepares their 1983 budget request and 1982 Defense posture statement, they start thinking about how to bring defense and economic policies in line with reality. This amendment will assist them in that effort.

Unless we face up to the facts now, we are all too likely to gloss over the gap between the programs we say we need and the actual cost of those programs. Nor will we make the tough decision to live within our means by cutting out certain programs and closing down production lines. Instead, we will tacitly acquiesce in a defense budget we know to be underfunded. And we will doubtless cope with this situation the way we have in the past—by shortchanging the readiness of our general purpose forces.

This outcome must be avoided. There already is a serious question about our forces' capacity for a timely, effective and sustainable response to the most likely military threats. The reason is that we have historically underfunded essentials like spare parts, major overhauls, and operation and maintenance activities. And we have subordinated readiness, mobility, and sustainability to weapons procurement. This trend must be reversed, for without readiness, deterrence is a sham.

At the same time, calculated underfunding of defense in the past is no excuse for overfunding in the future. To strike the right balance we must search systematically for the defense policy and programs that are appropriate for the United States at a time when there is

fierce internal competition for resources and fierce economic competition from abroad.

This amendment will assist that search. It requires the administration to anticipate the implications for military spending of low or zero economic growth. And it calls on them to articulate a strategy for defense, premised on a sharply focused analysis of the tough choices we must make if we are to sustain our military commitments over the long haul. What are these tough choices?

First, these choices are forced upon us because the economic and military fat that used to give the United States a protective layer has virtually disappeared. It is a fact of life that the division of responsibility among the NATO allies was predicated on quite different political and economic circumstances than exist today or for the foreseeable future.

When the alliance was formed, America did not need allies; they needed America. At the end of World War II, the United States had a virtual monopoly of the world's productive capacity and monetary reserves. Whereas the rest of the world, including Soviet Russia, appeared hopelessly devastated by the war, the United States emerged from it immensely strengthened. By the end of the Vietnam war, the situation had radically and fundamentally changed.

This fundamental change in the relative economic strength of the United States, Western Europe, and Japan makes it imperative that we reassess our roles in, and responsibilities for, the defense of Western Europe, Northeast Asia, and the Near East. This reassessment should take place before we become committed to a particular set of defense programs. And the conclusions of that reassessment should guide our defense strategy and our military requirements.

In addition to shifts in the economic balance among the allies, our defense strategy must also reflect a recently and belatedly discovered priority, namely the need to secure a sustained flow of oil from the Persian Gulf region to the industrialized democracies. Our economic circumstances mean that we will be hard pressed to independently defend all Western interests that will be threatened by Soviet expansion or local wars in the 1980's and 1990's.

Thus, we will need a strategy that concentrates improvements in our military capability either on helping allies deter Soviet attacks in Western Europe and Northeast Asia or on defending friends and assets in the Near East. In making this choice, we need to recognize where our comparative advantage lies and where we have a unique role in defending our collective security interests.

Implementing the choice requires a long term strategy based on agreement with our allies for a redistribution of responsibilities for the defense of Western Europe, Northeast Asia and the Near East.

But before we can decide on the optimal allocation of our defense resources, we need to know how the problem of, and requirements for, an adequate defense of the Near East differ from those of Western Europe and Northeast Asia. We also need to know what the alternative costs are of defending this area with and without at least one nearby base complex or set of facilities.

This issue is fundamental to our strategic choices. The region's remoteness from the United States and major allies, and its relative proximity to the U.S.S.R., may make it impossible to compete with the Soviet Union in the Near East at an affordable cost unless we secure facilities to support major air defense and maritime operations in the area.

These are the kinds of questions my amendment poses to the administration. There will be some in this body who will argue that the amendment is out of place or redundant. When I offered it last May, the distinguished chairman of the Armed Services Committee assured me if I would just read the report accompanying the 1982 DOD authorization bill all my questions would be answered. I did read that report. But it did not talk about fiscal and monetary policy. Nor did it plan for the contingency that our economy would be in recession this year and perhaps much longer. And the programs, that legislation authorized, were based on inflation estimates that the Appropriations Committee now recognizes are invalid. So I believe this amendment is appropriate and useful in focusing the administration on the real problems we face in sustaining a sound defense buildup.

Others will argue that the amendment is redundant because we are already getting information on allied and Japanese contributions to our common defense. But I am not talking merely about how much each of us spends relative to the others. I am talking about the development of an American strategy premised on U.S. leadership and on a frank appraisal of where we have a unique advantage in defending common interests of our allies and ourselves. This is essential if we are to be perceived as strong and credible by our friends and by our adversaries.

Some in this body may say "no, do not offer the amendment at the outset of TNF negotiations with the Soviet Union." These critics will tell me I am undercutting the President. On the contrary, by facing up to reality we will be strengthening the President's hand. Whether the TNF talks succeed or fail, Europe must play a larger role in determining her own defense. And America must do more to defend those areas beyond Europe's reach.

What have we done so far to secure vital allied interests in the Persian Gulf? Not much. We have agreed to sell AWACS and F–15's to Saudi Arabia and we have created the rapid deployment joint task force—at least on paper. But we still do not have a strategy for allocating additional resources to this region. The Appropriations Committee recognizes this. The report states once more:

> To date, the joint task force nature of the present RDJTF has failed to create both plans and organization necessary to meet the threats which the United States may face in Third World areas throughout the 1980s.

If my amendment is adopted, the administration will be forced to address these questions before we are locked into programs and procurement contracts that do not most efficiently promote our main security objectives.

Mr. President, in closing, let me just add America is virtually unique among Western democracies in that most other countries the elected representatives debate the underlying concepts of their defense budgets and programs. They deal with foreign policy and with broad issues of military resource allocation. The technical decisions as to which weapons systems will most efficiently implement the policies are left to the experts.

In the United States, however, particularly in Congress, debates focus on weapons systems. No one seems willing to debate the underlying concepts. My amendment, I hope, will be the first step in redressing this dangerous imbalance.

Finally, it is worth repeating that the defense budget cannot be isolated from the economy as a whole. How much we spend for defense and the way we allocate our defense dollars have large economic implications. If, for example, we divert the bulk of the Nation's R. & D. to defense while the Japanese are free to commercialize the results, our competitiveness will deteriorate rapidly. In the long run, both countries will suffer and the world will be much less stable.

So far, we have resisted putting our defense programs in context. This amendment is a small but important step in remedying that situation. I would hope that my colleagues would support it and I hope the chairman of the committee will see its merit and that we might engage in further discussion after he has had a chance to study this proposal.

(Mr. CHAFEE assumed the Chair.)

Mr. STEVENS. Mr. President——

Mr. BRADLEY. If the Senator will yield, I wonder if he would respond to the No. 1 question, which is what happens to our defense programs if inflation is higher than expected, and how will he in the Appropriations Committee and we in the Senate begin to make the choices that are going to be necessary to fully fund the levels we have approved but the programs we have approved? Further, what kind of strategy backs that up?

Mr. STEVENS. Mr. President, I have high regard for the Senator from New Jersey, but to answer his question would be to assume the capability of speaking for the Armed Services Committee, the Budget Committee, the Finance Committee, the Governmental Affairs Committee, the Joint Economic Committee, and that I would be prepared to amend the Constitution of the United States with a rider on the defense appropriations bill.

The Senator's amendment would require the President of the United States, by January 31, 1982, to prepare a report that answers a series of questions: What additional resources we are going to allocate to the Near East; what the long-term costs of defending the Persian Gulf are; what we plan for a more effective and efficient force in the region of the Near East; what plans the administration has to increase deployment capa-

bility by home porting of more ships in foreign bases; how the administration's long-range defense planning takes into account economic competition of America; and what assumptions the administration's budget makes about the long-term redistribution roles and responsibilities as far as Western Europe, East Asia, the Near East, and the adjacent seas or ocean areas.

Very frankly, Mr. President, I am prepared to debate the provisions of the appropriations bill that is before us. This amendment, in my opinion, is not an appropriations amendment. It is legislation on an appropriations bill. If the Senator wishes to debate the concept, perhaps he would want to have a separate joint resolution.

With as much comity as I would like to be known for in the body, I have to tell my friend there is no alternative but to ask that the amendment be tabled, and I do move to table the amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion to table.

Mr. STEVENS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The question is on agreeing to the motion to lay on the table the amendment of the Senator from New Jersey. The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from Arizona (Mr. GOLDWATER) and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

Mr. CRANSTON. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Louisiana (Mr. LONG), the Senator from Tennessee (Mr. SASSER), the Senator from Mississippi (Mr. STENNIS), the Senator from Masachusetts (Mr. TSONGAS) and the Senator from Nebraska (Mr. ZORINSKY) are necessarily absent.

I further announce that, if present and voting, the Senator from Tennessee (Mr. SASSER) would vote "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 56, nays 36, as follows:

[Rollcall Vote No. 432 Leg.]

YEAS—56

Abdnor	East	Nickles
Andrews	Garn	Packwood
Armstrong	Gorton	Percy
Baker	Grassley	Pressler
Bentsen	Hatch	Quayle
Boschwitz	Hatfield	Randolph
Burdick	Hawkins	Roth
Byrd, Harry F., Jr.	Hayakawa	Rudman
	Heinz	Schmitt
Chafee	Helms	Simpson
Cochran	Humphrey	Specter
Cohen	Jepsen	Stafford
D'Amato	Kassebaum	Stevens
Danforth	Kasten	Symms
DeConcini	Laxalt	Thurmond
Denton	Lugar	Tower
Dole	Mattingly	Wallop
Domenici	McClure	Warner
Durenberger	Murkowski	Weicker

NAYS—36

Baucus	Bradley	Chiles
Biden	Bumpers	Cranston
Boren	Byrd, Robert C.	Dixon
Dodd	Inouye	Mitchell
Eagleton	Jackson	Moynihan
Exon	Johnston	Nunn
Ford	Kennedy	Pell
Glenn	Leahy	Proxmire
Hart	Levin	Pryor
Heflin	Matsunaga	Riegle
Hollings	Melcher	Sarbanes
Huddleston	Metzenbaum	Williams

NOT VOTING—8

Cannon	Mathias	Tsongas
Goldwater	Sasser	Zorinsky
Long	Stennis	

So the motion to lay on the table Mr. BRADLEY's amendment (UP No. 724) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the motion to table was agreed to.

Mr. WALLOP. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I know that the Senator from Arizona is to be recognized and that he has an amendment. Are there other Senators with amendments they would like to get in line here, so to speak, following the amendment of the Senator from Arizona?

UP AMENDMENT NO. 725

(Purpose: To express the sense of the Senate that the MX missile system should not be based in or near areas with high population density)

Mr. DECONCINI. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Arizona (Mr. DECONCINI) proposes an unprinted amendment numbered 725.

On page 28, line 19, insert the following:

The purpose of the MX missile system is to provide the United States with a survivable counterforce strategic weapons system to counter the growing technological and numerical advantages of the Soviet Union's strategic arsenal;

It is the sense of the Senate that basing the MX missiles in or near areas of high population density is inimical to the counterforce goals and other purposes of the MX missile system and unnecessarily exposes civilian populations to risk; and,

The Senate urges the Department of Defense to avoid high population density areas either for interim basing sites for the MX missile or in its selection of a permanent basing mode.

Mr. DECONCINI. Mr. President, there have been years of discussion and study over the proper and most effective method of basing the MX missile. The legislation before us today provides moneys to carry forth that study and evaluation process. President Reagan recently announced that his administration would move forward with a limited MX deployment while a final decision on the ultimate basing mode was made.

I must confess a certain disappointment that the new administration did not feel yet able to make a final basing decision. However, I also believe that it is critically important to the security of the Nation to deploy MX as rapidly as possible. If that means making do with an interim basing mode, then we should move ahead quickly.

However, I am greatly disturbed by some preliminary indications emanating from the Department of Defense that the interim basing of MX might involve using existing Titan sites located adjacent to densely populated areas. This seems to me, Mr. President, to be totally counterproductive.

The MX missile represents a new phase in American strategic thinking; a departure from the concept of mutual assured destruction which relied almost solely on a countercity or countervalue strategy to deter Soviet aggression. In the years since MAD first came into prominence, we have discovered that the Soviet Union not only believes that a limited nuclear war is possible, but has constructed a nuclear arsenal based upon that assumption.

Because the Soviets are building a strategic force capable of waging a counterforce nuclear war—that is, an attack limited to military targets which specifically exempts civilian populations centers—the United States is forced to deal with that possibility. Not to do so would subject our Nation to nuclear blackmail. The MX missile, thus, serves two interrelated purposes.

First, its great accuracy and payload make it an ideal weapon to target against hardened Soviet military targets.

Second, its basing mode should make it either capable of withstanding a first-strike or so costly in terms of an expenditure of Soviet missiles to eliminate it that it is effectively survivable.

Logic dictates that in basing the MX we should not sacrifice either of these capabilities. Unfortunately, if the MX is based adjacent to urban areas, its effectiveness in bringing the United States into a new strategic era will be almost entirely undermined. By basing it—even on an interim basis—next to cities, we insure that a counterforce exchange is automatically escalated into a countervalue or countercity exchange. And while no one wants to contemplate such awful scenarios, it must be done.

If the MX is to be housed on an interim basis in renovated existing silos, they should be located as much as possible in remote areas. It serves absolutely no purpose to locate them next to urban areas. Simultaneously, of course, it also exposes the inhabitants of those areas to potentially greater danger. In the event that a catastrophe should occur, we must be mindful to take steps in our planning to minimize the total number of casualties.

My amendment which is structured as a sense of the Senate resolution is simple. It merely urges the Department of Defense to take this important factor into account and to develop basing modes for the MX—interim and long term—which are as removed as practicable from high density population areas. It is not binding, but it does provide some guidance from Congress to the Pentagon planners. Clearly, if overwhelming technical considerations dictate that the MX must be based near urban areas, then my amendment would not prevent this from being done.

Mr. President, I hope the managers of the bill will accept this amendment,

because I do not believe it is anything to which anyone can violently object.

The area of some of the Titan missile silos has grown very rapidly, and we find them in very densely populated areas. There are alternatives for the basing of these missiles, and this sense-of-the-Senate resolution would instruct the Pentagon planners to give this careful consideration.

In the case of the Titans, they are to be removed, as indicated, by the Department of Defense and the Secretary of Defense; and if other missiles are to be placed there, it seems to me that the consideration of the population density should be paramount in any such decision.

I yield to the Senator from Alaska.

Mr. STEVENS. Mr. President, my good friend from Arizona does have an interesting amendment; but if the same rationale applies to strategic systems, I do not know what any President, as Commander in Chief, could do to deploy our systems and to maintain the options that are necessary.

Not only do we have the Titan silos under study, but also, we have the whole question of the MX.

I understand the Senator's interest, from a geological point of view and a geographical point of view, as he well knows, because of my own personal knowledge of the area in which he lives; but there is no way we could agree to take this amendment to conference. It would yield, I am afraid, to additional restrictions upon the Commander in Chief in terms of deployment of our strategic arsenals.

I hope the Senator will not press the amendment. It is a sense-of-the-Senate amendment. This is really not a proper place for the amendment. If we want to have a debate on a sense-of-the-Senate resolution dealing with the whole question of counterforce and strategy concepts, I think we should do it another time. It is not technically legislation on an appropriation bill. It is just a sense-of-the-Senate amendment.

Mr. DECONCINI. Mr. President, will the Senator yield?

Mr. STEVENS. I yield.

Mr. DECONCINI. I say to the distinguished Senator that when the Titan missiles were deployed, it was 19 or 20 years ago, and at that time it was the policy of the Pentagon obviously not to place them near populated areas. With the growth of many of these areas, we see a change—not in the decisions of the Defense Department but in a population decision, in a geographic location. The statistics have altered what now exists—our populated centers with these missiles nearby.

And my amendment is not a mandate. I am not trying to step into the decision process that that requires and I thought about that because many people in the State that this Senator represents feel very strongly that they want to be strong and supportive of national defense and a new missile system, but they also have some real concerns when there are alternatives and there are many alternatives that are yet to be formally decided by the Defense Department for the deployment of the MX.

In the case of southern Arizona we are talking about an immediate population area of over 500,000 people. Some of these Titan missile bases now border on the city limits. They are surrounded by subdivisions and schools and there are areas that these MX missiles could be placed in in either the Minuteman II silos or perhaps Titan silos that are not near populated areas. All the ones in Arizona are in fact, with the exception of three, very near populated areas and those that are not are within 10 or 15 miles.

I just cannot quite agree with the distinguished Senator from Alaska that this is an area that we should be involved in unless we are going to have a big debate about counterforces and what have you.

So I am prepared to vote on the amendment, and I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second on the request for the yeas and nays on the amendment?

There is a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. Mr. President, I move to table the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the amendment of the Senator from Arizona.

On this motion the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from Arizona (Mr. GOLDWATER) and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

Mr. CRANSTON. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Louisiana (Mr. LONG), the Senator from Tennessee (Mr. SASSER), the Senator from Mississippi (Mr. STENNIS), the Senator from Massachusetts (Mr. TSONGAS), and the Senator from Nebraska (Mr. ZORINSKY) are necessarily absent.

I further announce that, if present and voting, the Senator from Tennessee (Mr. SASSER) would vote "nay."

The PRESIDING OFFICER (Mr. HAYAKAWA). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 57, nays 35, as follows:

[Rollcall Vote No. 433 Leg.]

YEAS—57

Abdnor	Glenn	Nunn
Andrews	Gorton	Packwood
Armstrong	Grassley	Percy
Baker	Hatch	Pressler
Bentsen	Hatfield	Quayle
Biden	Hawkins	Roth
Boschwitz	Hayakawa	Rudman
Byrd, Harry F., Jr.	Heinz	Schmitt
	Helms	Simpson
Chafee	Hollings	Specter
Cochran	Humphrey	Stafford
Cohen	Jepsen	Stevens
D'Amato	Kassebaum	Symms
Danforth	Kasten	Thurmond
Denton	Laxalt	Tower
Dixon	Lugar	Wallop
Domenici	Mattingly	Warner
Durenberger	McClure	Weicker
East	Murkowski	
Garn	Nickles	

NAYS—35

Baucus	Exon	Melcher
Boren	Ford	Metzenbaum
Bradley	Hart	Mitchell
Bumpers	Heflin	Moynihan
Burdick	Huddleston	Pell
Byrd, Robert C.	Inouye	Proxmire
Chiles	Jackson	Pryor
Cranston	Johnston	Randolph
DeConcini	Kennedy	Riegle
Dodd	Leahy	Sarbanes
Dole	Levin	Williams
Eagleton	Matsunaga	

NOT VOTING—8

Cannon	Mathias	Tsongas
Goldwater	Sasser	Zorinsky
Long	Stennis	

So the motion to lay on the table Mr. DECONCINI's amendment (UP No. 725) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the motion to lay on the table was agreed to.

Mr. BAKER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SCHMITT addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

VIPER

Mr. SCHMITT. Mr. President, the committee in its report has addressed the concerns which have been expressed over the time about the Viper program. I want to mention the outstanding efforts of Senator RUDMAN in this matter.

This program has encountered problems, major cost increases and delays in schedule. In the past, the committee has refused to allow the Army to proceed with production due to these problems.

On July 8, 1981, six members of the Appropriations Committee wrote to General Meyer urging the Army to conduct a competitive analysis of comparable systems which are currently available or could be available in the very near term. To date the Army has not conducted such analysis to the satisfaction of the committee. I ask unanimous consent that the letter to General Meyer be printed in the RECORD.

The letter has been signed by Senators STEVENS, RUDMAN, PROXMIRE, D'AMATO, ANDREWS, and myself.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
Washington, D.C., July 8, 1981.

Gen. E. C. MEYER,
Chief of Staff, U. S. Army, The Pentagon, Washington, D.C.

DEAR GENERAL MEYER: The preponderant advantage in battlefield armor enjoyed by Soviet and Warsaw Pact forces unquestionably represents a significant challenge to Western security objectives in Central Europe. Efforts to modernize U.S. and allied armored capabilities and upgrade those systems designed to counter or neutralize this threat have met with varying degrees of success. In the area of light anti-armor capabilities, however, concern has been raised about the adequacy of our modernization programs, particularly with respect to the cost-effectiveness of systems under development and their ability to meet or exceed the performance criteria originally established.

In this regard, we wish to express our deep concern over the developmental problems experienced by the Army's Viper anti-tank rocket system. Testimony before the Defense Appropriations Subcommitee has led to dis-

turbing questions about Viper's recurring technical defects and unbridled cost escalation, problems which compound the substantial slippage in its IOC date even as the Soviet threat expands. Doubts about Viper's suitability as a replacement for the LAW system (initially fielded in 1962) have grown accordingly.

With respect to cost, the Army testified last year before the House Defense Appropriations Subcommittee that each Viper round could be purchased for $308. The per-round cost estimated cited this year is $619, and some cost projections hover in the $800–$1000 range, if and when Viper enters the production stage. Total program costs are now anticipated to be approximately four times greater than originally predicted.

Reflecting this concern, House-Senate conferees on the FY 1981 Supplemental Appropriations bill agreed to add report language which placed stringent restrictions on the Army, requiring prior Congressional approval from both the House and Senate Appropriations Committees before a production contract on Viper could be signed. This measure underscored the conferees' fear that the Army would make a "premature and unjustified" decision to field Viper before all mechanical deficiencies had been satisfactorily resolved and program costs brought under control.

We understand that the Viper anti-tank rocket is designed to be the infantryman's weapon of last resort against the battlefield armor threat. As such, we were distressed by the findings of the General Officer In-Process Review of December 1980, which highlighted Viper's shortcomings and fueled additional skepticism about the system's adequacy to perform the light anti-armor role. More recently (March 1981), a Viper round exploded on its gunner and all testing was temporarily suspended.

The significant improvements which Viper was touted to incorporate over the LAW system are still highly problematical. Indeed, test results since 1975 support the conclusion that Viper will be unable to achieve its original battlefield mandate. For example, it is our understanding that, contrary to initial performance specifications, a Viper system deployed today would have virtually no chance of penetrating the frontal armor of a Soviet T–72 tank sufficiently to ensure a "kill." Moreover, the anticipated vast reduction in the firing signature (i.e. noise, flash, smoke, overpressure, etc.) which would disclose a gunner's position to adversary forces has failed to materialize. It has been reported to us that Viper's signature even exceeds that of the LAW system. Yet even with this performance record and an apparent relaxation of the requirements which would qualify Viper for preliminary production, we understand that overall Viper costs will be approximately five times greater than those of the system it would ostensibly replace.

At the same time that the Army has experienced ongoing difficulties with the Viper development program, several of our allies have made substantial progress with their own anti-tank weapons. For example, systems such as West Germany's Armbrust, which has been in production since 1978, may offer a potentially more cost-effective alternative for light anti-armor missions according to the operational requirements which the Army has itself defined. We understand that efforts have consistently been made over the past three years to generate interest within the Army to test this system pursuant to determining its adequacy for this critical role.

In view of the significant advances achieved by some of our allies in the field of light anti-armor weaponry, we strongly urge you to conduct a competitive analysis of systems such as Armbrust which might respond more effectively to the threat confronting our forces. Although it is essential that the Army and other military services be permitted sufficient latitude to develop new weapon systems, we likewise believe that sound procurement policies and a prudent sensitivity to cost growth warrant the testing of alternative foreign systems whose operational capabilities for a given mission may surpass those of U.S. prototypes.

The Army's paramount obligation is to provide our combat troops with the most reliable and technically proficient systems at affordable prices. We sincerely hope the Army will take due account of this verity throughout the remainder of the Viper development program.

We would appreciate receiving a full report from you on all issues affecting this program. Thank you for your attention to our concerns.

Sincerely,

TED STEVENS,
HARRISON SCHMITT,
ALFONSE M. D'AMATO,
WARREN B. RUDMAN,
WILLIAM PROXMIRE,
MARK ANDREWS,
U.S. Senate.

Mr. SCHMITT. Recognizing the need for a new, light antiarmor weapon for the Army at this time, the committee has provided production funds for Viper in this bill. It has also included language approving the use of fiscal year 1981 funds for production of Viper. This approval, however, does not indicate that the committee is no longer concerned about the problems encountered in this program, nor has the committee's desire for a full competitive analysis of alternate systems diminished.

The report language specifically directs the Army to commence testing of all available light antiarmor systems, foreign and domestic beginning within 90 days of contractor notification of availability. The results of such tests shall be reported to the Appropriations Committees of the House and Senate within 60 days following completion of the tests. This language provides for initial production of Viper and, at the same time, it meets the concerns of the committee in finding the best available light, antiarmor weapon at the best cost.

This Senator, however, did have a concern whether the Army would, in fact, comply with the report language since the Army has refused in the past to conduct a shoot-off of any competing systems of Viper. As a result of this concern, I was in contact with the Army and expressed these concerns to them. The Army has assured me that they intend to comply with the report language. In a letter dated November 30, 1981, Assistant Secretary of the Army J. R. Sculley assured me of the position of the Army on this matter. I ask unanimous consent that Secretary Sculley's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE ARMY,
OFFICE OF THE ASSISTANT SECRETARY,
Washington, D.C., November 30, 1981.

Hon. HARRISON H. SCHMITT,
Committee on Appropriations, U.S. Senate, Washington, D.C.

DEAR SENATOR SCHMITT: The United States Senate Committee on Appropriations Report No. 97–000, Department of Defense Appropriation Bill 1982, expresses concern over the VIPER program and provides specific language for the Army to commence testing all available light anti-armor systems, foreign and domestic, beginning within 90 days of contractor notification of availability and expression of desire to test and that the results of all such tests shall be reported to the Appropriations Committee of the House and Senate within 60 days following completion of the individual tests.

The Army shares the Committee's interests and concerns that the most cost effective system must be selected to provide a quality weapon for our soldiers. The Army is prepared to implement the Committee language.

The conduct of a comprehensive test and evaluation program involves the selection of candidate system, development of test standards and plans, appropriate and equitable contractual arrangements with the foreign/domestic participants, and actual testing and analysis. Currently, the Army is only in the initial stages of developing plans and procedures for the envisioned program. Funding requirements have not yet been budgeted but will be developed after the program is structured.

Subsequent to determination of the final Conference report language, the Army will proceed to develop an estimate of the test effort, as well as the associated funding required. We will keep you informed of our progress and funding requirements and would seek your assistance in resolving the funding associated with the test program.

Sincerely,

J. R. SCULLEY,
Assistant Secretary of the Army (Research, Development and Acquisition).

Mr. SCHMITT. It is this Senator's understanding that the Army shall develop plans and procedures for the competitive analysis and report to the Committee these plans as well as any costs involved for the analysis. It is also this Senator's understanding that the Army will not attempt to change the committee's language during the House-Senate conference on this bill.

Again I want to recognize the outstanding efforts of the Senator from New Hampshire on this issue. It is extremely important. It is particularly related to the general philosophy of trying to match Soviet armor tank for tank or personnel carrier for personnel carrier; we will make those systems as obsolete as we possibly can through the use of modern antitank and antiarmor weapons.

Mr. RUDMAN. Mr. President, I want to say briefly that I thank the Senator from New Mexico for adding what I think is a very constructive addition to the language that we had already worked with in our report. I think it is vital that the Army proceed with these tests and not spend enormous amounts of money for weaponry that may be obsolete in the near future. I am delighted that this is now part of the record. I am sure this will mean that the Army will have a better weapon when these competitive tests are completed.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UP AMENDMENT NO. 726

(Subsequently numbered amendment No. 643.)

(Purpose: To provide funding for increased Army and Air Force active strength levels)

Mr. HOLLINGS. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

The Senator from South Carolina (Mr. HOLLINGS) proposes an unprinted amendment numbeerd 726.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Beginning on page 2, line 1, strike out through line 12 on page 3, and insert the following:

"TITLE I—MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; $14,130,781,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; $10,453,767,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); $3,151,526,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; $11,730,381,000."

Mr. HOLLINGS. Mr. President, I ask unanimous consent that my staff, Mr. Mike Joy and Mr. Bob Sneed, be granted the privilege of the floor during consideration of these two amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLINGS. Mr. President, for the distinguished manager of the bill and others who are interested, this is the bill relative to the Army and Air Force end strengths. I am adding some $77 million to the bill for the purpose of restoring the end strength cuts made in the Army and the Air Force.

The original request, Mr. President, and program called for total manpower levels of 786,000 personnel in the Army and 586,800 in the Air Force. These levels were reduced in an effort to effect so-called defense savings in the fiscal year 1982 budget and represents, Mr. President, part of the much publicized agreement reached in August between Mr. Stockman and Secretary Weinberger.

Right to the point, Mr. President, the President has asked for this particular manpower level in March that I am seeking to restore. And right to the point on this particular manpower level, I say to the Senator from Virginia, who has been a leader in the realm of the manpower and full strength for both the Army and the Air Force, these are the levels attested to by the Secretary of Defense before the Senate Appropriations Subcommittee—stating that we are now trying to flesh out the rapid deployment force and it would take, over a 5-year period, an additional 100,000 personnel.

What they actually represent, these levels—the 780,000 level in the Army, for example—is a reversal of a manpower policy and a defense posture that had been carefully considered as a minimum force necessary to man our Armed Forces and meet our commitments worldwide.

In the spring of the year, Gen. Edward C. (Shy) Meyer, Chief of Staff of the U.S. Army, announced a plan to flesh out what he termed the hollow army. This plan involved adding to the force structure four divisions—two Active and two Reserve. This would have brought our total strength to 18 active divisions—we currently have 16, Mr. President—and 10 Reserve divisions—we currently have 8—for a total of 28 divisions. That is 28 proposed divisions, Mr. President, to meet the threat of the Soviets.

Mr. President, while we were to have the 28 proposed divisions, the Soviet threat currently is one of 173 divisions. Admittedly, of course, our divisions number some 17,000 and their's is a lesser amount of around 12,000. But their 173 divisions total approximately 1,825,000 men. We have now proposed, in the defense appropriation bill, 780,000. In other words, 6,000 were cut in the defense appropriation version that is now before the Senate from the Army and some 6,000 from the Air Force.

Mr. President, when General Meyer unveiled this plan, it was much ballyhooed by those in the administration as providing a signal that we meant business. That signal, however, was short-lived because, by late summer, the four-division increase began to look like a one-division decrease, or a swing of five divisions in 5 months.

What kind of signal was that, Mr. President? What sort of determination does that demonstrate?

For example, the Senator from Ohio (Mr. GLENN) will soon offer an amendment relative to steaming hours in the Indian Ocean. Here we are trying to put on a front. We have strong talk, but rather than following through, as many of us have begged and prayed and hoped for over so many years, that is what is finally going to occur under the leadership of President Reagan, is a setback on readiness and we will have a cutback on the steaming hours in the Indian Ocean. We have withdrawn one aircraft carrier. We have backed down on the equipment. And now on the manpower proposal, at the last minute, even though they are still testifying for it—still testifying for it in November—it is cut back by some five divisions. Why in Heaven's name, one would ask, would you pick that method of cutting the budget?

My answer is in how the defense dollars are spent. Procurement dollars are spent at a rate of about 20 cents a year. Actually, in the first year, you can put in quite a bit of procurement dollars, and they have a minimal effect on the budget—8 cents of the procurement dollar to be expended in the first year. But in order to get a dollar-for-dollar reduction, you really have to go to manpower. In procurement, to get $1 reduction, you must cut five. In operation and maintenance or manpower dollars, they generally spend at a ratio of nearly one to one.

Therefore, the easy way, when you get into the dispute between the budgeteers and the need for national defense and national security—the easy way to effect budget cuts is to cut the programs which not only have the highest spend-out rate but also have little or no constituency.

Let us face it: Operation and maintenance is not manufactured in any State. Readiness, drilling, training, firing the guns, the weaponry, ammunition—those kinds of things do not have a State or district. If the manpower cuts do not result in a base closure, then who's to care? That is exactly the situation we have.

In 1964, pre-Vietnam, our military manpower stood at 2.6 million. In 1964, we had approximately 972,000 Army personnel, as indicated in a table I will have printed in the RECORD. And in 1960, for example, we had 871,348 in the U.S. Army. That is when we even had the missile gap; the end of Eisenhower; the beginning of Kennedy. Everyone was laid back. We were having world peace. There were no problems. I think they found two little islands to fuss about, called Quemoy and Matsu. The Senator will remember those. We had a more powerful Army, and the threats were far less than today.

In fact, in 1962, the Army had an authorized strength and a full complement of about 1,164,000. Now, we are down to the 780,000 level.

As the prophet Paul said in his letter to the Corinthians:

If the sound of trumpet be uncertain then who shall prepare himself to the battle?

This defense budget has been characterized by that uncertain trumpet.

We are legislating here in the absence of a 5-year plan, without a clear sense of direction and with a vacillating force structure.

Senators have been concerned, and we can see the great number of amendments hitting the floor relative to readiness. Our distinguished chairman of the Senate appropriations subcommittee, the Senator from Alaska (Mr.

STEVENS), generally speaking, has done an outstanding job. He tried his best to fill up the particular commitments we had, and we worked closely, but then we never did get a 5-year plan from the Defense Department. They would never come forward with that green book, the procurement annex, so that we could look and find, as appropriators on the Appropriations Committee, exactly where we were headed.

In contrast to that, having given clear signals all during the early part of the year and in the summer about increases in defense, what they then began nibbling away at was readiness and our manpower.

The highly touted fleshing out of the hollow army is now dismissed by the Defense Department with the following two sentences. All you have to do is look at the DOD green book, to get into its lingo. We have a green book entitled "Highlights of Fiscal 1982 Budget Revisions, June of 1981 and September of 1981, with Strategic Program Changes."

I quote from the book:

Activation of new units planned during FY 1982 will be delayed to reflect revised phasing of Army's manpower program. Deactivation of a separate brigade is also planned.

For those of you who have difficulty with Pentagonese, as I do, let me provide a translation. In plain English, what that means—and the distinguished Presiding Officer, the Senator from California (Mr. HAYAKAWA), likes these interpretations, having been a college president—is less capability. That is exactly what that Pentagonese means.

How does the Air Force plan to meet its reduction in planned end strength? I quote from the same document:

In addition, the amended budget anticipated an increase in the standards used to determine manning of specific units. We now plan to phase in the increased standards beginning in FY 1982 with full implementation by 1985.

I say to the Senator from New Hampshire that that requires no translation. That simply means lower standards. That is Pentagonese for delay or lower standards.

So the crux of the issue is that we are asked to reduce end strength, resulting in less capability and lower standards.

Does the majority leader want to obtain a time agreement for voting on this amendment? I have another amendment relative to ammunition, on which I can present the argument this evening, and we can have a rollcall vote tomorrow. Is that the wish of the distinguished majority leader?

Mr. BAKER. I thank the Senator for yielding to me. I think we are on the brink of getting an agreement to stack votes. We are not ready yet.

I express my appreciation to the Senator from South Carolina for his cooperation tonight.

What I am trying to arrange with the minority leader and other Senators is to have three or four amendments debated tonight and stack them tomorrow, with the votes to occur at 10 o'clock in respect to those amendments.

I might say that there will be motions to table, I am sure, against all or part of the amendments. The request I make will be with relation to the amendment rather than voting on the amendment.

Mr. HOLLINGS. The Senator mentions motions to table. I would not show my hand that way.

Mr. BAKER. I find that if I say these things today, I do not have to worry about them tomorrow.

Mr. HOLLINGS. I understand. I will continue.

Mr. BAKER. Will the Senator continue?

Mr. HOLLINGS. Mr. President, I am offering an amendment which I say would add $77 million.

There are further compelling reasons why the amendment to increase active strength level should be supported.

The proposed reductions in active end strength would severely compromise the need to develop the rapid deployment force that is so important in protecting U.S. interests outside the NATO region.

Any cut in the Army and Air Force manning levels can mean only one thing, nonsupport for the rapid deployment force concept or the belief that U.S. interests outside of NATO are of a very low priority.

I wish to recite that phrase just one more time for emphasis because everyone watches the United States. Cutting the Army and Air Force end strengths would mean either the nonsupport for the rapid deployment force concept or the belief that U.S. interests outside of NATO are of very low priority.

We have all kinds of movements of peoples and populations and countries and commitments. And, over in Europe we have seen the recent move relative to the peace movement as a result of our delays actually in engaging in the strategic arms reduction talks. We also could mislead and alarm people unnecessarily by this particular phrase in this particular cut in the Army and Air Force manning levels. If we cut forces, it means nonsupport of the rapid deployment force concept or the belief that the U.S. interests outside of NATO are of very low priority. Let us not go back on our commitments.

We need to build and maintain a credible rapid deployment force. We do not have anything out there now but an aircraft carrier and some very brave sailors and pilots and a few folks manning an AWACS in Saudi Arabia. But other than that, there is really no rapid deployment force and it has not approximated one. We have been cutting back ever since the beginning of this particular administration, although it was my belief that under this administration we were going to finally flesh out our defense hollowness.

Building and maintaining a credible rapid deployment force—I emphasize "credible"—without cutting back on NATO commitments will require an increase of roughly 100,000 troops to the active end strength of our forces.

That can best be done over a 5-year period. But that add-on is for the Air Force and the Army only. At this time we do not have the requirements included in this debate necessary for the Navy and for the Marine Corps, since the DOD has so much trouble getting its act together to define them.

But, here Secretary Weinberger is cutting 12,000, rather than commencing with the RDF. This exercise is almost like the budget process. No one could balance the budget this year. But at least we wanted to aim it in the right direction toward lesser or smaller deficits.

No one can put in the 100,000 troops overnight without a draft. But at least we could put in these nominal increases rather than cutting back the brigade and closing down Fort Ord and other things of that kind like taking a brigade from the readiness disposition over in NATO.

This increase in end strength must be accomplished in order to provide the required active support of the Rapid Deployment Force.

Combat strength of the active forces, if the RDF is constructed in a balanced manner, might have to be increased by at least one air mobile and possibly an additional mechanized division to insure the present NATO force balance once the RDF is committed. Five-year acquisition and personnel costs for this increase could range up to $10.2 billion.

Mr. President, should the size of the RDF increase as Secretary Weinberger proposed in his testimony before Congress in September we might possibly add another two Army divisions, one mechanized and one infantry, with their required support increments. These 5-year costs would be approximately $9.4 billion.

In addition, a minimum of four tactical fighter wings may be required for the Air Force to maintain the current Soviet-to-NATO combat aircraft ratio and still provide tactical fighter air support for the Rapid Deployment Force. The 5-year costs for increased air capability is approximately $5.6 billion.

I should emphasize that these additional forces are for the Air Force and the Army requirements only. As I have stated they do not include the Navy and Marine amphibious requirements. I do not believe anyone has a complete understanding of our amphibious needs at this time.

And it is a sad commentary over the entire Defense Establishment that while we are actually trying to make up an adequate budget to keep our commitments and maintain our national security that we cannot have the information since the Pentagon does not have it. You ask the Pentagon and they will not give it to you. But in this particular case we got a little bit of cooperation out of the Army in a roundabout way and we were totally stonewalled by the Air Force. They acted like I was a Communist or a member of the Soviet Senate or something else trying to increase the Air Force strength to the particular level.

If you want to see a clampdown, not discipline, but lock-jawed government and a lock-step group that headed off not knowing where they were going because they cannot tell you, you ought to

see the Pentagon today and the administration today and my Republican majority, I say most respectfully, today. They have already said, "Go ahead and make your arguments. There will be motions to table," because we do not believe, I guess, in readiness. "We have enough of our readiness and we are not going to consider what you think may be necessary for readiness."

Mr. BAKER. Mr. President, will the Senator yield?

Mr. HOLLINGS. I yield.

Mr. BAKER. With great regard and due respect to the translation of the Senator from South Carolina I respectfully suggest that is not an exact translation of what I said. What I said was, as I recall it, that if we got an agreement to stack these votes the agreement would be in such a form that tabling motions might be made.

Mr. HOLLINGS. Oh, might be made.

Mr. BAKER. They will not be bound to vote on the amendments. Obviously if the weight and burden of the logic stated by the Senator from South Carolina is so irresistible that we find we should vote on the merits I am willing to do so. But I thought it best to advise the Senator from South Carolina at least to the remote prospect that we are going to table it.

Mr. HOLLINGS. I thank the distinguished majority leader. I understood him to say that motions to table would surely be made. But I appreciate that clarification and I will continue with what I hope may be some persuasion because this is taken in all seriousness.

We had to take on our last President. Those interested in manpower will remember how they had the *Nimitz* incident where on Memorial Day we had the Commander in Chief meet there and say we were going to have increased pay. He said how terrible a thing it was that they were only getting paid as much as a cashier at McDonald's—at least I think that was the expression. That was on Sunday and by Tuesday morning with community leaders he said that increases for defense for pay were robbing social programs.

So we are not talking in a partisan fashion, but we continue in the struggle that the distinguished Senator from Georgia, Senator NUNN, and many others have been making over the years to put reality and credibility in our force structure, in our national defense.

Now, Mr. President, the costs for real U.S. commitment to the development and maintenance of a rapid deployment force capability and thus a commitment to its interests around the world will be substantial. At a minimum we may have to spend $20 billion over and above the budget projections of the Department of Defense, and these costs exclude our amphibious needs. The commitment to the rapid deployment force means more and, I say again, more Army and more Air Force personnel, not less.

While I favor getting started right now in enhancing our capability, I realize we cannot add today all the personnel and equipment needed to fully complement the rapid deployment force.

We must have a 5-year program to do so.

Mr. President, this amendment to increase our active strength keeps us on the track for showing our resolve in this matter. To accept the personnel cuts proposed in the bill weakens our credibility significantly.

Mr. President, I refer to one other matter because I understand there will be debate on another amendment, and I do not know that many of my colleagues would join issue to any extent, and I do not want to be cut off. I want to emphasize the particular situation with respect to end strength.

For example, I have already pointed out pre-Vietnam in 1960, for example, 871,000 rather than the 780,000; in 1962 1,064,647 in the Army rather than 780,000. I am going to ask unanimous consent that we include in the RECORD a table which has the Army actual strengths between 1960 and 1982, and the authorized strengths for both the Army and the Air Force for the last 10 years.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

ARMY AND AIR FORCE END STRENGTHS

	Army		
	Actual	Authorized [1]	Air Force [2]
1960	871,348	----------	----------
1961	856,853	----------	----------
1962	1,064,647	----------	----------
1963	974,070	----------	----------
1964	971,384	----------	----------
1965	967,049	----------	----------
1966	1,197,468	----------	----------
1967	1,440,120	----------	----------
1968	1,567,900	----------	----------
1969	1,509,637	----------	----------
1970	1,319,734	1,325,000	----------
1971	1,124,000	1,124,000	----------
1972	811,000	811,000	721,000
1973	801,000	801,000	687,000
1974	783,000	783,000	637,000
1975	784,000	784,000	608,000
1976	779,000	779,000	581,000
1977	782,000	782,000	566,000
1978	771,000	771,000	565,000
1979	758,000	[3] 759,000	555,000
1980	777,000	777,000	554,000
1981	781,000	780,000	566,000
1982	780,000	780,000	580,800

[1] Actual and authorized strengths were identical, 1960–69.
[2] Air Force authorized and actual end strengths are approximately the same.
[3] Original authorized level of 776,000 was revised downward to 759,000.

Mr. HOLLINGS. I thank the distinguished Presiding Officer.

In 1979 we had an end strength authorized at that particular time of 776,000. Now you will see that the Army was some 18,000 shy at 758,000.

If you want to see what they really did just before the 1980 election, trying to balance the budget and cut back savings dollar for dollar, on the one hand, and trying, on the other hand, if you please, Mr. President, to give the unwarranted credibility to the volunteer army by saying that we met the end strength, when it was 776,000. But, they changed the numbers. David Stockman is no innovator. Actually Secretary Clifford Alexander of the Army led the way in putting in different figures into the computer so the actual and authorized strengths were nearly the same—not 18,000 apart.

Now, when David Stockman started in January and it came out with a $40 billion deficit, he said:

I just went to the computer and changed the figures we put in and got what we wanted.

Well, history will show that Secretary Alexander led the way in 1979 with the Army's end strength figures. He put into the computer 759,000 as the revised end strength. This revised it downward.

Then we look at the statement of the distinguished writer regarding military personnel matters, Charles C. Moskos, in his article "The Force Levels of the Volunteer Force," and quoting from him:

The Gates Commission "estimate" was not achieved and, indeed, was a gross economic miscalculation. In 1972, the year preceding the all-volunteer force, the total active-duty strength stood at 2,323,000. The startling trend, the one which has not received much public attention, however, is the gradual but consistent decrease in the year-by-year level of military personnel under the all-volunteer force from an active-duty strength of 2,253,000 in 1973. The force stood at 2,069,000 in 1978 and was scheduled to be further reduced to 2,049,000 in 1979.

In brief, under the all-volunteer concept the active-duty force has been reduced by 204,000 personnel in the period between 1973 and 1979. There is reason to believe that although pressure to reduce force levels will continue, the breaching of the 2 million figure will generate intense political debate. Over the short run, because of lowered manpower goals and the dramatic increases in military pay, the armed forces have been able to "make the volunteer force work." In addition they have been assisted by high levels of youth unemployment and the new emphasis on recruiting and utilizing women.

Of course, there is no disparagement of women here. But we really wanted to take a hollow army and get to the cutting edge. And we were going to have what we talked about as more readiness and less quartermaster and equipment of that kind of support and more force levels. And, if you want to get right down to the particular point, we really have got about 10 percent of the force level structure being female.

So, yes, the All-Volunteer Force is making it with respect to the unemployment; making it with respect to the adequate pay levels initiated by the Nunn-Warner amendment, and making it by supplementing and having what we call our manpower, also our female power, which is outstanding in its own right, but not in the combat nature of a rapid deployment force in the Persian Gulf or the frontline at NATO.

With that having been said, Mr. President, I yield the floor.

Mr. BAKER. Mr. President, I am almost prepared, I think, to offer a unanimous-consent request with one last item to be checked with the minority leader. But it appears at this time there will be no more votes this evening. I am prepared to say there will be no more record votes tonight.

The agreement I will propose, if it is cleared, is that there be 20 minutes of debate on these two amendments, 10 minutes on each amendment to be equally divided to begin at 9:40 in the morning, and the rollcall votes to occur

back to back in relation to the amendments at 10 o'clock tomorrow.

As I say, final clearance, the final clearance process, is being completed at this time, and if it survives that clearance process, I will make the request shortly.

Mr. HOLLINGS. Mr. President, does the distinguished majority leader intend, when he says back to back on the manpower amendment and the ammunition amendment to follow, that we would have 10 minutes on either side commencing at 9:40?

Mr. BAKER. I suppose I would add the first vote be 15 minutes and, as we frequently do, the second back-to-back vote will be 10 minutes.

Mr. HOLLINGS. I could put down the argument, then relative to the ammunition amendment?

Mr. BAKER. If the Senator from South Carolina would be agreeable we can stay in session so that the bulk of that debate can be conducted yet this evening.

Mr. HOLLINGS. Very good.

Mr. RUDMAN. Mr. President, the Senator from South Carolina has made some very compelling points, but I think there are a few that have been overlooked. First, the authorization was set by the Armed Services Committee. The bill came on the floor and no amendment was offered at that time changing end strength. The pay bill came on the floor and no amendment was offered at that time.

The present bill before us increases Air Force strength by 10,500, in accordance with their request. It keeps Army strength static, which also was the Army's request. As a matter of fact, the authorizing committee made those reductions at the request of those services.

Of course, the argument has been made here today and has been made many times before that the end strength of the services has been declining. That is obviously true. But that statement has to be taken in measure with the times at which that end strength was higher.

The fact of the matter is that generally, with increased use of technology by the armed services, the total forces, as we might have experienced in Vietnam, the Korean war and, certainly, in World War II, have been declining and probably will continue to in a number of areas.

The committee feels that $209 billion or $208.8 billion contained in this defense appropriation bill is a rather high state of readiness. One might debate where these funds might go, but the fact is that the Armed Services Committee held hearings, had discussions with the services and, in fact, came out with these strengths.

So, unfortunately, although I often find the Senator from South Carolina and his logic irresistible, I do not find it irresistible on this particular argument.

I understand that we will stack votes tomorrow and thus, Mr. President, I am going to in respect to the vote coming tomorrow move to table this amendment at this time.

Mr. BAKER. Mr. President, if the Senator will withhold that for just a moment.

Mr. RUDMAN. I withhold.

Mr. BAKER. What I would like to do is to make sure we exhaust debate this evening on two amendments and then make the tabling motion, if indeed there is a tabling motion, prior to the hour of 10 o'clock tomorrow. In that way we can still provide limited time for debate in the morning that I mentioned earlier.

Mr. RUDMAN. I withdraw that.

Mr. HOLLINGS. Mr. President, the distinguished Senator from New Hampshire has done an outstanding job and is most experienced in the defense field, and I have the highest regard for him. I would only counter by stating that necessarily—and the staff would point this out—there is no authorizing amount for funds associated with military personnel levels.

You put in the military personnel account dollars and those dollar amounts would include pay and allowances, bands, travel, and everything like that, but the appropriation bill before us funds the military personnel accounts and that is what my amendment changes.

Now I was prepared, Mr. President, to present amendments of this kind in the Appropriations Committee. And our distinguished chairman was under a crunch to finish the bill. He did a magnificent job. I hated to see the abuse given to the appropriations process, when Senator HATFIELD led the way this year in streamlining, if you please, the appropriations process; actually melding together the relations between the Budget Committee and the Appropriations Committee so there were not hours on end of wrangle and disagreement that had been experienced before, because I have been on both the Budget and the Appropriations Committee.

We were ready, willing, and able, in early September, to debate and pass—and the RECORD will show that we were ready, willing, and able to pass—appropriations bills and it was at the request of the administration that we did not pass these appropriations bills.

Now, having responded to their requests, they now beat on the head of the disgraceful Congress. I saw the President on national TV. He said it was disgraceful the way we did business. Well, he is the one who authored the disgrace, I can tell you that, because he asked for it. He asked for it also on the budget, and we will get to that with respect to the budget resolution.

The Senator from Oregon had an MX amendment. I had one with respect to the *Iowa* battleship. I had others with respect to the attack submarine, the end-strength levels, the supply of ammunition and various ones. We all agreed we would take the bill to the floor under the pressure of time and get it to the floor so it could be debated and considered at that time.

So that is why I do not think we ought to look at the needs of our national security on whether or not we were prompt and diligent Senators at the authorizing level or at the appropriations level. The issue is now before the full body. It is one of the most important issues that we will ever confront, and that is readiness.

Everybody gets wound up. I have been asked 15 times about the B–1 amendment. Everybody gets interested. The B–1 encompasses $40 billion—and the B–1 encompasses 135 contractors. And that means the B–1 encompasses 135 constituencies, and there are all kinds of forces and movements around interested in a large amendment of that kind.

But where is there something for readiness? Who is going to argue manpower and strengths to flesh out our forces or who is talking to our posture in NATO when they our allies do have a draft and they do have readiness and they do have a commitment?

On the one hand, all you want to do is talk about nuclear war and how we will nuke them and we can have limited nukes and this and that and everything else. And when you come down and say if you move 1 inch further in the Gulf area that will mean war and get on national TV and then you actually pull the aircraft carriers out, you cut the steaming out, you cut the end strength, you do not flesh out what your own Chief of Staff calls a hollow Army.

Mr. RUDMAN. Will the Senator yield?

Mr. HOLLINGS. Yes, I yield.

Mr. RUDMAN. Did I understand the Senator from South Carolina to say that there was not an authorized end strength presently?

Mr. HOLLINGS. The appropriations bill does not have an authorized end strength. It has a funding amount.

Mr. RUDMAN. I may be incorrect, but I want to point out to my friend from South Carolina that the conference report and our report contains in section 401, 780,300 for the Army; 554,600 for the Navy; 192,100 for the Marine Corps; and 589,800 for the Air Force. It says that those are authorized strengths for active duty personnel as of September 30, 1982. I want to make that observation. I believe that is the law and would be the law if this bill were adopted.

Mr. HOLLINGS. Not necessarily. The authorization bill has an end strength. And that is difference. I had to learn the same thing.

But the bill before the Senate itself does not have an end strength. And the only way to effect that, of course, is the amount itself. And it has been complied with before.

In fact, we had cuts in the end strength and had a similar debate just a couple of years ago relative to a 25,000 manpower cut in the end strength of the Army.

Be that as it may, the substance of the issue before the body is, will we actually put meaning and credibility to the rapid deployment force? Will we flesh out what the Chief of Staff calls a hollow Army, or will we go in the other direction?

We thought, under President Reagan, we would start increasing. I am saddened to see these cuts and decreases, particularly at this time.

Mr. BAKER addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. BAKER. Mr. President, I believe the request I am about to make has now been cleared by the minority leader.

Mr. President, I ask unanimous consent that after debate is concluded on the Hollings amendment dealing with manpower, the Senate proceed to the consideration of a second Hollings amendment dealing with armaments and that it be in order at this time, with one show of hands, to order the yeas and nays on both amendments and that the votes on those two amendments be postponed until tomorrow at 10 o'clock, to occur back-to-back, the first to be a 15-minute rollcall and the second to be 10 minutes. There will be votes in relation to these amendments, with the full expectation that there may be a tabling motion; and that, Mr. President, there be 10 minutes of debate, equally divided on each of the two amendments, to occur tomorrow beginning at 9:40 in the morning, and that the control of the time on the amendments under this order will be in the usual form.

I put that request, Mr. President.

Mr. HATFIELD. Mr. President, reserving the right to object.

Mr. GLENN. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. GLENN. Mr. President, would the majority leader be willing to put my steaming time amendment in there after those votes?

The PRESIDING OFFICER. The Senator from Oregon has been recognized.

Mr. GLENN. I am sorry. My apologies.

Mr. HATFIELD. Mr. President, reserving the right to object, I would ask that the majority leader not place that request before the Senate at this time and perhaps have a brief quorum call to discuss a few points.

Mr. BAKER. There is an ominous ring to the Senator's voice and a terrible look in his eye, Mr. President. Taking account of that, and the courtesy I owe him, I suggest the absence of a quorum.

Mr. STEVENS. Will the Senator withhold that request?

Mr. BAKER. Mr. President, I withhold the request for the time being.

Mr. STEVENS. Mr. President, in a prior discussion with the Senator from Georgia, I alluded to the problem of classification. We have now studied the record to which the Senator has referred us. I find that I was in error; that the Department of Defense had, in fact, used in open session a reference which the Senator has used. I was in error in indicating that that statement that was made by the Senator from Georgia had gone beyond the scope of classification. I regret that error.

Mr. NUNN. Mr. President, let me thank my friend from Alaska. He has a very difficult job in managing this bill. The classification on some of these programs, of course, is very sensitive. I have been very careful. I know he has been careful and I certainly appreciate him clarifying that for the record.

Mr. HOLLINGS. Mr. President, is it the desire of the managers of the bill, the majority leader or the distinguished Senator from Alaska, that I now commence the second amendment to save a little time?

Mr. BAKER. Mr. President, let me amend one part of my request. I ask unanimous consent that the first Hollings amendment be temporarily laid aside and that the Senate proceed to the second Hollings amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

UP AMENDMENT NO. 727

(Purpose: To provide funds to meet the Army's requirements for ammunition)

Mr. HOLLINGS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from South Carolina (Mr. HOLLINGS) proposes an unprinted amendment numbered 727.

On page 18, line 4, strike "$2,338,400,000" and insert in lieu thereof the following: "$2,486,400,000."

Mr. HOLLINGS. Mr. President, for the fiscal year 1982, the Army's stated requirement which went to the Department of Defense for ammunition hardware was for $2,138.1 million, but the budget request by the Department of Defense to the Congress for ammunition hardware was $1,976.6 million or the request was under requirements by the amount of $161.5 million.

The House appropriation allowance, Mr. President, for ammunition hardware is $2,088.5 million, whereas the Senate appropriations bill before the body here as reported, allows for an amount of $1,990.4 million. So the Senate appropriations for ammunition is $97.9 million under the House. The Senate appropriations under the requirement requested by the U.S. Army is $147.5 million.

Our amendment is to restore what the Army said it needed in the spring of the year. But, the requirements are geared to a 60-day war reserve requirement and I should emphasize to my colleagues that the Army's mobilization plans call for a 180-day supply. The shortfall in ammo needs are significantly under the 180-day supply.

I ask unanimous consent that there be printed at this point in the RECORD a table not only for the ammunition hardware requirements I have just stated verbally, but also for fiscal year 1982–86, the Army requirement for ammunition hardware in each of those years, plus the 5-year DOD plan, showing, of course, the difference between the plan under the requirements.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

ARMY AMMUNITION HARDWARE REQUIREMENT

	Amount (millions)
Fiscal year 1982	
1. Army stated requirements for ammo hardware	$2,138.1
2. Budget request for ammo hardware	1,976.6
Request under requirements	161.5
3. House appropriation allowance for ammo hardware	2,088.5
4. Senate appropriations allowance as reported	1,990.6
Senate appropriations under House	97.9
Senate appropriations under requirement	147.5

[In billions of dollars]

	Fiscal year—				
	1982	1983	1984	1985	1986
Fiscal year 1982–86					
Army requirements for ammo hardware	2.1	2.5	3.2	4.4	5.5
5-Yr DOD plan	2.0	2.4	3.2	4.0	4.8
Difference—Plan under requirements	−.1	−.1	------	−.4	−.7

1. Cumulative 82–86 shortfall $1.4 billion.
2. The requirements are also geared toward a 60 day war reserve requirement. The Army's mobilization plans call for a 180 day supply. Thus, the shortfall is significantly under the 180 day need.
3. To move to a 90 day reserve supply would add an additional $8.4 billion to ammo hardware requirements.

Mr. HOLLINGS. Mr. President, I know this can be boring to some people, but I am going to get to the real meat of this situation in just a second.

(Mr. BOSCHWITZ assumed the chair.)

Mr. HOLLINGS. Mr. President, the schedule for 1982–86, for the 5-year period, will find the Army requirement under the DOD plan is shortchanged. There is no better expression. It is shortchanged by $100 million in 1982, $100 million plus in 1983, over $400 million in 1985. The request is satisfied in 1984. In 1986 there is a $700 million shortfall. So the cumulative 1982–86 shortfall is $1.4 billion.

The reduction in the Army's ammunition hardware requirements in the Senate bill includes roughly $50 million in training ammunition needs. As a matter of fact, the procurement of training ammo in the fiscal year 1982 budget is nearly $300 million below the Army's real need. The $148 million addition to the Army's ammunition hardware budget will greatly enhance the overall Army training program.

I will give you an idea of what the screaming need for ammunition is. Whenever they need money in the DOD, this is the particular budget they go to.

I will never forget when Mr. Eliot Richardson was Secretary of Defense and he came over with my good friend, Lt. Gen. George Seignious, the adviser to the Joint Chiefs of Staff or the director of the Joint Chiefs of Staff. We were in the Appropriations Committee and they were asking for $500 million for a particular project.

There was a question among the majority. I was supporting the continuation of funding, but I was in the minority. The majority said we were not going to give the money. Just to put it bluntly, the Secretary said, "Well, I will get it anyway." They would just take it out of the ammunition budget.

That is what happened to the ammunition budgets over the many years.

We found at one time intelligence activities in the ammunition budget. We found at other times different commitments made out of the ammunition budget. Now with all the other needs, the ammunition budget is the one which really has been cut back very severely.

I ask unanimous consent that at this particular point in the RECORD there be printed a table of the recommended increases as requested by the Army for ammunition totaling $200.4 million. But, Mr. President, we are only asking for $148 million. We have cut that back. This was their request in the spring of this year.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

	P-1 BLIN	Quantity (thousands)	Amount (millions)
29	Cartridge, 105 mm, TP-T	14	$2.7
30	Cartridge, 105 mm, DS-IP	19	4.4
3	Cartridge, 5.56 mm, blank	41,703	4.9
5	Cartridge, 7.62 mm, all types	16,697	8.9
27	Cartridge, 4.2 in illum	36	4.6
58	Rocket, 2.75 in (HE)	104	16.3
11	Cartridge, 20 mm, all types	664	3.1
61	Signals (smoke pots)	19	4.1
51	Mines, practice, and inert	77	7.0
52	Demolition munitions	1,631	7.0
61	Signals (illum. grnd. W/S. para.)	30	.7
	(Subtotal training items)		(63.7)
31	Cartridge, 105 mm, APFSDS-T	6	5.3
28	Cartridge, 105 mm, HEAT-T	29	13.0
58	Rocket, 2.75 in (smoke)	47	15.3
36	Projectile, 155 mm, ADAM	8	29.7
37	Projectile, 155 mm, RAAMS	16	28.1
16	Cartridge, 25 mm, APDS-T	36	1.9
15	Cartridge, 25 mm, HEIT-T	37	2.0
	(Subtotal $159,000,000) (reduction)		(159.0)
39	Charge, propelling, 155 mm, G.B	494	41.4
	Grand total		200.4

Mr. HOLLINGS. Mr. President, that refers, of course, not only to power support detonators; I could go right on down through tank ammunition and various other matters—M-16 ammunition for the rifle, and what-have-you. We get to the real crux of it, and that is with respect to training. We get into readiness. The training in the Army relates in a sense to crew training and teamwork. In other words, working as a crew.

I noticed a good bit of James Fallows' book, National Defense, had to do with the comity of personnel from the community. The commitments that a man made in battle were not necessarily in his mind patriotically, that he was going to receive the Medal of Honor or that he was really doing something at that particular point for his country no, more than anything else, he was doing something for his comrade—the person he knew, the person he had worked with, the person he had trained with, the person he had learned to depend upon and who, in turn, could depend upon him.

When it comes to ammunition, you engage in crew training and teamwork, and you have a problem with the turnover of personnel. They call it personnel turbulence in the Army. That amounts to a turnover every 5 to 6 months. And you need to fire frequently in order to maintain the crew proficiency as well as the individual performance. Let us go to what happens because of the shortages. And you can see this illustrated by the very dramatic articles—maybe by tomorrow, I will find those by John Fialka—that appeared in the Washington Star, that former great evening newspaper here in Washington, D.C.

He wrote a series of articles last year or previously about the exercises of NATO and the failure of our troops to come up to competition with the other troops in NATO. And the cause is basic. It goes right down to the very abstract of ammunition. It has no constituency; it is a readiness measure. There are no contractors sitting out in the hall. I have never seen one who asked me to put in this type amendment. But the truth of the matter is that the Army has been begging for this. Let me illustrate.

We can go right to the field artillery. After a battery adjustment is made and they prepare to fire for effect, they would like to have, regularly speaking—all six guns fire together. But, Mr. President, as the result of a lack of ammunition, actually, they allow, after going through all of that training in the field artillery, one gun to fire and the other five simulate fire.

Mr. President, this really detracts from crew training. This really detracts from individual performance. If I wanted, as a Senator, to make a logical argument about drugs and the use of drugs in the front at NATO and why we have such an increase there and such a problem there, I could say it goes right to the matter of the lack of ammunition.

How does it occur? There is no man happier than a 19- or 20-year-old when he is firing his weapon. Go in the field and ask the commander. He will say, "Well, the morale is high, but we do have problems."

You ask the individual soldier, and the soldier will say, "Fine, If I can fire my weapon."

He is gung ho. He is not over the hill like some of us here, in the U.S. Senate, who are glad to simulate firing and simulate what the country needs and what the country stands for. That is one big act of simulation. Close down the Government—that is a big simulation we had the Sunday before last.

If you want to tee off a guy and ruin his morale and turn him to drugs from restlessness and the folly of it all deny him the ability to realistically train. He will say, "I was going to come in here and be a fighting man in the Army but when I come into the field to fire my gun, I go over and make believe fire." And the problem continues.

It is similar with tanks, Mr. President. The same turbulence—personnel turnover—there. They fire what they call table 8, which is a realistic firing pattern, where they move, fire and then go into defilade and then continue to fire from different positions. They first fire at a fixed target; the tank crew moves again to another defilade in behind and then on to a moving target. This pattern is called firing table 8. It is necessary, to maintain any kind of crew efficiency. They try to do it two or three times a year. The real requirement is for a minimum of three times a year. But now, as a result of lack of ammunition, they normally can only engage in this once a year.

Sometimes it is actually twice a year from what I can determine but none actually engages in it three times a year. So the table 8 firing practice for tank crews to really perform their duties is limited due to a drastic shortage in ammunition.

Let us review the situation with the TOW, for example, the terminal optical wire-guided missile—which is an antitank missile. Can you imagine having this fine missile? I say it is fine from the standpoint that you have to expose yourself to fine it. And then a little trailing wire follows the missile and you have to stand behind the wire as it continues on to zoom on the target. You do not duck up and fire and duck back down. It is a rather dangerous exercise. So they have training crews that go through a lot of simulation.

Then they have competition and they have it in the east coast and the west coast and down the south of Texas and everywhere else. They come with competitive crews to fire this TOW missile.

You know what, Mr. President? When they go to the competition, the one honor graduate gets to fire one. The rest of them all go through simulation and they never fire a TOW missile.

The reason for only one firing would be, if we had someone discussing this, is that the TOW costs between $5,000 and $9,000 apiece. But people out there who are talking about waste, fraud, and abuse when they come to the floor of the Senate understand what the cost is for national defense. We have to survive. We need ammunition. Let us discuss the Redeye, the antiaircraft heat-seeking missile. All the training for Redeye is simulation. The troops walk through the woods saying, "Bang, bang." That is all they can do. They have competing teams and they train. But only the top training team gets to fire and they fire one Redeye antiaircraft missile. You have to be almost Johnny on the spot to inspect the troops and find them firing. And they talk about readiness.

The Soviets know this. I wish all those people who were anxious about secret weapons would get to the biggest secret of all kept from the American people. And that is what finally, the Chief of Staff, Gen. Shy Meyer, had to call "A hollow Army" because he is embarrassed. He is a fighting man. He knows of these restrictions.

His needs are reviewed by some OMB Director who tinkers around with all the computers. They can find $16 billion for big oil, they can find leasing their losses for Ford to lease to IBM or Occidental, $14 billion, or a $27 billion kitty over a 5-year period. They can find it for oil companies and all. But for the fighting man, when we are trying to keep up his morale and keep the crews together so they can fire the TOW missile, fire the Redeye antiaircraft missile, and give them true readiness, along comes another ammo cut and all of our troops might as well go through a penny arcade. People who cut ammunition ought to buy those things I see advertised on TV for kids by Atari.

Just buy them one set and send them to the officers to put them in the barracks, and let them bam, bam, bam with all these simulating machines. You and

I know better. Simulation is good, but you must have actual practice.

We have mechanized infantry in Grafenwohr, Germany. Last year, members of the budget staff visited there, and watched a crew training. That was in October, at the beginning of the fiscal year. In the first month of the fiscal year they fired 70 percent of their ammunition. They were out of ammunition, for all practical purposes for the rest of the year, and could only sit around. Maybe they found time to travel to the Alps or somewhere else to go, or whatever it was, because all the ammunition was used up. Show them a Senator visiting—anything to have them stand around and look soldiering. They could not actually perform as troops.

So what you have, in essence—and the Fralka articles showed this—is a very low state of readiness.

The commanders in the field cannot come up here and testify and say, as a captain of a company, "My company is no good." They have immediately lost their ability to command. They cannot come up, as a brigade commander or a chief of staff, and say, "We are not ready."

He says, finally, that it is a hollow army—a matter of personnel, ammunition, and everything else. It is all on paper. The Russians know it, and they know it in spades, and they understand it. Yet, we tinkertoy around here and commend ourselves on the biggest defense budget we have had in the history of the country. Well, we have the biggest deficits we ever had in the history of the country. That is bothering me more than anything else.

However, I can show you many, many places to save this money, and we will have an amendment whereby we can allocate savings from just one piece of weaponry over the next 5 years, $40 billion.

So let us not talk about mammoth budgets or the biggest defense budget or that this would bust the budget. That is absolute tommyrot. I will debate the budget with you whenever you are ready. I am for readiness here and now.

Clauswitz said, I say to the Senator from Alaska, that a nation fights the war it is prepared to fight. We are not prepared in the Indian Ocean, so we will not fight in the Indian Ocean. We are not prepared in NATO, so we will not fight a conventional war in NATO. We are prepared with our nuclear submarines, our Minuteman and Titan missiles, our B–52 bombers, all for nuclear war.

In spite of the fact that we have 345 B–52's, 63 FB–111's, and hundreds of F–16's, F–15's, F–18's, A–6's, A–7's, and bombers—bombers, bombers, bombers—the request of the chairman of the subcommittee here is, "Give me one more bomber at $400 million a copy, or $40 billion in 5 years, so I can be"—what? prepared even further for nuclear war.

No one contemplates using a B–1 excepting in nuclear war. I can tell you that if we have a nuclear war the most inefficient way to drop a piece of ordnance on Moscow would be by a manned penetrating bomber. You would already have, of course, your ICBM's SCLM's, ALCM's, cruise missiles—I could go down the list—and after all those, before you put a manned crew on a bomber, in a nuclear exchange. It might become a situation where you have a Piper Cub trying to find civilization.

Yet, overprepared for nuclear war, they would table this amendment and make us unprepared for conventional war.

I say to those who are interested in peace, those who are frightened, as I am, by nuclear holocaust, let us become realistic and get on a talking basis, a credible basis, if you please, with our NATO allies.

If we can get on that basis with them in conventional warfare, we will not have all these peace demonstrations. If we get a draft, not just military power, to demonstrate our willpower, so that when the Commander in Chief commands them we all move forward together, that will cost less rather than more. And, I will go along with it.

I have introduced a bill on the draft, and I have been assured of hearings on December 5, and I hope everyone will attend. We will not get it through this year, but we will have an education session, in many ways, to strengthen the Army, strengthen the United States of America, within the budget and even for less.

We are not here as stark, raving hawks, demanding more for the DOD. On the contrary, we are trying to make a wise allocation, and the wisest allocation after manpower—and I have already talked about that particular amendment—is for readiness itself.

And about the biggest need we have in readiness is the ammunition I have listed here. That is the embarrassment. We can find a billion dollars, if you please, for the All Volunteer Force and run around promising to show them how to travel and see the world.

Well, we have spent over a billion dollars to try to get them into the Volunteer Army. Why do we not just cut that and get a draft started and give me $148 million out of the savings so that soldiers can act like soldiers?

I thank the distinguished manager of the bill.

Mr. STEVENS. Mr. President, I will respond to the Senator's remarks in the morning. It is my understanding that there is an agreement to have divided time in the morning.

The PRESIDING OFFICER. The Senator is correct.

(The following proceedings occurred earlier and are printed at this point, by unanimous consent:)

Mr. BAKER. Mr. President, I believe it may be possible to report on the request I made earlier.

Mr. President I ask unanimous consent that after debate is concluded on the pending Hollings amendment, which is the ammunition amendment, that it be in order with a single show of seconds to ask for the yeas and nays on both amendments. I further ask unanimous consent, Mr. President, that when the debate is concluded on this second amendment today, that the vote on both the Hollings amendments be deferred until the hour of 10 o'clock tomorrow, with a vote to occur first in relation to the first Hollings amendment, that is to say the manpower amendment, where the rollcall will be 15 minutes in length, followed immediately without intervening motion, appeal, or point of order, by the vote in relation to the second Hollings amendment, which is the ammunition amendment, and the rollcall on that amendment will be 10 minutes in length.

I further ask unanimous consent, Mr. President, that at 9:40 tomorrow there be a period for further debate on each of these two Hollings amendments of 10 minutes each to be equally divided and controlled, with the time under this order to be in the usual form, and that in any event the votes occur back to back as contemplated herein beginning at 10 o'clock.

The PRESIDING OFFICER. Is there objection?

Mr. GLENN. Mr. President, would it be possible to——

Mr. BAKER. Mr. President, could I make sure that in each case on each amendment the request was for a vote in relation to the amendment? That is my intention.

Mr. GLENN. Mr. President, reserving the right to object, I wanted to ask the majority leader if he objects to including in his unanimous-consent request the taking of a steaming amendment immediately after those votes he has requested.

Mr. BAKER. Would the Senator be in a position to suggest a time limitation that we might have on the steaming amendment?

Mr. President, let me get this request at this time because we have worked hard to get it. That will help me on the commitment I have made that there will be no more rollcall votes tonight. Then I would respectfully suggest that the Senator from Ohio and any other Senator who is interested confer with us further on how we might sequence this or other amendments after these two rollcalls which will be stacked if this request is granted.

Mr. GLENN. I withdraw my objection.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BAKER. I thank the Senator from Ohio and all Members who have made it possible for us to arrange for the orderly consideration of this bill beginning in the morning.

ORDER OF PROCEDURE

Mr. STEVENS. Mr. President, has there been a period for the transaction of routine morning business today?

The PRESIDING OFFICER. Yes, there has.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RETIREMENT OF SENATOR HARRY F. BYRD, JR.

Mr. BOREN. Mr. President, yesterday, our colleague HARRY F. BYRD, JR., announced that he would not seek reelection to a fourth term.

I must confess that I have mixed feelings about Senator BYRD's decision. After a lifetime of public service including 18 years in the U.S. Senate, Senator BYRD and his wife, Gretchen, who has been his partner in serving the people of Virginia, have earned the right to have time for themselves. They have given far beyond the call of duty. I wish them both much happiness.

At the same time, the retirement of HARRY BYRD will be a great loss to the Senate and to the country. In an age in which self-gratification has too often been a major motivation, HARRY BYRD has truly sought to serve and to give of himself. I have never known a person in public life who was less self-serving and more sincerely patriotic than HARRY BYRD, JR.

In an age in which pragmatic relativism is the rule, HARRY BYRD is a man of unyielding principle. His integrity is universally respected by political friends and foes alike.

Throughout his career in the Senate, he has warned of the dangers associated with excessive Government spending. He understood far earlier than most that even the U.S. Government could face a liquidity crisis. With interest payments on the national debt running as high as $100 billion per year and Government borrowing bidding up interest rates to levels that bankrupt small farmers and businessmen, all of us would do well to listen more carefully to the warnings sounded by Senator BYRD of Virginia. It is tragic that they were not heeded earlier.

HARRY BYRD, JR., deserves to be known as a gentleman as well as a statesman. How much better our country would be if more people practiced his unfailing courtesy and his demonstrated respect for each person with whom he has contact. His career is proof that a decent and good person who refuses to sacrifice either his principles or his humanity can succeed in Government and public life.

I am grateful that I have had the chance to come to know HARRY BYRD, JR., and to serve with him in the U.S. Senate. His character and high standards are a challenge to me to do my best to be a good public servant. Those who come to the Senate after his retirement will miss the very rewarding experience of serving with him. We can only hope that enough of the spirit of HARRY BYRD, JR., will have rubbed off on each of us, that it will be a continuing part of this institution of Government.

There have been many outstanding men and women in the lines of the Byrd family extending back to the earliest colonial days of Virginia. None has had a clearer sense of public duty or a more unselfish desire to serve than HARRY BYRD, JR.

VOLUNTARY VITAMINS ACT OF 1981

Mr. HAYAKAWA. Mr. President, today, I want to share my thoughts with you about Federal Government regulation of vitamins and minerals. Quite simply, I believe that people should be allowed freedom of choice regarding their dietary needs. Such regulation is an unnecessary intrusion into the lives of our citizens.

Recently, I joined Senator HATCH in sponsoring S. 1277, the Voluntary Vitamins Act of 1981. This landmark legislation would insure the freedom to voluntarily decide whether or not to consume vitamins and mineral supplements.

The enactment of S. 1277 will fundamentally change the regulatory powers of the Food and Drug Administration (FDA) over vitamins, minerals, and other nutrients sold for dietary purposes. It requires that such supplements be regulated as food, not as food additives or drugs, without compromising the FDA's authority to protect consumers from fraud and deception in labeling such foods.

There is an interesting history behind the development of this legislation. In 1962 the FDA proposed regulations requiring that most vitamins and mineral combinations and potencies should be obtained only with a doctor's prescription. Congress received hundreds of thousands of letters from irate consumers opposing the FDA's proposal. In response, Senators WILLIAM PROXMIRE and Richard Schweiker introduced a resolution to block the FDA's proposed rules and restrict its authority in regulating vitamins and minerals. Unanimously enacted by the Senate and House in 1976 the Proxmire-Schweiker bill amended the Food and Drug Act to include, for the first time, a definition of "foods for special dietary uses."

In March of 1979, the FDA attempted to reverse this clear congressional intent of the Proxmire-Schweiker resolution. A proposal was issued to regulate vitamins and minerals as "Over-the-Counter" (OTC) drugs, if they were offered for use in the prevention or treatment of a vitamin or mineral deficiency. The FDA attempted to prevent controversy by making the regulation appear to be conditional, and applicable only to those supplements used to treat deficiencies. Are not all vitamins and minerals used to replace some deficiency in our diets? The constituents noticed this ironic twist, and responded with the same level of opposition as they had expressed to the earlier FDA proposal. Once again, Senate and House offices were overwhelmed with negative reactions from the folks back home. Clearly, they would not stand for such Government intrusion into their right to determine their own diets.

To his credit, the new Commissioner of the Food and Drug Administration, Dr. Arthur Hull Hays, Jr., assured the Senate shortly after taking office that he would rescind the over-the-counter regulations proposed in 1979. He plans to make a formal announcement of this rescission in the Federal Register before the end of this year.

Dr. Hayes is obviously a unique exception to his predecessors in demonstrating commonsense and leadership in directing the FDA. Unfortunately, Dr. Hayes will not remain in office forever. Therefore, I believe that we in Congress have a responsibility to provide statutory protection for the kind of regulatory policy Dr. Hayes has initiated. Mr. President, we are public servants, elected to serve the people, not to regulate them. We need to insure this relationship through the passage of S. 1277. It would remove the FDA's option to regulate, as either drugs or food additives, any vitamins, minerals, and other food supplements used to treat a dietary deficiency.

It certainly seems peculiar to me that we give people credit for being smart enough to elect us to office, but question their judgment when it comes to taking care of themselves. S. 1277, the Voluntary Vitamins Act of 1981, is long overdue.

NEW YORK STATE RESOLUTION CONCERNING IRISH UNIFICATION POLICY

Mr. THURMOND. Mr. President, I ask unanimous consent to have printed in the RECORD Resolution No. 1207, which was adopted by the New York State Legislature, and which has been received by the Office of the President pro tempore.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

LEGISLATIVE RESOLUTION—ASSEMBLY NO. 1207

Whereas, The members of the New York State Legislature, being for the most part not of Irish ancestry, have viewed the English Government's lack of response to the recently ended Maze Prison hunger strike, the ultimate protest against injustice, with increasing horror; and

Whereas, This Legislative Body believes that the time has come for Americans of all ethnic backgrounds to take notice of the urgent human appeal that is the message of these Irish martyrs and patriots; and

Whereas, The United States purports to have a special relationship with the United Kingdom which should also imply a special responsibility for the actions of the United Kingdom; and

Whereas, Certain responsible groups in the United Kingdom, although not in the seats of power, have urged that the Government of the United Kingdom adopt an explicit policy that Northern Ireland be united under the jurisdiction of Free Ireland over a reasonable period of time, most likely a decade; and

Whereas, The announcement of an explicit unification policy, the unification itself however to take place through a gradual process over a number of years, would assuredly have the effect of initiating the processes of psychological as well as political and economic adjustment to this inevitable occurrence; and

Whereas, Those who prefer to avoid action using as a cloak for their real motivation the false excuse that the particular dilemma of Northern Ireland is forever insoluble should have been confounded by the recent example of the Rhodesian solution; now, therefore, be it

Resolved, That the Government of the United States shall express to the Govern-

ment of the United Kingdom our firm conviction that an Irish unification policy must be implemented if the United Kingdom wishes to retain its status as a nation which lays claim to a reasonable standard of civilization, and to a special relationship with the United States, this conviction to be expressed in increasingly concrete terms, both diplomatic and economic, as time passes; and be it further

Resolved, That a copy of this Resolution, suitably engrossed, be transmitted to the Honorable Ronald Reagan, President of the United States, to the President Pro Tem of the Senate, to the Speaker of the House of Representatives, to the Secretary of State and to each member of Congress from the State of New York.

GUAM EXPRESSES SUPPORT FOR NATIONAL TUITION TAX CREDIT LEGISLATION

Mr. THURMOND. Mr. President, I ask unanimous consent to have printed in the RECORD two resolutions, Resolutions Nos. 192 and 201, that were adopted by the 16th Guam Legislature and which have been received by the Office of the President pro tempore.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTION No. 192

Be it resolved by the Legislature of the Territory of Guam:

Whereas the 1981 Packwood-Moynihan Tuition Tax Credit Bill would establish a federal tax credit for tuition paid by parents who send their children to a non-government school; and

Whereas, an additional feature of the 1981 Packwood-Moynihan Tuition Tax Credit Bill is a refund provision for those parents who do not earn a taxable income but do pay tuition for their children to attend a non-government school; and

Whereas, the 1981 Packwood-Moynihan Tuition Tax Credit Bill would apply to college, vocational, secondary and elementary tuition; and

Whereas, under present law, parents who exercise their basic right to send their children to a non-government school are being doubly taxed and are not afforded relief as proposed by the 1981 Packwood-Moynihan Tuition Tax Credit; and

Whereas, November 1981 has been declared "National Tuition Tax Credit Month" to draw attention to the proposal that tuition tax credit legislation is urgently needed to remove the unfair burden of double taxation placed upon parents who exercise their basic right to educate their own children according to their own moral, religious and cultural values; now, therefore, be it

Resolved, that the Sixteenth Guam Legislature of the territory of Guam does support passage of federal tuition tax credit legislation with refund provisions as proposed in the 1981 Packwood-Moynihan Tuition Tax Credit Bill and urges the Congress and the President to accept this legislation that would eliminate tax penalties which now exist for those parents who pay tuition to send their children to non-discriminating, non-government schools whose curriculum corresponds with religious, moral and cultural values embraced by the families; and be it further

Resolved, that the Speaker certify to and the Legislative Secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the President of the United States of America, the Honorable Ronald Reagan; to the U.S. Secretary of Education; to the Speaker of the United States House of Representatives; to the President of the U.S. Senate; to all members of the U.S. Congress; to the Honorable Antonio B. Won Pat; to His Excellency Bishop Felixberto C. Flores; to the Administrators of each nongovernment schools within the territory; and to the Governor of Guam.

RESOLUTION No. 201

Be it resolved by the Legislature of the Territory of Guam:

Whereas, the Congress of the United States has under consideration H.R. 3517; and

Whereas, if enacted, H.R. 3517 would grant permanent resident status to nonimmigrant, aliens who have been long-term residents of the Virgin Islands; and

Whereas, the persons who are the beneficiaries of H.R. 3517 are ones who entered the Virgin Islands under a temporary worker program authorized by Section 101(a)(15)(H)(ii) of the Immigration and Nationality Act; and

Whereas, the Judiciary Committee of the House of Representatives of the Congress has recommended enactment of H.R. 3517 by a vote of 20–0 and noted in a report to the House:

In 1975, a study by the Judiciary Subcommittee on Immigration, Citizenship and International Law concluded that there was a moral obligation to provide permanent residence status to H–2 workers and their families who have become established members of the Virgin Islands community and that legislation to regularize their status should be enacted. The study also recommended the temporary-worker program be tightened up; and

Whereas, the situation of many aliens in Guam is exactly parallel to that of those in the Virgin Islands in that the H–2 workers and their families came to Guam at a time when the territory was in need of their construction skills and the work these persons performed has been of material help in the stimulation and development of the island's economy; and

Whereas, the unlimited flow of nonimmigrant workers into Guam could now injure the island's fragile economy because it might result in the displacement of local workers; and

Whereas, H.R. 3517 seems to provide an equitable solution to the issue of how to grant permanent residency to a limited class of long-term "temporary" workers without creating an unending flow of new aliens into a small American territory, it being noted in the summary of H.R. 3517:

The bill expresses the sense of Congress that longstanding residents of the U.S. Virgin Islands with H–2 status have contributed to the development of the islands, are an integral part of the society there, and should be allowed permanent residence status. The bill also recognizes the need for Congress to prevent any further influx of aliens into the islands by limiting the ability of adjusted aliens to file immigrant visa petitions for their relatives.

The bill allows aliens admitted to the Virgin Islands as temporary workers, who have lived on the islands continuously since June 30, 1975, to have their status adjusted to that of permanent residents. Adjustments of status must be made within one year of the bill's enactment. The adjustment is also applicable to the alien spouse and minor children if they meet the residency period requirement. Adjustments would be denied to aliens found to be excludable from U.S. residence under the conditions of the Immigration and Nationality Act.

The bill provides the Secretary of State with discretionary authority to limit the number of immigrant visas that could be issued to alien spouses or unmarried children of individuals whose status is adjusted under the bill. Married sons, daughters, brothers, and sisters of aliens who become permanent residents pursuant to this bill would be unable to obtain visas unless it could be shown that denial would cause exceptional hardship. The bill prohibits the preference system restrictions contained in the bill from being applied to the administration of any other immigration law. The bill terminates the temporary-worker program in the U.S. Virgin Islands. It authorizes a joint report by the Departments of Health and Human Services; Education; Housing and Urban Development; Labor; and Interior, the Attorney General, and the Virgin Islands Government on the social and economic impact of the bill on the Virgin Islands. Findings must be reported to Congress and the President within one year of the bill's enactment; and

Whereas, the Legislature is of the opinion that the same solution should be applied to Guam as is being proposed for the Virgin Islands; now, therefore, be it

Resolved, that the Sixteenth Guam Legislature does respectfully request the Congress of the United States to amend H.R. 3517 to allow the Immigration and Naturalization Service to process for permanent residence those aliens who entered Guam as defense parolees or H–2 workers prior to 1977 and who are still within the island at the time H.R. 3517 is enacted into law; and be it further

Resolved, that those aliens be permitted to sponsor for permanent residency only their spouses and children who would enter the United States prior to attaining their 18th birthday; and be it further

Resolved, that the Speaker certify to and the Legislative Secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the President of the United States; to the President of the Senate and the Speaker of the House of Representatives of the United States Congress; to the Attorney General of the United States; to the Commissioner of the Immigration and Naturalization Service; to Guam's Washington Delegate; and to the Governor of Guam.

STATE RESOLUTIONS CONCERNING MIA'S AND POW'S IN VIETNAM

Mr. THURMOND. Mr. President, as the President pro tempore, I would like to call to the attention of my colleagues resolutions passed by the States of Massachusetts and Pennsylvania which concern POW's and MIA's in Vietnam.

These resolutions are further proof of a growing interest throughout our Nation over the continuing tragedy of those Americans who are still unaccounted for after the Vietnam war. For years, I have urged a renewed emphasis on resolving this situation, especially for the families, relatives, and friends of those who are still listed as POW's and MIA's. Anything less than a full national effort to resolve this tragedy is not acceptable.

Mr. President, I commend the distinguished members of the General Assembly of Pennsylvania and of the State Senate in Massachusetts for their worthy resolutions. In order to share the sentiments of these concerned State legislators with my colleagues, I ask unanimous consent that these two resolutions be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

HOUSE RESOLUTION No. 20

Whereas, Article VIII, section (a) of the peace accord which ended the Vietnam Conflict provided that the United States and

Vietnamese governments would, on the date of United States troop withdrawal, exchange prisoners of war and complete lists of information on all military personnel who died in captivity or were found dead by the enemy; and

Whereas, There are still nearly 2,500 Americans still unaccounted for by the Indochinese governments (specifically Vietnam, Laos and Cambodia), even though there have been approximately 1,000 siting reports of captured Caucasians, of which 300 are based on reliable first-hand information; and

Whereas, The Vietnamese government has, to date, only returned the remains of 72 United States soldiers who died in captivity and, who along with the Cambodian and Laotian governments, have provided a dismal record of cooperation toward the full accounting of all Americans still unaccounted for; and

Whereas, Fundamental humanitarian principles are violated by the continuing lack of cooperation from the Indochinese governments; therefore be it

Resolved (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the President of the United States, Congress and the Department of Defense to continue to place a high priority on securing the fullest possible investigative accounting of Americans listed missing in action (MIA), prisoner of war (POW) or killed in action (KIA) body—not recovered and; be it further

Resolved, That copies of this resolution be transmitted to the President, the Speaker of the House of Representatives, the President of the Senate, the appropriate committee chairmen in both chambers of Congress, the Secretary of Defense and the Joint Chiefs of staff.

RESOLUTIONS REQUESTING THE GOVERNOR TO PROCLAIM THE MONTH OF NOVEMBER, NINETEEN HUNDRED AND EIGHTY-ONE AS P.O.W.-M.I.A. AWARENESS MONTH

Whereas, More than seven years after the end of the participation of the United States Armed Forces in the Vietnam war there remains approximately two thousand, five hundred Americans still unaccounted for and missing in action; and

Whereas, There is reliable information that justifies our belief that a number of the Americans still unaccounted for are still being held as prisoners in Southeast Asia, particularly by the North Vietnamese Government; and

Whereas, The withholding of information by the North Vietnamese Government as to the existence of the remains of Americans in Southeast Asia and the existence of living Americans still being held prisoner in Southeast Asia is a violation of the highest order against humanity, causing indescribable suffering to the families of those missing in action or still prisoners of a war long ended; and

Whereas, The negotiations by commissions and other represntatives of the United States have lacked the success and the tenacity of purpose which could have forced the P.O.W.-M.I.A. issue in Southeast Asia to have been resolved to the satisfaction of the American people, particularly the families of the P.O.W. and M.I.A. Americans; and

Whereas, We must not allow the efforts by the United States Government to slacken and die by the lessening of public clamor for action on this P.O.W.-M.I.A. issue, remembering that throughout American history our prisoners of war have always been called upon to make uncommon sacrifices; and

Whereas, We must sacrifice for those who have suffered so much in fulfilling their duty as citizens of the United States by our taking the time to renew the public pressure and awareness against our Government's seeming tendency to desert and turn away from a total confrontation of this problem; therefore be it

Resolved, That the month of November in the year nineteen hundred and eighty-one be proclaimed by His Excellency the Governor, Prisoner of War-Missing In Action Awareness Month; and be it further

Resolved, That appropriate acts of awareness, and individual and group communications to the President and Congress of the United States and other suitable action be taken to spread awareness throughout the Commonwealth thereby increasing the public demand that the Government of North Vietnam complete a full and honest accounting of the identity of all Americans numbered among the twenty-five hundred known by said Government to be dead or alive, who are still in Southeast Asia; and be it further

Resolved, That this resolution be made known throughout the Commonwealth as a public service by courtesy of the various entities of the news media operating within the Commonwealth; and be it further

Resolved, That this resolution be forwarded to the President of the United States, the Governor of the Commonwealth, the United States Secretary of State, the Speaker of the United States House of Representatives, and the President Pro Tem of the United States Senate.

THE FISCAL YEAR 1982 BUDGET AND THE CITIES—A HUNDRED CITY SURVEY

Mr. ROBERT C. BYRD. Mr. President, since this administration took office last January, it has pushed through the largest package of budget and tax cuts in our history, and we now hear that more spending cuts will have to be made.

Before we are forced to make new cuts, we should fully understand what we have already done. Because these cuts were made through an unusual use of the reconciliation process, many Senators did not have the opportunity to carefully review the cuts they were asked to vote for.

As the reports from various sectors come in, it is more and more obvious that we have sliced through the fat, and severed muscle from bone in many places. The U.S. Conference of Mayors has recently completed a survey of 100 cities and has issued a report entitled "The FY 82 Budget and the Cities." This survey details the harsh impact this year's budget cuts are already having, and warns of greater dangers from future cuts.

According to this survey, 61 percent of the cities responding have already laid off workers, and 13 percent more say they will do so soon. Forty-one percent of the cities say they have already or will soon increase taxes. Sixty-four percent of the cities said they will reduce services. For instance, Little Rock has had to end its street resurfacing efforts; St. Paul Minn., has had to eliminate 20 policemen; and Toledo now collects garbage only once every 2 weeks. These cuts threaten the safety, security, and health of all citizens, and more cuts mean that these threats will multiply.

Fully 63 percent of the responding cities said they will have to defer work on capital infrastructures, such as waste water drainage, city waterlines, and sewer projects. We can defer such infrastructure repairs, but at some point we must make them if our Nation's cities are to survive. The longer we wait the more it will cost. Such deferrals are a clear example of the penny-wise, pound-foolish approach to budget reductions that was embedded in much of the administration's 1982 program.

So that my colleagues may better understand the impact these cuts have on real people and real places, I ask unanimous consent that the Conference of Mayors survey be printed in the RECORD.

There being no objection, the survey was ordered to be printed in the RECORD, as follows:

THE FISCAL YEAR 1982 BUDGET AND THE CITIES

INTRODUCTION

Recently-enacted federal budget cuts are imposing immense burdens on city budgets, resulting in massive layoffs, service reductions, tax increases, and postponement of needed capital investments. FY82 cuts in federal spending have fallen disproportionately on grants to state and local government, with cities forced to absorb major reductions in housing, transit, employment, and other programs. Nor is this the first cut which cities have faced. For three consecutive fiscal years since FY80, cities have had to adjust to major reductions in federal aid.

Federal budget cuts have resulted in the following service cuts at the local level:

Reductions in school services;

Major cutbacks in employment and training programs;

Elimination of park and recreation programs;

Crippled housing efforts;

Reduced police, fire, and sanitation services;

Sharp reduction in street, road, and bridge maintenance;

Cuts in city programs to serve the poor;

Reduced transit service at a higher fee;

Rapidly deteriorating urban infrastructure;

Deferral of purchases of garbage trucks, buses, and other city-owned equipment, and reduced maintenance;

Dirtier water; and

Reductions in community and economic development programs.

A survey of one hundred American cities, conducted by the U.S. Conference of Mayors from November 3–10, 1981, indicates that federal cutbacks in key urban programs have already caused cities to reduce substantially the services they provide to urban residents. They predict that further cuts, such as a 12-percent across-the-board cut proposed by the Administration, will have major adverse effects on cities and city residents.

The survey asked cities to indicate how they have been affected by federal cuts in public transportation, housing and community development programs, public assistance, wastewater treatment programs, education, CETA, parks and recreation programs, and public works. (See Appendix I for a list of the cities surveyed and Appendix II for the list of questions used in the survey). Questions also included how the cuts are hitting urban budgets now and how potential cuts may affect them in the future.

The picture that emerges is stark. Sixty percent of cities are laying off workers; 41 percent have raised or will soon increase taxes; and a substantial majority have reduced services substantially and deferred capital spending to try to absorb federal cutbacks. Cities variously warn that they are already at the "bare bones level" "cut to the marrow," and stress the seriousness of the cuts on their continued ability to meet the needs of their people. Cities emphasized the leadership they are exhibiting by raising taxes at the local level, by mak-

ing the difficult choices, and by trying valiantly to overcome the barriers they face.

As one official from a city in the South stated, the goal of the city as a "life-enhancing residential community, and as a viable economic entity," is severely threatened by federal withdrawal of funds. And, a city official from the far West observed, "Cities touch people more closely than any other level of government. These cuts mean the loss of amenities and services that people take for granted. We are paring our essential services to the bone. Where do we go from here?"

The U.S. Conference of Mayors will continue to survey the nation's cities on a periodic basis to assess the impact of budget cuts and related economic policies on those cities.

The U.S. Conference of Mayors is committed to working with the Administration and the Congress toward policies to enhance the nation and its cities. It is the hope of the Conference that the information such as that found in this survey will make a positive contribution to the federal policymaking process.

FEDERAL BUDGET CUTS AND THE FISCAL CONDITION OF CITIES

The FY 82 federal budget cuts have caused large and immediate budget adjustments by cities. A significant majority have already made decisions to increase taxes, lay off workers, postpone capital spending, and reduce services. The details are highlighted below.

City Worker Layoffs: Sixty-one percent of all cities have had to lay off workers as a result of federal budget cuts. An additional 13 percent say they will soon do so. These layoffs have a particularly adverse impact on city revenues, welfare burdens, city services, and crime rates.

1a. [Have you] laid off workers?

	Number	Percent
Yes	59	61
No	25	26
Not yet, but will	13	13
Total	97	100

While the number of layoffs varied by the size and fiscal condition of cities, some cities were forced to reduce their work force by as much as 20 percent, including York, Pennsylvania and Youngstown, Ohio.

Layoffs by cities

City:	Number, if given	Percentage, if given
Allentown	--	1–2
Anchorage	--	3–4
Austin	45	.5
Baltimore	1,000	2.89
Berkeley	--	1–2
Billings	55	7
Buffalo	1,400	10
Cedar Rapids	4	--
Charleston, W. Va.	--	.5
Corpus Christi	360	3
Dallas	50–75	--
Des Moines	20–25	1
Detroit	124	5
Duluth	*15	--
El Paso (fewer than)	10	--
Ft. Wayne	10	--
Gulfport	30	10
Las Vegas	100	7
Lincoln	23	2
Little Rock	63	5
Long Beach	12–13	--
Los Angeles	2,100	7.6
Louisville	796	--
Madison	45	3
Manchester	200	**10
Memphis	220	2
Miami	954	--
Nashville	325	5
New Bedford	100	--
Norfolk	31	1
Portland, Me.	190	15
Portland, Oreg.	52	--
Providence	425	--
St. Louis	***1,068	12
St. Paul	150	4
Springfield	250	10
Tampa	699	13.5
Toledo	254	8
Wilmington	45	--
Winston-Salem	40	2
York	5	20
Youngstown	212	20

*Positions eliminated.

**Through layoffs and attrition.

***Includes 401 positions eliminated through attrition.

NOTE.—42 Cities of the 59 that have experienced layoffs gave a number that could be cited; 5 others gave a number, but asked that they not be quoted directly. These layoffs include CETA workers and other city employees.

Layoffs recognize no regional boundaries, as the figures below indicate.

Regional distribution of cities with layoffs

Region:	Number	Percentage
New England	6	10
Midwest	17	29
Southwestern U.S.	4	7
South	13	22
Far West (including Alaska)	9	15
Mid-Atlantic	10	17
Total	59	100

In describing its layoffs, Louisville indicated that it "has been forced to lay off approximately 703 CETA employees who were placed in various city departments and outside agencies. In addition, approximately 93 general fund positions in various city operating departments were eliminated largely because of a 12 percent reduction in the city's fiscal year 1981–82 payments. These included positions in the parks patrol unit, school crossing guards, and sanitation workers."

Tax Increases: Despite restrictions on city revenues, many cities are responding to federal budget cuts by raising local taxes. Of the 96 cities responding, 40 (41 percent) have raised or will raise taxes, and 1 (1 percent) tried, but failed.

Twenty-seven cities specified the kind of tax increase adopted, with some adopting more than one increase.

Types of tax increases

Number of cities

Tax increases:	
Property	18
User fees	11
City income	3
Utility	2
Sales	1

Ten cities, surveyed and responding to this question, already have a sales tax; 18 have an income tax; and 11 have both a sales and income tax. It is important to emphasize, however, that revenue-raising through sales, income taxes, and other methods, are prohibited in a number of states. Currently, 40 states do not allow local governments to levy income taxes, and local sales taxes are not allowed in 24 states. Limitations on property taxes, such as Proposition 2½ in Massachusetts, further hamstring the revenue-raising capacity of cities.

Service Reductions: In order to cope with federal cutbacks many cities have had to reduce city services. Ninety-three cities responded to this question. Of these, 64 (69 percent) stated that they have had to, or will soon, reduce services; 29 (31 percent) reported that they have not, although some noted that they were already cut to the bone and could not cut any more.

The types of services cut and the number of cities indicating reductions in these areas are as follows: (It is important to remember that one city could cut in more than one area.)

Service area cut:	*Number of cities*
Park and Recreation	20
Health and Human Services	14
Public Works	10
Sanitation	9
Across the board in all departments	9
Fire Protection	8
Police Protection	8
Libraries	7
Streets and Bridges	7
Training and Employment	7
Environment	3
Arts	2
Mass Transit	2
Some, not specified	1

Many cities have been forced to reduce services in several areas. For example, Berkeley, California, noted that their cuts have been across-the-board, but noted that the federal aid cuts have had a particularly adverse impact on personnel levels in the fire department, police station closings, reduction of police-administered staff, and have resulted in nearly a two-thirds reduction in community social services.

Boise noted that their reductions have affected library hours, recreational programs, and street lighting. Although it has a growing population, Boise has added only three policemen, and no firemen, to their city staff. In Little Rock, city officials have eliminated street resurfacing for lack of funds; their situation has been exacerbated by voter repeal of a $3 million road tax. In addition, Little Rock officials have been forced to consider the closing of fire stations.

Manchester has reduced its park maintenance, street sweeping, and refuse collection. Nashville has reduced fire code inspections, the juvenile court budget, health department staff, sanitation, social services for the elderly and deinstitutionalized persons, parks, recreation programs, libraries, jails, and workhouses. Pawtucket has reduced public works and such social services as pedestrian crossing guard programs for the elderly.

One Sun Belt city is reducing cash assistance to the indigent, vacant lot weed control, drainage maintenance, parks and recreation, health, the arts, and air pollution control programs. In addition, it has reduced family planning monies; programs for women, infants, and children; and community services. The city official noted that, "These cutbacks are necessary despite some increases in local revenue sources that we have generated and corresponding budget increases, because the city has not been able to keep pace with its service needs."

St. Paul has closed three recreation centers, reduced library hours from five days to four a week, eliminated 20 police positions, and four firefighter positions, and the rest of of its cuts are spread throughout the city departments.

Toledo has reduced garbage collection from weekly to every two weeks. It has virtually eliminated park and recreation activities, and has completely eliminated its con-

sumer protection program. The city has not increased its police force since 1979, with reductions there being made by attrition. Springfield has cut all departments except public safety.

Deferral of Capital Spending: The Urban Infrastructure: The street, sewers, and bridges of many cities have not been adequately maintained or repaired. Sixty-three percent of the cities have deferred capital spending as a result of federal budget cuts or plan to do so.

These cities range across all regions of the country: Akron, Allentown, Baltimore, Berkeley, Billings, Boise, Buffalo, Cedar Rapids, Charleston, SC, Cleveland, Dade County, Denver, Des Moines, Detroit, Duluth, El Paso, Fargo, Flint, Gulfport, Kansas City, MO, Lincoln, Long Beach, Los Angeles, Louisville, Manchester, Memphis, Minneapolis, Nashville, Omaha, Pawtucket, Pittsburgh, Richmond, Rockford, St. Louis, St. Paul, Salt Lake City, San Jose, Seattle, Springfield, Winston-Salem, Yonkers, York.

(Five cities requested anonymity.)

Nine cities stated that they have not yet had to defer capital spending, but that they will have to do so soon. These are Burlington, Charleston, West Virginia, Dayton, Hartford, Indianapolis, Little Rock, Miami, Portland, Oregon and Tucson.

Denver stated that it had "almost totally" deferred capital spending, particularly affecting expansion of libraries, badly needed bridges, and wastewater drainage.

Cities most frequently cited deferral of capital spending for street and bridge projects. Other deferrals have hit parks and recreation programs, building inspection and code maintenance, fire and police stations, water projects, sanitation, mass transit, and libraries.

Asked to indicate whether or not any "major urban infrastructure plans had been deferred," 62 cities responded with an indication of impact on their infrastructure efforts. Of these, 63 percent stated that they will defer such major undertakings.

Cities that have deferred major infrastructure plans: Allentown, Austin, Berkeley, Boise, Buffalo, Charleston, SC, Dade County, Denver, Des Moines, Detroit, Duluth, Fargo, Flint, Kansas City, MO, Louisville, Manchester, Memphis, Nashville, Oakland, Omaha, Pawtucket, Providence, Richmond, Rockford, St. Louis, St. Paul, Salt Lake City, Toledo, Warwick, Wilmington, Winston-Salem, Yonkers, Youngstown.

Examples of such major infrastructure deferrals include Allentown, which has deferred a sewer run-off system; Berkeley, which has deferred road repairs, street sweeping, and all equipment maintenance and replacement; Boise, recreation and park maintenance; Buffalo, street resurfacing, street lighting, a sludge transfer plant which is required by the Environmental Protection Agency, and an updating of city water lines; Charleston, South Carolina, many equipment purchases, including garbage trucks and street sweepers; Des Moines, a major sewer project, which has been in planning for several years; Duluth, storm sewer construction; Louisville, city incinerator repairs; Manchester, transportation centers; Memphis, major street repairs; Omaha, two fire stations, three senior citizen centers, and water and sewer projects; Rockford, road expansion in industrial areas; and Youngstown has deferred buying any new fire equipment and noted that they "can't repair all the bridges and streets that need repairs."

One point is clear—the impact of budget cuts respects no limits. It hits all cities, and affects all services within a city, and reduces the quality of life of all of a city's residents.

The sections which follow spell out in some detail the urban services affected by federal budget cuts.

GENERAL REVENUE SHARING

Cities use general revenue sharing funds for a wide range of municipal services ranging from fire protection to street lighting. City officials in 60 percent of the cities responding said they would be forced to lay off workers if their general revenue sharing allocations are cut, with the number of layoffs in the cities interviewed ranging from a half dozen workers to more than 75. At least one-quarter of those responding said they would have to also increase taxes in the face of such a cut, and 70 percent said city services would be significantly curtailed.

Those services affected by such cutbacks include police and fire protection, street lighting, parks and recreation, sewer construction, major infrastructure work, sanitation services, street maintenance, and health and human services. Birmingham reports there would be a reduction or elimination of the Neighborhood Participation Program. Tampa uses revenue sharing for 19 percent of its police department budget, and would face serious cutbacks in police service with a 12 percent revenue sharing cut.

Over 25 percent of the cities predict they would have to increase property taxes if revenue sharing is cut. Many other cities would be unable to raise taxes because of taxpayer resistance, state restrictions, or taxing authority or strict tax restrictions which have been adopted.

The keystone of the Reagan Administration's "New Federalism", general revenue sharing has become an integral part of city budgets. It is clear that any cut in this program, which is widely supported by local officials, will have a major adverse result on city services and tax rates.

STATE BLOCK GRANTS

A major thrust of the FY82 budget proposals was the development of state block grants to replace categorical programs formerly run by the federal government. These block grants in health and human services, education, and community development for small cities are pointed to by the Administration as harbingers of its "New Federalism." Many cities expressed misgivings about direct state entitlement through block grants without adequate safeguards for city involvement in the development of allocation plans and priorities for the use of these funds. Our survey bears out the concerns which were expressed prospectively by so many cities.

State block grants (percent of those responding):

55 percent said the state has not consulted with them or offered an opportunity to participate in the state's decision-making process.

38 percent said they have not been able to get information from their states about the implementation of the block grants.

58 percent said they expected to lose money as a result of the block grants. Only 1 community surveyed thought the block grants would mean an increase in funds.

42 percent said their state was opting to take over the Small Cities CDBG program, and 27 percent said they were doing it poorly, or had some complaints about the process. Fully 53 percent didn't know how the state was carrying out this transition.

Many of the cities contacted said that consultations with the state had occurred only after decisions had been made and a program drawn up. This was true in states as diverse as California, Tennessee, Nebraska, and Maine. Many communities said communication had begun only after they had initiated it. Other cities said they had met with genuine lack of response even after initiating contact themselves and seeking information from the states. Respondents blamed their troubles with the states on confusion at the state level about the programs and their responsibilities; historic bad relations between the city and the state; and state legislatures with strong rural and antiurban biases.

Many cities expressed strong doubts that their needs would receive the same attention from their states as they have from Washington. One major reason for this apprehension is a widespread belief that states will disproportionately cut the share of funds going to urban areas in order to provide coverage of some kind in every part of the state. In Washington State, for instance, the Human Services Department is anxious to maintain a basic level of services everywhere in the state. Reduced overall funding means that areas like Seattle will receive less funding than in the past so that rural areas can receive some service at all. Needs-based allocations, cities believe, will not be adopted by states. Rather, the effort will be to spread funds to every possible constituency, particularly the strong rural-suburban contingents which dominate many state legislatures.

EMPLOYMENT AND TRAINING

Severe cuts in employment and training programs funded under the Comprehensive Employment and Training Act are having a very negative effect on city economies at a time when national and city unemployment rates are extremely high. The national unemployment rate at, 8 percent and rising, translates into double-digit rates in many cities and 50 percent rates for minority teenagers.

In response to the Administration's elimination of all public service jobs under CETA Title IID and VI in FY82, cities have laid off all of their CETA employees—a total loss of 300,000 jobs from the CETA system.

Resulting costs to individual cities in dollars and services are immense an diverse. Of the 65 cities reporting direct financial effects due to the elimination of CETA, 42 percent are paying unemployment compensation, and 8 percent welfare. One northeastern city will spend approximately $20–25 million on unemployment compensation for former CETA employees, based on 2,000 people getting $130/week for 34 weeks. Columbus, Ohio is spending $40,000–$50,000 per month for unemployment compensation. Baltimore anticipates losing $27 million in wages, which multiplies to a $60 million drain on the economy because of lost wages. Only eleven percent of those cities surveyed felt there would be little direct cost to their cities, and only 20 percent said the county, state, and/or federal governments are paying the costs.

The stark reality of being newly unemployed in a recession economy is the prospect faced by former CETA employees. Some—but not all—former CETA employees had been hired by the city government in 52 percent of the respondent cities, other governments in 26 percent, private industry in 47 percent and nonprofit organizations in 5 percent. Fully 10 percent of the cities said none of their former CETA employees had found employment.

In Anchorage, 18 of the 80 employees laid off are now on the city payroll. Buffalo city government had hired 100 and private industry 380, of the 1,400 laid off. In Corpus Christi, 253 of the 362 terminated have been hired by the city government. Detroit city government has picked up 1,000 of the 1,124 laid off from CETA. Two hundred of the 760 laid off in Fort Wayne have found other jobs. In Fresno, the city has hired 40–50 of the 250 unemployed. In Los Angeles, of the 5,000 laid off, 63 are working for the city, 300 for other governments, and 800 for private industry.

Of the 10,330 laid off in New York City, 5,350 have been hired by the city, 39 by other governments, and 347 by private industry. Less than 5 percent of Pawtucket's

115 former CETA workers have found new jobs. None of Savannah's 83 public service employees has been re-employed. Approximately 40 of Waterbury's 205 laid-off CETA employees are working for the city. Five hundred of Seattle's 523 are working for the city now. And, in Toledo, 125 of the 694 are working for the city and other governments and none in private industry.

Of the 71 cities reporting the termination or cuts in services, 30 percent have reduced or eliminated parks and recreation programs, 25 percent health and human services programs, 20 percent street and bridge maintenance and construction, and 17 percent training and employment projects, most affecting youth. Maintenance and security in city housing projects will be cut in over 10 percent of the cities surveyed. Health and human services affected include day care, transportation and food programs for the elderly, alcohol and drug abuse centers, youth counseling, rape crisis centers, minority advocacy, displaced homemaker programs, and health delivery services. Aid to community-based organizations, which provide many of these services, will be eliminated in 13 percent of the cities surveyed. In Atlanta, at least 10 community-based organizations have closed so far and the termination of the CETA program will have "a significant negative impact on the city." According to an official in Cedar Rapids, the program was "killed without regard to its effectiveness. PSE was our best program." Public service employees represent "20 percent of Miami's current work force—it will be a severe loss to the city." Eight percent said some programs in all public services will be terminated and many large urban cities, like Detroit, which must pick up all the costs of the terminations of employees and services, feel it will mean "disaster" for their communities, especially for the poor and minorities.

Mayors and county officials are now working for reauthorization of a national employment and training program that will continue the direct federal-city relationship established in 1973 under the Nixon Administration's Comprehensive Employment and Training Act. Many cities surveyed stressed that the direct federal-city link has worked well for them and that they want to see it continued.

One person with over eight years of experience as a city employment and training director made the following observation: "under the Nixon Administration, we worked out a compromise to provide a way by which all cities and counties with a population over 100,000 could tackle their employment and training issues directly in concert with the federal government. Thus, in 1973, we agreed after months of negotiation that while there is a role for all governmental levels, the best system is one in which cities work with the federal government directly, without any intermediary barriers. That direct system works, and we have to keep it."

Many city officials expressed apprehension about a fundamental restructuring. As one official of a Midwestern city said, "Look, we are really hard hit by all these cuts and by our unemployment. We have just laid off more than 500 city workers and eliminated 300 more vacant positions from city rolls that we needed to have filled. It was bloody and painful and hard to say 'get lost' to people, some of whom had thirty years in with the city. In addition to our having to lay off city workers, we are dealing with a huge unemployment problem here. Remember, when you see an eight percent unemployment figure nationally, that translates into 15 or 20 percent or higher unemployment in cities, and in some instances, among our minority youth population, for example, we have unemployment over 40 percent."

The survey question on layoffs of public service employees produced a broad range of observations, not only about Public Service Employment (PSE), but also about the employment and training system in general. The picture that emerges is that cities across the country feel serious apprehension about the effects of federal cubacks on urban employment and training programs in this country. When recent proposals to shift responsibility for employment and training from the local to the state level are added to the discussion of federal employment and training cutbacks, local officials expressed even more alarm.

COMMUNITY AND ECONOMIC DEVELOPMENT

Since 1974, Community Development Block Grants (CDBG) have provided cities around the country with a flexible source of funds for infrastructure improvements, neighborhood development, housing rehabilitation, and targeted delivery of services to low- and moderate-income people. Proposed funding for the program in FY82 was equal to FY81 levels, despite the addition of some 35 new SMSA's to the program. Also, other complementary programs such as Section 312 rehabilitation loans, Section 701 planning grants, and low-income energy weatherization were substantially reduced or terminated, and the burden of providing these services pushed into the CDBG program. The FY82 budget legislation on the program translated to an effective cut in real dollars of 10 percent for all entitlement communities, compared to allocations in FY81. Cities surveyed said that this cut is having an immediate effect in this way:

Community development block grants (percent of respondents):

35 percent of the cities surveyed said that the FY82 cuts in CDBG already enacted have had a substantial effect.

72 percent said that a further 12 percent cut would have a disastrous or substantial effect.

Surveyed cities said that services under CDBG have already been curtailed as a result of projected funding cuts. Nearly all the cities contacted said that CDBG cutbacks will mean across-the-board reductions in activities such as capital improvements in distressed neighborhoods; reduction in the amount of housing rehabilitation; cutbacks in services such as special transportation for the elderly in target neighborhoods, and elimination or reduction of street paving and repaving programs in deteriorated areas.

An additional 12 percent cut in FY82 funding for CDBG was viewed by most cities as particularly serious. Atlanta, for instance, said that it would be "disastrous." "In addition to a general deferral of programs now underway, there will be no other place to make up the lost funds—all the pots are empty now." The city pointed out that there is little hope of aid from its state, particularly given its rural bias and the stiff competition from rural areas for scarce funds. Boston said further cuts would be "devastating" "—these (funds) are the city's principal development tools." Buffalo pointed out that CDBG funds are the key to its economic development efforts to increase its revenue base and become more self-sufficient. One southern community commented, "We've been given ten new things to do with this program and one-half the money." El Paso commented that all social service programs would be cut by at least $200,000. Another southwestern city stated that a further cut would mean that existing commitments from previous years would have to be broken, leaving some projects unfinished in target neighborhoods.

Another major thrust in city programming since 1974 has been economic development. The adoption in 1977 of the Urban Development Action Grant (UDAG) program spurred even greater attention to this vital area. Program funding through the Economic Development Administration (EDA) also provided cities resources which they could use to leverage private sector investment to create jobs and reduce dependence on public assistance. The UDAG program was cut by 26 percent in FY82 from FY81 levels; EDA was proposed by the Administration for elimination. The UDAG program appears headed for an additional 12 percent cut in the second round of Congressional budget reductions.

Urban economic development (percent of respondents):

31 percent said the cutback in UDAG has had a substantial effect in their communities.

38 percent said reductions in EDA were having a substantial effect.

45 percent said further cuts in UDAG would have a disastrous or substantial effect locally.

51 percent said the elimination of EDA would have a disastrous or substantial negative effect on their communities.

The City of Knoxville summarized many comments by calling UDAG cuts "self-defeating." Thanks to the program, that city has "totally revitalized our downtown."

In Dayton, the EDA cutbacks will mean that a $1 million revolving business loan fund to help businessmen in the city stay in business there, will not be funded completely. Ft. Wayne will be forced to cut staff in the city working on economic development projects because of the withdrawal of EDA support. Portland, Maine's effort to revitalize its waterfront for private investment and jobs may be lost entirely if EDA funding is cut off. Salt Lake City might have to abandon a downtown development project because of the EDA cuts. Youngstown, which has lost 10,000 jobs since 1977, needs loan guarantees from EDA to attract new industries and help those there now to expand.

ASSISTED HOUSING PROGRAMS

In the March revisions to the FY82 budget, housing assistance funds were proposed to be cut by nearly 30 percent. This reduction in funding affected cities' ability to use Section 8 subsidies in existing, rehabilitated, and newly constructed housing, and to develop publicly-owned and operated low-rent housing. Subsidies for the operation of low-rent public housing also were slated for cuts, and public housing authorities were notified to expect no more than 85 percent of the funds to which they were entitled by the Administration's own Performance Funding System. Cities across the country are feeling the impact of these cuts.

Assisted housing programs (percent of those responding):

57 percent characterized the cuts already enacted as having a disastrous or substantial effect in their communities.

70 percent said an additional 12 percent cut would cause a disastrous or substantial impact in their communities.

Particularly serious were the comments of many respondents—many of whom asked not to be identified by name—that further cuts in housing funds could easily lead to the bankruptcy of local public housing agencies. Many communities said that further cutbacks in public housing operating subsidies would lead to the closing of substantial numbers of public housing units. One southern jurisdiction pointed out that it has a waiting list of 27,000 people already for public housing, and its housing authority is close to bankruptcy. The City of St. Paul characterized a further cut in housing assistance as "devastating," pointing out that without additional federal assistance, the city's efforts to encourage the development of smaller, more energy-efficient homes will be hampered. This will mean further waste in energy and space in the city, while putting increasing pressure on the existing housing stock.

City after city noted that vacancy rates

are below 3 percent, in many cases hovering between 1 and 2 percent. Cities as diverse as Corpus Christi, San Jose, and Springfield, Missouri, all pointed to low vacancy rates as a major problem which cutbacks in federal housing assistance will exacerbate.

While cities share responsibility with states and counties for public assistance programs, a large number of cities surveyed expect to be negatively affected by cuts in federal income support programs.

More than 33 percent of the cities said they have a public assistance or general assistance program for the indigent, with the remaining cities reporting that counties, states or non-profit agencies are responsible for these programs.

Where cities provide assistance programs, the three most common are general assistance, emergency services, and medical assistance programs. Because one-fourth of the program's clients are on Medicaid and/or Medicare, reductions in federal support for these programs will cost the city revenue. For the past 25 years, one southwestern city has been giving assistance to those ineligible for state aid. Already feeling the pinch, the city says, "we have reduced our program by consolidating staff and making smaller amounts available for cash assistance. The future focus will probably be on home energy costs and homemaker services."

Some 58 cities stated that cutbacks in federal income support programs are resulting in calls from or on behalf of the poor. An increase in calls and inquiries from the poor was experienced by 40 cities surveyed. Another 18 said public assistance agencies were calling to ask the city for help or money for the poor. Thirty-nine cities felt calls were being placed to county officials responsible for administering public assistance programs.

"The impact is immediate," says Atlanta. "Poeple are asking for help." And, in Knoxville, "people are contacting the city because they don't know where to go now." Calls are up 30 percent in one southwestern city and up 20 percent in Baltimore. New Bedford projects "calls will really hit the city if unemployment increases."

Almost all cities that fund local assistance programs expect federal cutbacks to result in increases in the city's public assistance budget. Cities that won't have increases say it is because there isn't any more local money available. Cities relying on states and counties to operate assistance programs foresee a ripple effect that will end up taking a bite out of the city budget.

In Madison, the city's public assistance budget is expected to jump 15 percent in fiscal year 1982. Providence has had a first quarter budget increase to $2 million, up from $1.5 million.

In Baltimore, the city projects changes in the food stamp income eligibility standard may mean $1.1 million in lost income to some 20,000 of Baltimore's working poor and households with high expenses relative to income. For the city, there will be more stress placed on emergency services.

Cincinnati's health department is facing "a real crisis" with the loss of approximately $3.5 million in federal grants. Hard hit will be programs directed to mothers and infants, immunizations and rat control.

Many cities anticipate a domino effect where, as the providers of last resort, they will be obligated to step in and aid the indigent. In Columbus, Ohio, the county funds the general assistance program for the poor, but federal cutbacks will place a greater burden on city social services. "If the county can't handle the needs, the city may have to develop new programs," predicts Corpus Christi. Buffalo reports the county operates public assistance programs, but reductions in federal funds may make the county increase taxes, "thereby creating an adverse impact on the city's ability to raise sufficient revenue for city programs. There's already a gap between county expenditures for public assistance and county revenue to provide them." And, in Texas, the state has made heavy cuts in day care and nursing home services, forcing El Paso to compensate by increasing its budget for these.

Many cities also make contributions to private, nonprofit agencies. Of the 90 cities which make such contributions, donations total $1 million annually. These city dollars support a wide range of activities which include social and health services, cultural, educational, and recreational programs, legal services, and economic development. Additionally, some cities contribute in-kind services to their private, non-profit agencies. A total of 11 cities indicated that their contributions will be reduced in FY82. Berkeley will have to cut their contributions by 60 percent and Denver by 50 percent. Fresno will have to take the extreme measure of eliminating the city's contribution to the private sector.

Combined cutbacks in availability of city general assistance funds and in contributions to private, non-profit agencies, when viewed in combination with cutbacks in federal and state programs that directly assist the poor and disadvantaged, paint a picture of great hardship and significantly decreasing assistance for the poor and the working poor.

EDUCATION

Education services are being reduced in most cities across the country. Layoffs are rampant. School lunches cost more. These are the impacts now—and the impacts in the coming months.

Reduced Services: The most dramatic impact of the federal cuts in education has been in the reduction of services, as indicated by three-fourths of the 62 responding cities. Even more significant are the areas cited as most frequently receiving the cuts—Title I programs for the disadvantaged, bilingual education, and programs for handicapped students.

And it does not appear that new local dollars will be available in many cities to make up this slack in reduced services. Forty percent of the cities responding said that school taxes would be increased to offset the federal cuts. State laws prohibit many other cities from even considering this option.

In view of the large numbers of disadvantaged and handicapped children presently served by special programs, as well as the increasing numbers of non-English speaking immigrant and refugee children, the federal cuts in special services could portend serious problems. For example, Dade County alone has an influx of 16,000 new students from Cuba and Haiti whose special needs cannot be met. The availability of special services has given school systems large clienteles of special needs students who will have to be educated within the regular curriculum.

Since it is doubtful that the regular education programs of school systems can respond to all the needs of children served by special programs, city social service and health agencies will be called upon to assist. And, cities also may have to cope with more frustrated youths who become school dropouts as a result of the diminished capacity of public school systems.

Layoffs: Layoffs also were a frequently cited result of the federal cuts. Nearly two-thirds of the responding cities indicated that reduced federal funds had necessitated employee cuts across all categories of school personnel.

Other Effects: Other effects cited by 14 of the 40 responding cities were school closings, service fees for recreation, and fewer auxiliary staff members such as counselors, tutors, and aides. Los Angeles schools have suffered a severe setback in integration efforts because federal funds for this purpose have been cut from $15 million to $7 million.

Future Impact: In discussing the future impact of federal cuts, several cities indicated it was too early to predict effects. However, reduced services were again cited as the primary target area by 95 percent of the respondents. In the words of the Director of Finance for the East Baton Rouge Parish School Board, "Title I special programs will evaporate." More layoffs were predicted by 79 percent of the 33 respondents. School closings, increased taxes, and other stringent measures, were indicated by 65 percent of the responding cities. Atlanta summed up its situation by stating that "the effects will be traumatic."

School Lunch Program: The school lunch program will suffer in many cities with increased costs and prices resulting in decreased participation in several cities. For example, in Baltimore, 4,918 children have dropped out of the school lunch program. As a result, some schools may not be able to continue their programs. Of 54 cities providing information about the impact of the cuts on their school lunch program, almost a third said the effect was disastrous, another third said substantial, and the remainder indicated moderate effects.

INDUSTRIAL REVENUE BONDS

Tax-exempt Industrial Revenue Bonds (IRBs) have played an increasingly important role in city economic development efforts in recent years. Cities report that this tool has been particularly helpful in working with small businesses which need funds at reasonable interest rates to expand and increase employment. The Administration has proposed curtailing or even ending the tax-exempt status of these bonds for small issues. Cities surveyed said this would have a serious negative effect on their economic development efforts.

Industrial revenue bonds (percent of respondents):

64 percent of those surveyed said they used IRBs.

79 percent said that an elimination of IRBs would have a disastrous or substantially negatiive effect on their cities.

34 percent said requiring a 5 percent match for issuance of the bonds would make their use impossible.

Cedar Rapids reported that, "it would stop all expansion in the city" if IRBs were eliminated. "All the economic growth of the last two years (in Cedar Rapids) depended on IRBs. The effect would be dramatic." A southern city said that a job creation effort involving 11,500 jobs in depressed parts of the city would be halted if IRBs were terminated. Garland, Texas reported that "it would have a substantial effect. There have been about 8 projects here receiving IRB assistance, all small issues."

Requiring cities to match IRBs with local funds would virtually end the program in most areas, according to survey respondents. Berkeley said it would make it "impossible" for the city to participate in the program. Cedar Rapids said that state law would prohibit it from matching the funds at all. Duluth said that "budget constraints make any match impossible." Gulfport said "the city would stop issuing them" if a match were required. Indianapolis said such a requirement would have a "chilling effect."

TRANSPORTATION

The nation's cities are enduring difficulty across the board in meeting basic urban transportation needs including public transit, streets, roads, and bridges. And the situation is likely to get more difficult in the months ahead.

Public Transportation: Fare increases—both recent and projected—and the common thread running through most urban public transportation systems, combined with rider-

ship declines and reductions in service. The summary figures below graphically illustrate the dilemma.

Public transportation and cities (percent of respondents):

Sixty percent have had fare increases in the last six months.

Fifty-three percent expect another fare increase in less than a year.

City officials are concerned that additional cuts in federal operating assistance will result in cuts in service, decline in ridership, and increased fares. With further cuts in the capital program, the most likely impact would be deferred purchase of new equipment along with generally deferred maintenance.

Public transportation can be the victim of a vicious cycle. Budget cutbacks yield higher fares, which lead to declining ridership, which results in deferred maintenance and service cutbacks, further impairing services.

But more than an economic cycle, federal transit budget cuts mean real impacts in cities. Public transportation serves a largely dependent population—the poor and the elderly, in particular. Yet fares are approaching $1.00—one way—in cities across the country.

Transit also serves an independent population—those who can afford to make the choice between transit and other modes. As fares rise and service shrinks or declines, this group might return to their automobiles—which means a far greater amount of street congestion, energy waste and dirty air in cities.

Cuts—particularly in operating assistance—mean that just as transit is poised to make major gains, cities will have neither the resources to expand nor to properly maintain their public transportation resources.

The U.S. Conference of Mayors has argued that in addition to the overall level of federal resources, it is critical to look at the uses of those dollars. The Administration's proposal to phase out operating assistance would make the federal transit program highly inflexible—available for capital only. The Conference has proposed an adequately funded flexible block grant approach so that local officials, within broad limits, could tailor federal resources to meet local needs.

Streets, Roads and Bridges: Transportation is a basic component of the urban infrastructure. Unless cities can reverse the decline in the infrastructure, any possible economic growth in the future will either fail to develop or surely bypass them.

By all accounts, the urban transportation infrastructure is in serious disrepair, as the figures below indicate.

Streets, roads and bridges (percent of respondents):

56 percent have decreased their budgets for streets, roads and bridges in this fiscal year.

65 percent indicated that the situation is deteriorating.

Local budgets for streets, roads, and bridges which are declining, will get worse should the Administration's proposal to eliminate the Federal Aid Urban System (FAUS) go forward. The FAUS program is the only federal effort specifically targeted to meet the surface transportation needs of local government.

It is important to note that city budgets in the infrastructure area are not decreasing because of federal largesse, either current or anticipated. Rather, decline in this budget account is the direct result of the need for Mayors to divert funds to the pressing day-to-day service needs of police, fire, and sanitation, to name a few. Added to this are the revenue and expenditure ceilings under which many cities must live.

Finally, the street, highway, and bridge budgets of cities are uniquely tied to the bond market. Conditions in these markets, sensitive to federal tax policy and interest rates, are now making city participation in the bond market difficult.

Clearly, cities want to do the necessary job in the transportation infrastructure area, but are pressed for funds from all sides—federal, state and local. As noted, the ability to do much more at the state or local level to raise new revenues is limited. One possible answer is enhancement of an existing national user tax—the federal tax on gasoline. This source could be raised and sufficiently targeted to have an extremely positive impact on meeting street, highway, bridge and public transportation needs without further denting the federal budget.

WATER QUALITY

Progress in cleaning up urban water is headed for a halt in cities across the country unless the federal government soon resumes its funding of the Wastewater Treatment Construction Grants Program.

The construction grants program has paid for 75 percent of the costs for states and localities to meet federal clean water mandates. The Administration, with Congressional approval, has withheld funding pending revision in the basic clean water law. But, while Congress works toward a new law, cities are left with massive sewerage treatment plants uncompleted. City reaction is summarized below.

Wastewater treatment construction grants: The Effect of Zero Funds for FY82 (percent of respondents):

9 percent say it has had a disastrous effect.

23 percent say it has had substantial effect.

16 percent say it has had moderate effect.

Nationally, some 30 states across the country have either ceased, or will soon cease, program operations because federal funds have run out.

What cities currently face in the clean water field is a classic case of federal mandates but no federal resources. But, what makes this situation far more serious and severe is that many cities are under federal court order to meet the clean water mandates. The court orders, and Congressional action, make no allowances for the absence of planned-on resources.

Major cities have also suffered because the program is administered through the states and large-scale projects have often not received adequate attention on state priority lists.

Because these wastewater plants are essentially construction projects, they will also suffer by the increased costs brought about by inflation, if and when construction finally resumes.

Many cities report that because of the withdrawal of federal funds, urban residents will be forced to pick up the costs of completion through higher user fees. These costs have been inflated by mandated requirements and technologies.

Because sewerage capacity is such a basic element of the urban infrastructure, many cities fear that the program moratorium will also have a negative impact on their community and economic development plans—there is no growth and development without the proper sewer facilities.

Finally, to the extent that cities attempt to complete federally mandated projects with more local funds, it will require diversion from other important city projects.

The Wastewater Treatment Construction Grant program has historically been a roller coaster of both funding and regulations, and as such, has continuously presented a major challenge for cities to handle. This latest funding crisis, however, puts the cities as never before, on the receiving end of arbitrary federal decisions and places urban environmental programs in jeopardy.

URBAN PARKS AND RECREATION

Mayors are being forced to curtail local expenditures for these efforts by a wide margin. Cities understand the importance that parks and recreation access contributes to community and economic development and the quality of life in cities. But as funds grow increasingly scarce, cities are forced to both reduce all budgets across the board and divert funds to public safety functions such as police, fire and sanitation. Moreover, the public service employees who performed many critical tasks in the parks and recreation areas are now gone. The figures below illustrate the severity of the problem.

Urban parks and recreation (percent of respondents):

65 percent have made or plan to make reductions in the cities parks and recreation budget.

$1.1 million is the average dollar reduction.

13 percent is the average percentage reduction.

The federal government has never played a large role in the financing of urban parks and recreation systems, although those cities, which have received small funding from the Urban Parks and Recreation Recovery Program (UPARR) or the Land and Water Conservation Fund (LWCF), have found that it can play a crucial role in helping to turn a city around.

But when UPARR or LWCF are cut, or when other federal programs are cut, one way or another the city parks and recreation department will be among the first to bear the impact. And this is displayed in very human terms.

One major city will have to soon close 10 of 52 recreation centers—a twenty percent elimination of a system. Many programs in many cities designed to keep youth off the street have had to start late and prematurely end. One big city is literally closing its parks and recreation department for one-half of the year.

The bottom line for city park and recreation efforts is a lower level of services. Some cities report that they will attempt to go to the bond market or adjust local tax sources to compensate for lost park funds, but expect difficulty in doing so. The elimination of the federal Land and Water Conservation Fund and the reduction of the Urban Parks and Recreation Recovery Program increases the burden.

The dramatic and swift reduction and decline in the overall park and recreation effort of all levels of government will hit hardest at those with the least recreation choices—the poor and the elderly. Parks and recreation resources should also be considered part of the urban infrastructure—to the extent they continue to decline, the prospect for the city as the foundation of economic growth is also diminished.

Many cities are now working hard to support their park and recreation systems through a variety of means including contributions of dollars and human resources from the private sector and volunteers. The future of parks and recreation opportunities in cities will rest on a complex partnership between a variety of participants, anchored by city governments, but including the state and federal governments and the private sector.

APPENDIX I

List of all cities surveyed:

1. Akron, Ohio.
2. Allentown, Pennsylvania.
3. Anchorage, Alaska.
4. Ann Arbor, Michigan.
5. Atlanta, Georgia.
6. Austin, Texas.
7. Baltimore, Maryland.
8. Baton Rouge, Louisiana.
9. Berkeley, California.
10. Billings, Montana.
11. Birmingham, Alabama.
12. Boise, Idaho.
13. Boston, Massachusetts.
14. Buffalo, New York.

15. Burlington, Vermont.
16. Cedar Rapids, Iowa.
17. Charleston, South Carolina.
18. Charleston, West Virginia.
19. Cheyenne, Wyoming.
20. Chicago, Illinois.
21. Cincinnati, Ohio.
22. Clearwater, Florida.
23. Cleveland, Ohio.
24. Columbus, Ohio.
25. Corpus Christi, Texas.
26. Dade County; Florida.
27. Dallas, Texas.
28. Dayton, Ohio.
29. Denver, Colorado.
30. Des Moines, Iowa.
31. Detroit, Michigan.
32. Dubuque, Iowa.
33. Duluth, Minnesota.
34. Elizabeth, New Jersey.
35. El Paso, Texas.
36. Erie, Pennsylvania.
37. Fargo, North Dakota.
38. Flint, Michigan.
39. Fort Wayne, Indiana.
40. Fresno, California.
41. Garland, Texas.
42. Gulfport, Mississippi.
43. Hartford, Connecticut.
44. Indianapolis, Indiana.
45. Kansas City, Missouri.
46. Knoxville, Tennessee.
47. Las Vegas, Nevada.
48. Lincoln, Nebraska.
49. Little Rock, Arkansas.
50. Long Beach, California.
51. Los Angeles, California.
52. Louisville, Kentucky.
53. Madison, Wisconsin.
54. Manchester, New Hampshire.
55. Memphis, Tennessee.
56. Miami, Florida.
57. Minneapolis, Minnesota.
58. Nashville, Tennessee.
59. New Bedford, Massachusetts.
60. New Haven, Connecticut.
61. New Orleans, Louisiana.
62. New York, New York.
63. Norfolk, Virginia.
64. Oakland, California.
65. Omaha, Nebraska.
66. Pawtucket, Rhode Island.
67. Philadelphia, Pennsylvania.
68. Pittsburgh, Pennsylvania.
69. Portland, Maine.
70. Portland, Oregon.
71. Providence, Rhode Island.
72. Richmond, Virginia.
73. Riverside, California.
74. Rochester, New York.
75. Rockford, Illinois.
76. Rockville, Maryland.
77. St. Louis, Missouri.
78. St. Paul, Minnesota.
79. Salt Lake City, Utah.
80. San Antonio, Texas.
81. San Diego, California.
82. San Francisco, California.
83. San Jose, California.
84. Santa Barbara, California.
85. Savannah, Georgia.
86. Seattle, Washington.
87. Springfield, Missouri.
88. Syracuse, New York.
89. Tacoma, Washington.
90. Tampa, Florida.
91. Toledo, Ohio.
92. Tucson, Arizona.
93. Warwick, Rhode Island.
94. Washington, D.C.
95. Waterbury, Connecticut.
96. Wilmington, Delaware.
97. Winston-Salem, North Carolina.
98. Yonkers, New York.
99. York, Pennsylvania.
100. Youngstown, Ohio.

APPENDIX II

100 City Survey, Follow-up, November 1981

City:
Contact:
Phone:

Questionnaire

The U.S. Conference of Mayors is conducting a survey of 100 cities which we intend to use in our lobbying efforts here in Washington, D.C. We intend to make public information you and other cities provide, so if there is any need for confidentiality at any point in the survey, please let me know.

I want to ask you several questions on the impact of the FY82 budget cuts on your city:

1. What budget adjustments has your city made in FY82 as a result of cuts in federal aid?

(a) Laid off workers? Percent of workforce? If so, how many?

(b) Increased taxes? If so, which taxes? Do you have a city income or sales tax? Does your state allow you to levy one?

(c) Cut services? If so, which?

(d) Deferred capital spending? If so, which projects in particular? Were any major urban infrastructure plans deferred?

2. If your general revenue sharing allocation is cut by 12 percent in FY82, what budget adjustments would your city have to make?

(a) Lay off workers? If so, how many? And what type?

(b) Increase taxes?

(c) Cut services? If so, which services?

3. When was your most recent transit fare increase?

Do you expect another fare increase before Oct. 1, 1982?

Has ridership declined as a result of your last fare increase?

Do you expect ridership to decline before Oct. 1, 1982?

What would be the likely effect on your transit system of an additional 12 percent cut in federal operating assistance for FY82?

(a) Increased fares?
(b) Cutbacks in services?
(c) Declining ridership?
(d) Other (explain)

What would be the likely effect on an additional 12 percent cut in federal capital assistance in FY82?

(a) Deferred maintenance?
(b) Deferred purchases of new equipment?
(c) Other (explain)

4. As you know, federal subsidized housing programs have been cut by nearly 50 percent in FY82. What effect has this had on your own local housing efforts?

(a) Substantial
(b) Some
(c) Little
(d) None

What types of programs?

What will be the result of an additional 12 percent cut in your housing allocation?

5. What has been the effect in your community of federal cutbacks in FY funding for Community Development Block Grants, UDAG and EDA?

What will be the effect if CDBG and UDAG are cut by another 12 percent and if EDA is eliminated?

6. Does your city use industrial revenue bonds? If so, what would be the impact on your local development efforts if small issue IRBs were eliminated by the Treasury Department?

If the city were required to put up 5 percent of its own funds to match the IRB?

7. Does your city have some sort of public assistance or general assistance program for the indigent? As a result of cutbacks in federal income support programs—food stamps, AFDC, unemployment compensation, Medicare, etc.—have you received more calls and inquiries from the poor?

Do you expect the city's public assistance budget to increase?

8. So far in FY82, no funds have been appropriated for the EPA wastewater treatment program. What has been the effect of this on your city's water and sewer programs?

Are you under court order to make improvements?

9. In implementing the new block grants, has your state consulted with your city and has your city been allowed to participate in the decision-making process? Explain:

Have you been able to get information from your state about the implementation of the block grants?

How have services in your community been affected by the block grants? What do you anticipate will happen?

(a) City will lose money?
(b) Funding about the same?
(c) City will gain funds?

Is your state administering the small cities portion of the Community Development Block Grant? What is your general impression of how well they are doing, whether or not you are a small city?

(a) Very well.
(b) Some complaints (explain).
(c) Poorly.

10. What impacts have the FY82 budget cuts in education already had on the school system in your city?

(a) Lay-offs
(b) Reduced services? Explain.
(c) Increases in school taxes?
(d) Other (e.g., school closings due to budget cuts)

What do you anticipate will be the future impact of the FY82 budget cuts on the school system in your city? (please respond in the same areas)

What has been the effect of FY82 budget cuts on your school lunch program?

11. How many CETA public service employees have been laid off since March, 1981?

Which services provided by public service employees have been eliminated?

How many of those public service employees who were laid off have been hired by the city government? By other governments? By private industry?

What kinds of costs have the city had to incur by the removal of PSE workers from the city payroll (e.g., unemployment compensation, welfare, etc.?)

How much were they?

12. In FY82, have you made or do you plan to make, any reductions in your city's parks and recreation budget? By how much?

13. In FY82, what is happening to your local budget for streets, roads, and bridges?

14. Does your city make contributions to private, non-profit agencies? If so, how much?

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Saunders, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–2277. A communication from the Architect of the Capitol transmitting, pursuant to law, a report on all expenditures from moneys

appropriated to him for the period April 1 through September 30, 1981; to the Committee on Appropriations.

EC–2278. A communication from the Clerk of the U.S. Court of Claims transmitting, pursuant to law, a copy of the court's judgment order in re *The Pyramid Lake Tribe of the Pyramid Lake Reservation* v. *The United States*, No. 87–C; to the Committee on Appropriations.

EC–2279. A communication from the Assistant Secretary of Defense (Comptroller) transmitting, pursuant to law, a secret listing of contract award dates for the period November 15, 1981 to February 15, 1982; to the Committee on Armed Services.

EC–2280. A communication from the Director of the Defense Security Assistance Agency transmitting, pursuant to law, a confidential report on a proposed foreign military sale to Australia; to the Committee on Armed Services.

EC–2281. A communication from the Director of the Defense Security Assistance Agency transmitting, pursuant to law, a report on a proposed foreign military sale to Saudi Arabia; to the Committee on Armed Services.

EC–2282. A communication from the Deputy Assistant Secretary of Defense for Facilities, Environment, and Economic Adjustment transmitting, pursuant to law, a report on nine construction projects to be undertaken by the Army Reserve; to the Committee on Armed Services.

EC–2283. A communication from the Deputy Assistant Secretary of Defense for Facilities, Environment, and Economic Adjustment transmitting, pursuant to law, a report on seven construction projects to be undertaken by the Naval and Marine Corps Reserve; to the Committee on Armed Services.

EC–2284. A communication from the Comptroller General of the United States transmitting, pursuant to law, a report entitled "DOD Can Increase Revenues Through Better Use of Natural Resources it Holds in Trust"; to the Committee on Armed Services.

EC–2285. A communication from the Secretary of Transportation transmitting a draft of proposed legislation to eliminate the requirement of review and approval of plans and location for bridges and causeways over certain navigable waters of the United States; to the Committee on Commerce, Science, and Transportation.

EC–2286. A communication from the Deputy Assistant Secretary of the Interior for Territorial and International Affairs transmitting, pursuant to law, audit reports for Guam/TTPI/NMI and American Samoa; to the Committee on Energy and Natural Resources.

EC–2287. A communication from the Comptroller General of the United States transmitting, pursuant to law, a report entitled "Annual Report on Outer Continental Shelf Shut-In or Flaring Wells is no Longer Needed"; to the Committee on Energy and Natural Resources.

EC–2288. A communication from the Administrator of the Energy Information Administration transmitting, pursuant to law, reports on sales of refined petroleum products and sales of retail gasoline for August 1981; to the Committee on Energy and Natural Resources.

EC–2289. A communication from the Assistant Secretary for Congressional Relations, Department of State, transmitting a Process-Verbal of Rectification of the text of the Convention on the Conservation of Antarctic Marine Living Resources, 1980; to the Committee on Foreign Relations.

EC–2290. A communication from the Assistant Secretary of State for Congressional Relations transmitting, pursuant to law, an agreement between the American Institute in Taiwan and the Coordination Council for North American Affairs, relative to certain aeronautical equipment and services; to the Committee on Foreign Relations.

EC–2291. A communication from the Secretary of the U.S. Postal Rate Commission transmitting, pursuant to law, notice of a hearing scheduled for December 10, 1981, at the Postal Rate Commission, Washington, D.C.; to the Committee on Governmental Affairs.

EC–2292. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a copy of an Act of the Council, D.C. Act 4–115; to the Committee on Governmental Affairs.

EC–2293. A communication from the Chairman of the Council of the District of Columbia transmitting, pursuant to law, a copy of an Act of the Council, D.C. Act 4–114; to the Committee on Governmental Affairs.

EC–2294. A communication from the Associate Commissioner of the Immigration and Naturalization Service for Examinations transmitting, pursuant to law, a report on orders exercised under section 212(d)(3) of the Immigration and Nationality Act in 521 cases; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MOYNIHAN, from the Select Committee on Intelligence:

Special Report entitled "Report of the Senate Select Committee on Intelligence on the Casey Inquiry" (Rept. No. 97–285).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committee were submitted:

By Mr. THURMOND, from the Committee on the Judiciary:

Edward R. Becker, of Pennsylvania, to be U.S. Circuit Judge for the Third Circuit;

Jackson R. Kiser, of Virginia, to be U.S. District Judge for the Western District of Virginia;

Robert G. Doumar, of Virginia, to be U.S. District Judge for the Eastern District of Virginia;

Brent D. Ward, of Utah, to be U.S. Attorney for the District of Utah for the term of 4 years;

Joseph P. Stadtmueller, of Wisconsin, to be U.S. Attorney for the Eastern District of Wisconsin for the term of 4 years;

Donald B. Ayer, of California, to be U.S. Attorney for the Eastern District of California for the term of 4 years;

Louis G. DeFalaise, of Kentucky, to be U.S. Attorney for the Eastern District of Kentucky for the term of 4 years;

William S. Vaughn, of Missouri, to be U.S. Marshal for the Eastern District of Missouri for the term of 4 years;

Howard V. Adair, of Alabama, to be U.S. Marshal for the Southern District of Alabama for the term of 4 years;

James L. Meyers, of Louisiana, to be U.S. Marshal for the Middle District of Louisiana for the term of 4 years;

Paul R. Nolan, of Washington, to be U.S. Marshal for the Eastern District of Washington for the term of 4 years; and

Harry Connolly, of Oklahoma, to be U.S. Marshal for the Northern District of Oklahoma for the term of 4 years.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. PELL (for himself and Mr. BUMPERS):

S. 1896. A bill to amend the Internal Revenue Code of 1954 to repeal the special leasing provisions enacted by the Economic Recovery Tax Act of 1981; to the Committee on Finance.

By Mr. DURENBERGER:

S. 1897. A bill to amend the Internal Revenue Code of 1954 to provide an additional 8 years to amend governing instruments to meet the requirements for gifts of split interests to charity, and for other purposes; to the Committee on Finance.

By Mr. BOREN:

S. 1898. A bill to amend the Internal Revenue Code of 1954 to exempt certain vehicles, trailers, bodies, chassis, parts, and accessories used for farming purposes from the excise tax and from the highway use tax imposed on such property; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PELL (for himself and Mr. BUMPERS):

S. 1896. A bill to amend the Internal Revenue Code of 1954 to repeal the special leasing provisions enacted by the Economic Recovery Tax Act of 1981; to the Committee on Finance.

REPEAL OF SPECIAL LEASING PROVISIONS

● Mr. PELL. Mr. President, I am today introducing legislation to repeal the so-called "leasing" provision of the Economic Recovery Tax Act of 1981.

This is the provision of the act that permits corporations to buy and sell Federal tax credits as though the credits were stocks, bonds or bushels of wheat.

This leasing provision has been in effect for little more than 3 months, but it is already apparent that it is an unjustified and outrageous raid on the U.S. Treasury and on the taxpayers of the Nation. Indeed, this "leasing" provision is really a "leeching" provision because it permits wealthy, profitable corporations to leech billions of dollars from the taxpayers.

The original estimate was that this provision would cost the Treasury $27 billion in lost revenue during the next 5 years. It is now apparent that corporations are going to take far greater advantage of this bonanza than anticipated and the costs probably will be much higher.

This tax loss has a direct and heavy impact on the Federal budget. Unless this loophole is closed, every tax dollar lost through it must be made up either by further cuts in Government programs, by increasing taxes on others, or by adding to the Federal deficit.

To me the choice is clear. Vital Federal programs already have been severely cut, and the Federal deficit must be reduced, not increased, if we are to bring inflation under control and bring down interest rates. And it would be unthinkable to increase the taxes paid by the average American to pay for what has been aptly described as a food stamp program for wealthy corporations. There is only one reasonable course of action and that is to repeal the "leeching" provision.

Let me explain why this provision is wasteful and economically unjustified.

The provision permits a corporation which has little or no Federal tax bill to transfer excess investment tax credits or depreciation allowances to another corporation which can make better use of the tax credits. The transfer is made through complex transactions involving the sale and leasing of equipment. The transactions however are mere paper shuffling with no purpose other than to obtain hundreds of millions of dollars of extra tax reductions.

Typically, these transactions are between highly profitable companies that are looking for ways to cut their Federal taxes, and other corporations that have tax credits but have done so poorly in the competitive marketplace that they did not earn any profits and thus do not owe any taxes from which they can deduct the credits.

Typically, then the "leeching" provision helps two kinds of corporations: Wealthy firms that do not need any help, and inefficient, noncompetitive firms that do not deserve any help.

There may be fact be occasions when there is economic justification for aiding an industry or a firm that is having temporary economic difficulties. But there are far better, more efficient and direct ways to provide assistance. Under the leaching provision, the unprofitable company in a leasing transaction realizes about 20 percent or less of the value of the tax credits it sells. Eighty percent or more goes to benefit the wealthy firm that needs no additional tax breaks.

If we apply that ratio to the $27 billion to be spent through this provision during the next few years, it means that $21 billion will benefit profitable corporations and only $6 billion will go to corporations facing financial difficulty. It is the equivalent of running a welfare program in which $4 is paid to wealthy, nonneedy persons for every dollar paid to the truly needy. It is clearly unjustified.

There is one additional class of nonneedy persons who are profiting immensely from this "leeching" provision, and that is the corporate law firms that arrange these tax marriages between corporations. The typical fee for brokering one of these deals is one-quarter of 1 percent of the tax credits involved. At that rate corporate law firms will pick up about $67 million in fees during the next 5 years. At a time when we are slashing legal aid for the poor, I wonder if we really want to subsidize corporate law firms.

We should consider also the basic question of whether it is good public policy to permit selling and trading or Federal tax credits. If it is good policy then the privilege should not be reserved to corporations, but extended to the average taxpayer.

After all, many individual Americans today have Federal tax deductions which they cannot fully use, or cannot use as well as others. For example, a taxpayer with a $10,000 annual income may have during 1 year a serious illness involving $15,000 in medical bills. Obviously he cannot deduct his full medical expenses from his income. Should we permit him to sell his excess medical deductions to the highest bidder? After all, the medical deductions would be worth $7,500 to a wealthly, healthy taxpayer in a 50 percent tax bracket.

Or consider the $1,000 personal exemption allowed each taxpayer. For a person in the 20 percent tax bracket, that exemption provides a tax reduction of $200, but for a person in the 50 percent tax bracket the same exemption is worth $500. Should we permit those in the lower income brackets to auction off their exemptions to higher income taxpayers? A wealthy taxpayer might pay, for example, $350 for the exemption, providing an extra $150 to the low-income person, and an extra $150 tax break to the well-off taxpayer.

The fact is that we do not allow this kind of commercial trading of tax breaks among individuals and we should not permit it among corporations.

Finally, Mr. President, to underscore the size of this corporate tax loophole, let us consider what the Federal Government might do with that $27 billion if we did not give it away to corporations.

That $27 billion is more than double the projected deficit in the social security trust fund over the next 5 years. That $27 billion would fully fund, for the next 10 years, the program of basic educational opportunity grants to needy college students at the current budget level.

The leasing provision of the 1981 Tax Act clearly was a mistake. It was adopted without hearings in either the House of Representatives or the Senate. It slipped through without a shred of debate on the floor of the House or the Senate.

David Stockman, Director of the Office of Management and Budget, commenting in his Atlantic magazine interviews on the tax bill said, "The hogs were really feeding. The greed level, the level of opportunism, just got out of control."

Mr. President, the hogs have fed off the taxpayers long enough through the leasing provision. It should be repealed promptly.

I ask unanimous consent that the text of my bill repealing the lease provisions of the Economic Recovery Tax Act of 1981 be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1896

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REPEAL OF SPECIAL LEASING RULES.

(a) IN GENERAL.—Subsection (f) of section 168 of the Internal Revenue Code of 1954 (relating to accelerated cost recovery system) is amended by striking out paragraph (8) and redesignating paragraphs (9) through (11) as paragraphs (8) through (10), respectively.

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (5) of section 168(f) of such Code (relating to short taxable years) is amended by striking out the last sentence thereof.

(2) Subsection (a) of section 1245 of such Code (relating to gain from disposition of certain depreciable property) is amended by striking out paragraph (6).

SEC. 2. EFFECTIVE DATE.

The amendments made by this Act shall apply to agreements entered into after January 1, 1982.●

By Mr. DURENBERGER:

S. 1897. A bill to amend the Internal Revenue Code of 1954 to provide an additional 3 years to amend governing instruments to meet the requirements for gifts of split interests to charity, and for other purposes; to the Committee on Finance.

CHARITABLE REMAINDER TRUST BILL

● Mr. DURENBERGER. Mr. President, today I am introducing a bill to extend for 1 year expiring provisions permitting the reformation of charitable remainder trusts. The current tax laws governing deferred giving to charity are complex and have been strictly construed by the Treasury Department and the Internal Revenue Service in their regulations and rulings.

To alleviate the problems of unqualified, or nondeductible, gifts of partial interests, Congress in 1974 granted temporary relief permitting the reformation of such gifts so as to permit unqualified gifts to be revised and thereby become deductible. The relief was temporarily extended by Congress in 1976, 1978, and 1980. This fourth temporary extension will give charities, the Treasury, and the Congress time to work out a permanent solution that all parties now acknowledge is needed.

My distinguished colleague, BARBER CONABLE, is introducing similar legislation in the House of Representatives. I hope that both bodies will take action on this proposed legislation before existing law expires on December 31, 1981. The revenue loss is small and is really only the loss of tax windfalls—taxes the Treasury would not have received if the gift of the property had conformed to the existing, very technical, law.

Mr. President, as the Federal Government reduces its direct support for many activities in the social service, education, health, and other areas, we in Congress must do what we can to encourage alternative delivery systems such as charitable organizations. This bill is a small but important part of this effort to limit tax obstacles to increased individual support of charitable organizations.●

By Mr. BOREN:

S. 1898. A bill to amend the Internal Revenue Code of 1954 to exempt certain vehicles, trailers, bodies, chassis, parts, and accessories used for farming purposes from the excise tax and from the highway use tax imposed on such property; to the Committee on Finance.

EXEMPTION OF CERTAIN FARMING EQUIPMENT FROM CERTAIN TAXES

● Mr. BOREN. Mr. President, today I am introducing legislation to amend the Internal Revenue Code of 1954 to exempt from excise taxes trailers designed to be used with light duty vehicles for farming purposes or for transporting horses or livestock.

Congress acted in 1971 to amend section 4061 of the Internal Revenue Code to exclude from the manufacturer's excise tax certain bodies and chassis of trucks, buses, truck trailers, and semitrailers.

Congress passed this legislation with the intent of exempting from the tax the majority of farm ranch trailers, including all but the three-axle trailers of the so-called gooseneck configuration.

The exclusion of these truck trailers and semitrailer chassis and bodies, applies if the chassis and bodies are suitable for use with a trailer or semitrailer having a gross vehicle weight of 10,000 pounds or less.

However, unrealistically low limits are imposed upon trailers intended to be used for farming or for horse or livestock transport purposes because of very technical regulations, rulings, and procedures which IRS has issued to administer this law. These restrictive administrative practices have severely limited the use of the exclusion in the case of these farm and ranch trailers.

Only a small number of producers—many of whom are currently involved in disputes with the IRS in some States—manufacture the trailer in question. Some 15,000 people are employed by this industry. Because of the small size of the industry and because the industry does not have precise engineering standards or specifications, it is almost impossible for the industry to respond to the strict limitations which IRS is seeking to impose.

A further hardship is imposed because the IRS lacks sufficient personnel to enforce payment of the tax by all producers. Therefore, IRS often fails to assess the tax on some marginal producers, primarily welding shops which may only build two or three trailers a year. This puts "legitimate" trailer producers at a competitive disadvantage.

Under Treasury regulations, the primary determinant of gross vehicle weight is the maximum load-carrying capability of the axles. Often producers of farming trailers used for transporting horses and livestock use the same axles that recreational vehicles and motor homes use because of the availability and reasonable cost of these axles. Due to the purpose for which these axles are designed, they are often rated at more than 10,000 pounds of gross vehicle weight.

Regardless of the use of "RV" axles for horse and livestock trailers, these trailers are truly used for farming purposes. As such, these trailers should be eligible for the light duty truck exemption.

My bill would change current practices to provide an exemption from the 10 percent manufacturers' excise tax in the case of sales of farming vehicles, chassis, trailers, bodies and equipment which are designed for use for farming purposes or transporting horses or livestock.

Enactment of this legislation will greatly benefit both agriculture and the trailer manufacturing industry. Because the tax is passed on to consumers, in the form of higher prices, its removal will be helpful to agriculture. It also resolves a tax inequity which these manufacturers have suffered under IRS interpretations of the law.

This legislation provides for a more equitable and sensible application of the manufacturers' excise tax. The House has previously passed similar legislation on two different occasions, and I think it is time for the Senate to act on this measure.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1898

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXCISE TAX EXEMPTION FOR CERTAIN VEHICLES, TRAILERS, BODIES, PARTS AND ACCESSORIES USED FOR FARMING PURPOSES.

(a) IN GENERAL.—Paragraph (2) of section 4063(a) of the Internal Revenue Code of 1954 (relating to the exemption from the manufacturer's excise tax for certain farming equipment) is amended to read as follows:

"(2) FARMING EQUIPMENT.—The tax imposed under section 4061 shall not apply in the case of any vehicle, trailer, semitrailer, body, chassis, part or accessory designed—

"(A) to process or prepare seed, feed, or fertilizer for use on farms;

"(B) to haul feed, seed, fertilizer, or harvested crops to, from, or on farms;

"(C) to spread feed, seed. or fertilizer on farms;

"(D) to load or unload feed, seed, fertilizer, harvested crops, or livestock on farms;

"(E) to transport livestock to, from, or on farms;

"(F) to feed livestock on farms; or

"(G) for any combination of the purposes described in subparagraphs (A) through (F).

For purposes of the preceding sentence, the term 'farm' has the meaning given such term in section 6420(c)(2).".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to articles sold after the date of the enactment of this Act.

SEC. 2. HIGHWAY USE TAX EXEMPTION FOR CERTAIN MOTOR VEHICLES, TRAILERS, AND SEMITRAILERS USED FOR FARMING PURPOSES.

(a) IN GENERAL.—Section 4483 of the Internal Revenue Code of 1954 (relating to exemptions from the highway use tax) is amended by adding the following new subsection (d):

"(d) CERTAIN FARM VEHICLES.—The tax imposed by section 4481 on the use of highway motor vehicles shall not apply to any motor vehicle, semitrailer, or trailer which—

"(1) is described in section 4063(a)(2), and

"(2) is to be used for a purpose described in section 4063(a)(2).".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) of this section shall be effective after the date of the enactment of this Act.●

ADDITIONAL COSPONSORS

S. 473

At the request of Mr. DURENBERGER, the Senator from Arizona (Mr. DECONCINI) was added as a cosponsor of S. 473, a bill to amend the Internal Revenue Code of 1954 to provide that the amount of the charitable deduction allowable for expenses incurred in the operation of a motor vehicle will be determined in the same manner Government employees determine reimbursement for the use of their vehicles on Govornent business.

S. 881

At the request of Mr. DANFORTH, his name was withdrawn as a cosponsor of S. 881, a bill to amend the Small Business Act to strengthen the role of the small, innovative firms in federally funded research and development, and to utilize Federal research and development as a base for technological innovation to meet agency needs and to contribute to the growth and strength of the Nation's economy.

S. 1131

At the request of Mr. DANFORTH, the Senator from Alabama (Mr. DENTON) was added as a cosponsor of S. 1131, a bill to require the Federal Government to pay interest on overdue payments and to take early payment discounts only when payment is timely made, and for other purposes.

S. 1215

At the request of Mr. PROXMIRE, the Senator from Delaware (Mr. ROTH) and the Senator from New Mexico (Mr. SCHMITT) were added as cosponsors of S. 1215, a bill to clarify the circumstances under which territorial provisions in licenses to distribute and sell trademarked malt beverage products are lawful under the antitrust laws.

S. 1272

At the request of Mr. CANNON, the Senator from Minnesota (Mr. DURENBERGER), the Senator from Pennsylvania (Mr. HEINZ), the Senator from Montana (Mr. MELCHER), and the Senator from Alaska (Mr. MURKOWSKI) were added as cosponsors of S. 1272, a bill to modify certain airport and airway user taxes to provide appropriate funding for the Airport and Airway Trust Fund, and for other purposes.

S. 1450

At the request of Mr. CANNON, the Senator from Connecticut (Mr. WEICKER) was added as a cosponsor of S. 1450, a bill to provide for the continued deregulation of the Nation's airlines, and for other purposes.

S. 1610

At the request of Mr. DANFORTH, the Senator from Pennsylvania (Mr. SPECTER) and the Senator from Pennsylvania (Mr. HEINZ) were added as cosponsors of S. 1610, a bill to increase the excise tax on cigarettes and to transfer the revenues from such tax to the Federal Hospital Insurance Trust Fund.

S. 1625

At the request of Mr. MOYNIHAN, the Senator from Vermont (Mr. LEAHY) and the Senator from Kansas (Mr. DOLE) were added as cosponsors of S. 1625, a bill to authorize the President of the United States to present on behalf of Congress a specially struck gold medal to the widow of Roy Wilkins.

S. 1651

At the request of Mr. BENTSEN, the Senator from Oklahoma (Mr. NICKLES) was added as a cosponsor of S. 1651, a bill to combat international terrorism.

S. 1656

At the request of Mr. DURENBERGER, the Senator from Hawaii (Mr. INOUYE) and the Senator from Alabama (Mr. HEFLIN) were added as cosponsors of S. 1656, a bill to amend the Internal Revenue Code of 1954 to clarify certain requirements

which apply to mortgage subsidy bonds, and for other purposes.

S. 1675

At the request of Mr. HATFIELD, the Senator from West Virginia (Mr. RANDOLPH) was added as a cosponsor of S. 1675, a bill to help eliminate world hunger and malnutrition and promote global security.

S. 1701

At the request of Mrs. HAWKINS, the Senator from Kentucky (Mr. FORD), and the Senator from Kentucky (Mr. HUDDLESTON) were added as cosponsors of S. 1701, a bill to amend title 28, United States Code, to authorize the Attorney General to acquire and exchange information to assist Federal, State, and local officials in the identification of certain deceased individuals and in the location of missing children and other specified individuals.

S. 1780

At the request of Mr. ROTH, the Senator from Nevada (Mr. CANNON), and the Senator from Arkansas (Mr. BUMPERS) were added as cosponsors of S. 1780, a bill to provide civil penalties for false claims and statements made to the United States, to recipients of property, services, or money from the United States, or to parties to contracts with the United States, and for other purposes.

S. 1785

At the request of Mr. NUNN, the Senator from Virginia (Mr. HARRY F. BYRD, JR.), and the Senator from North Carolina (Mr. EAST) were added as cosponsors of S. 1785, a bill to increase the penalties for violations of the Taft-Hartley Act, to prohibit persons, upon their convictions of certain crimes, from holding offices in or certain positions related to labor organizations and employee benefit plans, and to clarify certain responsibilities of the Department of Labor.

S. 1839

At the request of Mr. DURENBERGER, the Senator from Maine (Mr. COHEN) was added as a cosponsor of S. 1839, a bill to amend the effective date provision of section 403(b)(3) of the Windfall Profit Tax Act of 1980 (Public Law 96-223) to further defer the effective date of certain provisions providing for the recognition as income of LIFO inventory amounts.

S. 1840

At the request of Mr. DURENBERGER, the Senator from Utah (Mr. GARN) was added as a cosponsor of S. 1840, a bill to amend section 170 of the Internal Revenue Code of 1954 to increase the amounts that may be deducted for maintaining exchange students as members of the taxpayer's household.

SENATE JOINT RESOLUTION 117

At the request of Mr. BOREN, the Senator from Minnesota (Mr. BOSCHWITZ), the Senator from Nevada (Mr. CANNON), the Senator from Florida (Mr. CHILES), the Senator from Nebraska (Mr. EXON), the Senator from Kentucky (Mr. FORD), the Senator from Arizona (Mr. GOLDWATER), the Senator from Alabama (Mr. HEFLIN), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Kentucky (Mr. HUDDLESTON), the Senator from Hawaii (Mr. INOUYE), the Senator from Louisiana (Mr. JOHNSTON), the Senator from Indiana (Mr. LUGAR) the Senator from Georgia (Mr. MATTINGLY), the Senator from Hawaii (Mr. MATSUNAGA), the Senator from South Dakota (Mr. PRESSLER), the Senator from Arkansas (Mr. PRYOR), the Senator from West Virginia (Mr. RANDOLPH), the Senator from New Mexico (Mr. SCHMITT), the Senator from New Jersey (Mr. WILLIAMS), and the Senator from North Dakota (Mr. ANDREWS) were added as cosponsors of Senate Joint Resolution 117, a joint resolution to authorize and request the President to designate the week of January 17, 1982, through January 23, 1982, as "National Jaycee Week."

SENATE JOINT RESOLUTION 121

At the request of Mr. MITCHELL, the Senator from Massachusetts (Mr. KENNEDY), the Senator from Ohio (Mr. GLENN), and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of Senate Joint Resolution 121, a joint resolution to provide for the designation of the year 1982 as the "Bicentennial Year of the American Bald Eagle" and the designation of June 20, 1982, as "National Bald Eagle Day."

SENATE RESOLUTION 238

At the request of Mr. BENTSEN, the Senator from Montana (Mr. MELCHER), the Senator from Nebraska (Mr. ZORINSKY), the Senator from Hawaii (Mr. INOUYE), the Senator from Georgia (Mr. MATTINGLY), the Senator from Michigan (Mr. RIEGLE), and the Senator from Nevada (Mr. CANNON) were added as cosponsors of Senate Resolution 238, a resolution to retain the deductability from personal taxes of interest paid on residential mortgages.

AMENDMENT NO. 638

At the request of Mr. DECONCINI, his name was added as a cosponsor of amendment No. 638 proposed to H.R. 4995, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 1982, and for other purposes.

AMENDMENTS SUBMITTED FOR PRINTING

NATIONAL DISABLED VETERANS WEEK

AMENDMENT NO. 641

(Ordered to be printed and referred to the Committee on the Judiciary.)

Mr. CRANSTON (for himself, Mr. RANDOLPH, Mr. MATSUNAGA, Mr. DECONCINI, and Mr. MITCHELL) submitted an amendment intended to be proposed by them to the joint resolution (S.J. Res. 123) authorizing and requesting the President to proclaim "National Disabled Veterans Week."

AMENDMENT NO. 641 TO SENATE JOINT RESOLUTION 123: PROPOSED NATIONAL DISABLED VETERANS WEEK

Mr. CRANSTON. Mr. President, I am today submitting, on behalf of myself and Senators RANDOLPH, MATSUNAGA, DECONCINI, and MITCHELL, an amendment to Senate Joint Resolution 123, which was introduced on Tuesday, November 10, by Senator HAYAKAWA to authorize and request the President to proclaim the week of November 7, 1982, as National Disabled Veterans Week.

Mr. President, as ranking minority member of the Committee on Veterans' Affairs, I strongly support the basic concept, embodied in Senate Joint Resolution 123, of setting aside a week to honor those veterans who incurred disabilities in their service to our Nation as members of the U.S. Armed Forces. The needs of this group of veterans, together with the survivors of those who have died from service-connected causes, are the top-priority concern in my work on the Veterans' Affairs Committee. I believe that it is most appropriate—as we continue our efforts to insure that the programs that the Congress has established to provide these veterans with the compensation, readjustment, health-care, and other benefits that they need and deserve are as effective and efficient as possible—that a week be specially designated to honor these veterans and recognize the invaluable contributions that they have made to our national security and welfare. The proclamation of a special week in their honor would also serve to remind all our citizens of the great debt that we owe this special group of veterans as a result of the service they performed and the sacrifices they made on behalf of all of us.

Therefore, I congratulate Senator HAYAKAWA for having introduced this resolution.

Indeed, I would support the establishment of a permanent week, not just one in 1982, for this purpose.

However, Mr. President, there are a number of changes that I believe should be made in the resolution in order for it to express more appropriately its basic concept. These changes, which are incorporated in our amendment, although suggested, unfortunately could not be made before the resolution was introduced.

Mr. President, I urge that the Judiciary Committee give our amendment its most serious consideration in its deliberations on the resolution and that that committee and the Senate give the resolution, with appropriate amendments, prompt consideration so that adequate time would be available following its enactment for preparations to make National Disabled Veterans Week the well-planned, widely observed occasion that it should be.

Mr. President, I ask unanimous consent that a document describing and showing the changes that our amendment would make in the resolution be printed in the RECORD at this point.

There being no objection, the document was ordered to be printed in the RECORD, as follows:

SUMMARY AND CORDON RULE OF CHANGES PROPOSED TO BE MADE IN THE PREAMBLE AND BODY OF SENATE JOINT RESOLUTION 123 BY AMENDMENT NO. 641

A. SUMMARY OF AMENDMENTS TO SENATE JOINT RESOLUTION 123

The changes that our amendment would make can be summarized as follows:

1. The first clause of the preamble makes reference to "2,500,000 disabled veterans in

the United States"; the amendment reads "2,300,000 veterans with disabilities resulting from their service in the United States Armed Forces". This change is proposed because of the importance that the very first part of the resolution make clear that the veterans to be honored are those who suffer from service-connected disabilities and because, according to best information available to the Veterans' Affairs Committee, the correct number, rounded to the nearest one hundred thousand, is 2,300,000. The VA's budget documents for fiscal year 1982 include data showing that there were 2,268,219 recipients of VA service-connected disability compensation in fiscal year 1980 and projections that there were 2,275,707 recipients in FY 1981 and will be 2,281,007 in FY 1982. In addition, there are an unknown number of veterans who have disabilities that they incurred as a result of active-duty service but for which they are not receiving VA compensation. However, there are no reliable estimates that would warrant the use of a number larger than 2.3 million for this purpose.

2. The third clause of the preamble gives certain examples of the types of severe disabilities that these veterans endure and includes only one category of mental disabilities—"delayed-stress syndrome"; the amendment adds a reference to "other mental disorders". In providing examples of the severe disabilities from which some veterans suffer, it seems preferable to cite a broad category that includes the most incapacitating disabilities, psychoses in this case, rather than to name just one specific type of disability that—although it can be very serious and is a tragic consequence of combat experiences for many—is not as debilitating as some other mental conditions.

3. The fourth clause of the preamble declares that "16 to 35 percent of all disabled veterans are jobless as a result of their disabilities"; the amendment states instead that service-connected disabled veterans "consistently experience inordinately high rates of joblessness." Unfortunately, due to the manner in which employment data are collected and analyzed, there are no reliable data to support the use of any specific percentages of joblessness among service-connected disabled veterans. Although it is generally agreed that disabled persons are significantly more likely to be jobless than nondisabled individuals, the Department of Labor's Bureau of Labor Statistics does not compile unemployment statistics on handicapped individuals generally or on disabled veterans specifically. As numerous hearings on the employment of veterans, including service-connected disabled veterans before the Veterans' Affairs Committee and the Labor and Human Resources Committee have demonstrated, it is most appropriate to include a reference to joblessness as a special, very significant problem that many service-connected disabled veterans face. However, in light of the unavailability of reliable data, the more general reference to the extent of this problem is called for.

4. In the fifth clause of the preamble and in the text where references are made to disabled veterans' contributions to "the welfare" of our country, the amendment expands that characterization to include references to their contributions to the "national security," which was the primary objective of these veterans' service. In addition, in the fifth clause of the preamble, the amendment would include mention of the fact that these veterans' contributions helped "our Nation preserve its freedom, strength, and prosperity."

5. The amendment makes certain clarifying changes in the resolution.

B. CORDON RULE

Changes in the preamble and body of the resolution that would be made by the amendment are shown as follows (matter proposed to be omitted is shown in brackets, new matter (and the "resolved clause", which is not changed) is printed in italic, and other matter in which no change is proposed is printed in roman without brackets):

S.J. RES. 123 AS AMENDED

Whereas there are [2,500,000 disabled veterans in the United States] *2,300,000 veterans with disabilities resulting from their service in the United States Armed Forces;*

Whereas *these* disabled veterans have sacrificed their well-being in the service of their country;

Whereas *many of these* disabled veterans endure severe disabilities, such as loss of limb, paralysis, blindness, deafness, and delayed-stress syndrome *and other mental disorders;*

Whereas [16 to 35 percent of all disabled veterans are jobless as a result of their disabilities] *these disabled veterans consistently experience inordinately high rates of joblessness;* and

Whereas disabled veterans have made [important] *vital* contributions to the national *security and* welfare *by helping our Nation preserve its freedom, strength, and prosperity:* Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating the week of November 7, 1982, as "National Disabled Veterans Week", in recognition of the contributions [that disabled veterans have made to the welfare of the United States, and calling upon all Government agencies and the] *that veterans with service-connected disabilities have made to the national security and welfare of the United States and calling upon Government agencies at the Federal, State, and local levels and the* people of the United States to observe the week with appropriate programs, ceremonies, and activities.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES AND RELATED AGENCIES APPROPRIATION ACT, 1982

AMENDMENT NO. 642

(Ordered to be printed and to lie on the table.)

Mrs. HAWKINS (for herself, Mr. WILLIAMS, and Mr. CRANSTON) submitted an amendment intended to be proposed by them to the bill (H.R. 4560) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1982, and for other purposes.

DEPARTMENT OF DEFENSE APPROPRIATION ACT, 1982

AMENDMENT NO. 643

(Ordered to be printed.)

Mr. HOLLINGS proposed an amendment to the bill (H.R. 4995) making appropriations for the Department of Defense for the fiscal year ending September 30, 1982, and for other purposes.

AMENDMENT NO. 644

(Ordered to be printed.)

Mr. HOLLINGS proposed an amendment to the bill, H.R. 4995, supra.

NOTICES OF HEARINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mr. BAKER. Mr. President, on behalf of Mr. MATHIAS I wish to announce that the Committee on Rules and Administration will hold a meeting on Tuesday, December 8, 1981, at 10 a.m., in room 301, Russell Senate Office Building. The purpose of the meeting is to receive testimony on two proposals that would authorize construction of a memorial to Franklin Delano Roosevelt.

Senate Joint Resolution 95, introduced by Senator HATFIELD, authorizes and directs the Secretary of the Interior, subject to the supervision and approval of the Franklin Delano Roosevelt Memorial Commission, to proceed with the construction of the Franklin Delano Roosevelt Memorial in the District of Columbia. S. 1638, introduced by Senator MOYNIHAN, provides for the establishment of a national memorial to FDR in New York.

Those interested in testifying or submitting a statement for the record should contact the Committee on Rules and Administration, 305 Russell Senate Office Building, Washington, D.C. 20510, telephone—224–6352.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. ROTH. Mr. President, I would like to announce for the information of the Senate and the public that the Committee on Governmental Affairs will hold a hearing on Tuesday, December 8, 1981, at 10 a.m. in room 3302 of the Dirksen Senate Office Building to discuss the nomination of Mr. Frederic V. Malek of Virginia to be a Governor of the U.S. Postal Service for the term expiring December 8, 1989. For further information, please contact Margaret Hecht at 224–4751.

SUBCOMMITTEE ON FEDERAL EXPENDITURES, RESEARCH, AND RULES

Mr. DANFORTH. Mr. President, the hearing scheduled for December 3, 1981, by the Subcommittee on Federal Expenditures, Research, and Rules, Committee on Governmental Affairs, to consider the uniform procurement system draft proposal submitted to the Congress by the Office of Federal Procurement Policy, has been postponed at the request of the Department of Defense. It is the intent of the subcommittee to reschedule the hearing in the near future.

AUTHORITY FOR A COMMITTEE TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, December 2, at 1:30 p.m., to hold a confirmation hearing on the nominations of Kenneth Brown to be Ambassador to the Congo and Francis McNamara to be Ambassador to the Gabonese Republic.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

FNMA CARRYBACK/CARRYFORWARD AMENDMENT

● Mr. BAUCUS. Mr. President, I am pleased to express my support for S. 1883, introduced by Senator PACKWOOD. As a

cosponsor of this bill, I feel its passage is necessary for a variety of reasons, the most important of which is that hopefully it will help bring a little money to the housing market. This amendment would extend the Federal National Mortgage Association's net operating loss carryback to 10 years and carryforward to 5 years, thus conforming the tax treatment of FNMA to other financial institutions. At present, FNMA, like most businesses, can carry back 3 years and carry forward 15.

FNMA, a corporation chartered by Congress, provides assistance and stability to the home mortgage market. Today FNMA holds $59 billion in home mortgages—1 out of every 20 in America.

In 1969, Congress created a longer carryback provision for financial institutions which invest heavily in real estate, out of concern for the impact of market swings. FNMA was simply overlooked in 1969 because the law establishing FNMA's present charter was enacted in 1968, and FNMA's transition to private status was not completed until 1970.

S. 1883 simply corrects this anomaly by providing FNMA with the same carryback/carryforward treatment as other financial institutions. This is entirely appropriate in terms of tax equity or parity, since FNMA's business and financial cycles are closely linked to those of the thrifts and other financial institutions.

This amendment will provide FNMA with a needed planning and management tool in 1982, although it will have no budgetary impact until fiscal 1983. In future years, its budgetary impact will be determined by interest rate conditions.

In sum, this amendment's long-range impact is primarily to shift the revenue loss for the Nation's housing and lending institutions to a more propitious time. That should help in these troubled times.●

DISAPPEARANCE OF SISTERS JEAN REIMER AND HELEN LAVALLEY IN GUATEMALA

● Mrs. HAWKINS. Mr. President, I believe that all Americans are affected by the tragic loss of life that casts a dark shadow over the future of Central America. Daily our newspapers are filled with pictures and stories of diplomats, businessmen, and peasants being swiftly and brutally murdered in the revolutionary atmosphere engulfing the region. The strife that is rending Central American society is provoking extreme responses from all sides. When this strife swallows up innocent victims our sadness is especially deep. This seemed to be the case early last week when two Dominican nuns who have been doing missionary work in Guatemala were reported missing. Shortly after their disappearance, I expressed my concern for the safety of Sisters Jean Reimer and Helen Lavalley to Gen. Romeo Lucas, President of Guatemala. In response, I received a letter from Mr. Carlos Toledo Vielmann, the Public Relations Secretary to President Lucas indicating that as soon as the Government learned that the two nuns were missing they "immediately issued orders for the search, location, and rescue of the missing ones."

Concern for the safety of Sisters Reimer and Lavalley was commendable and fully warranted. Both of the sisters are American citizens, and it is the duty of the U.S. Government to protect its nationals living abroad. However, Mr. President, it was entirely unwarranted to use the concern for the well-being of the two missionaries as a pretext for thinly veiled accusations against the Government of Guatemala.

I have thought that our country prided itself on the tradition of innocent until proven guilty. However, Americans who implied that the Guatemalan Government was responsible for the disappearance of the two Dominican nuns turned American tradition on its ear. They imputed guilt where later events proved no crime was committed. Last week the two missing nuns were located safe and sound, and allegations that they were abducted or murdered were proven false.

Mr. President, it concerns me that prominent Americans would use this sort of an occasion to launch an attack on the Government of Guatemala. I do not condone the human rights violations that have occurred in Guatemala or other countries of the region. However, we must bear in mind that abuses in these countries are due principally to the military involvement of Cuba and the Soviet Union in the affairs of the region. The intervention of Cuba and the Soviet Union have exacerbated the problems in the region, and the constant stream of Soviet and Cuban arms, supplies, and trained personnel into Guatemala, and other Central American countries have increased the level of combat.

We cannot afford to be naive in these matters. War does not conform to neat rules. Innocent victims are sometimes and unfortunately trapped between the combatants. And in the type of terrorist warfare promoted by the Cubans, innocent victims are frequently the targets of the combat. Even in our own Civil War, civilian casualties were high.

These cruel facts should encourage us to redouble our efforts to insure peace throughout the world. But peace cannot be bought at any price, and we must remember that the overthrow of a government does not guarantee that a better government will take its place. Iran, Nicaragua, South Yemen, Ethiopia, the Soviet Union, and Cuba are only a few illustrations of this fact. I believe that we should take these historical lessons to heart and recognize that we can damage our own national interests and the interests of improved human rights throughout the world if we insist on treating human rights of countries at war as our paramount concern.

Mr. President, I am very happy that Sisters Reimer and Lavalley were located safe and sound, and I hope that this happy ending will remind us all not to leap again to conclusions until all the facts are in.

Mr. President, I ask that the letter from Mr. Vielmann mentioned earlier be printed in the RECORD.

The letter follows:

[Translation]

GUATEMALA,
November 27, 1981.

Senator PAULA HAWKINS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HAWKINS: In reply to your kind inquiry addressed to the President of the Republic, General Romeo Lucas, regarding the fate of two Dominican nuns, one priest and one young seminarist, whose disappearance in Guatemala was reported five days ago, I am pleased to advise you that this group of religious people was located safe and sound. I would like to inform you that upon learning of their disappearance through the U.S. Embassy, we immediately issued orders for the search, location and rescue of the missing ones.

I would like to take this opportunity to make Your Honor aware of the fact that the initial news concerning this case, as well as the latest that has been published by the press in that country, project the feeling that these clergy people were kidnapped by security agents from my government. This is not the first time that this happens, since there seems to be certain media in your country which bears a marked intention to present my government as a ferocious dictatorship, capable of executing the most horrendous crimes.

The blame for that adverse and unjust propaganda, fostered and financed by the Soviet Union, lies precisely on the hostile critique which is promoted in your country against the Guatemalan authorities, who are engaged in a bloody fight against the criminal elements that are attempting to unstabilize our nation. These groups, armed and trained outside Guatemala, are committed only to the sinister plans of international communism, whose objective is to sink Guatemala in a political and economic chaos, as tactics serving the strategy of hegemonic control in our continent.

It is indeed regrettable that powerful individuals in the United States, completely unaware of what is really happening in Guatemala, are willing to become echo boxes of an evil propaganda against my government. That, in spite of the existing friendship between our countries, we are treated like enemies. And that, while the Soviet Union is supplying the terrorists through Cuba with all the warfare armaments that they request, we are denied the right to purchase the equipment we require to repel their offensive.

My government respects and practices the democratic values which are deeply treasured in your country. General elections for the free choice of a new Guatemalan government are scheduled for March of the coming year. But these pacific, orderly and legal options are rejected by the guerrillas, whose raids, kidnappings and bombings, as well as other terroristic tactics, are a direct attack against the Guatemalan freedoms. It is deplorable that some of your prominent people have joined the agents of international communism in their endeavor to eradicate from our hemisphere all vestiges of peace, order and justice.

I hope that authorized voices, like your own, speak up to straighten matters into their proper place.

Respectfully yours,
CARLOS TOLEDO VIELMANN,
Public Relations Secretary
of the Presidency.●

BICENTENNIAL YEAR OF THE AMERICAN BALD EAGLE

● Mr. KENNEDY. Mr. President, I am pleased to join in sponsoring Senate

Joint Resolution 121, to provide for the designation of the year 1982 as the "Bicentennial Year of the American Bald Eagle" and the designation of June 20, 1982, as "National Bald Eagle Day."

In the 200 years since its designation as our national symbol, the American bald eagle has been sadly reduced in numbers. Destruction of its natural habitat by expanding development and environmental pollution is largely responsible for the decline of this majestic bird.

Recent studies, however, indicate that the bald eagle population has begun to recover. This comeback is attributable to the substantial efforts of various governmental agencies, private groups, corporations, and individuals. The success of their efforts with the American bald eagle should inspire us to conserve all of our precious national wildlife resources and the habitat which is essential to them.●

S. 1692: THE NEED FOR EXPEDITED PORT DEVELOPMENT

● Mr. ABDNOR. Mr. President, David A. Howard, publisher of American Shipper magazine, earlier this year wrote a most interesting article that has only come to my attention since our Subcommittee on Water Resources reported S. 1692. Mr. Howard argues that the shipping industry is best served if the industry is willing to pay the cost of new port development, in return for expedited permitting and development. I believe that this is a sound position, and I believe it is one that my colleagues should examine with care.

I ask that the article be printed in the RECORD.

The article follows:

HOW TO GET A 55-FT. COAL PORT GOING IN A HURRY

(By David A. Howard)

An article commencing on page 32 of this issue reports on the bill introduced by Senators Warner and Johnston to provide Federal financing and a fast-track approach to dredging three American harbors to depths of 55 feet to meet the needs of the export coal trade. Associate Editor Larry Dennis handled the story—including the thorny problem of reaction from areas which may be denied 55-foot harbor depths at Federal expense. While there is little question about the need for 55-foot projects, the extra depth will be beneficial to other types of trade—oil, petrochemicals, heavy industry—giving the chosen ports advantages far beyond the coal trade alone. Politics will come into play. Larry's article is straight-forward, objective reporting.

I addressed the same topic at a meeting of the North Atlantic Ports Association in Washington December 4. Washington Editor Tony Beargie covered the NAPA meeting [illegible] Shipper page [illegible] specifically instructed him to skip over what [illegible] appear here—not up front.

Here is the gist of what I said:

I recommended that any port seeking a 55-foot channel depth for coal ships should finance the project itself and levy tolls against deep-draft vessels to pay for the project. I acknowledged that the word "toll" is a dirty thought in the maritime industry, but led my audience through a simple exercise in mathematics to prove (I hope) my point.

I asked each member of the audience to take out a pencil, the back side of an envelope or some other piece of paper, and jot down certain figures.

(1) "In the upper right hand corner, jot down the number of years it required to complete your latest harbor deepening project, from the time it was agreed the extra depth was needed until the project was completed and ready for use." (I imagine most everyone wrote a number between 15 and 20 years.)

(2) "Next, jot down your rough estimate—I'm sure you have one—of what it would cost to deepen your harbor from its present depth to 55 feet to handle the coal business."

(3) "Divide that number by 10. It will give you the approximate annual cost of paying off the revenue or general obligation bonds you must issue to finance the 55-foot project." (Actually, it is a high side figure. But never mind. I didn't want anyone accusing me of being low.)

(4) "For your next figure, write down the approximate number of tankers and bulkers which entered your port last year. Don't worry about the size; some will be large; some will be small."

(5) "Now, divide that number in half. I'm assuming here that if you have 55 feet of water and attract larger ships, the actual number of vessels will be smaller."

(6) "Take the number of ships you just wrote down and divide it into the annual cost of paying off those bonds."

"That, good friends, is the average toll which will have to be assessed against each deep draft ship taking advantage of the extra depth you provide in going from your present depth of channel to 55 feet."

"It's a rather frightening figure, I'm sure.

(7) "For your final figure, write down the extra revenue a vessel owner will earn on each voyage by being able to load to 55 feet instead of 42 feet or 38 feet, depending upon the depth of your present channel."

"This last figure will give you some idea of the toll which any bulk ship owner would be very happy to pay—if you only gave him the chance."

(A toll of about $1,000 per inch of draft over 40 feet is a likely toll figure according to my own calculations, but I forgot to cover this point in my talk at Washington.)

Admittedly, the figures will not add up for some ports. "If your harbor has a granite base at 40 feet, maybe God never intended for you to be a coal shipping port."

I pointed out that rail distance from coal mines should have little to do with a port's decision on whether to go after the coal business. An extra hundred miles of rail is next to nothing compared to the advantage in ocean freights obtained with a vessel loaded to 55 feet.

Lastly, I made a suggestion about what could be the most logical point in the eastern United States to develop a deep draft harbor especially for the coal trade. It's Panama City, Florida, where the Gulf of Mexico runs 100 feet to within a few hundred yards of the Florida shoreline. A few miles to the east, at Port St. Joe, the Gulf shallows up again. To the west, at Pensacola, it shallows up also. The ideal natural phenomenon occurs in the East only at Panama City (unless you consider the South Florida ports of Miami, Port Everglades, and West Palm Beach).●

MIAMI CONFERENCE ON THE CARIBBEAN

● Mrs. HAWKINS. Mr. President, Sunday evening I was privileged to introduce Special Trade Representative William Brock as the main speaker at the session of the Fifth Annual Miami Conference on the Caribbean. The purpose of this and the preceding conferences was to open dialog on economic development of the Caribbean basin nations. Seven heads of State from Caribbean basin nations were in attendance as well as scores of businessmen and government officials from all over the region.

I have had a long-standing interest in the affairs of the Caribbean basin because my home State of Florida is a Caribbean State. Florida not only engages in extensive trade with the Caribbean basin nations, but shares with the region a common history, linguistic and cultural ties. Though not commonly thought of as such, because of Florida, Mississippi, Louisiana, and Texas, the United States is a Caribbean nation as well, and we share with other Caribbean nations a stake in the future of the region. Conferences such as this that help harness the talents, resources, and good will of private business for the region's economic development hold out bright prospects for the future.

Mr. President, I ask that the statements given by Dr. Robert V. West, Jr., president of the Caribbean/Central American Action which sponsored the conference, and Special Trade Representative William Brock who was the main speaker at the opening session be printed in the RECORD following my remarks. I hope that my colleagues will read these statements and learn further about the administration's ideas on the Caribbean and the role that private enterprise will play in bringing to this important region long-term stability and prosperity.

The statements follow:

REMARKS OF DR. ROBERT V. WEST, JR.

Distinguished Members of the Head Table, Ladies and Gentlemen:

I appreciate this opportunity on behalf of Caribbean/Central American Action to add some brief remarks to those of Governor Graham on the occasion of the opening of this conference. Witnessing what appears from this auspicious beginning to be the most successful and significant to date in this series of Miami Conferences on the Caribbean, cannot help but be struck by the extent to which the concept of this conference and the number and prominence of its participants have grown in these few short years.

Caribbean/Central American Action has followed a parallel course during the same period of time in its early development and in its steadily growing reputation, corporate support and range of activities.

I like to believe that both of these developments—the blossoming of the Miami Conference and of C/CAA—reflect the fact that an idea many of us have had for a long time is now an idea whose time has come.

In the context of U.S. policy, for those of us in this country, the crux of the idea is recognizing that both the U.S. private sector and the United States as a nation have a major stake in the healthy future of Caribbean countries, and both our business community and our government need to intensify their efforts to deal with the problems threatening that future.

In a broader context transcending our respective national concerns, the idea is a conviction that a private-sector oriented development approach in the final analysis has the most to offer the developing world, and that the Caribbean is a singularly appropriate region in which to demonstrate that fact to skeptics in our midst and around the globe.

Tonight we have an opportunity to hear a representative of President Reagan's Administration set forth the U.S. Government's

concept and approach at the highest policy level to the challenges it perceives in the region. Ambassador Brock is a particularly appropriate individual to deliver this message since as U.S. Trade Representative he has been designated as inter-agency coordinator of the Administration's Caribbean Basin Initiative. Tomorrow morning and at the subsequent luncheons and dinners on the program, leaders of Caribbean and Central American nations will present a similarly high-level policy overview of their perceptions and approaches to the challenges facing the region.

I would be very surprised if any of these public-sector presentations fail to touch in some way upon the question of the role of the private sector in development—the extent to which such a role of reliance upon it is useful, adequate, appropriate, feasible and/or important.

Complementing this governmental policy perspective, the intensive working sessions of the conference focus on factors that make a private-sector development strategy feasible from the point of view of the private sector itself.

President Reagan at Cancun and elsewhere has announced that U.S. development policy will emphasize trade and investment and those aid programs that support them.

Numerous governments across the Caribbean have come to power in the last two years on a platform emphasizing development, through enterprise as well as better relations with the United States.

The fact that many of those governments, and others throughout the region, are represented at this conference by their chief executive or high-level cabinet members itself, indicates the importance they place on the issues and the implementation of private-sector based development strategies.

All this not only means we can act now as we never have before, but that we must act now or run the risk of forfeiting the opportunity for the indefinite future. The same optimism that has accompanied the resurgence of private-sector organizations, and the return to political leadership of governments eager to stimulate appropriate enterprise, will turn quickly to greater cynicism and hostility than in the past if the promises don't materialize. We're looking at a short window in time, probably no longer than the terms of office of the governments elected on the enterprise platform. Until our own talk of private enterprise starts translating into actual jobs, actual export markets, actual joint ventures, it is just a theory to its Caribbean audience, and its popularity will vanish if we can't make it work.

All eyes are on the U.S. Government right now to see if we are going to make it through that brief opening of opportunity or not. The announcement of the Caribbean Basin Initiative, the appointment of the Rockefeller Committee on Jamaica, the visits and consultations by U.S. officials with public and private sector leaders in the region to develop ideas for the Initiative—all these are signs that have created a tremendous amount of hope and expectation in the region, laced with a degree of skepticism in some quarters as a result of past disappointments. I believe that the Administration's participation in this conference itself gives substantial cause for renewed optimism. The telephone words of greeting from the President, the presence here of Ambassador Brock, and the participation of numerous other U.S. Government officials both as panel speakers and as conference registrants, indicate a true desire not just to deliver a message, but to listen and learn, and to build more insights into policies now under development.

In this context, I think it is appropriate to point out that there are three separate messages which the Caribbean and the U.S. business communities are waiting to hear from the Reagan Administration. The details of the policy package—new trade or investment incentives or the like—are only the first. There is also a desire for a basic sense that the U.S. Government truly understands that economic needs are at the heart of the political challenges in the region. And there is a need for reassurance that when the Government says private sector activity will play the lead role, it means to go out and mobilize it—not that it believes the whole scenario will just happen automatically.

Trusting that we will have a better grasp of all these matters after this evening's presentation, I will proceed to a final point. And that is that if the U.S. Government and the governments in the region are feeling the pressure to perform, the U.S. business community should be feeling it even more. For the ball is truly in our court now.

We are the ones who for years have said that developing countries have relied too much on governmental action instead of private enterprise.

We are the ones who have criticized traditional U.S. development aid programs and urged greater involvement for business.

We are the ones who have complained that the United States Goverment hasn't done enough to show support for foreign governments friendly to private enterprise.

Now is our chance to perform or forever hold our peace. I am optimistic. The people in this room tonight have come here with high hopes. A conference like this should produce some actual results.

I believe we will have failed if the participants here from governments in the region leave without a stronger sense that the U.S. private sector is able and willing to address their needs.

I believe we will have failed if the representatives of U.S. corporations in this gathering leave without a new commitment to actively seek opportunities in the Caribbean.

We do not intend to fail.

We intend to demonstrate that a private-sector based development strategy will work in the Caribbean because we know it can, we know it must, and we intend to see that it does.

ADDRESS BY AMBASSADOR WILLIAM E. BROCK

I don't have to tell you that this Conference finds our nations standing at a crossroads. I don't have to tell you that for too many years we have struggled, albeit with good intentions, but as yet unsuccessfully with a recurring economic malaise in the Caribbean Basin.

There is no easy solution, and it's about time that we all realized that.

At the recent summit in Cancun, President Reagan addressed the real issues of development and urged that overly ambitious and unrealistic solutions not be allowed to continue to divert us from the practical steps that can be taken now to promote progress. particularly at the bilateral and regional level. The true benefits of development are to be found in concrete and often complicated activities, not in abstract formulas or grand designs.

The problems of the Caribbean are serious, and are having a spillover effect outside the Basin. President Reagan has been clear that he places a high priority on helping to solve those problems. The kind of approach he wants to take, and that I believe we all want, is one which will focus on the long-term economic well-being of the nations of the Caribbean: Approaches which aren't dependent solely or largely on government assistance or which raise expectations that can't be realized.

We have been the subject of some criticism from those who ask: "Why is this Caribbean Basin Initiative taking so long to develop?" "When will the promised 'unveiling' take place?"

There is a pretty simple answer. It wouldn't have taken very long to come forward with a 'quick-fix' solution . . . or to have announced a unilateral program that was developed without the benefit of the views of the people it was designed to help.

And the unveiling? Well, we're not engaged in this effort for its public relations aspects.

Over the last six months, we have been engaged in the task of melding trade, investment, and financial assistance measures into a workable approach to regional development. We have been seeking a coherent and integrated package that would give us the best chance of unleashing the kind of energy; the kind of serious interest among entrepreneurs that could turn the prevailing economic outlook on its head. We have not reached for panaceas because we know they don't exist. Instead, we have considered how we might join with other interested countries to energize the spirit of self-help which already exists in the area.

It was quickly apparent that, in some cases, the measures being considered might be viewed as a departure from traditional U.S. practice in the program areas affected. You may take it as an indication of our seriousness and of our deep-felt concern for the problems of the Caribbean Basin that at no time during our internal discussions have we precluded adoption of a measure solely because it might depart from traditional policy. This flexibility was communicated during our consultations with potential beneficiaries, and it had the welcome effect of opening dialogues that were frank and absent of any divisive rhetoric.

If the Initiative is to break new ground, we must make our Congress a partner in the process. Therefore, the Administration has begun consultations with our legislators. We have also been working closely with representatives of the Commonwealth of Puerto Rico and the Virgin Islands so as to ensure that the Initiative has both the benefit of their perspectives on regional development, and takes into account their development needs.

We also came to realize that an integrated program would be far less effective if we moved ahead without the active participation of a number of major regional lenders, including Venezuela, Mexico, and Canada. The three nations I've mentioned are all major contributors now—proportionately greater than we. We need to mobilize their own special problem-solving approaches to effectively deal with the complex range of issues. We have, therefore, adopted a cooperative approach, which is collegial in planning, will allow contributors individual scope, and is focused on measures tailored to the special problems of each of the beneficiaries. We are deeply grateful that Mexico, Canada, and Venezuela have each shown an intense interest in cooperative efforts designed to achieve mutual objectives in this cause.

Let me return to the subject of our consultations with the Governments and private sectors of the potential beneficiaries. Although time consuming, we have learned a great deal through this process. We are gratified by the sense of common vision that has begun to develop, and we will proceed to the implementation phase only with the concurrence and support of the nations whose development is tied to the measures contemplated.

Our consultations generally began with a review of the current local economic and business climate. Without a predictable and favorable setting for an expansion in investment and production, it would be pointless for us to even consider measures in the trade and financial assistance areas. We found that there had been, and continued to be, a tendency to view investment attraction primarily as an issue of incentives—both direct or through special tax treatment. On the other hand, it was acknowledged that international business still viewed some parts of the Carib-

bean and Central American Basin as high-risk areas.

To change this perception, it was generally concluded that bilateral investment treaties covering such issues as right-of-entry, national treatment, expropriation, and dispute settlement procedures would be helpful, if such treaties meet the self-determined needs of the area's nations. Clear rights and guarantees to investors, and predictable standards of investment treatment would be powerful signals of national commitment to market-oriented solutions to economic problems.

While investment treaties would ameliorate some of the element of risk that reduces the level of private sector activity, there is still a need for political risk insurance that is now in part available from our own Overseas Private Investment Corporation and from similar national entities in developed countries. Interest in this type of risk coverage also exists among the middle and upper-income developing countries.

Therefore, we have been exploring the feasibility of a multilateral political risk insurance institution which would be open to investors from all nations and which would extend the scope of risk coverage to fill gaps which currently exist under the OPIC-type arrangements. Investment in the Basin must come from the broadest group of contributors, and this strongly argues for an expanded insurance program.

In another context, potential host governments were generally satisfied with the effectiveness of the OPIC investment promotion program, particularly the special country missions, and we have plans to expand these operations over the coming months.

One obstacle to restoring business confidence widely cited by Basin nations is the lack of short-term financial resources. Ordinary, short-term commercial credit has almost disappeared in some states of the region—and this is a major factor in an unfolding economic nightmare for these nations. The problem is so acute in some nations that existing enterprises are without access to sufficient working capital to carry on with their production. Small manufacturing concerns are the first to be hit by the credit squeeze since limited resources are being directed in the first instance to public sector programs and then to larger companies.

We are most anxious to be able to respond—to the extent our own resources will permit—to the liquidity crisis. But we seek to do this in a way that reinforces our fundamental long-term objectives by combining additional financial assistance with opportunities for trade and investment. In this way, the beneficiaries will have an improved potential for meeting future credit obligations. We hope to be able to forge a multination response soon.

Another means of generating greater entrepreneurial interest—and one which has had support from private enterprise in the Basin and in the United States—would be to implement changes in U.S. tax treatment for investors. We also know that existing tax policy is based on extended experience. Accordingly, we will have to carefully examine the range of proposals for tax code and tax treaty initiatives which were proposed to us, recognizing their potential importance as a means of promoting increased private sector interest in the region.

Our mutual goals for new investment in the region and the maximum utilization of existing productive capacity cannot be realized without a healthy outlook for trade. There can be no question that substantial export markets currently exist which can be developed and secured by the region's private sector. The United States provides extremely favorable access for most manufactured exports from the region. The post-Tokyo Round U.S. duty structure contains few rates over five percent. Duty-free access for most products is provided the Caribbean Basin nations and other developing countries under the U.S. Generalized System of Preferences.

During our consultations with the potential beneficiary states, we were struck by the fact that exporters and governments continued to find our GSP difficult to understand and use, despite frequent seminars. There is confusion surrounding the petition process and problems in predicting product eligibility under the existing value-added and country-of-origin criteria.

We remain convinced that, over time, exporters of the Basin must be able to reap more fully the benefits of the GSP system. But we recognize the importance of expanded trade as an engine of growth for the region. We have come, therefore, to consider a more tailored and simplified extension of duty-free access for the Basin, within the constraints of our international obligations under the General Agreement on Tariffs and Trade and other international accords such as the Multifiber Arrangement.

If such a further modification of our tariff policy can be justified on the basis of its impact upon private sector activity in the region, and if we are satisfied that the beneficiaries are taking all feasible steps to create a domestic economic and political climate conducive to private enterprise, then I am personally willing to recommend that we move to something approaching a one-way free trade area in most product sectors—not only to insure stable market access, but equally to create a magnet for world-wide investment interest.

Returning to the question of capital availabilty, we were struck during our consultations by the breadth and number of truly worthy public sector capital projects that are under consideration and which would be supportive of our mutual efforts to spur commercial expansion. There are also a host of initiatives in the areas of technical assistance, training for public sector managers, techniques of modern marketing, and so forth which are competing for scarce financial resources. In this setting, I think there is a demonstrated need for increased financial assistance, which contributors and international institutions should help fund.

Turning from the potential elements of the Initiative to the environment in which it's being developed, intensive consultations with the Basin countries, the Nassau Four, and others interested in this Initiative, both at home and abroad, has been a hallmark of our policy-making process. This is a time-consuming but vital component to the formulation of sound policy.

This practice of prior consultation with our neighbors must become a common feature of our policy-making process. In the trade area, previous consultations have been conducted mainly when the U.S. was considering the adoption of measures that might negatively affect one or more of our neighbors. But perhaps ignored has been the pressing need to consult on common problems and opportunities, in a spirit of cooperation—not confrontation.

This kind of exchange of views should become routine and not be confined to trade issues. Divisive problems should not be the only catalyst for such exchanges. Opportunities abound not only for consultation but for jointly-sponsored projects within the hemisphere.

For this reason, I believe a meeting of trade ministers from the Latin American and Caribbean countries would be very welcome and provide all of us an opportunity to discuss the Trade Agenda for the next decade in preparation for the 1982 GATT Ministerial meeting.

One specific Agenda item for which we share with the countries of Latin America and the Caribbean a desire for more effective international discipline is the matter of safeguard actions. The United States soon will suggest a work program on safeguards that will provide a basis for subsequent GATT Ministerial consideration. We hope that the countries of Latin America and the Caribbean will support this work program and its long-term objectives.

The GATT Ministerial should be viewed by the Latin American and Caribbean nations as an opportunity to raise legitimate concerns regarding the operation of the multilateral trading system.

A successful GATT Ministerial will help to reduce present uncertainties associated with making the transition to freer trade policies. It is our hope that the Ministerial will start a new effort that will result in significant benefits for Latin American and Caribbean countries that pursue pragmatic, market-oriented policies of trade expansion and diversification.

I would like to conclude by reiterating the importance we place on a multi-faceted Caribbean Basin Initiative. We need a stable platform for development—resting on three strong supporting pillars—trade, investment, and aid. A fourth leg is cooperation, and cooperation means listening to what others have to say and giving them an opportunity to consider and respond to what you have in mind. The result will be a new sense of our common purpose.

We are being careful not to overstate what can be achieved by our mutual efforts. Some of what we do will have an immediate, positive effect; but by far the greatest benefits may not be felt for many years. Future generations will thank us for our patience and restraint and for our concern for the future as well as for the present.●

ADDRESS BY JACK W. FLYNT, NATIONAL COMMANDER OF THE AMERICAN LEGION

● Mr. MITCHELL. Mr. President, on November 14, the National Commander of the American Legion, Jack W. Flynt, addressed the Maine Department of the American Legion at the Napoleon Ouellette Post No. 24 in Rumford, Maine. Mr. Flynt's remarks convey the sense of the frustration and anger that many veterans, especially Vietnam veterans, have experienced since viewing the portrayal of Vietnam veterans in the PBS show, "Frank: A Vietnam Veteran."

There are millions of Vietnam veterans who are well-adjusted, productive members of our society. These men and women deserve our respect and gratitude.

There are, however, many others who continue to suffer from scars, both physical and psychological, inflicted during the Vietnam war. To these men and women, we have an obligation that we must not ignore. We must continue our increasing efforts to resolve the controversies surrounding the provision of health care for these veterans and work to see that our debt to them is paid in full.

The maintenance of an independent and viable VA hospital and health care system is an essential element of our commitment to our Nation's veterans. As Commander Flynt notes, this system must remain committed to the needs of all veterans. As a member of the Senate Veterans' Affairs Committee, I will work to see that we do not lose sight of this vital goal.

Mr. President, I ask that the full

text of Commander Flynt's remarks be printed in the RECORD along with a biographical sketch of Commander Flynt.

The material follows:

REMARKS BY JACK W. FLYNT

Last month . . . I sat at a long low table in a darkened conference room in our Washington headquarters . . . to preview a video tape of a Public Broadcasting Service Veterans Day special. When I walked into that conference room . . . I glanced around the room at those gathered there to view the tape with me. I had no idea the danger I was in . . . the risk I was taking . . . not only by being in a darkened room with ten or fifteen Vietnam veterans . . . but by working closely . . . day in and day out . . . with a professional staff made up of nearly 60 percent Vietnam veterans.

Well, if I believed what I was to see that day . . . If "Frank: A Vietnam Veteran" is typical . . . as the Public Broadcasting Service would have us believe . . . then I take my life in my hands every time I deal with our national staff. For gathered at that table with me—all from the Vietnam war—was a Silver Star winner . . . a combat medic . . . an infantry platoon leader . . . a retired Air Force colonel . . . to name only a few. All of them are . . . I believe . . . the best in the country at what they do . . . all of them are professionals, committed to serving America's veterans through service to God and Country. What I saw in "Frank: A Vietnam Veteran" caused me, not fear . . . not distrust. No. What it caused was sorrow . . . and not a little anger. Sorrow . . . that so many fine Americans were about to be painted black by one broad brush stroke . . . Anger . . . that the sacrifices and suffering of so many fine men and women were to be treated with so little dignity . . . so little respect.

Those of you who have seen the program . . . know what I felt . . . you saw what I saw . . . and your outrage must equal my own. Why? Because of the contrast such a program provides with the proper recognition all veterans so richly deserve.

Three days ago . . . on Veterans Day . . . I stood in the warm Texas sunshine . . . before one of the most revered symbols of liberty in my home state . . . indeed, in the nation. I stood before the Alamo . . . to join with thousands of other Americans to honor our veterans. I was privileged to lay a wreath before the tomb of one who died for this country . . . and to participate in a grand parade to honor those who fought . . . and lived to fight again, if necessary, for America. It was a special day, full of pageantry and tradition. On that day in Texas . . . America's veterans were honored with dignity . . . and with the respect and gratitude they so richly deserve.

But as I spoke, my heart was heavy . . . knowing that elsewhere, a whole generation of this country's veterans were not so honored. They . . . and much of the nation . . . saw their ability questioned . . . their motives suspected . . . their performance in war called disgraceful . . . by the implication that "Frank" was typical. But worse, a generation of veterans . . . who themselves have fought hard for the respect they deserve . . . had their characters sullied once again. After years of silent suffering . . . and years of fighting for their rights . . . they felt old wounds reopened . . . old prejudices revived . . . and old stereotypes renewed.

That, ladies and gentlemen, is the legacy of "Frank: A Vietnam Veteran." It is a legacy the Veterans of Vietnam do not deserve.

Here in the department of Maine, you know that as well as I do. Your record of success in dealing with the real . . . not imagined . . . problems of Vietnam veterans, have long been a source of inspiration to the rest of the national organization. The battle in which you . . . even today . . . are embroiled . . . over your right to continue to operate the DVOP program . . . underscores not only your ability to do a tough job well . . . but more, your willingness to fight for the right to do that job. Your unequalled successes in placing veterans in jobs—at a rate three times that achieved by government agencies at less than half the cost—proves two things to me:

It shows that the Legionnaires of Maine can make national programs work, and work right. But more, it shows that the implications of "Frank: A Vietnam Veteran" are wrong. The veterans of Vietnam can work . . . they will work . . . and they can be important contributors to society—if they are given the chance. That is the real damage done by the PBS program. Barriers that have been knocked down—education, employment, social—knocked down by the hard work and commitment of dedicated caring people like yourselves—can go up again, if the stereotype and prejudices included in "Frank" take hold anew. We of the American Legion cannot allow that to happen.

Dedication to America's interests is an attribute common to members of The American Legion. It is strong here . . . it is strong across the National Organization . . . and it is strong among the Vietnam veterans in our ranks.

In Washington, Vietnam veterans . . . under the direction of the National Security/Foreign Relations Commission . . . carry out the mandates of the national organization in matters dealing with our active military . . . our alliances . . . our relationships with all nations. Our Economic Commission relies on the abilities and talents of a Vietnam Veteran . . . to see that the mandates of employment and job security for veterans are carried out. And our legislative interests on Capitol Hill are protected by some of the best representatives any organization can send to the offices of Congress.

I was in Washington on the day of the critical AWACS vote in the United States Senate. Less than two weeks before the vote, the NEC resolved to support the sale . . . and in that short period of time . . . your legislative staff in Washington marshalled the Legion's resources and ensured that our views were known in the Senate. The 52–48 vote in favor of the sale was a victory you can be proud of . . . for The American Legion shares no small portion of the victory. It was a victory not for a party, not for any group . . . but a victory for the nation . . . and for peace.

That, ladies and gentlemen, is the kind of thing the Vietnam Veteran can accomplish. He is not alone. Like his fellow veterans from all wars, he can do so much more. Here in Maine, he toils in your factories . . . educates your children . . . mans your police forces . . . treats your illnesses . . . fights your fires. He builds your houses, edits your newspapers, and yes, he prays with you.

Right now, his prayers may be a little different. He may be praying that he not be denied again . . . the respect that he has earned. He may be asking God that none see fit to bar him from the job he deserves. He may be asking that the insult to him . . . at the hands of misguided broadcasters . . . not cause others to reject service in defense of the nation he suffered to protect. And he may be asking for all of us to help.

We will not forget him.

We will fight alongside him for a resolution to his concerns over Agent Orange. We will fight to maintain the VA hospital system as one committed to the needs of all veterans. We will fight for his right to work. We will continue to fight for a secure, free nation in which he can raise his children. And we will fight to see that he always enjoys the respect and gratitude he so richly deserves.

Ladies and gentlemen, The American Legion will never be idle when the interests of the nation or its protectors are threatened. We will not go unheard . . . and we will remain a force to be reckoned with. Why?

Because of you . . . Because of your strength . . . as shown by your high levels of accomplishment . . . and your commitment to our ideals of service to God and Country. The voice of The American Legion rings clearer . . . and speaks louder . . . because of the commitment you, as Legion and Auxiliary members, show to truth and honor. You will not be fooled by such false and misleading portrayals as "Frank: A Vietnam Veteran." It is one view . . . a view that holds no deep truth, because . . . as the founder of Boston's Trinity College—Amos Bronson Alcott—said nearly a century-and-a-half ago:

"The deepest truths are best read between the lines, and for the most part refuse to be written."

Ladies and gentlemen, the deep truths about America's veterans are written in blood . . . sacrifice . . . and honor. Those of us who have been there . . . can read between those lines.

Thank you.

[Biographical Sketch]

JACK W. FLYNT, NATIONAL COMMANDER, THE AMERICAN LEGION

Jack W. Flynt, 58, of Dimmitt, Texas, was elected National Commander of The American Legion the nation's largest veterans organization of nearly 2.7 million members, at the closing session of the Legion's 63rd annual National Convention Sept. 3 in Honolulu, Hawaii.

A U.S. Army veteran of World War II, he served in the Persian Gulf area and in the European Theater with Headquarters and Service Company, Allied Forces Headquarters, Caserta, Italy. He has been an active Legionnaire for nearly 30 years and is a member of Greer H. Estes Post 445, Dimmitt, Texas.

He attended Texas A&M for two and a half years before leaving school to enter military service. On return to civilian life, he resumed his formal education at West Texas State University.

He has been engaged in farming, ranching, farm related businesses and the insurance industry throughout his working career. He was designated a Charter Life Underwriter by the American College of Life Underwriters in 1974. He withdrew from active participation in his private business early in 1981 to devote full time to his campaign for the office of National Commander of The American Legion.

Flynt has taken an active role throughout his three decades of membership. He served his home post as service officer, commander and adjutant, an office which he held until his election as National Commander.

He held many district and department (state) offices in The American Legion of Texas, including that of Department Commander in 1966–67. During that same year his wife, Mary, served as Department President for the Texas American Legion Auxiliary.

At the state level, he was a member of the Finance Committee, Department Board of Trustees, Chairman of the Department Convention City Commission, Rehabilitation Commission, a counselor at Texas Boys State and President of The American Legion Convention City Corporation of Texas.

At the National level of Legion activity, Flynt served four years as Texas' American Legion National Executive Committeeman

and nine of his thirteen years as a member of the National Americanism Commission were spent as chairman of the Subcommittee for Youth Activities. In 1974–75, he was National Vice Commander of The American Legion.

Commander Flynt's family is thoroughly American Legion oriented. His wife has been active in the Auxiliary. Their son, U.S. Air Force Capt. Jack W. Flynt II, is a member of George S. Berry American Legion Post 575, Lubbock, Texas, and was a citizen of Texas American Legion Boys State. Their daughters, Karron and Sharron, both are members of the American Legion Auxiliary and former citizens of Texas American Legion Auxiliary Bluebonnet Girls State.

Flynt is active in affairs of his church, having served as Sunday School Superintendent for five years, secretary of his church's official board and secretary of Methodist Men.

He is a member of the Sheriff's Association of Texas, Texas A&M Century Club, Farm Bureau and several Agricultural commodities organizations. He is also a 32nd Degree Mason and a member of all Masonic Orders.

He has served as fund drive chairman for the Salvation Army and for the Red Cross Chapter of his home community.

Through all of his activities in the Legion and civic and social service, Commander Flynt has shown an intense interest in young people and in family life. Among his principal objectives during his term of office will be to emphasize the importance of American youth and the need to restore in American family life the morality, integrity and respect that has made the family the bedrock foundation of American Society.●

EDUCATION'S THREE MILE ISLAND

● Mr. EAST. Mr. President, as we continue to search for ways to make existing programs more effective and to eliminate waste of our tax dollars we encounter new concepts that challenge our way of thinking. Whereas humanitarian programs were once gauged by the dollar amount appropriated now they are beginning to be judged by the results they produce.

Dr. McCay Vernon, editor of the "American Annals of the Deaf" and professor of psychology at Western Maryland College has written an article appearing in the October 1981 issue of the Peabody Journal of Education, Vanderbilt University, Nashville, Tenn., that challenges us to rethink what the best educational programs for disabled children are. The shortcomings of Public Law 94–142 are outlined in this article and some valid points raised that demonstrate more money is not always the solution to every problem that confronts us.

Mr. President, I ask that this article be printed in the RECORD:

The article follows:

EDUCATION'S "THREE MILE ISLAND": PL 94–142

The education for All Handicapped Children Act of 1973 (PL 94–142) is the most important legislative issue affecting handicapped youth in our lifetimes. Its generality far exceeds disabled youth because of the fundamental economic, constitutional, political, and moral-philosophical questions it raises. Unfortunately, the law was enacted without these broader issues being understood or even raised.

THE LAW

PL 94–142, now being implemented nationally, requires local educational agencies to ensure a free, least restrictive public education for all disabled children, regardless of costs (Price & Goodman, 1980; Raiser & Nagel, 1980). They must either provide education themselves or pay for it if obtained elsewhere. The program must exist in the least restrictive environment irrespective of cost. For example, if satisfactory education is available locally at a reasonable price, this is not sufficient if there is a "less restrictive" program elsewhere, even though the latter may be prohibitively expensive (Vernon, 1979).

Historically, the law grew out of efforts by parents to place their mentally retarded children in schools instead of hospitals or settings where no services were provided (Pennsylvania Association for Retarded Children vs. Commonwealth, 1971). We must realize that the law developed from the needs of retarded youth, not handicapped children generally.

Initially, laws promising education for handicapped children appear as a humane effort on the part of our government to embody in legislation the basic Constitutional guarantee of equal opportunity for all. In reality, PL 94–142 is an ill-conceived law embodying a "Pollyanna-Horatio Alger-like euphoria contrary to fact perception of reality." It threatens the education of an entire generation of handicapped youth and squanders the limited educational funds available in our country for both disabled and regular children. At a deeper level, it raises Constitutional, economic and moral issues at the heart of this nation, currently and in the future. At a practical level, PL 94–142 jeopardizes realistic efforts at serving disabled children by legislating the impossible and by indiscriminately wasting fiscal resources. Pat Bauer reported in the Washington Post (May 23, 1980) illustrating parts of the problem:

Six-year-old Brooke Bennett was transferred from her Fairfax County public school by her parents last winter after she told them repeated stories about classroom disruptions and violence by a hyperactive classmate.

"We don't want to send our child to that school anymore. The teachers are spending all their time with the kids who are acting out," says Brooke's mother, Jody Bennett of Vienna.

"I believe in the concept of mainstreaming (teaching handicapped students in conventional classroom settings). But if we're going to mainstream, we're going to have to provide some resources to support it."

Dr. Harry Silver, an associate director of the National Institute of Mental Health, says it may well be impossible for school districts to comply with the law, serve all the handicapped students who need help and still stay within their present budgets.

These are strong statements. Without equally strong supporting evidence, they represent nothing more than a polemic. Let us consider the evidence.

POLITICAL-CONSTITUTIONAL

Among the most cherished rights of states and local communities, rights guaranteed by the Constitution, are those related to education. By leaving education primarily to states and local communities, our country rose from 1850 to 1950 to international eminence (first place, to be boastful) in science, technology, medicine, and the general level of education and productivity of our population. While this remarkable achievement did not result solely from local control of education, it would never have occurred if local control had not worked extremely effectively.

The existence of forced racial segregation remains the one undeniable and shameful failure of these years of local jurisdiction. This fact stands as a stinging indictment of an otherwise successful, proven approach to education for the United States. How does all of this relate to the Education of All Handicapped Children Act? About 1963 the federal government began implementing the education of handicapped children in dominating, controlling ways—a fact best reflected in dollars and cents. According to Lavor (1976) from 1963 until 1976 the United States Office of Education, now the Department of Education, increased funding for disabled children from 2.5 million dollars (a token amount in the federal budget) to more than one billion dollars in 1980. In other words, the federal fiscal investment increased more than 4,000 times between today and 17 years ago.

No one is naive enough to think, as Vernon (1979) pointed out, that local school districts get this money without massive federal control over what they do. Most state programs for the handicapped rely on federal dollars for their support (Lavor, 1978). They were in 1975 when PL 94–142 was passed. This financial dependence of the states on federal government sets the economic stage for the passage of the Bill. Congress enacted PL 94–142 and dictated to local school districts: "You will educate all disabled children." Previously, most districts failed to do so. Furthermore, the Congress stated (in PL 94–142) that local schools would provide this universal education in the best, i.e., the least restrictive, way possible, regardless of costs. As a result, school districts inherited an impossible dilemma. They either surrendered all federal monies they had already used to support their existing programs for handicapped children or else they assumed the overwhelming financial burden of PL 94–142. The latter costs are both astronomical and in many cases wasteful.

An analogy best illustrates the situation created by the Education for All Handicapped Children Act. The states and local school districts were and are in the position of the beautiful young maiden with no money or job skills who has accepted a mink coat, luxury apartment, sports car, and $2,000 monthly allowance from a lecherous politician. The federal government, like the depraved suitor providing all these luxuries, intends to proceed with the courtship. Instead of demanding sexual indulgence, however, the federal government mandates through the monitoring power of PL 94–142, full control of exactly what states and local school districts do educationally with their handicapped children (PL 94–142, 94th Congress, November 1975). Furthermore, the law, through the same monitoring power, controls exactly how much these districts are going to pay for these educational services with their own state and local money, regardless of how much money it requires. The federal share of the cost is minimal, namely 12% above what it costs to educate a regular student (see Table 1.)

When the depraved lover who has financially indulged the young maiden approaches the moment of truth the crassness of his carnal bargain is inevitably settled by some token statement of affection. Similarly, as the federal government prepared financially and politically to ravage local school districts the inevitable seductive verbiage appeared. Those who passed the law promised that they would help significantly to pay costs of implementation. Needless to say, the amounts authorized by Congress were not appropriated by Congress. In fact the minute sums appropriated have been reduced substantially (see table 1). Thus, like the deflowered maiden still waiting for her marriage proposal but long since replaced by another woman, local school districts have been royally seduced. They now must pay for educational services chosen and determined, via monitoring, by the Department of Education.

What all of this means constitutionally is that by virtue of PL 94–142 the federal government now dictates to local schools exactly what they will do with their own handi-

capped children, deciding how much local money to spend to do it, and determining the circumstances by which the federal government will oversee compliance. This represents an extreme legal position with respect to the Constitution and one into which our country has moved gradually without conscious awareness.

FUNDING HISTORY FOR EDUCATION FOR ALL HANDICAPPED CHILDREN ACT, STATE GRANT PROGRAM

[Dollar amounts in millions, contribution in percent]

Fiscal year appropriation	For use by schools in—	Administration request	Congress appropriated	Contribution Authorized	Contribution Actual
1977	1977–78	----------	$252.0	$5	$5
1978	1978–79	$365	566.0	10	10
1979	1979–80	804	804.0	20	12
1980	1980–81	(1)	874.5	30	12
1981	1981–82	922	----------	40	12

[1] OMB request is $862,000,000; administration can change that.

ECONOMIC AND PHILOSOPHICAL-ETHICAL VALUES

Every society has limits on what it can provide its citizens, including those with handicaps. This unpleasant, but axiomatic, fundamental must underlie realistic programming. Years ago when special schools were established for handicapped children, the basic rationale was twofold. First, authorities recognized it as a human moral obligation. Second, these special schools selected children likely to become self-supporting, contributing members of society once given specialized education. This assumption proved true for most such programs; e.g., Gallaudet College which educates deaf students has returned a huge dividend for every tax dollar invested.

In general, for disabled youth not showing potential to be self-supporting, contributing members of society there were no schools. The needs of most of these individuals for food, shelter, supervision, and recreation was recognized and provided. Sometimes these services were inadequate—e.g., in certain hospitals for the mentally retarded. All of this has changed with the passage of PL 94–142. Now every handicapped child must receive an optimal comprehensive educational program regardless of cost. An actual case exemplifies what this means:

"Judy is a psychotic child three years old whose mental illness is due to an irreversible organic brain syndrome which is incurable. She requires 24 hour a day care due to extreme hyperactivity. Judy is severely mentally retarded and has multiple other physical and psychological problems. She lives in a small county of 40,000 people in New Jersey. Under PL 94–142 she must be educated in the least restrictive environment. In Judy's case this comes to $60,000 a year. It will continue to cost at least this much until she is 21. This represents an expense of over $1,500 a year for each citizen of her county. the total cost will be over a million dollars for the period from now until she is 21."

Obviously Judy is an extreme case, but she illustrates an important economic fact. Under PL 94–142, we as a country will be making by far our heaviest per capita educational financial investments in those youths least able to contribute to society. In fact, large sums of education money normally spent on gifted or average children, most all of whom will return a dividend to society, we must invest now in children with little or no probability of ever being other than wards of the state. Many, including myself, who staunchly support education and services for handicapped youth, believe that PL 94–142 ultimately will do more to reduce than increase these services. Public resistance will produce a backlash effect similar to that generated by Prohibition legislation. To focus this discussion, we must face three major issues raised by PL 94–142:

1. Can we continue to make our biggest per capita educational investment in those least able to return a dividend to society? If we can, is it appropriate? The question makes us all uncomfortable. For this reason, neither Congress nor education has confronted the facts directly and realistically. Attempts to do this cause one to be perceived as against handicapped children, hardly a position with which a politician or teacher wants to be identified.

2. Can the federal government tell local school districts how to spend their own educational dollars and remain consistent with the Constitution?

3. PL 94–142 places tremendous emphasis on a local program for the child. Theoretically this can benefit young children in particular. Is it feasible economically, however, and in terms of other resources? To illustrate, let's take a deaf child living in a small town in Illinois. For this child to acquire a good education requires a specifically trained teacher who understands his communication and language learning problems, a speech pathologist who can work with this aspect of education, an audiologist to measure hearing, sound treated classrooms, a sign language interpreter, special textbooks, a loop induction amplification system in all classrooms, in-service education of all teachers and administrators, ad infinitum. To provide these services locally for only one child is inordinately expensive, costing in the range of $25,000 to $50,000 annually.

Even then, I seriously doubt the wisdom of keeping a deaf child isolated from other deaf children. Furthermore, when you start requiring several professionals to work individually in a small locality with a single handicapped child the supply of professionals, as well as the supply of money, soon runs out. In a purely economic sense, PL 94–142 is analogous to the federal government directing Chrysler Motor Company to build each car in the locale where they will sell it. Picture the cost of this kind of decentralization. Remember PL 94–142 states that the optimal program is to be provided and that we cannot raise costs as a relevant issue.

Thus far, we have considered some of the broad constitutional, economic, and moral issues represented by PL 94–142. Let us again consider one type of handicap, early profound deafness, and examine the effect of the law in "the world of reality."

CURRENT PRACTICE

First of all, local school districts say, "Give us federal money, even if only a token of what it takes to do the job demanded by PL 94–142." Then, because they face resistance to increased local taxes, these school districts ask themselves, "How can we make a little profit on this money; i.e., how can we process these deaf children and still have some federal funds left for other purposes?" Of course, according to Pechter (1978), the obvious answer is to just dump the deaf, or other disabled, child in a regular class with 30 hearing children and supply no supportive services. This is exactly what is happening all over the United States today.

More commonly the dumping approach is supplemented by a token tutor or resource teacher. The deaf student (and 15 other handicapped children) may see this teacher briefly once or twice weekly. Regardless of the details of the individual programs, the essence of what is happening today, as Vernon (1979) states, is that while PL 94–142 promises handicapped children and their families Utopia, it actually provides a horrendously poor education, in direct contradiction to most of what we have learned about the teaching of deaf and other handicapped children during the last century.

Another irony of the law is that for a minority of sophisticated, aggressive, litigious parents, it offers thousands of dollars worth of education for their children. If they intimidate local educators, or if they willingly devote years to the struggle, they can use this law to obtain a smorgasbord of special education goodies. Pechter (1978) says, however, that for the average, less sophisticated, less educated parent, those who are most in need, the system does not work.

The Individual Educational Plan, court hearings, etc. involve such overwhelming complexity that these parents are left helpless to obtain anything for their children except what local school officials offer (Pechter, 1978; Vernon, 1979). Usually these officials are from the field of general education and know nothing about deafness. As the end result, children and families most in need of educational services receive the least under PL 94–142. The bright, capable, litigious families already possessing the most to start with, can widen the differences between the "haves" and the "have nots."

SUMMARY

PL 94–142 is not merely going to devastate an entire generation of disabled youth educationally and psychologically—it has a generality far beyond handicapped children. It represents a fundamental departure from long standing interpretations of the Constitution relative to education. Economically, it imposes on the education of the disabled a position which says (a) cost is not to be considered a factor in developing an educational program, and (b) we will invest the most money in children least able to return to society a dividend on this investment.

If the road to hell is paved with good intentions, PL 94–142 certainly represents enough of a brick to cover half the distance. It is to education what Three Mile Island is to the use of nuclear energy.●

EMERGENCY RESPONSE

● Mr. DECONCINI. Mr. President, the State of Arizona has initiated the development of an emergency self-management training and public education program. The program represents a new approach to insuring the safety of citizens during times of both natural and man-caused disasters. The purpose of the program is to provide Arizona educators and adult groups with comprehensive, instructional materials that can be utilized to teach self-management preparedness and response skills relevant to emergency situations. Arizona's foresight in providing this program will enable its citizens to work cooperatively with emergency services organizations and will give them the opportunity to develop skills that could help each individual to minimize—or avoid—the consequences of a disaster situation.

The program represents a cooperative effort—between Government and the private sector—to address an existing need. Since private sector support of a program of this nature gives the project credibility, the project requires an expanded base of private sector support. Sponsorship by additional private sector organizations would reduce the burden on current sponsors and could help provide the program more directly to concerned citizens. The Government and industry team approach to public education established in this project is necessary in times of significant Federal

funding reductions for educational programs.

Civil preparedness programs have been developed in the past, but they have had serious methodological problems. In order to overcome these problems, and to provide a unique approach in this important area, a competitive request for proposals was issued by the Arizona Division of Emergency Services. Desert-Mountain Associates, an Arizona corporation specializing in skill-based training and instructional product development, was awarded the professional services contract for completion of the project, and development efforts were initiated in January 1981, under the sponsorship of the Arizona Division of Emergency Services (Charles Ott, Jr., director), the Arizona nuclear power project, and the Salt River project.

Desert-Mountain is developing a program that represents a systematic research and development process based on skill-learning, as opposed to merely relating information about potential disasters. After surveying existing materials and interviewing emergency services experts and educators throughout the State, subject matter parameters and instructional specifications were established. These specifications provide a basis for citizens who participate in the program to become skilled in numerous survival techniques that will enable them to prepare for and mitigate a number of disasters likely to occur in Arizona.

Six topics and three levels of audience have been selected. These parameters were established on the basis of input from emergency services personnel, educators, and Arizona citizens. The topics are: Radiation safety, floods, desert-mountain survival, earthquakes, hazardous materials and energy-related emergencies. The audience levels are preteenage, teenage, and adult. A model set of materials on radiation safety has been developed and is undergoing a preliminary tryout.

The program sponsors and Desert-Mountain Associates, Inc., are to be commended for addressing an important and difficult task. The net result of the development and implementation efforts will be a citizenry that is better able to survive in both peacetime and attack-related emergencies. At a time when citizens throughout the country are registering their concerns about their vulnerability to disaster situations, especially to nuclear attack, Arizona has taken a step in the right direction.

I heartily encourage Arizona citizens to make use of the program materials when they become available in 1983, following the final field test. I believe that the program will serve as a national model for skill-based emergency preparedness and response training.●

PRESIDENT'S EXPORT COUNCIL CITES IMPORTANCE OF EXPORT TRADING COMPANY LEGISLATION

● Mr. HEINZ. Mr. President, as its first order of business upon being reconstituted by President Reagan, the President's Export Council adopted a resolution calling for prompt enactment of export trading company legislation and urging the President to make this his top priority in the international trade area.

As the resolution points out, growth of the trading company concept is essential if we are to involve small- and medium-sized businesses more fully in exporting activities. Over the long term this concept promises to change the way this country approaches exporting, in the process making us both more competitive and more aggressive at the very time we are finding the competition ever tougher.

The Senate has already expressed its support for export trading companies, having passed the legislation in question unanimously last April. That bill, S. 734, which Senators DANFORTH, TSONGAS, BENTSEN, and I introduced, is now pending in the House, and it is to the House that the President's Export Council urges the President to direct his attention and persuasive powers. I have recently noted some signs of progress on this measure in the other body, and I hope that this resolution will help convince House Members to continue moving this bill. The Reagan administration, of course, needs no such convincing, having supported the bill from its inception, but I am also pleased to note the increasing level of administration involvement in efforts to get S. 734 enacted.

Mr. President, I ask that the text of the President's Export Council's letter to President Reagan be printed in the RECORD.

The letter follows:

THE PRESIDENT'S EXPORT COUNCIL,
Washington, D.C., October 30, 1981.

The PRESIDENT,
The White House, Washington, D.C.

DEAR MR. PRESIDENT: On behalf of the President's Export Council, I submit herewith its resolution calling for prompt enactment of legislation to facilitate the formation and operation of export trading companies:

The President's Export Council, as its first order of business, agreed to advise you that the establishment of the export trading company concept should be your top priority in the international trade area.

Export trading companies are necessary in order to realize economies of scale and to provide small firms with access to the expertise so often critical to successful international competition. Formation of such companies should provide a major step in the economic recovery of the nation. They would contribute to the reduction of the nation's trade deficit by fostering the growth of exports, which already contribute approximately 20,000 jobs for every one billion dollars in sales.

We recognize that the Administration has already endorsed the export trading company concept, but call your attention to the fact that immediate action in the House of Representatives is necessary if legislation is to pass this year. We urge the Administration to intensify discussions with appropriate committees in the House, particularly the Judiciary Committee, in order to work toward speedy passage of export trading company legislation.

We hope you will give our views close attention, as this is one of the most practical ways in which the United States can increase exports.

Sincerely,

J. PAUL LYET,
Chairman.●

THE WHITE HOUSE CONFERENCE ON AGING

● Mr. PELL. Mr. President, senior citizens from all over the country have come to Washington this week to participate in the third White House Conference on Aging.

This event, first held in 1961 and again in 1971, has played a significant role in the development of the aging agenda for each of the two preceding decades. The Older Americans Act of 1965 and the medicare and medicaid programs grew out of resolutions that were developed by delegates to the first White House Conference on Aging. The second White House conference was no less eventful and paved the way for the passage of the supplementary security income (SSI) program and the extension of the mandatory retirement age.

The program recommendations that emerged from both of these conferences were the products of many hours of discussion and free exchange of ideas among the delegates.

This year's conference on aging is unique in many ways. Because of the need to restrain Federal spending, much of the discussion will focus on ways to improve the quality of existing Federal aging programs and to more effectively target senior citizens who are most in need.

During the budget process, which began last spring, Congress has voted repeatedly to trim the tree of Federal programs. In my view, however, far too many branches of the tree have been cut off and the so-called "social safety net" has become smaller and smaller. The White House Conference on Aging offers a forum for those who are directly affected by these cutbacks to speak and share their thoughts on how our Federal financial resources can be more efficiently utilized.

I have been concerned, therefore, Mr. President, about rumors that the administration has tried to dictate the rules of procedure for this conference and limit debate on individual committee reports.

Without a free exchange of ideas or sufficient opportunity for the delegates to play a meaningful role in the deliberations of the White House Conference on Aging, it is useless to hope that any significant recommendations will emerge from this year's conference.

Many of the delegates have strong feelings about the direction of the administration's economic program because they have experienced the effects firsthand.

They have come a long way and have spent many hours preparing for this conference and ought to be allowed to share their views without interference with the American people.

I hope that these issues will soon be resolved so that the Congress and the administration will have the full benefit of the experience and expertise of the participants in the White House Conference on Aging.●

SENATOR ABDNOR WRITES ON HARBOR DEVELOPMENT AND S. 1692

● Mr. MOYNIHAN. Mr. President, the distinguished chairman of the Water Resources Subcommittee, the Senator from South Dakota (Mr. ABDNOR), has written an article for the Baltimore Sun on the subject of harbor development. I commend his words to all who have an interest in seeing this country capitalize on one of our greatest economic opportunities in the coming decade—the export of American steam coal. The boon will not occur uniess we build deepwater ports to accommodate the supercolliers now being built by our foreign buyers.

Senator ADBNOR and I are cosponsors of a bill, the National Harbors Improvement Act (S. 1692), that would encourage ports to proceed immediately with harbor development plans. Financing of port improvements would be undertaken entirely by the local port, thus freeing the ports from the burden of the congressional authorization and appropriations process. Our bill retains a strong commitment to the continued Federal maintenance of all our harbors by requiring the ports to pay only 25 percent of their maintenance dredging costs. Our bill would confine the regulatory process for dredging permits to 2 years.

Under Senator ABDNOR's leadership, the Water Resources Subcommittee reported S. 1692 to the full Environment and Public Works Committee on November 18, 1981. The committee will mark up the legislation on December 2, 1981.

The arguments for rapid Senate action are made quite strongly in the chairman's article. Its timeliness cannot be understated. Mr. President, I ask that Senator ABDNOR's article be printed in the RECORD.

The article follows:

[From the Baltimore Sun, Nov. 21, 1981]

HARBOR DEVELOPMENT

(By JAMES ABDNOR)

America's port capabilities lag behind much of the world. We lack deep ports. Thus, we have no ability to use the superships that haul coal, and other commodities at far lower costs per ton.

Yet our present system, where Congress authorizes projects and appropriates federal dollars to dredge channels, one by one, seems unlikely to produce any rapid improvements.

Let's look at the record:

It now takes a generation—about 26 years—to begin construction on a typical Army Corps of Engineers water project. Congress hasn't passed a new water resources bill since 1976. We have a backlog of $50 billion in authorized, but unbuilt, federal water-resources projects. It will take 25 years to work through that backlog. Spending on Corps of Engineers work, in uninflated dollars, is now half what it was 15 years ago.

On the other side is the demand. America has an opportunity to augment exports dramatically with the sudden surge in demand for U.S. coal. But deepened coal ports won't come cheaply. The 50-foot-deep Baltimore project would cost the federal government about $340 million. When you tote them all up, you arrive at a cost of $3 billion. Compare that with the $180 million the federal government has been spending yearly on harbor deepening.

There simply are not enough federal dollars around to deepen all the harbors we would like to deepen. Also, we face an increasing backlog of unfufilled maintenance dredging.

President Reagan may have provided guidance with the challenge he set in his September economic message. "When the federal government provides a service directly to a particular industry or to a group of citizens, I believe that those who receive the benefits should bear the costs." He has called for full port-by-port cost recovery for harbor work.

For the first time in U.S. history, reality forces us to look beyond Washington for harbor improvements. We must let investors and shippers, not the Congress, determine where the dollars are spent.

Senator Moynihan of New York and I are sponsoring a bill that shifts all the costs for new harbor-project work to the local port authorities, while continuing a major federal subsidy for subsequent yearly maintenance dredging. This is how the Dutch do it, and they have one of the world's best harbors—Rotterdam. A beneficiary-pays concept will move port development out of politics into decisions based on economic sense.

It certainly would be easy to say that the already authorized Baltimore Harbor project should be built right away, with federal dollars. I'm not sure that it would sound so logical in other port cities. And, frankly, it is probably not possible in Congress.

It would certainly prove unfair if we forced local government to swallow these harbor costs. But my proposal specifically allows local government to collect user fees from the ships that are the direct beneficiaries.

This means that the foreign coal buyers will have to pay some of the cost. If substantial benefits truly exist, shouldn't the ports be able to obtain necessary funding in the marketplace, then repay it through fees collected as a result of the additional, more efficient shipping?

The average added user charge on shipping a ton of coal, to amortize a deepened port, would run to $2 a ton or less. The savings to the shipper from economics of scale would be about $6 a ton. And don't forget, shippers are paying port charges now that are far higher than would be imposed under a user-charge scheme. It costs nearly $50 a ton to handle some types of cargoes at Baltimore now.

Finally, the bill includes language that will greatly expedite local project approval and development. I am confident we can build projects in a few years, rather than decades.

It is vital that Congress move quickly on the Abdnor-Moynihan legislation. Last week, our Subcommittee on Water Resources approved my bill and sent it to the full committee for action December 2. We need to provide certainty to the ports and to their customers, we need to assist President Reagan in meeting the goal of economic recovery that he has set for our nation.●

ORDER OF PROCEDURE ON TOMORROW

Mr. STEVENS. Mr. President, it is my understanding that there are already entered orders for rollcall votes tomorrow. Is that correct?

The PRESIDING OFFICER. There has been no ordering of yeas and nays on anything that has yet been taken up for tomorrow.

ORDER FOR THE RECOGNITION OF SENATOR BUMPERS ON TOMORROW

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senator from Arkansas (Mr. BUMPERS) be entitled to a special order following the two leaders on tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PROGRAM ON TOMORROW

Mr. STEVENS. Mr. President, will the Chair state what then is the program for the morning following the special order of Senator BUMPERS?

The PRESIDING OFFICER. At 9:40 a.m. there will be 20 minutes of debate on two amendments of the Senator from South Carolina Senator HOLLINGS. That will be followed by two back-to-back votes on those two amendments on which the yeas and nays have not been ordered.

Mr. STEVENS. I understand.

There is the unanimous-consent agreement that was entered last evening at my request that sets four treaties for a vote, one vote to count for four, at 4:20 p.m. tomorrow afternoon. Is that still correct?

The PRESIDING OFFICER. The Senator is correct.

The Chair stands corrected. The yeas and nays have been ordered on those four treaties, one vote to count as four.

MINERAL LEASING LAWS AMENDMENT

Mr. STEVENS. Mr. President, if my good friend from West Virginia is in agreement, I ask that the Chair lay before the Senate Calendar Order No. 373, H.R. 4591.

Mr. ROBERT C. BYRD. Mr. President, there is no objection on this side.

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:

A bill (H.R. 4591) to amend the mineral leasing laws of the United States to provide for uniform treatment of certain receipts under such laws, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be offered, the question is on the third reading and passage of the bill.

The bill (H.R. 4591) was ordered to a third reading, was read the third time, and passed.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ROBERT C. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PIRACY AND COUNTERFEITING AMENDMENTS ACT OF 1981

Mr. STEVENS. Mr. President, I ask that the Chair lay before the Senate Calendar Order No. 383, S. 691.

Mr. ROBERT C. BYRD. No objection.

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:

A bill (S. 691) to amend titles 18 and 17 of the United States Code to strengthen the laws against record, tape, and film piracy and counterfeiting, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary with amendments, as follows:

On page 2, line 6, strike "and", and insert "or other";

On page 2, line 11, strike "an", and insert "other";

On page 2, strike line 18, through and including line 21, and insert the following:

"(2) the term 'traffic' means to transport, transfer or otherwise dispose of, to another, as consideration for anything of value or to make or obtain control of with intent to so transport, transfer or dispose of; and

On page 3, line 13, after "used", insert "or intended to be used";

On page 3, line 17, strike "audiovisual work or motion picture", and insert "motion picture or other audiovisual work";

On page 3, after line 19, insert the following:

"(d) When any person is convicted of any violation of subsection (a), the court in its judgment of conviction shall in addition to the penalty therein prescribed, order the forfeiture and destruction or other disposition of all counterfeit labels and all articles to which counterfeit labels have been affixed or which were intended to have had such labels affixed.

"(e) Except to the extent they are inconsistent with the provisions of this title, all provisions of section 509, title 17, United States Code, are applicable to violations of subsection (a).".

On page 4, line 10, after "section", insert the following: "and such penalties shall be in addition to any other provision of law";

On page 5, strike line 3, through and including line 5, and insert the following:

"(C) is a second or subsequent offense under either of subsections (b)(1) or (b)(2) of this section, where a prior offense involved a sound recording, or a motion picture or other audiovisual work";

On page 5, line 23, after "or", insert "other";

On page 6, strike line 9, through and including line 11, and insert the following:

"(2) the terms 'reproduction' and 'distribution' refer to the exclusive rights of a copyright owner under clauses (1) and (3) respectively of section 106 (relating to exclusive rights in copyrighted works), as limited by sections 107 through 118, of title 17.".

On page 6, in the material between line 20 and line 21, strike "and", and insert "or other".

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Piracy and Counterfeiting Amendments Act of 1981".

SEC. 2. Section 2318 of title 18, United States Code, is amended to read as follows:

"§ 2318. Trafficking in counterfeit labels for phonorecords, and copies of motion pictures or other audiovisual works

"(a) Whoever, in any of the circumstances described in subsection (c) of this section, knowingly traffics in a counterfeit label affixed or designed to be affixed to a phonorecord, or a copy of a motion picture or other audiovisual work, shall be fined not more than $250,000 or imprisoned for not more than five years, or both.

"(b) As used in this section—

"(1) the term 'counterfeit label' means an identifying label or container that appears to be genuine, but is not;

"(2) the term 'traffic' means to transport, transfer or otherwise dispose of, to another, as consideration for anything of value or to make or obtain control of with intent to so transport, transfer or dispose of; and

"(3) the terms 'copy', 'phonorecord' 'motion picture', and 'audiovisual work' have, respectively, the meanings given those terms in section 101 (relating to definitions) of title 17.

"(c) The circumstances referred to in subsection (a) of this section are—

"(1) the offense is committed within the special maritime and territorial jurisdiction of the United States; or within the special aircraft jurisdiction of the United States (as defined in section 101 of the Federal Aviation Act of 1958);

"(2) the mail or a facility of interstate or foreign commerce is used or intended to be used in the commission of the offense; or

"(3) the counterfeit label is affixed to or encloses, or is designed to be affixed to or enclose, a copyrighted motion picture or other audiovisual work, or a phonorecord of a copyrighted sound recording.

"(d) When any person is convicted of any violation of subsection (a), the court in its judgment of conviction shall in addition to the penalty therein prescribed, order the forfeiture and destruction or other disposition of all counterfeit labels and all articles to which counterfeit labels have been affixed or which were intended to have had such labels affixed.

"(e) Except to the extent they are inconsistent with the provisions of this title, all provisions of section 509, title 17, United States Code, are applicable to violations of subsection (a).".

SEC. 3. Title 18, United States Code, is amended by inserting after section 2318 the following new section:

"§ 2319. Criminal infringement of a copyright

"(a) Whoever violates section 506(a) (relating to criminal offenses) of title 17 shall be punished as provided in subsection (b) of this section and such penalties shall be in addition to any other provisions of title 17 or any other law.

"(b) Any person who commits an offense under subsection (a) of this section—

"(1) shall be fined not more than $250,000 or imprisoned for not more than five years, or both, if the offense—

"(A) involves the reproduction or distribution, during any one-hundred-and-eighty-day period, of at least one thousand phonorecords or copies infringing the copyright in one or more sound recordings;

"(B) involves the reproduction or distribution, during any one-hundred-and-eighty-day period, of at least sixty-five copies infringing the copyright in one or more motion pictures or other audiovisual works; or

"(C) is a second or subsequent offense under either of subsections (b)(1) or (b)(2) of this section, where a prior offense involved a sound recording, or a motion picture or other audiovisual work;

"(2) shall be fined not more than $250,000 or imprisoned for not more than two years, or both, if the offense—

"(A) involves the reproduction or distribution, during any one-hundred-and-eighty-day period, of more than one hundred but less than one thousand phonorecords or copies infringing the copyright in one or more sound recordings; or

"(B) involves the reproduction or distribution, during any one-hundred-and-eighty-day period, of more than seven but less than sixty-five copies infringing the copyright in one or more motion pictures or other audiovisual works; and

"(3) shall be fined not more than $25,000 or imprisoned for not more than one year, or both, in any other case.

"(c) As used in this section—

"(1) the terms 'sound recording', 'motion picture', 'audiovisual work', 'phonorecord' and 'copies' have, respectively, the meanings set forth in section 101 (relating to definitions) of title 17; and

"(2) the terms 'reproduction' and 'distribution' refer to the exclusive rights of a copyright owner under clauses (1) and (3) respectively of section 106 (relating to exclusive rights in copyrighted works), as limited by sections 107 through 118, of title 17.".

SEC. 4. The table of sections for chapter 113 of title 18 of the United States Code is amended by striking out the item relating to section 2318 and inserting in lieu thereof the following:

"2318. Trafficking in counterfeit labels for phonorecords and copies of motion pictures or other audiovisual works.
"2319. Criminal infringement of a copyright.".

SEC. 5. Section 506(a) of title 17, United States Code, is amended to read as follows:

"(a) CRIMINAL INFRINGEMENT.—Any person who infringes a copyright willfully and for purposes of commercial advantage or private financial gain shall be punished as provided in section 2319 of title 18.".

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

So the bill (S. 691), as amended, was passed.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ROBERT C. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

INDEFINITE POSTPONEMENT OF SENATE CONCURRENT RESOLUTION 48

Mr. STEVENS. Mr. President, I ask that the Chair lay before the Senate Calendar Order No. 388, Senate Concurrent Resolution 48, a concurrent resolution disapproving the proposed sale to Pakistan of F–16 aircraft, and I ask unanimous consent that that calendar item be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

RETURN OF TAX CONVENTIONS WITH THE ARAB REPUBLIC OF EGYPT, ISRAEL, AND THAILAND

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate go into executive session for the purpose of considering calendar item No. 2, Senate Executive Resolution No. 2, the Return of Tax Conventions with the Arab Republic of Egypt, Israel, and Thailand.

The PRESIDING OFFICER. Without objection, the Senate will proceed to executive session. The executive resolution will be stated.

The legislative clerk read as follows:

A resolution (S. Ex. Res. 2) Return of Tax Conventions with the Arab Republic of Egypt, Israel, and Thailand.

The PRESIDING OFFICER. The question is on agreeing to the executive resolution.

The executive resolution (S. Ex. Res. 2) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. ROBERT C. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I ask unanimous consent that the President be notified of the action taken in executive session.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, is there an order for convening yet tomorrow morning?

The PRESIDING OFFICER. There is not yet an order.

RECESS UNTIL 9 A.M. TOMORROW

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate stand in recess until 9 a.m. tomorrow morning.

There being no objection, the Senate, at 7:36 p.m., recessed until 9 a.m., Wednesday, December 2, 1981.

NOMINATIONS

Executive nominations received by the Senate December 1, 1981:

NATIONAL TRANSPORTATION SAFETY BOARD

Eugene V. Lipp, of California, to be a Member of the National Transportation Safety Board for a term expiring December 31, 1986, vice James B. King, term expiring.

DEPARTMENT OF STATE

Gerald E. Thomas, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Cooperative Republic of Guyana.

William Robert Casey, Jr., of Colorado, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Niger.

Mark Evans Austad, of Arizona, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Norway.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Clarence Eugene Hodges, of Maryland, to be Chief of the Children's Bureau, Department of Health and Human Services, vice John A. Calhoun III.

DEPARTMENT OF STATE

The following-named career Member of the Senior Foreign Service of the Department of Commerce for promotion in the Senior Foreign Service to the class indicated:

Career Member of the Senior Foreign Service of the United States of America, Class of Minister-Counselor:

Joseph F. Christiano, of New York.

The following-named career Members of the Foreign Service of the Department of Commerce for promotion into the Senior Foreign Service as indicated:

Career Members of the Senior Foreign Service of the United States of America, class of Counselor:

Walter Clair Lenahan, of Washington.

Daniel Taher, of New Jersey.

DEPARTMENT OF STATE

The following-named persons for appointment as career Members of the Senior Foreign Service, class of Counselor, Consular Officers, and Secretaries in the Diplomatic Service of the United States of America:

Wayne Hoshal, of Virginia.

Robert Carl Liimatainen, of Michigan.

For reappointment in the Foreign Service as a Foreign Service officer of class 3, a Consular officer, and a Secretary in the Diplomatic Service of the United States of America:

Richard Alan Megica, of Florida.

For appointment as Foreign Service officers of class 3, Consular Officers, and Secretaries in the Diplomatic Service of the United States of America:

Duane Edwin Sams, of Connecticut.

Susie Jacqueline Tucker, of California.

For appointment as a Foreign Service Information officer of class 3, a Consular officer, and a Secretary in the Diplomatic Service of the United States of America:

Alfred F. Head, of Virginia.

For appointment as Foreign Service officers of class 4, Consular Officers, and Secretaries in the Diplomatic Service of the United States of America:

Donald J. Amis, of California.
Lawrence Rea Baer, of California.
Perry Edwin Ball, of Georgia.
Bruce Edward Carter, of Pennsylvania.
Miguel de la Pena, of Massachusetts.
David B. Dunn, of California.
Alfred Gonzales, of California.
Andrew Lewis Allen Goodman, of Illinois.
Daniel Kiang, of New York.
Gerald J. Loftus, of Florida.
Carl S. Matthews, of Virginia.
Albert G. Nahas, of Pennsylvania.
Lauren Peters, of Hawaii.
Francis Joseph Ricciardone, Jr., of New Hampshire.
John Richard Schmidt, of Wisconsin.
Richard Henry Smyth, of California.
James R. Van Laningham, of Arizona.
Edward H. Vázquez, of New Jersey.
Thomas J. White, of New York.
Howard C. Wiener III, of Virginia.

For appointment as Foreign Service Information officers of class 4, Consular Officers, and Secretaries in the Diplomatic Service of the United States of America:

My-Chau Bui-Griffin, of New Hampshire
Leslie W. McBee, of California.

Members of the Foreign Service to be Consular officers and Secretaries in the Diplomatic Service of the United States of America:

Glenn R. Adams, of Maryland.
Ollie Palmer Anderson, Jr., of Maryland.
Alex Andrews, of Virginia.
Dona Dailey Arnold, of New York.
Gust Avrakotos, of Maryland.
John Richard Baca, of Texas.
Robert Northrup Bentley, of New Hampshire.
Clyde Bishop, of Pennsylvania.
Marcia Stephens Bloom, of New Jersey.
William Boyd, of Virginia.
David E. Brantley, of Maryland.
John Breckenridge, of Washington.
Brenda C. Brisbon, of New York.
Barbara A. Broe, of Virginia.
Kevin Brown, of the District of Columbia.
Stuart Vaughan Brown, of the District of Columbia.
Robert D. Burkette, of Tennessee.
Prudence Bushnell, of Texas.
Paul Byerly, of Texas.
Phillip Carter III, of the Virgin Islands.
Joel F. Cassman, of California.
Arnold A. Chacón, of Colorado.
Frank Collins III, of Virginia.
Raymond Louis Colon, of New York.
Ann Vaughn Covington, of Nevada.
James J. Coyle, of Virginia.
Robert Davis, of Virginia.
Scott H. DeLisi, of Minnesota.
Guido Del Prado, of California.
Anne Elizabeth Derse, of Michigan.
Patrick C. Diehl, of Virginia.
Peter Dorey, of Minnesota.
Ellie Duckett, of Alabama.
Keith Alan Edgins, of Mississippi.
Cynthia Erskine, of Colorado.
Jerome Thomas Farrell, of California.
Rafael Fermoselle, of Virginia.
Charles E. Fisk, Jr., of Virginia.
Dennis A. Foster, of North Carolina.
James John Foster, of the District of Columbia.
Peter S. Gadzinski, of Wisconsin.
William R. Gaines, Jr., of New Mexico.
Jeffrey F. Gilman, of Alaska.
Barbara J. Good, of California.
David N. Greig, of Virginia.
Linda L. Gresham, of Tennessee.
Michael E. Guest, of South Carolina.
Charles L. Hafner, of Virginia.
Norman C. Hall, of Virginia.
Marilyn Harrington, of Massachusetts.
Maura Harty, of New York.
Leonard Allen Hill, of Washington.
Darcy Elizabeth Fillebrown Hofmann, of California.
Clyde I. Howard, Jr., of Arizona.
Stanley R. Hunter, of Washington.
Jane Ingley, of Maryland.
Dennis Jamison, of Virginia.
Darrell Allan Jenks, of Pennsylvania.
Lois L. Johnson, of California.
John Melvin Jones, of Virginia.
Patricia W. Jonsson, of Virginia.
Frederick J. Kaplan, of Washington.
Alexander Karagiannis, of Missouri.
Beverly Killpack, of Virginia.
Hans G. Klemm, of Michigan.
Anthony M. Kolankiewicz, of Pennsylvania.
Stanley E. Koller, of Virginia.
David A. Kornbluth, of California.
Dale Krumviede, of Virginia.
Mara Lang, of New York.
Joseph LaPiana, of Virginia.
Beverly Ann LaVigne, of California.
Richard Lecuona, of Virginia.
Dan Leibig, of Virginia.
Henry A. Levine, of New York.
Rose Marie Likins, of Virginia.
Edward Lindsey, of Virginia.
Brian Lofquist, of Virginia.
Kevin K. Maher, of Georgia.
Janean L. Mann, of the District of Columbia.
Ralph L. Mason, of the District of Columbia.
Edward L. Mattson, of Virginia.
Stephanie M. Mattson, of Virginia.
James David McGee, of Indiana.
Andrew P. McGrath, of Virginia.
Edward Raymond McMahon, of New Jersey.
W. Michael Meserve, of Maine.
Wendela Moore, of New York.
Dan W. Mozena, of Maryland.
Donald Franklin Mulligan, Jr., of Arizona.
Arnold Noe Muñoz, of California.
Wayne Edward Neill II, of Nevada.
Bruce Richard Nelson, of Minnesota.
Wanda Letitia Nesbitt, of Pennsylvania.
Marc Emanuel Northern, of Kansas.
Michael D. Olson, of Virginia.
Andrés D. Oñate, of Arizona
Brian G. Page, of Virginia.
Steven E. Perlman, of New York
William M. Phillips III, of Virginia
Newman Bruce Pickering, of California
Stephen Pipkin, of Virginia
Roman Popadiuk, of New York
Mary Lynn Porto, of Texas
Barbara Anne Presgrove, of Florida
Thomas Gwyn Reich, Jr., of North Carolina
Thomas Steven Reichelderfer, of California
J. Paul Reid, of California

Janet E. Robson, of Michigan
Richard Patrick Rodgers, of Virginia
Theodore A. Rosen, of the District of Columbia
Michael E. Ruhm, of New Hampshire
Edward J. Salazar, of California
Jeanne Lee Samuel, of Virginia
Barbara M. Sand, of California
Edward G. Simonsen, Jr., of New York
Storm Simenson, of Virginia
William Sinclair, of Maryland
Pamela Jo Howell Slutz, of Virginia
Greenleaf H. Smith, of Virginia
Jay Thomas Smith, of Indiana
Russell Y. Smith, of Virginia
Penelope M. Snare, of Maryland
Mark S. Sparkman, of Virginia
Mignonne Spellmeyer, of Virginia
George M. Staples, of California
David Carter Stewart, of Texas
Jean Rene Surena, of New York
Richard Stephen Taylor, of Georgia
Renée Louise Toirac, of California
Alan David Troxel, of California
Soching Tsai, of California
Robert J. Vandaveer, of California
Rupert D. Vaughan, of South Carolina
Donald J. Ventue, of New Jersey
Ricardo Villalobos, of Virginia
Jeffrey L. Vreeland, of Virginia
Susan Marie Wagner, of Florida
Thomas F. Wallace III, of Virginia
Jacob Walles, of Delaware
Howard Weiss, of California
Joyce E. Wells, of Virginia
Robert Dale Wilson, of Missouri
Seth D. Winnick, of New Jersey
James M. Young, of Minnesota

Members of the Foreign Service to be Consular officers of the United States of America:

Dianne H. Graham, of Virginia.
George F. Sherman, Jr., of Maryland.
Nativa Simoes, of California.

Members of the Foreign Service to be Secretaries in the Diplomatic Service of the United States of America:

Karl S. Beck, of Florida.
George S. Dragnich, of Virginia.
Gerard F. Helfrich, of Virginia.
William A. Levis, of California.
Gerald S. Rose, of California.
Arthur W. Rovine, of Maryland.
Otto O. Schnepp, of California.
David Grant Smith, of Virginia.

IN THE ARMY

The following-named officers for promotion in the Reserve of the Army of the United States, under the provisions of title 10, United States Code, sections 3366, 3367, 3370, and 3383:

ARMY PROMOTION LIST

To be colonel

Askew, Donald C., [redacted].
Azar, James T., [redacted].
Beard, James L., [redacted].
Jones, Jack B., [redacted].
Juneau, Jerald, [redacted].
Lynch, Frank L., [redacted].
Mannberger, Marx, [redacted].
Marholz, Duane, [redacted].
McAteer, Kenneth, [redacted].
McCluer, Raymond, [redacted].
Moriarity, John, [redacted].
Orelli, Patrick, [redacted].
Phillips, Donald, [redacted].
Pinkerton, R. L., [redacted].
Pore, Stanley C., [redacted].
Porter, Richard, [redacted].
Quick, Richard, [redacted].
Ragland, Ronald, [redacted].
Rolls, John Jr., [redacted].
Ross, Martin S., [redacted].
Willoughby, J., [redacted].
Willyerd, Robert, [redacted].
Wilson, Nicholas, [redacted].
Zinni, Gabriel, [redacted].

CHAPLAIN

To be colonel

Desaegher, John, [redacted].

ARMY NURSE CORPS

To be colonel

Charney, Robert, [redacted].

MEDICAL CORPS

To be colonel

Burmeister, Ray, [redacted].
Galvin, John R., [redacted].

ARMY PROMOTION LIST

To be lieutenant colonel

Albright, B., [redacted].
Andrae, Michael, [redacted].
Barbaro, Anthony, [redacted].
Beebe, John, [redacted].
Bergquist, W. R., [redacted].
Bogle, Charles, [redacted].
Brunner, Daniel, [redacted].
Chaffin, Richard, [redacted].
Chandler, James, [redacted].
Cobb, Stephen H., [redacted].
Collins, William, [redacted].
Colvin, Kenneth, [redacted].
Contreras, V. J., [redacted].
Deloatch, V., [redacted].
Duffy, Daniel J., [redacted].
Ebinger, Roger, [redacted].
Edwards, Richard, [redacted].
Engelage, Marcia, [redacted].
Evans, Thomas N., [redacted].
Fields, Richard, [redacted].
Flemate, Henry, [redacted].
Fogli, Philip, [redacted].
Forster, L. P., [redacted].
Fowkes, Gordon, [redacted].
Franklin, Donald, [redacted].
Freedham, Donald, [redacted].
Freeland, Jon N., [redacted].
Frego, James P., [redacted].
Gardner, Dan N., [redacted].
Graham, William, [redacted].
Greenhut, J., [redacted].
Griffiths, K. A., [redacted].
Groves, Delmer, [redacted].
Grupper, Albert, [redacted].
Hackett, Donald, [redacted].
Harrison, E., [redacted].
Harryman, John, [redacted].
Havekost, John, [redacted].
Humphries, Jack, [redacted].
Hyter, Charles, [redacted].
Jacobek, James, [redacted].
Jendras, Jerome, [redacted].
Joseph, Taft M., [redacted].
Kalar, David L., [redacted].
Katahara, Gerald, [redacted].
Kato, Hiroshi, [redacted].
Kee, Norman R., [redacted].
Kleinmaier, Lee, [redacted].
Kofsky, Leonard, [redacted].
Kotter, Jack H., [redacted].
Kubicek, Charles, [redacted].
Livingston, S., [redacted].
Madel, Francis, [redacted].
Magee, Donald C., [redacted].
Maudlin, Ray M., [redacted].
McBride, Charles, [redacted].
McFarlin, Larry, [redacted].
McIntyre, Peter, [redacted].
McLaughlin, G., [redacted].
Morgan, Glen A., [redacted].
Morris, Rodney, [redacted].
Muller, Michael, [redacted].
Mullis, William, [redacted].
Pagenkopf, D., [redacted].
Pendleton, W. N., [redacted].
Poarch, Warren, [redacted].
Porter, Benjamin, [redacted].
Rigby, Carlos K., [redacted].
Ringler, Walter, [redacted].
Robertson, R. H., [redacted].
Robinson, Jackie, [redacted].
Schlegel, Robert, [redacted].
Schmelzer, J. H., [redacted].
Slack, Ronald E., [redacted].
Smith, Jack B., [redacted].
Staub, William, [redacted].
Stricklen, W. A., [redacted].
Stump, Norman, [redacted].
Swanson, Robert, [redacted].
Sweet, Dana R., [redacted].
Taylor, John N., [redacted].
Vogel, Hal, [redacted].
Waddle, Harry L., [redacted].
Wallen, Francis, [redacted].
Wayne, Don, [redacted].
Webber, James Q., [redacted].
White, Robert D., [redacted].
Wood, John F., [redacted].
Youngman, George, [redacted].

CHAPLAIN

To be lieutenant colonel

Bradley, William, [redacted].
Burns, William, [redacted].
Gott, Harold P., [redacted].
Stanton, Robert, [redacted].

MEDICAL CORPS

To be lieutenant colonel

Cantey, Joseph, [redacted].
Fischl, Edwin C., [redacted].
Lebedovych, V., [redacted].
Tidwell, Thomas, [redacted].
Turbeville, D., [redacted].

MEDICAL SERVICE CORPS

To be lieutenant colonel

Payton, Howard, [redacted].
Rolle, Joseph H., [redacted].
Sealfon, Michael, [redacted].
Woodyard, T. C., [redacted].

The following-named officers for appointment in the Reserve of the Army of the United States, under the provisions of title 10, United States Code, sections, 591, 593, and 594:

ARMY PROMOTION LIST

To be colonel

Chupka, Bernard, [redacted].
Roth, Richard R., [redacted].

MEDICAL CORPS

To be colonel

Campbell, C. G., [redacted].
Eller, Jimmie L., [redacted].
Forster, Wolfram, [redacted].
Gibbons, Harry, [redacted].
Hammarsten, J., [redacted].
Hardee, Erasmus, [redacted].
Libert, Samuel, [redacted].
Lowney, John F., [redacted].
Major, Francis, [redacted].
McDevitt, Thomas, [redacted].
Paxton, Harold, [redacted].
Sadler, Theodore, [redacted].
Saladin, Thomas, [redacted].
Schaefer, John, [redacted].
Sproch, Richard, [redacted].
Stein, Robert B., [redacted].
Strickland, Alva, [redacted].
Swengel, Richard, [redacted].
Weaver, Marlin, [redacted].

ARMY NURSE CORPS

To be lieutenant colonel

McClure, M. L., [redacted].

DENTAL CORPS

To be lieutenant colonel

Ashcraft, Ray A., [redacted].
Ballew, Dewey G., [redacted].
Barahl, Leonard, [redacted].
Burnett, Donald, [redacted].
Coebern, Robert, [redacted].
Cohen, Merlin L., [redacted].
Coughlin, Philip, [redacted].
Fox, Carl L., [redacted].
Glick, George, [redacted].
Hedberg, Francis G., [redacted].
Johnson, Bernard, [redacted].
Korfman, Martin, [redacted].
LeBourdais, M. W., [redacted].
Simmons, William, [redacted].
Spencer, Gerrard, [redacted].

Tom, Harry K., [redacted].
Wallace, John R., [redacted].

MEDICAL CORPS

To be lieutenant colonel

Abrigo, Anatolio, [redacted].
Adelson, Harvey, [redacted].
Ahsamuddin, K., [redacted].
Ainsworth, Jerry, [redacted].
Alisago, Andres, [redacted].
Anderson, T. B., [redacted].
Arnett, Norman, [redacted].
Asiaf, Joseph R., [redacted].
Azarean, Albert, [redacted].
Barcos, Maurice P., [redacted].
Berger, Bernard, [redacted].
Bintliff, Sharon J., [redacted].
Blanco, Jose E., [redacted].
Boncina, Thomas, [redacted].
Boone, Alexander, [redacted].
Borsuk, Gregory, [redacted].
Bradford, Ray, [redacted].
Bratkowski, H., [redacted].
Brown, Harold A., [redacted].
Budd, Frank W., [redacted].
Burdan, Arthur, [redacted].
Burke, Robert C., [redacted].
Butler, Harvey, [redacted].
Cahue, Aldo E., [redacted].
Canup, Clarence, [redacted].
Cashman, Edward, [redacted].
Cava, Eugenio F., [redacted].
Ceriani, Philip, [redacted].
Chahin, Ramon, [redacted].
Chew, Wilbur, [redacted].
Ciccio, Samuel, [redacted].
Coan, James E., [redacted].
Coburn, Bry H., [redacted].
Congdon, James, [redacted].
Constantinow, E., [redacted].
Conze, Pierre F., [redacted].
Cooper, George, [redacted].
Cooper, Maxwell, [redacted].
Crast, Frank W., [redacted].
Craver, William, [redacted].
Criares, N. J., [redacted].
Dela Cruz, T., [redacted].
Didams, Albert, [redacted].
DiLallo, C. A., [redacted].
Ditmare, Harry, [redacted].
Drake, Richard, [redacted].
Drez, David J., [redacted].
DuBoff, Eugene, [redacted].
Dunklin, Thomas, [redacted].
Dunn, Jack N., [redacted].
Egelman, Arthur, [redacted].
Emmick, Michael, [redacted].
Fasoglio, Aldo, [redacted].
Finer, Jerome A., [redacted].
Fleischner, J., [redacted].
Fontana, Nathel, [redacted].
Garcia, Arturo, [redacted].
Gardner, John C., [redacted].
Godwin, Winston, [redacted].
Goodwin, Daniel, [redacted].
Gordon, Walter, [redacted].
Gotlin, Ronald, [redacted].
Gray, John H., [redacted].
Haines, Edward, [redacted].
Hakim, Simon Z., [redacted].
Hall, William, [redacted].
Halvorson, Harold, [redacted].
Haskell, Amparo, [redacted].
Haugland, David, [redacted].
Haws, Hale L., [redacted].
Hays, Marvin B., [redacted].
Hentz, Edwin C., [redacted].
Howard, Edith M., [redacted].
Howe, Patrick A., [redacted].
Hoxie, Lloyd B., [redacted].
Hutchinson, H., [redacted].
Johnston, Renner, [redacted].
Keller, H. B., [redacted].
Kilhenny, C. F., [redacted].
Kinsey, Robert, [redacted].
Knight, Robert, [redacted].
Knudson, Robert, [redacted].
Koller, Richard, [redacted].
LaBarre, William, [redacted].
Lazarus, Stephen, [redacted].
Lebedooych, M. W., [redacted].
Le Famine, Arman, [redacted].
Leja, Ivars, [redacted].
Levin, Jerry C., [redacted].
Lidner, Victor, [redacted].
Lofstrom, Dennis, [redacted].
Lopez-Correa, R., [redacted].
Lowe, Ernest W., [redacted].
Lugo-Faria, M. D., [redacted].
Lydiatt, James, [redacted].
MacCormack, John, [redacted].
Magno, Jose N., [redacted].
Marshall, John, [redacted].
Martin, Robert, [redacted].
Maxwell, George, [redacted].
McDermott, G. M., [redacted].
McElreath, Ricky, [redacted].
Megalli, Maguid, [redacted].
Metcalf, D. E., [redacted].
Meyer, Hobart, [redacted].
Milburn, William, [redacted].
Miller, Harold, [redacted].
Montgomery, N., [redacted].
Moya, Jaime, [redacted].
Nowakowski, P. A., [redacted].
Ochoa, Gonzalo, [redacted].
Padden, Thomas, [redacted].
Palombi, Robert, [redacted].
Pearsall, G. F., [redacted].
Peeples, R. E., [redacted].
Petty, Clayton, [redacted].
Pieroni, Robert, [redacted].
Porrell, William, [redacted].
Posnikoff, Jack, [redacted].
Prats, Arturo R., [redacted].
Quigley, Robert, [redacted].
Racciotti, T. R., [redacted].
Ramos, Evelyn, [redacted].
Reed, Robert L., [redacted].
Rente, Frederick, [redacted].
Reskallah, T. T., [redacted].
Reinecke, Frank, [redacted].
Riley, George R., [redacted].
Roh, Joseph F., [redacted].
Saltzberg, G. H., [redacted].
Schaupp, Ronald, [redacted].
Schettler, W. H., [redacted].
Seltzer, S. J., [redacted].
Seng, S. Barry, [redacted].
Singson, Calixto, [redacted].
Slavin, James D., [redacted].
Smith, Warren D., [redacted].
Sobel, Harold J., [redacted].
Soll, Robert W., [redacted].
Springer, Harry, [redacted].
Svare, Gerhart, [redacted].
Tahmoush, Albert, [redacted].
Torkelson, Leif, [redacted].
Turner, William, [redacted].
Van Ravenswaay, T., [redacted].
Van Way, Charles, [redacted].
Vergara, Gerardo, [redacted].
Vernon, Thomas, [redacted].
Wagner, John R., [redacted].
Warren, David, [redacted].
Weber, Max, [redacted].
Wexler, Jerome, [redacted].
Wilkins, George, [redacted].
Winston, Steuart, [redacted].
Wong, Normund, [redacted].
Wong, Sidney H., [redacted].
Woo, Daniel, [redacted].
Woods, Joseph C., [redacted].
Yamamoto, Sam M., [redacted].

MEDICAL SERVICE CORPS

To be lieutenant colonel

Barber, Paul G., [redacted].
Dunham, Kenneth, [redacted].
Zeltzer, Harry, [redacted].

ARMY MEDICAL SPECIALIST CORPS

To be lieutenant colonel

Baehm Donald W., [redacted].

VETERINARY CORPS

To be lieutenant colonel

Grossman, A., [redacted].
Staley, Leo G., [redacted].

The following-named officers, for appointment in the Reserve of the Army of the United States, under the provisions of title 10, United States Code, section 3494:

MEDICAL CORPS

To be lieutenant colonel

Lesar, May S. L., [redacted].
Sauer, Curtis M., [redacted].
Spitz, Edward, [redacted].
Zavidil, Anthony, [redacted].

The following-named Army National Guard officers for appointment in the Reserve of the Army of the United States, under the provisions of title 10, United States Code, section 3385:

ARMY PROMOTION LIST

To be colonel

Baker, John W., [redacted].
Ballard, T. R., [redacted].
Beatty, Burrell, [redacted].
Blanc, Gerard G., [redacted].
Bonafede, Samuel, [redacted].
Brinkley, Billie, [redacted].
Caldarone, R. E., [redacted].
Carpenter, D. B., [redacted].
Chapin, Glen R., [redacted].
Chase, David D., [redacted].
Clark, William, [redacted].
Coffey, Clarence, [redacted].
Cox, John H., [redacted].
D'Araujo, John, [redacted].
Dehne, Douglas, [redacted].
Del Sesto, J. R., [redacted].
Devine, Donn D., [redacted].
Erdahl, Ervin D., [redacted].
Extrand, Charles, [redacted].
Fantauzzi-Ruiz, R., [redacted].
Foresman, E. G., [redacted].
Freeman, William, [redacted].
Friess, Richard, [redacted].
Gentry, James H., [redacted].
Gottlieb, W. J., [redacted].
Guerin, Donald, [redacted].
Gunderson, R. D., [redacted].
Guthrie, Lamont, [redacted].
Hagin, James D., [redacted].
Hinman, Donald, [redacted].
Hollis, Johnie, [redacted].
Honaker, Robert, [redacted].
Householder, R., [redacted].
Ilenich, Henry, [redacted].
Johnson, Rodger, [redacted].
Legge, William, [redacted].
Little, John H., [redacted].
Lynch, George W., [redacted].
Mallan, Richard, [redacted].
Manley, James D., [redacted].
Marholz, Duane, [redacted].
Martin, Roby G., [redacted].
May, Lavern, [redacted].
Miller, Howard, [redacted].
Minchin, Gerald, [redacted].
Mohr, Charles G., [redacted].
Nakatsu, Myles, [redacted].
Osborne, Allan, [redacted].
Patrick, William, [redacted].
Saulter, Rudy J., [redacted].
Scheid, Gordon, [redacted].
Sentmen, Robert, [redacted].
Smithhart, W. L., [redacted].
Stephens, Edward, [redacted].
Sundin, Gene L., [redacted].
Sweeney, John D., [redacted].
Tauriello, D. B., [redacted].
Willingham, Max, [redacted].
Zurbuch, Peter, [redacted].

MEDICAL CORPS

To be colonel

Cashman, Charles, [redacted].
Diefenbach, E., [redacted].
Padilla-Ramirez, H., [redacted].
Palese, John A., [redacted].
Pierron, George, [redacted].
Simpson, Marion, [redacted].

MEDICAL SERVICE CORPS

To be colonel

Richardson, E., [redacted].

ARMY PROMOTION LIST

To be lieutenant colonel

Bailey, Paul W., [redacted].
Bauserman, S. L., [redacted].
Bennette, Jerry, [redacted].
Beth, Ewald E., [redacted].
Bigler, Robert, [redacted].
Boardman, W. E., [redacted].
Bourrie, Richard, [redacted].
Byrdsong, Vallie, [redacted].
Campbell, F. M., [redacted].
Carragher, John, [redacted].
Charles, Craig, [redacted].
Clark, Arthur C., [redacted].
Cumicek, John C., [redacted].
Dampier, William, [redacted].
Darling, James, [redacted].
Dennis, Larry, [redacted].
Ehrmantraut, E. J., [redacted].
Enzor, Burney H., [redacted].
Erdley, Larry L., [redacted].
Ferguson, Jack, [redacted].
Fontaine, B. A., [redacted].
Freeman, Warren, [redacted].
Fuller, Duane E., [redacted].
Gee, Bobby J., [redacted].
Gillaspie, R. E., [redacted].
Guthrie, Ronnie, [redacted].
Guynes, Ervin A., [redacted].
Haley, Larry E., [redacted].
Hayes, Edison O., [redacted].
Heywood, F. W., [redacted].
Hoffman, William, [redacted].
Hogan, Roderick, [redacted].
Howell, William, [redacted].
Hunter, Dennis, [redacted].
Ice, Thomas R., [redacted].
Injasoulian, P., [redacted].
Jackson, James, [redacted].
Jensen, Dennis, [redacted].
Johnson, Robert, [redacted].
Kissam, John B., [redacted].
Kloss, Richard, [redacted].
Lampe, Larry E., [redacted].
Langley, Joseph, [redacted].
Lord, Samuel D., [redacted].
Love, James P., [redacted].
Lovett, Carlton, [redacted].
Mabey, Robert D., [redacted].
MacRitchie, S., [redacted].
Maher, Joseph J., [redacted].
Markley, William, [redacted].
Marks, Thomas A., [redacted].
Marler, Arnold, [redacted].
Marshall, Kim E., [redacted].
McBride, James, [redacted].
McDowell, L. E., [redacted].
McElwain, Emmett, [redacted].
McNinch, David, [redacted].
Michael, Robert, [redacted].
Miller, Gerald, [redacted].
Mix, Terry P., [redacted].
Morgan, Robert, [redacted].
Murray, Michael, [redacted].
Narel, Richard, [redacted].
Nelson, James H., [redacted].
Newell, Dale E., [redacted].
Norris, Robert, [redacted].
Pacholik, Frank, [redacted].
Papier, John L., [redacted].
Pattwell, Robert, [redacted].
Pemberton, Roy, [redacted].
Pennington, J. R., [redacted].
Peterson, R. G., [redacted].
Petrik, Stanley, [redacted].
Portante, Guido, [redacted].
Pruter, Roger A., [redacted].
Purpera, I. P., [redacted].
Reitz, Robert A., [redacted].
Richar, William, [redacted].
Richie, Richard, [redacted].
Ruff, Bobby K., [redacted].
Ruple, Walter L., [redacted].
Schulte, Thomas, [redacted].
Shaffer, Rohlf, [redacted].
Shank, David M., [redacted].
Sherman, John R., [redacted].
Sims, Herbert, [redacted].
Sordi, James J., [redacted].
Spraga, John B., [redacted].
Sproul, Hugh B., [redacted].
Steele, William, [redacted].
Sundeen, Oluf J., [redacted].
Taranto, Joseph, [redacted].
Teague, Kenneth, [redacted].
Turley, Donald, [redacted].
Vontrott, John, [redacted].
Walker, Lynn O., [redacted].
Wellen, Donald, [redacted].
Whitfield, W. J., [redacted].
Williams, James, [redacted].
Wohlers, Roger, [redacted].
Worthington, H., [redacted].
Wyatt, Jerry R., [redacted].
Zoglio, Anthony, [redacted].

ARMY NURSE CORPS

To be lieutenant colonel

Hetzer, Suzanne, [redacted].
Schulte, Susan, [redacted].

DENTAL CORPS

To be lieutenant colonel

Brannon, Dabney, [redacted].
Burgess, James, [redacted].
Caballero, F. R., [redacted].
Crabb, Frank W., [redacted].
Fournier, Donald, [redacted].
Guthrie, William, [redacted].
Johnson, Dean P., [redacted].
Lewallen, Dick, [redacted].
Meldrum, David, [redacted].
Ratton, Ralph R., [redacted].
Rios, Manuel D., [redacted].
Ritola, Carl A., [redacted].
Ward, William A., [redacted].
Woodiel, Shelby, [redacted].

MEDICAL CORPS

To be lieutenant colonel

Beirne, Gilbert, [redacted].
Black, Grover, [redacted].
Braud, Joseph P., [redacted].
Cole, Gary B., [redacted].
Connolly, C. C., [redacted].
Deckard, Cecil, [redacted].
Desanto, Eduardo, [redacted].
Hahn, Won B., [redacted].
Johnston, Robert, [redacted].
Maurles, Christy, [redacted].
Rieger, Frank G., [redacted].
Rodgers, Donald, [redacted].
Rutter, Paul H., [redacted].
Schumacher, G., [redacted].
Severson, Donald, [redacted].
Snow, Rodney M., [redacted].
Sy, Janet C., [redacted].
Thomas, Mack A., [redacted].
Tornyos, Karoly, [redacted].

MEDICAL SERVICE CORPS

To be lieutenant colonel

Bertz, Thomas, [redacted].
Bird, Gary H., [redacted].
Desmone, John L., [redacted].
Egbert, Michael, [redacted].
Fraris, Alton B., [redacted].
Johnson, Ross A., [redacted].
Walton, Bruce, [redacted].

IN THE ARMY

The following-named officers for appointment in the Regular Army of the United States, in their active duty grades, under the provisions of title 10, United States Code, sections 531, 532, 533:

Colonels

Allen, Eugene Womack, [redacted].
Brooks, Colleen Louise, [redacted].
Edmiston, Howard William J., [redacted].
Foote, Evelyn Patricia, [redacted].
Glaze, James E., [redacted].
Hawkins, Eugene Duff, [redacted].
Henrionnet, James Franklin, [redacted].
Holcomb, Rowland Riddell, [redacted].
Luckey, Robert Michael, [redacted].
Moutos, Gus, [redacted].
Phillips, Walton Anderson, [redacted].
Salimbene, Frank George, [redacted].
Schultz, Edward E., [redacted].
Voke, Edward Nelson, [redacted].
Weber, Thomas Edward, [redacted].

AIR DEFENSE ARTILLERY

Lieutenant colonels

Alverson, Frank Lavet, Jr., [redacted].
Bauer, Joseph Leonard, [redacted].
Bradley, David Bernard, [redacted].
Bailey, Joseph Wilmer, [redacted].
Briggs, Michael Robert, [redacted].
Brostrom, Theodore Mercer, [redacted].
Burch, Walter Marion, [redacted].
Carlsen, Donald David, [redacted].
Deleo, John Blase, Jr., [redacted].
Draper, Floyd Lawrence, [redacted].
Ferreira, Marvin Eaton, [redacted].
Fragner, Ronald Dean, [redacted].
Garcia, Alfonso E., [redacted].
Garcia, Augustine, [redacted].
Gonzales, Antonio Gandara, [redacted].
Headen, Clifton, Jr., [redacted].
Holloway, Harold Eugene, [redacted].
Holt, William Harrison, [redacted].
Holthaus, John Francis, Jr., [redacted].
Jackson, Andrew Leon, Jr., [redacted].
Johnston, Cecil Edward, [redacted].
Jolly, Morris Franklin, [redacted].
King, Tommy Bert, [redacted].
Linder, Wesley Roy, [redacted].
Mapes, Clarel Bowman, II, [redacted].
McKinney, John Baylor, [redacted].
Pruitt, Kenneth Kealus, [redacted].
Roberts, William Sidney, [redacted].
Schmidt, Donald Alex, [redacted].
Schroeder, Jerrold Howard, [redacted].
Shillady, Joseph Hart, Jr., [redacted].
Slate, James Sanford, [redacted].
Smith, Bruce Everett, [redacted].
Starkey, James Clarke III, [redacted].
Storz, William Anthony, [redacted].
Sugimoto, Paul Yoshinobu, [redacted].
Takayama, Thomas Toshio, [redacted].
Thomas, Erle Whitehead, Jr., [redacted].
Thomas, Richard Asbury, [redacted].
Trotti, John Donald, [redacted].
Verduin, Robert William, [redacted].
Whitcomb, Allen James, [redacted].
Wiken, Wayne Malind, [redacted].
Wilkie, Robert Bruce, [redacted].
Wright, William George, [redacted].

Majors

Abadie, Jacques, III, [redacted].
Ahern, David Liddon, Jr., [redacted].
Anderson, Theodore John, [redacted].
Antu, Emilio Genaro, [redacted].
Baker, Aubrey Lee, [redacted].
Baldwin, Larry Gene, [redacted].
Beahon, James Lewis, [redacted].
Beaton, Albert Whitfield I, [redacted].
Biancas, Manuel Arthur, [redacted].
Booth, Mark Michael, [redacted].
Boucher, Harry Nathan, [redacted].
Bradberry, Donald Glen, [redacted].
Bramblett, Miles Grant, Jr., [redacted].
Brantley, James Ellis, [redacted].
Burton, Danny Bold, [redacted].
Call, John Richard, [redacted].
Campbell, Jerry Robert, [redacted].
Christensen, Michael Ralph, [redacted].
Christiansen, Paul Alfred, [redacted].
Clay, Dennis Eugene, [redacted].
Collins, Roger Scott, [redacted].
Condrey, Sam Junior, [redacted].
Cook, Daniel Paul, [redacted].
Cooper, Terence Lee, [redacted].
Corathers, Michael Glenn, [redacted].
Cornett, Wesley Augustus, [redacted].
Custer, Terry Alan, [redacted].
Davito, John Aldo, [redacted].
Deavers, William Franklin, [redacted].
Dibease, John Paul, Jr., [redacted].
Dillard, Robert William, [redacted].
Disney, Owen Dwayne, [redacted].
Dotson, Connor William, Jr., [redacted].
Eleam, Gerald Leon, [redacted].
Evan, Donald W., [redacted].
Farkas, Frank, [redacted].
Farrel, Michael, [redacted].
Fielding, Robert Joseph, [redacted].
Flick, Claude Henry, [redacted].

Flowers, Edward Alexander, [redacted]
Gallardo, Alfred, [redacted]
Geishert, Philip Lee, [redacted]
Gesner, Jimmie Leroy, [redacted]
Good, Bobby James, [redacted]
Gortney, Roy Clyde, [redacted]
Gray, Donald Chatburn, [redacted]
Hall, Ronald Anthony, [redacted]
Haripar, Kurt Claus, [redacted]
Harvey, Vivian Jim II, [redacted]
Hayhurst, Bruce Alan, [redacted]
Henrickson, Arnold Frederi, [redacted]
Herrera, Rudy, [redacted]
Hester, Lawrence Dewey, [redacted]
Hester, Marvin Lee, [redacted]
Hicks, Ralph Douglas, [redacted]
Hood, Albert Melvin, [redacted]
Hordych, Joseph James, [redacted]
Huffy, Michael Jon, [redacted]
Hughes, Samuel Reed, [redacted]
Inge, Danny Aubrey, [redacted]
Intlehouse, Jackson, [redacted]
Jacobsen, Jerald Ray, [redacted]
Janssen, Klaus, [redacted]
Jarvie, Alan Wyatt, [redacted]
Johnson, Franklin Carroll, [redacted]
Johnston, David Shaw, [redacted]
Jung, Heidon, [redacted]
Keller, Ronald Lee, [redacted]
Kelley, Philip Raymond, [redacted]
Koning, Frederick L., [redacted]
Krumins, Juris, [redacted]
Kyle, Robert Richard, [redacted]
Lafrance, Leo Paul, [redacted]
Liebig, Fritz William, Jr., [redacted]
Limones, Jesus Raymundo, [redacted]
Lohmann, Russell Lee, [redacted]
Long, Herbert Barbour, [redacted]
Maden, Omar, [redacted]
Mamika, Anatoly, [redacted]
Mania, John Robert, [redacted]
Maynard, Jacques Guy Gasto, [redacted]
McCormick, Charles Edward, [redacted]
McDaniel, James Iley, [redacted]
McGuire, George Timothy, [redacted]
Nagel, Orin Arthur, [redacted]
Navarrete Eutimio S., [redacted]
Noe, David Michael, [redacted]
Norris, David Bruce, [redacted]
Parker, Patrick Donald, [redacted]
Pekarek, Arthur Edward, Jr., [redacted]
Perry, Robert James, [redacted]
Plumley, Joseph Pinkney, Jr., [redacted]
Pizak, Raymond Alan, [redacted]
Presley, Vernon William, Jr., [redacted]
Priebe, Rodney Martin, [redacted]
Riddle, Bruce Carleton, [redacted]
Robbins, George Ben, [redacted]
Sanders, Earlyn Lynell, [redacted]
Schooley, Carl Thomas, Jr., [redacted]
Scibelli, Richard Anthony, [redacted]
Shy, Clyde Wesley, [redacted]
Sitzes, Paul Wayne, [redacted]
Smith Stephen Theron, [redacted]
Snow, Richard Melvin, Jr., [redacted]
Spradlin, Evender Grewl, Jr., [redacted]
Stagg, Charles Robert, [redacted]
Stephens, Wayne Howard, [redacted]
Stuart, Alan Richard, [redacted]
Taber, John Lowell, [redacted]
Tallman, Michael Vincent, [redacted]
Taylor, Robert Worth, [redacted]
Terwilliger, George W., [redacted]
Tinkham, James Morris, [redacted]
Vandrey, Hanns Friedrich, [redacted]
Wagner, Henry Max, [redacted]
Waters, Bruce Wayne, [redacted]
Wayland, Jack Roy, [redacted]
Woods, Robert William, [redacted]
Wright, Roger Alan, [redacted]
Young, Robert William, [redacted]
Zepp, Werner, [redacted]

Captains

Ables, John Emerson, [redacted]
Allen, John Clayburn III, [redacted]
Artis, Walter Wayne, [redacted]
Richey, Richard Gray, [redacted]
Spears, Jarrell Rodney, [redacted]
Wilkes, Gerald Jay, [redacted]

ARMOR

Lieutenant colonels

Ball, Eldon Keith, [redacted]
Becker, Oliver Reuben, Jr., [redacted]
Bosserman, Richard M., [redacted]
Cogan, Larry Carlisle, [redacted]
Earwood, Harold Jackson, Jr., [redacted]
Flynn, Joseph Michael, [redacted]
Frazier, Errol Roy, [redacted]
Frost, Dean Horton, [redacted]
Halcomb, Dallas Wayne, [redacted]
Hamon, Clarke Alfred, [redacted]
Harris, John Morgan III, [redacted]
Healy, Harold William, [redacted]
Hicok, William Tyler, [redacted]
Hodges, Joseph Kenneth, [redacted]
Hughes, Michael David, [redacted]
Jaeger, John Neil, [redacted]
Jurvelin, Richard Arthur, [redacted]
Knapp, William Anthony, [redacted]
Kofoet, Rudolph Lambert, [redacted]
Lorsung, Norman Ewald, [redacted]
Maloney, James Russell, [redacted]
McCloud, Harry Earl, [redacted]
Medbery, Wade Eugene, Jr., [redacted]
Meyer, Merel Dean, [redacted]
Moore, John F., [redacted]
Moreland, James Douglas, [redacted]
Muller, Walter Otto, [redacted]
O'Kelley, George Wiley, [redacted]
Prestipino, Samuel Anthony, [redacted]
Schmidt, John III, [redacted]
Simmons, Carlos Nathaniel, [redacted]
Stevens, Sherrill Halsey, [redacted]
Thielen, Edward Joseph, Jr., [redacted]
Thiels, Jerry Michael, [redacted]
Vossler, Herert Leroy, [redacted]
Wells, Thomas Lee, [redacted]
White, Fay Thomas, Jr., [redacted]
Young, Bernie Lewis, [redacted]

Majors

Adame, Alberto Arturo, [redacted]
Akers, Larry Boaders, [redacted]
Anderson, Frank Raymond, Jr., [redacted]
Angus, Charles Edward, [redacted]
Ardisson, Richard Lee, [redacted]
Ash, Sherwood E., [redacted]
Avent, Julian Glover, [redacted]
Baker, James Samuel, Jr., [redacted]
Barolet, Francis Alfred, [redacted]
Barthelmess, Robert F., [redacted]
Beam, Harry Berkley, [redacted]
Beckman, Randall Mark, [redacted]
Becker, Frederick Walter J., [redacted]
Benjamin, Ulysee Anthony, [redacted]
Bennett, Marion Dennis, [redacted]
Benton, James Alfred, [redacted]
Black, John Daniel, [redacted]
Blasche, Theodore Richard, [redacted]
Bludworth, Robert Stephen, [redacted]
Boren, James Robert, Jr., [redacted]
Bourque, Michael Bertrand, [redacted]
Bowers, Anthony James, [redacted]
Bowers, Leland Craig, [redacted]
Boys, Paul, Sr., [redacted]
Branstetter, Mason Jay, [redacted]
Briggs, Duane Archer, [redacted]
Brimage, Donald R., [redacted]
Brink, Thomas Logan, [redacted]
Bryant, Albert Eugene, [redacted]
Buckley, John Lyons, Jr., [redacted]
Budd, Allen Dean, [redacted]
Burkett, Maynard Lester, [redacted]
Byrd, Joe Mack, [redacted]
Caesar, James Michael, [redacted]
Campbell, John W., [redacted]
Capers, Alexander J., Jr., [redacted]
Cardin, Robert Lucien, [redacted]
Carmichael, Ronald L., [redacted]
Carroll, Richard Lee, [redacted]
Cashon, Richard Cole, [redacted]
Chaney, Jimmie Dale, [redacted]
Chase, Donald Theron, Jr., [redacted]
Cherry, Jack Marion, [redacted]
Christine, Steven Lee, [redacted]
Clary, James Edward III, [redacted]
Clausen, Dennis James, [redacted]
Coon, Robert Claude, [redacted]
Cowell, Richard Allen, [redacted]
Craven, Grover Oliver, Jr., [redacted]
Creech, Johnny Allen, [redacted]
Cushman, Stephen Lew, [redacted]
Dalton, Glenn Allen, [redacted]
Danby, Arthur Westgarth, Jr., [redacted]
Davis, Donald, [redacted]
Davis, Regis Walter, [redacted]
Dawson, William Henry, [redacted]
Deaver, Ronald E., [redacted]
Devlin, Michael Robert, [redacted]
Dickinson, Paul Edwin, [redacted]
Dinardo, Robert Gino, [redacted]
Dolan, Dennis Liam, [redacted]
Durr, George Wilson II, [redacted]
Edge, Davis Odell, [redacted]
Eldridge, Gary William, [redacted]
Elliott, Alfred Henry III, [redacted]
Embry, James Hastings, [redacted]
Enyart, Robert Nels, [redacted]
Erby, Tommy Lee, [redacted]
Erkie, Norman Ray, [redacted]
Erwin, George M., [redacted]
Estrada, Arthur Trinidad, [redacted]
Evans, John Delmar, Jr., [redacted]
Fair, Lawrence Ray, [redacted]
Fanning, Leo Norman, Jr., [redacted]
Farrow, Phillip Blake, [redacted]
Flanagan, John Edward, [redacted]
Foster, Charles Marshall, [redacted]
Foster, Michael Wayne, [redacted]
Fowled, Ruford Wayne, [redacted]
Frank, Ronald Joe, [redacted]
Frederic, William John, [redacted]
Gallaher, Richard Franklin, [redacted]
Garza, David Arnold, [redacted]
Gerischer, Barry Phillip, [redacted]
Gill, Charles Robert, [redacted]
Ginther, Gene Scott [redacted]
Glass, Len Eldon, [redacted]
Glass, Wayne Edward, [redacted]
Glessner, Jerry Gene, [redacted]
Goins, Glenn Scott, [redacted]
Gordan, David Weldon III, [redacted]
Gorley, Richard Louis John, [redacted]
Gray, Randall, Thomas, [redacted]
Grice, Johnny James, [redacted]
Guynn, Ralph Roger, [redacted]
Hagemeister, Charles Chris, [redacted]
Hailes, Sherman Ward, Jr., [redacted]
Hampton, James Courtney, [redacted]
Hanes, Stephen Thomas, [redacted]
Hansch, Peter Karl Hermann, [redacted]
Harmon, Lee Arthur, [redacted]
Harper, Stephen D., [redacted]
Hartwig, Robert Louis, Jr., [redacted]
Harwood, Jerry Thomas, [redacted]
Headley, Jerry Allen, [redacted]
Healey, Michael Gorton, [redacted]
Hendleman, James Aaron, Jr., [redacted]
Henry, John Michael, [redacted]
Henry, Joseph Carl, Jr., [redacted]
Herndon, Carlton Edwin, [redacted]
Herrick, Emery Louis, [redacted]
Hethcoat, George Ladd, [redacted]
Hibl, Kenneth Albert, [redacted]
Hite, Alfred Javan, [redacted]
Hix, Alan Dean, Jr., [redacted]
Holand, Albert Lewis, [redacted]
Holland, Russell Edward, [redacted]
Horton, Paul Glen, [redacted]
Howe, Gene Carl, [redacted]
Hurd, Frank Kenneth, Jr., [redacted]
Iler, George Arthur, [redacted]
Jackson, Michael Wayne, [redacted]
Janus, Jan Dennis, [redacted]
Jarrett, James R., Jr., [redacted]
Jenkins, Glenn Allen, [redacted]
Jenkins, Gregory Ross, [redacted]
Jennings, Lew, [redacted]
Jersey, William Joseph, Jr., [redacted]
Johnson, Wayne Eugene, Jr., [redacted]
Johnston, Robert Rex, Jr., [redacted]
Jones, Charles Thomas, Jr., [redacted]
Jones, Douglas Ray, [redacted]
Jones, Robert Ray, [redacted]
Jordan, William Harold, [redacted]
Jorgensen, Robert Emil, [redacted]
Justus, William Stephen, [redacted]
Kandler, Robert, [redacted]

Keller, Donald Eugene, [redacted].
Kimner, Henry Joseph, [redacted].
King, Carl Lee, [redacted].
Kirk, David Clayton, [redacted].
Kirkpatrick, Wayne Thomas, [redacted].
Klopotek, Michael Albert, [redacted].
Knight, Clifford Lynn, [redacted].
Kramer, Robert Stanley, [redacted].
Krawczyk, Joseph Louis, Jr., [redacted].
Kyle, David Lee, [redacted].
Lafever, George Bernard, [redacted].
Laine, Leroy Charles, Jr., [redacted].
Legere, Robert Alan, [redacted].
Leigh, Stuart Layne, [redacted].
Lent, Paul Edward, [redacted].
Leopold, Mark Earle, Jr., [redacted].
Lepenske, James Anthony, Jr., [redacted].
Lodwig, Steven Harold, [redacted].
Loper, John Michael, [redacted].
Lossing, Raymond Alvin, [redacted].
Lott, Dennis J., [redacted].
Lumho, Bobby Thomas, [redacted].
Magers, David Henry, [redacted].
Mallett, Bernard, Jr., [redacted].
Mandell, Eugene Laurence, [redacted].
Markham, Frank Bell, [redacted].
Marlowe, David Herman, [redacted].
Marshall, Carl Beason, [redacted].
Martin, Roger Grant, [redacted].
Mason, Manuel William, Jr., [redacted].
Matthews, Marvin Verner, Jr., [redacted].
McCammon, Lloyd Duane, [redacted].
McClary, Donald Lindsay, [redacted].
McClendon, Robert Wayne, [redacted].
McCue, John William, [redacted].
McCullough, Michael Dale, [redacted].
McDonald, Jerome Paul, [redacted].
McDowell, David Alexander, [redacted].
McGowan, Billy James, [redacted].
McMillen, Philip Earl, [redacted].
McRoberts, Philip Leslie, [redacted].
Menczer, Stephen Edward, [redacted].
Merrifield, David Michael, [redacted].
Millard, Steven L., [redacted].
Miller, John Harold, Jr., [redacted].
Miller, Michael Kent, [redacted].
Mitchell, Robert Vernon, Jr., [redacted].
Monhollen, Edward Lee, Jr., [redacted].
Moody, Steven Joe, [redacted].
Moore, John Ray, [redacted].
Morgan, Harold Sherwood, [redacted].
Morgan, Joseph Bramwell, [redacted].
Morris, Jack Ray, [redacted].
Motola, Daniel Albert, [redacted].
Mowdy, Thomas Clifton, Jr., [redacted].
Mulcahy, Raymond Patrick, [redacted].
Mullins, William Inmon, [redacted].
Munson, Wayne Thomas, [redacted].
Murtha, Paul Edward, [redacted].
Muse, James Richard, [redacted].
Musgrove, Vernie William, [redacted].
Nall, Ronnie Will, [redacted].
Nelson, Wayne Thomas, [redacted].
Nenninger, Alan Henry, [redacted].
Nichols, Daniel Raymond, [redacted].
Nichols, Keith Raymond, [redacted].
Nickle, Robert Ernest O., [redacted].
Noel, Richard Lane, [redacted].
Noyes, Phares Edward, [redacted].
Orr, Robert, Jr., [redacted].
Osterman, Charles Joseph, [redacted].
Page Edward Curtis, [redacted].
Parrington, Richard F., [redacted].
Parrott, Paul William, [redacted].
Pastor, David Anthony, [redacted].
Pearson, Alphonso Howard, [redacted].
Pearson, Thomas Richard, Jr., [redacted].
Pekema, Andrew Mervin, [redacted].
Pittman, Phillip Don, [redacted].
Plummer, Jerry A., [redacted].
Poston, Daniel Alan, [redacted].
Radford, Charles Edward, [redacted].
Ramsaur, John Barnum, [redacted].
Ratzlaff, Roger Lee, [redacted].
Rausch, Brian George, [redacted].
Rawl, Joseph Heyward, [redacted].
Reid, Eric Pierre, [redacted].
Reid, Robert Michael, [redacted].
Richards, James Gomer, Jr., [redacted].
Riley, Michael Owen, [redacted].
Robertson, Francis Blair, [redacted].
Romaine, Peter John, [redacted].
Rorie, Eugene, Jr., [redacted].
Ryan, Peter Mark, [redacted].
Satterfield, Kenneth Troy, [redacted].
Satterlee, Peter Hamilton, [redacted].
Scarborough, John Allen, [redacted].
Schattauer, Frederick C., [redacted].
Schmidt, Dennis Ralph, [redacted].
Schumacher, Edward Louis, [redacted].
Sergeson, James Henry, [redacted].
Shalongo, Daniel William, [redacted].
Sheehan, William Henry, III, [redacted].
Sheehy, James John, Jr., [redacted].
Sheetz, Jerry Lawrence, [redacted].
Shrode, Jack Warren, Jr., [redacted].
Sickler, James Weldon, [redacted].
Skinner, Herbert Lorenza J., [redacted].
Slawson, John William, [redacted].
Slusser, Sam Marvin, [redacted].
Smith, Cecil, [redacted].
Smith, Clarence Alvin, III, [redacted].
Smith, Gary Lloyd, [redacted].
Smith, James Vernon, Jr., [redacted].
Smith, John Merrill, [redacted].
Smith, Richard St. Clair, [redacted].
Smith, William Lewis, [redacted].
Smith, William Ralph, [redacted].
Smyth, Peter Hyde, [redacted].
Snell, Wilmer Dan, [redacted].
Sprayberry, James Michael, [redacted].
Springer, Barrie Hyde, [redacted].
Stark, Cortland B., [redacted].
St. John, John Michael, [redacted].
Straw, Marvin Leroy, [redacted].
Strickland, Robert Madison, [redacted].
Strom, Raymond Lesler, [redacted].
Sweitzer, Jerry Ray, [redacted].
Switzer, Warren Homer, [redacted].
Tamm, James Charles, [redacted].
Taylor, David William, [redacted].
Terry, Michael, [redacted].
Terrell, Richard Dee, [redacted].
Teters, Richard Lawrence J., [redacted].
Thomson, James Williams, [redacted].
Thompson, Steven Wayne, [redacted].
Tompkins, Charles Edgar, II, [redacted].
Topping, George Allan, [redacted].
Toy, Waid Douglas, [redacted].
Trent, Donald Lee, [redacted].
Trussell, Ronald Keith, [redacted].
Tubbs, Thomas Windoes, [redacted].
Tunnell, Rodger Lee, [redacted].
Turpin, Elmer Harvey, [redacted].
Urick, Dennis Otto, [redacted].
Uzelac, Michael John, [redacted].
Vanorden, Fred Joe, [redacted].
Vanriper, George Glenn, III, [redacted].
Voce, Patrick Francis, [redacted].
Wade, Jarrel Blake, [redacted].
Walding, James Robert, [redacted].
Wallace, John Dudley, [redacted].
Waller, Luther Omer, [redacted].
Walters, Glenn Lee, [redacted].
Ward, James Armour, Jr., [redacted].
Warnock, Vernal Gene, [redacted].
Wasson, Peter Andrew, [redacted].
Watkins, Charles G., [redacted].
Watson, Rodney Lee, [redacted].
Weaver, Michael Doyle, [redacted].
Whittaker, Frederick George, [redacted].
Whitten, Michael Wayne, [redacted].
Wicker, Jerome Edward, [redacted].
Wiegand, Kenneth Frank, [redacted].
Wilcox, John Palmer, [redacted].
Winkler, Campbell Wayne, [redacted].
Witwicki, William Peter, [redacted].
Wolfe, James Ross, [redacted].
Wood, John Pittman, [redacted].
Wood, Scott Gibbon, [redacted].
Woode, Lawrence Alvin, Jr., [redacted].
Woolwine, Charles Thomas, [redacted].
Yacovou, Gregory Loucas, [redacted].
Young, William Lee, [redacted].

Captains

Campbell, Charles Christop, [redacted].
Degrasse, Robert Allen, [redacted].
Hagan, Ronald Eugene, [redacted].
King, Frank Lynn, III, [redacted].
Lowman, Charles John, [redacted].
Moore, David Wayne, [redacted].
Shirey, Robert Hobson, Jr., [redacted].
Suozzo, Michael Anthony, [redacted].
Vongonten, Jimmie Leon, [redacted].

FIELD ARTILLERY

Lieutenant colonels

Baker, John Edward, [redacted].
Banks, Hayes Bernard, [redacted].
Bertish, George David, [redacted].
Boisseau, Jerry Philip, [redacted].
Brunick, James Lewis, [redacted].
Casey, William Francis, Jr., [redacted].
Castillo, Victor Ernesto, [redacted].
Chamberlain, Wayne Justin, [redacted].
Cox, James Robert, [redacted].
Daleo, Francis Bernard, [redacted].
Davis, Harry Lawrence, [redacted].
Dehnel, Curtis Otto, [redacted].
Fiely, Robert Julius, [redacted].
Fitzgerald, Thomas Lloyd I., [redacted].
Fitzsimmons, Ronald Dean, [redacted].
Floresvellido, Angel Luis, [redacted].
Flynn, Vernon M., Jr., [redacted].
Fulmer, Robert Winston, [redacted].
Glynn, Michael Steven, [redacted].
Greenwell, Edmund Stephen, [redacted].
Harper, Sanford Eugene, [redacted].
Henderson, Douglas Raymond, [redacted].
Henderson, James Anthony, [redacted].
Hitzfeld, Larry Otto, [redacted].
Howard, Billy Joe, [redacted].
Jackson, Avery James, [redacted].
Joyner, James L., [redacted].
Kelley, Robert Donald, [redacted].
Kievith, Willem, [redacted].
Kiser, Joshua Lincoln, Jr., [redacted].
Laferte, Albert Edmond, [redacted].
Lockwood, Charles Jansen J., [redacted].
Lopez, Luis, [redacted].
Lucente, Raphael, Jr., [redacted].
Lunsetter, Wayne Byron, [redacted].
Manilla, Anthony Charles, [redacted].
March, James Henry, [redacted].
Martin, Richard Benson, [redacted].
McClellan, Donald Howard, [redacted].
McConkey, Leroy Russell, [redacted].
Nikotich, George Savo, [redacted].
Nobis, Edwin Nielsen, [redacted].
Novak, John Donald, [redacted].
Pellerano, George, [redacted].
Peterlin, Frank Thomas, [redacted].
Piram, Joseph Albert, [redacted].
Probka, Walter Joseph, Jr., [redacted].
Pufpaff, Max Eugene, [redacted].
Reeves, Kenneth Earl, [redacted].
Rhoadarmer, Frelen Jay, [redacted].
Rivera, Angel Luis, [redacted].
Runnells, David Lee, [redacted].
Schray, Conrad Eugene, [redacted].
Sebert, William Keith, Jr., [redacted].
Seibert, Donald David, [redacted].
Solomon, Alvin Lee, [redacted].
Taylor, Morris Joe, [redacted].
Treutel, Frederick Henry, [redacted].
Turk, Thomas Nicholas, [redacted].
Urquhart, John Cheney, [redacted].
Villarreal, Vivian Jaime, [redacted].
Weber, Howard Frederick, [redacted].
Wilkie, Robert Leon, [redacted].
Williams, Rodney Lee, [redacted].
Youngblood, George L., [redacted].
Yurkas, Gary Elmer, [redacted].
Zebell, Robert Allen, [redacted].

Majors

Abel, William Arthur, [redacted].
Abendroth, Terrell Douglas, [redacted].
Adam, Charles Fredric, [redacted].
Adams, Barry Henry, [redacted].
Adams, Burton Roy, [redacted].
Adams, Reid Eveson, [redacted].
Alessi, Robert Thomas, [redacted].
Alexander, George, Jr., [redacted].
Allen, William Ward, [redacted].
Aluag, Steven Roy, [redacted].
Ammendolia, Anthony James, [redacted].
Anderson, David Joseph, [redacted].
Anderson, John David, [redacted].
Armstrong, William, Jr., [redacted].
Arvin, Charles Edward, [redacted].
Atwood, Dale Millen, [redacted].

Baddeley, Clayton Eugene, XXX-XX-XXXX.
Bain, Michael Harvey, XXX-XX-XXXX.
Balzer, Frederick Thomas, XXX-XX-XXXX.
Barnes, Howard Rodney, XXX-XX-XXXX.
Barnes, Paul Lawrence Bott, XXX-XX-XXXX.
Bauman, Steven Ray, XXX-XX-XXXX.
Baxter, Jackie Lynn, XXX-XX-XXXX.
Beauregard, Raymond Levi, XXX-XX-XXXX.
Becker, Stephen Charles, XXX-XX-XXXX.
Belinge, Clarence Leslie, XXX-XX-XXXX.
Benglen, Allan Pierre, XXX-XX-XXXX.
Benoit, Michael Leo, XXX-XX-XXXX.
Berg, James Andrew, XXX-XX-XXXX.
Bertsch, Alfred Otto, XXX-XX-XXXX.
Biehl, Gary Milo, XXX-XX-XXXX.
Bishop, Gary Lynn, XXX-XX-XXXX.
Blacker, Michael Faye, XXX-XX-XXXX.
Black, Charles Michael, XXX-XX-XXXX.
Blamey, John Albert, Jr., XXX-XX-XXXX.
Blevins, Larry Paul, XXX-XX-XXXX.
Bodine, Timothy Ralph, XXX-XX-XXXX.
Bollen, Lawrence Allen, Jr., XXX-XX-XXXX.
Boring, Charlie Thomas, XXX-XX-XXXX.
Bowman, Daniel Louis, XXX-XX-XXXX.
Boyd, Jimmy Vance, XXX-XX-XXXX.
Bradley, John Peter, XXX-XX-XXXX.
Branan, James Dale, XXX-XX-XXXX.
Brockway, Charles Richard, XXX-XX-XXXX.
Brock, Dennis Leroy, XXX-XX-XXXX.
Broughton, Charles Arthur, XXX-XX-XXXX.
Browers, Richard Lynn, XXX-XX-XXXX.
Brown, Charles, XXX-XX-XXXX.
Brown, Douglas Blaine, XXX-XX-XXXX.
Brown, Karl Jones, Jr., XXX-XX-XXXX.
Brown, Louis Charles, Jr., XXX-XX-XXXX.
Brown, Walter Bond, II, XXX-XX-XXXX.
Brusstar, James Henry, XXX-XX-XXXX.
Bryant, David James, XXX-XX-XXXX.
Burch, Gary Lee, XXX-XX-XXXX.
Burnette, Ronald James, XXX-XX-XXXX.
Burns, Lancy Orr, XXX-XX-XXXX.
Calhoun, David Noel, XXX-XX-XXXX.
Campbell, Bryan David, XXX-XX-XXXX.
Cannon, Samuel Lee, XXX-XX-XXXX.
Carey, Patrick Thomas, XXX-XX-XXXX.
Carpenter, Joseph Henry, XXX-XX-XXXX.
Carson, John Lee, Jr., XXX-XX-XXXX.
Carter, James Melvin, Jr., XXX-XX-XXXX.
Carter, William Tran, XXX-XX-XXXX.
Cassel, David F., XXX-XX-XXXX.
Catlin, Lance Brian, XXX-XX-XXXX.
Causey, Windle Ray, XXX-XX-XXXX.
Chambers, Jerry Wayne, XXX-XX-XXXX.
Cheek, Dwight Clifton, XXX-XX-XXXX.
Cherry Norman Reddick, XXX-XX-XXXX.
Childress, Phillip Wayne, XXX-XX-XXXX.
Christensen, Kjeld Friis, XXX-XX-XXXX.
Christner, James Howard, XXX-XX-XXXX.
Christopher, Paul Edward, XXX-XX-XXXX.
Cintron, George Ivan, XXX-XX-XXXX.
Clark, Dennis Alan, XXX-XX-XXXX.
Clements, Francis Anthony, XXX-XX-XXXX.
Closkey, Samuel Jay, XXX-XX-XXXX.
Coletto, Frank G., XXX-XX-XXXX.
Congrove, Jack Raymond, XXX-XX-XXXX.
Connolly, Raymond John, XXX-XX-XXXX.
Cooper, Billy Roy, XXX-XX-XXXX.
Corn, Larry Bert, XXX-XX-XXXX.
Coyner, Joe Dunn, Jr., XXX-XX-XXXX.
Craven, Douglas Duane, XXX-XX-XXXX.
Croft, Daniel Anderson, XXX-XX-XXXX.
Crutchley, Robert Edward J., XXX-XX-XXXX.
Culling, Thomas Edwin, XXX-XX-XXXX.
Cumbow, Daniel Jackson, XXX-XX-XXXX.
Curran, Guy Kirkwold, XXX-XX-XXXX.
Davis, Michael Ralph, XXX-XX-XXXX.
Dennis, Stephen Smith, XXX-XX-XXXX.
Dixon, John Millard, XXX-XX-XXXX.
Dowdy, John William, XXX-XX-XXXX.
Dubberley, Chester F., XXX-XX-XXXX.
Duitsman, Leighton Lee, XXX-XX-XXXX.
Dunn, William Ronald, XXX-XX-XXXX.
Dunnam, Gerald Glenn, Jr., XXX-XX-XXXX.
Durham, George Allen, Jr., XXX-XX-XXXX.
Ehlers, Robert Otto, XXX-XX-XXXX.
Elliott, James Edward, XXX-XX-XXXX.
Elliott, Larry Gilbert, XXX-XX-XXXX.
Elton, Gordon Claire, XXX-XX-XXXX.
Eno, John Peter, XXX-XX-...
Evanitsky, Alex, Jr., XXX-XX-XXXX.
Evans, Kenneth Earl, XXX-XX-XXXX.
Faulkenberry, Oscar Allen, XXX-XX-XXXX.
Ferrara, Seth Joseph, IV, XXX-XX-XXXX.
Filak, Ronald Walter, XXX-XX-XXXX.
Flanagan, James Patrick, XXX-XX-XXXX.
Fluharty, Richard Denver J., XXX-XX-XXXX.
Foley, Michael Edward, XXX-XX-XXXX.
Franks, Joe H., XXX-XX-XXXX.
Franzoni, Fred Royce, III, XXX-XX-XXXX.
Frecht, John Wallace, Jr., XXX-XX-XXXX.
French, Walter Dwayne, XXX-XX-XXXX.
Frey, Kurt Matthew, XXX-XX-XXXX.
Friedl, Raymond Joseph, XXX-XX-XXXX.
Fritz, Charles Walter, III, XXX-XX-XXXX.
Gaddis, Evan Ray, XXX-XX-XXXX.
Galenis, Vincent Paul, XXX-XX-XXXX.
Gamber, Robert R., Jr., XXX-XX-XXXX.
Garanzuay, Antonio, XXX-XX-XXXX.
Gardner, Martin Luther, Jr., XXX-XX-XXXX.
Garmon, Patrick Earl, XXX-XX-XXXX.
Gibson, Robert Allen, XXX-XX-XXXX.
Gilliss, James Melville, Jr., XXX-XX-XXXX.
Golly, Leroy Elmo, Jr., XXX-XX-XXXX.
Gore, Landon Wellington, XXX-XX-XXXX.
Graham, James Edgar, XXX-XX-XXXX.
Gray, William Connor, XXX-XX-XXXX.
Greenleaf, Gary George, XXX-XX-XXXX.
Green, Michael Alan, XXX-XX-XXXX.
Green, Robert Paul, XXX-XX-XXXX.
Grether, Howard Frank, II, XXX-XX-XXXX.
Griner, William James, XXX-XX-...
Grunseth, Gary Edward, XXX-XX-XXXX.
Gunter, Cecil Thomas, XXX-XX-XXXX.
Hagemann, Ralph Edward, XXX-XX-XXXX.
Halberstadt, Gary Lee, XXX-XX-XXXX.
Hall, Richard Malone, XXX-XX-X...
Hamilton, Don Breckenridge, XXX-XX-X...
Hamlett, Charles Herbert, XXX-XX-X...
Hannum, Charles Robert, Jr., XXX-XX-XXXX.
Hanson, James David, XXX-XX-XXXX.
Hardy, William Jones, XXX-XX-XXXX.
Harris, Charles Arthur, XXX-...
Harris, Roger Leland, Jr., XXX-XX-XXXX.
Harris, Wayne Frank, XXX-XX-XXXX.
Hartley, David Clough, XXX-...
Hawkins, George Arthur, XXX-XX-XXXX.
Heimberg, Arthur Max, XXX-X...
Heit, Richard Lee, XXX-XX-XXXX.
Hellier, Charles Lawrence, XXX-XX-XXXX.
Henson, Jimmie Harding, XXX-XX-XXXX.
Hermann, Norbert George, XXX-XX-XXXX.
Herring, Curry Michael, XXX-XX-XXXX.
Herring, John Owen, XXX-XX-XXXX.
Hester, Robert Voyne, XXX-XX-XXXX.
Heuschel, Eugene Richard I, XXX-XX-XXXX.
Hicks, Hobert Cornelius, Jr., XXX-XX-XXXX.
Higbe, Wayne Jerome, XXX-XX-...
Hiller, James Sidney, XXX-XX-...
Hinman, Walter Leroy, XXX-XX-XXXX.
Hinton, Charles Cleveland, XXX-XX-XXXX.
Hipp, Robert George, XXX-XX-XXXX.
Hollingsworth, Stephen Lee, XXX-XX-...
Holmes, Harold Herbert, XXX-XX-XXXX.
Hood, Loren Eugene, XXX-XX-...
Hooker, Steven Raymond, XXX-XX-XXXX.
Horton, Robert McLaurin, XXX-XX-XXXX.
Hovious, Jeffrey Charles, XXX-XX-XXXX.
Hudgins, Grover William, XXX-XX-XXXX.
Hudson, Olin, Jr., XXX-XX-...
Hutchinson, John Toland, II, XXX-XX-XXXX.
Ingram, Karl Robert, XXX-XX-XXXX.
Iott, Peter Lindy, XXX-XX-XXXX.
Jablonski, Edward Stanley, XXX-XX-...
Jackan, Robert George, XXX-XX-XXXX.
James, Gerard Glynn, XXX-XX-XXXX.
Jefferson, Kenny Jewell, XXX-XX-XXXX.
Johnson, James Everett, XXX-XX-XXXX.
Johnson, Terry Glen, XXX-XX-XXXX.
Joiner, Thomas Gerard, XXX-XX-XXXX.
Jones, David Vincent, XXX-XX-XXXX.
Jones, James Randall, XXX-XX-XXXX.
Kastanek, Larry Joe, XXX-XX-XXXX.
Kelley, Gordon Frederick, XXX-XX-XXXX.
Kendall, Terry Allen, XXX-XX-XXXX.
Kendall, Richard Ira, XXX-XX-XXXX.
Kilpatrick, Jimmy Dale, XXX-XX-XXXX.
Kimball, Robert Harry, XXX-XX-XXXX.
King Herbert Lee, Jr., XXX-XX-XXXX.
Klobe, Harold Ronald, XXX-XX-XXXX.
Kluender, James Luverne, XXX-XX-XXXX.
Kollars, Dana J., XXX-XX-XXXX.
Kregar, David Charles, XXX-XX-XXXX.
Lange, Paul Hans, Jr., XXX-XX-XXXX.
Lazor, John Dale, XXX-XX-XXXX.
Leach, William Powell, XXX-XX-XXXX.
Leeper, Richard Adam, XXX-XX-XXXX.
Lehman, Miles Robert, XXX-XX-XXXX.
Linville, James Martin, XXX-XX-XXXX.
Little, Charlie, Jr., XXX-XX-XXXX.
Lively, Garland Ray, XXX-XX-XXXX.
Locke, Joe Henry, XXX-XX-XXXX.
Longhi, Frederick Ambrose, XXX-XX-XXXX.
Longobardi, Frank Ralph, XXX-XX-XXXX.
Lorenz, Ted Martin, XXX-XX-XXXX.
Luellig, Paul Joseph, Jr., XXX-XX-XXXX.
Lutz, Joseph J., Jr., XXX-XX-XXXX.
Lyman, Richard Howard, XXX-XX-XXXX.
MacDonald, John Stuart, XXX-XX-XXXX.
MacIver, Stuart John, XXX-XX-XXXX.
Madayag, Robert Anthony, Jr., XXX-XX-XXXX.
Maggard, Sanders Eugene, XXX-XX-XXXX.
Magner, Steven William, XXX-XX-XXXX.
Malcom, John William Imhof, XXX-XX-XXXX.
Manning, Tyrus Jerald, XXX-XX-XXXX.
Marguriet, Charles Phillip, XXX-XX-XXXX.
Markowski, Michael Thomas, XXX-XX-XXXX.
Martin, Daniel Willis, XXX-XX-XXXX.
Martin, Larry Dean, XXX-XX-...
Matejka, Paul Henry, Jr., XXX-XX-XXXX.
Mauck, Buford William, Jr., XXX-XX-XXXX.
Mayou, Duane William, XXX-XX-...
McAdoo, Dennis Authur, XXX-XX-XXXX.
McAlpine, Robert Watson, XXX-XX-XXXX.
McCarthy, Robert James, Jr., XXX-...
McCain, Ronald Everett, XXX-XX-...
McCarty, James Austin, XXX-XX-XXXX.
McCord, Harry John Emmins, XXX-XX-XXXX.
McGahee, Harvey William, Jr., XXX-XX-...
McGaugh, Michael Floyd, XXX-XX-XXXX.
McGraw, Joe Michael, XXX-XX-X...
McKee, Gerald Lee, XXX-XX-...
McLemore, William Watt, XXX-XX-XXXX.
McNeill, John Joseph, Jr., XXX-XX-XXXX.
McPhaul, Archer Reginald J., XXX-XX-XXXX.
McPherson, Frank Hilton, II, XXX-...
Meaney, Richard Andrew, XXX-...
Medrow, Donald Howard, XXX-XX-XXXX.
Mellen, Paul Clark, XXX-...
Mennig, John Joseph, XXX-XX-XXXX.
Meredith, Dennis Manson, XXX-XX-XXXX.
Meuli, Gus Martin, II, XXX-XX-XXXX.
Meyer, Alan Roger, XXX-XX-XXXX.
Mihajlovits, Stephen Otto, XXX-XX-...
Miller, Calvin Wilson, Jr., XXX-XX-XXXX.
Miller, Henry Clinton, Jr., XXX-XX-XXXX.
Miller, Robert, XXX-XX-XXXX.
Miller, William Richard, XXX-...
Mills, Stephen Alan, XXX-XX-X...
Minihan, Daniel Richard, Jr., XXX-XX-...
Mitchell, Bryan David, XXX-XX-X...
Mitchell, James Edward, XXX-...
Mitchell, Jon Edward, XXX-...
Mitchell, Otis Dean, XXX-XX-X...
Moench, Frederick Julius, I, XXX-XX-X...
Monko, Joseph P., Jr., XXX-XX-...
Moore, Jerry Allen, XXX-XX-XXXX.
Moore, Otis Dale, XXX-XX-XXXX.
Moore, Paul Russell, XXX-...
Morris, James Joseph, XXX-XX-XXXX.
Morton, Walter Michael, XXX-XX-...
Moseley, James Wesley, XXX-XX-XXXX.
Moseley, Michael Stephen, XXX-XX-...
Moss, Walter Ralph, XXX-XX-X...
Muller, Robert E., XXX-XX-...
Murphy, Michael James, XX-...
Myers, Ronald Edwin, XXX-XX-...
Nabstedt, Robert Emmet, XXX-XX-...
Nakasone, Edwin Minoru, XXX-XX-...
Neidig, James Barry, XXX-...
Nelson, Neil Edward, XXX-XX-...
Nesbitt, Woodrow Malcolm, XXX-XX-...
Neumann, Glenn Bruce, XXX-X...
Norman, Marshall Ray, XXX-XX-X...
Nulle, Theodore Louis, Sr., XXX-...
Ober, George Curry, XXX-...
Ogle, Glenn Algon, XXX-XX-XXXX.
Osborn, Jonathan Merwin, XXX-XX-...
Palmquist, Robert James, XXX-XX-...
Parker, Michael, XXX-XX-X...
Parmelee, Michael Stephen, XXX-XX-X...

Parrish, William H., Jr., xxx-xx-xxxx.
Paterson, Michael Louis, xxx-xx-xxxx.
Patrick, Victor Kenneth, xxx-xx-xxxx.
Patton, Jackie W., xxx-xx-xxxx.
Pavlak, Robert Terry, xxx-xx-xxxx.
Payne, Max Deon, xxx-xx-xxxx.
Pederson, Richard Wayne, xxx-xx-xxxx.
Pereira, John Anthony, xxx-xx-xxxx.
Perry, Howard Samuel, III, xxx-xx-xxxx.
Peterson, David Roland, xxx-xx-xxxx.
Pettus, Terry Tyrone, xxx-xx-xxxx.
Pfaltzgraff, Dennis Gerald, xxx-xx-xxxx.
Pimble, Charles Edward, xxx-xx-xxxx.
Pino, Antonio Louis, xxx-xx-xxxx.
Popham, Dan Russell, xxx-xx-xxxx.
Prentice, David John, xxx-xx-xxxx.
Prichard, Joe Douglas, xxx-xx-xxxx.
Pruszkowski, Robert Frank, xxx-xx-xxxx.
Pullum, Haliday Mason, xxx-xx-xxxx.
Radnoti, Dennis Lyn, xxx-xx-xxxx.
Radvanczy, Nicholas Alan, xxx-xx-xxxx.
Raper, Douglas Lane, xxx-xx-xxxx.
Redding, Terrence Russel, xxx-xx-xxxx.
Reid, Ronald T., xxx-xx-xxxx.
Reimer, George Matthew, xxx-xx-xxxx.
Retta, Lawrence Roland, xxx-xx-xxxx.
Reynolds, William Marshall, xxx-xx-xxxx.
Rhoades, George Howard, xxx-xx-xxxx.
Rich, David Francis, xxx-xx-xxxx.
Richartz, John Paul, xxx-xx-xxxx.
Rinehart, Brian A., xxx-xx-xxxx.
Ring, James Elsworth, xxx-xx-xxxx.
Rodgers, John Wade, Jr., xxx-xx-xxxx.
Rogers, Morris Wayne, xxx-xx-xxxx.
Roth, Richard, xxx-xx-xxxx.
Routon, John Everett, xxx-xx-xxxx.
Sangermano, Albert Vincent, xxx-xx-xxxx.
Sasin, Billy Ray, xxx-xx-xxxx.
Schierenbeck, Everett E., xxx-xx-xxxx.
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Joslyn, Richard Joseph, Jr., [redacted].
Judd, Dastel Neil, [redacted].
Jurgensen, Charles Edward, [redacted].
Just, Edward Arthur, Jr., [redacted].
Justice, James Cleon, [redacted].
Kacznarskyj, Drest, [redacted].
Kaminskis, Roger Lewis, [redacted].
Keck, Michael Barry, [redacted].
Keller, Jackie, Jr., [redacted].
Keller, Ronald A., [redacted].
Kelley, Claude Peter, [redacted].
Kendall, Clifford Peter, [redacted].
Killam, David Wendell, [redacted].
Kimball, Donald Collier, [redacted].
King, Larry Cecil, [redacted].
King, Michael Leonard, [redacted].
Kiyohara, Ikuo, [redacted].
Klarnet, Frank John, [redacted].
Klesen, Joseph Lansing, [redacted].
Klina, James Martin, Jr., [redacted].
Kolb, Karl Gunnar, [redacted].
Korfhage, William, [redacted].
Kresho, Mark, [redacted].
Kropf, Dennis Kay, [redacted].
Kuehl, Steven Duane, [redacted].
Kurtzman, Jackson Robert, [redacted].
Lacount, Victor Frederick, [redacted].
Lafleur, Ronald Richard, [redacted].
Lake, Francis Xavier, Jr., [redacted].
Lamb, Kenneth Robert, [redacted].
Lanning, David Earl, [redacted].
Lastrapes, Charles Louis, [redacted].
Latham, Joe Banks, [redacted].
Latta, Kenneth Carlton, Jr., [redacted].
Lawton, Johann Richard, [redacted].
Lazor, Joseph Anthony, [redacted].
Leahy, Paul Patrick, [redacted].
Ledlors, Frederick Dale, [redacted].
Lee, Michael Kenneth, [redacted].
Lee, Robert Dennis, Jr., [redacted].
Lee, Robert Merrill, Jr., [redacted].
Lee, Thomas J., [redacted].
Legrice, Kenneth P., Jr., [redacted].
Lehmann, Carl Friedrich, [redacted].
Lents, Miklos Attila, [redacted].
Leslie, David Edward, [redacted].
Lester, James Edward, Jr., [redacted].
Lettre, Marcel John, [redacted].
Levasseur, Richard Albert, [redacted].
Lichtneger, Robert William, [redacted].
Linnane, Michael Don, [redacted].
Little, Donald Ray, Jr., [redacted].
Litton, Joseph Paul, Jr., [redacted].
Litton, Roger Louis, [redacted].
Lockard, Robert Alvin, [redacted].
Lockhart, Henry Dillard, II, [redacted].
Lovelace, Douglas Clayton, [redacted].
Lowe, John Walter, Jr., [redacted].
Lowman, Raymond Paul, II, [redacted].
Lucas, Thomas Walton, [redacted].
Lugo, Roberto Olivera, [redacted].
Lunsford, Daniel Charles, [redacted].
Lyle, Richard Timothy, [redacted].
Lyons, Stanley Mark, [redacted].
Mabe, Thomas Lee, [redacted].
Macey, Richard Lloyd, [redacted].
Macey, Thomas Allen, [redacted].
Machnicki, Walter Roger, [redacted].
Magno, Michael Oren, [redacted].
Mague, Michael, [redacted].
Maldonado, Eugene Jerome, [redacted].
Maltais, Richard Thomas, [redacted].
Markiewicz, Ronald Edward, [redacted].
Marr, James Dennis, [redacted].
Martin, Herman Eugene, [redacted].
Martin, Ronald Stanley, [redacted].
Martin, Terry Edward, [redacted].
Martiny, Richard John, [redacted].
Massmann, Peter W., [redacted].
Maxwell, Donald Ray, [redacted].
May, John William, [redacted].
May, Joseph Allan, [redacted].
Mays, John Remy, [redacted].
Mazikowski, Arthur Wayne, [redacted].
McAfee, Lawrence Samuel, Jr., [redacted].
McCabe, Douglas Jolly, [redacted].
McClelland, Harold Edward, [redacted].
McCord, James Henry, [redacted].
McCutchon, John Robert, [redacted].
McDaniel, John Sidney, [redacted].
McDonald, David Francis, [redacted].
McDonnell, Donald Francis, [redacted].
McDowell, Richard James, [redacted].
McGrew, Danny Glen, [redacted].
McKeegan, Thomas John, Jr., [redacted].
McKenna, George Ward, [redacted].
McKinney, Dan Howard, [redacted].
McLean, Floyd William, Jr., [redacted].
McMahon, Timothy Leland, [redacted].
McNab, Michael Craig, [redacted].
McSpadden, Jimmy Glen, [redacted].
Meade, Randolph, [redacted].
Meeks, Thomas Vertis, [redacted].
Menendez, Angel Severino, [redacted].
Mercadante, John Frank, [redacted].
Metzger, Harold Vernon, Jr., [redacted].
Meyer, Gary George, [redacted].
Mever, Walter Woodrow, [redacted].
Milburn, Stephen George, [redacted].
Mildenstein, Arlo Junior, [redacted].
Mills, Terry Alan, [redacted].
Milner, Robert Allen, [redacted].
Mishler, Harold Elmer, [redacted].
Mitchell, Melvin Curtiss, [redacted].
Mitchener, James Earl, [redacted].
Monahan, Edward Michael, Jr., [redacted].
Money, Isaac Leon, [redacted].
Monson, Lyle Donald, Sr., [redacted].
Montgomery, Dennis Jay, [redacted].
Moore, Jerry Lambert, [redacted].
Moore, Joel Roger, [redacted].
Moore, Kenneth Dewayne, [redacted].
Morehouse, James Allyn, [redacted].
Morey, Gerald Lee, [redacted].
Morretta, Salvatore Robert, [redacted].
Morris, Terryl Roger, [redacted].
Morrison, Charles Michael, [redacted].
Morrow, William John, Jr., [redacted].
Mucha, Martin Gail, [redacted].
Muendel, Edmund Frank, Jr., [redacted].
Muhler, Edward Gordon, [redacted].
Mulholland, Russell J., [redacted].
Murdock, David Emmitt, [redacted].
Murphy, Daniel John, [redacted].
Murphy, John Paul, [redacted].
Murray, Oliver Eddie, [redacted].
Murrow, Samuel Corpening, [redacted].
Musgrave, Thomas Edmund, [redacted].
Myers, Brooke William, [redacted].
Myers, John Columba, [redacted].
Myers, Robert Clyde, [redacted].
Mylett, Clifford Daniel, [redacted].
Nakashima, Miles Eric, [redacted].
Necessary, Douglas Harding, [redacted].
Neil, Richard George, [redacted].
Nelson, Eric James, [redacted].
Nelson, Richard Norman, Jr., [redacted].
Noll, William Nelson, [redacted].
Norberg, Michael Keith, [redacted].
Obriant, Francis Hogan, II, [redacted].
Odom, Robert Neil, [redacted].
O'Donnell, David Earl, [redacted].
O'Keefe, Robert Raymond, [redacted].
Olson, James Allen, [redacted].
Olson, Merlin Harvey, [redacted].
Oman, Jon Richens, [redacted].
Ooley, John Everett, [redacted].
Oosterhuis, John Richard, [redacted].
Osborn, James Estel, Jr., [redacted].
Osimo, Ronald Edward, [redacted].
O'Sullivan, John Ignatius, [redacted].
Overturf, Kenneth Leroy, [redacted].
Owen, Evan Leslie, [redacted].
Palmer, Bernard Paul, Sr., [redacted].
Palmer, Dennis Dean, [redacted].
Parker, Hayes Duncan, [redacted].
Parker, Ronald Peter, [redacted].
Parpart, Juergen Helmut, [redacted].
Parr, Jack Dean, [redacted].
Parson, William Donald, [redacted].
Partheymuller, Richard R., [redacted].
Pasquarelli, Timothy L., [redacted].
Patalano, Francis Frederic, [redacted].
Patterson, Harry Owen, Jr., [redacted].
Patton, Melvin Henry, [redacted].
Penny, James Warren, [redacted].
Peterson, Henry Bruce, [redacted].
Peterson, Robert Dale, [redacted].
Picasso, Bartholomew D., [redacted].
Picco, David Joseph, [redacted].
Pierce, William P., [redacted].
Piet, Stanley David, [redacted].
Pifer, Richard Gail, [redacted].
Pike, Randall Ross, [redacted].
Pillows, Elbert Lee, [redacted].
Pittman, Paul McKinley, Jr., [redacted].
Pizzano, Brian Vincent, [redacted].
Plummer, Douglas Edward, [redacted].
Pogue, Larry Hale, [redacted].
Pollard, William Everett, [redacted].
Polster, Wayne Michael, [redacted].
Porter, Bruce Edward, [redacted].
Porter, John Phillip, [redacted].
Potter, Billy Hershel, [redacted].
Pouncey, John Edward, [redacted].
Presley, Bruce Wayne, [redacted].
Price, Ulyess Douglas, [redacted].
Pride, Lawson Raymond, Jr., [redacted].
Pritchett, Jerry Don, [redacted].
Pruette, Ronnie Ray, [redacted].
Pryor, Jack H., [redacted].
Pursche, Allen Carl, [redacted].
Rachal, Daniel William, Jr., [redacted].
Rallo, Joseph John, Jr., [redacted].
Rankin, Ronald William, [redacted].
Raymer, Doyle Lynn, [redacted].
Reavis, Lonnie Carl, [redacted].
Reese, Wesley Dale, [redacted].
Reimold, David Lawrence, [redacted].
Rice, Harry Kirby, Jr., [redacted].
Richards, Donald George, [redacted].
Riley, Joseph Ralph, [redacted].
Riney, Dan Curtis, [redacted].

Risovi, Gerald Vincent, [redacted].
Riverasanchez, Miguel A., [redacted].
Roach, James Stevens, Jr., [redacted].
Roberts, Richard Wayne, [redacted].
Roberts, Robert Carleton J., [redacted].
Robison, Berry, II, [redacted].
Rodgers, Donald Thornton, [redacted].
Rooney, James Walter, [redacted].
Ross, John Bond, III, [redacted].
Roth, Ray Lynn, [redacted].
Rounsaville, Peter Jay, [redacted].
Roux, Ronald Lionel, [redacted].
Roy, Thomas Michael, [redacted].
Salmon, Lawrence Regis, [redacted].
Sander, Royal William, [redacted].
Sanders, Richard Anderson, [redacted].
Sanger, Jasper J., [redacted].
Sapp, Robert Edgar, Jr., [redacted].
Sariego, Alan Juan, [redacted].
Sather, Thomas David, [redacted].
Sathre, Victor MacDonald, [redacted].
Schliep, Raymond Walter, Jr., [redacted].
Schlegel, John Edward, [redacted].
Schneickert, George David, [redacted].
Scott, Mitchell Dewitt, [redacted].
Sebright, David Clare, [redacted].
Sellers, Jesse Clarence, [redacted].
Seybold, Calvin, [redacted].
Shadoan, Robert P., [redacted].
Shanks, Charles William, Jr., [redacted].
Shannon, Jackie Howard, [redacted].
Shannon, John Christie, [redacted].
Shaulis, Albert Anthony, [redacted].
Shea, John Michael, [redacted].
Shelton, Dorwin Lynn, [redacted].
Shellabarger, Dennis Myers, [redacted].
Sheppard, David Alan, [redacted].
Shirk, William Larry, [redacted].
Showalter, Kent Amos, Jr., [redacted].
Shuman, Wallace Byrd, Jr., [redacted].
Sigle, Rodney Lincoln, [redacted].
Silkett, Wayne Arnold, [redacted].
Silva, John Leonard, Jr., [redacted].
Simmons, Thomas Robert, [redacted].
Simms, James Major, [redacted].
Simpson, James Elbert, [redacted].
Sinclair, Gordon Earl, III, [redacted].
Sipe, Donald Dale, [redacted].
Slaughter, Rodger D., Jr., [redacted].
Sloan, Larry Richard, [redacted].
Smith, Barry Edward, [redacted].
Smith, Earl Charles, [redacted].
Smith, George Edward, [redacted].
Smith, Harry Allen, [redacted].
Smith, James Archer, III, [redacted].
Smith, James Myron, [redacted].
Smith, Joseph Edward, [redacted].
Smith, Larry David, [redacted].
Smith, Larry E., [redacted].
Smith, Mark Allyn, [redacted].
Smith, Ronald Lee, [redacted].
Smith, Peter F., [redacted].
Snow, William Benham, III, [redacted].
Sorrell, Richard Hubert, [redacted].
Soucy, Philip Edmund, [redacted].
Sparrow, Jack Lewis, [redacted].
Speicher, Martin Lovell, [redacted].
Spiker, Gerald John, [redacted].
Spurgeon, Leland, [redacted].
Stack, Robert J., [redacted].
Stallings, Roger Jean, [redacted].
Stanberry, Robert Keith, [redacted].
Stanton, Thomas Willard, [redacted].
Stapleton, Arlis Gerald, [redacted].
Starke, William Stewart, II, [redacted].
Stedman, Charles David, [redacted].
Steele, Donald Webster, Jr., [redacted].
Steiner, Carl Frederic, [redacted].
Steinmetz, Samuel, III, [redacted].
Stephens, Hugh Emerson, [redacted].
Stitt, Harold William, [redacted].
Stone, William Ollie, [redacted].
Stout, Duane Clarence, [redacted].
Stratton, Gerald Joseph, [redacted].
Stringer, Marion Delson, [redacted].
Sturdivant, Ronald Edward, [redacted].
Sutton, Charles Kenneth, [redacted].
Swank, David Wallace, [redacted].
Swinehart, Jack Kenneth, [redacted].
Szymanski, William Raymond, [redacted].
Tahir, Alic, [redacted].
Taylor, Ben Frank, [redacted].
Taylor, Charles Cleveland, [redacted].
Taylor, Ronald Grant, [redacted].
Tenhet, Paul Quinn, II, [redacted].
Teufert, William Robert, [redacted].
Theriault, Hilbert Dale, [redacted].
Thomas, Donald William, Jr., [redacted].
Thomas, Farris Carter, III, [redacted].
Thompson, Anthony, III, [redacted].
Thompson, Tommy Joe, [redacted].
Tiberi, Paul, [redacted].
Todd, Joseph William, III, [redacted].
Tominey, Patrick Kevin, [redacted].
Tonelli, Robert Michael, [redacted].
Townsend, Thomas William, [redacted].
Townsend, Tommy Dale, [redacted].
Trach, Brian Lee, [redacted].
Tracy, Daniel Anthony, III, [redacted].
Travis, Frederick Stephen, [redacted].
Treat, Harlie Russell, [redacted].
Trigg, Dennis Wayne, [redacted].
Trumble, Roy Robert, III, [redacted].
Turner, Charles R., Jr., [redacted].
Ulakovic, James John, [redacted].
Unterweger, Peter Michael, [redacted].
Urbaniak, Roger Edward, [redacted].
Vanallen, Jack Warren, [redacted].
Vance, David B., [redacted].
Vangorp, Philip Eugene, [redacted].
Vanpeer, Fred Henry, [redacted].
Vargasinka, Stephen T., [redacted].
Vasile, Robert Concetto, [redacted].
Verga, Peter Frank, [redacted].
Vincent, Wayne Richard, [redacted].
Voth, William Friedrich, [redacted].
Wade, Daniel Eugene, [redacted].
Wade, Larry Joe, [redacted].
Wait, Neill Wesley, [redacted].
Walden, Jerry Troy, [redacted].
Waldrum, Theodore Owens, [redacted].
Walker, James Ross, [redacted].
Wall, Daniel William, [redacted].
Wallace, Don Winfield, [redacted].
Wargo, Phillip John, [redacted].
Watson, Don Robert, Jr., [redacted].
Watson, Jon Alan, [redacted].
Weathington, Kerry Dale, [redacted].
Webb, Russell Ervin, [redacted].
Webber, Gavin George, [redacted].
Wertin, John Lawrence III, [redacted].
Wesley, Benjamin Harrison, [redacted].
Wheeler, Clermont Edward J., [redacted].
White, Billy Max, [redacted].
White, Charles Edward II, [redacted].
White, Clyde Ronald, [redacted].
White, Gary Russell, [redacted].
White, Jeffery Hugh, [redacted].
White, Richard Herschel, [redacted].
White, Sherrill J., [redacted].
White, Wayne Leslie, [redacted].
Whiteside, Richard Ivan, [redacted].
Wiggin, James Warren, [redacted].
Wiggins, Richard Alan, [redacted].
Wilcox, Larry Wayne, [redacted].
Wilds, Edward Eugene, Jr., [redacted].
Wilk, Roger Walter, [redacted].
Wilkins, Albert Gene, [redacted].
Williamson, Bobby Wayne, [redacted].
Williams, Arthur Carlyle J., [redacted].
Williams, Edward Leslie, [redacted].
Williams, Harry Lee, [redacted].
Williams, James C., [redacted].
Williams, Joe Anders, [redacted].
Williams, Morris P., [redacted].
Wilson, David Paul, [redacted].
Wilson, John Edward, [redacted].
Wilson, Scott Edward, [redacted].
Wingo, Kenneth Jefferson J., [redacted].
Winters, Harold Bell, Jr., [redacted].
Wirth, Donald Edwrd, [redacted].
Wise, Robert William, [redacted].
Wood, Stephen Richard, [redacted].
Woodard, Billy Ray, [redacted].
Woodington, Ryon Leon, [redacted].
Woodring, Gary Edward, [redacted].
Woodward, George Baird, [redacted].
Worthington, Leonard H., [redacted].
Wright, Charles Edwin, [redacted].
Wright, Richard Joseph, [redacted].
Wright, William Angel, Jr., [redacted].
Yap, Rudolph Heong Gee, [redacted].
Yarorough, David Laraine, [redacted].
Yates, Atlas Reginald, [redacted].
Yost, Burrwood, Jr., [redacted].
Young, James Sidney, [redacted].
Young, Joe Lee, [redacted].
Young, Paul Nathaniel, Jr., [redacted].
Young, Wade Lee, [redacted].
Zamora, Jerome C., [redacted].
Zieske, Arthur Neal, [redacted].
Zitnick, Steven Mark, [redacted].

Captains

Bailey, Charlton Greer, Jr., [redacted].
Benway, Kenneth James, [redacted].
Bonn, John Henry, [redacted].
Boone, William Franklin, II, [redacted].
Bunton, Joe Ed, [redacted].
Castle, Richard Grimes, [redacted].
Clapp, Edwin Lonnie, [redacted].
Clark, Robert Lee, [redacted].
Connor, Lee Osborne, [redacted].
Cummings, Noel Melton, [redacted].
Dieffenbach, James Allen, [redacted].
Dorsey, Edward, [redacted].
Dunn, James Carroll, Jr., [redacted].
Edwards, Jerry Doyle, [redacted].
Frayne, William Leroy, [redacted].
Gandy, Gregory Kirk, [redacted].
Gliatta, Leonard, [redacted].
Grable, Bruce Wayne, [redacted].
Grant, Thomas Richard, [redacted].
Grugin, James Calvert, Jr., [redacted].
Hansen, Randolph Maynard, [redacted].
Harris, Robert Lee, Jr., [redacted].
Hayne, John Albert Jr., [redacted].
Hinton, Joe Kinney, II, [redacted].
Hoffman, Samuel Garland, Jr., [redacted].
Hoke, Terry Linn, [redacted].
Hoss, Anthony Joseph, [redacted].
Houghtaling, Terry Jay, [redacted].
Iten, Thomas Joel, [redacted].
Knox, Tommy Joe, [redacted].
Lobdell, Bryan Charles, [redacted].
Maca, Bronislaw, Romuald, [redacted].
Mahoney, James Charles, [redacted].
Mason, Robert Anthony, [redacted].
McCormick, Michael Elliott, [redacted].
McKean, Thomas Franklin, [redacted].
Miller, Walter Russell, Jr., [redacted].
Mondragon, Alex Leroy, [redacted].
Moss, Thomas Carlyle, [redacted].
Nichols, Stephen Randall, [redacted].
Pike, Geoffrey Edward, [redacted].
Reno, Mark Thomas, II, [redacted].
Rhoads, Ronnie Dewayne, [redacted].
Roye, Heinz Jurgen, [redacted].
Schatz, Kurt Frederic, [redacted].
Schroeder, Kenneth Gage, [redacted].
Schulz, Donald Wayne, [redacted].
Schwab, John Samuel, III, [redacted].
Sharpe, Kenneth William, [redacted].
Specht, William Henry, [redacted].
Tidwell, Allen Clark, [redacted].
Tomsich, Michael Frederick, [redacted].
Trammell, Louis Byrd, [redacted].
Virgin, Michael Eric, [redacted].
Waal, Carl Ralph, [redacted].
Washburn, Thomas Dell, [redacted].
Watts, Ronald Edward, [redacted].
Weck, Lonnie Elwin, [redacted].
Whittaker, James Forrester, [redacted].
Wise, Roger Eugene, [redacted].
Zuber, Terence Valentin, [redacted].

CHEMICAL CORPS

Lieutenant colonels

Cavett, Donald Leon, [redacted].
Cohut, Victor Joseph, [redacted].
Draper, Edward Stanley, [redacted].
Greene, Willie Donald, [redacted].
Licata, Ignazio Joseph, [redacted].
Lynch, Charles Arthur, [redacted].
Miller, Karl Jarman, [redacted].
Nler, Robert L., Jr., [redacted].
Stewart, Michael Atkin, [redacted].
Walker, Roger Lee, [redacted].

Majors

Beard, Joseph Ranalder, [redacted].
Brown, Drew Hollis, [redacted].

Coodey, Donald James, [redacted]
Delameter, Richard Ward, [redacted]
Edgin, Robert Louis, [redacted]
Fletcher, Roland George, [redacted]
Goforth, William Edward, [redacted]
Haley, John Charles, [redacted]
Hayes, Francis Gerard, Jr., [redacted]
Heck, Dawson Eugene, [redacted]
Hopkins, Sam Moore, [redacted]
Jenkins, Robert Lloyd, Jr., [redacted]
Johnson, Ralph Leonard, Jr., [redacted]
Kelly, Charles Gabriel, III, [redacted]
Kerley, Charles Glayde, [redacted]
Kirby, Donald Glen, [redacted]
Law, Lamont Worthen, [redacted]
Lombardi, John Joseph, Jr., [redacted]
Makriyianis, Panos, [redacted]
Medici, John Edwards, [redacted]
Mirra, Anthony Henry, III, [redacted]
Morris, James Edward, III, [redacted]
Morris, John Lemuel, [redacted]
Nakai, Leland Akira, [redacted]
Newberry, Richard Stephen, [redacted]
Persley, Gilbert Alexander, [redacted]
Plummer, John Stephen, [redacted]
Sagan, Lawrence Stanley, [redacted]
Sanderson, Trannie Wayne, [redacted]
Schmid, John Winn, [redacted]
Singler, Richard Joseph, Jr., [redacted]
Silvernail, Kenneth Lee, [redacted]
Spina, Joseph Donald, [redacted]
Stratton, Gary William, [redacted]
Tremper, Jon Dewitt, [redacted]
Upton, Henry, Jr., [redacted]
Wojcicki, Alexander F., [redacted]

Captains

Askew, Alphonso Ray, [redacted]
Lowry, John Douglas, [redacted]
Wade, Steven James, [redacted]

CORPS OF ENGINEERS

Lieutenant colonels

Bierman, James N., [redacted]
Boyer, Ernest Fritz, [redacted]
Callison, James Clayton, [redacted]
Cejauskas, Romas Benedict, [redacted]
Chapman, Richard Grady, Jr., [redacted]
Daley, Richard William, [redacted]
Dereu, John Alfred, [redacted]
Donahue, John Francis, Jr., [redacted]
Dudley, Richard Edgar, [redacted]
Erickson, Albert Johannes, [redacted]
Evans, Charles Edward, Jr., [redacted]
Feast, Joseph, Jr., [redacted]
Fisher, Martin Charles, [redacted]
Franklin, David, [redacted]
Hagge, Gary Arnold, [redacted]
Hansmann, Jack, [redacted]
Heme, Walter Louis, [redacted]
Hilton, Billy Leroy, [redacted]
Klaczkiewicz, Ignatius J., [redacted]
Koenigseker, Howard W., [redacted]
Maitland, Tyrone George, [redacted]
Malkasian, Mark Dowell, [redacted]
Massa, Harold Alois, [redacted]
Mattei, William Clement, [redacted]
Mills, Thomas Martin, [redacted]
Mouser, Thomas Merl, [redacted]
Olmstead, Raymond Charles, [redacted]
Owings, Douglas Leon, [redacted]
Riddle, Arthur Wayne, [redacted]
Rye, James Albert, [redacted]
Sakado, Raleigh Toschiichi, [redacted]
Sims, George Murrell, [redacted]
Singleton, James Lipscomb, [redacted]
Skelton, Thomas William, [redacted]
Unger, Larry Thomas, [redacted]
Wahl, Jerome Joseph, [redacted]
Wert, Harold Edwin, [redacted]
Wilkins, James Morgan, [redacted]
Willis, Timothy Malcom, [redacted]

Majors

Adams, Ben Stuart, Jr., [redacted]
Allari, Ronald Lee, [redacted]
Allen, John Dutton, [redacted]
Allen, William Lester, [redacted]
Anez, Richard Michael, [redacted]
Arenz, James Edward, [redacted]
Armitage, Albert Cleo, [redacted]
Asher, Timothy Joe, [redacted]
Askew, James Hardy, III, [redacted]
Baath, Werner Sigurd, [redacted]
Baker, William Richard, [redacted]
Barnes, Wendell Lee, [redacted]
Bates, Charles Henry, III, [redacted]
Becerril, Raymond Herby, [redacted]
Beiniks, Andris Egils, [redacted]
Beiter, Richard Harmon, [redacted]
Belobrajdic, William M., [redacted]
Bills, Peter Jon, [redacted]
Birmingham, Irving, [redacted]
Bowlsby, Alan Douglas, [redacted]
Brochu, Andrew Charles, [redacted]
Brooks, Ronald Dean, [redacted]
Brown, Denton Rowley, [redacted]
Brown, Leneld Edward, [redacted]
Brown, Michael Lee, [redacted]
Buddenhagen, Charles M., [redacted]
Burke, William Michael, Jr., [redacted]
Burkhart, Albert Dale, [redacted]
Bussey, Joe Paynter, Jr., [redacted]
Butler, Morey Ford, [redacted]
Cake, Edward Harry, [redacted]
Campbell, Phillip Truman, [redacted]
Carlson, Steven Harold, [redacted]
Carpenter, Terry Dewayne, [redacted]
Carpi, Clive Caton, [redacted]
Carroll, Philip Ward, III, [redacted]
Casson, Milton Francis, Jr., [redacted]
Chamberlain, Michael Leroy, [redacted]
Chambers, Edward Sidney, Jr., [redacted]
Chambers, Wilber Lee, [redacted]
Cherry, James Frank, [redacted]
Colio, Lloyd George, Jr., [redacted]
Collins, Jan Coriyce, [redacted]
Cook, Leon William, [redacted]
Cox, Charles Rufus, [redacted]
Cozier, Anthony Randolph, [redacted]
Craig, Richard William, [redacted]
Cross, Robert James, [redacted]
Damico, Michael Amos, [redacted]
Davidson, Ronald Elbert, [redacted]
Davis, Thomas Glenn, [redacted]
Demouy, Richard Wayne, [redacted]
Denison, Dwight Philip, [redacted]
Dey, Harold Arthur, [redacted]
Dobrozsi, David Andrew, [redacted]
Dowell, John Thomas, [redacted]
Doyle, Allan Grant, Jr., [redacted]
Ducey, Donald Leo, Jr., [redacted]
Dunn, Kenneth Joseph, [redacted]
Edwards, Charles Royce, [redacted]
Elliott, Ralph Earl, III, [redacted]
Elliott, Wilmer Otis, [redacted]
Ely, Richard Mountford, [redacted]
Enfiejian, Terry Edward, [redacted]
Eshenbaugh, Robert Allen, [redacted]
Estridge, Joseph Mark, [redacted]
Farber, Terry L., [redacted]
Farr, William J., [redacted]
Fedde, Cedric, Jr., [redacted]
Feeley, Patrick William, [redacted]
Fish, Lawrence Chaffee, III, [redacted]
Flowers, George Allison, II, [redacted]
Folger, David Michael, [redacted]
Formo, Robert Allen, [redacted]
Foster, Gerald Francis, [redacted]
Fox, Theodore Claude, III, [redacted]
Frankel, Philipp Michael, [redacted]
Fravel, John Franklin, Jr., [redacted]
Fritz, Mark Charles, [redacted]
Fuller, Clark Wayne, [redacted]
Gannaway, Raymond Clifford, [redacted]
Gatlin, Robert Bruce, [redacted]
Gaultney, Emory Harold, [redacted]
Glazener, Thomas Walter, [redacted]
Goodell, Richard Ross, [redacted]
Grabert, Euclid Joseph, Jr., [redacted]
Gray, Charles Dennis, [redacted]
Greer, Robert Ray, [redacted]
Griffith, John Baxter, [redacted]
Groebe, Dennis George, [redacted]
Guenther, Randolph Kent, [redacted]
Hageman, William James, [redacted]
Haigh, Bruce Whittemore, [redacted]
Hambric, Harry Norval, [redacted]
Hando, Robert John, [redacted]
Hanks, Marvin Lynn, [redacted]
Harris, James Ralferd, [redacted]
Harrison, Gale Robert, [redacted]
Heibel, David Michael, [redacted]
Henry, James William, [redacted]
Hernson, Walter Louis, Jr., [redacted]
Herring, John Leo, [redacted]
Herttenberger, Donald Ray, [redacted]
Hey, James Edward, [redacted]
Holland, Bobby Leon, [redacted]
Holland, Wayne Richard, [redacted]
Howland, Frederick Paul, Jr., [redacted]
Jeffers, Gerald Ralph, [redacted]
Johnson, Charles Lee, [redacted]
Kaster, Philip Gary, [redacted]
Keelin, Owen Eugene, [redacted]
Kelly, Edward Joseph, Jr., [redacted]
Kendall, Charles Robert, Jr., [redacted]
Kiely, Robert William, Jr., [redacted]
Kincaid, Jules Stuart, [redacted]
King, James Earl, [redacted]
King, Thomas Walsh, [redacted]
Kirchner, Clarence Henry J., [redacted]
Knight, Gary Dean, [redacted]
Lamm, Frederick Warren, [redacted]
Lamothe, Douglas Reginald, [redacted]
Lang, Leon James, [redacted]
Laux, Ronald Dayton, [redacted]
Lawhorne, John William, [redacted]
Leffew, Donald Lee, [redacted]
Lewis, Joseph Albert, Jr., [redacted]
Lexa, David John, [redacted]
Liner, Harold Mahlon, Jr., [redacted]
Lingle, Creig Harmon, [redacted]
Locklear, Cecil Orlander J., [redacted]
Love, Ronald Ray, [redacted]
Lowe, Francis John, [redacted]
Lowe, Walter Eugene, III, [redacted]
Lynch, Melvin Coley, Jr., [redacted]
Lynn, Joseph Wilson, [redacted]
MacIntyre, John Deveri, Jr., [redacted]
MacNeill, John Joseph, [redacted]
Magno, Richard Angelo, [redacted]
Magrath, George, Jr., [redacted]
Mahoney, Kevin Joseph, [redacted]
Malone, William Frank, [redacted]
Mansur, Thomas Dee, [redacted]
Manuele, James Carl, [redacted]
Martin, Richard Dale, [redacted]
Martinez, Carlos, [redacted]
Martinez, Louis John, [redacted]
Mayer, Martin Albert, [redacted]
McDonald, Gary Dwight, [redacted]
McGee, George Knighton, [redacted]
Mellon, Harry Humphry, [redacted]
Miller, Marion Clare, [redacted]
Miller, Nicholas Lee, [redacted]
Minicller, John Floyd, Jr., [redacted]
Morel, Cesar Rafael Eduard, [redacted]
Morgan, Gary Eugene, [redacted]
Morris, Gary Lee, [redacted]
Morris, Herbert Hassell, [redacted]
Motes, John Lloyd, II, [redacted]
Mullikin, William Phillip, [redacted]
Mulvihill, John Michael, [redacted]
Mundt, Bernard Charles, [redacted]
Needham, Donald Edward, [redacted]
Noren, Gareth David, [redacted]
Olesak, John Francis, [redacted]
Oliver, Lawrence Edward, [redacted]
Oltman, Joe Howard, [redacted]
Ommundsen, Torbjorn, [redacted]
O'Neill, John Bernard, Jr., [redacted]
Ostovic, Francis Branislau, [redacted]
Ottesen, Robert Brian, [redacted]
Overstreet, Darvis Lee, [redacted]
Papapietro, Joseph G., [redacted]
Patrick, James Carl, [redacted]
Pawulak, John Dennis, [redacted]
Perelesrodriguez, Jose E., [redacted]
Perkins, Richard A., [redacted]
Peters, William Thayer, [redacted]
Piel, Leo James, [redacted]
Piper, Charles Melvin, IV, [redacted]
Prechtel, Earl Claire, [redacted]
Price, William Jay, [redacted]
Proctor, Arnold Gray, Jr., [redacted]
Pylant, Louis Richard, [redacted]
Quigley, Thomas Joseph, [redacted]
Robcke, Erwin Diedrich, [redacted]
Roberts, L. J., [redacted]
Rodgers, Gary Virgil, [redacted]
Rushing, Rudi Barnett, [redacted]

Rutledge, Terry Edwin, [redacted]
Saage, Leroy Leon, Jr., [redacted]
Sauer, Joel Murray, [redacted]
Schluter, Darrell Lloyd, [redacted]
Schofield, Peter David, [redacted]
Schrandt, William James, [redacted]
Schultz, Joseph Frederick, [redacted]
Scott, Bert Rorick III, [redacted]
Scott, Harold Hophieus, Jr., [redacted]
Scott, Ted M., II, [redacted]
Seibert, John William, III, [redacted]
Sevier, John Thomas, [redacted]
Sharr, Stephen T., [redacted]
Shaver, David Eugene, [redacted]
Shockey, David F., [redacted]
Shumpert, Harvey F., [redacted]
Sigmon, Steven V., [redacted]
Simpson, Richard H., [redacted]
Sinn, Jerry Laverne, [redacted]
Skender, Daniel Paul, [redacted]
Smith, Donald Brent, [redacted]
Smoker, Ronald Richard, [redacted]
Southerland, Michael Ray, [redacted]
Stahlberg, Gary William, [redacted]
Stern, Clifford Henry, Jr., [redacted]
Stevens, David Finch, [redacted]
Stevens, James Leroy, [redacted]
Stoddard, Samuel, III, [redacted]
Sullivan, John Richard, [redacted]
Sweeny, Edward John, Jr., [redacted]
Sweigart, Leslie Gene, [redacted]
Taubert, Louis Earl, Jr., [redacted]
Taylor, Michael Stuart, [redacted]
Taylor, Ronnie Allen, [redacted]
Taylor, Willard Lucian, III, [redacted]
Thomas, James Edwin, [redacted]
Thompson, George Ronald, [redacted]
Thompson, Thomas Hall, [redacted]
Tolson, Pierce Wayne, [redacted]
Trombley, Richard Lee, [redacted]
Turner, Michael James, [redacted]
Tyree, Ronald Wayne, [redacted]
Vanslyke, Thomas Grier, Jr., [redacted]
Vanzee, John Ronald, [redacted]
Varchetto, Guy R., [redacted]
Vedell, Richard John, [redacted]
Verhine, John Kenneth, [redacted]
Viglucci, Peter Anthony, [redacted]
Wagner, Bryce Hedrick, [redacted]
Walker, Wickliffe Wade, [redacted]
Watanabe, Melvin Masaharu, [redacted]
Weimer, Donald Edward, [redacted]
Wertz, Lewis Edward, Jr., [redacted]
West, Winford Bruce, [redacted]
Whaley, Charles David, [redacted]
White, Robert Wallace, [redacted]
Willhouse, Donald Edwin, [redacted]
Williams, Jerry Donald, [redacted]
Williams, Otis, [redacted]
Williams, Robert Duncan, [redacted]
Williams, William Daniel, [redacted]
Wilson, Dennis Ira, [redacted]
Wilson, Don Adam, [redacted]
Wolf, David Bruce, [redacted]
Wolterding, Douglas Turner, [redacted]
Wood, Douglas MacDonald, [redacted]
Wood, Larry Glenn, [redacted]
Wooden, David Larry, [redacted]
Woodruff, Karl Ray, [redacted]
Wrentmore, Robert Jay, [redacted]
Wylie, Allan George, [redacted]
Wyllie, Gordon Douglas, [redacted]
Yanek, George Steve, Jr., [redacted]
York, Thomas Alfred, [redacted]
Zientek, Michael Edward, [redacted]

Captains

Allen, Richard Lee, [redacted]
Booth, John Leslie, [redacted]
Castillo, Oscar Gonzales, [redacted]
Charland, John Joseph, [redacted]
Coffey, William Timothy, [redacted]
Connolly, Michael John, [redacted]
Draughon, James Ellis, [redacted]
Dregne, James Michael, [redacted]
Evans, Lloyd Alfred, [redacted]
Hanssen, Robert Daniel, [redacted]
Lewis, Robert Henry, [redacted]
Lockhart, Stephen Clyde, [redacted]
Ricer, Terry Lee, [redacted]
Rigby, John Graham, [redacted]
Roberts, Robert Thomas, [redacted]
Schnabel, Mark Maring, [redacted]
Simons, Charles Henry, [redacted]
Sitar, John Dan, [redacted]
Snowden, Frederick Carroll, [redacted]
Spauling, David Edward, [redacted]
Swartz, Ann Marie, [redacted]
Wandler, George Tanner, [redacted]
Watson, Christopher, Orndor, [redacted]
Whitehead, Roy John, Jr., [redacted]
Wright, Richard Alan, [redacted]

MILITARY INTELLIGENCE

Lieutenant colonels

Abraham, Robert Lyndon, [redacted]
Adamouski, Francis Joseph, [redacted]
Anderson, John Edgar, [redacted]
Boesze, Laszlo Joseph, [redacted]
Brooks, Robert Lewis, [redacted]
Brown, Francis William, [redacted]
Brown, James Henry [redacted]
Cannard, Robert Scott, [redacted]
Cisz, Stanley Theodore, [redacted]
Cornell, Warren Davis, [redacted]
Dwyer, Frederick Gaffney, [redacted]
Eales, Lonnie Stewart, [redacted]
Fitzgerald, Benedict F., [redacted]
Flynn, Michael Joseph, [redacted]
Frankel, Alfred William, [redacted]
Gallegos, Gonzalo Robles, [redacted]
Gaugh, Robert Charles, [redacted]
Gibson, Joseph William, [redacted]
Girard, Albert Robert, [redacted]
Hall, Thomas Arthur, [redacted]
Harding, Kenneth Walter, [redacted]
Holberg, Benjamin Elmer, [redacted]
Holtzclaw, Robert Wesley, [redacted]
Hughes, Jeremy Herbert, [redacted]
Jenkins, Paula Frances, [redacted]
Jones, Horace F., III, [redacted]
Kalitka, Peter Frederick, [redacted]
Kelly, Paul Francis, [redacted]
Krebs, Philip Charles, [redacted]
Land, John Gerald, [redacted]
Lent, John Gallivan, [redacted]
Lonsdale, William Raymond, [redacted]
Loomis, Richard Berkeley, [redacted]
MacGregor, James Bruce, [redacted]
Manwaring, Max Garrett, [redacted]
McCarron, William Laing T., [redacted]
Medeiros, Emmanuel Robello, [redacted]
Melanson, Leo Matthew, [redacted]
Milnamow, Michael Thomas, [redacted]
Moe, Gary Severt, [redacted]
Morgan, James Everett, Jr., [redacted]
Muia, James, [redacted]
Naylor, William Henry, Jr., [redacted]
Nelson, Jerry Brad, [redacted]
O'Brien Lawrence William, [redacted]
Palmer, Terry, [redacted]
Pflugrath, Charles Orion, [redacted]
Powell, Robert Thomas, [redacted]
Prichard, John Paul, [redacted]
Quinones, Ruben Dario, [redacted]
Ralston, Maurice Howell, [redacted]
Ray, Russell Hayward, [redacted]
Rinaldi, John Henry, [redacted]
Robertson, Henry Muir, II, [redacted]
Robey, Richard Henry, [redacted]
Roval, Alfred Paul, [redacted]
Rowe, James N., [redacted]
Ruddle, Charles Clifton, [redacted]
Shelton, William Henry, [redacted]
Smith, Colin MacGregor, [redacted]
Smith, Lonnie Sasser, [redacted]
Springer, William Henry, [redacted]
Suzuki, Roy Mitsuaki, [redacted]
Thompson, Donald W., [redacted]
Tobias, George, [redacted]
Tyler, Robert Wayne, [redacted]
Vandever, John Joseph, [redacted]
White, Florine Jones, [redacted]
Wiecking, Charles McDougal, [redacted]
York, Steven Walter, [redacted]
Yoshida, Roy Sadao, [redacted]
Zarybenicky, Gary Lee, [redacted]

Majors

Adamson, Donald Scott, [redacted]
Aden, Jerry Lee, [redacted]
Allen, Thomas Jerome, [redacted]
Androff, David Kime, [redacted]
Baggott, Robert Gordon, [redacted]
Baker, Jon Paul, [redacted]
Baker, William Virgil, Jr., [redacted]
Balzer, Danny Dale, [redacted]
Banks, William Herman, [redacted]
Barrett, Shaun Francis, [redacted]
Barton, John Everett, [redacted]
Bassett, Richard Haley, [redacted]
Batten, Peter Russell, [redacted]
Bearce, Terry Dean, [redacted]
Beasley, Joseph Randolph, [redacted]
Beckett, Stephen Marshall, [redacted]
Berg, Allan, [redacted]
Bighia, Michael Emmett, [redacted]
Black, Kenneth James, [redacted]
Blackmon, Andre F., [redacted]
Blagg, Clyde Stephen, [redacted]
Blankenship, Jimmy Lynn, [redacted]
Block, James Leo, [redacted]
Borowski, James George, [redacted]
Bosco, David Joseph, [redacted]
Bougas, Constantine Thomas, [redacted]
Boyd, Lawrence David, [redacted]
Bradford, Jerry Clarence, [redacted]
Brandt, Drew Max, [redacted]
Braudrick, Danny Wayne, [redacted]
Bredeau, Peter James, [redacted]
Bridwell, James Allen, [redacted]
Brown, Richard Bailey, [redacted]
Brown, William Thomas, III, [redacted]
Bruening, David Leigh, [redacted]
Bryant, Calvin, Jr., [redacted]
Buck, John Louis, [redacted]
Burch, Herbert Ward, Jr., [redacted]
Burnette, Gerald Douglas, [redacted]
Burns, John Joseph, Jr., [redacted]
Butler, Leslie Ernest, [redacted]
Campbell, Charles Spencer, [redacted]
Campbell, David Leonard, [redacted]
Campbell, James Olan, Jr., [redacted]
Capers, Randall Harper, [redacted]
Carlino, John R., [redacted]
Carson, Concetta Lucy S., [redacted]
Carson, Daniel Clyde, [redacted]
Cates, Ronnie Lee, [redacted]
Caylor, Larry Edward, [redacted]
Chambers, Jackson Edward, [redacted]
Chikosky, Matthew Adam, [redacted]
Christ, Patrick Jack, [redacted]
Chrzanowski, Stanley Roman, [redacted]
Chung, Milton Nyuk On, [redacted]
Ciccarello, Nicholas J., [redacted]
Clark, Gerald Edmund, [redacted]
Clark, John Paul, [redacted]
Clark, Lloyd Wayne, Jr., [redacted]
Cole, Bruce Hugh, [redacted]
Cole, Thomas Gregory, [redacted]
Colvin, Clifton Owen, [redacted]
Comeaux, Ronald Wade, [redacted]
Conaty, Peter Michael, [redacted]
Cook, John Lewis, [redacted]
Cook, Robert Wilson, Jr., [redacted]
Corr, William Michael, [redacted]
Cowley, David Eugene, [redacted]
Crews, Norman Frederick, Jr., [redacted]
Crowell, Allan Estes, [redacted]
Culberson, Walter Jack, III, [redacted]
Curkendall, Christopher Le, [redacted]
Dahl, Carroll Edward, [redacted]
Davis, Benjamin Moseley, II, [redacted]
Davis, George Paris, III, [redacted]
Davis, John Bartow, [redacted]
Davis, Wayne Arthur, [redacted]
Day, Daniel Dale, [redacted]
Deeny, Dennis Albert, [redacted]
Dollarhide, Roger E., [redacted]
Duncan, Dale Eugene, [redacted]
Dunn, John Galbreath, [redacted]
Durham, Reginald Ervin, [redacted]
Durrence, James Michael, [redacted]
East, Bruce William, [redacted]
Edell, Lawrence Albert, [redacted]
Eichholz, William Ralph, [redacted]
Ellis, Robert Clarence, Jr., [redacted]
Ellison, Harold, III, [redacted]
English, Ronald Eugene, [redacted]
Esau, Palmer Murray, [redacted]

Faircloth, Douglas Allen, [redacted].
Felling, Richard Lee, [redacted].
Ford, Terrance Martin, [redacted].
Forkenbrock, Ronald John, [redacted].
Fox, Gerald, [redacted].
Froehlich, Charles Robert, [redacted].
Gaines, John Henry, Jr., [redacted].
Gant, Arlin Walter, [redacted].
Ganz, Gerald Frank, [redacted].
Gardner, Walter Neal, [redacted].
Gargiulo, Mario, [redacted].
Gembara, Andrew George, [redacted].
Genovese, Sam Anthony, [redacted].
Gibson, Geoffrey Bruce, [redacted].
Gloukhoff, Theodore, [redacted].
Glynn, Francis Matthew, [redacted].
Godfrey, William James, [redacted].
Gore, Edward Harlan, Jr., [redacted].
Gorman, Daniel Lee, [redacted].
Gorrie, John Edward A., [redacted].
Govoni, Richard Albert, [redacted].
Gray, Gary Otis, [redacted].
Gray, Woods Eastland, [redacted].
Gregory, James Byrne, [redacted].
Griffith, Randall Francis, [redacted].
Groskopf, Paul Van, [redacted].
Gruenhagen, Gary Allen, [redacted].
Grunden, John Bruce, [redacted].
Gunderson, Victor W., [redacted].
Gutbrod, Kenneth William, [redacted].
Hall, Cyrus Bach, [redacted].
Halstrom, James Gordon, [redacted].
Hanlon, Thomas Edward, [redacted].
Hansen, Kai John, [redacted].
Hardee, James Curtiss, Jr., [redacted].
Harding, Robert Anthony, [redacted].
Harju, Lawrence Wayne, [redacted].
Harlan, Robert Austin, [redacted].
Harris, Frank Morton, Jr., [redacted].
Hasse, John Joseph, [redacted].
Hauser, William Carson, [redacted].
Heaney, Michael Francis, [redacted].
Heise, Robert Anderson, [redacted].
Helfers, Eric Charles, [redacted].
Hinkle, Paul Christopher, [redacted].
Hoadley, Erwin Thomas, [redacted].
Holland, John Edison, Jr., [redacted].
Hollins, James Roger, [redacted].
Hudson, Gabriel Lee, [redacted].
Humenik, Michael David, [redacted].
Igleheart, James Lee, [redacted].
Ireland, Michael Farrar, [redacted].
Jackson, Bruce, [redacted].
Jacobson, Victor Michael, [redacted].
James, Robert Wayne, [redacted].
Jarman, Kenneth Lee, [redacted].
Johnson, Edward Charles, [redacted].
Jones, Bobby Wayne, [redacted].
Kaufmann, Andrew Frederick, [redacted].
Kehayas, Anthony Whitsey, [redacted].
Kells, Thomas Johnston, Jr., [redacted].
Kennedy, Austin John, III, [redacted].
Koltz, Roger, [redacted].
Lamonica, Manuel George, [redacted].
Landers, Eldon Ray, Jr., [redacted].
Lawhead, Gerald Ralph, [redacted].
Lawrence, Mark Dugan, [redacted].
Layton, Richard Lee, [redacted].
Lee, Carlton David, [redacted].
Livoti, Charles Beverton, [redacted].
Loendorf, Walter Matt, [redacted].
Longazel, Thomas Mark, [redacted].
Love, Ronald Marvin, [redacted].
Lustig, Leon Earl, [redacted].
Lyng, James Patrick, [redacted].
Mance, Howard Ernest, III, [redacted].
Manson, Robert James, Jr., [redacted].
Mark, William Yen, Jr., [redacted].
Mathias, Montgomery Ross, [redacted].
Maxell, Robert Lewis, [redacted].
McAuliffe, James, [redacted].
McBride, Samuel Douglas, [redacted].
McGuire, Glenn William, [redacted].
McKay, Robert Donald, [redacted].
McLaulin, Thomas Martin, [redacted].
McNair, Robert Lee, [redacted].
McNear, Thomas, [redacted].
Mikeworth, Ronald Gene, [redacted].
Miller, Charles Allyn, [redacted].
Miller, Richard Bradley, Jr., [redacted].
Miller, Rodney Paul, [redacted].
Miller, Walter B., [redacted].
Mitchell, Andrew Douglas, [redacted].
Mitchell, Elizabeth, [redacted].
Moneyhon, Darwin James, [redacted].
Moore, Lee Ann, [redacted].
Morrison, Marvin William, [redacted].
Morton, Hazel Louise, [redacted].
Mrzyglod, John Edward, [redacted].
Mueller, Alverne Claude, [redacted].
Mullis, Varon Barr, [redacted].
Murphy, James Philip, [redacted].
Nasbe, Roderick Peter, [redacted].
Navratil, Ronald Lee, [redacted].
Neely, Robert Layman, [redacted].
Nugent, John Thomas, [redacted].
Nunley, Chesley Oren, Jr., [redacted].
Olander, Thomas Edward, [redacted].
Olen, Michael Allan, [redacted].
Oshea, Michael Joseph, [redacted].
Owen, John Robert, [redacted].
Paquette, Donald Francis, [redacted].
Peden, Robert McNeely, Jr., [redacted].
Peterson, Jerome, [redacted].
Peterson, Roy Eugene, [redacted].
Powell, Leonard Holland, Jr., [redacted].
Rath, Michael Joseph, [redacted].
Rath, Robert Ronald, [redacted].
Rathyen, Wayne Michael, [redacted].
Raub, Allen Louis, [redacted].
Rawley, Vondra Raynell, [redacted].
Rehwinkle, John Alan, [redacted].
Richardson, James Larry, [redacted].
Robertson, Charles L., [redacted].
Robertson, Gary Lynn, [redacted].
Roe, John Frederick, [redacted].
Roeber, Thomas John, [redacted].
Rooney, Laurence James, Jr., [redacted].
Royer, Lawrence Bickel, [redacted].
Rutland, Elbie, Jr., [redacted].
Ryan, John Edward, Jr., [redacted].
Sallaberry, George John, [redacted].
Savittiere, Joseph A., [redacted].
Schmitt, John Anthony, II, [redacted].
Schuler, Arthur Edward, Jr., [redacted].
Seagle, Bruce Allen, [redacted].
Seamans, Randy G., [redacted].
Seay, Ralph Edward, [redacted].
Seiber, John Franklin, [redacted].
Sewell, James Edward, [redacted].
Shideler, Marc Karl, [redacted].
Shoemaker, Francis D., [redacted].
Siler, John D., [redacted].
Silvestris, Francis N., [redacted].
Simmons, James Larue, [redacted].
Simmons, Patrick L., [redacted].
Smith, Bradley Wyatt, [redacted].
Smith, Jessie Ray, Jr., [redacted].
Snow, Darryl Jeffrey, [redacted].
Snyder, Charles Robert, [redacted].
Stansfield, Jerry Thomas, [redacted].
Staub, Harry Kenneth, [redacted].
Stein, Gary Allen, [redacted].
Stephenson, Ronald Brian, [redacted].
Sterling, Dean Anthony, [redacted].
Stevens, Halbert Fowler, [redacted].
Stokes, Orville Texal, Jr., [redacted].
Streb, Gary Thomas, [redacted].
Streeter, Theodore H., [redacted].
Stroud, Joe Travis, Jr., [redacted].
Sullivan, Eugene Vincent, [redacted].
Thomas, Ira B., Jr., [redacted].
Thomas, Mark Franklin, [redacted].
Thompson, Michael A., [redacted].
Thurston, William Wallace, [redacted].
Tolman, Scott B., [redacted].
Tom, Ronald Gee Sum, [redacted].
Travis, Robert Edward, [redacted].
Tvrdy, Joseph F., [redacted].
Tyndall, James Donald, [redacted].
Urban, Richard Stephen, [redacted].
Urquidez, Blas, Jr., [redacted].
Valette, Paul A., [redacted].
Vance, Timothy William, [redacted].
Vanderloo, David Arthur, [redacted].
Vangundy, Daniel F., [redacted].
Vanhoy, Francis S., [redacted].
Verseput, Gary Wayne, [redacted].
Vore, David A., [redacted].
Waldman, Jay Howard, [redacted].
Walker, Vestal Dan, [redacted].
Warmington, Alan Roger, [redacted].
Warren, Barry George, [redacted].
Werling, Timothy Edwin, [redacted].
Westerman, Frederck R., [redacted].
White, Larry Dwain, [redacted].
Whittaker, Glenn Warren, [redacted].
Wilker, Dennis Brooks, [redacted].
Willetts, James Forrest, [redacted].
Williams, Matthew, III, [redacted].
Williams, Roger Freeman, [redacted].
Wilson, William Henry, [redacted].
Wright, Jeffrey William, [redacted].
Xiques, Brendon Augustus, [redacted].
Yancey, Charles Emerson, [redacted].
Yarbro, Roger Norman, [redacted].

Captains

Acker, Richard Bruce, [redacted].
Baker, Charles Edmund, [redacted].
Bayer, Paul James, [redacted].
Bell, Kenneth Victor, Jr., [redacted].
Bodkin, Richard Arthur, [redacted].
Borrego, Eugene Thomas, [redacted].
Boudreau, Thomas Francis J., [redacted].
Cook, Weston Franklin, Jr., [redacted].
Diver, Michael John, [redacted].
Flavin, James Richard, [redacted].
Ford, Shirley Oates, [redacted].
Glasier, John Arthur, [redacted].
Hartz, Daniel Karl, [redacted].
Hodges, James Wilson, Jr., [redacted].
Karrick, Charles Ernest, [redacted].
Kogle, Mark L., [redacted].
Koss, Robert James, [redacted].
Martel, Andre Rosaire, [redacted].
Martin, William George, [redacted].
Metteemccutchon, Ila, [redacted].
Milewski, John Charles, [redacted].
Moore, Jack Stewart, Jr., [redacted].
Mooring, James Callis, [redacted].
Morgride, Ralph Leroy, [redacted].
Murphy, Terry Edward, [redacted].
O'Grady, Kevin Francis, [redacted].
O'Leary, James Allen, [redacted].
Parker, Theodore Patrick, [redacted].
Patten, Norman Bennett, [redacted].
Piatt, Albert Earl, [redacted].
Reuss, Robert, [redacted].
Shiroma, Maurice Keith, [redacted].
Stephens, Gary Roy, [redacted].
Street, Bernard Herbert, Jr., [redacted].
Vgon, Patton, Sing Lee, [redacted].

MILITARY POLICE CORPS

Lieutenant colonels

Bates, Jimmy Neil, [redacted].
Berry, James Lee, [redacted].
Cunningham, William Robert, [redacted].
Glick, Charles Robert, [redacted].
Haas, Robert Thomas, [redacted].
Kavanagh, James Michael, [redacted].
McKinney, Clarence Lamar, [redacted].
Pegg, Robert Walter, II, [redacted].
Short, James William, [redacted].
Sill, Glenn Ernest, [redacted].
Simpson, Albert Franklin J., [redacted].
Stevens, Henry Franklin, Jr., [redacted].
Tracy, Robert Gene, [redacted].
Trisko, Ralph Frederick, [redacted].
Turner, Philip Bell, [redacted].
Weaver, William Cowan, Jr., [redacted].
Westerkamp, James Francis, [redacted].

Majors

Amoroso, Frank Pasquale, [redacted].
Arnold, Robert Vernon, [redacted].
Atchison, Joseph Sanders, [redacted].
Ayres, Robert Hankins, [redacted].
Baker, Robert Henry, Jr., [redacted].
Barnes, El Cartio, [redacted].
Bernethy, James Irving, [redacted].
Bolt, William Douglas, [redacted].
Borella, Douglas Jay, [redacted].
Boyce, Herbert Peckham, Jr., [redacted].
Brown, Charles Benjamin, [redacted].
Burch, Linda Grace, [redacted].
Burns, Jimmie Lee, [redacted].
Cannon, Robert Elmo, [redacted].
Carwile, Frederick Holland, [redacted].
Christopherson, Thomas A., [redacted].
Cobb, Michael Sherwood, [redacted].
Cohen, Robert Lewis, [redacted].

Colbert, Richard Michael, XXX-XX-XXXX.
Coles, Timothy Glessner, XXX-XX-XXXX.
Connor, John Alan, XXX-XX-XXXX.
Crassweller, Roger Mark, XXX-XX-XXXX.
Curtis, Barbara Gebhardt, XXX-XX-XXXX.
Day, Jack Willis, Jr., XXX-XX-XXXX.
Deluca, Guy Dominic, XXX-XX-XXXX.
Dennis, Timothy Andrew, XXX-XX-XXXX.
Donohue, John Thomas, Jr., XXX-XX-XXXX.
Dunn, Gregory Martin, XXX-XX-XXXX.
Dymke, John Rudolf, XXX-XX-XX...
Fogarty, Dennis, XXX-XX-XXXX.
Foley, David Ward, XXX-XX...
Foster, Dennis Joseph, XXX-XX-XXXX.
Frey, Terry Clay, XXX-XX-XXXX.
Gasko, Gerald Matthew, XXX-XX-XXXX.
Gillespie, John Jacob, Jr., XXX-XX-XXXX.
Glatte, Horst Hans, XXX-XX-XXXX.
Gossard, Lynn William, XXX-XX-XXXX.
Graf, William Joseph, XXX-XX-XXXX.
Greer, David Lee, XXX-XX-XXXX.
Grossman, Charles Donald J., XXX-XX-XXXX.
Haller, William Clifford, XXX-XX-XXXX.
Hammell, John Matthew, XXX-XX-XXXX.
Harper, Brian Earl, XXX-XX-XXXX.
Held, Billy Herman, XXX-XX-XXXX.
Henn, James Francis, XXX-XX-XXXX.
Hilliard, Darrell Gene, XXX-XX-XXXX.
Holland, Charles Allison, XXX-XX-XXXX.
Hughes, Frederick Scott, XXX-XX-XXXX.
Italia, Ralph Herbert, XXX-XX-XXXX.
James, Gary Wayne, XXX-XX-XXXX.
Johnston, Michael Lief, XXX-XX-XXXX.
Kelley, Lonnie Rey, XXX-XX-XXXX.
Kiley, James Edward, Jr. XXX-XX-XXXX.
Krushinskie, Dennis Paul, XXX-XX-XXXX.
Lane, Carl Hagan, XXX-XX-XXXX.
Litchfield, Charles F., XXX-XX-XXXX.
Lizotte, Brian Stanley, XXX-XX-XXXX.
Loveless, Michael Eugene, XXX-XX-XXXX.
Majchrzak, Zbigniew M., XXX-XX-XXXX.
Majors, James Michael, XXX-XX-XXXX.
Mansky, Henry Paul, Jr., XXX-XX-XXXX.
Martin, Dorothy Anne, XXX-XX-XXXX.
McCann, Terry Alan, XXX-XX-XXXX.
McKeon, Kevin Ryan, XXX-XX-XXXX.
Michaelis, Marc, XXX-XX-XXXX.
Mulligan, George Joseph, XXX-XX-XXXX.
Neal, Paul William Jr., XXX-XX-XXXX.
Nichols, Douglas Edward, XXX-XX-XXXX.
Nickels, Ronald Lee, XXX-XX-XXXX.
Nielsen, Niel Edward, XXX-XX-XXXX.
O'Neill, Patrick Shannon, XXX-XX-XXXX.
O'Neill, Richard Arnold, XXX-XX-XXXX.
O'Toole, Timothy Dean, XXX-XX-XXXX.
Peterson, Duane Paul, XXX-XX-XXXX.
Petrick, John Joseph, XXX-XX-XXXX.
Pierson, Jamie D., XXX-XX-XXXX.
Pollack, Stefan Louis, XXX-XX-XXXX.
Pool, Thomas Calton, XXX-XX-XXXX.
Potter, Donald Dewey, XXX-XX-XXXX.
Pritchard, Robert Nelson, XXX-XX-XXXX.
Reisz, John Benjamin, XXX-XX-XXXX.
Richardson, Randall Moore, XXX-XX-XXXX.
Roth, Archie William, Jr., XXX-XX-XXXX.
Rule, Ronald Joseph, XXX-XX-XXXX.
Rupp, Gary Gene, XXX-XX-XXXX.
Schmidt, Dennis Herbert, XXX-XX-XXXX.
Schweppe, John Erich, XXX-XX-XXXX.
Seals, Larry Dennis, XXX-XX-XXXX.
Sheehan, Jane Frances, XXX-XX-XXXX.
Shirley, Otis Allen, Jr., XXX-XX-XXXX.
Sim, David Gordon, XXX-XX-XXXX.
Storey, Barry David, XXX-XX-XXXX.
Sturm, Henry Benvenuti, XXX-XX-XXXX.
Symonds, Walter Michael, XXX-XX-XXXX.
Tarman, Michael Frank, XXX-XX-XXXX.
Taylor, John Henry, XXX-XX-XXXX.
Thomas, Ralph Augustus, Jr., XXX-XX...
Timberlake, Richard F. I., XXX-XX...
Topping, Edward Odelle, XXX-XX-XXXX.
Traxler, Robert M., XXX-XX-XXXX.
Walker, Robert Dowling, XXX-XX-XXXX.
Waltman, Gerald Lee, XXX-XX-XXXX.
Watts, Thomas Arron, XXX-XX-XXXX.
Whiddon, Gerald Taylor, XXX-XX-XXXX.
Williams, Donald Everett, XXX-XX-XXXX.
Williams, William Earle, XXX-XX-XXXX.
Wright, Robert Alexander I., XXX-XX-XXXX.

Captains

Craven, James Moffett, XXX-XX-XXXX.
Hawkins, James Malcolm, XXX-XX-XXXX.
Huke, Henry Robert, III, XXX-XX...
Kellar, Vera Gene, XXX-XX-XXXX.
Long, John Wayne, XXX-XX-XXXX.
Lyons, Wickie Lindburgh, XXX-XX-XXXX.
Phillips, Linda Carol, XXX-XX-XXXX.
Ratliff, Johnnie Nathan, XXX-XX-XXXX.
Roling, Michael Aloysius, XXX-XX-XXXX.
Sawyer, Gary Jefferson, XXX-XX-XXXX.
Smith, Ronald Richard, XXX-XX-XXXX.

SIGNAL CORPS

Lieutenant colonels

Agee, Robert Taylor, Jr., XXX-XX-XXXX.
Allman, Edmond Albert, Jr., XXX-XX-XXXX.
Andersen, Martin, Jr., XXX-XX-...
Baker, Bruce Williams, XXX-XX-XXXX.
Barnett, Richard David, XXX-XX-XXXX.
Barr, Dale Darris, Jr., XXX-XX-XXXX.
Basta, James Michael, XXX-XX-XXXX.
Biggs, Willie Maurice, Jr., XXX-XX-XXXX.
Blair, Melvin Russell, XXX-XX-XXXX.
Bruning, Theodore Lawrence, XXX-XX-XXXX.
Bubniak, Robert Paul, XXX-XX-XXXX.
Byers, Donald Muriel, XXX-XX-XXXX.
Camarinos, William John, XXX-XX-XXXX.
Carr, Wesley Daniel, XXX-XX...
Carrier, William Stephen, L., XXX-XX-XXXX.
Contos, Charalampos, XXX-XX-XXXX.
Daniel, James Lonnie, XXX-XX-XXXX.
Dawson, Richard Alden, Jr. XXX-XX-XXXX.
Dean, Luther Bruce, XXX-XX-XXXX.
Delimitros, James Herman, XXX-XX-XXXX.
Essex, George Huey, Jr., XXX-XX-XXXX.
Fowler, Melvin, XXX-XX-XXXX.
Grimm, James Joseph, XXX-XX-XXXX.
Hamilton, Edward Patrick, XXX-XX-XXXX.
Harris, Jimmie Neal, XXX-XX-XXXX.
Hatfield, Gary Loren, XXX-XX-XXXX.
Hays, Melvin Monroe, XXX-XX-XXXX.
Holton, William Edward, XXX-XX-XXXX.
Hoyle, Thomas Leonard, XXX-XX-XXXX.
Johnson, John Edward, XXX-XX-XXXX.
Lyles, Sammie Lee, XXX-XX-XXXX.
Martin, Thomas Sherwood, XXX-XX-XXXX.
Marx, Robert Donald, XXX-XX-XXXX.
Massey, Marvin Howard, XXX-XX-XXXX.
Meier, William Charles, XXX-XX-XXXX.
Moorehead, Robert Leslie, XXX-XX-XXXX.
Moseman, James Forman, Jr., XXX-XX-XXXX.
Motz, Wayne Lewis, XXX-XX-XXXX.
Mueller, Edmund Louis, III, XXX-XX-XXXX.
Ohlenburger, Clifford Char, XXX-XX-XXXX.
Osborne, Tommy Taylor, XXX-XX-XXXX.
Parker, Harold Phillip, XXX-XX-XXXX.
Paruti, Alexander, Jr., XXX-XX-XXXX.
Ply, Homer Cash, XXX-XX-XXXX.
Reublinger, Richard Lee, XXX-XX-XXXX.
Ryan, James Duncan, XXX-XX-XXXX.
Scharf, James David, XXX-XX-XXXX.
Seigman, James Edward, XXX-XX-XXXX.
Sexton, Charles David, XXX-XX-XXXX.
Sims, Thomas, Jr., XXX-XX-XXXX.
Sniadach, Louis Martin, XXX-XX-XXXX.
Steele, William Taylor, XXX-XX-XXXX.
Stein, Harry E., XXX-XX-XXXX.
Stinson, George Winford, XXX-XX-XXXX.
Thornton, Rufus, XXX-XX-XXXX.
Tigges, Kenneth Dale, XXX-XX-XXXX.
Turpin, Thomas Gordon, XXX-XX...
Upton, Kevin Michael, XXX-XX-XXXX.
Wahlberg, Arlen Burt, XXX-XX...
Wheelock, Eddie Dean, XXX-XX-XXXX.
Williams, Charles Henry, Jr. XXX-XX-XXXX.
Wilpuetz, Robert Edward, XXX-XX-XXXX.

Majors

Abercrombie, Charles Clint, XXX-XX-XXXX.
Ackerman, Michael Warren, XXX-XX-XXXX.
Adamson, Robert, XXX-XX-XXXX.
Akob, Guy Mot, XXX-XX-XXXX.
Aldous, Walter Daniel, XXX-...
Allen, Lawrence Hugh, XXX-XX-XXXX.
Allerding, Martin Ray, XXX-XX-X...
Allman, James William, Jr., XXX-XX-XXXX.
Bailey, William Roger, XXX-XX-XXXX.
Balogh, Zoltan, John, XXX-XX-XXXX.
Barr, George Hall, XXX-XX-XXXX.
Barron, Jesse Lewis, XXX-XX-XXXX.
Barth, Paul Alexander, XXX-XX-XXXX.
Beasey, James Lloyd, Jr., XXX-XX-XXXX.
Bell, Robert Edmund, Jr., XXX-XX-XXXX.
Betts, Ronnie Walton, XXX-XX-XXXX.
Blake, Charles Franklin, XXX-XX-XXXX.
Boutelle, Steven Wayne, XXX-XX-XXXX.
Bower, Harold Frederick, XXX-XX-XXXX.
Bowser, Victor Wayne, XXX-XX-XXXX.
Boykin, Ronald Russell, XXX-XX-XXXX.
Brooks, Maurice, XXX-XX-XXXX.
Bruse, Herbert Walter, XXX-XX...
Byant, Robert Howard, XXX-XX-XXXX.
Burbage, Leslie Earl, XXX-XX...
Burton, Emory Allen, XXX-XX-XXXX.
Busbee, James Larry, XXX-XX-XXXX.
Caley, David Bruce, XXX-XX-XXXX.
Carnahan, Timothy Lee, XXX-XX-XXXX.
Chamberlain, Jack Dorn, XXX-XX-XXXX.
Clapp, Kenneth Martin, XXX-XX-XXXX.
Cole, James Lee, XXX-XX...
Coleman, William Edward, Jr., XXX-XX-XXXX.
Conroy, William Clark, XXX-XX-XXXX.
Cooper, Charles Bradford, XXX-XX...
Copeland, Donald Patrick, XXX-XX-XXXX.
Corbett, Thomas Vernon, Jr., XXX-XX-XXXX.
Corduan, Erich, XXX-XX-XXXX.
Coxey, James Milton, XXX-XX-XXXX.
Craig, David James, XXX-XX-XXXX.
Crapse, Lester Eugene, Jr., XXX-XX-XX...
Crawford, James Lamar, XXX-XX-XXXX.
Cruz, Richard Thomas, XXX-XX-XXXX.
Curran, Wilburn, Allen, Jr., XXX-XX-XXXX.
Daniel, Michael Wayne, XXX-XX-XXXX.
Dauley, James Francis, XXX-XX-XXXX.
Davis, Daniel Carr, XXX-XX-XXXX.
Dooley, Francis Douglas, XXX-XX-XXXX.
Dooley, James Edgar, III, XXX-XX-XXXX.
Dotson, William Arvil, XXX-XX-XXXX.
Downs, Joseph Norbert, XXX-XX-XXXX.
Doyle, Nicholas Joseph, XXX-XX-XXXX.
Dugas, John Louis, XXX-XX-XXXX.
Dunn, Bobby Jean, XXX-XX-XXXX.
Durst, Reinhart Dawn, XXX-XX-XXXX.
Dworin, Elliott Matthew, XXX-XX-XXXX.
Edwards, Ronald Clair, XXX-XX-XXXX.
Elissagaray, Roger Dominiq, XXX-XX-XXXX.
Estes, Thomas Newton, XXX-XX-XXXX.
Ewing, Jochen Helmut, XXX-XX-XXXX.
Finch, Steven Dale, XXX-XX-XXXX.
Flannagan, Theodore Ray, XXX-XX-XXXX.
Follmer, Andrew Crawford, I, XXX-XX-XXXX.
Fowler, Shelby Atlee, Jr., XXX-XX-XXXX.
Fritz, Charles Raymond, XXX-XX-XXXX.
Gagliano, Douglas John, XXX-XX-XXXX.
Gaither, Larry Wayne, XXX-XX-XXXX.
Gallenbeck, Curtis Ellery, XXX-XX-XXXX.
Gamble, Keith Carter, XXX-XX-XXXX.
Garrett, Kenneth Obrian, XXX-XX-XXXX.
Gassan, Ned David, XXX-XX-XXXX.
Geiger, David James, XXX-XX-XXXX.
Gipson, Ronnie Bass, XXX-XX-XXXX.
Gonski, Anthony Francis, XXX-XX-XXXX.
Gordon, Thomas Daniel, XXX-XX...
Gorman, Andrew Aloysius, XXX-XX...
Grabher, Carl Raymond, XXX-XX-XXXX.
Gray, Phillip Norman, XXX-XX-XXXX.
Greca, Philip Erin, XXX-XX-XXXX.
Gruber, Ernest Irvin, XXX-XX-XXXX.
Guinn, Rector Lee, XXX-XX-XXXX.
Gundelfinger, Richard Albe, XXX-XX-XXXX.
Gwin, David Christopher, XXX-XX-XXXX.
Hall, Gregory Vaughan, XXX-XX-XXXX.
Halloway, Gary Allen, XXX-XX-XXXX.
Hamilton, Ralph, XXX-XX-XXXX.
Hancock, Don Nixon, XXX-XX-XXXX.
Handley, Hugh Warren, XXX-XX-XXXX.
Hardy, Joseph Nathaniel, Jr XXX-XX-XXXX.
Hartman, Joseph Barnett, XXX-XX-XXXX.
Haskell, Robert Lee, XXX-XX-XXXX.
Healy, Henry Gravelle, XXX-XX-XXXX.
Heaton, Robert George, XXX-XX-XXXX.
Hellstern, Bruce Karl, XXX-XX-XXXX.
Herron, Robert Brian, XXX-XX-XXXX.
Hill, Craig Knight, XXX-XX-XXXX.
Holland, Joseph Bernard, XXX-XX-XXXX.
Holzler, Charles Raymond, XXX-XX-XXXX.
Honey, Michael Gerald, XXX-XX-XXXX.
Horner, Thomas Micheal, XXX-XX-XXXX.
Hughes, Barry Tucker, XXX-XX-XXXX.

Hughes, Jackie Alexander, [redacted].
Hunt, Robert Earl, [redacted].
Huntington, James Robert, [redacted].
Ideue, Marvin, [redacted].
Ikner, Jerry Donald, [redacted].
Iskrzak, Andrew Joseph, [redacted].
Jackson, Thomas Kay, [redacted].
Jacobs, Marlin Lynwood, [redacted].
January, Michael D. C., [redacted].
Johnson, Jerry Lee, [redacted].
Jones, Charles Bernard, [redacted].
Jordan, James Franklin, Jr., [redacted].
Justice, Clyde Thomas, [redacted].
Kain, Edna Marie, [redacted].
Kasperbauer, Patrick Jerome, [redacted].
Katsos, James John, [redacted].
Kaufman, John Haywood, [redacted].
Klenke, Donald Vincent, [redacted].
Keesee, Dwight Dea, [redacted].
Kelley, James Wallace, Jr., [redacted].
Kertnar, August Ernest, Jr., [redacted].
Klar, James Cyril, [redacted].
Klenke, Donald Vincent, [redacted].
Kleven, Raymond Arnold, [redacted].
Klockow, Lee Richard, [redacted].
Kouchi, Roger, [redacted].
Kovach, Roger Stephan, [redacted].
Kreps, Larry Richard, [redacted].
Kubiak, Stephen, III, [redacted].
Lane, James Henry, [redacted].
Lang, Thomas Francis, Jr., [redacted].
Lanier, Lance Baxter, [redacted].
Lehman, Franklin Ralph, [redacted].
Levy, Alan Robert, [redacted].
Lewis, Donovan Joseph, [redacted].
Lewis, Labaron Lafayette, [redacted].
Lindhorst, Joseph Ray, [redacted].
Lising, Douglas Joseph, [redacted].
Lopez, Alfred Alvin, Jr., [redacted].
Love, Glenn Richard, [redacted].
MacPherson, Robert Wayne, [redacted].
Mandel, Michael Charles, [redacted].
Manning, Willie Lester, Jr., [redacted].
Marinaccio, Stephen Arthur, [redacted].
Martell, Thomas Wayne, [redacted].
Martin, Louis Scott, [redacted].
Martin, Todd Aaron, [redacted].
Maslowski, Walter, [redacted].
Matlock, Andrew, [redacted].
Mattox, Leonard Morris, [redacted].
McCarson, Michael Jack, [redacted].
McCaslin, Charles Adrien, [redacted].
McCrary, Dennis Ridgley, [redacted].
McCrory, James Cullen, Jr., [redacted].
McKan, James, [redacted].
McKinney, Eugene Ralph, [redacted].
McLain, James Edward, Jr., [redacted].
McNeal, Robert Lawrence Jr., [redacted].
Mellon, James Allen, [redacted].
Melvin, William Charles, [redacted].
Miller, Michael Edward, [redacted].
Mills, William Herbert, Jr., [redacted].
Montgomery, Alan Duncan, [redacted].
Murphy, Charles Nathan, [redacted].
Murphy, Robert Francis, Jr., [redacted].
Murphy, Terry Dennis, [redacted].
Myers, Joel Noland, [redacted].
Myers, Roger Allen, [redacted].
Nelson, Raymond, [redacted].
Nesnadny, Adrian Monroe, [redacted].
Netherland, William Harris, [redacted].
Newland, Michael Edward, [redacted].
Ogden, Frank William, Jr., [redacted].
O'Grady, Michael James, [redacted].
Olsen, Loren Michael, [redacted].
Olson, Philip Andrew, Jr., [redacted].
O'Malley, Edward Patrick, Jr., [redacted].
Osborne, Robert Gatewood, [redacted].
Pape, Nicholas Francis, Jr., [redacted].
Parr, Sanford Elliott, [redacted].
Patterson, Robert Walker P., [redacted].
Peterson, Ronald John, [redacted].
Pickette, Charles Bruce, [redacted].
Pittman, William Robert, II, [redacted].
Pla, John Angel, [redacted].
Poynter, Douglas Harley, [redacted].
Pruett, Hobert Lee, Jr., [redacted].
Quinn, John Byrd, [redacted].
Reale, James, [redacted].
Reed, Thomas Herman, [redacted].
Reeves, John Byron, [redacted].
Riegle, Thomas, [redacted].
Rockwell, David William, [redacted].
Rodriguez, Robert, [redacted].
Rogers, Edward Hardin, Jr., [redacted].
Romanus, Charles F., [redacted].
Rupp, William Nathaniel, [redacted].
Russell, Kendall Alger, [redacted].
Ryan, Richard Robert, [redacted].
Salter, James Carl, [redacted].
Sanders, Hugh Pinckney, [redacted].
Sandrock, Donald Lee, [redacted].
Schell, Carl Edwin, [redacted].
Schmidt, Ronald Edward, [redacted].
Schroeter, Merle Gene, [redacted].
Seegar, Ronald Benjamin, [redacted].
Semanek, James Curtis, [redacted].
Sewell, Bert Ward, [redacted].
Shaffer, James Ray, [redacted].
Shepard, Charles Odis, [redacted].
Sherman, Winfield Gerald, [redacted].
Simms, John Herbert, [redacted].
Sittler, Wayne Lloyd, [redacted].
Smith, John Roden, [redacted].
Smith, Theodore Augustus J., [redacted].
Smith, William Edward, [redacted].
Sommers, Arthur Alvin, [redacted].
Springfield, James Herman, [redacted].
Stanley, Stanley Fagan, [redacted].
Stevens, Howard Paul, [redacted].
Stromquist, Lenard Pete, [redacted].
Strutzel, Timothy Daniel, [redacted].
Sumi, Eugene Sho, [redacted].
Sutherland, Gary Wayne, [redacted].
Swint, Jerry Albert, [redacted].
Tarker, Alexander David, [redacted].
Tarleton, James Waterman, I, [redacted].
Tavares, Phi'ip Terence, [redacted].
Thompson, James Lamont, [redacted].
Thompson, Richard Steven, [redacted].
Thompson, Walter Howarth J., [redacted].
Thompson, William Garfield, [redacted].
Timmons, Wesley Farrell, [redacted].
Tingle, Earl Lester, Jr., [redacted].
Tomko, James Thomas, [redacted].
Tomlin, James Christopher, [redacted].
Townsley, Harry Miller, [redacted].
Turner, William Martin, Jr., [redacted].
Underwood, Ernest Wayne, [redacted].
Vandeberg, Lynn Calvin, [redacted].
Veltum, Lee Donald, [redacted].
Vestal, Daniel Ray, [redacted].
Villasenor, Peter Victor, [redacted].
Volk, Arthur James, [redacted].
Walker, Gary Clyde, [redacted].
Walker, Joseph, Jr., [redacted].
Walsh, Gregory Leo, [redacted].
Ward, Frank England, Jr., [redacted].
Warren, David Lee, [redacted].
Warsaw, Frederick Douglas, [redacted].
Watts, Walter, [redacted].
Weaver, William Francis, [redacted].
Weber, Charles Rudolph, [redacted].
Wetzel, Robert Edward, Jr., [redacted].
Whisman, Richard Dale, [redacted].
Wildman, Lowell Dewayne, [redacted].
Williams, Dennis Vance, [redacted].
Williams, James Lawrence, [redacted].
Wilson, Dean E., [redacted].
Wilson, Harold Andrew, [redacted].
Wise, David Roddy, Sr., [redacted].
Yancey, Robert Vanstone, [redacted].
Yensan, David Arthur, [redacted].
York, Roy Lee, [redacted].
Young, Sammie G., [redacted].
Young, Stanley Ross, Jr., [redacted].
Youngblood, Jesse Clifton, [redacted].
Zoelle, David Lawrence, [redacted].

Captains

Brecher, Harold Jerome, [redacted].
Cavanaugh, John Patrick, [redacted].
Daugherty, Stephen, [redacted].
Ellis, Van Shaver, [redacted].
Faver, Patrick Leightner, [redacted].
Goone, Richard Lawrence, [redacted].
Hayes, Arthur John, [redacted].
Hughes, Donald William, [redacted].
Josue, Allan Bernard, [redacted].
Lemons, Michael Wayne, [redacted].
Linn, William Jeffrey, [redacted].
Manning, Wayne Eugene, [redacted].
Patzer, James Ralph, [redacted].
Perry, Chatry Dixon, [redacted].
Prickett, John Frederick, [redacted].
Reichler, Thomas Harold, [redacted].
Raymond, Dannis Kenneth, [redacted].
Richardson, Larry Lynn, [redacted].
Rutherford, Gary Lee, [redacted].
Salatti, Nicholas Alden, [redacted].
Smith, Jack Edward, Jr., [redacted].

ADJUTANT GENERAL'S CORPS

Lieutenant colonels

Asiello, John Francis, Jr., [redacted].
Barry, Robert Joseph, [redacted].
Bauer, Daniel Eugene, [redacted].
Carpenter, Eugene Howard, [redacted].
Chappell, Isaac Hardeman, [redacted].
Clark, William Edward, [redacted].
Collins, Clifton Edward, [redacted].
Curau, Joseph Patrick, [redacted].
Devarona, Jose Raul, Sr., [redacted].
Donovan, George Gerald, [redacted].
Dundee, Richard Dean, [redacted].
Evans, Harold David, [redacted].
Fleming, Andrew Peter, [redacted].
Hagaman, David Charles, [redacted].
Hendricks, Blaine Ronald, [redacted].
Hill, Michael Augustus, [redacted].
Huber, John Henry, [redacted].
Irving, John, [redacted].
Long, Regina Maria, [redacted].
McCown, Ronald Owen, [redacted].
McGrath, Eugene M., [redacted].
McKenzie, Melvin Reade, Jr., [redacted].
Pitts, John Henry, [redacted].
Rethlake, Ralph John, [redacted].
Richmond, Laura Jane, [redacted].
Schneider, Walter Martin, [redacted].
Sizemore, Michael Everett, [redacted].
Smith, Stephen Bollinger, [redacted].
Toth, Joseph Andrew, [redacted].
Tutor, Chester D., [redacted].
Tyson, Demarious Frederick, [redacted].
Williams, Nancy, [redacted].
Winkler, David Michael, [redacted].
Yoder, Roberta Anne Britte, [redacted].

Majors

Addonizio, Anthony, [redacted].
Alford, Luther Vernon, Jr., [redacted].
Allston, Douglas Kay, [redacted].
Archer, Robert Gould, [redacted].
Ashley, Robert Michael, [redacted].
Bailey, Claud, Jr., [redacted].
Barnett, Johnny Mack, [redacted].
Barrier, William Richard, [redacted].
Becka, Mary Alice, [redacted].
Beiriger, Richard Allen, [redacted].
Bennett, Bernard Timothy, [redacted].
Berry, Kenneth Scott, [redacted].
Biggers, David P., [redacted].
Blacker, Calton Roger, [redacted].
Boehm, William Walter, [redacted].
Boekhout, Jolderik Carel, [redacted].
Booker, Marshall Lee, [redacted].
Booth, Gordon Howard, [redacted].
Bower, David William, [redacted].
Bowers, Kriss Edward, [redacted].
Bristol, Philip Warren, [redacted].
Brown, Ronald Olan, [redacted].
Brumback, Larry Ross, [redacted].
Burke, Joseph Michael, [redacted].
Burpo, Frank Warren, Jr., [redacted].
Bushely, Howard Wallace, Jr., [redacted].
Cannell, Gordon Harry, [redacted].
Carrell, Dennis Dee, [redacted].
Carson, Karl Frank, [redacted].
Carter, Jerry Catavia, [redacted].
Chitty, Daniel Richard, [redacted].
Cline, David Dee, [redacted].
Cole, James Garland, [redacted].
Conway, John Louis, [redacted].
Copley, Patrick Neville, [redacted].
Corcoran, Timothy Michael, [redacted].
Courtney, Ronald Raymond, [redacted].
Crane, Robert Curtis, [redacted].
Creger, Richard Allen, [redacted].
Crocetti, Ferruccio Mario, [redacted].
Cuneo, Kenneth Edward, [redacted].
Cushing, Frank Noland, [redacted].
Cutting, John Douglas, [redacted].
Davis, Ronald, [redacted].

Doucette, Vincent Patrick, XXX-XX-XXXX.
Dragoo, Lynn Francis, XXX-XX-XXXX.
Dueltgen, Gloria America V., XXX-XX-XXXX.
Duncan, Silas Edwin, III, XXX-XX-XXXX.
Dundas, John Wayne, XXX-XX-XXXX.
Dupay, Arthur Pierre, XXX-XX-XXXX.
Elliott, Robert James, Jr., XXX-XX-XXXX.
Espinoza, Charles Roldan, XXX-XX-XXXX.
Fehrs, William Leslie, XXX-XX-XXXX.
Fitzgerald, Cecilia Ann, XXX-XX-XXXX.
Fitzgerald, Wayne Robert J., XXX-XX-XXXX.
Flanz, Joseph Nathan, XXX-XX-XXXX.
Forsyth, Michael Jonathan, XXX-XX-XXXX.
Fortis, Thomas, XXX-XX-XXXX.
Freund, John Walter, XXX-XX-XXXX.
Frome, Victor Joseph, Jr., XXX-XX-XXXX.
Garrett, Lawrence Daniel, XXX-XX-XXXX.
Godfrey, Linda Kay Cooper, XXX-XX-XXXX.
Gossard, Marion James, XXX-XX-XXXX.
Goswick, Joseph Willard, XXX-XX-XXXX.
Grace, Artha Lee, XXX-XX-XXXX.
Green, Cecil Alfred, XXX-XX-XXXX.
Greene, Charles Edward, XXX-XX-XXXX.
Griffin, James Evans, XXX-XX-XXXX.
Hagan, Larry Kenneth, XXX-XX-XXXX.
Hall, Charles Michael, XXX-XX-XXXX.
Hall, Donald Earl, XXX-XX-XXXX.
Hamilton, Larry Dale, XXX-XX-XXXX.
Hardy, Joseph Carl, XXX-XX-XXXX.
Hartjen, Gail Marie, XXX-XX-XXXX.
Hatch, Charles Thompson, XXX-XX-XXXX.
Henning, Stanley Eugene, XXX-XX-XXXX.
Hess, Hubert Barnes, XXX-XX-XXXX.
Hinson, Ben Adams, II, XXX-XX-XXXX.
Hodge, Glenn Allen, XXX-XX-XXXX.
Hofmann, Patricia June Har, XXX-XX-XXXX.
Hornor, Mary Kay, XXX-XX-XXXX.
Hosemann, David Daniel, XXX-XX-XXXX.
Jackson, Charles Andrew, XXX-XX-XXXX.
Jackson, Mary Elizabeth, XXX-XX-XXXX.
Jacobs, Jimmy Oneal, XXX-XX-XXXX.
Jewell, Elwood Lester, XXX-XX-XXXX.
Jimenez, Michael Joseph, XXX-XX-XXXX.
Johnson, Bobby Ray, XXX-XX-XXXX.
Johnson, Jay Arnold, XXX-XX-XXXX.
Joseph, Donald Gregory, XXX-XX-XXXX.
Kazor, Walter Leo, XXX-XX-XXXX.
Kerestes, Harold Hamilton, XXX-XX-XXXX.
Kessler, Doris Henrietta, XXX-XX-XXXX.
Lacquement, Dennis Fay, XXX-XX-XXXX.
Lanouette, William Robert, XXX-XX-XXXX.
MacIntosh, Donald Kenneth, XXX-XX-XXXX.
Mahan, John Thomas, XXX-XX-XXXX.
Maichel, Farrell Deane, XXX-XX-XXXX.
Manning, Laurel Roberts, XXX-XX-XXXX.
Marino, Charley, Jr., XXX-XX-XXXX.
Marsano, Jesse James Alexa, XXX-XX-XXXX.
Marshall, Michael William, XXX-XX-XXXX.
Martindale, Robert Andrew, XXX-XX-XXXX.
Mazzetti, Roderick Stewart, XXX-XX-XXXX.
McClellan, Worley Wayne, XXX-XX-XXXX.
McGrath, Eugene, Michael, XXX-XX-XXXX.
McKenty, Samuel Charles, XXX-XX-XXXX.
McNeece, Michael Allen, XXX-XX-XXXX.
Miller, Curtis Parker, XXX-XX-XXXX.
Mitchell, Caryl Arden, XXX-XX-XXXX.
Morton, Samuel Chandler, XXX-XX-XXXX.
Moss, David Frederick, XXX-XX-XXXX.
Mower, David Robert, XXX-XX-XXXX.
Mudd, Mary Marguerite, XXX-XX-XXXX.
Mulligan, Arthur G., XXX-XX-XXXX.
Mullis, Anne Buehler, XXX-XX-XXXX.
Mylett, Clifford D., XXX-XX-XXXX.
Nance, William Byrd, XXX-XX-XXXX.
Newton, James Robert, XXX-XX-XXXX.
Nuckols, Birdie Jean, XXX-XX-XXXX.
Olson, Gary Allen, XXX-XX-XXXX.
Ortiz, Rafael Cristobal, XXX-XX-XXXX.
O'Sullivan, Daniel Frederic, XXX-XX-XXXX.
Owens, Ben, Jr., XXX-XX-XXXX.
Ownbey, Kenney William, XXX-XX-XXXX.
Paasch, Kathleen Ella, XXX-XX-XXXX.
Pancake, James Timothy, XXX-XX-XXXX.
Paske, Charles Herbert, III, XXX-XX-XXXX.
Phillips, David Allen, XXX-XX-XXXX.
Pierce, Kenneth Irving, XXX-XX-XXXX.
Pillsbury, Nora Elizabeth, XXX-XX-XXXX.
Poertner, George Ronald, XXX-XX-XXXX.
Porter, Matilde Matta, Negr, XXX-XX-XXXX.
Priore, John Anthony, XXX-XX-XXXX.
Pueppka, Dennis Arnold, XXX-XX-XXXX.
Radoll, John Vincent, XXX-XX-XXXX.
Rawalt, Michael Alan, XXX-XX-XXXX.
Redding, G. A., XXX-XX-XXXX.
Rhodes, Donald Gaylord, XXX-XX-XXXX.
Rice, Randolph Vincent, XXX-XX-XXXX.
Roberts, Delvis Burton, Jr., XXX-XX-XXXX.
Roberts, William Thomas, XXX-XX-XXXX.
Rohloff, Charles William, XXX-XX-XXXX.
Ruiz, Napoleon Nicholas, Jr., XXX-XX-XXXX.
Sammet, John King, XXX-XX-XXXX.
Sawyer, John Stephen, XXX-XX-XXXX.
Schneider, Keith Paul, XXX-XX-XXXX.
Schneider, Phillip Karl, XXX-XX-XXXX.
Schultz, Fayrene Johnson, XXX-XX-XXXX.
Schumacher, Daniel Laurenc, XXX-XX-XXXX.
Scudder, Christopher Eric, XXX-XX-XXXX.
Serafini, Stephen Douglas, XXX-XX-XXXX.
Shelburne, Lesley Bryan, Jr., XXX-XX-XXXX.
Shields, Joel Gene, XXX-XX-XXXX.
Shipe, Wayne M., Jr., XXX-XX-XXXX.
Shoesmith, James, Jr., XXX-XX-XXXX.
Shoups, Thomas A., XXX-XX-XXXX.
Skelly, Carol Marguerite, XXX-XX-XXXX.
Skinner, James Franklin, XXX-XX-XXXX.
Slinkard, Richard L., XXX-XX-XXXX.
Smith, Daniel P., XXX-XX-XXXX.
Smith, Richard H., XXX-XX-XXXX.
Snead, Ronald B., XXX-XX-XXXX.
Spears, Albert Richard, XXX-XX-XXXX.
Spriggs, Purnell John, XXX-XX-XXXX.
Stemmons, George Edward, XXX-XX-XXXX.
Stevenson, James Edward, Jr., XXX-XX-XXXX.
Sumrall, George Leonard, Jr., XXX-XX-XXXX.
Tabata, David Senji, XXX-XX-XXXX.
Tate, James Ellis, Jr., XXX-XX-XXXX.
Thomas, Harry Michael, XXX-XX-XXXX.
Thompson, Bobby Gene, XXX-XX-XXXX.
Thore, Michael Norman, XXX-XX-XXXX.
Tlanda, Theodore Joseph, XXX-XX-XXXX.
Tobias, Terrance Lee, XXX-XX-XXXX.
Traub, Donald Russell, XXX-XX-XXXX.
Trotter, Robert Frank, XXX-XX-XXXX.
Troxell, Joseph K., XXX-XX-XXXX.
Vanhoesen, William D., XXX-XX-XXXX.
Venable, Tileston K., XXX-XX-XXXX.
Watts, William N., XXX-XX-XXXX.
Weaver, Edward F., XXX-XX-XXXX.
West, Donald E., XXX-XX-XXXX.
Whitefield, James C., XXX-XX-XXXX.
Wilcox, Howard E., Jr., XXX-XX-XXXX.
Wilkes, Joseph F., XXX-XX-XXXX.
Woodworth, Robert A., XXX-XX-XXXX.
Wray, Charles D., XXX-XX-XXXX.
Younger, Robert J., XXX-XX-XXXX.

Captains

Brittain, Philip Daniel, XXX-XX-XXXX.
Coleman, William David, Jr., XXX-XX-XXXX.
Devoti, David Frank, XXX-XX-XXXX.
Fleury, Lyyne Marie, XXX-XX-XXXX.
Floyd, Arthur Louis, XXX-XX-XXXX.
Friedrich, Andreas Imre, XXX-XX-XXXX.
Gentry, Wilbert Louis, XXX-XX-XXXX.
Hill, Terry Clayton, XXX-XX-XXXX.
Katayama, Wayne Yukio, XXX-XX-XXXX.
Kidd, Judith Annette, XXX-XX-XXXX.
Kinnamon, Wayne Leon, XXX-XX-XXXX.
McCormick, Thomas Ward, XXX-XX-XXXX.
Noegel, Marvin Edward, Jr., XXX-XX-XXXX.
Paradise, Kenneth Ronald, XXX-XX-XXXX.
Poggemeyer, Ronald Mell, XXX-XX-XXXX.
Ross, Leanita, XXX-XX-XXXX.
Scarborough, James Wesley, XXX-XX-XXXX.
Selves, Michael Lee, XXX-XX-XXXX.
Szabo, Michael, XXX-XX-XXXX.
Tufts, Thomas Edward, XXX-XX-XXXX.
Urben, Edward A., XXX-XX-XXXX.
York, Arthur L., XXX-XX-XXXX.

FINANCE CORPS

Lieutenant Colonels

Beyer, David J., XXX-XX-XXXX.
Buster, Robert Williard, Jr., XXX-XX-XXXX.
Entrekin, James H., XXX-XX-XXXX.
Ferguson, Arthur D., XXX-XX-XXXX.
Gonzalez, Rodriguez Francis, XXX-XX-XXXX.
Granger, Richard B., XXX-XX-XXXX.
Laborenz, Astrid B., XXX-XX-XXXX.
McNeill, Elaine, XXX-XX-XXXX.
Moody, Stanley Ray, XXX-XX-XXXX.
Morris, John Alan, XXX-XX-XXXX.
Pfannmuller, Walter H., XXX-XX-XXXX.
Smith, James K., XXX-XX-XXXX.
Stenzel, George Oswald, Jr., XXX-XX-XXXX.

Majors

Adams, John E., Jr., XXX-XX-XXXX.
Baldassari, Louis, XXX-XX-XXXX.
Barnes, Dave E., XXX-XX-XXXX.
Beck, Lois M., XXX-XX-XXXX.
Bowden, David Douglas, XXX-XX-XXXX.
Braswell, Billie Edmund, XXX-XX-XXXX.
Candioglos, John Anthony, XXX-XX-XXXX.
Cates, J. Mac, XXX-XX-XXXX.
Collins, Robert Lynn, XXX-XX-XXXX.
Connolly, William Francis, XXX-XX-XXXX.
Crouch, Ronald Arferd, XXX-XX-XXXX.
Ellerman, Margaret Louise, XXX-XX-XXXX.
Frascatore, James Lawrence, XXX-XX-XXXX.
Fudold, John Harlan, Jr., XXX-XX-XXXX.
Granville, William Walsh, XXX-XX-XXXX.
Griffin, Richard Leroy, III, XXX-XX-XXXX.
Hansen, Eugene Theodore, Jr., XXX-XX-XXXX.
Hanson, Verne Burdette, XXX-XX-XXXX.
Harrison, Ralph Lee, XXX-XX-XXXX.
Harwood, John Davis, XXX-XX-XXXX.
Hausler, Billy Wayne, XXX-XX-XXXX.
Hyek, Irene Anne, XXX-XX-XXXX.
Indellicate, John Albert, XXX-XX-XXXX.
Jackson, John Phillip, XXX-XX-XXXX.
Janiga, Degnan, Thomas, XXX-XX-XXXX.
Johanson, John Nils, Jr., XXX-XX-XXXX.
Lebeda, Gregory Dirk, XXX-XX-XXXX.
Lock, James Leonard, Jr., XXX-XX-XXXX.
MacLean, Edward William, XXX-XX-XXXX.
Mark, Robert James, XXX-XX-XXXX.
Massman, Lawrence John, XXX-XX-XXXX.
Mathews, Charles Thomas, XXX-XX-XXXX.
Matich, Nenad, XXX-XX-XXXX.
McCormick, Frank Edward, XXX-XX-XXXX.
Miller, Richard Joseph, XXX-XX-XXXX.
Moran, John Leroy, XXX-XX-XXXX.
Morton, George Bowlin, Jr., XXX-XX-XXXX.
Murrah, Edmund Jerome, XXX-XX-XXXX.
Newman, Dan McDowell, XXX-XX-XXXX.
Nordaune, Kenneth Sherman, XXX-XX-XXXX.
Palmer, Daniel Warren, XXX-XX-XXXX.
Payette, Paul Foster, XXX-XX-XXXX.
Poche, Charles David, XXX-XX-XXXX.
Prosser, Gerald Thomas, XXX-XX-XXXX.
Rehorst, Thomas Lee, XXX-XX-XXXX.
Richards, Willard O'Brien, XXX-XX-XXXX.
Rivard, Victor Don, XXX-XX-XXXX.
Rowe, Clarence Eugene, Jr., XXX-XX-XXXX.
Rudd, John Herman, XXX-XX-XXXX.
Sandt, David George, XXX-XX-XXXX.
Schultz, Robert Urena, Jr., XXX-XX-XXXX.
Shera, James Michael, XXX-XX-XXXX.
Sherwood, Robert Emerson, XXX-XX-XXXX.
Smith, Ronald Carl, XXX-XX-XXXX.
Stephens, James Douglas, XXX-XX-XXXX.
Taylor, Anthony Ray, XXX-XX-XXXX.
Trudell, Richard Michael, XXX-XX-XXXX.
Vaughn, James M., XXX-XX-XXXX.
Vinson, George Eldon, Jr., XXX-XX-XXXX.

Captains

Capestany, Pedro Luis, XXX-XX-XXXX.
Cowardin, Clinton Lewis, XXX-XX-XXXX.
Jones, Anne Marie, XXX-XX-XXXX.
Jones, John Paul, XXX-XX-XXXX.
Morton, Craig Wayne, XXX-XX-XXXX.
Quinn, Thomas E., XXX-XX-XXXX.
Schumann, Edward Daniel, XXX-XX-XXXX.
Wright, James Edward, XXX-XX-XXXX.

ORDNANCE CORPS

Lieutenant colonels

Bowers, Paul Grady, XXX-XX-XXXX.
Cain, Mack Hayward, XXX-XX-XXXX.
Ciraulo, Robert Leon, XXX-XX-XXXX.
Davis, Dale Arlen, XXX-XX-XXXX.
Green, James Edward, Jr., XXX-XX-XXXX.
Gretka, John Francis, XXX-XX-XXXX.
Hair, Dwight Eugene, XXX-XX-XXXX.
Hatcher, Clarence L., XXX-XX-XXXX.
Horner, Gordon Dale, XXX-XX-XXXX.
Hueffed, Robert Judson, XXX-XX-XXXX.
Keyes, Alfred Lee, XXX-XX-XXXX.
Leisen, Jacob William, XXX-XX-XXXX.
Mabry, Richard Mauldin, XXX-XX-XXXX.
Martin, Paul, XXX-XX-XXXX.
Maxwell, Norman Voyne, XXX-XX-XXXX.

Morris, James Leslie, [redacted].
Nikazy, Eddie Max, [redacted].
Palaschak, Richard George, [redacted].
Passarelli, John, Jr., [redacted].
Patterson, Doyling Gene, [redacted].
Santos, Agapito, [redacted].
Smith, Dale D., [redacted].
Southern, Kenneth Richard, [redacted].
Titus, David Ralph, [redacted].
Wellen, Donald L., [redacted].
Williams, Buford Max, [redacted].
Woodson, Robert Llewellyn, [redacted].

Majors

Adams, Christopher Robert, [redacted].
Anazagasty, Ralph Angel, [redacted].
Anderson, Bruce Barton, [redacted].
Anderson, Terry Robert, [redacted].
Andrew, Gary Franklin, [redacted].
Andrews, Norman John, [redacted].
Armbright, Larry Warren, [redacted].
Arnold, Robert Rae, [redacted].
Baker, Douglas Ray, [redacted].
Baker, Leonard Mark, [redacted].
Baker, Robert William, [redacted].
Bartosh, Larry James, [redacted].
Beam, Kenneth Madison, [redacted].
Benick, Ronald Joseph, [redacted].
Best, Jay Phillip, III, [redacted].
Bird, John Stanley, Jr., [redacted].
Block, Peter Spencer, [redacted].
Boozer, James Daniel, [redacted].
Boyd, James Thomas, Jr., [redacted].
Bramblett, John Russell, Jr., [redacted].
Bright, George Elmer, [redacted].
Briseno, Raul, [redacted].
Bryant, Mark Allan, [redacted].
Bullock, David Thomas, Jr., [redacted].
Bynum, Cleophus Early, Jr., [redacted].
Casias, Richard Andrew, [redacted].
Cheatham, Ronald Carvill, [redacted].
Chism, Benny Michael, [redacted].
Chobrda, Martin Paul, [redacted].
Cloud, Marcus Lee, [redacted].
Cox, Larry Van, [redacted].
Crites, Jerry Lee, [redacted].
Crocker, Gerald Edwin, [redacted].
Crow, James Lynn, [redacted].
Dalbom, John Dale, [redacted].
Daly, Michael William, [redacted].
Davies, Michael Charles, [redacted].
Davis, Felton Leon, [redacted].
Denney, Joel Carter, [redacted].
Dixon, Robert Walter Junio, [redacted].
Donahue, Joseph John, Jr., [redacted].
Downey, John Martin, [redacted].
Drugley, Gary L., [redacted].
Dull, David Allen, [redacted].
Dutton, Richard Samual, [redacted].
Dziedzic, Gene, Jr., [redacted].
Emling, David Michael, [redacted].
Ervin, William Jackson, III, [redacted].
Evans, Christopher Lloyd, [redacted].
Fletcher, Michol Roy, [redacted].
Fleury, James Joseph, [redacted].
Flickinger, Lowell Kennedy, [redacted].
Frye, James Lee, [redacted].
Fulton, William Henry, Jr., [redacted].
Funk, Thomas Gregory, [redacted].
Gailey, Charles Kenon, III, [redacted].
Galysh, Roman Lubomyr, [redacted].
Garcia, Elias Felipe, Jr., [redacted].
Gauger, Raymond Arthur, [redacted].
Gluth, David Otto, [redacted].
Goodbody, Emmet Joseph, [redacted].
Griffard, Mark Edward, [redacted].
Guenther, Wayne Wilburn, [redacted].
Hallstrom, Gregory Alan, [redacted].
Hatcher, Clarence Leon, [redacted].
Helton, Eddie Douglas, [redacted].
Henderson, George Francis, [redacted].
Hindman, Franklin Frederic, [redacted].
Hinebaugh, James, [redacted].
Hiroto, Christopher Toshio, [redacted].
Hirt, Paul Joseph, Jr., [redacted].
Hogan, John Edward, [redacted].
Howard, Michael Paul, [redacted].
Hughes, James Allen, [redacted].
Hune, Baugh James C., [redacted].
Hunsucker, James Randolph, [redacted].
Huval, Danny James, [redacted].
Jordan, Norris Steven, [redacted].
Jurca, Michael Anthony, Jr., [redacted].
Kawakami, Charles Edwin T., [redacted].
Kiebler, Robert Edward, [redacted].
King, Lawrence Michael, [redacted].
Kirby, Patrick, [redacted].
Kirby, William Meredith, [redacted].
Kirsch, Norman George, [redacted].
Kleager, Jerald Eugene, [redacted].
Kociuk, Max, [redacted].
Laiacona, Nicholas Michael, [redacted].
Maass, Brian Scott, [redacted].
Madigan, Larry Allan, [redacted].
Maki, James Richard, [redacted].
Manula, Thomas Dale, [redacted].
Marlow, Larry Griffin, [redacted].
Martin, Roger Lynn, [redacted].
Masters, Roy Wayne, [redacted].
McCane, O. B., Jr., [redacted].
McCray, John Edward, [redacted].
McGlynn, Franklin Joseph J., [redacted].
McHenry, Robert Harold, Jr., [redacted].
McLeod, Hugh Scobie, III, [redacted].
McMahan, Daniel Luther, [redacted].
Megahan, David Arthur, [redacted].
Miller, Brent Robinson, [redacted].
Miller, Michael Edward, [redacted].
Miller, Nelson Alvin, Jr., [redacted].
Minno, Jeffrey Allen, [redacted].
Murphy, Michael Jude, [redacted].
Myers, Robert John, [redacted].
Newman, Brian David, [redacted].
Nielsen, Peter Lawrence, [redacted].
Nowicki, Michael Louis, [redacted].
Owen, Morey, [redacted].
Padialmercado, Ivan Luis, [redacted].
Parr, Francis Xavier, [redacted].
Pazak, Michael George, [redacted].
Pendergast, Michael Richar, [redacted].
Pepin, Armand Omer, Jr., [redacted].
Peterson, Alvin Theodore, [redacted].
Pettibon, Thomas Woodrow, [redacted].
Phillis, John Kennedy, Jr., [redacted].
Polvino, Charles James, [redacted].
Powl, Thoedore Guthrie, [redacted].
Priddy, David Lee, [redacted].
Purcell, Gerald Louis, [redacted].
Renner, Steven Ernest, [redacted].
Rhylander, Kenneth Warren, [redacted].
Ritter, Willie Edward, [redacted].
Robinson, Julius C., [redacted].
Rodgers, Jerry Devon, [redacted].
Rogala, John Edward, [redacted].
Rogers, Ronald Radford, [redacted].
Sabin, Ashley Fishburne, [redacted].
Scarfo, John Baptist, Jr., [redacted].
Schatz, Walter, Jr., [redacted].
Setcavage, Paul Charles, [redacted].
Sherrill, Samuel Whitsitt, [redacted].
Sherwood, Richard Irvin, [redacted].
Shoemaker, Stephen Jay, [redacted].
Sims, David Lee, [redacted].
Sipes, John Charles, [redacted].
Skinner, Thomas Alan, [redacted].
Snow, Stephen John, [redacted].
Southworth, William Wayne, [redacted].
Sowell, Thomas Bruce, Jr., [redacted].
Springer, Thomas Frank, [redacted].
Sproul, Alexander Erskine, [redacted].
Stewart, Lawrence James, Jr., [redacted].
Stpierre, Robert Edward, [redacted].
Strickland, Edward Robert, [redacted].
Swindell, Jeneral Benjamin, [redacted].
Swofford, James Edwin, II, [redacted].
Szeliga, Edward Joseph, [redacted].
Templeton, Scott Herbert J., [redacted].
Thompson, David T., Sr., [redacted].
Tinsley, Wally Joe, [redacted].
Titunik, Steven Michael, [redacted].
Tolson, Jarvis Hartley, Jr., [redacted].
Tommervik, David Raymond, [redacted].
Tompkins, James Robert, [redacted].
Turner, Frank Nelson, [redacted].
Vernon, James Ellsworth, [redacted].
Waldron, Harry Lee, [redacted].
Walker, Robert James, [redacted].
Ware, James Harvey, Jr., [redacted].
Weekly, Terry Morris, [redacted].
Wilkins, Timothy Mark, [redacted].
Woodward, Robert Bruce, [redacted].
Workizer, Daniel Turner, Jr., [redacted].

Captains

Brueckman, James Arthur, [redacted].
Cachero, Francisco Sagun J., [redacted].
Cantey, Samuel Ervin, Jr., [redacted].
Chappell, Samuel Lawrence, [redacted].
Filbey, Robert Charles, [redacted].
Gibb, Harry Bernard, [redacted].
Hallock, Scott Alan, [redacted].
Kalb, Charles Francis, Jr., [redacted].
Lee, Brian Francis, [redacted].
Maurer, Michael Robert, [redacted].
Mercer, Bruce Allen, [redacted].
Moore, Harold Dean, [redacted].
Morgillo, Michael Luciano, [redacted].
Nolte, Marvin Craig, [redacted].
Prescott, Daniel Marshall, [redacted].
Rae, Jeffrey Michael, [redacted].
Runyan, John Michael, [redacted].
Smith, John Lee, [redacted].
Strobel, Dennis, Alan, [redacted].
Todd, David Butler, Jr., [redacted].
Twing, Charles Leroy, [redacted].
Wells, George William, [redacted].
Wood, Michael Browning, [redacted].
Wright, William Richard, [redacted].
Zachry, Guy Cecil, Jr., [redacted].

QUARTERMASTER CORPS

Lieutenant colonels

Askew, Lattice, Jr., [redacted].
Barnes, Russell, Milton, Jr., [redacted].
Bayer, James William, [redacted].
Blair, Arnold Gans, Jr., [redacted].
Carmichael, Gordon Rives, [redacted].
Cofield, James David Junio, [redacted].
Comfort, Harold James, [redacted].
Cramer, Ned Allen, [redacted].
Curran, Richard, [redacted].
Dahlke, Milton Melvin, [redacted].
Davis, Vernon Bethea, [redacted].
Dwyer, Peter, [redacted].
Elliott, Lynn Blaine, [redacted].
Estes, Glen Allen, [redacted].
Foreman, Theodore M., [redacted].
Frank, Norma Lee, [redacted].
Gallagher, William David, [redacted].
Gloskowski, Edward Peter, [redacted].
Gudmundson, Brent Martin, [redacted].
Hansen, Wilburn Pat, Jr., [redacted].
Harrington, Bobby Cole, [redacted].
Jackson, Judith Gail, [redacted].
Jenison, William Donald, [redacted].
Johnson, Lloyd Melvin, [redacted].
Katzenmeyer, Hardy Albert, [redacted].
MacKay, Frederick Joseph, [redacted].
Maimon, Joel Jacob, [redacted].
Major, Frank, [redacted].
McGrath, Catherine Ellen, [redacted].
Porter, Robert Owen, [redacted].
Rush, Gene Walter, [redacted].
Smiley, David Bruce, [redacted].
Starnes, Jerry Roger, [redacted].
Thomason, Glen R., [redacted].
Wartick, Dean Paul, [redacted].
Watson, James Everett, [redacted].
Wilson, Doane McKinstry, [redacted].
Wilson, Wilson Warren, [redacted].
Zamenick, Stephen J., [redacted].
Zeamer, Aaron Craig, [redacted].

Majors

Acosta, Gerardo, [redacted].
Allen, James Douglas, [redacted].
Amidei, Michael Joseph, [redacted].
Atkinson, Richard Jay, [redacted].
Blair, Joseph Andrew, [redacted].
Boozer, James D., [redacted].
Bowman, Leslie Wilson, Jr., [redacted].
Bugert, Judith Rita, [redacted].
Burkett, Frederick Jeffery, [redacted].
Buster, Wayne, [redacted].
Calame, Peter Louis, [redacted].
Calhoun, Norman S., [redacted].
Callahan, Joseph James, Jr., [redacted].
Camerano, Anthony Gerald J., [redacted].
Carnes, Ambrus Durward, [redacted].
Carr, Terry Ray, [redacted].
Caruthers, Robert Stanley, [redacted].

Castillo, Patricio Bernard, XXX-XX-XXXX.
Caviggia, John Dennis, XXX-XX-XXXX.
Celeste, Richard Charles, XXX-XX-XXXX.
Chancellor, Charles David, I, XXX-XX-XXXX.
Copeland, Wesley Berry, XXX-XX-XXXX.
Corder, Phillip Craig, XXX-XX-XXXX.
Crawford, Cheryl Anne, XXX-XX-XXXX.
Davis, Argus Daniel, Jr., XXX-XX-XXXX.
Dean, Donald Gary, XXX-XX-XXXX.
DeLuca, Joseph, XXX-XX-XXXX.
Domenico, Jay Anthony, XXX-XX-XXXX.
Doran, Thomas Edward, XXX-XX-XXXX.
Duenas, Anthony Joseph, XXX-XX-XXXX.
Dutt, David G., XXX-XX-XXXX.
Ellis, Richard Lee, XXX-XX-XXXX.
English, William Haney, XXX-XX-XXXX.
Fisher, Thomas Clayton, XXX-XX-XXXX.
Foreman, Richard Patrick, XXX-XX-XXXX.
Frazier, Richard Thomas, XXX-XX-XXXX.
Gallenbeck, Curtis E., XXX-XX-XXXX.
Gamble, Lee Clanon, XXX-XX-XXXX.
Gates, Richard William, Jr., XXX-XX-XXXX.
Gibbs, Harold Nixon, XXX-XX-XXXX.
Gomez, Lawrence John, XXX-XX-XXXX.
Gott, E. Lorraine, XXX-XX-XXXX.
Graupmann, Weldon T., XXX-XX-XXXX.
Greer, William Alton, XXX-XX-XXXX.
Grogan, James Robert, XXX-XX-XXXX.
Gund, Walter Donald, XXX-XX-XXXX.
Hamner, Ronald Park, XXX-XX-XXXX.
Harrington, Joann Marie, XXX-XX-XXXX.
Harris, Samuel Earl, XXX-XX-XXXX.
Hart, Jamie Douglas, XXX-XX-XXXX.
Hayes, Henry Joseph, XXX-XX-XXXX.
Haylett, Frank William, XXX-XX-XXXX.
Henderson, Kenneth Sherwin, XXX-XX-XXXX.
Henderson, William Ernest, XXX-XX-XXXX.
Hershey, William Edward, Jr., XXX-XX-XXXX.
Hibbs, Jack Allen, XXX-XX-XXXX.
Hine, Robert Earl, XXX-XX-XXXX.
Hogue, Stuart Lucien, XXX-XX-XXXX.
Holland, James Hallie, XXX-XX-XXXX.
Holley, Richard Patrick, XXX-XX-XXXX.
Hugins, Robert Lee, XXX-XX-XXXX.
Hughes, Charles Wilson, XXX-XX-XXXX.
Humphrey, Gilbert Gene, XXX-XX-XXXX.
Hunter, Devra Ann, XXX-XX-XXXX.
Isom, Frank, Jr., XXX-XX-XXXX.
Janssen, Arwin John, Jr., XXX-XX-XXXX.
Johnson, Harry Watkins, Jr., XXX-XX-XXXX.
Kelly, Cathy, XXX-XX-XXXX.
Kokolakis, James Harry, XXX-XX-XXXX.
Kunkle, Donald Wilson, XXX-XX-XXXX.
Lafratte, Dianna Marie, XXX-XX-XXXX.
Lane, William Terrence, XXX-XX-XXXX.
Lebarron, Russell Samuel, XXX-XX-XXXX.
Lightfoot, James Walter, XXX-XX-XXXX.
Lotero, Ronald Joseph, XXX-XX-XXXX.
Lovelace, David Eastman, XXX-XX-XXXX.
Lovelace, Robert Lloyd, Jr., XXX-XX-XXXX.
Malik, Robert Joseph, XXX-XX-XXXX.
March, Ronald Allen, XXX-XX-XXXX.
Marcone, Thomas Anthony, XXX-XX-XXXX.
Mason, Donald, Jr., XXX-XX-XXXX.
Mateer, Robert Francis, III, XXX-XX-XXXX.
Mathern, Joseph Gabriel, XXX-XX-XXXX.
Maurer, Klaus Juergen, X...
May, James Perry, Jr., XXX...
McAnally, Loren Vee, XX...
McDougal, Norma Lester, XXX-XX-XXXX.
McDougall, William James I., XXX-XX-XXXX.
McGee, Stephanie Ann Rast, XXX-XX-XXXX.
McGovern, Frank Patrick, XX...
McKnight, John Edward, XX...
McLean, William Stewart, XXX-XX-X...
Meredith, David Lee, XXX-XX-XXXX.
Messina, Louis, III, XXX-XX-XXXX.
Milan, Ben R., XXX-XX-XXXX.
Mills, Lane Edward, XXX-XX-XXXX.
Nedeca, David W., XXX-XX-XXXX.
Noll, Rudolph Asher, XXX-XX-XXXX.
Nunes, Margaret Yates, XXX-XX-XXXX.
Okabayashi, Rodney S., XXX-XX-XXXX.
Orlando, Anthony John, XX...
Outler, Henry Thomas, XXX-XX-XXXX.
Pace, Orville Clarence, Jr., XX...
Page, Stephen R., XXX-XX-XXXX.
Patterson, Don Michael, XX...
Peters, Stephen John, XXX-XX-XXXX.
Peterson, Charles Albert, XXX-XX-XXXX.
Pitaro, Francis Michael, XXX-XX-XXXX.
Plummer, Robert Charles, XXX-XX-XXXX.
Price, Terrance Eugene, XXX-XX-XXXX.
Prutzman, Albert Garfield, XXX-XX-XXXX.
Quinlan, Oneill Patrick, Jr., XXX-XX-XXXX.
Rexrode, Thomas Owen, XXX-XX-XXXX.
Riffee, John Joseph, XXX-XX-XXXX.
Robinson, John Richard, XXX-XX-XXXX.
Robinson, Turhan Edward, XXX-XX-XXXX.
Ross, Robert Moss, XXX-XX-XXXX.
Schilken, Charles Joseph, XXX-XX-XXXX.
Schumacher, David Wallace, XXX-XX-XXXX.
Scott, James Ernest, XXX-XX-XXXX.
Seaberg, David Richard, XXX-XX-XXXX.
Seffens, Stephen Kent, XXX-XX-XXXX.
Sension, Charles William, XXX-XX-XXXX.
Shaw, David William, XXX-XX-XXXX.
Singleton, Eddie Lee, XXX-XX-XXXX.
Smith, Wister Gerald, XXX-XX-XXXX.
Smyre, Lee Roy, XXX-XX-XXXX.
Stormer, Robert Leslie, XXX-XX-XXXX.
Sydnor, Otha Lewis, XXX-XX-XXXX.
Talley, James Ray, XXX-XX-XXXX.
Thompson, Oliver Leo, III, XXX-XX-XXXX.
Thompson, Thomas Edmund, Jr., XXX-X... XXX...
Truman, Harry S, XXX-XX-XXXX.
Vanbuskirk, Barry Lee, XXX-XX-XXXX.
Vazquez, John Henry, XXX-XX-XXXX.
Webb, Johnie Edward, Jr., XXX-XX-XXXX.
Wheeler, Donna Gale, XXX-XX-XXXX.
Wiggins Charlie, J., XXX-XX-XXXX.
Wilder, Edward Macario, XXX-XX-XXXX.
Williams, Felix Earl, XXX-XX-XXXX.
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Woodruff, David Eugene, XXX-XX-XXXX.
Yates, Gary Edward, XXX-XX-XXXX.
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Bell, Donald William, XXX-XX-XXXX.
Bennett, Clifford, XXX-XX-XXXX.
Branch, William Raymond, XXX-XX-XXXX.
Calamaio, Craig A., XXX-XX-XXXX.
Finnicum, William Robert, XXX-XX-XXXX.
Gund, Walter D., XXX-XX-XXXX.
Hunter, Stephanie Sue, XXX-...
Johnson, Carolyn Louise To, XXX-XX-XXXX.
Kreps, Ruth Ann, XXX-XX-XXXX.
Newton, Horace Lee, XXX-XX-...
Ogilvie, Raymond Wellesley, XXX-XX-...
Plummer, Robert C., XXX-XX-XXXX.
Read, Joyce Louise, XXX-XX-XXXX.
Singleton, Eddie L., XXX-XX-XXXX.
Stanek, Joseph Frank, Jr., XXX-XX-...
Taylor, Edward Lee, XXX-XX-XXXX.
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Bermingham, Dennis Michael, XXX-XX-XXXX.
Buford, Lauren Delos, XXX-XX-XXXX.
Clay, James Earl, XXX-XX-XXXX.
Dilg, James Walter, XXX-XX-...
Dutter, Wilbert Andrew, XXX-...
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Grist, Jesse Edward, XXX-XX-X...
Hall, Gary Richard, XXX-XX-...
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Koshinsky, John Foster, Jr., XXX-XX-XXXX.
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Lewis, Carlos Gerald, XXX-XX-XXXX.
McAdams, Louis Alonza, XXX-...
Poarch, Henry Harrison, Jr., XXX-XX-XXXX.
Royal, Luther, XXX-XX-XXXX.
Sanders, Purvis Lara, Jr., XXX-XX-XX...
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Scott, Roosevelt, Jr., XXX-XX-XXXX.
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Abbott, Danny Lee, XXX-XX-XXXX.
Adkins, Kennith Nix, XXX-XX-XXXX.
Agee, William Mastin, Jr., XXX-XX-XXXX.
Allen, Daniel Kenneth, XXX-XX-XXXX.
Anderson, Walter Stephen, XXX-XX-XXXX.
Atwood, Walter Woodrow, Jr., XXX-XX-XXXX.
Baggett, Joseph Walton, Jr., XXX-XX-XXXX.
Bailey, Wayne Thomas, XXX-XX-XXXX.
Baldwin, Jerald Wayne, XXX-XX-XXXX.
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Beebe, Richard Allen, XXX-XX-XXXX.
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Breckons, Walter Clyde, XXX-XX-XXXX.
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Calvert, Peter Dimock, XXX-XX-XXXX.
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Cary, Bruce Barbour, XXX-XX-XXXX.
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Combs, Robert Mack, XXX-XX-XXXX.
Consedine, Thomas Joseph, XXX-XX...
Cook, John Louis, XXX-XX-XXXX.
Cooper, Clayton Wilce, XXX-XX-XXXX.
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Crider, Thomas Kevil, XXX-XX-XXXX.
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Curtin, Stephen Joseph, XXX-XX-XXXX.
Cyr, Thomas Paul, XXX-XX-XXXX.
Dana, Thomas Newell, XXX-XX-XXXX.
Deay, William Russell, XXX-XX-XXXX.
Dempsey, Ross Miller, Jr., XXX-XX-...
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Desjardins, Paul Bernard, XXX-XX-XXXX.
Devito, Joseph Frank, Jr., XXX-XX-...
Dhuyvetter, Tony John, XXX-XX-XXXX.
Diaz, Franklin, XXX-XX-XXXX.
Dickerson, Herbert Lester, XXX-XX-XXXX.
Dubose, Samuel Alexander, XXX-XX-XXXX.
Dunn, Dennis Joe, XXX-XX-...
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Edwards, Richard Lee, XXX-XX-XXXX.
Egan, Donald Edward, XXX-XX-XXXX.
Ellis, Robert Earl, XXX-XX-XXXX.
Evarts, Robert Scott, XXX-XX-XXXX.
Fales, Larry Roger, XXX-XX-XXXX.
Ferguson, Peter Paul, XXX-XX-XXXX.
Fernandez, John Frederick, XXX-XX-XXXX.
Fichter, Thomas Albert, XXX-XX-XXXX.
Fillmore, Benjamin Michael, XXX-XX-XXXX.
Fluty, William Corbett, XXX-XX-XXXX.
Foster, Jerry Don, XXX-XX-XXXX.
Foster, Ralph Lamar, XXX-XX-XXXX.
Foulk, Tom Bond, III, XXX-XX-XXXX.
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Geer, John Monroe, Jr., XXX-XX-XXXX.
Giordano, Stephen, XXX-XX-XXXX.
Golden, James William, Jr., XXX-XX-XXXX.
Gonano, Arnold Leo, XXX-XX-XXXX.
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Green, Gerald Charles, XXX-XX-XXXX.
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Hampton, Jules Wilson, XXX-XX-XXXX.
Harris, Eddie Lee, XXX-XX-XXXX.
Hatcher, Daniel Pierson, XXX-XX-XXXX.
Haupt, Berdean William, XXX-XX-XXXX.
Healy, Dennis William, XXX-XX-XXXX.
Hickel, Lance Kelbaugh, XXX-XX-XXXX.
Hill, Silas Wesley, XXX-XX-XXXX.

Hillis, John Charles, [redacted].
Holley, Donna Joyce, [redacted].
Holmgren, Larry Leon, [redacted].
Hough, Fredric Gary, [redacted].
Hudspeth, David Lewis, [redacted].
Hudspeth, Lewis Albert, [redacted].
Isbel, Ronald Paige, [redacted].
Ivey, Ramon Anthony, [redacted].
Jacobus, Charles Henry, [redacted].
Jarvis, Allen John, Jr., [redacted].
Johnson, Gary Dwayne, [redacted].
Jones, Ralph Cedric, [redacted].
Jordan, Van Patrick, [redacted].
Kaiser, Van Edward, [redacted].
Kilbourn, William Ray, [redacted].
King, Richard Allen, [redacted].
Kirkham, Robert T., [redacted].
Kisler, Alvin Robert, [redacted].
Kleimon, Robert Joel, [redacted].
Kramer, Michael, [redacted].
Kreutz, James Roden, [redacted].
Krobert, James Albert, [redacted].
Lake, Peter Hanslip, [redacted].
Lame, David Warren, [redacted].
Lang, Albert George, [redacted].
Leaman, Jeffrey Scott, [redacted].
Leedy, David Ballou, [redacted].
Lindquist, John Warren, [redacted].
Lutz, Joseph J., [redacted].
Magrosky, John Joseph, Jr., [redacted].
Manss, Patricia Obryen, [redacted].
Martin, Larry King, [redacted].
Maynor, Kynis, Jr., [redacted].
McClintock, David Anthony, [redacted].
McCloskey, Edwin Joseph, [redacted].
McHenry, Michael Clark, [redacted].
Medvitz, Charles Michael, [redacted].
Minter, Dennis Lee, [redacted].
Mix, Thomas, [redacted].
Montgomery, Rolland R., [redacted].
Mooney, Edward D., [redacted].
Moore, Tom Denson, Jr., [redacted].
Moore, Winston, [redacted].
Mowrey, Jake Duane, [redacted].
Moyer, Daniel Leonard, [redacted].
Nadeau, Victor Gerald, [redacted].
Nedela, David Warren, [redacted].
Nepereny, George Joseph, [redacted].
Nimblett, Donald William, [redacted].
Nothstine, Charles Louis, [redacted].
Nuttall, Edward Richard, [redacted].
O'Brien, Edward J. W., [redacted].
Obrien, Edward J. W., [redacted].
Olson, Lawrence Andrew, [redacted].
Otto, Norman John, [redacted].
Parr, Bernard Andrew, [redacted].
Parris, Gary Wayne, [redacted].
Payne, Jan Edward, [redacted].
Peake, Troy William, [redacted].
Perelliminetti, Jules Paul, [redacted].
Phelps, Patrick Francis, [redacted].
Polanski, Christopher Step, [redacted].
Porter, Charles Oscar, [redacted].
Poulin, Roger Floyd, [redacted].
Poulos, Richard Gary, [redacted].
Powell, Stuart Wayne, [redacted].
Rahn, Ronald Edward, [redacted].
Rawls, Jester William, [redacted].
Revelle, Aniel William, Jr., [redacted].
Richards, Clark David, [redacted].
Rogers, Royal Pittman, Jr., [redacted].
Rosenberg, Terry Lee, [redacted].
Salger, Glenn Arthur, [redacted].
Sapko, Joseph Enoch, [redacted].
Savacool, Edwin Myron, Jr., [redacted].
Scalf, Cecil Floyd, [redacted].
Schneider, Ronald D., [redacted].
Schumacher, Howard Paul, [redacted].
Selfe, John Keith, Jr., [redacted].
Sherfey, Kenneth Leroy, [redacted].
Shields, John R., Jr., [redacted].
Shipley, Berchard Ray, [redacted].
Shull, Robert Allen, [redacted].
Sibble, George Merwin, [redacted].
Silva, Richard H., [redacted].
Simon, Gayle K., [redacted].
Singleton, James W., [redacted].
Sinnott, William Q., [redacted].
Skelton, James Paul, Jr., [redacted].
Smith, Donald Lamar, [redacted].
Smith, Jimmy B., [redacted].
Snow, Jimmie Doyl, [redacted].
Spring, James Leroy, [redacted].
Starr, Jacob E., [redacted].
Stcyr, Frank Joseph, [redacted].
Stoker, Darrell Johnson, [redacted].
Summerlin, Ronald Gene, [redacted].
Tapp, Jack Carlton, [redacted].
Taylor, William Bradford, [redacted].
Taylor, William Gary, [redacted].
Thomas, Douglas Grant, [redacted].
Tish, Thomas Luvern, [redacted].
Valentine, Christopher R., [redacted].
Vassett, Frank Joseph D., [redacted].
Verdoorn, Ronald John, [redacted].
Vetrano, Joseph Peter, [redacted].
Wade, Bobby Merrell, [redacted].
Walls, Russell Kenneth, Jr., [redacted].
Watson, Norman Burl, [redacted].
Watt, Jimmy Albert, [redacted].
Welch, Donald Lee, [redacted].
Welch, Lawrence Russel, [redacted].
Welter, Robert Michael, [redacted].
Wentz, Robert Walter, [redacted].
Werner, Bruce Gerald, [redacted].
Whitacre, Charles Jerry, Jr., [redacted].
White, Robert Thomas, [redacted].
White, Walter Wallace, [redacted].
Wier, Henry Winston, Jr., [redacted].
Williamson, Bruce Cliett J., [redacted].
Williamson, Robert Louis, [redacted].
Woolf, Samuel John, [redacted].
Wothe, John Werner, [redacted].
Wrinkle, John Robert, [redacted].
Wyks, Edward Earl, [redacted].
Wynn, Dennis Michael, [redacted].
Yeaw, Truman Carl, [redacted].
Young, Wesley Mitchell, [redacted].
Zakszeski, Charles Edward, [redacted].

Captains

Barton, Stephen Patrick, [redacted].
Drake, Michael William, [redacted].
Gansien, Gregory Edward, [redacted].
Hansen, Paul Allan, [redacted].
Hulgan, William Roy, [redacted].
Kitchens, Dwight Rudolph, [redacted].
Maslowski, Daniel Francis, [redacted].
Parsons, George William, Jr., [redacted].
Poole, Ronald Joseph, [redacted].
Robbins, Robert David, [redacted].

CHAPLAIN'S CORPS

Colonels

Burttram, Danny W., [redacted].
Darcy, Richard L., [redacted].
Osborne, Martin, [redacted].
Wichmanowski, Walter F., [redacted].

Lieutenant colonels

Brown, Charles J., [redacted].
Higgiston, Malachy J., [redacted].

Majors

Abel, Donald W. W., [redacted].
Abramowitz, Marc A., [redacted].
Adkins, Patrick J., [redacted].
Alexander, Kenneth L., [redacted].
Allison, Donald E., [redacted].
Allyn, John K., [redacted].
Anderson, Bruce D., [redacted].
Anderson, Christen V., [redacted].
Anderson, James R., [redacted].
Anderson, Lindell E., [redacted].
Arold, Richard J., [redacted].
Arturetmelendez, Antonio, [redacted].
Axelrod, Harold, [redacted].
Bannan, Daniel E., [redacted].
Banner, Ernest A., [redacted].
Barkey, Paul E., [redacted].
Barnett, Dillmus W., Jr., [redacted].
Bauer, John A., [redacted].
Baver, John J., [redacted].
Bell, Nicholas D., [redacted].
Belton, Robert T., [redacted].
Bendick, Robert E., [redacted].
Bennett, Stephen L., [redacted].
Benonis, Richard R., [redacted].
Berndt, Leander P., [redacted].
Berry, Barton D., Jr., [redacted].
Bickley, Hugh J., [redacted].
Bigsby, Jon R., [redacted].
Bobbey, David M., [redacted].
Boone, William R., [redacted].
Bouleware, Alton W., [redacted].
Broyles, Michael L., [redacted].
Bundick, Bobbie J., [redacted].
Bunnett, Thomas T., [redacted].
Butler, Bede J., [redacted].
Butler, Ignatius W., [redacted].
Callahan, Rodney D., [redacted].
Campbell, Robert L., [redacted].
Caple, William J., [redacted].
Case, William R., [redacted].
Cheyne, William B., [redacted].
Chilen, Michael D., [redacted].
Christy, Peter K., [redacted].
Clark, William J., [redacted].
Colbert, Douglass C., [redacted].
Colley, Joe R., [redacted].
Conner, Gerald W., [redacted].
Cooper, John H., [redacted].
Corbett, Clareance, L., Jr., [redacted].
Cottemond, Charles A., [redacted].
Cottingmam, John G., [redacted].
Croke, Alfred M., [redacted].
Dagostino, Carl L., [redacted].
Davidson, Donald L., [redacted].
Davis, Charles J., [redacted].
Davis, Daniel O., Jr., [redacted].
Davis, Elvernice, [redacted].
Davis, Kenneth K., [redacted].
Dech, Merle R., [redacted].
Decker, Thomas R., [redacted].
Dood, Paul W., [redacted].
Doerbaum, Lloyd A., [redacted].
Doman, Thurman S., Jr., [redacted].
Donahue, Daniel J., [redacted].
Donovan, Richard N., [redacted].
Douthit, Troy O., [redacted].
Duncan, Francis J., [redacted].
Dunham, Craig R., [redacted].
Durham, James A., [redacted].
Earles, Gerald, [redacted].
Eberle, William B., [redacted].
Erbach, William W., [redacted].
Farr, David R., [redacted].
Flaska, John A., Jr., [redacted].
Florez, Juan S., [redacted].
Fox, Jamespa, [redacted].
Gagliardo, Anthony F., [redacted].
Gillespie, Kenneth F., [redacted].
Glazier, Frederick L., Jr. [redacted].
Gleaton, Cal D., [redacted].
Goforth, Billy S., [redacted].
Gogl, George L., [redacted].
Golden, David O., [redacted].
Gover, Donald W., [redacted].
Greenebaum, William A., [redacted].
Greka, David E., [redacted].
Guebbmeyer, Mark H., [redacted].
Guesnier, Rene, [redacted].
Guidry, Raymond J., [redacted].
Hall, Robert D., [redacted].
Hamperzonian, Jerry, [redacted].
Hannum, Harold M., [redacted].
Hanson, Uvgene R., [redacted].
Harris, William C., [redacted].
Hartlage, Albert, [redacted].
Hatler, Gaylord E., [redacted].
Henry, Willis L., [redacted].
Hepner, Theodore W., [redacted].
Hicks, Herbert H., [redacted].
Hines, Thomas E., Jr., [redacted].
Holland, Jerry H., [redacted].
Horton, Lawrence C., [redacted].
Howard, David R., [redacted].
Hultberg, William J., [redacted].
Hume, Kenneth E., [redacted].
Humphrey, Roland Q., [redacted].
Imberi, Anthony M., [redacted].
Itokazu, Kiyoichi, [redacted].
Iverson, Virgil G., [redacted].
Jankowski, Daniel C., [redacted].
Jansen, Donald J., [redacted].
Jenkins, Robert J., [redacted].
Jennings, Ervin J., Jr., [redacted].
Johnson, Raymond W., [redacted].
Johnson, Richard C., [redacted].
Jopp, Frank G., Jr., [redacted].
Joseph, Ray K., [redacted].
Kaising, John J., [redacted].
Keizer, Herman, Jr., [redacted].
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Payne, Delbert G., xx...
Pedder, Glenn C., xx...
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Robinson, Gail J., xxx-xx-...
Rodigues, Anthony V., xxx-xx-x...
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Sirotko, Theodore F., xxx-xx-xxxx
Slater, Dennis W., xxx-xx-xxxx
Smith, Charles M., xxx-xx-xxxx
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Smith, Frederick C., xxx-xx-xxxx
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Smith, Paul H., xxx-xx-xxxx
Smith, Thomas R., xxx-xx-xxxx
Speer, Robert H., xxx-xx-xxxx
Spiller, Jimmie, xxx-xx-xxxx
Stake, John K., xxx-xx-xxxx
Stallings, Bennie A., xxx-xx-xxxx
Stephens, Gerald N., xxx-xx-xxxx
Stephenson, Douglas R., xxx-xx-xxxx
Stevens, Raburn L., xxx-xx-xxxx
Suellentrop, Daniel M., xxx-xx-xxxx
Sullivan, Edward J., xxx-xx-xxxx
Swedlund, John D., xxx-xx-xxxx
Sydnor, Calvin H., III, xxx-xx-xxxx
Tarbet, Robert M., Jr., xxx-xx-xxxx
Taylor, Frederick A., xxx-xx-xxxx
Teer, John F., xxx-xx-xxxx
Teodoro, Pablo, Jr., xxx-xx-xxxx
Tessman, David H., xxx-xx-xxxx
Thompson, James R., xxx-xx-xxxx
Thoni, Philip F., xxx-xx-xxxx
Thorne, Carrol W., xxx-xx-...
Timm, Harry W., xxx-xx-xxxx
Trebus, Louis R., xxx-xx-xxxx
Tumpkin, Joseph L., xxx-xx-xxxx
Turkelson, Donald R., xxx-xx-xxxx
Turnbow, Frankie L., xxx-xx-xxxx
Tyson, Charles A., xxx-xx-xxxx
Vanscoy, Leonard H., xxx-xx-xxxx
Vickers, Marvin K., Jr., xxx-xx-xxxx
Voges, Ethan C., xxx-xx-xxxx
Vogt, Robert H., xxx-xx-xxxx
Wade, Henry G., xxx-xx-xxxx
Wallace, Jack A., xxx-xx-xxxx
Walsh, Thomas M., xxx-xx-xxxx
Warme, Thomas M., xxx-xx-xxxx
Weaver, Jerry A. G., xxx-xx-xxxx
Webb, Jerry, xxx-xx-xxxx
Wedel, Larry R., xxx-xx-xxxx
Welch, Thomas D., xxx-xx-xxxx
Wells, John A., xxx-xx-xxxx
Wells, Morris F., xxx-xx-xxxx
Weyland, John J., xxx-xx-xxxx
Whalen, Frank J., xxx-xx-xxxx
Whaley, Richard H., xxx-xx-xxxx
Whitaker, Dennis R., xxx-xx-xxxx
White, David A., xxx-xx-xxxx
Wichner, Erwin, xxx-xx-xxxx
Wideman, Fletcher D., xxx-xx-xxxx
Wiens, Curtis J., xxx-xx-xxxx
Wilkins, Lafayette T., Jr., xxx-xx-xxxx
Williams, John C., xxx-xx-xxxx
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Captains

Grant, Anderson, xxx-xx-xxxx
Hammann, William H., xxx-xx-xxxx
Howard, David L., xxx-xx-xxxx
Kerns, Carter L., xxx-xx-xxxx
Mitchiner, Thomas W., xxx-xx-xxxx
Moore, Lowell, xxx-xx-xxxx
Roberts, David F., xxx-xx-xxxx
Roberts, Jimmie A., xxx-xx-xxxx
Thornton, Jesse L., xxx-xx-xxxx
Walker, Larry A., xxx-xx-xxxx

JUDGE ADVOCATE GENERAL'S CORPS

Lieutenant colonels

Bailey, James E., xxx-xx-xxxx
Nichols, John J., xxx-xx-xxxx
Scanlon, Jerome W., xxx-xx-xxxx

Majors

Barbee, Jon R., xxx-xx-xxxx
Beardall, Charles W., xxx-xx-xxxx
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Scanlan, Gerald M., xxx-xx-...
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Babolan, Richard, x...
Black, Owen H., xx...
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Estey, Russell S., xxx-...
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Kelly, Michael T., xxx-xx-xxxx
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Lee, Joseph K., Jr., xx...
Longbottom, Harry W., xx...
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Perolman, Gary M., xxx-xx-xxxx
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Reed, Steven L., xxx-xx-x...
Rogers, Kathryn J., xxx-xx-xxxx
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Sumner, David W., xxx-xx-xxxx
Switzer, Joseph J., xxx-xx...

Wilder, Charles J., II, xxx-xx-xxxx.
Woodling, Dale N., xxx-xx-xxxx.

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Majors

Ashley, Robert Leroy, xxx-xx-xxxx.
Barefoot, Diana Maio, xxx-xx-xxxx.
Bartlett, Jo Anne, xxx-xx-xxxx.
Briley, Jackie Wyane, xxx-xx-xxxx.
Carlson, Dawn Eileen, xxx-xx-xxxx.
Dinella, Elizabeth C., xxx-xx-xxxx.
Franklin, Ronald James, xxx-xx-xxxx.
Graham, John Parry, xxx-xx-xxxx.
Greathouse, David Guy, xxx-xx-xxxx.
Mills, James Lee, Jr., xxx-xx-xxxx.
Ranger, Donna Jordan, xxx-xx-xxxx.
Redell, Rita Wolf, xxx-xx-xxxx.
Ritter, Richard C., xxx-xx-xxxx.
Thomas, Clorice D., xxx-xx-xxxx.

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Ambrose, Lona Kay, xxx-xx-xxxx.
Neveux, Catherine Joan, xxx-xx-xxxx.
Smutok, Michael Andrew, xxx-xx-xxxx.

ARMY NURSE CORPS

Colonels

Gorman, Elly Patricia, xxx-xx-xxxx.
Metz, Martha Louise, xxx-xx-xxxx.
Nurse, Joyce Juanita, xxx-xx-xxxx.
Randall, Delores Hamer, xxx-xx-xxxx.

Lieutenant colonels

Antilla, Betty Joan, xxx-xx-xxxx.
Bowie, Reuben Amanda B., xxx-xx-xxxx.
Brazier, Robert Evans, xxx-xx-xxxx.
Bredemeier, Laura Jane, xxx-xx-xxxx.
Bryant, Marjorie Mae, xxx-xx-xxxx.
Buzzard, Rita V. Naranjo, xxx-xx-xxxx.
Cherrington, Raymond H., xxx-xx-xxxx.
Clutter, Lenna Mae, xxx-xx-xxxx.
Coggin, Laura Jacquelin, xxx-xx-xxxx.
Crowley, Maureen Alice, xxx-xx-xxxx.
Croy, Gail, xxx-xx-xxxx.
Cudnohufsky, Eugene R., xxx-xx-xxxx.
Downey, Doris Pauline, xxx-xx-xxxx.
Earnest, Ralph Edward, xxx-xx-xxxx.
Eckels, Ann Delaney H., xxx-xx-xxxx.
Estes, Zane Elwood, xxx-xx-xxxx.
Feske, Mary Ann, xxx-xx-xxxx.
Fico, Karen Kay, xxx-xx-xxxx.
Fortson, Shirley E., xxx-xx-xxxx.
Franks, James Leonard, xxx-xx-xxxx.
Green, Dolores, xxx-xx-xxxx.
Haag, George Philip, xxx-xx-xxxx.
Kohl, Michele, xxx-xx-xxxx.
Kuttner, Jean May, xxx-xx-xxxx.
Lewis, Otis Hulon, xxx-xx-xxxx.
Mathews, Charles Thomas, xxx-xx-xxxx.
McCann, Sheila Anne, xxx-xx-xxxx.
McDunnah, Carlyle Dean, xxx-xx-xxxx.
McQuail, Claire Marie, xxx-xx-xxxx.
Metcalfe, Martha Elaine, xxx-xx-xxxx.
Miller, Evelyn Shirley, xxx-xx-xxxx.
Mino, Thomas Arthur, xxx-xx-xxxx.
Moskovites, John Peter, xxx-xx-xxxx.
Nooney, Nancy Nobleece, xxx-xx-xxxx.
O'Neil, Marie Ruth, xxx-xx-xxxx.
Pugh, Calvin Clark, xxx-xx-xxxx.
Purcell, Shirley Ann T., xxx-xx-xxxx.
Reed, Jack Olvine, xxx-xx-xxxx.
Robbins, Dolly Marie, xxx-xx-xxxx.
Rosadootero, Adolfo, xxx-xx-xxxx.
Smith, Lucille Ann Letz, xxx-xx-xxxx.
Snell, Frank Washington, xxx-xx-xxxx.
Snyder, Helen Rose, xxx-xx-xxxx.
Springmier, Joyce T., xxx-xx-xxxx.
Sullivan, Gerald Eugene, xxx-xx-xxxx.
Throwe, Gerald Joseph, xxx-xx-xxxx.
Verret, Blaise Charles, xxx-xx-xxxx.
Walker, Prince Albert J., xxx-xx-xxxx.
Walsh, Edith Virginia, xxx-xx-xxxx.
Webster, Edith Heer, xxx-xx-xxxx.
Welton, Nellie Loretta, xxx-xx-xxxx.
Wheeler, Peggy Louise, xxx-xx-xxxx.

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Arndt, Judith Martha, xxx-xx-xxxx.
Ashburn, David Michael, xxx-xx-xxxx.
Aureli, Dinah Lyn, xxx-xx-xxxx.
Barron, Velma J., xxx-xx-xxxx.
Bassett, Patricia Allen, xxx-xx-xxxx.
Bayliss, Susan Ellen, xxx-xx-xxxx.
Beach, Donald Marshall, xxx-xx-xxxx.
Bell, Elizabeth Ann, xxx-xx-xxxx.
Bennett, John Richard, xxx-xx-xxxx.
Biebesheimer, Ellen E., xxx-xx-xxxx.
Bird, Carita Ann, xxx-xx-xxxx.
Birdseye, Helen Marie, xxx-xx-xxxx.
Blomberg, Olof Samuel, xxx-xx-xxxx.
Borman, Barbara Jean, xxx-xx-xxxx.
Bradley, Barbara Lee, xxx-xx-xxxx.
Branson, Roberta Randal, xxx-xx-xxxx.
Brown, Margaret Jean L., xxx-xx-xxxx.
Bryant, Lina Sue, xxx-xx-xxxx.
Burns, Pamela Koponen, xxx-xx-xxxx.
Camp, Virginia Ann Rako, xxx-xx-xxxx.
Capps, Erie Dianne, xxx-xx-xxxx.
Cline, Margaret Easterd, xxx-xx-xxxx.
Coffey, Shirley Eileen, xxx-xx-xxxx.
Cogan, Phyllis Breen, xxx-xx-xxxx.
Collar, Leslie Diane, xxx-xx-xxxx.
Conrad, Barbara Jean, xxx-xx-xxxx.
Conte, Jacqueline Rose, xxx-xx-xxxx.
Cooper, Helen Marva, xxx-xx-xxxx.
Craft, Mary Sheldon, xxx-xx-xxxx.
Creider, Sherry Darnall, xxx-xx-xxxx.
Criswell, Mary Lou, xxx-xx-xxxx.
Crittenden, Frances Lou, xxx-xx-xxxx.
Cullinan, Barbara Jeann, xxx-xx-xxxx.
Curry, Laura Lee, xxx-xx-xxxx.
Darcy, Darlene E., xxx-xx-xxxx.
Davis, Shirley Gamble, xxx-xx-xxxx.
Deardorff, Mary Thereas, xxx-xx-xxxx.
Demi, Howard Lewis, xxx-xx-xxxx.
Deponti, Rebecca Jean P., xxx-xx-xxxx.
Devore, Donna Jean, xxx-xx-xxxx.
Domalik, Walter Anthony, xxx-xx-xxxx.
Dunlap, John E. Dodd, xxx-xx-xxxx.
Echevarria, Carlos A., xxx-xx-xxxx.
Eisaman, Charlotte C., xxx-xx-xxxx.
Elliott, Barbara Jean, xxx-xx-xxxx.
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Estepp, William Sanders, xxx-xx-xxxx.
Evans, Jane Elizabeth, xxx-xx-xxxx.
Exum, Patricia Smyth M., xxx-xx-xxxx.
Feeter, Ross Frank, xxx-xx-xxxx.
Fitzgerald, Patricia A., xxx-xx-xxxx.
Funk, Donna Karrer, xxx-xx-xxxx.
Garlock, Cynthia Ann S., xxx-xx-xxxx.
Giusto, Joan Ann, xxx-xx-xxxx.
Glenn, Lucille, xxx-xx-xxxx.
Golson, Patricia Szalay, xxx-xx-xxxx.
Greenlee, John Wilson, xxx-xx-xxxx.
Griffith, Lessie A., xxx-xx-xxxx.
Gwaltney, George Allan, xxx-xx-xxxx.
Hadersbeck, Rita Ellen, xxx-xx-xxxx.
Hammond, Jean Elizabeth, xxx-xx-xxxx.
Hill, Beverly Ann Mehll, xxx-xx-xxxx.
Hughes, Harold Power, xxx-xx-xxxx.
Jew, Colleen Lorretta L., xxx-xx-xxxx.
Johnson, Grace Phyllis, xxx-xx-xxxx.
Johnson, Mary B. W., xxx-xx-xxxx.
Johnson, Susan Jayne, xxx-xx-xxxx.
Jolivet, Jo Ann, xxx-xx-xxxx.
Jorgeson, Lynn Patricia, xxx-xx-xxxx.
Karabasz, Clare Marie, xxx-xx-xxxx.
Keegler, Linda Chapin, xxx-xx-xxxx.
Keeler, Jill Rolf, xxx-xx-xxxx.
Kelly, Marjorie Mary, xxx-xx-xxxx.
Keneson, Edwin Joseph, xxx-xx-xxxx.
Kildea, John, Jr., xxx-xx-xxxx.
King, Mary Jo, xxx-xx-xxxx.
King, William Henry, xxx-xx-xxxx.
Knight, Frazier L., xxx-xx-xxxx.
Knop, Richard John, xxx-xx-xxxx.
Kossman, Marcia Louise, xxx-xx-xxxx.
Kulm, Margaret Mary, xxx-xx-xxxx.
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Lee, Vivian Zella W., xxx-xx-xxxx.
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Meyer, Joanne Karol, xxx-xx-xxxx.
Miller, Esther Ruth, xxx-xx-xxxx.
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Mitchell, Kathleen Bern, xxx-xx-xxxx.
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Montoya, Irene, xxx-xx-xxxx.
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Wall, Anne Carol Swavel, xxx-xx-xxxx.
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Guess, Kenneth Dean, [redacted]
Hagerman, Jerry Thomas, [redacted]
Krier, Paul William, [redacted]
Lohse, Walter George, [redacted]
O'connell, Wallace James, [redacted]
Whitbeck, Peter, [redacted]

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Antonini, Charles J., [redacted]
Baer, Charles Harrison, [redacted]
Bell, Peter Anthony, [redacted]
Bergstrom, Thomas Neal, [redacted]
Biahuta, George J., [redacted]
Boyd, Douglas Bruce, [redacted]
Bulken, James Daymont, [redacted]
Campbell, Donald Johnson, [redacted]
Campolio, Gerald Richard, [redacted]
Carter, William James, [redacted]
Chupkowski, Richard M., [redacted]
Ciampit, William Terrance, [redacted]
Daniels, Patrick E., [redacted]
Delzer, Delano Dean, [redacted]
Doherty, Richard Donald, [redacted]
Donahoe, Joseph William, [redacted]
Dorsey, Joe K., [redacted]
Emerson, Matthew S., [redacted]
Facius, Peter Hans, [redacted]
Falenski, Richard Edward, [redacted]
Farmer, John Bartow, Jr., [redacted]
Fernald, William Paul, [redacted]
Foerster, Ulrich, [redacted]
Gary, John Jerome, [redacted]
Gifford, Gerald Ray, [redacted]
Glasgow, Thomas J., [redacted]
Gluhm, David Peter, [redacted]
Gross, Paul Dwayne, [redacted]
Grower, Marvin Franklin, [redacted]
Haynes, David Allan, [redacted]
Hecht, Robert Craig, [redacted]
Herman, Wayne William, [redacted]
Hondrum, Steven Olaf, [redacted]
Hutchins, Harry Stuart, [redacted]
Kaelke, Kerry Joe, [redacted]
Kessler, Joel Robert, [redacted]
Larson, Randall Root, [redacted]
Lewis, David Michael, [redacted]
Loers, Wayne William, [redacted]
Machian, George Rudolph, [redacted]
Machucapadin, Carlos A., [redacted]
McArthur, David L., [redacted]
McDowall, John W., [redacted]
Miklik, David Keith, [redacted]
Mollere, Rodney David, [redacted]
Moody, Edward Lee, [redacted]
Newhouse, Ricney, F., [redacted]
Nishimura, Roger S., [redacted]
Noe, Paul Edward, [redacted]
Noone, Robert Vincent, [redacted]
Paul, George Frank, [redacted]
Pflipsen, Ronald F., [redacted]
Powers, William Joseph, [redacted]
Ritchie, Gary Max, [redacted]
Rossmann, Jeffrey Allan, [redacted]
Saddoris, Reginald S., [redacted]
Schnell, Frederick John, [redacted]
Schwab, Joel Ira, [redacted]
Sheehe, John Paul, [redacted]
Shulman, Jay David, [redacted]
Sias, Barbara, [redacted]
Smith, William, Jr., [redacted]
Spahn, Robert Garv, [redacted]
Stephens, James Leavy, Jr., [redacted]
Stevenson, Michael E., [redacted]
Taylor, Steven Edwin, [redacted]
Terhune, William F., [redacted]
Torres, Nadal Jorge R., [redacted]
Turner, George Wayne, [redacted]
Utschig, Leonard David, [redacted]
Wenger, James Scott, [redacted]
Whang, Raymond Soo, [redacted]
Woehrle, Richard Ralph, [redacted]
Wong, Marston Kin Sun, [redacted]
Woodruff, Frederic D., [redacted]
Zwolensky, John Richard, [redacted]

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Adams, Anthony Joe, [redacted]
Adamson, Dennis Newell, [redacted]
Albritton, James Edmund, [redacted]
Allen, Andrew Jarvis, [redacted]
Allen, Gary Wayne, [redacted]
Angelo, Anthony Joseph, [redacted]
Bagley, Dwight English, [redacted]
Bandy, Rufus Young, III, [redacted]
Bandy, Thomas Elwood, Jr., [redacted]
Barrett, Thomas Norman, [redacted]
Barrowes, Kendall James, [redacted]
Baughn, Brent Leslie, [redacted]
Beitler, Claude Theodor, [redacted]
Berman, Fredric Robert, [redacted]
Biggs, Stephen Glen, [redacted]
Billman, Michael Alan, [redacted]
Blocker, Sloan Walter, [redacted]
Bodenheim, Mark Bridge, [redacted]
Bond, John Lesley, [redacted]
Bondra, Daniel Lee, [redacted]
Boswell, Cramer Lee, [redacted]
Brown, Caroyln Martha, [redacted]
Bruegger, Robert Raymon, [redacted]
Bryant, Arthur William, [redacted]
Burleigh, John David, [redacted]
Bussell, Norman Eugene, [redacted]
Calabria, Robert Dennis, [redacted]
Campagna, Gary David, [redacted]
Campbell, David Frederi, [redacted]
Cannava, Paul Anthony, [redacted]
Caponigro, Thomas J., [redacted]
Case, James Gilbert, [redacted]
Cecic, Peter Anthony, [redacted]
Chilton, Craig Andrew, [redacted]
Christensen, Loren Clif, [redacted]
Civjan, Ralph Haime, [redacted]
Clem, David Bruce, [redacted]
Cliney, Terrance Paul, [redacted]
Coloncamacho, Antolino, [redacted]
Connor, Jcseph Paul, [redacted]
Cosnahan, Robert Franci, [redacted]
Craemer, Timothy David, [redacted]
Crandall, Edwin Malin, [redacted]
Crino, Samuel Joseph, Jr., [redacted]
Crowther, Bruce Quintin, [redacted]
Cuenin, Paul Richard, [redacted]
Dargon, Paul Kevin, [redacted]
Davis, Richard Culberts, [redacted]
Deleon, Eladio, Jr., [redacted]
Donathan, Grady David, I, [redacted]
Donley, Dennis Leo, [redacted]
Donovan, Michael George, [redacted]
Dorsey, Howard Dale, [redacted]
Eguchi, Dennis Sho, [redacted]
Ekaval, William M., [redacted]
English, Peter Carew, [redacted]
Erley, Clyde James, [redacted]
Estey, Allan White, [redacted]
Fairchild, William A., [redacted]
Farabee, Ernest, [redacted]
Fearon, Christopher G., [redacted]
Ferguson, Lucian Maxwell, [redacted]
Fox, Michael Wayne, [redacted]
Galan, Michael Joseph, [redacted]
Galloway, Robert Henry, [redacted]
Gaston, Max Lee, [redacted]
Gerace, William Laston, [redacted]
Giesler, Terry William, [redacted]
Giles, William Bruce, [redacted]
Glickman, Ronald Joseph, [redacted]
Gordon, Mark Richard, [redacted]
Hackman, Steven Thomas, [redacted]
Halbert, William David, [redacted]
Hanover, Robert Burns, [redacted]
Harper, Bradford W., [redacted]
Harre, John Woodrow, Jr., [redacted]
Harris, Albert James, [redacted]
Harvey, Gerald Wayne, [redacted]
Hayes, Ronald James, [redacted]
Henderson, Lester R., [redacted]
Hillebrand, Henry A., [redacted]
Hinger, Alvin Howard, [redacted]
Hirata, Ronald Haruto, [redacted]
Hixson, Mark Eugene, [redacted]
Hnarakis, Emanuel James, [redacted]
Hobbs, Timothy John, [redacted]
Hogan, Donald William, [redacted]
Hollinger, Louis R., [redacted]
Holt, Craig Weston, [redacted]
Hoots, James Charles, [redacted]
Hopkins, Truman A., [redacted]
Horsley, John Philip, [redacted]
Ingram, Timothy A., [redacted]
Johnston, Lawrence J., [redacted]
Jones, Leonard Albert, [redacted]
Kalnins, Guntis, [redacted]
Katagihara, Rodney H., [redacted]
Keasler, Walter Ewing, [redacted]
Keller, Dean Bailey, [redacted]
Kern, Stephen Bonney, [redacted]
Kessler, Harvey Philip, [redacted]
King, Edwin Dorsey, [redacted]
Kinney, Don Allison, [redacted]
Kittle, Paul Edwin, Jr., [redacted]
Klos, Chester Paul, [redacted]
Koonce, James Daniel, [redacted]
Kordulak, John Leon, [redacted]
Lake, George Joseph, Jr., [redacted]
Lalumandier, James A., [redacted]
Lambert, Joel Robert, [redacted]
Lawson, Theodore Jan, Jr., [redacted]
Leavitt, James Boyd, [redacted]
Leeds, Robert Cornelius, [redacted]
Leonard, John Reichmann, [redacted]
Lewis, Harland Guilford, [redacted]
Lindenmuth, Robert W., [redacted]
Livesay, Thomas G., [redacted]
Loeb, Andrew Hale, [redacted]
Loveridge, Larry W., [redacted]
Luebke, Robert John, [redacted]
Lui, Chiu Lun, [redacted]
Lynch, Thomas James, [redacted]
MacPherson, Michael Gay, [redacted]
Mariscal, Roque, [redacted]
Markham, John Winferd I., [redacted]
Mathieu, Gregory Paul, [redacted]
McDonnell, Carbra J., III, [redacted]
McDougle, Michael R., [redacted]
McFarland, Robert John, [redacted]
Merkel, Stephen Arthur, [redacted]
Miller, John Randall, [redacted]
Miller, Loman Earl, [redacted]
Mills, William Palmer J., [redacted]
Minjarez, Pete II, [redacted]
Mintz, Alan Herbert, [redacted]
Moeller, Donald Richard, [redacted]
Mulrean, Joseph Charles, [redacted]
Nedderman, Theodore A., [redacted]
O'Brien, Robert Edward, [redacted]
Obrock Ernest Fred, [redacted]
Olson, Arvid Keith, [redacted]
O'Neal, John Russell, [redacted]
Osmond, Joseph Roger, [redacted]
Pardoe, James Dick II, [redacted]
Parkman, Terry Evans, [redacted]
Parks, Ralph Devon, Jr., [redacted]
Pawlusiak, Joseph John, [redacted]
Peterson, Dennis Wayne, [redacted]
Pilgrim, James Junious, [redacted]
Pina, Randall Blaine, [redacted]
Pohjola, Randall Martin, [redacted]
Primack, Patrice Diane, [redacted]
Prior, Robert Francis, [redacted]
Putnam, James Merrithew, [redacted]
Ray, Vincent Richard, [redacted]
Releford, Richard Dale, [redacted]
Reside, Glenn James, [redacted]
Rethman, Michael P., [redacted]
Rich, Jerry, [redacted]
Richardson, Douglas D., [redacted]
Robinson, David Stevens, [redacted]
Rossi, Remo Joseph, [redacted]
Rouse, Leo Erskine, [redacted]
Rupell, Orville Lovell, [redacted]
Russell, Kendall F., [redacted]
Saffell, Alberta Harris, [redacted]
Saldana, Carlos Francis, [redacted]
Salomone, John Louis, [redacted]
Schultz, Gary Michael, [redacted]
Shipley, Richard Dean, [redacted]
Short, Sinclair G., [redacted]
Shufford, Earl Lewis, [redacted]
Shurtleff, Joseph Lynn, [redacted]
Sigler, Ernest Woodrow, [redacted]
Singer, Michael Todd, [redacted]
Skirvin, Dennis Ray, [redacted]
Smith, Charles Timothy, [redacted]
Smith, Franklin Leonard, [redacted]
Smith, Lloyd Nelson, [redacted]
Stone, Stephen Douglas, [redacted]
Suchko, George Duncan, [redacted]
Sutley, Stephen Hall, [redacted]
Swistak, Gary Peter, [redacted]
Swords, Robert Lee, [redacted]
Thaler, Melvin Neil, [redacted]

Thompson, Bruce Howard, [redacted].
Thompson, James Robert, [redacted].
Tidwell, Otto Frederick, [redacted].
Todd, Stephen James, [redacted].
Trammell, Gerald Wayne, [redacted].
Vogel, Stephen James, [redacted].
Walters, Jay Michael, [redacted].
Washington, Charles H., [redacted].
Wells, Donald Wesley, [redacted].
Wheeler, William Robert, [redacted].
Whitsitt, John Allison, [redacted].
Williams, Russell Alan, [redacted].
Woller, Philip Alan, [redacted].
Woodard, Thomas, [redacted].
Worley, Timothy John, [redacted].
Wright, John Ben, [redacted].
Yanoich, Peter Paul, [redacted].

Captains

Appelbaum, Fred Paul, [redacted].
Bice, Ronald Winfield, [redacted].
Blair, Robert Charles, [redacted].
Britton, Joseph Alonzo, [redacted].
Brody, Steven Mark, [redacted].
Cameron, Stephen M., [redacted].
Carroll, Bernard Leon, [redacted].
Casey, Glenn Robert, [redacted].
Clarke, Michael E., [redacted].
Dufresne, Joseph Victor, [redacted].
Jones, Ronnie Kent, [redacted].
Karren, Gary Roger, [redacted].
Lewis, John Franklin, Jr., [redacted].
Nelson, Craig Livezey, [redacted].
Parker, Merle Harry, [redacted].
Raulin, Leslie Ann, [redacted].
Richter, Norman Wesley, [redacted].
Stricklin, Stephen Robe, [redacted].
Thoren, James Michael, [redacted].
Tupa, James Edward, [redacted].
Witwer, David Alan, [redacted].

MEDICAL CORPS

Colonels

Alabanza, Florentino, VI, [redacted].
Alvarez, Johnny Dixon, [redacted].
Anglin, Walter McAdoo, [redacted].
Angritt, Peter, [redacted].
Austin, Ernest, [redacted].
Baddour, George Alfred, [redacted].
Bancroft, William Hobar, [redacted].
Barja, Roberto Hassente, [redacted].
Bart, Gerald Norman, [redacted].
Beatrice, Edwin Staton, [redacted].
Bell, Exter Frank, Jr., [redacted].
Bellamy, Ronald Frank, [redacted].
Benson, William Lee, [redacted].
Berner, William Hal, [redacted].
Boccuti, Anthony Russel, [redacted].
Calkins, Richard Allan, [redacted].
Camp, Thomas Felton, Jr., [redacted].
Ching, Wilson Vui Soon, [redacted].
Chipman, Martin, [redacted].
Cohen, Howard Barry, [redacted].
Collin, Daniel Bernard, [redacted].
Collins, George James Jr., [redacted].
Cook, Edgar Lewis, [redacted].
Cucinell, Samuel Anthon, [redacted].
Cuetter, Albert Cayetan, [redacted].
Daily, Charles Dennis, [redacted].
Dambrosio, Umberto, [redacted].
Danganan, Sergio Sangil, [redacted].
Daubek, Joseph Larry, [redacted].
Davis, Harry Earl, II, [redacted].
Dimond, Richard Charles, [redacted].
Dobbs, Robert Mays, Jr., [redacted].
Ergas, Ralph Edward, [redacted].
Ettore, Albert Joseph, [redacted].
Favila, Marcial Quinone, [redacted].
Freihofer, Erick Jean, [redacted].
George, Eugene Donald, [redacted].
Glancy, Gerard Lloyd, [redacted].
Golosow, Nikolas, [redacted].
Griffith, Donne Gale, [redacted].
Griffith, Jesse Samuel, [redacted].
Grobe, Macy John, [redacted].
Gushwa, Richard Lew, [redacted].
Hastings, Constance Pat, [redacted].
Hastings, James Eastman, [redacted].
Hegstrom, George Robert, [redacted].
Hennessy, William Josep, [redacted].
Hick, Joe Bolton, [redacted].
Holtzman, Saul Charles, [redacted].
Jackson, Stephen Macall, [redacted].
Jarotzky, Vladimir, [redacted].
Jeffer, Edward Kenneth, [redacted].
Johnson, Edward Marion, [redacted].
Jones, Franklin D., [redacted].
Karney, David Henry, [redacted].
Kennell, Charles Byron, [redacted].
Kissack, Alfred S., [redacted].
Klein, Thomas Alexander, [redacted].
Kolmer, John Wilson, [redacted].
Kovacic, Joseph Harry, [redacted].
Landes, Richard Dale, [redacted].
McCarty, James Earl, [redacted].
McManus, William P., [redacted].
McNamara, Norbert J., [redacted].
Miller, Richard N., [redacted].
Moorhead, Frank Albert, [redacted].
Moynihan, Francis W., [redacted].
Nolen, Harold Wilson, [redacted].
Nortontarpez, Jay, [redacted].
Odom, Richard Blount, [redacted].
Ossorioolivencia, Jose, [redacted].
Pakusch, Rainer S., [redacted].
Pauling, Fred William, I, [redacted].
Pawlak, Wallace Wlodzim, [redacted].
Pezua, Carlos David, [redacted].
Pierozynski, George J., [redacted].
Ream, Norman Wendell, [redacted].
Rosenthal, Daniel, [redacted].
Saglio, Jack William, [redacted].
Saintromain, Ray A., [redacted].
Sattgast, John Edward, [redacted].
Scott, Robert McNair, [redacted].
Scully, Thomas Jarvis, [redacted].
Semenoff, Daniel John, [redacted].
Sim, Joel Clamor, [redacted].
Sobol, Samuel Malbin, [redacted].
Soderdahl, Douglas W., [redacted].
Stafford, Harry, [redacted].
Sube, Janis, [redacted].
Thomas, John Price, [redacted].
Tippens, Jack Kelvin, [redacted].
Todd, Warren Allen, Jr., [redacted].
Tolson, James Monroe, [redacted].
Wartofsky, Leonard, [redacted].
Welch, Richard Douglas, [redacted].
Wong, William, [redacted].
Wray, Harvey Linton, [redacted].
Yamaoka, Ronald Mitsuhi, [redacted].

Lieutenant colonels

Agodoa, Lawrnce Yawo Cy, [redacted].
Allen, William Randall, [redacted].
Alving, Carl Richard, [redacted].
Andersen, Charles Abe, [redacted].
Andrade, William Pierre, [redacted].
Andreasen, Arthur Cory, [redacted].
Andronaco, Joseph T., [redacted].
Angladedelannoy, Andres, [redacted].
Aronson, Charles Erwin, [redacted].
Auerbach, Julian, [redacted].
Awan, Mushtaq Ahmad, [redacted].
Babcock, Terence Lee, [redacted].
Baker, John Adelbert, Jr., [redacted].
Banks, Richard Allen, [redacted].
Bascom, James Flaver, [redacted].
Belenky, Gregory Lucas, [redacted].
Benenson, Michael W., [redacted].
Bischoff, Marshall B., [redacted].
Blaedel, Mark Edward, [redacted].
Bleck, Robert George, [redacted].
Block, Dale Kenneth, [redacted].
Boedeker, Edgar Charles, [redacted].
Boehm, Timothy Michael, [redacted].
Bornemann, Michael, [redacted].
Bradley, Martin Robert, [redacted].
Brahman, Sherry Lee V., [redacted].
Branlygomez, Rolando, [redacted].
Brenz, Ronald Wesley, [redacted].
Brewster, Frank Albert, [redacted].
Broadnax, Gary Burks, [redacted].
Brown, George Joseph, [redacted].
Burkhalter, Edward L., [redacted].
Butler, Donald, [redacted].
Cabellon, Silverio, Jr., [redacted].
Camp, Norman Marshall, [redacted].
Cannady, Preston B., [redacted].
Cannon, Benjamin Hollis, [redacted].
Carter, Jimmy Maxwell, [redacted].
Carter, Preston Leroy, [redacted].
Cecere, Fred Anthony, [redacted].
Chan, Philip, [redacted].
Chloupek, Robert, [redacted].
Chulay, Jeffrey David, [redacted].
Cline, William Reynolds, [redacted].
Collins, Delano Malcomb, [redacted].
Condon, Brian Francis, [redacted].
Cook, John Robert, [redacted].
Cosas, Crisale Cango, [redacted].
Cosgriff, Thomas M., [redacted].
Cotterill, Robert W., [redacted].
Courtney, Anthony Wayne, [redacted].
Cristobal, Aurora L., [redacted].
Cross, Alan Stephen, [redacted].
Cunningham, Billy Elvis, [redacted].
Deshon, George Ellis, Jr., [redacted].
Dingeman, Robert Denis, [redacted].
Dixon, Kenneth Eugene, [redacted].
Doberstyn, Edward Brian, [redacted].
Dowdy, James Randolph, [redacted].
Driver, Doyle, Jr., [redacted].
Duffield, John Richard, [redacted].
Eddleman, William Loy, [redacted].
Edmund, Robert Harvey, [redacted].
Ellis, Charles Meyer, Jr., [redacted].
Erdtmann, Frederick J., [redacted].
Fagan, Joe Garrell, [redacted].
Faggett, Walter Lee, II, [redacted].
Farley, Patrick Clare, [redacted].
Febo, Manuel Angel, [redacted].
Fellini, Robert William, [redacted].
Figelman, Alan Richard, [redacted].
Fischer, Gerald Walter, [redacted].
Foley, John Donald, [redacted].
Franceschi, Porfirio, [redacted].
Frattaroli, Nicholas P., [redacted].
Frias, Antonio, Emmanuel, [redacted].
Fuentes, Canales Manuel, [redacted].
Fulk, Charles Samuel, [redacted].
Galvin, Eugene Gerard, [redacted].
George, Lynn Darcy, [redacted].
Glendening, David Logan, [redacted].
Gray, William James, [redacted].
Gregory, Quinones Gerard, [redacted].
Grimmett, Garfield M., Jr., [redacted].
Groh, Lawrence Allen, [redacted].
Grossling, Sergio Freud, [redacted].
Gunby, Edwin Neal, [redacted].
Guyden, Thomas Earl, [redacted].
Hamlin, Nonila Vilches, [redacted].
Hannam, Bernard Ray, [redacted].
Harden, Lewis Brown, [redacted].
Harmon, John Watson, [redacted].
Harpster, William Henry, [redacted].
Harris, Stanley Craig, [redacted].
Hawley, Richard Charles, [redacted].
Hayes, Charles Robert, [redacted].
Head, David Richmond, [redacted].
Healey, Edwin Mack, [redacted].
Heller, Paul Bernard, [redacted].
Hershey, Stephen Charle, [redacted].
Hodder, Richard Anthony, [redacted].
Hollison, Robert Victor, [redacted].
Holsenbeck, Linton S., [redacted].
Homann, Joseph Francis, [redacted].
Hood, Charles Hardin, [redacted].
Hurst, Charles Gary, [redacted].
Hymarsh, Marilyn Kaye, [redacted].
Jenkins, Elray, [redacted].
Johnson, John Prentiss, [redacted].
Jones, Charles Cabell, [redacted].
Jones, John Kipling, [redacted].
Jones, Preston Allen, [redacted].
Joyce, Roby Paul, [redacted].
Jung, Chung Ja, [redacted].
Jurney, Thomas Harlan, [redacted].
Kale, Milton Paul, [redacted].
Kashgarian, Mark, [redacted].
Kehoe, John Edward, [redacted].
Kennon, William Gilliam, [redacted].
Ketchum, Robert Van A., [redacted].
Kidd, Gerald Steele, II, [redacted].
Kim, Michael Hwan, [redacted].
Kirchdoerfer, Richard G., [redacted].
Kirk, John William, [redacted].
Kirkpatrick, James W., [redacted].
Klein, Arthur Deo III, [redacted].
Knowles, Clarence R., [redacted].
Kraft, Barry, [redacted].
Krober, Marvin Smith, [redacted].

Lampe, Richard Michael, [redacted]
Lapins, Nikolajs Armand, [redacted]
Lawrence Sidney Zachar, [redacted]
Lee, Robert Edward, [redacted]
Lepore, Michael Leo, [redacted]
Lisanti, Michael Joseph, [redacted]
Lister, Robert Carl, [redacted]
Logan, William Ernest, [redacted]
Lopiccolo, Philip Frank, [redacted]
Lowell, George Henry, [redacted]
Lowman, Isom, [redacted]
Lucas, Phillip Roney, [redacted]
Lundblad, Edward Gorman, [redacted]
Lundy, Ray Olva, [redacted]
Madden, William Anthony, [redacted]
Mansfield, Lyndon Edwin, [redacted]
Marsh, Verelyn Howard, [redacted]
Matthews, Joseph Ignati, [redacted]
McAuley, Robert Addison, [redacted]
McGuire, Arthur Merrett, [redacted]
Mellette, Julian Ramsey, [redacted]
Mendez, Joaquin Raimund, [redacted]
Merves, Edward, [redacted]
Miller, Charles Francis, [redacted]
Miller, Robert Wayne, [redacted]
Mitchell, Charles Henry, [redacted]
Mitchell, Michael Hewitt, [redacted]
Moore, Hylan Charles, [redacted]
Moreira Allan, [redacted]
Morgan, Andrew Marlin, [redacted]
Morrison, Robert Edward, [redacted]
Mosijczuk, Askold Dmytr, [redacted]
Musetti, Robert William, [redacted]
Mutter, Mitchell Luke, [redacted]
Myers, Larry Stewart, [redacted]
Myers, Robert Lynn, [redacted]
Nadalo, Lennard Albert, [redacted]
Nash, Daniel Alphonza J., [redacted]
O'Donnell, Francis L., [redacted]
Onufer, Charles Nichola [redacted]
Ortiz, Ana Alicia, [redacted]
Osman, Mark Robert, [redacted]
Oster, Charles Nelson, [redacted]
Ozaki, Joe Kuniaki, [redacted]
Ozer, Kerry Jae, [redacted]
Pamplin, Charles Lewis, [redacted]
Parks, Samuel Dale, [redacted]
Peck, Carl Curtis, [redacted]
Peirsol, John Mark, [redacted]
Perry, Michael Eric, [redacted]
Peterson, Richard B., [redacted]
Pettett, Philip Gary, [redacted]
Peura, David Allan, [redacted]
Pick, Terry Eugene, [redacted]
Pierce, John Randall, [redacted]
Plymate, Stephen Rex, [redacted]
Pollard, William Wood, [redacted]
Posner, Michael Harris, [redacted]
Price, John Clyde, [redacted]
Price, Peter Paul, [redacted]
Pulaski, Edwin Thomas, [redacted]
Puskas, Thomas John, [redacted]
Raife, Michael James, [redacted]
Raine, Dudley Allen, Jr., [redacted]
Reed, Larry Douglas, [redacted]
Reid, Robert Harry, [redacted]
Richardson, George G., [redacted]
Rimm, William Raymond, [redacted]
Roberts, David William, [redacted]
Robinson, Bernard [redacted]
Rubinow, Sidney David, [redacted]
Sadoff, Jerald Charles, [redacted]
Salasche, Stuart Joel, [redacted]
Salazar, Andres Mario, [redacted]
Sandberg, Maynard Craig, [redacted]
Sausker, William F., [redacted]
Schlatter, Egon K. E., [redacted]
Schneider, Richard L., [redacted]
Schultheis, William F., [redacted]
Schultheiss, John F., [redacted]
Schuster, Brian George, [redacted]
Schwab, James Anthony, [redacted]
Schydlower, Manuel, [redacted]
Seab, James Augustus, [redacted]
Shearer, Robert Dale, [redacted]
Sheridan, John Lesage, [redacted]
Shim, Poong Sup., [redacted]
Sidenberg, Barry Stuart, [redacted]
Sjogren, Robert William, [redacted]
Smallridge, Robert C., [redacted]
Smith, Dick Roswell, [redacted]
Smith, Franklin Ryder, [redacted]
Smith, Thomas Larry, [redacted]
Snyder, Robert Charles, [redacted]
Sorensen, Gregory W., [redacted]
Spebar, Michael, John, [redacted]
Spencer, Roger Allen, [redacted]
Stoddard, Frederick R., [redacted]
Stokes, James William, [redacted]
Summers, Richard James, [redacted]
Takafuji, Ernest Tomoyu, [redacted]
Tellis, Claude Jenkins, [redacted]
Thompson, Clarence R., [redacted]
Thomsen, Russell John, [redacted]
Todd, Robert Clifford, [redacted]
Treece, Gary Lee, [redacted]
Trivette, Parks Dewitt, [redacted]
Tuer, William Frederick, [redacted]
Tyner, Carl Frederick, [redacted]
Underwood, George Heard, [redacted]
Vanhook, David Madison, [redacted]
Velasco, Maximo Marcario, [redacted]
Vonk, Harold, [redacted]
Waldman, Lionel Elliot, [redacted]
Walsh, Matthew James, [redacted]
Weber, Richard Wolfgang, [redacted]
Weidenfeld, Irwin, [redacted]
Weir, Michael Ross, [redacted]
Wells, David Woodburne, [redacted]
Wertz, Fleming Denton, [redacted]
White, Stephen William, [redacted]
Wiener, Michael Allen, [redacted]
Wittich, Arthur C., [redacted]
Wong, Roy Kwock Hung, [redacted]
Yelland, Graham, [redacted]
York, William Byrne, Jr., [redacted]
Young, Michael Bernard, [redacted]

Majors

Adnot, John, [redacted]
Africano, Enrique Amin, [redacted]
Albaugh, Jeffrey Smith, [redacted]
Alexander, Mark Vincent, [redacted]
Alexander, Milton D., [redacted]
Amster, Steven Mark, [redacted]
Anderton, Barry J., [redacted]
Andres, Dale Fredrick, [redacted]
Ansinelli, Richard A., [redacted]
Arney, Gerald Wayne, [redacted]
Arterberry, Joe F., [redacted]
Atkinson, Alva Winston, [redacted]
Auer, Thomas Harper, [redacted]
Bacon, David Robert, [redacted]
Bailey, Bruce Olin, [redacted]
Baker, John Adelbert, [redacted]
Bank, Robert Louis, [redacted]
Baker, Frank John, [redacted]
Banner, James Daniel, [redacted]
Barr, Michael, [redacted]
Barrett, John Richard, [redacted]
Bassett, Martin L., [redacted]
Batson, Pascal Gayle, II, [redacted]
Bean, Gary Owen, [redacted]
Behnke, Ernest Edmund, Jr., [redacted]
Benton, Frank Ridgley, [redacted]
Berger, Timothy George, [redacted]
Bergfelder, Paul Allen, [redacted]
Bergquist, Roy Jeffrey, [redacted]
Bernier, Ralph Dell, [redacted]
Betts, Stephen Claude, [redacted]
Bird, Julio J., [redacted]
Black, James Franklin, [redacted]
Blanchett, Leo Mose, III, [redacted]
Board, Robert Jeffrey, [redacted]
Bohman, Verle Duane, [redacted]
Bollerup, Edwin John, [redacted]
Bombenger, James John, [redacted]
Booth, John Price, [redacted]
Bork, David Burton, [redacted]
Bourg, Wilson Charles, I, [redacted]
Bowen, James Norman, [redacted]
Bowland, Warren Frank, [redacted]
Bowman, William Edmund, [redacted]
Boyd, Bruce Huntington, [redacted]
Boyd, John Arthur Kip, [redacted]
Boyer, Richard Alan, [redacted]
Bragg, Larry Mark, [redacted]
Brammer, Robert Eric, [redacted]
Brearley, William Dubos, [redacted]
Breeden, Richard Lee, [redacted]
Brennan, Michael West, [redacted]
Brewer, Thomas George, [redacted]
Brock, Kenneth James, [redacted]
Broughton, Robert Edward, [redacted]
Brown, Carl Douglas, [redacted]
Brown, James Edward, [redacted]
Brown, James Howard, [redacted]
Brown, James Stuart, [redacted]
Brown, Jerry Mark, [redacted]
Brown, John Harold, [redacted]
Brown, Ronald Lauchlin, [redacted]
Brown, Sam, Jr., [redacted]
Brown, Sharon Patrice, [redacted]
Broyles, Richard Lee, [redacted]
Brunsvold, Robert Allen, [redacted]
Bryan, George Edward, II, [redacted]
Buckler, Robert Earl, [redacted]
Bullen, Reed, Jr., [redacted]
Bulley, William Arthur, [redacted]
Bundy, Ralph Lawson, [redacted]
Bunker, Stephen Raymond, [redacted]
Bunkersoler, Antonio Lu, [redacted]
Burgess, Russell Earle, [redacted]
Burns, Billy Ray, [redacted]
Burns, Ronald Gibson, [redacted]
Burran, William Patrick, [redacted]
Burroughs, Wallace Fren, [redacted]
Burton, Bernard Alison, [redacted]
Burton, Cary Layne, [redacted]
Bussa, John Joseph, [redacted]
Byars, William Pershing, [redacted]
Byrne, William Russell, [redacted]
Callahan, Michael Earl, [redacted]
Candage, Raymond Lester, [redacted]
Carpenter, Gary Bailey, [redacted]
Carpenter, Mark Merritt, [redacted]
Carr, Walter Guy, [redacted]
Cartagena, Miguel Angel, [redacted]
Carter, Richard Alan, [redacted]
Cates, Michael Aubrey, [redacted]
Cathcart, Cornelius Fit, [redacted]
Chadband, Robert B., [redacted]
Chaffin, Jack C., Jr., [redacted]
Cheatham, Wayman Wendel, [redacted]
Chismire, Kevin Joseph, [redacted]
Chung, Raymond Craig, [redacted]
Churchill, Frank Edward, [redacted]
Clary, Richard Moncure, [redacted]
Classen, Paul Lewis, [redacted]
Clayton, James Ernes, [redacted]
Coger, William Allen, [redacted]
Collier, Nathan Bernard, [redacted]
Collins, Raymond Craig, [redacted]
Colman, Lauren Kenneth, [redacted]
Colpitts, John Frederic, [redacted]
Coludro, Enid America, [redacted]
Condos, William R., [redacted]
Conn, Francis William, [redacted]
Cooke, James Harbin, Jr., [redacted]
Cooper, Ronald Heywood, [redacted]
Copeland, Randolph L., [redacted]
Cordova, Edmond Silfred, [redacted]
Cowan, John David, [redacted]
Cragun, William Hal, [redacted]
Craig, Daniel Baxter, [redacted]
Craig, William Edward, [redacted]
Craighead, Michael Lee, [redacted]
Cricco, Carl Francis, [redacted]
Cronk, Roger Leroy, [redacted]
Damore, Stuart, [redacted]
Daniels, Jewell Lee, Jr., [redacted]
Davila, Ricardo, [redacted]
Davis, James Scott, [redacted]
Davis, Jon Steven, [redacted]
Davis, Leon Douglas, [redacted]
Davis, Roy Kim, [redacted]
Deal, Terry Duane, [redacted]
Deal, Virgil Thomas, Jr., [redacted]
Dempsey, Glenn Bryant, [redacted]
Desonier, Keith Francis, [redacted]
Deutsch, Anthony John, [redacted]
Diehl, Louis Frederic, [redacted]
Dodson, Leonard Edwin J., [redacted]
Dorn, Ronald Vancort, II, [redacted]
Dorsett, Roswell Branso, [redacted]
Douglas, Benjamin, [redacted]
Duncan, Ian Robert, [redacted]
Dunn, Bruce Cullom, [redacted]
Duplantis, Allen Joseph, [redacted]
Durant, William Preston, [redacted]
Duster, Mark C., [redacted]
Eberhard, Todd, [redacted]

Eggli, Douglas Fred, [redacted]
Eggli, Kathleen Dunne, [redacted]
Eisemann, Daniel Robert, [redacted]
Ellenberg, John Frank J., [redacted]
Ellington, David Alan, [redacted]
Elteto, Aron, [redacted]
Ely, Thomas Lee, [redacted]
Evans, John Willis, Jr., [redacted]
Evenson, Eric Todd, [redacted]
Fallon, William Francis, [redacted]
Farmer, Kenneth Lloyd J., [redacted]
Faucher, Paul Gregory, [redacted]
Ferguson, Clifford Lest, [redacted]
Ferraris, Victor A., [redacted]
Fields, Larry Stephens, [redacted]
Fill, William Louis, [redacted]
Finnerty, Robert Urban, [redacted]
Fitz, James Dudley, [redacted]
Fitzpatrick, James E., [redacted]
Fleming, Curtis, [redacted]
Flynn, Frederick George, [redacted]
Flynn, Michael Laverne, [redacted]
Foret, Lynn Edward, [redacted]
Fortner, Bryant Reeves, [redacted]
Freeman, Cornelius Edward, [redacted]
Freeman, Sharon Diane, [redacted]
Frerkes, Joseph Leon, [redacted]
Fulkerson, Alvin Ray, [redacted]
Fuselier, Francis Wayne, [redacted]
Gaines, Lelia Teressa, [redacted]
Gantt, David Scott, [redacted]
Garber, Eugene Bradley, [redacted]
Gardner, Richard Dennis, [redacted]
Garrett, Wayne Lee, [redacted]
Garvey, Scott Pearson, [redacted]
Gearhart, John Rathmann, [redacted]
Geer, Michael Reynaud, [redacted]
Gentry, Richard Harold, [redacted]
George, Christopher B., [redacted]
George, Robert John, [redacted]
Gilbert, Jimmy Goodwin, [redacted]
Gold, Lewis Feldman, [redacted]
Golden, Barbara Jean, [redacted]
Goldman, Richard Alan, [redacted]
Graeber, Geoffrey Marc, [redacted]
Graff, Gene Edward, [redacted]
Greene, Thomas Conley, [redacted]
Greer, Michael Edward, [redacted]
Griffith, James Carter, [redacted]
Grimwood, Ronald Eugene, [redacted]
Grist, James Donald, [redacted]
Grizzard, Lo Kathleen M., [redacted]
Groves, Sheridon Hale, [redacted]
Guidera, Kenneth John, [redacted]
Gutknecht, Michael G., [redacted]
Hamilton, John William, [redacted]
Hanley, James Francis I., [redacted]
Hanson, John Vernon, [redacted]
Hanson, Rae Richard, [redacted]
Hardy, Michael Rob, [redacted]
Harriman, George Howard, [redacted]
Harris, Albin Warner, [redacted]
Harris, John Malcom, Jr., [redacted]
Harrison, Randolph B., [redacted]
Harrison, Shannon M., [redacted]
Haskett, Josepn Ray, Jr., [redacted]
Hayne, Steven Timothy, [redacted]
Hayslip, Clifford C., [redacted]
Hector, Richard Edward, [redacted]
Heinecke, Carl David, [redacted]
Hemmer, Thomas Melville, [redacted]
Hempling, Leonard Jack, [redacted]
Hendrix, Maecenas Bento, [redacted]
Herrera, Guillermo Anto, [redacted]
Hickey, Deborah Lee, [redacted]
Hicks, Henry Carlton, [redacted]
Hill, Frank Costigan, [redacted]
Hill, Harry Haydon, [redacted]
Hill, Kenneth Forbes, [redacted]
Hiller, Durell Alpheus, [redacted]
Hochreiter, George Carl, [redacted]
Hodge, Gerald Mack, [redacted]
Hodges, Ronald Howard, [redacted]
Hoffer, Richard Scott, [redacted]
Holcomb, John Robert, [redacted]
Hope, John Malcolm, [redacted]
Horn, Robert Traill, Jr., [redacted]
Hostetter, Robin Elno, [redacted]
Hotchko, George John, Jr., [redacted]
Howard, Fred Marion, Jr., [redacted]
Hudson, Larry David, [redacted]
Humm, Gayle Ann, [redacted]
Hunter, James Gregory, [redacted]
Huntt, Harry Andrew, Jr., [redacted]
Icochea, Rosendo Segund, [redacted]
Imai, Walter Kenji, [redacted]
Insalaco, Samuel Joseph, [redacted]
Jackson, John Howard, [redacted]
Jackson, Michael Howard, [redacted]
Jacobson, Neil Arvid, [redacted]
Jamison, Rodney Keith, [redacted]
Jenkins, Terry Ray, [redacted]
Jennings, Jeffory Glenn, [redacted]
Jirka, John Harry, [redacted]
Johnson, Carl Allen, [redacted]
Johnson, David Edgar, [redacted]
Johnson, Eric Alan, [redacted]
Johnson, Robert Milton, [redacted]
Johnson, Sheldon Ashley, [redacted]
Johnson, Terry Lee, [redacted]
Jones, Ronald Jay, [redacted]
Jucas, John Juanutis, [redacted]
Kacenga, Kenneth Stephe, [redacted]
Karcher, Donald Steven, [redacted]
Kaye, James Howard, [redacted]
Keegan, Michael Thomas, [redacted]
Keiser, John Francis, Jr., [redacted]
Keisler, David Simpson, [redacted]
Kelley, Kevin Christoph, [redacted]
Kellogg, Eugene Lloyd, [redacted]
Kelly, Robert William, [redacted]
Kenney, Robert Luther, [redacted]
Kiley, Kevin Christophe, [redacted]
Kimbrell, Fred Michael, [redacted]
Kirchner, Donald Bruce, [redacted]
Kirkwood, Alfred John, [redacted]
Klepatz, Robert Stephen, [redacted]
Knight, James Arthur, [redacted]
Knudsen, Dennis Lee, [redacted]
Koerper, Conrad Epping, [redacted]
Kolb, Melvin Max, [redacted]
Kraus, Eric Werner, [redacted]
Kray, Kenneth Thomas, [redacted]
Kunath, Arthur Michael, [redacted]
Kyser, Perry Leroy, [redacted]
Laccheo, Michael Lewis, [redacted]
Lammie, John James, [redacted]
Lane, Richard James, [redacted]
Larson, John Leonard, [redacted]
Law, Eleanor Smith, [redacted]
Lawler, Gerry Norman, [redacted]
Lawsin, Rosen Jamandre, [redacted]
Lee, Kenneth Amos, [redacted]
Leeburg, William Thomas, [redacted]
Lehrner, Lawrence Marsh, [redacted]
Leonard, Tommy Junior, [redacted]
Lesueur, Leo Michael, [redacted]
Leverton, Robert S., II, [redacted]
Levin, Marc William, [redacted]
Lewis, Sterling Francis, [redacted]
Li, Lilian Yuan Yuan, [redacted]
Long, William Hanover, [redacted]
Lord, Jonathan Grant, [redacted]
Luetzow, Thomas John, [redacted]
Lukas, Garron Michael, [redacted]
Lum, Wayland Tuck Chinn, [redacted]
Lundy, Michael Mahoney, [redacted]
Mabee, Lee Maitland, Jr., [redacted]
Madden, Steven Allan, [redacted]
Maddox, John Lindsey, Jr., [redacted]
Mader, Thomas Henry, [redacted]
Malloy, Tyrone Cecil, [redacted]
Marinelli, Philip Vince, [redacted]
Maroldo, Thomas Vincent, [redacted]
Marsden, Richard James, [redacted]
Marshall, William, Jr., [redacted]
Martin, George Randolph, [redacted]
Martin, J. Paul, [redacted]
Martin, Norman Joseph, [redacted]
Martin, Rafael Antonio, [redacted]
Martinez, Colon Manuel, [redacted]
Massenburg, Jerome D., [redacted]
Matthews, George Eric, [redacted]
Maughan, Delray, [redacted]
McBride, Dane Carlos, [redacted]
McCabe, Michael Oren, [redacted]
McCarthy, Joseph, [redacted]
McCauley, Ronald Keith, [redacted]
McClain, John Bruce Lun, [redacted]
McHone, James Samon, [redacted]
McKinney, Harry Don, Jr., [redacted]
McKoy, James, [redacted]
McLeod, Samuel Luther I, [redacted]
McNeill, Daniel Hugh, Jr., [redacted]
McNeill, Karen Mills, [redacted]
McNiesh, Lawrence M., [redacted]
Mead, Jay Harvey, [redacted]
Meadows, Daniel Thomas, [redacted]
Mendenhall, Milton Tosh, [redacted]
Mendoza, Adalberto, [redacted]
Mesrobian, Robert B., [redacted]
Micka, Thomas Frederick, [redacted]
Middlebrooks, Tracy W., [redacted]
Miles, Brian John, [redacted]
Miller, Jerry Winkler, [redacted]
Mills, Glenn Morris, [redacted]
Moffett, Paul Michael, [redacted]
Moffitt, Donald Ray, [redacted]
Moore, Raymond Parnell, [redacted]
Moraczewski, Thomas H., [redacted]
Morgan, Barbara Nylund, [redacted]
Morton, Berry Ezell, II, [redacted]
Morton, Gregory Keith, [redacted]
Moseley, Preston Wooten, [redacted]
Moses, Charles Robert, [redacted]
Mowbray, Alan Gene, [redacted]
Mueller, Lawrence Peter, [redacted]
Muench, Alan Guyot, [redacted]
Murray, William Charles, [redacted]
Mygatt, George Garner, [redacted]
Nash, William Craig, [redacted]
Natalino, Michael Robert, [redacted]
Neffien, Paul Eugene, [redacted]
Nelson, Mark William, [redacted]
Newman, Forest Pike, III, [redacted]
Nickell, Michael David, [redacted]
Noce, Michael Anthony, [redacted]
Ochia, Rowland Echete, [redacted]
O'Connor, Dennis Michael, [redacted]
Ogilvie, Orin Howard, [redacted]
Olazabel, Raul Phillip, [redacted]
Old, Christopher Wingat, [redacted]
Olson, David Warren, [redacted]
Olson, Leroy Curtis, [redacted]
Omdahl, Nicholas Samuel, [redacted]
Opal, Steven Michael, [redacted]
Orcutt, Jeremy, [redacted]
Orecchia, Paul Mario, [redacted]
O'Rourke, Timothy John, [redacted]
Orrick, Larry Richard, [redacted]
Osborne, Mary Louise, [redacted]
Owens, Brian David, [redacted]
Ownbey, James Linus, [redacted]
Palermo, James Vincent, [redacted]
Palmer, Corley Mark, [redacted]
Pan, Paul Paolung, [redacted]
Panosian, Jeffrey Brent, [redacted]
Park, Gordon Sherman, [redacted]
Parker, Allan Law, [redacted]
Parker, Edson Oliver, II, [redacted]
Parsons, William Thomas, [redacted]
Patton, Gary Joseph, [redacted]
Payne, John Bruce, [redacted]
Pelegrina, Miguel Angel, [redacted]
Perry, David John, [redacted]
Peterson, David Arthur, [redacted]
Petrie, Jonathan Lee, [redacted]
Petty, Robert Thomas, [redacted]
Petzold, Robert Warren, [redacted]
Phillips, Yancy Y., [redacted]
Phurrough, Steve Eric, [redacted]
Piskun, Mary Ann Dunn, [redacted]
Pomerance, Glenn Noel, [redacted]
Poole, James Morrison, [redacted]
Portman, Ronald Jay, [redacted]
Potter, Allen Roger, [redacted]
Powers, David Longfello, [redacted]
Pruett, Chester Eugene, [redacted]
Ramirez, Manuel Fernand, [redacted]
Ranlett, Robert Darrel, [redacted]
Ratner, Paul Howard, [redacted]
Reddick, Eddie Joe, [redacted]
Reed, Kendall, [redacted]
Reed, Robert Lawrence, [redacted]
Renard, Ronald Lee, [redacted]
Reuben, Leedell, [redacted]
Rigo, Mark Steven, [redacted]
Riston, Dennis Dekoven, [redacted]
Roberts, David Alan, [redacted]
Roth, Rob Roy, [redacted]
Russell, Don Ross, [redacted]

Russell, John Ronald, [redacted]
Russell, Robert Blaine, [redacted]
Rutledge, Kenneth Allen, [redacted]
Ryan, Paul Harold, [redacted]
Safford, Kathryn Lynne, [redacted]
Salminen, Eric Richard, [redacted]
SanAntonio, Pamela Jo P., [redacted]
SanAntonio, Richard Pat, [redacted]
SanMartin, Antonio Alej, [redacted]
Saunders, Charles Glenn, [redacted]
Scannon, Patrick Jerome, [redacted]
Schick, Martin Edward, [redacted]
Schnicker, Steven Craig, [redacted]
Schoenfeld, Roger H., [redacted]
Sedwick, Richard Elmer, [redacted]
Sepulvedaserra, Rene A., [redacted]
Serine, Enrico Anthony, [redacted]
Shanahan, Dennis P., [redacted]
Sheehan, Timothy Daniel, [redacted]
Shehi, Lyle Edward, Jr., [redacted]
Shelton, Artie Lindy, [redacted]
Sherman, John Leonard, [redacted]
Shervette, Robert E., [redacted]
Shropshire, Lowry C., [redacted]
Siletchnik, Mark David, [redacted]
Sinar, Dennis Robert, [redacted]
Skarin, Robert Mark, [redacted]
Slade, Clement Lawrence, [redacted]
Slatten, William Crosby, [redacted]
Slover, Robert Henry, II, [redacted]
Smerz, Richard William, [redacted]
Smith, Clifford Baxter, [redacted]
Smith, Heather Sue, [redacted]
Smith, Kathleen Jeanne, [redacted]
Smith, Leroy Carter, [redacted]
Smith, Michael Gene, [redacted]
Smith, Wallace Dean, [redacted]
Smith, William Roy, [redacted]
Snowdy, Harry Addison J., [redacted]
Snyder, Karl Stuart, [redacted]
Snyder, Paul John, [redacted]
Soden, Cylburn Earl, [redacted]
Spottswood, Paul Gregor, [redacted]
Sprague, Thomas Harold, [redacted]
Spratling, Larry, [redacted]
Squire, Edward Noonan J., [redacted]
Stallings, Roosevelt J., [redacted]
Stanton, Robert Page, [redacted]
Steiner, Richard Albert, [redacted]
Stith, Rosa Bell, [redacted]
Stoddard, Donald Duane, [redacted]
Stoecker, Willeford J., [redacted]
Stone, Irvin Keith, [redacted]
Strampel, William Derke, [redacted]
Strange, Gary Rondell, [redacted]
Stuart, Robert Elmer, [redacted]
Sweet, Brian Richard, [redacted]
Sydnor, Robert W., [redacted]
Taylor, Neill Oliver, [redacted]
Taylor, Shaun Ahern, [redacted]
Terebelo, Howard R., [redacted]
Tewis, Huey Duane, [redacted]
Tezak, Richard William, [redacted]
Theodore, Henri Claude, [redacted]
Thompson, Albert Marion, [redacted]
Thompson, Andrew Mark, [redacted]
Thompson, Paul Benhart, [redacted]
Towe, Benjamin Franklin, [redacted]
Townsend, Donald Cross, [redacted]
Townsend, Donald Gaye, [redacted]
Trant, Collie Michael, [redacted]
Traylor, Michael Thomas, [redacted]
Tretta, Joseph Thomas, [redacted]
Tyler, David Lendon, [redacted]
Tyson, Duncan Wright, Jr., [redacted]
Urban, Edward Stevens, [redacted]
Vancura, Stephen Joseph, [redacted]
Vandewalle, Michael B., [redacted]
Via, Charles Sanford, [redacted]
Vierra, Lawrence A., [redacted]
Vikelidou, Iphigenia, [redacted]
Voorhees, Elwood Gerald, [redacted]
Vovakes, Michael Jon, [redacted]
Walcott, William Oliver, [redacted]
Wallace, Roger Lewis, [redacted]
Walter, Michael Harry, [redacted]
Wappett, Nigel George, [redacted]
Ward, Michael George, [redacted]
Watson, Thomas Downes, [redacted]
Way, Bill Vaughn, [redacted]
Weatherwax, Robert John, [redacted]
Weaver, Michael Joseph, [redacted]
Webster, Joseph Carlton, [redacted]
Weddel, Stephen Jay, [redacted]
Wehrle, Paul Allen, [redacted]
Wehrly, David James, [redacted]
Wells, Larry Joe, [redacted]
Welton, Richard Charles, [redacted]
Wendt, Randall James, [redacted]
West, Walter Clinton, Jr., [redacted]
Weyandt, Timothy Boyd, [redacted]
Whitson, Michael Lee, [redacted]
Wickham, Lawrence K., [redacted]
Wicklund, Dale Gordon, [redacted]
Wikert, Gary Allan, [redacted]
Wilcox, Carver Gregory, [redacted]
Willey, Godon Denis, [redacted]
Wilson, Bruce Edward, [redacted]
Wilson, Ronald Thomas, [redacted]
Winton, George Beverly, [redacted]
Wolf, Charles Joseph, [redacted]
Wolf, Charles Redmond I., [redacted]
Worley, Bob Stanton, [redacted]
Wortham, Dale Cralle, [redacted]
Wright, Alvin James, [redacted]
Wright, Daniel Godwin, [redacted]
Wright, Homer Jacob, [redacted]
Wright, John Charles, [redacted]
Wright, Lucius Feathers, [redacted]
Wu, Philip, [redacted]
Wulfsberg, Bruce Warren, [redacted]
Wymer, David Cole, [redacted]
Xenakis, Stephen N., [redacted]
Young, Thomas Oliver, [redacted]
Yurt, Roger William, [redacted]
Zaloznik, Arlene Joyce, [redacted]
Zielinski, Henry John, [redacted]
Zimmerman, Donald M., [redacted]

Captains

Copple, Hal Eubert, Jr., [redacted]
Frumkin, Kenneth, [redacted]
Kirzinger, Stephen S., [redacted]
Mansour, Esber Hani, [redacted]
Michael, Rodney Allan, [redacted]
Mosby, John Anthony, [redacted]
Reece, Richard Randolph, [redacted]
Russell, Henry Paul, [redacted]
Whatmore, Douglas Neri, [redacted]

MEDICAL SERVICE CORPS

Colonels

Harder, Richard Charles, [redacted]
Moussa, Moufied Abdelaz, [redacted]

Lieutenant colonels

Alexander, James R., [redacted]
Atack, Rodney Merrill, [redacted]
Banner, Louis Eugene, [redacted]
Batalsky, Joel William, [redacted]
Bivens, Rolland Nile, [redacted]
Blatnica, Joseph Robert, [redacted]
Bleich, Roland, [redacted]
Brown, Jerry Milford, [redacted]
Chermol, Brian Hamilton, [redacted]
Ciliax, Donald Ralph, [redacted]
Clement, Stephen David, [redacted]
Czachowski, Robert Jose, [redacted]
D'Oronzio, Paul Anthony, [redacted]
Freiheit, Gene Arthur, [redacted]
Garrett, Leonard F., [redacted]
Gill, Alfred William, [redacted]
Gillooly, David Hugh, [redacted]
Gmelin, Robert Thomas, [redacted]
Goldstein, Jerod Louis, [redacted]
Hampton, Jon Franklin, [redacted]
Jones, Malachi Brown, [redacted]
Kamenar, John Michael, J., [redacted]
Knight, Horace, [redacted]
Kozuki, Robert Junji, [redacted]
Kreiner, John Edward, [redacted]
Lelesch, John Herman, Jr., [redacted]
Lewis, Charles Henry, [redacted]
Lindahl, James Henry, [redacted]
Livermore, Philip E., [redacted]
Marshall, Stanley B., [redacted]
McGinley, Michael P., [redacted]
McLaurin, Benjamin Fran, [redacted]
Muul, Ilar, [redacted]
Olander, Leroy Hugh, Jr., [redacted]
Porta, Ronny Edwin, [redacted]
Richardson, William O., [redacted]
Russell, Gerald Edward, [redacted]
Schopper, Aaron Walter, [redacted]
Schumaker, Richard L., [redacted]
Shannon, Michael Alfred, [redacted]
Simon, Vern Joseph, [redacted]
Smart, William Franklin, [redacted]
Smith, George Theodore, [redacted]
Sparks, Frederick Donal, [redacted]
Stotler, Richard Elmo, [redacted]
Taylor, Philip Larry, [redacted]
Thill, Fred Arch, [redacted]
Thomas, Charles Edgar, [redacted]
Tibbetts, Karl Alfred, [redacted]
Watson, Robert Timothy, [redacted]
Young, Jimmy Lee, [redacted]

Majors

Abercrombie, Jay, [redacted]
Aitkin, James Maurice, [redacted]
Alexander, Jimmy Don, [redacted]
Allen, James Donald, Jr., [redacted]
Amos, Paul David, [redacted]
Andre, Richard Graham, [redacted]
Andrews, Kenneth Gerald, [redacted]
Andron, Leo Alexander, I, [redacted]
Anschutz, James Harold, [redacted]
Arnot, Dave, [redacted]
Arnott, John James, [redacted]
Askew, Eldon Wayne, [redacted]
Aspinall, Kenneth Bru, [redacted]
Baderschneider, Roger D., [redacted]
Ball, James Everette, [redacted]
Banks, William Foster J., [redacted]
Baugher, Jerry Isom, [redacted]
Baumann, Roger Carl, [redacted]
Beach, Johnston, [redacted]
Beauchemin, Richard R., [redacted]
Becco, Lawrence Andrew, [redacted]
Beene, Jerry Don, [redacted]
Beirne, Douglas Ronald, [redacted]
Bell, John Wesley, [redacted]
Bender, Donald Raymond, [redacted]
Bennett, Charles Thomas, [redacted]
Bentley, Gerard Anthony, [redacted]
Bevett, David Leon, [redacted]
Biddle, Michael James, [redacted]
Bjornson, Darrel Curtis, [redacted]
Blake, Herbert Alden, [redacted]
Block, Harold Gordon, [redacted]
Blum, Barry Nathan, [redacted]
Blythe, Raymond Ellswor, [redacted]
Boecher, Frederick Will, [redacted]
Borders, William Steve, [redacted]
Borkowski, Thomas Vern, [redacted]
Brewster, James Leroy, [redacted]
Brian, Rex Jenson, [redacted]
Bridger, Larry Ervin, [redacted]
Brisbois, Charles Perry, [redacted]
Broach, John Cedric, [redacted]
Broadway, Peter John, [redacted]
Brooks, Franklin Ramon, [redacted]
Bull, John Michael, [redacted]
Burns, James Walker, [redacted]
Butke, Kenneth Paul, [redacted]
Caldwell, Jerry Wayne, [redacted]
Callaghan, John Ayers, [redacted]
Caputo, Frank Vincent, [redacted]
Carbonell, Arthur J., [redacted]
Carp, Matthew Barr, [redacted]
Cattan, Joseph Ellis, Jr., [redacted]
Channing, Eugene S., [redacted]
Chastain, Roger Vernon, [redacted]
Childs, George Edward J., [redacted]
Cho, Gordon Winter, [redacted]
Churchman, James M., [redacted]
Clark, Richard Lee, [redacted]
Claytor, Robert Alan, [redacted]
Clouse, Stephen Paul, [redacted]
Cloutier, Marc Gerard, [redacted]
Clyde, William David, Jr., [redacted]
Collins, Clarence Ray, [redacted]
Collins, Dean Alfred, [redacted]
Cook, Timothy Ross, [redacted]
Coolbaugh, Gerald Allen, [redacted]
Cooley, William Leslie, [redacted]
Cooney, William Thomas, [redacted]
Cordy, Michael Dean, [redacted]
Corley, James Hale, [redacted]
Coulter, Kenneth Christ, [redacted]
Cripe, Lloyd Irvin, [redacted]
Crumrine, Martin Hilmer, [redacted]
Culley, James Robert, [redacted]

Cummings, John William, [redacted].
Cunningham, Samuel Lee, [redacted].
Custer, Norman Jerome J., [redacted].
Danby, James Clayton, [redacted].
Davis, Timothy Andrew, [redacted].
Day, James Francis, [redacted].
Deblois, William A., [redacted].
Derr, John Robert, [redacted].
Dicks, Louise Augustus, [redacted].
Dilly, Breckenridge CHA., [redacted].
Dingey, Martha Jane, [redacted].
Dorland, Peter Grant, [redacted].
Drost, Leonard Stefan, [redacted].
Dunlap, Melvin Eddie, [redacted].
Dunn, John David, [redacted].
Dunphy, Donald Edward, [redacted].
Eads, James Robert, [redacted].
East, Virgil Ralph, [redacted].
Edwards, Horace F., [redacted].
Emery, Homer Cecil, [redacted].
Farnsworth, Donald M., [redacted].
Fedorov, Alex, [redacted].
Fellows, Samuel Barton, [redacted].
Fields, Boyce, Jr., [redacted].
Fosen, Lloyd Bruce, [redacted].
Fox, Alan Irving, [redacted].
Frommer, Robert Lee, [redacted].
Frost, Charles Francis, [redacted].
Fulfer, Jesse Kenneth, [redacted].
Furbish, Bruce Gordon, [redacted].
Furlow, Bruce Michael, [redacted].
Futterer, James William, [redacted].
Gage, Arlon Bernard, [redacted].
Gallant, Lewis Edward, [redacted].
Galloway, Robert Dean, [redacted].
Gemmill, Robert Holt, [redacted].
Gingrich, John Bruce, [redacted].
Gisin, George Joseph, [redacted].
Graeber, Raymond Curtis, [redacted].
Graven, Johannes Theodo, [redacted].
Greene, Jeffrey Francis, [redacted].
Greenfield, Gary Ray, [redacted].
Greer, Terry Arlin, [redacted].
Gregg, Charles Stanley, [redacted].
Griswold, Richard Harry, [redacted].
Guiang, Mark Figuerres, [redacted].
Guilbert, Terry Vaughn, [redacted].
Gunn, Bruce Alan, [redacted].
Haisler, Robert Lee, [redacted].
Hamilton, David Edward, [redacted].
Hamilton, Emma Davis, [redacted].
Hamlin, Elywood Roderick, [redacted].
Hampton, Lawrence Dale, [redacted].
Hancock, Roy Ellerbe, [redacted].
Harlan, Harold Jonathan, [redacted].
Harris, Melvin Louis, [redacted].
Harrison, Thomas Gwynn, [redacted].
Hatcher, Robert Wilburn, [redacted].
Hawks, Thomas Reid, [redacted].
Heffer, Robert Allen, II, [redacted].
Heim, Franklin Charles, [redacted].
Higbee, James, [redacted].
Hillberg, Owen Eugene, [redacted].
Hockmeyer, Wayne Thomas, [redacted].
Hogan, Kenneth Roger, [redacted].
Holgate, Stanley Hird, [redacted].
Holly, Franklin Frederi, [redacted].
Hoopes, Thomas Robert, [redacted].
Hoover, Michael Eugene, [redacted].
Howard, Alfred Norman, [redacted].
Howell, Hardy Marc, [redacted].
Huether, Ronald Austin, [redacted].
Hulsebus, Robert Clary, [redacted].
Hursh, Steven Rawlings, [redacted].
Iverson, Donn Allan, [redacted].
Jackson, David Clark, [redacted].
Jackson, Edward Lawrenc, [redacted].
Jackson, Jon Dexter, [redacted].
Jacobs, James Randolph, [redacted].
Johns, Merlin Curtis, [redacted].
Kardatzke, James Thomas, [redacted].
Keller, Lucien Fairfax, [redacted].
Kelley, William Ronald, [redacted].
Kelly, Stanley David, [redacted].
Kershner, Ronald Charle, [redacted].
Killgore, Ernest Shepha, [redacted].
Kimbell, David Lee, [redacted].
Kirschbaum, George Albe, [redacted].
Kittinger, Paul Francis, [redacted].
Kluck, David Leroy, [redacted].
Knodel, Stewart Eugene, [redacted].
Koehler, Harold Charles, [redacted].
Kosman, James Michael, [redacted].
Kowal, Dennis Melton, [redacted].
Krueger, Gerald Peter, [redacted].
Labaugh, William James, [redacted].
Lacey, Thomas Arthur, [redacted].
Lamy, Joel Robert, [redacted].
Landry, Alfred Joseph Jr., [redacted].
Lanway, Merle Stanley, [redacted].
Laschkewitsch, John Mau, [redacted].
Laskow, Gregory Blaise, [redacted].
Leahy, Dennis James, [redacted].
Leibrecht, Bruce Carl, [redacted].
Lester, Michael Barry, [redacted].
Linkous, Otis Everette, [redacted].
Lippert, Lloyd Edward, [redacted].
Liter, Melvin Earl, [redacted].
Loovis, Carl Francis, [redacted].
Lott, Charles Melbert, [redacted].
Love, Alan Lance, [redacted].
Lowe, John Raymond, [redacted].
Lozada, Jacob, [redacted].
Luckey, Thomas Samuel, [redacted].
Magee, William, [redacted].
Mann, Edward Russell, [redacted].
Manning, Frederick Jose, [redacted].
Mantia, William Michael, [redacted].
Marrs, David Onis, [redacted].
Marslender, Robert Gay, [redacted].
Martin, Brian Paul, [redacted].
Mathewson, Nathan Sanbo, [redacted].
Maury, James Ludlow, [redacted].
Mays, Robert Allen, Jr., [redacted].
McAdams, Charles Orien, [redacted].
McAuley, Robert James Jr., [redacted].
McCarty, Gary Patrick, [redacted].
McClelland, Howard Aust, [redacted].
McCrary, Thomas Michael, [redacted].
McDonough, John Henry Jr., [redacted].
McGrath, James Patrick, [redacted].
McMenamin, John Joseph, [redacted].
McNeil, Thomas Joseph, [redacted].
Minkley, Thomas Eugene, [redacted].
Mitchell, Robert Allen, [redacted].
Molitor, Robert Bruce, [redacted].
Morin, Randall Steven, [redacted].
Mueller, Herman Gustav, [redacted].
Myers, Peter Hall, [redacted].
Nikolich, Francis Mario, [redacted].
Nilsen, David Ivar, [redacted].
Nowakowski, Robert Jame, [redacted].
O'Brien, Donald Edward, [redacted].
Ognibene, John Howard, [redacted].
Olson, Glenn Edwin, [redacted].
O'Mara, Peter Augustine, [redacted].
Opland, Ronald Lewis, [redacted].
Ouzts, James William, [redacted].
Palmer, Darwin Bayne, Jr., [redacted].
Parker, William Rex, [redacted].
Parmer, David Lee, [redacted].
Pelosi, John Jay, [redacted].
Popek, Daniel Joseph, [redacted].
Potter, Eugene Wayne, [redacted].
Powanda, Michael C., [redacted].
Puttock, Robert Edward, [redacted].
Rachfal, John Robert, [redacted].
Rath, Frank Henry, Jr., [redacted].
Rawlings, Donald Charles, [redacted].
Reid, Michael John, [redacted].
Rhodes, Allen Edward, [redacted].
Richardson, James Clair, [redacted].
Rippe, Robert Alan, [redacted].
Robinson, Ronald Barry, [redacted].
Rogers, Michael James, [redacted].
Rosenheim, Harold David, [redacted].
Rumbaugh, Paul Carleton, [redacted].
Salzman, Robert David, [redacted].
Sanderlin, Larry Robert, [redacted].
Sawa, Joseph Sherman, [redacted].
Schneider, Robert Jacob, [redacted].
Seidel, Frederick John, [redacted].
Sellards, Robert R., [redacted].
Sessions, George Rufus, [redacted].
Shoberg, John David, [redacted].
Skeistaitis, Walter J., [redacted].
Slaton, Irving Carroll, [redacted].
Smith, Byron Neeley, [redacted].
Smith, Donald Billy, [redacted].
Smith, Michael James, [redacted].
Smith, Ray Virgil, [redacted].
Smith, William Rodney, [redacted].
Smullen, Melvin George, [redacted].
Soma, David Joseph, [redacted].
Southworth, George C., [redacted].
Stahl, William Theodore, [redacted].
Starcher, Bobby Lee, [redacted].
Starrett, Patrick Dee, [redacted].
Stephens, Elwood Larry, [redacted].
Sternal, Thomas Michael, [redacted].
Straker, Richard Michael, [redacted].
Sutton, Stanley Paul, [redacted].
Swingler, Ralph Scott, Jr., [redacted].
Szurek, John Leonard, [redacted].
Tannahill, Chris Len, [redacted].
Tessier, Paul Leo, [redacted].
Thomas, Robert Eugene, [redacted].
Thompson, Garold Keith, [redacted].
Todd, Michael Hugh, [redacted].
Treece, Thomas Robert, [redacted].
Turnbull, John David, [redacted].
Turner, George Henry, II, [redacted].
Underwood, Cone Smith, [redacted].
Urbancik, Gerald Walter, [redacted].
Vallery, James Floyd, [redacted].
Velker, Timothy James, [redacted].
Venezia, Daniel Joseph, [redacted].
Verzwyvelt, Lynn Joseph, [redacted].
Vonbredow, Jurgen Klaus, [redacted].
Vonszilassy, Peter J., [redacted].
Waddell, Thomas Robert, [redacted].
Wallace, John Riley, [redacted].
Wannarka, Gerald Lee, [redacted].
Warner, Kenneth David, [redacted].
Watson, Douglas Lee, [redacted].
Webb, Arthur Boyce, [redacted].
Wetherill, Samuel Roger, [redacted].
Whiddon, Robert Gray, Jr., [redacted].
Whisenant, Allen Dale, [redacted].
Whitaker, Stephen D., [redacted].
Whiting, Robert Edward, [redacted].
Willard, David Lee, [redacted].
William, John Allen, II, [redacted].
Williams, Rogers F., [redacted].
Williamson, Donna Carey, [redacted].
Wilson, James Paul, [redacted].
Wilson, Mary Althea, [redacted].
Wilson, Saunders Edward, [redacted].
Wingate, James Carlisle, [redacted].
Woolridge, Wesley C., [redacted].
Wooten, Wilford Dean, [redacted].
Yaryan, Robert Alan, [redacted].
Young, Charles, [redacted].
Young, James Howard, [redacted].
Zabrycki, Andrew Gary, [redacted].
Zold, Anthony C., [redacted].

Captains

Allen, Timothy Pete, [redacted].
Bartosh, Edward Thomas, [redacted].
Berezuk, Gregory Philip, [redacted].
Browning, William C., [redacted].
Cheatham, Ronald R., [redacted].
Clarke, Milton Alonzo, [redacted].
Clement, Dennis Lynn, [redacted].
Day, Rodney Gene, [redacted].
Deppensmith, Donald L., [redacted].
Duvall, Garry David, [redacted].
Gilpin, James, [redacted].
Grill, Dennis Joseph, [redacted].
Honl, James Arnold, [redacted].
Lacy, Danny Elwood, [redacted].
Magill, Samuel Wallace, [redacted].
McQueen, Samuel Garland, [redacted].
Nelson, William Roy, [redacted].
Newborn, Jesse Paul, [redacted].
Pierce, Phillip Ervin, [redacted].
Piotrowski, Stanley L., [redacted].
Rakickas, Ronald Jude, [redacted].
Rembold, John Maynard, [redacted].
Rickett, Daniel Lowe, [redacted].
Roberts, Chester Ronald, [redacted].
Robins, Michael Craig, [redacted].
Siefert, Ernest George, [redacted].
Sorensen, Elin Crnkovic, [redacted].
Thies, Paul Ray, [redacted].
Thornton, William H., [redacted].
Turcotte, Hugh Joseph, [redacted].
Zolock, David Thomas, [redacted].

VETERINARY CORPS

Lieutenant colonels

Ervin, John Travis, [redacted].
Maul, Lawrance Phillip, [redacted].

Majors

Agnew, Eugene Welch, Jr., [redacted].
Bell, Jerry Don, [redacted].
Callis, Robert Thomas, [redacted].
Garrett, Joe Carroll, [redacted].
Goodwin, Bradford Shaw, [redacted].
Hanna, Gary Dale, [redacted].
Hixson, Clifford James, [redacted].
Johnson, John Bruce, [redacted].
Morrill, John Charles, [redacted].
Taylor, Robert Vernon, Jr., [redacted].
Torrence, William Harold, [redacted].
Yarbrough, Leslie Wayne, [redacted].

Captains

Frey, Robert Maclay, [redacted].
Hoyt, Robert Franklin, Jr., [redacted].
McNamee, George Allen, Jr., [redacted].

IN THE NAVY

The following-named temporary captain of the U.S. Naval Reserve for permanent promotion to the grade of captain in the line, pursuant to section 611(a) of the Defense Officer Personnel Management Act (Public Law 96–513) and title 10, United States Code, section 624 as added by the same act, as applicable, subject to qualifications therefor as provided by law:

Jones, Wilbur D., Jr.

The following-named temporary commanders of the U.S. Navy and Naval Reserve for permanent promotion to the grade of commander in the line, pursuant to section 611(a) of the Defense Officer Personnel Management Act (Public Law 96–513) and title 10, United States Code, section 624 as added by the same act, as applicable, subject to qualifications therefor as provided by law:

Anderson, Richard G.
Fantin, Jonnie R.
Friel, David J.
Hohlstein, Richard A.
Kennelly, Robert J., Jr.
Ostrander, Peter H.
Robbins, Albert H.
Stone, John F.
Blanco, James V.
Foster, William I.
Gallagher, Michael T.
Johnson, John D.
Nesbitt, Donald L.
Parks, John L.
Simmonds, James L.
Wheeler, Gerard C.

The following-named temporary lieutenant commanders of the U.S. Naval Reserve for permanent promotion to the grade of lieutenant commander in the line and various staff corps, as indicated, pursuant to section 611(a) of the Defense Officer Personnel Management Act (Public Law 96–513) and title 10, United States Code, section 624 as added by the same act, as applicable, subject to qualifications therefor as provided by law:

LINE

Pryor, Hershel W., Jr.
Sine, Don T.

MEDICAL CORPS

Mayers, Douglas L.

DENTAL CORPS

Kiselica, Lawrence D.

The following-named officer of the line of the U.S. Navy, for appointment in the Civil Engineer Corps, as permanent lieutenant (junior grade), pursuant to section 611(a) of the Defense Officer Personnel Management Act (Public Law 96–513) and title 10, United States Code, section 532 as added by the same act, as applicable, subject to qualifications therefor as provided by law:

Aalbue, Frederick A.

SENATE—*Wednesday, December 2, 1981*

(Legislative day of Monday, November 30, 1981)

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND)

PRAYER

The Chaplain, the Reverend Richard C. Halverson, LL.D., D.D., offered the following prayer:

Let us pray.

Father in Heaven, this Government was conceived as "of the people, by the people and for the people." I pray for the people of these United States, for their blessing and renewal. Help them to understand their responsibility as citizens, to vote, to communicate with their elected officials on a constructive, continuing basis. Help them to understand that that complaining and criticizing do not compensate for duty, that duty calls for their involvement and support and that elections are the provision for change. Give them the wisdom to see that selfish interests are as deadly in the private sector as in the public.

I pray for the people of God, for the churches that they may accept the biblical mandate to pray for their leadership and realize that criticism does not compensate for prayerlessness. Forgive the churches O God, for demanding that Congress legislate a morality that the churches fail to produce among their members. Help them to understand that judging a decision from hindsight is no trick, that hindsight is an exact science. Help them to appreciate the uncertainties in foresight from which decisions must be made. I pray this in the name of Him who loved enough to lay down His life for sinners. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

Mr. BAKER. I thank the Chair.

COMMENDATION OF THE SENATE CHAPLAIN FOR HIS PRAYERS

Mr. BAKER. Mr. President, I take this opportunity to commend the Chaplain of the Senate, Dr. Halverson, for the series of inspiring and thoughtful prayers he has delivered to the Senate on its opening since he became Chaplain of this body.

THE JOURNAL

Mr. BAKER. Mr. President, I ask unanimous consent that the Journal of the proceedings of the Senate be approved to date.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I believe there is a special order for the recognition of the distinguished Senator from Arkansas (Mr. BUMPERS) to follow on after the recognition of the two leaders; is that correct?

The PRESIDENT pro tempore. The majority leader is correct.

Mr. BAKER. Mr. President, I ask unanimous consent that after the recognition of the two leaders and the execution of the special order, there be a period for the transaction of routine morning business to extend not beyond the hour of 9:40 a.m. this morning in which Senators may be permitted to speak for not more than 2 minutes each.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF PROCEDURE

ROLLCALL VOTES AT 10 A.M. ON HOLLINGS AMENDMENTS

Mr. BAKER. Mr. President, I believe there is an order entered on yesterday to provide that at 9:40 a.m. the Senate will resume consideration of H.R. 4995, the Department of Defense appropriations bill, and that at that time there will be limited debate on two Hollings amendments of 10 minutes each, equally divided, with two rollcall votes to occur thereafter. Have those rollcall votes been ordered?

The PRESIDENT pro tempore. They have not been ordered yet.

Mr. BAKER. But by virtue of the unanimous-consent request on yesterday it would be in order by one showing of seconds to provide for that?

The PRESIDENT pro tempore. The leader is correct.

Mr. BAKER. Mr. President, I ask for the yeas and nays now on both amendments.

The PRESIDENT pro tempore. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. BAKER. Mr. President, at 10 o'clock then two rollcall votes will occur back-to-back, a 15-minute rollcall on the first Hollings amendment to be followed immediately, without intervening motion, debate, appeal or point of order, by a second vote of 10 minutes duration.

ROLLCALL VOTE AT 4:20 P.M. ON FOUR TREATIES

Mr. President, also at 4:20 this afternoon under an order previously entered, the Senate will go into executive session to consider four treaties with one vote to count for four. So the Senate will have a very busy day today from the standpoint of rollcall votes. Three votes, including one for four treaties, are provided for in these orders already entered.

No doubt there will be a great number of votes on other amendments. The leadership intends to try to obtain final passage on this bill this evening. Senators should be on notice that that may require a late evening.

I apologize to Senators and, more especially, to their families and friends in that connection. But I am sure all Members will recall that before the Thanksgiving recess the leadership placed Senators on notice that the usual arrangement of confining late hours to Thursdays only would no longer apply until the end of this session.

ORDER OF BUSINESS

Mr. BAKER. Mr. President, I have no further need for my time under the standing order, and I am prepared to yield it to any Senator who wishes it.

In the meantime, Mr. President, I ask unanimous consent that my time remaining under the standing order and the time of the distinguished minority leader be reserved until a later time during this session day.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I suggest the absence of a quorum.

The legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ARMSTRONG). Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may use 1 minute of the minority leader's time. I understand that is acceptable.

The PRESIDING OFFICER. Without objection, it is so ordered.

GENOCIDE CONVENTION NO THREAT TO FIRST AMENDMENT

Mr. PROXMIRE. Mr. President, the first amendment guarantees of free speech and assembly are the underpinnings of the American democratic system. Opponents of the Genocide Convention claim that its ratification will abridge these rights.

Mr. President, that is simply not the case.

Article III of the convention prohibits direct and public incitement to commit genocide. The original draft of the convention made punishable "all forms of public propaganda tending by their systematic and hateful character to provoke genocide * * *." The opposition focuses on this version.

Perhaps they are unaware, Mr. President, that the drafters removed this pro-

vision after the United States made it clear that the American legal system prohibits interference with speech unless it creates a "clear and present danger." As the Genocide Convention is now construed, no person in the United States can be apprehended for incitement to commit genocide unless the tests of free speech are met.

Mr. President, there are ample precedents in our judicial history to protect our first amendment guarantees. In the most recent case dealing with free speech, *Brandenburg* v. *Ohio*, 395 U.S. 444 (1969), the Supreme Court reaffirmed that the State cannot prohibit the advocacy of the use of force or violation of the law unless such advocacy would produce imminent lawless action.

Mr. President, the language of the convention is consistent with this decision. This assessment was reaffirmed in the 1970 testimony by then Assistant Attorney General William Rehnquist who stated that constitutional free speech protections would not and could not be affected in any way by the Convention's terms.

Mr. President, we must put to rest the issue of first amendment rights with regard to the Genocide Convention. The Convention will not abridge our constitutional guarantees. They are secure.

Let us instead address that fundamental human right that the Convention seeks to protect—the right of groups to exist; the right upon which our constitutional freedoms are founded. The Genocide Convention is the international instrument for the protection of those freedoms.

I urge its immediate ratification.

RECOGNITION OF SENATOR BUMPERS

The PRESIDING OFFICER. Under the previous order, the Senator from Arkansas (Mr. BUMPERS) is recognized for not to exceed 15 minutes.

THE BUDGET-BUSTING TAX BILL

Mr. BUMPERS. Mr. President, during the past year, we have been struggling to balance the budget. The battle has not gone well because Congress passed and the President signed a budget-busting tax bill which will reduce revenues by $37.7 billion in fiscal year 1982, and by a total of $242.7 billion in the 2 succeeding years. Those were estimates at the time and will likely be more than $350 billion in the final analysis.

We reached the ridiculous culmination of that battle, the budget-balancing battle, a week ago when we spent the weekend agreeing to a continuing resolution authorizing appropriations which we thought the President would approve.

This standoff has been brought about by a looming budget deficit which may total $100 billion in 1982. To avert that possibility, we have again examined all spending programs to determine what is expendable, but we have ignored a new program which is estimated to cost $26.9 billion by the end of fiscal year 1986.

It is a subsidy proposed by the administration to bail out unprofitable companies, despite its repeated expressions of support for a laissez-faire economy. Moreover, this subsidy program is tremendously inefficient because it allows profitable corporations additional tax benefits for no discernible purpose.

Even as the Government was being shut down last week, profitable corporations continued to draw their payments, because this subsidy program is a tax subsidy, consisting of the sale of tax breaks through leases which are simply paper transactions between businesses. This completely unjustified subsidy was part of the Economic Recovery Tax Act of 1981.

I cannot believe the President, and certainly I know the Congress, ever had any such intent.

I had intended to introduce a bill today repealing the leaseback provision of the tax bill, but since Senator PELL did so yesterday in introducing S. 1896, I am announcing my support and cosponsorship of Senator PELL's bill and I urge my colleagues to do likewise.

The Economic Recovery Tax Act of 1981 has, in the words of Robert Altman of Lehman Brothers, "virtually phased out the corporate tax in America." This result stems from the conjunction of the act's incredibly generous accelerated cost recovery system (ACRS) and its leasing provisions.

The ACRS offers such enormous deductions for capital expenditures that, along with allowable tax credits, it will drastically reduce and in many cases eliminate the taxable income of corporations, and for companies which have been particularly harmed in the weak economy, it will reduce their tax liability well below zero.

I might say, Mr. President, most corporations that pay income taxes henceforth ought to fire their accountants.

Anticipating this situation, the administration proposed amending the laws determining the tax consequences of sales and lease backs, to allow a corporation with such a tax loss to transfer title to depreciable property to a taxpayer with a large tax liability who in turn leases the property back to be used as if no sale had occurred.

The buyer of the property is thus allowed to take the related depreciation deductions, despite the fact that the seller continues to use the property. Such a "sale" is a pure paper transaction, lacking any independent economic substance, and, in the absence of the special leasing amendments, it would be completely ignored for tax purposes.

Consequently, it is very clear that the leasing provisions of the Economic Recovery Tax Act are nothing more or less than a pure tax subsidy, and recent reports concerning its misuse demonstrate why it should be eliminated. These reports show that some of the actual beneficiaries of these provisions clearly do not fall within the range intended by Congress.

For example, Occidental Petroleum "sold" $95 million in excess tax credits. Assuredly, oil companies, which received their own enormous tax breaks in the tax bill, were not intended to qualify for the leasing subsidy as well. On the contrary, they are enjoying the high prices and profits which are a source of the economic problems burdening other companies.

At the same time, some of the intended beneficiaries of the leasing provisions have had difficulty qualifying. Chrysler is a good example. The IRS initially promulgated regulations which cast a cloud over tax losses sold by companies threatened with insolvency. Consequently, Chrysler experienced difficulties selling its losses until the IRS reversed itself. It is very likely that this uncertainty weakened Chrysler's negotiating position and reduced the benefit it received from the leasing transaction eventually consummated.

This experience illustrates a second problem with this tax subsidy. It is an extremely inefficient means of delivering money to the intended beneficiaries. Because the transactions lack economic substance aside from the tax consequences, they necessarily require the parties to split the tax advantages.

Furthermore, it stands to reason that the companies needing help most would be in the weakest bargaining position and, in all likelihood, they would have to give the greater portion of their tax benefits to the "buyer" in order to arrange the transaction. Similarly, by definition, the only buyers in such transactions must be profitable enterprises.

In addition, these leasing transactions are fairly complicated, so they require the services of intermediaries, who naturally receive compensation. Solomon Bros., for example, earned about $5 million in fees this fall from this one provision of law. Therefore, only a small portion of each leasing transaction actually benefits the "seller."

The flaws in this back-door subsidy result from congressional inattention. It was proposed by the administration and became part of the Conable-Hance amendment, which the House substituted for the tax bill reported by the Ways and Means Committee. It had not been considered by that committee, and it was ignored in the House debate on the broader issues of the tax policy embodied in the tax cut bill. The Finance Committee in the Senate gave it such brief scrutiny that its report on the tax bill did not even distinguish between the estimated revenue loss arising from the leasing subsidy and that arising from ACRS. Perhaps as a consequence of that silent treatment, the full Senate never debated the issue at all.

Certainly, Senators would have been interested to discover that the 6-year loss

was estimated at $26.9 billion, broken down as follows:

Fiscal year:	(In billions)
1981	$0.4
1982	2.6
1983	3.6
1984	5.1
1985	6.7
1986	8.5

The presidents of the corporations I have talked to now report that the number and size of leasing transactions which have already occurred indicate that the first-year estimates are too conservative by half.

The magnitude of this subsidy should be compared to the Chrysler bailout legislation, which guaranteed loans up to $1.43 billion, and which Congress agonized over for weeks—agonized over $1.43 billion in loan guarantees to Chrysler. Since such loan guarantees are generally accounted for in the budget at one-third the face amount, the budget impact of the Chrysler legislation would be $477 million. Thus, the leasing provisions have an anticipated budget impact which is 56 times greater than the Chrysler bailout, but they received about one-thousandth the attention of that well-publicized legislation.

The only attention which this unprecedented subsidy has received is ex post facto, and it consists of news reports, with headlines such as these from the Wall Street Journal: "Leasing Accords Involve Billions In Gear as Initial Rounds of Tax Credit Sales Ends"; "Firms Battling Uncertainties, Midnight Deadline In Drive for Tax Gains on Leasing Arrangements"; "Chrysler Renews Push To Sell Tax Credits: 'Paper Lease' Could Net Firm $30 Million"; and "IBM Buys $100 Million CSX Tax Credits, Its Second Such Purchase Within a Week."

Consider the Washington Post reports: "Profitable Firm Capitalizes On Tax Law"; "Losses from Tax Breaks May Top 1982 Estimates"; "General Electric Buys $26 Million Worth of Chrysler Tax Breaks"; and "Value of New Lease System Questioned." Business Week referred to the leasing system as a "Tax Credit Bonanza."

Mr. President, Congress never intended the results which these articles report. No adequate justification has ever been offered for this subsidy, and it should be ended. It may be possible that a justification can be found, and, if so, the leasing subsidy, or a similar provision with appropriate safeguards, can be enacted.

Mr. President, I urge my colleagues to join in cosponsoring Senator PELL'S bill, S. 1896.

Mr. President, I ask unanimous consent that Senators HART, NUNN, EXON, METZENBAUM, BURDICK, and PRYOR also be added as cosponsors to the Pell bill.

The PRESIDENT OFFICER. Without objection, it is so ordered.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. There will now be a period for the transaction of routine morning business not to extend beyond 9:40 a.m., in which Senators may speak for up to 2 minutes each.

NEW CUTS REPORTED FOR CITIES, HOUSING

Mr. DODD. Mr. President, I wish to bring to the attention of my colleagues a most disturbing report contained in an article in todays' Washington Post by Spencer Rich and Herbert H. Denton entitled "New Cuts Reported for Cities, Housing." This article outlines possible recommendations for fiscal year 1983 by the Office of Management and Budget with respect to the major programs administered by the Department of Housing and Urban Development.

It is speculated that the administration intends to virtually eliminate all further Federal assistance designed to address the housing needs of this Nation's lower income families and senior citizens and to phase out the largest and most effective means of Federal support for the problems confronting our cities and rural areas.

If these actions are translated into actual recommendations, this administration will be continuing on a course of action designed to both dismantle the Department of Housing and Urban Development and this Nation's historic commitment to the recognized goals of decent, adequate shelter and community development and revitalization.

While I recognize that some will argue that the reports in this article only address ongoing administration negotiations and not final policy pronouncements, it is difficult to be assured by the prospects for a reversal of this situation given the magnitude and severity of these recommendations and the dominance which the Office of Management and Budget has held to date in budget negotiations with domestic agencies.

In addition, even if some accommodation should be reached in terms of the budget actually transmitted to the Congress in January, these reports highlight very serious trends in administration policies for the future, which run counter to the goals enunciated and reaffirmed by the Congress and various administrations over the past 50 years.

This article reports that the administration is considering either the total elimination of future Federal assistance for addressing the housing needs of the poor or the replacement of the current array of Federal housing programs with a new and limited program of vouchers "worth small amounts of money which could apply against their rents."

If anyone believes that these reports are unrealistic, I would direct their attention to the administration's recommendations for subsidized housing in the current fiscal year. The proposal by the prior administration for 260,000 new assisted housing unit reservations was reduced initially by the Reagan administration to a level of 175,000 units and then further to less than 150,000 units. This is occuring at a time of continuing, unprecedented need among the poor for decent housing opportunities at affordable levels and the worst total housing depression in this country since statistics have been kept.

In my State of Connecticut alone, 175,000 households are in need of housing assistance due to either the quality of their current housing or their current, excessive rent burdens.

It has been estimated, further, that in New York City, approximately 30,000 individuals are homeless. For those who believe that vouchers may be an appropriate alternative to failed Federal housing policies, I refer them to recent quoted statements by HUD Secretary Pierce which talked of vouchers as a means to eventually phase out any Federal involvement in addressing the housing needs of the poor.

This article goes on to discuss proposals under consideration to eliminate the HUD community development block grant and urban development action grant programs over the next 2 years. These programs have not only been immensely successful, but have also been the major forms of Federal support for the development and revitalization of our urban, suburban, and rural communities. It is ironic that the same administration which just several months ago argued to terminate a variety of categorical grants and consolidate these functions within the community development block grant program, would now come forward to terminate this block grant effort.

How are we to react to other administration recommendations to consolidate programs into block grants when the most successful effort to date in this regard is targeted for extinction? How are we to react to an administration which espouses the need to look to private sector solutions, when the UDAG program which encompasses this principle of Federal leveraging of substantial private investment is now being questioned?

Mr. President, the Congress must send a signal that it does not intend to even consider these draconian and counterproductive policies. We must not allow the panic associated with failed economic policies to reverse this Nation's commitment to the poor and our distressed urban and rural areas. The despair which will result from these recommendations more than offsets the benefits of any negotiating posture.

I ask unanimous consent that this article from the Washington Post be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SUBSIDIES FOR POOR A TARGET: NEW CUTS REPORTED FOR CITIES, HOUSING

(By Spencer Rich and Herbert H. Denton)

The Office of Management and Budget is seeking to kill the government's largest aid program for cities and drastically cut back the third-largest and now fastest-growing federal welfare program, subsidized housing for the poor, sources in and out of government said yesterday.

The housing program might be supplanted in part by a new and smaller system of housing vouchers, sources said.

The contemplated cuts are certain further to aggrieve city and state officials upset by the cuts in aid the Reagan administration already has made.

To placate and to compensate cities for at least part of their loss, Richard Williamson, head of White House liaison with cities and states, said in an interview during a meeting of the National League of Cities in Detroit that the administration probably would not seek to phase out the $4.6 billion general revenue sharing program for local governments as once threatened, and in fact might move to increase it somewhat.

The possible urban and housing budget cuts are the latest in a series surfacing in recent days as the administration has refined its forthcoming budget for fiscal 1983. Administration officials have made it clear that this will involve further large spending cuts, mostly in domestic programs, in an effort to hold down a 1983 deficit that many experts now think will exceed $100 billion.

The political problems this may cause the administration became clear at the League of Cities meeting. The predictable criticism came from Democrats; New York Mayor Edward I. Koch attacked "the sham and shame of the new federalism," which he said "imperils the cities and is wholly lacking in realism and responsibility."

But Republicans were also critical. Guest speaker Mark O. Hatfield (R-Ore.), chairman of the Senate Appropriations Committee, criticized the administration for cutting domestic programs while increasing defense. And the most stinging criticism of the day came from Vermont Gov. Richard Snelling, a Republican and chairman of the National Governors Association.

"Frankly, I think that what is happening is that we are having an economic Bay of Pigs," Snelling said. "What is happening is that . . . we get tax cuts, which pleases the supply siders. We get budget cuts, which pleases the monetarists. We get dribs and drabs of federalism and we talk about it a lot, which appeases the federalists, and we sure are whacking away at the substance of government. . . . The problem with this potpourri is that it is in fact not an economic policy. Any of the above would be an economic policy. What we have is not an economic policy."

Snelling appealed to the assembled officials to join the governors in seeking an economic summit with the president to discuss budget cuts.

While Snelling was speaking in Detroit, the U.S. Conference of Mayors reported here that OMB Director David A. Stockman had notified the Department of Housing and Urban Development that he wants to phase out by 1984 the existing program of community development block grants and a companion program of urban development action grants. He has also told the department he wants to provide authority in fiscal 1983 for no new subsidized housing units for the poor.

In recent years, the number of new units authorized annually for these programs for the poor, which include the so-called Section 8 program and public housing, has been running at more than 200,000. In fiscal 1982, the Republicans cut this but only to about 150,000. The housing programs are expected to cost nearly $10 billion in fiscal 1983, behind only Medicaid and food stamps for the poor.

Neither HUD nor OMB would comment on the contemplated cuts. The Stockman proposal is not final; HUD Secretary Samuel R. Pierce Jr., said to be angry over the proposal, has the right to appeal to the president, who plans to hold a series of budget meetings with Cabinet officers starting this week.

Sources said Stockman wants to reduce the community and urban development grant programs from the $3.6 billion authorized in fiscal 1982 to $2.4 billion in 1982, $1.2 billion in 1983 and eliminate new budget authority altogether starting in fiscal 1984.

Sources said Stockman wants to cancel some of the 150,000 new subsidized housing units Congress voted for this year, then eliminate all new authorizations for the low-income units in fiscal 1983, reversing two generations of federal housing policy. Other sources said a handful of new units might be funded in fiscal 1983. HUD' own request for fiscal 1983 was for an added 100,000 to 144,000 units.

In place of the existing programs, Stockman reportedly is considering giving large numbers of low-income households, perhaps as many as 200,000, vouchers worth small amounts of money which they could apply against their rents. This idea has been put forward by the president's advisory committee on housing as less costly and otherwise preferable to existing subsidies, which commit the government to keep up payments over periods of 15 years or more.

BENEFITS OF THE AGRICULTURAL EXTENSION SERVICE

Mr. PRESSLER. Mr. President, as the conference committee on the farm bill continues to meet and the Senate will soon consider the conference report on the agriculture appropriations bill, I would like to take this opportunity to express my support for agricultural research and extension activities. Earlier this year, I testified before the Senate Appropriations Subcommittee on Agriculture, Rural Development, and Related Agencies in support of increased funding for agricultural research and extension activities.

I was pleased to see the Appropriations Committee increase the funding level for these programs above the administration's request. These will be Federal dollars well spent. I firmly believe that if we are to continue to increase agricultural productivity, great strides in agricultural research and a continued effective extension service is essential. This is especially important in these days of slowing rates of increases in farm productivity.

Having grown up on a small family farm, I know from personal experience that the Cooperative Extension Service has been very effective in increasing farm productivity. The Cooperative Extension Service has been an excellent example of cooperation among Federal, State, and local governments for more than 100 years.

I have personally been involved with 4–H and other vocational education groups since I was a young boy. I was a member of the local 4–H club, the Humboldt Hustlers, for 9 years, and during this time I enjoyed several great experiences. While I was an active member of 4–H, I was fortunate enough to attend two 4–H club congresses in Chicago, the 1961 World Agricultural Fair in Cairo, Egypt, and I had the honor of giving the "National Report to the President" to the late John F. Kennedy in the White House in March 1963.

More recently, I have had the opportunity to address the 50th National 4–H Conference in April 1980, and this year I was honored by being presented the "Partner in 4–H Award," the highest honor in 4–H.

As chairman of the Congressional Advisory Board for Distributive Education Clubs of America (DECA), I have had the privilege of working with young students throughout the country. Like 4–H, DECA is an organization dedicated to excellance in vocational understanding, civic consciousness, social intelligence and leadership development. I have been very involved in vocational education programs such as 4–H and DECA for many years, and I have received many honors and benefits from these activities.

While not all young people are as fortunate as I was in my 4–H involvement, these youth organizations are still extremely important in the lives of a great number of young people; 4–H is the fastest growing youth organization in the country. In 1970, 4–H membership was 3 million, and presently 4–H has about 5.8 million members; 4–H does not only serve rural America. Of the 5.8 million participants, 39.5 percent live in cities of populations over 10,000 and only 20.5 percent actually live on farms. But this 20.5 percent means that 37 percent of all farm youths are members of 4–H.

The 4–H offers programs to help young people in all areas. A recent study of 4–H in inner city Detroit showed a 60-percent reduction in juvenile crime in the immediate area. In the rural area, 4–H'ers produce millions of pounds of farm products which contribute greatly to the American economy. In all areas of the country, 4–H members learn important characteristics such as sportsmanship, animal husbandry skills and management techniques. These skills will be of great value to these young people later on in life.

Many of the benefits the young people receive from 4–H and these other programs are because of the dedication of the adult leaders. These leaders are area county extension personnel and volunteers. County extension agents and home economists spend about 31 percent of their time on 4–H program activities and volunteer leaders spend about 10 hours for every 1 hour a professional staff person spends. A study showed that each 4–H club leader gives an average of $1,000 per year in terms of mileage, materials donated and contributions given without record. This means the 4–H program is very dependent on the services of dedicated volunteers and this makes it a very cost-effective program.

Federal expenditures on agricultural research and extension activities are dollars well spent. The average Federal outlay for 4–H members is only $12.75, and

America gets a return of about 10 times that amount in the value of volunteer services, and contributions that are stimulated by this investment. This does not take into account the future increases in productivity of agriculture and other areas that this research and training will create. This is especially important today because of the great importance of agricultural exports and the reduced rate of increase in farm productivity.

ARSON

Mr. GLENN. Mr. President, once again the deadly, billion-dollar crime of arson has reared its ugly head. This time we were lucky; no lives were lost. However, the $35 million fiery wave of destruction which struck the historic mill area in Lynn, Mass., left 400 persons homeless and 1,500 persons without jobs. In a single day, this apparent arson wiped out 5 years of rehabilitative efforts in this historic area.

Mr. President, the devastating nature of this crime underscores the need to step up our Federal antiarson campaign. It also underscores the urgency for Congress to pass S. 294, the Anti-Arson Act of 1981, which I introduced to combat the crime of arson. I commend Senator KENNEDY, among others, for his strong and continued support of this legislation. It is only through that kind of support that we can effectively begin to control the crime of arson.

The historic mill area tragedy also underscores the need for an effective Federal law enforcement agency, such as the Bureau of Alcohol, Tobacco, and Firearms' arson enforcement program, with the technical and investigative resources to assist State and local authorities in solving such "incendiary" arson fires.

I ask unanimous consent to have printed in the RECORD an article from the Washington Post entitled "Historic Mill Area Ruined by Arsonist."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HISTORIC MILL AREA RUINED BY ARSONIST

LYNN, MASS., November 29.—Club-toting National Guard troops patrolled against looters today in the ruins of Lynn's historic shoe mill district blitzed by a $35 million firestorm police say was started by an arsonist.

"It looks like Berlin in 1945," said Fire Chief Joseph Scanlon.

An estimated 400 persons were left homeless and 1,500 lost their jobs because of the Saturday fire, which destroyed 17 buildings and damaged six others in a five-block area, wiping out five years of rehabilitation efforts in this old mill city 10 miles north of Boston.

[The Christian Science Monitor reported that Mayor Antonio Marino had vowed to rebuild the burned-out section but conceded that at least a year probably will be lost until the effort can go forward again.]

Gov. Edward J. King, who met today with local officials, said he planned to go to Washington to ask President Reagan to declare the city of 90,000 a disaster area, making it eligible for federal aid.

The state attorney general offered a $1,000 reward for the arrest and convinction of the arsonist.

"It was an incendiary fire," said state Fire Marshal Joseph O'Keefe. "These things don't happen by an act of God."

A force of 230 guardsmen from the 102nd Field Artillery were working 40-man shifts and patrolling in pairs to reinforce city and state police, said guard Lt. Jeanne Fay.

Nearly 600 firefighters from 79 communities as far as Exeter, N.H., 45 miles north, worked 12 hours to head off the flames hopscotching from structure to structure.

Brisk winds fanned the flames into a firestorm that created hurricane-force gales. An unidentified firefighter said the flames were so hot at times that water from firehoses evaporated before it reached its mark.

A firefighter with a fractured leg and two elderly women suffering smoke inhalation were admitted to Lynn Hospital.

Many of the buildings were old shoe mills converted into shops and apartments. The eight-story Vamp Building, recently converted to 242 apartments at a cost of $12 million, was one of the buildings destroyed.

Lynn had ambitious plans for its affected area, including extensive housing for the elderly and a $26 million community college that was to have occupied some of the old buildings. In all, the downtown renewal effort was expected to cost $200 million.

ANGEL ISLAND

Mr. HAYAKAWA. Mr. President, in 1882 our Nation passed the Chinese Exclusion Act, preventing the immigration of Chinesee citizens unless they were children of U.S. citizens. Regardless of that act, thousands of hopeful Chinese continued to seek entry into the United States. From 1910 to 1940 about 175,000 Chinese—relatives or supposed relatives of American citizens—were processed at Angel Island in the San Francisco Bay. Angel Island became the west coast's Ellis Island

A frame building still stands on Angel Island. That building served as a detention barracks for the thousands of Chinese arriving each year. Our harsh immigration policies caused some of them to wait as long as 2 years to learn if they were to be admitted to the United States or sent back to China. The confusion, despair and hope of those people were expressed in poems that were carved on the walls of the barracks.

That building is now being restored as a part of Angel Island State Park and will serve as a museum. We must not allow ourselves to forget how easy it can be for a nation to adopt immigration policies based solely on racism; the museum will serve as an important reminder for us, and for future generations.

The Los Angeles Times published an article by Sam Hall Kaplan about Angel Island on November 22, and I recommend it to my colleagues. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ANGEL ISLAND: STORY OF CHINESE IMMIGRATION LIVES ON EMOTIONS PRESERVED IN POETRY ON WALLS OF DETENTION BARRACKS

(By Sam Hall Kaplan)

ANGEL ISLAND, CALIF.—If there is one historic landmark representing America's prejudice in the past toward the Chinese immigrant, it is the so-called "wooden building" on this serene island in San Francisco Bay.

About 175,000 Chinese wanting desperately to enter the United States were processed, and many incarcerated, in the building when it functioned from 1910 to 1940 as a detention barracks for the West Coast's immigration station.

While some of the Chinese waited to be allowed to enter the United States or be deported back to China, they carved into the walls of the building poems in intricate Chinese characters, expressing their confusion, anguish, despair and hope.

". . . I have run into hard times and am uselessly depressed.
There are many obstacles in life but who will commiserate with me?
If at a later time I am allowed to land on the American shore,
I will toss all the miseries of this jail to the flowing current."

The two-story wooden frame building, surrounded outside by a nine-foot wire mesh fence topped by barbed wire, is slowly being restored by the Office of the State Architect as part of Angel Island State Park.

The restoration is intended to serve both as a museum revealing an ignominious chapter of American history and as a tribute to the perserverance and pride of the Chinese who passed through it. The state effort is being watched over by the Angel Island Immigration Station Historical Advisory Committee.

"This is the West Coast's Ellis Island," said Paul Chow, chairman of the committee, as he led a tour of the barracks. "This is the first foothold in America for many Chinese. This is our Plymouth Rock, our Statue of Liberty."

The "wooden building" at times held as many as 500 persons. Some were arbitrarily detained for as long as two years, according to histories of the barracks compiled by the state and the Chinese-American community in the Bay Area.

"America has power, but not justice.
In prison, we were victimized as if we were guilty.
Given no opportunity to explain, it was really brutal.
I bow my head in reflection but there is nothing I can do."

Immigration officials detained them to check their papers and interview them at length to try to determine if they were the children of Chinese who were U.S. citizens—the only group of Chinese, with a few exceptions, allowed into the United States at the time under the Chinese Exclusion Act of 1882.

THE GOLDEN MOUNTAIN

Despite America's prejudice against them, as embodied in the legislation and past policies, the Chinese still believed gam saan—the golden mountain, their name for California—held the promise of a better life than the poverty pervading China in the early part of the 20th Century.

And so they came, some the sons and daughters of the Chinese who had labored in the United States in the 19th Century and

some not. Those who were not were known as "paper sons," having obtained false documents claiming they belonged to a family already here.

These illegal efforts were rationalized by the Chinese, who considered the Exclusion Act unjust in its singling out of their ethnic group. Thousands of other Asians, mostly Japanese, also were processed on the island, but because of treaties between their governments and the United States, few were detained.

"I thoroughly hate the barbarians . . .
They continually promulgate harsh laws to show off their prowess.
They oppress the overseas Chinese and also violate treaties.
They examine for hookworms and practice hundreds of despotic acts."

When the immigrants arrived, the men were separated from the women, including husbands and wives, and not allowed to communicate. Officials feared they would coach each other on their family stories after one was interrogated to determine if they were indeed related to a U.S. citizen.

OBSCURE QUESTIONS

The questions often were obscure, tricking both "paper sons" and actual members of a family. According to immigrant service transcripts, the questions included how many chickens did a family have in China and how many steps led to their attic there.

Everyone was confined to the barracks, which at times became overcrowded, particularly in the men's section where narrow bunks were stacked three high. It was in the second-floor men's area and bathroom that the poems were carved. No poems by women were found.

The women's bathroom presented a special problem. There were a dozen toilets with no partitions between them and, being modest, the women would put paper bags over their heads for privacy. The bags were left outside the bathroom door.

There also were suicides, usually among the women when they learned they were being deported. Few persons had money to pay for their return to China. While the men could work on the return boats as cooks or deckhands, all most women were allowed to do was prostitute themselves. Instead, some chose to hang themselves in the lone shower stall.

Barred from landing, I really am to be pitied.
My heart trembles at being deported back to China.
I cannot face the elders east of the (Yangtze) river.
I came to seek wealth but instead reaped poverty.

The humiliations on the island also left their mark on persons who passed through the station. Few Chinese apparently were willing to talk about their experiences with "Westerners" after they settled in the United States. "They wanted to forget," explained Chow, whose father, Hing Gai Chow, was detained on the island in 1922.

When the island was opened as a state park in 1956, however, the elder Chow returned for a visit, "to rid himself of the fear," recalled his son. But he was told when he got off the ferry that there were no immigration barracks there, only a detention building that had been used for a few prisoners of war in the early 1940s. It was decaying and closed to visitors.

Demolition was planned for the barracks when, in 1970, a park ranger, Alexander Weiss, noticed the characters carved in the walls. The local Asian community was contacted, the poems translated and an effort by Chinese-American students was launched to save the building.

The poems were collected and included in a book, "Island: Poetry and History of Chinese Immigrants on Angel Island 1910–1940," by Him Mark Lai, Genny Lim and Judy Yung, as a project of the Chinese Culture Foundation of San Francisco. One hundred and thirty-five poems in the original Chinese with English translation are included.

When Chow told his aging father in 1976 about the effort to restore the barracks, "he put his suit, tie and hat on and came with me to see for himself," recalled the 53-year-old transportation engineer. "When he found where his bunk was, he began crying, "It's all over, I have no more fear, I am free.'" The elder Chow died in 1977.

"The low building with three beams merely shelters the body.
It is unbearable to relate the stories accumulated on the island slopes.
Wait till the day I become successful and fulfill my wish!
I will not speak of love when I level the immigration station!"

Since visiting the barracks with his father, Chow has been a determined member of the committee lobbying for public and private funds to preserve the building. The state has allocated $325,000 for the present work, but Chow said much more is needed if the museum is to open as planned next May.

"I want it finished soon so that many of the old-timers who went through the barracks and are still living can see it and rid themselves of the yoke of fear and be set free, like my father, before they go to the grave," said Chow.

As for the broader public, Chow feels the museum will be a valuable history lesson in reminding all Americans of what had happened on the island and the contributions the Chinese went on to make in gam saan.

"There are tens of thousands of poems composed on these walls.
They are cries of complaint and sadness.
The day I am rid of this prison and obtain success,
I must remember that this chapter once existed."

Mr. SPECTER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1982

Mr. HOLLINGS. Mr. President, a parliamentary inquiry. What is the pending business?

The PRESIDING OFFICER. The pending business will be stated by title.

The legislative clerk read as follows:

A bill (H.R. 4995) making appropriations for the Department of Defense for the fiscal year 1982, and for other purposes.

AMENDMENT NO. 643

The PRESIDING OFFICER. The pending question is on amendment No. 643.

The text of the amendment follows:

Beginning on page 2, line 1, strike out through line 12 on page 3, and insert in lieu therefor the following:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements,) and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; $14,130,781,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; $10,453,767,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel(including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); $3,151,526,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty(except members of reserve components provided for elsewhere), cadets, and aviation cadets; $11,730,381,000.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. HOLLINGS. I thank the distinguished Presiding Officer.

Mr. President, I understand that is the amendment relative to the end strength of both the Army and the Air Force. I understand that we are limited to 5 minutes on each side for that amendment and 5 minutes on each side for the ammunition amendment.

Relative to the strength or manpower force of the Army and the Air Force, we go back to 1979. At that time, we debated the end strength of the Army. Just a couple of years ago, we found that when they missed the volunteer call by some 17,000, it was then the Army's position, officially stated in the record, that that made three-fourths of all the divisions in CONUS—the Conti-

nental Army Command of the United States—noncombat ready.

In other words, Mr. President, what we really have, in essence, is a readiness factor. It seems like a small amount in the Office of Management and Budget. You just strike it. It is a great winner with a dollar-for-dollar spend out rate. It has no constituency. You can cut procurement items but you only save, the first year, about 8 cents of the dollar cuts. But you get a dollar-for-dollar result in cutting back on manpower, so it is a wonderful budgeting device.

The Air Force has a readiness of C–1, C–2, C–3, and C–4, where they measure the capability of the manpower, of equipment, of spare parts, of ammunition, and everything else; and these cuts will move units away from C–1 and toward C–4 status.

In the Army, they had hoped to fill that "hollowness." That is not the description of the Senator from South Carolina. That is the description of our distinguished Chief of Staff, General Meyer.

President Reagan came to town and was elected, I am sure, on that particular score. I know that I was reelected on that particular score. We were not going to talk about it. We were going to do something about it. We were going to fill out the hollow Army. We were going to give meaning to the rapid deployment force and credibility to our allies in NATO. They have always faulted us; whereas, we now have a Commander in Chief who does not believe in the draft, a Commander in Chief who does not support registration, and now a Commander in Chief and administration that do not support readiness or credibility.

How can we go to conferences at Geneva and talk with any credibility whatsoever about our intent, when we know all along that we are unprepared from a readiness standpoint to engage in any conventional conflict? Our only posture is that of nuclear war, and that is all we ask for every time we come to the floor of the Senate.

So I hope that my colleagues will look at this particular measure. It starts us toward what Secretary Weinberger described as a need, in the 5-year period, to embellish the Armed Forces by 100,000.

This is just a 6,000 add-on to the Army and a 6,000 end strength add-on to the Air Force. The 12,000 cut is against the President's request of this spring, and I hope everybody on the other side will please support the President of the United States.

Mr. STEVENS. Mr. President, I yield such time as he may require to the Senator from Texas.

Mr. TOWER. Mr. President, I reluctantly oppose the amendment of the Senator from South Carolina. I fully appreciate what he is trying to do, but I point out that the Armed Services Committee was assured by the Army and the Air Force that the proposed cuts would not—I repeat, not—impair operational readiness.

I point out that the Armed Services Committee was assured by the Army and the Air Force that the proposed cuts would not impair operational readiness. In fact, when the uniformed leadership of the Army and the Air Force were presented with the revised budget, they elected to reduce their end strengths rather than suffer cuts in other areas. Neither Congress nor the Office of Management and Budget made that decision for them.

General Meyer stated that he would prefer a slightly smaller Army with modern equipment rather than a larger Army with obsolete weapons. The Army Chief of Staff and the Secretary of the Army recognized this painful fact-of-life in testimony before the Senate Armed Services Committee on February 3, 1981:

Senator HUMPHREY. Let me turn to the area of force structure. General, does the Army place a higher priority on increasing the capability of our current forces or on building additional divisions to increase our force structure?

General MEYER. I believe it is absolutely essential that we fix what we have first, sir.

Senator HUMPHREY. Secretary Marsh: do you concur in this?

Secretary MARSH. Yes, sir, I agree with that very much.

Later in the same hearing, the Secretary of the Army reiterated this same point:

Secretary MARSH. General Meyer and I have talked at some length about the size of the Army and it is clear that if you take the current 24 divisions . . . the first priority before expansion beyond this 24 division force is to bring this force up to the level of readiness and modernization that is necessary.

What will be the effect of maintaining the Army end strength in 1981 at the same level approved for fiscal year 1981? According to the Defense Department the reduction in planned end strengthen growth will allow the Army to consolidate recent recruiting and retention success into improved manpower effectiveness.

The Air Force, on the other hand, advised the committee that—

The reduction of 6,000 is mostly programmatic, reflecting reduced workload in strategic forces as well as in the training establishment where higher retention rates have reduced the number of personnel accessions to meet end strength.

It appears to me, Mr. President, based upon these statements of fact, that the Army and the Air Force will suffer no adverse impact on operational readiness if the amendment of the Senator from South Carolina is defeated.

I hope we will ultimately expand our end strength. For the time being, I think the resources and the funding that go into acquisition and training and pay can better be spent for the modernization of our forces.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the names of Senators GLENN, MITCHELL, LEVIN, PRYOR and BUMPERS be added as cosponsors of the manpower amendment; that the names of Senators GLENN, MITCHELL, PRYOR, BUMPERS, HEFLIN, LEVIN, and NUNN be added as cosponsors of the ammunition amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLINGS. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 4 minutes and 26 seconds remaining.

Mr. HOLLINGS. Mr. President, is that on both amendments or one amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. HOLLINGS. It is on both amendments?

The PRESIDING OFFICER. Yes. That is the time remaining for debate on the two amendments.

Mr. HOLLINGS. Then let me move quickly. I did not realize we divided it that way. That is all right.

We must not impair the end strength of our Armed Forces. Let me answer my distinguished chairman of the Armed Services Committee because he and I work the same side of the street.

Necessarily the Chief of Staff would testify and if I were Chief of Staff I would testify that I would prefer a small army with the proper equipment rather than a large army unequipped. Otherwise, we would just have large confusion. We do not have an army if we do not have the equipment.

But that is not the choice. I have another amendment and we will argue that right now about giving it the equipment.

I am only trying on the end strength to move forward and bring us back, let us say, to 1962. There was not any Vietnam going on at that time. With this particular amendment we will still be 275,000 men less in the Army than what there were back in 1962.

So let us talk about what the real commitment of the United States is—what we are trying to build is not a small army with good equipment or a big lousy army that is unequipped. I am trying to give a credible army with credible equipment, and I will move right to the point relative to the ammunition.

There is no substitute for the actual practice in the field when it comes down to the matter of getting together and firing ammunition.

I have been in that particular regard myself as a young junior ROTC student sent to Fort Baracas, Fla. We thought we knew something about firing. We had simulated the firing of the 155, the 90 millimeter and other weapons and as hotshot college students we got down there and when we finally got the cross-section set and everything else figured, the first round disassembled the gun crew. It took us 15 minutes to reassemble. The target was passing out of sight before we got back together. That was the first day. But we fired down there for a good 6 weeks during the summer, and I

can tell the Senate by the end of the 6-week period we were right on target both in antiaircraft and offshore firing.

So that is what we are really asking for. It is ammunition of a sufficient sum to really make our troops combat ready so that when John Fialka and everyone else writes he will not have us deficient, way down below all the other allied troops at the NATO front. We will have some credibility there.

The fact of the matter is that my distinguished colleague from Texas will come in and move right quickly for $355 million to enhance and get more nuclear warheads. When it comes to $148 million for troops in the field, then we have a real problem there. We are going to do some cutting. Everyone wants more nuclear warheads as if that is what this country needs. Additional nuclear warheads are probably one of the last it needs.

But what we really need is the ammunition for the troops.

I stated on last evening that Clausewitz said that the Nation fights the war that it is prepared to fight.

If we listen to that statement and analyze it we will understand it. We can only fight the war that we are prepared to fight and in reality what we have is an unpreparedness in the rapid deployment force. In the Indian Ocean and Persian Gulf, we stepped down there, we cut the fuel, and Senator GLENN will come with his amendment to that effect. Additionally we have unpreparedness in NATO. We do not have the ammunition there. We pointed out that the staff observed only last year in October that they fired 70 percent of their ammunition allocation in the first month, in October, and so we are not prepared to fight conventionally at NATO.

We are only prepared to fight with respect to a nuclear engagement. That is a tragic thing. Here we have plenty of money. We have $40 billion—we will get to that B–1 amendment. There is not a shortage of funds. We have all kinds of money but we are taking it away from the readiness and the credibility, the morale, the stamina, and the capability of our fighting man in the field. We say what is wrong with him? He is on drugs. We will give him drug counselors. We give him all this money for solicitation to bring him in.

We are spending $1 billion for that. We are trying to hoodwink him and bring him in, but once we have him there we will not let him act like a fighting troop, because of lack of ammunition. They fire one TOW missile a year or one Red Eye if they are on the winning crews, and that kind of nonsense must stop.

So we really need this. This is what the Army asked for. In March they asked for way more, not just for the 60 day, but if we had the 180-day readiness posture which we should have according to the Army green book, then we would be asking for a good bit over our $148 million. So trying to be realistic, our amendment is for the $148 million.

The PRESIDING OFFICER. If the Senator will suspend, the Senator's time has expired.

Mr. HOLLINGS. I thank the distinguished Presiding Officer.

The PRESIDING OFFICER. Who yields time?

Mr. HOLLINGS. Mr. President, I ask unanimous consent to add Senator ROBERT C. BYRD of West Virginia as a cosponsor to both amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOWER. Mr. President, again I find myself in fundamental agreement with my distinguished friend from South Carolina because I believe that readiness and sustainability—and what we are talking about when we are talking about ammunition we are talking about sustainability—are enormously important. I think they have been treated as stepchildren for too long, and I think it is largely our fault here in Congress. We have underfunded these things ourselves, so we are making up for past sins.

But as the Senator from Alaska pointed out we do have a substantial increase, actually some 18 percent over what President Carter recommended for this fiscal year that we are appropriating money for, so there is a substantial increase in that area.

The fact is with all of the increase in defense spending we still have to set priorities and we have been pushing a bow wave ahead of us for several years in terms of Army modernization. We are going to be spending an enormous amount of money on improving the field equipment of the Army and that is sadly overdue.

Although I wish very much to support the amendment of the Senator from South Carolina for additional ammunition for sustainability, I think we have to look across the spectrum of what our requirements are and make sure that other requirements are adequately funded.

Therefore, as I say, reluctantly I will oppose the amendment of the Senator from South Carolina. I hope that we will continue to be alive in this body to the problems of readiness and sustainability and next year we will continue to reflect our concern with again another increase in real terms for the purchase of ammunition, missiles, those things that are required to make our forces sustainable in the field and at sea.

AMENDMENT NO. 644

Mr. STEVENS. Mr. President, I only wish to make a few comments concerning the ammunition amendment.

The bill that is before the Senate is $56 million over the budget request of the President for ammunition procurement. It is $780 million over the 1981 fisal year funding level for ammunition procurement. We have had a 50-percent increase in ammunition procurement as far as the recommendations here in this bill are concerned.

There is no question that we have provided as much money as can be effectively spent to increase ammunition procurement.

The difficulty is that as a practical matter we have just given the Department of Defense almost too much money in this area and we are going to cause additional inflation in this one area if we are not careful.

It is a low priority item and again with due respect to my good friend from South Carolina I note that this is one amendment that is part of the larger amendment that he and the Senator from Michigan wished to pursue. It has now been taken apart piece by piece. It is really the B–1 amendment. The idea was to increase all of these other accounts and take the money away from B–1. I hope the Senate will realize that we have already increased the ammunition procurement. There is $780 million more for ammunition in this fiscal year than the last fiscal year. That is adequate, and I hope the Senate will agree.

The PRESIDING OFFICER. All time has expired.

Mr. STEVENS. I move to table each amendment individually and ask unanimous consent that that be in order.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. Have the yeas and nays been ordered now on the motion to table?

The PRESIDING OFFICER. Without objection, the motion is in order. The yeas and nays have yet to be ordered.

Mr. STEVENS. I ask for the yeas and nays on each amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. It is my understanding these are to be back-to-back votes?

Mr. HOLLINGS. The first 15 minutes and the second 10.

Mr. STEVENS. Is that ordered, the first 15 and the second 10?

The PRESIDING OFFICER. The Senator is correct.

Without objection, it is in order to order the yeas and nays on both motions.

VOTE ON MOTION TO TABLE AMENDMENT NO. 643

The question is on agreeing to the motion of the Senator from Alaska to lay on the table UP amendment No. 643. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CRANSTON (when his name was called). Mr. President, on this vote I have a live pair with the Senator from Mississippi (Mr. STENNIS). If he were present and voting he would vote "yea." If I were permitted to vote I would vote "nay." I therefore withhold my vote.

Mr. STEVENS. I announce that the Senator from Minnesota (Mr. DURENBERGER), the Senator from Arizona (Mr. GOLDWATER), and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

Mr. CRANSTON. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Arizona (Mr. DECONCINI), the Senator from Kentucky (Mr. HUDDLESTON), the Senator from Louisiana (Mr. LONG), the Senator from Mississippi (Mr. STENNIS), and the Senator from

Nebraska (Mr. ZORINSKY) are necessarily absent.

I further announce that, if present and voting, the Senator from Arizona (Mr. DECONCINI) would vote "nay."

The PRESIDING OFFICER (Mr. SIMPSON). Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 54, nays 36, as follows:

[Rollcall Vote No. 434 Leg.]

YEAS—54

Abdnor	Grassley	Percy
Andrews	Hatch	Pressler
Armstrong	Hatfield	Proxmire
Baker	Hawkins	Quayle
Boschwitz	Hayakawa	Roth
Burdick	Heflin	Rudman
Byrd, Harry F., Jr.	Heinz	Schmitt
	Helms	Simpson
Chafee	Humphrey	Specter
Cochran	Jepsen	Stafford
Cohen	Kassebaum	Stevens
D'Amato	Kasten	Symms
Danforth	Laxalt	Thurmond
Denton	Lugar	Tower
Dole	Mattingly	Wallop
Domenici	McClure	Warner
East	Murkowski	Weicker
Garn	Nickles	
Gorton	Packwood	

NAYS—36

Baucus	Ford	Metzenbaum
Bentsen	Glenn	Mitchell
Biden	Hart	Moynihan
Boren	Hollings	Nunn
Bradley	Inouye	Pell
Bumpers	Jackson	Pryor
Byrd, Robert C.	Johnston	Randolph
Chiles	Kennedy	Riegle
Dixon	Leahy	Sarbanes
Dodd	Levin	Sasser
Eagleton	Matsunaga	Tsongas
Exon	Melcher	Williams

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Cranston, against.

NOT VOTING—9

Cannon	Goldwater	Mathias
DeConcini	Huddleston	Stennis
Durenberger	Long	Zorinsky

So the motion to lay on the table UP amendment No. 643 was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the motion to lay on the table was agreed to.

Mr. STAFFORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, the next vote is a motion to table the second amendment dealing with the increase in ammunition procurement. Is that correct?

The PRESIDING OFFICER. The question before the Senate is on agreeing to the motion to lay on the table amendment No. 644, that is correct.

Mr. STEVENS. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have been.

Mr. STEVENS. Is this a 10-minute rollcall vote?

The PRESIDING OFFICER. It is a 10-minute vote.

Mr. STEVENS. May we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that I be recognized for 2 minutes.

May we please have order in the Chamber?

Mr. RANDOLPH. Mr. President, I suggest the Chair ask Members to take their seats.

The PRESIDING OFFICER. We shall not proceed until the aisles are cleared and order is in the Chamber. Without objection, the Senator from West Virginia is recognized.

Mr. ROBERT C. BYRD. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate will be in order.

Mr. ROBERT C. BYRD. Mr. President, a motion to table is a perfectly legitimate motion. I can recall the times when I was the majority leader when the minority raised quite a fuss about not being able to get up-and-down votes.

These are legitimate amendments and I think the Senate is entitled to vote up or down on at least some of them. I would urge that the majority consider letting us have up-or-down votes on amendments and just not move to table one after the other of these amendments. I say that hoping the majority will take that under advisement. I think the Senate is entitled to a vote. I think the people back home are entitled to know how our friends stand, up or down on these amendments. I say that recognizing that the Senator has every right to move to table if he wants to. But I would like to see some up-or-down votes.

I would suggest that Senators not call up their amendments until they get ready to see them tabled, if we cannot get some understanding that we are going to have some up-or-down votes. I do not want to delay this bill, and there is an interest, I am sure, on the part of the majority—and I can appreciate that—in seeing this bill finished today.

I can say, however, that there will be no time agreement on any amendments unless we can get up-or-down votes on at least some of them. I cannot stop any Senator from moving to table an amendment once it is up, but I would suggest that, until we get some understanding that we are at least going to get some up-or-down votes, we not call up our amendments until after we make our speeches on them. Otherwise, we will have our amendments tabled as I had mine tabled.

Mr. STEVENS. Mr. President, I would be more than willing to agree that we have an up-or-down vote on the amendment suggested by the Dear Colleague letter of the Senator from South Carolina and the Senator from Michigan. That was an anti-B–1 amendment that indicated that the funds that would be deleted from the B–1 bomber would be allocated to certain defense modernization readiness priorities. We have now voted on five of those individually. I understand we are going to vote on the other 10 individually. It looks like it is a process of voting to increase military spending, apparently for the Record, but it really is not at all.

I would be more than happy to discuss up-or-down votes on substantive amendments. These are dilatory amendments. The Senators indicated to the Senate they intended to present them all at once and they are being presented seriatim. I would be happy to discuss a time agreement right now to vote on the B–1 bomber, to vote on the MX, and to vote on the bill, and to agree that we will have up-or-down votes on the B–1 bomber, the MX, and specific amendments that are substantive in nature. But dilatory amendments ought to be tabled. There is no other way to control the floor to try to get to the substantive amendments.

Mr. ROBERT C. BYRD. Will the Senator yield?

The PRESIDING OFFICER. The minority leader is recognized.

Mr. ROBERT C. BYRD. Mr. President, I am sure that the distinguished acting Republican leader does not intend to say that the amendment I called up yesterday was a dilatory amendment. If I really wanted to be dilatory, I could call it up again. I could find a way to call up my amendment again.

Mr. STEVENS. I am certain that the minority leader could do that. As I said yesterday, his was a very ingenious amendment. We treated it with the respect it should be given, debated it at length, and tabled it because it is one of these amendments that we anticipate going through somehow until we get to the question of the B–1.

Does my good friend from South Carolina want to offer the whole amendment and go after B–1 and these reallocations to readiness and defense?

Mr. President, they are not dilatory if they are in fact taking money from one part of the bill and putting it in other functions. I would be happy to agree to an up-or-down vote at a time certain on the Hollings-Levin amendment whenever the Senator is ready to offer it. But until that time, I think we should continue to try and clear the decks and get ready for those major amendments when they do come.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. If the Senator will yield 30 seconds, the distinguished Senator from Ohio right here is very much in favor of the B–1 and I am very much opposed to it. It is a fundamental difference. He happens to agree with the readiness provision and the manpower provision, and I happen to agree with it. Under those circumstances, which is a difference of opinion among the body of 100 Senators, when we present them individually and not to your tune, taste or liking, characterizing them as dilatory is uncalled for.

They are very serious amendments. We would be delighted to debate them one by one. If we had had the time we would have had many of them in the Appropriations Committee. As you know, we added on the *Iowa* and we will add on some more that you did not only think were dilatory but uncalled for. We can add on some. But just because we on this side are trying to get readiness and credibility back to our Armed Forces, we should not be characterized as being dilatory.

Mr. STEVENS. Mr. President, what is the time situation? I would be happy to continue to debate it. I think we were intended to vote on this amendment. I ask that we proceed with this vote. I

shall be happy to discuss it with my friend at length after we dispose of it.

VOTE ON MOTION TO TABLE AMENDMENT NO. 644

The PRESIDING OFFICER. The time allowed has expired. The question is on agreeing to the motion to table amendment No. 644. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. CRANSTON. Mr. President, I have a live pair on this vote with the Senator from Mississippi (Mr. STENNIS). If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. STEVENS. I announce that the Senator from Minnesota (Mr. DURENBERGER), the Senator from Arizona (Mr. GOLDWATER), and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

Mr. CRANSTON. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Arizona (Mr. DECONCINI), the Senator from Louisiana (Mr. LONG), the Senator from Mississippi (Mr. STENNIS), and the Senator from Nebraska (Mr. ZORINSKY) are necessarily absent.

I further announce that, if present and voting, the Senator from Arizona (Mr. DECONCINI) would vote "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 55, nays 36, as follows:

[Rollcall Vote No. 435 Leg.]

YEAS—55

Abdnor	Gorton	Percy
Andrews	Grassley	Pressler
Armstrong	Hatch	Proxmire
Baker	Hatfield	Quayle
Boschwitz	Hawkins	Randolph
Burdick	Hayakawa	Roth
Byrd, Harry F., Jr.	Heinz	Rudman
	Helms	Schmitt
Chafee	Humphrey	Simpson
Cochran	Jepsen	Specter
Cohen	Kassebaum	Stafford
D'Amato	Kasten	Stevens
Danforth	Laxalt	Symms
Denton	Lugar	Thurmond
Dole	Mattingly	Tower
Domenici	McClure	Wallop
East	Murkowski	Warner
Garn	Nickles	Weicker
Glenn	Packwood	

NAYS—36

Baucus	Ford	Melcher
Bentsen	Hart	Metzenbaum
Biden	Heflin	Mitchell
Boren	Hollings	Moynihan
Bradley	Huddleston	Nunn
Bumpers	Inouye	Pell
Byrd, Robert C.	Jackson	Pryor
Chiles	Johnston	Riegle
Dixon	Kennedy	Sarbanes
Dodd	Leahy	Sasser
Eagleton	Levin	Tsongas
Exon	Matsunaga	Williams

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Cranston, against.

NOT VOTING—8

Cannon	Goldwater	Stennis
DeConcini	Long	Zorinsky
Durenberger	Mathias	

So the motion to lay on the table amendment No. 644 was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. BOSCHWITZ. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, the defense budget for fiscal year 1982, including substantial funding for the B–1 bomber, poses difficult and complex issues which require the balancing of many factors in making final judgments. Historically, or at least until World War II, the United States has shunned military power because of the protection afforded by the vast oceans which separate us from Europe and Asia. Except for noting this attitude, which still lingers in our national consciousness, it is not necessary in this brief statement to detail the historical events which make preparedness a regrettable necessity.

The arms race makes little sense, but unpreparedness makes even less sense. As nations spend billions for guns while millions of people do not have bread, let alone butter, we wonder about the allocation of our gross national product between defense and social programs. When we observed the advanced social programs of Norway in the late 1930's, it was obvious that those programs meant little in the face of invasion by the German hobnailed boot. So, perhaps, 6 percent of our gross national product is realistic for national defense.

The rationale for nuclear armament is built on a series of hypotheticals. If the Soviets invade the Persian Gulf then the United States will———; or if the Soviets take Poland or move farther into Western Europe, then we responded by———.

Our possible responses are not articulated for the stated reason that we should not commit ourselves in advance or rule out any options. However, the more likely reason is that we simply do not know what we should do or would do in those contingencies.

Somewhere in the hypothetical scenarios, the contingency inevitably arises that we would be subject to nuclear blackmail or Soviet aggression in some critical area or even Soviet attack on the United States itself if we do not have a massive retaliatory force. Nobody knows how these hypothetical situations would work out; but many of us are unwilling to take the chance, so we return to the conventional lessons of history.

History teaches that military strength deters aggression by others, and experience with Soviet foreign policy underscores that generalization.

As the U.S. Senate debates this defense appropriations bill, our Nation, the Soviet Union and other countries are substantially building up their military power. All profess an intention not to use such force for offensive purposes, but only for defense or to deter aggression by others.

It is anomalous that the Soviet Union has an extensive system to defend against nuclear attack since we in the United States find it inconceivable that our Nation would ever attack the Soviet Union. On the other hand, the United States has very little by way of such defensive capability even though we feel that the possibility of Soviet attack, even if remote, is much more likely than the reverse.

In any event, the temper of the times is to be strong. The debate rages over the issue of superiority versus parity with the more popular expression being that our military strength should be second to none, which means at least a stalemate, if not a slight practical edge.

In light of the potentially catastrophic consequences of being unprepared, it is my personal judgment that we must be militarily strong. It is a form of insurance policy. This particular insurance is very expensive; but, as with any insurance, the insured prefers to pay the premium and not collect rather than incur the risk-event and collect.

As is usually the case, the questions on the defense appropriations bill are easier to formulate than the answers:

First. How much can we afford to spend for defense considering our gross national product?

Second. How much can we afford to spend for defense considering the competing needs in social programs?

Third. How much can we afford to spend for defense considering the current deficit and its impact on inflation, interest rates and unemployment?

Fourth. How much can we afford not to spend for defense considering the Soviet potential for aggression?

Fifth. How much can we afford not to spend for defense considering the dire consequences of being unprepared?

Sixth. What impact will our military strength have in stimulating strategic arms reduction talks?

Against this background, I have decided to vote in favor of the current request for funding for the B–1 bomber. I make no commitment for future votes on funding because future events will inevitably raise new issues. I have had the benefit of extensive briefings by the Department of Defense and the Air Force in Washington.

I have read extensively about the B–1 bomber by those who favor and oppose it. I have also consulted with people who favor and oppose the B–1 including colleagues in the Senate. In addition, I visited Edwards Air Force Base on November 28, last Saturday, where I observed the B–1 bomber and the B–52 bomber and received extensive additional briefings on those airplanes.

There are no exact answers to how long the B–1 can penetrate the Soviet air defense. That depends on the evolving level of Soviet defenses and the evolving status of our countermeasures to avoid detection. I am persuaded that the B–52's are too old to be relied upon until we have the advanced technology bomber, commonly known as the Stealth bomber. Even beyond the time when the B–1 can penetrate, it has significant utility as a cruise missile carrier.

Congress, as well as the Department of Defense, must be vigilant to avoid escalating costs on the B–1 bomber. Secretary Caspar Weinberger has given positive assurances that change orders will not be tolerated and that the contracts

on the B–1 will be extremely tightly drawn to avoid the known pitfalls of other escalating contracts. The private contractors have verified the toughness of the Department of Defense negotiating posture.

I am optimistic that congressional support of the B–1 bomber and a strong defense generally will provide President Reagan with the bargaining strength to succeed in the strategic arms reduction talks. There is reason for optimism on the President's initiatives in missile reduction in Europe. The Soviet response did not totally close the door. It is a hopeful sign that United States and Soviet negotiators began talks in Geneva on limiting nuclear weapons in Europe on the same day, November 30, 1981, that debate began in the Senate on the defense appropriations bill.

Certainly, unilateral disarmament makes no sense. The mixed messages from the Carter administration to the Soviet Union on this subject were unsuccessful. While it is futile to speculate on the possibility of a causal connection between President Carter's cancellation of the B–1 bomber, and other lack of military preparedness, and the Soviet invasion of Afghanistan, it is reasonably clear that the Soviets do not respect or respond to weakness with good deeds.

I am convinced that President Reagan places a very high priority on having a balanced budget by 1984. It may well be that the only way to achieve that balanced budget by 1984 will be to rethink defense appropriations and expenditures. Given a strong hand by Congress in our willingness to prepare militarily, President Reagan may be able to reduce the table stakes in the international military-poker game as a means of attaining the goal of a balanced budget by 1984. As I see it, that is our best bet and the best judgment call.

While I understand the necessity for secrecy, I am concerned that Congress must have appropriate access to the information necessary to discharge our duties in voting on these and related issues. I was dissatisfied with the debate in the Appropriations Committee because some of my Senate colleagues were interrupted in their arguments by other colleagues on the ground that they were making inappropriate disclosures of classified information even though the session was closed to the public and was attended only by Senators and staffers.

For that reason, I voted "present" when the issue of the B–1 bomber came before the Appropriations Committee. I have since obtained answers to the questions which were raised in those discussions, but I think it important to express my reservations about those limitations on our discussions and on any process which fails to make appropriate disclosure on matters on which we are called upon to vote.

Mr. President, while I have the floor I shall briefly comment on another subject that relates to use of coal instead of oil by our Armed Forces.

I commend the subcommittee on defense appropriations for the specific provisions which prohibit the use of funding for conversion from coal to oil and encourage the use of coal.

I emphasize the importance of these provisions for two reasons: First, in the national interest we should use coal wherever that is possible as an alternative to oil because of the stranglehold of OPEC oil, its escalating costs, and very difficult strategic position that we are in in reliance on such oil.

Second, because of the abundance of coal in this country with particular reference to my own State of Pennsylvania, I was pleased to see the language in the appropriations defense bill which prohibits conversions from coal to oil and which will encourage the use of coal as a very important item both nationally for defense and in the national interest to eliminate the dependence on OPEC oil and for States like Pennsylvania which have an abundance of coal.

I yield the floor.

The PRESIDING OFFICER (Mrs. KASSEBAUM). The Senator from Alaska is recognized.

Mr. STEVENS. Madam President, it is my understanding that the Senator from Nebraska (Mr. EXON) has an amendment dealing with force modernization. We have discussed this matter, and he is agreeable to a time limitation of 30 minutes equally divided, with the understanding that there will be an up-or-down vote at the end of that time. If that is correct, I am prepared to make that request.

Mr. EXON. Madam President, will the Senator yield?

Mr. STEVENS. Yes.

Mr. EXON. Madam President, the acting majority leader has accurately described the agreement we have entered into, and I will seek the floor on my own in a few moments. I will offer an amendment with regard to force modernization structure with the understanding that I would be entitled to an up-or-down vote on the amendment, the half hour time limit equally divided to be followed by a rollcall vote.

Mr. STEVENS. Madam President, I make that request. It is my understanding that any amendment to the amendment would have to be germane. I know of none that will be offered, but we could make provision for 10 minutes in the event there is an amendment to the amendment.

Mr. ROBERT C. BYRD. Madam President, reserving the right to object, will the distinguished Senator put a time limit on any amendment in the second degree?

Mr. STEVENS. I did ask for a time limit of 10 minutes on any amendment in the second degree, with the proviso that such amendment would have to be germane.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

UP AMENDMENT NO. 728

(Purpose: To increase by $60 million the funds available for the Army's Force Modernization program)

Mr. EXON. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska (Mr. EXON) proposes an unprinted amendment numbered 728:

On page 7, line 13, delete the following: "$15,354,400,000" and in lieu thereof insert the following: "$15,414,400,000".

Mr. STEVENS. Madam President, I ask for the yeas and nays on the Senator's amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. EXON. Madam President, I was quite disappointed to see my friend from Alaska ask for the yeas and nays on the amendment I just offered, because I was very hopeful that the majority side of the aisle would agree by voice vote to this amendment. But since that is not the vogue in the U.S. Senate today on this vital matter affecting our national defense, I must go into some type of an explanation.

I would first like to say, Madam President, I have been quite surprised by some of the statements that have been made on the floor by those of us who feel that readiness is such a key area that we want to add to the reductions that have been made by the Appropriations Committee.

Let me start out by saying that I hope those on the other side of the aisle, indeed those on this side, would not misinterpret this Senator's remarks with regard to the fact that I am automatically opposed to the B–1 bomber or the MX because I think force structure is so vitally important.

With that and with the clear understanding, hopefully, that this Senator stands ready to support more for readiness for our defense forces, which we have been led to believe for a long, long time, especially during the Presidential campaign of last year that ended last November, that readiness of our forces, including our rapid deployment force, was critical to this Nation's defense in meeting the ever-increasing threat that we see by the potential enemy around the world, Madam President, let me say that the amendment I am offering today goes to the very heart of the issue of force readiness that has been discussed so much on the floor during the debate on this measure and, indeed, with other considerations before the Senate.

My amendment restores $60 million to the Army Operation and Maintenance Appropriation that was cut by the Appropriations Committee. Restoring these funds will provide the full amount requested by the administration in fiscal year 1982 for the Army's force modernization efforts.

Madam President, it is my understanding that this cut that was made by the Appropriations Committee of the Senate of about $60 million contrasts with only a $5-million cut made on the House side. Therefore, as we address this amendment, I hope my colleagues on both sides of the aisle will give serious consideration to it, rather than following blindly the

dictates of the leadership on that side of this important body.

Madam President, the operation and maintenance accounts are not often well understood, so I want to take a minute to describe for my colleagues why I am proposing to restore the amount cut by the Appropriations Committee. And I hope that those few Senators gathered on the floor will listen carefully to what I say and those in their offices, or staffs listening to my comments will at least take into account what the Senator from Nebraska is saying and advise their Senators how they think they should vote, at least advise their Senators as to what this is all about rather than having them come through the door, as is customary, go down to the well and cast a vote as they are instructed to do by the leadership.

The appropriation for the Army's force modernization efforts from which these funds were cut provides the resources to finance the operation and maintenance costs associated with supporting new equipment that is purchased through the procurement accounts. Without the necessary support costs in the O. & M. account, the new equipment that the Army buys would literally never leave the factory.

Let me give some specific examples of what this force modernization line item buys. The funds in this line item which the Appropriations Committee cut, and which my amendment would restore, pay the transportation costs of new equipment from the factory door to the operational unit in the field. The costs associated with insuring that the troops are adequately trained to operate this equipment are paid from this line. Any changes in stockage of spare parts or equipment to maintain the new equipment are paid from this line.

The list goes on and on, Madam President, but the point is clear, and the central point is simply this: In this Senator's opinion, at least, there are few other areas in this appropriations bill that have a greater and more immediate impact on force readiness than the funds associated with the force modernization efforts. What good are the billions that we appropriate to buy new equipment if we do not provide the funds necessary to fully utilize the equipment once it comes off the production line.

Madam President, I have said before, and I repeat, too much of this administration's defense posture are "show and tell" in their impact. This $60 million amendment is not good "show and tell," but it is essential to our basic readiness requirements.

The Appropriations Committee noted correctly in their report that there have been some delays in getting new equipment to the field since the budget was submitted. In the committee's opinion, these delays justify the reductions in the amount requested by the Army. But the committee failed to note that there have been and will be deliveries of other equipment more quickly than the Army originally anticipated in their budget request.

For example, the Army now expects to receive 211 more improved TOW vehicles and 25 more improved Hawk air defense missile systems during fiscal year 1982 than this budget supports. These are only two examples, Madam President. In fact, the increases from the original budget estimate for the more rapid delivery of equipment to the field exceed the decreases expected from delayed deliveries by $26.5 million. In other words, the amount included in the committee bill is $86.5 million below the amount the Army now says is required to meet this vital readiness function in fiscal year 1982. This amendment restores only two-thirds, or $60 million, of this shortfall.

Madam President, this modernization effort was one of the programs which the Reagan administration strongly emphasized in their amendments to President Carter's fiscal year 1982 defense budget. In the October budget cuts in the Defense Department, this line item was left untouched. The administration continues to support the full budget request for this program, which my amendment restores.

And I hope that my colleagues would understand that. And I might add that since the mood is to support the President, not unlike the old phrase "Support Your Local Sheriff," it seems appropriate that we should apply that term now, especially to those on that side of the aisle. I agree that the $60 million amendment that I have offered for readiness is not very good "show and tell," but I urge my colleagues to consider that it is critically important as far as our readiness is concerned.

In closing, Madam President, regardless of the charges that have been made today, this is not one of those frivolous amendments made to delay the bill. On the contrary, I hope I have been able to demonstrate to the Senate that the reductions suggested by the Appropriations Committee here appears to run counter to the consensus in this body to improve the operational readiness of our military forces.

I urge my colleagues to support the amendment.

May I inquire of the Chair how much time I have remaining on my 15 minutes?

The PRESIDING OFFICER. The Senator from Nebraska has 5 minutes and 40 seconds remaining.

Mr. EXON. I reserve the remainder of my time.

Madam President, I yield 2 minutes to the Senator from Michigan.

Mr. LEVIN. Madam President, I thank my friend from Nebraska. I congratulate him on his amendment. And I ask unanimous consent that, if I am not already listed as a cosponsor of his amendment, I be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Madam President, this amendment, like the other amendments, goes to the cutting edge of America's readiness. I was very much intrigued by my friend from Alaska when he talked about these amendments as being dilatory. These amendments represent moneys which were in the Reagan March budget. They represent, I think without exception—perhaps the Byrd amendment of yesterday would be one—but for the most part they represent amendments in moneys that were in the Senate authorization bill. They represent moneys that were in the House authorization bill.

And may I say, in the case of the amendment of my friend from Nebraska, they represent moneys that were in the Reagan October request. Even when the President proposed that we make cuts in readiness on Indian Ocean readiness and presence, cuts in the many other areas that are set forth in that "Dear Colleague" letter which my friend from Alaska has quoted from, even when the President suggested those readiness cuts in October, the one that the Senator from Nebraska is seeking to restore was not cut—was not cut—in the Reagan October request. That was cut by the Appropriations Committee.

So while all of these amendments have in common, or nearly all, that they were in the original Senate authorization bill, in the original Reagan bill, this one is not.

The PRESIDING OFFICER. Will the Senator suspend? He has used his 2 minutes.

Mr. LEVIN. I wonder if I might have 1 more minute to put in these figures.

Mr. EXON. I yield.

Mr. LEVIN. Madam President, the Reagan October request for this item, this critical readiness Army item for the Army, was $976 million. The bill which came out of the Senate Appropriations Committee was $916 million. Again may I say that this amendment would add back $60 million to this line item to restore the President's October request.

I think it is inappropriate for the Appropriations Committee to suggest that these amendments, when they were in the Senate authorization bill originally before it went to conference, when they were in the President's March request—and in this case when it was in the President's October request—are dilatorius or frivolous. These are serious. They deal with the B–1 bomber. People should be able to express themselves on these items. I am sorry to see tabling motions because I think there should be up-or-down votes.

The PRESIDING OFFICER. Who yields time?

The Senator from Alaska is recognized.

Mr. STEVENS. I can assure my friend from Michigan that there will be an up-or-down vote and I hope the Senate will sustain the Appropriations Committee.

Force modernization is a new descriptive category in Army operation and maintenance. Over $900 million is provided for this purpose. The funds are spread throughout the bill.

We examined this category and we found that based upon Army estimates, the delivery of the weapons system to be supported—maintenance and operation costs for new vehicles, new systems—fewer M–1 tanks will be delivered, fewer infantry fighting vehicles will be delivered, and other equipment than was originally planned in the March estimates for fiscal year 1982.

Our information indicates that there are 103 fewer M–1 tanks, 165 fewer trucks, and 6 fewer Tacfire artillery systems. All of this means less money

will be required. I am delighted that our friends have pointed out we have done our job. Our job is to look over these requests and to see if there is any fat in them. There is over $60 million in excess of requirements in this $900 million account. So we recommended a reduction of $60 million.

It is a reduction from the President's request but it is in line with the authorization. It is money that we all agree is not needed in 1982 to maintain force modernization. There is just no reason for us to include in this bill moneys that cannot efficiently be spent within fiscal year 1982.

I said to my good friend from Nebraska I am delighted to have the opportunity to agree to an up-or-down vote on this because it is one of the items in the Dear Colleague letter that does address a reduction that was made by the committee with due deliberation because the money just is not needed. It is in excess of the requirements of the Army for force modernization. There is absolutely no reason to provide $60 million more than is necessary to meet this requirement.

I hope the Members of the Senate will examine our suggested reductions and will ask us to defend them. I am willing to defend this one anywhere because with over $900 million in an account that did not even exist last year—I am corrected. It is not an account. It is a category of expenditures. It is a breakout of a category of expenditures, force modernization.

To take $60 million from that and to say this is the portion of savings which we are going to make and I am proud of that. I am delighted our committee agreed with us. I see nothing here to indicate that we are wrong.

The overstatement of operations and maintenance costs, the delay in the delivery of the vehicles and systems I mentioned, indicate to us that there is absolutely no reason to give more money than is required for the Army for force modernization.

I would call the attention of the Senate to the fact that in doing this, in taking the $60 million out of this, we put the money into real property maintenance and said to catch up as far as the backlog in real property maintenance.

We have an unacceptably high backlog of maintenance and repair that has been shoved back each year. We said, "Here are $60 million you do not need for this force modernization and we want you to use the $60 million and try to catch up on some of the real property maintenance, some of the buildings and systems that are deteriorating, not only in this country but throughout the world, which will cost us a great deal more in the future if we do not dedicate that money to it now."

The PRESIDING OFFICER. Who yields time?

Mr. EXON. May I inquire how much time I have remaining?

The PRESIDING OFFICER. The Senator from Nebraska has 2 minutes 16 seconds.

Mr. EXON. Madam President, I am disturbed to hear the acting majority leader, who has been very active on this whole bill, indicate that there was fat in the budget, in this item, proposed by the President of the United States.

We all know and the record is clear that this President of the United States is the greatest budget cutter who has ever come down the pike. I think it is most unfair for my friend from Alaska to indicate that the President would send us a figure that he still stands by that has fat in it. At least, that is the first time that fat in the budget has been acknowledged on that side of the aisle.

Madam President, it is very interesting to me that in all of the additions that we have attempted to make to this appropriations process only one has survived. I give credit to my friend from Alaska because I know that he was against adding the money for the old battleship.

I guess what we are confronted with here, Madam President, is that everything we propose to increase readiness is voted down with tabling motions. The only thing that passed was the old battleship. Can anyone in this country believe that the only change that should be made in the recommendations of the Appropriations Committee is spending more money to bring an old tub out of mothballs?

I think it is particularly ironic that that is the only readiness item that has passed on the floor of the Senate.

In conclusion, I would simply say once again that the B–1 and the MX, as important as they are, are great show and tell items, but readiness is still a critical factor.

If I had the time, I would go into several other items where the Army has advised us that they are going to have earlier delivery of some of the weapons systems. While I would agree with my friend from Alaska that some would not be delivered on time, as I said in my opening statement, this does not restore all the money that is needed; only about two-thirds of it.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. EXON. I yield the floor.

Mr. STEVENS. Madam President, I thank my good friend. Again, I can only tell the Senate that we evaluated in depth the information provided by the Army on their new systems, their new vehicles—tanks, vehicles, trucks. This category of funds is to provide for the operation, servicing, and maintenance of those new systems as their forces modernize, and there is just no reason to give them more money than they need. If anyone wants to be known as a person who really is willing to throw money which is not needed at the military, then I can suggest that this is the amendment to vote for.

Our committee recommended a reduction to reflect the reevaluation of all the requirements in the force modernization program for the Army and we reduced them, took $60 million out of a total program of over $900 million.

Madam President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Nebraska.

The yeas and nays have been ordered. The clerk will call the roll.

Mr. STEVENS. I announce that the Senator from Minnesota (Mr. DURENBERGER), the Senator from Arizona (Mr. GOLDWATER), and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

Mr. CRANSTON. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Arizona (Mr. DECONCINI), the Senator from Louisiana (Mr. LONG), and the Senator from Nebraska (Mr. ZORINSKY) are necessarily absent.

I further announce that, if present and voting, the Senator from Arizona (Mr. DECONCINI) would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 37, nays 56, as follows:

[Rollcall Vote No. 436 Leg.]

YEAS—37

Baucus	Glenn	Mitchell
Bentsen	Hart	Moynihan
Biden	Hollings	Nunn
Boren	Huddleston	Pell
Bradley	Inouye	Pryor
Bumpers	Jackson	Randolph
Byrd, Robert C.	Johnston	Riegle
Chiles	Kennedy	Sarbanes
Cranston	Leahy	Sasser
Dodd	Levin	Tsongas
Eagleton	Matsunaga	Williams
Exon	Melcher	
Ford	Metzenbaum	

NAYS—56

Abdnor	Gorton	Packwood
Andrews	Grassley	Percy
Armstrong	Hatch	Pressler
Baker	Hatfield	Proxmire
Boschwitz	Hawkins	Quayle
Burdick	Hayakawa	Roth
Byrd, Harry F., Jr.	Heflin	Rudman
	Heinz	Schmitt
Chafee	Helms	Simpson
Cochran	Humphrey	Specter
Cohen	Jepsen	Stafford
D'Amato	Kassebaum	Stennis
Danforth	Kasten	Stevens
Denton	Laxalt	Symms
Dixon	Lugar	Thurmond
Dole	Mattingly	Tower
Domenici	McClure	Wallop
East	Murkowski	Warner
Garn	Nickles	Weicker

NOT VOTING—7

Cannon	Goldwater	Zorinsky
DeConcini	Long	
Durenberger	Mathias	

So the amendment (UP No. 728) was rejected.

Mr. STEVENS. Madam President, I move to reconsider the vote by which the amendment was rejected.

Mr. McCLURE. Madam President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Madam President, I inform the Senate that it is my understanding that the Senator from Pennsylvania (Mr. SPECTER) has an amendment and then following that amendment the Senator from Ohio (Mr. GLENN) will have an amendment.

We are happy to try to schedule any amendments that Senators wish to discuss.

I believe we are going to be prepared to accept the amendment of the Senator from Pennsylvania, but I will wait and hear it being explained first.

UP AMENDMENT NO. 729

(Purpose: To add $4,000,000 for the Field Artillery Ammunition Support Vehicle)

Mr. SPECTER. Madam President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

The Senator from Pennsylvania (Mr. SPECTER) proposes an unprinted amendment numbered 729.

On page 17, line 11, strike out "$3,958,600,000" and insert in lieu thereof "$3,962,600,000".

Mr. SPECTER. Madam President, this is a rather modest amendment in the amount of $4 million, considering the $200 billion-plus defense appropriations bill which we are considering today.

The specifics are that $4 million would be added for long-lead funding for the field artillery ammunition support vehicle, in accordance with the President's March and September budget request. I believe this relatively small sum is very important in making sure that we have the production lines for this vehicle so that they will remain open to insure that it be produced rapidly and efficiently. It has been estimated that deleting the funding of this $4 million will delay production of the FAASV by 7 to 10 months and will undoubtedly drive the unit costs much higher.

The need for such an ammunition vehicle has been well documented. Soviet military strategy has always placed great emphasis on the use of massed artillery to saturate enemy positions prior to attacking with its ground forces. Given Soviet preponderance in numbers of tanks and artillery forces, NATO forces must be able to survive longer than their Soviet counterparts and must be able to make every artillery round count.

NATO must, therefore, possess artillery units that can survive a massive Soviet attack and be ready to fire. In order to achieve such a result, all elements of our artillery units need to be provided adequate protection and sufficient mobility. NATO now has a self-propelled howitzer, the M–109 A1/A2/A3, without a comparably effective and protected ammunition vehicle to supply it.

The FAASV was developed in order to meet that requirement. The Army, in August 1980, contracted for five prototypes to be delivered in the first quarter of 1982. The testing for these vehicles is scheduled to be completed by April 1982 and production is expected to begin in September of that year.

The $4 million the Army has requested for long-lead funding in the 1982 budget will provide the engines and transmissions for these vehicles. This is the first time long-lead funding has been requested for such vehicles because the company that produces the engines, Detriot Diesel, needs assurances that enough vehicles will be produced to keep its production lines open for these machines. But, the company that produces the FAASV's chassis also risks having to close its production lines if these funds are not provided.

If this $4 million is not added now we risk delaying the entire program at a time when the need for an adequate well protected mechanized and mobile ammunition support vehicle is critical, and I think that it is a relatively modest sum on a program of obvious importance.

I urge adoption of this amendment.

I yield the floor.

Mr. STEVENS. Madam President, we had deleted the $4 million for the field artillery ammunition support vehicle as being premature. It was my understanding at the time that that item would have been in the House bill and as we have explained to the Senate before, the way we dealt with this bill we were not sure exactly what was in the House bill.

The amendment will not be in conference unless we do accept the Senator's amendment.

It was our understanding that it would be in conference and it is budgeted and the Army does indicate that it does have the need for the money.

What I am saying is I am most willing to recommend to the Senate that we take the amendment of the Senator because we wanted this to be a conferenceable item and without his amendment it would not be.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to the amendment of the Senator from Pennsylvania.

The amendment (UP No. 729) was agreed to.

Mr. STEVENS. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. COHEN. I move to lay that motion on the table.

MILITARY HANDGUNS

Mr. COHEN. If I may have the attention of the distinguished acting majority leader, it is my understanding that the Defense Department has made a decision, at least on a preliminary basis, to explore the feasibility of moving from the current .45 caliber, .38 caliber revolvers in our military services to a uniform 9 millimeter revolver.

It is also my understanding that the House Armed Services Committee has recommended and has indeed provided funding to allow the Department of Defense to carry out the testing and evaluation procedures that would allow DOD to make a proper decision as to who should have the contract on that particular weapons system.

Under the appropriations bill money has been deleted, not provided for, but there has been express provision that would delay the implementation of this program.

I was wondering if I could explore with the Senator from Alaska whether or not we could not have some understanding as to what the difficulty seems to be with the 9 millimeter weapon.

I have heard, for example, that there is some concern that one firm, namely Beretta, has been sort of "wired" for selection by the Department of the Army.

I will say to my friend from Alaska that I am sensitive to such types of charges because indeed some years ago when I was in the House there was a report in the New York Times that a contract for a certain machinegun that a company in Maine was a competitor for had been "wired" to a Belgian firm, and a deal had been made. That was first denied by the administration at that time. We ended up by bringing a lawsuit against the Department of Defense, receiving a preliminary injunction, and basically finding a very unsatisfactory resolution so far as the Maine company was concerned. So I am sensitive to the suggestion or indeed any charges that have been made that one company might be given preferential treatment over another.

My understanding is that a number of companies are currently in competition; that, in fact, it has not been predetermined that any one firm should receive the contract, but that request for proposals has disclosed that there are a number of firms, Smith & Wesson, Beretta, Maremount, and Heckler and Koch, which are now candidates, and the Department of Defense would, in fact, make a selection by January 1982.

So I was wondering whether or not the Senator from Alaska has objections to a fair evaluation being conducted if, in fact, there has been no deal made; if, in fact, there is a pledge for fair and impartial evaluation; if, in fact there could be some assurance, whether through GAO or some other mechanism, to insure the proper oversight and evaluation to make sure this decision is conducted not as an incentive, not as a sweetener for any other country to go forward with other programs, but strictly on the merits, and whether the distinguished Senator would remove his own objections.

(Mr. KASTEN assumed the chair.)

Mr. STEVENS. I am grateful to the Senator for the opportunity to discuss the general provision concerning the 9 millimeter handgun.

We desire to halt the initiative of the Army to permit the Government to provide for the procurement of a new weapon to replace the traditional .45 and .38 handguns. The reason is that the program was never authorized, funds were never sought for the program in the 1982 budget, and we have some 540,000 handguns in the military inventory.

The proposal would be to replace those with some 590,000 9 millimeter pistols at a cost of over $400 per weapon.

Again my problem was that the authorizing committee had not looked at it, had not authorized the program. We had not been specifically requested to look at it as an appropriation request in the appropriations process, and we just found it was ongoing.

So there is not just report language, there is a provision in the bill directing that this procurement be stopped until Congress evaluates the question of whether we do want to modernize these weapons, if it is indeed modernization, and to answer the questions of the Senator which he has raised as to how this is to be done. I have some indication. One of the proposals was to rebore the barrel of the existing weapons and to then call those 9 millimeter weapons.

We both attended the NATO parliamentary conferences, and we know the desire for standardization. I do not op-

pose standardization, but it just seems to me that a program of this type, which could evolve a substantial procurement program, ought to be authorized and it ought to be treated in the normal appropriations process.

Since the matter is in the House bill, I would suggest that in the conference something similar to what the Senator suggests would be possible, and I hope he would allow us the flexibility to deal with the provisions in the House bill and to deal within the conference with those provisions.

Mr. MITCHELL. Mr. President, will the Senator yield?

Mr. STEVENS. The Senator has the floor and I am responding, I guess.

Mr. COHEN. I yield to the Senator from Maine.

Mr. MITCHELL. I thank the Senator from Maine and I thank the distinguished floor manager.

I think it is important to make a record on this point regarding the origins of this initiative.

In 1977 the Air Force requested authority and funding to develop a new model .38-caliber ammunition for handguns used by Air Force personnel. The House Committee on Appropriations reacted to this request by ordering a handgun study by that committee's surveys and investigations staff.

As a result of that study in 1978, the House Appropriations Committee urged the Department of Defense to standardize its handgun inventory and its handgun ammunition inventory, and in characterizing that report a year and a half ago the chairman of the House Appropriations Subcommittee on Defense stated, and I quote:

A study in 1978 by the Surveys and Investigations staff found an intolerable proliferation of handguns and handgun ammunition in the Department of Defense. More than 25 models and types were present in the inventory. For 2 years—

And this is a statement made a year and a half ago—

the committee has been exhorting the Department of Defense to expeditiously make the decision on a standard handgun and handgun ammunition and prepare a transition plan to achieve that standard.

So this is a response by the Department of Defense to the urgings of Congress.

I submit for the RECORD and ask that it be printed in its entirety a copy of a letter dated yesterday addressed to the distinguished floor manager from the Deputy Secretary of Defense in which he urged that this current evaluation continue.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF DEFENSE,
Washington, D.C., December 1, 1981.

Hon. TED STEVENS,
Chairman, Subcommittee on Defense, Committee on Appropriations, U.S. Senate, Washington, D.C.

DEAR TED: This is to inform you that the Department of Defense favors the completion of our current evaluation of candidate handguns to replace the current .45 caliber pistols and .38 caliber revolvers.

Our actions to select a standard weapon to replace the numerous makes and models of handguns are well overdue and consistent with Congressional language.

We have already issued Request for Proposals and received from industry weapons for tests. Our test agencies are now in the process of testing the hardware. Our schedule calls for completion during January 1982.

We are confident that the current acquisition strategy for 9mm handgun procurement is in the best interests of the Services and is not unfair to industry. Any interruption of this process would call into question the credibility of our acquisition procedures.

Sincerely,

FRANK C. CARLUCCI,
Deputy Secretary of Defense.

Mr. MITCHELL. This letter stated, and I will quote just briefly from it:

This is to inform you that the Department of Defense favors the completion of our current evaluation of candidate handguns to replace the current 45 caliber pistols and 38 caliber revolvers.

Our actions to select a standard weapon to replace the numerous makes and models of handguns are well overdue and consistent with Congressional language.

We have already issued Request for Proposals and received from industry weapons for tests. Our test agencies are now in the process of testing the hardware. Our schedule calls for completion during January 1982.

We are confident that the current acquisition strategy for 9mm handgun procurement is in the best interests of the Services and is not unfair to industry. Any interruption of this process would call into question the credibility of our acquisition procedures.

That is from the Deputy Secretary of Defense.

So I believe, Mr. President, that there is a well-founded basis for proceeding consistent with congressional intention. I hope that the distinguished floor manager would be able to act in accordance with the request of the senior Senator from Maine regarding a fair supervised evaluation procedure that does not delay this important procurement process.

Mr. COHEN. Mr. President, I yield to the Senator from Virginia.

Mr. WARNER. Mr. President, I associate myself with the expressions of both Senators from Maine. I, too, have looked into this handgun situation. I believe it should remain with the Department of Defense to continue to advise this Congress on the need or lack thereof to proceed for a replacement weapon in the area of handguns.

I thank the Senator from Maine.

Mr. STEVENS. Mr. President, I understand full well what the Senators are saying. I have a stack of mail, I say to my good friend from Maine, from the people in the Department of Defense. If there is anything that can bring about their readiness to equal their ability to deliver mail to anyone who is involved in a bill on the floor that affects them, I would be happy to try and accommodate them to see if we could give them the same capability to respond to a threat as they can respond to a situation such as that letter the Senator describes. We have that letter. But they really have not responded to our problem.

The problem really is why should they be going about a major procurement—maybe $200 million is not a major procurement anymore to some people. It still is in terms of the Appropriations Subcommittee. And there is no reason for them to be proceeding on a basis that apparently has no set plan.

The House committee issued a report, the Investigation Subcommittee of the Armed Service Committee issued a report in September. It found a lot of things.

The Senators from Maine would like the GAO involved. The GAO has been involved. At the request of the GAO, an Air Force gunsmith completed the conversion of a .45-caliber pistol to 9 millimeters in approximately 10 minutes. And the total retail cost of all the parts used was approximately $100. As a result of that, a U.S. arms manufacturer informed the U.S. Army Materiel Readiness Command that it would submit a proposal to convert all .45-caliber pistols to 9 millimeter for $170. Yet the procurement that is involved, the XM9, is dealing with a program of approximately $400 per weapon to replace all weapons.

Now, we really think that the Army and the Department must come up with some program and explain it to the Congress. What is the Army going to do with the 540,000 handguns now in inventory? Why do they need 590,000 new 9-millimeter pistols if the existing pistols could be converted and, if, in fact, it could be done in the Army's own ordnance probably for less cost than anywhere else?

All we are saying, Mr. President, is that the program just does not seem to have any coherence right now. We have directed that it be stopped. The House has directed that it go ahead. The matter is in conference and it will be a very interesting issue, I think. We will definitely pursue the suggestions of the Senator from Maine when we do get to conference with the House on the issue.

Mr. COHEN. I yield the floor.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I would just like to endorse and support the comments of the Senator from Alaska. As one from New England, obviously we have a number of firms that are interested in this particular issue. But I think it is important to point out the fact, as it pertains to some American corporations, that the request for proposal made on this issue by the Department of Defense came out on June 30. The original request for proposal had allocated 45 days for the preparation of a 500-page technical report and the fabrication of some 30 prototypes of the 9-millimeter handgun.

For those companies already producing a 9-millimeter handgun, this was a relatively simple matter. For 70 years, the Colt .45 has been the principal sidearm of the U.S. Army. Colt has not produced a 9-millimeter handgun in any quantity or to the Army's exact specifications. And until the request for proposal was forthcoming it did not bother going about the business of even making

some 30 prototypes of the 9-millimeter process on June 30.

But in 45 days to produce 30 samples in a very competitive bid process, as well as comply with the 500-page technical report is not feasible. It was virtually impossible, even for a large corporation like Colt. We asked at that time for an extension, which was granted, of 75 days and then 89 days. But, at that time, it was still not enough time to produce the 30 samples.

I think it is also worth noting that a major bidder is the Berrata Corp., an Italian corporation. And at a time when we are trying to keep as much business and procurement business onshore, there is a great deal of suspicion that, in fact, the Berrata Corp. would be the winner in the bidding contest.

In fact, it might be of some interest to my colleagues from Maine that I have prepared an amendment, which I have not offered and do not intend to offer, but it might serve as a compromise position. My amendment would have allowed for an extension of the bidding process to allow bona fide contractors in this country to comply with the very difficult requirements of a 500-page technical report and the more difficult task of producing 30 samples of a handgun, 30 samples which would obviously be of such a nature that they would be competitive, and that actually an extension of the bidding process might be a way of dealing with this issue in conference.

But, in the meantime, to suggest somehow that after 70 years of having one primary handgun, that in 45 days, or 75 days, we are going to be able to produce a 9 millimeter handgun, it is not going to serve our interests and not serve the interests of our NATO allies, as well, not to mention some additional requirements required as a result of that. It would be a significant drain of U.S. dollars to an offshore company that I suspect is going to emerge as the winner of that contest.

So it seems to me that it is wiser to allow this bidding process to go a bit longer than we allowed and, if not, just continue with the present sidearm, which has served the Nation well for 70 years. And, God knows, in the budget crunch, when we are talking about millions of dollars for a handgun at a time when we are discussing theater nuclear weaponry, at a time when every nickel in the budget seems to evoke heated debate on the floor of the Senate, that we might focus our attention on some other priorities.

I would at least be interested in knowing from my colleagues from Maine whether or not a proposal to extend the bidding process might be something that they could support when, in fact, we do get to conference on this issue.

Mr. President, I yield the floor.

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

Mr. MITCHELL. Mr. President, I would like to note, so the record will be clear, that it was stated publicly at a hearing in the House that the services had agreed on standardization of handguns on the 9-millimeter model over a year-and-a-half ago. This is not something that anybody should have been surprised at or was surprised at. It is something that was well known before that and stated publicly at that time.

Second, I would also point out that we are not talking about a procurement here. We are talking about completion of a testing and evaluation process that was commenced in response to a congressional initiative that the funds involved are unobligated funds from the 1981 bill. This is not a procurement. If there is to be a procurement, obviously the services will come back and that will be a specific item in a future appropriations bill. I think that should be clarified, in light of the statements made by the distinguished Senator from Alaska.

Mr. STEVENS. Mr. President, it is my understanding that the Senator from Ohio wishes to offer an amendment now. In trying to schedule these, I would ask unanimous consent that following the Senator from Ohio that the Senator from Maine (Mr. COHEN) be recognized.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. The Senator from Arkansas (Mr. PRYOR) would like to follow Mr. COHEN. That will be agreeable to us. We will try to work out time agreements as we hear what the amendments are.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Ohio is recognized.

NAVAL OPERATING FUNDS

Mr. GLENN. Mr. President, if any of us went out and bought a new car and kept it in the garage because we did not want to go to the expense of buying gasoline to put in the tank, one might think we were a little bit addled. I would think we would be at least addled if we did that.

Mr. President, that, in effect, is what we are doing with our Navy. We are considering over these days here many, many, tens upon tens upon tens of billions of dollars of expenditures for new equipment which is supposed to be used to carry out American policy around the world. Then with the Navy we are at the same time trying to save money by not giving our forces sufficient operating funds.

If those operating funds were being applied just generally worldwide, or just a general reduction in the Pacific, the Indian Ocean, Atlantic, Antarctic, wherever, we might be able to say, "Well, we will just accept it because it is a general cut."

But that is not the way this is being done. This cut in operating funds is being done in the most important naval geographical spot in the world. That is the Persian Gulf. Where we are trying to save money dangerously weakens us in that area of the world most vital to the United States and the whole free industrialized world. In fact, we still get nearly 20 percent of our oil out of the Persian Gulf. Our representation there, our military forces there, also provides the protection for Western Europe, a Western Europe that gets 50 percent of its oil from the Persian Gulf.

We also supply the protection for the oil sealanes to Japan, which gets over 75 percent of its oil from the Persian Gulf.

A couple of years ago I was in the Orient, in Japan, and I was talking to one of the people at the Ministry of International Trade and Industry. He made the statement in one of the breaks that we had in the meeting that on any given day there is a tanker every 100 miles between Japan and the Persian Gulf. While I cannot vouch for that, it may be two-way traffic, but whatever kind of traffic it is, it indicates the importance that we attach to the Persian Gulf.

During the AWACS debate, we adequately illuminated the importance of the Persian Gulf area and the vital role it will play into the indeterminate future. With the cutbacks we are making in energy research, alternate energy research, and conservation, I do not see our dependency on the Persian Gulf changing much over the next decade, probably, or decade and a half, even. So our attachment to the Persian Gulf is going to remain just as tight as it is now and just as important as it is now.

Those alternate fuels research funds, incidentally, were some $776 million in the Carter budget submitted in January of this year and they were cut in the new administration to only $443 million. So we have decimated our basic energy research, noncompetitive with private business energy research, to what I think may be pennywise in this year's budget but it is very pound foolish for the future.

It does indicate that we will for the indefinite future retain our dependency for oil on the Persian Gulf. Western Europe will be saddled with that same kind of dependency and Japan also will be saddled with that same kind of vulnerability that we all share together and which we are taking on the military load of protecting in that Persian Gulf area.

President Reagan has made numerous statement to spell out the importance of that area, and that most critical piece of naval geography in the world, the Strait of Hormuz.

Our carrier forces assigned to the Indian Ocean were put there for a very good reason. They were put there not just to make a show of force. They are probably the most combat-ready force that we have anywhere in this world. Nowhere else in the world are American forces required to take off on every mission as combat ready as those forces in the Persian Gulf.

When we placed those carriers in the Persian Gulf, the two carriers that were assigned there, it was a commitment that I backed then and I still firmly support, as I believe do most Americans. I believe honestly that most Senators in this Chamber supported that two-carrier commitment.

Those carrier forces that go off every day in that part of the world take off daily fully armed, with guns, rockets, bombs loaded, ready for whatever might occur, literally, with only minutes of warning time.

Let me say that these are not show forces. These are not bluff forces in any way, shape, or form.

The United States has 13 carriers, two of which have been assigned in the past to this vital Persian Gulf area. I know of no more important use for naval forces

today than for them to be in the Indian Ocean region, ready and on station for whatever may occur.

Yet in the interest of budget cutting, Secretary of Defense Weinberger has proposed reducing that carrier force from two carriers to one solely to save $74.6 million in operating funds. This is not new equipment. This is an effort to save money from operating budgets. The lame argument was made after the fact that carriers in the Mediterranean could probably transit the Suez Canal within a few days and be available in the Persian Gulf area. There are just a couple of things wrong with that argument. No. 1, our nuclear carriers cannot go through the canal, and even if they could, with 4 to 5 days delay getting to any scene of action around the Persian Gulf or that Strait of Hormuz, there may be very little need for their presence once they do arrive.

Time is the most critical factor we have in determining what could happen to those vital oil heads in Saudi Arabia and other areas along the Persian Gulf. Much as we all want a balanced budget, this cut just plain carries things too far.

It comes down to a question of commitment. Do we have a commitment to that Persian Gulf area or do we not? Can our NATO allies really be encouraged to take over more of the NATO burden which we justify because of our Mideast commitment that protects them also and protects the 50 percent of oil for Western Europe that comes out of that Persian Gulf?

Can we ask them to accept our commitment while at the same time we in fact cut back on that commitment by cutting our carrier forces in the Persian Gulf in half?

I already mentioned Japan. In Japan we are trying once again to get them to increase their defense expenditures above the self-imposed 1 percent of GNP limit that they have had for many, many years. It gives us little ground to operate on when we are saying to them that, "We are protecting your interest in the Persian Gulf, protecting those oil lines, shipping lines, from the Persian Gulf to Japan," and encouraging them to make a bigger defense commitment in their own home area to relieve us of some of that responsibility, and at the same time we turn around and cut our commitment to the Persian Gulf in half.

Mr. President, our carrier battle groups in the Persian Gulf and Indian Ocean are not bluff forces. They are not labeled "for show purposes only."

We recently completed expensive exercises in the Mideast to show our resolve in that area. We went through all the motions of parachute troops dropping in. We went through bombing exercises on the ranges there.

We went through landing exercises, conducted with the few marines that were aboard the vessels in the Indian Ocean. We showed our resolve in that Middle East area. Those were, what we might say, the show-purpose type forces. But those carrier battle groups off the Strait of Hormuz are not bluff forces. They are the only loaded and ready combat forces we have in the Persian Gulf area. To lessen that presence will have inestimably important effects.

Mr. President, it makes absolutely no sense to spend tens upon tens of billions of dollars for new equipment and then not have it available to meet America's and the free world's most vital interests and, indeed, those of the whole industrial free world—all for lack of the comparatively few dollars to put gas in the tank. I hope everyone will join in supporting this amendment that I shall call up shortly to restore the $74.6 million worth of naval operating funds dedicated not to expanding forces, not to increasing forces in the Middle East area, but just to maintaining the naval force that we have had committed to that area.

Mr. President, I am offering this amendment because the administration's recent action in reducing our naval combat presence in the Indian Ocean is a dangerous example of structuring our military forces not on the basis of the threats we face, which I have outlined, but on the basis of a balance-sheet mentality. You just cannot run security forces solely on that basis. I let the administration speak for itself in this matter.

Before the Senate Committee on Armed Services on September 28, the Secretary of Defense, aided and abetted by the Chairman of the Joint Chiefs of Staff, admitted that the defense budget cuts proposed by the Reagan administration would, among other things, cause us to cut back significantly our naval presence in the Indian Ocean-Persian Gulf region by at least half a battle carrier group.

Then, on October 1, the Secretary of Defense told the Senate Foreign Relations Committee on this force reduction. By the Secretary's own testimony, this was attributed by the Secretary as a move dictated not by a changing military situation but solely by a budget directive that he had received.

Mr. President, such preposterous reasoning, unfortunately, is not new to our Republic. In fact, it brings to mind a famous exchange that occurred during the Constitutional Convention in Philadelphia when one of the delegates moved that, "The standing Army should be restricted to no more than 5,000 men at any one time." The Convention's Presiding Officer, George Washington, was prohibited from offering motions of his own, so he turned to another delegate and whispered, "Amend the motion to provide that no foreign enemy shall invade the United States with more than 3,000 troops at any one time."

Mr. President, these are more dangerous times for our country than even those days and we are apparently lacking the kind of leadership that prompted George Washington to turn aside silliness at that Convention so long ago.

Obviously, Mr. President, there have to be spending constraints on national defense. But we will benefit little from a balanced Federal budget if we find ourselves in deep troubles abroad because our Military Forces are inadequate to support our foreign policy.

As the Stockman Atlantic revelations demonstrate, this obsession with book balancing to the near exclusion of any consideration of our vital foreign interests can lead us down some very dark and very dangerous alleys.

We simply cannot afford the luxury of a new isolationism, Mr. President, and we cannot afford to have our security policy be determined by budget managers who have already exhibited a willingness to doctor the books to support their own economic prescriptions.

Obviously, there are practical limits to Government spending. No Government department—whether it be Health and Human Services or Defense—can ever get all the money its program planners claim is necessary. Once these departments submit their best case budget requests, it is then up to the President to identify truly essential programs and to marshal public support for them. Indeed, that is what leadership is all about, Mr. President.

Absent from the defense debate is a thorough and tough-minded examination of exactly what our vital interests are in today's world and how our military forces can deter or meet concrete threats to those interests. In its search for the magic defense budget numbers, the administration seems oblivious to the fact that the world has not really changed much in the 10 months since Mr. Reagan's inauguration.

The Soviet Union continues the largest peacetime arms buildup since Hitler's Germany. The military balance between America and the U.S.S.R. remains precarious, with long-term trends ominously running against us. Serious problems still threaten to divide the NATO alliance. We are more vulnerable than ever before to an interruption of critical raw materials imported from abroad.

Mr. President, I have supported—and still support—defense initiatives that promise to correct some of the problems caused by our past neglect of the military. I have voted to renew our strategic bomber fleet by building the updated B–1. We need the global force projection capabilities—conventional as well as nuclear—of a modern replacement for the B–52. I also requested the addition of over $300 million to this year's defense budget to procure new amphibious shipping capabilities.

That is an area we have not dealt with yet, Mr. President, because we talk about all the forces, all the troops, all the equipment we want to move over into these areas if we need them. Then we look at the transportation we have or do not have to get them where they might be needed, and we come up very, very short.

These are just general examples of the kinds of equipment we need for a variety of purposes, but other questions still remain unanswered. What about the size of our land forces? Or the structure of rapid deployment forces? How about the extent to which we will station combat forces overseas, as opposed to those that would be garrisoned in the United States? For questions like these, answers must be sought not at the Pentagon, but at the White House.

Unfortunately, I do not see any reassuring signs that the administration is making a systematic effort either to

define our foreign policy or to tell our military planners what kinds of forces we need to support that policy.

Mr. President, I do not make these very pointed criticisms in a partisan spirit. I was critical of the previous administration for the same lack of planning to coordinate foreign policy decisions with the military buys. In my view, it is precisely this lack of policy definition that is causing confusion and divisiveness on the defense issue today.

We were recently told during the AWACS debate, for example, that our access to the Persian Gulf was a vital U.S. interest. In fact, the President even suggested that it was so important that we would protect the Saudi monarchy from internal, as well as external, attack, and we would give external protection to the other nations in the Persian Gulf from which flow those vital oil lines I mentioned earlier—20 percent of our oil, 50 percent of Europe's oil, and 75 percent of Japan's oil, with 60 percent of those totals coming from Saudi Arabia alone.

Yet, while we are talking about guaranteeing the internal and external security for nations in that part of the world or for the Saudis in particular, or an external protection for all the nations around the Persian Gulf, in the same breath, the administration announced that our naval strength in the Indian Ocean, the only real combat force in that area, was being reduced by the equivalent of half the carrier battle group, which is half the forces that have been assigned to it. When pressed for an explanation as to why we were whittling down our only "big stick" in the region, Secretary Weinberger freely told us that nothing had changed in the security situation; it was still vital, still a situation that was such that it deserved none of this reduction in forces.

What happened, of course, was that our military forces were being restructured strictly on the basis of a budget policy. Ignored was the basic proposition that we are either serious about our military needs or we are not. We cannot talk tough in the Persian Gulf and, in effect, carry a BB gun.

So my amendment would set right what I think is a very misguided action. It is more than that. It is an effort to tell our adversaries, clearly and without reservation, that we consider the Persian Gulf region the locale of our vital interests. It is an effort to tell our friends that we will be resolute. It is an effort to tell the administration that we must be serious and we must be consistent about our survival as a nation.

Mr. President, I think we send all the wrong signals when we pull down these carrier forces in the Persian Gulf. We are asking Europe to assume a bigger load of the defense burden we share together through NATO. We are asking the Japanese to increase their defense expenditures, to take a greater part of the load. We are basing those requests, at least in part, on the fact that we are assuming a new burden for the Persian Gulf that will probably go on for the next 10 or 15 years.

At the same time, we turn around, in the interest of $74 million, and say we will not provide operating funds to run 2 of the 13 carriers we possess in that most important naval geography in the world, the vicinity of the Strait of Hormuz, the entrance to the Persian Gulf.

AMENDMENT NO. 639

(Purpose: To add $74,600,000 to provide for the stationing of an additional one-half of one carrier battle group in the Indian Ocean)

Mr. GLENN. Mr. President, I call up the amendment. Several Senators have indicated that they wish to speak on this amendment. I do not see them in the Chamber at this time.

So far, the following Senators have asked to have their names added as cosponsors of the amendment: Senator JACKSON, Senator NUNN, Senator FORD, Senator CHILES, Senator LEVIN, Senator HOLLINGS, Senator BUMPERS, Senator PRYOR, Senator HART, and Senator ROBERT C. BYRD. I ask unanimous consent that their names be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is the Senator referring to his printed amendment?

Mr. GLENN. I am.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Ohio (Mr. GLENN), for himself and others, proposes an amendment numbered 639:

On page 8, line 1, strike out "$19,944,389,000" and insert in lieu thereof "$20,018,989,000, of which not less than $74,600,000 shall be available only to station in the Indian Ocean one-half of one carrier battle group, in addition to other naval forces to be stationed in such ocean,".

Mr. STEVENS. Mr. President, the Senator's amendment is another unique one. I know that the Senator's background and experience are such that he speaks with authority in the area.

I hope the Senate will support the position of the committee. I shall outline the reasons for our position.

In the first place, we have $2.4 billion in this bill for steaming hours. That is an increase of $300 million over the steaming program in 1981. We have increased the amount in committee by $100 million. There had been a cut of $173 million in the revised budget. We put $100 million back. Since that time, the authorization committee and the House have confirmed that figure.

In other words, in this item, we are funding 100 percent of the authorized figure for steaming that is funded in our bill. The amount in our bill is identical to the amount in the House bill. The House added $100 million after our subcommittee indicated that it was going to put $100 million more into this item.

We are informed that the Navy considers the amount in our bill to be sufficient to carry out the mission in the Indian Ocean.

This is one of those items of readiness that one has to consider very carefully as we look to the question of how we put some portion of the reduction in our national expenditures onto the defense bill.

In this instance, there is no question that this is a reduction of $73 million below the March figure. At the same time, the bill is $100 million above the President's September figure.

The proposal to reduce the funding for steaming hours was reviewed not only by our committee but also by the authorization committee, by both committees in the House, and we have come up with this figure. Incidentally, almost simultaneously it came up to what was justifiable so far as the item is concerned, and without really knowing in advance where the other committee was going to go.

As I said, our committee added the $100 million back in subcommittee. The House added it. The authorization bill was signed yesterday. The authorization conference report accepted the administration's $74.6 million reduction, also.

The Senate has to ask itself a question in connection with the amendment of the Senator from Ohio, and it is this: Are there any places in this defense budget which should be reduced in order to have the Defense Department bear a share of this new concept of the September reductions?

The President recommended a reduction of $173 million, and we have added back $100 million. I am repeatedly asked, as the manager of the bill, "How close to the President's request are you going to be when you come out of conference?" I am not going to come very close to the President's request, which includes the September mark of $2 billion reduction in outlays which he has recommended for defense as part of the national drive to solve the complexing problems of inflation, recession, and unemployment. I am not going to come very close if we are to face increases in each area where we sought to trim the Department of Defense budget—not excessively, but to trim so that the Department would be compelled to live within our national objective of reducing the overall expenditures of the Federal Government.

As I have said, this is a tough amendment. I would not have anticipated that we would face it when we had already decided to add back into this bill—and there is in this bill—$100 million more than the President requested. I would not have anticipated facing it, knowing, as I do, that we are already more than $300 million above the 1981 level for steaming hours.

I would not have expected to face it, having already lost the *New Jersey* and *Iowa* fight, when I realized that just adding those two ships alone when they come on the line the annual cost will be $100 million more apiece for steaming hours.

I have never been known, I do not think, as being antidefense expenditures. As a matter of fact, to the contrary, it seems I spend most of my time justifying how I can justify presenting to the Senate a bill of the magnitude that we presented. Yet, now again I have the task of saying to the Senate this additional steaming time is not needed.

The decision of the authorization

committees in both the House of Representatives and the Senate was that it was not needed. The decision of the floor in the other body was that it was not needed.

We have restored as much as we believe can be efficiently used by the Navy for steaming hours consistent with its overall mission, and there is not much more that I can say.

In a bill such as this, we get to the point where we can say and I do say to the Senate that we will do our utmost to bring back a bill which is consistent with our national objectives. As we emerge from conference we will be as close as possible to the projected level of the budget as contained in the congressional budget that we ourselves have adopted. If we discount the pay bill it would be somewhere around $200 billion to $201 billion. That means rather than add money to this bill now the Senate should be asking what more can we take out because we have to take out over $8 billion to get down to that figure, and each amendment we have faced so far would have added money to the bill, not taken it away.

I know there may be some amendments coming to delete moneys, but I urge Members of the Senate to come forward with them. It may be that if the Senate disagrees with the committee on some items that we have included we would decide and come back and say let us put that money in steaming hours.

But there is no fat in this budget now. The problem really is how do we cut what is there now to get down to $200 billion to $201 billion.

I know that the Senator from Ohio knows, and I am extremely sincere in saying so, that he has picked an amendment that touches the very bowels of our naval program; steaming hours.

I can only say to you, Mr. President, to the Senator from Ohio, and to the Senate that this bill contains more money for steaming hours than anyone envisioned in the midterm of this year.

There is a $300 million plus increase from 1981, and incidentally with no significant number of new vessels involved, yet we have increased by over $300 million the moneys available for steaming.

I urge the Senate to save the increases for the time when we will have to pay the $100 million a year for the *New Jersey* and for the *Iowa* when those battle wagons are coming in and the battle groups start steaming. Then that $2.4 billion that we have in there for steaming hours now is going to be very, very low and we will be wondering where we can get the money to fund those operations. But right now we have funded to the maximum of our ability, in my opinion, the steaming hours for the Navy.

Mr. GLENN. Mr. President, I think the Appropriations Committee and especially the distinguished Senator from Alaska has done an admirable job in this very, very complex area. It is good that we do have these increases in operating funding because they have been desperately needed. We have been cutting back for too many years on operating funds, and I repeat my earlier statement. It does little good to buy tens upon tens upon tens of billions of dollars worth of equipment and then for lack of operating funds not be able to use that equipment in the best interests of this Nation.

So, I am very serious when I compliment him for getting the additional money back into the budget for additional steaming time, as it is called. It is $391 million above the previous year's level.

But, Mr. President, I come back to the statement of the Secretary of Defense. The Secretary of Defense is the one. This $47.6 million is not something I am conjuring up to give the Navy something they do not need because we have the testimony of the Secretary of Defense and the chairman of the Joint Chiefs of Staff who stated before our committee that the reason that we were having to pull one-half of our carrier task forces out of that Persian Gulf area was because they had to make cuts in operating funds. I think that is absolutely preposterous.

We are saying it is the most important area in the world, that we are carrying the ball for Europe, Japan, and our own interests out of that Persian Gulf and at the same time we have the Secretary of Defense who said, and I shall quote his words directly:

> There has been nothing that has changed the military situation to warrant a reduction in the defense budget.

He was referring to this particular area, and yet he was given a budget directive that he reduce that money and he was doing it, and he was taking it out on those Persian Gulf funds.

We may have additional operating money here. We may have additional steaming time money, and I think that is great, and I compliment once again the distinguished Senator from Alaska for his efforts in getting that in.

But I still come back to the fact that without this additional $74.8 million we are cutting back on our commitment in the Persian Gulf. We are not carrying out the commitment that we had told the Europeans we were going to carry out and that we had told the NATO people that we were going to carry out. We are not carrying out the commitment that we have based some of our requests to the Japanese on.

And this is all for this lack of $74.6 million while we vote over a $200-billion defense budget which will set the track for us for a number of years.

I do not know where we can make up this money. I know, I might suggest, in the basing mode on the MX, because I think that one is rather preposterous, and I may have another amendment to offer in that regard later on. The direction we seem to be going with the MX certainly gives us very, very little new security that I see. We are going to stuff a bigger missile, make it an even more attractive target, in a Titan hole that the Soviets already have the geographic coordinates for, and we call it increased security somehow, and it just does not fit. We are trading geographical vulnerability for another even more specified, more specific, bigger in a single spot already targeted missile they will not have to figure out new aim points, and we call that an increase in our security, and that is over $2 billion we have in this bill for that, $2,008,700,000, as I recall, without looking at the figure.

So if we want to place a cut, I think we have some pretty fertile fields in that area, if we are really serious about cutting.

Once again I come back to the fact that these are not my figures I am trying to get $74.6 million for some odd purpose here for the Navy; they are the figures given by the Secretary of Defense and the Chairman of the Joint Chiefs of Staff that our naval forces in the Persian Gulf are, in fact, being reduced by half on that basis, and that basis alone, and that the military situation there and the importance of that area have not changed one whit.

We are handing out, we are giving, all this emphasis around the world of our commitment to the Persian Gulf and how we are representing other people and they have to carry more of this load and, at the same time, we cut our only nonbluff forces, the only combat-ready forces. They are cut back and they are reduced.

We are saying maybe Israel will take a bigger load for us over there when combat starts, and we reduce our naval forces to show our commitment to that area.

We talk to the Saudis about how we are concerned about getting them involved in the Camp David peace process, and we are going to work with them and provide some kind of protection and have backup forces for them in that Persian Gulf. Then we cut them in half.

Mr. STEVENS. Mr. President, will the Senator yield?

Mr. GLENN. The Senator will yield.

(Mr. WALLOP assumed the chair.)

Mr. STEVENS. Mr. President, I am not sure, we argue about a lot of things, but the $100 million we restored is the equivalent of 1 day per quarter for each ship involved. This $74.6 million then by definition is less than 1 day per quarter for each ship involved.

That shows you how far on the margin it is between the Senator from Ohio and this Senator. I do not know how much closer we could come.

The problem I have is that the people who are involved, the authorizing committees on both sides, looked at this and said, "You know, that is not bad. If they have to do something, the Navy has to do something, to contribute to the overall problem of our economy. Let us ask them to steam slightly less per ship per quarter."

I do not know how we get involved in arguments over something like that.

I was just sitting here thinking, Mr. President, about the days I remember on this floor listening to people tell us that we ought never to have a presence in the Indian Ocean. I remember being harassed because I voted for some improvement in a place called Diego Garcia.

Now, all of a sudden, I find we are told we do not have a large enough presence in the Indian Ocean. These battle groups, once they get positioned in places like

the Indian Ocean, take on a life of their own, I am afraid, and it is awfully hard to even figure out why they should be steaming as much as they are. Maybe someone should come out on the floor and ask us what we are doing spending $2.4 billion in steaming hours rather than to ask us why do we not put $74.6 million more into steaming hours.

Mr. GLENN. Mr. President, will the Senator yield for a question?

Mr. STEVENS. Yes.

Mr. GLENN. Does the Senator not agree that that area in the Persian Gulf where we get 20 percent of our oil from and that Europe gets 50 percent of its oil from, and Japan gets over 75 percent, is probably the single most important waterway in the world, that Strait of Hormuz?

Mr. STEVENS. Ask that again. I am not sure I understood it.

Mr. GLENN. I say would the Senator not agree that the Strait of Hormuz and the approaches through the Strait of Hormuz through which come nearly 20 percent of our oil and 50 percent of Europe's oil and over 75 percent of Japan's oil is probably the most important single waterway in the whole world as far as the industrial free world is concerned?

Mr. STEVENS. I would answer that affirmatively. But I do not know why the American taxpayers ought to be paying to protect the sea routes for the Japanese, for everyone else, that is, going there to the extent that we are, and that was, of course—that is another subject that this Senator was supposed to be in Japan today discussing with members of the Diet, some of the questions about the extent of the Japanese contribution to the defense of the world.

But, as a practical matter, we find ourselves, those of us who support these bills, and my point is, ever being attacked on both sides. I really find it hard to understand the series of amendments that say that this bill has not provided enough money for defense. The Senator—and I am saying this as a friend—has an interesting amendment because it is true we cut $73 million from the March budget on steaming hours.

But if you look at that bill, we have overall a staggering amount of money, just absolutely a staggering amount of money, to be spent steaming around the oceans of the world to show the flag.

Mr. GLENN. Mr. President, will the Senator yield?

Mr. STEVENS. Yes.

Mr. GLENN. Would the Senator propose that we cut back any commitment to protecting that Persian Gulf area?

Mr. STEVENS. No, I do not propose that.

Mr. GLENN. How would the Senator——

Mr. STEVENS. I do not believe reducing the fleet deployments in the Indian Ocean by the amount that has been done—we will have 1½ carrier battle groups there instead of two under the administration's plans. I do not believe that is such a signal to the world that we are abandoning our commitment to protect the lanes through which our oil and the oil of the free world flows.

Somehow or other I would like to find some people starting to talk about when are the others going to pay for this. When are the people who produce that oil going to start paying for some of this protection for those lanes?

Mr. GLENN. Mr. President, will the Senator yield?

Mr. STEVENS. When are the Japanese going to start paying for it? When are other people besides our taxpayers going to start to protect the sealanes of the world?

Mr. GLENN. Mr. President, will the Senator yield.

Mr. STEVENS. Yes.

Mr. GLENN. There has been no Senator, I think, in this Chamber who has spoken more consistently and more fervently than the Senator from Alaska in this regard for other nations to share a proper burden, the defenses that we all share together.

But I would add this: In my own situation I have spoken out with equal forcefulness and I was in Japan this summer for one of those meetings, the Shimada Conference, where I was doing exactly that, and once again for the umpteenth time talking about the need to get the Japanese away from this self-imposed 1 percent of GNP limit they have imposed upon themselves for so many years.

I presented to that conference a whole series of things where I thought they would not be required to violate this constitutional prohibition against offensive weapons and their own public interest in these areas, and I pointed out six or seven specific areas where they could support us more adequately.

We have done some of the same things with regard to Europe. So I share the distinguished Senator from Alaska's views on this completely that we must push our allies into accepting more of this role.

But I would say that with the vital requirements for military security we have around that Persian Gulf area to try to pull back to some isolationist America concept that we will not put any forces there unless the Europeans put them out and the Japanese put them out just is not in our own self-interest at this point.

I would come back to the fact that while I fully appreciate the increases in steaming time money that have been put in, this is not something I am just trying to restore. We have the testimony of the chairman of the Joint Chiefs of Staff and the Secretary of Defense that this reduction of forces is being brought about solely by this budget reduction. This $74.6 million is what is causing the carrier forces to be cut in half.

Their testimony, I would also add, was not that we would have one-and-a-half carrier task forces there on the average; it is that they would augment on occasion, if they thought they could do so, and that over the next year's time, it may be an average of as much as 1.2 carriers, and that was the maximum they would go.

So I am not using my figures, I am using the rationale of the chairman of the Joint Chiefs of Staff, the rationale of the Secretary of Defense, and they are the ones who have said that we do, in fact, have to reduce our carrier task forces over there, and in that most vital waterway in the whole world where we are trying to provide some protection not only for our oil but for Western Europe while we try to convince them to come on stream with more support for our mutual defense effort, and we are trying to get the Japanese to do the same thing.

So I fully appreciate the floor manager's comments on that, because I share them completely in trying to get other people to share these burdens. But it still means that we still have to have two carriers, at a minimum, in that area, as I see it. They are the only nonbluff forces we have in that part of the world.

We can drop paratroopers over in Egypt and we can go over and bomb a practice range someplace, we can go in and land some of the marines off of the carriers over there so that we do have some people around, and those are nice for show time. Those are nice show time military forces.

But the planes that go off daily in that part of the world, armed with guns loaded, with rockets aboard, with bombs aboard, the only ones in that part of the world that really gives security to the Persian Gulf are our carriers, for instance, if there was an attack on the Ras Tanura oil heads. There can be a sneak attack across Oman to give the Saudis a lot of problems. They might or might not be able to counter that attack with the fighter forces that they have.

But I know one thing that would happen. I know that as quickly as that gong went off, that alert gong aboard that carrier, that we are going to have fighters catapulting off that carrier and going up and heading for the Persian Gulf just as fast as they can get there to support those oil heads which are not going to be protected for a lengthy period of time. The Saudis make no claim of having all-weather capabilities in that part of the world, nor a night protection capability. We are the only ones that can provide that kind of security in that part of the world and the security that we have dedicated, the security the President has talked about providing for Saudi Arabia and for other nations in that part of the world, is going to be cut in half.

They are saying that they will try and augment out of the Mediterranean, but you do not take nuclear carriers through the Suez Canal, so we cannot augment, really, unless it is a nonnuclear carrier that happens to be in that area at that particular time on rotation.

So what we are doing, in effect, is we are saying that we are lessening our commitment—this is the Chairman of the Joint Chiefs of Staff and the Secretary of Defense that is speaking, not me. They say that the lack of $74.6 million, in spite of the increase—and I compliment the Senator from Alaska for having gotten that in—the Secretary of Defense and the Chairman of the Joint Chiefs of Staff say that without this $74.6 million our carriers will be reduced by half. We have 13 carriers. And if we cannot dedicate two of them to that most important part

of the world, our interests are tied up, the interests of the whole industrialized free world are tied up, if we are to say that because of our budgetary concerns, because of this budget mentality that I support, but a balance sheet mentality applied to this extent to our defense budget and the operating funds for our naval forces, this is just cutting too far. This is just getting in the way of the security of this country. And you cannot just set the security of this country on that kind of a balance sheet mentality. It just flat will not work. That is the reason we are suggesting this.

I repeat again, it is the Secretary of Defense and the Chairman of the Joint Chiefs of Staff that say that is their sole rationale. They were told they had to cut back by this amount and they had to cut back on their operating funds by this amount, and I am trying to restore those funds.

Mr. BOSCHWITZ addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. BOSCHWITZ. Mr. President, I would like to talk a moment on the amendment, although perhaps in a little different light than my friend from Ohio and my distinguished colleague, the majority whip, the Senator from Alaska.

The Senator from Ohio says that we are, in the event this amendment does not pass, cutting the security that we provide for that area in half, at least as it applies to aircraft carrier task forces and ability to provide carrier-based protection. And he talks about obligations and the importance of the Strait of Hormuz, which certainly no one will disagree with, the obligations we have to our friends around the world, including the Saudis, who I find to be very mystifying moderate friends.

Just as we debate today this add-on to the defense budget for the purpose of providing them more protection, I see in the Washington Post that the Saudis are offering the Omanis $1.2 billion if the Omanis would agree to cancel an agreement which would allow the United States access to its military facilities. Oman is the country in the Persian Gulf that is willing to make available meaningful types of military facilities so that we can provide some protection to the area.

It is my feeling that if effective protection is to be provided to the gulf, it cannot only be naval, it cannot come only from aircraft carriers, but it must primarily come from land-based operations.

Aircraft carriers are in jeopardy if they operate in the Persian Gulf. We sold the Iranians some Harpoon missiles prior to the fall of the Shah. Some of those missiles are still available and would be a great threat to ships in the Persian Gulf, particularly since the deep water suitable for cargo ships is on the easterly, Iranian side.

Mr. President, I am mystified by our friends the Saudis, and this is why I call them our mystifying, moderate friends. They allow their property to be overflown by the Russians so that the Russians can resupply the South Yemenis, their friends and allies; they allow the Russians to use their ports to bring in materiel to resupply their clients, the Iraqis; the Saudis will not allow us bases on their soil.

Now, these mystifying, moderate friends of ours are also moving in a most forceful way to prevent us from having base facilities in the neighboring state of Oman, a country with which the Saudis have had frequent conflicts, border conflicts, as recently as 1970–72, and with whom they have had many differences over the years.

While we speak about $74.6 million in this amendment, the Saudis offer their neighbors $1.2 billion in order to thwart us, and in order to frustrate our attempt to bring some type of protection to the Persian Gulf area, which we all agree is the oil lifeline of the free world.

Recently, we debated at some length on this floor, and throughout the offices of the Senate, the sale of the AWACS and the F–15 enhancement package to the Saudis. We were told that the Saudis were moderates, and, indeed, they are in that area of the world, when they are compared to some of their neighbors, such as the Iraqis, the Iranians, the Ethiopians, the South Yemenis or the Syrians. In that company, almost anybody is moderate, and certainly, in that company, the Saudis are.

We sold the AWACS and the F–15 enhancements to the Saudis on the basis that they would become part of the pillars of the defense of that area; that there would be an emerging consensus among the nations in that area when we showed our friendship through the sale of our most sophisticated equipment, and that this consensus would lead us to a firmer, more efficient defense of that very vital Persian Gulf region.

And what happened? Here we are debating adding some money to protect their interests and apparently the Saudis do not believe we are doing that at all. They are offering instead, $1.2 billion a huge sum, to the Omanis, if they will forbid us from having base facilities there.

It has been the official Saudi view that the gulf states must keep a certain distance from the United States, even though the Saudis have not been particularly critical of the relationship of the Russians with South Yemen. It has been the position of the Saudis that they not give us bases at all.

Now, as I said, as we debate this particular amendment, we find that they are trying to frustrate our efforts to protect that region in a meaningful way.

Mr. President, this amendment of $74.6 million is approximately 1/30th of 1 percent of the overall budget. I would assume that there is enough flexibility in that budget so that the Defense Department could be able to move to defend the Gulf region with another carrier if it desired.

Thus, I am inclined to go along with the administration, but I felt it necessary to speak about our mystifying friends and developments.

Mr. President, I have watched with some interest the amendments which are being offered to the defense appropriations bill. I watched with some interest the Members of the Senate who have, over a long period of time, voted very consistently against defense measures.

And now are voting to increase defense spending, while Members, principally on our side, who have consistently voted to increase defense spending, vote against the recent amendments because the bill before us now encompasses the amount the President has requested. So, we think it is enough.

Also, it was interesting to watch all the amendments offered to the continuing resolution we passed not so many days ago, with everybody establishing a nice record in the event they are going to run for reelection. I "voted against the elderly" and "voted against the sick" in order to maintain the integrity of the budget. This, I am sure, will come back at the time I run for reelection and will be brought to the attention of my constituents. I am sure this vote will, as well.

How can I say I am for defense when I voted against research, when I voted against funds to put an additional carrier in the Indian Ocean? But I will do so, Mr. President, because this is a very small portion of the overall budget. The Defense Department will have flexibility.

Meanwhile I hope that in the Persian Gulf region, our moderate but mystifying friends, the Saudis, will allow us to help them, will allow us to bring a protective coat to their region. Only the Omanis, among the Gulf States, have been cooperative up to this point in achieving those ends. I hope that the actions that I read about today regarding the Saudis will not be repeated and that hopefully they will show a cooperative spirit rather than a divisive spirit in the protection of this vital asset of the free world.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I rise in support of the amendment to restore $74.6 million the Navy's operating budget to maintain the presence of two aircraft carrier battle groups in the Persian Gulf-Indian Ocean, instead of cutting our efforts to defend that region by at least 25 percent.

At this point, Mr. President, I ask unanimous consent that I be listed as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, this amendment is necessary to prevent the United States from reversing its previous commitment to keep two carrier battle groups in the Indian Ocean—a commitment I supported.

It is necessary to prevent the present administration from reversing itself on this vital issue.

We have already reversed ourselves on many other critical airlift and sealift needs.

As I pointed out yesterday, the administration, in October, reduced by over $1 billion the amount of money for airlift and sealift which is so desperately needed if we are going to get a rapid deployment force going. This amendment

is needed to correct that kind of deficiency.

I may add that this amendment, like the other amendments, is not some add-on which was dreamed up to bolster our conventional forces. This amendment reflects money which was in the President's March budget. This amendment reflects money which was in the authorization bill adopted by this Senate. This amendment represents money which was in the authorization bill adopted by the House.

It was not until the President in October reduced the amount of money for the Indian Ocean and Persian Gulf steaming days that the authorizing conference at that point, without any public hearings or discussions, simply adopted the reduced figure.

I felt at that time, when we adopted the conference report, we should, when we had the opportunity, correct that mistake. We did not have the opportunity in the conference report because it was not amendable. We have that opportunity today.

Defeat of this amendment would mean that fully half a carrier battle group would leave the very area of the world where the Soviets most directly threaten the peace and the national interests of ourselves and our allies.

There can be little doubt about the importance of this region of the world to the United States, NATO Europe, and Japan. This administration repeated that message at every opportunity during its efforts to convince the Senate to approve the sale of the AWACS radar warning planes and F–15 fighter enhancements to Saudi Arabia.

The Joint Chiefs of Staff, in their annual posture statement for fiscal 1982, also testified to this importance by stating:

> The United States has a number of major interests in the region comprising the Middle East, the Persian Gulf, and the northwest Indian Ocean. These interests involve access by the US and its allies to the resources of the area, most notably to oil from the Persian Gulf states—to include protection of transportation routes for the flow of that oil to North America, Western Europe, and Japan; support for friendly regional governments against potentially hostile states and groups; limitation of Soviet power and influence throughout the region; and deterrence of direct Soviet military intervention.
>
> In view of the almost total dependence of Japan and several West European allies on oil from the Persian Gulf, the question of continued access impacts directly on vital political and security relationships with NATO and Japan. This critical need by our allies for secure oil supplies from the Persian Gulf makes close US ties with major producing countries imperative, denotes the importance of unrestrained passage on seas and waterways throughout the region, and establishes the need to prevent hostile powers from directly or indirectly endangering the flow of oil.

Mr. President, the best means by which to deter any threats to these vital sealanes is through the ready presence of naval power in that region. Reduction of our presence there by half a carrier battle group weakens that deterrence.

Defense Secretary Weinberger on many occasions before the Armed Services Committee has testified about how important it is for the United States to maintain adequate presence in the Indian Ocean.

At his first official appearance before the Armed Services Committee on January 28, 1981, he spoke as follows:

> I think we have to increase our ability to do that. I don't have any doubts as to the correctness of the commitment. I hope that there is no misinterpretation or that you feel that anything I say is not clear. I think we need to do more and that we should do more in that area.

I fail to see how we will be improving our capabilities to carry out this commitment by reducing our naval presence in this region.

Let me remind everyone what the Joint Chiefs of Staff say about the Soviet threat to this region:

> As the invasion and occupation of Afghanistan attest, the Soviet Union has both the capability and the will to project massive military force into non-European areas on its periphery. Soviet power gravely threatens the security and integrity of nearby nations, and increases the likelihood of direct conflict with the United States. This is especially so in Southwest Asia, where the US and its allies are vitally concerned with continued access to Persian Gulf oil supplies.

I fail to see how we will be better able to deter or defeat that threat if we pull back on our forward-deployed forces in that region.

The administration talked a strong game when it came into office, Mr. President. It recognized and it spoke of the need to maintain the two-carrier battle groups in the Indian Ocean. It added sufficient funds to its March defense budget to maintain this presence.

But, later on, the administration reneged on that commitment and it reneged after both the Senate and the House Armed Services Committees agreed to keep those two carrier battle groups. Both Houses of Congress—both Houses of Congress—had these funds in their original authorization bills that they adopted for fiscal 1982. It was only in October when the administration reneged on this commitment and cut back the funds needed for this presence. Then, and only then, the authorizing conference committee, over a number of objections, including my own, changed the already-approved congressional agreement in this area and eliminated these funds—again without any public debate. It is only because Senator GLENN and a few others have brought this matter to the attention of the Senate that I hope we have a chance today to correct this terrible error in terms of our readiness and our presence in the Persian Gulf.

Mr. President, in addition to reducing our actual combat presence in this area, this cutback will raise serious questions among our allies and the nations in that region about the national commitment we have made to defend our vital interests in the Persian Gulf.

One of the major claims of the new administration was that it would be more consistent and reliable in maintaining our foreign policy commitments than the last administration, which it criticized roundly for what it said was vacillation. I happened to agree with some of that criticism of the past administration.

Secretary Weinberger, in his nomination hearing on January 6, 1981, stated the following in response to Senator EXON's question about how we were going to convince our allies to increase their own defense spending as we increased ours. Senator EXON asked the Secretary:

> Now, if we are going to go into this necessary military buildup, what thoughts or ideas do you have to encourage or insist, if you want to use that word, that our allies carry a heavier share of this burden also?
>
> Mr. WEINBERGER. Well, Senator, I think they should. I think that for the most part they want to. I think there are a number of different ways of going about trying to persuade them or to encourage them to do so. In the first place, I have to say I think that if we had a more consistent foreign policy, if we were viewed as a more reliable ally and an ally who did indeed have the resolution and the will to proceed along this path that you indicate we are going to take and that I agree we should take, then I think we might have a more immediate and favorable response.
>
> I do feel that there has been an uncertainty about America's course and a concern that the policy has moved back and forth somewhat more rapidly and perhaps with less advance consultation than could have been the case. And for that reason I think that one of the ways we would hope to bring about this result, which I fully agree we should try to bring about, would be to try to demonstrate that we had a consistent policy, that we were basically a very reliable and a very strong and a very useful ally, and that in order to increase that strength and usefulness, we needed major contributions from those countries that are basically joined by philosophy and by belief in space and freedom.

So spoke the Secretary about consistency. Cutting back on our battle carrier groups in the Indian Ocean, the most critical part of the world at this moment, does not demonstrate consistency. It does not demonstrate reliability. It instead raises the very uncertainty which this administration spoke about so eloquently earlier this year. Congress should demonstrate to the world, to the Allies and our adversaries, that the United States is as good as its word, that we will maintain our capabilities to defend the Persian Gulf with two battle carrier forces. The way to do this is to adopt the amendment which has been offered by my friend from Ohio.

I thank the Chair and I yield the floor, Mr. President.

The PRESIDING OFFICER. Who yields time?

Mr. GLENN. Mr. President, I thank the distinguished Senator from Michigan for his very fine statement with regard to this. I have discussed this privately with him. I know we do share views in this regard.

Mr. President, earlier, in our discussion here and our debate back and forth, there has been continued reference to the fact that the steaming time, as it is called, the operating funding budget for the Navy, has been increased somewhat this year—it now is up to about $2.4 billion—and that this was supposed to take care of this problem. But let me read from some of the testimony that we had in committee in this regard.

When Secretary Weinberger and Gen.

Davy Jones, the chairman of the Joint Chiefs of Staff, were before the Senate Committee on Foreign Relations, we were talking about this situation with regard to, basically, AWACS, but matters pertaining to the Persian Gulf came up. At that point, the chairman, Senator PERCY, asked what would happen to our national security and to our economy, both in the United States and in the free world, if a successful raid were made by an adversary, possibly such as Iran, on Saudi Arabia, and their production facilities were hit and crippled.

Secretary Weinberger replied:

Well, Mr. Chairman, we would be hurt. We get a little over 10 percent of our oil from that region.

I add that I think we get approximately what the Secretary said.

Europe would be close to devastation. The Europeans get very much more of their oil.

Assuming a major cut—I assume from your major loss of oil production—Japan would be seriously hurt. They get, practically speaking, all of their oil from that region.

So a serious permanent loss or a serious loss for any length of time of the oil production from that region would have enormously adverse effects throughout the Free World. This is the immediate direct impact. The effect on those nations' views of the United States' reliability as an ally or as a strong power would be almost as devastating.

I think that last part might bear repeating. This is the immediate direct impact. "The effect on those nations' views of the reliability of the United States' reliability as an ally or as a strong power would be almost as devastating."

I add, Mr. President, that reliability and constancy is what President Reagan has stressed as wanting in our relationships with those nations in the Persian Gulf area.

Later in that same hearing, it came my turn to question. I put forth some remarks here about statements that had been made in the Senate Committee on Armed Services that Senator HUMPHREY had conducted. I made the statement to the Secretary of Defense along the following lines that I was glad Senator PELL asked the question he did because I was a little concerned about the President's statement too.

I am not quite sure what we would do. We do not have an RDF in full operation force yet. And it feeds into another question that came up with your last appearance, I believe before the Armed Services Committee, that I wanted to get into a little bit and give you a chance either to correct or expand upon.

I went into a statement about the importance of the Persian Gulf area, where we get 20 percent of our oil, Western Europe 50 percent, Japan 75 percent, and of those totals, about 60 percent comes from Saudi Arabia.

I made another statement that it surprised me when, in testimony the Secretary of Defense had made before the Armed Services Committee in questioning by Senator HUMPHREY, the Secretary was asked what would be the effect upon the fleet in the Indian Ocean of the cut proposed in military spending for 1982 through 1984; and the Secretary indicated that it might be as much as a 50-percent cut—cutting from two carrier task forces to one.

I continue reading my statement at that point.

The transcript that I have goes back and forth. You would have to go down to one carrier group; that was your immediate response. Then there were some other exchanges and you said that the budget cuts you referred to will require us to go down to one carrier group in the Indian Ocean.

"Senator Humphrey. From two at this time? "Secretary Weinberger. Yes."

And it goes on and on. "Senator Humphrey. In the Indian Ocean. This includes the Gulf of Oman, the Arabian Sea?"

"Secretary Weinberger. Yes, sir."

"Senator Humphrey. From two at this time when we were rattling our sword and threatening to defend with force if necessary our vital interests in that part of the world, we are reducing our naval presence, which is our only meaningful presence in terms of projecting force, by 30 or 40 percent, is that correct?"

"Secretary Weinberger. Yes."

Then General Jones came in, saying we can bring ships through the Suez Canal and so on, which is correct. Then there was some discussion about the various percentages. Then you came back to the budget, the importance of the economy and cutting back on expenses and so on.

Well, I was very disturbed by this whole thing. I do not know whether you want to make a comment or not, but I know I wanted to comment on it.

Then, Secretary Weinberger's testimony before the Foreign Relations Committee:

I would be glad to comment. I do not think there was any suggestion that reduction of the defense capabilities was initially the idea of the Defense Department. There has been nothing that has happened since our budget was turned in in March, our revision of the previous administration's budget, that has changed the military situation to warrant a reduction in the defense budget.

There have been some economic problems. There have been some perceptions that it was necessary to make reductions in the defense budget, to work out some sort of equitable sharing of the discomforts. But there has not been any kind of indication from anybody in the administration or anywhere, so far as I know, that either the budget as submitted was too high or that the international situation had changed to require it to be reduced.

I interrupted that with a comment, and then Secretary Weinberger went on after I finished a short statement:

As you know there was an agreement upon a reduction of $2 billion in the outlays in the defense budget in 1982, which requires a reduction in authorizations of about $7.5 billion and similar reductions of $5 and $6 billion in the next 2 fiscal years.

Now, the perception seems to be around somewhere that these are cuts which can be very easily made and that this is a trifling sum. I remarked elsewhere that only in Washington would this be considered a trifling sum. The cuts do require some reductions.

One of those reductions is going down from a 1½ carrier task force in the Indian Ocean to 1 in the Indian Ocean. There is that reduction of forward deployment of carrier strength.

Before I go on with his statement, I add that we have had two task forces assigned, and the progress we actually achieved that corrected the figures the Secretary gave was that during that time period we have averaged 1.7 carriers in place.

I continue with Secretary Weinberger's statement:

General Jones correctly pointed out that we can make up for some of this by moving additional forces from the Mediterranean into the Indian Ocean rather quickly. But it is a reduction in capability.

Listen to this:

It is not a reduction in capability that is justified by changes in military conditions or international conditions. It is a change in capabilities which is required by an economic situation that is also very important.

But I do not think there is anything that needs any clarification in that. I think it is a perfectly straightforward position and is not in any way changed from the one that I presented to the Armed Services Committee.

I agree. It was not any change at all. I think it points out that the only reason why we are having half of the carrier forces there that we have been accustomed to having, while we are reducing them at the present time, I presume, is because of this $74.6 million that the Secretary was required to come up with and which we are trying our best to restore here today.

Mr. President, I should like to submit some additional testimony that was given before the Armed Services Committee. Senator HUMPHREY was questioning Secretary Weinberger, and he asked:

Senator HUMPHREY. Well, it sounds to me pretty draconian. Is not the Navy's budget capable of absorbing these cuts without this reduction in forces?

Secretary WEINBERGER. Senator, there is almost no way in which you can make cuts involving $2 billion in the fiscal year 1982 and $5 billion in 1983 without reducing the capabilities of the United States. Now, we believe that what we have with these cuts will enable us to do a very considerably greater amount than we have been able to do before.

But you cannot reduce the budgets of the Defense Department by these amounts, which as I have said on other occasions, it is only in Washington where these would be considered trifling reduction. You cannot reduce them by these amounts without getting into the bone and muscle of the Department's activities.

Mr. President, I suggest that unless we restore the operating funding so that we can at least keep two carriers assigned to the Indian Ocean, we, in effect, are abrogating the responsibilities we have displayed in our discussions with our NATO allies and are giving up the commitments we have made with the Japanese, at the same time asking them to spend more for our collective defense.

It seems to me unwise. I think it is analogous to what I started off with at the beginning of our debate here today: It makes no sense to buy a new car and put it in the garage for a lack of gas money to run it. In effect, that is what we are doing. We are saying that while we have the commitments around the world and we have 13 carriers that are supposed to be available, we cannot afford operating money to put them in the Persian Gulf area, the most important piece of naval geography in the world. To stand before the whole world with

that kind of misconstrued logic does not make any sense to me.

Mr. STEVENS. Mr. President, the bill before us is consistent with the authorization bill. It is consistent with the action taken by the House. We have added the $100 million, and the total of over $2.4 billion for fleet steaming hours is more than $300 million in excess of that provided last year. I think that is the sum and substance of it.

Mr. GLENN. Mr. President, will the Senator use the microphone?

Mr. STEVENS. I beg the Senator's pardon.

I said that we are at the level of the authorization bill. We are at the same level established by the House. We have provided $100 million more than the President requested in September, $300 million more than we provided in 1981, for a total of over $2.4 billion in fleet steaming time.

I see no need to add an additional amount as has been suggested by my good friend from Ohio. For that reason, I move to table the Senator's amendment.

Mr. GLENN. Mr. President, will the Senator withhold the motion to table the amendment? Senator HOLLINGS wishes to speak on this amendment, and I am told he is on the way.

Mr. STEVENS. I do withhold that, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I ask for the yeas and nays on the Senator's amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. ROBERT C. BYRD. Vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from Arizona (Mr. GOLDWATER) and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

Mr. CRANSTON. I announce that the Senator from Nevada (Mr. CANNON) and the Senator from Arizona (Mr. DECONCINI) are necessarily absent.

I further announce that, if present and voting, the Senator from Arizona (Mr. DECONCINI) would vote "yea."

The PRESIDING OFFICER (Mrs. HAWKINS). Are there any other Senators wishing to vote?

The result was announced—yeas 40, nays 56, as follows:

[Rollcall Vote No. 437 Leg.]

YEAS—40

Baucus	Glenn	Mitchell
Bentsen	Hart	Moynihan
Biden	Heflin	Nunn
Boren	Hollings	Pell
Bradley	Humphrey	Pryor
Bumpers	Inouye	Randolph
Byrd, Robert C.	Jackson	Riegle
Chiles	Johnston	Sarbanes
Cranston	Kennedy	Sasser
Denton	Leahy	Tsongas
Dodd	Levin	Williams
Eagleton	Matsunaga	Zorinsky
Exon	Melcher	
Ford	Metzenbaum	

NAYS—56

Abdnor	Gorton	Packwood
Andrews	Grassley	Percy
Armstrong	Hatch	Pressler
Baker	Hatfield	Proxmire
Boschwitz	Hawkins	Quayle
Burdick	Hayakawa	Roth
Byrd, Harry F., Jr.	Heinz	Rudman
Chafee	Helms	Schmitt
Cochran	Huddleston	Simpson
Cohen	Jepsen	Specter
D'Amato	Kassebaum	Stafford
Danforth	Kasten	Stennis
Dixon	Laxalt	Stevens
Dole	Long	Symms
Domenici	Lugar	Thurmond
Durenberger	Mattingly	Tower
East	McClure	Wallop
Garn	Murkowski	Warner
	Nickles	Weicker

NOT VOTING—4

Cannon	Goldwater	Mathias
DeConcini		

So Mr. GLENN's amendment (No. 639) was rejected.

Mr. STEVENS. Madam President, it is my understanding the Senator from Maine (Mr. COHEN) has an amendment and following that we have already sequenced the amendment of Senator PRYOR. I would ask that following Senator PRYOR, the Senator from Alabama (Mr. DENTON) be recognized and following Senator DENTON the Senator from Vermont (Mr. LEAHY) be recognized.

Mr. CRANSTON. May I inquire what the Denton amendment is?

Mr. STEVENS. It deals with the Chappy James Flight Training Center in Alabama.

And the Leahy amendment, I do not know what that is. There is no time agreement on them.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from Maine.

UP AMENDMENT NO. 730

(Purpose: To limit the use of funds for MX basing)

Mr. COHEN. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will state the amendment.

The bill clerk read as follows:

The Senator from Maine (Mr. COHEN), for himself, Mr. QUAYLE, Mr. MATTINGLY, and Mr. RUDMAN, proposes an unprinted amendment numbered 730.

On page 28, line 18, after the word "9,076,906,000," insert the following:

"of which $354 million shall be available only for Research and Development related to initial deployment of the MX missile in non-superhardened existing silos in a manner compatible with subsequent redeployment in a permanent basing mode to be recommended to the Congress by the President no later than July 1, 1983 which could include the addition to existing silos of ballistic missile defense, the provision of location uncertainty for offensive missiles and/or defensive systems, and superhardening."

Mr. COHEN. Madam President, the amendment that I sent to the desk and which I now offer, in the words of my colleague from Kansas, might be considered to be a simple amendment.

Mr. STENNIS. Madam President, may we have order so that Senators may hear?

The PRESIDING OFFICER. The Senate will be in order. Those Senators wishing to have conversations should retire to the cloakrooms.

Mr. COHEN. The amendment that I offer is cosponsored by my colleagues, Senator QUAYLE, Senator MATTINGLY, and Senator RUDMAN.

Basically, it is very simple on its face, but nonetheless I think it is a fundamental change in the approach that we are taking to the basing of the MX missile. There are several points which I think most in this Chamber would agree upon: That the basing of the MX missile in a permanent mode is essential to the Nation's defense; that basing the MX or basing any missile, whether it is Minuteman III, Minuteman II, or the Titan in a fixed site is an unsuitable mode for the ICBM force.

We have heard over and over again that this country now suffers a window of vulnerability. And that window of vulnerability is brought about because of the improvements that have been made by the Soviet Union in the targeting capability of their SS–18's and other large missiles that are capable, theoretically, of launching a first strike, a preemptive, so-called surgical strike against our ICBM force and taking out 90 percent or better in that strike.

Therefore, basing our missile force, our land-based missile force, in a fixed mode is unsuitable for its survivability. We have had years of testimony, volumes of testimony, I should say, presented to the Armed Services Committee and others, that in order to have survivability we need some form of deception for mobility, however one would like to classify it.

It also, I think, can be agreed upon that the hardening of missile silos, as has been recommended by the administration on an interim basis, does very little to improve missile survivability, and that such hardening does not reduce the threat of nuclear conflict or strengthen nuclear deterrence.

I would like to point to several comments that have been made before various committees by members of our Military Establishment.

The Chairman of the Joint Chiefs of Staff, David Jones, testified before the Senate Foreign Relations Committee that he had reservations about the practicality of interim basing in superhardened silos. He made essentially the same statement before the Senate Armed Services Committee.

Under Secretary of Defense Fred Ikle and Assistant Secretary of Defense for Development and Support, James Wade, told the Armed Services Committee that basing the MX in superhardened silos

provides a survivability that is "at very best marginal."

The Air Force Secretary, Lew Allen, in response to a comment that putting the MX in superhardened silos—and I am quoting now the Senator from Mississippi (Senator STENNIS)—"Sounds mighty weak to me."

That was a comment that my colleague made during testimony.

In response to that, Secretary Lew Allen said, "You are correct. It has not received a great deal of enthusiasm."

Allen and Lt. Gen. Kelly Burke, the Deputy Chief of Staff of the Air Force Research, Development and Acquisition, told our committee that basing the MX in superhardened silos was not a satisfactory solution to the vulnerability problem and could not insure survivability, although it buys us a little time. Mr. Burke also told our committee that he agreed with the statement made by former Secretary of Defense Harold Brown, that it does not make any difference whether you have a 5,000 PSI silo in the middle of a crater. "That was the basis for my recommendation that we go to MBS."

To come back to Gen. Richard Ellis, he said the answer to the question of whether hardening would really succeed in reducing the vulnerability of the MX to Soviet attack to the extent it would justify this expenditure, "When the last administration was having difficulty coming up with its basing mode, I recommended that by all means continue the development and production of the missile, the MX missile. Until you find a place to put it and decide upon a basing mode, put it in the Minuteman. Now, you are not going to get any more survivability but you are going to get a few more warheads with every survivor. But it was only an interim solution."

He said, "Rather than hardening it, I would rather use that money in some other aspect. We need money across the board in strategic systems. I would rather use the hardening money in some other aspect and depend on the fact that that is just a temporary home for the MX, recognizing that it will not be long."

Ellis, responding to a followup question by Senator NUNN as to whether he had seen any studies that would indicate hardening silos is a realistic and plausible question said, "We have asked that question of the experts many times. The answer I always got was that they never knew how to harden them strong enough in order to protect them against a CP which was believed to be the Soviets."

This document in my hand was sent to every single Member of the Senate, I think. It is called "Soviet Military Power." It was prepared by our Department of Defense. I think it is interesting that we should refer to this document prepared by our experts.

Turn to page 56 and I will read something to you concerning the Soviet military capability, their ICBM force.

On page 56 of this document, prepared by our experts, it says:

> The MIRVed versions carry 8 or 10 reentry vehicles (SS–18's). Each warhead of the 10 RV variant has a better than 50-percent chance of destroying a Minuteman silo. When used in pairs against a single target, the warheads are even more destructive. The single RV versions of the SS–18, with their large destructive power and accuracy, are capable of destroying any known fixed target with high probability.
>
> Are capable of destroying any known fixed target with high probability.

Later on that very same page, it talks about Soviet advances, what we anticipate will be the capability of the Soviet Union several years ahead. It says the following:

> The Soviet missile development program shows no sign of slackening. We expect improvements leading to new missiles and to the modification of existing missile systems. These improvements are expected to continue the trend toward greater capabilities against such hardened military structures as ICBM silos. As the accuracy of future Soviet missiles increases, it would be feasible for the Soviets to reduce the size of the individual RVs and thereby to increase the number of MIRVs carried on each missile.

In essence, this document says that the Soviet Union has the capability of overwhelming any known, existing, fixed targets, Minuteman existing silos; that they expect the accuracy of Soviet missiles to improve in the future, too, as to make even more probable their destructive capability.

With that kind of evidence presented to the committees, it becomes puzzling as to why we have decided on going for a hardening of those fixed silos, whether Minuteman II, III, or the Titan missile silos, why we would opt for hardening of those silos in the face of overwhelming military evidence to the contrary that it buys you very little, that it is of marginal importance.

Also to be considered is whether or not we want to, in my judgment, lower the threshold of nuclear war.

I think inherently in any decision about having fixed silos, we must deal with the question as to whether or not, by putting these new, bigger, more destructive missiles in a fixed mode we thereby lower that threshold and make them much more targetable, much more attractive for the Soviets to attack in a moment of strategic error, miscalculation, and madness. That has to be a factor that all of us must take into account as to whether or not we are going to commit ourselves to a future course of confining and limiting our decision on the basing mode to a fixed, hardened silo.

Mr. PRESSLER. Will the Senator yield?

Mr. COHEN. I yield.

Mr. PRESSLER. I ask to be added as a cosponsor, if I may.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PRESSLER. I visited Minuteman II sites in my home State of South Dakota during the recent recess. Are these the sites you are concerned with?

Mr. COHEN. I am not sure they have made any decision as to which silos they are going to harden. It would be easier to put an MX in a Titan silo but then it becomes more difficult to defend it. From a military point of view, it would be more desirable to put them in a Minuteman silo except that you then have some difficulties in dealing with the SALT II restrictions. So they have made no decision, to my knowledge, on if, in fact, they are going to put them into fixed silos at all. The administration to date has said that we have to go forward with the missile itself. I agree with that. We do not want to delay its IOC date any longer. Therefore, we have decided to take the interim step.

The interim step would include hardening existing silos or perhaps building new silos to accommodate the MX missile. That is the administration's posture because there has been a substantial amount of criticism directed to the policy, saying we will keep open the policy of going to a deceptive basing mode; we will talk about having a BMD, ballastic missile defense system; we will look at deep basing, at Big Bird, at even the Tridents or a combination missile, the D5.

But their focus right now is on the hardened silos as their interim solution.

Mr. PRESSLER. The report on Soviet military power from which the Senator read was given to me by the Air Force last Friday, when I inspected Minuteman II sites and a launch control facility in South Dakota.

Does that report say that the Soviets presently have the power with the SS–18 to destroy a fixed site missile, such as Minuteman II, Minuteman III, or the Titan, and by putting the MX into such a silo, hardened or whatever, they are easy targets for the Soviets?

Mr. COHEN. It says, "The single RV versions of the SS–18,"—capable of carrying 10 warheads—"with their large destructive power and accuracy, are capable of destroying any known fixed target with high probability."

Mr. PRESSLER. Therefore, Madam President, if we put the MX in the fixed silos, the Soviets would have the capability of destroying the MX.

Mr. COHEN. That is correct.

Mr. PRESSLER. I thank the Senator.

Mr. STEVENS. Madam President, will the Senator yield?

Mr. COHEN. I yield to the Senator from Alaska.

Mr. STEVENS. Madam President, I know that there is a number of reservations concerning certain aspects of the deployment of the MX missile. I want to make certain that I understand the Senator's amendment.

As I understand it, the amendment is not incompatible with the present decision of the President with regard to the deployment of the first 100 missiles. Is that correct?

Mr. COHEN. Madam President, would the Senator repeat that?

Mr. STEVENS. As I understand this amendment, Madam President, it is not incompatible with the decision of the President with regard to the initial deployment of the first 100 missiles. Is that correct?

Mr. COHEN. It is not incompatible, Madam President. It changes the emphasis. If I could try to simplify what that amendment says—it is rather technical language.

Basically, the administration has made a decision to proceed on an interim basis with the hardening of silos, keeping open the option of going to a deceptive basing mode, with either offensive or defensive missile, having BMD or deep-based mis-

siles or having a Big Bird or something else. They have kept that option open but have focused on hardening of silos as an interim solution.

What I have proposed in this amendment is to reverse that, to tip this glass of water upside down, saying, with this money you would spend for the hardening of silos, keep open an option to do other things; I would tip that glass of water upside down and say, we are going to take this money to do other things, keeping open the option of hardening fixed silos, but putting the emphasis upon deceptive basing mode, BMD, the Big Bird, whatever the other options are. Basically, this is changing the options from fixed targets or hardened silos to the other options they ought to be doing. It does not foreclose what the President wants, but it does change the entire emphasis.

Mr. STEVENS. Madam President, it is important to me to understand that there is nothing in this which would foreclose the decision the President has made.

Mr. COHEN. What it says is that money for R. & D. purposes—we cannot discuss military construction; military construction is not before us. We are not going to use any of the R. & D. money, the $354 million, for the purpose of hardening silos. What that money is going to be used for is to explore the other options which a good many other people and I believe ought to be explored. If DOD has other accounts that they want to use to come up with their hardened silos, they can do so; it would not be a violation of this. What this does is send—at least I think so—a strong signal to DOD that we think you are moving in the wrong direction; this is the direction most military experts support and which we feel is the most desirable.

Mr. STEVENS. And is it the position in this amendment that the funds in the bill for R. & D. could be used only in such a way as to be compatible with redeployment of the missile on a permanent basing mode to be recommended by the President, which could include not only the present decision but the other decisions the Senator has mentioned?

Mr. COHEN. That is correct. The finally determined basing mode could include, for example, superhardening. I would hope they would not go in that direction. I would suggest to the Senator that if that is the final suggestion, it be rejected by Congress. What this will do is force the administration to look at other options as opposed to what they are doing now, making a commitment to go forward on the hardening of the silos, saying we will leave open that option for the deep-based missile, the BMD, all these other options.

What I am suggesting is two things: That we change that direction, saying let us go forward on the other options, leaving open as another option the final hardening and move up that date from January 1, 1984 to July 1, 1983. I think the time has come for a decision, instead of dragging out the decision on the MX, that we come to some decision or conclusion on how we are going to base it.

Mr. STEVENS. Madam President, will the Senator let me explore one other thing? That is the date. I do intend to communicate with the Department concerning this matter to see what I might state on the floor concerning the position of the Department on the Senator's amendment.

What led to the date of July 1, 1983? In our appropriations or authorization process that is a strange time of the year. We deal with October 1 fiscal years, or we deal with authorization bills related to October 1. Why has the Senator picked July 1?

Mr. COHEN. Madam President, there are two factors I took into account. One was General Ellis' testimony before the committee that he felt the administration had 15 years of studies on the shelves, that they could accelerate their investigation, perhaps come up with a permanent basing mode for the MX within a calendar year. That was one factor I took into account.

The second factor was that this complies with the Air Force's own program, which calls for a series of phase points in the decisionmaking process. They had tentatively set August 2 as one of the points and July 3 as the other interim point for final decision. This July 1, 1983, date comports with one of their phase points. That is why it was chosen.

Frankly, I would have preferred to move it up to March of 1983, as suggested in a related amendment by Senator NUNN. That would get into our budget cycle authorization before our Senate Committee on Armed Services, or I could have delayed it until December. But I thought July 1 would coincide with an opportunity for our own committees to hear the evidence coming out of DOD. It would comply with the Air Force's own target date as one of their phase points for reaching an interim decision.

Mr. STEVENS. I thank the Senator.

Mr. President, I yield to the Senator from Idaho.

Mr. McCLURE. Madam President, one of the concerns that I think has been expressed by many people, I think the Senator from Maine touched upon in his opening remarks on this amendment. That is that the threshold of nuclear warfare has been lowered. Would not the Senator from Maine agree that that threshold has been lowered not by our decision with respect to a basing mode for MX or the development of MX, but that threshold has been lowered as a result of the increased capacity of the Soviets to strike at our ICBM force?

Mr. COHEN. Madam President, I do not disagree with that analysis. The fact that we have this window of vulnerability has come about principally because of the development of more accurate systems by the Soviets, which we in fact have contributed to by allowing the sale or transfer of ball bearings that had for years been banned. We sold them to them under the period of détente. That now makes their missiles much more accurate, which does in fact make our missiles more vulnerable.

What I was suggesting is that we have a number of options open; that if we go into a deceptive mode, that avoids the reduction of the threshold because it makes it less likely that the Soviets want to attack it. If we go to a fixed mode, then I suggest we do in fact lower the threshold, not because we want to do so.

I agree with the Senator that it is because the Soviets have, in fact, developed a first-strike capability. But that is the situation we find ourselves in.

Mr. McCLURE. Would the Senator agree further, Madam President, that that option is not ours? The option is forced by their technological development but, at least, development of a new MX missile gives us greater attack capacity or retaliatory capacity if, indeed, it leaves that silo prior to the time the incoming ICBM will arrive.

So that if it gets out of the silo, the fact that the new missile has greater capacity to destroy is a more effective deterrent weapon than the current generation of missiles.

Mr. COHEN. I do not question that it would be a greater deterrent. If we were to announce that we are now going to adopt, instead of a policy of MAD—or mutual assured destruction—a policy of launch warning, that raises another dimension to the problem of nuclear holocaust.

Mr. McCLURE. But, as a matter of fact, inherent in that is the reduction of the nuclear threshold to which the Senator makes reference. I agree with him on that. I think it is unfortunate, but it is a fact.

As a matter of fact, the deployment of the MX, which will give us greater ability to destroy, is in response to their greater ability to knock out what we have to destroy them with. But there are a couple of other factors.

As was indicated in the Senator's reading from the DOD publication, it takes a single warhead SS–18 to give the kind of assured destruction, or multiple warheads of smaller size to give high probability destruction, of a hardened silo site.

Therefore, we begin to restrict the ability of the Soviet Union to use their weapons in different ways. They would have to use the single large warhead or more of the smaller warheads in order to deal with the MX missile in a hardened silo. Therefore, they begin to use more of their weapons for a single purpose and have less available for other purposes.

Mr. COHEN. The only problem is that we are talking about 36 silos. We do not want to double up. The Senator is talking about 70-odd missiles out of an arsenal they have of thousands.

Mr. McCLURE. I think there are only 308 SS–18's, if I recall correctly, so we are beginning to use up a large part of the inventory for a single purpose.

Mr. COHEN. Three hundred and eight, with 10 heads.

Mr. McCLURE. But if it is 10 heads or a single head, they still have to use one on each site of more than one of the smaller heads.

Mr. COHEN. Or the 19's.

Mr. McCLURE. The 19's are not the question we are discussing at the moment with respect to the single capacity.

The other point is that it also limits the range of the choice of weapons which

the Soviets might be able to use to attack our system force. As it is now, with unhardened sites, they can attack it with their strategic submarine missiles as well as land-based missiles. But if you have a hardened ICBM site, that wipes out their capacity to destroy by their submarine-based missiles, and they have to use the ICBM of the land-based force as an attacking force.

Mr. COHEN. All I am suggesting is that because we are changing so few of the silos—in other words, talking about 36, they can overwhelm that by using up very little of their total capacity, so you have not compromised their ability much. It does not buy you very much for the amount of the investment.

Mr. McCLURE. I will not argue that point, but it buys something.

Mr. COHEN. As compared to what?

Mr. McCLURE. It complicates their problem to some degree.

Mr. COHEN. To some degree. But I say that to the extent they have the capacity they have, they could overwhelm that with very little effort.

I will not get into the whole debate of the MPS. But if you are talking about 146 shelters and the Soviets having to use two in order to overwhelm each shelter, you are talking about a significant compromise of how many warheads they have to use as to 70? You are talking about thousands in that case, as to 70 here.

I will not get into a debate on the MPS. That is dead so far as the administration is concerned, the way it was received by the Carter administration.

For us to put the MX, with a considerable investment, into a fixed silo, hardened or nonhardened, buys you very little—something, but not enough to compromise the Soviet strategic capability.

I am suggesting that this establishment of a priority on the part of the administration is misguided. It is wrong. I think the emphasis should be more on the other items on which they have agreed they will keep open an option: Offensive-defensive basing modes, Big Bird, and others.

That should be the emphasis, leaving open the option for a fixed silo, if they come to that conclusion, as a permanent basing mode; but I do not believe they will. You will get more for your money by exploring these other things than by putting your money into the fixed silo.

Mr. McCLURE. I thank the Senator for yielding, and I compliment him for his initiative in focusing the debate in the way it has now been focused, because I think it is a much more constructive discussion than simply MX or no MX.

I wish to underscore a statement the Senator made earlier, and that is that this is in no way intended to delay or defeat the decision to go forward with building the MX missiles.

Mr. COHEN. That is correct. This is designed to allow the MX to proceed on schedule.

Mr. McCLURE. I thank the Senator for his comments.

Mr. TOWER. Madam President, will the Senator yield?

Mr. COHEN. I yield to the distinguished Senator from Texas.

Mr. TOWER. I say to the Senator from Maine that he knows where my sympathies lie in the matter of MX basing.

Mr. COHEN. Texas. [Laughter.]

Mr. TOWER. I have said that we will take it in Texas if that is the optimum place. The fact is that there are other places which are better. But Texans are more patriotic than most and are prepared to put up with some things for the security of the United States that people in other parts of the United States perhaps are not willing to put up with.

I think the deceptive basing option should and must be kept alive. In the final analysis, the great weight of military and scientific judgment is that the deceptive basing mode for the ballistic missile defense system provides us the best probability of survivability of a substantial force to threaten the offensive capability of the Soviet Union.

I know that the Senator from Maine has an amendment that is similar in many respects to an amendment intended to be offered by the Senator from Georgia (Mr. NUNN). I should like to offer my good offices at this point in saying that we might get together on this, knowing that all of us are like-minded people, and see if something can be worked out so that we can bring this matter to an early resolution.

I have spoken to the Senator from Georgia, and he has said that he is willing to parley. He also said to me, "I'm just a little country lawyer." That led me to believe that any parleying done would result in favor of the Senator from Georgia.

Mr. NUNN. I assure the chairman that everything I am doing in regard to the MX is in complete accord with the chairman's original statement.

Mr. TOWER. Somehow, I thought the Senator from Georgia would say that.

Mr. NUNN. I try to follow the lead of my chairman.

Mr. TOWER. I suggest that we have a parley and see if this matter can be worked out to the satisfaction of all.

Mr. COHEN. I say to the chairman that I would welcome the use of his good offices to achieve any sort of agreement with the Senator from Georgia; because I have said, privately and publicly, that the Senator from Georgia, throughout the discussion of the MX, has had in mind only one thing, and that is the security of this country. He has acted throughout our deliberations in the committee in the best fashion to find what the facts are and what the military jurisdictions are or are not.

So I would welcome any effort we can make to achieve a balance or a compromise. We are not that far apart. There is a change in date, there is a slight change in emphasis, but not much.

Mr. STENNIS. Madam President, will the Senator yield, before the Senator from Texas leaves the floor?

Mr. COHEN. I yield.

Mr. STENNIS. Madam President, I did not hear all that the Senator from Texas said with reference to this matter, but I point out that we have come to a rather serious situation here, where we are trying to get legislation on the floor of the Senate through an amendment to an appropriations bill, a matter here that goes to the very heart, in a way, of this whole question of the MX missile and its basing mode.

We have been working on this for about 5 years, and we have not reached anything firm on it. It is very difficult.

But the President is on the verge now of starting negotiations with reference to having a more effective agreement that will be to the mutual advantage of the parties, of course, of some reduction or some limitation relative to these terrible weapons.

So there could not be anything more delicate, more difficult, and more important, and I just hope that we will not have one iota of any provision here that has any detraction from the President, the Chief Executive's ability to have the authority he needs.

There is no insinuation here that we are trying to limit him in any way.

Is what I have said in keeping with the spirit of the Senator from Maine? I feel that it is, but I just ask here in debate if that is his feeling about it.

Mr. COHEN. Madam President, let me respond to the distinguished Senator from Mississippi that this is not intended in any way to compromise the President's ability to negotiate with the Soviet Union. We all recognize he is moving into those negotiations.

I think a number of us on the committee feel that the plan as presently presented is not the wisest one from the military point of view. What we are trying to do is shift the emphasis by telling the administration and DOD that the MX missile will not have congressional support if they are going to go ahead with a fixed silo base.

That is my judgment, at least, and I certainly will not support it on that basis.

What I am trying to do is give him more of an opportunity to say, "Look, we think this amount of money should be used for those other options that you said you want to explore. Put the money into the exploration of those leaving open for final determination the hardened silo." It is not a compromise. It gives him an option that he may be eager to pursue.

Mr. STENNIS. I thank the Senator.

If I may let me address the Senator from Texas. This is a little out of order, but I did not get to hear all of his statement, as I said.

Senator TOWER stated his purpose here and that was, as I caught it now, the last part, that he thought language could be worked out here on this important point that in no way jeopardizes or detracts from the President's power, position, responsibility, and backing with reference to any conference, meeting, negotiation, or anything else, that he may have.

Mr. TOWER. Madam President, will the Senator from Maine yield to me to respond to the Senator from Mississippi?

Mr. COHEN. I yield.

Mr. TOWER. I do not believe that this amendment would seriously inhibit the President's negotiative position on strategic arms reduction talks. The whole

matter here is really to keep alive other options than simple silo stuffing which has met with a great deal of resistance here on both sides of the aisle.

I think there is some bipartisan discomfort with that particular proposal. I might note that I was probably the first Member of this body to publicly criticize the basing mode plan suggested by the President. However, I want the President to still have this option. It very well may be that ultimately the most survivable system will be one in which there is a mix of the deceptive basing mode, of hardening, and ballistic missile defense, and there are studies that are extant that indicate that this is a good and survivable plan. I think it is one that merits consideration and merits study.

I wish to see these two Senators, the Senator from Georgia and the Senator from Maine, get together because they are not very far apart.

I would not say that the Department of Defense is overjoyed with this, but I think they are prepared to live with it.

Mr. STENNIS. I see.

Mr. TOWER. And I think the important thing is that nothing be done here to jeopardize the missile itself.

This missile is ready to fly in 13 months. It is a missile we should and must have in our arsenal. But I do feel that if serious inhibitions are placed on proceeding toward the determination of a basing mode that resistance will flow to the production of the missile itself and the missile itself will be jeopardized.

I must be convinced that in both the Nunn and Cohen approach that will not be the case because I do not wish to see us so cloud the issue of basing mode that ultimately Members of this body and the House of Representatives might decide that if we cannot come to a determination on it, we should not produce the missile itself. I think that would be a sad thing indeed.

Mr. STENNIS. I do not want that to happen. I think the Senator has clarified this. I hope we can have this conference.

We have two amendments here before us now on this subject. There is a lot of merit in it to a degree, I have to say, but let us get together if we can.

I thank the Senator for yielding.

Mr. McCLURE. Mr. President, will the Senator yield for one question?

Mr. COHEN. I yield.

Mr. McCLURE. I thank the Senator for yielding and I thank the Senator from Georgia and others who are seeking recognition for allowing me to ask this question of the sponsor of the amendment.

If I may address one question to the Senator from Maine, I am a little concerned by one comment that was made by the Senator from Maine and that is that this amendment would be a signal to the administration that it is the signal that Congress is likely to oppose the MX if it is put into a hardened silo role.

Mr. COHEN. That is the ultimate decision.

In other words, it is my personal judgment if we spent $20 billion or better on an MX missile put into a silo, hardened or not, and that were the solution to the basing mode for an MX it would not receive congressional support in my judgment.

Mr. McCLURE. Let me say to the Senator from Maine for myself I might well be able to accept the thrust of the amendment before us to broaden the options in basing mode, but I would not want my position in support, if that is where I end up in support of this amendment, to be construed as the Senator from Maine has construed it that without that I would be opposed to the MX missile because I am not, and I support the MX missile. I think the issue of whether it is in a silo or in some other basing mode is the issue and I would want it not to be a predisposition of that issue but a genuine broadening of the options.

Mr. COHEN. Let me phrase it a different way. What we have been hearing from the Pentagon for the past 7 or 8 years now I suppose is that with the fixed location of our Minuteman missile force and Titan force because of the increased accuracy on the part of the Soviet missile capability those missiles are now vulnerable to a preemptive strike. It seems to me that if our response is that we are going to put a bigger, more powerful, more destructive missile in those same sites, hardened or unhardened, I could not support that as a decision because it does not give us anything. What it gives us is either a launch under warning strategy, which I reject, or it gives us a target which is more expensive, more destructive, which the Soviets might be encouraged to take out.

That to me is not a viable option.

Now, if it comes in conjunction with something else, super hardening coupled with something else, with some deceptive basing mode, either offensive missiles or defensive missiles, if it comes in combination with other things, then that is another matter.

But what I was suggesting is if all you are going to do is to stuff big missiles in existing silos without hardening and without SALT II, I would not be supporting it. I would rather go with an accelerated Trident or other options rather than putting that much money, that much technology, into a hole at the moment.

Mr. McCLURE. I might say to the Senator, if he will yield for one moment, I understand the Senator's position. However the Senator from Idaho might well have a different position if we develop something better than the hardened silo concept. But there are some advantages to the hardened silo concept worth something to us.

While I may deplore the lowering of the nuclear threshold, I do not believe we have ever said as a nation that we will accept the first strike before retaliating. I would not want this debate to indicate that we have rejected the opportunity or the option on the part of our country to respond by sending our ICBM's in the presence of an attack on our country by ICBM's from another country. I detect a little of that undercurrent here. That is a strategy we have not rejected.

But if we have rejected it, that would be a massive change of policy on the part of our country, and it would say, "We are willing to accept massive destruction in this country and then we will think about whether or not we will retaliate."

Mr. COHEN. Mr. President, if the Senator will yield——

Mr. McCLURE. I do not believe that is our position.

Mr. COHEN (continuing). That has never been rejected, never been ruled out as the principal method of defense in this country.

I would also say the language of my amendment specifically includes the superhardening as an option.

Mr. McCLURE. I understand that and I appreciate it. But I want it to be clearly understood on the part particularly of those who might misjudge our will or our determination or our capacity to respond upon attack that it does not necessarily mean we are going to wait until the surface of this country has been incinerated before we decide whether or not to push our own red button.

Mr. COHEN. That is correct.

Mr. GARN. Mr. President, will the Senator yield for one brief comment? I will not take too long. But as one who has been intimately involved with the MX for about 6 years, I do not have any serious objections to the amendment as long as it leaves the President flexibility, and I am satisfied the Senator from Maine's amendment does that.

However, I cannot totally accept the argument that going to a superhardened silo is worthless. We cannot take the time to get into a lot of detail and talk about classified information, about degrees of accuracy. There is no doubt, however, in my mind, that with a superhardened silo you do buy some additional—not a great deal, additional—survivability. It is better than what we now have because you do require them to increase their accuracy, spend a great deal of money trying to improve that accuracy, hit closer because the additional hardening requires a much more accurate warhead.

I agree that is only marginal, but the President only talked about it as an interim solution. If he talked about that as being all he said, then that is all we would do, I would not favor it. But when it is put in terms of a temporary or interim solution while we are studying additional options—and I think there are some options—and while everybody says they have all been studied, I do not think that is true.

There is some new technology, I think, that can be studied in the next year or two that may seem far out to some people now that could prove to be very promising.

So again I will not raise any serious objection to the amendment as long as it leaves the President the flexibility to study various options and come back to us with a recommendation for permanent basing.

I did want to make the one point, that superhardening as an interim solution does get some additional survivability.

Mr. COHEN. I thank the Senator.

Mr. GLENN. Madam President, will the Senator yield for a question?

Mr. COHEN. I yield.

Mr. GLENN. I am inclined to support the Senator, and for this reason: The methods for hardening to 5,000 psi have yet to be invented. So it hardly makes any sense to be planning that when we still can find no engineers around who can find how to do this yet.

This whole issue of the MX basing mode, I will not be able to participate in the discussion this evening because I have to leave shortly, but I want to bring this up tomorrow and talk about this subject because I think we are off on the wrong track when we replace a geographic location with a geographic site which has already been pinpointed, and we are not going to have them try to flure out new aim points. They already have the aim points already targeted, and when we go that route it is a mistake, and I want to discuss that and some options we should be considering, tomorrow. I cannot be doing that this evening, but I want to discuss it tomorrow. But in light of the fact that 5,000 psi hardening has not been invented, I agree with the Senator.

The PRESIDING OFFICER (Mr. D'AMATO). The Senator from Maine.

Mr. COHEN. I yield to the Senator from Indiana.

Mr. QUAYLE. I thank the Senator and I join him in cosponsoring this amendment.

I am hopeful that we can get together with the distinguished Senator from Georgia because there are only marginal differences between the two amendments. There really is no significant or substantive difference between this amendment and the potential amendment that will be offered by the Senator from Georgia, and I am hopeful we can resolve that.

Mr. President, there is no doubt about it, that there is a bipartisan dissatisfaction with the decision on the MX. This carries across both sides of the aisle. It is not this side or that side, it is bipartisan.

I suppose at this juncture we have three options: First, we can cut out all the funds for MX; second, we can stay on the same course; or, third, we can modify with flexibility the present decision.

The first option to cut out all the funds and do away with the MX at this particular time, with the sensitive negotiations going on, in my opinion, would be wrong.

The second option to just pursue the same course which we basically studied for 15 years with respect to this issue would also be wrong.

We have got to bring pressure on the administration to come up with a basing mode that is going to be acceptable, that is going to be survivable, that is going to be adopted.

The intent of this amendment is twofold. One, as far as an interim basis, we are saying that superhardened silos are wrong. We are not suggesting and we are not precluding that superhardened silos on a permanent basis, on a permanent basing mode, would be wrong. As a matter of fact, it is specifically included in the amendment.

But what is precluded is on an interim basis to go ahead and harden these silos. I want to quote the chairman of the Joint Chiefs of Staff, David Jones, on the hardening of silos. He said:

> I remain to be convinced that hardened silos would give survivability. I reserve judgment on whether it would be wise to go ahead with hardening.

Incorporated in that statement is this amendment because as an interim proposition we are not going to allow funds for research and development to be used for superhardening.

The second main point of this amendment is to accelerate the decision on the MX basing mode. Incorporated in the present bill is January 1, 1984. This accelerates it to July 1 of 1983.

The message in this amendment is clear. There is bipartisan dissatisfaction. We are modifying the decision made by the President in hopes that a better decision will be forthcoming and soon, as soon as possible.

But I believe that the course of modifying the present policy decision with a certain degree of flexibility is the proper one, and again I reiterate my hopes that we can come to an agreement, that this will not be a protracted debate, and we can vote on this matter reasonably soon.

Mr. COHEN. I yield to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. HARRY F. BYRD, JR. I am very much inclined to vote for the amendment of the Senator from Maine and the one to be offered by the Senator from Georgia. I hope that the two can work out an amendment that will be acceptable to each of them.

I have long felt we should have a mobile missile. The problem is the basing mode, and no one has been able to come up with a basing mode on which a consensus could agree.

As I understand the proposal of the Senator from Maine, and I think the same would apply to the proposal of the Senator from Georgia, what you are seeking to do is to encourage a mobile basing mode without eliminating the possibility of going to a hardened site, am I correct in that assumption?

Mr. COHEN. That is correct. That is the intent and the language of the amendment we have offered.

There is some distinction between that and the language of the Senator from Georgia which perhaps can be resolved. But I think that is clearly the intent of the wording of the amendment we are offering.

Mr. HARRY F. BYRD, JR. I think I should say that when the committee hearings were held on this matter earlier and Secretary of Defense Weinberger explained his hardening proposal, I indicated at that time that I would go along with that concept.

But the more I think about it, the more I am included to the view expressed in the amendment offered by the Senator from Maine and the Senator from Indiana and the Senator from Georgia that it would be well to encourage the administration to continue to seek a means to go in the other direction, namely, the mobile direction, but not foreclose the option of going in the direction which the President has recommended up to this point. I assume that that is in conformity with the Senator's idea.

Mr. COHEN. That is in complete conformity with the Senator from Maine.

Mr. STEVENS. Would the Senator yield right there?

Mr. COHEN. I yield to the Senator from Alaska.

Mr. STEVENS. I have had the conversation I indicated I would have with the Secretary in the Secretary's office. And I am worried about the implication here of the amendment because it limits the $354 million. There is an addition $20 million, I am sure the Senator realizes, for long-term options. It is not available for any research concerning super hardening. But as I understand the amendment, the super hardening option would not have any funds available at all.

I think I can defend the amendment that the Senators have presented on the basis of preserving options, but a close reading of this amendment would indicate that none of the $354 million could be used for the super hardening research. That was not the Senator's intention, was it?

Mr. COHEN. I understand what the Senator's problem is. I believe it was his committee that directed how the other $20 million was going to be spent, and I certainly do not want to trespass on that.

Mr. STEVENS. That is long-term research, and we decided they ought to have that confined to there.

Now the $354 million, if you are going to be fair—and I understand the Senator has stated that is his objective, to preserve the other options, location uncertainty, the BMD, as well as super hardening—some of this money ought to be available for super hardening. And I am prepared to recommend it.

Mr. COHEN. I would suggest that we could discuss the figure during the same break that we have with Senator NUNN, Senator QUAYLE, myself and others to try to work out our language differences. We might take the Senator's question into account as far as the amount that would be spent or allowed to be spent for other options.

Mr. HEINZ addressed the Chair.

Mr. STEVENS. One other question if I may continue this. I ask the Senator from Pennsylvania about the date of July 1, 1983. It bothered me before, and it bothers me again now, after having had the conversation, because of the rate of progress as regards research. It is R. & D. And the December of 1983 date has persisted through the whole discussion.

I understand our staff has, in terms of our hearings, carried the December 1983 date through as being the earliest possible time for an acceptable decision time frame, looking to 1984, of course, as the date that was originally assumed to be the key controlling date as far as the MX deployment is concerned.

But I would urge the Senator as he discusses this matter now to look at this July 1, 1983 date. It raises questions

again about our appropriations process and whether we ought not to face the question directly as to this limitation. July 1983 is the beginning of the last quarter of a fiscal year. If you cannot meet them on their December date, at least push it into November or push it into the next fiscal year. Otherwise, we are going to be debating this thing each year now on appropriations bills when it ought to be in the December category or at least beyond October 1.

Mr. COHEN. The only difficulty is, if you are talking about July 1983, if you go by that July date you are effectively precluding Congress from doing anything in 1983. You are already in October 1, 1984. And then you are starting, the beginning of next February 1984, discussing 1985.

All we are trying to do is take expert testimony, such as Ellis, who said we can do it within the calendar year.

Mr. STEVENS. You do not see my point. If something must be done by 1983, to be reflected into the fiscal 1984 appropriations process of this committee, that means we have to have it anticipated by October of 1982. We deal with what happens in the period from October 1, 1982, to September 30, 1983, in 1982. And this pushes the impact of the decision into the previous year, not the following year.

I urge the Senator to think about putting it over into the next fiscal year. It is a fiscal year 1985 problem. That is what it really is, a fiscal 1985 problem. It should not come up in fiscal 1983.

Mr. QUAYLE. Will the Senator yield?

Mr. COHEN. I yield.

Mr. QUAYLE. I do not want to belabor this point, but my preference was to move this up even further than that. As the Senator from Maine said, General Ellis, before our subcommittee on November 12, just recently, said they could do this in a calendar year. So I do not think it is the fiscal year 1985 problem. I wish it was not. I would like to move it forward.

Mr. STEVENS. The deployment is the 1985 problem. The decision here is that the present decision must be made so that there is at least a year's time for deployment. In my opinion, you are really going to force us to inquire in September and October of 1982 what the decision is going to be in July of 1983, instead of waiting for the fiscal year that is in fact the fiscal year that deals with funding for deployment.

Mr. QUAYLE. Move it up to January 1 of 1983.

Mr. COHEN. Why do we not see what we can do with working this out with Senator NUNN and others, as far as what the date should be?

Several Senators addressed the Chair.

Mr. ANDREWS. Would the Senator yield?

Mr. COHEN. Yes.

Mr. ANDREWS. I appreciate my colleague from Maine yielding. I think it is important to recognize the timing, Mr. President, if I could point out to my friend from Alaska, the chairman of the subcommittee on which I serve. Timing is extremely important.

If we spend over $300 million to harden a bunch of silos, to put a 10-warhead missile in a fixed point because we are afraid that the Russians are targeting 3-warhead missiles in a fixed point all we do is step up the opportunity for them to take out 10 warheads at a time instead of 3 warheads at a time.

This whole MX thing borders on the silly. We are buying a Rolls Royce and we do not have a garage to park it in.

I think the amendment that my colleagues have come up with is probably the best we can do to at least point out to the administration that about the last thing we need to do is to spend tens of millions of dollars for a weapon that we do not even know where we are going to put it or how we are going to deploy it or how we are going to use it. That is what it is all about. And the sooner we find out the better off we will be.

Mr. STEVENS. If I may respond to my friend, I do not disagree. I have encouraged the activities of the sponsors to try and see if we could find a middle ground here. But $354 million for research is a lot of money. You do not crank out that research by the middle of next year. It is going to take some time, particularly when you crank in at least three more options.

They had a date of December for the hardening option. Now we are saying, "Use this money for at least three other options, but come in with a result 6 months earlier."

And I am saying that the time frame for a decision really is not until the next year, anyway. December was the earliest date they told us before. Now July is being cranked in here with research and this money will be increased when you broaden those options. I know that next year they are going to ask for more money, because they will be examining more than one option.

Mr. ANDREWS. Mr. President, if we do not tell them to get their rear in gear, if I might put it that bluntly, we are going to have multibillion dollar missiles coming off the assembly lines that will be obsolete by the time they have gotten around to figure out where to put them.

That is the concern to this Senator and I think it should be of concern to other Members of the Senate. Why start up a production line to crank out a missile you do not have a home for because you are concerned that the missiles we now have are targetable? That does not make too much sense. I would hope we could find some answers for a home for this waif before we start making many more of them.

UP AMENDMENT NO. 731

(Subsequently numbered amendment No. 646.)

(Purpose: To oppose reductions in railroad retirement benefits)

Mr. HEINZ. Mr. President, I sense there is consultation on the part of various parties, so I am going to take this opportunity to offer a perfecting amendment to the Cohen amendment, which I send to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Pennsylvania (Mr. HEINZ) proposes an unprinted amendment numbered 731 to unprinted amendment No. 730.

Mr. HEINZ. I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the amendment add the following:

Because Congress provided in 1974 for an integrated benefit structure in the Railroad Retirement program which incorporated previously-earned benefits under Social Security in a separate part of the benefit, supported by annual appropriations;

Because last year's appropriation for payment of these so-called windfall benefits under the Railroad Retirement system was $350 million; and

Because the Senate passed on November 19 an amendment to the second continuing resolution for restoration of full funding of the Railroad Retirement so-called windfall account at an annual rate of $440 million; and

Because the House and Senate Conferees on the same second continuing resolution agreed to fund the Railroad Retirement so-called windfall account at an annual funding rate of $395 million;

Because the Railroad Retirement Board has authorized, without warning to beneficiairies, December 1 checks to beneficiairies with no so-called windfall payment; and

Because the Railroad Retirement Board is preparing a second mailing of checks to arrive around mid-December containing a separate payment of so-called windfall benefits;

Because this payment will reflect a 33% reduction in the so-called windfall benefit unless the Office of Management and Budget acts within the next 48 hours to authorize a higher benefit;

Because the lowest appropriations level approved by either House for this purpose is $350 million; and

Because Railroad retirees are now being subject to arbitrary reductions in benefits beyond any authorized by the Congress;

Therefore, it is the sense of the Senate that the windfall payment for December be made at least at the annual appropriation of $350 million, and that the Railroad Retirement Board should make no further reductions in the windfall payment pending the final decision of the Congress regarding this appropriation.

Mr. HEINZ. Let me take a moment to relax everyone on this amendment. It has nothing to do with the MX, with basing modes. It will not preclude the substitute amendment of my friend from Arkansas. It is an amendment that has to do with railroad retirement.

Now that I have explained what it is about, let me tell you why I interrupt the debate on the MX missile.

Mr. COHEN. You intend to retire the MX to the railroad. [Laughter.]

Mr. HEINZ. Mr. President, we have an emergency facing us with respect to a very large number, some 389,000, retired railroad workers nationwide. Of that 389,000 retired railroad workers nationwide, some 30,000 of this group reside in my home State of Pennsylvania.

The fact is that unless we act affirmatively on the amendment I have sent to the desk, which is a sense-of-the-Senate amendment that we want the Railroad

Retirement Board to continue to fund the so-called windfall portion of the railroad retirement benefit at no less than the level agreed to by the lowest of the two Houses on the second continuing resolution, within 48 hours the Railroad Retirement Board is going to take action that will result in a notice going out that will end up beside everybody's Christmas tree saying that all these people are going to get a 33-percent cut in benefits.

Mr. President, this is a 33-percent cut in benefit that Congress has never authorized. Indeed, Congress has authorized restoration of the full benefit. Just a few weeks ago, on November 19, this Senate adopted the amendment of the Senator from Ohio (Mr. METZENBAUM) by almost a 2-to-1 vote to have absolutely no cut in this so-called windfall railroad retirement benefit.

Before I go further, I want to explain what this windfall benefit is all about. It is really not a windfall at all. That is the name people use for it.

It is a benefit which people actually earn under the law. It was a benefit earned by railroad workers who also had covered work under social security. When the Congress saw a need to change the law back in 1974, it specifically protected the rights of individuals who were already vested under both systems.

The Government's actions toward these railroad retirees in the past few months are really a most unfair example, a bad example, of public policy. What is worse, in my judgment, is that it really represents callous disregard and insensitivity to the needs of these retirees.

Let me take a moment to review the history of this situation.

In July of 1981, these beneficiaries received a badly needed cost-of-living increase to help them keep pace with inflation. Then on October 1, without any advance warning, they received a 21-percent reduction in their so-called windfall benefit. That 21-percent reduction resulted from the creation of a separate windfall account outside the Railroad Retirement Trust Fund, and the fact that the Railroad Retirement Board anticipated that this year's appropriation would continue at last year's rate of $350 million, which was only 79 percent of the $440 million needed for full payment of the windfall benefit. In other words, a 21-percent reduction.

In December, these retirees and their families have received what I might charitably call a Christmas message from the Government. What did that Christmas message do—coming as it does right after Thanksgiving when most people, except these railroad retirement beneficiaries, are anticipating, hopefully, a holiday season with some good cheer in it? They get, instead, an unanticipated and unwelcomed, double shock. Their December 1 check contained a 100-percent—temporary, but 100 percent—reduction in the so-called windfall portion of their railroad retirement benefit. And now, unless we take action today and the Railroad Retirement Board and OMB relent within the next 48 hours, they are going to receive a reduced benefit far below the 21 percent that I talked about a minute ago. It will be a one-third reduction.

Let me say, Mr. President, that that is about as unwelcome and penurious a season's greeting that you could ever expect to have. But yet what do we have? We have at this point an unrepentant Uncle Sam, or maybe I should say an Uncle Scrooge masquerading as Uncle Sam, about to put through an unauthorized one-third cut in these benefits.

Mr. President, I defy my colleagues to provide the American people with a more telling example of fickle and arbitrary Government. The responsibility for this Christmas season fiasco in public policy lies fully with the Office of Management and Budget, as far as I can determine. What they are seeking to do is to impose a 12-percent reduction in benefits which we have never authorized.

On the contrary, what we did authorize by a vote of 61 to 34, a bipartisan vote, was to restore, at least in this body, full funding to this category of retirees, that is to say, the $440 million level.

What happened in conference was that the House and Senate conferees compromised on the issue. They split between $350 million and $440 million. They compromised at $395 million, roughly what would have amounted to about a 10- or 11-percent reduction from full funding, not a 12-percent reduction in funding.

I am sorry to say it, Mr. President, but there are people downtown, who, contrary to congressional intent, are simply moving in the opposite direction from that in which Congress has clearly indicated it is moving and intends to move.

Unless the Office of Management and Budget reverses its intentions within the next 48 hours the benefits received by these railroad retirees this Christmas will be substantially lower than in previous months.

That is why I have sent a letter to David Stockman at OMB explaining this to him and urging him in no uncertain terms to relent on this policy, and it is why I take the time of my colleagues in the midst of their debate on these other issues of importance to our national security to bring this amendment to the floor at this time.

My amendment would simply make very, very clear the sense of the Senate that the December payments to railroad retirees will not be reduced by one-third, but, rather, will be funded at no less than the lowest level previously agreed to by either body, the $350 million a year level. We will probably agree to a higher level.

Mr. President, let me make one additional observation. Just a few months ago, the administration and both Houses of Congress agreed, after a lot of debate, a lot of going back and forth, a lot of consideration, that it is bad, wrongheaded public policy to reduce the existing benefits of present retirees. That is what we decided when this body voted, just a month or so ago, to insure the continuation of the minimum benefit under social security to existing retirees. It is that principle that the House agreed on when they passed similar legislation. It represented a change from the reconciliation bill that was passed by Congress in July or August, and it represented a change by the President as well. The President said he is not going to go along with the taking away of benefits from any existing retirees.

That is the correct decision, Mr. President, and that is the essence of why I am here today, urging my colleagues to observe exactly the same principle.

That principle is that we should not single out a special group of beneficiaries—in this instance the railroad retirees—for a taking away of the benefits that they have earned, that they paid for, that are part of their compensation structure going back beyond 1974. I think that to do otherwise would be to make a totally unjustified and unfair sacrifice of our railroad retirees in the name of some false economy, to simply achieve some arbitrary percentage reduction in appropriations.

It is my view, Mr. President, that the Government has absolutely no business taking back benefits that were lawfully granted under this provision. The Government has no business pulling the rug out from under these people every few weeks. That is what we have been doing.

That is why I offer this amendment at this time, Mr. President, and I call upon my Senate colleagues to hold steadfast to their position of November 19 and to insure that we indeed have adequate and, hopefully, full funding of the railroad retirees so-called "windfall" benefit.

Mr. President, Senator D'AMATO, Senator FORD, and Senator SASSER have asked that they be added as cosponsors. I ask unanimous consent that they be so listed.

The PRESIDING OFFICER (Mr. DURENBERGER). Without objection, it is so ordered.

Mr. HEINZ. Mr. President, I ask unanimous consent that the text of my letter to the Director of the Office of Management and Budget, Mr. David Stockman, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SPECIAL COMMITTEE ON AGING,
Washington, D.C., December 2, 1981.

Hon. DAVID A. STOCKMAN,
Office of Management and Budget,
The Executive Office Building,
Washington, D.C.

DEAR MR. STOCKMAN: This letter expresses my strong opposition to the actions by the Office of Management and Budget to postpone and further reduce the "windfall" portion of the Railroad Retirement benefit. Such actions can only be interpreted as a totally insensitive response to the needs of nearly 400,000 beneficiaries of Railroad Retirement annuities. In addition, I believe that this reduction is entirely inconsistent with the expressed will of the Congress.

In July of this year, these beneficiaries received a badly needed cost-of-living increase to keep pace with inflation. On October 1, without advance warning, beneficiaries received a cut of 21 percent.

In response to this situation, the Senate voted on November 19 to restore full funding of the Railroad windfall benefit. In conference, a compromise was reached between the House and Senate, agreeing to only a 10 percent reduction in the benefit, or funding at a level of $395 million.

The third continuing resolution provided for funding at last year's level of $350 million. I now understand that your office has

initiated a plan to further reduce and postpone this benefit. I am now informed that the Administration is allocating to the Railroad Retirement "windfall account" only $308 million, thereby imposing a 12 percent reduction in benefits below the lowest level appropriated by Congress. In addition, retirees have just received their December benefits with the windfall benefit entirely excluded.

These are benefits which people earned under the law. They were earned by railroad workers who also had coverage under the Social Security system. Congress adopted legislation in 1974 that specifically protected the right of these individuals who were already vested under both systems.

The recent action by your office concerning the Railroad retirement windfall benefits are, in my judgment, unauthorized and perhaps illegal. I urge you to take immediate steps to reconsider this decision and restore the maximum authorized benefit to all current beneficiaries. At the very minimum, I believe that you should permit the Railroad Retirement Board to pay this benefit at the currently appropriated level of $350 million.

Your sincerely,

JOHN HEINZ,
Chairman.

Mr. HEINZ. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

RAILROAD RETIREMENT

Mr. ROBERT C. BYRD. Mr. President, I rise in support of the amendment being offered by the distinguished Senator from Pennsylvania (Mr. HEINZ). The Senate last considered the issue of railroad retirement in November. Senator METZENBAUM offered an amendment to the second 1982 continuing resolution, which would have provided for restoration of full funding of the railroad retirement so-called "windfall" account at an annual rate of $440 million. The Senate accepted that amendment. In conference, Senate conferees agreed to a somewhat lower funding figure. However, as we all know, that funding measure was vetoed by President Reagan.

There are some 400,000 retired railroad workers in the United States who, about 2 months ago, found their monthly pension checks cut by an average of $20, when a 21-percent reduction in so-called "windfall" benefits took effect.

In talking of these retirees, for the most part, we are speaking of workers who have depended upon the railroad retirement system for many years. We are speaking of a fixed group of individuals—people who were qualified both for railroad retirement and social security prior to 1974 when the Congress rewrote the railroad compensation law.

When the Congress changed the law, the Congress made a commitment to protect individuals already entitled to both railroad and social security retirement benefits. When the Congress established the separate so-called "windfall" payment benefits account in the 1974 act, it assumed that future appropriations would be adequate to honor its promise to railroad retirees.

I commend the Senator from Pennsylvania for his amendment and I am proud to add my name as a cosponsor. The Congress must never forget its commitment to honor promises of pension income to elderly Americans.

Mr. SASSER. Mr. President, I rise today to address a matter of the most pressing urgency and importance to more than 400,000 railroad retirees across the country who just yesterday received their December checks minus their dual benefit components.

There are slightly more than 1 million beneficiaries of railroad retirement. Of this group, some 400,000 are entitled to benefits due to years of employment under both social security and railroad retirement. They are entitled to these benefits through years of hard work and rightfully deserve the security and protection this annuity provides.

In 1974, the Congress passed the Railroad Retirement Act to address the large deficits incurred by the railroad retirement system trust fund. This act coordinated railroad retirement and social security benefit payments to eliminate certain duplications considered a so-called windfall for dual beneficiaries. For individuals meeting certain vesting requirements, however, the act preserved the pre-1975 dual coverage advantage, in part, by adding dual benefit payments to their annuities. Thus, employees and retirees already eligible were "grandfathered" in under this act.

Under the Omnibus Budget Reconciliation Act of 1981, the dual benefit account was separated from the main railroad retirement account and its funding depended on money appropriated for that benefit from general revenues. This was done after long deliberation and agreement from labor representatives, even though it was understood that the full value of the benefit would be vulnerable to budget cutting during the appropriations process.

For the dual benefit account to be fully funded, the level of appropriation for fiscal year 1982 would have to be $440 million. The administration, however, requested only $350 million and the railroad retirement board has been making monthly payments since October 1 on the anticipation that the $350 million level would be operative for the current fiscal year.

This level has already resulted in a 21-percent reduction in the dual benefit component portion of these checks, creating a great deal of confusion and hardship among the more than 400,000 retirees dependent upon their monthly checks. It has now been brought to my attention that due to uncertainty over the passage of the continuing resolution which expired on November 20, retirees will have the dual benefit portion of their checks delayed another 2 weeks and, therefore, have suffered a 100-percent reduction in this benefit until receipt of these supplemental checks.

Now I am also informed that the Office of Management and Budget intends to further reduce these dual benefits by an additional 12 percent in accordance with the President's September 24 across-the-board reduction requests. Such a reduction would present these retirees with further hardships in meeting their monthly obligations. The average monthly total annuity amounts to $331. With the current cutback of 21 percent in the dual benefit component, this average decreases to $311. To expect these individuals to absorb even further reductions is simply unconscionable. There is no justification for attempting to reduce Federal expenditures at the expense of those who can least afford it. These are individuals who have worked hard and long all their lives and are justly entitled to the benefits they have earned over their working lives.

I have talked with several retirees from my home State of Tennessee and have listened to their plight. I have seen the letters pouring into my office telling of similar stories of hardship and genuine fear and concern over the impact of further reductions. We are talking about elderly Americans who strive to make ends meet and ask nothing more than to enjoy the security and protection they should be afforded in their retirement years.

I would like to make it abundantly clear that it is the legislative intent of this Congress to provide the adequate funding necessary to preserve the current level of benefits under the dual benefit account. Indeed, upon consideration of the continuing resolution this Senate passed an amendment which would have restored this account to its full funding level of $440 million and in the subsequent House-Senate conference a level of $395 million was agreed to. It has never been the intention of this body to further reduce the level of funding for this account and there is little justification for subjecting it to the 12-percent across-the-board reductions called for in the President's September address.

Clearly there is no consensus among the majority to abide by these further reductions. Therefore, I would call upon the OMB to refrain from further reducing this account and would call upon the Congress to fully fund this account when we consider the continuing resolution.

Mr. METZENBAUM. Mr. President, I understand that the pending business is the Heinz amendment to the Cohen amendment.

The PRESIDING OFFICER. That is the pending question.

Mr. METZENBAUM. Mr. President, I ask the Senator from Pennsylvania if he is inclined to respond to some inquiries from the Senator from Ohio.

Mr. HEINZ. Mr. President, I will be delighted to respond to any inquiries from the Senator from Ohio.

Mr. METZENBAUM. The Senator from Pennsylvania has offered an amendment in a rather unusual manner, a sense of the Senate resolution, and the amendment is to the Cohen amendment, which has to do with the MX.

My question to the Senator from Pennsylvania is this: Is it the intent of the Senator from Pennsylvania to achieve the objective that was achieved when

the amendment of the Senator from Ohio was adopted the other day, with 34 Members of the other side voting "No" and with the Senator from Pennsylvania voting on my side? Is it the intent to achieve that objective?

Mr. HEINZ. I say to the Senator from Ohio that the purpose of this amendment is to get the Office of Management and Budget to spend money that Congress has appropriated by due process of law. I support, and will do so again, any amendment to restore the full windfall benefit. I supported the amendment of the Senator from Ohio which did that. I think it is a meritorious amendment. Indeed, I believe that is what we should do.

However, the purpose of this amendment is to take cognizance of the fact that the third continuing resolution, the stopgap, to go through December 15, is now the law of the land. While that does not meet either the funding objective of the Senator from Ohio at $440 million—or my final objective, for that matter—it funds at a level of $350 million, which is the same level as was appropriated last year.

The problem we have is that the Office of Management and Budget has told the Railroad Retirement Board not to mail out checks based on the $350 million funding level. What they have told the Railroad Retirement Board is, "Fellows, we are only giving you $308 million, not $350 million that Congress by law has authorized and appropriated."

In my judgment, what OMB is doing is certainly unauthorized and probably illegal.

I am not attempting to restore, through my amendment, the $440 million. We will have a chance to do that on another bill between now and December 15. There will be a continuing resolution or there will be an appropriation bill to which an amendment such as that will be germane.

In the next 48 hours, unless we send a loud, clear message down to Mr. Stockman, what he is going to do is authorize checks to go out in the mail and be received 2 weeks before Christmas, with this additional 12-percent cut, which we have never accepted and which we should not accept.

That is the objective of my amendment.

Mr. METZENBAUM. I understand, and I have no quarrel with the objective.

I am sorry that I learned about this amendment only 5 minutes ago, because I think we might have come up with a better way to achieve the same objective. Having said that, I am not sure that a sense-of-the-Senate resolution will achieve that objective, because it has no binding force in law. All it does is say that that is what we in the Senate think should occur, but it does not necessarily mean that it will occur.

Under those circumstances, I inquire of the Senator from Pennsylvania as to why he does not withdraw his amendment, which is merely a sense-of-the-Senate resolution, and offer an amendment that has the force of law which I am sure he would have to agree even David Stockman would understand that law is the law.

It is a fact that it may not become the law overnight because it has to go to the House of Representatives and go to conference committee. But be that as it may, a sense-of-the-Senate resolution attached to a bill is not more effective and if anything less effective than an amendment that is in legislation itself.

As the Senator well knows his amendment is in the second degree and therefore not amendable, nor can I offer a substitute for it, but it seems to me if we want to send the message—and I understand he might not want to go to the $440 million that I had that passed the Senate the other day, although I am not certain why we should not want to do that—then why do we not add this second-degree amendment and give it the force of law rather than merely that which is tantamount to a speech because a sense-of-the-Senate resolution really is nothing more than a speech except it indicates if we have more than 50 Members that it is a majority of the Senate that has so spoken but they have not enacted laws, and our business is enacting laws.

Mr. HEINZ. Mr. President, I am not going to really disagree with the Senator. I prefer something that really has the force of law, but we have a timing problem and the timing problem is that we need to send a loud and clear message today, and there is not anyone in this Chamber who expects the DOD appropriations bill to become law in the next 48 hours. Maybe we wish it would; maybe there are some people who are not going to vote for it and hope it does not. I do not know. I am going to support the bill, I think, unless someone adds a whole lot more money to it like a lot of Members on that side of the aisle were trying to do. The fact is that it is a sense-of-the-Senate amendment, and we could quite clearly define the sense-of-the-Senate amendment as an insistent demand on the part of the Senate that OMB follow the law.

But let me say this to my friend from Ohio. It is true that this is a perfecting amendment and when it is disposed of there is nothing to prevent the Senator from Ohio from offering another perfecting amendment; and the Senator from Ohio could offer a real amendment, one that actually spent money. I thought of doing that myself. But it was my judgment that it would not become law and the House of Representatives probably would not accept it as a nongermane amendment. They have much tougher germaneness rules than we do. We have, happily, practically none in situations like this. So we can debate an issue. We can bring a pertinent issue up in the Senate at any time. The House operates under different rules.

So the Senator is correct when he says I raise this issue in what we all consider to be the greatest deliberative body in the world, and I do seek to get—if possible—the support of not only 61 Members who supported the Senator's amendment, but I hope to get 100 Members of the Senate behind it, because this is a question of whether or not the Office of Management and Budget is going to obey the law of the land.

Mr. METZENBAUM. Let me ask the Senator from Pennsylvania, who is my good friend, whether or not he is in a position to assure the Members of the Senate that by passing this sense-of-the-Senate resolution the desired result will come about and that the amounts that should be spent will be spent or will the OMB then decide what they want to do with it? Is the Senator in touch with spokespersons for the OMB or for the Railroad Retirement Board and can he give us those assurances?

Mr. HEINZ. Mr. President, let me say that I cannot guarantee that anyone in this town is going to do anything the Senate wants. We are a deliberative body. We pass legislation. There have been, in the past, times when the executive branch has ignored what we have done and people in the executive branch have gotten in trouble when they do that. They are free to do it—if they want to take the burden of getting in trouble with Congress.

So I quite honestly cannot guarantee the Senator or anyone else that any law we pass is going to be fully and faithfully executed by the executive branch.

I know the Senator from Ohio on many occasions has had oversight hearings where he has just taken the administration, Republican and Democratic, over the hot coals demonstrating, I think, quite clearly that, on occasion, they were not following the intent of Congress.

I wish to make sure that we make a crystal-clear example and exhibition of the congressional intent on this matter, coming from this body, where the majority party happens to be the President's own party. This is no signal that could be ignored.

Mr. STEVENS. Mr. President, if the Senator will yield, does the Senator seek a vote on this amendment?

Mr. HEINZ. The Senator does.

Mr. STEVENS. The Senator realizes, of course, if we move to table the basic amendment this one goes with it?

Mr. HEINZ. The Senator is aware of that.

C–130H AIRCRAFT

Mr. STEVENS. Mr. President, I wish to make a record here that I believe is important to the committee and to the Senate.

We have recommended $109.5 million for the purchase of eight C–130H aircraft. That funding allowance is the same as approved by the House, but it is our committee's intention that all eight aircraft are to be procured for the Air National Guard and Air Force Reserve. That is what the request was for.

We find that there is some indication from the other body that four of these would be delivered to the Marine Corps.

This would be a highly unusual procedure of asking the Air Force to buy transports ostensibly for the Air National Guard and Air Force Reserve and then have them delivered to the Marines.

We disagree with the recommendations that have been made by the other body. The Air Guard and Reserves badly need

all eight of the air transports. That was the intent of the authorization.

We are informed that an additional $12 million would be needed to finance the modifications and split basing costs if these aircraft went partly to the Air Guard and Reserves and partly to the Marines.

We will take this matter up in conference, and it is our purpose here to discuss the matter so that the committee's recommendation to the Senate will be understood because several Members and the public have contacted our committee concerning the intention of the committee to deal with the eight C–130H aircraft. They are for the Air National Guard and for the Air Reserve.

NAVY'S UNDERGRADUATE JET FLIGHT TRAINING SYSTEM

Mr. STEVENS. Mr. President, I have discussed with the Senator from New York a question of the engineering contract that deals with the new jet flight training system, the VTXTS, and I would be happy to yield to him. I understand he has a statement he wishes to make and have my comments on that statement, is that correct?

Mr. D'AMATO. That is correct.

Mr. STEVENS. I yield to the Senator from New York.

Mr. D'AMATO. Mr. President, on Thursday, November 19, 1981, Secretary of the Navy John Lehman announced award of a $300,000 sustaining engineering contract to the team of McDonnell Douglas/British Aerospace/Sperry to begin prefull-scale development of the Navy's new undergraduate jet flight training system, VTXTS. This selection effectively ended competition for a program which will cost at least $2.1 billion.

I believe that development should be continued on a competitive basis, at least through the end of prefull-scale development. This is a major program, one which will have a 20-year life cycle cost of at least $5.5 billion. It will result in the development and procurement of approximately 300 new jet trainer aircraft for the Navy, and flight simulators, training programs, maintenance manuals, and everything else needed to operate the Navy's pilot training program after students graduate from the propellor-driven T–34C aircraft.

This system will replace the Navy's present fleet of jet trainers, which is composed of aging T–2 and TA–4 aircraft. These new aircraft will be used to train pilots to land on aircraft carriers. They must be strong enough to withstand a lifetime of carrier landings, which are best described as controlled crashes. They must be fuel-efficient, because they will receive very heavy use. They must be easy to maintain, even in the corrosive salt water environment they will face at sea onboard carriers.

In the past, when we have decided the winner of major competitions to build multibillion dollar systems, we required that competition be sustained even through full scale development. I cite as examples the A–9/A–10 flyoff and the YF–16/YF–17 flyoff. Now, the Navy has terminated the competition. I do not think this is a wise decision. It is certainly not supportive of the spirit of the many statements made in this body and by the administration on behalf of more competition in Government procurements rather than less competition.

It has been clearly established that open competition is one of the best ways to control costs and to provide a major incentive for quality work and timely completion of contract obligations. In the VTXTS program, the Senate has an unsurpassed opportunity to demonstrate a real commitment to the concept of increased reliance on competition in Government contracting. We can move from the realm of rhetoric to real control over program direction.

In the VTXTS program, prior to Secretary Lehman's announcement, there were five teams of contractors competing for the right to build this airplane for the Navy. The competitors were Rockwell, the team of Northrup and Vought, the team of Lockheed and Dassault-Dornier, the team of Grumman, Beech Aircraft and Link, and the team of McDonnell Douglas, British Aerospace and Sperry. The winning McDonnell Douglas entry is based on a heavily modified version of the existing British Aerospace jet trainer called the "Hawk."

When asked how the competitors' proposals compared, the Navy stated that they were all closely matched—no proposal was clearly superior or inferior to the others in the competition. Further, the Navy felt that there was no gross underbidding on the part of any of the competitors to "buy in." The Navy examined all bids, and made roughly the same adjustments to all to conform the contractor's proposals to the Navy's best estimates of what the competitors could in fact do if they were selected to build the airplane.

In that heated competitive environment, I am concerned that the Navy has prematurely terminated competition. I think that the selection of one contractor to go forward with the program at this point will result in a less disciplined program, one which will have a higher probability of uncontrolled cost growth and unplanned delay. The Navy states that because the program is not in the Navy's current program objective memorandum, it will have to be intensively and effectively managed to meet criticisms within the Department of the Navy and Congress so it can be funded.

While I believe that such intensive management will have beneficial effects, I do not believe it can take the place of the effects that the spur of continued competition would provide. The problem is that bureaucratic displeasure and congressional ire can be managed and contained by a well-orchestrated lobbying and Government relations campaign. A competitor is not subject to such devices. So long as a viable alternative is present, the Navy would have the very real threat of selecting another contractor to complete the system. There is nothing quite like the real possibility of the loss of the whole ball game to force a contractor to shape up and perform properly. Again, I believe we have an obligation to the taxpayers of this country to make sure that we get a dollar's worth of defense for every dollar we spend on defense. Keeping this program on a competitive basis would go a long way to proving to the people that we are serious about this, and are acting to make sure it happens.

Finally, I am concerned that insufficient attention has been paid to the fact that 43 percent of the work to be done on the program will be done overseas in Great Britain if McDonnell Douglas, British Aerospace and Sperry go forward to build the entire system. This would send almost $1 billion in aerospace business to a foreign company, to the detriment of our defense industrial base, our economy, jobs, and our balance of payments. I will not disguise the fact that I think that would be a bad mistake.

The fact that almost a billion dollars of aerospace business would be sent overseas under this award was reportedly not even a consideration in the determination of the winners in this contract competition. Now, this was a close competition. We have all become too familiar with the economic effects surrounding business decisions on plant closings. We know about ripple effects, and how many additional jobs can be lost when those manufacturing jobs are lost.

By one estimate, this program could result in more than 9,000 direct jobs in the United States, and more than 37,000 jobs overall. Can we afford to export that business? I do not think so. At the very least, we must keep one other contractor in competition for this program, so that there is a chance that he might prevail. This makes especially good sense when you realize that continued competition will produce a much better defined program, both in terms of technical risks and in terms of costs.

True, the winner now may turn out to be the winner then, too—but at least we will be able to be sure that we have a winner, not just the product of a somewhat arbitrary selection from among a crowded and closely matched field of competitors.

Further, I am assured that there was no offset agreement between the United States and Great Britain involved in this source selection. If a different contractor should finally win this competition, we would be breaking no agreements with the British.

Mr. President, I ask that the conferees the Senate appoints on H.R. 4995 seek language in the conference report which would require continued competition in this program, and would encourage the Navy to reprogram the money which would be necessary to sustain another contractor in the program at least through the end of the pre-full-scale development phase.

This report language would not require any new spending authority. It is estimated that the Navy can maintain a second contractor in this competition for less than $25 million, only a part of which would have to be obligated and expended during the current fiscal year. I strongly believe that the potential cost savings and quality improvements which would be the product of continued competition in my opinion more than justifies the relatively small expenditure involved.

I would like to pose to the distinguished Senator from Alaska the question in

terms of the kind of competition, and would it not, in his opinion, be prudent to bring up increased competition and to invest a small amount of money, some $25 million, when we are talking about a program which in its full life cycle will be more than $5 billion?

Mr. STEVENS. Mr. President, I think the Senator from New York has raised an interesting point with regard to this VTXTS program. We have discussed it previously and he has told me of his conversation with the Office of the Secretary.

I want to assure him that I will do all I can to urge the Senate conferees to insist on the language in the conference report that he seeks, and that would be language that would encourage continued competition in the program at least through the prefull-scale development phase of the bidding process and the contract-award process.

Mr. D'AMATO. I thank the Senator from Alaska. I think if we do that and are able to accomplish it, we will be saving possibly hundreds of millions of dollars by keeping this competition alive and well, so to speak, so that the American public and our armed services get the most for their dollar.

STATUS OF AMENDMENTS

Mr. STEVENS. Mr. President, there is a meeting going on off the floor on the one technical amendment dealing with the MX. But I wonder if I might inquire if there are other amendments we might take up while that drafting is going on? I have yet to see the B–1 amendment, having been ready for that battle now for 3 days, and I am hopeful that it will come up. Perhaps we should just go to third reading and not even engage in that activity, but I think that is a pious hope.

May I inquire what the amendment is of my good friend from Arkansas?

Mr. PRYOR. I might say to my good friend from Alaska that I do have an amendment which is a little more severe than the amendment offered by the distinguished Senator from Maine (Mr. COHEN) and the distinguished Senator from Indiana (Mr. QUAYLE) and, possibly, the Senator from Georgia (Mr. NUNN).

Mr. STEVENS. Is it on the same subject?

Mr. PRYOR. It is on the same subject, MX basing.

I do have another amendment I would say to my friend from Alaska dealing with sole-source and dual-source contracting by the Pentagon, and I wonder if he would like to discuss that amendment for a spell?

Mr. STEVENS. I do not feel under the circumstances of negotiations going on off the floor that we ought to deal with the Senator's amendment that would be a substitute for either the Cohen or Nunn amendment.

Mr. PRYOR. I would certainly agree with that.

Mr. STEVENS. But I do not see that there should be any disagreement to proceeding with the other amendment of the Senator if he wishes to present it at this time.

I ask unanimous consent that the pending amendment be set aside temporarily so that we might take the amendment that is to be presented by the Senator from Arkansas, with the full understanding that when that amendment is disposed of we will return to the pending amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

(The remarks of Mr. PRYOR are printed after the treaty votes, by unanimous consent.)

The PRESIDING OFFICER (Mr. RUDMAN). The Chair would advise Senators that we do have an order to vote on the treaties at 4:20 p.m.

Mr. STEVENS. That is what I was going to remind the Senator and the Senate of; that we do have a vote scheduled for 4:20 on the floor for treaties.

THE TWO EXTRADITION AND TWO MUTUAL LEGAL ASSISTANCE TREATIES

Mr. PERCY. Mr. President, the Senate has before it today for its advice and consent two extradition treaties and two mutual legal assistance treaties. I know of no opposition to any of these agreements which were unanimously approved by the Committee on Foreign Relations and which have the administration's full support. Reports on each treaty have been prepared and are available to every Member at his or her desk.

Mr. President, it has long been established that the United States can demand the return from a foreign country of a fugitive only when it has an extradition treaty in force with the country where the fugitive is located. Under U.S. law, the United States can surrender a fugitive to a foreign country only on the basis of an extradition treaty (18 U.S.C. 3184). Since 1842, the United States has negotiated extradition treaties with about 90 countries. These treaties have become increasingly important in law enforcement as modern transportation has enabled criminals to operate on an international scale and to flee more easily from country to country. In an average month, the United States receives about 8 requests from treaty partners for the surrender of fugitives found in this country, and it requests the return to the United States of about 14 persons to stand trial or to serve sentences under previous convictions. The volume of extradition cases has grown substantially in recent years, and this trend is continuing.

Both the United States-Colombian and United States-Netherlands extradition treaties now before the Senate identify the offenses for which extradition will be granted, establish procedures to be followed in presenting extradition requests, enumerate exceptions to the duty to extradite, specify the evidence required to support a finding of a duty to extradite, and set forth administrative provisions for bearing costs and legal representation.

Section-by-section analysis of both extradition treaties are included in the committee reports prepared for each agreement. The analyses were provided to the committee by the U.S. delegation which negotiated the treaties and which was composed of representatives from the Departments of State and Justice.

Mr. President, the mutual legal assistance treaties recently negotiated with Colombia and the Netherlands cover mutual assistance in criminal matters and represent the third and fourth of their kind for the United States. The first was the Treaty on Mutual Assistance in Criminal Matters Between the United States and Switzerland; the second was the Treaty on Extradition and Mutual Assistance in Criminal Matters with Turkey.

One commentator writing about the Swiss treaty noted:

> The United States has shown a new pragmatic willingness to engage in concerned action in order to fill the growing need for an international practice with respect to legal assistance in criminal matters. The United States is thus moving to fulfill its obligations as a member of the world community as well as to extend the reach of its own proceedings.[1]

Many of the provisions in the new agreements derive from the Swiss and Turkish treaties.

The new treaties are intended to meet the diverse needs of the numerous enforcement agencies that may be involved in criminal proceedings. Where mutually agreeable, informal procedures will be employed to obtain evidence and/or testimony. Where informal procedures are inappropriate, formal requirements have been established through which the treaties' objectives of legal assistance can be achieved.

Both treaties will address a variety of criminal activities, including drug trafficking, fraud, the avoidance of American securities law, evasion of American taxes, and the financing of organized crime. In this context, both the Departments of State and Justice believe that mutual legal assistance treaties provide an effective mechanism for U.S. enforcement agencies seeking the assistance of foreign governments in obtaining information related to pending investigation or proceedings in the United States.

The U.S. delegation has also provided the committee with section-by-section analyses for both mutual legal assistance treaties under consideration at this time. As with the extradition treaties, the analysis of each agreement can be found in the appropriate committee reports which are available at the desk of each Senator.

Mr. President, in consideration of the strong bipartisan support for both the extradition and mutual legal assistance treaties now before this Chamber, I recommend that the Senate give its advice and consent forthwith to all of these agreements.

EXECUTIVE SESSION

TREATIES

The PRESIDING OFFICER. Under the previous order, the hour of 4:20 p.m. hav-

[1] Johnson, Paul W., "Judicial Assistance-Criminal Procedure," Harvard International Law Journal, pp. 349–364, at p. 350.

ing arrived, the Senate will now go into executive session to conduct one rollcall vote to count as four rollcall votes on the resolutions of ratification to four treaties, Executive Calendar Nos. 20, 21, 22, and 23.

The question is on agreeing to the resolutions of ratification.

On this question, the yeas and nays have been ordered and the clerk will call the roll.

The bill clerk called the roll.

Mr. STEVENS. I announce that the Senator from Arizona (Mr. GOLDWATER), and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

Mr. CRANSTON. I announce that the Senator from Nevada (Mr. CANNON), and the Senator from Arizona (Mr. DECONCINI) are necessarily absent.

I further announce that, if present and voting, the Senator from Nevada (Mr. CANNON), and the Senator from Arizona (Mr. DECONCINI) would each vote "yea."

The yeas and nays resulted—yeas 96, nays 0, as follows:

[Rollcall Vote No. 438—Treaty Doc. No. 97–7,
439—Treaty Doc. No. 97–8,
440—Treaty Doc. No. 97–11,
441—Treaty Doc. No. 97–16]

YEAS—96

Abdnor	Glenn	Murkowski
Andrews	Gorton	Nickles
Armstrong	Grassley	Nunn
Baker	Hart	Packwood
Baucus	Hatch	Pell
Bentsen	Hatfield	Percy
Biden	Hawkins	Pressler
Boren	Hayakawa	Proxmire
Boschwitz	Heflin	Pryor
Bradley	Heinz	Quayle
Bumpers	Helms	Randolph
Burdick	Hollings	Riegle
Byrd, Harry F., Jr.	Huddleston	Roth
	Humphrey	Rudman
Byrd, Robert C.	Inouye	Sarbanes
Chafee	Jackson	Sasser
Chiles	Jepsen	Schmitt
Cochran	Johnston	Simpson
Cohen	Kassebaum	Specter
Cranston	Kasten	Stafford
D'Amato	Kennedy	Stennis
Danforth	Laxalt	Stevens
Denton	Leahy	Symms
Dixon	Levin	Thurmond
Dodd	Long	Tower
Dole	Lugar	Tsongas
Domenici	Matsunaga	Wallop
Durenberger	Mattingly	Warner
Eagleton	McClure	Weicker
East	Melcher	Williams
Exon	Metzenbaum	Zorinsky
Ford	Mitchell	
Garn	Moynihan	

NOT VOTING—4

Cannon	Goldwater	Mathias
DeConcini		

The PRESIDING OFFICER. Two-thirds of the Senators present and voting having voted in the affirmative, the resolutions of ratification are agreed to.

The resolutions of ratification agreed to are as follows:

EXTRADITION TREATY WITH THE KINGDOM OF THE NETHERLANDS

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty of Extradition Between the United States of America and the Kingdom of the Netherlands (Netherlands), signed at The Hague on June 24, 1980.

EXTRADITION TREATY WITH THE REPUBLIC OF COLOMBIA

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty of Extradition Between the United States of America and the Republic of Colombia, signed at Washington on September 14, 1979.

MUTUAL LEGAL ASSISTANCE TREATY WITH THE REPUBLIC OF COLOMBIA

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty of Mutual Legal Assistance Between the United States of America and the Republic of Colombia, signed at Washington on August 20, 1980.

TREATY ON MUTUAL LEGAL ASSISTANCE WITH THE KINGDOM OF THE NETHERLANDS

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty of Mutual Legal Assistance Between the United States of America and the Kingdom of the Netherlands, together with a related exchange of notes, signed at the Hague on June 12, 1981.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the resolutions of ratification were agreed to.

Mr. COHEN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Without objection, the Senate will now return to the consideration of legislative business.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1982

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. STEVENS. Mr. President, as I understand it, the Senator from Arkansas is going to discuss his amendment which deals with the prospect of an advocate for competition at the Department of Defense. Following that, we return to the amendment that was offered by the Senator from Maine (Mr. COHEN), and following that, there is an amendment to be offered by Senator PRYOR again. Then there is one to be offered by Senator DENTON, and then one to be offered by Senator LEAHY.

So we do have a full schedule here. I hope we will be able to get some time agreements. I am more than willing to forgo the concept of a motion to table if we can get a reasonable time agreement, so that Members will know when the vote will take place.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield?

Mr. STEVENS. I yield.

Mr. ROBERT C. BYRD. Mr. President, we have not agreed to that sequence of amendments; have we?

Mr. STEVENS. Yes.

Mr. ROBERT C. BYRD. Is the order entered?

Mr. STEVENS. Yes; it was not any time agreement. It is a sequence.

Mr. ROBERT C. BYRD. All right.

Mr. STEVENS. I failed to notify the minority leader, but we did make that agreement when several Senators were seeking recognition at the same time.

The PRESIDING OFFICER. The Senate will be in order.

Mr. ROBERT C. BYRD. Mr. President, I have no quarrel with that, except that it might accommodate the Senate if, from time to time, other Senators were able to call up their amendments outside of the sequence which has been mentioned.

I am working on a time agreement on this side, and I have discussed it briefly with the manager of the bill and the majority leader. I hope we can arrive at a time agreement that will see us complete action on this measure no later than a given hour tomorrow.

However, I hope we will not sequence any other amendments at this time, because it may expedite the actions on the entire measure if we do not lock ourselves in too tightly with sequential ordering of amendments.

Mr. BAKER. Mr. President, will the Senator yield?

Mr. ROBERT C. BYRD. I yield.

Mr. BAKER. Mr. President, I agree with that. I think that now there is a good chance we can arrive at a unanimous-consent agreement for a time certain to finish action on this bill. I regret to say that I think it probably will not be tonight. But in order to get to a time certain tomorrow, we will have to work this afternoon and for a while tonight.

So I urge Senators to consider that our work is not done for this day. Negotiations will continue, and we will try to have a further announcement a little later as to a time certain for final passage.

The PRESIDING OFFICER. Under the previous order, the Senator from Arkansas is recognized.

PRICE COMPETITION AMENDMENT

Mr. PRYOR. Mr. President, I should like to discuss an amendment that I plan to submit at the proper time and proper place in the proceedings. I want to discuss a very extensive and chronic abuse of defense procurement; namely, the lack of effective and meaningful competition for the goods and services that the Department of Defense buys.

I could not, in good conscience, see a $209 billion appropriation bill with new obligational authority go through this body without at least a discussion of some $150 billion of that, which is going to be targeted for hardware purchases, operation and maintenance, and research, development, test, and evaluation, and look more critically at how all these dollars are going to be actually spent.

Today, about 70 percent—not 7, but 70 percent—of the DOD procurement dollar is awarded on a sole-source basis, where only a single supplier is involved, or on the basis of factors other than price competition. That is hard to believe, but it is true, according to the General Accounting Office. Several studies have shown that DOD could reduce the prices it pays by as much as 25 to 30 percent through greater use of competition.

Mr. President, I am not alone in expressing concern over this matter. In early November, the Committee on Governmental Affairs, under the distinguished leadership of Chairman ROTH, completed a series of hearings on the defense acquisition process. Throughout those hearings witness after witness, as well as my colleagues on the committee, lamented the absence of competition in DOD procurement.

I believe we in the Congress should translate these concerns into concrete action and commit DOD to specific goals for increasing its use of price-competitive procurement and require DOD to establish full-time advocates for competition to assure that no opportunities for obtaining competition are neglected.

Let me highlight the dimensions of the problem confronting us and the reasons why that problem exists.

TYPES AND EXTENT OF COMPETITIVE PROCUREMENT

As Senators know, Mr. President, DOD uses formal advertising and negotiation as the two basic procedures for purchasing goods and services. The Armed Services Procurement Act of 1947 requires DOD to procure by formal advertising whenever it is feasible and practical. According to the act, when a procurement is formally advertised, contracting officers should award the resultant contract without negotiation to the responsive and responsible bidder whose bid will be most advantageous to the Government, price and other factors considered.

The 1947 act also establishes 17 exceptions to the use of formal advertising, which provide DOD contracting officers with the authority to negotiate. Generally, contracting officers must develop written justifications supporting a decision to negotiate rather than to formally advertise.

While formal advertising always involves price competition, negotiated awards may be either competitive or noncompetitive. In cases where formal advertising is neither feasible nor practical, contracting officers may negotiate with two or more qualified suppliers for the best price or the best design and/or technology within acceptable price range. In the first instance, the negotiated award is price competitive; in the second, price is not the foremost consideration. In either instance the award is referred to as "competitively negotiated" since more than one potential supplier is involved. If negotiations are conducted with only a single supplier, however, the award is noncompetitive and is commonly referred to as "sole source."

Mr. President, I have prepared an exhibit which compares DOD contract awards in fiscal year 1979 by three categories: First, formally advertised with negotiated; second, competitive with noncompetitive; and third, price competitive. I ask unanimous consent to have the table that I have prepared printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

DOD CONTRACT AWARDS FOR FISCAL 1979

	Amount (billions)	Percent of total
Formally advertised negotiated awards:		
Formally advertised	$4.1	6.6
Negotiated	58.0	93.4
Total	62.1	100.0
Competitive versus noncompetitive awards:		
Formally advertised	4.1	6.6
Negotiated on basis of price	12.7	20.5
Negotiated on basis of design/technical factors	5.8	9.3
Subtotal competitive	22.6	36.4
Sole-source follow-ons to original award negotiated on basis of price or design/technical competition	10.8	17.4
Other sole source	28.7	46.2
Subtotal noncompetitive	39.5	63.6
Total competitive and noncompetitive	62.1	100.0
Extent of price competition:		
Price competitive: Formally advertised or negotiated on basis of price competition	16.8	27.1
Nonprice competitive: Negotiated on basis of design/technical competition or on sole source basis	45.3	72.9
Total	62.1	100.0

Source: GAO (PLRD-81-45, July 29, 1981).

Mr. PRYOR. Mr. President, although formal advertising is preferred by law, formally advertised awards accounted for less than 7 percent of the total $62.1 billion of DOD procurement. The remaining 93 percent represented negotiated awards.

Although the Congress has consistently advocated maximum use of competition, most of the DOD procurement dollar was awarded without competition. Of the total $62.1 billion, only 36 percent represented competitive procurements while 64 percent represented noncompetitive procurements.

When we focus on the noncompetitive awards, we see that about 17 percent of total DOD procurement represented something known as sole-source "follow-ons." In these cases, the contractor is the sole supplier by virtue of having been selected during a previous award made on the basis of price, design, or technical competition.

I want to point out, Mr. President, that by some strange logic DOD often lumps such sole-source follow-ons with competitive awards. For example, during the recent hearings of the Governmental Affairs Committee, defense officials, proclaiming their diligence in promoting competition, asserted that:

. . . The majority of our funds continue to be awarded either as a direct result of competition, or in follow-on awards where the source was competitively selected. . . .

Mr. President, such statements, by including sole-source follow-ons under the rubric of competitive procurement, defy commonsense and distort the true picture. The distinction between competition during the initial stage of a program and the lack of competition during the remaining stages—product development, full-scale production, and product support—is quite important, but is often and conveniently neglected by those who claims that defense is highly competitive.

In addition to sole-source follow-ons, we see within the noncompetitive category that the single largest chunk of the DOD procurement dollar was awarded sole source without any previous competition. These types of procurement actions accounted for about 46 percent of the total $62.1 billion.

Finally, when we focus on price competition we see that only 27 percent of the DOD procurement dollar was formally advertised or competitively negotiated on the basis of price. Over 70 percent was nonprice competitive; that is, the awards were sole source or competitively negotiated on the basis of design or technical factors.

Mr. President, these statistics demonstrating a lack of price competition in fiscal 1979 are not isolated examples. Rather, they are part of a trend. In a report issued on July 29 of this year, the General Accounting Office stated that between 1972 and 1978 the proportion of DOD awards that were price competitive declined by 8 percent. The GAO also noted several studies indicating that as much as 25 percent can be saved through competition.

Whatever the precise figure, we can be sure that the potential savings from competition are enormous. We also can be certain, based on long experience, that the lack of meaningful price competition contributes mightly to a procurement environment conducive to rapid cost escalation. As of June 1981, for instance, the estimated acquisition costs of 50 major weapon systems had escalated by an average of 118 percent over original estimates.

Procurement authorities agree that much of this escalation is attributable to the monopoly position of sole-source contractors, where there is little incentive to hold down costs. Given the administration's call for a military budget which, net of inflation, will total nearly $300 billion by 1985, we can only expect cost escalation and overruns to continue unless action is taken to inject meaningful competition in defense procurement.

REASONS FOR LACK OF COMPETITION

Mr. President, I recognize that there are circumstances under which true competition is impractical and DOD may have no alternative to sole-source procurement. For example, as a result of the 1973 oil embargo and the Federal Government's fuel allocation system, DOD had to negotiate most of its fuel purchases noncompetitively. Thus, its competitive fuel procurements dropped from 90 percent of fuel obligations in 1972 to only 45 percent in 1978.

Nevertheless, there is ample evidence that DOD is missing legitimate opportunities for maximizing price competition

and is not fully exploring competitive alternatives.

In its July 29 report, the General Accounting Office pointed out that when a proposed procurement appears to be noncompetitive, the DOD contracting officer is responsible not only for assuring that competition is not feasible, but also for taking actions to avoid subsequent noncompetitive procurements. In short, noncompetitive buying should occur only when all attempts to obtain competition have failed. Both GAO and the Office of Federal Procurement Policy have reported, however, that competitive opportunities are being missed because:

First. DOD procurement officials lack or do not take the time to develop purchase descriptions needed to invite competitive bids. This often occurs in cases of repetitive buys, such as spare parts, where the lack of a purchase description effectively precludes competition from alternative sources having the capability to meet the product or service requirements.

Second. Product specifications are written too restrictively and exceed minimum needs. This discourages competition from suppliers whose products do not exactly meet specifications but could probably meet the need in a satisfactory manner. In this regard, I am reminded of the case of Julie Research Laboratories, a small entrepreneurial firm that has sought without success over the past several years to sell calibration equipment to the Army. During our recent hearings on the defense acquisition process, it was clear from the evidence presented by the Army Inspector General that whatever the true merits of Julie's equipment, the firm was not given a full and fair opportunity to compete for Army contracts. It is ironic indeed that while DOD tells us that it believes in competition, it systematically discouraged a small and eager firm from competing in a market sorely in need of additional suppliers. How many other firms are suffering Julie's fate?

Third. Contracting officers acquiesce to the specific procurement requests of headquarters, technical personnel, or end users without performing market analyses to determine whether alternative suppliers exist. In the case of headquarters requests, the boss-employee relationship naturally inhibits or prevents contracting officers from strongly objecting to sole-source awards. In the case of technical personnel or end users, contracting officers often feel incompetent or reluctant to second-guess expert judgments about the availability or capability of potential alternatives.

Fourth. Sole source contracts are awarded in response to unsolicited proposals without justification as to why the good or service could not be obtained competitively. In some instances, contract work arising from unsolicited proposals is actually begun before a contract is signed. This practice is contrary to sound procurement procedure and makes it extremely difficult to stop work or to develop alternative sources for the good or service.

In addition to these reasons for missing competitive opportunities, I believe that DOD is not taking fullest advantage of opportunities to dual source its procurements. Under dual sourcing, annual DOD buys of a given weapon system or piece of equipment are split between two suppliers, based on the quality and cost of their performances in prior years. By cultivating two sources, dual sourcing increases competition, thereby providing suppliers with an incentive to control costs. A recent study of procurements in which DOD used dual sourcing showed that unit costs were reduced by an average of 30 percent as a result of the incentives that competition provides.

Dual sourcing also helps to broaden the defense production base. This is an important benefit considering the erosion of that base in recent years and the magnitude of the administration's proposed increases in defense spending. According to the Congressional Budget Office and other authorities, the defense buildup is likely to precipitate substantial inflation in defense costs, given the comparatively small production base over which procurement dollars can be spread.

As I noted earlier, about 17 percent of the defense procurement dollar is represented by sole-source follow-on awards. It is this type of procurement which I think is particularly ripe for dual sourcing. At a hearing last October, I asked the question of whether the Army should dual source production of the M–1 tank. Chrysler Corp., the declared winner over General Motors during an earlier competition, is today the only tank producer. The Army plans to buy more than 7,000 M–1 tanks over the next few years; many, many more will be purchased thereafter as the M–1 assumes its position as our main battle tank. Why should Chrysler retain its monopoly over M–1 production? Why must competition cease once a winner is declared?

I was pleased to see in the November 18 Wall Street Journal that the Army is asking itself these same questions. According to the Journal, the Army is studying the feasibility of dual sourcing not only M–1 tank production, but also production of the tank's turbine engine. Significantly, a major factor behind this study is the Army's concern over the rapid escalation in the tank's cost and the potential for greater cost-efficiency that dual sourcing could provide.

Mr. President, I recognize that dual sourcing may not be effective under all conditions. One must carefully weigh the additional investment needed to secure a second source of supply against the potential price reductions that competition can bring. But dual or multiple sourcing is standard commercial practice in the private sector. I am convinced that DOD has not fully explored dual sourcing opportunities in its procurement programs.

AMENDMENT PROVISIONS

Mr. President, I intend to propose an amendment to assure that DOD is committed to increased competition and no creasing the use of price-competitive opportunities.

First, the amendment would require DOD to establish and report to the Congress specific quantitative goals for increasing the use of price-competitive procurement. The goals would be expressed as percentage increases in total procurement spending to be accounted for by price competitive actions in fiscal year 1982 compared with fiscal 1981. To assure that we all understand the baseline for DOD's goals, the amendment would also require DOD to report its fiscal 1981 procurement actions by specific categories of competitive and noncompetitive awards.

Second, the amendment would require DOD to establish and report to the Congress a policy on the use of dual sourcing, including the conditions under which an analysis of the cost and benefit of dual sourcing should be performed by contracting officials and the methodology of the analysis. The amendment would also require DOD to identify those weapon system programs for which dual sourcing is currently employed.

Third, the amendment would require DOD to appoint at each of its major procurement offices an individual to serve as a fulltime advocate for competition. While present regulations in theory make each contracting officer responsible for maximizing competition, the sad reality is that there is no clear responsibility and accountability for competition and contracting officers are acquiescing to the sole-source procurement requests of headquarters, technical personnel, or end-users. They advocated correcting this condition by assuring that opportunities for competition are not lost or foreclosed by restrictive need statements, unnecessarily detailed specifications, poor procurement action, or by arbitrary agency action.

Finally, the amendment would require DOD to report to the Congress any specific actions, in addition to those required above, that will be taken in fiscal year 1982 to increase the use of price competitive procurement.

In conclusion, Mr. President, let me emphasize that we all recognize the importance of a strong national defense. An effective procurement system—one which assures that we have the military equipment and services we need, when we need them, where we need them, and at a cost we can afford—is critical to a strong defense posture. This amendment would strengthen our defense procurement because it would commit DOD to concrete action for increasing competition in procurement spending.

UP AMENDMENT NO. 732

(Purpose: To require information regarding competition in procurement)

Mr. PRYOR. Mr. President, I send the amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Arkansas (Mr. PRYOR) proposes an unprinted amendment numbered 732.

Mr. PRYOR. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 61, following line 14 insert the following:

"The Secretary of Defense or his authorized agent is directed to—

"(a) Submit to the Appropriations Committees of the House and the Senate a written report which:

"(1) Disclose for each of the military services and the Department of Defense as a whole the number and dollar value of the procurement actions taken during the fiscal year ending September 30, 1981, by each of the following procurement award categories:

"(A) formally advertised;

"(B) negotiated competitively on the basis of price;

"(C) negotiated competitively on the basis of design or technical factors;

"(D) negotiated noncompetitively as follow-ons to procurements previously awarded on the basis of price, design, or technical competition; and

"(E) negotiated noncompetitively without previous price, design or technical competition;

"(2) Identifies specific percentage improvement goals to be achieved by the Department of Defense with respect to the proportion of total defense procurement expenditures to be awarded by formal advertising or by negotiation based on price competition during fiscal year 1982 compared with fiscal year 1981;

"(3) Sets forth the Department of Defense policy on the use of dual sourcing for obtaining price competition, including the circumstances under which contracting officials are required to analyze the potential benefit and cost of dual sourcing a product or service procurement and the methodology of the analysis;

"(4) Identifies those weapon system programs for which dual sourcing procurement is presently being used; and

"(5) Provides a detailed description of all other specific steps which the Department of Defense intends to implement during fiscal year 1982 to obtain increased price competition and reduce the use of noncompetitive sole-source procurement; and

"(b) Appoints at each major Department of Defense procurement office an individual to serve as a full-time advocate for competition to ensure that opportunities for price competition are not lost or foreclosed by unnecessarily detailed product or service specifications, restrictive statements of need for the product or service, poor procurement planning, or other arbitrary or inappropriate procurement office action which would have the effect of unnecessarily restricting or precluding competition for award of a contract."

Mr. PRYOR. Mr. President, I ask unanimous consent that the name of the Senator from Michigan (Mr. LEVIN) be added as a cosponsor of this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, my good friend from Arkansas and I served together on the Governmental Affairs Committee. I am certain it will be no surprise to him for me to say that this is the kind of legislation that should come from the Governmental Affairs Committee. It does create a whole new concept for the Department of Defense. It would require a new office in each procurement office, that being a full-time advocate for competition.

It is my feeling that this is legislation on an appropriations bill. It has nothing to do with any specific item that is before us in terms of a request for funding for the Department of Defense, and I make the point of order that this is an amendment which is legislation on an appropriations bill, and I ask the Senate to rule that it is.

Mr. PRYOR. Mr. President, I raise the defense at this time that this amendment is germane to the House language.

The PRESIDING OFFICER. Under rule XVI, paragraph 4, if the defense of germaneness is raised, the Chair must submit the question to the Senate for a vote.

Mr. STEVENS. Mr. President, I inquire of the Chair: A vote to sustain the point of germaneness would be an "aye" vote?

The PRESIDING OFFICER. The question will be whether or not the amendment is germane. The Senator is correct.

Mr. STEVENS. I say that my vote will be "no," because I do not believe it is germane. We should not invade the jurisdiction of individual committees. I ask the Senate to sustain the position of the committee, that this is legislation on an appropriations bill, and vote "no."

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is, Is the amendment germane? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from Arizona (Mr. GOLDWATER) and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

Mr. CRANSTON. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Arizona (Mr. DECONCINI), the Senator from Ohio (Mr. GLENN) and the Senator from New York (Mr. MOYNIHAN) are necessarily absent.

I further announce that, if present and voting, the Senator from Arizona (Mr. DECONCINI) would vote "yea."

The PRESIDING OFFICER. Is there any Senator in the Chamber wishing to vote?

The yeas and nays resulted—yeas 44, nays 50, as follows:

[Rollcall Vote No. 442 Leg.]

YEAS—44

Andrews	Eagleton	Matsunaga
Baucus	Exon	Melcher
Bentsen	Ford	Metzenbaum
Biden	Grassley	Mitchell
Boren	Hart	Nunn
Bradley	Heflin	Pell
Bumpers	Hollings	Proxmire
Burdick	Huddleston	Pryor
Byrd, Harry F., Jr.	Inouye	Randolph
Byrd, Robert C.	Jackson	Riegle
Chiles	Johnston	Sarbanes
Cranston	Kassebaum	Sasser
Dixon	Kennedy	Tsongas
Dodd	Leahy	Williams
	Levin	Zorinsky

NAYS—50

Abdnor	Danforth	Hatch
Armstrong	Denton	Hatfield
Baker	Dole	Hawkins
Boschwitz	Domenici	Hayakawa
Chafee	Durenberger	Heinz
Cochran	East	Helms
Cohen	Garn	Humphrey
D'Amato	Gorton	Jepsen
Kasten	Percy	Stennis
Laxalt	Pressler	Stevens
Long	Quayle	Symms
Lugar	Roth	Thurmond
Mattingly	Rudman	Tower
McClure	Schmitt	Wallop
Murkowski	Simpson	Warner
Nickles	Specter	Weicker
Packwood	Stafford	

NOT VOTING—6

Cannon	Glenn	Mathias
DeConcini	Goldwater	Moynihan

The PRESIDING OFFICER. On this vote, the yeas are 44 and the nays are 50. The Senate having voted the amendment is not germane, the amendment falls for that reason and the point of order of the Senator from Alaska is moot.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, that does not have to be reconsidered, does it?

The PRESIDING OFFICER. The motion to reconsider would be in order.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. McCLURE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UP AMENDMENT NO. 731

Mr. STEVENS. Mr. President, it is my understanding that there is a pending amendment in the second degree of the Senator from Pennsylvania (Mr. HEINZ) to the amendment offered by the Senator from Maine (Mr. COHEN). I ask unanimous consent that the amendment in the second degree be considered an amendment in the first degree and it be set aside until such time as the Senator from Pennsylvania calls it up.

The PRESIDING OFFICER. Is there objection?

Mr. HEINZ. Mr. President, reserving the right to object, does the Senator from Alaska intend that it be considered as offered to another part of the bill?

Mr. STEVENS. It would be my intention that it would be considered as being offered at the foot of the bill and to be called up at any time that the Senator from Pennsylvania wishes to raise it. It is a sense of the Senate resolution. It is subject to points of order. I cannot waive those now. But I will protect the Senator for his ability to raise that issue again as an independent amendment.

Mr. HEINZ. Mr. President, further reserving the right to object, at the present time this amendment is not amendable. Would the Senator be agreeable to modifying this unanimous-consent request that it be considered amendable?

Mr. STEVENS. This Senator would ask that the Senator's amendment, which presently is in the second degree, become amendable when it becomes an amendment in the first degree. But, again, as I have stated, I have been asked not to waive the points of order and I do not make that request.

Mr. HEINZ. I have no objection to that request.

Mr. ROBERT C. BYRD. Mr. President, reserving the right to object, would the distinguished Senator add me as a cosponsor?

Mr. HEINZ. Mr. President, I have no objection to the Senator from Alaska

adding my request to the minority leader's request.

Mr. ROBERT C. BYRD. I was asking the Senator from Pennsylvania if I might be added as a cosponsor.

Mr. HEINZ. Mr. President, I ask unanimous consent that the Senator from West Virginia (Mr. ROBERT C. BYRD) be added as a cosponsor.

Mr. ROBERT C. BYRD. I have no objection.

The PRESIDING OFFICER. Is there objection to modifying this amendment to make it at the end of the bill? Without objection, the entire request is so ordered.

Mr. STEVENS. Mr. President, the Senator from Massachusetts has cleared an item with the majority leader. It is a resolution. I yield to the Senator from Massachusetts.

THE MURDERS OF SIX AMERICANS IN EL SALVADOR

Mr. KENNEDY. Mr. President, I send a resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated by title.

The legislative clerk read as follows:

A resolution (S. Res. 250) expressing the sense of the Senate with respect to the murders of six Americans in El Salvador.

(The cosponsors are as follows: Mr. PELL, Mr. HATFIELD, Mr. DODD, Mr. CRANSTON, and Mr. TSONGAS).

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

UP AMENDMENT NO. 733

Mr. KENNEDY. Mr. President, the Senator from Illinois (Mr. PERCY) has an amendment to that resolution. I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will state the amendment.

The legislative clerk read as follows:

The Senator from Massachusetts (Mr. KENNEDY), on behalf of the Senator from Illinois (Mr. PERCY), proposes an unprinted amendment numbered 733.

Mr. KENNEDY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Between the second and third paragraphs of the resolution insert the following:

Welcomes the Government of El Salvador's recent request for U.S. technical assistance in carrying out these investigations.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts (Mr. KENNEDY) on behalf of the Senator from Illinois (Mr. PERCY).

The amendment (UP No. 733) was agreed to.

Mr. CHAFEE. Mr. President, what is the resolution?

Mr. KENNEDY. Mr. President, the resolution notes that 1 year ago today there were four Catholic missionaries and two lay workers that were murdered in El Salvador. The resolution requests that the Government of El Salvador use all of the resources of that government to further the investigation into these killings and that the U.S. Government will cooperate in every way possible to see that those that were involved in this murder and assassination are brought to justice. This is the anniversary of those killings and we have seen little progress. This is a sense of Senate resolution that hopes that justice will soon be done.

Mr. CHAFEE. I ask I might be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, today, December 2, 1981, is an anniversary; but unlike so many anniversaries, this is not a happy one. For on December 2 last year, four American Catholic women missionaries were murdered in El Salvador. These four dedicated women—Sisters Ita Ford, Maura Clarke, Dorothy Kazel, and Ms. Jean Donovan—went to El Salvador to help the common people of that country—people who have become the innocent victims of brutality and violence in that land torn by civil strife. These women gave of themselves to the people when they were alive and ultimately they, too, became victims of the fighting.

Then on January 3, two American labor representatives, Michael Hammer and Mark Perlman, were also murdered. These two were working on El Salvador's land reform program and had been sent to that country by the American Institute for Free Labor Development. They were gunned down in cold blood at the San Salvador Sheraton Hotel along with Jose Rodolfo Viera, head of El Salvador's Agrarian Reform Institute.

Mr. President, 1 year later the persons who were responsible for the murders of the missionaries have still not been brought to justice. At the time of the murders, the Carter administration called on the Salvadoran Government to immediately investigate the murders and to prosecute those responsible. I joined with many of my colleagues in this Senate in making similar appeals to the Salvadoran Government. In September I spoke with the president of El Salvador, Napoleon Duarte, who was visiting Washington, and I emphasized how important it was for his government to pursue the investigation and to bring to justice those responsible for the murders. I have been in continuing contact with the families of the missionaries, who also met with President Duarte and made their own personal appeals. Yet, the Government of El Salvador has still not taken the necessary actions.

Mr. President, all too often as time passes, the issues seem to merge together. The stark brutality, the heinous crime, and the profound grief appear to fade away. The grief may fade for those of us who did not know the missionaries and the workers personally, but the grief remains real and deep for their friends and families. The issues may merge for those who hope the world will forget; but they remain vivid for those of us who believe that justice must prevail.

For this reason, I am introducing today a resolution which expresses the sense of the Senate with respect to the murders of these six American citizens. Senators PELL, HATFIELD, DODD, CRANSTON, TSONGAS, and others are cosponsoring this resolution, which reminds the administration and the Salvadoran Government that we have not forgotten the tragic death of Americans who have sacrificed their lives in helping the people of El Salvador, and to renew our call that the Government of El Salvador complete its investigation and prosecute those responsible for the murders. I strongly urge both the Government of El Salvador and our own administration to respond to this sense of the Senate resolution.

Mr. PELL. Mr. President, as a cosponsor, I rise along with my colleague from Massachusetts to commemorate this sad and tragic event that occurred a year ago on an isolated country road in El Salvador. The brutal murders of Maryknoll Sisters Ita Ford and Maura Clarke, Ursuline Sister Dorothy Kazel, and layworker Jean Donovan by elements of the Salvadoran security forces shocked this Nation into an awareness of the senseless turmoil in the beleaguered nation of El Salvador. We hardly had time to react to the deaths of the churchwomen when a month later we received the news that two American agrarian reform specialists, Michael Hammer and Mark Perlman, were gunned down in the coffee shop of their hotel, along with the head of the Salvadoran land reform program.

Collectively as a nation, we still have not recovered from the shock of the heinous murders of these American citizens who had dedicated their lives to improving the lot of the people of El Salvador. Our shock is compounded by a collective national frustration over the Salvadoran Government's failure to bring to justice those responsible for the murders of these six Americans. We share, as a nation, the sorrow and frustration felt by the families of these valiant Americans.

The Salvadoran Government continually for this past year has been requested to take the steps necessary to finally have justice be served. We fail to understand, however, even given the problems within the Salvadoran legal system, why the Salvadoran Government, after 1 year, cannot resolve this issue given the compelling evidence against the suspects from the ranks of the security forces and the extreme right-wing.

The Salvadoran Government should regard this resolution and these statements commemorating the deaths of these fine Americans as a renewed and strong appeal for justice. The Salvadoran Government seeks the support of the American people, but that becomes a very difficult proposition while these cases go unresolved. An essential element of this support must be the Salvadoran Government's performance in seeing that justice is done—justice for the families, justice for the American people and justice for the people of El Salvador.

Mr. ZORINSKY. Mr. President, 1 year ago, we were horrified at the news that four American churchwomen were found brutally murdered on a road in El Salvador. A month later we again were stunned when two American land reform specialists were murdered at point-blank

range by a gunman in the coffee shop of their hotel. I and some of my colleagues responded to these tragic events and to the grief felt by the family members of the victims, as well as the American people, by sending letters to the Salvadoran Government and to administration officials to insure that the Salvadoran Government would bring to justice those guilty of these brutal crimes.

Today, a year and many letters, communications, congressional hearings, private conversations, and personal contacts later, these cases go unresolved. They go unresolved despite the heavy weight of evidence against prime suspects who are members of the Salvadoran security forces and members of the extreme right-wing of El Salvador. Would they go unresolved if the Salvadoran Government was doing absolutely everything possible, using every legal means, to bring these cases to a just solution?

The expressions that are being made today commemorating the deaths of these dedicated Americans who gave their lives in El Salvador should be read by the Government of El Salvador, as well as by the administration, as a sign that the people of this country have not forgotten. It should be read as a sign that the full support of the American people for the Government of El Salvador will not come until that government fulfills its obligations in bringing to justice those guilty of these murders. It should be read as a sign that the American people cannot fully support the policies of an administration that does not do everything possible to see this matter to a just solution. For the sake of the families of the victims, as well as our Nation's self-respect, those responsible for these murders must be brought to justice.

Mr. DODD. Mr. President, I rise in support of the resolution offered by my distinguished colleague from Massachusetts and I congratulate him on his efforts to keep this issue before the public.

This resolution serves to remind all of us that a year ago this month six American citizens met violent death in El Salvador. While these deaths shocked and stunned our Nation, the tragic fact is that for the people of El Salvador "death is a way of life." And in order to understand better the phenomenon of political violence in El Salvador, I want to talk briefly about the murder of the American churchwomen and about the Salvadoran military and security forces.

These forces, in my view, are living proof of Lord Acton's admonition that "power tends to corrupt and absolute power corrupts absolutely." As evidence of this, one has only to understand that the four American churchwomen who were raped and murdered on December 2, 1980 were raped and murdered by members of the Salvadoran National Guard.

In El Salvador, all of this is an open secret. The names of the guardsmen are known. They were known within 24 hours of the crimes, in other words, Salvadoran authorities know who these individuals are and they have known for a year. They know them by name, rank and serial number. Similarly, the U.S. Government knows who they are. But both the Salvadoran Government and the U.S. Government also know that the chances of the guardsmen ever being tried and prosecuted are virtually nonexistent.

Without belaboring the point, the fact of the matter is this: The Salvadoran legal system simply does not work.

So as we mark the first anniversary of this heinous crime, we regrettably must recognize that in a very real sense nothing has happened to bring those responsible before the bar of justice. And if the past is any guide to the future, nothing will happen.

To put this tragic case in broader perspective, it is necessary to multiply the violent deaths of the American churchwomen and the violent deaths of the American Labor-Land Reform experts by several thousand in order to get some idea of the level of political violence that confronts the people of El Salvador. During the last 2 years, for example, it is estimated that anywhere from 20 to 30 thousand Salvadorans have perished. The human waste and the human tragedy stagger the imagination—no less than the fact that the Salvadoran judicial system has yet to produce a single conviction for any of them.

Just as disturbing, Mr. President, is the fact that whatever the level of violent deaths actually is, all observers agree—with the sole exception of the Salvadoran military—that well over half of these deaths can be attributed to right-wing military and paramilitary elements. Some suggest that even 75 and 80 percent cannot be dismissed out of hand.

All of this suggests, Mr. President, that because of the large measure of influence which the United States has over the Government of El Salvador, it is incumbent on the Reagan administration to exercise that influence in a way that will insure strict civilian control of the Salvadoran military and security forces. Until this happens, I am convinced there will be no end to the political violence that plagues that unhappy land.

Mr. President, I hope the pending resolution will be adopted overwhelmingly.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution, as amended, was agreed to.

The preamble was agreed to.

The resolution, as amended, with its preamble, reads as follows:

S. RES. 250

Whereas one year has passed since the brutal murder in El Salvador of four American missionaries in December 1980;

Whereas two American labor representatives were mercilessly slain in January 1981;

Whereas these violent acts were perpetrated against American citizens who were in El Salvador only to serve the people of that nation;

Whereas the efforts of the Government of El Salvador have so far failed to bring to justice the individuals responsible for these murders: Now, therefore, be it

Resolved, That the Senate:

Expresses its deep concern over the failure of the Government of El Salvador to bring to justice those responsible for the murders of the six Americans;

Urges the Government of El Salvador to use every legal means available to bring about a just and expeditious resolution of these cases;

Welcomes the Government of El Salvador's recent request for U.S. technical assistance in carrying out these investigations.

Urges the Administration to press for such a just and expeditious resolution.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. KENNEDY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1982

The Senate resumed consideration of the bill.

Mr. STEVENS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STEVENS. As a result of moving the amendment of the Senator from Pennsylvania to another place in the bill, the amendment in the first degree of Senator COHEN is now the pending amendment, is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. STEVENS. Mr. President, it is my hope that the Members of the Senate will listen to this amendment. It has been worked out on, I think, a very admirable, bipartisan basis. I commend the Senator from Maine (Mr. COHEN) and the Senator from Georgia (Mr. NUNN) and all those who have worked on this matter.

Again I can state that I have been in touch with the Secretary and with Dr. DeLauer. I cannot say that they are overjoyed at the direction of this amendment, but I think they understand the reasoning behind it. I do believe the Senate will be very interested in the proposal that is to be made now to the Senate.

Mr. COHEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

UP AMENDMENT NO. 734

(Purpose: To limit the use of funds for MX basing)

Mr. COHEN. Mr. President, I send a perfecting amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. SPECTER). The clerk will state the amendment.

The legislative clerk read as follows:

The Senator from Maine (Mr. COHEN), for himself, Mr. NUNN, Mr. QUAYLE, and Mr. RUDMAN, proposes an unprinted amendment numbered 734 as a perfecting amendment to unprinted amendment numbered 730.

On amendment UP-730, in the first line, strike all after the word "which" and insert the following: "$334,000,000 shall be available only for Research and Development related to initial deployment of the MX missile in non-superhardened existing silos in a manner compatible with a permanent basing mode which could include the addition to existing silos of ballistic missile defense, the provision of location uncertainty for offensive missiles and defensive systems, and superhardening and subsequent deployment in a permanent basing mode to be recommended to the Congress by the Secretary of Defense no later than July 1, 1983."

Mr. COHEN. Mr. President, I will just say a few words and then yield to my colleague, the Senator from Georgia (Mr. NUNN).

This amendment has been the result of an effort made between Senator NUNN, Senator QUAYLE, Senator RUDMAN, myself, and others to arrive at a consensus in terms of what this Senate feels the objective is of providing for an interim and long-term basing mode for the MX missile. This language was arrived at to accommodate the objections raised by Senator STEVENS and also I think would give added emphasis to the points that will be made in a few moments by my colleague Senator NUNN.

Essentially, what we are saying with this amendment is that the Senate wants the administration to go forward with the completion of the MX missile on schedule, without delay, but that, in the interim, rather than using the bulk of the money, some $334 million, solely for R. & D. on hardening of silos in a land-based mode, what we would be doing would be to tell, in essence, the administration that we want a broadening of their investigation to mobility, BMD, ballistic missile defense, and any of the others the administration is now willing to consider.

We want the administration to go forward with the principal consideration of those, leaving open the option ultimately of having a hardened silo but only if it is in connection with some mobility or some deceptive mode.

That, in essence, I think is what the Senator from Georgia has expressed a desire to achieve. I believe it is a consensus on this side of the aisle.

With that, Mr. President, I yield to the Senator from Georgia for any comments he would care to make in connection with the amendment.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. NUNN. Mr. President, on this issue I did not have an opportunity to voice my general opinion a few minutes ago when the dialog was going on, so I will take just a few moments by way of background before discussing the specific amendment.

Let me first commend the Senator from Maine for what I think is a most important step taken in the Senate in consideration of this appropriation bill because this step is going to send a very strong signal on the basing mode of the MX.

The issue on the MX is one of survival, survival of the missile, and also survival of strategic stability in the world.

In my view, the President has come forward with several initiatives in the strategic field which should be commended. I will address these subjects in more detail tomorrow, but certainly before saying anything negative, I want to commend the President for taking the initiatives on the so-called communication, command; control (C–3). The C–3 initiatives are stabilizing and increase survival. I think they add to the overall deterrence as well as stability.

I also say the same thing about the President's initiative on the Trident II (D–5) missile program. It adds to stability as well as survivability.

With those positive comments, let me say that I think the proposal to put the MX in fixed superhardened silos is the most ill-advised and ill-conceived portion of the President's strategic program. I have been very much concerned about that basing mode and remain so.

It also raises serious questions about expending over $5.6 billion for what I would call self-deception. The experts who have testified before the Armed Services Committee, and I am sure other committees have had similar testimony, agree that the Soviets today have the combination of yield and accuracy necessary to overcome the levels of hardening contemplated. The MX simply is not survivable in existing silos, whether they are hardened or unhardened. This fact is confirmed by every expert witness who has testified, and it includes also not only governmental witnesses but also knowledgeable outside witnesses, including the Air Force and our intelligence community. The one exception to this testimony is the Secretary of Defense, and I must hastily add that is an important exception because he has made the final decision here. He is the only exception I have found to this testimony that an MX missile in a fixed, superhardened silo is vulnerable and not survivable.

There is considerable doubt in my mind about the wisdom of proceeding with an MX program at all if we cannot, at some point, come up with a reasonable opportunity for survivability of the missile. It has now been established by the Department of Defense, on at least a preliminary estimate, that hardening as they envision it will cost about $5.6 billion for 40 missiles, which is what we call the maximum hardness option. It is my strongly held view that this expenditure and this hardening will not provide any additional survivability unless it is done in connection with some form of mobility, some form of deception, or some form of ballistic missile defense.

So this hardening option the President has proposed in the initial stages, and it is still the President's proposal, in my view, raises serious questions, not only about the survivability of the MX missile, but even more importantly about the overall strategic deterrence and about the survival of some form of stability in the international nuclear equation.

I have been unable to find one scintilla of evidence or analysis which supports the opinion of the Secretary of Defense on this subject.

Mr. President, I ask unanimous consent that a letter and an official DOD point paper on the MX silo hardening, which includes the cost estimates, be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OFFICE OF THE UNDER
SECRETARY OF DEFENSE,
Washington, D.C., November 18, 1981.

Hon. SAM NUNN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR NUNN: In the Armed Services Committee hearing of 27 October 1981, you asked me if we yet had any figures or studies indicating the degree of hardening of Minuteman or Titan silos that would be achievable and the cost of that hardening. I regret not having provided you this information sooner, but we have been working with the Air Force to obtain cost figures that we could defend in the manner you expect. The attached paper presents such information for your consideration.

Again, I am sorry for the delay and I hope this input will be useful to you.

Sincerely,

JAMES P. WADE, Jr.,
Principal Deputy.

M–X SILO HARDENING

Air Force has developed options to fulfill guidance—

18 M–X in Superhard Titan II silos;
36 M–X in Superhard Titan II silos;
40 M–X in Superhard Minuteman silos;
Basing costs vary (FY 82 $).

[Dollar amounts in millions]

System	Titan		Minuteman
Option	18	36	40
Cost:			
R.D.T. & E.	$2.8	$2.8	$2.1
Production	2.5	3.6	2.0
MCP	.9	1.4	1.5
Total	6.2	7.8	5.6

Higher costs for Titan II Options due to the need for additional command and control equipment and, in the 36 case, duplication of facilities as more than one location is required.

Three basic Minuteman programs have been considered—

Reconstruction of silos for maximum hardness;

Reconstruction of silos for about the same hardness level as existing Minuteman solo;

An austere program which does not involve reconstruction and results in lower hardness levels for those silos in which M–X would be deployed.

Basing cost.

	Austere program	Minimum hardness program	Maximum hardness program
R. & D.	1.6	1.9	2.1
Procurement:			
Silos	.7	.9	1.1
Off-site	.5	.7	.9
Construction:			
Silos	.03	.3	.6
Off-site	.87	.9	.9
Basing subtotal	3.7	4.7	5.6
Total program [1]	17.5	18.5	19.4
Per silo cost (millions):			
Silo procurement	17.5	22.5	26.8
Silo construction	.7	7.3	15.8
On-site total	18.2	29.8	42.6

[1] Includes $13.8 billion for 100 operational missiles.

Mr. NUNN. Mr. President, getting to the question of stability, since the MX system would certainly pose some serious threat to the Soviet's large ICBM force, I think we have to ask the question about Soviet perceptions. Would the Soviets believe, if we combine the command, control, and communications improvements, with an MX deployment in a vulnerable position—and I think we have to look at that combination—if we do that, the crucial question I have is whether the Soviets will conclude that this Nation has gone to a policy of launch on attack.

I do not believe that is the goal of this administration. We have always had the option of launching under attack and no

one has ever excluded that. But to go to a policy of launch on attack, or even to have a program that implies we are going to that kind of policy, I think has most significant ramifications in terms of stability.

If the Soviets do perceive that—and I believe the amendment of the Senator from Maine in which I have joined, will go a long way toward showing that this Senate does not believe that should be our position—if we were to be perceived as to be moving in that direction, then the question has to be asked, would the Soviets then shift to a similar launch on attack posture themselves and thus dramatically lower the nuclear threshold? Would an accidental nuclear war become more likely without a survivable MX system?

The answers to these questions have to be addressed. We have asked these questions in unclassified sessions with several different experts. Dr. William Perry, former Under Secretary of Defense directly addressed these questions. I want to quote from this testimony before the committee in answer to my question about the consequences of putting the MX in a nonsurvivable mode, whether it is an open or a hardened silo. That was the question. In reply to that question, Dr. Perry stated:

We would be doing nothing, in effect, different from what the Soviets have already done, which is putting a big, high yield, accurate missile in a relatively unprotected silo. It would seem to me that they cannot conclude anything about our motives any different from what we might conclude about theirs. There would be symmetry in the situation.

Continuing the quotation:

My concern with that is if we have this very accurate, very threatening missile in unprotected silos, and if they do not go to a survivable system themselves—

And those are key words, if they do not go to a survivable system themselves—"then that simply increases the hair trigger on both sides."

Dr. Perry goes on to say:

I am more worried about their side because that now means that if there is some ambiguous message that gets into that warning center and they feel they are going to lose what to them is more than three-fourths of their strategic forces in an attack, then that puts a hair trigger and I do not know how good their warning system is.

Continuing the quote:

I do not know how good their assessment center is. I don't have that much confidence in our own from the point of view of occasional false alarms.

Continuing the quote, and I think this is one of the most important statements that has been made before our committee on the whole question of the MX and the basing mode:

I have lived through some false alarms in our system and in each case we had the luxury of being able to ride out the false alarms because we knew our system. First of all, our ICBM's were not susceptible to attack and, secondly, even if they were, we still had the bulk of our forces in submarines and bombers. So we were able to ride out the false alarms in our own system. I am very concerned about putting them in a position where they will feel that they don't have that luxury when I don't know how reliable their computers are and how susceptible they will be to sending out false alarms.

Mr. President, to put it in language that I think people can understand—and admittedly, this is an oversimplification—what Dr. Perry is saying, as I interpret it—and this is not a quote from him, I make that clear. He is saying that if we go to a position that is perceived by the Soviets as being launch on attack—that is, we do not protect our hard target missiles and render them at least to some degree vulnerable—and if then, they decide that they are going to do the same thing, that they are going to leave their missiles in a vulnerable position, we have together—and make no mistake about this—the Soviets led off in this overall equation. But together, we have lowered the nuclear threshold. We have placed a hair trigger on the nuclear forces of the United States and the Soviet Union.

No longer would we be in a position of simply worrying about computer failure in this country and the flight of geese into radar coverage in this country. We shall have to start worrying, if that scenario were to unfold, about computer failure in the Soviet Union and about geese flying over the Soviet Union.

So, Mr. President, this is not a matter of small consequence. I went on to pose a question to Dr. Perry about the nonsurvivable ICBM's on both sides, if that would not involve both countries in a situation where we have lowered the nuclear threshold. He responded in the affirmative.

Mr. President, I shall not take much more time. I did want to give background on this. I think that, to put it in a proper context, we can back up to October of 1980, before we had all of this debate about the MX basing mode, and this was at the time the MX was going to be put into what we believed at that time was a relatively invulnerable position. In a letter to me dated October 20, 1980, Gen. Richard Ellis, former Strategic Air Command commander, provided the following description about what is destabilizing in the strategic area. I think we all need to realize that this letter was written long before this debate, it was written at a time when the MX was going to be put in a survivable mode. Let us hear what General Ellis said at that time.

Of course, at that time, he was comparing continuing the Minuteman force in the vulnerable position or going to a mobile deceptive MX system. I quote from Gen. Richard Ellis, SAC commander:

The most destabilizing strategic situation that can be devised is one in which a major weapons system of a superpower could be destroyed in a surprise attack by another superpower. To use such a vulnerable system before it was destroyed might then become an attractive military option. For this reason, the Soviets could consider a vulnerable Minuteman force as a first-strike, use-it-or-lose-it system, since it could not survive an all-out attack.

The MX—

Again in the context of October 20, 1980—

on the other hand will be able to ride out a Soviet attack. Therefore, it is both a less tempting and less threatening element in the United States force.

Mr. President, the MX is no longer in that position unless we are able to persuade the administration to change the announced programs. I know that that is not going to come all at once.

I do not pretend that this amendment will absolutely require that, because it is still a matter of the administration making, themselves, that kind of decision. But what this amendment will do that Senator COHEN and I and Senator QUAYLE and others have carefully structured is that it will send a strong signal that whatever R. & D. is expended, that is fenced in in this amendment—and it is the largest portion of the R. & D. for this system—that money will have to be spent in a way that is compatible with mobility, with deception, or with a BMD defense. It makes it plain, as I see it, that the U.S. Senate is not satisfied with the President's proposal on superhardening or on putting missiles in a fixed silo absent—and this is the key—absent a plan, a basing mode plan that has the elements of deception or mobility or a BMD defense, or some combination thereof.

So, Mr. President, that is the essence of the amendment as I understand it. I am delighted to join with Senator COHEN and Senator QUAYLE in what I think is a very important step by the Senate.

Mr. McCLURE. Mr. President, will the Senator from Georgia yield for a question?

Mr. NUNN. I am glad to yield.

Mr. McCLURE. Mr. President, the Senator from Georgia, at one point in the conversation, suggested that we do not want to indicate that we had adopted a policy to retaliate on attack.

Mr. NUNN. Correct.

Mr. McCLURE. The English language is sometimes a strange language to communicate in, because oftentimes, we assume that if it is not one thing, it must be the opposite of the same thing.

Mr. NUNN. Mr. President, I hope I made it plain that we have never rejected the option—the option—of possibly, under conceivable circumstances, launching before our missiles were destroyed. I know this is the Senator's question, but there is a tremendous difference between having a policy that indicates that to the world and having that as an option, which I think all people concerned would agree would be a very difficult option to implement.

Mr. McCLURE. I appreciate the Senator's response, Mr. President, but to make it abundantly clear, if I may, it is not that we have adopted a policy not to retaliate in the event of attack or to fire on attack?

Mr. NUNN. I would not want to answer that question with a yes or no, because my understanding is that our whole strategic system has been designed to avoid having to be forced into a policy position of launching under attack. I would hope that we would continue to have our systems design including but not limited to the MX in a way that does not force us into that policy. But it is my understanding that every Secretary of Defense, including the previous Secretary and this Secretary of Defense, has made

it clear that we would not foreclose the option of taking that step under some conceivable circumstances.

Mr. McCLURE. Mr. President, if I could rephrase that so that at least my own understanding is clear, is the Senator saying that we are not by any means, in this action being taken here today, adopting a policy of fire on attack——

Mr. NUNN. Absolutely.

Mr. McCLURE. But equally, we are not now articulating a policy of the opposite, that says we will not retaliate or fire on attack? That is still an option which is open to us to exercise within the realms of our technological capacity as well as the judgments that we would have to make at that time.

Mr. NUNN. Again, Mr. President, I would prefer, and I am not avoiding the Senator's question, but this is such an important area that I prefer to put it in my own words. What I would say is that I do not believe the President or the Secretary of Defense are going to a launch-under-attack policy, even if this amendment is not passed. I believe that the perception of this program, however, could very well lead one to conclude that combining the C–3 improvements with the vulnerable position of the MX could lead one to believe that we are changing our policy.

It has been my interpretation of the policy of the country for many years and it is my continuing interpretation that we design our systems, we set forth our overall strategic plan in a way that does not force us to move into a launch-on-attack policy; but every Secretary of Defense has made it plain that we do not and in some circumstances, in a preemptive way, preclude that as an option. I must say that it is a very, very difficult and a very, very tenuous option and I would not want the word to go out that we are moving toward a launch-on-attack policy.

Mr. McCLURE. Mr. President, I thank the Senator for yielding. I understand the care with which he has stated his position. I should like to be equally careful in stating mine that I do not think we have ever had a policy that said we will not launch on attack. We have tried to adopt systems and defensive capabilities as well as offensive capabilities that will allow us a different option; and that we indeed hope to be able to maintain that. It is my——

Mr. NUNN. We have never had a policy that precluded that option under some conceivable circumstances, but I think every Secretary of Defense has informed every President that that would be a very difficult option to implement.

Mr. McCLURE. Yes. I certainly do not disagree.

I think the only area where the Senator from Georgia and the Senator from Idaho might have any disagreement on this particular issue is as to what is the measurable change and what is brought about in terms of perceptions.

The real difficulty we have today is that our ability to avoid a launch-on attack is compounded by the survivability question, and that survivability question is brought on not by our own actions at the current time but by the actions of the Soviet Union in developing more powerful weapons that reduce our ability to survive the initial attack.

I agree with the Senator from Georgia that we want to reassert our capacity to survive even under the increased capacity of the Soviet Union, so that we do not have to be faced with that choice. That is the thrust of the amendment. I do not disagree with that thrust at all.

However, I do not want to send the wrong signals, that somehow what we are doing is anything other than a response to the fact that the Russians have already increased their capacity to destroy our counteroffensive capabilities. Certainly, to the extent that we put a stronger, more potent, more threatening weapon in a silo, it may induce the Russians to be more concerned about it and, therefore, more likely to affect their own perception of attack.

But the real destabilizing question, the thing that has brought into question whether our weapons are survivable, is the increased capacity of the Soviet missile structure.

Mr. NUNN. The Senator is correct in the statement about the cause of the beginning of this. The Soviets have deployed systems that have enough megatonnage and increasingly enough accuracy to put our own land-based ICBM systems in threat.

There is an important point: If we should go to a launch-on attack as a policy, we have to worry about our computer failures and our false alarms, and that is bad enough. But if the Soviets should go to a launch-on attack as a policy, then we have to worry about their false alarms and their computers. I think all of us in this world would be much better served if both powers tried to design their forces so as to minimize the chance of miscalculation.

I see the amendment of the Senator from Maine as reaffirming the longstanding and existing policy. I do not see this as in any way changing the policy. I see it as reaffirming it, and I see it as a step toward minimizing any perceptions that might go out that a policy itself is being changed.

Mr. COHEN. Mr. President, will the Senator yield?

Mr. NUNN. I yield.

Mr. COHEN. As I understand the Senator from Georgia, he is saying that if we, in fact, go forward with the MX in a fixed silo, a hardened silo, with nothing more than that, what we are doing is either adopting the policy which the Senator from Idaho has suggested or we are perceived as having done that. In either case, it does not matter, in terms of the ultimate danger posed to both countries.

But that will do one of two things. It will either convey the impression to the Soviets that we have gone to that policy, thereby lowering the threshold, thereby tightening the grip on the trigger, or it will force them into a deceptive base mode of their own. That is the chance we take.

We may go to an MX system which has the capability of taking out their fixed silos, and that may force them into submarines, adopting a different strategy with respect to their own equivalent of Triad. It may force them into a system for their SS–18's. But it may do what the Senator is suggesting—that is, tightening the finger on the hair trigger—and that is a posture which is frightening to both sides. I think we are trying to avoid that by saying that whatever mode is adopted in the long run, it should be combined with some method of deception, something other than having a large, powerful, destructive missile in a very vulnerable silo.

Mr. NUNN. I agree completely with that statement. The Senator has summed it up very well.

Mr. McCLURE. I do not disagree at all. I wish the Soviet Union had been that concerned about our perceptions when they greatly increased the capacity of their ICBM's to knock out our ability to retaliate.

Mr. NUNN. I agree. The Soviets started it. As Dr. Perry said, what we are doing is moving to the same form of symmetry, but both of us together, if we are not very careful, are lowering the nuclear threshold.

Mr. COHEN. Mr. President, I ask unanimous consent to have the names of Senator MATTINGLY and Senator KASTEN added as cosponsors of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COHEN. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. GARN. Mr. President, I will not oppose this amendment. However, I do not think it is necessary. I think we are drifting far, far away to one part of the very complex and very complete strategic alternatives that the President sent to us.

I should like to go back a little, so that we do not lose sight of the problem—a little history on the MX. For one reason or another, I have lived with it and never spent as much time on any other issue since I have been in the Senate. For 6 years, I have been living with MX.

In 1975, it was very apparent to many people that there was a growing missile gap at that time. A lot of people did not believe that. The window of vulnerability was being talked about at that time. The MX was being discussed, from underground railroads to you name it. There were all sorts of alternatives.

I felt very strongly at that time, 6 years ago, that there was no single best alternative and that as long as we tried to find one that would suddenly, in one fell stroke, solve all the problems of vulnerability with the Soviet Union, we would not find it.

So I went to the White House in the summer of 1976 and said to President Ford: "I understand the problems of deciding on a basing mode. It is difficult. But, for heaven's sakes, decide to build the missile."

In 1967, we made a unilateral decision that we would deploy no more ICBM's than 1,054—553 Minuteman II, 447 Minuteman III, and 54 Titans. Now we have 53 Titans to their 1,053. The Soviet Union had about 500 missiles at that time. We

unilaterally stopped, and they continued to build. In 1981, we still have 1,053, and they have more than 1,600.

So, unilateral restraint has not conditioned them to make any concessions at all or to pull back. Those are all the silos we have. We still have a Minuteman II, a Minuteman III, and Titan.

Three years ago, we closed down the only ICBM production line in the entire free world, while the Soviet Union continues to operate four, and while they build the SS–16, SS–17, SS–18, SS–19, and SS–20 for Europe. The SS–18 has 10 warheads; the 19 has 7; and the 17 has 4. We still have a Minuteman II with three.

So, for a change, we have been arguing about a replacement while they have built four, and they have three or four more in advanced stages of development; and we are still arguing about an MX, one replacement.

So I thought that President Ford should at least decide to build some missiles. Let us get on with the missile while we take years, if necessary, to decide on the basing mode. He decided not to decide on the B–1 that summer and to wait until after the election of November 1976, and also on the MX, assuming that he would be elected. He was not elected.

President Carter came into office and canceled the B–1, cut off one leg of the triad, and left us with the B–52. He took 3 years to decide whether or not to complete the missile.

So now we have gone all these years without making any decisions.

If anybody had told me in 1975 that 6 years later we would still be debating MX and what to do with it, while the Soviets continue to build all these missiles, I would have said:

No. Congress would not be that irresponsible. It simply would not sit back and let the Soviets do this year after year, while we to try to pick one perfect method for deploying it.

So in 1977 as a member of the Armed Services Committee we put in report language that required President Carter or requested that he make a decision as soon as possible.

In 1978 there was an amendment that they make a decision by September 30, 1978. The House of Representatives ruined that amendment by putting a barn door amendment to it that if they could not decide by September 30 every month they could report to Senator STENNIS why they had not, and so they did. We got a letter from Secretary Brown every month saying, "These are the reasons we have not yet made a decision."

So when they finally did they picked the most expensive Rube Goldberg vulnerable system that it was possible to pick, 4,600 holes in the desert, 200 missiles. Let us hide them from the Soviet. Do not worry about that they can build more warheads by two than any shelter we can build.

Here we have gone through all of these years, at least 6 years that I have been involved in it, starting and stopping and arguing about how we should base it, and there is one major point I wish to make without regard to any of this debate today, and I am certainly not going to get back involved in debating various basing modes on this day, but it is the importance of not hindering the development of that missile while we still try and find some viable way to deploy it; otherwise, the problem just gets worse and worse. So that missile should be built. It should have been under construction a long time ago. It is one compared to three or four or five or six that the Soviet Union is building.

So I hope none of my colleagues with their differences of opinion on basing modes or how it should be deployed will make the mistake of in any way hindering the development of the missile itself.

The final point I wish to make about why I feel that this amendment is unnecessary, although I am not going to object to it, is I think we are missing the point that we finally have a President who addressed the whole spectrum of strategic.

Senator NUNN said it well: CQ, command, control, and communications, the D5 missile for the Trident and a whole range of options, and no one seemed particularly interested to look at the broadness of his strategic package.

All we have heard about is MX and B–1 like nothing else existed. Maybe they should learn a little bit about command, control, and communications. I do not read about the D5 missile, the improved accuracy, and the improved capability of our sea-based force. We should read something besides B–1 and MX. There is a broad ranging proposal that is the best one I have seen since I have been in the Senate from any President, Republican or Democratic, to address the whole broad range rather than saying an MX will deter the Soviet Union by itself, or a submarine by itself, or a B–1 by itself.

We need that broad cross section of deterrence to keep the Soviets from attacking.

The original concept of a triad, I think, is still workable and we need to preserve those legs of the triad on the theory that the Soviet Union could not possibly attack all three at the same time, nor could they defend against all three. As long as we keep those three legs of the triad strong I do not think they will dare attack us as they would if we continue to weaken, if we do not have the B–1, if we do not have the MX in some form.

So my point is this: I will vote for the amendment that is before us, but I am saying that everyone seems to forget that there is a broad range, and before the press runs out of here and says this is a repudiation of the President's program, which I expect from a lot of them, look at the broad range of what he has offered that is not even controversial and remember the fact that he did not say that this was a permanent basing mode for MX. If it was, if we were being told that the solution is simply to put it in hardened silos, period, I would not be supporting it. It is an interim temporary recommendation while we once again attempt to make a permanent dicision and there are some new alternatives that have not been studied that I think merit further study before a final basing decision is made.

The President did talk about BMD. He did talk about deep base, deep underground, and others. So this amendment, the way it has been worked out, essentially says continue to look at all of them, not just concentrate one one, and that is fine, because I think that is the President's intention all along, and I think that is what his message said.

That is the only reason I say I think it is unnecessary. If you want to firm up the President and say study these alternatives for a permanent basing mode, but I want to make it very clear it was a temporary recommendation, stress the importance of getting on with the MX missile after all these years while the Soviets have built so much and recognize that there is no one single solution, that we must have a broad variety of all of these areas that the Senator from Georgia has commended the President for focusing on the entire program and not just one part of it.

Mr. COHEN. Mr. President, will the Senator yield?

Mr. GARN. I am happy to yield to the Senator from Maine.

Mr. COHEN. I will not disagree with anything he said today, and I think Senator NUNN agrees that the President should be commended for the entire package.

In line with what the Senator said, this amendment does not delay the missile. It keeps it going on schedule. Even more importantly it accelerates it because we, as the Senator, wish to see something done. We actually accelerated the time for the ultimate determination to be made from 1984 to July 1, 1983. So we wish to see it move along and actually wish to see it faster.

Mr. GARN. I understand. As an author of the amendment to try to get the decision made in 1977 and 1978, I understand that part of it. I am not averse to speeding it up. I just wanted to make clear the magnitude of the President's proposal, the broad scope, and the fact that this was only an interim recommendation from him anyway and that is essentially what this amendment is saying, go ahead and do what you told us you would do. We want a permanent basing mode as soon as possible. This is in essence what the Senator is saying.

Mr. COHEN. That is right. This is not repudiation by any means of the President's proposal.

Mr. SCHMITT. Mr. President, will the Senator yield?

Mr. GARN. I am happy to yield to the Senator from New Mexico.

Mr. SCHMITT. Mr. President, the Senator from Utah has emphasized an extremely important point in drawing the attention of the Senate to the President's overall program. The President did make an MX decision. He made a number of decisions relative to strategic policy and as the Senator from Utah has indicated, it is a comprehensive policy.

There is a piece here or there that I might argue with him about around the table but the overall policy is the most comprehensive strategic policy this Nation has had in a long, long time.

Mr. President. I ask unanimous consent to have printed in the RECORD the fact sheets related to the entire policy

that has been provided by the administration.

There being no objection, the fact sheets were ordered to be printed in the RECORD, as follows:

[Schmitt Fact Sheet]

THE REAGAN STRATEGIC PROGRAM

OVERVIEW

Introduction

Over the past few months, we have developed a comprehensive plan for revitalizing our strategic deterrent.

This program will end the relative decline of U.S. strategic capabilities and will put the United States in a position to reshape the U.S.-Soviet strategic competition in the years ahead.

Objectives of program

The Reagan program will, within the next four to eight years, redress the most serious weaknesses in our current posture.

Communications and control systems will be improved to make sure we could communicate with our strategic forces, even after a nuclear attack.

Our TRIAD of land-based ballistic missiles, bombers, and sea-based missiles will be strengthened and modernized as soon as possible, ending long-standing delays in some of these programs.

The Reagan program will determine, to a large extent, U.S. strategic capabilities into the next century. Not since the Eisenhower years has an Administration proposed a nuclear program of such breadth and scope. We have used this unique opportunity to mold a strategic force that will meet the objectives of our strategy and serve as a coherent instrument of national policy.

The Reagan program will create a deterrent to Soviet action against us that is far more secure and stable than exists today.

The Reagan program will increase Soviet incentives to negotiate genuine arms reductions. And, if we must, the proposed program will put us in a good position to strengthen our forces further in response to unconstrained growth in Soviet weapons.

Five elements of program

There are five mutually reinforcing elements of the Reagan program:

Improvements in communications and control systems;

Modernization of strategic bombers;

Deployment of new submarine-launched missiles;

A step-by-step plan to improve the strength and accuracy of new land-based missiles, and to reduce their vulnerability; and

Improvements in strategic defenses.

Each of these elements will be discussed in more detail in the following pages.

Capabilities and costs of program

The Reagan program stresses survivability and endurance. Compared with today's forces, we will, by 1990, roughly double the number of U.S. strategic weapons that could survive a Soviet nuclear attack on our country. We will be able to communicate with these forces during an attack, immediately following an attack, and, if necessary, for extended periods afterwards. These improvements will greatly strengthen deterrence of nuclear war by denying the Soviets any realistic prospects, however they may define them, of gaining an advantage by initiating the use of nuclear weapons.

The Reagan strategic program is affordable; it fits within the fiscal guidelines announced recently by the President. In the early 1960's, when we built many of the nuclear forces that still exist today, the U.S. spent over 20% of the total defense budget on strategic forces. Now, as we modernize our entire arsenal, we anticipate spending less than 15% of the defense budget on strategic forces in each of the next five years. To help fund new initiatives, some obsolescent forces will be retired, with little effect on overall capabilities. Thus, we plan to modernize strategic forces and still meet our other commitments, including strengthening the Rapid Deployment Force, enhancing conventional and theater nuclear capabilities in Europe, expanding our naval and air power worldwide, and ensuring that our armed forces have an adequate supply of well-trained men and women.

THE REAGAN PROGRAM FOR COMMUNICATIONS AND CONTROLS SYSTEMS

DESCRIPTION

We will improve the survivability, performance, and coverage of radars and satellites used to warn us of a Soviet missile attack and to assess its size and scope.

Mobile ground terminals for processing data from our warning satellites will be deployed, and the satellites themselves will be upgraded to improve survivability.

Warning satellites and ground-based radars will be improved to give better estimates of the size and objectives of a Soviet missile attack.

Additional PAVE PAWS surveillance radars will be deployed to improve coverage of potential Soviet submarine operating areas to the southeast and southwest of the United States.

We plan to upgrade the survivability and capability of command centers that would direct U.S. strategic forces during a nuclear war.

E-4B airborne command posts will be deployed to serve the National Command Authority in time of war.

EC-135 airborne command posts serving military commanders will be hardened against nuclear effects and will be equipped with upgraded satellite and very low frequency/low frequency communications.

We will deploy survivable communications that link command centers with all three legs of the TRIAD.

Very low frequency/low frequency communications receivers will be developed and installed on strategic bombers to ensure their reception of orders.

We will upgrade communications to deployed submarines.

A new satellite communications system will be developed providing extremely high frequency communication channels that would ensure two-way communications between commanders and forces.

We will initiate a vigorous and comprehensive R&D program leading to a communications and control system that would endure for an extended period beyond the first nuclear attack.

REASONS FOR PROGRAM

Strategic communications and control systems are needed to ensure that we could employ our nuclear forces effectively, which is essential to a credible deterrent.

Timely warning would be needed to ensure survivability of our alert forces; assessment of the attack would be needed to select an appropriate U.S. response.

Mobile command centers that could survive an initial attack would be needed to ensure that we have the means to direct a retaliation, even if our fixed command centers were destroyed.

Survivable communications links would be needed to ensure the reliable dissemination of orders to our ICBMs, bombers, and submarines.

Over the past decade, we have not modernized communications and control systems fast enough. As a result, these systems are not as survivable as we would like, and they could not operate reliably over an extended period after a Soviet attack, if that proved to be necessary.

The Reagan program will significantly improve the survivability and endurance of strategic communications and control systems. These improved systems will be as strong as the modernized forces they support.

THE REAGAN BOMBER PROGRAM

DESCRIPTION

We plan to develop a variant of the B-1 bomber and deploy 100 aircraft. The first squadron of B-1s will be operational in 1986.

We will continue a vigorous R&D program for an Advanced Technology Bomber (the so-called "stealth" aircraft). This bomber, under current plans, will be deployed in the 1990s.

Newer B-52s (G and H models) will be modified to carry cruise missiles. Selected aircraft will be modernized to provide added protection against the effects of nuclear explosions (particularly electromagnetic pulse effects) and to improve their ability to survive against Soviet air defenses (by installation of additional electronic countermeasures equipment.)

Older B-52s (D model) will be retired in 1982 and 1983.

Over 3000 cruise missiles will be deployed on B-52Gs, B-52Hs and B-1s. The first squadron of cruise missile-equipped aircraft (B-52Gs) will be operational in 1982.

Existing KC-135 aerial tankers will be outfitted with new engines to increase airborne refueling capabilities.

REASONS FOR TWO TYPES OF NEW BOMBERS

There is a general consensus on the need for new strategic bombers. The only issues are which bombers to build and when.

The previous Administration planned to rely on B-52s in the 1980s and to develop the Advanced Technology Bomber for the 1990s. This represented a willingness to accept risks associated with an aging and potentially vulnerable B-52 force, and risks associated with the uncertain schedule and unproven capabilities of the Advanced Technology Bomber.

The Reagan Administration believes the B-1 is necessary to bolster our strategic forces during the critical 1980s, and the Advanced Technology Bomber is needed to provide high confidence that our bombers will be able to penetrate Soviet air defenses into the next century.

The U.S. must depend heavily on bombers (and sea-based forces) in the 1980s while we take steps to strengthen our land-based missiles. We can't afford to wait until the 1990s for a new bomber.

The B-1 will be available in significant numbers by 1987 in accordance with the Congressional mandate; the Advanced Technology Bomber will not be available until the 1990s.

Building the B-1 will allow time to develop an Advanced Technology Bomber that really works. There are currently technical and operational uncertainties about the Advanced Technology Bomber. We believe these uncertainties will be resolved during development and that the Advanced Technology Bomber will be a very effective aircraft when ultimately deployed. Without the B-1, however, there would be pressures to accelerate the Advanced Technology Bomber, which would increase program risks and possibly result in a less capable aircraft being deployed.

Building two bombers will stimulate competition and give the Defense Department the flexibility to adjust bomber procurement in accordance with any changes in estimates of the cost and effectiveness of the two aircraft.

The B-1 will be able to penetrate Soviet defenses initially and will make a good cruise missile carrier and conventional bomber after the Advanced Technology Bomber is deployed and all B-52s are retired in the 1990s. If we did not build the B-1 now, we

would have to start development of another aircraft in the late 1980s or early 1990s to replace B–52s as cruise missile carriers. Thus, over the long run, we would not save much money, and we would postpone once more the deployment of a needed modernization program.

THE REAGAN PROGRAM FOR SEA-BASED FORCES

DESCRIPTION

We plan to continue construction of Trident ballistic missile submarines at a steady rate of one per year, including one submarine in 1981 (the contract is under negotiation), one submarine in 1982 (partially funded by Congress in the FY 82 budget, the remainder will be funded in the FY 83 budget), and one submarine per year in 1983 to 1987.

We will develop a larger and more accurate, sea-launched ballistic missile—known as the Trident II or D–5 missile—for deployment on Trident submarines beginning in 1989.

We will deploy several hundred nuclear-armed sea-launched cruise missiles on general purpose submarines beginning in 1984.

REASONS FOR PROGRAM

Sea-based forces currently represent the most survivable leg of our strategic TRIAD. The Reagan program expands and further strengthens these forces.

The new D–5 missile will carry more warheads and/or larger ones than current C–4 submarine-launched missiles, nearly doubling the capability of each Trident submarine. By increasing the payload of each Trident, we will be able to avoid a reduction in sea-based capabilities when large numbers of existing Poseidon submarines reach the end of their service lives and must be retired in the 1990s.

The new D–5 missile will also have much better accuracy than current sea-based missiles. This will allow us to use sea-launched missiles to attack any target in the Soviet Union, including their missile silos.

To deploy highly accurate nuclear warheads at sea in the near term, we plan to put cruise missiles on existing attack submarines. These missiles will be particularly valuable as a strategic reserve force, a key part of our deterrent posture. Deployment of nuclear sea-launched cruise missiles to strengthen our strategic reserve and to deter the use of nuclear weapons against our naval forces worldwide, does not diminish the critical need to deploy Ground-Launched Cruise Missiles and the Pershing II ballistic missile to counter the massive Soviet build-up of theater nuclear forces in Europe.

THE REAGAN STEP-BY-STEP APPROACH TO ICBM MODERNIZATION

DESCRIPTION

The so-called Multiple Protective Shelter basing scheme for the MX missile will be cancelled.

We will continue to develop MX and deploy at least 100 missiles.

We will pursue R&D on three promising long-term basing options for MX. The development programs will be structured to allow us to select for deployment one or more of these options by 1984.

Continuous Airborne Patrol Aircraft. A survivable long-endurance aircraft that could launch MX.

Ballistic Missile Defense. Active defense of land-based MX missiles.

Deep Underground Basing. Deployment of MX in survivable locations deep underground.

In the near term, we will deploy a limited number of MX missiles, as soon as possible, in TITAN or MINUTEMAN silos that will be reconstructed for much greater hardness to nuclear effects.

Although specific base locations are still under review, the most likely site for the initial MX deployment is an existing TITAN base.

All aging TITAN missiles will be deactivated as soon as possible.

REASONS FOR CHANGING THE MX PROGRAM

The previous Administration planned to conceal MX by moving the missiles among thousands of relatively soft shelters in Utah and Nevada (Multiple Protective Shelter basing). This scheme has serious military drawbacks and does not solve the basic problem, which is the current vulnerability of the MINUTEMAN and TITAN force.

A program to deploy 100 MX in 1,000 shelters would not be survivable against today's threat, much less the Soviet forces that are likely to be deployed in the mid-1980s.

By the same token, a program to deploy 200 MX missiles in 4600 shelters has only one significant difference from the 100 in 1000 plan: it is more expensive (but no more survivable). The more shelters or holes we build, the more Soviet missiles will be built. They can build missiles as fast as we can build shelters, at about the same cost to both countries.

Any ground-based scheme ultimately would require a ballistic missile defense for survivability. But, today, ballistic missile defense technology is not at the stage where it could provide an adequate defense against Soviet missiles. For the future, we are not yet sure how well ballistic missile defenses will work; what they will cost; how Soviet ballistic missile defenses—which would almost certainly be deployed in response to any U.S. missile defense system—would affect U.S. and Allied offensive capabilities; and what would be the political ramifications of altering the ABM Treaty.

While it is not the determining factor, it should be noted that Multiple Protective Shelter basing has strong environmental opponents who would use every available tactic, and there are many, to delay MX deployment.

We believe there are promising alternative basing modes for MX, and vigorous R&D programs will be initiated on three possibilities. We are hopeful that one or more of these alternatives will give far greater survivability than Multiple Protective Shelter basing. We plan to choose among these long-term basing options as soon as sufficient technical information becomes available, and in any event, no later than 1984.

The MX missile itself will be ready in 1986, well ahead of its long-term basing. Meanwhile, initial deployment in existing ICBM silos is the only way to avoid delaying MX. We cannot afford to put off MX, a much stronger and more accurate missile than MINUTEMAN, and continue the decade-long pattern of postponement, vacillation, and delay. Early deployment of MX will break the Soviet monopoly on prompt counter-ICBM capabilities.

While not a long-term solution, reconstructing silos (by adding more steel and concrete to help withstand nuclear explosions) would force the Soviets to develop more accurate missiles and might well keep them from achieving a high confidence counter-MX capability until the late 1980s, by which time we will have a better system.

THE REAGAN PROGRAM FOR STRATEGIC DEFENSE

DESCRIPTION

We plan to upgrade, in coordination with Canada, the North American air surveillance network. The plan will include some combination of new over-the-horizon backscatter (OTH–B) radars and improved versions of the ground radars that exist today.

We will replace five squadrons of aging F–106 interceptors with new F–15s.

We plan to buy at least six additional AWACS airborne surveillance aircraft for North American air defense to augment ground-based radars in peacetime and to provide surveillance and control interceptors in wartime.

We will continue to pursue an operational anti-satellite system.

Research and development on ballistic missile defense will be vigorously pursued.

As discussed under ICBM modernization, we will expand ballistic missile defense R&D for active defense of land-based missiles.

We will develop technologies for space-based missile defense.

An expanded, cost effective, civil defense program will be developed in coordination with the Federal Emergency Management Agency.

We will pursue other related programs and objectives.

REASONS FOR PROGRAM

We have virtually ignored strategic defense systems for over a decade. As a result, we have large gaps in the North American air defense warning network; our strategic air defense interceptors are obsolete; and our anti-satellite and ballistic missile defense programs have lagged behind the Soviets.

The Reagan program ends these years of neglect. We have taken the first steps toward restoring credible strategic defensive forces. In the years ahead, we plan to continue our review of strategic defense to determine what additional steps may be needed

Mr. SCHMITT. Mr. President, I believe the Senator from Utah would agree that that will add some balance to the discussion we might have had up until now.

In the context of the MX discussion, it is important to note that first there is a decision to produce the MX missile. The Senator from Utah mentioned that the deciding began in 1975, I think. The actual initial planning for MX began in 1960, for crying out loud, and then there was a significant movement in the direction of follow-on to the Minuteman in the mid-1960's.

The Senator may also recall as a footnote that it only took us I believe 30 months to produce and begin deployment of the Minuteman system.

It is now 21 years and it will be I guess 26 years before we reach the IOC of this particular missile system. That is unbelievable. If one wonders why we are having trouble doing anything defensively for ourselves and the free world it is because somehow we lost track of how to get anything accomplished.

Mr. President, it is clear that there has been a decision to produce the MX missile and, second, a decision on an interim basis to base this missile in existing silos until such time as another permanent basing mode is determined.

Right, now, Mr. President, the Soviet Union must be very concerned, and must begin the allocation of resources based on a variety of deployment schemes any one of which, or several of which, the United States may select. I think that that in itself is a positive outcome of the President's strategic policy.

We not only get a relatively new, only 26-year-old, missile system coming on line, although significantly improved over the earlier concepts obviously, but we will have a number of options to ex-

ercise. I hope we exercise several of those options because each one of them requires a different response on the part of the Soviet Union. Unfortunately, I find we continue to put attributes of strategic policy, our own attributes of strategic policy, on the Soviet Union rather than looking at the reality of what is driving their policy.

The Soviet Union is, as the Senator from Idaho indicated, forcing the United States in the direction of considering a launch-on-warning far more than we ever have in the past. It is their improvements not only in accuracy but in total missile capability that have degraded the effectiveness of our deterrent force.

In addition, the production of the MX provides us with a new booster system, an important new booster system, that will have other applications besides those under discussion here today.

By initially basing the MX in silos rather than multiple protective shelters, the MPS mode of deployment, a great deal of money is saved, money that could be used for missile defense and for a variety of other defense and deterrent purposes.

An emphasis, Mr. President, on missile defense begins a very, very important movement, philosophical movement, in our strategic policy; namely, a movement away from a policy based on mutual assured destruction of the past toward a much more rational and much more moral policy of assured protection, not here but now clearly visible on the horizon.

This protection not only would cover our military assets, but also our human and economic assets through the technology that would be developed along such a path.

Clearly related to the decision, the strategic decision, of the President, as has been indicated here this afternoon, is the President's decision to allow for increased expenditures for command, control, and communications, the so-called C^3 functions of defense, and to make this a far more vital aspect of our national defense than we have allowed it to be in the recent past.

Mr. President, while superhardening does not seem to this Senator to make a great deal of sense in the total context of the President's strategic policy, funding for studying this alternative and its potential benefits, including whatever it forces the Soviet Union to do with regard to planning and allocation of their resources, should not be precluded. As I interpret the amendment offered by the Senators from Maine and Georgia, it does not preclude that consideration. If I thought it did, I would have to oppose the amendment because I think it would, in fact, undercut certain aspects of the strategic policy articulated by the President.

Mr. President, finally, I think it is impossible to over-emphasize the importance of beginning the systematic allocation of resources for the protection of the defense and economic and human assets of the United States. BMD, so-called ballistic missile defense research and development, is just a small part of what should be done. It must be linked to a wide variety of technological advances in communications, in control, in command systems, in detection systems, as well as moving toward a much more advanced overlay style system. This overlay system will, in part, if not entirely, on the development of directed energy weapons, both airborne and spaceborne, that will eventually offer the free world and all of mankind the option of making these missiles of mass destruction obsolete.

I hope we all recognize in the President's strategic policy which I have introduced into the record in the form of fact sheets, that we do now have a clear option to move along the path of protection and of eventually making large proportions of these weapons of mass destruction obsolete and, therefore, unnecessary.

Mr. President, to summarize arguments in favor of most aspects of the President's policy, arguments put forth by the Senator from Delaware (Mr. ROTH) and myself to the President September 25, 1981, I ask unanimous consent that our letter to the President be printed in the RECORD, and also a more general discussion of these issues in the form of an op-ed piece authored by myself and Senator ROTH published in the Washington Star—I think we would remember the Washington Star—on June 18, 1981.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., September 25, 1981.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: On July 2, we wrote to you expressing our concern about the Multiple Protective Shelter (MPS) basing mode for the MX missile and proposing an alternative "strategic program" addressing U.S. defense needs for the 1980's. In light of your recent decision to cut-back on the growth of the defense budget over the next three years, we urge you to once again consider our silo-basing proposal as an alternative to any MPS basing mode for the MX missile.

In the previous letter we noted that the basing debate itself has drawn attention from the need to define the best overall strategic defense policy for this country. That strategic policy will not be served well by deployment of the MX missile in an MPS basing mode if, at the same time, cuts are made in vital related programs such as command, control, and communications (C^3) programs. Nor will that policy be served well if we delay pursuing programs which will move U.S. policy from one based on Mutual Assured Destruction (MAD) to a policy based on defending our military, economic, and human resources.

The key elements in our proposal are as follows:

1. Complete the R&D and production of the MX missile as a necessary addition to our strategic arsenal.

2. Base 200 MX missiles in converted Minuteman and Titan silos. This would result in a net increase of 1,800 deployed re-entry vehicles of greater accuracy, with full operational capability by 1986—4 years ahead of MX/MPS.

3. Protect one field of MX missiles with a low altitude ABM defense, within the ABM Treaty limitations. While such a defense will not be fully effective, it will increase the survivability of those MX missiles, provide us with operational experience with an ABM system, allow us a capability to expand the ABM system quickly should the Soviets decide to breakout of the Treaty, and signal the Soviets that we are prepared to proceed with ballistic missile defense. In addition, R&D on non-nuclear overlay ABM defenses should be accelerated.

4. Commit adequate funding of the Trident II (D-5) SLBM so that its projected schedule is maintained.

5. Accelerate a number of other strategic programs such as Minuteman upgrades, early warning upgrades, C^3 upgrades, improved navigational programs, etc.

Not emphasized in our previous letter, but of increasing importance, is the value of the MX missile in any land based deployment as part of a total "launch on warning" system. In concert with improved space-based attack warning systems and ground-based attack warning systems and ground-based attack verification analysis, the increased boost capability of the MX permits consideration of launching warheads to orbit if an attack has been launched against us—in effect, a fail-safe mechanism. Once the Soviets believe we can and will implement a launch on warning capability, the window of vulnerability will be slammed shut.

Together with other ongoing weapons programs, such as deployment of large numbers of cruise missiles and R&D on space-based lasers, we believe that this approach will serve our strategic requirements well into the 1990's. This proposal will also save over $15 billion between now and FY 1987 while deploying other important weapon systems earlier than currently planned. Much of the savings occurs in the FY 1983 to 1985 time frame.

At this time the case for any MPS basing mode is not convincing, public opinion is opposed to it, and the cost is too high, especially within the context of a balanced budget. We believe that our proposal would be supported by the Congress because it addresses our vulnerability earlier than other alternatives, saves money, and puts more strategic weapons in the field. Moreover, by adequately funding R&D for future, non-nuclear space-based defenses, this proposal brings closer the day when weapons of mass destruction may become obsolete. Finally, by demonstrating a real commitment to a strong defense now, it encourages the Soviets to consider real weapons reductions in arms control negotiations.

Thank you for your continued efforts to insure our national security and for your consideration of our proposal. We are at your disposal to discuss these maters further if you so desire.

Sincerely,

WILLIAM V. ROTH, JR.,
HARRISON H. SCHMITT,
U.S. Senators.

A BETTER WAY TO DEFEND OURSELVES

(By HARRISON H. SCHMITT and WILLIAM V. ROTH)

The Reagan administration and the Congress must solve the problem of our strategic military vulnerability. For the first time in history, the threat of a successful first strike against our missile forces holds our foreign policy hostage to Soviet ambition.

The Carter administration's solution was to deploy 200 MX missiles in 4,600 Multiple Protective Shelters (MPS) in Utah and Nevada. This six to nine thousand mile so-called "race track" basing system is an ill-considered scheme of monstrous economic and societal proportions, and of questionable technical validity.

The staggering cost will preclude development of more promising state-of-art strategic weapons needed to ensure peace and security.

A consensus has emerged in this country

to strengthen N.S. national defenses. But the days when we could afford to spend almost limitless amounts on defense are behind us. Every dollar spent must buy the maximum real military capability, and must be weighed against its long term impact on the economy.

The U.S. needs a new strategic policy for the rest of this century, not continued reliance on weapons of mass destruction and the strategic policies of the last two decades.

We must begin moving away from the doctrine of Mutually Assured Destruction (MAD) and begin defending our freedom. In brief, we must take advantage of America's technological superiority to leap-frog the Soviet Union and develop strategic weapons that will make weapons of mass destruction obsolete.

SAFETY IN DIVERSIFICATION

Although achieving this goal will take years, we must begin now by concentrating on two areas: defenses against ballistic missile attack and diversification of our own strategic threat to the Soviet Union.

Allocating $40 to $50 billion at a minimum for the MPS basing of the MX missile will divert budget resources from these urgent tasks.

The immediate issue is how to make a sufficient number of U.S. ICBMs invulnerable to a first strike. Only ICBMs can be successfully used against hardened Soviet missile sites (as opposed to population or economic targets.) But the 1,000 silo-based Minuteman missiles—the core of U.S. hard-target retaliatory forces—are now too vulnerable to a pre-emptive strike to present an effective deterrent, largely because of the now highly accurate Soviet ICBMs targeted against them. MX missiles deployed in 4,600 shelters by the early 1990's will be similarly vulnerable (in the absence, of course, of enforceable limitations on the growth of Soviet missile forces.)

The answer to this dilemma is to begin work on Anti Ballistic (ABMs) to protect our fixed silo fields, and to place more capable missiles, such as the MX with 10 MIRVED warheads, in those or new silos. Even a limited, low altitude ABM system could protect enough missiles to assure sufficient retaliatory capability to deter a Soviet first-strike. At the same time, we should accelerate work on a more sophisticated nonnuclear intercept system, such as lasers, to stop incoming missiles out in space or soon after launch. Fortunately, the technology base is in hand for such systems.

As the second element of a new strategy, we should accelerate diversification of our means of retaliation. Besides relying on a combination of land-based MX and Minutemen missiles, we should speed up the development and deployment of the Trident II submarine-launched missile, which will be the first sea-based ICBM capable of destroying the hardened Soviet ICBM force. We should also proceed with development and deployment of sea, air, and land-based cruise missiles. These weapons are relatively inexpensive, mobile (hard to detect and destroy), and available technology can make them highly accurate.

A number of other programs that take advantage of U.S. technological superiority are also important. For example, we should pursue our superiority in space. Space-based defenses offer the potential for the U.S. to "gain the high ground"—not to base offensive weapons of mass destruction, but to enhance our defenses against weapons of mass destruction. Examples are early warning satellites to provide our decision makers with more time to react and reliable satellite communications for submarines.

Technology is our margin of superiority over the Soviets in strategic systems. We ignore it at the peril of ourselves and mankind. Economically, MPS basing of the MX would require the expenditure of tens of billions of dollars in 1983 and 1984 at precisely the time when other absolutely necessary defense expenditures must be made and the total federal budget must be brought into balance. In effect, MPS basing would imprison the defense budget and a balanced total budget.

The program we propose offers numerous advantages:

By using existing silo fields and protecting them with ABMs, we announce that the U.S. no longer accepts the MAD doctrine of annihilating innocents as our only deterrent philosophy. By deploying a hard target capability at sea, we move weapons of mass destruction further away from our people and our territory, and add immeasurably to deterrence.

The Soviets cannot find and target our submarines in the open ocean with any real assurance of success;—by diversifying the threat we present to the USSR (land-and-sea-based ICBMs, and sea-, air-, and ground launched cruise missiles), we force the Soviets to bear a greater economic burden by spending billions of dollars on an array of inherently expensive defenses; and—by presenting the Soviet Union with these dilemmas, and the U.S. willingness to do what is necessary for its own defense and that of its friends, we will, more than any wishful thinking, bring them to the conference table to talk about real arms control.

SAME OR FEWER DOLLARS

This program to correct our strategic vulnerability and regain the initiative can be pursued with the same or fewer dollars than would be expended for the proposed MPS basing scheme.

Many of the programs outlined are already planned for the 1980's, but at funding levels that are far too low to be successful. The astronomical cost of an MPS would force delay or postponement of many of these systems.

The United States defense and public sector budget cannot afford to be held hostage to such a plan. We cannot afford to find ourselves more vulnerable to Soviet threats at the end of the '80s than we are now. Moreover, the taxpayer should not have to accept such unnecesary expenditures.

Mr. SCHMITT. I thank the Senator from Utah for his courtesy and the Senator from Alaska for allowing me to proceed.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The Senator from Michigan.

Mr. STEVENS. Mr. President, will the Senator yield for a tactical question?

Mr. SCHMITT. I am happy to yield to the Senator.

Mr. STEVENS. Mr. President, the Senator from Arkansas has an amendment that would prevent any money for interim deployment. The Senator from Maine and others here have this amendment we are discussing now.

I wonder if it is possible that we have the discussion on the amendment of the Senator from Arkansas—as he points out his discussion would be about the same matter—and get an agreement when we might be able to vote first on the modified Cohen amendment. It is the Cohen-Nunn amendment, is it not?

Mr. COHEN. That is correct.

Mr. STEVENS. Then if that is agreed to I would then, as I told my good friend, move to table his amendment. If it is not agreed to we would have an up-and-down vote on his amendment at that time. Is there any problem with that?

Mr. COHEN. I have no problem.

Mr. STEVENS. Mr. President, will the Senator inform me how much longer he might be involved in this discussion?

Mr. COHEN. I have no further requests for time. Senator NUNN, do you have any objection?

Mr. NUNN. That sounds reasonable to me. I am agreeable to handling it that way.

Mr. STEVENS. I am just trying to facilitate this.

Mr. NUNN. Will the Senator get into the debate on the Pryor amendment now and the Nunn amendment?

Mr. STEVENS. We have debate on the Pryor amendment now, let the Senator from Arkansas describe what his amendment is, and get an order that it be in order to discuss that now and then we would have back-to-back votes on the Cohen amendment and then, if necessary, on the Pryor amendment.

Mr. GARN. Mr. President, reserving the right to object, and I will not, I would simply make the point before we do that that the Senator from New Mexico waited patiently over and over again through several of us speaking, so I would not object, Senator STEVENS, if the Senator from New Mexico could finish his remarks, and then I think we would be happy to do that. But he simply has waited for a long, long time, deferred to me, to Senator MCCLURE and many others, and I just would not object if he could finish his remarks and then we would be happy to proceed along the lines stated by the Senator.

Mr. STEVENS. I did not have any intention of interrupting for the purpose of asking a unanimous-consent agreement. I just wanted to see if it was possible. I shall clear it, and I thank the Senator from New Mexico, who had the floor, for yielding to me.

Mr. LEVIN. I wonder, Mr. President, if I could ask the Senators from Maine and Georgia—the Senator from Georgia is within earshot—to clarify their amendment for me.

Let me repeat, I am wondering if the Senator from Maine, Mr. President, might be willing to clarify this amendment for me, and I also ask the question of the Senator from Georgia and, in fact, let me ask the Senator from Georgia first: Is it your intention in this amendment to stop the expenditure of these funds, these identified funds, for research and development of a super-hardened silo basing mode, these funds that are identified?

Mr. NUNN. Is the Senator posing that question to the Senator from Georgia or the Senator from Maine?

Mr. LEVIN. I would like both of the Senators to answer it because I, frankly, am uncertain. I heard the Senator from Georgia indicate this is a change from the President's program. I heard the Senator from Maine say that it is not in any way a change from the President's program.

Mr. COHEN. If the Senator would yield, I think I said a repudiation of the President's program. It does, in fact, work a change. Does the Senator want to know exactly what the change is?

Mr. LEVIN. I would like to frame a question, because I think I heard both

Senators speak on it. My question is this: Can this money be spent to harden those silos, for R. & D. for silo hardening? That is my question.

Mr. COHEN. Of the $334 million, the answer is no.

Mr. LEVIN. Now, I wonder if the Senator from Georgia agrees with that. I hear the Senator from Illinois saying he does not agree with that interpretation. I am not sure what this language means. But I would like to be sure from both prime cosponsors here that this money cannot be used for R. & D. to harden silos. Would the Senator from Georgia agree with the Senator from Maine on that point?

Mr. NUNN. That is correct.

Mr. LEVIN. Why can we not just say that real nice and simply in this amendment.

Mr. NUNN. Has the Senator from Michigan tried to get a majority vote on an amendment around here?

Mr. LEVIN. Yes, I have. Not with a lot of luck, but I have.

Mr. NUNN. You have to negotiate language that sometimes becomes rather complex in order to get everyone on board an amendment. I think this is what this one has gone through.

Mr. LEVIN. I appreciate that. I have negotiated some language myself. But I do not think we want to obfuscate the intent of the two Senators here.

Mr. COHEN. First of all, there is no intent to obfuscate. The Senator from Alaska raised the point. This amendment does not preclude the administration from doing R. & D. to deal with the possibility of long-term hardening of silos, provided it is in conjunction with the point the Senator from Georgia has raised, some mobility, some deception. That has never been our intention to preclude that. What we have said is that of this $334 million, that money will be spent on these other options.

Now, there is still money available in the appropriations bill to explore Big Bird. There is still money to explore deep basing. There is still some $20 million to explore R. & D. for hardening if, in fact, that becomes a long-term proposal of the administration.

We have clearly, I think, expressed that as our intent to allow that. But what we are saying is of this $334 million that will be used, that is the bulk of the money on the other options.

Mr. LEVIN. I thank the Senator from Maine. Let me ask another question.

The President has announced an interim program of R. & D. to hardened silos. He called it an interim program. Let us use that. It is as good a word as I know.

As I understand the Senator from Maine, his amendment, and the Senator from Georgia, this money cannot be spent on R. & D. on that interim program of hardened silos? Is that correct?

Mr. COHEN. That money that is specified, $334 million, that is correct.

Mr. LEVIN. That is the money which was in this bill for that purpose in the President's program.

Mr. COHEN. There was more money in the budget.

Mr. LEVIN. Any other money?

Mr. COHEN. I was just saying there is another $20 million that can be used for R. & D. purposes, not for military construction in this bill, for long-term R. & D., with a go for that ultimate solution. That is correct.

Mr. LEVIN. My words were: On the President's interim program, not on the long-term program. My words were: Is there any other money in this bill that the Senator from Maine knows about for the President's interim program, R. & D. money for fixed silos?

Mr. COHEN. Not to my knowledge.

Mr. STEVENS. Will the Senator yield?

Mr. COHEN. I am happy to yield to the Senator from Alaska.

Mr. STEVENS. There is an additional $20 million there that can be used on interim if they wished to do so related to the R. & D. for hardening.

Mr. LEVIN. That would be on the interim program on fixed silos, is that correct?

Mr. STEVENS. Right.

Mr. LEVIN. Is my understanding, therefore, correct that the money which is being prohibited for that purpose constitutes $334 million of $354 million?

Mr. COHEN. That is correct.

Mr. LEVIN. And I am wondering if the Senator from Georgia would agree with that.

Mr. STEVENS. It is $375 million, and that is already earmarked $21 million for long term.

Mr. LEVIN. I thank the Senator from Alaska. But I am talking about the interim program. In all my questions, I think I have tried to make clear that we are talking about the President's interim program for R. & D. on fixed silos.

Mr. NUNN. I would say to the Senator from Michigan that what we are attempting to do here is send a strong signal to the administration that we want any interim program to really, in effect, merge with the permanent program, at least in the planning stage, so that any kind of hardening or any kind of fixed silo location on the MX will be compatible with deception, mobility and/or a BMD defense. It is a compatibility thing.

If the Senator is asking the question, though, whether there is any money here that can be used for superhardening, the answer is that a large portion, a great large portion, $334 million out of $354 million, is fenced in as I have described it. There is $20 million that is not fenced in that could conceivably be used by the administration any way they would desire.

Now, one of the difficulties here is, of course, determining how much money would it really take to do the R. & D. on a fixed silo or a superhardened silo. We have never gotten from the administration a breakdown of how much of this money was going to be used on a superhardened silo. But I would say to the Senator that I would submit it would be very difficult for them to proceed very far with $20 million for that purpose.

Mr. LEVIN. I will try to restate it as clearly as I know how, because I do think we ought to know what we are doing. I think this is the most critical program and I think we ought to be clear. I know the problems of working out an agreement and I appreciate them. I am not trying to upset them.

What the Senator from Georgia, as I understand it, is saying is that we have fenced in, in this amendment, the Senator has fenced in in this amendment $334 million of the approximately $354 million that was in this budget at the President's request for an interim program of fixed silos, hardening fixed silos.

Mr. COHEN. If the Senator would yield, that is not precisely correct: $354 million in the President's interim program was principally focused upon the fixed silo, but then the less included options were explored, the BMD and the other things. What we have tried to do is say you will spend that $334 million on the other options. So the President's program originally had the option, as well, but the principal focus of the President was on the fixed silo, with an ability to move to others. We said, "No, we want the others in first, the $334 million. You have the option of ultimately going to the fixed silo." We changed the emphasis.

Mr. LEVIN. I understand that. I heard the Senator when he introduced the amendment. It is not just changing the emphasis, you are prohibiting flat out the use of $334 million for R. & D. on this interim hardening of these fixed silos. Is that correct?

Mr. COHEN. Yes.

Mr. LEVIN. I understand from the last answer from the Senator from Georgia that that is correct. Am I correct in saying that was the Senator's statement?

Mr. NUNN. I apologize to the Senator. I was listening to another conversation. I will have to ask him to repeat that question. I know that is an inconvenience.

Mr. LEVIN. I am not sure that I could, so I think I will settle for the statement from the Senator from Maine.

Mr. DIXON addressed the Chair.

Mr. LEVIN. I have one other question, and then I will be happy to yield to my friend from Illinois.

Is it the intention of the sponsors of this amendment that the money be spent in a way which is compatible with arms control agreements entered into by the United States?

(Mr. SYMMS assumed the chair.)

Mr. NUNN. I can answer that question. As the Senator from Michigan knows, I raised that point in the Armed Services Committee. I was concerned, and I remain concerned, that the administration's plan to go to superhardening on these silos would possibly violate SALT I and SALT II. We had testimony on that from the head of the Strategic Air Command. We were supposed to get some answers back from the administration on that. That question was posed to the Secretary of Defense in open session, as I recall it, and he said that in his opinion it did not. But, again, as in the instance of hardening, he did not give us anything to back that up.

So where we are on that subject is that we have the head of the Strategic Air Command saying that in his opinion it

would require some renegotiation of SALT I and SALT II if we went to a hardening of the Minuteman silos. This amendment does not touch that subject. This amendment was not designed to touch that subject. That is another bag of worms. And I in no way believe that this amendment touches that subject.

But it remains a matter of concern to the Senator from Georgia, not only from the point of view of a possible violation by the United States, but even more importantly, that provision that limits the size of the launches and adjustment to launch missiles and launchers and, by implication, silos.

That provision was inserted by us, the United States, as a way to moderate the Soviet overall thrust in the very significantly and fast-moving modernization program. In other words, that provision was placed in SALT I and SALT II, as I understand it, for our benefit. So it gives me concern.

I know the Senator from Maine would agree that this amendment does not affect that question one way or the other, except I would say this amendment does discourage going to superhard silos on an interim basis. It takes away most of the money that could be used for that purpose so in that sense indirectly it makes that event less likely on an interim basis.

Mr. LEVIN. Mr. President, I want to try to phrase a question to both Senators at the same time so I can get an answer. I think we have come most of the way in clarifying the one issue, but I want to pin it down a little more. Until then, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DIXON. May I say, Mr. President, in response to the distinguished Senator from Michigan earnestly as I know how, that I must say that I do not draw the same conclusion as my distinguished friends, the Senator from Maine and the Senator from Georgia, concerning what this amendment does. I think this amendment is better than the bill in its present form, but I think this amendment is a good example of the practice we engage in too often here, of dealing with unprinted amendments on matters of the greatest importance to the country when we do not understand what the amendment does.

I have the amendment in my hand. Here is what I think the amendment does: Instead of permitting the appropriation of $354 million to harden those silos, it says, "You shall have $334 million for research and development." That is true.

Here is what it says: "Shall be available only for research and development related to the initial deployment of the MX missile in non-superhardened existing silos in a manner compatible with the permanent basing mode." That is all right initially.

Then it says, "which could include" and then it names several things. What is one of the things it names? "Super hardening and subsequent deployment in a permanent basing mode," and so forth, to be recommended to the Congress on July 1, 1983.

I say to you that while I congratulate the Senators who offered this amendment on at least saying we should study other things, mobility and a variety of other things, that this does, in fact, say that the administration, if it wants to go forward, can go forward with the super hardening of the silos as presently planned.

Mr. NUNN. Will the Senator yield?

Mr. DIXON. I do yield.

Mr. NUNN. The Senator is correct. The term super hardening is used at the end, but you have to read that in connection with mobility and deception. I have no objection to R. & D. being done, although I am very dubious about the results of it. I have no objection to R. & D. being done on a long-term basing mode that would include superhardening, mobility, deception, and BMD as a package. I do vigorously object to an interim super hardening kind of solution. The two are quite different.

There was a proposal that would have involved superhardening and mobility and deception as a long-term permanent solution.

This is designed carefully not to preclude that.

Mr. DIXON. But may I say to my distinguished friend, and this is a matter of where honorable people disagree with what the amendment says—again I suggest that the unprinted amendment is the wrong way to approach this serious problem—I would suggest as a lawyer that this is written in the disjunctive sense which could include several different alternative things, one of which is superhardening in subsequent deployment in a permanent basing mode.

Mr. NUNN. The Senator has to read the words "permanent basing mode" in front of that and you have to read the superhardening after the words "permanent basing mode." The superhardening goes with the permanent basing mode but it also goes with mobility and deception and BMD and defense. But you are correct that these funds are not prevented from being used for long-term permanent basing modes that would include as one of its elements superhardening.

Mr. DIXON. May I simply say that I think that the amendment of the Senator from Arkansas that simply takes out the $354 million all together is a better proposal to this problem in sending the proper message.

Mr. NUNN. If the Senator will yield, I want to make it clear that the $334 million cannot be used for superhardening. It can only be used for non-super-hardening silos. This is all R. & D. We are not talking about any construction at all. We are talking about research.

Mr. DIXON. I understand that. But the question of the Senator from Michigan was about R. & D. He said it could be used for R. & D. I say it can be used for R. & D. That is the only point I want to clarify here.

Mr. NUNN. It can be used for R. & D. on non-super-hardened silos but that non-super-hardened silo has to be compatible with a long-term basing mode that could include mobility and also include deception and BMD and superhardening. The object here is to prevent an interim superhardening. I think that is what the amendment does. That is what it is to do. But it is not to preclude long-term superhardening in the event that is deemed to be compatible with mobility, deception, and BMD. This money cannot be used for R. & D. on super hardening, this $334 million. The $20 million could be.

Mr. LEVIN. Will the Senator from Georgia yield for one more attempt? I wonder if I can have the attention of the Senator from Maine also. I think I can phrase the question properly.

Is it a correct interpretation of the amendment to say that it flatly prohibits the expenditure of any of the $334 million on R. & D. on superhardened silos as a part of any interim program prior to July 1, 1983.

Mr. NUNN. The Senator is correct.

Mr. COHEN. It is for during the fiscal year. July 1, 1983.

Mr. LEVIN. The Senator from Maine would agree with this, with that modification?

Mr. COHEN. I do.

Mr. LEVIN. I thank the Senator.

Mr. PRYOR. Mr. President, I would like to ask a couple of questions in a moment, but first I would like to make a short statement, if I might, to inform my colleagues that either sometime this evening or perhaps in the morning, whatever the time situation might become, I do plan to offer a substitute amendment to the Cohen-Nunn amendment. My amendment, I can guarantee my colleagues, is going to be a very, very simple amendment to understand because it takes away all of the $354 million for the interim basing mode.

Mr. COHEN. Will the Senator now tell me whether it will be a printed or unprinted amendment, to satisfy my curiosity?

Mr. PRYOR. To satisfy the Senator's curiosity, I think it will be a printed amendment by that time, but it will be so simple, it will not have to be printed. I can guarantee that.

Mr. NUNN. Will the Senator yield for just 10 seconds?

Mr. PRYOR. I am happy to yield.

Mr. NUNN. Mr. President, in answer to the question Senator LEVIN posed, I did not pay careful enough attention to his tables because he put 1983 in there. Senator COHEN asked for this fiscal year. I am informed by usually reliable staff that this money is available for obligation for a period of 2 years. That is up to September 30, 1983. That is the nature of an R. & D. account.

Does the Senator from Maine agree with that, that Air Force R. & D. title V is available for obligation to September 30, 1983?

Mr. COHEN. It can be obligated to then, Mr. President.

Mr. NUNN. So that would be the answer.

Mr. DOLE. This amendment is of particular interest to me and to the people of Kansas, because of the possibility of the MX being based in the Titan silos in the Wichita area. While I do not think we know yet what the most desirable basing mode for the MX should be, this

amendment, as I understand it, does leave open all the options for MX basing, including super hardening of Titan silos if that turns out to be the best long-term decision. It may be helpful to encourage, as this amendment does, looking hard at other options earlier than has been planned.

UNANIMOUS-CONSENT AGREEMENT

Mr. BAKER. Mr. President, will the Senator permit me to interrupt for a brief moment?

Mr. PRYOR. I would be proud to yield.

Mr. BAKER. Mr. President, I am advised that we have now cleared on both sides of the aisle a unanimous-consent agreement to vote at 7 o'clock on the Cohen perfecting amendment to the underlying Cohen first-degree amendment. If that is correct and if the minority leader is prepared to put that request at this time, I am prepared to do so.

Mr. ROBERT C. BYRD. Yes, Mr. President.

Mr. BAKER. Mr. President, I ask unanimous consent that a vote in relation to the Cohen perfecting amendment occur not later than 7 p.m. and that the time between now and 7 p.m. be equally divided between the author of the amendment and the minority leader.

Mr. PRYOR. Reserving the right to object, Mr. President, if the majority leader would answer a question, please: Am I correct in saying that my substitute amendment would then be the amendment first in order when we proceed in session tomorrow?

Mr. BAKER. Mr. President, I do not believe I am in a position to answer that question.

The PRESIDING OFFICER. Are there any objections?

Mr. LEVIN. Reserving the right to object, Mr. President.

Mr. PRYOR. May I rephrase that question? After the disposition——

The PRESIDING OFFICER. If the Senator will suspend, the Chair states that the order was that the Senator from Arkansas will be recognized after the disposition of the first-degree Cohen amendment. We are talking about the second-degree amendment—the majority leader is asking for unanimous consent on the second-degree Cohen amendment.

Mr. PRYOR. Mr. President, I am simply asking this at this time. Could I ask unanimous consent—I shall not do this unless both leaders agree—that my substitute amendment be made the first order of business after the disposition of the Cohen amendment?

Mr. BAKER. Mr. President, I think there is no misunderstanding as to the intent of the parties. Let me put this unanimous-consent request and ask the special attention of the author of the amendment as well as the distinguished Senator from Arkansas.

I ask unanimous consent that the previous order be modified as follows: That the Senator from Arkansas be recognized for the purpose of calling up a substitute amendment to the Cohen first-degree amendment immediately after the disposition of the perfecting Cohen amendment which is now pending.

The PRESIDING OFFICER. Is there objection?

Mr. ROBERT C. BYRD. Reserving the right to object, and I personally do not object, Mr. President, I want the distinguished Senator from Arkansas to know that this will allow another perfecting amendment in the second degree to come in ahead of his substitute and be voted on ahead of his substitute. Is that agreeable with him?

Mr. PRYOR. I do not think that would interfere in any way. I just want to protect myself and protect those colleagues who have cosigned my amendment with me and make certain that we get a vote on this amendment. I hope actually that it can be an up or down vote, but we do not need to go into that issue at the moment.

Mr. ROBERT C. BYRD. Further reserving the right to object, Mr. President, the Senator would not be guaranteed that he would get a vote on his substitute before the amendment in the first degree, however, because it is a perfecting amendment.

Mr. PRYOR. That is satisfactory.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I further ask unanimous consent that the vote on the Cohen perfecting amendment now pending occur at not later than 7 p.m.; that the time between now and 7 p.m. be divided equally between the author of the amendment and the distinguished minority leader or his designee, and that the control of the time be in the usual form.

Mr. ROBERT C. BYRD. Mr. President, reserving the right to object, and I shall not, it is my understanding that the distinguished majority leader has reference to the amendment in the second degree.

Mr. BAKER. Yes, Mr. President, it is a perfecting amendment, which would be a second-degree amendment.

The PRESIDING OFFICER. Is there objection? Hearing none, it is so ordered.

Mr. BAKER. I thank all Senators.

The PRESIDING OFFICER. Who yields time?

Mr. ROBERT C. BYRD. Mr. President, I have the control of the time on this side. I yield such time as he may desire from the time I control to the distinguished Senator from Arkansas.

Mr. PRYOR. I thank the minority leader. I was just going to make one or two points, Mr. President. Those one or two points simply relate to where we are with regard to the MX missile at this point.

Mr. President, we are talking here, and I am not talking against the amendment offered by the Senator from Maine and the Senator from Georgia because, frankly, I think this amendment probably, as my colleague from Illinois and other colleagues have expressed this evening, makes a bad situation a little bit better. I do think that the amendment I shall offer tomorrow, striking the $354 million from the basing mode system, the interim basing mode, is our best choice.

First, I feel strongly that what we are really talking about with the Cohen-Nunn amendment is a continuing resolution, another continuing resolution, this time not on the budget, but a continuing resolution on the MX missile program. We are operating in a period of nondecision, one nondecision after another.

Mr. President, we have been studying and working on the MX missile for the past decade. We have spent almost $4 billion—not $4 million, $4 billion—studying how to build and where to put the MX missile. We are still not much farther along tonight, 10 years later, or 12 or 13 years later, than we were when we started on the MX missile program. It is a situation that I find deplorable. It is a situation which I hope that the U.S. Senate and the House of Representatives will take under consideration to the extent that we will remove this basing mode funding. If we need to, if we want to come back in the spring with a supplemental, when we have some answers to these questions that we are going to be raising in the next several hours of this debate, then let us come back with a supplemental.

What we are doing here, Mr. President, is, once again, trying to buy the illusion of strength in spending some $354 million—for what? For additional studies. That is what it is all about.

In all due respect to my colleague from Georgia, my colleague from Maine, and those others who support this position—and I might even end up supporting that position if it comes to that—I can only say to my friends, and I am not going to speak more than just a few moments because we do have a short period of time before the vote, we are talking about $354 million for additional studies. We are talking about the fact that we are still spending for the MPS study $750,000 each day for work that is not being performed because of the October 2 decision made by the President. That is the crazy, insane situation that we find ourselves in at this point, at this juncture, at this late hour, before Christmas, trying to go home and trying to somehow or other limp feebly along and make a decision, this evening or tomorrow, that is going to commit us 30 years in the future with regard to our global nuclear policy. That is exactly what we are doing, Mr. President.

We have just completed a study on the MPS system that cost $900 million. As I said, those expenditures are still going forward.

We are just continuing, if I may say this, trying to find a way in these last remaining hours of this session to show to the American people that at least we are doing something. What that something is, appears to me to be, that we are going to spend another $354 million to add to the already $4 billion that we have spent on the MX missile program.

What we are also going to end up doing, I am very afraid, Mr. President—and I do not know exactly what this amendment does. I know my friend from Illinois has raised some good objections and some justifiable concerns. But I have a fear that unless we take some position in the next several hours on the basing mode of the MX missile, we are going to be putting our most valuable missile in our most vulnerable positions. To me, that is the danger of having this debate at this time. That is why I will attempt, at the proper time, to remove the entire

$354 million for the interim basing mode system, as announced by the President on October 2.

Let us take time. Let us take the opportunity we have to take this money out of the budget. If we need to, we can come back in the spring with a supplemental, after we have looked at this matter.

Only 60 days ago, on October 2, the President made this momentous and historic decision. We have not had time to study it. The Chairman of the Joint Chiefs of Staff and the Secretary of Defense are in open disagreement about this matter today. We find that before committee after committee and session after session and witness after witness. Even the Secretary of the Air Force, who is charged with deployment of this MX program, did not even know of this decision until it was made.

That is the type of atmosphere in which this decision was made. That is the type of environment we have created for ourselves.

It is exactly the reason why we have no business committing 1 cent to a system of basing an MX missile until we have better answers, until we have at least a consensus among those individuals who are in charge of these programs.

Mr. DIXON addressed the Chair.

The PRESIDING OFFICER. Who yields time? Time is controlled by the Senator from Maine and the minority leader.

Mr. PRYOR. Mr. President, if I am not mistaken, the minority leader yielded me as much time as necessary. I will be glad to yield to the Senator from Illinois.

Mr. DIXON. Mr. President, I congratulate the Senator from Arkansas on his remarks, which I share.

I support the MX missile. I think hardening of the silos in permanent basing modes, as presently contemplated, invites disaster and is a terrible mistake.

I believe the Senator from Arkansas is taking the right approach in striking the $354 million from this bill. That is the proper message to send to the administration and to the country.

This amendment, in my view, will permit the continuation of research and development on the question of permanent hardening and subsequent deployment in a permanent basing mode of these MX missiles, and I consider that to be a serious mistake.

Having said all that, I think the amendment by the Senator from Maine and the Senator from Georgia is a profound improvement over the present bill, for the simple reason that it sends a message to the administration and encourages additional research and development in other areas for other basing modes. For that reason, I will vote for this amendment. But the proper vote, in my view, will be on the subsequent amendment by the Senator from Arkansas to strike the $354 million from this bill.

Mr. PRYOR. Mr. President, I yield 1 minute to the Senator from Pennsylvania.

Mr. HEINZ. I thank the Senator from Arkansas for yielding.

Mr. President, earlier today, I offered an amendment, which is still pending, to require that the Senate express itself on the issue of the so-called windfall benefits under railroad retirement. I temporarily withheld pressing that amendment because I have been in touch and am having negotiations with Dave Stockman, the Director of the Office of Management and Budget.

Approximately 5 minutes ago, I got off the telephone after speaking with Mr. Stockman, and I am happy to report to my colleagues that Mr. Stockman has agreed to continue to fund the so-called windfall benefit of railroad retirees at the authorized congressional level of $350 million. That is what is in our third continuing resolution, the one that runs through December 15.

I think this represents a very significant concession on the part of OMB.

I do not know if I can say that it made Mr. Stockman change his mind, but it certainly sharpened the focus of debate on the issue, and I think it did something. But it is a favorable decision on an issue that otherwise would have resulted in a penurious Christmas for our railroad retirees.

Mr. STENNIS addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. PRYOR. I yield to the Senator from Mississippi.

Mr. STENNIS. I thank the Senator.

Mr. President, I raised the point here earlier about this language. It is one of the most important provisions and one of the most sensitive provisions of the entire bill, that part of the bill that includes the missiles—the MX and matters that go with it.

I am proud of the language that has been worked out here, and I commend the authors of it. It strengthens the bill. It certainly does not impair the President's position or anything like that, and I will support the amendment.

I will say a few words now with reference to the proposal that is to follow, to take the money out of the bill.

Mr. President, this matter has been before us for several years, as the Senator from Arkansas has said. He made an excellent statement. But we are not going to find certainty and sufficiency in everything going smoothly and well in connection with any of these missiles. It is the most difficult thing we have to deal with in the military program, and it is the most expensive item we have to deal with.

The PRESIDING OFFICER. Will the Senator suspend?

All time for the minority has expired. Does the Senator from Maine yield some time?

Mr. COHEN. I yield 1 minute.

Mr. STENNIS. Mr. President, we should not expect perfection. We should not expect anything but trial and error, and stop and start, and do it over again.

This matter must move forward this year, as I see it. We have taken a lot of time, have spent many years on it. There is no complete answer now.

Again, the talks are coming up, where there must not be the slightest disturbance of the President's position and his backing.

I feel certain that valuable time would be lost should we strike out this money. We would find ourselves no better off, but worse off. I hope that, on the second vote, the amendment will be defeated and the money will be left in the bill.

I thank the Senator for yielding time to me.

The PRESIDING OFFICER. The Senator from Maine.

Mr. COHEN. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the second-degree amendment.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield me some time?

Mr. COHEN. I withhold the yielding back of my time.

The PRESIDING OFFICER. The Senator has 10 minutes remaining.

Mr. ROBERT C. BYRD. Mr. President, I thank the distinguished Senator for yielding time to me.

Mr. COHEN. How much time does the distinguished minority leader wish?

Mr. ROBERT C. BYRD. As much as I may require, if the Senator will allow me.

Mr. COHEN. If it is not the full 10 minutes.

Mr. ROBERT C. BYRD. Mr. President, I do not think it will be the full 10 minutes. I thank the Senator.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. ROBERT C. BYRD. Mr. President, I have had called to my attention a wire service item from United Press. It reads as follows:

> The Senate Republicans today foiled two more Democratic attempts led by Senator Ernest Hollings to shift another $225 million away from the $2.4 billion requested by Reagan for the strategic bomber. The Senate today voted 54 to 36 to shelve amendments to use $77 million to restore reductions in the active forces of the Army and Air Force and killed 55 to 36 a $14 million proposal to buy more ammunition for the Army.
>
> The amendments are part of a group of 15 that seek to delete the B–1 funds by reallocating them to other defense programs.

Mr. President, this is an inaccurate statement. Not one of the amendments that have been called up thus far by Democrats seeks to shift funds away from the B–1. Not a single amendment seeks to do that.

The amendments have been called up thus far for the most part are add-on amendments. They are:

Mr. LEVIN's amendment on yesterday adding funds for procurement of four KC10A aircraft for the Air Force; my own amendment yesterday seeking to add funding for Stealth; the Hollings amendment today adding funding for procurement of ammunition for the Army; the Hollings amendment adding funding for restoration of the end strength reductions in Army and Air Force; and the Glenn amendment restoring the full amount requested for the Navy steaming hours program.

Not one of these amendments sought to shift funds away from the B–1 bomber. All of these are add-on amendments.

And I wish that the press would take note of that so there would be a better understanding among the press and around the country as to what we are attempting to do here.

The press may have gotten its misinformation from a letter which was sent to Senators, signed by Mr. HOLLINGS and Mr. LEVIN, calling attention to an amendment which they expected to call up at some point reallocating a portion of the B–1 bomber funding to a number of items listed in the letter, but that amendment has not been called up yet. That amendment which would reallocate funds from the B–1 to other programs, I repeat, has not yet been called up.

All of the amendments that have been called up have been separate and independent of that amendment. They have been add-on amendments; and let me say again for the record clearly that as far as amendments called up by Democrats thus far, not one would reallocate funds from the B–1 program.

I also understand that NBC has just reported:

> Democrats spent the day beating their heads against the wall with amendment after amendment to take money from the B–1 bomber for various other defense functions.

That, again, is an inaccuracy, and I want the record to show it. No one single amendment has been called up by Democrats today or yesterday to take money from the B–1 bomber. I do not know what may come later but not one amendment thus far called up by Democrats would have taken one thin dime, 10 cents, from the B–1 bomber.

I thank the distinguished Senator for yielding.

Mr. COHEN. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on the second-degree amendment offered by the Senator from Maine.

Mr. NUNN. Mr. President, is there going to be a unanimous-consent proposal made relating to when a vote will come on the Pryor amendment? It would be my hope that the Pryor amendment could be a separate amendment so that the Cohen-Nunn-Quayle amendment, as modified, if it is modified, would be disposed of tonight.

Is there going to be a unanimous-consent request that the Pryor amendment be voted on tomorrow at a certain time? Does the Senator propose that?

Mr. PRYOR. I might respond to my friend from Georgia that I wish to inquire from the leadership if it would be in keeping and according to the schedule that we proceed to vote as planned with the Nunn-Cohen amendment this evening and that tomorrow as a separate amendment, as an amendment to the bill itself, that I might propose my amendment and ask unanimous consent that it may be made the first order of business following the leadership and special order announcements et cetera? Would that be proper or would there be objection?

Mr. GARN. I cannot speak for the leadership. Senator BAKER is not here. I had informal discussions with the Senator from Arkansas. Those of us who are here working on the floor at this time have no objection to that procedure with one exception. We woud like a time certain to vote or a time agreement in the morning on the Pryor amendment. We would have preferred to have cleared up this portion of the bill this evening, both the Cohen and the Pryor amendments. I think that could be worked out if we could agree to some type of time agreement in the morning, a time certain to vote on the Pryor amendment.

Mr. ROBERT C. BYRD. Mr. President, I suggest that my friend wait until Mr. BAKER or Mr. STEVENS is in the Chamber.

The PRESIDING OFFICER. Does the Senator from Maine wish to yield further time?

Mr. COHEN. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back the question now occurs on the second degree amendment offered by Mr. COHEN.

Mr. LEVIN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LEVIN. Mr. President, it would be simple from everyone's point of view if we are going to vote separately on the Cohen-Nunn amendment that we vote it by voice vote on the second-degree amendment and then have the rollcall after that is adopted.

Mr. McCLURE. Mr. President, we do not have that agreement yet.

Mr. LEVIN. Otherwise we will have two rollcalls.

Mr. NUNN. I suggest we reverse that procedure, that we vote on the amendment we now have which is the second amendment which is a substitute and then we voice vote, if it is agreeable, the Cohen amendment as perfected.

Mr. LEVIN. Mr. President, I ask my friend from Georgia this question: Would we be voting, in that effect, on the substance or perfecting first degree or second, because many of us might want to do that and then vote against it as perfected? I think there could be a difference. Would it not be simpler to voice vote the second-degree amendment and then as a perfecting amendment having been accepted have the rollcall on the first-degree amendment as perfected?

Mr. COHEN addressed the Chair.

Mr. LEVIN. Mr. President, the leader is back.

Mr. COHEN. We could have a vote as ordered on the perfecting amendment and have the rollcall tonight depending on what agreement is arrived at with the Senator from Arkansas whether we are going to have a time certain tomorrow; otherwise, I suggest we are going to stay in session tonight so it will not make much difference.

In the meantime, I ask unanimous consent that Senator D'AMATO be added as a cosponsor to the perfecting amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, I am not sure we avoid the rollcall by disposing of this amendment tonight. I suggest we voice vote the perfecting amendment and then have the rollcall on the first-degree amendment as perfected. I think that is the clearer rollcall. I simply suggested that to the sponsors, and they did not want to make it until the majority leader was on the floor.

Mr. BAKER. Mr. President, as I understand it, there is sentiment in the Senate that we should vitiate the order which requires a rollcall vote not later than 7 o'clock on the perfecting amendment of Senator COHEN, and instead we should continue debate on the perfecting amendment.

SEVERAL SENATORS. No. No.

Mr. LEVIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Chair will state that the hour of 7 o'clock——

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the vote at 7 o'clock be temporarily suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. STENNIS. Point of order, Mr. President.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. BAKER. Mr. President, I would ask the Senator from Mississippi to withhold.

Mr. STENNIS. I withhold.

Mr. BAKER. Mr. President, I ask unanimous consent that at the conclusion of this request two rollcalls occur back to back, the first of 15 minutes, the second of 10 minutes. The first rollcall will be a rollcall vote on the perfecting amendment by the Senator from Maine (Mr. COHEN) to his underlying first-degree amendment, to be followed immediately by a vote 10 minutes in length on the underlying first-degree amendment.

RECESS UNTIL 9 A.M. TOMORROW

I further ask unanimous consent, Mr. President, that when the Senate completes its business today it stand in recess until the hour of 9 a.m. tomorrow.

ORDER FOR RECOGNITION OF SENATOR PRYOR TO OFFER HIS AMENDMENT ON TOMORROW; RESUME CONSIDERATION OF H.R. 4995, AND TIME-LIMITATION AGREEMENT

After the recognition of the two leaders under the standing order, and any morning business that may be transacted, but in any event at 9:30 a.m., the Senate resume consideration of the Department of Defense appropriations bill, at which time the Chair will recognize the Senator from Arkansas (Mr. PRYOR) for the purpose of offering an amendment, which will be in order, and which deals with the MX missile; and that on that amendment there be an hour time limitation to be equally divided and controlled in the usual form, and with a vote thereon to occur not later than 10:30 a.m. on tomorrow.

The PRESIDING OFFICER. Is there objection?

Mr. ROBERT C. BYRD. Mr. President, reserving the right to object——

Mr. BAKER. To make sure I stated it correctly, the vote will be in relation to

the amendment of the Senator from Arkansas.

The PRESIDING OFFICER. Is there objection?

Mr. ROBERT C. BYRD. Mr. President, reserving the right to object, I do not object on condition that the first rollcall last only 15 minutes. I believe Senator HOLLINGS has to catch a plane, and I would like to have him vote on the second rollcall.

Mr. BAKER. Yes, we will abide by the limitation of time on the first amendment.

The PRESIDING OFFICER. Hearing no objection, it is so ordered.

Does the Senator wish to ask for the yeas and nays?

Mr. BAKER. Mr. President, I ask unanimous consent that it be in order with one showing of seconds to ask for the yeas and nays.

The PRESIDING OFFICER. We have a sufficient second on the second-degree amendment.

Mr. BAKER. Then I ask for the yeas and nays on the first-degree amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. BAKER. Is the Senator from Arkansas willing to get the yeas and nays on his amendment at this time?

Mr. PRYOR. Yes.

Mr. BAKER. I ask that it be in order to ask for the yeas and nays on the Pryor amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

ROLLCALL VOTE ON UP AMENDMENT NO. 734

The PRESIDING OFFICER. The question is on agreeing to the amendment (UP No. 734) of the Senator from Maine. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from New York (Mr. D'AMATO) and the Senator from Arizona (Mr. GOLDWATER) are necessarily absent.

I further announce that, if present and voting, the Senator from New York (Mr. D'AMATO) would vote "yea."

Mr. CRANSTON. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Arizona (Mr. DECONCINI), the Senator from Ohio (Mr. GLENN), and the Senator from New York (Mr. MOYNIHAN) are necessarily absent.

I further announce that, if present and voting, the Senator from Nevada (Mr. CANNON) and the Senator from Arizona (Mr. DECONCINI) would each vote "yea."

The PRESIDING OFFICER (Mr. WARNER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 90, nays 4, as follows:

[Rollcall Vote No. 443 Leg.]

YEAS—90

Abdnor	Boschwitz	Chiles
Andrews	Bradley	Cochran
Armstrong	Bumpers	Cohen
Baker	Burdick	Cranston
Baucus	Byrd, Harry F., Jr.	Danforth
Bentsen	Byrd, Robert C.	Denton
Biden	Chafee	Dixon
Boren	Dole	Dodd
Domenici	Kassebaum	Quayle
Durenberger	Kasten	Randolph
Eagleton	Kennedy	Riegle
East	Laxalt	Rudman
Exon	Leahy	Sarbanes
Ford	Levin	Sasser
Garn	Long	Schmitt
Gorton	Lugar	Simpson
Grassley	Mathias	Specter
Hatch	Matsunaga	Stafford
Hawkins	Mattingly	Stennis
Hayakawa	McClure	Stevens
Heflin	Melcher	Symms
Heinz	Mitchell	Thurmond
Helms	Murkowski	Tower
Hollings	Nickles	Tsongas
Huddleston	Nunn	Wallop
Humphrey	Packwood	Warner
Inouye	Pell	Weicker
Jackson	Percy	Williams
Jepsen	Pressler	Zorinsky
Johnston	Proxmire	
	Pryor	

NAYS—4

Hart	Metzenbaum	Roth
Hatfield		

NOT VOTING—6

Cannon	DeConcini	Goldwater
D'Amato	Glenn	Moynihan

So Mr. COHEN's amendment (UP No. 734) was agreed to.

Mr. BAKER. Mr. President, I move to reconsider the vote on the perfecting amendment.

Mr. COHEN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. BAKER. Mr. President, while Members are on the floor if I could have their attention for a moment, another rollcall vote is scheduled to occur immediately. I have some indication that there may be no need for a rollcall vote. I ask unanimous consent that the order for the rollcall vote on the first-degree amendment be vitiated.

The PRESIDING OFFICER. Is there objection?

Mr. NUNN. Reserving the right to object, and I will not object, I was reserving the right of the Senator from Michigan.

I have no objection.

Mr. BAKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I withdraw my request.

ROLLCALL VOTE ON UP AMENDMENT NO. 730

The PRESIDING OFFICER. The question recurs on the first-degree amendment. The yeas and nays have been ordered and the clerk will call the roll.

Mr. BAKER. Mr. President, there will be no further rollcall votes tonight.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. I announce that the Senator from New York (Mr. D'AMATO) and the Senator from Arizona (Mr. GOLDWATER) are necessarily absent.

I further announce that, if present and voting, the Senator from New York (Mr. D'AMATO) would vote "yea."

Mr. CRANSTON. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Arizona (Mr. DECONCINI), the Senator from Ohio (Mr. GLENN), and the Senator from New York (Mr. MOYNIHAN) are necessarily absent.

I further announce that, if present and voting, the Senator from Nevada (Mr. CANNON) and the Senator from Arizona (Mr. DECONCINI) would each vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 90, nays 4, as follows:

[Rollcall Vote No. 444 Leg.]

YEAS—90

Abdnor	Garn	Nickles
Andrews	Gorton	Nunn
Armstrong	Grassley	Packwood
Baker	Hatch	Pell
Baucus	Hawkins	Percy
Bentsen	Hayakawa	Pressler
Biden	Heflin	Proxmire
Boren	Heinz	Pryor
Boschwitz	Helms	Quayle
Bradley	Hollings	Randolph
Bumpers	Huddleston	Riegle
Burdick	Humphrey	Rudman
Byrd, Harry F., Jr.	Inouye	Sarbanes
Byrd, Robert C.	Jackson	Sasser
Chafee	Jepsen	Schmitt
Chiles	Johnston	Simpson
Cochran	Kassebaum	Specter
Cohen	Kasten	Stafford
Cranston	Kennedy	Stennis
Danforth	Laxalt	Stevens
Denton	Leahy	Symms
Dixon	Levin	Thurmond
Dodd	Long	Tower
Dole	Lugar	Tsongas
Domenici	Mathias	Wallop
Durenberger	Matsunaga	Warner
Eagleton	Mattingly	Weicker
East	McClure	Williams
Exon	Melcher	Zorinsky
Ford	Mitchell	
	Murkowski	

NAYS—4

Hart	Metzenbaum	Roth
Hatfield		

NOT VOTING—6

Cannon	DeConcini	Goldwater
D'Amato	Glenn	Moynihan

So Mr. COHEN's amendment (UP No. 730), as amended, was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. McCLURE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UP AMENDMENT NO. 735

(Purpose: To permit multi-year Army procurement of the UH-60A Black Hawk helicopter)

Mr. STEVENS. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Alaska (Mr. STEVENS) proposes an unprinted amendment numbered 735:

On page 15, line 23, after "$1,940,900,000" insert: , of which $545,200,000 shall be available for purchase of UH-60A Black Hawk aircraft under a multiyear contract, subject to the requirements of section 2306(h) of Public Law 97-86.

Mr. STEVENS. Mr. President, there has been a misunderstanding. I thought it had been cleared. I withdraw the amendment.

I will state that it is an amendment I intend to offer tomorrow morning to put the Black Hawk helicopter procurement contract on a multiyear basis. We have ascertained that doing so would save $81 million.

Because of the circumstances, we have been requested to do this since the bill came from committee. I am in error. I thought it had been cleared. I apologize to the Chair.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. TOWER. Mr. President, I wish to take this opportunity to commend members of the Senate Appropriations Committee who voted favorably to report this appropriations bill. I particularly want to commend my distinguished colleague from Alaska, Senator STEVENS, who by deeds and not just words has demonstrated his unequivocal commitment to revitalizing our military forces. Indeed, the Appropriations Subcommittee on Defense, which Senator STEVENS chairs, recommended appropriations for fiscal year 1982 which are approximately $7.6 billion above the President's October request and well above the amount authorized by Congress in the fiscal year 1982 Department of Defense authorization bill.

Mr. President, as I previously indicated, this appropriations bill recommends funding for a number of programs in amounts which exceed the amounts authorized by Congress in the fiscal year 1982 defense authorization bill. Although I intend to vote in favor of this appropriations bill, I want to make it clear that this should not be construed as a waiver of title 10, section 138 of the United States Code which prohibits the Secretary of Defense from obligating or expending any funds for specified accounts unless such funds have received specific congressional authorization. As a practical matter, I do not think this will be a significant issue once the conferees have completed their negotiations. Nonetheless, since there are certain disparities between the level of funding provided in the defense authorization bill and that provided in this defense appropriations bill, I did not feel that I could let this matter go without some comment.

Mr. President, approval of this appropriations bill marks the first significant step in a series of steps which must be taken so that we may at least assure ourselves of military parity with the Soviet Union. Our military readiness and force modernization needs have been seriously neglected for over a decade. Unfortunately, there is a long leadtime involved in getting the much needed ships, tanks, ammunition levels, and spare parts to our operational units. Therefore, even with the increase in defense spending provided in this appropriations bill, it will take several years before this investment will result in a meaningful improvement to our defense capabilities. For this reason, it is imperative that we delay no longer the painful but yet essential action required to revitalize our military forces.

Mr. President, let me remind my colleagues that there were two central themes to President Reagan's successful campaign which were endorsed by the American people on November 4, namely, a revitalization of our economy and a restoration of our military capabilities. I am confident that both of these objectives are achievable and that one need not be sacrified to achieve the other. It is true that the American people are depending on this administration to demonstrate a meaningful improvement in general economic conditions by 1984 and I am confident that the administration—with the courageous assistance of this Congress—will be able to demonstrate such improvements. Nonetheless, even if the President were to fall slightly short of his economic recovery objectives, as long as he is able to demonstrate significant positive trends, the President will have the continued support of the American people.

On the other hand, Mr. President, the American people will not and should not be as patient when it comes to a matter as vitally important as national security. The primary role of the President is to provide for the national security of this Nation. More than ever before, the American people understand the volatile geopolitical situation in which we find ourselves and the importance of having a strong and credible military capability. They will not and should not be as tolerant of this President or this Congress if we compromise the security of the Nation by failing to accomplish the defense recovery program that we promised during the 1980 campaign. I. therefore, urge my colleagues to support this appropriations bill as one of many legislative initiatives which we will be required to take to live up to this mandate of the American people.

Mr. GLENN. Mr. President, will the distinguished manager of the bill yield for some questions relative to the provision of essential firefighting and security services on Department of Defense installations?

Mr. STEVENS. I am happy to yield.

Mr. GLENN. I would like to inquire whether the committee has given any consideration to measures to constrain the contracting out of essential firefighting and security services on military installations so that we can take steps to insure that such contracting is not only cost effective but also in the best interests of national security?

Mr. STEVENS. There have been no hearings on such a moratorium, though as the Senator from Ohio is aware, an amendment to that effect lost on a very narrow division vote in the other body when H.R. 4995 was under consideration by the House of Representatives.

Mr. GLENN. That is correct. The vote was 83 to 85 and some rather interesting points were made during that short debate. They are points that I believe should be carefully considered, not only by the Senate, but also by the Department of Defense and the Office of Management and Budget in the interest of prudence and readiness of our Armed Forces. Perhaps foremost among these considerations is the potential for disruption of essential defense activities.

In early 1978, just such a disruption occurred at the Hunters Point Naval Shipyard in California, where a labor dispute between the 10-man local of the Firefighters Union and the contractor supplying firefighting services to the yard resulted in an almost complete shutdown of the Hunters Point Shipyard for a period of 2 weeks. As we have recently had impressed upon us, Federal employees are not free to withhold their services in similar circumstances. There are other considerations as well. Among these are the assurance that, as comparisons are made between in-house and contracted work, we do, in each instance, insure that all factors and all costs are considered, including collateral work which is very frequently done by federally employed personnel. Overseeing arresting gear used in aircraft landings is one example. Another example is preventive work, to guard against incidence of fire destruction or theft.

Mr. President, I have been given an estimate of $72 million a year as the cost of placing a moratorium on contracting out these essential services. Now, $72 million is nothing to sneeze at. On the other hand it is a sum that could pale into insignificance should there be a serious, untimely disruption of our defense capability. I, for one, do not object to contracting out Government services when that policy makes sense, when it is prudent, and when it is cost effective. Nor am I now proposing an amendment to halt the practice, but only asking the committee if there can be assurance of hearings on this subject before we go through another appropriations cycle.

Mr. STEVENS. I believe the Senator's points are well made, and I would like to give him that assurance. As chairman of the Subcommittee on Defense Appropriations and of the Subcommittee on Civil Service, Post Office, and General Services, I believe I can give assurance that this important matter will be aired in the coming months.

Mr. GLENN. I thank the Senator from Alaska.

ALASKA NATURAL GAS TRANSPORTATION SYSTEM

Mr. STEVENS. The President's proposed waiver of law would waive the President's decision to include the Prudhoe Bay gas conditioning plant in the Alaska natural gas transportation system. Although the plant would become part of the ANGTS, the waiver also provides that the variable rate of return specified by the decision will not apply to the plant. Why should not a variable return mechanism, such as the incentive rate of return mechanism developed for the Alaska pipeline segment, be applied to the plant?

Mr. McCLURE. A serious and lengthy regulatory delay could result from developing such an incentive mechanism for the plant. It took almost 2 years of proceedings before the Federal Energy Regulatory Commission to fashion an incentive rate of return mechanism for the pipeline facilities that was satisfactory to the project sponsors, potential investors and the Commission. A similar 2-year delay in developing an

incentive/penalty mechanism for the plant would add costs to the project which ultimately must be passed on to consumers. Therefore, it is our intention that the allowable rate of return for the plant be established as quickly as possible under existing law without the IROR requirement.

Mr. STEVENS. The variable return mechanism was developed for the pipeline as an incentive to control costs. Will not such an incentive be necessary for the plant too?

Mr. MURKOWSKI. The risk of cost overruns is not as great for the plant as it is for the Alaska pipeline segment. The plant will be constructed at a single location where the producers have been building facilities for more than 8 years. Much is already known about construction at Prudhoe Bay. Conversely, the pipeline will be constructed along a 745-mile route in Alaska through varying topography and soil conditions. Risks associated with constructing the plant are also reduced, because significant components of the plant will be prefabricated in the lower 48 States and shipped to Alaska for final assembly.

Thus, an incentive-penalty mechanism should not be a necessary incentive to control costs for the plant and, by causing regulatory delay, would actually increase the cost to consumers. The sponsors of the plant will still be held accountable for cost overruns. The Office of the Federal Inspector will review the costs of the plant and may disallow from inclusion in consumers' rates any costs found to have been imprudent. This review of prudency of costs will be a powerful incentive to control plant costs.

Mr. STEVENS. The proposed waiver of law authorizes the FERC to approve tariffs that will allow purchasers of Alaskan gas to pass through to their customers the ANGTS costs that have been billed to them. What assurances exist that distribution company customers of the pipeline companies purchasing Alaskan gas and transporting it through the ANGTS will be able to recover the charges they paid for Alaskan gas from their customers?

Mr. McCLURE. Recovery of all ANGTS costs from the ultimate consumer of gas is a matter for Federal action. Thus, once the FERC has approved ANGTS sponsor and shipper tariffs pursuant to the proposed waiver of law and the Natural Gas Act, ANGTS charges should be passed through to the ultimate consumer of Alaskan gas.

Mr. STEVENS. The President's proposed waiver of law will preclude FERC from modifying prior orders or tariffs, but only to the extent such modifications otherwise would prevent: First, the ANGTS sponsors from servicing debt and paying actual operation and maintenance expenses and current taxes; and second, the shippers from paying ANGTS transportation charges. How would the waiver affect the tariff to be approved by the Canadian National Energy Board for the Canadian segment of the ANGTS?

Mr. McCLURE. Before construction of the ANGTS can commence, the FERC must approve the U.S. ANGTS sponsor tariffs governing the recovery of ANGTS transportation charges from Alaskan gas shippers, and shipper tariffs governing the flowthrough of the ANGTS transportation charges to customers served by the shippers. In Canada, the National Energy Board must approve a tariff governing recovery of the Canadian ANGTS transportation charges from Alaskan gas shippers.

While FERC will not formally approve the NEB-approved Canadian ANGTS sponsor tariff, it must review and approve the shipper tariffs by which the shippers will flowthrough the NEB-approved Canadian ANGTS transportation charges. Thus, the waiver would preclude FERC from modifying the prior FERC-approved shipper tariffs in any manner that would prevent the shippers from flowing through all ANGTS transportation charges, including those assessed under an NEB-approved tariff. However, notwithstanding this limitation on the FERC's modification power, U.S. consumers would remain fully protected with respect to Canadian transportation charges.

In this respect, three points should be emphasized:

First, the rates, charges, and conditions of service for Canadian natural gas pipeline companies, like those of U.S. pipeline companies, are required by law to be "just and reasonable," as well as nondiscriminatory.

Second, the Agreement on Principles, which was consummated between our two countries for the specific purpose of the ANGTS, expressly declares that all charges and authorizations for the ANGTS "will be just and reasonable and apply to the pipeline in the same nondiscriminatory manner as to any other similar pipeline."

Finally, the Transit Hydrocarbon Pipeline Treaty between Canada and the United States prohibits any interference with throughput in the ANGTS or any discriminatory treatment with respect to taxes or other monetary charges.

Mr. STEVENS. The President's proposed waiver would include the Prudhoe Bay gas conditioning plant within the ANGTS and subject the plant to the terms and conditions of the President's 1977 decision, except for the incentive rate of return condition. Why is it not necessary to waive the other terms and conditions of that decision as they would apply to the gas conditioning plant?

Mr. McCLURE. The Office of the Federal Inspector is charged with the responsibility of enforcing the terms and conditions of the 1977 decision. Many of those terms and conditions do not require specific Federal inspector approval before construction can commence. Instead they merely require review, for example, of management plans, cost and schedule control techniques, construction design, quality control procedures, and so on. This review should not be time consuming and the Federal inspector has the flexibility to tailor his procedures to assure that all review is done in a time frame consistent with the project sponsors' construction schedule.

Mr. STEVENS. I understand that the proposed waiver would waive section 7 of the Natural Gas Act to the extent it could be construed to require formal evidentiary hearings at the FERC on ANGTS and ANGTS-related regulatory approvals. What is the purpose of this waiver?

Mr. McCLURE. My colleague is correct in his understanding. The purpose of this waiver is simply to grant the FERC the flexibility to expedite the issuance of regulatory approvals necessary for the completion of the ANGTS. The ANGTS has already been the subject of extensive hearings at the FERC and its predecessor, the Federal Power Commission. There will be no formal evidentiary hearings unless FERC determines them to be necessary to resolve remaining issues. Hopefully, there will not be such a need since such hearings would only serve to prolong the issuance of approvals without improving the decisionmaking process. Such delay will only add costs to the project, which will be borne by gas consumers in their rates. This waiver will allow the FERC freedom to utilize less formal procedures, such as notice with opportunity for written comment, to resolve all remaining issues as soon as practicable.

Mr. STEVENS. Will interested persons still be able to make their views known to the Commission?

Mr. McCLURE. Yes; the waiver in no way prejudices the rights of interested persons to participate fully in the proceedings established by the FERC to issue ANGST and ANGST-related approvals. It should be pointed out that in less formal proceedings, such as notice and comment, an opportunity is provided for interested persons to come in and make their views known. I would also add that many of the ANGST approvals, including establishment of the IROR, have already been issued pursuant to notice and comment procedures.

NUCLEAR DANGER

Mr. GLENN. Mr. President, this morning's Washington Post contains a very thoughtful op-ed piece by Jessica Tuchman Mathews concerning the serious weakening of U.S. nonproliferation policy over the past 10 months. As Ms. Mathews pointed out, and as I myself emphasized in my opening remarks at a recent hearing held by the Subcommittee on Energy, Nuclear Proliferation, and Governmental Processes, the erosion of our nonproliferation efforts has been manifest in numerous instances and has already resulted in diminished resolve on the part of other nuclear suppliers in their efforts to help curb the spread of nuclear weapons. And it has encouraged countries like Mexico to believe that they will be able to purchase sensitive nuclear technology in the international nuclear marketplace, technology which in recent years was thought to have been effectively embargoed by supplier agreement.

One point of disagreement with Ms. Mathews, however, is that in my view the first serious test of U.S. nonproliferation resolve since passage of the 1978 Non-Proliferation Act (NNPA) was not the recent action on the sale of F–16's to Pakistan, but the Carter administration's decision in the summer of 1980 to ship nuclear fuel to India even though that

nation did not meet the terms of the NNPA. Ms. Mathews had left the Carter administration before this. We failed that test, in my view, and our weakened posture on this vital issue began with that episode, and continues today, and I add that I think her statement, which I shall ask unanimous consent to have printed in the RECORD, very well spells out the situation that we are in today.

Mr. President, I ask unanimous consent to have printed in the RECORD the article to which I have made reference.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LETTING NUCLEAR DANGER SPREAD

(By Jessica Tuchman Mathews)

The Nuclear Regulatory Commission's resounding vote of no-confidence this week in the international system of safeguards on which trade in nuclear technology is premised is but the latest in a series of events and policy shifts that has all but wiped out American non-proliferation policy.

As one who once had a hand in helping to formulate that policy during part of the Carter administration, I have watched with awe the rapidity with which the dismantling has taken place.

The erosion began last spring in a close vote by the Senate Foreign Relations Committee approving an administration request to permit a large new assistance program for Pakistan by waiving the law that prohibits assistance to a country trying to make nuclear weapons. The vote attracted little attention at the time, yet it was a significant milestone: in the first test of its own sanctions against nuclear proliferation, the United States was choosing to ignore them.

By the time the waiver reached the Senate floor a few weeks ago, there was no remaining doubt that Pakistan is aggressively pursuing every possible technical route to building a bomb. It may be ready to stage a nuclear explosion in one year.

Nevertheless, the full Senate chose not to vote on the wisdom of the waiver. Sen. John Glenn (D-Ohio), trying to redraw the line he had helped write into law a few years ago, offered an amendment requiring termination of American aid if Pakistan went all the way and actually detonated a nuclear bomb. But the message that was conveyed that evening to Pakistan, and who knows how many other interested governments, was not that the amendment had passed—which it had, just—but rather that nearly half the Senate—45 members—had voted against it, in the name of preserving "flexibility" for the president. The flexibility in this case is the flexibility to do nothing—as this country did when India exploded its bomb in 1974.

Meanwhile Israel had bombed Iraq's research reactor. The International Atomic Energy Agency's response was not to investigate why Iraq, despite having no commercial nuclear facilities, was stockpiling hundreds of tons of uranium ore. Nor did it or any other group consider intelligence findings that Iraq was indeed pursuing a nuclear capability, despite having renounced the right to do so by signing the Non-Proliferation Treaty. Instead the IAEA called on its members to offer Iraq "emergency assistance" to rebuild the destroyed reactor.

France, Iraq's original supplier, responded. Discussions between France and Iraq have been under way since last summer. American officials are apparently not privy to the terms being negotiated, especially whether the new reactor will be as inexplicably large for its asserted "research" purpose as the old one was, or whether this time France will insist that the reactor not be fueled with highly enriched, weapons-usable uranium.

France's recent agreement with South Africa does not offer much ground for optimism. The United States has been trying for years to get South Africa to accept safeguards on its nuclear facilities. Its leverage was the supply of fuel rods for South Africa's first power reactors scheduled for completion next year. But American law requires that South Africa first accept safeguards. Suddenly, in mid-November, it was announced that the reactor would be loaded on schedule with fuel rods made in France, and without safeguards. The action took American officials complete by surprise, cutting the ground out from under the U.S. government's position.

A few years ago, the nuclear supplier nations agreed to an informal moratorium on the transfer of reprocessing and enrichment plants—facilities that produce material that is directly usable in bombs. This year, for the first time since that agreement, a non-nuclear weapons state—Mexico—has invited bids for the construction of power reactors and let it be known that it wants "advanced technology"—enrichment and reprocessing—to be part of the deal. The suppliers' responses will be a major test of how much, or how little, is left of the will to slow nuclear proliferation. The outlook is clouded by the administration's recently announced willingness to transfer classified enrichment technology to Australia, making it all the harder to say no to others.

Several other thresholds have been quietly crossed. In extending an agreement that allows U.S.-supplied fuel to be reprocessed in Japan's pilot reprocessing plant, the administration, without prior congressional consultation, dropped two key provisions of earlier versions. One of these dealt with whether reprocessing plants, because they provide direct access to weapons-usable materials, can ever be effectively safeguarded. The other retained U.S. control over Japan's use of the separated plutonium.

U.S. negotiators, unable to find acceptable conditions for ending nuclear cooperation with India, are reportedly considering major concessions. The United States wants international safeguards to continue to be applied to the used fuel (containing more than a ton of plutonium) it has supplied to India over 18 years. India has refused, and is reportedly considering a unilateral renunciation of the agreement and its attendant safeguards. To avoid that damaging precedent U.S. negotiators may allow India to reprocess the U.S.-supplied fuel.

The Reagan administration let it be known from the outset that it planned a dramatic "shift in emphasis" from the Carter non-proliferation policy. It would emphasize American leverage as a "reliable nuclear supplier" rather than trying to restrict access to sensitive nuclear technologies. But leverage is only leverage if one is prepared to use it. The administration's easy acceptance of Pakistan's nuclear bomb program and many subsequent decisions signaled clearly that it was more interested in encouraging nuclear trade. The message was picked up not only by potential proliferators but also by other suppliers—France, especially—that had reluctantly gone along with earlier U.S. insistence on a tough non-proliferation policy. Congress, overwhelmed with other concerns, failed to respond. The result has been a frighteningly swift unraveling of the containment net that had been slowly stitched together in the seven years since India's nuclear explosion shocked the world. No one knows where it will end or what it will now take to stop the process.

TRIBUTE TO THOMAS P. SIMPSON OF SOUTH CAROLINA

Mr. THURMOND. Mr. President, today I wish to pay tribute to Thomas P. "Tommy" Simpson, a man who has been described as the only person in South Carolina to hold the office of U.S. attorney three times.

Tommy Simpson is retiring as an assistant U.S. attorney, and I join with many other South Carolinians in praising him as an honest, effective public servant who has made many fine contributions to the law.

During his 30 years of Government work, he was appointed to be acting U.S. attorney three times. Most recently, following the death of Thomas Lydon, he served as acting U.S. attorney before current U.S. Attorney Henry McMaster assumed office in April.

It is particularly significant that Tommy Simpson has been honored with the unveiling of his portrait, to be hung at a suitable location in Columbia. Young attorneys, especially, can look at that picture and reflect on the record of Thomas Simpson, as well as emulate the sacrifice and dedication that he brought to his profession.

He is truly a great man. I salute him on his retirement as an assistant U.S. attorney, and I join his wide range of friends and colleagues in wishing him well during his future years of work and service.

Mr. President, I ask unanimous consent that two articles on Mr. Simpson and his distinguished career—one appearing in the Charleston News and Courier and the other appearing in the Columbia State—be printed in the RECORD at the conclusion of my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Charleston News and Courier, Nov. 8, 1981]

RETIRED ASSISTANT U.S. ATTORNEY SIMPSON WILL BE HONORED TODAY

(By Jeff Watkins)

Tommy Simpson, a friend says, is the only man ever in South Carolina to hold the office of U.S. Attorney three times and lose it each time.

It would be an appropriate corollary then, that when his retirement as an assistant U.S. attorney came, he couldn't even do that right.

Thomas P. Simpson 55, officially retired on Oct. 3, but at that time he was preparing the government's case against millionaire Alan Schafer and others in a wide-ranging voting fraud case in Dillon County. He was appointed as a special assistant to continue the prosecution.

Although Schafer pleaded guilty to conspiracy and mail fraud charges on Oct. 12, Simpon's involvement does not end there. Simpson will represent the government at Schafer's pending sentencing as well as argue selected cases on appeal.

In the 30 years he worked for the government in Charleston and Columbia, Simpson was thrice judicially appointed to head the U.S. Attorney's office.

He served as interim chief during the period John K. Grisso retired from office and successor Mark Buyck was sworn in. Simpson was again appointed to take over after Buyck retired, and he ran the office for three months before Tom Lydon took over. Following Lydon's untimely death and before the arrival of current U.S. Attorney Henry Dargan McMaster in April, Simpson ran the office again.

"I didn't want the job full time," Simpson said recently. "I enjoyed courtroom trial work. The job of United States Attorney is so demanding from an administrative view-

point. There's too much time devoted to that and no time available for trial work.

"But I wouldn't be presumptuous enough to assume I had the political clout (for a presidential appointment) anyway," Simpson added. "Besides, I consider it a greater honor to be appointed by the court before whom I practice."

Although Simpson may not enjoy the political clout required to get the job, and although he still hasn't finished his work for the government, his friends, co-workers and admirers will honor him today at the federal courthouse in Columbia and at a reception afterward.

A significant part of the court ceremonies will be the hanging of his portrait in the courthouse, whose rooms and corridors are normally reserved for portraits of judges and the like. Rarely has a lawyer, especially one still practicing, been so honored.

But conversations with some of those who know Simpson and have worked with him may explain.

"He's the consummate trial lawyer," said McMaster, Simpson's current boss. "There's no way to put a value on the contributions Tommy Simpson's made to the law. There are a lot of excellent lawyers in this office, and they're good because they learned at the side of Tommy Simpson.

"I can't tell you how comfortable it was that, when something major came up, whatever it was, Tommy Simpson was back in his office available to handle it. We're going to miss him, but we're looking forward to the time when he's on the other side. He plays hard, but he plays by the rules and he's honorable, and it's always a pleasure to go into a case knowing that," McMaster said.

Co-workers will tell you that, in the last 15 years, Simpson had a hand or played the prominent role in every major case the office handled. Three state senators, a former state representative, a federal highway administrator, county councilmen, law enforcement officers and public officials have had the bad luck to have Simpson on the prosecuting team.

Obviously, not all his defendants were public officials. Among his most celebrated defendants were members of the notorious Dawson Gang, who robbed 60-plus banks in five southeastern states, including 12 banks in upper South Carolina.

During the mid-1970s, Simpson used seven trials to convict 18 of 19 suspected Dawson Gang members. Those convicted received sentences ranging from 20 to 40 years' imprisonment.

Concerning the number of public officials being convicted in this state, Simpson dismisses the suggestion that perhaps there are just more crooked officials here.

"I think we've been more aggressive in that area," he said. "I don't think South Carolina's got more. We just channeled our resources in that direction. But we're also talking about a career prosecutor compared to one who stays home one or two years like in some districts.

"Back when I started, the cases we handled primarily were illegal moonshine, car cases, check cases, a few bank robberies and an occasional embezzlement. We may have had more cases in number, but they were much simpler to prosecute. Conspiracy cases were unusual back then—you may have two or three lawyers working on one. Today you might have three, four, five conspiracy cases going on all the time.

"Cases are much more complicated, the investigations take longer. Narcotics lawyers are specialists today. You can't take a kid right out of law school like they do in other districts—look at their conviction rates," Simpson said.

The U.S. Attorney's office in South Carolina boasts a longevity rate better than any other comparable district, Simpson said, and he credited not only the U.S. attorneys but the U.S. senators instrumental in their selection—Strom Thurmond, a Republican, and Ernest F. Hollings, a Democrat.

"They haven't played politics with the office," he said. "They've allowed the U.S. attorneys to appoint assistants based on merit, not on politics. And I've never had a U.S. attorney that I worked for prosecute a case because of politics or did not prosecute a case because of politics—that's never been a consideration."

Born and raised in Columbia, Simpson, one of four sons, came from a modest background. He lost both his parents to disease by the time he was nine. An aunt took the family in, and on afternoons after school Simpson worked in her grocery store. Before school he delivered The State newspapers to neighborhood doorsteps. Later he jerked soda for John Campbell, now S.C. Secretary of State.

"I've worked since I was seven years old," he said.

His education at the University of South Carolina was interrupted by a stint in the Army. He returned to college and decided to seek a law degree, partly because "after working in that grocery store, sales I didn't want to be in."

He married his college sweetheart, Tommy Lou Thompson, in 1951, about the same time he and another young lawyer opened up a private practice in Chester.

While visiting with a friend on the Isle of Palms, he was approached about clerking for federal judge Ashton Williams, and took the job, moving his family to the Low country. Three years later, in 1956, former classmate Arthur Howe, then an assistant U.S. attorney, offered Simpson a job in that office, which he accepted.

A year after that, Simpson's first major case all but dropped into his lap. While flying over Florence County, a Strategic Air Command bomber accidentally dropped an unarmed nuclear warhead, creating an incident of international proportions.

Simpson was dispatched to litigate the incident on the government's behalf.

"Tommy handled it magnificently," recalled Howe, one of Charleston's most prominent attorneys. "But we had a helluva time getting him to come back home, he became so fascinated with all that nuclear stuff. It was hard to get him back to try a little ol' bootlegging case."

Howe and Simpson collaborated on a case in Horry County in which blacks were beaten by sheriff's deputies. The government prosecutors were able to prove the officers were members of the Ku Klux Klan, and were successful in breaking up the Klan's strength in Horry.

During the last 10 years, Simpson has been teamed often with fellow assistant Lionel Lofton of Charleston. Actually, Lofton was to have joined Simpson in the Alan Schafer case, but major cases of his own—most notably involving former Berkeley County Sheriff James W. Rogers and former North Charleston Police Chief Linwood E. Simmons—prevented Lofton from participating. It was to have been their first trial together since 1978, when former state Rep. J. Sidi Limehouse III was convicted of smuggling marijuana.

Lofton jokes about Simpson's inability to hold on to the U.S. attorney's job, but in a serious vein Lofton reflected, "Tommy has given this office stability. He will be difficult to replace. He could have left anytime after a few years and made a much better income level. But he looked upon this job as a public service and the government should be glad that he did."

Simpson will be going into private practice with the Columbia law firm of King, Vernon and Gambrell. The scheme, of course, is to lighten his workload, spend more time with his family in Chapin, fish and play golf.

Three things are certain: Tommy Simpson will be involved in the big case; the fish on the other end of the pole don't have a chance; and the golf scores will come honestly.

[From the State (Columbia, S.C.), Nov. 4, 1981]

U.S. ATTORNEY TO "HANG" IN FEDERAL COURTHOUSE

(By Jack L. Truluck)

Columbia's largest federal courtroom was crowded Friday as attorneys and friends heaped praise on assistant U.S. District Attorney Thomas P. "Tommy" Simpson and unveiled a portrait of him that will hang in the federal courthouse.

The special court term to honor Simpson was presided over by Chief U.S. District Court Judge Charles E. Simons Jr., who recalled that Simpson had assisted him when he was a new judge.

Simpson, 55, retired as first assistant U.S. District Attorney in early October, but remained as a special prosecutor to finish prosecuting voter fraud cases, which grew out of a Dillon primary in June 1980. All of the 29 people charged in the case either were convicted or pleaded guilty in federal court.

At Friday's special court term Simpson was given awards from the FBI, the Secret Service, the Drug Enforcement Administration, the Internal Revenue Service, the U.S. Marshal's service and the Department of Agriculture.

Simons told the crowded courtroom that "no person is indispensable," but that Simpson is one of the "most-nearly indispensable people" he knows. He said "even defendants had to realize" that Simpson was "able, fair and fearless."

Simpson became an assistant district attorney in 1956 . . .

He has received numerous honors during his career with the government and in 1976 was one of 16 people to receive the Director's Award from the Justcie Department.

The award is given for exceptional and distinguished service as an assistant U.S. District Attorney.

U.S. District Court Judge Robert Hemphill said there are "thousands of people here in spirit—Tommy Simpson people."

Longtime friends and associates Arthur Howe and Lionel Lofton also praised Simpson's career with the Justice Department.

U.S. District Attorney Henry Dargan McMaster also said Simpson's work, character and dedication had brought credit to his position.

Simpson, in a brief talk after the accolades, said he had been asked why he was retiring. He pointed to an infant grandson, who seemed unimpressed with the ceremony, and said, "You've heard him, there he is."

Simpson said he has become associated with the firm, King, Vernon and Gambrell and that he "looks forward to that association."

Among the many cases Simpson has prosecuted, one of the better known is the "Dawson Gang," a group of bank robbers that had operated throughout the Southeast.

In seven Dawson Gang trials, Simpson convicted 18 of 19 suspected members.

A Chapin resident, Simpson was law clerk for the late U.S. District Judge Ashton Williams from 1953 to 1956.

Simpson has headed the district attorney's office on three occasions, but has always expressed a preference for courtroom trial work.

One of four sons, Simpson was born and raised in Columbia.

In 1951 he married his college sweetheart, Tommy Lou Thompson, about the same time he and another young lawyer opened up a practice in Chester.

He has three daughters, a son-in-law, a grandson, and said he is expecting another grandchild, soon.

TELEVISION DOCUMENTARY ON THE KGB

Mr. THURMOND. Mr. President, recently, I was informed that a 2-hour documentary entitled "The KGB Connection," which details the activities of the Soviet intelligence service in the United States, has been withheld from audiences in this country.

The American Broadcasting Co. purchased the viewing rights to this film, but opted not to air it. I regret this decision, because I believe that the content of this documentary is of interest and importance to the American public.

U.S. citizens have a right to be informed about the reality of Soviet espionage and covert action in our country. So little is publicly known about this subject that this film would be a valuable source of information on the threat of Soviet-bloc intelligence.

As a Member of the Senate, I have recently joined with other Senators in urging ABC News to reconsider its decision not to air "The KGB Connection."

The broadcasting of this film should be openly welcomed by all concerned citizens. I personally would consider it to be a courageous and patriotic gesture by ABC.

Mr. President, I urge my colleagues who have not yet done so to publicly voice their displeasure over the decision not to air this film. I also ask unanimous consent that a column by the distinguished commentator, William F. Buckley, which reviews this documentary and the decision not to show it on the ABC network, be printed in the RECORD at the end of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the National Review, Nov. 13, 1981]

THE DOCUMENTARY THEY WON'T SHOW

(By Wm. F. Buckley, Jr.)

NEW YORK.—A few years ago a team of young producers in Canada released a series on the use by the CIA of foreign installations for the purpose of doing the CIA's business. The response was sensational, making the front pages of the Daily Worker. Norfolk Communications, later joined by Kitson Vincent, another enterprising Canadian, then decided to do a documentary on the machinations of the KGB, about which they knew little, and were surprised at the almost nonchalant attention given that agency in one or another government document.

What emerged is the most powerful two-hour documentary on the subject of underground Soviet atcivity ever put together. It was shown in Canada and received sensational notices. The Detroit News, bringing in the Canadian signal, called it "powerful," depicting the "real world of Soviet espionage in this continent." Variety called it a "riveting documentary," "carefully researched and intriguing." It has been shown (twice) in Sweden, and will be shown throughout Europe. The problem is that the producers can't get it shown in the United States. One hears endlessly about the suppressions brought on by the Moral Majority. Well, the Moral Majority has no objection to the KGB Connections: An Investigation into Soviet Operations in North America. What goes on?

ABC put up one-third of the money for the production, in return for the option to show part of it in the United States. The option time came—and went. An official from CBS showed interest in it—but there followed a lesion of interest. NBC seemed to be interested not at all.

Now, The KGB Connections would be gripping film-fare if it were discussing the means by which the Spartans undermined the Athenians during the Peloponnesian War. But its involvement with real people, existing situations, and ongoing threats elevates it to more than mere television drama. It is the story of a huge, and hugely successful, offensive against the Free World. It is a Sears Roebuck catalogue of the devices, stratagems, techniques used by the Soviet Union and by its dupes and agents to affect policy, and to commit subversion.

The directors bring extraordinary material, for the first time, to the screen. Here is Hede Massing, one-time wife of Soviet agent Gerhardt Eisler, calmly, intelligently, and even coquettishly discussing her role as a Soviet agent, her knowledge of Alger Hiss within a Soviet cell. Nathaniel Weyl is there also, recalling Alger Hiss. The use of vanity, sex, money, blackmail is discussed, not fictitiously, but through interviews with defectors. You see them on the screen. You see the results of their machinations. In some cases their faces are blanked out, to give them protection.

Castro and his agents make considerable appearances; and we learn of the uses of the United Nations, whose most prominent recent defector calmly estimates the extent to which the Secretariat is penetrated by the KGB. There are wonderful scenes of the Soviet Embassy in Washington, and of its aerial contrivances by which conversations are picked up and recorded. The Soviets held out for high land in Washington, on which to perch their new embassy—the better to intercept the airwaves. By contrast the United States, which labored for a generation for space in Moscow to replace a dilapidated structure, was given territory in a sort of swampland. At this moment there are two trials going on in which espionage for the Soviet Union is alleged. None of this would surprise anyone who had seen, and reflected on, this remarkable documentary.

Why doesn't Mr. Norman Lear, the famous producer who is so exercised by the intimidations of the far Right, come out and sponsor the viewing of this illuminating documentary? But Mr. Lear has been silent on the matter. Why? Because only Archie Bunker believes in the reality of Soviet subversion? Mr. Benjamin Stein wrote a most remarkable book about Hollywood, The View from Sunset Boulevard, in which he mused on its monolithic position on social issues. All businessmen and generals are evil, all investigative reporters and freedom-fighters are good: but not, one gathers, investigative reporters who are curious about the past and present activity of the Communist brotherhood, or fighters who fight other than for the freedom of North Vietnam, unimpeded, to tyrannize over South Vietnam.

The KGB Connections is so striking a drama, so thoroughly newsworthy, so legitimately entertaining, that its absence from the television screen is prima-facie evidence that, after all, it is true—we don't have full freedom of the press.

THE NO. 1 CLEMSON UNIVERSITY FOOTBALL TEAM

Mr. THURMOND. Mr. President, it is a great day today for Clemson University, my alma mater in my home State, which has captured the No. 1 college football ranking compiled by the Associated Press and United Press International.

I remember Coach Danny Ford, when the Clemson Tigers were ranked 19th in the Nation back on September 22, saying that "if we just keep winning football games then everything else will take care of itself." How prophetic he was. When Clemson survived its 11th test by beating the University of South Carolina recently, Ford's team stood as one of only two with perfect records.

Coach Ford is to be commended for his expertise, determination, and coaching skill as are his able assistants. Athletic Director Bill McClellan is to be praised for his deep personal interest in his athletes and his high professional standards. Also, tribute must be paid to Clemson president Bill Atchley—a man who has made great strides for Clemson and its athletic program.

No matter how Clemson fares in the future, its football fans can look back on this past season and perhaps say of the 1981 Tigers, as has been said of champions of another era, "this was their finest hour."

More important than anything else, I believe, is the spirit and inspiration exhibited by the individual Clemson team players. They went into the season as underdogs. Or, at least, that is what some of the experts said. But if there was a single player who felt overawed in the presence of favored teams earlier in the season, they hid it well from their opponents and the spectators.

The 1981 Clemson players provide a fine example of courage, determination, craftsmanship—attributes that make championship teams.

Mr. President, I ask unanimous consent that a copy of an article in The (Columbia, S.C.) State of December 2, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AT LAST, TIGERS ARE TOP CATS

(By Will Lester)

CLEMSON.—Cold rain and the ABC television network dampened spirits slightly, but Clemson Tiger football fans saw a lifelong dream realized Tuesday.

For the first time in the university's football history, the Tigers were named the number one college football team in the nation by the Associated Press and United Press International wire services.

The announcement came at 6:30 a.m., and five minutes later, a fan stepped out of his house near the school and fired a gun four times into the air.

At the campus cafeteria, pep committee member Jane Robelot cajoled sleepy students to line up in front of a "number one" banner for a photo by a visiting newspaper photographer.

Clemson University, a school of 11,800 students nestled in the Blue Ridge foothills, has never been atop the heap in college football in the 46-year history of the wire service polls, but finished sixth in 1978. The Tigers must now defeat Nebraska in the Orange Bowl before claiming the championship.

On a drizzly December morning, there were few other outward signs on campus of the news, which had been expected ever since Pittsburgh stumbled against Penn State Saturday. But many Clemson fans had already celebrated Sunday and Monday nights after learning of Pitt's loss.

But at the taverns in downtown Clemson Monday night, some fans were rejoicing at the team's vault into national prominence.

Tiger enthusiasts crowded into the Sloan Street Tavern to drink beer and celebrate life at the top. Ginna Field, a freshman, said

she had never followed football until she came to Clemson, but now she's dedicated.

"People are so psyched to be number one," she said. "They've been wearing a lot of orange to class, having more parties and putting a lot of toilet paper in the trees. There's been a shortage since the beginning of the year."

Melissa Barlow said she's happy to be on top so she can brag, particularly to "rude" Georgia Bulldog fans.

Two middle-age men from the nearby town of Central were clearly ecstatic about Clemson's success. Fifty-one-year-old Ramsay Clayton, a bear of a man with white hair and a two-day beard, said the ranking was welcome news to his mother, 77-year-old Rachel Clayton.

"She's been pulling for them all her life," said Clayton. "Three years ago she said she'd like to see Clemson number one before she died. You should have seen the smile on my mother's face when I told her Clemson would be number one. I went up and got her heart pills for her. She told me she never thought she'd live to see it."

Clayton, like many other fans, thought ABC had it in for Clemson.

"When I was in the Marine Corps, the other guys thought Southerners were a bunch of stupid SOBs," he said. "The North's trying to ram it down our throats 'cause they think we're stupid. You're not guilty until you're proven guilty."

Clayton said he thinks the fanatic following of Clemson's athletic programs is more dedicated than most.

"People in this part of the country—if they have $4, they'll give $2 to see Clemson play, spend $1 on gas and worry about what they'll eat afterward. We got U-nity."

That unity is bound to grow as other honors begin to roll in for the Clemson Tigers. Team officials also learned that linebacker Jeff Davis had been named Atlantic Coast Conference player of the year and quarterback Homer Jordan finished second.

Davis, a Greensboro, N.C. native, said he never expected the Tigers to finish first nationally, but hoped the team would compete for an ACC title.

"Clemsons' program is on the upswing; there's a lot of opportunity," he said. "It feels good when you're on top of teams like Southern Cal and Alabama. It feels good as long as we keep it in the right perspective."

Coach Danny Ford, in his third full season at the helm, was excited Tuesday about the news, but was already looking ahead to next year.

"We'll have an excellent recruiting year," said Ford, who was headed out to recruit for next year. "But seven other folks haven't had good luck with the number one spot."

SAUDI ACTIONS SINCE THE AWACS SALE

Mr. PELL. Mr. President, one of the principal arguments employed by the administration in favor of selling AWACS and F–15 enhancement equipment to Saudi Arabia was that the sale would strengthen the willingness of Saudi Arabia to work with the United States in areas of interest to us in the Middle East. But let us look at the record of Saudi actions since October 28, when the resolution of disapproval was defeated in the Senate.

First, the very next day, October 29, Saudi Arabia raised the price of its oil by $2 per barrel to a new level of $34 per barrel. This new figure is almost triple what the OPEC price was in 1978 when we first agreed to sell F–15 aircraft to Saudi Arabia. Some friend.

Second, on November 10, Saudi Arabia gave the PLO over $28 million. Some of that money will undoubtedly be used by the PLO to continue its military build up in Lebanon and directly undercuts the so-called helpful role that Saudi Arabia played in arranging for the ceasefire in Lebanon. Some friend.

Third, also on November 10, Saudi Arabia's foreign minister attacked Oman for participating with the United States in the military exercise "Bright Star." One week earlier, Oman was pressured by the Saudis to request the United States to reduce the size and scope of its participation in this Persian Gulf exercise. Some friend.

Fourth, just today, there is a report in the Washington Post that Saudi Arabia and other Persian Gulf Arab States have offered Oman $1.2 billion in aid if Oman agrees to cancel an agreement allowing the United States access to its military facilities. Some friend.

Mr. President, these actions are evidence that we cannot count on Saudi Arabia to help advance U.S. interests. The Senate, and the American people, were clearly deluded into believing that the AWACS package would increase Saudi friendship and support for U.S. objectives.

THE RETIREMENT OF SENATOR HARRY F. BYRD, JR.

Mr. DODD. Mr. President, yesterday's Washington Post carried a story that Senator HARRY F. BYRD, JR., of Virginia will not seek reelection when his current term expires next year. Characteristically, Senator BYRD had already sent each of us a personal note informing us of his decision.

That gesture was emblematic of the courtesy which the senior Senator from Virginia routinely shows to his colleagues.

In the House of Representatives in which I recently served decorum dictated that the refer to a male colleague as "the Gentleman." Here in the Senate, of course, it is customary to speak of a colleague as "a good friend."

In the case of HARRY BYRD both expressions are apt descriptions not simply idle conventions. Thoughtfulness, cordiality, graciousness, and good will—the qualities of a gentleman and friend—have been HARRY BYRD's consistent trademarks here in the Senate.

In addition, the sense of personal dignity which informed all of his actions helped preserve and enhance the dignity of the institution of the Senate as a whole.

One cannot help but notice, Mr. President, that Senator BYRD's retirement will close an era as well as an individual career. For virtually half a century a man named HARRY BYRD has represented the Old Dominion in the U.S. Senate. Whoever succeeds the senior Senator will be hard pressed to match the love of Virginia's history and traditions and institutions that were so integral a part of HARRY F. BYRD's service to his State.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Saunders, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–2295. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report on the President's second special message for fiscal year 1982; pursuant to the order of January 30, 1975, referred jointly to the Committee on Appropriations, the Committee on the Budget, the Committee on Agriculture, Nutrition, and Forestry, the Committee on Armed Services, the Committee on Labor and Human Resources, the Committee on Banking, Housing, and Urban Affairs, the Committee on Energy and Natural Resources, the Committee on Governmental Affairs, the Committee on the Judiciary, the Committee on Foreign Relations, the Committee on Environment and Public Works, and the Committee on Commerce, Science, and Transportation.

EC–2296. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report on the President's third special message for fiscal year 1982; pursuant to the order of January 30, 1975, referred jointly to the Committee on Appropriations, the Committee on the Budget, the Committee on Armed Services, the Committee on Agriculture, Nutrition, and Forestry, the Committee on Commerce, Science, and Transportation, the Committee on Energy and Natural Resources, the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, the Committee on Veterans' Affairs, the Select Committee on Indian Affairs, the Committee on Environment and Public Works, the Committee on the Judiciary, the Committee on Labor and Human Resources, and the Committee on Small Business.

EC–2297. A communication from the Principal Deputy Assistant Secretary of Defense (Comptroller), transmitting, pursuant to law, notice that no use was made of certain military construction funds for certain purposes for the period April 1 through September 30, 1981; to the Committee on Appropriations.

EC–2298. A communication from the Director of the Defense Security Assistance Agency, transmitting, pursuant to law, a report on the Department of the Navy's proposed letter of offer to Japan for defense articles estimated to cost in excess of $25 million; to the Committee on Armed Services.

EC–2299. A communication from the Secretary of Defense, transmitting, pursuant to law, a report on the activities of the audit, inspection, and investigative units of the Department of Defense for the 6-month pe-

riod ended September 30, 1981; to the Committee on Armed Services.

EC–2300. A communication from the Assistant Secretary of the Army (Installations, Logistics, and Financial Management), transmitting, pursuant to law, a report on a study with respect to converting the nutritional care activity at Fitzsimons Army Medical Center, Colo., and the decision that performance under contract is the most cost-effective method of accomplishment; to the Committee on Armed Services.

EC–2301. A communication from the Assistant Secretary of the Army (Installations, Logistics, and Financial Management, transmitting, pursuant to law, a report on the study with respect to converting the transportation motor pool activity at Fort Carson, Colo., and the decision that performance under contract is the most cost-effective method of accomplishment; to the Committee on Armed Services.

EC–2302. A communication from the Assistant Secretary of the Army (Installations, Logistics, and Financial Management), transmitting, pursuant to law, a report on a study with respect to converting the dry cleaning activity at Fort Carson, Colo., and the decision that performance under contract is the most cost-effective method of accomplishment; to the Committee on Armed Services.

EC–2303. A communication from the Assistant Secretary of the Army (Installations, Logistics, and Financial Management), transmitting, pursuant to law, notice of the discovery and disposal of a suspected chemical agent at Fort Polk, La.; to the Committee on Armed Services.

EC–2304. A communication from the General Counsel of the Department of Energy, transmitting, pursuant to law, notices of meetings related to the International Energy Program; to the Committee on Energy and Natural Resources.

EC–2305. A communication from the Secretary of the Interior, transmitting, pursuant to law, a report on a proposed transfer of land; to the Committee on Energy and Natural Resources.

EC–2306. A communication from the Director of Policy, Planning, and Analysis, Department of Energy, transmitting, pursuant to law, a report on the economic impact of energy actions for July 1, 1980 through June 30, 1981; to the Committee on Energy and Natural Resources.

EC–2307. A communication from the General Counsel of the Department of Energy, transmitting, a draft of proposed legislation to extend the expiration date of section 252 of the Energy Policy and Conservation Act; to the Committee on Energy and Natural Resources.

EC–2308. A communication from the U.S. Trade Representative, transmitting a draft of proposed legislation to amend section 2 of the International Coffee Agreement Act of 1980 (the act); to the Committee on Finance.

EC–2309. A communication from the Acting Secretary of Transportation, transmitting, pursuant to law, a report on contracts awarded under 10 U.S.C. 2304(a)(11) for the period April 1, 1981 through September 30, 1981; to the Committee on Governmental Affairs.

EC–2310. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report on the need for a systematic management approach to congressional reporting requirements; to the Committee on Governmental Affairs.

EC–2311. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a list of reports issued by the General Accounting Office; to the Committee on Governmental Affairs.

EC–2312. A communication from the Secretary of the Department of Education, transmitting, pursuant to law, the Report to Congress on the Feasibility and the Desirability of Alternative Measures of Comparability; to the Committee on Labor and Human Resources.

EC–2313. A communication from the Assistant Secretary for Administration of the Department of Housing and Urban Development, transmitting, pursuant to law, a report of the Department's intention to establish a new Privacy Act system of records; to the Committee on Governmental Affairs.

EC–2314. A communication from the Secretary of the Department of Labor transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period April 1, 1981, through September 30, 1981; to the Committee on Labor and Human Resources.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–626. A petition from a citizen of Dubberly, La., relating to America's national defenses; to the Committee on Armed Services.

POM–627. A petition from a citizen of Brookline, Mass., urging the Congress to prohibit use of American tax dollars for the South West Africa People's Organization; to the Committee on Foreign Relations.

POM–628. A petition from a citizen of Aregibo, Puerto Rico, urging rejection of "the Gay Bill of Rights"; to the Committee on the Judiciary.

POM–629. A joint resolution adopted by the Assembly of the State of Ohio; to the Committee on the Judiciary.

"JOINT RESOLUTION

"Be it resolved by the General Assembly of the State of Ohio:

"Whereas, The members of the 114th General Assembly of Ohio are aware that Mobil Corporation has commenced a tender offer for Marathon Oil Company, an Ohio-based company; and

"Whereas, Marathon Oil Company employs almost 5,000 people in Ohio, with an annual payroll in Ohio in excess of $90 million; has an investment in fixed assets in Ohio of $134 million; paid in excess of $14 million in taxes in Ohio in 1980; and is Ohio's fifth largest corporation; and

"Whereas, Marathon Oil Company is a vital and irreplaceable reliable source of supply of gasoline and petroleum products to hundreds of independent, small business marketers in Ohio and elsewhere; and

"Whereas, Marathon Oil Company is a highly competitive marketer of low-cost gasoline and petroleum products through its Speedway, Gastown, Bonded and Cheker outlets in Ohio; and

"Whereas, Mobil Corporation does not sell any significant quantity of low-cost gasoline and petroleum products and has consistently refused to supply gasoline and petroleum products to low-cost, independent marketers in Ohio and elsewhere; and

"Whereas, Independent marketers and Marathon's low-cost outlets are a vital competitive force in Ohio and elsewhere; and

"Whereas, Marathon Oil Company is a major and irreplaceable supplier of petroleum and petroleum products to agricultural markets in Ohio and elsewhere, supplying 4400 farm accounts and Ohio's largest agricultural co-operative; and

"Whereas, Mobil Corporation does not supply such markets; and

"Whereas, Mobil Corporation and Marathon Oil Company are direct competitors in the sale of various petroleum products and services in Ohio and elsewhere; and

"Whereas, The acquisition of Marathon Oil Company by Mobil Corporation will have severe anti-competitive effects on consumers in Ohio and elsewhere; and

"Whereas, The attempted acquisition of Marathon Oil Company by Mobil Corporation raises serious concerns under the antitrust laws of the United States and the State of Ohio; now therefore be it

"Resolved, That we, the members of the 114th General Assembly, in adopting this Resolution, strongly urge and memorialize the Attorney General of the United States and the Federal Trade Commission to act forthwith under the antitrust laws of the United States to enjoin the takeover of Marathon Oil Company by Mobil Corporation pending full exploration of these serious issues; and be it further

"Resolved, That the Clerk of the Senate transmit duly authenticated copies of this Resolution to the Attorney General of the United States and to the Chairman and members of the Federal Trade Commission."

POM–630. A petition from a citizen of Lowell, Mass., urging support of S. 613, to help end union violence in America; to the Committee on Labor and Human Resources.

POM–631. A petition from a citizen of Mobile, Ala., urging support of S. 613, to help end union violence in America; to the Committee on Labor and Human Resources.

POM–632. A petition from a citizen of Honolulu, Hawaii, urging support of S. 613, to help end union violence in America; to the Committee on Labor and Human Resources.

POM–633. A petition from a citizen of Nampa, Ind., urging support of S. 613, to help end union violence in America; to the Committee on Labor and Human Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DOLE, from the Committee on Finance, without amendment:

S. Res. 238. A resolution to retain the deductibility from personal taxes of interest paid on residential mortgages.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. McCLURE, from the Committee on Energy and Natural Resources:

Vernon R. Wiggins, of Alaska, to be Federal Cochairman of the Alaska Land Use Council;

Pedro A. Sanjuan, of the District of Columbia, to be an Assistant Secretary of the Interior;

Janet J. McCoy, of Oregon, to be High Commissioner of the Trust Territory of the Pacific Islands.

(The above nominations from the Committee on Energy and Natural Resources were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. DOLE, from the Committee on Finance:

Jules G. Korner III, of Maryland, to be a Judge of the United States Tax Court for a term expiring fifteen years after he takes office;

Perry Shields, of Tennessee, to be a Judge of the United States Tax Court for a term expiring fifteen years after he takes office;

Meade Whitaker, of Michigan, to be a

Judge of the United States Tax Court for a term expiring fifteen years after he takes office.

REREFERRAL OF A BILL—S. 1855

Mr. STEVENS. Mr. President, I ask unanimous consent that S. 1855, a bill to amend the Internal Revenue Code, be rereferred from the Committee on the Judiciary to the Committee on Finance.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. SPECTER:

S. 1899. A bill to amend the Federal Election Campaign Act of 1971 to reform campaign financing and for other purposes; to the Committee on Rules and Administration.

By Mr. EXON:

S.J. Res. 131. A joint resolution designating "National Theatre Week"; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SPECTER:

S. 1899. A bill to amend the Federal Election Campaign Act of 1971 to reform campaign financing and for other purposes; to the Committee on Rules and Administration.

FEDERAL ELECTION REFORM ACT OF 1981

Mr. SPECTER. Mr. President, I have introduced a bill, S. 1899, to streamline and reform the Federal Election Campaign Act.

This bill has five titles, as follows:

Title I provides for reform of the regulation of Presidential campaigns, including elimination of the State-by-State limitations, elimination of the fundraising exemption, and allows a $1,000 contribution in-kind in the Presidential general election.

Title II provides for reduction in the recordkeeping and reporting requirements, while insuring that the public continues to receive the information it needs on how campaigns raise and spend their funds. This title increases the threshold for reporting for candidates and political committees, significantly reduces recordkeeping requirements, eliminates the requirement that candidates file reports with their Secretary of State—but requires the FEC to forward a copy to the Secretary of State—and reduces the reporting requirements for certain categories of receipts and disbursements which do not significantly enhance public disclosure.

Title III raises the contribution limitations roughly in conformance to the projected cost of living increase between 1974 and 1984. This title also closes the loophole in existing law whereby there are no contribution limitations on draft committees.

Title IV provides for the streamlining of the Federal Election Commission, including a single point of entry for all Federal disclosure reports, a part-time Commission, and clarification of the role of the Commissioners and Executive Director and General Counsel. This title also requires the Commission to periodically and on a timely preelection basis compile summary statistics for public consumption, sets specific timeframes for the initiation of enforcement actions, streamlines nonfiling actions against multicandidate committees, provides for a comprehensive review of FEC regulations every 2 years, sets forth timeframes for completion of Presidential audits, provides for random audits of multicandidate committees, and contains certain other provisions streamlining the administration of the law.

Title V contains several miscellaneous provisions, including requiring disclosure by draft committee—thus overturning a recent court decision exempting those committees from disclosure—and allowing trade associations to continue to solicit corporations until the permission is revoked.

This bill remedies and responds to the numerous, justifiable criticisms of the FECA, while maintaining in every respect the basic thrust of the reforms which were enacted in the past decade.

The legislation which I am introducing today has been drafted by Mr. William P. Loughrey, my legislative administrator. Mr. Loughrey served as deputy staff director of the Federal Election Commission for 3 years immediately before joining my staff, has worked for over 8 years with the Federal Election Campaign Act, and has extensive knowledge on the interworkings of the Federal Election Commission. In formulating this legislation, I have sought to use Mr. Loughrey's experience to correct some of the operating deficiencies of the statute and to bring his practical experience to bear on this important subject with these proposed reforms in the existing legislation.

Mr. President, I ask that a summary of the bill be printed in the RECORD.

There being no objection, the summary was printed in the RECORD, as follows:

SUMMARY

The title of the Bill is the Federal Election Reform and Deregulation Act of 1981.

Title I of the bill contains those provisions relating to presidential campaigns.

Section 101 permits general election campaigns to accept contributions in-kind up to $1,000 provided that any such contribution in excess of $500 is disclosed.

The original purpose of the Presidential Election Campaign Fund was to free candidates of the duties, responsibilities and obligations of raising private campaign funds for presidential general elections. It was not the intent of this legislation to curb grassroots activities or prohibit day-to-day activities in support of the presidential campaigns.

While the Presidential Election Campaign Fund Act has been successful in eliminating the need for private fundraising and many of the negative aspects of private fundraising, the Act has apparently curbed grassroots and other forms of desirable activities. For example, if an individual wishes to provide a typewriter, telephone, or xerox machine or other thing of value to a campaign, the Act generally prohibits this activity unless it is reimbursed by the campaign. (Certain types of contributions in-kind are exempt from the definition of contribution by 2 U.S.C. 431(8)(B)). Since presidential general election campaigns find that the most effective use of funds is for advertising and get-out-the-vote activities, there are little or no funds budgeted for these types of grassroots activities. Thus, volunteers and other supporters of the candidates frequently find that they are unable to undertake many types of activities on behalf of the candidate.

This exemption would enable these individuals and organizations to undertake limited activities on behalf of a presidential candidate provided that such activities do not include providing cash, currency, personal checks, loans, advances and other comparable items which may be deposited as money. This exemption would not extend to sham transactions, such as where a campaign were to accept the use of a typewriter or artwork and sell the typewriter or artwork on the open market, using the funds obtained in the transaction in connection with the campaign. This exemption should encompass the vast majority of grassroots and day-to-day type activities where individuals and organizations may use their own property and other things of value in conjunction with volunteer activities.

Campaigns will be required to disclose any such contributions in-kind which exceed $500, but there is no requirement that these campaigns keep records or set a value on contributions in-kind of less than $500 (See Section 502). Requiring campaigns to set a value on these types of activities would be inhibitory and counterproductive. It is expected that campaigns, volunteers, and other persons would use a rule of reason in evaluating contributions in-kind.

The total value of contributions in-kind provided to a presidential general election campaign by one individual or organization under this Section may not exceed $1,000.

The principle involved here is comparable to that in existing law. A wide number of activities are exempted from the definition of contribution under the current law, including food and beverages up to $1,000, travel expenses up to $1,000, the use of real or personal property up to $1,000, and numerous activities of State and local party committees. This provision would make a more comprehensive exclusion to the definition of contribution for purposes of the Presidential Election Campaign Fund Act because under that law all contributions to campaigns receiving full public funding are prohibited by law. This exclusion is in addition to any exemption contained in 2 U.S.C. 431(8). These contributions in-kind would not count toward the overall expenditure limitations.

Exempting a broader range of contributions in-kind from the definition of contribution would encourage volunteer activities. This exemption also would not subject the candidates to the duties, responsibilities and alleged abuses involved in private fundraising. Permitting contributions of cash, currency and other monies would divert funds from political party committees and result in the reversion to private fundraising which is contrary to the purposes of the Act.

Section 102 of the bill eliminates the state-by-state expenditure limitations. The original goal of the state-by-state limitations was to serve the well-intended purposes of preventing candidates from (1) spending an exorbitant amount of funds in any one State in order to gain an early lead in the presidential race, (2) using up all or almost all of their overall limitation in the early primary states, and (3) unnecesarily influencing the voters in a State by expenditures of large sums of money.

While this goal is certainly laudable, it resulted in a regulatory nightmare and over-regulation of presidential campaigns. In order to determine whether an expenditure must be attributed to a State expenditure

limitation, every campaign must keep a detailed accounting of each expenditure so that the Federal Election Commission can determine whether that expenditure should be attributed to a State limitation. Campaigns which keep detailed records are penalized, because the FEC is better able to determine when national overhead and general administrative expenses are attributable to the state-by-state limitation.

In the 1980 campaign, there were huge variances in the percentage of total expenditures attributed to the States by various candidates. Expenditures attributable to these limits ranged from as low as 8 percent for one campaign to as high as over 65 percent for another. Thus, it is increasingly obvious that these limitations are not enforceable and only serve to over-regulate campaigns. While the state-by-state limitations were enacted to serve a good purpose, it is clear that this goal is not obtainable without seriously over-burdening presidential campaigns.

Section 103 eliminates the legal and accounting exemption for presidential campaigns receiving public funds. The original purpose of this provision was also laudable—to allow legal and accounting services to be exempted from the contribution and expenditure limitations. However, this provision has imposed complicated allocations and other requirements on presidential campaigns. For example, these campaigns have been required to keep detailed records of the time which campaign workers spend on legal and accounting services versus other campaign functions. In eliminating this exemption, this bill would increase the overall expenditure limitation to allow campaigns to fund these activities (See Section 105). Thus, this bill would eliminate the complicated allocation and recordkeeping requirements without reducing the resources or amount of funds available to campaigns.

Section 104 of the bill eliminates the 20 percent exemption from the expenditure limitation for fundraising expenses. This provision serves little purpose since all campaigns have been able to classify at least 20 percent of their expenditures as fundraising expenses. As a practical matter, it is almost impossible to differentiate between most general campaign expenses and fundraising expenses. This provision requires presidential campaigns to set up a complicated allocation system to differentiate between so-called "fundraising expenses" and other general campaign expenses. To compensate for what would otherwise be a 20 percent reduction in the overall limitation, the overall expenditure limitation is raised in Section 105.

Section 105 of the bill increases the overall expenditure limitation in presidential primaries from $10 million to $15 million and in the presidential general election from $20 to $21 million. This limitation would continue to be indexed by the cost-of-living adjustment using the base period of 1974. These increases in the limitations would compensate for the elimination of the legal and accounting services and fundraising exemptions.

In addition, it would increase the basic limitation by approximately $2 million in the primaries. During both the 1976 and 1980 campaigns, several candidates and their authorized committees had to significantly curtail their activities during the last few weeks of the campaign to remain within the limitation. This increase would provide these campaigns with additional flexibility without jeopardizing the rationale for the overall expenditure limitation. While additional increases in this limitation may be desirable, it is doubtful that sufficient political sentiment exists within the Congress to significantly raise this limitation.

Section 106 requires the Commission to establish a pattern and practice of failure to maintain adequate documentation or records in order to require repayment of public funds. Under current practice, the Commission requires repayment of funds to the Treasury if the campaign fails to maintain adequate documentation or records for expenditures. There is no direct indication in the legislative history or the statute that Congress intended the Commission to require such payment. On the other hand, there needs to be an accountability for public funds and no campaign should be able to conceal wrong-doing or illegal activities by simply failing to maintain adequate documentation of expenditures.

Thus, this provision requires the Commission to use the enforcement procedure, which is the procedure it must use to levy a civil penalty, in order to require any repayment. Further, the Commission must establish a pattern and practice of failure to maintain such documentation. This provision recognizes that campaigns, by necessity, are frequently loosely run and many times are unable to maintain the high levels of recordkeeping and documentation maintained by more stable and on-going organizations and most recipients of government funds. This provision should also help clarify the current problem, whereby it is questionable whether the Commission has the authority to require repayment in conjunction with the Title 2 enforcement procedure when it uncovers payments and expenditures for which no adequate documentation was maintained.

Section 107 of the bill would allow presidential candidates who have received public funds but who become inactive to file quarterly rather than monthly reports. Additional authority provided for in this bill would also allow the Commission to waive other reporting requirements. (See Section 409).

Section 108 requires that all repayments be credited to the Presidential Election Campaign Fund so that dollars checked off by taxpayers for the Fund do not indirectly end up in the general fund. Under current law, repayments under the Presidential Election Campaign Fund Act, but not the Primary Matching Payment Account Act, are deposited in the general fund of the Treasury.

Section 109 makes technical changes to the law by making consistent the definition of "qualified campaign expense" in both Chapters 95 and 96. The definition contained in Chapter 96 is incorporated into Chapter 95. In addition, the definition of "qualified campaign expense" is clarified to indicate that it incorporates the "coattails provision" of 2 U.S.C. 431(8)(B)(xi).

Title II contains those various provisions relating to reductions in the burdens of recordkeeping and reporting.

Section 201 increases the threshold for the triggering of the reporting requirements for candidates and their authorized committees from $5,000 to $10,000. This threshold was originally enacted in the 1979 Amendments on an experimental basis. Since it worked well for the 1980 election, the threshold is increased from $5,000 to $10,000.

Section 202 increases the thresholds for the triggering of the reporting requirements for a political committee. Since the enactment of the law in 1971, the threshold for reporting by political committees has been $1,000 (except that in the 1979 Amendments the triggering amount was eliminated for separate segregated funds and increased to $5,000 in certain instances for political party committees). Since passage of the 1971 law, the rate of inflation has increased rapidly, causing many additional smaller organizations to trigger reporting or reduce federal activity. Even though there has been a loosening of other requirements in the law, the threshold for reporting by political committees has remained at $1,000 and decreased in some circumstances. In particular, the requirement that separate segregated funds report when they have any activity at all is particularly burdensome to many small corporations, trade associations and labor unions who must report to the FEC when they make only small contributions to Federal candidates, including on occasions when they simply buy tickets for fundraising dinners and other campaign events. Other separate segregated funds and political committees simply refrain from federal activity, thus being discouraged from even minimal participation in the Federal process.

Section 202 increases the threshold of reporting from $1,000 to $2,500 for political committees in general, sets the threshold for reporting for the separate segregated funds at $1,000, and in the case of State and local political party committees making certain types of exempted contributions and expenditures, the threshold is increased from $5,000 to $10,000. While these increases may not remove substantial numbers of committees from the reporting requirements, there are currently a large number of committees which do not participate at all or only up to the threshold which will be able to participate to a greater extent under these proposed provisions.

Section 203 increases the recordkeeping threshold for contributions from $50 to $100. This is consistent with the overall goal of reducing the recordkeeping requirements on committees. This section also makes other changes consistent with raising the threshold from $50 to $100 and $200 to $500.

Section 204 revises the current law which provides recordkeeping for every disbursement and provides for recordkeeping for those disbursements in excess of $100. Current requirements are onerous and burdensome and do not reflect the realities of the campaign. Setting the threshold at $100 would be consistent with the $100 recordkeeping threshold on the contribution side.

Section 205 clarifies the application of the best efforts test, particularly in those instances where a campaign may not be able to determine if it originally requested the information. Under current law, a campaign may solicit funds in a variety of ways. If the campaign fails to request contributor information for each solicitation, then it must make an additional written request for the information in all instances where the campaign cannot demonstrate that it originally asked for the information. For example, if all contributions are sent to a single mail box and some of them are the result of a television solicitation where it is not practicable to ask for the contributor information, then the campaign may be required to ask for this information for all persons who did not supply it, including those persons who contributed as a result of some other form of solicitation. Instead, the campaign would only be required to make an additional request if their written solicitations did not ask for this information. This test more closely parallels the practical realities of the political campaign. In the case of expenditures, one written request should be made for any missing information.

Section 206 increases the disclosure threshold for refunds, rebates and other offsets for operating expenses and dividends, interest and other receipts.

Section 207 would eliminate the requirement that campaigns aggregate all disbursements for purposes of the reporting requirements. This is consistent with the setting of a threshold for recordkeeping for disbursements of $100. In addition, many campaigns expend substantial time and effort in aggregating expenditures when little use is made of this data. Since there are a wide variety of systems for aggregating and classifying expenditures, this data is of relatively

little use for statistical purposes. All contributions or transfers to candidates and authorized committees will still be required to be reported.

Section 208 raises the threshold for independent expenditure reporting from $250 to $1,000. Very little use is made of the information generated by the requirement to disclose independent expenditures greater than $250 but less than $1,000. This provision would eliminate the necessity for these persons to file disclosure reports with the FEC.

Section 209 eliminates the requirement that each committee file a copy of its report with the Secretary of State. Instead, it requires the Commission to forward copies of all reports and statements, along with pertinent indices, to the appropriate State officer. The appropriate State officer is defined to mean: all States in the case of presidential candidates and political party and PAC committees receiving contributions or making expenditures aggregating in excess of $100,000, the State in which a House or Senate candidate seeks election for House and Senate campaigns, and for all other committees the State in which the committee is headquartered. The Secretary of State (or equivalent State officer) is required to perform the same duties and responsibilities as in the current law, except that the Secretary is not required to compile and maintain a current list of all reports and statements since indices will be provided by the Commission. There are authorized for purposes of carrying out this section $500,000 for Fiscal Year 1982. The amounts authorized to be appropriated under this section are less than the actual cost to candidates and committees who currently file these reports with the Secretary of State.

Title III includes various modifications in the limitations on contributions.

Section 301 changes the current $1,000 per-election limitation on individual contributors to $2,500. Since enactment of the contribution limitations in 1974, there have been significant increases in the cost of living, but no increases in the limitations. While increasing the limitations will not generally result in a significant increase in funds available to campaigns (approximately a 2–5 percent increase for House races, 5–12 percent for Senate races, and 15–30 percent for Presidential races), as a matter of equity the contribution limitation should be adjusted to account for inflation. Suggestions to further increase the limitation do not appear to merit enactment, because such increases would not provide significant additional funds to campaigns and the giving of multiple contributions through spouses and children or through various employees or officers of a corporation or other organization might result in the appearance of undue influence.

Section 302. The aggregate limitation on the amount which an individual can give to all Federal candidates and committees is increased from $25,000 to $50,000. While this will not generate significant additional funds for Federal campaigns (less than 1 percent additional funds), it will make an appropriate adjustment for inflation.

Section 303 sets forth a limitation on contributions to individuals, organizations, or other groups and persons who seek to draft candidates for Federal office. A recent court decision found that the limitations on contributions do not apply to organizations and individuals which seek to draft someone for Federal office. This amendment would reverse that court decision and impose a $5,000 limitation on contributions to these committees. This is comparable to the $5,000 limitation which would be imposed on candidates and authorized committees.

Title IV contains certain provisions for streamlining the Federal Election Commission.

Section 401 established the Commission as the sole point of entry for all disclosure documents filed by federal committees. Under existing law, a ludicrous system exists whereby Federal candidates and committees file with three separate entities, the FEC, the Clerk of the House, and the Secretary of the Senate. This obviously creates considerable confusion and duplication of effort. A single point of entry would eliminate any confusion about where candidates and committees are to file reports. It would assist committee treasurers by having one office with which to file, correspond and ask questions.

At present, conflicts may arise when more than one office sends materials, makes requests for additional information and answers questions relating to the interpretation of the law. A single point of entry should also reduce the cost to the Federal Government of maintaining 3 different offices, especially in the area of personnel, equipment and data processing. Under existing law, the Commission has authority to prepare and publish lists of non-filers. It is extremely difficult to ascertain who has and has not filed when reports may have been filed at or are in transit to two or more different offices. Separate points of entry also make it difficult for the Commission to track responses to compliance notices. Many responses and/or amendments may not be received by the Commission in a timely manner, even though they were sent on time by the candidate or the Committee. The delay in transmittal between to offices sometimes leads the Commission to believe that candidates and committees are not in compliance. A single point of entry would eliminate this confusion.

Section 402 of the bill sets forth several structural changes in the Commission. The Commissioners are made part-time, the Clerk of the House and Secretary of the Senate are removed from the Commission, and an Executive Director is substituted for the general counsel and staff director. The Executive Director may appoint a General Counsel to represent the Commission in court and provide legal advice. Commissioner pay is at level IV of the Executive Schedule but may not exceed $20,000 per calendar year. Under the existing structure, the Commission is essentially administered by eight separate entities—six commissioners, the staff director and the general counsel. These officers have not worked out their roles between each other and have not been successful in establishing an arrangement which would allow for the smooth functioning of the Commission.

In order to facilitate the overall administration of this law, an Executive Director is proposed to administer the Commission's staff and budget, and handle other functions of a chief executive officer. The Commission will still retain all its powers to act on advisory opinions, regulations, enforcement matters and other similar policymaking decisions. This change will establish for the Commissioners an appropriate role in the decisionmaking process. Under existing law, the Commissioners have read the delegation of authorities provision in an overly broad matter. Instead of delegating the relevant administrative duties and responsibilities to an Executive Officer, the Commission has attempted to become involved in the day-to-day operations of the staff and the Commission. This has proven to be inefficient and ineffective. Also, making the Commissioners part-time, and limiting their compensation of $20,000 will require them to assume a role of chief policymakers rather than administrators. The Commissioners will need to incorporate a strict conflict of interest test into the Commission's written rules of conduct in order to avoid conflicts of interest since they are no longer full-time.

Each Commissioner will be provided with one GS–12 staff assistant to assist in the carrying out of his or her responsibilities. Salary levels of current employees are not to be affected by this provision. Appointment of the staff will no longer require the approval of the Commission, but the Commission will continue to have appointment authority over the Executive Director. If the Commission is sufficiently dissatisfied with the appointments of the Executive Director, it has the authority to terminate him or her. This section also eliminates the provision requiring the Commission to avail itself of other agencies and departments of the United States. As a practical matter, this provision has proven to be unworkable and all other agencies and departments require reimbursement on a cost basis, thus making use of this provision inefficient from the viewpoint of the Commission.

Section 403 sets forth a new requirement that the Commission periodically publish statistical analyses of candidates and committees which file reports and statements with it. The Commission currently provides the press and the public with Reports on Financial Activity which set forth comprehensive statistical analyses of these candidates and committees. However, these reports are not always provided on a timely pre-election basis and are sometimes not available until long after the election. The intent of this provision is to require the Commission to produce the RFA in its full scope, including data on candidate loans, contributions, and debts and obligations, on a timely basis. A deadline of June 30th of the year after the election is set for the production of a comprehensive report. It is intended that this report will cover all reports and statements filed by candidates and committees prior to February 16th. This provision is also intended to change the Commission's focus from that of enforcement of relatively insignificant violations of the Act to public disclosure of major and significant campaign financing trends and patterns.

Section 404 sets forth a specific time frame for enforcement actions taken by the Commission and substitutes a letter of inquiry for the current formal finding of "reason to believe". The letter of inquiry must be sent within 45 days of receipt of a complaint or within 90 days of information ascertained in the normal course of carrying out its supervisory responsibilities. Probable cause must be found within 100 days of the letter of inquiry or notification of an investigation and a civil suit instituted within 120 days of finding probable cause. Time spent on delaying tactics by the respondent will not count towards these time frames. If no action is taken during these time frames, then the Commission may not proceed further, except to close the case.

The Commission has taken over four years to complete some investigations. In other instances, there have been considerable delays on the part of the Commission in processing enforcement actions. In the case of election law, it is particularly impotrant that all such matters be processed as expeditiously as possible, particularly because matters concluded long after the election will have a diminishing, if not an insignificant impact. These time frames will require the Commission to limit and focus its enforcement efforts. In addition, in the event the Commission is unable to process an action within the time frame required, it still has the option of referring the matter to the Department of Justice. Setting these time frames will greatly expedite the processing of these actions and obviate the need to eliminate the Commission's civil enforcement authority or transfer this authority to the Department of Justice. Similar Congressional action to limit the

time frame for Commission response, such as the limitations on time to respond to an advisory opinion request, have in the past proved very successful.

Section 405 permits the Commission to levy a civil penalty of up to $10,000 against any multicandidate committee which does not file a disclosure report without going through the normal enforcement procedures. Currently substantial numbers of these committees are not filing these reports and the Commission does not have the resources to pursue more than a small number of these violations. For these committees, there is presently a small chance of receiving any sanction at all for these serious violations, unlike authorized committees which are subject to greater press scrutiny and complaints by opposing candidates.

Section 406 sets forth a time frame for a comprehensive review of the Commission's regulations and forms. In recent years, the Commission's regulations have become outdated and do not contain a major portion of the Commission's policy decisions, advisory opinions, and other administrative actions which significantly impact on candidates and committees. Further, campaign treasurers do not have a central reliable body of information on how to comply with the law and must rely on hundrdes of opinions, regulations, hundreds of enforcement actions and voluminous amounts of other materials. This provision will require the Commission to conduct a comprehensive review prior to June 30th of the year following the election and provides for public comment on any proposed change.

Section 407 requires the Commission to make the results of its audits of presidential candidates publicly available within certain time frames. For general election candidates, these results must be made available by July 31st of the year following the election. For primary candidates, the results must be made available by March 31st of the year after the convention. The Commission vastly improved its performance with regard to the timeliness of its release of presidential audits for the 1980 election. This provision is intended to ensure that the Commission continues to improve its performance and that each office within the Commission continues to meet established deadlines. The statutory deadlines should expedite this process.

Section 408 allows the Commission to conduct audits of nonparty multicandidate committees on a randon basis. Prior to the 1979 amendments when the Commission was prohibited from conducting any random audits, the Commission's previous audits of these committees found that over 7 percent of the funds raised by these committees were raised improperly. Thus, between $1 and $12 million in funds raised by these committees each election cycle are raised improperly.

Section 409 gives the Commission the power to waive any recordkeeping or reporting requirements by prescribing a rule or regulation of general applicability in accordance with the procedures set forth in the statute. In the past, the Commission has been unable to waive many of the cumbersome recordkeeping and reporting requirements in the statute, because it lacked this general authority, This provision would eliminate any possible bar to the submission of a regulation of general applicability to waive any recordkeeping and reporting requirement in this Act (the Commission may have this authority implicitly under current law). It is expected that the Commission would utilize this general waiver authority in conjunction with the requirement that it conduct a comprehensive review of its regulations at the conclusion of each 2-year election cycle (See Section 406). Examples of where this general waiver authority would be helpful include: (1) a candidate's principal campaign committee existing solely to extinguish debts from a previous campaign could be permitted to file an annual report, if the candidate is not currently seeking election, and (2) the principal campaign committee of a candidate for the office of President could be waived from filing pre- and post-general election reports if the candidate is no longer actively seeking election.

Section 410 reduces the period for legislative review of Commission regulations from 30 legislative days to 15 legislative days and conforms the definition of legislative days in Title 26 to that contained in Title 2.

Section 411 would provide the Commission with a revolving fund. Atlhough the FEC charges fees for certain publications and copies of documents provided to the public upon request, none of the monies collected are paid to the FEC for costs that have been incurred. Instead, the money is transferred to the U.S. Treasury. Thus, there is little financial incentive for the FEC to encourage the sale and use of the reports filed with it. A revolving fund would provide this incentive and would allow the FEC to recover its costs.

Section 412 would eliminate the prohibition on the Commission issuing opinions of an advisory nature, except through the advisory opinion process. The current statutes prevent the Commission from issuing any form of guidance or advice to candidates or committees except through the advisory opinion and regulation process. Both of these procedures are cumbersome and take considerable time. The Commission should have additional flexibility to answer the questions and problems posed by candidates and committees in a more expeditious fashion. This section also reduces the public comment period for advisory opinion requests received immediately before the election from 10 to 5 days. This will assist the Commission in answering opinion requests within the 20-day time period.

Section 413 eliminates the Commission's annual report in accordance with the President's recent dictate to eliminate as many government publications as possible. The elimination of the annual report should save the Commission approximately $5,000–$10,000 a year.

Section 414 would exempt the Commission from the requirements of the Regulatory Flexibility Act and certain requirements of the Privacy Act of 1974. None of the Commission's regulations have a significant impact on small businesses due to the nature of the Commission's jurisdiction, which mainly extends to political committees. The Commission is required to assert that its regulations will have no impact on small businesses, when in fact these businesses are not within the jurisdiction of the Commission. A far simpler solution would be to exempt the Commission from these requirements. The Commission should also be exempted from its duties to comply with the accounting requirements of 5 U.S.C. 552a(c) to the extent that the section requires an accounting of all disclosures maintained on the public record. The Commission has a reading room to which members of the general public may come and inspect microfilm copies of public reports. Placing such documents on the public record is a routine use of such materials. An exemption from the accounting requirements would not contravene the principles of the Privacy Act since the individuals involved are those running for office or contributing to candidates for federal office. Congress has determined that in this situation the public need to know the financial activities of political committees and contributors outweighs any privacy interests such individuals may have in this area.

Title V contains miscellaneous provisions for streamlining the Federal Election Campaign Act.

Section 501 amends the definition of political committee to clarify that committees and other organizations which attempt to draft an individual to run for federal office are subject to the recordkeeping and reporting requirements of the FECA. A recent court decision has suggested that these committees may not be subject to the reporting and recordkeeping requirements in the law. This provision would eliminate any doubt as to their applicability.

Section 502 would eliminate the need to set a value on contributions in-kind of less than $500. Under current law, campaign treasurers and other campaign workers may spend considerable time setting a value on various, relatively small contributions in-kind to a political committee. This provision would set a de minimus or safe harbor rule whereby contributions in-kind would not be subject to the recordkeeping, valuation, and reporting requirements in the Act. In determining whether an individual or group has made contributions in-kind aggregating over $1,000, a treasurer can keep a list of such contributions in-kind and use his or her best judgment in determining whether the threshold has been met or exceeded. This would be an application of the rule of reason.

Section 503 clarifies the application of the earmarked contribution provision. Section 441a(a)(8) currently states that contributions made on behalf of a candidate to an intermediary conduit shall be considered contributions to the candidate by the original donor. This provision would amend the statute to make it applicable to contributions earmarked to political committees.

Section 504 changes current law, whereby the political action committees of trade associations must obtain the separate and specific approval of each member corporation to solicit their stockholders and executive and administrative personnel. Some trade associations have thousands of members and it is a considerable burden to obtain approval for solicitation every year. The one-year limitation will be eliminated by this provision and the trade association will be allowed to solicit until the corporation revokes its approval. If a corporation revokes its approval, another trade association may not be approved for solicitation purposes until the following year.

Section 505 makes a technical amendment to title 26.

Section 506 makes the bill effective 90 days after enactment, except for provisions relating to the structure of the Commission will not take effect until May 1, 1985, so that existing parties will not be affected and there will be a transition period to make the changes required by this bill.

ADDITIONAL COSPONSORS

S. 234

At the request of Mr. HATCH, the Senator from North Dakota (Mr. BURDICK), the Senator from West Virginia (Mr. RANDOLPH), the Senator from Iowa (Mr. JEPSEN), the Senator from Georgia (Mr. NUNN), the Senator from Wisconsin (Mr. KASTEN), the Senator from Ohio (Mr. METZENBAUM), and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 234, a bill to amend the Public Health Service Act to encourage the establishment of home health programs and to amend the Social Security Act to provide expanded coverage of home health services under the medicare and medicaid programs.

S. 1498

At the request of Mrs. KASSEBAUM, the Senator from Ohio (Mr. METZENBAUM), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Delaware

(Mr. ROTH), the Senator from Michigan (Mr. RIEGLE), and the Senator from Georgia (Mr. NUNN) were added as cosponsors of S. 1498, a bill to establish an office in the National Institutes of Health to assist in the development of drugs for diseases and conditions of low incidence.

S. 1595

At the request of Mr. INOUYE, the Senator from Connecticut (Mr. WEICKER), the Senator from New Jersey (Mr. WILLIAMS), and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 1595, a bill to provide for the designation of income tax payments to the U.S. Olympic Development Fund.

S. 1698

At the request of Mr. DENTON, the Senator from Georgia (Mr. MATTINGLY), the Senator from Oregon (Mr. HATFIELD), and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of S. 1698, a bill to amend the Immigration and Nationality Act to provide preferential treatment in the admission of certain children of U.S. Armed Forces personnel.

S. 1724

At the request of Mr. ROTH, the Senator from Georgia (Mr. MATTINGLY) was added as a cosponsor of S. 1724, a bill to amend the Federal Employees' Compensation Act, and for other purposes.

S. 1770

At the request of Mr. INOUYE, the Senator from Montana (Mr. MELCHER), the Senator from Pennsylvania (Mr. SPECTER), and the Senator from New Jersey (Mr. WILLIAMS) were added as cosponsors of S. 1770, a bill to direct the Secretary of the Department of Transportation to conduct an independent study to determine the adequacy of certain industry practices and Federal Aviation Administration rules and regulations, and for other purposes.

S. 1780

At the request of Mr. ROTH, the Senator from Utah (Mr. GARN) was added as a cosponsor of S. 1780, a bill to provide civil penalties for false claims and statements made to the United States, to recipients of property, services, or money from the United States, or to parties to contracts with the United States, and for other purposes.

S. 1879

At the request of Mrs. KASSEBAUM, the Senator from Oklahoma (Mr. BOREN), the Senator from Iowa (Mr. JEPSEN), and the Senator from South Dakota (Mr. PRESSLER) were added as cosponsors of S. 1879, a bill to amend the Milwaukee Railroad Reconstructing Act and the Rock Island Transition and Employee Assistance Act to facilitate the purchase of lines of bankrupt carriers to provide for continued rail and for other purposes.

S. 1881

At the request of Mr. SASSER, the Senator from Virginia (Mr. HARRY F. BYRD, JR.), the Senator from Delaware (Mr. ROTH), and the Senator from Oklahoma (Mr. BOREN) were added as cosponsors of S. 1881, a bill to provide for the issuance of a commemorative stamp to honor the dedication of the Vietnam Veterans Memorial.

S. 1892

At the request of Mr. HART, the Senator from Connecticut (Mr. WEICKER) was added as a cosponsor of S. 1892, a bill to prohibit the U.S. Government from importing oil extracted in Libya.

S. 1896

At the request of Mr. BUMPERS, the Senator from Georgia (Mr. NUNN), the Senator from Nebraska (Mr. EXON), the Senator from Ohio (Mr. METZENBAUM), the Senator from North Dakota (Mr. BURDICK), the Senator from Arkansas (Mr. PRYOR), and the Senator from Colorado (Mr. HART) were added as cosponsors of S. 1896, a bill to amend the Internal Revenue Code of 1954 to repeal the special leasing provisions enacted by the Economic Recovery Tax Act of 1981.

SENATE JOINT RESOLUTION 121

At the request of Mr. CHAFEE, the Senator from Illinois (Mr. PERCY), the Senator from Minnesota (Mr. DURENBERGER), the Senator from Maine (Mr. COHEN), the Senator from Minnesota (Mr. BOSCHWITZ), and the Senator from Washington (Mr. GORTON) were added as cosponsors of Senate Joint Resolution 121, a joint resolution to provide for the designation of the year 1982 as the "Bicentennial Year of the American Bald Eagle" and the designation of June 20, 1982, as "National Bald Eagle Day."

SENATE JOINT RESOLUTION 130

At the request of Mr. WARNER, the Senator from Illinois (Mr. PERCY), the Senator from New Jersey (Mr. WILLIAMS), the Senator from Iowa (Mr. GRASSLEY), the Senator from Louisiana (Mr. JOHNSTON), the Senator from Alabama (Mr. DENTON), the Senator from Georgia (Mr. NUNN), and the Senator from North Carolina (Mr. EAST) were added as cosponsors of Senate Joint Resolution 130, a joint resolution designating February 22, 1982, the 250th anniversary of the birth of George Washington, a "Day of National Celebration."

SENATE RESOLUTION 238

At the request of Mr. BENTSEN, the Senator from North Dakota (Mr. BURDICK), the Senator from Wyoming (Mr. WALLOP), and the Senator from Pennsylvania (Mr. HEINZ) were added as cosponsors of Senate Resolution 238, a resolution to retain the deductibility from personal taxes of interest paid on residential mortgages.

At the request of Mr. DOLE, the Senator from Missouri (Mr. DANFORTH), the Senator from Maine (Mr. MITCHELL), and his name were added as cosponsors of Senate Resolution 238, supra.

AMENDMENT NO. 639

At the request of Mr. GLENN, the Senator from Michigan (Mr. LEVIN), the Senator from Delaware (Mr. BIDEN), the Senator from Washington (Mr. JACKSON), the Senator from Georgia (Mr. NUNN), the Senator from Arkansas (Mr. PRYOR), the Senator from Kentucky (Mr. FORD), the Senator from Florida (Mr. CHILES), the Senator from Arkansas (Mr. BUMPERS), the Senator from Colorado (Mr. HART), the Senator from West Virginia (Mr. ROBERT C. BYRD), and the Senator from South Carolina (Mr. HOLLINGS) were added as cosponsors of amendment No. 639 proposed to H.R. 4995, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 1982, and for other purposes.

AMENDMENT NO. 643

At the request of Mr. HOLLINGS, the Senator from Maine (Mr. MITCHELL), the Senator from Michigan (Mr. LEVIN), the Senator from Arkansas (Mr. BUMPERS), the Senator from West Virginia (Mr. ROBERT C. BYRD), and the Senator from Ohio (Mr. GLENN) were added as cosponsors of amendment No. 643 proposed to H.R. 4995, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 1982, and for other purposes.

AMENDMENT NO. 644

At the request of Mr. HOLLINGS, the Senator from Maine (Mr. MITCHELL), the Senator from Michigan (Mr. LEVIN), the Senator from Arkansas (Mr. BUMPERS), the Senator from Alabama (Mr. HEFLIN), the Senator from Georgia (Mr. NUNN), the Senator from West Virginia (Mr. ROBERT C. BYRD), and the Senator from Ohio (Mr. GLENN) were added as cosponsors of amendment No. 644 proposed to H.R. 4995, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 1982, and for other purposes.

AMENDMENT NO. 646

At the request of Mr. HEINZ, the Senator from Tennessee (Mr. SASSER), and the Senator from Kentucky (Mr. FORD) were added as cosponsors of amendment No. 646 proposed to H.R. 4995, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 1982, and for other purposes.

SENATE RESOLUTION 250—RESOLUTION RELATING TO THE MURDER OF SIX AMERICANS IN EL SALVADOR

Mr. KENNEDY (for himself, Mr. PELL, Mr. HATFIELD, Mr. DODD, Mr. CRANSTON, Mr. TSONGAS, and Mr. CHAFEE) submitted the following resolution; which was considered, amended, and agreed to, as follows:

S. RES. 250

Whereas one year has passed since the brutal murder in El Salvador of four American missionaries in December 1980;

Whereas two American labor representatives were mercilessly slain in January 1981;

Whereas these violent acts were perpetrated against American citizens who were in El Salvador only to serve the people of that nation;

Whereas the efforts of the Government of El Salvador have so far failed to bring to justice the individuals responsible for these murders: Now, therefore, be it

Resolved, That the Senate:

Expresses its deep concern over the failure of the Government of El Salvador to bring to justice those responsible for the murders of the six Americans;

Urges the Government of El Salvador to use every legal means available to bring about a just and expeditious resolution of these cases;

Welcomes the Government of El Salvador's recent request for U.S. technical assistance in carrying out these investigations.

Urges the Administration to press for such a just and expeditious resolution.

AMENDMENTS SUBMITTED FOR PRINTING

IMMIGRATION EFFICIENCY ACT

AMENDMENT NO. 645

(Ordered to be printed and to lie on the table.)

Mr. MATHIAS submitted an amendment intended to be proposed by him to the bill (H.R. 4327) to amend the Immigration and Nationality Act, and for other purposes.

RETURN OF STUDENTS AFTER COMPLETION OF THEIR EDUCATION

Mr. MATHIAS. Mr. President, I send to the desk an amendment to H.R. 4327, the immigration efficiency bill, that would correct an injustice in current law that works a tremendous emotional hardship on the children of people who work in this country for international organizations, such as the World Bank and the International Monetary Fund.

I want the record to show that I am fully supportive of H.R. 4327, and I urge its enactment as quickly as possible. We could insure its enactment if we were to adopt my amendment and send the bill back to the House without further amendment. I understand that the House is prepared to act expeditiously to get the bill to the President as quickly as possible, since time is of the essence.

Present immigration laws require that these children return to their parents' country after they complete their education, or if their parents die or retire. This is so even if they have spent most of their lives in the United States. Many of these children think of themselves as Americans and think of America as their home. The homeland of their parents is just another foreign country, and they often do not speak its language. I think we should reconsider our policy of forcing them to leave this country and return to an unfamiliar homeland, when they may have no family or friends there and will never make the adjustment successfully.

In the past few years I have seen many tragic cases with families broken apart by the operation of this unduly harsh law. Let me share with you some of these cases. A man who works for the International Monetary Fund in Washington, D.C., wrote me last year saying:

My daughter . . . (now 21) entered the United States . . . at age 9. She was in the Montgomery County Public Schools, but incompatibility of programs prevented her from getting into a university in the United Kingdom. She is now in her senior year at college in Oregon, and she will graduate in December. What is she to do then? We have no relatives to speak of in the United Kingdom, and I would not know how to advise her to find a job there. Officials say that she should marry an American, but this is unreasonable.

And listen to this story from a concerned parent:

All three of my sons (aged 19, 17, 14) have been here for 11½ years and lost their original national identity through the education process. They no longer speak or read Mandarin Chinese. They act and think as Americans. They face an uncertain future, and this causes all of us great heartache.

A troubled mother writes:

My daughter is now a freshman at the University of Virginia. Her father, who was Iraqi, is now deceased. She was born in Egypt, but has an Iraqi passport. She has no one in Iraq; she cannot live with my elderly parents in Egypt; she cannot live by herself in Egypt (culturally, it is simply not done); and she cannot remain legally in the United States. She has lived for over 17 years in this country.

While this provision of the law works particular hardships on children, it also causes emotional distress to adults who have over the years made the United States their real home while working for these international organizations. When employment with an international organization located in the United States ceases because of death or retirement, widows, widowers, and retired employees are, like their children, forced to leave the United States—no matter how long they've lived here.

The amendment I submit today would make it possible for employees of international organizations and their immediate families to remain in the United States, but only after many, many years of service and residence in the United States. I think such a law would serve the best interest of the United States, the international organizations, and the men, women, and children who live here.

United Nations Secretary-General Kurt Waldheim wrote to me last year and told me that a decision by the U.S. Government to extend such a privilege would represent ". . . yet another expression of the . . . humanitarian traditions of this great country."

My amendment would confer special immigration status on widows, widowers, retirees, and children who have resided in the United States for many years, should they seek such status.

In 1979, I introduced a bill—S. 1566—that was very similar to my amendment. That bill was incorporated into the larger Immigration and Naturalization Efficiency Act, S. 1763, and was favorably reported to the Senate floor by the Judiciary Committee. On the House side, the Immigration Subcommittee adopted a provision of the omnibus bill that dealt with the same issue as my bill, but it was dropped on the House floor because of procedural objections. I regret that the press of business during the last days of the 96th Congress prevented us from taking final action on these bills, but I am encouraged by the fact that the failure of action was prompted primarily by procedural problems not related to the substance of my amendment.

This year we are all trying again. My amendment would lighten the great emotional burden that now weighs on both the parents and children who have become "Americanized". I urge its speedy adoption by my colleagues, and I urge quick action on the larger bill. I ask unanimous consent that the text of my amendment be printed in the RECORD immediately following my remarks.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

AMENDMENT No. 645

On page 30, of the engrossed Act, between lines 2 and 3, insert the following:

SEC. 20. (a) Subsection (a)(15)(G) of section 101 of the Immigration and Nationality Act (8 U.S.C. 1101) is amended by adding at the end thereof the following new clause:

"(vi) an alien who, as an officer or employee of any such international organization, has resided in the United States for a period of, or periods aggregating, at least ten years preceding the date of his retirement from the employ of such international organization, and the members of his immediate family;".

(b) Subsection (a)(27) of section 101 of the Immigration and Nationality Act (8 U.S.C. 1101) is amended—

(1) by striking out "or" at the end of subparagraph (F);

(2) by striking out the period at the end of subparagraph (G) and inserting in lieu thereof a semicolon and "or"; and

(3) by inserting after subparagraph (G) the following new subparagrah:

"(H) an immigrant—

"(i) who is an unmarried son or daughter of an officer or employee of an international organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act (59 Stat. 669) and who—

"(I) is not more than twenty-five years of age on the date of application for admission to the United States, and who has resided in the United States as a member of the immediate family of such officer or employee for a period of, or periods aggregating at least seven years between the ages of five and twenty-one, or at least ten years, or

"(II) is at least twenty-six years of age on the date of application for admission to the United States, who, before attaining twenty-six years of age, has resided in the United States as a member of the immediate family of such officer or employee for a period of, or periods aggregating, at least seven years between the ages of five and twenty-one, or at least ten years, and who applies for admission to the United States not later than six months after the date of the enactment of this subparagraph; or

"(ii) who is the surviving spouse of a deceased officer or employee of such an international organization, and who has resided in the United States as a spouse of such an officer or employee for a period of, or periods aggregating, ten years preceding the death of such officer or employee, and who applies for admission to the United States not later than one year after the death of such officer or employee or six months after the date of the enactment of this subparagraph, whichever is later; or

"(iii) who, as an officer or employee of any such international organization, has resided in the United States for a period of, or periods aggregating, at least fifteen years preceding the date of his retirement from the employ of such organization and who applies for admission to the United States not later than one year after such date or six months after the date of the enactment of this subparagraph, whichever is later; or

"(iv) who is the spouse or unmarried son or daughter of a retired officer or employee described in clause (iii), or the unmarried son or daughter of a surviving spouse described in clause (ii), accompanying (or intending to join) such retired officer or employee or surviving spouse as a member of his immediate family.".

On page 30 of the engrossed Act, line 3, strike out "Sec. 20." and insert in lieu thereof "Sec. 21.".

DEPARTMENT OF DEFENSE APPROPRIATION, 1982

AMENDMENT NO. 646

(Ordered to be printed.)

Mr. HEINZ (for himself, Mr. ROBERT C. BYRD, Mr. D'AMATO, Mr. FORD, and Mr. SASSER) proposed an amendment to the

bill (H.R. 4995) making appropriations for the Department of Defense for the fiscal year ending September 30, 1982, and for other purposes.

AMENDMENT NO. 647

(Ordered to be printed and to lie on the table.)

Mr. STEVENS submitted an amendment intended to be proposed by him to the bill H.R. 4995, supra.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, December 2, until 12 noon, to hold a business meeting to discuss pending calendar business.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Wednesday, December 2, to hold a markup hearing on S. 1692, the ports development bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ENERGY AND MINERAL RESOURCES

Mr. McCLURE. Mr. President, I ask unanimous consent that the Subcommittee on Energy and Mineral Resources of the Committee on Energy and Natural Resources be authorized to meet during the session on Thursday, December 3, at 9:30 a.m., to hold an oversight hearing on coal exports.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

ADDRESS BY SENATOR CHILES BEFORE THE WHITE HOUSE CONFERENCE ON AGING

o Mr. HEINZ. Mr. President, as chairman of the Special Committee on Aging, I am privileged to serve with Senator LAWTON CHILES as our ranking member. Senator CHILES served as the previous chairman of the special committee and took a leading role in calling the attention of the Congress and the public to the serious problems faced by the social security system and to the opportunities that encouraging continued employment of older workers could foster.

Two days ago Senator CHILES addressed the White House Conference on Aging. I would like to call the attention of my colleagues to his remarks, which are focused upon the four issues of social security, health care costs, crime, and employment. I ask that the text of his speech be printed in the RECORD.

The speech follows:

ADDRESS BY U.S. SENATOR LAWTON CHILES

Thank you. I am honored to be here with the distinguished group of citizens. I'd like to welcome you all to Washington from many different regions of the country. Each of you is part of a beautiful quilt—our Nation. I congratulate you on being selected to participate in this crucial conference—and I commend you for your leadership.

During the next few days, you will be the decisionmakers. Your recommendations will be taken seriously. And, I know that the process you go through will be watched carefully and reported on by the press.

I take very seriously this opportunity to share with you some of my own thoughts and concerns. I would like to take what may be a different approach than that taken by others who will address you.

I believe there has been a tendency by a lot of us to concentrate on listing the problems of older people with little or no mention of their potential. As a result the American public tends to view the older population as dependent and therefore a growing problem. This is such a misconception . . . we know that the majority of the older people in the United States are not dependent.

I am reminded of the comic strip Pogo that I used to read. The possum used to stand in the swamp and tell his friends, "We have met the enemy, and they are us!" We spend so much time concentrating on the problems of ten to twenty percent of the elderly that we lead the public to believe that all of our older Americans are the same.

I want to emphasize strongly that in no way am I suggesting that we ignore the ten to twenty percent who have problems. But I am gravely concerned that the other eighty percent will be overlooked, if you only concentrate your recommendations on the defendant. What expectations are we as a nation to have for, with, or about this other group of twenty-five to thirty million older persons?

My home State has the highest percentage of older persons in the nation . . . now approaching thirty percent of the population. Therefore, I get amused at times listening to people talking about "Can you imagine what it is going to be like in this country in the year 2030 when the percentage of elderly reaches twenty percent?" I don't have to imagine it, we have already passed it! And I am happy to report that we do not have inter-generational warfare or other such terrible occurrences.

Most of the issues brought to me by our more mature population in Florida are much the same as for the younger and middle aged populations. They are concerned about inflation, crime, energy costs, health care costs, unemployment, and the future of social security. I believe that if this country does not come to grips with these issues, not only will we do great harm to the general population, we will continue to force large numbers of our older population out of the independent group into the dependent group.

If I may be permitted a bad pun a few days after Thanksgiving . . . I'd like to talk turkey with you—about four of these issues which represent basic economic and personal security for all older Americans:

Social security—health care—crime—and a new national policy on work and retirement.

SOCIAL SECURITY

There is one overriding issue which—to my way of thinking—should hold the full attention fo every single delegate and observer to this White House Conference on Aging—and that is social security.

Just as issues of income security were the key subjects during your community and State meetings while you were preparing for this national conference—making sure we preserve the solvency of social security has been a key isue in this session of Congress.

It has not been "business as usual" this year here in Washington. Almost all legislative activity—in one way or another—has been directed toward spending cuts and achieving a balanced budget. I would venture to say that there is no one in this country who has not been aware of this fact.

I feel that it has been extremely unfortunate that the most important issue of maintaining the very integrity of the social security system has been snatched up and thrown into this budget cuttinag web.

We should not have had a crisis, but we almost did.

The facts are that—for some time, long before this year—we knew that some adjustments in social security would be needed to get the system over a tight spot expected in 1985 or 1986. There were a number of things we could do without much disruption.

I proposed a combination of interfund borrowing and a gradual phasing out—for future beneficiaries only—of the student and minimum benefit programs. Others have also wanted to temporarily add some general revenues to the system to get over this short term hump.

The numbers showed that interfund borrowing—that is, allowing the retirement fund to temporarily borrow from surpluses in the disability and health insurance funds—could come very near to taking care of the problem entirely. And I personally felt that social security could no longer sustain some of the additional benefits which had been added in later years—such as benefits for college students and the part of the minimum benefit which goes to workers who have paid little into social security.

As it happens, Congress has pretty much reached agreement on this kind of a solution to the—quote, unquote—crisis.

But we haven't gotten there easily.

Someone decided that this situation in social security could be used to cut the Federal budget. This administration sent Congress a proposal to cut social security benefits for everyone—and in amounts which were much more than necessary to take care of the problem.

Congress—and the Nation—soon made it clear that it would not agree to use social security to balance the budget.

But the climate was set. And it has been a battle all year over what we did agree on.

How to handle the minimum benefit, for instance.

There is a big difference between chopping off that social securtiy minimum benefit for those who have been receiving this small amount for years—and deleting it in the future for those who have not yet retired.

The President wanted to cut it immediately for everyone. Many of us in Congress wanted to make sure that it was phased out only in the future.

The President's proposal won—every time we voted on the issue—even though the House and the Senate and even the President have now had a change of mind.

We—and thousands of elderly—never would have had to go through all this if social security had not been forced into that budget cutting process.

But, the solution to the problem is at hand. And once a final agreement on this short term solution is signed into law—it is my hope we will never have to address social security in such a crisis atmosphere again.

And this brings me to my major message to you today:

Congress will have to address it again—and I fear we will be forced to do it in another crisis atmosphere unless this White House Conference takes the leadership now.

My personal goal is to help us all face, as early as possible, the bigger—and really difficult—social security problem coming in thirty years.

That is when the so-called baby boom generation will begin to retire. And that is

when the lower birth rates we now have in this country will result in fewer active workers paying social security taxes.

As the social security system operates now, it simply will not be able to support this large a change in the age makeup of the population. When social security began, there were forty two active workers paying social security taxes to support every one retired worker. Today that ratio is about three to one. In thirty years it is expected to be about two to one.

We cannot escape this. No matter what happens to the economy—no matter how we may change our lifestyles—no matter who is elected President—those numbers are not going to change. The people are already here.

Does that mean that we eventually abandon the social security system? National opinion polls now show that two thirds of today's younger workers seem to think we will. That is unthinkable to me—and I am sure it is to you.

So, what are our options? When I consider this, my first thought is that no matter what adjustment we make—we have to decide right away. Too many people make life-time plans based on social security expectations to allow us to make any major changes without long and careful planning. The longer we have—as a nation—to prepare, the better chance we have of not hurting anyone.

Second, I consider the options we have to meet this challenge. I see three: (1) to reduce benefits, (2) to raise taxes paid by workers, or (3) to delay retirement.

Benefit cuts would have to be large—and taking such action would undermine the basic economic security that social security represents for retired workers.

And I just don't believe that workers could support much larger tax increases on top of those already coming.

So I chose the third option: to gradually phase in a three year increase in the retirement age from sixty five to sixty eight. By doing this a month at a time, beginning in the year 2000, the baby boom retirement bulge could be leveled out enough to meet benefit requirements.

But my own decision to make this proposal—and I must admit it has not been the most popular thing I have ever proposed—was not just based on numbers. I have talked to all the national experts—and to thousands of my own constituents—and I know that more and more people want to work beyond the age of sixty-five. So I also think that this direction is the most positive one we could take.

I am not asking this White House Conference on Aging to ratify this particular proposal. I have given you some of my own reasons for thinking we should move in that direction—you may have other perspectives.

But I am asking this conference to take a stand on this issue.

If you don't, I am afraid that we as a nation will have lost whatever chance we have to come to any timely agreement on strategies for change.

This conference is important. You have influence. There will not be another one for ten years—or there may not be another one at all. It seems clear now that this Congress and this administration may never agree on a way to make sure that social security—basic economic security for all retired workers in this country—is there for your children and grandchildren.

If you, as a group, do not take a stand—I am afraid no one will until it is too late.

HEALTH CARE COSTS

I know that is not the most welcome message. But I have another tough issue of immediate concern—another one which we all must face together. Finding a way to control the inflation in health care costs.

Last year this Nation spent two hundred and fifty billion dollars on health care. Ten years ago it was seventy five billion.

Ten years ago, medicare paid seven and one half billion dollars to hospitals and doctors for services received by medicare beneficiaries. Last year that amount was forty billion dollars.

That is a huge amount of money—but even so, it is less than half of what older Americans pay for medical care. Medicare actually only ends up paying for about forty percent of the total cost of health care for the elderly.

You all know who pays the rest. Some of it comes from other health insurance plans—but most of it comes right out of your own pockets. As long as the cost of health care continues to rise so rapidly, the amount you personally pay will go up too.

The biggest costs are in hospitals. When we drafted legislation to slow down hospital costs two years ago, we kind of got sidetracked by the hospitals. They told us they could hold down their cost increases to about three percent per year on a voluntary basis. But it looks like this year's increase alone is going to be about nineteen percent. I'm not sure what happened to the voluntary program. This is one area where I believe we should look again.

Now, I will admit that we have a problem here in Washington. It is a lot easier for us to look for ways to cut costs by slashing payments—and denying services—than it is to look for ways to cut costs through better services and better service delivery.

But I am convinced this can be done—and you can prod us into doing it.

For instance, we need to put much more emphasis on preventive health care—especially in medicare. And I believe very strongly that we should also concentrate on providing more home care and more outpatient services—rather than continue to rely so heavily on institutional care.

I have watched the support for home care programs grow in Congress in recent years. It has been gratifying to see the changes in medicare and medicaid which we have achieved just in the last two years. The time is right for further action—especially in the States—and I hope this White House conference will become known for its recommendations in home and community care.

COMMUNITY SECURITY

I would like to turn to a third issue which a recent poll revealed as a high concern of many elderly—crime.

Street crime has risen sharply in this country. I know it affects the elderly—because I have heard terrible stories of elderly people barricading themselves in their homes—afraid to go out. Studies show that more than half of our Nation's elderly are afraid of being targets for physical assault and robbery.

I am concerned that not enough is being done to combat this crime, and I have introduced legislation to change this. But combatting crime itself will not alone solve the problems for those elderly who are afraid and isolated.

The problem is rooted in negative attitudes toward the elderly by too many of our young. Many children today don't have the contact with their grandparents and other older people that you and I had when we were growing up. It is too easy for them to view the elderly, especially in large cities, as easy targets. And the vicious circle draws tighter when these elderly isolate themselves even more.

That is just one reason why I believe it is so important to strive for a society where the young and the old have much more positive exposure to one another. I hope you agree with me and will keep this principle in mind in all you do at this conference.

OLDER WORKER POLICY

So far, I know I haven't delivered much good news. I warned you that I wanted to talk to you about issue areas that I thought those of us in Congress would have to face in the very near future.

But there is one more very positive issue I would like to raise. I believe it is the most important challenge we face as a nation. It stands on its own—but it also offers part of the solution to the social security problem I discussed earlier:

I hope and dream that the 1980's will be the decade of the older worker.

A time when our society finally realizes that what older Americans want most is to continue to make major contributions—when we finally decide that we can no longer waste needed skills and talents.

When we prohibit retirement based solely on age—at any age. When we work actively with employers to help them develop new job opportunities for older workers. When we provide incentives to business and industry to retain and hire older workers. When we get rid of the social security earnings limitation. When we create new opportunities for full involvement through community service and voluntarism.

There is a lot of work that needs to be done. And the country is going to need more older workers. That's something that business and private industry must acknowledge and begin to face squarely.

Back when I first decided to run for public office, one of my closest friends recommended that I not run a negative campaign. He pointed out that it might be easy to fall into the trap of talking about what was wrong with my opponent and all the bad things he had done. Instead he suggested that I concentrate on positive aspects in the campaign, what potential there was to bring about favorable results and how I felt I could help in that process. I took his advice, and it was sound. As you move this week toward a recommended "aging policy" for this great country for the next ten years, I would offer that same advice to you. Pull out the positives, use your potential and that of the millions you represent. Set forth achievable goals, and program enhancements using the potential that exists and will exist as you are joined by millions of others over the next ten years.

You have the talent—the means—and, most important, the influence—to solve these problems.

Over the last forty or so years, we have put into place programs at the Federal, State, and local levels which enable our aging population to look forward to remaining independent in their communities. I have no apologies, or regrets for my support and sponsorship of such programs. I pledge to you my intent to continue to do so, and I look forward to receiving your recommendations.●

THE WHITE HOUSE CONFERENCE ON AGING

● Mr. TSONGAS. Mr. President, currently representatives from all over the Nation are meeting here in Washington for the White House Conference on Aging. They are gathering to discuss the needs of our elderly population. They are discussing the Nation's responsibilities to its older citizens. They are highlighting the contributions the elderly have made and continue to make to our great Nation. They are identifying the changing roles of senior citizens in all walks of American life.

These citizens have gathered in good faith. They have come in earnest to educate and to learn. If we open our eyes and our ears we will have a glimpse of the future. If we are fortunate, we will

be a part of that future. But if it is to be the kind of future we want we must broaden and expand our views of the aging process. We must realistically assess the functions and the value of all our citizens.

We frequently hear references to the demographic shift that is taking place in our society. But while this shift is a well-known fact and the statistics are popular to quote, I question if we are taking it as seriously as we should. For television and newspaper ads are saturated with images of young people wearing designer jeans; while a growing segment of our population marches on towards old age. And the commercial image of aging reflect less and less the true picture of growing old in America.

Are we as a nation really preparing for the changes that are taking place in our society, particularly concerning aging? Are we cognizant of the lifestyles, the working lifestyles, that many of our senior citizens are opting for or are being forced into? Are we, as legislators working to meet the challenges presented to us by our elderly population? Are we encouraging them to rise to their fullest potential regardless of their age? I wonder.

I submit for the record an op-ed article which appeared in the Washington Post on November 30, written by Delia Kuhn. Ms. Kuhn succinctly addresses and identifies many of the deficiencies in current thinking on the expanding elderly work force. It is a timely piece and it is a practical attempt to connect our past images of growing old and the realities being faced by our senior citizens today.

If we do not begin to rationally reevaluate and redefine aging and the role of the elderly in our Nation it will be too late. We must act now, compassionately rising to the challenges of today and tomorrow.

The article follows:

OLD?

(By Delia Kuhn)

"Oh you're not old" is the instinctive response if you are getting along in years and allude to the fact. It's as though you are being assured "you're not dirty." But if you are not "old," then what are you? You are "elderly," you are "a senior citizen," you are—heaven forgive us—"mature," an honorable word that used to be reserved for those of all ages who earned it. Occasionally, someone is "older."

Has our language been robbed of a decent word? "Old" still has its uses. We are permitted old wine, old silver and china, old carpets and old furniture, to all of which age still adds value. And we can enjoy old pets, which suggest love. The ancient and honorable word has but one human use: the poor can be "old." Lacking so much else, they have at least that possession.

In his "New Dictionary of Quotations," published when he was 62, H. L. Mencken tells us that Horace, just before he died at 57, lamented that "Waning years steal from us our pleasures one by one; they have already snatched away my jokes, my loves, my revellings and my play."

Since Mencken, life expectancy has grown considerably, chiefly among females. A crude reminder greeted a shipload of American tourists not long ago. Arriving in Manila Bay, they rated a front-page story: "Yesterday the SS Carolina docked in Manila. On board are six hundred American widows whose husbands died of heart attacks while earning the money to make their trip possible."

The idea that old people might become a serious public responsibility and an attractive market for private enterprise dawned in the '30s and burgeoned in the '60s. In the public sector, it created Social Security and Medicare; it shared in poverty programs, such as welfare and food stamps. In the private area, it spawned national membership organizations, old age communities, insurance schemes, small "senior citizen" privileges, countless group tours, television programs. The working session of a third White House conference on aging begins today.

A whole literature is targeted at the "elderly," specifically at the well-heeled. One series of pamphlets is called "Action for Independent Maturity." Start with You and Your new retirement home. Next, You and Your money, You and Your health, You and Your social life—elderly gentlemen have "friends," elderly ladies "dates." Finally, You and Your funeral. These publications block your view of the outside world. There is only one place to look—inward. Is this what you want?

Simone de Beauvoir disposes of this question in her angry book, "The Coming of Age." She recommends "a fairly committed, fairly justified life so that one may go on in the same path even when all illusions have vanished and one's zeal for life has died away."

To warn against an obsession with personal concerns is not to suggest that money is a bad thing. Millions of old people slide into real poverty when they "retire." Must they retire? We Americans are a working people. Leisure has not been a part of our basic culture. Can they afford to retire? Will they become a burden? What would they do?

Do I hate my work? If so, I'll try and change it. What are the chances of getting another job at 60? Forced retirement, with or without pensions, legal at 70, is spreading. Its victims find they have less money, less status, less interest in life. Taxpayers are discovering that they will have to support more and more old people who could be working. When irate stockholders rally against forced retirement, it will be good news.

Must the old be tossed into idleness and poverty so that young people can work? "It is simply not true that there is enough work in the United States," writes Dr. Robert N. Butler, a leading social scientist, in his excellent book, "Why Survive?" "The truth is that our need for goods and social services requires an expanded work force." Butler is for "loosening up our lives," now rigidly programmed into education for youth, work for middle life, idleness for old age. Learning, work and leisure must be available throughout life, he says. Work is, at any age, a deeply rooted and ancient source of community with the human race.

Another hold on life, perhaps even more essential to a tolerable old age, is love. But as families disperse, old people have less chance of remaining physically and emotionally involved with their own kin. And so it is perhaps lucky for the old that they need to love, even more than they need to be loved. Work and love keep alive one's affinity with the human race.

Leonard Woolf, 89, spoke for many of us: "I cannot disengage myself from the real world; I cannot completely resign myself to fate. It is in the pit of my stomach as well as in the cooler regions of my brain that I feel and think about what I see happening in the human ant-heap around me, the historical and political events that seem to me to make the difference between a good life and a bad, between civilization and barbarism."●

THE WEATHERIZATION PROGRAM IN VERMONT

● Mr. LEAHY. Mr. President, I wish to submit for the RECORD a statement lauding the efforts of six employees of Southeastern Vermont Community Action, Inc. SEVCA), who are weatherizing the homes of Vermonters without pay because of budget restrictions.

I share with my colleagues in the Senate an example of dedication to public service which is seldom seen today. After being on a salary for 11 months, six employees of SEVCA are working without pay to continue a weatherization program for Vermonters. They are not being paid, put they should be.

The weatherization program has been plagued by budget cuts and funding problems at the Federal and State levels. The Department of Energy will not release weatherization moneys until January 1, 1982, and the department of social welfare refuses to release funds pending the final decision on the Health and Human Services budget. Consequently, as the cold December winds blow across Vermont, the money available to pay these men evaporates.

SEVCA has weatherized 331 homes so far this year, but it has also been forced to lay off 11 of its 22 workers. Now more men have been laid off, but they continue to work because they know how vital weatherization programs are to Vermonters. They know what budget cuts really mean. They know that people who cannot afford to stay warm will be cold and that their survival may even be threatened.

The contribution that these men are making is to be admired and appreciated by all Americans. Their efforts dramatize a problem which is becoming all too familiar—the underfunding of necessary programs. Their actions exemplify the spirit which has made me proud to represent Vermont in the U.S. Senate and their dedication should be an inspiration to us all.●

RETIREMENT OF LIEUTENANT GENERAL PIXLEY, SURGEON GENERAL

● Mr. DIXON. Mr. President, at this time I would like to bring to the attention of the Senate the retirement of Lt. Gen. Charles Pixley, M.D. as surgeon general of the U.S. Army. On December 31, 1981, Lieutenant General Pixley will retire from 35 years of meritorious service to the Army and to his country. In the latter stages of his career, Dr. Pixley has taken upon himself very important responsibilities and fulfilled them as only a man of his great knowledge, patience, and most of all ability, could.

From February 1973 through August 1975, Dr. Pixley served as Director of Health Care Operations for the Army to the surgeon general, and with his direction and oversight many important programs vital to quality health care in the Army were instituted and carried out. Such things as quality assurance standards for hospitals, clinics, and regional laboratories became workable systems, as were alcohol and drug abuse prevention, patient administration and biostatistics, and medical international contingencies and operations programs.

After his tenure with health care operations, Dr. Pixley was named com-

mander of the William Beaumont Army Medical Center, in September 1975. With this job, he was charged with the arduous task of administrating a $28 million budget, 3,000 staff personnel, and 13 fully accredited graduate medical programs. As commander of WBAMC, Dr. Pixley achieved numerous professional advances which resulted in a magnification of the William Beaumont's facility's reputation as a teaching hospital, which was a definite positive show of Dr. Pixley's great administrative and medical capabilities. After proving his abilities at WBAMC, he was named superintendent of the academy of health services, U.S. Army.

Then, in October 1977, Dr. Pixley dedicatedly and selflessly accepted the position of most importance and responsibility in U.S. Army medicine: Surgeon General of the Army. This job brings great responsibility and requires utmost dedication and perseverance. As Surgeon General, Dr. Pixley was charged with the oversight of the worldwide health care of the U.S. Army, a budget of $1.5 billion and the technical supervision of more than 89,000 medical professionals, allied health care providers, paramedics, and administrators. As he had done in every other position he had held in Army medicine, Dr. Pixley proved himself true to the task. He continues in this capacity, and will up to the point of his retirement on December 30.

General Pixley's brilliant military record and dedicated devotion in the service of his country represent significant achievements in the most cherished tradition of the U.S. Army, and reflect distinct credit upon him and the Army Medical Department. On behalf of the U.S. Senate I would like to thank Lt. Gen. Charles Pixley for his many years of superior service to the Army, to medicine, and to our country.●

A FINE CELEBRATION OF THE IRISH

● Mr. MOYNIHAN. Mr. President, the American Irish have much history to celebrate, and it is for good reason that the American Irish Historical Society has been gathering for 84 years to take note of those proud traditions. This year's annual banquet was especially grand as the society elected to honor the President of the United States with its highest honor, the Medal of the American Irish Historical Society.

Two Presidents that evening delivered memorable addresses which I should wish to share with my colleagues. The first came from the master of the occasion, my dear friend Dr. Kevin M. Cahill, the president-general of the society. His remarks were succinct, but profound, sensitive, and insightful.

The other speech came from an American similarly proud of his Irish ancestry and who was the honored guest of the evening—Ronald Reagan. The President's address delighted an appreciative audience as he spoke sentimentally of his family's heritage.

Mr. President, knowing that my colleagues will enjoy both these speeches, I ask that the remarks of President Reagan and President-General Cahill from the evening of November 6, 1981, be printed at this point in the RECORD.

The speeches follow:

AMERICAN IRISH HISTORICAL SOCIETY ADDRESS

(By K. M. Cahill, M.D.)

Mr. President; Your Eminence, Cardinal Cooke; as a personal representative of the Prime Minister of Ireland we have with us Special Advisor to the Government, Mr. Alexis Fitzgerald and Mrs. Fitzgerald; representing our sister cultural societies in Ireland, Sir John and Lady Galvin, Frank and Eily Patterson of whom you shall hear shortly, previous Medalists and Presidents of our Society, Fellow members and your guests, Ladies and Gentlemen:

DREAMS, REALITY, TRADITION

Eighty five years ago a group of immigrant realists gathered, unheralded, in a cold Boston hotel room, and dreamed, not of the ancient past, but of a better future—for America and Ireland, and they began the tradition that we experience once again this evening.

Out of steerage and fear and poverty they determined that the annual meeting of this Society should be held at a banquet, much like the Pilgrims celebrated their arrival in America—and their survival in a strange new land—with a feast of Thanksgiving. So, If we are able to dine tonight on five gourmet courses we do so as the descendants of those who taught us to share our bounty, and enjoy—with food and drink—the land that is ours.

Our Founders were obviously dreamers, and I suspect they would not be surprised to find us here on this great night. The Irish immigrant worked hard to see his dreams become reality—there are few ditches in this city he didn't dig, and the train tracks and canals that opened this nation were lubricated with American-Irish sweat and determination. But those men and women left behind—even in the throes of their poverty—dream-like cathedrals so the rest of the community would know of their faith and their heritage. From the dreams of the frightened hordes that fled the Irish Potato famine in 1845 came that great Irish expression of trust and confidence that epitomizes New York, the church of our beloved Cardinal, St. Patrick's Cathedral.

Today our dreams continue. I once courted my wife with the lovely lines of Yeats:

"Had I the heavens embroidered clothes,
Enwrought with the golden and silver light,
The blue and the dim and the dark clothes
Of night and light and the half light,
I would spread the clothes under your feet.
But I, being poor, have only my dreams.
I have spread my dreams under your feet
Tread softly, because you tread on my dreams."

We still dream—as did our immigrant ancestors—of an even better life for our children, of an America that fulfills her potential for all, particularly for the poor and oppressed who bear the burden our fathers and mothers fought against. We dream of an Ireland in peace and prosperity, as American descendants of those who dreamed and worked so hard we have a tradition, and indeed an obligation, to help end the pain and suffering that now scars a land the Founders of this Society asked us not to forget.

I have spoken briefly of dreams, reality and tradition. I have fulfilled my mandate to deliver, once again, the required address by the President-General to this Society's annual banquet.

I suspect that I have inherited some of the well-known Celtic need to communicate, and if you feel I have rambled on a bit may I remind you that the records of our Society contain annual reports by my predecessors that clearly lived up to the highest expectations of an oral culture, for at least one speech I know went on for several hours. But I equally suspect you came not to hear further details of our activities, and besides I have tried to summarize these in the Introduction to our annal book the Recorder.

You came to join me in honoring an American of Irish extraction who holds the highest office in our land. My version of his biography is in your Recorder, and need not be repeated now, but the Ballypooreen origins, and the rise from a humble home in Tampico to the White House is both the dream and the reality this Society celebrates.

It is a privilege to bestow on Ronald Wilson Reagan, President of the United States of America, our highest award, the Medal of the American Irish History Society.

REMARKS OF THE PRESIDENT AT THE EIGHTY-FOURTH ANNUAL DINNER OF THE AMERICAN IRISH HISTORICAL SOCIETY

The PRESIDENT. Thank you. Thank you very much.

Dr. Cahill, I thank you and all those who are responsible for this great honor. And I want to say that I happen to know that there is one among us here who has known also today the same joy and even greater, if possible, that I could feel, and that is Dr. Cahill himself who this morning was presented by Cardinal Cooke on behalf of the Pope the Grand Cross Pro Merito Melitensi (Applause.) He is the first American to ever receive this award (Applause.).

Your Eminence, the other clergy here at the head table, the other distinguished guests, and one in particular that I might pick out and mention, Teddy Gleason of the International Longshoremen's Association (applause). And I mention him because on Sunday he is going to celebrate the 42nd anniversary of his 39th birthday. (Applause.)

Teddy, I have found that for some time it makes it much easier to greet each one of these annual occasions.

But I do thank you very much. There is the legend in Ireland of the happy Colleen of Ballisodare who lived among the wee people, the tiny people for seven years and then when she came home discovered that she had no toes. She had danced them off. I feel happy enough when I get home tonight I am going to count mine. (Laughter.)

Nancy is sorry that she could not be here, and so am I. She sent her warm regards and her regrets. Unfortunately, the last trip into town she picked up the bug.

Now, I am happy to say that is not a situation for me like the two sons of Ireland who were in the pub one evening and one asked the other about his wife. And he said, "Oh, she's terribly sick." He said, "She's terribly ill." And the other one says, "Oh, I'm sorry to hear that." But he said, "Is there any danger?" But he said, "No. She's too weak to be dangerous anymore". (Laughter.)

A writer for the Irish press who was based in Washington, a correspondent for the press there, stated to me the other day—or stated the other day about me that I have only recently developed a pride in my Irish heritage or background and that up till now I have had an apathy about it. Well, let me correct the record. That is not so. I have been troubled until fairly recently about a lack of knowledge about my father's history.

My father was orphaned at age six. He knew very little about his family history. And so I grew up knowing nothing more beyond him than an old photograph, a single photo that he had of his mother and father and no knowledge of that family history. But somehow a funny thing happened to me on the way to Washington (Laughter.) When I changed my line of work about a year ago. It seemed that I became of a certain interest to people in Ireland who very kindly began to fill me in. And so I have learned that my great grandfather took off from the village

of Bally Poreen in County Tipperary to come to America. And that isn't the limit to all that I have learned about that.

Some years ago when I was just beginning in Hollywood in the motion picture business, I had been sentenced for the few years I'd been there to movies that the studio didn't want good, it wanted them Thursday (Laughter.)

And then came that opportunity that every actor asks for or hopes for and that was a picture that was going to be made and the biography of the late Knute Rockne, the great immortal coach of Notre Dame. Pat O'Brien was to play Rockne. And there was a part in there that from my own experience as a sports announcer I had long dreamed of, the part of George Gip. And generously Pat O'Brien, who was then a star at the studio, held out his hand to a young aspiring actor, and I played Gip. Pat playing Rockne, he himself will say, was the high point of his theatrical career. My playing the Gip opened the door to stardom and a better kind of picture.

I've been asked at times what's it like to see yourself in the old movies, the re-runs on t.v.? It's like looking at a son you never knew you had. (Laughter) But I found out in learning about my own heritage, going back to Bally Poreen, that believe it or not what a small world it is, Pat O'Brien's family came from Bally Poreen. (Applause.)

But I've been filled in much more since. An historian has informed me that our family was one of the four tribes of Tara and from the year 200 until about 900 A.D., they defended the only pass through the Slieve Bloom Mountains, they held it for all those centuries and adopted the motto, "The Hills forever." And that too is strange because for the better part of nine months now, I've been saying much the same thing, only in the singular, "The Hill forever." (Applause.) Capitol Hill, that is. (Laughter.)

I do remember my father telling me once when I was a boy, and with great pride he said to me, "The Irish are the only people in the country in America that built the jails and then filled them." (Laughter.) I was a little perturbed even then at that tender age because at the sound of pride in his voice and from the way I had been raised, I couldn't quite understand why that was something to be proud of until I then later learned, which he had never explained to me, that he was referring to the fact that the overwhelming majority of men wearing the blue of the police department in America were of Irish descent. (Applause.)

You know, those weren't the only jobs that were open to the Irish. Back in the high day of Vaudeville, long before sound pictures drove it out, there were, very popular in this country, comedians who would reach great stardom in Vaudeville with a broad German accent. German comedians coming on "Ach and himmel Sie der."

What is little known in show business is that almost without exception, they were Irish. Their wit and humor that made them comedians they came by naturally and honestly. I was on a mission to England for our government some ten years ago. I should say to Europe, to several countries and finally wound up and the last country was Ireland.

On the last day in Ireland I was taken to Cashell Rock. I didn't know at that time that it is only 25 miles from Bally Poreen. But I do know that the young Irish guide who was showing us around the ruins of the ancient cathedral there on the rock finally took us to the little cemetery. We walked with great interest and looked at those ancient tombstones and the inscriptions.

And then we came to one and the inscription said: "Remember me as you pass by, for as you are, so once was I. But as I am, you too will be, so be content to follow me." That was too much for the Irish wit and humor of someone who came after because underneath was scratched: "To follow you I am content, I wish I knew which way you went." (Applause and laughter.)

But the Irish, like many, a great many of the people and like my grandfather, great-grandfather, were driven to the new world by famine and by tragedies of other kinds. The Irish, they built the railroads, they opened the West wearing the blue and gold of the United States cavalry. There was John L. Sullivan, the heavyweight champion of the world, writers like Eugene O'Neill, clergy like Cardinal Cooke, and even—(applause)—physicians to the Pope like Dr. Cahill. (Applause.)

And it goes all the way back in our history. George Washington said, "When our friendless standard was first unfurled, who were the strangers who first mustered around our staff, and when it reeled in the fight, who more brilliantly sustained it than Erin's generous sons?" (Applause.)

And a century and a half later, who else than George M. Cohan would write of the Grand Old Flag, the Stars and Stripes and Yankee Doodle Dandy, with the line, I'm a real live nephew of my Uncle Sam." There must have been a devine plan that brought to this blessed land people from every corner of the earth and here, those people kept their love for the land of their origin at the same time that they pledged their love and loyalty to this new land, this great melting pot. They worked for it, they fought for it, and yes, they died for it. And none more bravely than Erin's generous sons.

Tragedy, as I've said, very often was the impetus that sent many to America. Today, as it's been said here already tonight, there is tragedy again in the Emerald Isle. The Cardinal prayed and His Holiness plead for peace when he visited Ireland. I think we all should pray that responsible leaders on both sides and the governments of the United Kingdom and the Republic of Ireland can bring peace to that beautiful Isle once again. (Applause.)

Once again, we can join John Locke in saying, "Oh, Ireland, isn't it grand you look like a bride in her rich adornment. And with all the penned up love in my heart, I bid you top of the morning." (Applause.)

No, I have no apathy, no feeling at all. I am just so grateful that among the other things that happened when I was allowed to move into public housing (laughter)—I had a chance finally to learn of the very rich heritage that my father had left me. And I can only say once again, with heartfelt thanks, I wear this and take it home, with a feeling of great honor, and say something that I know to all of you is as familiar as "top of the morning" or anything else. That is, "May the road rise beneath your feet, the sun shine warm upon your face, and the wind be always at your back. And may God, until we meet again, hold you in the hollow of his hand."

Thank you. (Applause.)●

S. 842 AND ALASKA LANDS

● Mr. TSONGAS. Mr. President, I am sure that my colleagues remember well the struggle which this body engaged in during the last Congress over the ultimate resolution of the Alaska National Interest Lands Conservation Act. While many have hailed this act, and deservedly so, as our Nation's greatest conservation legislation in this century, I am sure my colleagues will remember that the bill was in fact a bipartisan compromise.

That compromise was not easily achieved. It took place over a period of weeks, during which virtually every boundary of every conservation unit, as well as the difficult problems of energy exploration and development, mining access, future transportation routes, sport and subsistence hunting, State and Native land selection, and the survival of the southeast Alaska timber industry were closely examined.

In no other area of the Alaska lands bill was compromise more difficult for each side than in the case of the Forest Service wilderness proposals in southeast Alaska's Tongass National Forest. Here conservationists ardently fought for wilderness areas which have become familiar names: Admiralty Island, Misty Fjords, West Chichagof, and Strikine-LeConte. On the other side were the important considerations of providing for a stable timber industry in Alaska. The compromise did not come easily, but it was approved overwhelmingly by the Senate.

Now there is a major threat to the national forests and their wilderness resources. It is the so-called nationwide "release" legislation. In this Chamber, it is represented as S. 842, the so-called "RARE II Review Act of 1981." This bill has many flaws which I will not discuss today.

Central to it, however, is a provision prohibiting any national forest wilderness review and directing the Forest Service toward nonwilderness management of Forest Service lands in 40 States. Beyond amending the National Forest Management Act and the Resources Planning Act to accomplish that end, it amends three wilderness/"release" laws passed by the Congress last year, one of which is the Alaska Lands Act.

The compromise reached in H.R. 39, the Alaska Lands Act, provided for approximately 5½-million acres of wilderness on the Tongass National Forest. This was less than the amount recommended by the administration, and it was far less than the amount contained in the bill first passed by the House and in the wilderness amendment which was offered by myself and Senators ROTH and McGOVERN last year.

The compromise resulted in wilderness exclusions for mining in Misty Fjords and Admiralty Island, an exclusion from the Admiralty Island National Monument for the Shee Atika Native Corp., drawing back the wilderness boundary of the West Chichagof-Yakobi for timber purposes, and the deletion of the Karta and Duncan Canal wilderness proposals from the legislation in order to insure that the timber volumes of the Tongass National Forest would be high enough to provide for steady employment in the local timber industry.

And that was not all. To satisfy those who were concerned about the health of the industry, we added section 705. It provides an authorization that the Secretary of the Treasury "shall make available to the Secretary of Agriculture a sum of at least $40 million annually, or as much as the Secretary of Agriculture finds is necessary to maintain the timber supply from the Tongass National Forest to dependent industry at a rate of 4,500,000,000 board feet measure per decade. Such sums will be drawn from receipts

of oil, gas, timber, coal and other natural resources collected by the Secretary of Agriculture and the Secretary of the Interior, notwithstanding any other law provided for the distribution of such receipts."

Beyond this, the Secretary was authorized and directed to establish a special program of "insured or guranteed loans to the purchasers of national forest materials in Alaska to assist such purchasers in the acquisition of equipment and the implementation of new technologies which lead to the utilization of wood products which might not otherwise be utilized." The Secretary may determine the eligibility requirements for those loans, and the conditions of the loans. To carry out the loan program, there was an additional authorization of $5 million directly from national forest funds receipts to be placed in a special revolving fund.

This is not all. To see that the timber industry in southeast Alaska is able to thrive, the Secretary of Agriculture was directed to prepare and transmit a study of opportunities to increase timber yields on the national forest system lands in Alaska. Section 706 provides that the Secretary of Agriculture shall monitor the timber supply and report annually thereon to the Committee on Energy and Natural Resources and its counterpart in the other body. And if at any time after the enactment of the law, the Secretary finds the available land base in the Tongass National Forest is inadequate to maintain the timber supply at a rate of 450 million board feet per year, he will inform the Congress.

Furthermore, it provides that 5 years from the December 1981 date of enactment, and every 2 years thereafter, the Secretary shall review and report to the Congress on the status of the Tongass National Forest and that this report should include the timber harvest levels in the forest since enactment and the impact of wilderness designation on the timber, fishing, and tourism of southeast Alaska.

But even this unprecedented assurance to the timber industry was not all. In addition, we include in the Alaska Lands Act a provision called the "release clause" (sec. 708) which effectively guarantees that wilderness advocates cannot delay the implementation of the RARE II review or the Tongass National Forest land management plan through dilatory lawsuits. This language which was urged on me by my colleagues from across the aisle was the same as that which also was incorporated in the Colorado wilderness bill last year and which was first incorporated in the California wilderness bill passed by the House in 1980.

Those bills set a standard for handling wilderness in RARE II release on national forest lands throughout the country. It was at the insistence of my colleagues that we included it in this compromise to give the timber industry in southeast Alaska the same assurances that the timber industry in the lower 48 negotiated following the completion of RARE II wilderness legislation. The same release provision was subsequently incorporated in a New Mexico wilderness bill which passed the Senate and the House and was signed by President Carter in December.

Now, my colleagues should be aware that the so-called "RARE II Review Act of 1981," S. 842, would be the first major amendment to the Alaska National Interest Lands Conservation Act. It would provide that, in addition to all of the other privileges, guarantees and funding assurance for the timber industry in Alaska, the Forest Service may never again consider wilderness in its land use plans for even 1 acre of the Tongass National Forest or the Chugach National Forest, notwithstanding any other provision of law.

S. 842 as introduced is not explicit on this point. But it is there nonetheless. It is explicit in the companion measure introduced in the House, H.R. 4047. And it is provided for in the comments which the Reagan administration has sent to Chairman MCCLURE in his consideration of this bill in the Energy Committee. Let me quote to you from Secretary Block's letter of June 25:

> It is our understanding that S. 842 would not modify or amend in any way the designations or the boundaries of any wilderness legislation previously enacted. However, the bill would apparently supersede the so-called release language included in certain of the legislation enacted by the 96th Congress to provide for permanent release. We believe it would be desirable to incorporate appropriate language in the bill to clarify this point, and provide for the same release of all the nonwilderness RARE II areas.

The language is:

> SEC. 5. The Congress determines and directs that:
>
> (a) National Forest System lands (1) not identified by section 3 as Lands Recommended For Wilderness or (2) not identified by section 3 as Lands Requiring Further Planning, including certain lands heretofore in primitive areas and wilderness study areas, and (3) not heretofore specifically designated by Act of Congress as wilderness or Intended Wilderness under the Alpine Lakes Area Management Act of 1976, shall, notwithstanding any other provision of law including section 708 of the Alaska National Interest Lands Conservation Act (94 Stat. 2371, 2421), section 104 of the Act of December 19, 1980 (94 Stat. 3221, 3224), and section 107 of the Act of December 22, 1980 (94 Stat. 3265, 3270), be managed for multiple uses other than wilderness, unless otherwise directed by Act of Congress, and shall be deemed, for purposes of all present and future land management plans, and associated environmental impact statements, required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, to have been given adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System.

There can be no doubt about the intended purpose of this bill. It would override any law which stands in its way. It would mandate that there could never again be any consideration of wilderness by professional foresters most capable of making such reviews. Furthermore, the Alaska Lands Act would be overridden on this most divisive compromise point.

I do not believe it is wise to reopen the Alaska lands debate at this time. Are we ready to take a major amendment to the most difficult portion of the Alaska National Interest Lands Conservation Act less than 1 year after having worked out the compromise? Or, will we see whether the provisions that we wrote for the timber industry are adequate?

I, for one, do not believe any more needs to be given to the timber industry in Alaska. I stand ready to defend that act against such a major amendment. And it is my sincere belief that my colleagues from both sides of the aisle who participated in the compromise and who ultimately supported this package last Congress will continue to support it this year. If the southeast Alaska issue is reopened, it will not again be easily closed.●

HENRY PILLARD

● Mr. DIXON. Mr. President, I would like to call to the attention of my colleagues the splendid work done in my State—but for the benefit of young athletes from all over the world—by a gentleman named Henry Pillard.

Henry Pillard is the coach of wrestling at the Joliet Community College, in Will County, Ill. In that capacity, over a number of years, he has done particularly well what many teachers do: He has instilled in young people the values of hard work and honorable competition that are of such importance in helping them complete the difficult passage into adulthood.

In addition to that work, which has been of so much value to his local community, Henry Pillard has made a great contribution to the world of international amateur athletics, and to the ability of U.S. athletes to compete in that world.

Since 1977, the Amateur Athletic Union has held, and Henry Pillard has directed, the Joliet International AAU Wrestling Tournament.

It has come to be accepted as the premier international wrestling event held within the United States, and it brings top quality wrestlers from all over the world to Joliet to compete against our own wrestlers.

Those in the wrestling community are agreed that this opportunity to compete annually against the world's best wrestlers has made a great contribution toward improving the quality of American wrestling.

And in 1980, when the United States did not compete in the summer Olympic games, the Joliet International Tournament served as something of a surrogate event for American wrestlers, allowing them to compete at least once in that year with the best wrestlers from around the world.

Mr. President, in a comparatively short period of time, Henry Pillard has contributed a great deal to many people through his direction of this competition.

To the athletes, of course, and to the followers of amateur wrestling; to his own school, by elevating it to a position of considerable respect within the athletic community; and to the citizens of Joliet, many of whom open their homes

to accommodate the athletes of many nations who come to that town once a year.

The value of this cultural and athletic exchange cannot be underestimated, and so today I commend to my colleagues the efforts of Mr. Pillard and congratulate him on a job well done.●

A PLEA TO CEASE PERSECUTION OF ANDREI SAKHAROV AND HIS FAMILY

● Mr. MOYNIHAN. Mr. President, this morning's New York Times contains a letter to the editor authored by Lipman Bers, Davies professor of mathematics at Columbia University and signed by 24 members of the National Academy of Sciences—11 of whom are Nobel laureates. This letter, eloquent in its simplicity, is a plea to the leaders of the Soviet Union that they cease their persecution of Andrei Sakharov and his family.

The news from Gorky is no better today than it was last week. Dr. Sakharov and his wife continue their hunger strike with firm resolve. And with each passing day Dr. Sakharov's health is further imperiled. It would be so simple for the Soviets to bring this tragic matter to an acceptable conclusion. They need only permit an exit visa for one young woman in Moscow; they need only permit an anguished girl her basic human right. Mr. President, I ask that Professor Bers' letter to the editor be printed in the RECORD.

The letter follows:

THE SOVIET STATE VERSUS ONE COUPLE

To the Editor: We are deeply concerned about our admired colleague Andrei Sakharov, who, together with his wife, has declared a hunger strike in the Soviet Union.

This extreme act shows how desperate the Sakharovs are about the fate of Yelizaveta Alekseyeva, who is betrothed to Mrs. Sakharov's son Aleksei Semyonov. (Yelizaveta was, in fact, married by proxy to Mr. Semyonov in Montana last June.) Semyonov lives in Massachusetts, and Yelizaveta was refused permission to emigrate. The Sakharovs feel that Yelizaveta's life is being ruined in order to punish them.

What possible harm to the Soviet state could result from this young woman's emigration? We appeal to the Soviet authorities to let her go.

This appeal is being signed by me on my own behalf and on behalf of the following members of the National Academy of Sciences [the first 11 of whom are Nobel laureates]:

Nicolaas Bloembergen, Owen Chamberlain, Val L. Fitch, Paul J. Flory, Donald Glaser, Sheldon Glashow, Robert Hofstadter, Edwin McMillan, Burton Richter, Samuel C. C. Ting, George Wald, James D. Bjorken, Sidney D. Drell, Samuel Ellenberg, Herman Feshbach, Thomas Gold, Leon M. Lederman, Joaquin M. Luttinger. Herbert E. Robbins, Malvin A. Ruderman, Edwin E. Salpeter, Victor Weisskopf, John A. Wheeler, Chien-Shiung Wu.●

NOTICE OF DETERMINATION BY THE SELECT COMMITTEE ON ETHICS

● Mr. WALLOP. Mr. President, it is required by paragraph 4 of rule 35 that I place in the RECORD this notice of a Senate employee who proposes to participate in a program, the principal objective of which is educational, sponsored by a foreign government or a foreign educational or charitable organization involving travel to a foreign country paid for by that foreign government or organization.

The Select Committee on Ethics has received a request for a determination under rule 35 which would permit Ms. Margaret Berlin, of the staff of Senator DOLE, to participate in a program sponsored by a foreign educational organization, Tamkang University in Taipei, Taiwan, from November 23 to December 2, 1981.

The committee has determined that participation by Ms. Berlin in the program in Taiwan, at the expense of Tamkang University, to discuss the political and legislative systems of the United States and Taiwan, is in the interests of the Senate and the United States.●

OLDER AMERICANS

● Mr. CHILES. Mr. President, I wish to share with my colleagues the recent address given by Senator HEINZ, the distinguished chairman of the Senate Special Committee on Aging, to the 1981 White House Conference on Aging. Senator HEINZ provided to the conference valuable insights on the challenges it faces in formulating policy recommendations to improve the lives and well-being of our older citizens. These are challenges the Congress faces as well and I believe that every Senator will benefit from a reading of Senator HEINZ' remarks. He points out that we must deal with difficult and perplexing questions in terms of the future of social security and the delivery of quality and cost-effective health care. I am also very pleased to note the Senator's emphasis on the important role the older American should and must play in continuing to contribute to our society and economy.

Mr. President, I ask that the text of Senator HEINZ' speech be printed in the RECORD.

The text follows:

SPEECH BY SENATOR JOHN HEINZ

It is a privilege to share this podium with not one, but two former colleagues, Dick Schweiker and my former House Colleague, with whom I worked so long and hard to create the House Select Committee, CLAUDE PEPPER. And it is a high honor, indeed, to address this great conference. The 1981 White House Conference on Aging could not convene at a more critical time, and the issues you must address are far more difficult than those that confronted your predecessor conferences.

The 1961 and 1971 White House Conference on Aging produced dramatic change on behalf of our elderly. The 1961 conference addressed urgent basic needs and resulted in the creation of two major programs to improve health care for older men and women. Today, 95 out of every 100 older Americans benefit from Medicare and some 4 million older people with low incomes benefit from Medicaid.

The 1971 conference looked beyond basic survival needs and urged services to strengthen the independence of older people in the home and community. The result, in part, was The Older Americans Act Amendments of 1973 vastly strengthening services and the addition of Title XX services to the Social Security Act. In vesting virtually all service delivery responsibilitites with States and local government, the initiatives of the 1971 Conference were years ahead of their time.

These Conferences literally pioneered public policy for older Americans. You are expected to chart no less ambitious a course, but you are here in much more difficult circumstances.

1961 and 1971 were times of relative economic plenty. Inflation was minimal. The labor force was growing and better paid each year. Productivity was increasing at 3 percent annually. The American standard of living was increasing each and every year. And it was politically popular, as well as morally right, to ensure that every American received a reasonable share of that real economic growth.

Today, we face a more hostile world. We have experienced no real growth for the last five years. We have just experienced for the third time in the last two years interest rates of over 20 percent, with all the unemployment and hardship that this implies. And we are in the midst of a deep recession.

And yet today, as this White House Conference on Aging begins, I want to suggest to you that this Conference perhaps holds the key to both the material and spiritual revitilization of America.

I believe you will agree that the central challenge to this Conference is not just to ensure economic security or adequate health care or housing services—important as these are—but to recommend and embrace policies designed to endow older men and women with more genuine opportunities for self-fulfillment.

Let me explain why I believe that meeting this challenge is the key to realizing a better America. Everyone here is aware that the age distribution of the population will be shifting dramatically over the coming decades. The financial difficulties social security faces in the future are a direct result of the expected larger percentage of older persons in our population. But the aging of our population alone does not fully define the challenge. First, we must understand the implications of these changes for our continued economic well being.

Our standard of living is the product of the number of people in the workforce times what the economists call "productivity" or "out-put per man hour," and then divided by our population.

The population of the U.S. is expected to increase 15 million in this decade and 10 million in the 1990s.

So the only way we can maintain or increase our standard of living, without unprecedented increases in productivity, is to continue to increase the size of our workforce. The largest single group of people in our workforce, comprising about 70 percent of those with jobs, are those who are 44 years of age or younger.

The striking fact is, that by the end of this decade, that group will stop growing and actually start declining in actual numbers.

What that means is that we, as a nation, will continue to grow and prosper in the next decade only if able bodied, healthy Americans, who today are in their late forties or fifties or even early sixties, have the opportunity and incentive to work and to fully and freely participate in our society.

I suggest, therefore, that the ability of this Conference to promote the greatest use of the talents, skills and experience of this future group of older persons will be vital to our Nation's continued standard of living—and our efforts to maintain and improve upon all we have tried to do for people.

The Special Committee on Aging has made a particular effort to examine the full implications of this significant change in many critical areas of public policy affecting the elderly.

As Chairman of the Special Committee, I have directed our efforts into three areas that I believe will be of special interest to this Conference.

First, and foremost, is economic security. When we speak of self fulfillment or increasing areas of choice for the elderly in the future, we cannot forget the role economic security plays in making choice possible. Through Social Security, we have established a solid foundation for young and old alike to achieve economic security in their later years. To assure these choices remain for the future, the basic benefit structure of Social Security must be maintained.

In the short run, Social Security has run into financing difficulty because the economy has failed to continue to grow. In the long run, a mounting deficit is expected because Social Security will have to support a higher proportion of retired persons on a smaller base of contributing workers.

I suggest that this Conference must be willing to face squarely all serious proposals for a solution. According to the conventional wisdom, there are three basic options—none necessarily exclusive of the other—but nonetheless only three: increase payroll taxes, reduce benefits, or finance the deficit through general revenues. None of these options are popular.

For example, some suggest financing the OASI deficit out of general revenues. But the problem is that we have no surplus of general revenues, only deficits. Sadly, we have had budget deficits in each of the last 12 years and in 23 out of the past 25 years. And the future outlook is no better. Any proposal along these lines must take these realities into account.

We need to look beyond the conventional wisdom for new and better ideas.

For example, a different approach to controlling Social Security costs is the Social Security Option Account, where all workers would continue to pay Social Security taxes, but those who chose to reduce their future Social Security benefits could contribute a portion of their wages to an IRA-type of Social Security Option Account. The results would be less future payments, the same revenues and a fiscally sounder trust fund.

There may, undoubtedly, be other and better options. We look to the wisdom of this Conference to make the kind of recommendations that will help us restore fiscal stability and confidence in the social security system.

The second issue of major concern is health care. Despite the vast improvements that have resulted from Medicare and Medicaid, many elderly people cannot afford the care they require—or they are unable to obtain the level of care they need. The health care system must be reformed to make it more responsive and less costly.

We must deal more creatively with the problem of cost. The cost of Medicare is doubling every four years, not because older people are getting more care or better care, but because the price of the same care has risen dramatically. Some people suggest that the way to hold down health care costs is to simply ask the elderly to pay a larger and larger share of the cost. Such simplistic suggestions will do virtually nothing to halt the runaway inflation in health care, but will penalize the poorest and should be rejected. Instead, we need to find effective means to thoroughly reform the health care system in a way that improves consumer choice and provides the incentive for the efficient delivery of quality health care.

One way to do this is by permitting Medicare to pay the cost of enrollment in Health Maintenance Organizations and other prepaid health plans that offer the same or better benefits as Medicare, but at no more or lower costs.

The other major health care issue of the future we must address is long term care. Public and private spending on Long Term Care was $10 billion in 1975 and rose to nearly $21 billion in 1980. It is expected to double again by 1985.

In part, our present reimbursement policies under Medicaid have produced a system that too often results in institutional placement that is unnecessary, expensive and which isolates people from their families and communities.

As this Conference examines more suitable delivery systems for continued care of the elderly in their homes, I hope you will look carefully at what we call "Title XXI," the proposed legislation to amend the Social Security Act to open up new options in Long Term Care.

I also hope you will give consideration to something I personally favor, namely, providing tax credits to families who care for chronically ill members at home.

Our health care system needs restructuring to provide alternatives and choices. It must become more responsive to the unique needs of our expanding older population. Restraining spiraling costs will help end the threat to the future of these important programs, and begin a new chapter of hope for older Americans.

The third major issue is the need to expand employment opportunities for older people. As I mentioned earlier, our failure to do so will not only jeopardize the financial underpinnings of the Social Security system, but strikes at our standard of living and our way of life.

Part of the employment problem is that we are plagued by barriers which discourage and deny older men and women the opportunity to continue working, such as age discrimination, mandatory retirement and inflexible employment practices.

We must strengthen our resolve to shatter these barriers. We must alter negative attitudes. And we must provide increased incentives for continued employment of those who today would normally retire.

We have witnessed the success of the Senior Community Services Employment Project under the Older Americans Act. We must move that successful concept into the private sector as well. Business, large and small, must be educated to see older workers for the valuable resource they are. They must be encouraged to expand options for older workers, including second career and retraining programs, job sharing, and part-time and flexi-time work schedules.

Finally, we must provide incentives to employees to continue to work. For example, the Social Security earnings limitation, as it stands today, represents an unfair and needless deterrent to older workers. Another incentive would be to substantially increase the "delayed retirement credit" by, say, doubling it to around 6 percent.

In sum, what I urge you to emphasize are strategies of choice, opportunity and self-fulfillment that will empower older Americans to act on their own behalf. Our society needs the talents, skills, and experience that older Americans want to contribute; to ignore this is to impoverish ourselves, young and old alike.

At the same time, we must make a commitment to be an equally difficult task. That is to destroy the stereotype that older people are somehow a burdensome, dependent, unproductive segment of our society.

How did we, as a Nation, allow this stereotype to develop? In the world of work, we have propagated the myth based on early retirement plans designed to make way for younger workers, and thereby fostered a view of all Americans, as they approach 60 or 65, as non-productive and not useful.

In the home, our increased mobility has divided families geographically, too often leaving older persons isolated and viewed as a burden rather than an integral and valuable part of an extended family.

And, in the political arena, I believe there are too many politicians who want the elderly to feel dependent on their largesse.

To be honest about it, my fear is that too many of our older people have accepted and internalized these attitudes.

More than 150 years ago, Daniel Webster said:

"Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its greatest interests, and see whether we may also, in our day and generation perform something worthy to be remembered."

I believe this Conference has the opportunity to perform something worthy to be remembered.

I believe that now is the time, once and for all, to shatter the hideous and debilitating stereotype of ageism that creeps into every facet of our lives.

In your collective efforts at this great Conference, I urge you to give particular emphasis to altering this attitude. For it is the perpetuation of this myth that has denied older Americans a meaningful role in contributing to the greatness of this Nation. And has denied to this Nation a rich and irreplaceable human resource.

The dreams and aspirations of older Americans have been and continue to be those of our country. It is the great challenge to this Conference to translate those hopes into a national agenda.

It is my hope that when the next White House Conference on Aging convenes in 1991, the participants will see the 1980's as a decade of decisive action which enabled older Americans to realize and claim their full measure of America's dream.●

BUDGET CUTS

● Mr. HART. Mr. President, on September 23, 1981, I introduced legislation, S. 1655, to reduce the business tax deduction for meals and entertainment by 30 percent and earmark the savings for the school lunch program. Unfortunately, the Senate rejected this proposal when offered as an amendment 3 days later.

The case for this proposal was very strong in September. But it is even stronger now.

It is now estimated that 466 schools around the country have withdrawn from the national school lunch program despite the administration's assurances that this would not occur. According to Mr. Hoagland, former administrator of the Food and Nutrition Service, schools are now serving 2.8 million fewer meals this year than in 1980. This represents an 11-percent decline in the total average of daily meals served.

I have received letters from around the country describing the harsh impact of these cuts and warning that any further cutbacks will force even more schools to withdraw. In Boulder County, Colo., for example, participation is down 15 to 20 percent, substantially increasing the cost of each meal. This school district, like hundreds of others around the country, is on the verge of discontinuing its school lunch program.

Mr. President, schoolchildren do not, and never will have the political influence of corporate America. They do not

vote, and they are not represented by well-monied lobbyists. Yet, over 40 national organizations, representing educators, consumers, labor, and nutritionists have now publicly endorsed S. 1655. Together, these groups represent well over 5 million Americans. This list includes:

Agricultural Marketing Project.
American Federation of State, County and Municipal Employees (AFSCME).
Americans for Democratic Action (ADA).
Association for Community Organizations for Reform Now (ACORN).
Bread for the World.
Bridge, Inc.
Center for Community Change.
Center for Science and the Public Interest (CSPI).
The Children's Foundation.
Communication Workers of America.
Community Nutrition Institute.
Congress Watch.
Consumer Coalition for Health.
Consumer Federation of America.
Consumer's Union.
The Cooperative League of America.
Delta Sigma Theta Sorority.
Friends Committee on National Legislation.
Food Research Action Committee (FRAC).
International Ladies Garment Workers' Union, AFL–CIO.
International Task Force on U.S. Food Policy.
Maryland Food Committee.
National Anti-Hunger Coalition.
National Association of Community Action Agency Executive Directors.
National Catholic Conference for Interracial Justice.
National Education Association (NEA).
National Farmers' Union (NFU).
National Hook-up of Black Women.
National Sharecroppers' Fund.
National Urban League.
Project on Food Assistance and Poverty.
American School Food Service Association (ASFSA).
National Association of Social Workers.
Working Group on Domestic Hunger and Poverty, National Council of Churches.
Mennonites Central Committee.
United Cement, Lime, Gypsum and Allied Workers International Union, AFL–CIO.
Department of Human Welfare, United Methodist Church.
United Telegraph Workers, AFL–CIO.
Women's Legal Defense Fund.
World Hunger Education Service.
Women, U.S.A.

Congress established the national school lunch program in 1946 with an explicit commitment to "safeguard the health and well-being of the Nation's children." After 35 years, that commitment is now in serious jeopardy. This year, for the first time, we have seen regulations proposed to compromise the nutritional value of school lunches in the name of cost-savings. As we all know, the public outcry forced the administration to withdraw those proposals. Now, as the President reviews a second set of revised school lunch standards, we must be clear that we cannot accept any compromise of our longstanding commitment to our children's nutrition.

My proposal represents a simple, rational way to restore full funding to the school lunch program without having any impact on the Federal budget. There are many arguments in behalf of S. 1655, but the strongest is simply that our children's lunches should take priority over fancy business meals and corporate football tickets.

Mr. President, school teachers probably know more about the importance of adequately nourished students than we, as legislators, ever will. The November issue of the National Education Association Reporter includes an excellent article about the school lunch crisis. I commend this article to my colleagues and ask that it be reprinted in the RECORD at this point.

The article follows:

FEDERAL BUDGET CUTS TAKE A BITE OUT OF CHILD NUTRITION

The facts and figures vary from district to district, but the general picture looks the same. NEA members in schools across the country report that school lunch prices have soared this fall to make up for the sharp drop in federal subsidies, and that fewer students are buying.

Unable to make ends meet, schools in Seattle, Washington; North Platte, Nebraska; and Pulaski County, Arkansas, were among the first of several hundred to drop out of the national school lunch program altogether. Many more will follow in the months ahead if today's bleak trend continues.

Flossie Henderson, a Normandy, Missouri, language arts teacher, says, "School lunches at our junior high went from 50 cents last September to 95 cents this fall. The portions have been cut too—and the students aren't buying."

Reports from Ohio, Pennsylvania, and other states indicate that participation in the hot lunch program has declined in many schools from 60 percent of all students last year to less than 10 percent this year.

What's behind this growing crisis are the recent federal budget cuts—cuts that sliced deeper into school lunch subsidies than into most other federal programs. Congress cut the child nutrition budget by one-third—which was less than the Reagan Administration had requested.

Earlier reductions, effective last January, had raised the maximum student charge for reduced-price lunches from 10 cents to 20 cents. This September it doubled again, to 40 cents.

What's more, families have to be poorer now than they did last year for their children to qualify for the reduced price. This means that many students who bought a 10-cent lunch last fall are expected to pay full price—75 cents or more—this year.

The federal government is also requiring a lower family income than before for students to be eligible for free lunches. These changes are forcing thousands of "working poor" families out of the school lunch program. And the October 1 cuts in food stamp allotments make it unlikely that they will be able to make up the lost nutrition either at home or in bag lunches.

Free and reduced-price milk, which has been available to all schoolchildren since 1954, is now limited to those schools not participating in the school lunch or breakfast program.

Most severely cut have been the subsidies for full-price lunches. In a time of rising food and labor costs and tight state and local budgets, many schools' food service programs were already running deficits last year. The lower subsidies leave schools with little choice but to raise the lunch price—or drop out of the program.

A year ago the price of school lunch for paying students averaged about 60 cents nationally. That average has risen by 25 cents this fall, with some high schols now charging as much as $1.50.

Hiking prices, districts know, is counterproductive. The rule of thumb is that for each penny the price goes up, student participation drops by 1 percent. Virginia's affluent Fairfax County raised prices by 15 cents in September; 19 percent of the paying students stopped buying.

As higher prices drive paying students out of the program, school food services will lose their traditional economies of scale—escalating their costs still further and making bankruptcy a real possibility.

The Administration's emphasis on ending "handouts" for middle-class students while targeting school lunch subsidies toward the "truly needy" ignores two basic facts. First, the National School Lunch Program has always been an across-the-board nutrition program, not a welfare program. And second, even the lowest-income students will be deprived of their free lunches unless they attend a school that can afford to continue operating a lunch program!

A recent National School Boards Association sampling of two school districts in each state found 28 percent were planning to eliminate their lunch programs entirely, 33 percent were limiting menus, and 25 percent anticipated closing some kitchens.

In September the U.S. Department of Agriculture (USDA) offered a "solution" for districts financially squeezed by the federal cuts; simply let schools serve cheaper meals! Congress had told USDA to review existing regulations with an eye toward finding ways to save districts money "without impairing the nutritional value of the meals."

But in its proposed new regulations, USDA ignored the myriad possible ways to reduce equipment, manpower, storage, planning, and other management costs that equal the cost of food. USDA addressed itself only to paring food costs—the one budget item where trimming directly penalizes kids.

To qualify for subsidies under the National School Lunch Program, lunches must provide one-third of the Recommended Dietary Allowance (RDA) for protein and 11 vitamins and minerals—a goal not always met even in good times, according to a recent General Accounting Office study. The effect of USDA's proposed new regulations would have been to cut this requirement to one-fourth of the RDA.

The more ludicrous of the proposals—such as allowing ketchup and pickle relish to count as vegetables, and cake or cookies to count as bread—drew outrage from the press and general public. "We know that balancing the budget won't be easy," one newspaper editorialized, "but surely the nation—awash in government-supported surpluses of grain and dairy products—can afford a full glass of milk and a whole piece of bread for every child."

In comments filed with the Agriculture Department, NEA's Office of Government Relations urged that the regulations be withdrawn or substantially revised. "Teachers are in a unique position to know the effects of nutrition on children in their daily activities," the comments stated. "They know that undernourished children in the classroom are less alert, slower to learn, less productive, and more prone to behavioral problems."

The Administration relented after three weeks and ordered the proposed rules withdrawn. NEA hailed the decision but termed it at best a limited victory, pending the outcome of further USDA review.

The school lunch program is still in jeopardy, NEA President Willard McGuire warned, calling the drastic cuts in federal funding "a tragic retreat from our country's traditional concern for the welfare of its youth."

That retreat is ironic in light of the Reagan Administration's emphasis on building up America's national defense. Congress cre-

ated the National School Lunch Program in 1946 as "a measure of national security." The program was a direct response to the high incidence of nutrition-related health problems that had kept young men out of military service in World War II.

Its secondary purpose was to stabilize farm prices through government purchase of agricultural surpluses (the school lunch subsidy remains a combination of cash reimbursements and surplus commodities).

The U.S. has grown to depend on this locally administered national program to nourish its young people. As of this spring, some 94,000 schools were participating, serving 27 million lunches a day, of which 55 percent were full price, 7 percent were reduced price, and 38 percent were free.

The school lunch program—one of the most successful nutrition programs in the world—has enjoyed bipartisan congressional support for years, partly because it benefits children across the board, in every congressional district. As many teachers have discovered, even children from more affluent homes are not always well nourished.

Federal funding levels remained fairly low until about 10 years ago, when free and reduced-price programs became mandatory, and the school breakfast program was created. The breakfast program which served about 3.5 million children in 30,000 schools last spring, has now been hit with federal subsidy reductions similar to those that have devastated school lunch. Because it is a smaller program, affecting fewer students, the breakfast program is an even more likely target for shutdown at the local level.

Cafeteria workers will be among those hardest hit as students and entire schools drop out of the national lunch program. Many school kitchen employees are among the "working poor" who seem to be bearing the brunt of the federal cutbacks on so many other fronts as well.

Estimates are that for every 100 meals lost, one job is eliminated. The layoffs have already started.

The Littleton, Colorado, school district, for example, has begun serving simple lunches wrapped in paper two days a week and has cut 28 food service positions. Other districts in Colorado and elsewhere are experimenting with centralization—cooking at one site and then transporting lunches to surrounding schools. Many other districts report switching to convenience-food programs with disposable utensils.

Schools that opt out of the National School Lunch Program and start offering à la carte meals are not required to feed students who can't afford to pay full freight.

With fewer students participating in the school lunch program, teachers nationwide can already see the results. "We have a lot of kids who got their one balanced meal of the day in the school lunch," reports Delavan, Wisconsin, high school social studies teacher Bob Fitzsimmons. "Without it, a lot of them aren't getting the proper nutrition, and it makes it more difficult to teach them."

Reports from Maine and elsewhere indicate that many children who bring bag lunches are now eating them before school—in lieu of their discontinued breakfast program. They then face the rest of the day with no meal.

Students going through a school day on an empty stomach have a hard time caring about English literature, or fractions. Baltimore County, Maryland, elementary art teacher Shirley Aldinger points to yet another result of the federal subsidy cuts: "Cafeterias are starting to sell sugared drinks, potato chips, and other junk food again, to supplement their revenues. This garbage has a real negative effect on kids' behavior."

While billed as "saving tax dollars," the cutbacks may actually cost the government money in the long run. Hungry, malnourished students do less well in school, achieve lower levels of employability, are more likely to end up on welfare, and have higher health care costs later on.

In many ways, attractively priced school meal programs are more essential now than ever, due to—

Inflation, which is making it harder and harder for many families to provide children with nutritious meals.

The ever-increasing number of families with two working parents, whose schedules sometimes preclude cooking breakfast at home or packing well balanced bag lunches.

The infrequency of students going home for lunch, because of distance or the absence of a parent at home during the day.

The lack of models other than the school lunch for teaching children healthy eating habits.

The fact that most lunch foods commercially available—and heavily advertised—to children tend to be high in calories, fat, sugar, and salt but low in nutritional value.

Under strong pressure from the soft drink and food lobbies and from proponents of simplifying federal regulations, USDA has indicated it may relax its monitoring of the sale of competing "junk food" in school cafeterias and vending machines during lunch hours. Any limits on school sales would then be left up to state and local authorities.

The school lunch crisis could become still worse. In his late-September address to the nation, the President indicated he would like Congress to cut yet another half-billion dollars from the lunch program this year, wiping out the remaining subsidy for paying students.

While the administration busily takes food off the plates of schoolchildren in order to balance the federal budget, government subsidies for tobacco, sugar, and many other commodities remain firmly in place.●

AMBASSADOR BROCK ON NEGOTIATIONS ON SERVICES

● Mr. INOUYE. Mr. President, the United States is the world's leading exporter of services, or "invisibles." This sector consists of economic outputs which are primarily intangible, deriving their main value from intellectual capital or labor factors.

The United States has become a service sector economy, with approximately 72 percent of total nonfarm labor employed in services and 66 percent of the gross national product generated by service industries. Productivity in the service sector is also growing faster than in manufacturing and helps to curb the inflationary pressures in our economy.

This sector is the most dynamic part of our international trade. Even though our merchandise trade has lagged within recent years as foreign countries have surpassed us in many manufacturing industries and as energy prices have skyrocketed, services enabled us last year to enjoy a surplus in our balance of payments.

According to the latest figures produced by the Committee on Invisible Exports in London, the United States accounted for 20 percent of total world trade in services, but even this significant share is slowly and steadily declining.

Our success in the export of services has been hampered by the growth of barriers, some of which are due to foreign countries' industrial regulation but others of which are the result of protectionist actions designed to shield domestic industries or enhance their firms' competitiveness. The Office of the U.S. Trade Representative has compiled an inventory of trade barriers in the service sector, but even this list is incomplete since barriers are erected daily.

It is my hope that this issue can be placed on the agenda of the Ministerial Meeting of the GATT, which is scheduled for autumn of next year. It is important that foreign nations realize that the U.S. Government is seriously determined to reduce service sector protectionism bilaterally and multilaterally.

The failure to solve the imbalance that has grown up in the international trade in services could very well lead to our taking reciprocal actions against countries which do not grant us the same kind of commercial opportunities in their markets that their firms enjoy in ours.

Recently Dun's Business Month printed an interview with U.S. Trade Representative Ambassador William Brock about the international trade in services. Ambassador Brock has provided commendable leadership in raising this issue in international fora and with foreign government. I ask that the article be printed in the RECORD.

The article follows:

U.S. DRIVE TO HIKE TRADE IN SERVICES

While the United States may be becoming less and less competitive in manufactured goods, it has a marked edge in the selling of such services as banking, insurance and technical advice. The problem is that many of our trading partners have erected many nontariff barriers to service imports, which make it extremely difficult for U.S. firms to do business. That's why Ambassador Bill Brock, President Ronald Reagan's Cabinet-level Special Trade Representative, has made reducing barriers to the export of services his top priority.

Brock, 50, was chairman of the Republican Party prior to his appointment to the top trade job last January. Previously, he had been a Senator and a Congressman from Tennessee. In this discussion with Executive Editor Gerald R. Rosen, Brock cites some of the difficulties the Administration faces in breaking down these barriers.

Many people in the banking, insurance, engineering and other service fields contend that the barriers to the export of services are far greater than they are to the export of goods. What's your view?

They're right. But I'm not so sure that all of these barriers are intentional. Some of them have evolved because of the way business is conducted in various countries. Nevertheless, it's abundantly clear that the barriers to services are not only serious but growing. And that's of enormous concern to me.

What particularly bothers you?

The fact that the United States is a service economy. Two-thirds of our employment is in services. And, most important, we have an enormous lead over most nations in virtually all service areas. So barriers to service exports can seriously hamper our international trade position.

Hasn't the problem of barriers to services been discussed and negotiated in the many trade agreements that the United States has signed during the post-World War II era?

The answer is no, incredible as that may seem.

Why not?

In our international negotiations, we have always dealt with trade as if it were something tangible, like an apple, an orange or a pair of shoes, and we haven't considered the reality that trade in services is just as important—if not more so—than trade in goods.

Wasn't the issue raised in the many years of negotiations that led to the much-heralded 1979 Trade Agreements Act?

There was some discussion. But, in the end, very little was done.

Since the landmark 1979 Trade Act is now law, what do you propose to do about the services issue?

In the 10 months this Administration has been in office, we have tried to change attitudes about the services issue and get some discussion going. We have raised the question with the OECD (Organization For Economic Cooperation and Development), the GATT (General Agreement on Tariffs and Trade) and the European Economic Community to prepare them and us for the complicated discussions that must lie ahead.

What has been the reaction of our trading partners?

There was almost no reaction early on. Few of them had focused on the problem and they did not realize the extent of it. But things are changing. I raised the issue at the OECD ministerial meeting in Paris a few months ago and for the first time the Japanese government endorsed the initiative and was supportive. That's an enormous and important change.

Is there support from any other major nation?

The British also are in favor of addressing the services issue. After all, it's in their interest. They are very competent in many of these fields.

What about the French?

Let's say the French tend to be a bit difficult on these issues.

Is there any interest on the part of the Third World?

A great deal. Take South Korea. Most people don't think of the Koreans as being engaged in services. But the fact is that they are deeply involved in construction and engineering. There are Korean construction firms all over the Middle East. And doing a very effective job, I might add.

Could you cite a major barrier to the export of some typical services?

One of the biggest is the fact that so many services—banking and insurance, for example—are regulated by government, and properly so, I might add. This often makes it very difficult for a foreign company to get through the bureaucratic maze.

Is this a problem for foreigners seeking to do business here?

It can be. Take the insurance business, which is regulated by the states. That means that there are fifty jurisdictions that a foreign firm must cope with.

What do you tell our trading partners when they complain?

I don't accept it as an excuse. If they can sell insurance in Africa, they can figure out how to do it in California. It's just a matter of making the effort.

Do you foresee another major trade agreements act that will deal with the services issue?

Frankly, I don't. I think that we will have to deal with our major trading partners on a bilateral basis. It will take years, but I hope to accomplish a great deal on this front by the time this Administration leaves office.●

THE WORLD CRISIS: THE TASK FACING THE UNITED STATES

● Mr. HELMS. Mr. President, on October 8, before the highly knowledgeable audience of the District of Columbia Chapter, Military Order of the World Wars, Dr. Charles H. Malik, one of the world's great classical scholars, gave a most illuminating address on the current world situation and what is required of the United States in meeting it successfully.

One of the contructive points made by Dr. Malik as the "key to world peace" was the reunification of Germany.

Another was the Monroe Doctrine concerning which he stated that America "seems to have forgotten" it.

A third was the necessity for restoring the "balance of power" in Europe as "a vital pillar of world peace".

Mr. President, I would stress that Dr. Malik speaks with the background of a vast professional, scholarly, and governmental experience. Because the previously indicated address should be of unusual interest to the Senate and executive branch, especially members and officials engaged in the formulation of U.S. foreign policy, I ask that it be printed in the RECORD.

The address follows:

THE WORLD CRISIS: THE TASK FACING THE UNITED STATES

(By Charles Malik)

The Jacques Maritain Distinguished Professor of Moral and Political Philosophy at The Catholic University of America, in Washington, D.C.; Distinguished Professor of Philosophy, Emeritus, at the American University of Beirut, Lebanon; former President of the General Assembly, the Security Council and the Economic and Social Council of the United Nations, and former Chairman of the Human Rights Commission of the United Nations; former Foreign Minister of Lebanon and Ambassador of Lebanon in the United States.

At the meeting of the Military Order of the World Wars (District of Columbia Chapter), at the Army-Navy Club, Washington, D.C., on October 8, 1981, at 12:00 noon.

In matters of the highest moment, especially when events are in process of formation, one can put forward in public discourse only fundamental propositions. The cutting edge of detail must be left to private consideration. I shall here in general abide by this rule, and that in the briefest possible terms.

I

Over the long haul China is the most important issue. China was penetrated spiritually three times in her history: by Buddhism from the South, by Islam from the West, and by Marxism from the North across the steppes of Siberia. The latest penetration appears to be the more far-reaching of the three. Which proves that despite her wall China is not impenetrable nor self-sufficient spiritually. In her very stagnation China has always been searching. Some timid people have excused their ineffectiveness so far on the ground that China is a world apart and had better be left alone. Nobody is ever left alone, especially today, and if you do not step forth and fill the spiritual vacuum somebody else will. The West with all its spiritual and material riches can only blame itself if China lives today under the banner of Marx, that misshapen version of the West. Beyond economic and political relations, beyond the exigencies of world geopolitical balance, which could, and doubtless will, change from generation to generation, the mind of China must be opened to the authentic values of the West, the values of freedom, man and the spirit. This is one of the most pressing tasks of those who really care about the ultimate things. There is a most fateful race already in progress between Marx and the values of freedom so far as the soul of China is concerned. In this race Marx could turn out to be a mere passing veneer.

II

At present the interests and ambitions of the Soviet Union in Europe, Asia, the Middle East, Africa and Latin America pose greater danger of friction and clash with the West than do the interests and ambitions of China in those regions. Only the argument of strength, militarily, economically and above all morally, here makes a dent; only prudent fearlessness and unwavering fundamental conviction here avail. Short of satisfactory agreement on disarmament, adequate, massive preparedness becomes imperative. Such preparedness, far from meaning necessarily war, should serve as a restraint on inordinate ambition and a deterrent to war.

You may control existing armaments, you may dismantle them altogether, but what you cannot control is the inventiveness of the human mind. How can any armaments agreement prevent the several million scientists and technicians in the Soviet Union and the several million scientists and technicians in the United States and Europe from thinking, researching, experimenting, inventing in total secrecy? And one crucial discovery or invention thus arrived at could render obsolete enough of the existing critical devices to alter the world balance of forces substantially overnight. Because of the transcendental importance of creative research I would increase the appropriations for research and development fivefold, for the future will be determined, materially and militarily, by theoretical research more than else.

The ultimate issue therefore is not arms control, but how to touch and change the heart, the spirit, the will, the fundamental attitude from suspicion to trust, from hatred to love, so that the heart and will then will themselves control and direct the inventiveness of the mind. The state of the heart and will between nations submits to totally different laws from what obtains in devising the most secure defense systems and negotiating the most ironclad disarmament pacts. And only when a community of heart and purpose is established on the basis of mutual respect between the Soviet Union and the West can you trust what is going on in secret in the thinking and inventing of the mind, and can you then really feel secure. But man is seen differently, human destiny is understood differently, the purposes and values of existence are interpreted differently, between the two worlds. We thus see here again that the real ultimate rub is spiritual and not political or material.

To aid in the promotion of understanding and trust contacts should never be discontinued, cultural exchanges should be maintained, economic agreements mutually advantageous should be pursued, and if they weary you with their patience and forensic ability you should outweary them yourselves.

III

In Asia, so far as the proper world balance that conduces to peace is concerned, China and Japan are crucial. You may not blame the Japanese because they are industrious and ingenious; far from murmuring against them because they more than stood their ground in world competition, the West should admire and emulate them.

In Africa, Ethiopia has not received the attention it deserves, nor may the superlative strategic importance of South Africa be overlooked despite the country's grave internal problems. Every country is plagued with its own quota of such problems, and no country and no people can unhypocritically cast stones on others in these matters. The one thing needful here is not to be squeamish—for any reason—in letting South Africa fulfill its proper role in world strategy, and to foil any attempt by adversaries to exploit the internal difficulties of that country for their own advantage. International existence is full of such national holes.

IV

The balance of power in Europe remains a vital pillar of world peace. Review all history and you will find that this has always been the case. There can be no peace in the world, there can be no security for the United States, if Europe should drift into such a state of vulnerability as to have to become

neutralized. The neutralization of Europe is but a preclude to its absorption by the East. No matter what role allurements or fears or failures or sheer human folly may play in this extremely delicate, but absolutely fateful affair, I believe the Atlantic community will either hang together or hang apart. The principal burden of Winston Churchill's Iron Curtain speech in Fulton, Missouri in 1946 was the impossibility of lasting world peace so long as Europe remains partitioned between the Soviet Union and the West. The crux of the partition of Europe is the partition of Germany. Two Germanys at the heart of Europe can never mean except perpetual discord and instability in the old continent. If European unity is an indispensable key to world peace, as Churchill asserted, the key to that key is the unification of Germany. Finally, of all possible abandonments, in the past and in the present, history would never forgive the United States if at this juncture the United States should for any reason abandon the people of Poland.

V

On Latin America I will only relate one story. A man in Europe who knows the game of power politics very well told me once: "I have stopped reading all American magazines!" I said: "Why?" He said: "I will resume reading them only after Cuba is liberated!" America seems to have forgotten the Monroe Doctrine. People elsewhere find it unbelievable, nay even worse than unbelievable, that America, with all her resources, material and moral, allowed Marxism-Leninism to take root at her doorstep, and from there to spread in Latin America and elsewhere throughout the world.

VI

The United Nations is called all sorts of names today. A respected writer has recently called it "a monument to imbecility," "an exercise in hypocrisy," "a gaudy realm of make-believe," "a dumbshow and a mummery." Some truth there may be in all this. But the United Nations was not so at the beginning, and for the first fifteen years of its life. What happened, then? Whatever happened, the United Nations was, and is, a free-for-all. In any contest in a free-for-all the loser is simply outsmarted. Let a fully grounded and honest investigation be made, and you will find that there was no inherent reason why in this match the United States should have been tripped up by its adversaries.

VII

On the Middle East I wish to make eight observations in the tersest possible terms:

(1) The one stable feature of all countries in the Middle East is the essential instability of every one of them. Only sixty years ago none of these states existed as it is today, and even during this short period innumerable has been the turmoil that each one of them has sustained; and nobody knows how they will look like, I will not say sixty, but ten or twenty years hence. The ultimate ground for this instability is something to be gone into separately. Part of this ground is the astounding fact that the endemic problem of minorities has never been honestly faced, let alone acknowledged, by the leadership of those countries. But the problem of minorities is itself grounded in the deeper problem of essential historical discontinuity. In the Middle East where history itself started, history is broken up again and again. These two, essential historical discontinuity and therefore essential instability, determine everything in the Middle East. Enormous practical consequences from the point of view of fundamental policy, flow from this observation.

(2) I do not see how the present chaos in Iran is not going to be taken full advantage of by the Soviet Union. Propinquity, both in terms of place and of culture, between Iran and the realms immediately to the North, places the United States and the West in general at a decided disadvantage as to who is going to have the upper hand, politically and culturally, in that country in the future. These are ultimate facts for which the United States need not blame itself: it can only ponder them to see how they may be surmounted.

(3) The Middle East is much more communistically softened up and infiltrated than wishful thinkers in the West know or imagine. Your greatest handicap so far has been that you deal for the most part with governments and individual leaders but not with peoples. Nor, I am afraid, can you help that. You will be amazed to find out what the peoples, the masses, in the Middle East think. Nor may you take comfort from the thought that the prevailing native ideology is anti-communist; this is not true. The character and magnitude of this problem has not been fully comprehended. I wonder if ever the Government of the United States made a serious study of the kind of literature being read daily by the youth of the Middle East and Latin America. The mind of these peoples is being impregnated, not with your values of man and freedom, but with some of the darkest impulses in human nature, and with promptings of hatred hailing from your sworn enemies. Where the mind of youth is turning—this would be a principal concern of all high statesmanship today.

(4) Now that Iran's future is doubtful and perhaps out of control, and the entire area heavily infiltrated, the Eastern Mediterranean emerges as more vital for the defense of the Middle East than ever before. The Gulf can only be secure if its rear, the Eastern Mediterranean, is secure. To hold the Middle East, or as much of it as possible, the Near East must first be held. But a significant gap yawns in the Eastern Mediterranean, consisting of Syria and—by partial extension—Lebanon. Policy should now concentrate on how to close that gap. Nor may the numerous defaults of the past with respect to Africa be repeated now in the North, with all the swirling going on these days about Egypt and the Sudan.

(5) Lebanon is a sick country. It cannot heal itself. An expert physician is needed from outside. The United States has been sympathetic and has helped considerably, but the patient is still lying on his bed and his condition is still critical. The sickness is not yet unto death but it could become so. Many countries have disappeared, and so the question arises: Why should Lebanon be saved? Because great stakes are involved in the death of the patient. First, because an independent and sovereign state would disappear, being absorbed or partitioned by its neighbors, and that would upset the political and moral balance in the Middle East. Second, because the only free, open, democratic and genuinely pluralist society in the Middle East, the society of Lebanon, would be assimilated into the norm of Middle Eastern societies which are neither open nor free nor democratic nor pluralist, and that is not exactly in the best interests of the free world. And third, because the only free and secure Christian community in the Middle East, which has always been in communion at once with Rome and Constantinople, and has managed to preserve, more or less, its freedom and integrity for centuries, would perish, a loss wholly not foreordained. If only people would stop to ponder responsibly and calmly these three fateful stakes—the perishing of a state, the perishing of a unique society, and the perishing of a unique community—I am confident they would be set on fire to try to save Lebanon. What is needed now, in a most urgent manner, is that the abundant good will that has been displayed so far from many sides, especially in the United States, Canada, the Vatican, Latin America, France, Saudi Arabia, and elsewhere, first be coordinated, and then translated into resolute policy bearing immediate fruit, lest the patient die.

(6) The Palestinian question should be addressed: Everybody agrees on that. But there is no agreement on how it may be resolved. If the universe of discourse with its hackneyed cliches which have prevailed so far should be persisted in, then I'm afraid there is no resolution to this question. But if you consider that in the great land bridge stretching between Asia Minor and the Valley of the Nile five peoples (the Syrians, the Lebanese, the Jordanians, the Palestinians and the Israelis), four states (Syria, Lebanon, Jordan and Israel), and three great world religions (Judaism, Christianity and Islam), coexist, and that it is an absolute historical necessity for all these peoples, states and religions to live and interact with one another under some order of peace in this one land bridge—if only you keep this picture firm in mind, then great vistas of hope, precisely with respect to the Palestinian question, and not only with respect to that question, would trace themselves on the horizon of your thought.

(7) It is vital that the friendly relations that have always obtained between the United States and Saudi Arabia since the days of the great Abdul-Aziz and the great Faysal be maintained and strengthened. Nor must any wedge be allowed, for any reason, to be driven between the two governments and peoples. And this not only in the interests of the two countries, but of the entire area and world peace.

(8) Every single problem and condition in the Middle East today, every single prospect in that area, is unfathomably complicated by the subtle or open clash between Washington and Moscow. Let nobody think that he can negotiate with anybody in the Middle East as though Moscow were absent. Moscow disposes of eyes and ears and hands in relation to every country or movement or development and every decision to be taken in the Middle East. Moscow seeks actively to be in on every such decision. And when she is excluded, she will at once plan to retaliate somehow somewhere, whether in the country itself affected by the decision or elsewhere.

VIII

If a billion Chinese are now required to study the English language for eight years, and if that language has become the lingua franca of all mankind—an event that never happened before to any language—can the English-speaking peoples measure the infinite responsibilities before God and history that fall upon their noble tongue, as to the spiritual and moral and intellectual values, and the kind of hope, that that language should convey to the entire world? You have no idea what is required of you to see to it that the English language, your language, fast becoming the universal language of mankind, be charged today with the right kind of message, in terms of fundamental ideas, moral values and intimations of beauty and grace.

Ladies and gentlemen, I should be ashamed of myself if I stopped here. I should be unworthy of you if I stopped here. I should be unworthy of the truth.

And what is the truth? The truth is that the principal task facing America is the internal one. I have no doubt that, having regard to America's immense material, technological, political and moral resources, America will, in time and in her own free way, put its economic house in order. The same for her defense requirements.

It is her intellectual, moral and spiritual house on which I want to dwell for a moment.

I respectfully say to the media: For God's sake, have pity on the infirmities of human nature; you appear to be bent on titillating and taking advantage of them. I am thinking in particular of the so-called "sexual revolution" and of man's insatiable craving for

comforts and things. Far from helping to liberate man, sex could destroy Western civilization. The tragedy here is that the victims, once firmly held in bondage, would not be able to help themselves. They would keep silent about the collapse, or rationalize it, or even contribute to it, and that against their better judgment. I trace this scourge for the most part to the cult of Freud.

The family is in deep trouble. But for obvious reasons one cannot talk much about it. And yet it is always exactly the things that for obvious reasons one cannot talk much about that are the most important things. May I beg you to do something about the family—for your sakes, for the sake of your civilization, for the sake of the world, because so much these days depends upon your example. And if you can do nothing, at least pray that God intervene.

Many cultures abroad have been suffering for centuries from trouble both in the family and in matters sexual. The example of family decay and sexual laxity in the West is not helping them at all. They tell the West in their heart: You see, you are catching up with us! What should be the case is for you to be able to tell them: When will you catch up with us, in matters, not only material and technological, but intellectual, moral, spiritual?

The life of community and fellowship, without which stability of character cannot form, must somehow be restored despite the havoc wrought by technological civilization.

The university and the school are in trouble, whether or not they acknowledge it. The radical divorce of intellect from character, of mind from spirit, of reason from faith, of efficiency from virtue, of the excellence of idea and technique from the perfection of the total human person, of the use of thought from the being of the thinker—this too can destroy Western civilization. The secularism, relativism, rationalism, scientism, humanism of the university must somehow be addressed and redressed. Nothing above, nothing beyond, nothing other than, mind and man?

Cynics, operators, manipulators, balancers, abound everywhere. I do not fear the cynics, but I fear them when they start practicing their cynicism on themselves. And must the balancers and manipulators be allowed to carry on their craft with no attention being paid by them to the quality of what they balance and manipuate?

x

I doubt that policy makers in the United States have given serious thought to the kind of intellectual fare being fed into the minds of the youth of the world, including the youth of America. I doubt that they devoted one single long week end to going exclusively and exhaustively into the kind of philosophy, of outlook, of fundamental attitude that is being proclaimed and promoted in the media and in the halls of learning of the great universities. But on this philosophy, outlook and attitude, more than on any politics and any economics, depends the future of mankind.

It should not be said by some competent judge a hundred years from now that exactly when youth was avid for the truth—the truth of man, the truth of freedom, the truth of destiny—Western civilization was weighed in the balance and found wanting. And this when you possess the truth in abundance more than any civilization, now and in the past!

You cannot allow the mind of youth to be so vacant as to fall a prey to the predatory wiles of the enemies of God, freedom and man. But that is alas exactly what is happening.

Can a civilization that sums up in its own being at its best the Greek passion for reason and knowledge, the Roman attachment to justice, law and order, the Judaic self-dedication to the One True God, the Christian event of sacrificial love and mercy, and the distinctive zest, and adventure, and discovery, and sense of freedom, and individual independence and initiative, and boundless confidence, and perpetual search, so far garnered from the great American experience—can such a civilization fear anything except the erosion of its faith in itself? Fill the mind of youth with half the truth you already possess, and then go home and sleep in peace. But why should you stop at only half—why don't you go all the way and fill it with the whole?

He will inherit the earth, or better earth still, who believes in something true and eternal. He is worthy of survival, and more than mere survival, who is prepared to share with others the eternal he believes. But he must really believe to be able really to share. Nor can you share with anybody anything over which you stammer. Your belief must ring in your minds, in your deeds, in your life, in your society. The ultimate crisis today is one of faith—faith in the basic values of the great positive tradition. If only you really believe what you already fundamentally are, you will move mountains.

Culturally, intellectually, spiritually, existentially, you have behind you four thousand years of cumulative tradition—not just two hundred years. In wealth and scope, in light and truth, and in creativity, there is nothing like it in all history. It measures, weighs and judges all other traditions. And if others venture to judge it, they will soon discover that they are judging it by its own norms.

I say you have this tradition "behind you"; the truth is that you have it "before you"; because what is constitutionally at your base is already before you for the having.

And what has this tradition yielded, in terms of worth and value and meaning and being? It has yielded fundamentally six things: man and freedom, truth and law, spirit and love. Man in his essential dignity; freedom as the end of all endeavor; truth as something there to be ardently sought and securely grasped; law as above the caprice of men; spirit as wholly underivable either from the slime of matter or the compulsion of circumstance; and love in the dictum, God is love.

These eternal values must be rediscovered, rebelieved, reloved, reappropriated, relived, reaffirmed, reproclaimed. There is no progress away from them: There is only perpetual return to them. They are all integral to the deepest and most lasting in your tradition. They are already you and you are already they. Therefore it is supremely true to say: Be only what you at your most authentic already are.●

GENERAL REVENUE FINANCING

● Mr. DOLE. Mr. President, I applaud the action of the White House Conference on Aging Committee on Economic Well-Being in going on record overwhelmingly against the general fund financing of social security. I believe that general fund financing of this most important social program is equally unpopular in the Congress. Furthermore, there is almost no support for it on the Finance Committee and, I understand, little if any among members of the Ways and Means Committee.

General revenue financing of social security has been considered and rejected since the program was enacted in 1935. It would unlink benefits from the workers' earnings and tax payments. It would obscure individual taxes and make the cost of the program more difficult to control. Public confidence in the system could well be eroded, rather than enhanced.

Under the current system, most workers perceive their benefits as a matter of right acquired by the payroll taxes deducted from their paychecks. The "earned" character of the benefits and the "earned right" to those benefits are basic principles on which the social security system was founded and in large measure account for the support of the American public for this program.

Introducing general revenue financing into social security would weaken the longstanding tie between what a worker earns and the benefit he receives and would run the risk of weakening workers' acceptance of the system.

General revenue financing of part or all of social security could also have the undesirable effect of leading to means testing of benefits. The nature of the program may be changed radically from a social insurance program to a welfare-based program.

The payroll tax method of financing social security has long been associated with a commitment of fiscal responsibility.

To this point, Congress has always had the determination—in fact has required itself by virtue of the payroll tax—to look at the cost side, as well as the benefit side of the equation whenever social security matters have been considered. This fact is a cornerstone of the fiscal soundness of the system.

Using general revenues to alleviate either the short- or long-term social security financing problems would be a grevious and potentially costly mistake. General revenues translate into higher taxes or increased deficits. Such an approach is simply not responsible at this point. It threatens the character of the benefits and undercuts the sense of fiscal discipline with which we must act to restore and maintain the integrity of our social security system.

Another point which must be made is that there are no general revenues available. Social security expenditures already account for 28 percent of all Federal expenditures. Allowing even limited infusions of general revenues will increase that percentage and further expand that portion of the budget considered untouchable and uncontrollable.●

NATIONAL ADOPTION WEEK

● Mr. METZENBAUM. Mr. President, November 22 marked the first day of National Adoption Week—a week that is designed to promote adoption as a positive and loving way of building families.

Mr. President, the act of adopting a child is, indeed, a very wonderful thing. Nothing is quite as precious as the love of a family. And certainly, there is nothing quite as wonderful as a family that willingly opens its arms to a homeless child, to feed, care for, and love that child, a child that otherwise might well go through life never knowing the love of parents and siblings. Those of us who have known that kind of feeling—and most of us are fortunate to have known it—cannot imagine having that void in our lives. In my opinion, any family that takes into its home an adopted child and extends that kind of

unconditional love has conducted one of the most humane acts possible.

Mr. President, each year thousands of unplanned pregnancies result in babies who are put up for adoption. Although the Government has not kept statistics since 1975, recent reports place the number of adoptions at around 100,000 per year. In fact, the number of adoptions has declined steadily in this country since 1970 when a record 175,000 children were adopted. And since 1960, the number of children in foster care has doubled to approximately 500,000. Earlier this year, the New York Times reported that fewer than 20 percent of the children available for legal adoption in New York's publicly assisted agencies were actually placed. The Washington Post reported that the District of Columbia's foster care system is overburdened and understaffed.

In July, I sponsored legislation designed to encourage families to adopt children by permitting adoptive families to claim the costs of adoption as a tax deduction. My legislation takes note of the fact that at least 20 major companies have in recent years begun to assist their employees with the costs incurred in adopting children. IBM, for example, has had an adoption assistance program since 1972, and has averaged approximately 350 to 400 claims per year. Another major company, the Smithkline Corp., paid employees $400 per adoption at the time it began its program. It now pays $1,000 and intends to increase the amount until it equals the cost of a normal obstetric delivery.

The issue here, Mr. President, is providing homeless children with homes. Yet presently, we have a tax code that actually discourages families from adoption. Adoption assistance is considered regular income for tax purposes, and so companies providing it must incur the costs of social security taxes and an extra paperwork burden. That should not be—and my bill corrects the inequity by excluding adoption benefits from employees income.

Mr. President, I ask that an article on adoption in Business Week be printed in the RECORD. And I also ask that all Members of the Senate join with me in recognizing National Adoption Week, and that we all commit ourselves to a new national policy of encouraging families to take into their homes adopted children.

The article follows:

WHEN COMPANIES HELP PAY FOR ADOPTION

An increasing number of companies provide employees with benefits to help them adopt children—just as they provide maternity benefits. But the Internal Revenue Service regards these benefits as taxable income. Now an effort is being made in Congress to have them treated as nontaxable on the grounds that present IRS policy discriminates against adoptive parents.

Three bills are pending in the Senate to make certain adoption expenses deductible, and one of them, sponsored by Senator Howard Metzenbaum (D-Ohio), would also exempt employee benefits. The Treasury adamantly opposes the measures, but employee-benefit officials from industry say they are overdue.

"To subject this benefit to the income tax unfairly penalizes people who are merely try to create loving families," said Robert B. Bogart, managing director, corporate human resources, American Can Co., in testimony on Oct. 16 before the Senate subcommittee on taxation. The Greenwich (Conn.) company recently added an adoption benefit, effective in 1982, that will pay up to $2,000 for each adoption of a child under 18.

UNPLEASANTLY SURPRISED

According to Hewitt Associates, employee-benefit consultants based in Lincolnshire, Ill., more employers would grant adoption benefits as an option of flexible benefit programs if such benefits were not taxable. Such benefits typically range from $500 to $2,200. They are a small expense to companies because adoptions are not common; according to the National Committee for Adoption, only 34,000 of last year's 109,000 adoptions involved adults and unrelated children.

But employees who want to adopt appreciate what help they can get. Eric B. Perez, manager of business strategy analysis at Xerox Corp., in Stamford, Conn., was one of the first to use his company's adoption plan, which pays up to $1,000 per adoption, after it was inaugurated in 1979. Perez spent more than $4,000 to adopt a two-year-old boy from the Philippines through the International Alliance for Children Inc., in New Milford, Conn. "I was very grateful to Xerox for making $1,000 available," he says. So far, Xerox has spent close to $100,000 on 118 adoptions.

Some companies have been providing adoption benefits for more than 10 years. For example, the plans at S. C. Johnson & Son Inc. and at Foote, Cone & Belding Communications Inc. date back to 1970. Foote Cone's plan is among the most generous—it pays an adoption fee equal to the cost, now around $2,500, of a normal delivery in a local hospital. International Business Machines Corp., which has had a plan since 1973, pays 80 percent of eligible charges, up to $1,000 per adoption.

A 1980 Hewitt report listed 14 companies that provided adoption benefits, including Pitney-Bowes, Hallmark Cards, SmithKline, and Syntex. Since then, says Hewitt, four more companies have joined the list and eight other client companies are considering it. Control Data Corp. plans to announce an adoption plan shortly.

Goodwill and equity are not the only reasons for an adoption program, says American Can's Bogart; it is also part of a company's social responsibility. "Industry can make an impact," he says. And Bruce Mueller, employee-benefits director of Foote Cone, reports that inquiries about his company's adoption benefit encouraged several other employers to offer adoption plans during the past year. "The fact that lots of big companies are coming in can be the most effective force in encouraging adoption," he says.

These arguments fail to impress John Chapoton, Assistant Treasury Secretary. "We do not believe that the tax system is the appropriate vehicle for providing federal aid for adoptions," he told the subcommittee. He opposes exemptions for employer plans on the grounds that the IRS is not equipped to administer them and that they would "further erode the tax base by exempting from tax yet another element of compensation."●

158TH MONROE DOCTRINE ANNIVERSARY

● Mr. HELMS. Mr. President, today, December 2, is a significant date. It is the 158th anniversary of the proclamation by President James Monroe in his annual message to the Congress on December 2, 1823, of what is historically known as the Monroe Doctrine.

Proclaimed at a time of grave crisis in the history of the Americas when the holy alliance of European nations was continuing to restore Spanish domination over its newly independent American colonies and Russian imperialism was extending its domain southward from Alaska almost to San Francisco, it was successful in protecting the Western Hemisphere.

Mr. President, because since 1959 so many North Americans seem to have forgotten the Monroe Doctrine, I shall enumerate its three major points:

First. Opposition by the United States to any future European colonization in the Americas.

Second. Abstention by the United States from involvement in European internal political affairs.

Third. Opposition by the United States to any extension of European systems to any part of the Americas.

Monroe, in preparation of this doctrine, did not act alone, but only after extensive consultations with his cabinet and predecessors. Madison strongly approved it and Jefferson described the doctrine as "our compass" that points the course for our country through the "ocean of time" then opening.

Mr. President, in view of today's mounting crisis in the Central American, Caribbean, and other areas to the South, it is time that we restudy the Monroe Doctrine and take steps for its universalization.●

TENNESSEE CITIES AND GENERAL REVENUE SHARING

● Mr. SASSER. Mr. President, Federal aid to cities and counties in Tennessee and the Nation has been significantly cut back as a result of the Omnibus Reconciliation Act of 1981. Localities in Tennessee and elsewhere are struggling to keep vital local services going while still holding local property taxes down.

But now the administration has come along and recommended a 12½ percent reduction in the general revenue sharing. That means $5 million less in general revenue sharing for cities in Tennessee.

Federal revenue sharing is the one Federal program that goes to local governments without any real strings attached. Yet, this program too has now ended up on David Stockman's chopping block. Indeed, I have no doubt that Mr. Stockman would like to phase out the entire program by 1984.

The impact of a phaseout of this essential Federal aid program would be very harmful to many Tennessee cities.

If the general revenue sharing program is totally eliminated, city property tax rates would go up an average of 55 percent and businesses located in Tennessee cities would see overall tax levies increased by some $28 million.

Mr. President, in these times of fiscal austerity we need a strong revenue sharing program, and I would hope that the administration reconsiders their decision to make severe cuts in the program.

Mr. President, I ask that a table showing the impact of general revenue sharing reductions on Tennessee cities which appeared in the November, 1981 issue of Tennessee Town and City be printed in the RECORD.

The table follows:

[From the Tennessee Town and City, November 1981]

TENNESSEE CITIES AND GENERAL REVENUE SHARING

City	Property tax increase necessary to replace GRS*	Percent increase in the rate
Alcoa	$.30	17
Arlington	1.40	93
Ashland City	.31	28
Bartlett	.26	13
Baxter	.75	50
Belle Meade	.05	7
Bells	.80	45
Benton	.05	8
Camden	1.50	150
Carthage	.76	35
Centerville	1.50	91
Chattanooga	.33	12.5
Clarksville	.65	40
Clifton	1.00	50
Collegedale	.09	45
Colliersville	.25	12.5
Columbia	1.08	50
Cookeville	.48	40
Cornersville	.60	66
Cowan	1.13	40
Dayton	.50	50
Decatur	.68	90
Dyer	.75	37.5
Eagleville	.10	20
East Ridge	.20	15
Elizabethton	.80	24.8
Englewood	1.38	50
Estill Springs	.75	20
Fairview	.36	100
Franklin	.50	33
Friendship	4.00	200
Gainesboro	1.22	61
Gallatin	.64	33.4
Gatlinburg	.16	33
Gleason	.81	38
Goodlettsville	.13	59
Gordonsville	.22	18
Greenback	0	0
Greeneville	.93	25
Greenfield	.90	60
Halls	.57	25
Hartsville	2.50	100
Henderson	1.30	81
Hendersonville	.29	32
Hohenwald	.97	72
Humboldt	.30	13
Huntingdon	1.43	84.2
Jefferson City	1.45	78
Jellico	2.20	100
Johnson City	.77	25.2
Kimball	.40	100
Kingsport	.36	14
Kingston	.24	13.7
Knoxville	.70	11
LaFollette	2.00	115
Lakesite	.25	33.3
Linden	1.32	132
Loretto	1.30	168
McKenzie	.83	42
Manchester	.70	29
Maryville	.59	19
Memphis	.41	12
Milan	.90	43
Monterey	1.25	57
Moscow	2.00	200
Mount Pleasant	1.75	83
Murfreesboro	.62	21.37
Nashville	.45	10
New Johnsonville	.50	33
Newbern	.92	41
Newport	1.00	22.3
Norris	.78	14
Oak Ridge	.27	8.8
Obion	3.24	62
Paris	1.05	100
Parsons	1.75	50
Portland	.70	30
Pulaski	1.28	64
Red Boiling Springs	.11	6
Rockwood	1.10	45
Scotts Hill	1.00	100
Sharon	.60	25
Shelbyville	.8186	41
Soddy-Daisy	.51	54
Somerville	1.30	104
South Fulton	1.00	66
South Pittsburg	1.45	100
Sparta	1.91	71
Spring Hill	1.00	100
Springfield	.94	34.8
Sweetwater	.70	54
Tennessee Ridge	.25	25
Trenton	.76	69
Tullahoma	.63	14.41
Union City	1.11	33
Watauga	1.06	250
Waynesboro	3.72	55.05
White Bluff	.60	60
White Pine	1.50	125
Winchester	1.39	39.7

*General revenue sharing.

BIRMINGHAM'S NATIONAL VETERANS DAY

● Mr. HEFLIN. Mr. President, on November 11, 1981, our Nation showed the respect we have for freedom and for the individual contributions of our fellow man with the observance of "National Veterans Day."

I was privileged to be in Birmingham, Ala., at that city's 35th annual observance of that holiday. The sincerity and the success of the activities in Birmingham earlier this month, as well as for the previous 34 years, serves as a tribute to one man—Birmingham's director of National Veterans Day activities, Raymond Weeks.

Thirty-five years ago, Raymond Weeks had a dream—a dream of one day when our entire country could unite in a ceremony honoring the unselfish service our veterans have given to America. His work to make his dream a reality has earned Mr. Weeks recognition as the "Father of National Veterans Day," and the job he has done for 35 years on the local level has been so outstanding that numerous other observances have been modeled after the one in Birmingham.

That is typical of Raymond Weeks. His life has been one of constant service on behalf of others—in the military, in civic organizations, in the Alabama State Legislature. Whenever the opportunity or need arose, he has given of himself, all the while maintaining constant involvement with his first love—National Veterans Day in Birmingham.

This year's activities included speeches by the distinguished actor, director and war hero, Douglas Fairbanks, Jr.; the Secretary of the Army, John O. Marsh, Jr.; the Commander of the first U.S. Army, Lt. Gen. Donald E. Rosenblum; and the National Commander of the Disabled American Veterans, Sherman E. Roodzant. At this time, it is my pleasure to submit for the RECORD the remarks of these men.

The material follows:

SENATOR HOWELL HEFLIN INTRODUCTION OF DOUGLAS FAIRBANKS, JR. NATIONAL VETERANS DAY, 1981

Ladies and gentlemen: Tonight we are here to honor Douglas Fairbanks, Jr.—stage and screen star, producer, director, author—and distinguished war hero.

While he has starred in more than 70 movies and numerous stage productions, Mr. Fairbanks is being honored tonight for his distinguished military career—a career that earned him international recognition for his leadership, his skill as a military tactician and strategist and, above all, his courage.

Mr. Fairbanks enlisted in the United States Navy in 1941, before the Japanese attack on Pearl Harbor. During World War II, he fought in the Atlantic, Arctic, Mediterranean, Adriatic and Aegean Seas and in the North African, Italian, Yugoslavian, French and Great Britain campaigns. During the amphibious assault on Italy in September 1943, Mr. Fairbanks exhibited such courage that he was awarded the Silver Star Medal. "During the occupation of an island in the area," the citation reads: "He courageously led a landing party ashore and, although exposed to enemy rifle fire, established essential picket positions, thereby contributing materially to the accomplishment of a vital mission."

For his courage in the amphibious invasion of southern France on D-Day, Mr. Fairbanks earned the Legion of Merit Medal. The citation reads: "On the morning of August 17, 1944, when two hostile vessels attacked a group of smaller craft, he courageously led the ships of his unit into action and, aggressively directing the combat operations with expert seamanship against heavy odds, greatly aided in the ultimate sinking of the two vessels. By his brilliant leadership and steadfast devotion to duty throughout this vital period, Lieutenant Commander Fairbanks contributed materially to the successful invasion of a highly strategic area."

Mr. Fairbanks rose to the rank of commander in 1945 and was the only American officer chosen by Admiral Lord Louis Montbattan to be one of his famous "Mountbattan Commandos."

For his wartime service in the military and his significant contribution to the allied victory in Europe, Mr. Fairbanks was knighted "Sir Douglas" by Britain's King George the Sixth in 1949 and was named "Knight Commander" of the most excellent order of the British Empire.

Mr. Fairbanks has received numerous diplomatic and military awards and honors from a number of nations, including England, France, the Netherlands, Belgium, Italy, Brazil, Chile, Greece and Korea.

Mr. Fairbanks served as special advisor to Presidents Franklin D. Roosevelt and Harry Truman. President Roosevelt appointed him Presidential envoy to Brazil, Argentina Uruguay, Chile, Peru and Panama.

It is indeed a great privilege and a distinct honor to introduce to you a distinguished actor, director, author—and a real-life American war hero, Douglas Fairbanks, Jr.

DISTINGUISHED NATIONAL VETERANS AWARD

(Presented to Captain Douglas E. Fairbanks. Jr., USNR (Ret.) For the Year 1981)

Presented Annually By The Combined Veterans Organizations To The American Citizen Who Has Done Most To Distinguish Himself As A Veteran During The Current Year Throughout The United States.

This The 11th Day Of November 1981.

HOWELL HEFLIN,
Chairman 1981 Award Committee.

SOME PREVIOUS RECIPIENTS

Gen. Mark Clark, U.S. Army (1956).

Gen. Lucius Clay, U.S. Army (1957).

Gen. Alfred M. Gruenther, U.S. Army. Head of American Red Cross (1959).

Gen. James A. Van Fleet, U.S. Army (1961).
Gen. Mathew B. Ridgeway, U.S. Army (1963).
Gen. David Sarnoff, Chairman, R.C.A. (1965).
Gen. Lauris Norstad, U.S. Army, Commander in Chief, NATO (1968).
Col. Roscoe Turner, USAFR (1967).
General of the Army Omar Bradley (1970).
Lt. Gen. James Doolittle, USAF, M.M. (1971).
Brig. Gen. James Stewart, USAFR (1972).
Col. Charles A. Lindberg, USAF (Ret.) (1973).
Adm. Thomas Moorer, USN, Chairman, Chiefs of Staff (1974).
Astronaut Neil Armstrong, USNR (1975).
Gen. W. C. Westmoreland, U.S. Army, Chief of Staff (1976).
Brig. Gen. Paul Tibbetts, Jr., USAF (1977).
Adm. Arleigh Burke, USN, Chief of Staff, Joint Chief of Staff (1979).
Gen. Louis Wilson, USMC, Commandant of USMC (1980).

ACCEPTANCE OF AWARD ADDRESS

(By Capt. Douglas E. Fairbanks, Jr., USNR (Ret.))

Your Excellency, Governor James, Senator Heflin, Congressman Smith, Your Honor, Mayor Arrington, Mr. Weeks, Mr. Golden, Admirals, Generals, and all sorts, kinds and sizes of Distinguished Guests, Ladies and Gentlemen:

That "Introduction" delivered by Senator Heflin was the best obituary my wife ever wrote! As she is a Virginian, she did an admirable job of exaggeration in order to play down my Damyankee origins!

Some people have expressed surprise that an actor—primarily a film actor at that—would get himself involved in so many different things. But you'd be surprised—perhaps—to know how far afield the interests of some film actors nowadays can take them! Even "Veteran" actors!

Veterans!

We are all of us only too well aware that "veteran" is another word for "survivor," and that both words have built into them a considerable acknowledgment of luck. Speaking for myself, I can assure you that I feel doubly lucky tonight. First, because I can identify myself with you all as a veteran (on the other hand, whether you will still be surviving after all this evening's festivities and my words are concluded, is very much open to question).

Secondly, and more seriously, though, because of my gratitude for the gesture, I wish you could know how grateful—how very grateful—and a bit humbly embarrassed too—I feel standing here, thanking you for this most highly valued award. There is a tremendous weight and resonance of character and experience to be felt in just facing this audience. To be ushered into this present company, and into the ranks of honor that you not only represent, but embody, fills me with unwordable gratitude and, of course, pride.

Emerson observed that every hero—if I may use that word to make a point—is apt to become a bore at last. Well, I hope not, and I certainly do not intend to suggest that the mold I spring from is in any way heroic! Far from it! For instance, my own experiences often reminded me that if you are on a ship under attack, and you want to run away, where are you going to run to? No, grateful as I am to receive this award (and I haven't the slightest intention of giving it back!), I know only too embarrassingly well that awards are most often given to someone who merely represents or symbolizes a service which has been earned by many. It has been cruelly but often truthfully said that war seldom kills off the right people. I recall, in the Navy, we sometimes used to say that if somebody managed to get his ship sunk by enemy action, or sustained enough casualties, he was decorated. But if he won out, and saved his ship and had no casualties, he wouldn't get any recognition at all!

In the case of my own family—who were the only ones who ever really gave a damn anyway—the matter has never arisen. My wife, my children, and my grandchildren would not, will not, so much as dream of my not being thoroughly deserving of anything I've ever received—for anything! Of course, they might not know what that "anything" was for. But that wouldn't matter! They're so broad-minded! They take an unconventional view of many things. For instance, my eldest daughter, when a small child during the war, thought all dark blue uniforms with bright buttons were Naval officers—and, one day, walking with mother, she saw a policeman in the distance, she called out, "Oh, Mummy, look! There's Daddy!"

In any case, if my family want to say that Daddy won the war single-handed, I have absolutely no intention of disabusing them of the idea. In fact, I might even encourage them! I must admit, that, in my time, I have been known to make up such exaggerated stories that any resemblance between my yarns and the actual facts is very often purely coincidental. (I suspect that there are others here among us tonight that could possibly admit to the same indulgence.)

But on this really solemn occasion I must temper my deep and honest thanks for your wonderful award by acknowledging that, by rights, it should be—if possible—shared with every one of the teams with which I served—in whatever service, in whatever battle, in whatever campaign, and in whatever theater of war, and/or peace! And, of course, in a different way, with all of you as well.

Mark Twain said that war talk by men who have been in war is always interesting.

I'm not so sure about that, but even allowing for the fact that most recollections of the "good old days" are due either to bad memories or good lying, we here certainly can still remember with great vividness our own feelings and "sense impression"—whatever our jobs were—that are now years, and, for some, even decades, old.

We meet here tonight at a time when America seems at last to be recovering two things we had, well, not exactly lost, but rather mislaid for a few years—or thought out-of-date: It is an appreciation of, and a faith in, our country. We are, it seems, taking a new, fresh look at our homeland with new, fresh pride—this time accompanied by a becoming modesty instead of tub-thumping arrogance; we look with a new deep sense of belonging not just to our township or state alone, but to our whole continental vastness and our own people in it. Less and less do we regard ourselves as merely belonging to a large club that somehow provides several unique advantages for its members.

A few years ago, many thought patriotism was "for the birds," an out-of-date cliche reserved for sloppy sentimentalists, or for certain extremists to justify their own power or pomposity, and, in many cases, their excesses or aggressions, or for the philosophy "To Hell with the rest of the world! I'm alright, Jack." Today, though, we find ourselves realizing afresh that if you don't feel a love of roots, of hills, valleys, rivers, skies and coastlines, of people, habits, customs, of your own people, clan or compatriots, you love nothing. You aren't capable of it.

Time, of course, has never, can never, move backwards. We are—we and the rest of the free world hope and pray we are—an ever increasingly responsible and statesmanlike nation. We were, once upon a time, a "promising" nation, then a "strong and equal" nation, and now we are a world power, and even—terrifying enough (for this moment in history at least)—a superpower! This means that while assuming the burdens of such an awesome responsibility we can afford to be quietly confident without needing the added inspiration of the trumpets and the drums—except, of course, for celebrations such as we are enjoying on these particularly special days. After all, we are justifiably proud of our efforts in two great world wars.

We can also now be mature enough to admit that we may possibly have done less well in some subsequent combats—challenges which may have been more limited in scope but just as big in their emotional and physical impact on those directly involved. But from a long-range point of view, they were really not much more than "set backs" which every great power must experience in the course of time. After all, the greatest powers and the most potent and influential cultures in all history—starting, say, five or six thousand years ago with the Egyptians, and the Chinese, then on to the Greeks, the Romans, and finally the British—they shook the world—but they did not win every battle—not by any means! Nor, indeed, every war!

They didn't even come close to doing so! And when they lost, it was not because of any lack on the part of the individual fighting man, but usually because of misjudgments in policy and/or command decisions; or a failure of confidence in a cause or a leader, or an objective, and, oh, for numberless other reasons. But they prevailed for a long time—and their heritage to posterity is indelible! Why? Because the nations or civilizations that did survive over the longest periods were those who were best equipped with the spirit and faith to respond to the challenges of their particular time.

In other words, no nation, any more than any individual, is, or ever has been, forever invincible. But the human spirit is very much so!

Our own Thomas Jefferson said something to the effect that a nation's greatness does not depend on the abundance of its agriculture, the wealth of its industries, nor the size of its armaments, but rather on the quality of human being it produces!

I suggest that we Americans have proven to be of that "top-quality" regardless of the ups and downs of our national fortunes. But it is in the area of our relations with the rest of the world that I'd like to make another point—a point which I feel is apropos and worthy of your notice: The point is, to my mind, whether we do not often perhaps overreact to our potential adversaries and underdevote attention to the problems and anxieties and worries of our friends? If so, let us first briefly analyze our possible potential adversaries, the Soviets:

The object of Soviet policy is, obviously and understandably, to, as it were, "Finlandize" it. In their constant but transparent efforts to achieve this, they are, we must admit, consistent and often effective operators. But I suggest that to deal with a rival—any rival—one must first of all understand his reasoning, his motives, how and why he thinks as he does, acts as he does!

One thing that marks the Russian mentality is—even more than their formal but corrupted attachment to Marxism—their centuries-old fear of what may happen on their borders! They have many countries already within their Empire (but which they call their "Union") and they have put many other countries behind what Churchill so aptly named their Iron Curtain. They have done this partly for ideological reasons but also from fear. Having been invaded and occupied several times, the ordinary, non-political Russian also knows war, knows what it feels like on a massive scale.

This understanding must not, of course, blind us to the cynical and ruthless policies of their rulers—policies which intervene in the affairs of totally alien countries and which, despite numerous treaties, insist on maintaining armed forces far in excess of any conceivable eventuality—and all the

while their own people are short of nearly everything (even Vodka!).

When the Soviets claim they must spend vast sums on their military organizations, this dangerous phobia of theirs must be seen as not just a phase of political expansionist ambition but also as a part of the Russians' pathological fear of the Germans and the Chinese on or near their borders. When the old Russian diplomat Zhukov asked: "How would you like to get up every morning and see 800 million Chinese peeping in your window?" he wasn't just being rhetorically witty. And when the Russians, referring to the Germans—and their other reasons for wanting to keep them divided—ask Americans: "How would you feel if your country was twice invaded in 16 years by Germans—and all the land between New York and Chicago laid waste by them?" one can gain an additional perspective of Russian—as opposed to purely Marxist-Soviet political and military thinking and feeling.

This being said, however, I would urge us all to resist a tendency to regard our most conceivable adversaries as being 12 feet tall, or that they are "supermen" of some sort. For a time, we looked the same way, to some extent, at the Nazis and the Japanese in World War II, and now we seem to be doing it with the Russians. But the Soviets have, in fact, made a number of tremendous mistakes. Their own harsh actions a few years ago in discontented Hungary and Czechoslovakia have haunted the ordinary Russians for years, and have contributed—up to today at any rate—to the Soviet's reluctance to invade and tame a brave Poland. Afghanistan is proving to be a ghastly mistake, not only in Afghanistan itself, but in the opinions of much of the rest of the so-called Third World, where the Soviet invasion has given rise to intense and sustained anti-Russian feeling.

To most recent observers of the world scene, Marxism, like many other things on this only planet we can live on, seems in disarray, to be losing the most ground as a political and economic philosophy. It has lost much of its ideological steam and is rolling up quite a string of failures, while the supposedly decaying "capitalistic" world, or even the free "democratic socialist world" in much of Western Europe, although having serious troubles too, is at least demonstrating very clearly the needed flexibility and resourcefulness and technological initiative that the Marxists have accused us of being too moribund to master.

But this is certainly not a moment for self-congratulation. It is, on the contrary, a very dangerous moment. When a nation's leaders suspect that their internal problems are getting out of hand, some have been known to divert their people's attention from domestic issues and almost force a fresh allegiance to the country's central power by starting foreign adventures or frightening their own people with stories of external threats. We can—and hopefully we will—make it incontrovertibly clear that the western alliance does not seek to destroy Russian power nor to achieve nuclear superiority. We do seek—no, more than that—we insist on a parity of power—or, in other words, a massive reduction by all parties of the threats of war. This present state of affairs cannot be allowed to continue as it is today. No one must ever have reason to press that dreaded button.

Now, to our allies: Some Western Europeans—the younger generations mostly—believe they are caught between the rivalries of Soviet Russia and the U.S., and are trying to hedge their bets. They are afraid the two super-giants will indeed wipe them out. Therefore, not being fully informed—and hence only half-understanding us on the issues—they feel a need to somehow keep the peace with everyone—particularly those countries who have oil and/or weapons. At this point in time these young Europeans are from countries neither as strong nor as rich as we are, nor as they once were themselves, but whose intelligence, experience and abilities are certainly equal to ours—and perhaps, in some cases, superior.

As individuals, we all need friends. So do we as a nation. Therefore, with reference to our allies in the free world, we need and would hope for their willing and collective advice and consent to what we do abroad (which, don't let's fool ourselves, we ought not to be too proud to consider). And, further, for them to join us, and we them, insofar as we are all able, in commonly agreed upon plans for our mutual defense. Our true understanding of their attitudes is every bit as important as their reactions to ours.

For instance, we must sympathetically remember and understand that in two world wars we came in late, and even though we efficiently and bravely tipped the balance of victory toward our side, their losses of life, property, wealth, everything, have been far, far greater than ours; and that though they value their freedom no less than we do ours, they quite naturally harbor a real fear of more wars being fought—for any reason—on that same ground. We may think they are foolishly blinding themselves to the Soviet threats—and to our misunderstanding our own counter-intentions—but really all they dread, and hope to avoid, is being again a horrible battlefield, slaughterhouse and graveyard.

Looking at what could happen, from their point of view, seeing and listening to what the two giants do and say, it is hard to blame them. After all, we in the U.S. still feel the wounds of another war fought here at home 116 years ago—and with "conventional" weapons!

Certainly, there is much to learn from the huge public protests made recently in free, democratic, and allied Western Europe. In West Germany, for instance, anti-nuclear fears are more virulent than ever. And any sign of American "big-talk," of threats or of an insensitivity to these young, emotional and frightened sentiments, could eventually threaten the political and military stability of all our NATO-allied countries.

Hence, it becomes even more ominously clear than ever that it would be a great mistake for us to equate our foreign policy with just our wealth and material "weapons strength" alone! Every bit as important is to realize that true strength is as much dependent on attitude as anything else, and it is therefore essential—I think—for us to undertake, at the earliest moment, as a matter of priority, with patience and sophistication, and self-confidence, with understanding and sensitivity, the far more delicate, but just as necessary, political negotiations required to maintain peace, and to demonstrate, without fear and beyond a doubt, our confident intention to persuade friends and adversaries alike to, as it were, "cool it!"

In short, as we have apparently frightened people by threatening to at least equalize the Soviet's immense military superiority—hoping thereby to deter them from adventuring abroad—we could, I believe, similarly offer to match them in reducing and limiting—on an equal basis—our weaponry.

It is really quite vital to keep before us the fact that Western Europe is the linchpin of Western Free World Security (and in this context, the word "Western" is intended generically to include, of course, Japan and our Commonwealth allies like Australia, New Zealand, the free countries of Asia, and so on). This generalization should of course also include the absolute necessity for achieving a lasting stability in the Middle East—and for its people to realize their ultimate, imperative need to live with each other in peace!

Meanwhile, I hope we will soon be able to provide the masses of young, intelligent, decent Western Europeans with honest and convincing reasons why their idea, or hope, of "neutralism" is a most dangerous thing for them at this time; that such a policy could encourage the Soviets to be more than ever inclined to dominate or control them; and that they are sadly wrong in ever trying to think that such a life "wouldn't be too bad!"

We are not ashamed, and ought not to be, of wanting to help keep the peace by being stronger than we are now—and of persuading our allies of the same thing. Or, at least, to demand no less than equality with the Soviets. It would be ironic if, by becoming "neutral," with the Soviet's military superiority as it is now, Western Europe were to surrender the freedoms the Poles are trying so hard to win. Foreign policies can successfully evolve only after attitudes, confidence, commitments and power are all in balance.

The present, as we know it, has its roots in the past, and with the common interest we share with our allies in a free world, the reward will be, we hope, our common survival and prosperity.

Reminiscence is no small part of these Veteran's Day observances and will always be so as the years go on. They have become one of our proudest traditions. We are only just beginning to appreciate, or remember, what indispensable things traditions are. Those traditions which manage to survive do so because we instinctively know they are more than just ceremonies or reminiscence. More precisely, traditions are a colorful means of measuring our present against our past, and of acknowledging, by re-enactment, a proud contribution to the sum of the national character. Traditions renew ideals, provide us with a more secure sense of continuity, and thereby inspire us to emulate, respect and perpetuate them so that those who follow us can carry on—and build their future on them.

As veterans, we are a brotherhood not only of ourselves but of all who have served our nation in whatever way they could and have thereby added new riches to our inheritance. Now, our confident hearts are being lifted again, not just by our material blessings but by the common recognition of our spirit, and by that patriotism which reveals itself as shared responsibility.

Well over 300 years ago, John Milton wrote: "I think I see in my mind's eye a noble and puissant nation, rousing itself as a strong man after sleep, and shaking its invincible locks." That, Ladies and Gentlemen, is how I feel, that we all feel, about ourselves! And so, with that in mind, I offer again my most heartfelt thanks, and I respectfully raise my glass to the sacred memory of our common past, to those present and absent friends, to all veterans, and members of your organization—and to each and every one of you—and yours. Thank you.

THE WHITE HOUSE,
Washington, D.C., November 5, 1981.

Mr. DOUGLAS FAIRBANKS, JR.,
National Veterans Day in Birmingham, Birmingham, Ala.

DEAR DOUG: Nancy and I are proud and delighted to send our congratulations and best wishes as the National Veterans Day organization presents you with the National Veterans Award.

For over forty years, you have contributed to the well-being of our nation in war and peace. Your distinguished service in the United States Navy during World War II was in the finest tradition of American Armed Forces.

Of course we have known for a long time what an outstanding citizen you are. Our friendship goes back many years, and it has always been one both Nancy and I treasure.

With warm personal regard and, again, our congratulations,

Sincerely,

RON.

REMARKS BY HON. JOHN O. MARSH, JR.

Of all the creatures of the earth, it is only man that has a sense of history. It is this gift which causes us to assemble here today.

In the town where I grew up as a youngster, in the Valley of Virginia, on a small plot of ground, at the intersection of Liberty and Main Streets, is a beautiful monument to those men of Harrisonburg and Rockingham County who gave their lives in World War I. It is a sculptured figure of Liberty mourning her dead.

Carved around the base of the monument are the words:

"They tasted death in youth that Liberty might grow old."

In the 1930's, I can remember in the classrooms on this day, the moment of silence as we paid tribute to mark the 11th hour, of the 11th day, of the 11th month when the Armistice was signed to end the war which was to have ended wars—to make the world safe for Democracy.

Now, over 60 years later, we know that the world has not been made safe for Democracy and wars have not ended. We gather here in Birmingham to pay homage to all of our veterans, not just those of World War I.

Normandy—Midway—Korea—South Vietnam—these were places of violence and valor, far removed from the peaceful and prosperous state of Alabama.

It was an English poet who captured the solemnity of this moment, when the tempo of a nation slows to honor its dead:

> "The tumult and the shouting dies,
> The Captains and the Kings depart;
> Still stands Thine ancient sacrifice,
> An humble and a contrite heart.
> Lord God of Hosts, be with us yet,
> Lest we forget—lest we forget!"

And it was a Canadian soldier, who would be buried in the Fields of Flanders, of which he wrote, who reminded us, the living, of our commitment to our countrymen who fell in battle.

Perhaps we have become too sophisticated and the words seem too old-fashioned or hackneyed. We do not want to be reminded of the obligation of the soldier-poet who says to us:

"Take up our quarrel with the foe;
To you from failing hands we throw
The torch; be yours to hold it high.
If you break faith with us who die
We shall not sleep, though poppies grow
in Flanders Fields."

The purpose in being here today is twofold.

It is commemorative. It is commitment.

Commemoration of this day shall not be complete until such time as this Nation honors all of its veterans of all of its wars. You have done this in Birmingham.

In our public parks, in the hallways of our schools, at the campus, and in the town squares, in the court houses and in the churches, are the plaques, tableaus and statuary which have become community reminders to those who fell in other wars. However, too often there is no shrine to those who served and died on the battlefields of Vietnam. This should trouble our National Conscience. It should be set aright. They made no less a sacrifice for the cause of freedom.

In our time, the formula for a peaceful world is directly related to U.S. defense. A defense that deters war—a defense that causes any would-be aggressor to realize the foolhardiness of an attack on any U.S. interest.

As President Reagan recently stated at Yorktown:

". . . of equal concern to me is the uncertainty some seem to have about the need for a strong American defense . . . Military inferiority does not avoid a conflict, it only invites one, and then insures defeat. We have been trusted with freedom and must ensure it for our children and for their children. We're rebuilding our defenses so that our sons and daughters never need to be sent to war."

We do not seek empire, nor do we seek to force our will on others. Our record after both World Wars is testimony to that.

But, because we are not an aggressive nation, our potential adversaries nevertheless should not forget one of our early flags, carried by our successful Revolutionary forebearers. It was a pine tree displayed on a white background. Around the base of the tree was coiled a rattlesnake and printed across the bottom of that banner were the words, "Don't tread on me."

As we set ourselves to the task of strengthening America's defenses, let us remember that we have much to do. That it will not be done in a day. That it will require sacrifice. Yet, we must get on with it, and we shall get it done.

Let us speak to this commitment.

The world in which we live has three dimensions:

It is a world of crisis.

It is a world of change.

It is a world of ideas.

We live in a troubled world. We live in a world of precarious peace, a peace which is maintained only by U.S. strength. And, to the extent that the U.S. appears to be weakened, peace is weakened. It is only the U.S. leadership of the Free World and U.S. power that safeguards an uneasy truce.

A hasty global overview points to the difficulties of our times. There are seven major geographic areas of concern today:

1. Europe—Where NATO forces are counterposed to prevent aggression by the Warsaw Pact. Our attention is also riveted on the events in Poland.

2. Africa—That continent is the scene of great instability and political cross currents, but is vital to the West because of its resources;

3. The Middle East—Which at times appears to be a tinderbox of conflict. This volatile area is the source of enormous energy supplies;

4. Southwest Asia—Where we find 85,000 Soviet combat forces in Afghanistan;

5. Northeast Asia—Where U.S. forces, along with our Korean allies, safeguard the Korean Peninsula;

6. Southeast Asia—Which is still gripped by oppression; and

7. Latin America—Where we see growing unrest and instability in our own Hemisphere.

To meet these threats of violence, U.S. forces are organized on the basis of the Total Force Concept whereby the regulars, the Guard and the Reserve are co-equal partners.

It is vitally important that we give greater emphasis to the National Guard and the Reserve. In the Army in the coming year you will see greater attention to these essential civilian components.

Soviet power is awesome. Their intercontinental strategic arsenal includes 7,000 nuclear warheads—almost 1,400 of which are in their Intercontinental Ballistic Missile Force and over 900 of which are placed aboard Soviet submarines.

Like their land and sea forces, their air power is a formidable force—strategically and tactically.

A new Soviet blue water navy is appearing on the world's oceans. This naval force is designed to project Soviet power around the world.

The Soviet ground forces have now grown to more than 180 divisions. We have 24 divisions, eight of which are in the National Guard. They have about 47,000 tanks. We have 11,000. We find similar ratios in most other types of essential equipment.

While we have reduced our ability to produce equipment, they have increased theirs.

By any reasonable test, the Soviets have far more than they need to defend their own frontiers. The fact is they have the capability to launch such an attack and project military power beyond their borders.

I have spoken of the military role as we view this threat to our security. But what can others do? Specifically, what can the friends of the Armed Forces and the United States Army do?

I appeal to you this afternoon for special help in educating ourselves on matters that concern the Defense Establishment and the Army. You can tell this story to our fellow citizens who do not have the same level of knowledge or interest about defense matters as you do.

It is the story of:

The threat we face, and

What needs to be done in:

Manpower;

Readiness;

Modernization;

Sustainability.

These needs are not easy and they have a price. Our changing times add to the challenge.

We live in a world of change impacted by technology, by communications, by transportation, by exploration into outer space. It is a world being changed by exploding populations and emerging nations.

However, the world is not changed by armies nor by machines. It is changed by ideas.

The world of ideas and hope is America's world. Its preservation requires dedication and sacrifice from each of its citizens. It requires your skills, your efforts and it requires your time.

You are our greatest resource. You are America's hope for the future.

The last line of the Declaration of Independence is a commitment:

"And for the support of this Declaration, with a firm Reliance on the Protection of divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred Honor."

We must make this pledge.

President Reagan at Yorktown said:

". . . The freedom we enjoy today has not always existed, and carries no guarantees. In our search for an everlasting peace, let all of us resolve to remain so sure of our strength that the victory for mankind we won here is never threatened."

Perhaps some historian at some future milestone will write—Here passed a small group of Americans, who in their time explored the reaches of outer space and raised the curtain on a new age of discovery.

Through science and medicine, they sought to conquer famine and disease, and helped alleviate human suffering by finding ways to lessen pain.

Through quiet strength and reason, they made less shrill the voices of prejudice and hate.

They paid Liberty's price of eternal vigilance, yet became neither oppressor nor oppressed.

To a land troubled by drugs and crime—by poverty and loss of destiny—they brought a measure of purpose and order as well as personal dignity.

They helped restore the beauty of the earth and safeguarded the elements of our planet vital to all forms of life.

They were a people who willingly bore the burdens of defense. Whose forces kept freedom's lonely vigil and were the guardian of their Nation's values.

And, to a world torn by war, they renewed again the hope of peace.

These things they were able to do because they possessed not only the knowledge, but the will to do them—and believed they could.

Let me leave a charge with you today which was the charge that Washington made to the delegates to the Constitutional Convention. At a time when it appeared the Convention would fall into disarray and the sacrifices of the American Revolution have gone for naught because of differences that developed in the Convention between regions over differences of political philosophies and economic concerns, Washington, the President of the Convention, charged the delegates as to their task with these words:

"Let us raise a standard to which the wise and the honest can repair. The event is in the hands of God."

Let us raise that standard today.

COMMENTS BY: LIEUTENANT GENERAL DONALD E. ROSENBLUM

Mayor Arrington, Congressman Smith, General Merrill, Raymond Weeks, Members of John C. Persons Chapter AUSA.

AMENITIES

I am delighted to be here today, as we pause to honor the veterans of all the wars in which we have fought. I think it's most appropriate that we reflect on our heritage, and the role our veterans had in forging it. And John McCrae helped us do that when he wrote after World War I:

In Flanders fields the poppies blow
Between the crosses, row on row,
That mark our place; and in the sky
The larks, still bravely singing, fly
Scarce heard amid the guns below.

We are the dead. Short days ago
We lived, felt dawn, saw sunset glow,
Loved and were loved, and now we lie
In Flanders fields.

Take up our quarrel with the foe:
To you from failing hands we throw
The torch; be yours to hold it high.
If ye break faith with us who die
We shall not sleep, though poppies grow
In Flanders fields.

I know that no one in our country is more aware of the significance and history of Veterans' Day than you people gathered here in Birmingham. And certainly we all know that Veterans Day began as Armistice Day, a holiday set aside to celebrate the ending of World War I and to honor those who had fought in the battles of that war.

On the first anniversary of the signing of the Armistice over 60 years ago President Wilson set the tone for this annual observance when he said:

"To us in America, the reflections of Armistice Day will be filled with solemn pride in the heroism of those who died in this country's service and with gratitude for the victory, both because of the thing from which it has freed us and because of the opportunity it has given America to show her sympathy with peace and justice in the councils of the nations."

And I can recall as a young boy that at 11 a.m. on each Armistice Day everything stopped as we paid our respects to those who had fallen in the war to end all wars.

But we know peace didn't last. World War II soon followed and of course the Korean Conflict came after that. After each of these conflicts America treated her veterans as the heroes they were.

Then came the longest and most unpopular war in our history. In 1965, American troops became engaged in a type of war Americans did not fully understand. For the most part, soldiers fought in small units against the Viet Cong Guerrilla. For the first time, the horrors of war were brought into American homes for families to see on television in living color. The withdrawal of American troops from Vietnam was completed in March 1973. Our soldiers came home without the ticker-tape parades and confetti that showered their predecessors.

But observances such as this, here in Birmingham serve as excellent reminders to the rest of the nation that the veterans of all of our wars served with dedication and courage. They understood the need for sacrifice . . . of leaving loved ones behind. They knew the loneliness of being on a troopship with thousands, bound for an undisclosed destination. They, too, experienced blood, sweat and tears—sleepless nights, and mud and rain in their chow.

Above all, it was their patriotism and resolve displayed in the fight for freedom that commanded the respect of their fellow Americans. They knew that just desire alone would not guarantee the existence of freedom. They knew that desire must be coupled with the will and capability to win the battle . . . and win it quickly.

It is appropriate today for us to say to the Nation's war veterans, "Thank you for all you have done for America." But, as I was giving some thought to what I would say today it occurred to me that virtually everything a grateful people can say about our veterans has been said before. Indeed, what more can we say?

Perhaps the most appropriate way to honor the finest veterans the world has ever known is to rededicate ourselves to the cause for which they so valiantly fought—freedom. And let me tell you, there are no short cuts to maintaining our Nation's freedom.

The dangers of being unprepared to defend our freedom are great. History shows that each time we've become involved in a war, it's been because somebody thought the United States would not or could not fight. Although we are currently enjoying a period of peace, we are constantly reminded of just how fragile that peace is by such events as the recent assassination of Anwar Sadat and the subsequent tensions between Egypt and Libya.

And we cannot ignore the fact that the Soviet Union is building a military force beyond the need for defense of their borders. These forces are, indeed, a threat to peace and freedom. The Soviet Union has modernized its forces to the point that many of their weapons and equipment are now equal to or superior to our own.

In view of all this it's gratifying to note the new national spirit that is rebuilding America's defense capability. This new spirit of America is the same as the spirit of victory which gave our Nation its freedom after the last major battle at Yorktown in 1781. That spirit pulled us through hard times, and it will pull us through again, if the situation should arise.

It is healthy to reflect occasionally on our past deeds and our history as a Nation and find a measure of pride and feeling of achievement.

But to do full service to the cause for which our veterans fought, we must be united in our will to travel the long road ahead.

It is a road with many junctions and crossroads requiring decisions as to our direction for the future. Perhaps we are at one of those crossroads today—and if we are, we must as a Nation and as individual citizens choose our destiny—and we must choose it wisely. And moreover, once we have made our choice we must move boldly forward—we must believe in ourselves; if we don't—no one else will.

For America to move forward and remain secure it will take the efforts of all of us, in the tradition of the Veterans we're honoring today. And the members of the AUSA have a special mission—we've got to speak out and tell the story of the Army—Active, Guard and Reserve—and the need for public support to insure a strong national defense.

I know those of you here today are already active in supporting the defense of our Nation and because of this have found yourselves subject to criticism upon occasion. And I also know that when you've given your all, criticism hurts and there is a subsequent reluctance to stand up again. And the most vocal criticizers are usually the nonparticipators, the sideliners who haven't what it takes to shoulder responsibility and assume leadership.

Well, Theodore Roosevelt had an answer for those critics. He said,

"It is not the critic who counts, not the man who points out how the strong man stumbled and fell, of where the doer of deeds could have done them better.

"The credit belongs to the man who is actually in the arena; whose face is marred by dust and sweat and blood; who strives valiantly, who errs and comes short again and again . . . and spends himself in a worthy cause; and at the best knows in the end the triumph of high achievement, and who, at the worst if he fails, at least fails while daring greatly . . ."

This has always been the spirit of the American people and particularly our Veterans.

To be credible and respected our Army needs your support. That handful of ragged and rugged Americans who from the very day of our Nation's birth courageously carried its battle streamers forward, are testaments to the courage of all Americans—Then and now. Those Americans with frozen and bloody feet at Valley Forge were not summer soldiers or sunshine patriots, for they were the mainstay of a fledgling Army that established the American precedent. Ten major conflicts and 167 battle streamers later, their sons and daughters continue to carry those same battle colors forward; and the feet that bled 2 centuries ago at Valley Forge are the same feet that trudged across Europe and the Pacific, that struggled up and down the rugged hills of Korea, and slogged through the rice paddies of Viet Nam.

To insure we continue with a tough and dedicated soldier in the First US Army I have charged the leaders with 3 things. We will have disciplined, trained, physically fit soldiers and units.

Discipline—follow orders of officers and NCOs willingly. Pride in themselves—in their units—in their profession. Trained to the Army standards.

Physically fit—look like soldiers and build intestinal fortitude.

We will meet these standards and continue the effort to build a combat ready Army which is credible to the citizens of our Country and to potential adversaries.

In my view Veterans Day is not just another day for speeches, music and parades. It is a day to honor those for their efforts in preserving and upholding America's heritage and ideals. Beyond that, however, it is a day to rededicate ourselves, renewing our strength to meet successfully any requirements which be before us. There are burdens which must be borne, but the Country's Army—your Army—has willingly borne them before . . . And we will not flinch from the task now.

Thank you.

REMARKS OF SHERMAN E. ROODZANT

"It was the nakedness of Bryce's left calfbone that bothered me. Every strip of flesh and muscle had been torn away, so that the splintered bone looked like a broken ivory stick."

That ghastly description of a war wound came from the pages of Philip Caputo's Vietnam combat novel. A Rumor of War. The scene is haunting. It's brutal. But it's a scene that's been repeated countless thousands of times in the wars America has fought.

Such scenes echo the pounding of German artillery as it turned the trenches of World War I into rivers of precious American blood. They echo the crashes of Japanese Kamikaze

planes that transformed the decks of American ships into fields of flame.

And, they echo the firing of communist machine guns, as they mowed down young Americans on the banks of Korea's Yalu River. Over and over again, the horrifying scenes of disabling injury have been repeated in the nine wars and other military actions our country has been forced to fight.

Tomorrow, on Veterans Day, 1981, we ask all of our nation's citizens to remember the courageous men and women whose blood paid the price for peace.

We call on our country's people to understand that war is seldom like the movies on TV—films that focus on the glory of war. The sudden arrival of death or permanent disability is not clean or fine or glorious. War is ugly.

It may have its fine moments, to be sure. It may bring out the very best in our country's young men and women. But those are side effects of war—not the reality of combat.

The reality of war is like Caputo's description of a shattered leg bone. In another period of history, it was the horror of a Confederate soldier crawling across the forest floor toward death, as described in one of Stephen Crane's stories.

War is young Americans being slaughtered and maimed. It's other young Americans mopping from their faces the sweat of fear . . . fear that their number will come up next. These are the men and women who have paid the price for peace, and peace isn't cheap.

Veterans Day is their day. And you can be sure America's 30 million living veterans recall the blood and sacrifice that Veterans Day commemorates. They gave greatly of themselves, risking death and disability, to purchase peace for their country.

America's veterans—particularly its 2½ million disabled veterans—have paid dearly to preserve our freedom, prosperity, and independence from foreign domination.

The Birthright we Americans enjoy . . . a heritage most of us take for granted . . . was bought with anguish and pain.

A million and a quarter of our finest young men and women sacrificed their lives to defend our right to choose our own leaders at the ballot box. Countless thousands will never again enjoy peace of mind because of mental wounds they suffered while fighting to assure that all of us can worship as we wish.

Millions left arms, legs, or other parts of their bodies on the battlefield to insure every American's liberty to say exactly what he or she believes . . . because freedom of speech is a right earned by the patriots who founded the United States.

America's veterans had to interrupt their lives to answer their country's call to duty. They left their jobs and families behind to risk death and disability on the field of battle, in the air, or on the sea.

They did it because they treasured freedom, something that means more here in the United States than anywhere else in the world.

Today, too many young Americans view military service as a responsibility to be avoided at almost any cost. But, like those who serve today, we who have served know differently. We know it is not an easy task to be a soldier, a sailor, an airman or a marine when our country is at war.

As we look at today's world, we understand that it isn't easy to wear the uniforms of our Armed Forces even during peacetime. Just in the past few months, two Soviet-backed countries have attacked American aircraft.

Our military officers and bases have become targets for terrorist assaults. And, at least five times this year, communist troops have instigated fire fights with American forces stationed on the demilitarized zone separating North and South Korea.

I bring this up because the organization I represent—the Disabled American Veterans—is in the business of representing all of those who become disabled in the defense of our country.

And I believe the DAV has a clear obligation to look out for the interests of those who would become disabled if our nation had to go to war again.

To me, the facts are clear. Thousands upon thousands of American troops would come home disabled if our country got into a tangle with another superpower such as the Soviet Union.

The unpredictable factors that are necessarily a part of war make it difficult for military planners to estimate the actual number of casualties we'd face. But, even if use of nuclear weapons could be avoided, casualty figures would still be staggering.

How would our country respond if suddenly faced with a tidal wave of combat-wounded troops, coming home in need of immediate medical attention? Sadly, no one knows. Since the end of the Vietnam War, America has lacked adequate plans and policies for medical treatment of casualties in the event of a new war.

Deeply concerned about this, the DAV has backed legislation to improve the medical staffing of our Armed Forces. We've backed additional legislation to make sure the VA has the medical capacity to do its part as the military medical system's primary back-up in the event of war or national emergency.

And we've stood behind legislation that would allow the VA and the Defense Department to share their medical resources now. As a preparation for the demand that a new war would place on both medical systems, such a sharing arrangement is indispensable.

I don't want to see another war. No rational person does. But, as the members of this audience are well aware, there's international tension and instability all around the globe today. The possibility of war . . . and the possibility of American troops being drawn into the fighting . . . are always there.

If another war involving U.S. troops breaks out, we must be prepared to take care of those who would come home disabled. To do anything less would be unconscionable.

America owes a sacred debt to those who have purchased peace through immense sacrifices. Our country owes this debt to those who will make those same sacrifices if we have to go to war again. And we in the Disabled American Veterans—the DAV—are determined to make sure America never forgets that debt.

Over the past few years, however, we've faced an increasingly bitter battle in defending the rights and benefits earned by those who pay for America's liberty with their blood, health and mental well-being.

Times have been particularly tough due to the overwhelming demand for cuts in government programs.

The Veterans Administration health care system has been starved for the funding and staffing it needs to provide quality medical treatment to sick and disabled veterans.

Programs designed to place disabled and Vietnam era veterans in decent jobs are being shredded. And these programs were never really large enough to put a very big dent in the problems disabled veterans face in today's tight job market.

Many veterans have actually lost their entitlement to benefits they earned through the sacrifices their country asked them to make during our wars. And thousands upon thousands of veterans have been turned away at the doors of undermanned VA medical facilities.

Fortunately, the DAV and veterans' organizations have been able to fight off many of the most damaging proposals thrown at veterans' programs in recent years. For example, with the help of Congress, we blunted an assault made on our programs last winter by David Stockman and his powerful Office of Management and Budget.

But such accomplishments have never come easily. And today, defending veterans' programs from such callous attacks is getting harder year by year . . . even month by month. But we in the Disabled American Veterans will not waver in the heat of these attacks.

We will battle to defend the rights of those who pay the price for peace. We will struggle to improve America's system of veterans' benefits and services.

As the pressure for cuts in these programs mounts, we will remind the American people of what Theodore Roosevelt said about the debt owed to disabled veterans. "A man who is good enough to shed his blood for his country," said our 26th President, "is good enough to get a square deal afterward."

It has always been difficult for disabled veterans to get the "square deal" Roosevelt was talking about. It's more difficult now than ever before. But let's remember that young man I talked about in the beginning of these remarks . . . the one who lost his leg in Vietnam.

Should this veteran or any veteran disabled in the defense of America be denied treatment by the medical system Congress created to serve their needs? Should any veteran be turned away from a job he or she can do because of a disability suffered while defending our country?

Should educational and rehabilitation programs designed to help disabled veterans get a foothold in life be curtailed after they gave so much to make a good life possible for the rest of us?

Certainly not . . . but all of these things are happening to veterans' programs in America today. We in the DAV believe that those who pay the price for peace deserve better treatment than that. Thank you.●

RECESS UNTIL 9 A.M. TOMORROW

Mr. STEVENS. Mr. President, is there an order for convening tomorrow morning?

The PRESIDING OFFICER. There is an order for convening at 9 o'clock.

Mr. STEVENS. Mr. President, if there be no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess in accordance with the previous order.

There being no objection, the Senate, at 7:44 p.m., recessed until tomorrow, Thursday, December 3, 1981, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate December 2, 1981:

DEPARTMENT OF STATE

Paul H. Nitze, of Maryland, for the rank of Ambassador while serving as head of the U.S. delegation to the Intermediate Range Nuclear Force Negotiations.

Fred M. Zeder II, of Hawaii, for the rank of Ambassador during the tenure of his service as Personal Representative of the President to conduct negotiations on the future political status of the Trust Territory of the Pacific Islands.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Thursday, December 3, 1981, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

DECEMBER 4

9:30 a.m.
Finance
Savings, Pensions, and Investment Policy Subcommittee
To hold hearings on S. 829, increasing annuities payable to survivors of Tax Court judges in accordance with certain salary increases, S. 1607, providing a minimum interest and dividend exclusion for each individual, S. 1645, permitting funds in an individual retirement account to be invested in collectibles, and on the substance of S. 1855, revising certain IRS provisions relating to the taxation of State judicial plans which are the regular, exclusive, mandatory plans for service as an elected State judge.
2221 Dirksen Building

Governmental Affairs
Energy, Nuclear Proliferation and Government Processes Subcommittee
To hold hearings on Federal regulatory enforcement policy.
3302 Dirksen Building

10:00 a.m.
Joint Economic
To hold hearings on the employment/unemployment situation for November.
5110 Dirsken Building

11:30 a.m.
Judiciary
To hold hearings on pending nominations.
2228 Dirksen Building.

DECEMBER 7

10:00 a.m.
Judiciary
To resume hearings on S. 995, providing for contribution of damages in antitrust price-fixing suits.
2228 Dirksen Building
Joint Economic
Agriculture and Transportation Subcommittee
To hold hearings on the economic effects of transportation on U.S. agricultural products, focusing on agriculture exports.
5110 Dirksen Building

1:30 p.m.
Judiciary
Constitution Subcommittee
To resume hearings on Senate Joint Resolution 110, Senate Joint Resolution 17, Senate Joint Resolution 18, and Senate Joint Resolution 19, measures amending the Constitution to establish legislative authority in the Congress and the States with respect to abortion.
6226 Dirksen Building

2:00 p.m.
*Banking, Housing, and Urban Affairs
To hold hearings on Senate Resolution 209, S. 1859, Senate Concurrent Resolution 40, S. 971, S. 1609, and S. 1691, measures revising certain provisions of the Federal Reserve Act relating to the structure and membership of the Federal Reserve Board.
5302 Dirksen Building

DECEMBER 8

9:00 a.m.
*Commerce, Science, and Transportation
To hold hearings on S. 1879, providing the Interstate Commerce Commission with authority to review good faith purchase applications which have been rejected by the trustees of the bankrupt Rock Island Railroad.
6226 Dirksen Building.
Governmental Affairs
To hold hearings on debt collection procedures in the health professions student loan program, focusing on high delinquency rates.
5110 Dirksen Building

9:30 a.m.
Energy and Natural Resources
Business meeting, to resume markup of S. 1484, promoting the development of oil shale resources by revising the authority to lease lands containing oil shale deposits, and other pending calendar business.
3110 Dirksen Building
Environment and Public Works
To hold oversight hearings on the Endangered Species Act (Public Law 96-159).
4200 Dirksen Building
Labor and Human Resources
To resume oversight hearings to examine affirmative action regulations of the Office of Federal Contract Compliance Programs, Department of Labor.
4232 Dirksen Building
National Ocean Policy Study
To hold hearings on the status of Atlantic bluefin tuna stocks.
235 Russell Building

10:00 a.m.
Governmental Affairs
To hold hearings on the nomination of Frederic V. Malek, of Virginia, to be a Governor of the U.S. Postal Service.
3302 Dirksen Building
Rules and Administration
To hold hearings on Senate Joint Resolution 95, providing for the construction of the Franklin D. Roosevelt Memorial in the District of Columbia, and S. 1638, establishing a national memorial to Franklin D. Roosevelt on Roosevelt Island, New York City.
301 Russell Building

DECEMBER 9

9:30 a.m.
Select on Indian Affairs
To hold oversight hearings on programs for older American Indians, and to hold hearings on S. 1890, allowing the Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin to use up to 20 percent of the funds in their land claims trust accounts to recover certain indirect costs.
357 Russell Building

10:00 a.m.
Energy and Natural Resources
Business meeting on pending calendar business.
3110 Dirksen Building
Judiciary
To hold hearings on S. 1030, revising certain provisions of the Gun Control Act (Public Law 90-618) relating to the licensing of manufacturers, dealers, and importers of firearms and ammunition, and prohibited activities concerning firearms.
2228 Dirksen Building

11:00 a.m.
Labor and Human Resources
To hold hearings on the nomination of Lilla B. C. Tower, of Texas, to be Director of the Institute for Museum Services.
4232 Dirksen Building

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
2228 Dirksen Building
Joint Economic
Monetary and Fiscal Policy Subcommittee
To hold hearings on Federal Government policy as it relates to the defense industrial base.
6226 Dirksen Building

DECEMBER 10

9:00 a.m.
Energy and Natural Resources
To hold hearings on S. 1867, to increase the acreage limitations and abolish the residency requirements of the Federal reclamation laws.
3110 Dirksen Building
Judiciary
*Criminal Law Subcommittee
To hold hearings on S. 613, amending the Federal Criminal Code to revise the scope of, and penalties under, the Hobbs Act, prohibiting interference with commerce by threat or violence.
2228 Dirksen Building

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

9:30 a.m.
Commerce, Science, and Transportation
Business meeting, on pending calendar business.
235 Russell Building
Environment and Public Works
To resume oversight hearings on the Endangered Species Act (Public Law 96-159).
4200 Dirksen Building
Labor and Human Resources
To resume oversight hearings to examine affirmative action regulations of the Office of Federal Contract Compliance Programs, Department of Labor.
4232 Dirksen Building
Select on Intelligence
Budget Subcommittee
To hold closed hearings on intelligence matters.
Room S-407, Capitol
10:00 a.m.
Governmental Affairs
Energy, Nuclear Proliferation and Government Processes Subcommittee
To hold oversight hearings on activities of the Department of Energy.
3302 Dirksen Building
10:30 a.m.
Judiciary
Juvenile Justice Subcommittee
To hold hearings on current conditions of correctional institutions.
6226 Dirksen Building

DECEMBER 11

9:00 a.m.
Energy and Natural Resources
To continue hearings on S. 1867, to increase the acreage limitations and abolish the residency requirements of the Federal reclamation laws.
3110 Dirksen Building
10:00 a.m.
Environmental and Public Works
Business meeting, to resume markup of proposed amendments to the Clean Air Act (Public Law 95-95).
1202 Dirksen Building
10:15 a.m.
Finance
Taxation and Debt Management Subcommittee
To hold hearings on S. 696, providing that certain State or Federal organizations operating as libraries which serve the public be treated as tax-exempt public charities, and S. 1883, conforming the net operating loss carryback and carryforward rules for the Federal National Mortgage Association to that available for other financial institutions.
2221 Dirksen Building

DECEMBER 16

9:30 a.m.
*Veterans' Affairs
Business meeting, to mark up S. 349, providing for limited judicial review of the administrative action of the Veterans' Administration, and for reasonable fees to attorneys representing legal counsel for veterans.
412 Russell Building
10:00 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To hold oversight hearings on training and testing programs for air traffic controllers.
235 Russell Building
Energy and Natural Resources
Business meeting, to consider pending calendar business.
3110 Dirksen Building

JANUARY 13, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To hold hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

JANUARY 14, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To continue hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

JANUARY 20, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

JANUARY 26, 1982

9:30 a.m.
Labor and Human Resources
Labor Subcommittee
To resume hearings on S. 1541, amending the Employee Retirement Income Security Act (ERISA) by simplifying both reporting and disclosure requirements, and the process for employers to provide retirement income to employees, and providing incentives for employers to provide pension benefits to employees.
4232 Dirksen Building

JANUARY 28, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building
Labor and Human Resources
Labor Subcommittee
To hold hearings on S. 1785, increasing the penalties for violations of the Taft-Hartley Act, requiring immediate removal of certain individuals convicted of crimes relating to his official position, broadening the definition of the types of positions an individual is barred from upon conviction, increasing the time of disbarment from 5 to 10 years, escrowing a convicted official's salary for the duration of his appeal, and clarifying the jurisdiction of the Department of Labor relating to detecting and investigating criminal violations relating to ERISA.
4232 Dirksen Building

FEBRUARY 4, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1716, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

FEBRUARY 10, 1982

9:30 a.m.
Labor and Human Resources
Labor Subcommittee
To hold hearings on S. 1748, exempting certain employers from withdrawal and plan termination insurance provisions of title IV of the Employee Retirement Income Security Act (ERISA).
4232 Dirksen Building

FEBRUARY 11, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

FEBRUARY 18, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all State and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

FEBRUARY 23, 1982

11:00 a.m.
Veterans' Affairs
To hold hearings on legislative recommendations of the Disabled American Veterans.
Room to be announced

FEBRUARY 25, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for sub-

mission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

CANCELLATIONS

DECEMBER 4

9:30 a.m.
*Banking, Housing, and Urban Affairs

To hold hearings on the use of Defense Production Act authorities to stimulate domestic production of titanium.
5302 Dirksen Building

HOUSE OF REPRESENTATIVES—*Thursday, December 3, 1981*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. PRICE).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, D.C.,
November 30, 1981.

I hereby designate the Honorable MELVIN PRICE to act as Speaker pro tempore on Thursday, December 3, 1981.

THOMAS P. O'NEILL, Jr.,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

O God, from whom we have received the blessings of life, graciously bestow upon us the gift of Your presence. We pray for our Nation that You will encourage the people to strive to do those things that bring honor and peace and understanding one with another. Give us a vision that overcomes our selfish interests and enable us to work in harmony for the common good. May Your love and abiding grace touch each life that reaches to You for whatever need, and cause us all to be mindful of the gift of this new day. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Sparrow, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 691. An act to amend titles 18 and 17 of the United States Code to strengthen the laws against record, tape, and film piracy and counterfeiting, and for other purposes.

THE RAILROAD ACCOUNTABILITY ACT OF 1981

(Mr. DORGAN of North Dakota asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORGAN of North Dakota. Mr. Speaker, today, I am introducing legislation to hold the Nation's land grant railroads to their bargain with the American people.

One hundred years ago the people of America gave over 130 million acres of public lands to a handful of railroad corporations. These corporations received these lands for one purpose and one purpose only: to enable them to build and operate railroads for the benefit of all.

That was the bargain. The railroads received vast amounts of land that proved rich in coal, timber, oil, gas, and other resources. Almost 25 percent of my State, North Dakota, was given away in this fashion. In return, the railroads were to use this endowment to provide rail service for the public.

Now, however, the land grant railroads are trying to walk away from that bargain.

A prime example is the railroad that is now the Burlington Northern. Congress gave the BN 40 million acres of public lands. By means fair and not so fair, the BN has turned these grants into a land and mineral empire that is one of the richest in the world. The BN's coal holdings alone are close to 15 billion tons, and it has 7.5 million acres of oil and gas rights.

The BN has set up a holding company to separate these land grants from the railroad they were intended to support. At the same time, it is planning to abandon hundreds of miles of branch lines in North Dakota, Montana, and in other States.

It wants to take the land grant resources and develop them exclusively for its own profit, while it leaves the railroad bare, and while it leaves farmers to truck their grain long distances over roads that were not built to take such pounding.

It wants the State and Federal Governments to use funds they do not have to build new roads or to assume responsibility for the tracks the BN abandons.

That is no way to run a railroad as the Penn Central and others have amply demonstrated.

Last year, the BN's nonrailroad income provided over half the money it put into the railroad. This is the use for which the land grants were intended. If the BN diverts its endowment from that intended use, then the people of my State and of other States can expect an erosion of service, higher rates, and ultimately, more abandonments.

Adding insult to injury, the railroads received such generous new tax breaks from Congress this year that the BN and possibly others will pay virtually no income tax to the Federal Government. Despite this congressional beneficence, added to that already bestowed, the BN claims it cannot afford to keep branch lines open.

The legislation I am introducing today would help them get their thinking straight on these matters.

First, the legislation would require the BN and other land grant railroads to include income from their land grants in their branch line balance sheets, when they want to abandon a line and are trying to justify that move to the Interstate Commerce Commission. They could not avoid this requirement, moreover, by stashing their land grants and minerals into a holding company.

This provision would diminish somewhat the danger to the public which railroad holding companies present. It would pierce the accounting devices by which land grant railroads don a tattered cloth coat when they appear before the ICC to justify an abandonment.

In addition, my legislation would require the BN and other land grant railroads to forfeit a fair portion of their land grants if they decide to abandon service, when there are still shippers who want and need that service. They would forfeit the granted lands and minerals to a State, in the proportion that they abandon track mileage in the State.

Fair is fair. If the land grant railroads are willing to serve the people, then they should be able to keep their land grants. If they do not want to serve the people, then they have no business keeping those grants. We should take them back and put them to the use for which they were intended.

Naturally, the railroads contend otherwise.

Perhaps my colleagues have seen the big newspaper ads in the Washington Post, in which the railroads proclaim that they have paid back the land grants 10 times over by providing allegedly cutrate service to the Government. That is an impressive figure. How did the railroads calculate it? By ignoring the value of the coal, oil, gas, timber, and other minerals connected to their land grants. By pretending that all the public gave them was scrub prairie.

It is even questionable that the service the railroads provided the Government was as "cut rate" as they claim.

In short, if we believe that the railroads have paid back their land grants 10 times over, then we would probably believe that the Dutch settlers were taken to the cleaners when they bought Manhattan Island from the Indians for trinkets and beads.

More important, the very premise of the railroads' argument is incorrect.

Congress expected more than some discount rail fares when it gave the railroads those massive land grants. It expected continuing rail service for the people of this Nation. "The entire concept of authorizing the (land grant) railroads was premised on their continued operation." That is the conclusion of a Congressional Research Service study undertaken at my request.

The bargain continues. The railroads cannot pack up their land grants and walk away.

On top of this, the CRS study points out that Congress reserved for itself the power to modify or clarify the land grants to make certain that their underlying purpose is carried out. That is exactly what my legislation seeks to do.

We need good, healthy rail service in this Nation. Our farmers need it. Our business people need it. Rail service is economical. It is safe. It saves fuel at a time when saving fuel is one of the biggest challenges on our horizon.

Over 100 years ago our forebearers in this Chamber thought they were insuring this rail service for future generations. They created for this purpose perhaps the biggest endowment that this Nation or any nation has ever seen.

Now the recipients of that endowment want to divert it to other purposes. That is not right. It is not fair. It is an affront to the good faith of the American people.

It is up to us to require the railroads to honor their commitment. It is up to us to make certain that the original purpose of the railroad land grants is fulfilled.

I invite my colleagues to join me in this task by cosponsoring the legislation I am introducing today.

THE SO-CALLED UNITED STATES-CANADA "COMMITMENT" REGARDING THE ALASKAN NATURAL GAS PIPELINE

(Mr. CORCORAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CORCORAN. Mr. Speaker, the House will soon be considering House Joint Resolution 341, a resolution approving waivers to the Alaska Natural Gas Transportation Act of 1976 that were submitted by the President on October 15. The other body has approved these waivers and both House committees of jurisdiction have reported House Joint Resolution 341. The 1976 law limits floor debate to 1 hour, and so it is important that Members be aware of the issues involved here.

One issue that has received considerable attention is the supposed "commitment" by the United States to Canada in connection with the pipeline project. I would like to discuss this issue here. On September 8, 1977, President Carter and Canadian Prime Minister Trudeau announced that the United States and Canada had reached an agreement on the joint project for the transportation of Alaskan and Canadian natural gas. On September 20, 1977, the "Agreement on Principles Applicable to a Northern Natural Gas Pipeline" was signed by the two countries. This was an agreement on principles, not a commitment to a specific approach for financing the project. The agreement established terms and conditions by which a pipeline would be built to deliver natural gas to the lower 48 States.

We have been led to believe by the proponents of the waivers of law that, if we do not pass the waiver package, we will be reneging on our word. Actually, the submission of the pending waiver package by the administration and expeditious consideration by the Congress fulfills the responsibility of the United States. However, we should not be limited to this and only this legislative remedy for moving this important pipeline project forward to completion. Just as in the case of treaties, no American President can bind the Congress to approve of agreements reached between the President and foreign leaders.

Furthermore, Canada has blatantly violated the 1977 agreement when it established requirements on the type and size of steel to be used in the Canadian segment of the pipeline. When the original agreement was made, it was felt that the Alaska Natural Gas Transportation System (ANGTS) would benefit both the Canadian and U.S. steel industries. Now, however, the Canadian National Energy Board has stressed that at least 85 percent of the steel used to build the Canadian portion of the pipeline should be manufactured by Canadian steel companies.

On February 20, 1978, Canada announced that it had chosen a 56-inch pipe for the 1,085-mile segment between Whitehorse, Yukon, and Caroline Junction, Alberta. U.S. officials had informed Canada that a 48-inch pipe was preferred because of its lower cost. Canadian Deputy Prime Minister MacEachen was quoted as saying that the reason his government chose the larger pipe was because it was produced by two Canadian steel companies but by no U.S. companies.

Section 7 of the agreement required that each Government "endeavor to insure that the supply of goods * * * to the Pipeline project will be on generally competitive terms, (including) price, reliability * * * and delivery schedules." The Canadian policy is obviously in violation of this section of the agreement.

The United States has complied with the requirements of the formal agreement. Some people argue that if we do not pass this waiver package, the Canadians will feel that we have not kept our part of the bargain. In fact, however, it is we in the United States who should feel that way. Our commitment requires our Government to expedite construction of the pipeline by Congress lifting the jurisdiction of the courts and permitting the limitation of administrative procedures. The agreement never committed the U.S. Government to securing capital for the construction of the project.

Mr. Speaker, we have kept and can keep our promises without accepting this particular waiver package. Neither the U.S. Government nor our gas ratepayers were or can be expected to pay for a gas transportation system that may never deliver gas to U.S. consumers.

PERMISSION FOR COMMITTEE ON INTERIOR AND INSULAR AFFAIRS TO HAVE UNTIL 5 P.M. FRIDAY, DECEMBER 4, TO FILE SUNDRY REPORTS

Ms. OAKAR. Mr. Speaker, I ask unanimous consent that the Committee on Interior and Insular Affairs have until 5 p.m. Friday, December 4, 1981, to file sundry reports.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

PERMISSION FOR COMMITTEE ON THE DISTRICT OF COLUMBIA TO HAVE UNTIL MIDNIGHT TOMORROW TO FILE REPORT ON H.R. 4910, DISTRICT OF COLUMBIA SELF-GOVERNMENT AND GOVERNMENTAL REORGANIZATION ACT

Ms. OAKAR. Mr. Speaker, on behalf of the chairman of the Committee on the District of Columbia, Mr. DELLUMS, I request unanimous consent that the Committee on the District of Columbia have until midnight, Friday, December 4, 1981, to file its report on H.R. 4910, a bill to amend the District of Columbia Self-Government and Governmental Reorganization Act and the charter of the District of Columbia with respect to the provisions al-

lowing the District of Columbia to issue general obligation bonds and notes and revenue bonds, notes, and other obligations.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

PERMISSION FOR COMMITTEE ON ENERGY AND COMMERCE TO HAVE UNTIL MIDNIGHT TONIGHT TO FILE REPORT ON HOUSE JOINT RESOLUTION 341, WAIVER OF LAW PURSUANT TO ALASKA NATURAL GAS TRANSPORTATION ACT

Ms. OAKAR. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce may have until midnight tonight to file a report on House Joint Resolution 341, waiver of law pursuant to the Alaska Natural Gas Transportation Act.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

Mr. CORCORAN. Mr. Speaker, reserving the right to object, I do so in order to inquire of the distinguished gentlewoman from Ohio if she can inform the House as to what the content perhaps is of the report. But, more importantly, what the expectation might be as to when the House would consider this joint resolution.

Ms. OAKAR. Mr. Speaker, will the gentleman yield?

Mr. CORCORAN. I yield to the gentlewoman from Ohio.

Ms. OAKAR. This is a privileged resolution that can come up at any time next week. The reason for allowing this report to be filed a little later is so that all of the various opinions, including the minority opinions, might be in the report.

Mr. CORCORAN. If the request is for a delay in the submission of the report, I would assume that that would mean we would be given adequate time to review the report, not only in terms of those who have participated in its development but also, and most importantly, as I indicated earlier, the expedited procedure here allows for only 1 hour of debate on something which many of us feel is quite controversial rather than just minor technical in nature. So we have until the middle of December, as I understand it, to take up this matter.

Is there some expectation that even as soon as next week this matter would, in fact, be scheduled? That is the concern that I have, as to just when might the House be debating this issue.

Ms. OAKAR. We are really not sure because this is a privileged resolution. But I am sure that the Speaker will note the gentleman's comments and try to act accordingly.

Mr. CORCORAN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

PERMISSION FOR COMMITTEE ON ENERGY AND COMMERCE TO HAVE UNTIL MIDNIGHT TONIGHT TO FILE REPORT ON H.R. 4927, RECORD CARRIER COMPETITION ACT OF 1981

Ms. OAKAR. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce have until midnight tonight to file a report on H.R. 4927, the Record Carrier Competition Act of 1981.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

DISPENSING WITH CALL OF CONSENT CALENDAR ON MONDAY, DECEMBER 7, 1981

Ms. OAKAR. Mr. Speaker, I ask unanimous consent to dispense with the call of the Consent Calendar on Monday, December 7, 1981.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Ms. OAKAR. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, December 9, 1981.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

WHITE HOUSE CONFERENCE ON AGING

(Mr. HARKIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HARKIN. Mr. Speaker, today the Third White House Conference on Aging is ending. Every 10 years the White House Conference on Aging is held and this is the first time in 30 years that the members of the subcommittees of that White House Conference on Aging have been selected by a poll conducted by the Republican National Committee. Even 10 years ago President Nixon did not have the gall to try to stack the White House Conference on Aging, but this year President Reagan did.

In 3½ days of meetings here in Washington they only had time for one vote. The delegates to this White House Conference on Aging were hand-picked by the White House, stacked into those subcommittees, and then the other delegates were not even allowed to express themselves on the individual issues that concern the elderly of this country.

Why I ask is President Reagan afraid to hear the voices of the elderly in this country? We know why. Because this administration wants to pull the rug out from underneath of programs that this Congress and other Presidents have established to provide for the well-being, the health and security of the elderly people of this country.

President Reagan has made a travesty and a sham of a very important meeting held every 10 years by the elderly in our country, the White House Conference on Aging.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.,
December 2, 1981.

Hon. THOMAS P. O'NEILL, Jr.,
The Speaker, House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the permission granted in the Rules of the House of Representatives, the Clerk received at 9:20 a.m. on Wednesday, December 2, 1981, the following message from the Secretary of the Senate: That the Senate passed without amendment H.R. 4591.

With kind regards, I am,

Sincerely,

EDMUND L. HENSHAW, Jr.,
Clerk, House of Representatives.

HEARINGS ON TAX EXPENDITURES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. BONIOR) is recognized for 5 minutes.

● Mr. BONIOR of Michigan. Mr. Speaker, I rise to announce that the House Committee on Rules will hold hearings on December 9 and 10, 1981, on a bill which I authored, H.R. 4882.

This bill would require that the Congress establish ceilings for tax expenditures in each of its budget resolutions and for related purposes.

If the Congress is ever to have an effective budget process, it must have access to as many fiscal tools as possible in formulating that budget. To leave direct consideration of tax expenditures out of our deliberations on the first and second budget resolutions, is to deny ourselves access to an estimated $266 billion (fiscal year 1982) in tax concessions that could be used to offset some of the draconian cuts we have been forced to make in direct expenditures.

The hearings will be held in room H-313 of the Capitol at 10 a.m. and inter-

ested Members and staff are invited to attend.●

CONGRESSMAN WYDEN INTRODUCES LEGISLATION TO PROHIBIT IMPORTATION OF LIBYAN OIL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. WYDEN) is recognized for 5 minutes.

● Mr. WYDEN. Mr. Speaker, on behalf of Mr. MARKEY and Mr. FOGLIETTA, I am today introducing legislation to end the embarrassing spectacle of the U.S. Government bankrolling the terrorist excursions of Libyan leader Mu'ammar Qadhafi.

The U.S. Government purchases significant amounts of oil from Libya to fill the strategic petroleum reserve. Since September of 1980, the Government of the United States has purchased 13 million barrels of oil from Libya. This brings the total to 23 million barrels of Libyan oil for the strategic reserve and $660 million American tax dollars for Mu'ammar Qadhafi.

The U.S. Government is the fourth largest importer of Libyan crude into America—after Conoco, Gulf, and Marathon. In the first 8 months of this year, we purchased an average of 30,000 barrels of Libyan oil a day.

Although the U.S. Government does not negotiate directly with the Libyan Government, it buys the oil from companies who do. For the records of the Department of Energy, the U.S. Government is the importer of record.

This bill is a modest first step to end the hypocrisy of Colonel Qadhafi using the U.S. Government credit card to buy Soviet weapons for use against our allies. It is time that America backs up our rhetoric with concrete policy decisions.

Since introducing my original legislation, H.R. 4797, Exxon Corp. has announced its decision to end operations in Libya. We applaud this decision, and hope that other companies in Libya follow suit. It is apparent that the decision by Exxon and reports that Mobil may also end operations in Libya has clearly caused Colonel Qadhafi to reevaluate his policies. His removal of troops from Chad may have been as much an economic decision as a foreign policy decision. It has also been reported that his presence in Chad was costing him over $2 billion per year.

In addition, he has been forced to scale back the ambitious domestic program of subsidized housing, cheap food, cars, radios, and electricity projects.

In the end, U.S. policy toward the Government of Libya is a matter of principle. We can no longer finance a government that exports terrorism the same way Japan exports cars and televisions.

H.R.—

A bill to prohibit the U.S. Government from importing oil extracted in Libya

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding any other provision of law, after the date of enactment of this Act, no department or agency of the United States or any other component of the United States Government may import, directly or indirectly, into the United States or its territories or possessions any crude oil extracted in Libya.

(b) The Secretary of the Treasury may prescribe regulations to carry out the provisions of subsection (a).●

COPERNICUS CULTURAL AND CIVIC CENTER TO BE DEDICATED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

● Mr. ANNUNZIO. Mr. Speaker, on December 9 the Copernicus Foundation will sponsor a dedication gala in celebration of the completion of the first phase of the Copernicus Cultural and Civic Center in Chicago at 5216 West Lawrence Avenue, located in the 11th District I am honored to represent.

The Copernicus Foundation was established by the Illinois Division of the Polish-American Congress as a not-for-profit corporation in order to create the Copernicus Cultural and Civic Center to serve the Chicago area's 1.2 million people of Polish descent. The able Mitchell P. Kobelinski, a former administrator of the Small Business Administration, is the foundation's president.

The cultural and civic center is part of the Copernicus Foundation's efforts to preserve Polish heritage, culture, and folklore, as well as the brilliant record of Polish contributions to the ethnic mosaic of Chicago and our entire Nation. The foundation also helped to establish a senior citizens' nutrition site and social center to serve all of the residents on the northwest side of Chicago.

When completed, it is anticipated that the Copernicus Cultural and Civic Center will be the finest building of its kind in the country and will serve as a living monument to the outstanding contributions which Polish Americans have made to the strength and greatness of the United States.

In addition to providing Polish and English language instruction and classes in ethnic handicrafts, the center will sponsor senior citizens programs, art exhibitions, a Polonia bookstore, an authentic Polish restaurant, a comprehensive research library, and a 700-seat theater.

Mr. Speaker, I extend my greetings to all the officers and members of the Copernicus Foundation on the occasion of this dedication, and send them my best wishes for continued success in service to our Chicago community. The names of the officers and board of directors follow:

OFFICERS

President, Mitchell P. Kobelinski; executive vice president, Donald A. Gutowski; vice president, Hon. Roman C. Pucinski; vice president, arts and programing, Edwin Cudecki; vice president, volunteers, Wanda Kalin; vice president, engineering, Louis Koncza; secretary, Helen Raczynski; assistant secretary, Jan Lorys; treasurer, Genevieve Daly; assistant treasurer, Stella Patrzykont.

BOARD OF DIRECTORS

Marion N. Baruch, Jerzy Bazylewski, Elaine Beatovic, Harriet Bielanski, Rev. Edward Brzostowski, Richard W. Ciesla, Grazyna Cioromski, Edwin P. Fifielski, Stephanie Gondek, John Grabowski, Stefanie Jagielski, Olga Kaszewicz.

Helen Kempa, Richard Lelko, Roman Lobodzinski, Kazimierz Lukomski, Aloysius A. Mazewski, George W. Migala, Stanley Richards, Angela Ritza, Rev. John Rolek, Josephine Rzewski, Estelle Sprengel, Edmund Stefanowicz, Tadeusz Szebert, Julian Witkowski, Alice Zurek.

ADMINISTRATIVE DIRECTOR

Helen M. Milecki.

CONSULTANT FOR ARTS AND PROGRAMING

Leonard Pas.●

NOTICE OF HEARINGS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. RODINO) is recognized for 5 minutes.

● Mr. RODINO. Mr. Speaker, the Subcommittee on Monopolies and Commercial Law will continue its series of hearings on merger policy on Wednesday, December 9, 1981. That hearing will focus mainly on mergers and takeovers in the energy industries and will be held at 9:30 a.m. in room 2141 of the Rayburn House Office Building.

Members or other individuals wishing to testify or submit a statement for the record should address their requests to the House Committee on the Judiciary, 2137 Rayburn House Office Building, Washington, D.C. 20515.●

DEATH OF MISSIONARIES IN EL SALVADOR REMAINS SYMBOL OF THE FAILURE OF OUR NATIONAL POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. OAKAR) is recognized for 5 minutes.

● Ms. OAKAR. Mr. Speaker, 1 year ago yesterday an unspeakable atrocity was committed on a dark road in El Salvador. The bodies of four American churchwomen, cruelly violated, slaughtered like sheep, were thrown into a ditch by their abductors. Their murderers undoubtedly expected that this shocking atrocity would get a message to the people of El Salvador. Instead, they sent a message to the entire world, and especially to the American people. In the minds and hearts of millions of Americans, these women stood for something—and that is why they were killed. Four brave women, in life so powerless at the hands of their killers, have become powerful in death.

On December 2, 1980, they were simply four dedicated missionaries. What do they represent today, December 2, 1981? They have become something more. Maura Clarke and Ita Ford, Dorothy Kazel, and Jean Donovan are names that have been etched in our national soul.

They are symbols of the failure of a national policy that promotes increasing militarization and weaponry as the solution to the political dilemmas of this hemisphere.

They are symbols of the thousands of nonalined, noncombatant civilians of El Salvador who have been tortured, mutilated, slaughtered since the recent civil violence began—the numbers are now estimated to exceed 11,000 since January 1981.

They are symbols of what the eclipse of our human rights policy in Latin America has really meant: a license for those who carry our guns, ammunition, and equipment, to kill at random—to obliterate all political opposition with bullets rather than ballots.

In their own dedication to relief work in the weeks before their death, these women symbolize the almost half million refugees from El Salvador that violence has driven from their homes into neighboring countries—violence that means certain death if we deport them from our shores.

They represent the vicious repression of humanitarian workers, church people, journalists, teachers, community organizers that has marked several Latin American countries that enjoy our friendship and foreign assistance.

These women represent, above all, the reluctance of the Salvadoran Government to fix blame for the murder of innocent civilians. Their unsolved murders are evidence of the complicity and duplicity of our own State Department in putting out reports of continuous progress in the investigations and prosecutions of these murders—when in fact there has been no progress and no evidence of pressure being applied.

For a whole year the families and religious communities of these four women have pressed and pleaded for information and action in the investigation and prosecution of these murders. We know well the obstacles, indifference, and evasions they encountered. Since January of 1981, the Members of Congress have sponsored 18 pieces of legislation; they have risen to speak on this floor 237 times on the issue of El Salvador. What has been the response of our administration and State Department? Since last December, millions of American citizens have flooded the White House and the Congress with more mail than on any other international issue in recent memory. What has been the response of our Government?

With their blood, these woman planted seeds of hope for a peaceful community among the Salvadoran people. What has our foreign policy planted there?

We cannot afford to let fear and paronoia dictate our international relations. In the long run, this will be the greatest threat to our national security.

The four martyrs of El Salvador lived with fear daily—but it did not overcome their dedication to justice and compassion. Their own words speak eloquently of their humanity, their courage, their faith.

Sister Maura Clarke wrote in a letter:

> My fear of death is being challenged constantly as children, lovely young girls, old people are being shot and some cut up with machetes . . . A loving God must have a new life of unimaginable joy and peace prepared for these precious unknown, uncelebrated martyrs.

Jean Donovan wrote to a friend:

> I love life and I love living. While I feel compassion and care for the people here, I am not up for suicide and so must assess my own situation frankly. Several times I decided to leave. I almost could, except for the children, poor bruised victims of adult lunacy. And who would care for them? Whose heart could be so staunch as to favor the reasonable thing in a sea of their tears and neediness? Not mine, dear friend. Not mine.

The four martyrs of El Salvador have honored us all as Americans, as women, as ministers of peace and compassion. As a nation, we can do no less honor, than to bend all of our efforts toward bringing an end to the terrible violence that claimed their lives.●

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BETHUNE) to revise and extend their remarks and include extraneous material:)

Mr. LEACH of Iowa, for 60 minutes, on December 10.

Mr. COURTER, for 60 minutes, on December 9.

Mr. COURTER, for 60 minutes, on December 15.

(The following Members (at the request of Ms. OAKAR) to revise and extend their remarks and include extraneous material:)

Mr. BONIOR of Michigan, for 5 minutes, today.

Mr. WYDEN, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GONZALEZ, for 15 minutes, today.

Mr. RODINO, for 5 minutes, today.

Mr. DE LUGO, for 5 minutes, today.

Mr. COELHO, for 5 minutes, today.

Ms. OAKAR, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. BETHUNE) and to include extraneous matter:)

Mr. WHITEHURST.

Mr. ROBERTS of South Dakota.

Mr. PASHAYAN.

Mr. HUNTER.

Mr. CORCORAN.

Mr. YOUNG of Florida in 10 instances.

Mr. REGULA.

Mr. SHUMWAY.

Mr. TAUKE.

(The following Members (at the request of Ms. OAKAR) and to include extraneous matter:)

Mr. GRAMM.

Mr. RODINO.

Mr. SCHUMER.

Mr. MINETA.

Mr. HUBBARD.

Mr. WALGREN.

Mr. CLAY.

Mr. HAMILTON in two instances.

Mr. D'AMOURS.

Mr. ROSENTHAL in 10 instances.

Mrs. BOUQUARD in five instances.

Mr. DORGAN of North Dakota.

Mr. PEASE.

Mr. STARK in three instances.

Mr. BINGHAM.

Mr. MCDONALD in five instances.

Mr. BARNES.

Mr. SAVAGE.

Mr. BIAGGI in five instances.

Mr. WATKINS.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 691. An act to amend titles 18 and 17 of the United States Code to strengthen the laws against record, tape, and film piracy and counterfeiting, and for other purposes; to the Committee on the Judiciary.

ADJOURNMENT

Ms. OAKAR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 15 minutes a.m.) under its previous order, the House adjourned until Monday, December 7, 1981, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2596. A letter from the Architect of the Capitol, transmitting the semiannual report on expenditures covering the period April 1 through September 30, 1981, pursuant to section 105(b) of Public Law 88-454, as amended; to the Committee on Appropriations.

2597. A letter from the Acting Secretary of the Interior, transmitting certification that an adequate soil survey and land classification has been made on the Carlsbad Irrigation District, Brantley project, New Mexico, and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation, pursuant to section 1 of the act of July 31, 1953; to the Committee on Appropriations.

2598. A letter from the Principal Deputy Assistant Secretary of Defense (Comptroller), transmitting certification that no use was made of funds appropriated during the period April 1, 1981, to September 30, 1981, to make payments under contracts for any program, project, or activity in a foreign country except where, after consultation with a designee of the Secretary of the Treasury, pursuant to section 109 of the Military Construction Appropriation Act of 1981, Public Law 96-436; to the Committee on Appropriations.

2599. A letter from the Director, Defense Security Assistance Agency, transmitting a report on the impact on U.S. readiness of the Air Force's proposed sale of certain defense articles to Saudi Arabia (Transmittal No. 82-07), pursuant to section 813 of Public Law 94-106; to the Committee on Armed Services.

2600. A letter from the Director, Defense Security Assistance Agency, transmitting a report on the impact on U.S. readiness of the Navy's proposed sale of certain defense articles to Australia (Transmittal No. 82-09), pursuant to section 813 of Public Law 94-106; to the Committee on Armed Services.

2601. A letter from the Director, Defense Assistance Agency, transmitting a report on the impact on U.S. readiness of the Navy proposed sale of certain defense articles to Japan (Transmittal No. 82-11), pursuant to section 813 of Public Law 94-106; to the Committee on Armed Services.

2602. A letter from the Assistant Secretary of the Army (Installations, Logistics and Financial Management), transmitting notice of the proposed conversion to contractor performance of the dry cleaning function at Fort Carson, Colo., pursuant to section 502(b) of Public Law 96-342; to the Committee on Armed Services.

2603. A letter from the Assistant Secretary of the Army (Installations, Logistics and Management), transmitting notice of the proposed conversion to contractor performance of the nutritional care activity at Fitzsimons Army Medical Center, Aurora, Colo., pursuant to section 502(b) of Public Law 96-342; to the Committee on Armed Services.

2604. A letter from the Assistant Secretary of the Army (Installations, Logistics, and Financial Management), transmitting notice of the proposed conversion to contractor performance of the motor pool function at Fort Carson, Colo., pursuant to section 502(b) of Public Law 96-342; to the Committee on Armed Services.

2605. A letter from the Assistant Secretary of the Army (Installations, Logistics and Financial Management), transmitting notice of the recent discovery and disposal of a suspected lethal chemical agent at Fort Polk, La., pursuant to section 409(b)(4) of Public Law 91-121 and section 506(d) of Public Law 91-441; to the Committee on Armed Services.

2606. A letter from the General Counsel of the Department of Defense, transmitting a copy of Executive Order 12315, "Amendments to the Manual for Courts-Martial, United States," pursuant to article 36(b) of the Uniform Code of Military Justice, 10 U.S.C. 836(b); to the Committee on Armed Services.

2607. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 4-114, "To provide a standard for determining death," pursuant to section 602(c) of Public Law 93-198; to the Committee on the District of Columbia.

2608. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 4-115, "To provide an adult with the choice of executing a directive that would allow life-sustaining procedures to be withheld or withdrawn in instances of a terminal condition," pursuant to section 602(c) of Public Law 93-198; to the Committee on the District of Columbia.

2609. A letter from the Secretary of Education, transmitting the "Report to Congress on the Feasibility and the Desirability of Alternative Measures of Comparability," pursuant to section 102 of Public Law 95-561; to the Committee on Education and Labor.

2610. A letter from the Secretary of Transportation and Chairman and President of the National Railroad Passenger Corporation, transmitting the fifth annual report and second one issued jointly by the Department of Transportation and the National Railroad Passenger Corporation for fiscal year 1980, pursuant to section 703(1)(D), Public Law 94-120; to the Committee on Energy and Commerce.

2611. A letter from the General Counsel, Department of Energy, transmitting a draft of proposed legislation to extend the expiration date of section 252 of the Energy Policy and Conservation Act; to the Committee on Energy and Commerce.

2612. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a copy of Presidential determination 82-2, finding that the furnishing of defense articles and defense services to the Government of Belize will strengthen the security of the United States and promote world peace, pursuant to section 3(a)(1) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2613. A letter from the Assistant Secretary of State for Congressional Relations, transmitting notification of transfer of economic support funds to the peacekeeping account, pursuant to section 610(a), and authorization for the furnishing of immediate assistance for an organization of African Unity peacekeeping force in Chad. Pursuant to 614(a)(1) of the Foreign Assistance Act, as amended; to the Committee on Foreign Affairs.

2614. A letter from the Assistant Secretary of State for Congressional Relations, transmitting notice of the State Department's intention to consent to a request by the Philippines for permission to transfer certain U.S.-origin defense equipment to New Zealand, pursuant to section 3 of the Arms Export Control Act; to the Committee on Foreign Affairs.

2615. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the Air Force's intention to offer to sell certain defense articles and services to Saudi Arabia (Transmittal No. 82-07), pursuant to section 36(b) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2616. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the Navy's intention to offer to sell certain defense articles and services to Indonesia (Transmittal No. 82-8), pursuant to section 36(b) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2617. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the Navy's intention to offer to sell certain defense articles and services to Australia (Transmittal No. 82-09), pursuant to section 36(b) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2618. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the Air Force's intention to offer to sell certain defense articles and services to Japan (Transmittal No. 82-11), pursuant to section 36(b) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2619. A letter from the Secretary of Labor, transmitting the semiannual report of the Inspector General for the period April 1, 1981, through September 30, 1981, pursuant to section 5 of Public Law 95-452; to the Committee on Government Operations.

2620. A letter from the Secretary of Education, transmitting the semiannual report of the Inspector General for the period April 1, 1980, through September 30, 1981, pursuant to section 5 of Public Law 95-452; to the Committee on Government Operations.

2621. A letter from the Comptroller General of the United States, transmitting a report on the need for a systematic approach to management of congressional reporting requirements (PAD-82-12, November 25, 1981); to the Committee on Government Operations.

2622. A letter from the Chief, Records Management Branch, Federal Communications Commission, transmitting notice of a proposed new records system, pursuant to 5 U.S.C. 552a(O); to the Committee on Government Operations.

2623. A letter from the Secretary of Agriculture, transmitting a report on the Elkhorn Wilderness Study Area on the Helena and Deerlodge National Forests in Montana, pursuant to Public Law 94-557; to the Committee on Interior and Insular Affairs.

2624. A letter from the Attorney General, transmitting the second report on steps

taken by the Department of Justice to comply with the intent of Congress that section 1073 of title 18 of the United States Code apply to cases involving parental kidnaping and interstate or international flight to avoid prosecution under applicable State felony statutes, pursuant to section 10(b) of the Parental Kidnaping Prevention Act of 1980; to the Committee on the Judiciary.

2625. A letter from the Assistant Secretary of State for Congressional Relations, transmitting the text of an agreement between the United States of America and the Czechoslovak Socialist Republic, pursuant to section 408 of Public Law 93-618, together with a draft of proposed legislation to provide for the final settlement of certain claims against Czechoslovakia, and for other purposes; jointly, to the Committees on Foreign Affairs and Ways and Means.

2626. A letter from the Comptroller General of the United States, transmitting a report on user charge revenues for wastewater treatment plants (CED-82-1, December 2, 1981); jointly, to the Committees on Government Operations and Public Works and Transportation.

2627. A letter from the Comptroller General of the United States, transmitting a report on National Weather Service ADP system (CED-82-6, November 18, 1981); jointly, to the Committees on Government Operations and Science and Technology.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ZEFERETTI: Committee on Rules. H.R. 1465. A bill to amend the Congressional Budget Act of 1974 to require the Congressional Budget Office, for every significant bill or resolution reported in the House or the Senate, to prepare and submit an estimate of the cost which would be incurred by State and local governments in carrying out or complying with such bill or resolution; with amendments (Rept. No. 97-353). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 3816. A bill to improve the operation of the Fishermen's Contingency Fund established to compensate commercial fishermen for damages resulting from oil and gas exploration, development, and production in areas of the Outer Continental Shelf; with an amendment (Rept. No. 97-354). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. Report on "Semi-Paratus: The United States Coast Guard, 1981" (Rept. No. 97-355). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. House Joint Resolution 341. Joint resolution providing for a waiver of law pursuant to the Alaska Natual Gas Tranportation Act (Rept. No. 97-350, Pt. II). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 4927. A bill to amend the Communications Act of 1934 to eliminate certain provisions relating to consolidations or mergers of telegraph and record carriers and to create a fully competitive marketplace in record carriage, and for other purposes; with an amendment (Rept. No. 97-356). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BETHUNE:

H.R. 5109. A bill to provide for the inclusion of certain items within the unified budget, effective with respect to the fiscal year 1983 budget; to the Committee on Government Operations.

H.R. 5110. A bill to establish a Commission on the Budget Process to make recommendations to Congress and the President to improve and reform the budget process; jointly to the Committees on Government Operations and Rules.

By Mr. BIAGGI:

H.R. 5111. A bill to require improved collection of defaulted NDSL loans by institutions of higher education and by the Department of Education, and for other purposes; to the Committee on Education and Labor.

H.R. 5112. A bill to amend title 39, United States Code, to provide that the U.S. Postal Service shall be subject to certain provisions of the Occupational Safety and Health Act of 1970; jointly to the Committees on Education and Labor and Post Office and Civil Service.

Mr. DE LUGO (for himself, Mr. HOLLAND, Mr. HEFTEL, and Mr. SCHULZE):

H.R. 5113. A bill to amend the Internal Revenue Code of 1954 to reduce the rate of certain taxes paid to the Virgin Islands on Virgin Islands source income, and for other purposes; to the Committee on Ways and Means.

Mr. DORGAN of North Dakota:

H.R. 5114. A bill to require the forfeiture of railroad land grant lands in proportion to rail service abandonments; to the Committee on Energy and Commerce.

H.R. 5115. A bill amending title 49 of the United States Code to require the Interstate Commerce Commission to consider income from land grants in rail line abandonment and discontinuance proceedings, and for other purposes; to the Committee on Energy and Commerce.

By Mr. EDWARDS of California (for himself, Mr. RODINO, Mr. RAILSBACK, and Mr. EVANS of Georgia):

H.R. 5116. A bill to amend the act of November 6, 1978, with respect to certain fees charged under the Bankruptcy Act; to the Committee on the Judiciary.

By Mr. PASHAYAN (for himself, Mr. ALBOSTA, Mr. ATKINSON, Mr. BADHAM, Mr. BLILEY, Mr. BEARD, Mr. BEREUTER, Mr. BEILENSON, Mr. BONER of Tennessee, Mr. BURGENER, Mr. JOHN L. BURTON, Mr. CAMPBELL, Mr. CHENEY, Mr. CLAUSEN, Mr. CLINGER, Mr. COELHO, Mr. COURTER, Mr. DANIEL B. CRANE, Mr. PHILIP M. CRANE, Mr. DASCHLE, Mr. DAUB, Mr. DELLUMS, Mr. DORNAN of California, Mr. DUNN, Mr. EDGAR, Mr. ERDAHL, Mr. FAUNTROY, Mr. FAZIO, Ms. FERRARO, Mr. FOGLIETTA, Mr. FORSYTHE, Mr. FUQUA, Mr. GINGRICH, Mr. GOODLING, Mr. GRISHAM, Mr. HAMMERSCHMIDT, Mr. HANSEN of Idaho, Mr. HORTON, Mr. JOHNSTON, Mr. KOGOVSEK, Mr. KRAMER, Mr. LAGOMARSINO, Mr. LEE, Mr. LOEFFLER, Mr. LOWERY of California, Mr. MATSUI, Mr. MCCLORY, Mr. MCCLOSKEY, Mr. MCCOLLUM, Mr. MCDADE, Mr. MILLER of California, Mr. MOORHEAD, Mr. MOTTL, Mr. MURPHY, Mr. PANETTA, Mr. PEPPER, Mr. PORTER, Mr. QUILLEN, Mr. ROBINSON, Mr. SAVAGE, Mr. SCHEUER, Mrs. SCHROEDER, Mr. SCHULZE, Mr. SHUMWAY, Mr. SKEEN, Mr. SKELTON, Mr. SMITH of Pennsylvania, Mr. SNYDER, Mr. SOLOMON, Mr. SPENCE, Mr. SUNIA, Mr. THOMAS, Mr. VANDER JAGT, Mr. WHITEHURST, Mr. WHITTAKER, Mr. WINN, Mr. WOLPE, Mr. WON PAT, and Mr. YOUNG of Alaska):

H.R. 5117. A bill to authorize the President of the United States to present on behalf of the Congress a specially struck gold medal to Bryan Lewis Allen; to the Committee on Banking, Finance and Urban Affairs.

By Mr. UDALL:

H.R. 5118. A bill to provide water to the Papago Tribe of Arizona and its members, to settle Papago Indian water rights claims in portions of the Papago reservations, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. REUSS (for himself, Mr. ST GERMAIN, Mr. FAUNTROY, Mr. D'AMOURS, Mr. ALEXANDER, Mr. DASCHLE, Mr. DORGAN of North Dakota, and Mr. JEFFORDS):

H.J. Res. 369. Joint resolution resolving that current economic policies must be reconsidered to bring and keep interest rates down, that the President and the administration and the Board of Governors of the Federal Reserve System shall discourage speculative lending, the Board of Governors of the Federal Reserve System shall reconsider its tentative decisions to reduce the targets for growth in money supply for 1982, and that the President shall comply with section 10 of the Federal Reserve Act; to the Committee on Banking, Finance and Urban Affairs.

MEMORIALS

Under clause 4 of rule XXII,

229. The SPEAKER presented a memorial of the Legislature of the Territory of Guam, relative to the support of Senate bill 1674; to the Committee on Interior and Insular Affairs.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 1465: Mr. FOGLIETTA, Mr. DASCHLE, Mr. GUNDERSON, Mr. HEFTEL, Mr. KILDEE and Mr. ROEMER.

H.R. 1733: Mr. PATTERSON.

H.R. 2488: Mr. HOWARD, Mr. JOHN L. BURTON, and Mr. MILLER of Ohio.

H.R. 3606: Mr. FISH.

H.R. 4457: Mr. CHAPPELL, Mr. FISH, Mr. KOGOVSEK, Mr. SMITH of Pennsylvania, and Mr. YOUNG, of Florida.

H.R. 4467: Mrs. SCHNEIDER, Mr. CARNEY, Mr. HUTTO, and Mr. RINALDO.

H.R. 4509: Mr. BURGENER and Mr. CHENEY.

H.R. 4877: Mr. WON PAT.

H.R. 4930: Mr. ANDREWS, Mr. CHENEY, Mr. DERRICK, Mr. GREGG, Mr. HALL of Ohio, Mr.

SIMON, Mr. SUNIA, Mr. WILLIAMS of Ohio, and Mr. GUNDERSON.

H.R. 5004: Mr. CONABLE, Mr. SCHULZE, Mr. FRENZEL, Mr. TAUKE, Mr. BAILEY of Pennsylvania, and Mr. MCDADE.

H.R. 5013: Mr. GEPHARDT.

H.R. 5076: Mr. LENT, Mr. BENEDICT, Mr. ROBERTS of South Dakota, Mr. KOGOVSEK, Mr. BEREUTER, Mr. MORRISON, Mr. LOTT, Mr. GINGRICH, Mr. GREGG, Mr. SIMON, Mr. REGULA, Mr. DASCHLE, and Mr. FISH.

H.J. Res. 151. Mr. KASTENMEIER, Mr. GOLDWATER, Mr. PASHAYAN, and Mr. UDALL.

H.J. Res. 293: Mr. LUNDINE, Mr. CLINGER, and Mr. SMITH of Alabama.

H.J. Res. 354: Mr. STENHOLM, Mr. HOYER, Mr. AUCOIN, Mr. FISH, Mr. WHITEHURST, Mr. FORSYTHE, and Mr. WOLF.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

293. By the SPEAKER: Petition of the Board of Directors of American Trucking Associations, relative to the Multi-Employer Pension Plan Stabilization Act of 1981; to the Committee on Education and Labor.

294. Also, petition of the State of Michigan Home Weatherization Program Review Board, relative to the continued funding of its program; to the Committee on Energy and Commerce.

SENATE—*Thursday, December 3, 1981*

(Legislative day of Monday, November 30, 1981)

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, the Reverend Richard C. Halverson, LL.D., D.D., offered the following prayer:

Let us pray:

Unless the Lord watches over the city, the watchman stays awake in vain.—Psalm 127: 1.

Lord God of history, who has determined allotted periods and the boundaries of the nations.—Acts 17:26.

When we have done all we know to do for our Nation's defense, we are still vulnerable if we trust only in our military might.

Apart from Thee there is no real security, for the Lord is our defense.—Psalm 89: 18.

History is replete with the record of "Acts of God" which were decisive in military engagements. Thou didst lead Joshua and Thy people to the defeat of Jericho. Because of Thee the Midianites were defenseless against Gideon and his 300; and giant Goliath was no match for David and his sling. Japan in the middle ages was saved from invaders by strong winds, or the "divine wind," kamikaze. The mighty forces of Napoleon were defeated by winter snows. Dorchester Heights was saved because strong winds prevented British forces from crossing Boston Harbor.

We do not presume to ignore our responsibility for defense, O Lord, but deliver us from the fatal error of indifference to our need for divine direction and protection. In the Lord's strong name we pray. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

Mr. BAKER. Mr. President, I thank the Chair.

THE JOURNAL

Mr. BAKER. Mr. President, I ask unanimous consent that the Journal of the proceedings of the Senate be approved to date.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that after the recognition of the two leaders under the standing order there be a brief period for the transaction of routine morning business in which Senators may speak for not more than 2 minutes each and to extend not past 9:30 a.m.

The PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE OF LENGTHY SESSION TODAY

Mr. BAKER. Mr. President, is there an order for the Senate to resume consideration of the Department of Defense appropriations bill at 9:30 a.m.?

The PRESIDENT pro tempore. The majority leader is correct.

Mr. BAKER. I thank the Chair.

Mr. President, I urge all Senators to consider that this evening may be a very late evening. It is Thursday, where there is a regular evening session were these ordinary and regular circumstances, which they are not, and while we are on notice that any evening might be a late evening, this evening must be, I am afraid, because it is essential, in my judgment, that we finish our deliberations on and consideration of the Department of Defense appropriations bill before this day is over.

Last evening negotiations were undertaken to try to arrive at a time agreement for final disposition of this bill at not later than 11 p.m. this evening with a number of other provisions relating to amendments and other matters.

I shall confer with the minority leader in the course of the morning and hope that we can obtain such an order or some variation of that order to assure that the bill will be finished this evening.

But in any event Senators should be on notice that the Senate will stay in session as long as necessary to complete this bill which I am afraid might be very late indeed unless we can accelerate the pace of our progress thus far.

With that unhappy announcement, I have no further requirement for my time under the standing order and I am prepared to yield it to any Senator or yield it to the control of the distinguished acting minority leader.

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDENT pro tempore. The acting minority leader is recognized.

Mr. PROXMIRE. Mr. President, I thank the majority leader, and I am happy to accept that offer on behalf of the minority leader.

I have no special need for time on behalf of the minority leader.

Mr. BAKER. I thank the Senator and I yield my time remaining under the standing order to the distinguished acting minority leader.

CONFIRMATION HEARING STATEMENT OF ELLIOTT ABRAMS POINTS OUT NEED FOR GENOCIDE RATIFICATION

Mr. PROXMIRE. Mr. President, recently, the Foreign Relations Committee heard testimony from Elliott Abrams, President Reagan's nominee for the position of Assistant Secretary of State for Human Rights and Humanitarian Affairs. The Committee subsequently approved Mr. Abrams' nomination by a vote of 13 to 0.

Mr. Abrams opening statement presented several important issues. Emphasizing the long tradition of support for human rights in this country, Mr. Abrams said:

> But the role of human rights in our foreign policy dates not from 1977, but from 1776. The United States was founded "to secure the blessings of liberty," and as the President recently said, "The promotion of liberty has always been a central element of our nation's foreign policy."

Mr. Abrams perceived the difficulties of dealing with human rights issues in a complex world where the degree to which governments respect political freedoms varies greatly. Again, he cited the President, this time describing the duty of the United States in today's world:

> We will speak up against the enemies of freedom and we will try to help its friends. We will encourage those who seek freedom, not least by telling the simple truth of their efforts and the efforts of those who seek to oppress them.

Finally, Mr. Abrams stated the two rules upon which he aims to base his efforts to promote and protect human rights in American foreign policy: The need for truth and the need for effective action. In his statement, he stressed the moral obligation to be truthful in dealing with human rights affairs.

Most importantly, Mr. Abrams referred to the need to choose a course of action with a practical goal in mind; How can we help?

Mr. President, ratification of the Genocide Convention would address all of the issues raised by Mr. Abrams. As an affirmation of the value of human life and human rights, the treaty certainly continues the tradition of promoting human rights and liberty which has its source, as Mr. Abrams pointed out, "not from 1977, but from 1776."

Through its ratification of the Genocide Treaty, the United States would make a decisive movement toward "speaking up against the enemies of freedom."

Finally, ratification of the treaty provides an obvious answer to Mr. Abrams question: "How can we help?" How much more practical an act is there than the ratification of a convention which would join the United States with over 80 other nations in an international agreement which legally asserts the value of human life?

In closing, Mr. Abrams stated:

How can we help to expand the frontiers of liberty by an inch or by a mile? Our aim must never be simply to make us feel good or others feel bad; it must be to defend and to promote the cause of liberty.

The Genocide Treaty is consistent with all of the principles which underlie our Nation. Ratification of the treaty would expand the frontiers of liberty not by an inch or a mile, but incalculably.

I hope that we can ratify the treaty in the near future.

Today the Foreign Relations Committee begins hearings on the Genocide Treaty, and I think this is very good news for those who have waited so long for action on this treaty which has been pending in this body for more than 30 years.

QUORUM CALL

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GORTON). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I yield back the remaining time under the provision for the two leaders.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business during which Senators may speak for not more than 2 minutes each.

SUBMISSION OF MATERIAL REGARDING WILLIAM J. CASEY

Mr. MOYNIHAN. Mr. President, I submit for printing in the RECORD the following information which was submitted to the Select Committee on Intelligence by Mr. William J. Casey, Director of Central Intelligence. The information consists of a revision and update of Mr. Casey's response to the committee's questionnaire which he provided at the time of his confirmation hearing and which appeared in the RECORD of January 27, 1981.

STATEMENT FOR COMPLETION BY PRESIDENTIAL NOMINEES*

*All responses are based on information as of January, 1981, except as otherwise noted.

NOTE: This is the revised version of Mr. Casey's SSCI Questionnaire. It was submitted to the Committee on September 28, 1981.

Name: Casey, William J.

Address: Glenwood Road, Roslyn Harbor, New York.

Position to which nominated: Director, CIA.

Date of nomination: January 20, 1981.

Date of birth: March 13, 1913.

Place of birth: New York.

Marital status: Married.

Full name of spouse (including any former names used by spouse): Sophia Kurz.

Names and ages of children: Bernadette Casey, 35 years.

Education: Institution, dates attended, degrees received, dates of degrees: St. Agnes High School, 1926–28, none; Baldwin High School, 1929–30, 1930; Fordham University, 1930–34, BBS, 1934; Catholic Univ. of America, 1935–36, none; St. John's Law School, 1936–37, LLB, 1937.

Honors and awards: List below all scholarships, fellowships, honorary degrees, military medals, honorary society memberships, and any other special recognitions for outstanding service or achievement: Bronze Star, WWII; William Donovan Award 1974; Honorary Doctorates: Fordham University, St. John's University, Adelphi University, Molloy College.

Memberships: List below all memberships and offices held in professional, fraternal, business, scholarly, civic, charitable and other organizations:

New York Bar Association, 1950, present; International Rescue Committee, President, 1970, 1971; Citizen's Commsn. on Indochinese Refugees, Co-Chairman; American Bar Association, 1970, present; Nassau County Bar Association, 1956, present; Council on Foreign Relations, 1973, present; Atlantic Council, Director, 1976, present; Commission on Organization for Conduct of Foreign Policy, present; Veterans of the OSS, Association of Former Intelligence Officers, present.

Employment record: List below all positions held since high school, including the title or description of job, name of employer, location of work, and dates of inclusive employment.

See Attachment A.

Government experience: List any experience in or direct association with Federal, State, or local governments, including any advisory, consultative, honorary or other part-time service or positions.

See Attachment B.

Published writings: List the titles, publishers and dates of books, articles, reports or other published materials you have written:

Lawyers Desk Book, 1965; Tax Sheltered Investments, 1952; Estate Planning Desk Book, 1956; Forms of Business Agreements, 1966; Accounting Desk Book, 1967; Where and How the War Was Fought, An Armchair Guide to the American Revolution. Published by Morrow 1976; Life Insurance, Real Estate, Mutual Funds Desk Books; Executive Pay Plans; How to Finance a Business, Renegotiation Forms of Business Agreement; Forms of Wills and Trusts; Charitable Giving and Foundations; numerous articles and speeches in law reviews and other journals.

Political affiliations and activities: List all memberships and offices held or financial contributions and services rendered to all political parties or election committees during the last ten years:

1980—Campaign Director. Reagan-Bush and Reagan for President. Contributions of $1,000 to Reagan, Bush, Connally, Baker primary campaigns. $10,000 Republican National Committee. $2,000 Senatorial campaign in New York.

1978—$10,000 Duryea for Governor in New York.

1976—Ford Campaign $1,000.

1974—$1,000 Wilson for Governor in New York.

1972—$300 Nixon campaign.

Qualifications: State fully your qualifications to serve in the position to which you have been named. (Attach sheet.)

See Attachment C.

Financial Disclosure and Potential Conflict of Interest:

1. Please describe any employment, investment, association, or activity which might create, or appear to create, a conflict of interest in the position to which you have been nominated:

None.

2. As far as it can be foreseen, state your plans after completing government service. Please state specifically any agreements or understandings, written or unwritten, concerning employment after leaving government service, in particular concerning agreements, understandings or options to return to your current position:

I have no plans at present, but in the past after completing government service I have always returned to the practice of law. I have no agreements, understandings or options to return to my present position.

3. Describe the financial arrangements you have made or plan to make, if you are confirmed, in connection with severance from your current position. Please include severance pay, pension rights, stock options, deferred income arrangements, and any and all compensation that will or might be received in the future as a result of your current position or your past business or professional relationships:

I have made no such arrangements except that upon termination with my law firm I will receive a severance amount.

4. Please list below all corporations, partnerships, foundations, trusts, or other entities toward which you have fiduciary obligations or in which you hold directorships or other positions of trust:

During 1976–1981 I have been a director with respect to a number of enterprises, as listed below:

Long Island Trust Company; Litco Bank Corporation of NY, Inc.; Long Island Lighting Co.; Capital Cities Communications, Inc.; Gamble Skogmo; St. Francis Hospital; International Rescue Committee; Long Island Action Commission; Saffir Publishing Company; International Center for Economic Policy Studies; Energy Transition Company, Inc.; Institute for Economic and Legal Analysis; Sophia and William Casey Foundation.

5. Have you been an attorney for, or a representative or registered agent of, a foreign government, or any entity under the control of a foreign government? In your present position are you formally associated with individuals who are attorneys for, or representatives or registered agents of, foreign governments or entities? If the answer to either or both questions is yes, please describe each relationship on a separate sheet?

I was not an attorney for, or a representative or registered agent of, a foreign government, or any entity under the control of a foreign government, in January 1981. The list of my clients during 1976–1981 provided in response to Question 14 shows that I performed legal services for Indonesia and Korea, who were clients of Rogers & Wells (see Attachment D for detailed explanation of these services). To the best of my knowledge, during the past ten years I have performed no legal services for, nor have I represented or otherwise acted as a registered agent of, a foreign government or foreign government entity, other than as stated above.

As of January 1981, to the best of my knowledge, I was not formally associated with individuals who were attorneys for, or representatives or registered agents of, foreign governments or entities. In September 1981, I was informed by Rogers & Wells that the firm had been representing a client controlled by a foreign government entity as of January 1981.

6. List all securities, real property, partnership interests, or other investments or re-

ceivables with a market value in excess of $1,000.

See Attachment E.

7. List all loans, mortgages, or other indebtedness in excess of $1,000:

Long Island Trust Co., $3,617.79, guarantor of loan to brother: Promissory note of 5/4/79, 13.37 percent, $328.89/month;

The Royal Bank & Trust Co., $150,000, guarantor of loan to COAP Planning: Promissory note of 8/16/79, 9.75 percent due 7/30/82;

National Savings & Trust Co., $350,000, (8/81 bal.), $218,749, guarantor of loan to ITA, Ltd.: Term loan of 1/22/80, prime plus 2 percent, due on 1/22/84;

National Savings & Trust Co., $100,000, guarantor of loan to ITA, Ltd.: Line of credit issued 1/80, prime plus 2 percent; final payment due 11/2/81;

United States Trust Co., $18,000, promissory note of 4/2/79, prime plus 1 percent due on demand.

8. Please describe all gifts of pecuniary value in excess of $500 received in the past five years.

None.

9. Please list any legal actions in which you are presently either a plaintiff or defendant, and any legal actions in the last five years in which you have been a plaintiff, defendant, or witness.

See Attachment F.

10. Describe any business relationships, dealing or financial transaction (other than taxpaying) which you have had during the last ten years with the Federal Government, whether for yourself, on behalf of a client, or acting as an agent, that might in any way constitute or result in a possible conflict of interest with the position to which you have been nominated.

None.

11. List any lobbying activity during the past ten years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation at the national level of government or affecting the administration and execution of national law or public policy. List specifically any appearance before any committee of the Congress, and any other effort in any capacity to influence an action of a committee of Congress:

1978–1979, Testified as Co-chairman of Citizen's Commission for Indo-Chinese Refugees before Senate and House Subcommittees on Immigration and before Subcommittee of House Foreign Relations Committee on visit to Islands in S.E. Asia to which boat people were going to escape Vietnam—urged stronger relief measures for these refugees.

1980, Participation with partners fo my law firm in making representations on behalf of client who builds condominiums in Florida on impact of condominium legislation pending in Senate and House.

12. Explain how you will resolve any potential conflict of interest that may be disclosed by your responses to the above items:

By disposing of assets or establishing a blind trust if necessary.

13. List sources and amounts of all income received during the last five years, including all salaries, fees, dividends, interest, gifts, rents, royalties, patents, honoraria, and other items exceeding $500. (If you prefer to do so, copies of U.S. income tax returns for these years may be substituted here, but their submission is not required.) Unlike the original filing, these figures include capital transactions, and the 1980 figures are actual than estimated.

14. Add schedule itemizing each individual source of income which exceeds $500. If you are an attorney, accountant, or other professional, attach schedule listing all clients and customers whom you bill more than $500 worth of services during the past five years.

	1980	1979	1978	1977	1976
Salary					1,185
Fees, royalties	194,327	130,050	237,077	143,117	119,563
Dividends	98,107	53,374	41,164	30,684	43,259
Interest	18,195	46,027	43,122	14,498	102,892
Gifts					
Rents	2,700	1,200			
Other, exceeding $500 (losses)	78,634	(68,107)	28,611	(84,599)	45,624
Total	391,963	162,544	349,974	103,700	312,523

For a schedule itemizing each individual source of income, see my Financial Disclosure Report to the Office of Government Ethics, Jan. 8, 1981, which has been furnished to the Committee and the amendment thereto, Aug. 28, 1981, which is Attachment G. (Omitted.) For Client List see Attachment H. Please note: The attached list covers some clients and customers for whom less than $500 worth of services was provided.

Other Information:

15. Have you ever been convicted (including pleas of guilty or nolo contendere) of any criminal violation other than a minor traffic offense? No.

16. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination? None.

17. Please provide the Committee with the names and current addresses of five individuals whom you believe are in a position to comment upon your qualifications for the office to which you have been nominated:

John J. McCloy, 1 Chase Manhattan Plaza, NY 10005; Richard Helms, 4649 Garfield Street, NW, Washington, DC 20007; William Rogers, Rogers & Wells, 200 Park Ave., New York, NY 10017; Stanley Sporkin, 8816 Brierly Road, Chevy Chase, MD 20015; Leo Cherne, Research Institute of America, 589 Fifth Ave., NY 10017.

18. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so? Yes.

19. Are you willing to provide such information as is requested by such committee? Yes.

The undersigned certifies that the information contained herein is true and correct.

Signed: William J. Casey.

Date: September 29, 1981.

[Attachment A]

Employment Record

1937–50, Chairman of the Board of Editors, Research Institute of America, New York, NY.

1942–45, US Naval Reserve, LT Chief, Secretariat and Chief of Intelligence Operations, OSS, European Theater.

1947–48, Special Counsel, Senate Small Business Committee.

1948, Special Assistant to Averill Harriman relating to implementation of Marshall Plan.

1948–62, Instructor of tax law at NYU.

1950–71, Law partner, Hall, Casey, Dickler & Howley, New York City, and predecessor firm.

1954–71, Chairman of the Board of Editors, Institute for Business Planning, Englewood, N.J.

1971–73, Chairman, SEC, Washington, D.C.

1973–74, Under Secretary of State for Economic Affairs, Washington, D.C.

1974–76, President and Chairman, Export-Import Bank, Washington, D.C.

1976–80, Counsel to law firm of Rogers & Wells, New York, N.Y.

Mar. 80–Nov. 80, Campaign Manager, Reagan Presidential Campaign.

Nov. 80–Jan. 81, Transition team for President-elect Reagan.

Jan. 81–present, Director of Central Intelligence.

[Attachment B]

Government Experience

1942–45, US Naval Reserve, LT Chief, Secretariat and Chief of Intelligence Operations, OSS, European Theater.

1947–48, Special Counsel, Senate Small Business Committee.

1948, Special Assistant to Averill Harriman relating to implementation of Marshall Plan.

1969–70, Member, President's Task Force on International Development.

July 69–April 71, Member, General Advisory Committee, Arms Control & Disarmament Agency (ACDA).

1970–71, President, International Rescue Committee.

1971–73, Chairman, SEC.

1973–74, Under Secretary of State for Economic Affairs.

Mar. 74–Jan. 76, Member, Commission on the Organization of the Government for the Conduct of Foreign Policy (Murphy Commission).

1974–76, President and Chairman, Export-Import Bank.

Mar. 76–May 77, Member, President's Foreign Intelligence Advisory Board (PFIAB).

Chairman, Task Force on Equity and Venture Capital, SBA.

Nov. 80–Jan. 81, Transition team for President-elect Reagan.

Jan. 81–Present, Director of Central Intelligence.

[Attachment C]

Qualifications

I have been successful in directing Federal government organizations at the Securities and Exchange Commission and the Export-Import Bank and in working with a large range of government agencies and committees during my tenure as Undersecretary of State.

I have had intelligence experience in building the American intelligence service in Europe in World War II and in directing clandestine intelligence operations into Germany during the last six months of World War II. Since then, I have been an active consumer and user of American intelligence as a member of the General Advisory Committee on Arms Control and as Undersecretary of State. I have also had an opportunity to study the organization and operation of our intelligence services as a member of the Murphy Commission on the Conduct of Foreign Policy and as a member of the President's Foreign Intelligence Advisory Board.

During my entire working life my activities as a lawyer, author and editor have involved the gathering, analysis and evaluation of information and applying it to practical purposes.

[Attachment D]

Indonesia and Korea were clients of the law firm rather than my personal clients, but I was consulted and provided limited legal services with respect to their business affairs, accumulating only 48¾ billable hours with respect to the Government of Indonesia and Pertamina between July 1976 and June 1978 and 12 hours between November 1976 and February 1978 for the Republic of Korea. I was compensated for my services through Rogers & Wells; my hourly rate at the time was approximately $260 per billable hour. I was consulted with respect to certain tax matters related to Indonesia's petroleum industry. In this connection, I had a meeting at the Department of Treasury and, I believe, two meetings at the Internal Revenue Service in the summer of 1976.

The legal services that I performed for the Government of Korea consisted of conferring with the Korean Ambassador to the

United States and other members of Rogers & Wells relating to whether a claim of sovereign immunity should be asserted by the Government of Korea. I was called upon for these services when the partner in charge of the account was unavailable. On this point, see the attached letter from Rogers & Wells.

ROGERS & WELLS,
Washington, D.C., September 2, 1981.

STANLEY SPORKIN, Esq.,
General Counsel, Central Intelligence Agency, Washington, D.C.

DEAR MR. SPORKIN: At your request, this is to confirm the information provided orally to Mr. La Plante. During the period William Casey was of counsel to our firm, the firm provided certain representation to the Republic of Indonesia (on a matter relating to Pertamina) and to the Republic of Korea. In regard to the Republic of Indonesia, in the summer of 1976, Mr. Peter Fisher, a partner of our firm, and Mr. Casey had two information meetings with IRS officials. Subsequently, the firm foresaw a possible need to move to an advocacy position with respect to the IRS, and we determined that we should register the firm and Mr. Fisher under the Foreign Agents Registration Act in case this eventuality came to pass. To the best of our recollection and belief, Mr. Casey had no further meetings with, or other contract with, United States Government officials on this matter subsequent to the summer of 1976 meetings just referred to.

With respect to our work for the Republic of Korea, we determined at the time that registration under the Foreign Agents Registration Act was not required, since all of our work came within the exemption to registration provided for in section 3(g) of the Act. We should also note that, to the best of our recollection and belief, Mr. Casey's limited work on this matter did not involve any meetings with, or any other contract with, United States Government officials.

Sincerely,

ANTHONY F. ESSAYE.

[ATTACHMENT E]

(Based on information as of August 28, 1981)

PROPERTY HOLDINGS OF WILLIAM CASEY

Investments:

Capital Cities Communications (Capital Cities Broadcasting);
Philip Morris;
Datapoint Corp.;
Dennison Manufacturing;
International Business Machines;
Intel Corp.;
Rolm Corp.;
Johnson & Johnson;
Raychem Corp.;
Englehard Minerals & Chemicals;
AMAREX, Inc.;
Apache Corp.;
Atlantic Richfield;
Dome Petroleum;
Kerr-McGee;
Mesa Rty. Tr. Unit Ben. Int.;
Southland Royalty;
Standard Oil Indiana;
Superior Oil;
Halliburton;
Schlumberger Ltd.;
Long Island Lighting Co.;
Permian Basin Trust;
San Juan Basin Trust;
Vanguard Ventures, Inc.;
Energy Transition Company;
Kinetics Inc.;
Long Island Commercial Review, Inc. (Long Island Business Review, Inc.);
Patrician Paper Co., Inc.;
Unitrode Corporation;
Data General Computer;
Ohio State Municipal Bonds;
Tri-Rotor Engine (patent);
SWC Information Company;
Mini-Sub—small submarine venture;
REALCO (Recycling & Energy Associates)—waste recycling venture;
Penverter—computer input venture;
ITA, Ltd.—importing venture;
COAP Planning—computerized financial analysis;
North Courts—racquet ball courts; and
Health 'N Sports, Inc.

Real Estate:

Home in Roslyn, New York;
Home in Palm Beach, Florida;
Capitol Towers Unit II—interest in garden apartments, Sacramento, California.

[ATTACHMENT F]

LEGAL ACTIONS INVOLVING WILLIAM CASEY
(1976–1981)

As defendant:

Kurz v. *Casey*, Index No. 18920/74 (Supreme Court, Nassau County, NY). An action brought by the widow of my brother-in-law who had a heart attack while mowing the lawn at a house occupied by him but owned by my wife and me. Dismissed from the bench, but reversed on appeal and remanded to the trial court where it is pending.

Maiden v. *Biehl*, 74 Civ. 4690 (S.D.N.Y.). A derivative action brought on behalf of bondholders against directors, accountants (Harkness & Sells) and investment bankers selling bonds of Multiponics, an agricultural company of which I was a director. Additional information has been furnished to the Committee.

In re Multiponics, Inc., 622 F.2d 709 (5th Cir. 1980), *rev'g*, 436 F.Supp 1065 (E.D.La. 1977). Bankruptcy proceedings arising out of the business described above in *Maiden* v. *Biehl*. Additional information has been furnished to the Committee.

Crescent Property Services, Inc. v. *Capitol Towers Unit I Trust, et al.* (*Scheuer* v. *Trustee*), Case No. 286569 (Superior Court, Sacramento County, CA). A claim for inflation adjustment and payment of compensation for managing Sacramento garden apartments held for my benefit.

Halbfinger v. *Bleakney, et al.*, 71 Civ. 3261 (S.D.N.Y.); *Levinkind* v. *Winters, et al.*, 71 Civ. 1015 (E.D.N.Y.), consolidated 73 Civ. 1714 (S.D.N.Y.); *Funnell* v. *Arkus-Duntov, et al.*, 69 Civ. 1890 (S.D.N.Y.); and *Weiner* v. *Winters, et al.*, 69 Civ. 2461 (S.D.N.Y.), consolidated 69 Civ. 1890 (S.D.N.Y.). Detailed information concerning these cases, all of which relate to the Fund of America, has been provided to the Committee.

Stone v. *Export-Import Bank*, 552 F.2d 132 (5th Cir. 1977). An action brought under the Freedom of Information Act against the Export-Import Bank, of which I was chairman. It is possible that several other actions of this nature were brought against the bank and that I was never made aware of them. Such suits do not touch me personally.

IHS Enterprises, Inc., et al. v. *Mark Strausberg, et al.*, Index No. 17989/80 (Supreme Court, New York County, NY). Plaintiffs have brought an action for breach of contract against SJS Associates, a business venture formed in 1978 to engage in publication of financial information and deal in options on securities. Also named in the suit are all of the limited partners in SJS Associates, including SWC Information Company, which is owned by me. I was not personally named as a party in the action. In May 1981, plaintiff's first action was dismissed for failure to state a cause of action, but leave was granted to amend the pleadings. The suit was refiled and I have been informally advised that the action will be dismissed.

As plaintiff:

Casey v. *Health 'n Sports, Inc.*, (Supreme Court, Nassau County, NY, 1980). This action (previously reported to the Committee as *Casey* v. *Abraham Shames*) was to collect a debt owed after Mr. Shames initiated bankruptcy proceedings. Action was initiated (process served), but never filed.

PLEASE NOTE: Although several of the firms with which I was associated were involved in litigation, I was not a party in any of that litigation so far as I am able to determine.

As witness:

National Cash Register v. *Ginsberg*, New York Supreme Court—witness to conversation action on contract against client.

U.S. v. *Clifford*, Eastern District, New York—character witness.

U.S. v. *Gleason*, Southern District, New York—character witness.

PLEASE NOTE: Additional appearances as witness may have been made; however, no comprehensive listing has been kept.

[ATTACHMENT H]

List of clients furnished by Rogers & Wells with respect to which William J. Casey, who was then affiliated with the firm, had billable time or otherwise received credit during the period 1976–1981.

Alexander & Alexander;
The Alternative Education;
American Society of Allied Health Professions;
H. W. Anderson Products;
Armor Products Inc.;
Associated Press;
Charles N. Atwood;
Parley Augustsson;
BRS Inc.;
Virginia Bacon;
Banque de Paris;
Ford Bartlett;
Bear, Stearns & Co.;
Bessemer Trust Company;
Sidney B. Bowne & Son;
Elwood D. Boynton;
Broad Hollow Development;
Jeremiah Burns, Inc.;
Caesar's World;
Capital Cities Communications, Inc.;
Central American Pipeline;
City of New York;
Sidney Colen;
Continental Hotels Corporation;
Covert & Associates, Inc.;
Cox & Company;
DWG Corporation;
Deak & Co. Inc.;
Diamond Distributors, Inc.;
Andrew Duell;
E.T.P.M.;
Energy Transition Corp.;
Environmental Research & Technology;
Jack Farber;
Fidelity Management & Research Corp.;
Film Corporation of America;
Anthony G. A. Fisher;
Fitch Investors Service, Inc.;
Florida Condominium Corp.;
John Foglia;
Connie Francis;
Mr. and Mrs. Abraham Friedberg;
Fulbright & Jaworski (D.C.);
Gamble-Skogmo;
Gladding Corp.;
Government of Indonesia;
Graphic Controls Corp.;
Estate of Leonard W. Hall;
Housatonic Valley Paper Co.;
The Institute of Economic Affairs;
International Crude Oil Refining Inc.;
Kennecott Copper;
Kephart Communications, Inc.;
King Kullen Grocery Stores;
Mitchell P. Kobelinski;
Koren-DoResta;
Korvettes;
Nicholas Krapf;
Litco Corporation of New York;
Lockheed Aircraft;
Long Island Forum for Technology;
Long Island Trust Company;
Dominique Maillard;
Mastercraft Corp.;
Merrill Lynch Hubbard;
Merrill Lynch International Bank;

Merrill, Lynch, Pierce, Fenner & Smith;
Miles Laboratories, Inc.;
Moore, Schley, Cameron & Company;
U. V. Muscio;
NAP Manufacturing Company;
NVF Corporation;
Nassau County;
National Telephone Company;
Newfoundland Refining;
New York State Employees Retirement Fund;
Norse Petroleum A/S;
Old Lane International;
Owens-Illinois Glass Mfg. Co.;
Oyster Bay Foodtown;
PAN AM World Airways;
Parr Meadows Racing Association;
Pertamina;
Peter Piffath;
J. T. Potter;
Maxwell M. Powell;
Promenade Magazines, Inc.;
Pullman, Inc.;
Republic of Korea;
Resources Asia;
Reynolds Construction Company;
Estate of Joseph E. Ridder;
Robert Ross/East-Europe Domestic International Sales Corp.;
SCA Services, Inc.;
Philip J. Sagona;
Saudi American Lines;
Scientific Life Systems (Dr. Irving Dardik);
Howard Sears, Jr.;
Semiconductor Specialists, Inc.;
Servo Corporation of America;
Shaheen Natural Resources;
Abraham Shames;
Sharon Steel Company;
Sloan Valve Company;
Lauraine G. Smith;
Edward Swanson;
Tennessee Partners, Ltd.;
Ter Bush & Powell, Inc.;
Trubin, Sillcocks, Edelman;
Twentieth Century Fox;
Walter Van der Waag;
Joseph F. Virdone;
Wachenhut Corp.;
S. G. Warburg & Company, Ltd.;
David Westerman;
Wilmer, Cutler & Pickering;
Milton Zipper.

THE GREAT FRIENDSHIP RUN

Mr. BAKER. Mr. President, I would like to take this opportunity to inform my colleagues of an event scheduled to occur in May of 1982 in the People's Republic of China; an event that may be of particular interest to Members in this Chamber who push themselves out the door every day to run in heat, snow, rain and wind and who understand the sense of accomplishment and well-being that consistent runners know.

The Great Friendship Run, as it will be called, has been organized by Mr. Stan Cottrell of Tucker, Ga. Mr. Cottrell set a world's record last year for running across the United States, 3,100 miles, in 48 days. In addition, he has recently completed a training run from Nashville to Chattanooga for the benefit of the Heart Association. His plan now is to run the length of the Great Wall of China, 4,100 miles, through the mountains and desert beginning in May. At the same time, runners from the People's Republic of China will commence a race in the United States, following Stan's American course from coast to coast.

Mr. President, I think this is a fine example of American enterprise and good will. The Great Friendship Run will signify continuing international cooperation between the United States and the People's Republic of China and I want to wish Stan Cottrell every success for his heroic undertaking.

FACING THE REALITY OF ENTITLEMENTS

Mr. McCLURE. Mr. President, during the past several weeks, the Senate has been concentrating on the appropriations bills, and wrestling with the problems of budget cuts. Like many of my colleagues, I have been saying for years that the Federal Government has got to quit spending so much money and I am very pleased that Congress is finally taking action to get the Federal budget under control. We have done a lot of work in the last 10 months, and we still have a long way to go. The budget reductions have been painful ones for us to make, but I still believe that they are absolutely essential to the overall well-being of this Nation.

While I completely support the necessity of reducing Government expenditures, I am concerned that the recent round of budget cuts has been aimed at the wrong mark. If we are to get control of the real problem in the growth of the Federal debt and future deficits, it will have to lie in that minefield of dealing with entitlement programs.

I wonder how many Americans even know what an entitlement is? I wonder how many people realize that entitlements—those income maintenance, income transfer, retirement funds that people are "entitled" to—are now consuming 50 percent of the Federal budget? How many Americans are aware that the recent round of budget cuts have been aimed at programs that make up less than 25 percent of the budget, and that entitlement programs have not been touched? As I said before, Mr. President, dealing with entitlements is a political minefield, but sooner or later, and I hope it is sooner, Congress is going to have to confront the issue.

Several of my colleagues and I tried to cross that minefield during the Appropriations Committee markup of the continuing resolution. The amendment that was offered by my colleague from Georgia, Senator MATTINGLY, would have allowed for a 2-percent reduction in entitlements at the discretion of the President, and would have required a 2-percent decrease in payments not required by law. The amendment could have saved as much as $8 billion, but it was defeated. Because of this action, we are now back to where we began—cutting programs that make up less than 25 percent of the budget. I think this course is going to cause some problems and I would like to give a small example of the effect on one segment of the Labor, HHS, Education appropriations bill.

One of the major aspects of the President's budget plan is the block grant. I have supported this funding approach for many years because I think in the long run it will prove not only more economical, but will benefit the various programs involved by allowing more freedom from bureaucratic redtape. I do not think the block grants, as finally enacted, were structured as well as they could have been, but I think it was a step in the right direction.

The education block grant is a block grant in name only. The two largest education programs, title I and education of the handicapped, were, respectively, left separate within the block and as a categorical grant. The education programs that were, in reality, blocked make up a very small portion of the money we spend on education programs. This block has suffered an incredible amount of budget reductions. In 1980, the programs in the education block received $805 million. In 1981, the figure dropped to $561 million. For 1982, the Senate has recommended a figure of $350 million.

Because Congress wanted to insure that the greatest amount of money provided through the education block grant would be used directly for the benefit of students, the block contains a provision requiring that 80 percent of the funds within the grant be passed along to school districts. The combination of the 80-percent, pass-along provision and the loss of over 50 percent of the funds for the programs in the block is going to have an effect that Congress did not anticipate because the State departments of education get their administrative money through the block. I think we will all agree that keeping administrative costs down is an admirable goal. However, in the case of education programs, the problem of limiting administrative money is not so simple.

Many times the money a State department of education uses that is dubbed administrative is actually money that goes to provide direct services and training for school districts. Let me give you a few concrete examples:

A small school without a full-time librarian has a little bit of money available to improve its library. However, this school has no one available to advise them on how to get the best value for their library-book dollars. The school cannot possibly hire someone to act as a consultant because they would not have any money left over to buy the actual books. The State department of education, however, can use their so-called administrative funds to provide this type of short-term technical assistance and thus help the school use their money wisely.

Another example. A school district finds that its teachers are having difficulties with students' reading skills. The district feels its teachers need some special help with teaching techniques, but does not have enough money in the budget to hire a reading specialist to train its teachers. Here again, the State department of education can provide this in-house training through personnel paid with administrative money.

Mr. President, this type of training service and technical assistance is very much within the legitimate function of the State department of education. I do not believe we are talking about educational frills. We are talking about basic services that school districts must have to serve their students.

With the institution of the 80-percent,

passthrough requirement and the budget cuts, State departments of education are now expected to perform all these functions with a great deal less money. The Chief State School Officer of Arkansas, Don Roberts, has said that his department now has $5, when it used to have $9.

I hope I am wrong, but I think that the effect on our schools is going to be devastating. Because of the failure of Congress to act on checking the growth of entitlement programs, we have no choice but to make cuts in other areas—the result of which is clear in the problem I just pointed out in the education block grant.

During consideration of the Labor, HHS, Education appropriations bill I inserted report language that will at least insure that hearings be held on what effect the budget cuts and the 80-percent, passthrough requirement have had on the services that State departments of education provide to schools. The report language also states that the Appropriations Committee will consider the possibility of a supplemental next year.

Mr. President, I ask unanimous consent that the text of the report language be inserted in the RECORD at this point in my remarks. In addition, I would also request that a letter I received from the Idaho State Superintendent of Public Instruction, Jerry Evans, outlining the problems his department is facing, also be inserted in the RECORD at this time.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TEXT OF THE REPORT LANGUAGE

Because the Committee wanted to ensure that the maximum amount of federal money is used directly for the benefit of students, it sought to limit the amount that could be absorbed by administrative costs. It is the intention of the Committee to review this formula once this bill has gone into effect to see if it is the proper way to achieve this objective. Some educators have pointed out that greater cost-effectiveness can be achieved through more flexible standards which recognize State Departments of Education sometimes use administrative money to provide school districts with services and training that the districts would not be able to provide through their own budgets. The Committee intends to hold hearings on this matter and consider the possibility of a supplemental appropriation in 1982.

STATE OF IDAHO,
Boise, October 26, 1981.

Senator JAMES MCCLURE,
Dirksen Building,
Washington, D.C.

DEAR SENATOR MCCLURE: Rumors have been reaching me that it is projected that there will be a further cut of $130 million for the Education Block Grant below the $490 million previously set by the Senate.

If everything else stays in place, i.e. 6% to the Secretary, 1% for the Trust Territories and .5% as a minimum for any state with 80% to flow through to the LEA's, the impact on our State Department will be even more drastic than I advised you before.

Currently in FY '82 we have budgeted $851,600 for state agency use from the programs included in the Block. If we compare a FY '83 appropriation of $360 million to our current budget, the impact next year will be as follows:

Senate recommendation	$360,000,000
Idaho local school districts	1,339,200
Idaho State Department of Education	334,800
Fiscal year 1982 budget	851,600
Fiscal year 1983 available	334,800
Shortfall fiscal year 1983	516,800

If this further cut is made, I would hope that there would be some change or flexibility in the 80–20 allocation to state and local agencies. Any consideration you can give this will surely be appreciated.

Sincerely,

JERRY L. EVANS,
State Superintendent of Public Instruction.

Mr. MCCLURE. Mr. President, if Congress thinks it can ignore the growth of entitlement programs and try to balance the budget by cutting back further on such a small percentage of total expenditures, like the education block grant, then we are just not living in the real world. You do not have to be an economist to figure out that the 1983 and 1984 budgets will not be balanced when half of the budget is growing at an unbelievable 16 percent a year. In order to balance the budget, we have got to deal with the large portion, the one that is still growing.

I think it is absolutely necessary that the American public recognize what is happening in the growth of those other programs. I cannot believe that the people will support bankruptcy of their country in terms of short-range benefits for themselves. If there was any message in that election last year, it was that the American people said, "I want the national good served, rather than my special interest." I think that was a fundamental change from the attitudes of the past, and I think that is the reason why we should not lose courage and I have not. I think we can do what is necessary to do, and I hope we will.

We can put together a package that is demonstrably fair to all sectors of our society, that will still do what is necessary for economic revitalization in this country. The tax bill was important to reverse the trends that had been established. It was important for us to begin to say to people, "Consume less than you produce, produce more than you consume, save a little, invest a little, defer your consumption to a later date." That was inherent in the tax bill. But at the same time, we have to control expenditures. I believe that it is possible to put together a package that would delay the tax cut by 3 months, delay the increases in all these entitlement programs by 3 months, increase some of the excise taxes, cut $2 or $3 billion out of the size of the military program and reduce 1982 expenditures on the order of $16 to $25 billion a year. These do not require massive changes. And we might then relax and say we have got the job done. We would not.

That would still leave an $80 billion deficit in 1984. So I think it is important to look again at that area that is still 50 percent of the budget, growing at 16 percent a year, that has not yet been addressed. I do not believe you can cut benefits to the elderly, if you do not at the same time cut other things. I do not believe people have to fear they are going to lose something. We are not talking about cutting future benefits—we are talking about cutting the rate at which they grow, or limiting the rate at which they grow. I think we can put that together if we can only demonstrate to them that they are not bearing the entire burden by themselves, that their contribution to the future well-being of this country is worth it, will work, and that it is being shared by the other people in our society equally.

I think we can do that.

ORDER OF PROCEDURE

Mr. BAKER. Mr. President, I ask unanimous consent that the order to resume consideration of H.R. 4995 at this time be deferred for 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE EXECUTIVE CALENDAR

Mr. BAKER. Mr. President, I wish to inquire of the minority leader if he is in a position to consider items on the Executive Calendar beginning with the judiciary on page 2 and continuing through page 3, all of the nominations on those two pages.

Mr. ROBERT C. BYRD. Those nominations have been cleared on this side.

Mr. BAKER. I thank the minority leader.

EXECUTIVE SESSION

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate now go into executive session for the purpose of considering the nominations just identified.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I ask unanimous consent that the nominations be considered and confirmed en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Without objection, the nominations are confirmed.

The nominations considered and confirmed en bloc are as follows:

THE JUDICIARY

Edward R. Becker, of Pennsylvania, to be U.S. circuit judge for the 3d circuit.

Jackson L. Kiser, of Virginia, to be U.S. district judge for the western district of Virginia.

Robert G. Doumar, of Virginia, to be U.S. district judge for the eastern district of Virginia.

DEPARTMENT OF JUSTICE

Brent D. Ward, of Utah, to be U.S. attorney for the district of Utah for the term of 4 years.

Joseph P. Stadtmueller, of Wisconsin, to be U.S. attorney for the eastern district of Wisconsin for the term of 4 years.

Donald B. Ayer, of California, to be U.S attorney for the eastern district of California for the term of 4 years.

Louis G. DeFalaise, of Kentucky, to be U.S. attorney for the eastern district of Kentucky for the term of 4 years.

William S. Vaughn, of Missouri, to be U.S. Marshal for the eastern district of Missouri for the term of 4 years.

Howard V. Adair, of Alabama, to be U.S. Marshal for the southern district of Alabama for the term of 4 years.

James L. Meyers, of Louisiana, to be U.S. Marshall for the middle district of Louisiana for the term of 4 years.

Paul R. Nolan, of Washington, to be U.S. Marshal for the eastern district of Washington for the term of 4 years.

Harry Connolly, of Oklahoma, to be U.S. Marshal for the northern district of Oklahoma for the term of 4 years.

(NEW REPORTS)

ALASKA LAND USE COUNCIL

Vernon R. Wiggins, of Alaska, to be Federal Cochairman of the Alaska Land Use Council.

DEPARTMENT OF THE INTERIOR

Pedro A. Sanjuan, of the District of Columbia, to be an Assistant Secretary of the Interior.

Janet J. McCoy, of Oregon, to be High Commissioner of the Trust Territory of the Pacific Islands.

THE JUDICIARY

Jules G. Körner III, of Maryland, to be a judge of the U.S. Tax Court for a term expiring 15 years after he takes office.

Perry Shields, of Tennessee, to be a judge of the U.S. Tax Court for a term expiring 15 years after he takes office.

Meade Whitaker, of Michigan, to be a judge of the U.S. Tax Court for a term expiring 15 years after he takes office.

STATEMENT ON THE CONFIRMATION OF JACKSON L. KISER, OF VIRGINIA, TO BE U.S. DISTRICT JUDGE FOR THE WESTERN DISTRICT OF VIRGINIA; AND ROBERT G. DOUMAR, OF VIRGINIA, TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA

● Mr. WARNER. Mr. President, I rise today in support of the confirmation of Robert G. Doumar and Jackson L. Kiser—President Reagan's nominees to be U.S. district judges in the Eastern and Western Districts of Virginia, respectively.

The responsibility of the Senate, in its role to "advise and consent" on Federal judgeships is very important. Federal judges must make decisions affecting life, liberty, the pursuit of happiness, and the right of property—real and personal.

Those who don the judicial robe, never an imperial robe, must always be conscious of the common, everyday humanity and dignity which binds us equally together.

A judge should have acquired a background which enables an understanding of life's broadest experiences with people, particularly those in lesser economic circumstances.

A judge must also be a person of the highest order of intelligence, capable of interpreting the law, analyzing the issues, and making finding of fact. It demands integrity unquestioned and honesty unsullied.

Mr. President, in my judgment the single most important criterion of a Federal judge is that he or she have the personal commitment to dispense equal justice under the law for all. I believe both Mr. Doumar and Mr. Kiser have demonstrated unwaivering commitment and dedication over the years to this principle, and reflect in every way the exacting standards I have described.

In the case of Mr. Doumar, I have observed personally his adherence to those standards and his application of those principles over the years.

On the other hand, I must say, when I began my interviews with candidates and consultations seeking the recommendations of Virginians, I had never met Mr. Kiser. Early in my travels, his outstanding reputation before the bar was brought to my attention by way of recommendations from persons in my State. These recommendations were subsequently strongly reinforced by judges and attorneys throughout Virginia. I then interviewed Mr. Kiser and I determined that he, indeed, was among the best qualified and deserving of the President's nomination.

Mr. President, it is a special honor for me to urge my colleagues to confirm these two men. They are eminently qualified and they meet the high standards Virginians, indeed all Americans, expect of their Federal judges.●

NOMINATIONS OF MEADE WHITAKER, JULES G. KORNER, III, AND PERRY SHIELDS TO BE JUDGES OF THE UNITED STATES TAX COURT

Mr. DOLE. Mr. President, I urge the confirmation of Meade Whitaker, Jules G. Korner, III, and Perry Shields as judges of the U.S. Tax Court.

FAVORABLE COMMITTEE ACTION

On December 2, the Committee on Finance held a hearing regarding Messrs. Whitaker, Korner, and Shields, and found them to be eminently qualified to become judges of the U.S. Tax Court. The nominees each have a broad range of experience in the field of Federal taxation. Their experience and judgment, as well as their legal knowledge, would be of great value to the Tax Court in the performance of its important responsibilities.

Our committee then voted unanimously to recommend that the Senate confirm their nominations.

MR. WHITAKER'S BACKGROUND

Meade Whitaker, of Michigan, most recently Federal taxes director for the Ford Motor Co., has had a distinguished career of Government service, including serving as chief counsel for the Internal Revenue Service and tax legislative counsel for the Treasury Department. Mr. Whitaker graduated first in his law school class at the University of Virginia. We anticipate that he will bring a combination of high intellectual ability, as well as extensive high level Government experience, to the performance of his duties on the bench.

MR. KORNER'S BACKGROUND

Jules G. Korner, III, of the District of Columbia, has had a long and varied career in the private practice of law, including distinguished service to the District of Columbia Bar Association. He has published extensively in the field of taxation, and was Adjunct Professor of Law at Georgetown University, here in the District, from 1963 to 1968. We expect that Mr. Korner will grace the Tax Court with a high level of knowledge and judgment regarding the business and financial community, indispensible assets in the performance of the Tax Court's leading role in establishing judicial precedent in the tax area.

MR. SHIELDS' BACKGROUND

Perry Shields, of Knoxville, Tenn., has had extensive experience in the administration of the revenue laws from both sides of the fence. Mr. Shields served in a variety of positions with the Internal Revenue Service in the Southeastern United States. He has also enjoyed in recent years an unusually extensive tax practice representing private clients before the IRS and the Federal courts. He also served as chairman of the taxation section of the Tennessee Bar Association. In addition to being an excellent candidate for the bench, we anticipate that Mr. Shields will bring his varied experiences to bear on the Tax Court's efforts to devise better and more efficient means of dealing with its growing caseload.

REPORT ON INVESTIGATIONS

The Committee on Finance has reviewed each nominee's financial disclosure forms and the materials they filed with the Judicial Ethics Committee of the Judicial Conference. Moreover, the nominees have each discussed the possible existence of conflicts of interest with the committee's chief counsel. The committee is confident that there are no problems in these areas.

I highly recommend to you Mr. Whitaker, Mr. Korner, and Mr. Shields, and I urge you to vote to approve their nominations.

STATEMENT ON THE CONFIRMATION OF HOWARD V. ADAIR, OF ALABAMA, TO BE A U.S. MARSHAL FOR THE SOUTHERN DISTRICT OF ALABAMA

● Mr. HEFLIN. Mr. President, it gives me great pleasure today to wholeheartedly support the nomination of Howard Van Voorhis Adair, known to his friends as "Luckie," to be U.S. marshal for the Southern District of Alabama. I wish to congratulate President Reagan on the excellence of this nomination, for I am absolutely certain that Mr. Adair will be a true credit to the U.S. Marshals Service.

I believe it proper that in dealing with the many nominations which come before this body, we occasionally step back to examine the positions which we are filling. Let us take that opportunity for reflection with the U.S. Marshals Service.

The scope and detail of duties and responsibilities given U.S. marshals have dramatically increased since the first 13 U.S. marshals were appointed by President George Washington in 1789. Today, almost 200 years later, the responsibilities of the 94 marshals, representing the 94 judicial districts, reflect all aspects of the complex society they serve.

Under the authority delegated them by Congress, U.S. marshals protect witnesses to organized crime who jeopardize their lives and families with their testimony. Marshals provide physical security for U.S. courtrooms and personal protection for Federal judges, jurors, and attorneys. Besides serving as officers of the courts, marshals perform a wide range of Federal law enforcement functions for the Attorney General.

U.S. marshals have continued to exercise their traditional duty of executing all civil and criminal process emanating from the Federal courts, as well as maintaining custody of prisoners and evidence pursuant to Federal statutes.

As we all know, the job of U.S. marshal is a difficult and complex one. It is because of that very fact that I am so certain that Howard Adair will be an excel-

lent U.S. marshal, for he has always excelled at difficult things. I have been personally acquainted with Mr. Adair for some period of time, and have long been an admirer of his dedication to our country and the ideals which it holds. The position of U.S. marshal is only one more way of evidencing this.

After active duty in World War II, Mr. Adair went to work for south central Bell Telephone Co. in Mobile, Ala., beginning an association with them which would last 32 years, until he retired as a supervisory foreman. That career was interrupted by military service again in the 1960's, an even today he serves as a sergeant major in the Alabama National Guard.

Mr. Adair is a member of the Mobile Housing Board and the Veterans of Foreign Wars. In the past, he has belonged to Downtown Mobile Unlimited and the Communications Workers of America, as well as serving as Mobile jury commissioner.

The position of U.S. Marshal for the Southern District of Alabama is headquartered in Mobile. Many of the unique aspects of this geographic areas stem from the presence of one of the major port areas of our Nation. It is an area Howard "Luckie" Adair is well acquainted with, as a life-long resident.

Based upon my personal observations, I believe the nominee is a great American. I am confident that he will serve with great distinction as one of the best U.S. Marshals that Alabama has ever had, and provide proof of the wisdom of President Reagan's nomination. It is with a great deal of pleasure that I recommend and wholeheartedly support the nomination of Howard Van Voorhis Adair for this most important position.

Thank you, Mr. President.●

STATEMENT ON THE CONFIRMATIONS OF PEDRO A. SANJUAN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR; JANET J. M'COY, OF OREGON, TO BE HIGH COMMISSIONER OF THE TRUST TERRITORY OF THE PACIFIC ISLANDS; AND VERNON R. WIGGINS, OF ALASKA, TO BE FEDERAL COCHAIRMAN OF THE ALASKA LAND USE COUNCIL

● Mr. McCLURE. Mr. President, I rise in support of the nominations of Pedro A. Sanjuan to be Assistant Secretary of the Interior for Territorial and International Affairs, Janet J. McCoy to the High Commissioner of the Trust Territory of the Pacific Islands, and Vernon R. Wiggins to be the Federal Cochairman of the Alaska Land Use Council.

The Assistant Secretary of the Interior for Territorial and International Affairs has responsibility for administering the laws and departmental functions related to the United States' insular areas. He must also coordinate other international activities of the Department of the Interior.

I am particularly pleased to bring this nomination before the Senate today. If, as I fully expect, Mr. Sanjuan is approved, it will be the first time this office has been occupied by a confirmed Presidential appointee. I believe this will significantly enhance the Department's responsiveness to the issues and needs of the territories. Mr. Sanjuan's background encompasses a broad range of experience in the international community in both the public and private sectors. This has given him the general knowledge, skills, and sensitivity needed for this position.

Janet J. McCoy, who has been nominated for High Commissioner of the Trust Territory of the Pacific Islands will have responsibility for the orderly administration of this area, and during the transition from the trusteeship, to assist the local governments in establishing self-government. Mrs. McCoy's background includes administrative experience in State government, private consulting in press and media relations, work in broadcasting, and extensive international travel. Her broad experience in these areas provides her with a broad cultural perspective and the ability to fulfill with sensitivity her duties as High Commissioner.

Mr. Vernon Wiggins has been nominated to be Federal Cochairman of the Alaska Land Use Council. The council was established by the Alaska National Interest Lands Conservation Act. The Federal cochairman has the responsibility under the act to cochair a council of members of all of the land-managing agencies of the Federal Government, along with the Alaska State Departments of Natural Resources, Fish and Game, Environmental Conservation and Transportation, and representatives of the Alaska Native community, who advise the Secretary of the Interior and the Secretary of Agriculture and others with respect to land and resource use decisions in Alaska. Mr. Wiggins has lived in Alaska for the past 14 years and has been involved in land and resource planning throughout his professional career.

Each of the three nominees has submitted an informational form to the Committee on Energy and Natural Resources, answered all questions asked of them by members, and otherwise met all requirements under Senate and committee rules. On Thursday, November 19, 1981, the committee held hearings on these nominations which included testimony from public witnesses. On December 2, 1981, the Committee on Energy and Natural Resources unanimously reported favorably each of the nominations on a vote of 20 yeas and 0 nays. Mr. President, I know of no opposition to these nominations and urge the Senate to confirm them unanimously.●

Mr. BAKER. Mr. President, I move to reconsider the vote by which the nominations were confirmed.

Mr. ROBERT C. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BAKER. Mr. President, I ask that the President of the United States be immediately notified that the Senate has given its consent to these nominees.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1982

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 4995, which will be stated by title.

The legislative clerk read as follows:

A bill (H.R. 4995) making appropriations for the Department of Defense for the fiscal year 1982, and for other purposes.

The Senate resumed consideration of the bill.

The PRESIDING OFFICER. Under the previous order, the Senator from Arkansas (Mr. PRYOR) is recognized to offer an amendment on which there will be 1 hour of debate equally divided.

UP AMENDMENT NO. 736

(Purpose: To delete all funds for any interim program of silo hardening for the basing or deployment of the MX missile)

Mr. PRYOR. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Arkansas (Mr. PRYOR) proposes an unprinted amendment numbered 736.

On page 28, line 18 strike out "9,076,906,000" and all thereafter through line 19 and insert in lieu thereof "$8,722,906,000 to remain available for obligation until September 30, 1983: *Provided*, that none of such funds may be used for any interim program for the basing or deployment of the MX missile".

(The names of the following Senators were added as cosponsors of the amendment: Mr. HATFIELD, Mr. LEVIN, Mr. EAGLETON, Mr. DIXON, Mr. HART, and Mr. GLENN.)

Mr. PRYOR. Mr. President, I am going to make a very short opening statement. We had a discussion on this whole matter of the MX basing system last evening during the discussion of the Cohen-Nunn amendment, which was agreed to by this body. I would like to say that my amendment is cosponsored by several of my colleagues and would replace the language adopted last evening.

Mr. President, inasmuch as my amendment would replace the language adopted yesterday, let me take a few moments to comment on the Senate's action last evening in adopting the Cohen-Nunn amendment which I did support in its final language.

That particular language accomplishes some of the objectives that I support, along with my colleagues and cosponsors. and I am pleased that it was adopted because I do think that the Cohen-Nunn amendment moves us at least a step away from hardening fixed-base silos as the method of deployment of the MX missile.

It rejects, in principle, this last minute, half-baked idea of hardening silos that the military experts had already rejected.

Second, it tells the administration to quit stalling on a decision and to get a decision to the Congress July 1, 1983, not sometime in 1984 or 1985.

Finally, it says, in principle, that we should quit thinking about interim basing programs and concentrate our efforts toward permanent basing.

It is, Mr. President, nothing short of a repudiation of the whole Weinberger-Reagan nondecision on MX.

I think the Senate should be commended for sending what I consider to be a very strong message to the White House and to the Department of Defense on this very, very critical issue, and I think the Senate should be commended for saying to the administration that we are tired of hearing about what you will not do and that we want you to say what you propose to do.

Having said that about yesterday's actions, let me say that it was, in my opinion, not enough, and the taxpayers are still left to "twist slowly, slowly in the wind" as we stumble along attempting to make this decision.

I do not think we ought to fund to the tune of $354 million any interim basing mode. We should not pay another cent for basing until a permanent basing mode is proposed, until we find a consensus expressed not only in the Congress but also in conjunction with the Department of Defense.

I also think the Cohen-Nunn amendment, in effect, established a new program for interim basing with soft silos rather than hard ones, if we read the language carefully. While that saves the cost of hardening, we still have several billion dollars in deployment costs and an even more vulnerable situation. It adopts a soft silo system that we have heard criticized for years and years.

Finally, Mr. President, the program that we are embarking upon is a program with unknown costs. Most importantly, it is one more in a series of ad hoc, 1-year decisions very similar to a continuing resolution, postponing the final decision. There is no real long-term planning and there has been no real discussion of a program for which the taxpavers are going to pay $354 million for additional studies.

I think, Mr. President, that we ought to be very honest with ourselves as to what we are doing by the adoption of the Cohen-Nunn amendment and not going further.

We are simply in the position of adding another $354 million in studies to a program that has already been researched and studied in the past 13 or 14 years to the tune of $4 billion.

I do not know what else there could be to study.

I would only say, and submit respectfully, Mr. President, that we should go further by taking the entire $354 million out of this budget. If we can reach a consensus, if we can find the answers that we are all seeking, then it might be possible and prudent to come back in the spring with a supplemental program to fund a permanent basing system for the MX missile program.

Mr. President, I shall have, possibly, further comments during the course of the next hour. At this time, I wish to recognize one of the very distinguished cosponsors of this amendment, an authority in this field, the Senator from Oregon (Mr. HATFIELD).

Mr. HATFIELD. Mr. President, I am grateful to the Senator from Arkansas for yielding.

May I inquire, Mr. President, what the time situation is? Do we have a time agreement on this amendment?

The PRESIDENT OFFICER. There is a time agreement of 1 hour equally divided. To the proponents of the amendment, 23 minutes, 26 seconds remain.

Mr. HATFIELD. How many minutes would the Senator like me to use?

Mr. PRYOR. Would the Senator like 7 or 8 minutes? Whatever he would like.

Mr. HATFIELD. Eight minutes.

Mr. PRYOR. Mr. President, I yield 8 minutes to the Senator.

Mr. HATFIELD. Mr. President, I am pleased to join my distinguished colleague, the Senator from Arkansas (Mr. PRYOR) in offering an amendment cutting $354 million which has been budgeted by the Air Force for the hardening and upgrading of Titan and Minuteman missile silos. This $354 million is the initial amount in preparation to deploy a portion or all of 100 MX missiles in these silos in the mid-1980's.

This proposal will be enormously costly. It will amount to no more than a marginal interim solution—if that. Strategic scientists are virtually unanimous in their agreement that this upgrading and hardening of silos will not make the MX missiles inside them invulnerable. In fact, it may result in the most dangerous of all strategic occurrences—a highly lethal missile would be put in a highly vulnerable basing system. This development could effectively invite the Soviet Union to attack the United States in times of crisis.

I am deeply concerned, Mr. President, that the Committee on Appropriations would agree to fund this concept without sufficient hearings. As a result of this, we have only vague estimates—and no firm numbers—on how much this interim basing solution will ultimately cost. Estimates can range from between $5 and $20 billion or even higher. Furthermore, this money is only a downpayment on the ultimate basing choice for the MX missile. These costs could easily push $100 billion before the entire system is built.

COSTS

Mr. President, let me first discuss costs.

The long-term costs of basing an unknown number of MX missiles in hardened Titan and Minuteman missile sites are uncertain. Exact information from the Air Force has been unavailable until very recently, much too late for effective analyses and hearings to be held on the subject. I have received only recently the updated, suggestive costs on the entire MX outlay for fiscal year 1982, which amounts to $1.959 billion.

According to the Library of Congress, the total cost of the interim basing solution depends exclusively on how many missiles are deployed in hardened and upgraded silos, and where they are deployed. The cost of upgrading and hardening 18 Titan silos, up to 5,000 pounds per square inch (psi) is estimated at $6.2 billion, according to the Library. The cost of upgrading 36 Titan silos would reach $7.8 billion. The cost of upgrading 40 Minuteman silos would be $5.6 billion.

I want to stress to my colleagues that these figures in no way reflect the true cost that this interim and possibly vulnerable basing choice will incur. We do not know how many missiles the administration wants to deploy. This figure will, in all probability, depend on the effectiveness of the long-term basing options which are also being studied by the Air Force and the Army. It is conceivable that more than a majority of the 100 MX missiles proposed to be deployed will require silo basing. If the MX missiles are deployed in a combination of Minuteman and Titan silos, costs could easily reach $15 to $20 billion in fiscal year 1982. This figure could grow even more ominous if we included inflation and the seemingly inevitable cost overruns that occur in a program of this size.

Mr. President, even this does not begin to reflect the truly staggering cost of the entire MX missile concept. We must first remind my colleagues that the Air Force proposed to build some 226 MX missiles at a cost of some $13.8 billion. This does not include the additional costs of building over 1,000 nuclear warheads to place atop these missiles. This missile will be a formidable strategic weapon—the most accurate and most efficiently lethal system of its kind ever built.

Mr. President, the figures I have just quoted destroy hopes of a balanced budget. In an era when we are trying to substantially reduce programs which have huge budget impacts in the years 1983, 1984, and beyond, we are blindly adopting a MX missile concept whose costs at this point in time are quite literally open-ended. In no other part of the Federal budget are we, in this year of fiscal austerity, tolerating this kind of gross irresponsibility. Yet we seem so anxious to embrace any proposal offered by the administration without benefit of critical analysis in the military field.

The silo-basing concept which this amendment strictly and solely addresses is an interim solution. It is the precursor of three long-term solutions which the President wants studied. These three solutions include ultimately basing the MX missile in mountain ranges, surrounding missile fields with a ballistic missile defense (BMD) system, or putting the MX missiles on a very large number of aircraft called the Continuous Air Patrol (CAP) option. No one knows with any certainty what these long-term solutions would cost. The President has directed that one must be chosen by 1984.

Estimates on the CAP concept have ranged from $30 to $100 billion. This staggering amount of money, similar to the cost which would have been incurred had the Congress gone along with the proposed Multiple Protective Shelter (MPS) system proposed by President Carter, is an open invitation to long-term fiscal bankruptcy. The cost of the deep-mountain basing could be similarly enormous. The cost of ballistic missile defense

systems around Titan and Minuteman missile fields is also unknown, but would easily stretch into the tens of billions of dollars.

Ballistic missile defense configuration that would have to occur should the President succeed in both deploying MX missiles in Titan and Minuteman fields, the United States would, without any question, have to abrogate the ABM Treaty which has been negotiated with the Soviet Union. This would open the door for a far more complex and costly ABM arms race on land and in space into the 1990's and beyond.

Mr. President, there has been a great deal of back-slapping in the committee because this defense bill supposedly presents an honest picture of defense costs to the American people. In fact, this bill does not begin to address the open-ended and long-term costs which are being incurred this year. If all aspects of the MX missile concept, including the missile costs, interim basing costs, and long-term basing options, are added together, the MX missile system will exceed $75 to $100 billion before it is completed.

Why, in the full flush of fiscal honesty which has beset the committee on defense, has no one gone out of their way to discuss these numbers? Any fiscal conservative who tells me that we can afford a $75 to $100 billion MX missile system, a full-scale Trident submarine program, a B–1B and Stealth Bomber, and still remotely hope to bring Federal spending under control is, in my humble opinion, a heretic from fiscal conservatism.

This nation simply cannot afford both an interim and long-term MX solution. I am not about to stand before the Senate and delude the American people into believing that it can.

The $354 million cut that I propose in this amendment is simply an effort to bring a small amount of fiscal sanity and honesty to this particular strategic option.

VULNERABILITY

Mr. President, the projected costs of the MX missile and its deployment are already formidable enough. They raise the most serious questions about whether a nation entering a deepening recession, with budget deficits projected to increase dramatically, can afford this kind of strategic extravagance. The cost problems would still be serious, even if the strategic concept behind the basing of MX missiles in Titan and Minuteman silos made sense.

Since President Reagan announced the proposal to deploy a number of MX's in super-hardened silos, Washington seems to have been inundated by present and former defense officials, strategic scientists, and others who have nearly unanimously indicated that Soviet missiles will be able to destroy even hardened and upgraded silos by the mid-1980's. The list of the individuals testifying against this concept is impressive, as impressive as the negative assessments they make about it.

On October 5, in testimony before the Senate Armed Services Committee, Secretary Weinberger indicated that the super-hardening and upgrading of Titan and Minuteman silos would not be a solution to the question of ICBM vulnerability beyond 1987.

In that same hearing, General Jones, Chairman of the Joint Chiefs of Staff, said, "In my own view, I consider the MX in a very survival mode to be extremely important to the security of the Nation. I remain to be convinced that there is a survivable mode other than MPS." Jones added that if forced to choose, for budget reasons, between the B–1 bomber, the advanced technology Stealth bomber, and the MX, "I would put MX last under the current program slice."

On October 29, 1981, Gen. Lou Allen, Jr., Air Force Chief of Staff, indicated a similar lack of enthusiasm over the new MX concept. He said, "Whereas last year I testified to this committee that I believe the MX to the survivable basing mode was the No. 1 priority of the Air Force. This year I must say that the B–1 program, the bomber program is the No. 1 priority. That emphasis has shifted in my mind."

Lt. Gen. Kelly Burke, Deputy Chief of Staff for Research, Development and Acquisition also was asked whether he thought hardening missile silos would make any difference given warhead accuracy. He was asked by Senator CANNON: "I have in mind what former Secretary Brown said when he said it does not help a lot to have a 5,000 psi silo in the middle of a crater. Do you agree with that statement?"

The response from General Burke was: "Yes, sir."

Mr. President, this is the testimony from existing Defense Department officials. They form an impressive refutation of their own President's proposed plan.

Even more serious challenges were made in testimony by Mr. William J. Perry, Undersecretary of Defense for Research and Engineering in the Carter administration, on November 15 of this year. As my colleagues are aware, Dr. Perry was the scientist most responsible for strategic basing options and for MX deployment. His testimony was given before the Subcommittee on Strategic and Theater Nuclear Forces of the Senate Armed Services Committee. Let me quote from this rather remarkable testimony:

> The technical issue of whether (our silos) can be made harder, 3,000, 5,000, or 10,000 psi, is an interesting technical issue, but it is irrelevant. The Soviets now have the capability where they can deliver the missiles with sufficient yield and sufficient accuracy so that the silo will be encompassed within the crater of the fireball, in which case hardness is quite irrelevant . . .
>
> My recommendation to the Congress is simple, which is that you reject that proposal.

Mr. President, Dr. Perry is a highly respected scientist. Having a first-hand assessment of Soviet capabilities during the Carter administration, he knows full well that the Soviets have a significant number of single-warhead SS–18 missiles. These warheads are enormous, ranging in size from 20 to 24 megatons. The crater left by a blast from a warhead this size would measure approximately 1 mile across and probably hundreds of feet deep. It would obliterate hardened silos. Even if we could double the proposed strength to 10,000 pounds per square inch, the silo itself would disappear in a nuclear fireball. Putting, then, an expensive and highly lethal MX missile in such an unsurvivable basing mode raises a deeper and much more serious question, which was spoken to directly by Dr. Perry in the same testimony.

Dr. Perry was asked whether it made any sense to proceed with the deployment of the MX if we did not have an invulnerable system of some type. His response was:

> I agonized over that and said on balance I would not go ahead with that because I do not believe we will come up with a survivable basing mode that is acceptable . . .
>
> Since I am pessimistic that we will get a basing mode that is both survivable and acceptable, I am opposed to putting a weapon (the MX) that lethal in an unsurvivable mode, for reasons I have described in terms of hair-triggering the (nuclear) alert.
>
> I would instead pour my resources into other directions.

Mr. President, a deep and troubling question has remained both unasked and unanswered in the Senate Appropriations Committee's consideration of this issue. It is a question that has rightfully been raised by members of the Senate Armed Services Committee, it was raised by Dr. Perry in his testimony, and is raised by me today. If the United States insists on placing the most lethal missile it has ever produced in a costly and vulnerable basing mode such as that proposed by President Reagan, does it not invite the Soviets to attack those missiles in times of crisis? The answer, according to Dr. Perry, is "yes."

If the Soviets can destroy the silos containing the MX missile with a single warhead atop the SS–18 missile, it can convince itself that such an attack on the MX missile complex would result in enormous strategic rewards. By expending a single warhead, the Soviets can destroy the 10 to 12 warheads planned for deployment on a single MX missile.

This 10-to-1 exchange ratio, particularly when the target would be a first strike or pre-emptive strike missile such as the MX, will encourage the Soviets to initiate a preemptive strike of their own in order to limit damage to the 75 percent of their missile arsenal which rests in their own silos, vulnerable to U.S. attack. If we are so concerned about the instability caused by threats to our own land-based missiles, why are we deploying a missile like the MX which will make Soviet leaders nervous and prone to launch their forces in time of international crisis?

This is a fundamental danger involved. Both sides are pursuing highly accurate, first-strike weaponry such as the U.S. MX and Trident II missiles, which will place a hair trigger on nuclear war on both sides in times of crisis, or of an accidental alert. I have sought and will continue to seek to neutralize the growth in these first-strike arsenals on both the sides of the Soviet Union and the United States through effective Strategic Arms Limitation Talks. I have encouraged the administration to place a

moratorium amendment at the center of those strategic discussions. I believe strongly that the President should follow his proposed limitation on tactical weapons in Europe with a more comprehensive strategic proposal.

Mr. President, the concept of basing MX missiles in Titan or Minuteman silos has deep and dangerous flaws. It could amount to an interim, $5 to $20 billion expenditure which will then have to be added to the long-term solution to MX basing. The total MX system could cost the American taxpayers $100 billion in the long run, and insure that any effort to balance the Federal budget by 1984 or 1985 would be laughable. Worst yet, this money will be spent on a basing system that virtually every specialist in this field believes will do nothing to solve the vulnerability of our land-based missile force. Finally, in an ultimate and dangerous irony, deployment of the MX missile in such vulernable silos may actually encourage the Soviet Union to strike in times of crisis or accidental alert.

For all these reasons, and for many more that have been mentioned in the debate on this issue, I urge the Senate to adopt this amendment.

Mr. STEVENS and Mr. PERCY addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. STEVENS. Mr. President, I intend to yield time to the Senator from Illinois, but first let me make three short statements.

In the first place, the Subcommittee on Defense Appropriations did hold a hearing on the President's strategic package and this is one of the key items in that package.

Second, we have been committed to the construction of the MX for many years. It was my series of amendments that prevented us from being committed to any deployment mode, but we have a missile ready to go now and ready to come off the production line.

The price of defense, the price of preparedness, is not cheap.

The Senator from Oregon makes a good point about the way in which these weapons systems are all coming to the point of production at the same time, and it is going to be difficult to finance all of them simultaneously and meet our economic goals, but it can be done. It particularly can be done if the Senate will stand behind the President in his determination to show to the Soviets that we are committed to this course if the Soviets are not willing to enter into the START talks and set goals for mutual arms reductions.

The hopes that I am sure the Senator from Oregon has and that the American people have for reducing our arms expenditures rest at the bargaining table. With the advent of the Soviets' SS–18 and SS–19 force, we have no alternative but to proceed as rapidly as possible with the MX. We need an interim deployment mode.

The Cohen-Nunn amendment yesterday did not shut off all the options. It preserved options beyond that of hardening the silos. But to delete all the money at this time, in my opinion, would be to become a defense ostrich and to stick our heads in soft holes in the ground while we are trying to find someplace to put the MX's which will be manufactured.

This does not delete the money for the MX. It deletes the money necessary to devise a way to deploy them until we do have a permanent deployment scheme agreed upon, which, in my opinion, will not be agreed upon until the outcome of the talks. The Senator from Illinois knows this well.

I yield 5 minutes to the Senator from Illinois.

Mr. PERCY. I thank my distinguished colleague. His comments reflect the principal concern I have.

Mr. President, first, we cannot have a credible foreign policy without a strong national defense, and we cannot have that without a strong economy. So first, we put our highest priority on rebuilding the economy, and we all have pledged ourselves to that.

Now we are addressing the second phase, that is, how we can develop a credible defense establishment. So long as you have a credible defense establishment, you have incentive for arms limitation, arms reduction, and arms control.

As the President has said, everything in his October 2 package is on the table. It is negotiable. But you must be in a negotiating position in which we all back and support a program which we will go ahead with if we cannot find a way to limit this irrational arms race that the Senator from Oregon has described so eloquently.

Mr. President, I oppose the amendment offered by the distinguished Senator from Arkansas and support the President's plan to deploy the first MX missiles in hardened silos in existing ICBM fields—an option which I would point out has not been foreclosed by the Senate vote last night on the Cohen-Nunn amendment.

As passed by the Senate, the Cohen-Nunn amendment left intact $20 million for research and development related to the design of reconstructed silos hardened to levels beyond that currently associated with existing Titan and Minuteman launchers. The amendment also provides $334 million for research and development on the design of reconstructed, but not superhardened, silos for the MX. In large measure, the administration's decision not to oppose the Cohen-Nunn amendment reflected their assessment that the President's plan for deploying the MX in reconstructed silos could in fact go forward under the funding levels provided in the bill as modified by the amendment.

I was interested in the way the newspapers this morning portrayed the vote yesterday as a defeat for the administration. The amendment would never have received that overwhelming vote if the administration had opposed this. The administration did not oppose it, because the $20 million in there was what they said they could logically spend, and that is allowed by the measure of last night.

Before any further obituaries are written on the President's fixed-silo MX plan, I would want to emphasize that it has one very important advantage that was largely overlooked in yesterday's debate: It provides a specific course for getting the MX in operation, rather than taking us back to square one in terms of further studies. Mr. President, we have studied and studied this question of how to deploy the MX. I admit that there is a certain attractiveness to calling for new efforts to come up with a theoretically invulnerable MX plan. But we must not forget how many times we have gone down that road before. And in every case in which a specific proposal has been laid on the table, it has been found lacking. We have had the buried trench, the "racetrack," and most recently the so-called linear grid multiple protective shelter system. But in the end, none was deemed acceptable.

Before we junk the President's plan for putting the first MX missiles in existing silos, let us recall that the promise of future solutions has repeatedly proven more illusory than real. The fixed-silo plan is in effect an "insurance policy" that permits us to go forward with the MX now while continuing to study better solutions. Let us not turn this approach on its head.

I want to stress one other advantage of the President's plan: It gives us leverage in the opening rounds of the new START negotiations, scheduled to commence early next year. What kind of bargaining strength will we have if we cancel the fixed-silo plan in return for new studies? Will that approach actually impress the Soviets? I believe not and agree fully with Secretary Haig's statement to the Foreign Relations Committee that Congress support for the MX—and the B–1—will make or break, I repeat, make or break our efforts to negotiate significant arms reductions in START. And, as President Reagan stated on October 2, everything—including the MX—will be on the table in these upcoming negotiations.

I think that statement is very important for the concerns expressed by the distinguished chairman of the Appropriations Committee, Senator HATFIELD.

Mr. President, in recent weeks a controversy of sorts has arisen as to whether the President's plan to deploy the first increment of MX missiles in reconstructed ICBM silos would violate our declared policy of avoiding actions that would undercut existing SALT agreements. Paragraph 4, article IV of the unratified SALT II Treaty provides that in the process of modernizing and replacing ICBM silo launchers, neither party may increase the original internal volume of the silo by more than 32 percent. Preliminary Air Force studies have shown that while an MX missile can be deployed in and launched from existing Titan and Minuteman silos without requiring increases in the silo volume greater than the 32-percent limit, this is not the case if a Minuteman silo is hardened to levels in the range of 5,000 pounds per square inch (p.s.i.) overpressure.

When I first learned that there was a possibility that the President's MX basing proposal might conflict with the

administration's stated policy on strategic arms limitation agreements, I asked Gen. Lew Allen, Air Force Chief of Staff, to advise me whether any such conflict did in fact exist. On Monday, I received General Allen's reply, and I am pleased to inform my colleagues that General Allen's letter confirms that—

None of the programs being undertaken in the Administration's strategic modernization effort includes a commitment to a course of action that would necessitate renegotiation of limitations agreed to in SALT I or SALT II.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PERCY. Mr. President, will the Senator yield me an additional 2 minutes?

Mr. STEVENS. I yield.

Mr. PERCY. Mr. President, I ask unanimous consent that General Allen's letter be printed in full in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PERCY. Mr. President, in his letter, General Allen discusses the question of deploying the MX in hardened Minuteman silos and confirms that to achieve the Air Force's higher hardness objectives, the SALT II limits on volumetric increases would have to be exceeded.

However, General Allen states—and I think this is very important—that there are alternative ways to deploy the MX in existing silos that would be compatible with SALT II and no decision on these alternative basing options need be made for at least the next year. For example, General Allen notes that the MX could be deployed in Titan II silos, which even if hardened to 5,000 pounds per square inch would not require volume increases beyond the 32-percent limit. Alternately, the MX could be deployed in Minuteman silos which are reinforced beyond current hardness levels but short of a psi level that would necessitate internal volume changes beyond the SALT II limit. As General Allen observes:

Should we decide to deploy the MX in reconstructed Minuteman silos, there is no need to rule out the possibility of SALT compatible solutions at this time, albeit at somewhat lower hardness levels, and we will be examining these alternatives in the months ahead.

What is significant in this approach is that no decision on an MX basing configuration that would entail a departure from our voluntary SALT restraint policy need be made before we have begun the new START negotiations early next year. As a result, we can address this decision, as well as other decisions pertaining to the configuration and characteristics of our strategic weaponry, in the context of our experience in these negotiations. Should the first phases of the new START talks indicate that the Soviets are indeed earnest in their declared willingness to negotiate substantial arms reductions, I would fully expect that this administration would avoid any decision on MX basing that would undercut the progress being registered in START.

This could be achieved either by deploying the MX in an explicitly SALT II-compatible mode or by reaching a specific understanding with the Soviet Union that deploying the MX in super-hardened Minuteman silos is an action fully consistent with the spirit and intent of SALT II. I would remind my colleagues that it was clearly the intent of SALT II to sanction the deployment of the MX. The fact that extra hardening—which is after all a stabilizing and nonprovocative step—might, if pursued, create a technical problem of compliance should be regarded more as an issue to be addressed and resolved than as an insurmountable barrier to this deployment option.

Indeed, during our committee hearings on the strategic package, Paul Warnke, who has great experience in dealing with the Soviets on the fine print of SALT agreements, testified that—

If there is any problem with regard to the thirty-two percent limit on the enlargement of silos, I am sure that is the kind of technical adjustment that would cause no problems.

Mr. President, if I may just summarize. First, there has been no decision or commitment by the administration to deploy the MX in a manner that would violate the terms of SALT II. Second, there are a number of SALT-compatible alternatives available. Third, no decision need be made on this question for at least the next year, by which time the START talks will be well underway. And fourth, should the administration eventually decide that it was necessary to deploy the MX in substantially enlarged Minuteman silos, it is not unreasonable to assume that the United States and the Soviet Union could agree that such an action did not undercut the tacit arrangement now being observed by both sides with respect to the spirit and intent of SALT II. Accordingly, I see no conflict whatsoever between the administration's proposal for the MX and its declared policy on SALT restraint and urge rejection of the amendment.

EXHIBIT 1

DEPARTMENT OF THE AIR FORCE,
Washington, D.C., November 27, 1981.

Hon. CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PERCY: I am writing to provide further information regarding the manner in which President Reagan's strategic modernization program is both fully consistent with existing strategic arms limitation agreements including the unratified SALT II accords and strongly supportive of the Administration's commitment to achieve meaningful progress in the reduction of strategic arms.

With regard to the first consideration, none of the programs being undertaken in the Administration's strategic modernization effort includes a commitment to a course of action that would necessitate renegotiation of limitations agreed to in SALT I or SALT II. There are a few cases, as discussed below, where we will have options to proceed in ways that would take us beyond existing limits. In all these cases we also have alternatives that would remain within SALT restraints. In no case have we yet committed ourselves to go beyond SALT limits and we have no need to make such decisions for at least the next year. Thus we can address these choices in the context of our experience in the upcoming Strategic Arms Reduction Talks that are scheduled to begin early next year.

There are three areas, one with regard to the B–1B and two with regard to the M–X, where there are options to exceed the limits contained in the SALT II Treaty. In the bomber case, we have announced our plans to provide the B–1B with both internal and external ALCM carriage. In the Second Agreed Statement to Paragraph 14, Article III of the SALT II Treaty, the U.S. agreed that the B–1 would be equipped with no more than 20 air-launched cruise missiles. Our current design would provide the B–1B with the capacity to carry up to 22 ALCM. For the next several years, however, we will have the option to equip the B–1B with 20 rather than 22 ALCM by simply providing 12 rather than 14 stations for external ALCM carriage and we have no need to make that decision any time soon. Moreover, even were we eventually to choose to equip the B–1B with 22 ALCM we would not violate the SALT II Treaty as written, since the first B–1B equipped for ALCM carriage (number 19 in the production run) is scheduled to come off the production line in August 1986 while the treaty, if ratified without revision, would remain in force only until December 31, 1985.

The two potential SALT problems associated with the M–X program concern the number of reentry vehicles carried by the MX missile and the internal silo dimensions that might be involved should the M–X be destructed for greater hardness. The M–X missile, as you know, was expressly designed to stay within SALT II parameters. Although it has always had the potential to carry up to 12 reentry vehicles, we continue to plan to carry only 10 RVs thus complying with the SALT III limit for "new" ICBMs.

With regard to the silo dimension issue, OSD has not yet reached a decision as to whether the M–X will be deployed in reconstructed Titan or Minuteman silos. Air Force preliminary analyses indicate that to achieve our higher hardness objectives in Minuteman silos, these silos would have to be reconstructed in a manner that would enlarge their internal volume beyond the maximum of 32 percent allowed in Paragraph 4, Article IV of the SALT II Treaty. Should we decide to deploy the MX in the reconstructed Minuteman silos, there is no need to rule out the possibility of SALT compatible solutions at this time, albeit at somewhat lower hardness levels, and we will be examining these alternatives in the months ahead. In any event, no decision need be made on the specific reconstructed silo design for at least a year and construction would not begin before August 1984.

In my view, the President's strategic modernization effort represents a series of essential steps that are needed not only to maintain a credible strategic deterrent and restore an adequate balance but also as the necessary measures to provide an incentive for the Soviets to negotiate seriously toward meaningful, equitable and verifiable strategic arms reductions. None of the elements within this comprehensive effort is currently planned in a manner that would necessitate renegotiation of existing SALT agreements and there will be ample opportunity to address those areas where options for deviation from these limits exist.

Sincerely,

LEW ALLEN, *General, USAF,*
Chief of Staff.

Mr. STEVENS. Mr. President, we are indebted to the Senator from Illinois, the chairman of the Foreign Relations Committee, for his statement.

I want to do one thing before I yield to the Senator from Texas. I want to follow through on what the Senator from Illi-

nois has said. I was most alarmed and surprised to hear this morning that the Cohen-Nunn amendment was a defeat for the administration. That is not true.

I stated on the floor three times yesterday that I had been in contact with the Secretary and with Dr. DeLauer. They were not exactly happy about the turn of events, but they understood them.

We did not oppose that amendment. As a matter of fact, the meeting that led to the final version of that amendment was held in my office. The Senator from Texas and I were involved. The two of us certainly have been identified with presenting the administration's position—the Senator from Texas as chairman of the Armed Services Committee and me in my capacity as chairman of the Defense Appropriations Subcommittee.

Before that amendment came to a vote, it was cleared with the administration. There was no defeat here yesterday for the administration on the Cohen-Nunn amendment. As a matter of fact, it clearly left more money than was anticipated in the first place for exploration and research so far as hardening is concerned—$20 million in long term, $20 million in short term, and the remainder of that money was earmarked for compatible research and development relating to missile deployment. That is consistent with what we had as an objective.

I will yield to the Senator from Texas. I hope he not only will cover that point but also will reaffirm again that the reports that the Cohen-Nunn amendment somehow went against the administration's position is in error. I yield to the Senator from Texas such time as he may wish.

Does the Senator from Mississippi want time this morning, also?

Mr. STENNIS. Yes.

Mr. STEVENS. How much time remains, Mr. President?

The PRESIDING OFFICER. Nineteen minutes and 19 seconds.

Mr. STEVENS. I yield to the Senator from Texas such time as he uses.

Mr. TOWER. Mr. President, the Senator from Arkansas proposes an amendment that should not even be considered here in a debate on the appropriations bill. It is a matter that should be considered in the course of authorizing legislation. Actually what the Senator from Arkansas proposes to do is to delay the deployment of the MX by some 18 months thus opening the window of vulnerability wider.

He would imperil the security of the United States as a consequence of his amendment should it be adopted and he would certainly, as has been pointed out by the distinguished chairman of the Foreign Relations Committee, undermine the negotiating position of the President.

Let me say a brief word about Senator HATFIELD's concern about the cost of defense. We are all concerned about it. I share that concern. But it should be fully understood that we are going to have to make a commitment to spend an uncomfortable amount of money on defense if we ever hope to convince the Soviet Union that we mean business, that we intend to have the means to defend ourselves, to defend our allies, to protect our vital interests abroad, and support our foreign policy objectives before the Soviet Union is going to come to terms with the United States. Underfunding defense now could cost us a great deal more later on. As a matter of fact, we find ourselves in this position because we have underfunded defense over the years.

I am even more impatient than the Senator from Arkansas over the delay in the selection of the MX basing mode because I have been a member of the Armed Services Committee for some 15 years and have worked with strategic programs for that period of time, and I now have the responsibility of chairing the committee that has to make the basic defense policy positions.

Senator PRYOR would preempt the Armed Services Committee and bar us from doing in February or March what we might choose to do. I think it would be folly to adopt an amendment of this kind without it being thoroughly inquired into and given the advantage of some lengthy deliberation when in fact we will probably report out an authorization bill around the 1st of April of next year.

The MX missile is not going to be deployed in the next fiscal year anyway. The missile is not even going to fly on its initial test until January 1983. What the Senator from Arkansas will do would be to impose an unconscionable delay on deployment. In fact by precluding any R. & D. on an interim basing mode, he may be also precluding R. & D. on a permanent basing mode because it is envisioned that anything that we do or a number of options that we may have for an interim basing mode may later be incorporated into a permanent basing mode.

The idea of hardening is not a bad or ridiculous idea. It is unreasonable to think that hardening alone is going to give us survivability, but there is a great deal of military technical and scientific opinion that holds that perhaps the best mix is a deceptive basing and hardened silos protected by a ballistic missile defense system. I would not want to junk the idea of hardening silos altogether, although I would be the first to concede that standing alone hardening is not enough to afford us survivability.

I shall address myself at this point to a matter brought up by both Senator PERCY and Senator STEVENS. The decision made here yesterday was not a defeat for the administration. The administration some days ago accepted as an option the deceptive basing mode, and this was stated very clearly by the Secretary of Defense. Deceptive basing is alive and well and hopefully will be adequately funded in terms of the R. & D. that we do on it. In my view, ultimately the most survivable mode, and I believe that this view is shared by a substantial majority of the experts in these matters, is a deceptive basing mode with a ballistic missile defense system with some elements of the BMD themselves perhaps being deceptively based which holds the best prospect and the best promise for survivable urgent hard target kill capability which is essential if we are going to not only protect the security of the United States but bring the Soviets to terms at the conference table. The amendment of the Senator from Arkansas would impose a perilous delay on our strategic modernization and seriously undermine the negotiating position of the President and, therefore, should be defeated.

Again let me say that what was done here last night is still compatible with the administrations' search for various alternatives to provide us with a survivable urgent hard target kill capability.

Mr. PRYOR. Mr. President, will the distinguished Senator from Texas yield to me for a question?

Mr. TOWER. I am delighted to yield to the Senator for a question on his time.

(Mr. ARMSTRONG assumed the chair.)

Mr. PRYOR. It is my understanding from the Senator's statement that he is saying that the Armed Services Committe—and he is correct I am not a member of that committee—is going to hold authorization hearings and discuss MX basing modes in April. This is precisely and exactly what I am attempting to do through this amendment—to have a full discussion of how we are going to spend $354 million before we write the Defense Department a blank check not knowing what we are doing. This is especially true in light of the fact, I say to my friend from Texas, that on December 1, 1980, the Department of Defense submitted to Congress a report on basing mode options in which there were 31 studies on every conceivable mode of basing the MX missile. What is $354 million going to do to further study the 31 systems that have already been studied to death? They have been beaten to death.

What I am trying to do is to get this money out of this bill so it will not be totally squandered and wasted, and when the Senator alludes to the fact or to the assumption or the allegation that my amendment is going to imperil the defense of this country, I can only say that that is absolutely not true, that is as far from the truth as I can imagine the Senator coming at this point. This amendment of mine simply takes away the $354 million that we are going to waste and squander and it keeps, I must say this once again, $20 million in the bill for permanent basing, and that is exactly the process we should be proceeding upon at this time.

Mr. TOWER. Let me simply say in response, I know it was not the intention of the Senator from Arkansas to imperil the security of the United States. What I said was that is the practical effect of what he proposes to do.

To suggest that this money will be squandered is, I think, somewhat in the nature of a lot of hot rhetoric. I do not expect that it will be squandered, and I think the thrust of the Cohen-Nunn amendment yesterday was to make sure that it was directed in the right way.

Let me say that that simply because we have studied various options, 31 of them the Senator names, and I do not remember the precise number, he may

be correct on that, a lot of them, of course, are cockamamie ideas somebody scrawled on the back of an envelope but, in fact, the fact that we have studied 31 different ways does not mean we have to scrap everything else and select from what we have already studied because time marches on and technology marches on and science marches on, and our intelligence estimates add to our knowledge of what the Soviets are doing to the extent that maybe we should reject all we have considered in the past and proceed toward something new.

So to say we have already studied things, therefore no more study is required, is not compatible with the facts or the times.

Therefore, I would hope that we would have the advantage of the expenditure, hopefully in a fruitful way, of the funds that are appropriated here so that we can better do our work in the authorizing committee. We cannot say "Come in here and give us a design and a cost profile" before we appropriate any money. You have to appropriate the money before you can do the research that produces a design and a cost profile.

Mr. PRYOR. Mr. President, I yield 2 minutes to the distinguished Senator from Colorado, and a cosponsor of the amendment.

Mr. HART. Mr. President, I thank my colleague from Arkansas and my colleagues from Ohio and Illinois.

I strongly support the amendment of the Senator from Arkansas. Because of the very nonsensical situation in which we find ourselves, it is the only sensible approach, it seems to me, that the U.S. Senate can take.

It makes no sense to go into the expenditure of billions of dollars for an ICBM system, put it in a basing mode or deploy it in another situation which is going to make it a more attractive target to our opponents, and also lower the threshold of the possibility of nuclear war. That is exactly what the administration's decision does.

Frankly, I am sympathetic with the administration's quandary. It is very, very difficult to figure out what to do with this new missile. The fact that the administration had to spend the better part of the year trying to solve this—and failed—is the product of the failure of the SALT II Treaty which would have put a cap and a limit on the size of the Soviet threat and the number of Soviet warheads. Without that limit, without that cap, frankly, no MX basing mode makes any sense.

If we are to make the MX missile make any sense, to modernize or make survivable the next generation of ICBM's, we are going to have to define and limit the size of the Soviet threat. and the only way I know how to do this is through negotiated agreements or treaties.

Mr. President, I did not support the so-called Nunn-Cohen amendment last night. I did not do so for one reason, and that is because it opens up an even less acceptable alternative than silo hardening, and that is an ABM system or ballistic missile defense system. That is even greater folly than a hardened silo fixed-site deployment mode for this new generation of mobile missile.

If we went to that system it seems to me, that would be even more dangerous than putting this new attractive missile, the MX, in the present silos, or hardened silos.

So I strongly disagree with the possibility the Senator opened up last night. That option—an ABM system—was rejected by the Senate of the United States a decade or decade and a half ago. Other than that I strongly support the effort being made by the Senator from Arkansas, and I hope the Senate will go along with it.

The PRESIDING OFFICER. Who yields time?

Mr. PRYOR. Mr. President, I yield 8 minutes to the distinguished Senator from Ohio (Mr. GLENN) who is one of the cosponsors of the amendment.

The PRESIDING OFFICER. The Senator is recognized for 8 minutes.

Mr. GLENN. Mr. President, I think in all this MX decision we should drop back and analyze first what is the basic problem. Why do we need an MX? That may sound very simplistic at this point in the argument, but I think the basic reason why I think we need an MX is because the fixed geographic points of our 1,054 missiles out there are vulnerable to a Soviet first-strike.

These are fixed geographic points. If the Soviet planners can target, and with the increased accuracy of Soviet nuclear warheads, our missiles then supposedly become vulnerable to a first-strike knockout.

We would still have our submarine-launched ballistic missiles, of course, to retaliate. But let us say we are going with an MX because we feel we have a first-strike vulnerability. What are we going to do? How are we proposing to fix that fixed point of vulnerability, by going to an even more concentrated, larger MX in the same old silos that the Soviets already have targeted?

If that is the way we fix our original problem, then it just defies any logic that I can possibly dream up. They do not even have to figure out new aim points to knock this thing out. With their new accuracy that was talked about here on the floor yesterday, they can do exactly that.

Our defense planners say they can harden to 5,000 psi. But you talk to them and nobody has the foggiest idea yet as to how we are going to harden to 5,000 psi. That type of hardening has not yet been invented, and there are many engineers who feel it is practically impossible with any present technology we know about.

So we once again find ourselves with the same old Titan silos which have been targeted, now being targeted with a bigger new booster in it, with even more concentrated vulnerability than we have had in the past, and that just does not make sense.

Can the Soviets do this? Do they have the warheads? Certainly they do on the SS-18, a big booster which they are limited to 10 warheads on now. They have 308 of those, and our experts estimate that they can put somewhere between 25 and 40 warheads on each one of those, which comes up to an additional 4,600 or so warheads just if they expand the front-end loading of their present SS-18.

Well, if this is a silly way to go, and I describe it as that silly way to go, trading one geographic point vulnerability for an even more concentrated increased geographic point vulnerability, then what should we do?

I think we need to look at our NATO allies and the Soviets themselves for that answer. Look at what has happened in Europe. Since 1964 they have had the Pershing I's based in West Germany. Why is that an effective missile? Well, it is solid fuel, it has a nuclear warhead, and it is kept in missile parks most of the time. But it is fully transportable. It can be moved on its transporter to any one of a myriad of launch points during exercises or in a combat situation.

It can be launched from any stopping point. It needs no prepared facilities other than those carried along with it. In other words, it has an infinite number of launch points, and it is the thing guaranteed that would give any Soviet targeter nightmares because he cannot know possibly all the spots to target outside of those missile parks.

Our current theater nuclear forces talks getting underway in Geneva are concerned with this next generation now that we are going to send to NATO the Pershing II. They already accept this. They accept the Pershing II. NATO voted it in, and it is a fully transportable, mobile missile capable of going anywhere, and if we need any further corroboration of this, look at the Soviet Union itself in their SS-20's, again solid fuel rocket, nuclear warhead, usually kept in missile centers, but fully transportable, capable of being launched from anywhere. Can we target them? Only if we barrage attack and catch a few of them maybe, but not enough to stop most of them from being fired at Western Europe.

Even more, they have the SS-16 they were developing one time; with the SS-20, with one additional stage, and that mobile missile, the SS-20 with one additional stage, which can be plugged in the field, becomes an ICBM, the SS-16. The Soviets have guaranteed us they are not using that option, and we think their testing program has been terminated.

But over the past 3 years, Mr. President, I have had repeated, repeated, conversations with Pentagon planners on the subject, and not one time has anybody told me that this idea of a mobile system was not the thing that would give us the best guaranteed retaliatory response, and would do the most to prevent consideration of a first-strike by the Soviet. It would come from an ICBM that is not planned for a specific hole, that specific geographic point, but is free to move to anywhere.

Instead of this 200,000-pound giant we are proposing and tying it in a hole, and tying it to hardening. our new MX could be—and this is fully technically feasible—our new MX can be one-third the weight, still have up to three warheads now, and probably more later, and be fully transportable. They agree completely that no such technical reasons

exist that would prevent such a development.

It would be smaller, it can be air shipped, it could be air launched, it could be trucked, barged, put in silos, and used in a variety of ways, all designed to do one thing—keep the Soviet planners and targeters from ever thinking that they really have a "first strike" capability.

Now, why are we not moving in that direction? The Pentagon has one answer—social interface. Two words: social interface. That is the term they use to say that the American people could never be convinced even in an emergency, even if we were under attack, even if our very survival was at stake—which it is in the decisions we are making here—to accept movements of missiles away from remotely located silos someplace. In other words, what we are talking about are weapons to prevent a Soviet first strike, but we would not accept in this country the fact that we could move these missiles away from remote sites, over the hills and out of sight of most Americans. And yet they actually admit what would be given the best of terms, the very best guaranteed response to the Soviets that if the Soviets do miscalculate that we have reaction capability that we can respond with.

By contrast, the Soviets accept mobile missiles, not through any sense of foolhardy risk, because the missiles and warheads in transport are fully safe. We participate and we ask our NATO allies to accept this whole concept and yet, at the same time, we tell our allies that, "Oh, no," we throw up our hands and say, "Americans could not possibly see a missile outside a silo. That would be unbearable. How could Americans ever tolerate anything out in the open that would give us a better deterrent capability?"

I think the whole thing is actually preposterous that we are going with this big system and tying it once again to the vulnerable fixed geographic points which gives us less retaliatory capability.

Now, what do we do right now? Do we have missiles right now outside the silos? Well, I do not know how everyone seems to think we can get these things from the factory to where they are supposed to be launched from. We have nuclear weapons aboard ships. We have nuclear weapons going in and out of ports. Missiles are shipped across country from manufacturer to installation site. Warheads are manufactured, flown or shipped, installed on those missiles, taken off from time to time and transported back to the plant for updating modifications. Bombers stand alert with live nuclear weapons aboard. On any given day, we have these things going all over the country. So we have de facto weapons mobility now.

And yet we talk about we cannot go to a better system and a cheaper system because of the social interface that we ask our allies all over the world to accept. It is preposterous.

And I rise to support the proposal of the Senator from Arkansas. About a year ago, the fixed-base MX was estimated to cost $35 to $50 billion, while the price of the mobile MX was $23 to $28 billion, which gives us better security, and better guaranteed retaliatory response. If I thought it had a chance of passage here, I would put in an amendment to sink the whole thing, and save the $2.2 billion.

I know I have overrun my time. I thank the distinguished Senator from Arkansas for allowing me this time.

Mr. STEVENS. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Alaska has 11 minutes and 8 seconds, and the Senator from Arkansas has 1 minute and 4 seconds.

Mr. STEVENS. I yield 8 minutes to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I thank the Senator. I will try to yield back at least 2 minutes of that time.

Mr. President, to get down to the basics of this thing, where will this amendment take us? It will take us nowhere. Stop the whole thing. Do not move forward here except with an infinitesimal small amount left for that purpose. Put it back where we were 4, 5, or 6 years ago.

Now, all the time during those years that we have been right up to the doorstep, the Senate Armed Services Committee has been open for hearings to anyone that had a plan. I would welcome, as a member, and as a former chairman, I would have welcomed, another plan.

The multiple protection shelter has points about it that are not altogether desirable. But everyone agrees that we need and must have this missile, the MX missile, itself. It is the No. 1 of our Triad. No. 1 of the future; an absolute must. All the disagreements go over the basing mode, where and how and what is best.

Certainly, the answer is that we need the missile and we all want it and everything is clear. We have spent around $4 billion. Certainly it is not the answer to say that we do not know what we want; we do not know which is best; of all the things that are available that we have heard; we are not willing to make a real start.

So, with all due deference, I have great esteem for the Senator from Arkansas. He is a good debater. With all deference to him as author of this amendment, it makes us turn around and, in effect, go in the opposite direction, backward.

He says now that we have had 31 studies. How many studies did Thomas Edison have trying to make the incandescent light? Supposing he would have given up on 31? I remember as a little boy reading about his endurance and versatility.

Those that split the atom, how many tries did they make? Suppose they stopped on 31?

How many did Rickover have when they all said that you could not put nuclear power in a submarine? All of them said it could not be done, except Rickover. Well, he did it. He did it.

So, this is not a 31 or 61 or 101 proposition. We have to keep going, at least, until we find a way. So, that is my point.

Incidentally, the adoption of the amendment, the Nunn amendment yesterday, I raised the point on the floor in the begining that if this impairs or detracts or curbs the President of the United States, headed next year for the SALT talks, then we must not pass anything in that field. I am entirely satisfied with the final language. It is an asset to the bill. I was glad to vote for it and we will follow that on through the conference.

Back to this plan now. I say we have been open all the time for proof; the Appropriations Committee has been open all the time for proof. We just absolutely cannot afford to stop or turn back, as this amendment does. You could not send a better message to the Soviets that we do not know what we want; we do not know how to do it. We think we have to have that engine in the missile, but we cannot get any further than that. That is a fine fact of life to arm the President and his negotiators with. That just does not represent our effort.

We will find a way. We must find a way. You could make some good points for or against what is in the bill now, what has been in the bill. But I never have heard anyone stand up and make the argument that we do not need the missile.

It has been proposed that we can send it from an airborne base or even a submarine launch base. But, again, everyone agrees it needs to be launched from the land. So, that is what we are looking for. And we will find a way.

I think it is the gravest kind of mistake to turn back now and just, "We do not know what we want. We do not know what we can do. We are going to quit."

I urge that this bill be debated here on this floor, where every Senator—members of the Appropriations Committee or Armed Services Committee or not—could offer amendments in his judgment on anything that he thought was sound and let the body pass on it. I stand for that system always.

But, it certainly does not mean we have to vote for these amendments that are a backward step.

I am not warning anyone, but we will never be able to get by this situation we are in with reference to the No. 1 spot of our Triad by just stopping in our tracks and saying that we will wait for something better.

So, I do not think we have any choice, Mr. President. I do not think we have any choice. There has not been any choice or alternative brought in here that has not already been considered. A lot of matters have been suggested and many have been considered.

I do not know what the Secretary and the President may do. in the final analysis, on this matter. But, for Lord's sake, we cannot turn around here and just take it out. We have to have something positive and affirmative upon which they can stand in debate and argument and negotiations, something that is plausible to point to that they are going to achieve this fact of life.

We are going to have this fine missile that everyone agrees is highly superior and we are going to have it on launching bases that are effective—whether perfect or not is another matter—but that is effective and practical and workable to complete our triad, which is, at this point, lagging some, but by no means knocked out.

I thank the Senator for yielding the time. I gladly yield back what time I have remaining of my 8 minutes.

Mr. PRYOR. Mr. President, may I inquire how much time remains?

The PRESIDING OFFICER. The Senator from Arkansas has 1 minute and 4 seconds remaining.

Mr. PRYOR. Mr. President, I yield 4 seconds to the distinguished Senator from Illinois.

The PRESIDING OFFICER. The Senator is recognized for 4 seconds.

Mr. DIXON. Mr. President, I rise in support of the amendment offered by the Senator from Arkansas striking money for super hardened silo basing for the MX missile.

We are faced with difficult and expensive decisions daily on this floor, but none more so than those we make in the areas of defense and national security.

We are faced daily with the allocation of scarce resources, and in this case the question is whether to allocate nearly $8 billion for the hardening of Titan or Minuteman missile silos so that they can hold the MX missiles.

Mr. President, for a year in the Senate now, and as a candidate for the Senate for a year before that, I have supported the proposition that the MX missile is necessary to reduce the vulnerability of our current land-based missile system.

During all of that time, however, I opposed the method of basing the missile that was being put forth—the "shell game" in the desert. It was a massive proposal, and massively unrealistic. It might have worked, but it could not be done.

Now, the administration has abandoned that proposal—which, of course, was not its own—and put forth another. This one—to harden existing silos—is downright simple compared to the "racetrack" approach. But, ultimately, I am afraid, it is not a better choice. This one can be done, but it will not work.

Mr. President, the MX missile will be no less vulnerable in the hardened silos than are the Titan and Minuteman missiles now in those silos. If the Soviets are becoming capable of taking out the Minutemen and Titans—which is the premise on which we base our need for the MX—then surely they can take out whatever missile is in the Minuteman and Titan silos.

I have in my files an unclassified map showing the locations of our currently deployed ICBM's. The Soviets know where they are. The hardened sites are vulnerable.

Mr. President, this basing mode is unacceptable, and so I must support this amendment, which removes the "basing" money from the Defense appropriations bill.

I urge my colleagues to support it, and I urge the administration to bring together the warring factions within the armed services and produce with them a basing system for the MX missile that is achievable and that protects a $14 billion missile from destruction.

Mr. PRYOR. Mr. President, I yield 5 seconds to the distinguished Senator from Ohio.

Mr. GLENN. Mr. President, I only want to be certain that the record is clear in saying that I am a strong supporter of the B–1 and have been for many years.

Mr. PRYOR. Mr. President, I yield 30 seconds to the distinguished Senator from Michigan.

Mr. LEVIN. Mr. President, last night we decided no superhardened, fixed silo interim solution was a good amendment. It did not go far enough. The Pryor amendment says no more interim solutions at all.

If studies were weapons, the Russians would be quaking in their boots.

Last year we said March 1981. The Townes decision was supposed to be the final of the final. Security is not jeopardized by this amendment, but it is enhanced by saying no more billions for interim, tentative, nondecisions. This is a fish-or-cut-bait amendment. I am proud to cosponsor it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STEVENS. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. Three minutes and 20 seconds.

Mr. STEVENS. I yield 1 minute to my friend from Arkansas.

Mr. PRYOR. I am very grateful to the distinguished Senator from Alaska. Would the Senator from Alaska like to go forward?

Mr. STEVENS. Very well.

Mr. PRYOR. That will be fine.

Mr. STEVENS. Mr. President, yielding myself the remainder of my time, let me read to the Senate a letter I received from the President yesterday.

THE WHITE HOUSE,
Washington, December 1, 1981.

Hon. TED STEVENS,
Chairman, Subcommittee on Defense, Committee on Appropriations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I deeply appreciate your support for my Administration's five point strategic modernization program. Your leadership has contributed to a better understanding of our efforts and has been critical to the support we have received in the Appropriations Committees.

I recognize that some aspects of the program are not entirely satisfactory to some members of Congress. I must emphasize, however, that each of the five elements is equally vital to our effort to restore the strategic balance at the same time as we commence a major new round of negotiations on nuclear weapons reduction. A Congressional rejection of any major element of our interrelated program would lead to a substantially greater and potentially more dangerous inferiority than would have resulted from the Carter program. Of equal importance it would also be a dangerous and misleading signal of weakening American resolve in the face of an ever growing Soviet challenge. Such a signal, especially now, would undermine the U.S. negotiating position at the very outset of the Intermediate Range Weapons Negotiations in Geneva.

I share with many the goal of meaningful and verifiable reduction of nuclear arms. Nevertheless, I firmly believe that this objective can only be attained when the Soviets are convinced that we are determined to restore the military balance. In order to realize our shared national goals and preserve our position at Geneva, I strongly urge your assistance in obtaining Senate approval of the entire strategic modernization program.

Sincerely,

RONALD REAGAN.

Mr. President, that has been our goal and I urge the defeat of this amendment.

Mr. PRYOR. Mr. President, I sincerely appreciate my friend from Alaska yielding me this additional minute.

I should like to list the cosponsors of this amendment. They are Senators HATFIELD, LEVIN, EAGLETON, DIXON, HART, and GLENN.

I should also like to make reference to a comment by my friend from Mississippi who quoted one of my heroes, Admiral Rickover. Admiral Rickover stated recently before a congressional committee:

> Each year there is controversy in the Department over the shape of the Navy's future shipbuilding programs. Often the concession to those whose programs are cut back is a promise to conduct further studies. As a consequence, the Navy's long-range shipbuilding program has for years been in turmoil.

Mr. President, that is precisely what we are doing here. We are taking $354 million and we are saying, "Let us study this matter a little further."

We studied it $4 billion worth. We are still in the old syndrome. We are caught in the old trap of buying now and deciding later, committing ourselves when we do not mean to commit ourselves.

Mr. President, I strongly urge my colleagues to support this particular amendment, which makes sense.

THE MX ISSUE AND AN EFFECTIVE STRATEGIC DETERRENT

Mr. KENNEDY. Mr. President, I rise in support of the amendment offered by the Senator from Arkansas (Mr. PRYOR) to delete funds associated with the MX basing system.

Mr. President, I also believe it is unwise to appropriate funds for hardening existing Titan and Minuteman silos.

When President Reagan announced his strategic arms recommendations on October 2, he wisely rejected the absurd MX missile racetrack basing plan. I strongly agreed that the racetrack offered no real additional protection for our land-based missiles against a concentrated Soviet strike.

This plan is particularly ineffective in the absence of SALT restraints on Soviet strategic nuclear forces. By correctly deciding against the racetrack, the country has been spared a costly and ineffective scheme that would have been highly destructive of large regions of the West.

Unfortunately, the administration's alternative of hardening existing missile silos has an equally grave strategic drawback. With respect to the problem of vulnerability, MX missiles in fixed, hardened silos provide no more protection than our existing Minuteman missiles in fixed, hardened silos.

Moreover, placing the MX in superhardened silos is only a temporary decision. Only in 1984 will the administration make a final determination on which basing system offers genuine hope of strengthening our land-based missile force. I support the administration's decision to pursue further research on such basing alternatives as long-endurance aircraft and deep-silo missile deployment.

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However, I believe it is an unquestioned waste of defense resources to increase the hardness of existing silos. Super-hardening is irrelevant, because these silos could still be destroyed by existing Soviet warheads. As former Secretary of Defense Harold Brown has written:

There is talk of further hardening of existing silos for a much-truncated MX force, but since the MX will not be available until 1986, that further hardening if it is at all feasible, will not be available before the Soviets can install a new generation of guidance systems. The Soviets, using technology that they have already developed, will surely be able by that time to improve the accuracy of their ICBMs further, so that in the case of nuclear war, the hardened MX silos will find themselves in the fireball and in the crater left by the nuclear explosion of Soviet warheads; the silos would not survive such an experience.

At a time when we face so many urgent defense tasks—such as increasing the readiness of our conventional forces, enhancing our airlift and our sealift capability, and improving our military command, control and communications network—we simply cannot afford to pour defense dollars down a missile silo.

Mr. President, there is no question that the Soviets have dramatically improved the accuracy and further increased the power of their ICBM force. Nor is there any doubt that the Soviet Union will continue to strengthen its strategic nuclear forces. The United States must counter this military challenge to our security. We should support programs, such as the Stealth bomber, the Trident II missile, and greater efforts to protect our strategic command, control and communications systems, that will truly strengthen our nuclear deterrent.

We should seek to limit the Soviet military threat through effective arms control agreements. And we should oppose programs, such as further hardening of existing missile silos, which serve to weaken our national defense by squandering scarce dollars on military projects which do not add to our security.

Mr. President, I urge my colleagues to join me in supporting the Pryor amendment.

Mr. STEVENS. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. STEVENS. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arkansas. The yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from Alabama (Mr. DENTON), the Senator from Arizona (Mr. GOLDWATER), and the Senator from California (Mr. HAYAKAWA) are necessarily absent.

Mr. CRANSTON. I announce that the Senator from Arizona (Mr. DECONCINI) and the Senator from South Carolina (Mr. HOLLINGS) are necessarily absent.

I further announce that, if present and voting, the Senator from Arizona (Mr. DECONCINI) would vote "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 35, nays 60, as follows:

[Rollcall Vote No. 445 Leg.]

YEAS—35

Andrews	Hart	Moynihan
Baucus	Hatfield	Pell
Biden	Huddleston	Proxmire
Bumpers	Kassebaum	Pryor
Burdick	Kennedy	Randolph
Cranston	Leahy	Riegle
Dixon	Levin	Sarbanes
Dodd	Mathias	Stafford
Durenberger	Matsunaga	Tsongas
Eagleton	Melcher	Weicker
Ford	Metzenbaum	Williams
Glenn	Mitchell	

NAYS—60

Abdnor	Garn	Nunn
Armstrong	Gorton	Packwood
Baker	Grassley	Percy
Bentsen	Hatch	Pressler
Boren	Hawkins	Quayle
Boschwitz	Heflin	Roth
Bradley	Heinz	Rudman
Byrd, Harry F., Jr.	Helms	Sasser
	Humphrey	Schmitt
Byrd, Robert C.	Inouye	Simpson
Cannon	Jackson	Specter
Chafee	Jepsen	Stennis
Chiles	Johnston	Stevens
Cochran	Kasten	Symms
Cohen	Laxalt	Thurmond
D'Amato	Long	Tower
Danforth	Lugar	Wallop
Dole	Mattingly	Warner
Domenici	McClure	Zorinsky
East	Murkowski	
Exon	Nickles	

NOT VOTING—5

DeConcini	Goldwater	Hollings
Denton	Hayakawa	

So Mr. PRYOR's amendment (UP No. 736) was rejected.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. TOWER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, may we have order?

The PRESIDING OFFICER. The Senator will please suspend. The point of the Senator is well taken. The Senate is not in order.

Mr. STEVENS. Mr. President, Senator LEAHY has an amendment that he is prepared to present. I have examined the amendment of the Senator from Vermont. I ask whether he is willing to enter into a time agreement. It is my understanding that we can have an agreement to vote not later than 12 on the Senator's amendment that he is about to offer. Is that correct?

Mr. LEAHY. I will be perfectly willing to do so. I know the time constraints that the distinguished chairman is under.

Mr. STEVENS. Mr. President, I ask unanimous consent that the vote take place not later than 12, with the time to be equally divided according to the usual procedure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, may we have quiet, so that the Senator can be heard? He has given very generously of his time, 1 hour, equally divided.

The PRESIDING OFFICER. The Senate will be in order.

UP AMENDMENT NO. 737

(Purpose: To eliminate waste, fraud, and abuse in the Military Personnel and Operation and Maintenance accounts)

Mr. LEAHY. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Vermont (Mr. LEAHY) proposes an unprinted amendment numbered 737:

On page 71, after line 30, add the following new section:

SEC. 780. Notwithstanding any other provisions of this Act, not more than $58,172,487,856 shall be appropriated for Military Personnel and Retired Military Personnel, and not more than $63,428,633,943 shall be appropriated for Operation and Maintenance.

Mr. LEAHY. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. LEAHY. Mr. President, 10 days ago, the President of the United States ordered the shutdown of the Federal Government because of his conviction that the pattern of ever-increasing public spending must be stopped.

Today we are considering the most expensive defense appropriations in our Nation's history. The total cost of this bill is 100 times greater than the level of spending that caused the President to veto the continuing resolution.

The enormous increase in defense spending implemented by this bill reflects the conviction of the administration and the committee that a major increase in our military strength is essential. I do agree that we need a major increase in our military strength.

I am deeply disturbed, however, that the effort to increase our military strength has not been matched by a dramatic increase in our efforts to cut waste, fraud, and mismanagement in the Defense budget. If we cannot control waste and correct mismanagement in a $170 billion budget, how can we hope to control it in a $208 billion budget?

The word is out at the Pentagon—the good times are here—enjoy them while we can—spend, spend, spend.

When a program is growing like Topsy, the weeds are hard to find and easy to ignore.

Now waste, fraud, and mismanagement are not easy to find. A candidate who once thought the entire Federal budget could be balanced by cutting waste, fraud, and abuse is now facing the largest deficit in American history.

However, the House Defense Subcommittee made major efforts to find and eliminate waste and fraud.

In at least six areas involving personnel costs and operation and maintenance, it made cuts designed to eliminate waste and to force correction of mismanagement.

Those cuts were based on dozens of audits by GAO and DOD's own audit groups.

For example, the House Defense Subcommittee found serious waste in mili-

tary pay accounting procedures. Let me quote from the House report:

The committee has reviewed eight recent audit reports which document millions of dollars being wasted due to poor management of military personnel and retired pay accounts.

The House committee cited the following:

(1) Inadequate debt collection procedures.

(2) Divorced personnel continue to collect allowances at "with dependent" rates even though they are not entitled.

(3) A member paid by a sister service is sometimes paid twice because the member's parent service is not notified that payment was made.

(4) Military retirees entitled to either DOD retired paychecks or VA entitlements sometimes receive both payments.

(5) Paychecks written for personnel who have deceased as well as invalid paychecks are not properly controlled to assure timely destruction.

In order to force the Defense Department to deal with this serious waste of the taxpayers' money, the House cut the military personnel accounts by $60 million—or one-tenth of 1 percent.

The Senate committee did not disagree with the House's judgment. It stated in its committee budget documents, and I quote:

Various Defense and GAO audits document millions of dollars wasted due to poor management of military personnel and retired pay accounts.

It went on to cite the specifics cited by the House committee.

Yet, this bill reinstated the $60 million the House had cut. Now, what signal does this send to the Defense Department? It says, "We won't slap your wrist, we won't even shake our heads in disappointment."

Military pay mismanagement is, unfortunately, not an isolated example. The House Defense Subcommittee also stated in its committee report that:

Two years ago the committee criticized the Navy's practice of improperly paying basic allowance for quarters when in fact adequate quarters were available to house those not meeting the criteria for living off station. The committee directed the Navy at that time to correct the problems in this area and insure that empty housing is fully utilized.

Because it found that the Navy continued its wasteful practices in spite of its warnings, the House subcommittee made across-the-board cuts to force correction of these problems.

Again, the Senate Defense Subcommittee agreed with the House Subcommittee's judgment. It stated:

Sailors and Marines are being paid to live on the economy when military housing is available; some personnel living in military housing still continue to receive allowances.

Yet, this bill reinstates the $52 million the House cut.

The same problem exists in Guard and Reserve units where soldiers are paid for drills they do not attend. Let me quote the House report:

Based upon eight new audits by various Defense audit agencies, the committee has concluded that the Guard and Reserve components have still not corrected this payroll problem. The committee believes that the Department is paying people who are not present at drills. One audit documented that one out of forty names on Marine Corps Reserve rosters certified to receive pay never even attended drills. Based upon the information available to the committee, there is no reason to believe that the other Reserve and Guard components are substantially better than the Marine Corps Reserve.

While the Appropriations Committee has traditionally been a supporter of a strong Guard and Reserve force, this support does not extend to pay practices which border on outright fraud.

Here, again, this bill reinstates the 1-percent across-the-board cut adopted by the House to force correction of this fraud, abuse, and mismanagement.

In addition to these serious deficiencies in pay programs, millions are also wasted in the $3 billion that the Department of Defense spends each year to move military personnel from one post to another.

The President proposed management changes which will make the program more efficient—and save $40 million. I am glad to see that this bill reflects that reduction.

However, much more than this corrective is needed. There are also serious problems which will not be corrected by the President's order.

The House committee found that the Department of Defense's own audit services document that:

Carriers suspended for poor performance are still awarded contracts;

Erroneous and duplicate obligations are made on the books;

Claims for reimbursement are not always made against nonperforming carriers;

Shipments are not weighed by DOD personnel as called for in their own regulations;

There is poor utilization of Government facilities for storing household goods at a time when additional storage facilities are being procured through commercial markets;

Personnel are sent back to the United States from overseas tours with only 1 or 2 months left before leaving the service; and

Realinement of personal property shipping offices would produce substantial savings through elimination of duplication.

In spite of the President's improvements in this area the Senate Defense Subcommittee noted that "DOD audit reports document mismanagement of (permanent change of station) funds."

Yet, it added back the $15 million that the House cut to force correction of these serious problems.

My amendment also includes two changes made by the House which are based on my conviction that, when we are asking for reductions in Government programs that benefit our own citizens, we should ask the same from our allies—especially our wealthy allies.

In 1952, when the German economy was barely starting to recover from World War II—and the dollar was stronger than the Deutsch mark—the United States entered into a status of forces agreement with the West Germans which made the United States responsible for most of the damages caused in military maneuvers in West Germany.

Since the 1950's, much has changed. The West German economy is clearly much stronger than it was in 1951—and probably stronger than our own.

The conferees on the fiscal year 1981 supplemental appropriation did not approve any funds for maneuver damage claims due to the Department of Defense's failure to undertake negotiations with the NATO allies concerning peacetime host nations support and related status of forces matters.

If we do not withhold these funds, the Army will have no incentive to enter into negotiations to change its existing agreements, and no leverage when it begins negotiating.

Therefore, my amendment deletes the $39.8 million so that these agreements will be renegotiated and the interests of the U.S. taxpayer protected.

Finally, the House subcommittee determined the U.S. taxpayers are paying $18 million a year for depot maintenance and other indirect costs of the AWACS aircraft in Saudi Arabia.

American consumers pay $10 billion a year for Saudi oil—80 percent of which is profit. Hard-pressed American taxpayers should not pay any subsidies to one of the richest nations in the world.

Mr. President, some may argue that these cuts are arbitrary—that a 1 or 2 percent or even a tenth of a percent cut cannot be justified. I submit to my colleagues that, after the recent demands by the administration for across-the-board cuts in all domestic programs, this argument cannot be taken seriously.

My amendment will save the taxpayers $200 million—and perhaps much more. I urge the adoption of the amendment.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER (Mr. GRASSLEY). Who yields time?

Mr. STEVENS. Mr. President, the Senator's amendment is one which is well thought out. I will say that to the Senate. And it is a very difficult one for us to deal with because it is complex. I hope the Senate will understand what it is because we have agreed to an up and down vote on this. As I have indicated before, if we can get a time agreement, I am more than willing to have an up and down vote.

The Leahy amendment will cut areas that we have already cut. Senator LEAHY's amendment would cut $15 million from permanent change of station. We have already cut $84 million from that account. Senator LEAHY's amendment would cut $60 million from military and retired pay. We have already cut $272 million from military pay and $37 million from retired pay. The basic allowance for quarters cut in the Leahy amendment is $52 million. We have already cut $6 million in that account. There is also a cut of $17 million in the Guard and Reserves in the Leahy amendment. We have already cut Guard and Reserves by $12 million.

The basis of his cuts is that he feels there is waste, fraud, and abuse to be cut that the House cut and that we restored in our committee because we did not feel that those cuts were definitive enough, were identifiable enough to make with-

out having an impact on personnel programs.

We have examined reports on waste, fraud, and abuse and we have some obvious differences to resolve with the House. I ask the Senate to help us preserve those numbers because we have some goals to achieve in conference.

Our committee has eliminated the funds that we identified with mismanagement and waste, and I think the House is trying to accomplish that, too. Across-the-board cuts will not do that, however. Indiscriminate cuts in military personnel accounts—specifically in entitlements—will not create the savings they purportedly will achieve. Entitlements must be paid. I am certain Senator LEAHY has put some thought into his amendment, as the committee did.

The result of the Leahy cuts, however, would be the necessity for reprogramming requests. His cuts would ultimately affect program levels.

We have examined the funding for permanent change-of-station, basic allowance for quarters, Reserve and Guard drills, and active duty and retired pay. We believe the amounts we have provided are the minimum required for the program level that is envisioned by the administration.

Again, the difficulty with the Leahy amendment is that his cuts are in addition to the reduction we have already made. We feel, as I have indicated, the cuts we have made are as deep as we possibly can go.

As part of the same amendment, Senator LEAHY has proposed that we reduce the Air Force flying hour program of $18.2 million on the basis that the Air Force should obtain reimbursement from the Saudi Government for the costs of the AWACS deployment. We believe this amendment has two basic flaws. In the first place, the Saudi Government is providing the fuel for the deployed aircraft; is is providing housing and subsistence for the crews and, therefore, this estimate of $18.2 million is strictly on the basis of the training time figure for the AWACS flying program.

But the difficulty with this amendment really is that we deployed the AWACS to the Saudi Arabian Government, and we have now endorsed the future sales of the AWACS to Saudi Arabia. If we do not continue these flying hours, the net result will be a bill in later years which will have to be paid. In other words, these are current-year flying hours. They are going to take place under the terms of the agreement, and the Saudi Government is, in fact, reimbursing the Government for the out-of-pocket expenses. The Leahy amendment would, in effect, dock the Air Force for being there with an AWACS.

We have made the agreement. It is an international agreement, and I consider this to be one of the great problems with the Leahy amendment since it proposes an $18.2 million reduction in training effort for the Air Force. In effect, we are taking $18.2 million away from the Air Force because the AWACS is in Saudi Arabia, it is going to stay in Saudi Arabia, and it is going to fly in Saudi Arabia. But we are saying we cannot use these funds for flying in Saudi Arabia, and the implication is that the Senator wishes Saudi Arabia to pay rent on the AWACS while there. The AWACS is there for the defense of our country as well as for the area defense. I think that was gone over in the debate on the Saudi AWACS sale.

Another portion of the Senator's amendment, as I understand it, would delete $39 million from the cost of the U.S. force maneuvers in Germany. Under the current agreements with the Federal Republic of Germany, our Government has assumed the cost of damages to property caused by the Armed Forces maneuvers.

The House bill proposed that those funds be deleted, and the House has deleted those funds from every bill that we can recall. We have always had to restore them since they are part of an international agreement.

The intent of the House proposal is to support the concept of a renegotiation, which would require the host government to assume the responsibility for damage caused by our forces as they maneuver in a foreign country.

I can only say to the Senate that this is not an issue that ought to be settled in a defense appropriation bill. We fund the costs that the military presents and justifies to us on the basis of existing agreements.

There are ways to obtain renegotiation of those agreements, either through the defense authorization bill or through a bill originating in the Committee on Foreign Relations. The specific issue of how great the contribution should be from our allies for the costs of maintaining U.S. forces around the world I think is an issue that has not been explored sufficiently, as the Senator from Ohio and I stated on the floor last night.

But we feel——

Mr. LEAHY. Mr. President, will the Senator yield?

Mr. STEVENS. Let me just finish this one sentence.

We feel compelled to fund existing agreements. We think particularly now that we are into this fiscal year already and these maneuvers are going on already that the Senate cannot take this money out. If the money is deleted, it is not a conference issue. Mr. President, there would then be valid claims against the Government of the United States under the existing agreement, and I would say to my friend from Vermont that what would happen would be that we would find the United States more and more involved in German courts as a result of the claims presented by German citizens under valid U.S. agreements under which we have agreed to pay the bill.

So all this amendment will do will be to employ a lot of German lawyers to present claims on behalf of German citizens against the United States in German courts, and I say that respectfully. We need to fund these claims so that the Department of Defense may, in fact, pay those costs.

I think the Senator from Vermont may say to us that the Department could absorb those costs. The difficulty is that if you delete them with the House bill its expression of intent, I do not think the Department could absorb the cost without a specific appropriation for the future.

So I would urge that the amendment be rejected. I hope that others will come and address the questions involved.

The Senator has done his homework in terms of the amendment because I can tell the Senate that although it looks like a very simple little amendment, and in relationship to this bill, a total of less than $200 million can be looked at as a little amendment, the Senator has what I would call a sleeper. It is a sleeper amendment because it touches some very, very vital nerves as far as the defense system is concerned.

It concerns funding for AWACS, maneuvers in Germany, retired pay, permanent change of station, active and retired pay basic allowance for quarters and Guard and Reserve drills.

Now to do that all in one amendment and stay under $200 million, the Senator has been very adept with his pencil and very sharp with his cuts. But that is the effect of the amendment as I understand it and I cannot support the Senator's amendment.

Mr. LEAHY. If I might just address some of the points made by the Senator from Alaska. Of course, in the State I come from, Vermont, $200 million is still a lot of money and so it is fairly easy—in fact, about a third of our annual budget for our whole State. It is clear to the people of my State that $200 million is a significant amount, even in a $200 billion-plus overall budget.

I would hope, though, that on the question of German payments that the Senator would not leave the impression that somehow damage claims would go unpaid as a result of my amendment. I am sure he did not mean to do that, because the German Government now pays those claims automatically and then sends a bill to the U.S. Government for repayment.

Mr. STEVENS. If the Senator will yield, just to make sure we are in agreement, it is my understanding that the Senator's information is not correct, that, under the procedures followed now, we pay these directly from the Department of Defense when they are bona fide claims. Now there may be some that are not paid that the Germans pay and then present to us. But the routine claims against the Government of the United States are paid by the Department of Defense directly.

Mr. LEAHY. It is my understanding, I say to the distinguished chairman, that in the West German budget it has a specific item to pay the claims.

I would also point out, however, that the conferees in the 1981 supplemental appropriation, which included the distinguished Senator from Alaska, did not approve any funds for maneuver damage claims due to the failure of the Department of Defense to undertake negotiations.

And let me read specifically from the conferee's committee report, signed by my good friend from Alaska and others, in which they say:

The conferees on the fiscal year 1981 Supplemental appropriation did not approve any funds for maneuver damage claims due to the Department of Defense's failure to undertake negotiations with the NATO allies concerning peacetime host nations support and related status of forces matters.

I mention this because of my concern that we are talking about a procedure that started when Germany was impoverished, when the deutsche mark was really not worth a great deal. I have found that Uncle Sam tends to continue to pick up the tab for its allies, even after their economy has become stronger than ours. One of the reasons it stays that way is we continue to pay the bills.

I appreciate the compliment of the distinguished chairman in saying that I have done my homework on this. But I must admit, again, that it is the thinking of the people of my State that some of our allies, especially our richer allies, ought to be put on a pay-as-you-go basis.

This is especially true with regard to AWACS. As the distinguished Senator from Alaska knows, I was on the losing side of that vote. It is one I considered for some time. Having lost on that, however, I would not in any way suggest that the United States go back on its commitments. I feel that we have now made that commitment to Saudi Arabia. It may be a bad deal but we made it and we have got to go forward with it.

But there was nothing in that commitment that said we had to continue to pick up the tab. Saudi Arabia pushed up the price of oil by $2 a barrel the day after we turned over the AWACS to them. I am now saying—a month later—that we ought to at least tell them we are not going to pick up another $18 million of American tax dollars to pay for the cost of operating those AWACS.

I am not suggesting we rob some other part of the Air Force to do it, because that would go contrary to the intent of my amendment. My amendment is to save money for the American taxpayers, period. We are sending $10 billion a year to Saudi Arabia, as it is. All I am suggesting is take it out and have the Saudis pay for it.

The distinguished chairman knows—and I have heard him make statements to this effect time and time again on the Appropriations Committee—that sometimes the only way to get an agency, including the Department of Defense, to focus their attention on waste and fraud is tell them you are just not going to have the money. I think we both agree on that, if they think that as a result of uncorrected mistakes in the past that they might lose some of the money to continue those mistakes, they will be likely to correct those mistakes in the first place.

I have the privilege of serving on the Appropriations Committee with my friend from Alaska. Over and over again, the two of us have voted the same way to focus the attention of different departments and point out where they have had problems and just tell them if they are not going to correct them we are just taking the money away.

These are areas where I would like to do that. My amendment would not detract from readiness or anything else. That is why, in preparing this amendment, I have taken only those amounts that the GAO and the House committee and others have agreed to are really directly affected by waste, fraud, and mismanagement.

I reserve the remainder of my time.

Mr. STEVENS. Mr. President, I yield 5 minutes to the Senator from Mississippi and then 5 minutes to the Senator from Kansas. How much time do we have remaining?

The PRESIDING OFFICER. Eighteen minutes for the Senator from Alaska, 16 minutes on the side of the Senator from Vermont.

Mr. STEVENS. And after the Senator from Kansas, I yield 5 minutes to the Senator from New Mexico.

The PRESIDING OFFICER. The Chair recognizes the Senator from Mississippi.

Mr. STENNIS. Mr. President, I thank the Senator from Alaska. Mr. President, I commend the Senator from Vermont in the work that he has done here. He has done meaningful things. He knows what he is doing, he could explain and did explain the items and that is making headway on these very savings that he is talking about.

But I want to part ways with him right there and point out the way to get this effectively done is to handle the rest of it in conference. I will serve as an enlistee, if I may, for him on some of these items in particular if I am a conferee. Starting where the House has already made the start, I am sure that we will make some headway.

But it is a dangerous thing on the floor to go to cutting right and left, even though these are relatively small numbers compared to the total in the bill. As the Senator has pointed out, it is still money, and it is not our money. It is the taxpayers' money. It is money that the taxpayer earned. At one time, it was his altogether but it has been taken away from him by the Government for the purposes here that we are supposed to fully justify.

So I will certainly be with him as a conferee, if I am a conferee, and believe that we can carry some of his suggestions forward.

I want to point out, though, as a group, $17 million reduced from Guard and Reserve drills. Now this year, after a long delay, the authorization committee increased by $50 million that much special money for further implementing these Guard and Reserve units with everyday, ordinary small items like field telephones and field equipment that they do not ordinarily get except something that has been almost worn out by the regular services. But we have upgraded the importance of these units to the extent of this special appropriation authorization and that has been adopted already in a slightly different form by the House Appropriations Committee and the House which has passed a bill and it is also in this bill. That $50 million, after examination, was found justified.

I do not believe there will be any amendment here to strike that out.

In addition, we attempted to upgrade the Guard and Reserve and require a special report. However, I will not dwell upon that further.

On the AWACS matter, as has been mentioned, I voted on the other side from the Senator from Vermont, but I would certainly be interested in not spending one dollar more than is necessary to carry out that agreement, as he said, in full, even though his philosophy was against it. Once having committed, that is our policy and we will back it up. But I do not see any reason why that should be paid by us. However, it will be a factual matter and we will have that in conference.

Mr. President, I think about the same thing can be said about the rest of these items.

On military pay accounts, just to take it off the top of the fund to the extent of the $60 million, I would have to have some substantial proof to justify withholding that much money on a payment that is mandatory. I would be also interested in what he said about the permanent change of station, and so forth.

The question of the German military maneuvers is certainly a delicate matter, a sensitive matter, and it requires the judgment of someone who is more knowledgeable, perhaps, than any of us here. Certainly, we can bring that up in the conference.

Again, I commend the Senator for the work he has done, for having these suggestions to make. But we have to protect the bill, Mr. President. The committee has to protect the bill.

The PRESIDING OFFICER. The time of the Senator from Mississippi has expired.

The Senator from Kansas is to be recognized for 5 minutes.

Mrs. KASSEBAUM. Mr. President, there is no one more anxious than I to find beneficial ways to reduce the Defense appropriations bill. But I think the Senator from Alaska has rightfully stated that there are some very sensitive areas that this amendment touches. I am interested in one specific area, the recommendation to eliminate $18 million for our financing our operation of the AWACS in Saudi Arabia. These are not the planes we anticipated selling in 1984 but it is our operation which is ongoing now in Saudi Arabia.

During the debate that we had for a lengthy period of time regarding the proposed sale of the AWACS, there was never any statement made objecting to the continuation of the current U.S. Air Force AWACS operation in Saudi Arabia.

One of the basic concepts we have always followed in our military operation is the shared burden. This has been true in NATO; it has been true in every relationship we have established. The Saudis are already paying for fuel for the U.S. AWACS and for housing and transportation for U.S. crews. But it seems to me troubling to extend this to their paying U.S. Force personnel flying time salaries. It would place us, it seems to me, dangerously close to the position of being a mercenary force. Therefore, I am very troubled by this proposed reduction because I do not believe it is a beneficial one to our defense structure.

I yield back any time remaining.

The PRESIDING OFFICER. The Sen-

ator from New Mexico is recognized for 5 minutes.

Mr. SCHMITT. Mr. President, the Senator from Vermont is to be commended for once again bringing to the attention of the Senate the basic issue of inefficiency within the Defense Department. There is no question that the Defense Department is not immune to inefficiency, both that generated by itself and that, unfortunately, generated by the Congress.

As the Senator is aware, it is the propensity of the Congress to overreview certain procurement actions and, through report language and at times legislative language, to put restrictions on ways in which the Defense Department might operate efficiently which has resulted in much of the cost increase and many of the cost overruns that the Defense programs have been subjected to in recent years.

It has become almost impossible for a new weapons system to be developed under any kind of an umbrella of predictable costs.

With that in mind, the subcommittee and the full Committee on Appropriations have begun a systematic review of the various components of inefficiency within the Department of Defense, including those which have been brought about by congressional action as well as those brought about by problems within the defense bureaucracy itself.

I would draw the attention of our colleagues to the report language on page 8 of the Senate report, which deals with "Department of Defense Efficiency and Cost Savings."

I ask unanimous consent, for emphasis, that that set of paragraphs under that title be printed in the RECORD at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF DEFENSE EFFICIENCY AND COST SAVINGS

The Committee supports the need for increased defense spending to meet the threats to U.S. national security interests in the 1980's. The major increase in Soviet defense spending throughout the 1970's as well as Soviet adventurism in Africa, Asia, and Latin America pose a serious threat to U.S. security interests throughout the world.

The Committee is also committed to the reduction of overall Federal spending to meet the goals of a balanced budget as well as a sound economy. U.S. national security must be based on a strong economy. The Committee, therefore, views with favor the efforts of the Department of Defense to combat waste, fraud, and abuse within the Department as well as to undertake efforts to make defense programs more efficient.

The Congress has provided the Department of Defense with the necessary legislation to use multiyear funding where appropriate. The Committee intends to recommend funds for multiyear funding in those programs where there is low technological risk and where cost savings can be realized. Further, the Department is urged to revise DOD Directive 7200.4 to accommodate the new legislation providing authority for multiyear funding.

It is the Committee's understanding that many of the reforms proposed by the Deputy Secretary of Defense can be implemented internally within the Department. The Committee urges the Department to implement these reforms as quickly as possible including, but not limited to, increased use of firm-fixed price contracting, increased use of past performance in source selection, greater competition in both R. & D. and procurement stages of programs, and increased R. & D. funding and competition at the lower-tiered producer level.

The Committee is also concerned about the high cost of new programs and directs the Department to provide to the Committee a design-to-cost analysis for all new procurement items. While U.S. strength lies in its technology, the use of high technology can result in cost inefficiency when inappropriately utilized.

The Committee also directs the Secretary of Defense to report to the Committee by March 1, 1982, what steps have been implemented in the Department of Defense to provide for increased efficiency in R. & D. and procurement. The Committee further directs the Secretary to report what proposals requiring congressional action would provide for increased efficiency.

Mr. SCHMITT. I draw the attention of the Senate, and the attention of the Senator from Vermont, particularly, to those paragraphs that note that we now have in place, through the authorization process, necessary legislation to allow the Defense Department to correct many of the problems that have resulted in costly and inefficient procurement of defense systems. In particular, it is important to note that multiyear funding can now be used by the Department of Defense where it is appropriate to do so. It has been estimated by many, including the General Accounting Office, that in many weapons systems and many other procurements, because of the lack of multiyear negotiations in the procurement process, we lose as much as 20 or 30 percent in the cost of those programs.

In addition, in that report language the committee is encouraging the Department to implement the various reforms that the Deputy Secretary of Defense has already articulated for the committee, including but not limited to increased use of firm-fixed price contracting, increased use of past performance in source selection, greater competition in both R. & D. and procurement stages of programs, and increased R. & D. funding and competition at the lower tiered producer level.

It is my firm belief that this is the track upon which we must embark as well as continued oversight and, where necessary, the kinds of funding reductions proposed by the Senator from Vermont, to insure that the Defense Department must operate, and the Congress must operate, defense programs in the most efficient way possible.

I do not believe that at this point the proposal of the Senator is necessary. I thing the Subcommittee on Defense Appropriations is well aware of the problem and working more vigorously, maybe, than in the past to identify where inefficiencies result and why they result; taking the necessary legislative or other action to see that they do not recur or are reduced to the lowest level possible.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I will be prepared to yield back the remainder of my time in a moment. I do appreciate the kind things said by my colleagues on the other side of this issue. I am reminded a little of the line from Julius Caesar, when, as you will recall, after Caesar's assassination, Mark Anthony said, "I come here not to praise Caesar but to bury him."

I appreciate my colleagues coming here to praise me, but I suspect they may be trying to round up the votes to bury me at the same time.

I would like to clear up the record on several points. First, we are not about to take all the money away from Saudi Arabia and try to bankkrupt that small desert country. I am talking about cutting out $18 million in indirect costs of operating the AWACS money over there. I should point out for the record that the American taxpayers will still be giving Saudi Arabia $24 million toward the use of AWACS, a system from which they derive a great deal of prestige.

Considering the fact that they, perhaps coincidentally, the day after our vote on the AWACS sale, raised the price of oil so substantially, I believe they should pay for those costs.

Also, on the German matter, I feel that we made it very, very clear on the supplemental appropriations that we expected the Department of Defense to undertake negotiations to correct that situation. They have not done so and, if anything, this amendment will tend to focus their attention, to show that we really are serious. All of us, including every Member on the floor now, agreed with that supplemental appropriations language which told them to get moving and change that agreement.

Having made these points, I think the arguments have been well set out on both sides. I commend my colleagues on theirs and I advise my friend from Alaska that I am perfectly willing to yield back the remainder of my time. I know he has a full day ahead of him.

Mr. SCHMITT. If the Senator will yield for an additional comment, he brought the Roman Empire into this discussion. I think it is important to know that, in the early phases of the Roman Empire, they were noted for the efficiency of their military organization, the efficiency of their military operations based on simplicity, primarily. I do not know how long the development and procurement process went on to secure the famous Roman short sword, but I suspect that was done with a great deal more expedition than we have seen in defense programs to date.

What I hope the Senator will recognize is what the Subcommittee for Defense Appropriations is trying to do is bring simplicity into the defense programs, to eliminate some of the perplexing interference that has come from not only within the Department itself but from the Congress, so we may be able to move a little bit back toward those times of great efficiency in military operations and, as a result, have a much more secure deterrent than we have had in the past.

Mr. LEAHY. Mr. President, I appreciate the history lesson of my good friend from New Mexico, but I point out that even with our problems, we are probably still a match for the Romans at their best.

Mr. President, I yield back the remainder of my time.

Mr. STEVENS. I yield back my time, Mr. President.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment.

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from Alabama (Mr. DENTON), the Senator from Arizona (Mr. GOLDWATER), the Senator from California (Mr. HAYAKAWA), and the Senator from Wyoming (Mr. WALLOP) are necessarily absent.

Mr. CRANSTON. I announce that the Senator from Arizona (Mr. DECONCINI) and the Senator from South Carolina (Mr. HOLLINGS) are necessarily absent.

I further announce that, if present and voting, the Senator from Arizona (Mr. DECONCINI) would vote "nay."

The PRESIDING OFFICER (Mr. COCHRAN). Are there any other Senators in the Chamber who wish to vote?

The result was announced—yeas 22, nays 72, as follows:

[Rollcall Vote No. 446 Leg.]

YEAS—22

Boren	Heinz	Nunn
Bumpers	Inouye	Pell
Byrd, Harry F., Jr.	Kennedy	Proxmire
Chiles	Leahy	Riegle
Cranston	Levin	Roth
Dixon	Long	Specter
Hatfield	Matsunaga	Weicker
	Mitchell	

NAYS—72

Abdnor	Ford	Moynihan
Andrews	Garn	Murkowski
Armstrong	Glenn	Nickles
Baker	Gorton	Packwood
Baucus	Grassley	Percy
Bentsen	Hart	Pressler
Biden	Hatch	Pryor
Boschwitz	Hawkins	Quayle
Bradley	Heflin	Randolph
Burdick	Helms	Rudman
Byrd, Robert C.	Huddleston	Sarbanes
Cannon	Humphrey	Sasser
Chafee	Jackson	Schmitt
Cochran	Jepsen	Simpson
Cohen	Johnston	Stafford
D'Amato	Kassebaum	Stennis
Danforth	Kasten	Stevens
Dodd	Laxalt	Symms
Dole	Lugar	Thurmond
Domenici	Mathias	Tower
Durenberger	Mattingly	Tsongas
Eagleton	McClure	Warner
East	Melcher	Williams
Exon	Metzenbaum	Zorinsky

NOT VOTING—6

DeConcini	Goldwater	Hollings
Denton	Hayakawa	Wallop

So Mr. LEAHY's amendment (UP No. 737) was rejected.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. McCLURE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, it is our intention now to deal with some amendments and colloquys that Members have discussed with me and I have discussed with the Senator from Mississippi. We would after those go to an amendment of the Senator from Georgia dealing with the B–1 and then following that an amendment of the Senator from Ohio that deals with a question of a sense of the Senate resolution dealing with SALT.

It is my anticipation that there will not be a rollcall vote take place until somewhere around 1:15 p.m. or 1:30 p.m., but we cannot guarantee that.

Mr. President, at this point the Senator from Alabama (Mr. DENTON) had the right to be recognized to present an amendment dealing with funds for the General Daniel "Chappie" James Center for Aerospace Science and Health Education at Tuskegee Institute.

Mr. President, I ask unanimous consent, since he is necessarily absent, to have printed in the RECORD his statement and the amendment he would offer along with the response that I was prepared to give to that amendment if he withdrew it indicating that the House and Senate conferees would to the extent possible urge the Department to reprogram the necessary funds to carry on the work of that institute.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPROPRIATING FUNDS FOR THE GENERAL DANIEL "CHAPPIE" JAMES CENTER FOR AEROSPACE SCIENCE AND HEALTH EDUCATION AT TUSKEGEE INSTITUTE

● Mr. DENTON. Mr. President, for the benefit of my colleagues I would point out that I have discussed the introduction of this amendment with the distinguished majority floor manager, and a satisfactory arrangement has been worked out regarding its consideration. Before proceeding with my formal statement, I would like to commend the senior Senator from Alaska for the leadership, courtesy, and patience that he has extended to all Senators during the consideration of this most critical legislation.

My amendment appropriates an additional $9 million in the operation and maintenance account for the defense agencies, and provides for the Secretary to transfer that amount to the Tuskegee Institute for the purpose of establishing the General Daniel "Chappie" James Center for Aerospace Science and Health Education.

As most of my colleagues are aware, highly decorated Gen. "Chappie" James was the first, and so far the only, black officer to attain four-star rank. He was a personal friend of many of us, including the Senator from Alaska and myself. His career of service and dedication to our Nation has served as an inspiration to countless Americans. The proposed General James Center would house Air Force and Army ROTC, aerospace science, and health education programs serving to stimulate interest in military, aerospace, and related Government service professions.

The total cost of this proposal is $12.5 million, of which Tuskegee Institute has raised $3.5 million. The total one-time Federal funding request is therefore $9 million. It is important to note that the General James Center has the full support of the Department of Defense. The appropriation contained in this amendment would accomplish the following:

House the General "Chappie" James Center for aerospace science and health education.

Implement a program in aerospace engineering as an integral part of Tuskegee Institute's fully accredited engineering program.

Renovate Moton Airfield on the campus of the Institute to provide hands on training in the aerospace program.

Establish extensive health education capabilities in the James Center.

House administrative offices, recruiting areas, and classrooms of Tuskegee Institute's ROTC programs.

Mr. President, during World War II, Tuskegee Institute became the center for training the U.S. first group of black pilots. Among that distinguished group was Daniel "Chappie" James. Since that time, Tuskegee has established one of the leading ROTC and military science programs among predominantly black institutions of higher learning in the country.

Currently, no predominantly black college or university in the country offers a program in aerospace engineering. Of all students enrolled in programs in aerospace engineering, only 3 percent are black. The program proposed in this request does more than memorialize General James; in a very real sense, it carriers forward his contribution to our Nation by motivating and assisting young people to fill a national need for aerospace scientists.

Continued supremacy in the aerospace field is clearly vital to national security, yet the number of graduates in aerospace engineering programs was approximately 40 percent less in 1979 than in 1972. Support of this initiative would constitute a visible manifestation of our recognition that national security depends on maintaining an educational system that can provide applicable training and skills. Continued substantive advancements in defense technology demand such a recognition.

In conclusion, Mr. President, this proposal addresses itself directly to President Reagan's Executive order of September 15, 1981, calling for "the development of a Federal program designed to achieve a significant increase in the participation by historically black colleges and universities in federally sponsored programs."

From the effects this proposal will have, the additional appropriation should be viewed as an investment that will earn manifold returns, as well as constitute a fitting tribute to a great American.●

The text of the amendment follows:

On page 10, line 6, strike out "$4,768,000,000" and insert in lieu thereof "$4,777,000,000".

Mr. STEVENS. Mr. President, I certainly recognize and understand the Senator's interest in assuring the establishment of the General Chappie James Center for Aerospace Science and Health Education. A memorial of this kind—a working memorial with a real potential for substantial contributions to space and health sciences at Tuskegee Institute—is far more meaningful than some piece of cold stone.

There is some concern, as the Senator knows, over whether the funding support

should come from the Department of Education or the Department of Defense. However, this is a one-time cost, and I believe there is a capability within the overall defense budget to absorb it.

Accordingly, I am willing to support the Senator's position to the extent of calling upon the Department to propose a reprograming to provide the necessary $9 million. I can assure the Senator the Defense Appropriations Subcommittee will extend sympathetic consideration to such a reprograming initiative.

Further, I will commit to the Senator that I will carry this position into conference and urge the House conferees to support it with appropriate language in the statement of the managers.

Mr. STENNIS. Mr. President, will the Senator yield to me so that I may express my interest in the project now and at some time at the proper place expand on my views.

Mr. THURMOND. Mr. President, I rise to associate myself with remarks of the distinguished Senator from Alaska and the distinguished Senator from Mississippi, regarding the establishment of the Chappie James Center at the Tuskegee Institute. This Center for Aerospace Science and Health Education will not only honor a highly decorated four-star general, but also will provide a new educational avenue for many young people aspiring to be aerospace scientists and engineers.

This country needs to enhance our national posture in aerospace science and engineering. Our preeminence in this field is vital to our national security. Establishing this center is a step in this direction.

Mr. President, I support all efforts to try to find the funds for such a center.

Mr. STEVENS. I will say to the Senator we did not accept the amendment, as he knows. We did indicate we would urge the Department to reprogram the funds if they are available. to carry out the goal of the Chappie James Memorial.

UP AMENDMENT NO. 738

Mr. McCLURE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Idaho (Mr. McCLURE), for himself, Mr. JACKSON, Mr. SYMMS, and Mr. CANNON, proposes an unprinted amendment numbered 738.

Mr. McCLURE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

At the appropriate place in the bill insert the following:

"After the date of enactment of this Act no sale of silver from the National Defense Stockpile under the authority of Public Law 97–35, or any other Act, shall occur until the President, not later than July 1, 1982, redetermines that the silver authorized for disposal is excess to the requirements of the stockpile, taking into consideration such factors as the President considers relevant, including the following factors:

1. The findings and recommendations of the report by the General Accounting Office on the sale of silver from the National Defense Stockpile to be completed on or before January 1, 1982.

2. The demand for silver to meet defense, essential civilian, basic industrial, and monetary requirements, taking into account the most recent "Defense Guidance" used by the Department of Defense in programming general purpose conventional forces as well as historical monetary uses of silver as a medium of payment to foreign workers and troops during times of national emergency.

3. The projected magnitude of the increase in production as well as the accuracy and reliability of the data used in projecting increases in both domestic and reliable foreign production capacity, taking into account the lead times associated with expanding capacity and obtaining such requirements as the necessary labor, equipment, transportation and energy.

4. The current reliability of supplies from foreign sources and the economic and security implications resulting from our dependence on these sources of supply in times of national emergency taking into account the probability of a supply disruption or sharp price increase and its impact on the U.S. economy or a national priority such as defense.

5. The need for silver in the stockpile during the next 10 year period taking into account long-term supply and demand projections of the Bureau of Mines, U.S. Department of Interior.

Should the President taking into consideration the factors described above find the silver to be in excess to stockpile needs, he shall report to the Committees on Armed Service of the Senate and House of Representatives that he has made such a determination, and shall include a detailed discussion and analysis of the factors set forth above, and other relevant factors, including alternative methods of disposal for such silver, together with his recommended method of disposal. No action shall be taken to dispose of silver from the National Defense Stockpile, prior to the approval by Congress of the recommended method of disposal."

Mr. McCLURE. Mr. President, this amendment is cosponsored by Senator JACKSON, Senator SYMMS, Senator CANNON, as well as myself.

Mr. President, the amendment I am offering, and which the distinguished floor manager of the bill has agreed to accept, is absolutely necessary to address a critical and unfortunate situation into which we have been forced.

When we passed the Omnibus Reconciliation Act earlier this year, that act contained authority to sell materials from the national strategic stockpile.

Included in the list of materials to be sold was the strategic stockpile supply of silver. This authorization was requested and pushed by the administration, and particularly by the Office of Management and Budget, who were most anxious to receive revenue from the sale into the Federal Treasury.

In my judgment, Mr. President, this overriding desire has afflicted OMB and apparently the administration as well with an acute cause of tunnel vision. I am afraid that unless we take action to insure a more cautious and careful consideration of the decision to sell silver, and all its implications, that case of tunnel vision may in fact prove to be terminal as far as our Nation's best interests are concerned.

I do not believe, Mr. President, that adequate consideration as to the impact of the sale was made at the time it was proposed, at the time it was authorized, or has been made since.

Not only are we unsure about the untested notion and subsequent decision that the silver is excess to our strategic stockpile needs, I believe little if any thought was given to the effect on the domestic silver market of dumping 105 million ounces of silver on it.

Since the time the sale was announced in March the price of silver has fallen drastically from $12.13 per ounce to $8 per ounce today—all this in a period of continuing inflation.

As a citizen of one of the Nation's most important silver producing States, I know firsthand what the effect on this drop in prices has been in terms of real human suffering—yes, real human suffering among those whose jobs are lost and businesses ruined because silver mines are closing.

I noticed that one administration official speaking recently in Boise, Idaho, mentioned that great care has been taken not to sell silver below the market price. How silly can you get. What, in heaven's name does the administration think the market price is and what created it?

Given the view of things, I suppose I can understand why the President and his administration have so far refused to reconsider their position on the sale—even when the President himself has indicated he is personally opposed to the sale of silver. I have been trying to enlighten them.

Mr. President, earlier this year, in my capacity as chairman of the Senate Committee on Energy and Natural Resources, I requested that the General Accounting Office undertake a study of the issue of the stockpiled silver.

That in-depth study is nearing completion. Frankly, the preliminary results of the study are damning to the silver sale, to the method being used to sell the silver, and to the criteria on which the sale is justified.

GAO's efforts to date have identified demand for silver during periods of national emergency that have not been considered. They have identified uncertainties relating to the availability of both domestic and foreign supplies that have not been addressed.

GAO has found that the data used to support the zeroing of the strategic silver stockpile is extremely soft. They have also found that the war scenario, upon which the stockpile goals are established. is being re-evaluated due to the Sadat assassination.

Preliminary findings by GAO regarding the method of selling the silver also raise serious questions about whether the U.S. Government is getting the best deal for the taxpayer. The sale has raised the ire of our major foreign suppliers, including Peru, Mexico, and Canada, all of whom have protested to the U.S. State Department.

Later today I am meeting with the Ambassadors of two of these nations, Peru and Mexico, to discuss these matters.

Thus, Mr. President, the purpose of my amendment is to stop the further sale of silver from the national strategic stockpile until the results of the GAO report can be considered and studied, and other relevant factors overlooked in the haste of the difficult, even frantic, legislative period of time in which the authority to sell silver was given can be taken into account. That is all, Mr. President, I am asking for.

It is not only reasonable, it is logical for the proper formulation of national policy. When these factors are duly considered, and should the President still believe the silver in question is in excess of stockpile needs and should be disposed of, I am asking in my amendment that adequate thought and consideration be given to alternative methods for its disposal.

The administration has unilaterally decided the best way to get rid of the silver is to sell it on the market; but there may be, and I am convinced there are, better, less disruptive, and possibly more profitable ways of carrying the disposal out.

For example, I have suggested and introduced legislation calling for the minting of a new $10 silver coin commemorating the 250th anniversary of the birth of George Washington.

I have also introduced a bill providing for a new silver coin of a value to be determined by the Treasury. We are also considering a proposal to create a nondenominational silver coin of a fluctuating value such as the Krugerrand of South Africa.

Proceeds from the sale of all these coins would provide revenue for other stockpile purposes without adversely affecting the silver market as outright dumping would. Another option which should be seriously considered is the possibility of issuing silver-backed bonds or debentures, which would also realize revenue without unduly damaging the silver market.

There are, I suspect, other viable options; but I want to make certain that those I have mentioned at least are taken into consideration. To make sure alternatives to the sale of the stockpile are not glossed over or overlooked entirely, my amendment requires that the President report on alternatives and make a recommendation as to that method of disposal he feels should be followed.

Congress would retain the option of determining if the President's recommendations are to be carried out.

I recognize that my offering such an amendment to the Defense appropriations bill is a somewhat extraordinary procedure. I am not anxious to offer an amendment at all; but an amendment is apparently necessary and I mean to do everything I can to see that it survives the conference.

Extraordinary circumstances require extraordinary action. This administration has no better friend than the senior Senator from Idaho, but on this issue it is wrong.

Mr. STEVENS. Mr. President, this amendment has been discussed with me and with the distinguished Senator from Mississippi. I know the Senator from Washington is also interested in it. It deals with the question of changes in the silver stockpile, and it is an amendment which would require a study of the silver stockpile and action on that study.

Mr. McCLURE. The Senator is correct.

Mr. STENNIS. Mr. President, I have conferred with the author of this proposal and I am totally in sympathy with the idea of postponing—and that is all the proposal does, postpone—the in-depth consideration of this important matter about disposing of the silver stockpile.

Mr. McCLURE. The Senator is correct.

Mr. STENNIS. We found on the Armed Services Committee that those things are important and frequently involve more in-depth study as to their facts than appears on the surface.

I am in sympathy with his proposal.

Mr. SYMMS. Mr. President, since early October of this year GSA has offered for sale silver from the strategic stockpile. However, on only four occasions was silver actually sold. In many instances, the bids received by GSA were not satisfactory.

Thus, one would conclude that the silver stockpile sales have been unsuccessful in accomplishing their intended goals of raising revenue for the purpose of purchasing strategic materials more critical to national security than silver.

In addition, Mr. President, these attempted GSA sales could not come at a more adverse time for the mining industry in north Idaho. The recent decision to close the Bunker Hill mine and smelter in Kellogg, Idaho, made national headlines.

As one might expect this has caused economic disaster in north Idaho. And, I might add, this comes on top of already high unemployment in the timber and logging industry. The GSA silver sales created market uncertainties, and in all likelihood, made it more difficult to find a buyer for Bunker Hill.

Consequently, Mr. President, the most sensible course of action would be to halt these sales immediately and then formulate a different program for increasing our stockpile of critical materials in a manner that would not be detrimental to the silver mining industry.

One such approach might involve a U.S. silver coinage program. Senator McCLURE, Representative CRAIG, and I are developing legislation to put such a program into effect.

In the meantime, Mr. President, it makes no sense to continue with these sales. No revenue of any consequence is being raised for the treasury; no purchases of other critical materials are occurring as a result; the sales are having detrimental economic effects on my State and neighboring States. So, why continue with these silver sales which have proven to be a failure for all concerned?

Mr. STEVENS. Mr. President, this matter of the strategic stockpile is within the jurisdiction of the Armed Services Committee and the Defense Appropriations Subcommittee. We feel it is necessary, and I am prepared to accept the amendment.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment of the Senator from Idaho.

The amendment (UP No. 738) was agreed to.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. McCLURE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. McCLURE. I thank the Chair and I thank the Senator from Alaska.

The PRESIDING OFFICER. Are there further amendments?

Mr. McCLURE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GLENN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ACCURACY OF OUR ICBM'S

Mr. GLENN. Mr. President, this subject does not require an amendment, but I wanted to have a discussion with the distinguished Senator from Alaska, the floor manager of the bill, regarding a particular area that has been written about some recently but has not received that much attention, but has been of increasing concern to me.

I wanted to express my view on the growing concern about the accuracy of our ICBM's and whether we have really tested these missiles to the extent that would justify the kind of confidence level that is expressed in all the confidential papers, as to so many hundred yards or so many hundred feet of accuracy on certain ranges and so forth.

Generally, the tenor of the discussions centers on the fact that we have no extensive test data on North-South ICBM firings. All of our testing is done out of Vandenberg, out over the Pacific to the area of Kwajalein Island, and all of the Soviet testing is done out over the southern part of the Soviet on Kamchatka Peninsula and basically shoots out over the Pacific Ocean area.

But we know from many of our orbital situations that you get in quite different situations when you use different orbits around the Earth, because of anomalies in the Earth's surface, because of variations in the magnetic field, and a whole host of reasons that may make the trajectories less accurate when fired on a different trajectory than that fired on the test ranges.

Now, even on the test ranges, we fire flight after flight after flight and gradually refine the accuracies to get the kinds of things that then are quoted in our classified documents as being accuracies on which we then rely. And we have similar observations of Soviet tests that give us the best estimates of what the Soviet's missiles will do.

Yet there are many very distinguished scientists who think that if we fire on a different route—in other words, if we really had to go to war and fire over the pole or the Soviets were to fire at us

that the real accuracies would be perhaps very different from those on which we are basing our estimates.

Now, to give an indication of the importance of this, here we are on the floor talking about many, many tens of billions of dollars of expenditures for an MX missile because we base the need on the fact that the Soviets can literally pinpoint our missile system here and perhaps knock out a major portion of that group of 1,054 ICBM's that we have in place now. So the arguments run that forces may combine to introduce an overall bias in the intended trajectory that would cause missed distances in actual combat that could not be predicted from our test firing results that were derived from firing ICBM's over an East-West trajectory.

Now, such assertions may be canards. But in the abstract world of nuclear deterrence, I think it is vitally important that we nail down, to the extent it is possible, those things that are verifiable and that is that we reduce the unknowns as best we can. If we permit the trajectory-accuracy issue to remain an intellectual exercise with no further empirical assessments, it seems to me that we could, through interminable arguments, erode the very deterrence to which we are paying so much attention and which we try to maintain.

I believe it would benefit all of us if the Department of Defense and the Air Force would very seriously examine ways in which quantifiable test data could be obtained to evaluate potential anomalies in these trajectories for operational ICBM's.

I intend to watch this topic very closely in the coming year, and I would hope that, through this colloquy on the floor here today and through a discussion with the distinguished floor manager of the bill, perhaps we could ask the Air Force, without going through an amendment process or going through a formal sense-of-the-Senate resolution, but ask the Air Force to come back to us—in fact, ask the Department of Defense, because it affects not only the ICBM's but also the sub-launch missiles that are launched on basically the same test range all the time—as to what their competence level is in the accuracies now and what they plan to do to make certain that these trajectories really reflect all of the anomalies that might be effective on a missile in an actual combat situation.

In the Strategic Review, in the summer of 1981 issue, Mr. A. G. B. Metcalf has an editorial entitled "Missile Accuracy—The Need To Know." He talks about some of these things. Mr. President, I ask unanimous consent that his article be printed in the RECORD at the end of our discussion here today.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GLENN. Mr. President, in that article, he suggests that, perhaps to get some north-south firing experience to see whether there are unknown anomalies that we should be taking into consideration, we set up a test range along a longitude of 120 degrees out of Vandenberg down toward the Antarctic, which is a very remote ocean area, and do some testing on impact points down in that area.

Now, I think this is certainly one suggestion. I would not limit my suggestions to that. But, I would hope that the Air Force would come back to us with a study. I will follow up with a letter to the Air Force on this asking if they have considered this and what their plans are to see that these growing concerns by many scientists are taken into consideration to make sure we do have some of these accuracies on which we are basing our missile programs.

I hope the distinguished floor manager of the bill would support such a request, I do not plan to bring this to a vote, because I do not think it is really necessary, because I think the Air Force will be very willing to respond in this regard.

But I would add this: It is appropriate, I think, that we discuss it at this time, because if they are to set up an additional test range, then I hope that their letter back to us or their discussion of this would include the cost estimates of what would be required to set up additional test ranges to those we have now off the east coast for the sub-launch missiles out of Cape Canaveral and those involving the Air Force ICBM's out of Vandenberg on the west coast.

That is basically the problem. Basically, I hope the Air Force can come back to us with that. I hope the distinguished floor manager of the bill could support this request.

EXHIBIT 1

MISSILE ACCURACY—THE NEED TO KNOW

As this issue of Strategic Review goes to press, no decision as to the deployment of the MX missile has been announced by the Secretary of Defense.

To the extent that the Air Force argues in the name of "invulnerability" to commit a large portion of its budget for MX missiles buried in holes in the ground in a basing mode, the wisdom of which is seriously questioned, and fails to signal loudly and clearly its requirement for a manned offensive penetrating bomber at the forefront of aeronautical technology, to that measure does it confuse the public understanding of what airpower is all about and undermine the very rationale for an independent Air Force at all!

The great air leaders of the past warned against what could well be a blind jeopardizing of the hard-won achievement of a separate service for the projection of airpower. And there are with us great air leaders who still warn against throwing away the experience gained at the cost of much blood and treasure to hazard the national safety of untried "shell-game" war-deterrence schemes, tied to the ground, which put no enemy military force at risk.

Official spokesmen for the Pentagon, including the Secretary of Defense, repetitiously assert that our 1,000 Minuteman ICBMs are (or will be) "vulnerable"—i.e., that they can be destroyed in a single "first strike." He, no doubt, sincerely believes this. Yet, this is not a substantiated fact, nor could it be. It is no more than an agreed upon position which has been handed to him. Competent studies show that this could not happen, even on an idealized theoretical basis: that the "accuracies" of ICBMs—both U.S. and Soviet—have been greatly overstated. Nothing has been put forward which technologically supports the belief that we (or the Soviets) could, with any degree of confidence, expect to hit one silo at ICBM range, let alone 1,000 of them distributed over an area equal to one-third of the United States.

Parenthetically, the proposal to deploy 200 U.S. ICBMs, clustered in an area less than one per cent of the United States, in the name of invulnerability is quite beyond our understanding.

To destroy an ICBM installation already rendered unusable—even before it is built—by the existing preponderance of Soviet nuclear strike forces would appear to be a needless exertion. However that may be, it would seem that 200 of the 300 Soviet SS–18 "blockbuster" missiles, MIRVed to, say, 2,000 warheads—ten for each "dragstrip"—fired in a random grid or carpet pattern over the proposed Nevada-Utah complex, would put that system, its roads, its transporters and its shelters out of business. And all this is without addressing the question of the secrecy of missile locations in a complex employing the thousands—perhaps tens of thousands—of workers it would require.

When we had generals who thought in terms of strategy, it would have been realized at once that our enemy could, in a cities-sparing strike, destroy such an isolated target after warning us to evacuate the area, so that—unlike the case for the existing Minuteman installations—any casualties could be regarded as our own fault. Thus, the proposed Nevada-Utah Multiple Protective Shelters (MPS) basing mode would be a set-up of our own making for one-way coercion. With our own cities vulnerable and as hostage, we could hardly launch, or even threaten to launch, a strike which would involve Soviet populations in retaliation for a strike which purposed only to take out U.S. weapons that the Soviets perceived as threatening.

As to invulnerability, if U.S. ICBMs were to be deployed under complete control on the dark side of the moon so that their invulnerability was absolute, as the fatality exchange ratios acknowledged by the JCS presently stand, they still could not be used against the Soviet Union. Nor would the threat of their use—the only other purpose they could have—as a war deterrent be credible. This is so because the Soviet Union possesses more ICBMs (in the ratio of three to two) carrying more nuclear destructive megatonnage (in the ratio of six to one) than do those of the United States. And these Soviet forces may be MIRVed into practically any number of warheads desired—superior in number and lethality to those of the United States, whose population centers present geographically and demographically a much more vulnerable target system than is the case for the Soviet Union. This Soviet capability to devastate U.S. population centers presents a fundamental question which cries out for an answer before going ahead with the MPS transporter deployment presently projected by the Air Force for the sole purpose of enhancing the perception of invulnerability of missiles whose purpose is to threaten the Soviet Union.

In this connection, it must be noted that the Soviets also possess a clear superiority in both submarines and submarine-launched ballistic missiles as to number, throw-weight and range. Indeed, the Soviets have demonstrated that they can launch from submarines in Soviet ports SSN–8 missiles which have the range to reach vital centers in the United States. The ranges of U.S. SLBMs presently at sea do not possess a corresponding capability, nor do the SLBMs which are currently replacing them, match the range of the existing Soviet SSN–8s.

It is time we faced up to the reality that the ability of U.S. nuclear strike forces—existing or projected, vulnerable or invulnerable—to deter a likely Soviet war initiative is just about zero. The Soviets, sensibly, will seek to use their overall military superiority to exploit every opportunity to subjugate the remaining areas of the Free World—piece by

piece—but not to initiate hostilities as participants in any of the suicidal nuclear holocaust "first-strike–second-strike" scenarios so dear to the hearts of civilian analysts.

When U.S. nuclear missile forces were visibly superior to Soviet missile forces some fifteen or more years ago, the threat of ICBM "massive retaliation" may have been credible as a war deterrent: something like the biggest guy in a saloon threatening to wipe the floor with anyone who wants to start trouble. It is one way of keeping the peace. But when you are clearly very far from being the biggest guy in the saloon, such a threat will no longer be taken seriously. Nor will it keep the peace.

What U.S. nuclear ballistic missiles now provide (and it is all they provide)—again, whether vulnerable or invulnerable—is the capability to strike targets in the Soviet Union, should the Soviets launch what could be a suicidal strike against the United States. Even then, we would have to weigh—no matter what damage we had sustained—whether retaliation which only escalated the level of carnage served any useful military purpose.

Nevertheless, we must have the new MX intercontinental ballistic missile to replace the aging Minuteman, so long as the Soviets possess the capability for coercion implicit in this dimension of nuclear power. The need for the improved MX missile is not in question, only its mode of deployment. The new MX could be deployed with the saving of tens of billions of dollars and without risking foreclosing the future of the Air Force, by basing the MX in Titan and Minuteman silos and using the supporting command and control infrastructure already built, paid for and operational.

The committee named by the Secretary of Defense to study the MX basing mode is respectfully invited to bring a wider examination to studies which have been made available to its members and which demonstrate that in the present state of the art of missile inertial guidance, targeting accuracies are greatly exaggerated and that neither U.S. Minuteman nor Soviet ICBMs are capable of the targeting accuracy necessary to destroy enemy silos. These studies, while requiring an elementary scientific education, are most persuasive. And the greater the technological expertise one brings to an examination of these analyses, the more persuasive they become.

Clearly, no program on the heroic scale contemplated by the proposed MX basing mode, which would consume a vast percentage of defense budgets for years to come, should be undertaken without the fullest investigation of the validity of the very grounds upon which it is recommended—namely, the vulnerability of Minuteman as against the absurd claim of invulnerability of the MX in the MPS deployment.

There is another even more serious problem: The targeting accuracy information which would more than likely be given to the President, who would have to make the decision to launch our own ICBMs, would reflect the gross misunderstandings currently held by those officials to whom he would look for advice. The conventional wisdom in this regard is considered to be grossly in error by those competent to judge. We do not know—and according to inertial guidance authorities, we cannot ever know—the extent to which a multiplicity of indeterminate fundamental physical forces render uncertain the point of impact of such missiles when fired for the first time in an untested trajectory. This is not opinion; this is physics, for which analytic proof exists. No proof—not even on a theoretical basis—has been offered to support the "accuracies" currently claimed. No refutation has been offered to the finding that Minuteman "vulnerability" is without foundation.

And all our test experience—Vandenberg Air Force Base to Kwajalein—while of value in progressively improving our missile guidance technology, does not help us much in making a target miss-distance prediction of high confidence over an untried trajectory. This is because the unpredictable forces which combine to introduce an overall bias in the intended trajectory can only be "corrected" by repeated shots with identical missiles over the same mission profile. This "correction" in targeting, unfortunately, then cannot be transferred to another mission profile—a polar trajectory, for example.

With the accepted perception of accuracy of targeting of missile strike forces greatly exaggerated—and the fact that inertial guidance technologists are seldom to be found in the vicinity of the Oval Office, or, for that matter, in the higher reaches of the Pentagon—it is hard to see how, with the best of intentions, the President will be given the information he needs to make a decision, even if he asks the right questions. Under such circumstances, a decision to launch could result in unexpected and unintended devastation; not a small matter, looked at from either side. It is submitted that such uncertainty, if taken into account, would stay the President's hand.

Accordingly, steps should be taken now to ensure that those individuals who might have responsibility for launching U.S. nuclear strike forces—the President and, in the event of his incapacitation, all those in the hierarchy of responsibility are provided before the fact with a more realistic understanding of the physical limitations in targeting ballistic warheads and what the actual probabilities are with respect to miss-distances of impact to target. Not to do so is to fail to take seriously the NORAD early-warning structure and to leave a vital information gap at the highest level of the National Command Authority.

One result of such an educational process would be a greater appreciation of the essential impotence of these so-called strategic systems in the existing environment. The mirror image of this perception is, of course, the devaluation of the credibility of the threat of their use and the consequent bursting of the deterrence bubble. Such perceptions can lead to the realization that indiscriminate nuclear devastation is a game that two can play and, therefore, is a game that cannot be played at all. This could be the beginning of real strategic arms reduction.

Such a facing up to reality should lead to more appropriate sizing of usable warfighting military forces in all categories. These are badly needed to preserve an equilibrium which is steadily becoming more unstable by reason of our disproportionate reliance upon strategic nuclear delivery systems whose perceived worth rests upon a misunderstanding as to their targeting accuracy and the illusion that they possess the power to deter war, as we have known it. This overlooks that in the eyes of the Soviet Union these U.S. strike forces must be clearly seen as already effectively neutralized.

The net of all this is to point out that ballistic missile warheads, when fired by either side in actual mission trajectories, can be expected to do no more, with a high degree of confidence, than to devastate targets about the size of cities. Even so, considering the catalogue of guidance uncertainties, for the ranges involved this would be considered very good shooting, indeed, if we had not once more mistakenly gotten into the habit of advertising War War II "picklebarrel" accuracy.

It is time that the whole matter of warhead targeting accuracy and Minuteman "vulnerability" received more critical examination, if the Air Force is serious about spending $100 billion or more for the MX in any one of the "shellgame" basing modes proposed. In the long run, this would necessarily be at the cost of modern strategic and tactical aircraft—and, as many believe, with the outside chance of ringing down the curtain on a separate Air Force. In the circumstances, we had better know what we are doing. The only way to do this is for the Committee, or the Congress if the decision is theirs, to look into a subject which has too long been shrouded in secrecy. An examination should be made involving fresh technical expertise free of conflict of interest in selling this or any program, including guidance and associated hardware, either by industry to the Department of Defense, or by the Department of Defense to the Congress.

The suggestion to test-fire a missile in a southerly direction may merit consideration as a means of testing the accuracy assumptions upon which the concept of Minuteman vulnerability is based. It could be launched from Vandenberg Air Force Base parallel to Longitude 120° W, impacting for ICBM ranges in the Antarctic Ocean near the Antarctic Circle.

While such a test, being entirely over water, would not reflect the accumulated guidance errors which would be expected for a northerly polar firing—the actual mission profile—it would resolve once and for all a great many questions. Among these would be the merits of the U.S. silo "vulnerability" argument and, as well, what our missile guidance system in its present state of development (presuming equal accuracy for the Soviets) could actually be expected to do when launched over a new and untested trajectory where the first shot was the only shot.

A number of issues having grave implications for our country hang upon this question of missile accuracy. It is time we knew the full facts.—A. G. B. METCALF.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, the Senator from Ohio has raised an interesting question. I do believe we ought to pursue the topic. It has been examined partially. I have an article here from Aviation Week & Space Technology of July 13, 1981, entitled "Panel Reexamines ICBM Vulnerability." It reviews the work of the Townes Committee, which I am sure the Senator from Ohio is familiar with. I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PANEL REEXAMINES ICBM VULNERABILITY

(By Paul S. Mann)

WASHINGTON.—The Townes committee reviewing MX missile basing proposals also has reexamined the broad issue of the vulnerability of U.S. Boeing Minuteman 3 intercontinental ballistic missile force to a first strike by the Soviet Union (AW&ST Feb. 25, 1980, p. 16).

Theodore S. Gold, committee executive secretary, said the group has reviewed charges by critics of MX that the uncertain accuracy of ICBMs and a lack of ICBM testing over wartime flight paths rendered strategic missile performance unpredictable and unreliable. Consequently, critics said, such an attack against hardened silos is an unlikely course of action for either the U.S. or the Soviet Union.

Chaired by Charles Townes, professor of physics at the University of California, the Townes panel was commissioned in March by Defense Secretary Caspar W. Weinberger (AW&ST Mar. 23, p. 16), to provide an inde-

pendent assessment of MX basing possibilities.

Gold said the committee's report would go to Weinberger soon.

"There are two sides to the vulnerability issue," Gold said. He said that among the studies received by the committee was one by J. Edward Anderson, professor of mechanical engineering at the University of Minnesota, who has specialized in inertial guidance research and taught the subject in Honeywell, Inc.'s, education program.

Anderson questioned the vulnerability of ICBMs because he doubts the accuracy required to destroy a missile silo so far away can be achieved in wartime. War imposes unforeseen stresses and complications, he said, and the sources of error that can upset missile guidance and warhead accuracy are numerous.

Neither the U.S. nor the Soviet Union in peacetime can fly its ICBMs along wartime trajectories over the North Pole, he said. This lack of realistic testing weakens assurances about missile accuracy, reliability and performance, he said. "ICBMs are and will remain city busters, not silo busters."

The Air Force disagrees. "We have sufficient confidence to be able to predict a circular error probable and a maximum bias—the distance between the target and the center of the pattern of scatter of test shots around it—within a range we're comfortable with," Lt. Col. Louis T. Montulli said.

Montulli previously served as branch chief of missile and reentry vehicles at the Air Force Weapons Laboratory, Kirtland AFB, N.M., and as nuclear test director for Minuteman 3 warheads at the Ballistic Missile Office at Norton AFB, Calif. He is now deputy director for MX renewable energy systems in the MX office at the Pentagon.

As for testing realism, Montulli said, "What makes us feel comfortable that we can predict what the maximum bias or error will be of a flight over a path we cannot practice—and that route certainly can be described as a path from the U.S. over the North Pole—is that we can replicate all the phenomena that we expect to see over that path.

"We can replicate them by flying over several paths that are different from that of the North Pole and different from each other. We can see what happens to gravity changes, what happens to magnetic fields at different times of the year, when there are sunspots, when there are not, when the Van Allen Belt is acting in a certain way. We've been doing it for 20 years and that accumulated base of knowledge gives the engineer the ability to say, 'I know what's handling that particular problem, what's controlling it and I know how much I don't know.' That's important. How much you don't know is the number of feet of bias you might expect because you just cannot measure it or calculate it more accurately."

A former Pentagon analyst who studied ICBM test results as a private consultant in the late 1970s said, "Bias in fact has never been completely zeroed out even in the controlled tests at Kwajalein. Ever since Titan 2 tests, bias has caused significant deterioration in the hard target kill accuracies measured at Kwajalein."

Bias dominates discussions of ICBM accuracy. The size and seriousness of bias are much disputed, although its principal causes are not.

"Bias is basically the effect that occurs by shooting for a particular aimpoint and finding that after multiple shots you have a cluster of hits off to the left or off to the right," Montulli said. "It's similar to what a rifleman would find if he kept shooting at a target and his cluster was off to one side; he would then adjust his sight to bring it back into the target."

An Air Force officer who works on Minuteman 3 operations and who participated in the late 1970s in a Strategic Air Command assessment of bias and accuracy problems said, "We know bias is inherent in the inertial guidance system. We understand bias and what contributes to it and the relative contributions of each factor causing it. But how they interact is unknown, and compensating errors are hard to determine.

"I do not think the impact of bias on missile accuracy is serious. We know that changes in software, in flight program, in targeting will increase bias, but not in all cases. Bias fluctuates as a function of changes in software and flight programs."

"In an inertially guided missile," Anderson said, "the bias error is due mainly to error in the model of the Earth's gravitational field stored in the missile computer. Because anomalies in the Earth's gravitational field differ at different parts of the Earth, Soviet tests over their own territory or even U.S. tests over the Vandenberg Missile Range bear no relation to the anomalies over polar trajectories.

"Short of actual tests over the approximate trajectories to be used in a first strike, there is no way in principle to verify that the bias error has been removed" from the missile's guidance system. Anderson also said that satellite measurements of gravitational fields along trajectories unflown by missiles are relatively inaccurate because the precise position of the satellite itself is unknown.

Montulli agreed that knowledge of gravitational forces both at the launch site and along the flight path "is one of the most important things to bias," and that measurement of gravitational variations must be accurate. He said this can be done by satellite with the improvements in technology that have occurred in the past 20 years. Can the Air Force measure gravitational anomalies accurately enough to insure silo destruction? "Most definitely," Montulli said.

"We can be extremely accurate to quantities and numbers far above what we need in hard target capability on any individual flight path," he said. "We've done this, we have measured gravitation, we have taken the flights, we have done the experiments and confirmed them. The issue one really gets into is that you must do that over a large portion of the Earth to be continuously accurate over flight paths you're interested in flying."

The missile needs to "know," according to Montulli, the various forces acting upon it at any given point in its trajectory and how to adjust to them.

"We measure those variables, obviously at discrete points, and then spatially connect those points or average them over the distance we're concerned with," he said. "You could increase accuracy if you take the time to make more measurements and spend the money to put more satellites up, and that's basically how we gain the knowledge that has now become integrated over 20 years—by continually taking those kinds of measurements and increasing the data base."

Even if the Air Force can measure accurately gravitational anomalies over flight paths, whether flown by test missiles or not, the private consultant who studied Minuteman test results said the Air Force has not fired an ICBM at a silo. "It is inconceivable," he said, "that our Minuteman 3s could provide a counterforce capability that we could count on. It is also inconceivable," he added, "to have any confidence that one-half our warheads would fall within 500–800 ft. of Soviet silos, more or less the miss distance we think we would need to insure silo destruction."

Anderson made the same argument about Soviet ICBMs. He claimed his "miss-probability" computations show clearly that "with weapons available to the Soviets today, or in the foreseeable future, a first-strike cannot be expected to knock out even one-half the Minuteman force."

The private consultant said it is easy to quantify the percentage of warheads that would fall within the circle of lethality at Kwajalein. "But even with repeated firings over the same test range using the same guidance configurations, the accuracy is not particularly good," he said. "The information on accuracy for shots fired at Kwajalein is classified, of course, but you would not be impressed with the number of hits we achieve within 500–800 ft. of Kwajalein's intended targets. The real question, of course, is what would be the percentage of accurate hits we would achieve against Vladivostok or Murmansk or wherever, and that percentage of accuracy must be much less."

The Air Force concedes the number of tests it conducts using the same guidance configuration—meaning the same software, warhead materials and aerodynamics—is relatively small.

"We do deal in this game with what might be called a small sample segment of pristine, identical type shots," Montulli said. "A half dozen, or a dozen in one case I'm aware of, would represent the kind of numbers we're talking about. It would more frequently be six than 12."

Cost limits the number of shots, he said, but "you put a great deal of engineering analysis into that shot to understand the variation of each particular change you make or particular effect you're trying to measure to understand the effect of that particular variable on the flight path. That gives very high confidence." He also said engineering data derived from NASA flights have some relevance and augment the data base on guidance problems in general, if not Minuteman 3's guidance system in particular.

William Hoehn of the Rand Corp. staff said most of the technical community would probably agree that with an appropriately constructed test program—one with a large enough sample providing sufficient statistical data—one can measure and identify systematic and random error and alleviate bias. However, the sample size of guidance sets is small—6, 7 or 11 tests each.

Test range "tinkering" can compensate for bias that appears at Kwajalein, he said, "but if you've tested your missiles over only one azimuth, it is unlikely you have learned a lot about the possibilities of bias over other trajectories or what you could expect in the way of missile performance."

Thomas E. Cooper of the House Armed Services Committee staff said, "To me it all comes down to reliability. I don't worry nearly as much about the missile reaching the target and hitting it accurately as I do about getting it off the launch pad and into its trajectory. In other words, the critical period is the launch and its immediate aftermath. You can test one missile at a time repeatedly and have high reliability. But the real question is, could you fire a thousand missiles at once with the right timing and have high reliability? It's similar to practicing a heart attack. Reliability means will all those missiles get out of their silos, get going and reach their targets? It's hard to separate accuracy and reliability. Obviously you must have both."

Anderson said the complexity of an ICBM requires "prudent military planners" to assign lower reliability to the rocket's many subsystems, especially given the lack of sufficiently realistic testing. Such prudence would dictate that "the number of launchers committed to an attack double or triple."

He suggested that if the Soviets, counting on high reliability, plan a first-wave attack using 1,000 warheads to strike 1,000 Minuteman missiles, a total of 125 launch rockets would be required if they are Soviet Model 2 SS–18s, each armed with eight independently targetable 1.5-megaton warheads. But

if the Soviets anticipate lower equipment reliability, Anderson said, it is difficult to see how they could assign any less than three warheads to each target, thus requiring 375 SS–18 rockets for the Minuteman alone for a first-wave attack.

"A second wave could not be expected to be effective," Anderson said, because of fratricide, in which the first warhead's blast effects destroy succeeding warheads without detonating them. "To insure effectiveness of the second warhead, it must be delayed until the shock wave of the first has dissipated, the air has cooled and the very strong winds generated by the first explosion die down."

Adequate kill probability would require waves of warheads to arrive several minutes apart, but if the U.S. had elected not to launch on warning of the Soviet first wave, remaining Minuteman missiles would almost certainly be fired upon arrival of the first wave, he said. "Increase in the overall success probability as a result of a second or third wave is therefore much diminished," Anderson said, and "the greatest reliance must be placed on the first wave."

The Soviets should have higher confidence than the U.S. in terms of hard target kill capability, according to Anthony R. Battista of the House Armed Services research and development subcommittee staff. "They have tested over a broader spectrum of possible operational condition and more adverse circumstances, like bad weather; and they have exercised their communications, command and control tactical and conventional systems more vigorously in testing and in ocean exercises.

"Based on their empirical data," Battista said, "the Soviets might have higher confidence in their accuracy and reliability. If, therefore, as the critics allege, MPS [mutiple protective shelters, the basing system proposed by the Air Force for the MX missile] is vulnerable, think how much more vulnerable our present silos are."

Mr. STEVENS. Mr. President, I think that both the members of the Armed Services Committee and the Appropriations Committee ought to become more familiar with the problems involved. I join in urging that the Department of Defense and the Air Force respond to our inquiry and we will follow that up next year when we have our hearings.

Mr. GLENN. I appreciate that. I thank the distinguished Senator from Alaska, the floor manager of the bill.

Mr. STEVENS. Mr. President, I am informed that the Senator from New Mexico has an amendment which I am prepared to discuss with him now. Following that, it is my understanding that the Senator from Georgia has a matter to present.

I yield to the Senator from New Mexico.

UP AMENDMENT NO. 739

Mr. DOMENICI. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from New Mexico (Mr. DOMENICI) proposes an unprinted amendment numbered 739.

Mr. DOMENICI. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At an appropriate place in the bill, insert the following new section:

"SEC. . So far as may be practicable Indian labor shall be employed, and purchases of the products of Indian industry may be made in open market in the discretion of the Secretary of Defense."

Mr. DOMENICI. Mr. President, the amendment I am offering today is quite simple and noncontroversial. It extends to the Secretary of Defense the discretionary authority presently contained in the so-called Buy Indian Act to enter into contract negotiations for DOD work without advertising the availability of the work. I must emphasize that this authority is completely discretionary. It in no way mandates or otherwise forces the Secretary of Defense to make DOD work available to Indian labor. Nothing will happen unless the Secretary of Defense believes that the DOD will benefit from directing that work be given to qualified Indian businesses.

As I have mentioned, this authority already exists in the Buy Indian Act. Currently the Secretary of the Interior is the only executive official authorized to implement this authority in situations involving the Department of the Interior. It is my belief that it would be well to extend this authority to the Department of Defense in order to allow the DOD and qualified Indian business to take advantage of any circumstances in which Indian labor would work to the advantage of national defense.

It should be emphasized that this amendment in no way degrades the provisions of section 502 of the fiscal year 1981 Defense Authorization Act which regulates the manner in which DOD contracting out of in-house service and maintenance activities can occur. In particular, it is expected that the provisions of this amendment would only be applied in cases where Indian labor would yield a cost advantage to the DOD compared to in-house costs.

Mr. President, I have consistently supported actions designed to promote the effectiveness of U.S. national security activities. I have also supported actions intended to promote opportunities for the Indian population of this country. This amendment is a small matter, but it happily addresses a way in which, I believe, the interests of both the DOD and Indians can be promoted.

I am certain that there are situations in which the DOD can benefit from the provisions of this amendment. This amendment would encourage identification of these situations and provide a mechanism for pursuing them. I believe all parties affected would be well served.

I would like to end by again assuring the Senate that the discretion of the Secretary of Defense to enter into labor negotiations is absolutely unfettered in any way by this amendment. Existing regulations relating to contracting out are also not affected by this amendment.

Mr. President, I ask that the amendment be agreed to.

Mr. STENNIS. Mr. President, will the Senator summarize the amendment?

Mr. STEVENS. Mr. President, this item has been discussed with us. It deals with the whole question of buy Indian provisions of existing law and the situation that exists that only the Secretary of the Interior, at the present time, can use the authority of existing law to buy Indian products and to utilize Indian work force as far as the efforts of the Indian people to obtain contracts in dealing with things such as maintenance and repair of military installations on or near their reservations.

Mr. President, this amendment by my colleague from New Mexico will extend the discretionary authority granted the Secretary of the Interior in 25 United States Code, section 47 to the Secretary of Defense. Section 47 currently grants to the Secretary of Interior, and I quote:

So far as may be practicable Indian labor shall be employed, and purchases of the products of Indian industry may be made in open market in the discretion of the Secretary of the Interior.

This amendment will make the same provision for the Secretary of Defense.

We should note that the authority is completely at the discretion of the Secretary, and therefore he may exercise this provision as he sees fit. The intent of the amendment is to allow Indians to assume a larger share of the available work which is required to reduce the unacceptably high backlog of maintenance and repair at military installations.

Implicit in this provision is the understanding that the Indian work force could in some cases do the work less expensively than the Department can do in-house. Of course the restrictions and guidelines found in section 502 of Public Law 97–86 will apply to all contracts of this nature.

It should be kept in mind that this discretionary authority is already granted to the Secretary of the Interior. While there is a history of how this authority may be used. The Secretary of Defense is, of course, not bound by the Department of Interior's operation of the program as he implements the Department of Defense's program.

I reiterate that this provision is discretionary and subject to the judgment of the Secretary of Defense as to its applicability.

We have discussed this matter. What this really does is to give the Secretary of Defense the same authority as the Secretary of the Interior to enter into contracts with Indian people and to use, to the extent practicable, the products of Indian industry or the labor of Indian people to be employed in his discretion to carry out the work that has to be performed anyway with existing moneys. This does not add any money. It adds authority to the Secretary of Defense to recognize some of the situations that the Indian people close to military reservations at times need different types of contracting procedures to get involved.

Mr. STENNIS. This amendment is satisfactory to me.

Mr. DOMENICI. Mr. President, I would say to my dear friend, it is purely discretionary. It is the same kind of discretionary authority vested in the Secretary of the Interior.

Mr. STEVENS. I am grateful to the Senator from New Mexico for raising this matter. My State, of course, has a very high population within this definition of Indian people, the Alaskan Native people, and we have many military reservations at which they could be employed. Particularly, they could be handling some of the basic contracts if the Secretary of Defense sought to use this authority. It does not mandate it, but it authorizes it.

The Senator from Mississippi has said he agreed to the amendment, Mr. President. We are prepared to accept the amendment.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (UP No. 739) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, during my temporary absence, the Senator from New Hampshire (Mr. RUDMAN) will act in my stead.

The PRESIDING OFFICER. The Senator from Georgia.

COST ACCOUNTABILITY OF THE B-1 PROGRAM

Mr. NUNN. Mr. President, this will concern critical information on the question of cost accountability of the B-1 program which we will be discussing at length in a few minutes. As I outlined it in my remarks earlier this week, one of the major issues related to the B-1B will be its impact on the other parts of the Defense budget as well as the uncertainty surrounding the cost.

The Secretary of Defense has stated it will cost $20.5 billion in fiscal year 1981 dollars to purchase 100 aircraft. GAO estimates that the costs could range over $25 billion. I am recently informed that the independent cost analysis group in the Pentagon has made an estimate that is higher than the $20.5 billion, but I am not privy to their actual estimate at this stage.

Both Secretary Weinberger and Deputy Secretary Carlucci have stated in writing their intention to hold the costs to the $20.5 billion and have implemented strong management procedures to monitor the costs as outlined in the November 4, 1981, Carlucci memorandum which was officially provided to the Congress. I commend them both for this personal commitment to strong oversight of this B-1 program.

There are, however, two aspects of the B-1 program and cost that should be of great concern. One is the absolute cost of the program. The other is whether or not the planned 100 airplanes will be procured if the costs increase and DOD holds the line at $20.5 billion. At this point I find a strong commitment on the part of the Secretary of Defense and the Assistant Secretary to holding the program costs to $20.0 billion but no strong link to procuring 100 aircraft for that price.

What number of planes, then, is affordable as the unit cost increases, if the unit cost does increase? What number makes sense in terms of force size?

When we are going with a two-bomber program, the real fear that I have is we could get into a situation, because of cost overruns, and so forth, underestimates, where we do not procure enough individual units of eight the B-1B or the ATB, the advance bomber, to make sense from an economic point of view. We also have to consider what would happen if we procure very few units of both of these airplanes in terms of what we usually overlook here in the Congress, and what is most of the time overlooked even in the Department of Defense in the beginning stages. That is the logistics cost, the spare parts, the maintenance, the training, and all of those things that go up in cost tremendously if you have only a few units.

I believe the B-1 program costs are of such overriding importance to the overall defense budget that Congress should insure that we can maintain close oversight of this program from a reliable baseline of facts.

This amendment accomplishes this in two ways: First, it requires the President to certify what the cost of the 100 B-1B aircraft will be. If the $20.5 billion in fiscal year 1981 dollars is correct, then the President would so certify.

If that is not the correct amount in the President's opinion, the amendment requires the President to certify as to the correct amount to establish the baseline.

In other words, this does not take the $20.5 billion figure and wrap it around the President and say, "You have to use this figure." It just says to the President, "We want you to certify before we begin this program what your best estimates of the overall cost is."

Second, this amendment requires that the B-1B be covered in the quarterly selected acquisition report (SAR) and that such report be for a total of 100 B-1B aircraft.

The purpose of this amendment is not to put undue restrictions on the B-1B or the required information about it not required of other major weapon systems. The major difference in treatment for the B-1 would be that the President would certify the baseline costs. Once this certification is made, all that is required is a report every quarter, by the Secretary of Defense along with the other major systems, on the costs to develop and procure 100 B-1B aircraft. In essence, it is a tracking system to enable us to focus more sharply on the B-1 program.

In essence, it is a tracking system to enable Congress and the Department of Defense to focus more sharply on the B-1B program, the costs and the units.

Secretary Carlucci has already implemented a procedure requiring a quarterly report for himself and Secretary Weinberger describing progress to carry out the B-1 program within budgeted costs. I think this is a strong, positive step forward. The information from this report is simply transferable to the Congress in the previously existing systems acquisition report. So we are not asking them to come up with any information that is not already going to be reported directly to Secretary Weinberger on a quarterly basis. We are simply asking that that information be sent to Congress.

Mr. President, as we start this very large, very important, and very expensive program, it seems prudent to establish this reliable baseline and, given the conflicting testimony we have received to date, it appears that the best way to do this is to have it certified by the President.

In the years ahead, the pressure on the defense budget will increase. In other words, to fund the B-1, it would not surprise me to see slowdowns in other important programs such as the advanced technology bomber, the building of Navy ships and the development of a rapid deployment force. So the actual cost of the B-1 is greater than just the dollar value. It is essential for Congress to insure that we get a viable program, one that does not reduce the number of aircraft to a level that is not economically feasible. That is why this amendment would require that the quarterly SAR reports include the estimate for 100 B-1's. Such visibility would give us a clear track record of how we are doing as we move into the fiscal years 1983, 1984, and 1985 and as we are forced to make difficult decisions not only in strategic programs, but also, most importantly, in conventional programs that may be impacted by reason of overall budget limitations and by reason of the strategic programs themselves.

If Congress can insure that DOD will hold the line on B-1 costs to the current estimate and procure the planned 100 fleet size, certainly over the long haul, a stronger case is made in support of the B-1. This amendment will help insure that this case can be made.

Mr. President, I urge my colleagues to support this amendment. I know the Senator from Alaska would like to have a few words to say on this. This amendment can be summed up as, really, a cost accountability amendment for a major and important program, the B-1B.

Mr. RUDMAN. Mr. President, will the Senator from Georgia yield for a question?

Mr. NUNN. I am glad to yield, Mr. President.

Mr. RUDMAN. My recollection is that, several months ago, as an amendment to the authorization bill, the Senator from Georgia, joined by the Senator from Mississippi, the junior Senator from Georgia, and this Senator, passed through this body and, later the House, an item which now requires the Secretary of Defense to report on 50 strategic and general procurement programs on a quarterly basis, based on their SAR's. Is that correct?

Mr. NUNN. The Senator is correct and the Senator from New Hampshire played a major role in getting that passed by the Senate and adopted later. I thank the Senator for that.

Mr. RUDMAN. It is my understanding, however, Mr. President, that in this particular edition, the Senator from Georgia, in his amendment, proposes that this

certification be sent forth to the appropriate committees of the Congress by the President.

Mr. NUNN. The Senator is correct. This is only a one-time certification, and it is only the one program, so it would be a good deal simpler and narrower than the original amendment I had, which, as the Senator recalls, we changed from a presidential certification to a certification by the Secretary of Defense.

Mr. RUDMAN. Mr. President, I commend the Senator for this amendment. It tracks quite closely what we did in this body by, I believe, a unanimous vote, 91 or 92 votes, and this is different because of the enormous amount of money contained in this program. I ask the Senator from Georgia to add me as an original cosponsor.

Mr. NUNN. I shall be honored and delighted to do that.

Mr. President, I ask unanimous consent that the Senator from New Hampshire (Mr. RUDMAN) be added as a cosponsor to this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NUNN. Mr. President, I thank the Senator not only for his support in the unit cost amendment and this amendment but for the attention he has given to the details of the defense budget. We have talked many times. He is on the key committee and the subcommittee. I do not know anyone who has spent more time and exercised more leadership in his first year in the U.S. Senate than the Senator from New Hampshire. I thank him for that and I think he has made a real addition to the Senate and to the key committee.

Mr. RUDMAN. Will the Senator from Georgia yield?

Mr. NUNN. Yes.

Mr. RUDMAN. The Senator from Alaska wishes to make a statement, Mr. President. He is otherwise detained. I suggest that we might summon him to the floor at this time.

Mr. NUNN. That will be fine.

Mr. NICKLES. Mr. President, will the Senator from Georgia yield?

Mr. NUNN. I am glad to yield to the Senator from Oklahoma.

Mr. NICKLES. Mr. President, the Senator mentioned the $20 billion figure—20.5, I believe it is—for the 100 airplanes. Is that 1981 dollars or after inflation?

Mr. NUNN. That is a fiscal year 1981 constant-dollar figure. That does not include inflation. That is 1981 dollars. There is some confusion on these figures, Mr. President. I think CBO came out with an $89 billion figure on—my understanding is that that figure was then-year dollars which cannot be added to the 20.5. That is 1981 constant dollars.

Mr. NICKLES. I thank the Senator for his clarification.

Mr. STENNIS. Mr. President, we just have to admit the fact, that, to some degree, by renewing the B–1 and picking up again the idea of really making the planes—we have had the research and development going all this time—we just have to say that it is a situation that is different, that is confusing to some degree. There is concern about it, double concern. This bill is funding a double bomber program and that has not been done before. I think those things add up here to a very fine suggestion that the Senator from Georgia has made in his proposal, to select a definite starting point. Although he does not attempt to wrap the President up and make it a stationary requirement, it does continue his discretion, as I understand the Senator's explanation, which is very proper to do.

Mr. NUNN. The Senator is correct on that, Mr. President.

Mr. STENNIS. It will be of tremendous value to the committees that have to pass on these programs every year, Mr. President. It is hard to get at the real facts each 12-month period and it is difficult, too, for the Department of Defense to keep up with all these things. But they should be considered annually and submitted here annually for passage by this body and by amendment proposals to be heard as wished. I feel encouraged by this approach. It is very reasonable, moderate enough in its terms. I know it will do good. I think it will save money. I think it will be an additional guideline, in a way, for the Department of Defense itself. They need it. They are overwhelmed with problems here and elsewhere.

Mr. NUNN. If the Senator from Mississippi will yield.

Mr. STENNIS. I am glad to yield, Mr. President.

Mr. NUNN. Mr. President, the Senator from Mississippi has been here for many years and seen these programs come and be completed and seen the overruns, and so forth. As he well knows, he has my great respect in all that he has done for our national security for so many years. I thank him for his comment.

Mr. President, I want to point out one thing. When the Senator mentions the importance of the baseline, we all know the President has to rely on experts to get these cost estimates. I am not trying to have the figures on a constant basis, but I do believe when the President makes his certification, it will greatly escalate the degree of care that the experts have in submitting to him their best and informed judgment. I believe the President will, before he makes his certification, ask several times if this is the kind of accurate baseline that we need. I believe that is very important as we start tracking this program.

I know the Senator from Mississippi has seen that many times, there is a tendency, when any program is being sold, and it does not matter whether there is a Republican in the White House or a Democrat in the White House, the tendency is to low-ball the program, to have very low figures and get the program passed, then have it go up many, many times in cost. I do not believe our national security would continue to survive that.

I understand there is a recent Janes report out that basically says that we are going to have to get on top of the per unit cost of these weapons systems or we really are going to continue to have a gap vis-a-vis the Russians.

I know that the Senator from Mississippi has seen this over and over, and I ask if he does not share my view that there will be a great deal of care going into the expert submissions to the President before he makes the certification.

Mr. STENNIS. Yes; definitely, there will be a difference, and that difference will be reflected by the Department and by the uniformed military. It will make the President, himself, more conscious of his personal responsibility in the field. It will be an assurance to the Members of this body, the entire Congress, and to the American people, the taxpayers, that the President does have his hand on the throttle, so to speak; that this program is reviewed closely and carefully; and that he has to put his own name on the line, so to speak, to start it off each year.

That will help us make an evaluation of the situation and a recommendation to this body and at the same time assure better results.

I hope the Senator will continue to pursue his fine effort in the procurement field, which has been crying for some attention. He is just the man to dig in and keep digging. He has a way of coming up with very constructive, helpful modifications of the system and the law and the procedure.

I rejoice in the contribution that the Senator from New Hampshire is making on the Appropriations Committee. Even though he has been here just a short time, relatively speaking, his contribution is already measurable, and I know that it will grow and bear more fruit each year.

Mr. President, for the reasons stated, I strongly support this amendment. It is based upon what we have seen develop with reference to these systems. I hope there will be an overwhelming vote.

Mr. RUDMAN. Mr. President, I thank the Senator from Mississippi for his kind comments.

I ask the Senator from Georgia if he will yield for a question, so that whatever language we have here will be clearly understood.

The last four lines of the amendment read as follows:

> . . . and such funds for the purchase of B–1B aircraft shall remain available during any quarter that the total program costs of 100 B–1B aircraft is included in the Selected Acquisition Report required for the B–1B program for the previous quarter by section 811 of the Department of Defense Authorization Act, 1976 (10 U.S.C. 139 note).

I assume that the language, the way I read it, means that so long as this was complied with on a quarter-by-quarter basis, it would not cause any delay during a succeeding quarter, so long as the funds had been properly reported in the preceding quarter. Am I correct?

Mr. NUNN. The Senator is correct. It is not my intention at all to interrupt the funding of this program.

I will have remarks later about the overall program, but I do agree completely with the interpretation of the Senator from New Hampshire.

Mr. RUDMAN. One further question: Obviously, at the first quarter, there would not be a previous quarter in which an SAR had been complied with; so I assume there is no intention to have a 6-month delay built into this.

Mr. NUNN. The Senator is correct. If the Senator would like to clarify that in

conference, that is the intention. I think it is clear that you cannot have a previous quarter when you have a first report.

Mr. RUDMAN. I suspect that some literal minded lawyer might get us into a Catch-22 situation by saying that, starting in the first quarter, since there was no SAR for the previous quarter, you could not spend for that quarter. I thought I would put that in the RECORD.

Mr. NUNN. The legislative record should be absolutely and abundantly clear that the Senator from New Hampshire is correct. That is not the intention. It is obvious that there has to be a beginning point, which is the certification by the President; and the SAR report coming after that would include the updated version.

Mr. RUDMAN. Mr. President, the Senator from Alaska, the chairman of the subcommittee, will come to the floor soon. For the moment, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NUNN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UP AMENDMENT NO. 740

(Purpose: Provide for certification and periodic reporting of the costs of the B–1B program)

Mr. NUNN. Mr. President, the amendment has already been discussed. I have not sent it to the desk. I have made a one-word modification in the amendment, prior to sending it to the desk, which makes clear that the point of the Senator from New Hampshire is the intent of this amendment on the acquisition of reports.

I send the amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Georgia (Mr. NUNN), for himself, Mr. RUDMAN, and Mr. HARRY F. BYRD, JR., proposes an unprinted amendment numbered 740.

Mr. NUNN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 24, line 22, after "multiyear contract," insert: "and $1,958,000,000 shall be available only for purchase of B–1B aircraft when the President certifies to the Congress that it is feasible to accomplish the program for the purchase of 100 B–1B aircraft at a total program cost of not to exceed $20,500,000,000 (in constant fiscal year 1981 dollars), or in such other amount as the President certifies and explains to the Congress, and such funds for the purchase of B–1B aircraft shall remain available during any quarter that the total program cost of 100 B–1B aircraft is included in any Selected Acquisition Report required for the B–1B program for the previous quarter by section 811 of the Department of Defense Appropriation Authorization Act, 1976 (10 U.S.C. 139 note).".

Mr. NUNN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. EAST). Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I am indebted to my friend from New Hampshire for his assistance in this matter.

I say to the Senator from Georgia that when I heard about the amendment he was to offer concerning the certification and periodic reporting of the B–1B, I discussed this matter with the Department of Defense. I am delighted to report that this is consistent with the concepts that the Secretary and the Under Secretary intend to follow, and it is consistent with the President's wish to maintain full cost control on the items we are going into.

There is existing law, which is the amendment that was originated by the Senator from Georgia previously.

This amendment will provide the mechanism so that future costs of the B–1B will track the existing law, which was their intention anyway.

I think there is no difficulty at all in stating to the Senate that this meets the objectives of the Department of Defense, and it is consistent with the program that has been discussed with the Secretary and the Under Secretary. It is my understanding that they are meeting periodically, are establishing cost control programs, are monitoring those programs, and will be providing the reports that are required by law on the acquisitions that are authorized and funded.

I think that it is a proper addition to the bill.

I see no reason to ask for a rollcall vote. I do not think the Senator from Georgia needs one, does he?

Mr. NUNN. I do not need a rollcall vote. I am glad to have one if the Senator from Alaska desires. If he chooses not to, that will be fine with me.

Mr. STEVENS. I have discussed it. I understand the Senator from Mississippi has no objection.

It is a matter, as I said, totally consistent with existing law and with the current procedures of the Department of Defense and as such it reaffirms the policies of Congress and of the administration to maintain strict cost controls over the new programs that we are funding.

So I recommend the adoption of the amendment.

Mr. NUNN. I thank the Senator from Alaska. I know he has been concerned about the cost of all the major weapons systems, and I know he has expressed concerns about the costs of these strategic programs.

I am very grateful for his support of this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Georgia.

The amendment (UP No. 740) was agreed to.

Mr. NUNN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STEVENS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UP AMENDMENT NO. 741

Mr. STEVENS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Alaska (Mr. STEVENS) proposes an unprinted amendment numbered 741.

On page 10, line 6, strike the amount "$5,812,000" and insert "$8,500,000".

Mr. STEVENS. Mr. President, this pertains to the amount of money that can be used for emergencies and extraordinary expenses on the approval of the Secretary of Defense and certification.

I ask that this amount be increased. The current amount is $5.812 million. It should have been changed in our committee to the figure of $8.5 million.

It is, in my opinion, a technical amendment. It has been discussed with the Senator from Mississippi and I am authorized to state he concurs.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alaska.

The amendment (UP No. 741) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. NUNN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, for the information of all concerned, and I do hope Senators in their offices are listening to the proceedings, we are about to get into the B–1 issue, and once it starts we will go through a series of B–1 matters and then into the ammunition matters. I think if Senators have any amendments they wish to offer or have considered with the hope they might be accepted, this is probably the last time that luxury is going to exist. I anticipate we will be here until 11 or midnight once we start in on the major amendments pertaining to the major weapons systems.

So I urge Senators, if they have any amendments to offer for consideration, to come now because I anticipate the B–1 amendment within a matter of minutes.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ARMSTRONG. Mr. President, I

ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EQUALIZATION OF PER DIEM PAY FOR OFFICERS AND ENLISTED PERSONNEL

Mr. ARMSTRONG. Mr. President, there are many aspects of the pending legislation about which I would like to comment and, in fact, there are many reasons why, as one Member of this body, I congratulate and compliment the manager of this bill. But I especially want to draw the attention of my colleagues to a relatively small but extraordinarily significant action on the part of the members of the Committee on Appropriations and, particularly, on the part of the manager, the Senator from Alaska (Mr. STEVENS).

I want to compliment Senator STEVENS for standing firm on the issue of equalization of per diem pay for officers and enlisted personnel. This issue of equalizing the pay, the per diem pay, for enlisted men and officers involves really a very small amount of money but a principle which is of very great importance.

Per diem is normally paid when members of the Armed Forces are transferred away from their home duty stations on a temporary duty basis. For many years, as Senators will recall, there had been a basic injustice in the way per diem regulations were written. It used to be that when an officer goes on temporary duty he continues to receive his basic allowance for subsistence. All officers received BAS each month. Enlisted personnel do not automatically receive the basic allowance for subsistence. BAS is paid to enlisted personnel only when they do not have access to a Government mess. The vast majority of enlisted personnel who receive BAS are married.

Until this year, an officer who went on temporary duty was entitled to draw both per diem pay and his BAS. But enlisted personnel eligible for BAS were prohibited from receiving both.

Clearly, this was unfair. The Senate first took action to remove this injustice to our enlisted personnel in November of 1979 when it added to the Defense Officer Personnel Management Act an amendment I offered to permit enlisted personnel, as well as officers, to draw both BAS and per diem pay while on temporary duty. Regrettably, this provision was dropped during conference with the House on the DOPMA bill.

Justice did triumph eventually. The Defense authorization bill we approved earlier this year contains a provision providing for equalization of the payment of per diem pay.

But justice in this instance will be short-lived, if the Defense Appropriations Subcommittee of the House of Representatives is permitted to have its way. No sooner had the Armed Services Committees of the House and Senate authorized the equalization of per diem pay than the House defense appropriations subcommittee voted to delete the funds required to pay for this reform.

This action would save at most, I am advised, $35 million, and if we make a saving of $35 million, or whatever it turns out to be, in this way we will send a completely wrong signal to our service men and women around the world. In the last several years we have seen all too clearly the havoc that can be wrought to our national security by ignoring the needs of our service men and women. Years of neglect imposed hardship after hardship upon service families, and reduced our defenses to a lower state of readiness than at any time since Pearl Harbor.

Fortunately, we have also seen in this last year how rapidly fair treatment for our service men and women can turn around what all had come to regard as a horrendous situation. Congress in 1980 finally recognized the harm it had caused from a decade of neglect, and made partial restitution of the military pay and benefits that had been eroded away. As a result, fiscal 1981 was the finest recruiting and retention year in the history of the U.S. Armed Forces.

This very success has, I regret to point out, caused some people to believe that Congress can once again afford to stick its head in the sand, to begin again to renege on promises made to our military personnel, but not yet delivered.

Nothing could be further from the truth. It would, in my view, be both morally wrong and very dangerous to our security to follow the backsliding path on military personnel issues. That is exactly what is happening in the House of Representatives. By eliminating the funding for the per diem equalization reform adopted earlier this year, the House is really transmitting a signal to our service men and women around the world that we were not serious about a reform and that, in fact, we do not intend to fulfill what they have every right to think is a permanent reform.

So it is for this reason, Mr. President, that I rise to compliment the managers of this bill and all who have joined with the managers in reversing the actions of the House and putting back into the bill the funds for this long needed reform.

I congratulate Senator STEVENS and the subcommittee. Needless to say, I urge them to stick to their guns when they go to conference with the House and let our colleagues in the House know that, while small in dollars, it is important as a matter of principle and to the morale of our servicemen and women.

Mr. President, I suggest the absence of a quorum.

Mr. STEVENS. Mr. President, will the Senator withhold that request?

Mr. ARMSTRONG. Yes.

Mr. STEVENS. I thank the Senator for his kind remarks. At first, when he came on the floor, I thought he was one of our new recruiters and perhaps he was thinking that he might enter into the foray in Hawaii rather than Colorado.

I do know that he has a wide span of influence, but I did not really realize that it was that far that he extended to the islands that are our southern neighbors. I do not know if the Senator knows it, but if you drew a line directly south from my home you would hit Honolulu. So the Senator has gone almost as far west as I live, in thought at least.

I do thank him for his courtesy.

Mr. President, I understand that there is an amendment here that is being suggested by the Senator from Ohio and the Senator from Illinois. I have been asked to notify the Senate that there will be a rollcall vote on this amendment if it is offered.

Mr. GLENN addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. GLENN. Mr. President, is the floor manager ready to take up this amendment at this time?

Mr. STEVENS. Yes.

UP AMENDMENT NO. 742

(Purpose: Expressing the sense of the Senate that the United States should not undercut existing strategic arms limitation agreements)

Mr. GLENN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will state the amendment.

The legislative clerk read as follows:

The Senator from Ohio (Mr. GLENN), for himself, Mr. PERCY, Mr. CRANSTON, and Mr. CHAFEE, proposes an unprinted amendment numbered 742.

At the end of the bill, insert the following: "SEC. . It is the sense of the Congress that the United States should not take any action in connection with its defense programs which would undercut existing strategic arms limitation agreements, unless the President determines, and so notifies Congress, (1) that the Soviet Union is no longer exercising the same restraint, or (2) that such action would be vital to the national security interest of the United States.

Mr. GLENN. Mr. President, the purpose of this amendment is to give congressional backing to the administration's expressly stated intent not to take any actions "that would undercut the existing SALT agreements so long as the Soviet Union exercises the same restraint."

These exact words expressed U.S. policy in an official declaration by the Secretary of State on March 3 of this year. It was reaffirmed by Secretary Haig on November 4 before the Committee on Foreign Relations. On November 3, Secretary of Defense Weinberger told the committee that the defense program the administration is proposing, including the strategic arms proposal in this bill, "will not violate any of the terms of that unratified document."

Secretary Weinberger indicated essential agreement with the proposition that the integrity and credibility of the President's strategic modernization package will be strengthened if the Soviets continue to respect existing SALT agreements.

My fellow Senators are aware of recent indications in the press that the United States could take certain steps, as could the Soviet Union, which could jeopardize the SALT regime and prospects for new talks.

Mr. President, the newspaper talk has indicated that such comments have in-

deed centered around the MX proposal the administration is going with. There was testimony given before, I believe it was, the Armed Services Committee, that indicated that one of the Pentagon officials testified he thought it would, in fact, violate the value of the silo agreement that was part of SALT II. That, later on, I believe, was corrected, but the reports were in the paper and indicated some doubts about how much these things had been changed and raised some doubts as to whether we were being very, very careful about not violating any of the SALT II provisions that would give either side a reason to go ahead and break out and negate all of the SALT II agreements in making new weapons systems or new basing modes. It certainly is not in the interest of either side that that occur.

I have discussed our program in detail with senior Defense and military officials. I am convinced that we could proceed with the strategic programs outlined without in any way jeopardizing the SALT regime. I believe it is very important that we follow such a prudent course during this uncertain time ahead.

While this amendment is not binding upon the President, it is designed to demonstrate that the Congress of the United States supports the President in his intention to continue to adhere to SALT if the Russians do so. I believe an atmosphere in which both sides are showing restraint, and which we are showing our backing in the Congress of those expressions by the administration, will be very conducive to the productive outcome of the strategic arms reduction talks, as they are now called, START, beginning next year.

So, Mr. President, I ask that the amendment be considered and I yield the floor for any other comment.

Mr. PERCY addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. PERCY. Mr. President, once again, I have enjoyed very much indeed working with the distinguished Senator from Ohio and I fully support the amendment that he has offered and which I strongly join him on.

Mr. President, at the beginning of this year, there was considerable uncertainty concerning the direction that this administration would follow with respect to previously negotiated SALT agreements. There are three such accords:

The SALT I ABM Treaty, which was signed in 1972 and remains fully in force today;

The SALT I interim agreement, which formally expired in October 1977 but which both sides have continued to observe; and

The SALT II treaty, which was signed in June 1979 but never voted on by the full Senate. Citing obligations under international law, the Carter administration pledged to avoid any actions that would have defeated the object and purpose of the treaty while the agreement remained before the Senate, provided the Soviet Union demonstrated the same restraint.

In the first months of Mr. Reagan's Presidency, the new administration addressed the question of whether the United States should continue to respect the existing SALT agreements. Rejecting the counsel of some that the United States embark on a program of so-called strategic "quick fixes," many of which would have necessitated clear violations of the terms of the SALT I and SALT II accords, the administration wisely decided that our national security interests were best served by maintaining a policy of restraint vis-a-vis past SALT agreements while it carried out its broad review on its future SALT policy.

On March 3, 1981, Secretary of State Haig announced that while it was reviewing its SALT policy, the United States would take no action that would undercut existing SALT agreements so long as the Soviet Union exercised the same restraint. As Secretary Haig informed the Foreign Relations Committee during a hearing on November 4, this was an issue on which the President made a personal decision early on in his administration. It was not a Haig policy or a Weinberger policy but rather an American policy.

In tandem with its SALT review, the administration undertook a far-ranging review of our strategic force modernization requirements. The results of that review were announced by the President on October 2, and the specific programs proposed by the administration are before the Senate today.

During the course of the strategic weapons review, administration officials made it clear that the various strategic modernization proposals were not being devised with an eye to SALT II. Indeed, Secretary Weinberger advised the Foreign Relations Committee on November 3 that it was not by design that the President's proposed strategic package avoids conflicts with the SALT I and SALT II agreements on strategic offensive arms, but nevertheless, it does.

In this same hearing, Secretary Weinberger testified that there was no military necessity, I repeat, no military necessity to go beyond the provisions of SALT II at this time. Accordingly, the Secretary announced that the United States would continue to avoid actions that would undercut existing SALT agreements so long as the Soviet Union does likewise, thus reconfirming the administration's policy announcement of March 3.

On November 4, Secretary Haig advised the Foreign Relations Committee that in light of Secretary Weinberger's statement that there was no military requirement to depart from a policy of SALT restraint, "clearly the arms control and geopolitical aspects of the question favor that we continue to maintain this policy, and I would anticipate that we will."

Mr. President, the amendment which Senator GLENN and I are offering today simply puts the Senate on record in support of a policy of reciprocal United States and Soviet restraint on existing SALT agreements that the administration itself has firmly endorsed. The benefits of maintaining this policy are profound:

First, Soviet adherence to this policy insures that their strategic programs are kept within known parameters, and a number of militarily significant options, such as increasing the number of warheads on their missiles, are denied them outright. In a Foreign Relations Committee hearing last month, Gen. David Jones the Chairman of the Joint Chiefs of Staff, declared that the Joint Chiefs support the administration's position on this issue and pointed out that without the restrictions imposed on the Soviet Union by this policy, uncertainties as to the total number of Soviet systems, their production rates, and the characteristics of individual weapons systems would grow.

Second, by continuing a policy of restraint on past SALT agreements, we improve the likelihood that the new START negotiations will commence early next year, hopefully, in the context of stability and continuity, thereby enhancing the prospects that these crucial negotiations will succeed.

Mr. President, as I said in remarks earlier today, in recent weeks a controversy of sorts has arisen as to whether the President's plan to deploy the first increment of MX missiles in reconstructed ICBM silos would violate our declared policy of avoiding actions that would undercut existing SALT agreements.

When I first learned that there was a possibility that the President's MX basing proposal might conflict with the administration's stated policy on strategic arms limitation agreements, I asked Gen. Lew Allen, Air Force Chief of Staff, to advise me whether any such conflict did in fact exist. On Monday, I received General Allen's reply, which I have already placed in the RECORD. General Allen's letter confirms that:

> None of the programs being undertaken in the Administration's strategic modernization effort includes a commitment to a course of action that would necessitate renegotiation of limitations agreed to in SALT I or SALT II.

General Allen also observes that:

> Should we decide to deploy the MX in reconstructed Minuteman silos, there is no need to rule out the possibility of SALT compatible solutions at this time, albeit at somewhat lower hardness levels, and we will be examining these alternatives in the months ahead.

What is significant in this approach is that no decision on an MX basing configuration that would entail a departure from our voluntary SALT restraint policy need be made before we have begun the new START negotiations early next year. As a result, we can address this decision, as well as other decisions pertaining to the configuration and characteristics of our strategic weaponry, in the context of our experience in these negotiations. Should the first phases of the new START talks indicate that the Soviets are indeed earnest in their declared willingness to negotiate substantial arms reductions, I would fully expect that this administration would avoid any decision on MX basing that would undercut the progress being registered in START.

This could be achieved either by deploying the MX in an explicitly SALT II-

compatible mode or by reaching a specific understanding with the Soviet Union that deploying the MX in superhardened Minuteman silos is an action fully consistent w.th the spirit and intent of SALT II. I would remind my colleagues that it was clearly the intent of SALT II to sanction the deployment of the MX.

There is no question but that the Soviets had a great deal of concern about the so-called shell game, the MX mobile track. It was the clear indication from the leadership in the Kremlin, with whom I met just a little over a year ago in Moscow, that they looked upon the shell game, the mobile system, as a contravention of SALT II, simply because they regarded it as unverifiable. In the judgment of many in this country, the MX deployed in this manner would have actually escalated the arms race. Of course, the decision of the previous administration has been set aside and made moot and there can be no question but what the fixed silo basing mode as proposed by the present administration is within the framework of SALT II.

The fact that extra hardening—which is after all a stabilizing and nonprovocative step—might, if now pursued, create a technical problem of compliance should be regarded more as an issue to be addressed and resolved than as an insurmountable barrier to this deployment option. Indeed, during our committee hearings on the strategic package, Paul Warnke, who has great experience in dealing with the Soviets on the fine print of SALT agreements, testified that:

> If there is any problem with regard to the thirty-two percent limit on the enlargement of silos, I am sure that is the kind of technical adjustment that would cause no problems.

Mr. President, let me say a few words about the details of this resolution for the legislative record.

First, it is a sense-of-the-Congress resolution and is hence not binding.

Second, this amendment uses the term "undercut," which can be broadly defined to reflect the informal nature of the current SALT adherence regime.

Third, it uses the administration's term "existing agreements" which I would understand to encompass SALT II, but not in the sense that the Congress is hereby endorsing SALT II or the negotiating approaches adopted there. We want to give our START negotiators ample flexibility to develop their own negotiating approaches.

Fourth, the language requires the Soviet Union to exercise the same restraint, and in many respects imposes stricter restrictions on currently available Soviet strategic options than it does on U.S. programs. According to the administration, the Soviets have thus far lived up to their side of this informal compliance regime.

And, finally, the amendment provides flexibility to the President by allowing him to determine that the national security interest of the United States requires a departure from this policy.

Mr. President. the policy that this amendment endorses is one which was decided by the President himself. In hearings before the Foreign Relations Committee last month, the Secretary of State, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff all supported a continuation of this policy. I believe it is appropriate, and indeed overdue, that the Senate express its support for the administration's position on this issue. The administration has advised me that it does not oppose this amendment, and I urge its adoption.

Mr. STEVENS. Mr. President, I might inquire of the Senators from Ohio and Illinois why this should be on the Defense bill. We really do not have the time to clear this out with all of the agencies that would be involved. Why should we have a sense-of-the-Senate resolution dealing with SALT on this bill? Both Senators are on the Foreign Relations Committee. Why do they not bring out a sense-of-the-Senate resolution generated from the Foreign Relations Committee? If it is noncontroversial, it could be cleared very quickly. But why this bill? This bill is going to become a sense-of-the-Senate Christmas tree before we are through. We have one on unemployment, we have this one coming in on SALT, we have another one coming on something else. The Senator from Alaska is getting to the point where he believes we are spending so much time trying to clear out items that are really not within the jurisdiction of our subcommittee. If we initiated this, Mr. President, you can bet your boots opponents would be out here saying, "What are you doing? This is not within the jurisdiction of the Appropriations Committee."

Why would you dump this on the bill I am trying to manage and get through today? I have been informed that at least three people who are not here want to talk about this. We cannot find them. We obviously are just going to have a prolonged quorum call until they get back to the building.

I ask the Senator from Illinois and the Senator from Ohio, why does this come on the bill now?

Mr. GLENN. If the Senator will yield, I would prefer to have this presented as a sense-of-the-Senate resolution, and refer it to committee, bringing out all the reports and everything else required.

But the reason it is applicable on this bill, as I see it, is that while we had hoped to change the basing mode for the MX, which I think is preposterous for all the reasons I stated on the floor this morning and yesterday, that basing mode has not changed. So this does become applicable because allegations have been made that the basing mode that we are going to does in fact violate the SALT II agreements. That is the reason it has become applicable now. It is important that we not send any wrong signals. The administration first testified that we were in violation of SALT II if we went this particular route and then later on denied it. This sent some wrong signals, it seems to me, across the world, not only to our potential enemy but to our allies as well, and undercuts, in fact, some of the theater nuclear force talks going on right now and the SALT talks scheduled to start next spring.

That is the reason I think it is applicable now and the reason I think it is important now, so that we take away any of this doubt.

If there had been a change in the basing mode, that would have made the rationale for this weaker than it is now. But I think this is necessary to reassure our allies as well as potential enemies.

Mr. STEVENS. Let me just state what the Senators are getting this Senator involved in. This amendment says, "unless the President determines and so notifies the Congress."

I am informed that that should say, "unless the President determines and so informs the Congress," because "notifies" means it triggers a whole series of statutes. The Foreign Relations Committee ought to know better than I about how reports are presented to the Congress under a notification procedure as opposed to just informing the Congress of actions being taken.

I ask the Senators in any event to modify that. As I understand, that was the intention.

Let me inquire of the Chair, has there been written into the amendment presented to the Senate the words "and so notifies the Congress"?

The PRESIDING OFFICER. There has not been.

Mr. STEVENS. I ask unanimous consent that it be changed to "and so informs the Congress."

Mr. PERCY. Reserving the right to object, I would like to say that Under Secretary of State Kennedy was given the language as offered in the amendment. He took 5 or 10 minutes to think about this and touch base with other people in the State Department. He called me back 10 or 15 minutes ago and said that that language was acceptable.

I do not see a great deal of difference between notifying and informing the Congress. It is splitting hairs. I do look upon each term as meaning about the same thing. It is acceptable to me.

Mr. STEVENS. Mr. President, let me notify my friend that I have been informed that that change should be made.

Mr. PERCY. The Senator has been notified what, Mr. President?

Mr. STEVENS. I am being facetious, Mr. President, but there has been serious conversation that has taken place since this amendment has been introduced indicating that the word "notify" should not be in this amendment.

I am serious about making the request. I ask the Senator to change it. I agree with the Senator. I do not see any reason not to change it because I do not understand the difference. But there are people who believe that statutes are triggered by the word "notify" that are not triggered by the word "inform."

I do persist in the request, Mr. President.

Mr. PERCY. I say I have no objection to the change in the word.

Mr. STEVENS. I ask that that amendment be so modified, Mr. President.

Mr. GLENN. Reserving the right to object, Mr. President, I still do not see the difference between notifying and informing. We want to know when these things are going to happen. That is the purpose of this amendment. We put

"notification" in a lot of other things so they do give us things in writing, so it is not just a matter of phone calls or an informal meeting in someone's office.

Notification means that they have to give it to us in writing, it comes before the committee as part of the notifying process. That is what we intend to trigger off this.

Mr. President, we just do not want this business of coming down and having a casual meeting in someone's office and saying, "Well, we informed you that this was going to happen."

That is the major difference.

Mr. STEVENS. Mr. President, will the Senator object to my making the change from "notification" to "information"?

Mr. GLENN. I would, Mr. President. I object.

Mr. STEVENS. Mr President, that demonstrates the difficulty of dealing with this matter. I shall have no alternative to making the tabling motion. This is not the place to write this thing.

I am not part of the Foreign Relations Committee. This is an appropriation bill. I would make the point of order that it is legislation, but I understand that because it is a sense of the Senate resolution, it is not legislation. Am I correct in that, Mr. President? Since this becomes a sense of Congress resolution, it might be legislation.

The PRESIDING OFFICER. The Senator is correct.

Mr. STEVENS. Mr. President, my understanding is that I could make that point of order, but it is legislation, because it puts a burden on the President of the United States to take action or, would you believe, Mr. President, he does not have to take that action if he determines in his mind that it is essential to the national security interests of the United States to take such action.

Why would he possibly take action to violate an agreement, an arms agreement, unless he made that determination?

This is a two-headed monster, Mr. President. It says the President determines and so notifies the Congress that the Soviet Union is no longer exercising the same restraint or if he finds that such action is essential to the national security of the United States, he does not have to notify the Congress at all and he can violate all the agreements he wants, apparently.

This is not the place, Mr. President, for us to be involved in this. I tell you, it is wrong. Now is the time to make the stand.

If the Senator from Illinois will not change that word they have asked me to change and say it is going to be opposed unless it is changed, if the Armed Services Committee members who oppose this can get here and state why they oppose it, I intend to move to table it.

I serve notice to the Senate that we are going to be finished with this bill today and we are not going to have it be a Christmas tree for every sense-of-the-Congress resolution that any Senator wants to hang on it. Not if Senators will listen to me when I say it is time to get this bill finished. If Senators want to be here at 4 or 5 o'clock in the morning, let us have more of these sense-of-the-Congress resolutions, bring them in and we shall discuss them and then table them.

It has been announced we are going to finish this bill; we are trying to get a time agreement to finish the bill; I had hoped this matter would be cleared up. As a matter of fact, that was my understanding when the Senators mentioned it was going to come. I find it has not been cleared. It may have been cleared in one portion of the administration, but certainly not with another portion of the administration. It has not been cleared with the chairman and the ranking member of the Committee on Armed Services. As such, it gives me a problem and it gives me a pain.

When the time comes, Mr. President, I shall move to table it.

Mr. PERCY. Mr. President, I do not want to cause the distinguished floor manager of the bill a problem or a pain over two words, when both Senator GLENN and I have agreed that there is not a great deal of difference between them. I think we ought to talk it over for just a second. I suggest the absence of a quorum.

Mr. GLENN. Mr. President, will the Senator withhold that request for a moment? I know the Senator from Colorado wants to make a short statement.

Mr. HART. Will the Senator from Illinois yield for a question?

Mr. PERCY. I am happy to recognize the Senator from Colorado for a question.

Mr. HART. Mr. President, on November 10, the Senator from Colorado introduced a resolution of this sort into the Senate. It received the number Senate Resolution 242 and was referred to the Foreign Relations Committee. The principal "resolved" clause of that resolution is that it is the sense of the Senate that the United States shall continue to take no steps inconsistent with the terms of the SALT II treaty so long as the Soviet Union also continues to take no steps inconsistent with those terms.

Is the understanding of the Senator from Colorado correct that the sense-of-the-Senate resolution the Senator from Illinois and the Senator from Ohio have introduced is essentially that same resolution?

Mr. STEVENS. Could I respond to that, Mr. President? It is not, because this one has another clause on it. It says if the President finds such action would be vital to national security interests of the United States, he does not have to notify Congress, he can violate the existing strategic arms limitations agreements at will. So, to my knowledge there is a clause on this one which was not on the other one. I do not know why this has been presented the way it has been. As a matter of fact, I cannot conceive of a President of the United States violating an existing agreement on strategic arms limitations unless he did make the finding that national security was involved.

Mr. HART. Mr. President, first of all, I was directing my question to the Senator from Illinois. Second, there is no existing treaty. The treaty has expired. So we are not bound by the treaty.

The question is, Mr. President, is it the administration's position, as it has so stated, that it will not violate the terms of the treaty so long as the Soviets do not, either? My question of the Senator from Illinois is, Is his sense-of-the-Senate resolution here essentially the same as the one I introduced on the 10th?

Mr. PERCY. No, it is not, Mr. President. The recollection of the Senator from Illinois about the resolution—I have it here in front of me, Senate Resolution 242. The heading says "Regarding SALT II." Therefore, the resolution would be limited just to SALT II.

The amendment offered by the Senator from Ohio and the Senator from Illinois applies to all existing treaties—SALT I, SALT II, SALT I interim, et cetera. But it does clearly embrace also SALT II.

Mr. GLENN. If the Senator will yield, we address the same problem. There is that similarity, but there is a little bit different wording so it is not exactly the same. But we do address the same problem.

Mr. HART. Mr. President, I want to support the resolution that the Senator from Illinois and the Senator from Ohio offered here. It is my understanding, based on statements made by spokesmen for the administration, that this is U.S. policy and I think it is in the national interest as well. I understand the arguments of the Senator from Ohio having to do with the basing mode of the MX. And, the resolution which I had introduced some weeks ago was an attempt to broaden that concern to all steps that might be taken that would abrogate an understanding—not an agreement or a treaty but an understanding—that exists between our two nations that we will not begin to circumvent that agreement for the time being—at least until one side or the other does so. In that respect, I want to associate myself with this resolution.

If it does not prevail, I hope that the Senator from Illinois, the distinguished committee chairman, would look kindly on early hearings on the resolution which the Senator from Colorado offered some weeks ago. This might be an alternative course for proceeding.

Mr. PERCY. Mr. President, I believe I have the floor. I suggest the absence of a quorum.

Mr. TOWER. Will the Senator withhold that?

Mr. PERCY. I withhold it for a question, Mr. President.

Mr. TOWER. Would the Senator be amenable to an amendment to this? I believe that, as it reads, it makes us appear to be timorous and weak. I should like to amend it to read: "It is the sense of the Congress that the United States should not take any action in connection with its defense programs which would subordinate the national security interests to existing strategic arms limitation agreements," and strike out all thereafter.

I intend to propose that amendment.

Mr. PERCY. I think it might be well to have an informal discussion of that.

We have underway now a decision which has to be made as to whether we will accept an amendment by the distinguished floor manager, and I think it will be best to talk that over now.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. STENNIS. A point of order, Mr. President.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. STENNIS. The Senate is in session. I call for order.

The PRESIDING OFFICER. The Senate will be in order.

Mr. STENNIS. The Senate has to be in order, even if a quorum call is in progress.

The PRESIDING OFFICER. The Senator is correct.

The bill clerk continued the call of the roll.

Mr. TOWER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. GLENN. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The clerk will continue to call the roll.

The bill clerk continued the call of the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. GLENN. Mr. President, I object.

The PRESIDING OFFICER (Mr. PRESSLER). Objection is heard.

The bill clerk resumed the call of the roll.

Mr. GLENN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Mr. TOWER addressed the Chair.

Mr. GLENN. Mr. President, I seek recognition.

Mr. TOWER addressed the Chair.

Mr. GLENN. Mr. President, I seek recognition.

The PRESIDING OFFICER. Is there objection?

Mr. GLENN. Mr. President, I seek recognition.

The PRESIDING OFFICER. Is there objection?

Mr. GLENN. Mr. President, no objection is heard. Make a ruling.

The PRESIDING OFFICER. The Chair is attempting to make a ruling. If there is no objection, the quorum call is rescinded.

Mr. TOWER addressed the Chair.

Mr. GLENN. Mr. President, I seek recognition. Mr. President, I spoke first. I seek recognition.

Mr. TOWER. Mr. President, I send to the desk——

Mr. GLENN. I object to that procedure. I spoke before the Senator from Texas. That is not fair.

Mr. BAKER addressed the Chair.

Mr. TOWER. Regular order.

Mr. BAKER. Mr. President, will the Parliamentarian advise the Chair?

Mr. GLENN. Mr. President, I seek recognition.

Mr. TOWER. Mr. President, I believe I have the floor. I am delighted to yield to the majority leader.

Mr. GLENN. Mr. President, I spoke first to the Chair seeking recognition. The Chair recognized the Senator from Texas. I definitely spoke first. That is not the right procedure of the Senate.

Mr. TOWER. Regular order.

The PRESIDING OFFICER. The majority leader.

Mr. BAKER. Mr. President, I do not know what is going on. I just got here.

But the only right I have is to get recognized, and I thank the Chair for doing that.

Mr. TOWER. Mr. President, it is my understanding I was recognized and I yielded to the majority leader.

Mr. GLENN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas was recognized. The majority leader sought recognition and he was recognized.

Mr. TOWER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. TOWER. Does that mean I have lost the floor?

Mr. STEVENS. Yes, that is what that means.

The PRESIDING OFFICER. The majority leader has the floor.

Mr. BAKER. Good.

Now, Mr. President, let us try to untangle what is going on.

Mr. President, what is the pending business before the Senate?

UP AMENDMENT NO. 742

The PRESIDING OFFICER. The amendment of the Senator from Ohio is the pending business. The amendment is No. 742.

Mr. BAKER. Mr. President, has there been any order in respect to debate on that amendment?

The PRESIDING OFFICER. Any order?

Mr. BAKER. Yes, on limited time for debate or otherwise prescribing conditions for the debate.

The PRESIDING OFFICER. There is no limitation of debate.

Mr. BAKER. I thank the Chair.

The PRESIDING OFFICER. Or any other order.

Mr. GLENN addressed the Chair.

Mr. BAKER. Mr. President, is the amendment open to amendment?

The PRESIDING OFFICER. Pardon?

Mr. BAKER. Is the amendment open to amendment?

The PRESIDING OFFICER. The amendment is open to amendment.

Mr. TOWER addressed the Chair.

Mr. GLENN addressed the Chair.

The PRESIDING OFFICER. The majority leader has the floor.

Mr. BAKER. Mr. President, I hope that Senators will continue with the debate on this measure for a moment and perhaps there will be some further resolution of the issue.

But the amendment is in the first degree; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. BAKER. Very well.

Mr. GLENN and Mr. TOWER addressed the Chair.

The PRESIDING OFFICER. The majority leader has the floor.

Does the majority leader yield the floor?

Mr. BAKER. Mr. President, I yield the floor.

Mr. TOWER addressed the Chair.

Mr. GLENN. Mr. President, I sought recognition ahead of the Senator from Texas.

Mr. TOWER addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. GLENN. I thank the Chair.

Mr. TOWER. Now wait a minute.

Mr. GLENN. I thank the Chair.

Mr. President, I have the floor; is that correct?

Mr. TOWER. That is not a valid point of order.

The PRESIDING OFFICER. The Senator is correct.

Mr. GLENN. I thank the Chair.

Mr. President, I send to the desk a perfecting amendment to my earlier amendment to delete the word "notifies" and to change it to "informs."

The PRESIDING OFFICER. As long as the Senator has a right to modify his own amendment he does not have a right to amend it.

Mr. GLENN. Will the Chair repeat that, please?

The PRESIDING OFFICER. There has been no action on the Senator's first-degree amendment. Therefore, he has the right to modify it but cannot send to the desk an amendment to it.

Mr. GLENN. Mr. President, I request to modify by changing the word from "notifies" to "informs."

The PRESIDING OFFICER. The Senator has the right to modify his amendment. It is so modified.

(The modified amendment is as follows:)

At the end of the bill, insert the following:

"SEC. . It is the sense of the Congress that the United States should not take any action in connection with its defense programs which would undercut existing strategic arms limitation agreements, unless the President determines, and so informs Congress, (1) that the Soviet Union is no longer exercising the same restraint, or (2) that such action would be vital to the national security interest of the United States.

Mr. TOWER and Mr. GLENN addressed the Chair.

Mr. TOWER addressed the Chair.

Mr. GLENN. Mr. President, I request the yeas and nays.

Mr. TOWER addressed the Chair.

Mr. GLENN. I have the floor.

The PRESIDING OFFICER. On the first-degree amendment as modified?

Mr. GLENN. As modified. That is correct. I request the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. TOWER addressed the Chair.

Mr. GLENN. Mr. President, do I have the floor?

Mr. TOWER. Mr. President, no, he loses the floor.

Mr. GLENN. I do not yield the floor.

Mr. TOWER. He loses the floor.

Mr. TOWER addressed the Chair.

The PRESIDING OFFICER. The Senator does not lose the floor. The Senator does not lose the floor by requesting the yeas and nays.

Mr. GLENN. I thank the Chair.

Mr. President, I repeat the purpose of this amendment is to give congressional backing to the administration to the expressly stated intent not to take any action that would undercut existing SALT agreements so long as the Soviet Union exercises the same restraint.

These exact words express U.S. policy in an official declaration by the Secretary of State on March 3, 1981. He was reaffirmed by Secretary Haig on November 4 before the Committee on Foreign Relations. On November 3 Secretary of Defense Weinberger told the committee that the Defense program the Reagan administration is proposing, including the strategic arms proposals in this bill, will not violate any of the terms of that unratified document.

Secretary Weinberger indicated essential agreement with the proposition that the integrity and credibility of the President's strategic modernization package will be strengthened if the Soviets continue to respect existing SALT agreements.

All Senators are aware of recent indications in the press that the United States could take certain steps as could the Soviet Union which could jeopardize the SALT regime and prospects for new talks.

I add that the newspaper reports involved the fact that we might be proposing with our new MX missile and basing mode to be going beyond silo volumes that were permitted under the SALT agreements even though those agreements were never ratified. Those were the charges.

The PRESIDING OFFICER. The Chair must interrupt the Senator from Ohio.

The Chair has received a ruling from the Parliamentarian that the Chair ruled incorrectly. When the Senator asked for the yeas and nays, the Senator does lose the floor. The Senator from Texas was the first to ask for recognition. The Senator from Texas has the floor.

Mr. TOWER addressed the Chair.

Mr. GLENN. Parliamentary inquiry, Mr. President. I asked for the yeas and nays.

Mr. TOWER. I do not yield for that purpose. The yeas and nays have been ordered on the amendment of the Senator from Ohio.

Mr. GLENN. Mr. President, I made a parliamentary inquiry, and a parliamentary inquiry is in order at any time.

Mr. TOWER. I did not yield.

The PRESIDING OFFICER. I am told by the Parliamentarian that a parliamentary inquiry can only be made if the Senator who has the floor will yield for a parliamentary inquiry. The Senator from Ohio must ask the Senator from Texas if he yields for a parliamentary inquiry.

Mr. GLENN. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. TOWER. The Senator will not.

UP AMENDMENT NO. 743

(Purpose: Expressing the sense of the Senate that the United States should not undercut existing strategic arms limitation agreements)

I send an amendment to the desk, an amendment to the amendment of the distinguished Senator from Ohio, and ask the clerk to report.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas (Mr. TOWER) proposes an unprinted amendment numbered 743:

At the appropriate place in the bill, insert the following:

"SEC. . It is the sense of the Congress that the United States should not take any action in connection with its defense programs which would subordinate the national security interest to existing strategic arms limitation agreements.

Mr. BAKER. Mr. President, I move to table the underlying amendment and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. GLENN addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. GLENN. Mr. President, the question for the Parliamentarian is what will be the first vote in this case? Will the first vote be on my modified amendment or on the proposal of the Senator from Texas?

The PRESIDING OFFICER. The motion to table is directed toward the Senator from Ohio's modified amendment, which will take with it the amendment of the Senator from Texas.

Mr. GLENN. Mr. President, was there a motion made to table?

Mr. BAKER. Yes, I made the motion to table, and we have the yeas and nays.

The PRESIDING OFFICER. The motion was made.

Mr. GLENN. The motion to table—and retaining the right to the floor for just a moment—as I understand it, then the pending business is the motion to table which would carry with it my amendment as modified and the amendment of the Senator from Texas, is that correct?

The PRESIDING OFFICER. Would the Senator repeat his inquiry?

Mr. GLENN. The question is, is the motion to table the pending business?

The PRESIDING OFFICER. The motion to table is pending and is not debatable.

Mr. GLENN. A further inquiry, Mr. Presidnet, if the motion to table carries, will it carry not only my amendment as modified but also the amendment of the Senator from Texas?

The PRESIDING OFFICER. The Senator is correct.

Mr. STEVENS. Regular order.

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the roll.

Mr. HOLLINGS addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. May I be recognized. Mr. President?

The PRESIDING OFFICER. There is no debate in order.

Mr. STEVENS. There is no debate in order.

Mr. HOLLINGS. I apologize. I thought we were still debating it. I would like to be heard on the amendment if I can and not get caught up in this wrangle.

Mr. BAKER. Mr. President, it is my motion to table and I respectfully urge the Chair to put the question.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee to lay on the table the amendment, as modified, of the Senator from Ohio. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from Alabama (Mr. DENTON), the Senator from Arizona (Mr. GOLDWATER), the Senator from California (Mr. HAYAKAWA), the Senator from Kansas (Mrs. KASSEBAUM), and the Senator from Wyoming (Mr. WALLOP) are necessarily absent.

Mr. CRANSTON. I announce that the Senator from Arizona (Mr. DECONCINI) is necessarily absent.

I further announce that, if present and voting, the Senator from Arizona (Mr. DECONCINI) would vote "yea."

The PRESIDING OFFICER. Are there any other Senators desiring to vote?

The result was announced—yeas 49, nays 45, as follows:

[Rollcall Vote No. 447 Leg.]

YEAS—49

Abdnor	Garn	Murkowski
Andrews	Gorton	Nickles
Armstrong	Grassley	Packwood
Baker	Hatch	Pressler
Boren	Hatfield	Quayle
Boschwitz	Heflin	Roth
Byrd, Harry F., Jr.	Helms	Rudman
Cannon	Hollings	Schmitt
Cochran	Humphrey	Simpson
Cohen	Jackson	Stennis
D'Amato	Jepsen	Stevens
Danforth	Kasten	Symms
Dole	Laxalt	Thurmond
Domenici	Long	Tower
Durenberger	Lugar	Warner
East	Mattingly	Zorinsky
	McClure	

NAYS—45

Baucus	Glenn	Moynihan
Bentsen	Hart	Nunn
Biden	Hawkins	Pell
Bradley	Heinz	Percy
Bumpers	Huddleston	Proxmire
Burdick	Inouye	Pryor
Bryd, Robert C.	Johnston	Randolph
Chafee	Kennedy	Riegle
Chiles	Leahy	Sarbanes
Cranston	Levin	Sasser
Dixon	Mathias	Specter
Dodd	Matsunaga	Stafford
Eagleton	Melcher	Tsongas
Exon	Metzenbaum	Weicker
Ford	Mitchell	Williams

NOT VOTING—6

DeConcini	Goldwater	Kassebaum
Denton	Hayakawa	Wallop

So the motion to lay on the table UP amendment No. 742 was agreed to.

Mr. ROBERT C. BYRD. Mr. President, may we have order in the Chamber?

The PRESIDING OFFICER. The Senate will be in order.

Mr. ROBERT C. BYRD. Mr. President, I believe the distinguished Senator from South Carolina was seeking recognition to call up an amendment. I yield the floor. I would ask him to yield to me, if he is recognized by the Chair.

Mr. HOLLINGS addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

UP AMENDMENT NO. 744

Mr. HOLLINGS. Mr. President, I send an unprinted amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

The Senator from South Carolina (Mr. HOLLINGS), for himself, Mr. LEVIN, Mr. HART, Mr. BUMPERS, Mr. RIEGLE, Mr. EAGLETON, and Mr. KENNEDY, proposed an unprinted amendment numbered 744.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 2, beginning with line 1, strike out all down through line 19 on page 28 and insert in lieu thereof the following:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; $14,130,781,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; $10,453,767,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty except members of the Reserve provided for elsewhere); $3,151,526,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; $11,730,381,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 265, 3019, and 3033 of title 10, United States Code, or while serving on active duty under section 672(d) of title 10, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Reserve Officers' Training Corps, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; $1,054,750,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Naval Reserve on active duty under section 265 of title 10, United States Code, or personnel while serving on active duty under section 672(d) of title 10, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Reserve Officers' Training Corps, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; $361,643,000: *Provided*, That funds made available for fiscal year 1982 for "Reserve Personnel, Navy" may be transferred to the appropriation Reserve Personnel, Navy for fiscal year 1979, in such amounts as may be needed, but not to exceed $100,000 to liquidate obligations incurred and chargeable to that account.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 265 of title 10, United States Code, or while serving on active duty under section 672(d) of title 10, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; $152,212,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 265, 8019, and 8033 of title 10, United States Code, or while serving on active duty under section 672(d) of title 10, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Air Reserve Officers' Training Corps, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; $326,399,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under sections 265, 3033, or 3496 of title 10 or section 708 of title 32, United States Code, or while serving on active duty under section 672(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; $1,468,136,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under sections 265, 8033, or 8496 of title 10 or section 708 of title 32, United States Code, or while serving on active duty under section 672(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; $475,078,000.

TITLE II

RETIRED MILITARY PERSONNEL

RETIRED PAY, DEFENSE

For retired pay and retirement pay, as authorized by law, of military personnel on the retired lists of the Army, Navy, Marine Corps, and Air Force, including the reserve components thereof, retainer pay for personnel of the Inactive Fleet Reserve, and payments under section 4 of Public Law 92-425 and chapter 73 of title 10, United States Code; $14,944,815,000.

TITLE III

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $5,400,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes; $15,414,400,000, of which not less than $998,600,000 shall be available only for the maintenance of real property facilities.

ARMY STOCK FUND

For the Army stock fund, $211,300,000.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed $1,899,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes; $20,095,389,000 of which not less than $736,800,000 shall be available only for the maintenance of real property facilities: *Provided*, That of the total amount of this appropriation made available for the alteration, overhaul, and repair of naval vessels, not more than $2,800,000,000 shall be available for the performance of such work in Navy shipyards.

NAVY STOCK FUND

For the Navy stock fund, $17,435,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law; $1,186,440,000, of which not less than $176,800,000 shall be available only for the maintenance of real property facilities.

MARINE CORPS STOCK FUND

For the Marine Corps stock fund, $13,334,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $4,091,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes; $16,906,069,000, and not less than $1,000,300,000 shall be available only for the maintenance of real property facilities.

AIR FORCE STOCK FUND

For the Air Force stock fund, $107,800,000.

OPERATION AND MAINTENANCE, DEFENSE AGENCIES

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law; $4,768,000,000: *Provided*, That not to exceed $5,812,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That not less than $72,400,000 of the total amount of this appropriation shall be available only for the maintenance of real property facilities.

DEFENSE STOCK FUND

For the Defense stock fund, $79,000,000.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $619,700,000, of which not less than $39,000,000 shall be available only for the maintenance of real property facilities

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $570,740,000, of which not less than $28,200,000 shall be available only for the maintenance of real property facilities.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $40,799,000, of which not less than $1,400,000 shall be available only for the maintenance of real property facilities.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $682,608,000, of which not less than $15,300,000 shall be available only for the maintenance of real property facilities.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft); $1,047,600,000, of which not less than $27,000,000 shall be available only for the maintenance of real property facilities.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For operation and maintenance of the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, repair, and other necessary expenses of facilities for the training and administration of the Air National Guard, including repair of facilities, maintenance, operation, and modification of aircraft; transportation of things; hire of passenger motor vehicles; supplies, materials, and equipment, as authorized by law for the Air National Guard; and expenses incident to the maintenance and use of supplies, materials, and equipment, including such as may be furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard regulations when specifically authorized by the Chief, National Guard Bureau; $1,682,568,000, of which not less than $37,300,000 shall be available only for the maintenance of real property facilities.

NATIONAL BOARD FOR THE PROMOTION OF RIFLE PRACTICE, ARMY

For the necessary expenses, in accordance with law, for construction, equipment, and maintenance of rifle ranges; the instruction of citizens in marksmanship; the promotion of rifle practice; and the travel of rifle teams, military personnel, and individuals attending regional, national, and international competitions; $845,000, of which not to exceed $7,500 shall be available for incidental expenses of the National Board; and from other funds provided in this Act, not to exceed $340,000 worth of ammunition may be issued under authority of title 10, United States Code, section 4311: *Provided*, That competitors at national matches under title 10, United States Code, section 4312, may be paid subsistence and travel allowances in excess of the amounts provided under title 10, United States Code, section 4313.

CLAIMS, DEFENSE

For payment, not otherwise provided for, of claims authorized by law to be paid by the Department of Defense (except for civil functions), including claims for damages arising under training contracts with carriers, and repayment of amounts determined by the Secretary concerned, or officers designated by him, to have been erroneously collected from military and civilian personnel of the Department of Defense, or from States, territories, or the District of Columbia, or members of the National Guard units theerof; $198,200,000.

COURT OF MILITARY APPEALS, DEFENSE

For salaries and expenses necessary for the United States Court of Military Appeals: $2,607,000, and not to exceed $1,500 can be used for official representation purposes.

TITLE IV

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, without regard to section 4774, title 10, United States Code, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title as required by section 355, Revised Statutes, as amended; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $1,940,900,000, to remain available for obligation until September 30, 1984.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, without regard to section 4774, title 10, United States Code, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title as required by section 355, Revised Statutes, as amended; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $2,177,200,000, to remain available for obligation until September 30, 1984.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, without regard to section 4774, title 10, United States Code, for the foregoing purposes, and such lands and interests therein may be acquired, and construction prosecuted thereon prior to approval of title as required by section 355, Revised statutes, as amended; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $3,987,600,000, to remain available for obligation until September 30, 1984.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized in military construction authorization Acts or authorized by section 2673, title 10, United States Code, and the land necessary therefor, without regard to section 4774, title 10, United States Code, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title as required by section 355, Revised Statutes, as amended; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $2,438,400,000, to remain available for obligation until September 30, 1984.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support (including not to exceed 14 vehicles required for physical security of personnel notwithstanding price limitations applicable to passenger carrying vehicles but not to exceed $100,000 per vehicle), and non-

tracked combat vehicles; the purchase of not to exceed two thousand seven hundred and fifteen passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, without regard to section 4774, title 10, United States Code, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title as required by section 355, Revised Statutes, as amended; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $3,728,071,000, to remain available for obligation until September 30, 1984.

ARMY NATIONAL GUARD EQUIPMENT

For military equipment for Army National Guard units, $50,000,000, to remain available until September 30, 1984.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title as required by section 355, Revised Statutes, as amended; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; $9,431,400,000, of which $37,000,000 shall be available only for purchase of C–2 aircraft under a multiyear contract, to remain available for obligation until September 30, 1984.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title as required by section 355, Revised Statutes, as amended; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; $3,327,100,000, to remain available for obligation until September 30, 1984.

SHIPBUILDING AND CONVERSION, NAVY

(Including transfer of funds)

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long leadtime components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title as required by section 355, Revised Statutes, as amended, as follows: for the Trident submarine program, $330,700,000; for the CVN aircraft carrier program, $658,000,000; for the SSN–688 nuclear attack submarine program, $1,869,000,000; for the reactivation of the U.S.S. *New Jersey*, $237,000,000; for the reactivation of the U.S.S. *Iowa*, $88,000,000; for the aircraft carrier service life extension program, $100,800,000; for the CG–47 AEGIS cruiser program, $2,946,300,000; for the LSD–41 landing ship dock program, $301,000,000; for the LHA/LHDX helicopter assault ship program, $45,000,000; for the FFG guided missile frigate program, $971,900,000; for the MCM mine countermeasures ship program, $99,700,000; for the T–AO fleet oiler ship program, $200,000,000; for the T–AGOS SURTASS ship program, $156,500,000; for the ARS salvage ship program, $160,500,000; for the T–AKRX fast logistics ship program, $323,000,000; for the T–AFS Lyness conversion program, $37,000,000; for craft, outfitting, post delivery, cost growth, and escalation on prior year programs, $808,500,000; for inflation adjustments to be distributed by the department as appropriate among the programs in this appropriation, $105,000,000; for acquisition, construction and improvement, Coast Guard, $300,000,000, to be transferred to the Coast Guard: "Acquisition, Construction and Improvements"; and in addition, $102,400,000 of which $58,000,000 shall be derived by transfer from the "maritime prepositioning ship programs" of "Shipbuilding and Conversion, Navy, 1981/1985", and $44,400,000 shall be derived by transfer from the "fast logistics ship (T–AKRX) program" of "Shipbuilding and Conversion, Navy, 1981/1985"; and reductions in the amounts, as follows: $7,000,000 for consultant, studies and analyses; in all: $9,331,900,000, and in addition, $102,400,000 to be derived by transfer, to remain available for obligation until September 30, 1988: *Provided*, That of the appropriation for "Shipbuilding and Conversion, Navy," that expired for obligation on September 30, 1981, $119,000,000 shall remain available for obligation until September 30, 1983: *Provided further*, That none of the funds herein provided for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign shipyards for the construction of major components of the hull or superstructure of such vessel: *Provided further*, That none of the funds herein provided shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance and ammunition (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of not to exceed three hundred and four passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title as required by section 355, Revised Statutes, as amended; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; $3,880,268,000, to remain available for obligation until September 30, 1984.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, ammunition, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and vehicles for the Marine Corps, including purchase of not to exceed one hundred and nine passenger motor vehicles for replacement only; $1,758,716,000, to remain available for obligation until September 30, 1984.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land without regard to section 9774 of title 10, United States Code, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to the approval of title as required by section 355, Revised Statutes, as amended; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things; $12,368,398,000, of which $1,817,600,000 shall be available only for purchase of F–16 aircraft under a multiyear contract, and $344,300,000 shall be available for contribution of the United States share of the cost of acquisition by the North Atlantic Treaty Organization of an Airborne Early Warning and Control System (AWACS) and, in addition, the Department of Defense may make a commitment to the North Atlantic Treaty Organization to assume the United States share of contingent liability in connection with the NATO E–3A Cooperative Programme, and $89,700,000 shall be derived by transfer from Aircraft Procurement, Air Force, 1981/1983, to remain available for obligation until September 30, 1984.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land without regard to section 9774 of title 10, United States Code, for the foregoing purposes, and such lands and interests therein, may be acquired and construction prosecuted thereon prior to the approval of title as required by section 355, Revised Statutes, as amended; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things $4,567,746,000, to remain available for obligation until September 30, 1984.

OTHER PROCUREMENT, AIR FORCE

(Including transfer of funds)

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of not to exceed nine hundred and sixty-one passenger motor vehicles for replacement only; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land without regard to section 9774 of title 10, United States Code, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to the approval of title as required by section 355, Revised Statutes, as amended; reserve plant and Government and contractor-owned equipment layaway; $5,357,589,000, and in addition, $800,000 which shall be derived by transfer from "Other procurement, Air Force, 1981/1983", of which $67,200,000 shall be available only for purchase of AN/TRC–170 radios under a multiyear contract and for related support, to remain available for obligation until September 30, 1984.

PROCUREMENT, DEFENSE AGENCIES

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procure-

ment, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of not to exceed three hundred and eighty-eight passenger motor vehicles of which two hundred and forty-three shall be for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to the approval of title as required by section 355, Revised Statutes, as amended; reserve plant and Government and contractor-owned equipment layaway; $518,700,000, to remain available for obligation until September 30, 1984.

TITLE V

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test, and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $3,759,409,000, to remain available for obligation until September 30, 1983.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test, and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $6,114,579,000, to remain available for obligation until September 30, 1983.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test, and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $8,911,106,000, to remain available for obligation until September 30, 1983.

Mr. HOLLINGS. Mr. President, I yield to the distinguished minority leader.

Mr. STENNIS. Mr. President, may we have order in the Chamber?

The PRESIDING OFFICER. May we have order in the Chamber? Senators who are conversing will please retire to the cloakrooms. The Chair requests order in the Senate.

Mr. ROBERT C. BYRD. I thank the Chair.

Mr. President, there is still not order in the Chamber.

The PRESIDING OFFICER. The Senator is correct. Will Senators please take their seats? The Senate will be in order before we proceed.

The minority leader is recognized.

Mr. ROBERT C. BYRD. I thank the Chair.

Mr. President, I do not want to unduly prolong any discussion with reference to the problem which erupted just prior to the rollcall vote. I would hope that the tension in the atmosphere has subsided somewhat now and that we might now approach this matter with a little more calmness. I think it is a matter that ought not go unheeded and unprotested.

In lodging this protest, I do not intend to cast any reflection on the present occupant of the chair or upon the Parliamentarian. I believe that when Senators are vying with one another for recognition by the Chair, tensions will get aroused and the situation becomes overheated. In such a situation, the Chair may rule wrongly; the Parliamentarian may advise the Chair wrongly. So I do not want to ascribe any invidious intention on either the part of the Parliamentarian or the Chair.

As I recall, I heard Mr. GLENN very clearly seeking recognition. I thought he sought recognition first before Mr. TOWER.

The Chair can recognize any Senator in its own discretion, and the Chair's decision cannot be appealed. The prerogative of recognition is probably the most powerful weapon in the whole parliamentary arsenal. I would rather have that prerogative of recognition than any other single prerogative because that prerogative can pretty much control any situation which arises here, at least for a time.

I do not particularly find fault with the Chair's having recognized Mr. TOWER. Although Mr. GLENN did very loudly first seek recognition, the Chair recognized Senator TOWER.

I am among the foremost in protecting the right of prior recognition of the majority leader. I think my friends on the minority side will remember one occasion when I probably exceeded the reasonable bounds of protest and vehemently lectured the Vice President, who sat in the chair, over his not recognizing Mr. BAKER, the then minority leader. I was right in the position I took, although as I reflected on it afterward I should have asked unanimous consent for the Vice President to address the body because he had no opportunity to respond to me. So I think I was unfair to him on that occasion, although I had not intended to be, because I felt that I was right. I subsequently apologized to him.

So I will always be among the first to support recognition of the majority leader above anybody else in the Chamber. If I am seeking recognition at the time the majority leader is seeking recognition and the Chair recognizes the majority leader, I have no quarrel with that. Or if I am a split second ahead of the majority leader or 2 seconds ahead of the majority leader and the Chair recognizes the majority leader, I have no quarrel with that because I would be expected to be treated the same if my party controlled the chair.

However, I do not agree with the Chair that, once Mr. TOWER was recognized, the Chair could take the floor away from Mr. TOWER and recognize the majority leader.

Mr. TOWER was clearly recognized by the Chair. I heard the Chair recognize him. Mr. TOWER did not yield the floor. In that situation, I do not believe that the floor should have been taken from Mr. TOWER.

By the same token, once the Chair erred in recognizing Mr. GLENN following Mr. GLENN's request for the yeas and nays, I do not think the Chair had any authority by which the Chair could take the floor away from Mr. GLENN. That was an error on the part of the Chair. If the Chair recognized me in a situation and the Chair was in error and then turned the floor over to the majority leader or another Senator, I think that would be grossly wrong of the Chair. If I am recognized and have the floor, there is nothing that can take me off the floor as long as I want to hold the floor. I do not think there is any power on Earth that could rightly take the floor away from Mr. GLENN after he was once recognized.

I can offer a cloture motion without his yielding to me for the purpose, but I cannot take the floor away from him and hold it.

I am the minority leader and, next to the majority leader, I have the right of recognition in this Chamber over anybody else—next to the majority leader. I want to preserve those rights, but I also want to preserve the rights of other Senators. I do not want the Chair to become tyrannical.

Again I say this with all due respect for the present occupant of the chair.

Mr. TOWER. Will the Senator yield for clarification?

Mr. ROBERT C. BYRD. In just a moment, Mr. President.

With all due respect to the present occupant of the chair, we cannot let matters like this go by without raising a protest. I just have to insist that those who sit in the chair—we do not claim any right to sit in the chair, because when I became majority leader, I took the position that inasmuch as the Democrats controlled the Senate, they had the responsibility to preside. So I do not question that prerogative of the Republican majority. That is their prerogative, that is their responsibility, and I have no quarrel with that.

But I must insist on fairness by the Chair at all times, no matter who is in the chair, and by the Parliamentarian, because the minority does have some rights. We have to uphold those rights and it is in the interest of the majority to protect the rights of the minority.

I have been watching for a considerable length of time and there have been several instances when I have seen Members on this side of the aisle seek recognition clearly in advance of a Senator on the other side of the aisle—I am not talking about the majority leader or the majority whip—yet the Chair recognized a Senator on the other side of the aisle.

Mr. President, moreover this business of having lists as to what Senator will be recognized next to call up an amendment has no place in the rule book. There is no rule that will support that practice. The rule provides that the Chair shall recognize the first Senator who shall seek recognition.

Two or three Senators may seek recognition at the same time. If I were in the chair, I would likely recognize a Senator on this side. If Senator PETER DOMENICI were in the chair, I would suspect that if two Senators were simultaneously seeking recognition, he would probably recognize the Senator on his side.

But if Senator GLENN or Senator KENNEDY or Senator HOLLINGS or Senator NUNN stands up on this side of the aisle and speaks loudly and clearly and, 2 seconds later, a Senator on that side stands up and speaks, I think the Senator on this side is entitled to recognition.

Mr. President, I simply say that because I do not want us to have these ruckuses. They do not do anything but slow down the operation of the Senate. They cause blood pressures to rise, and they contribute to acerbity in debate, and hard feelings. Although I am certain that such hard feelings never last, nevertheless I have to take this time to urge the majority that it bend over backwards in according the right of the minority to be recognized.

I do not ask that the minority be given preference, I do not expect it to be. But I do hope that the rules will be followed and that the majority, which has the right to rule in this Chamber, will not use that power to curb the rights of the minority or to make the minority feel that we are being unfairly treated.

Mr. President, I yield the floor.

Mr. BAKER. Mr. President, will the Senator yield to me?

Mr. HOLLINGS. Mr. President, I am delighted to yield to the distinguished majority leader.

Mr. BAKER. I thank the Senator.

Mr. President, maybe I speak with more authority than some who have preceded me in this position; I do not speak for the Senator from West Virginia in this context when I say I know what it is like to be in the minority. Indeed, I was minority leader for 4 years. The statements just made by the present minority leader have a ring of familiarity that I cannot deny because, throughout those 4 years, on so many occasions that I cannot enumerate them, I imagined, or thought, or suspected, that the majority at that time was discriminating in favor of its side of the aisle in recognition. I must say that now that I am on the majority side, I have a more enlightened view of that. I must say that was probably not the case then and it is not the case now.

(Mr. GORTON assumed the chair.)

Mr. BAKER. In any event, Mr. President, I assure the minority leader that I will never countenance the recognition on a priority basis of any majority member over and above a member of the minority or over and above the rights of any minority Senator who seeks to be recognized. I have consulted with the occupant of the chair, not the present occupant but more than one, on that, I have consulted with the Parliamentarian on that, and have conversed with the minority leader.

I now reiterate: The occupant of the chair must recognize the first Senator seeking recognition under the rules and precedents of the Senate, and to the extent that I can do so, I urge and insist that that occur. That is not a criticism of the previous occupant of the chair or the present occupant of the chair but a simple statement of the rules of recognition in the Senate.

Mr. President, on the matter just dealt with, I came to the floor a moment ago and found that the place was in somewhat of a state of disarray. I frankly did not know who had the floor or what the amendment was or what the parliamentary situation was. The only tool I had at that time in my arsenal was to try to seek recognition to see if we could untangle this mess. Frankly, what I did was repeat to Members on both sides of the aisle as they walked through the well of the Senate, "I am making a tabling motion so we can cool this off and find out where we are going next." That is precisely what we did do. Indeed, the tabling motion prevailed, and I suspect there will be other amendments on this same subject.

But, Mr. President, throughout that entire procedure, I am sure the minority leader understands and I believe every Member of the Senate will understand that there was no effort by any Member on this side, certainly no effort by me, to intimidate, to discriminate against, or to treat badly with any Member of the minority or any Senator seeking recognition.

Just for the record, Mr. President. it is my view and I subscribe to the assessment made by the minority leader; that, in times of stress such as we have just witnessed, it is very difficult for the Chair to rule instantly on matters of great import or for the Parliamentarian to advise quickly on conflicting statements and claims that are being made to the floor. Let me simply say that, for the record, I am convinced that, under the rules and precedents, asking for the yeas and nays did indeed call for the Senate to act and when the Senate did act, the Senator from Ohio lost the floor and I was entitled to the right to seek the floor.

By the same token, I have some qualms about the fact that the Senator from Ohio, who appeared to have the floor, was ruled by Chair not to have the floor. I have not seen that procedure before and I would not encourage that in the future.

I am not privileged to say what the rules of the Senate should be in the future. Mr. President, it seems to me that, at least constructively, the Senator from Ohio had gained the floor. Whether he was recognized or not, he was speaking. He was proposing a po'nt to the Senate. So I urge that in the future, we consider that when a Senator has begun to speak and debate, for practical purposes, he has gained the floor under these circumstances.

I will be glad to consult with the minority leader. with the Parliamentarian, with the occupant of the chair, and others, to elaborate on that point of view.

However, Mr. President, I express my views now to the distinguished Senator from South Dakota: He has occupied the chair on many occasions. His service has been exemplary. It was in this case. He was acting on good advice, and he was acting properly in his role. I commend him for handling himself well in a difficult situation.

The Parliamentarian is a trusted officer of the Senate, and I have no criticism of him under the circumstances of what occurred.

All I can say, Mr. President, is that what is over is done, and we should get on with the business at hand.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield to me?

Mr. PRESSLER. Mr. President—

Mr. HOLLINGS. I yield first to the distinguished Senator from South Dakota, who was presiding.

Mr. PRESSLER. Mr. President, I shall not prolong this, except to say that in this situation, it was very difficult to get clear signals from the floor; and I had no purpose other than to try to follow the Parliamentarian and to follow my own best judgment. Sometimes, when several Senators are simultaneously seeking recognition of the Chair, it is very difficult to determine who spoke first. I just wanted to say that.

Mr. HOLLINGS. I yield to the distinguished Senator from West Virginia.

Mr. ROBERT C. BYRD. I thank the Senator for yielding.

Mr. President, I want to say that no majority leader could ever be more fair to the minority than Mr. BAKER has been with me and with my colleagues on the floor. What I said a moment ago is certainly not meant to be any reflection on him.

I simply thought we should take the floor at this time and, if possible, speak in such a way as might save us some problems later.

After the Senator completes his opening statement, I would appreciate it if he would yield again to me with respect to the pending amendment.

Mr. HOLLINGS. Yes, I will be delighted to yield to the Senator from West Virginia.

Mr. STEVENS. Mr. President, will the Senator yield?

Mr. HOLLINGS. I yield.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the motion to table UP amendment No. 742 was agreed to.

Mr. JEPSEN. I move to lay that motion on the table.

The PRESIDING OFFICER. Without objection, the motion is agreed to.

Mr. ROBERT C. BYRD. Mr. President, is there objection? Let us do this thing right.

The PRESIDING OFFICER. Is there objection to the motion?

Without objection, the motion is agreed to.

Is there a motion to table?

Mr. STEVENS. I do make a motion to table.

The PRESIDING OFFICER. Without objection, the motion is agreed to.

The Senator from South Carolina.

UP AMENDMENT NO. 744

Mr. HOLLINGS. Mr. President, we can move now from senatorial defense to national defense. [Laughter.]

The great tragedy this year was that we were going to be afforded the opportunity of treating our defense program comprehensively and setting out, for the first time in some time, the national defense policy for at least 5 years forward.

There is no question that, with the election of President Ronald Reagan, he was very strong on defense. I had run last year and was reelected. I had been propounding the same views. We knew that when all were elected, it was more or less a mandate from the people that we would increase our defense effort.

Now, the tragedies of economics have overtaken; and in the late summer and

early fall, we had the Stockman-Weinberger fiasco. As a result, the consensus in the coalition, in a bipartisan way, that had formulated to move forward together and comprehensively look forward for a period of 5 years, was decimated, fragmented, and split into different directions. So, in essence, we have not been able to debate this defense budget.

As the Senator from Georgia and the Senator from Maine pointed out yesterday concerning the MX, we were about to make a very long-range decision monetarily, putting the cart before the horse, before we actually had made the substantive decision with respect to deployment.

Similarly, with respect to the financing of the Nation's defense, we were never able to get a 5-year plan from the Department of Defense. They always issue, by late summer, what we call the green book or procurement annex. We can see projected there, over a period of 5 years, exactly what are the requirements.

To a point, if you took the Secretary of the Army and had him list the requirements for the Army and add it up and project it out for 5 years; took the Navy, with all its ships, and projected it for 5 years; took the Air Force, with all its planes, weaponry, and missiles—strategic, tactical, fighter, and otherwise—and projected it out for the Marine Corps in a similar fashion, you would find, as we found in the Appropriations Committee or, more specifically, in the Budget Committee, that there is just not that much money in the world. There is no way. You could make many, many, many legitimate requests for our defense needs, but there is just not that kind of money available.

So you posture yourself in trying to follow priorities and looking at the real problem. What is the real problem? The real problem, in a sentence, is catch up ball. We almost got into this a moment ago, and I want to get into it. I am willing to debate that at length.

You just threw a red flag in this old bull's face when you talked about Soviet restraint. I have not seen it. Where was the restraint in Angola or in Afghanistan? They are restraining themselves into Poland and restraining themselves into Latin America. Do not tell me about their using restraint. That is the problem: There has been no restraint.

We went into SALT I in good faith; we set an example. We not only made and confirmed the treaty, but also, we entered into détente, and anything that disturbed the all-important relationship between the United States and Russia was looked upon as destabilizing, provocative.

Remember, when the Senator from New Hampshire stood here and the Senator from Mississippi—when the Senator from Mississippi was chairman of our Armed Services Committee—if you bought a piece of weaponry, that was going to be stabilized. We are coming into detente. Well, we "detented." We delayed for 10 years. Now we have all the inflating costs of weaponry and personnel.

So put yourself mentally as the Commander in Chief. That is what a Senator has to do. Of course, too many of them think they are already the Commander in Chief. [Laughter.] There are various problems from time to time. It is probably a good way to approach it.

Put yourself mentally as Commander in Chief, and you say, "What can I do?"

It is like the old woman who lived in a shoe: "I have too many children and don't know what to do. I have to take care of the social safety net. I have to try to balance the budget. I have to show some leadership in the inner cities with enterprise zones. I have to try to fill out all kinds of commitments. I have to balance the budget and increase defense and try to really reestablish the national security of the United States of America, so that we can compete not just militarily but economically and in foreign policy and in freedom."

We find the interconnection, the linkage, if you please. If you have a strong defense, you can work for a strong economy. If you have a strong economy, you have a strong people. You have a strong stand for world freedom, and thereby we can have peace.

Unfortunately, the events are about to overtake us.

We have the same thing that John F. Kennedy wrote, as a Harvard student, back in 1940, 40 years ago, when he entitled his book, "While England Slept." The premise there was that everybody was asking for disarmament on the Continent; that arms cause war, rather than prevent war. Neville Chamberlain went to Munich, representing England, responding to the majority view of the people.

Heavens, let that not happen in this land at this time.

However, playing mentally as Commander in Chief, is there any opportunity to get a fair jump forward? Can we really play catchup ball, or are we just going to plug along?

There will be that sector that talks about waste, fraud, and abuse; another group lets you have something for personnel; another will want to volunteer, and another group will want to draft. There will be all angles to contend with.

Looking at it in that regard and having worked with the 050 function since the beginning, 6 years ago, when I chaired the Task Force on National Defense, on our Budget Committee, and later chaired the committee—and now as the ranking minority member—I saw more clearly than anything else an opportunity, if you please, to take 40 billion bucks now, December 1981, and play catchup ball, to get ahead.

We could start getting even and get that head start that is so necessary in operation, maintenance, readiness, preparedness, the capability of our fighting forces.

(Mr. QUAYLE assumed the chair.)

Mr. HOLLINGS. The tragedy is that this amendment will be defeated. It will be defeated because the administration says to defeat it.

I know many on the other side of the aisle are of similar mind.

I go only to my distinguished chairman, and he will have plenty of time to state his view on this, but only a month ago on October 29 in the Washington Post I quote:

> Chairman Ted Stevens revealed that the Central Intelligence Agency had told the Senate Appropriations Subcommittee on Defense in a secret session yesterday morning that the existing B–52 bomber would do just about as well as the proposed B–1 in penetrating the Soviet Union with cruise missiles.
>
> Later Stevens said the CIA assessment given to the subcommittee yesterday morning hardened his opinion that it might make more sense to put the B–1 money into Stealth. The CIA assessed how B–52 and B–1 bombers laden with cruise missiles would do with Soviet defenses for the rest of this decade "There would be practically no difference," Stevens said of the penetration capability.

So what has occurred? We find that in reality we did not get that B–1 when the Senator from South Carolina wanted it. As a little aside, I know how the Air Force feels. They were trying to replace necessarily in procurement, in weaponry and everything else, the long-range strategic bomber. They were trying back in the 1960's to replace the B–52. Of course, we have come along with D's and then B–52G's and B–52H's. But in 1964 they had the B–70 that was cancelled by then-Secretary of Defense McNamara. That was a blow to them.

They came around again in another decade and they thought they had it on line and, as I told then-Commander in Chief President Carter who had written the book "Why Not the Best," let us go with the B–1. Why not the best? Now is the time. We have spent enough money. The plant was open. It was operating. We had several B–1 bombers and now was the time to move forward with production.

President Carter saw it otherwise and cancelled it. I would love to have had 100 B–1's or 200 B–1's right today.

But the plant has been closed down. It is out of operation. It is used for something else. The program was stopped. We wasted 5 years and $5 billion.

And now the $109 million B–1 has become a $400 million monstrosity.

And the Air Force at the time said, "Heavens, we have another one going. We had President Kennedy, we thought, and than it was cancelled by Secretary McNamara. We thought we had maybe President Carter. He was a military naval Annapolis graduate, and he cancelled the B–1. Now we are going to have the B–1B come along and we have a President to go along and here comes Congress and they are going to cancel it. When will we ever get a replacement?"

So the full court press is taking place in the last 6 weeks on Capitol Hill and everyone is looking. There are those who called the B–1 a turkey. It is not. It is an excellent airplane that can do many, many things. It is not a turkey or it is not a buzzard. If we could get one for $100 million, we would have a bargain. We would move forward on it. But to buy it for its primary role and mission as a penetrating bomber when it will be obsoleted within 3 years because with this delay—we are into December, when we use 1986 as an IOC, it was an Octo-

ber 1986 date, so that brings us down really to the first part of 1987—makes no sense. It is obsoleted in 3 years, 1987, 1988, and 1989. To have that obsoleted instrumentality that costs some $400 million makes one as a reasonably sane and prudent legislator, stop, look and listen.

And when we do and when we listen to the knowledgeable, professional voices, and I believe I have heard most of them, no one could say this is a copper fashioned clearcut decision, but this is what we in the law call not a reasonable doubt but a preponderance of the evidence.

I have had the opportunity to meet with the distinguished Senator from Ohio, Senator GLENN, for whom I have the highest regard particularly on military matters, particularly on aircraft matters. He knows way more than I will ever know about them. I have had the opportunity to be in restrictive sessions there and to be briefed for hours each morning. I have talked to various personnel before and after President Reagan's administration, and I think I have listened to the best of the best and I have more than overwhelming evidence in my judgment that the Stealth bomber is not only technologically feasible it is very, very realistic and very, very probable and they have what in the military is an IOC date of either one can argue 1988 or 1989. Secretary Harold Brown wrote his article.

The distinguished Senator from Indiana, who is presiding, asked the former Assistant Secretary of Defense for Planning, Mr. William Perry. He said 1989 or 1990. They have been using that date right along.

We know, and it is said in the clear because I would not want to get into any kind of restricted information, but it is said in the clear in the Perry testimony that the difficulty in reality is not so much of the design of the plane and it depreciating so quickly as it is in the appreciation of Soviet fire control systems, their look-down shoot-down capability, and that is as much as can be said.

But they are moving and they are moving on schedule, and—that is why a B–52 equals a B–1 as just reported by some of the testimony that we heard in the Appropriations Committee. It is the improvement on the part of the Soviets relative to detection, and fire control that brings us to a crisis in 1990.

Let us jump to that window of vulnerability. It is very interesting that when the Senator from Georgia and the Senator from Nebraska, Senator EXON, were cross-examining Assistant Secretary of Defense Perry about the window of vulnerability, Secretary Perry did not accept service on that window of vulnerability.

It is generally thought to relate to the ICBM and now they are vulnerable. Yes, they are vulnerable, and that opens the window, but not really opens the window, if you please, according to Mr. Perry, but actually lets one see through it. The window has not been opened with respect to the triad. We have the Trident and we have the B–52 manned strategic bomber, and I will go into that if we get into debate because the Senator from Utah, who has also my greatest respect as he is a former pilot of many, many years, and knows more about aircraft than I ever will, is very, very much concerned about the age, usage, and worthiness, one might say, and cost of repair and maintenance of the B–52.

I, as many others right here understand it to be a very, very usable plane into the 1990's. But they all cut off at 1990.

You are not dealing with that particular problem in relation to the B–1 or the B–52 until 1990.

While the ICBM is threatened, we rely now, and they withhold from strikes, we know—at least we think—on account of the Trident and on account of our manned penetration bomber. We hope to repair that ICBM leg of the triad as of our action yesterday, and we are looking now to the time period that we do have and the problem at hand.

The real problem, if you were to look at this and measure it, is in the testimony of everyone intimately connected with it on the point of the B–1 not being able to be relied upon after 1990.

In the Armed Services Committee that was not a casual portion of the testimony by Secretary Weinberger. Secretary Weinberger responding, if you please, to questions by Senator EXON from Nebraska, stated:

I think there is no question whatever that we will not be able to use the B–1 as a penetrator after 1990.

This is all relative, but you have to vote yea or nay. You cannot vote maybe. You have to vote aye or no on this, and you have to make your judgment and make your call on it. So it can vary by some months, but they are pretty categorical on this.

Secretary Weinberger, in answering the question of Senator WARNER from Virginia, said:

If you do the B–1 only, you spend a lot of money.

This is their testimony, incidentally, a month ago, a little less than month ago, in November, November 5, or exactly a month ago before the Armed Services Committee.

If you do the B–1 only, you spend a lot of money. Again I am trying to guess at the extent of development of the Soviet air defenses. So if I use a couple of years—

You can see he is not casually throwing it out, he is measuring that judgment—

So if I use a couple of years, give me leeway, 1989, 1990, probably 1988 to 1989, you lose the ability to penetrate unless someone wants to direct suicide missions, and that is not anything I am going to do.

That is the Secretary of Defense less than a month ago.

But there is no question about his particular judgment on that because everyone has come down with the same thing. By the beginning of the nineties, the B–1's effectiveness as a penetrator is greatly diminished. By then its proponents say it will become a great conventional plane. But when do we need the B–1 or any new plane as a conventional plane. Dr. Perry, when Senator QUAYLE asked him about this answered:

My feeling was that the need date for the airplane was probably not until the mid-1990's rather than the mid-eighties.

I can go through all these different records, and bring them out, because you just do not want to wing it here trying to save money. I would rather make the error on the cost on the side of extravagance, I would rather make the misjudgment—and everybody says that is an understatement, that that fellow has been trying to appropriate an entire nation's economy for national defense—but that is not necessarily the case—I would make the error on the side of making sure we had a strong enough defense.

But we have two planes and we do not have to go into all the costs. One of the things Dr. Perry laments is that we have slowed down. That is why there is this transfer amendment for the refurbishing and coming on board faster of the Stealth with the B–52D's being phased out in 1986 under his testimony. But the Stealth bomber has been slowed down, the cruise missile has been slowed down, and Dr. Perry goes into all of these things.

I am rather persuaded by that testimony. I think the full force politically, if you please—I understand the Air Force—and I know because I tried to get information on end strength on another amendment, and as I stated on the floor, I might as well have gone there as a Communist. They did not even want to talk to me, did not even answer the call, I could not get any information out of them. So they know how to get lockjaw toward a U.S. Senator, to give, and get, and release, and resist as they wish.

But in any event, the Air Force, I understand, wants to come in now and wants to run up all the costs of the B–52. They have about a $21 billion pad in there but this debate does not affect those costs really one iota. The B–52G's and H's stay onboard until 1993, give or take a year. There has been plenty of testimony. They got under Dr. Perry's testimony a good usage for 10 or 15 years, so you do not have to get into that Mickey Mouse of "Oh, heavens, for the same amount of money you can get a B–1." That is not the case.

This is a $40 billion amount that is needed elsewhere, and needed now.

Let us talk about the amount itself because that is one of the most interesting features. We talk a different language in this National Congress. If you look at the particular projections of costs, you will find in this one item of weaponry alone we are talking substantially the difference that stopped the Government on Monday morning when President Reagan vetoed the continuing resolution for appropriations.

We had argued in the back rooms, President Reagan wanted $1.5 billion for foreign assistance, for foreign aid. He called Mr. WHITTEN, the chairman of the conference, from Mississippi; he called Mr. WRIGHT, the majority leader over on the House side. They said:

Mr. President, if you, the President, say in Latin America we need this money, we will give you $500 million.

We were all on that conference committee, so substantially the difference was another $500 million to $700 million that we broke up the whole Government over.

Well, here is one item, dear friends, and look at it. In 1982 the Department of Defense says it is only $2.5 billion, but CBO estimated, using all the facts and figures by GAO and others, that that cost is going to be $3.2 billion in 1982; in 1983 $4.2 billion according to the Department of Defense; but CBO says it is $5.7 billion, that this program is scheduled to cost in outlays by 1984—and, we are talking about just inflation, not all the add-one, and I will get to the Proxmire letter, the letter of the ranking member of our Appropriations Committee, and what was left out. But these are the realistic items to make the B–1 the fine instrumentality. they call it; you are spending almost $9 billion in 1984; $11.3 billion in 1985; and $10.5 billion in 1986.

As a budgeteer I am looking at $39.8 billion. Mr. President, I ask unanimous consent that this table showing the CBO estimates of cost of the B–1B and the Department of Defense estimates, with the difference of $11.9 billion in estimated costs be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

B–1B ESTIMATES

[In billions of dollars]

	82	83	84	85	86	Cumulative
CBO	3.2	5.7	8.9	11.3	10.5	39.8
DoD	2.5	4.2	6.2	8.0	7.0	27.9
Difference	.7	1.5	2.7	3.3	3.5	11.9
DoD inflation	7.2					
CBO inflation	9.2					

Mr. STEVENS. Mr. President, since the Senator has a normal break there, will the Senator yield for just a question?

Mr. HOLLINGS. Yes.

Mr. STEVENS. I wonder if we might explore the possibility of a time agreement on the Senator's amendment, something that would provide, say, that we would vote no later than 6 p.m.? Would the Senator be willing to do that?

Mr. HOLLINGS. I would aim in that direction, I say to the Senator, but I could not make the agreement. I think if I could get through these opening remarks, then I know the distinguished Senator from West Virginia, the distinguished Senator from Arkansas, and the distinguished Senator from Georgia want to speak and I just cannot tell. There is no way for me to tell. I think we waste more time trying to get to an agreement. I will work toward that, we are not trying to stretch this out at all.

Mr. STEVENS. I am just looking for a matter of balance, a little fairness.

Mr. HOLLINGS. The great balance and the great fairness to the people of America are our national security and particular our national economy. That is what I have in mind. I am not worrying about Senators now. I am on the floor and I will discuss this matter.

I was up here and we had all your nonsense at 2 in the morning and 3 in the morning. You put on a charade and wasted me for 3 days. I did not say anything. That was pure sham down in the well, twisting arms to send a bill that we said was going to be vetoed. We could have had the continuing resolution out. This was Hollywood east. Do not give me that stuff about balance. [Laughter].

I have the floor and I want to be heard on this, because I want to try to get ahead of that Soviet crowd within the economy of this country. I am tired of wasting money, like everybody else. I think I know a little about the budget.

Mr. STEVENS. Would the Senator yield for one more question?

Mr. HOLLINGS. Yes.

Mr. STEVENS. I appreciate the complete friendship that you expressed in that answer. [Laughter.]

Let me ask the Senator again in a different way. Would the Senator contemplate an outside time at which we might notify Senators that this amendment might come to a vote today?

Mr. HOLLINGS. I will contemplate it, but not out loud. [Laughter.]

Mr. STEVENS. Would he allow me to contemplate something between 6:30 and 7?

Mr. HOLLINGS. I will try my best, even for less. But let me see how much time my other colleagues may need. I cannot tell. The Senator from Ohio wants a substantial time on this and he is on your side on this particular question. So let us be fair.

I am getting now from staff a list that seven Senators wish to be heard. At 10 minutes apiece, that is 70 minutes. The Senator from Ohio will take a good half an hour. I do not know. Let us get going. I think we will save time.

But I think if you really look—here we talk of a $700 billion budget and here is where cost overruns commence because we are not candid. We gobble up the defense budget with one piece of weaponry and then we tell the Commandant of the Marine Corps—I just talked to him the other day. He was saying in the markup over in the Appropriations Committee, "Can you help me on this?" I said, "General, if I can get the room to do it, I think that this certainly should come first. I think you are our first line of defense. If we go nuclear, there is not going to be any line. But if we go conventional, I take it it will be the Marines. And they are the best. I want to support them."

But there I am. I cannot give the infantry a fighting vehicle, I say to the Senator. I would like to fight the way you and I fought in World War II. We went forward a certain number of kilometers. But you cannot just walk and march and crawl with the use of gas in Laos—gas.

With gas used in Cambodia, with gas used in Afghanistan, they are just not going to march forward like they do in that parade that they put on for Senators at Fort Myers. You know, that was a pretty parade. But that is not going to work.

The Soviets have 76,000 infantry fighting vehicles to take care of their troops moving forward. We have zero. And you are telling me about the B–1 penetrating bomber. If you want to know the most inefficient way—and the Senator is a former pilot who flew over the hump in China. I remember we saw the place where you landed at Beijing as Senator Mansfield used to say—not Peking, "Beijing."

So, all right, we landed at Peiping. But the point of the matter is that you cannot, if you please, fly those planes and get everything you want, all the weaponry, and leave the infantry, the Navy, the Marines, and everyone lagging behind because of a penetrating bomber that is going to be the last thing to be used in a nuclear exchange.

I asked the best of the best. Maybe he will identify himself on the floor in a minute, because he is on the other side. But I said, "Senator, you are a pilot and you are an astronaut and you know better than anybody else. Can you conceive of a B–1B ever being used, except to penetrate in a nuclear exchange as a penetrating bomber?" And the gentleman said, "No." And that is about the only time they would use them.

I cannot conceive, I say to the Senator, of a more inefficient and what we call in the law, last clear chance, to get at Moscow, than a manned, penetrating bomber. We can try ICBM's, SLBM's, ALCBM's, cruise missiles, Titans, Persian II's—I have a long list—as Commander in Chief before you send a crewman wandering around Moscow in a penetrating bomber. I can tell you that. And that tells a lot of the story.

Could it be that what the Air Force wants is the most expensive tactical bomber they can possibly conceive and give up on the manned strategic bomber, the manned penetrating bomber? Is that really their goal in this particular debate?

We have waited so long, we have tried so hard, we failed so much, that now is the time and we will at least get one good, modern, fine bomber. Even though it might be used as a cruise missile carrier, even though it might be used only as a tactical bomber, we will at least have that. And if we have to get to that other, we cannot say it out loud because it would be disloyal to the fraternity, but we will just go ahead and use cruise missiles.

Is that what they are saying? Then let them come out and say that and come back down to what we are going to pay for a tactical bomber or a cruise missile carrier, $400 million.

That is the most expensive route you can possibly contemplate. I think, in reality, that is what we are getting to.

Questions were asked. The Senator from Indiana asked: Is it not just a strategic attack bomber? Before the Armed Services Committee, Dr. Perry said the Stealth was going to be used for both. We were going to replace the B–52's all the way around after 1990 with the Stealth bomber.

You have no shortage of bombers. Dr. Perry testified that rather than B–1, more F–15E's. We have F–15E's coming along. They are great planes. That is

what the Saudis wanted. If you go back to that, they did not ask for AWACS, they asked for bomb racks.

Mr. STEVENS. I keep hoping the Senator will let me answer a question. He keeps asking the question and he answers them before I get a chance to answer them.

Mr. HOLLINGS. Then he said more F–16's. That is what the Israelis used on the reactors there at Baghdad. I could go on down the list, A–6's, A–7's, F–18 s—we have thousands of bombers coming out of our ears tactically. We are not short of bombers, but we are short of ammunition.

The Senator from Ohio pointed out that we are short on fuel and steaming hours. That is disgraceful. One training crew can shoot one missile and win one competition and the other crews sit there and look at it. It is a disgrace to take a Redeye missile and let only the crew that wins the competition shoot it and the rest look at it.

You ought to read the article in the Los Angeles Times concerning the use of electronic space games for training. I believe I had a debate with the Senator from New Jersey about Fort Dix and Fort Jackson. If this is the route we are going to take we ought to close them both down and let soldiers go to Atlantic City in the penny arcade and use one of those Ataris, let them walk on the boardwalk in their shorts and shoot on those little machines, if that is the kind of war we want, because they are not firing real bullets. It is a disgrace not to get the ships we need. It is a real disgrace not to go ahead with one particular restricted program that is so high on this list that you and I cannot discuss.

Mr. STEVENS. Is that a question?

Mr. HOLLINGS. No; that is not a question. I am going down my grocery list of where the priorities should be with every Senator. Because what is going to happen is, you are going to win your vote and then for the next 4 years we are going to have cost overruns and crowding out of every bit of readiness and a chance for the military to be proud and do their job.

The greatest morale deterrent that I know of is for a soldier not to be able to fire his weapon. Go out there at Grafenwohr in Germany. The first month, in October of last year, the fiscal year, they fired up 70 percent of their ammunition. They were through for the year. And there is no use for you and me to fly to Heidelberg to find out why they were on drugs. If I were a 19 year old and did not fire my rifle sometime, I would try some drugs or a fraulein or something, would you not? [Laughter.]

I mean, we act like it is a mystery lately; that American youth have deteriorated. They are fighting, ready to go, but you will not give the tools to them. Why? Because you have an obsolete, expensive, $400 million a copy B–1B that you demand, that you do not like but you are carrying out the orders of HOWARD BAKER and the majority.

Mr. STEVENS. Can we have a little dialog on that? How much time do you think a pilot spends in a simulator for his weather training or an astronaut spends in a simulator compared to the time they are actually flying the vehicles that the distinguished Senator from Ohio and the distinguished Senator from New Mexico flew? What are you talking about firing? We were out there firing guns, the M–1.

Mr. HOLLINGS. Sure, simulation is great.

Mr. STEVENS. Why do you have to spend $250 to $1,000 a copy for practice when you can do it with something like an Atari? Let me tell you, he is a much better pilot because he was in the simulators and I am a much better weather pilot from flying in the Link trainers than I would have been flying in the soup from the beginning. Where you are wrong is you are on the attack that says you have to spend money for real hard, round ammunition.

Mr. HOLLINGS. Right.

Mr. STEVENS. Or you have to spend all of this money rather than using our technology. The secret of what we have now is that the B–1B is a different bomber than the one that was stopped. The B–1B is different, it has a different mission, that the one that was stopped. This debate, I hope, will get around to it.

It is nice to be on the same side as the Senator from Ohio for a change today. We will get around to talking to you about some of these things.

I wish you would let us answer some of these questions.

Mr. HOLLINGS. You will answer them. We will not run out of time. One minute you want to restrict the time and the next minute you say we are running out of time.

Mr. STEVENS. But the Senator mentioned my statements in the beginning about the question of whether we could afford the course we are on. It is correct, as chairman of this committee, I held hearings all year, up even until October, and was not convinced that we had the right course until we got down into the basics and into the dollar signs and looked at what we were doing.

The course the Senator would put us on would make us rely upon the B–52's into the nineties and have no bridge between now and the success of the ATB technology.

Mr. HOLLINGS. Mr. President——

Mr. STEVENS. If we were involved in a situation where we had the ability to take that risk on a dollar sign basis, it might make some sense, but we do not have the right to take that risk, to risk the country's future, on the successful completion of the research and development that is associated with the ATB technology. Our decision was to maintain the B–52's as long as they are needed, until we get the B–1B's, and then to go to the B1–B's and all the time concentrate on ATB as much as the country can afford, adopting into the B–1's as they become new generations the technology that is proven so that as we get into the nineties we still have asset value.

If we put all our eggs in the B–52's when we get past the 1990's, it is like having relied upon the Edsel and we are at the end of the line. If the technologies do not come through, if the breakthroughs are not there that we anticipate in ATB, we would have no new system. We have to have a bridge from the Edsel.

By the way, it would be a darn good Edsel, but it would be an Edsel by the 1990's.

The B–52 is a good machine now and as testimony has shown, it is equivalent to anything else we can do between now and 1990. It is a good penetrating bomber until the B–1 is delivered. But the B–1 can follow on from that. It is a B–1B. It might become a B–1G by that time. But all the time we are looking to the breakthroughs that will come with the ATB technologies.

I think everyone here ought to be dedicated to the ATB technologies. I said that to my good friend, the minority leader, yesterday. This is the genius of America, to develop the ATB technology. We will do it and we will use them as soon as they are proven. They will be followed into the B–1B's as they become the C's, and the D's, and the G's, just as the B–52H is right now. The B–52H is a lot different airplane than it was when Harry Truman put it into being back in his period as President.

I would say to my good friend, and he is going to lecture us, do not forget that those of us who were very skeptical have been skeptical all through the year until it was proven. We have the proof. I put Dr. DeLauer's declassified letter into the RECORD 2 days ago. I hope every Member of the Senate will read it. I have offered to have the classified version of that letter at my desk for anyone who wants to read it.

Really, it is not necessary to make the decision on the floor of the Senate to have that classified information as compared to this amendment that the Senator from South Carolina has because it is proven. It can be proven categorically.

It is a cost-effective decision to make plans now to retire the B–52's when they have not lived out their existence and to have a bridge to go on, not just in the 1990's, but the B–52B's will fly well into the year 2000. I hope the Senator will let us take that case. I know he will.

I wish this was a clear amendment to just strike the B–1 money. The amendment is an amendment which is quite complex. It is quite long, as a matter of fact, because it spreads the B–1 money all throughout the bill and raises a lot of peripheral issues that may or may not be easy to take care of it.

Mr. HOLLINGS. Would you vote for it if we changed the amendment around that way?

Mr. STEVENS. No. I say it would be cleaner for me to deal with it as chairman of the committee to decide where the money went if you won. I would be horrified if the money deleted from the B–1B went where you want to put it. That is what I am saying, my good friend.

Mr. HOLLINGS. Mr. President, let me try to finish my statement and then we can move to some of the others. I see the Senator from West Virginia is waiting. Defense Secretary Weinberger's position on the B–1 has been keenly ques-

tioned by the former Secretary of Defense Harold Brown—who incidentally has served at the appointment of both Democratic and Republican Presidents. You will recall he was on the strategic arms limitation talk team in Helsinki back in 1971. Secretary Brown's observations on Secretary Weinberger and the B–1 appeared in the Washington Post on November 13. You will see how prophetic Mr. Brown was from the following quotes from the Post article. Mr. Brown said:

Defense Secretary Caspar Weinberger has indicated that the B–1 will be able to penetrate Soviet air defense until 1990—a year or two after deployment of the 100 B–1's included in the October second strategic program. After that, he suggests, the B–1 can effectively be used as a cruise missile carrier, for which it is grossly overdesigned and overpriced. Moreover, he judges that an advance technology "Stealth" bomber, employing recently developed techniques to reduce the observability of the aircraft by Soviet air defenses, could reach its initial operational capability by 1989, 3 years after that of the B–1. The Stealth bomber, because it is still in development, cannot be as certain to be operational on schedule predicted as can the B–1. But the B–1 manufacturing capability does not extend very far below the prime contractor, and will have to be rebuilt—and the program now includes over $2 billion of B–1 development funds. Moreover, there is a serious risk of diversion of funds from Stealth development and production into the B–1, particularly once the B–1 production line has begun and all the usual political pressure to keep it going has built up.

Is that not why we have the amendment drawn that way? Where do we put money back in? Into the Stealth. That is exactly what is occurring here already, in December 1981.

I quote further:

The B–52 force may now not be modified to be able to preserve a reasonable penetration capability into the late 1980's under expectation that the B–1 will serve that purpose.

Mr. President, is that not prophetic? Is that not what we have in the amendment? They have cut back on that particular beefing up of electronic design. There is nothing wrong with the airframe, engines and everything else. They are just more modernized, more advanced electronic equipment.

Quoting again finally from Mr. Harold Brown's article in the Washington Post, Friday, November 13:

We will lose assurance in the B–52's ability to penetrate some time after 1985, and in the B–1's penetration capability about 1990. The B–1 will have to depend on electronic countermeasures for its penetration and this is a game of measure and countermeasure whose outcome cannot be confidently predictable.

Mr. President, let me move on, because there is no risk—you can talk to anyone involved. We are not asking anyone to take a risk and send out all the secret letters, all this is open. In fact, if the media wants to be better informed, all they have to do is ask Ike Pappas, he can tell you. Ask George Wilson. He can tell you.

I could go down the list. They are writers and reporters, I say to the Senator; they keep abreast. It is really a constant game, a discipline, almost, reading the different magazines and talking to the persons involved. But, in the Budget Committee, we have to all of a sudden look—and we are not looking now at what Senator HOLLINGS or Senator BYRD or Senator STEVENS may want or not want. We are looking at what President Ronald Reagan said was necessary in his March budget and, then, when his program had faltered in September, what he knocked out of it.

If his economic program had worked—and heaven knows, we gave him all the Democratic votes for his spending cuts; we gave him all the Democratic votes for his tax cuts; we gave him all the Democratic votes and otherwise for AWACS and foreign policy. This is a Reagan Congress, which seemingly no one wants to report on. Here is what he then cut out when his program did not work, and I shall have to go into these items because this goes to the very heart of what we need when we sit down and look at the modernization and readiness cuts of some $5.2 billion in the Army.

We reduced the end strength, we debated that, $35 million just in the Army. They made reductions in operation and maintenance, canceled or adjusted funds for the camouflage screens, RDF improvements, tactical automation, and communications.

It cuts support funds for activation of new units that totals $79 million. The reduction in M–1 tank procurement reduced the tank buy from 720 to 665. What does that mean? That makes Chrysler look bad. They were good when we were buying 720, but when you cut them back, all of a sudden, you make private free enterprise, the industrial producer, have to take that unit cost with inflation and put it back in the other way and instead of getting the economical buy which the Government needs and the circumstances warrant, then we get the expensive buy and we run around like Chicken Licken—ooh, cost overrun.

Here is where the cost overrun is, in the B–1, I say to the Senator. When you go to this B–1 and cut economical tank buys out, you are starting your cost overruns in your tank program. Do not come back next year and tell us about it.

The Reagan budget amendments make a reduction in war reserve training ammunition inventories, $159 million; reduces truck and cargo vehicle procurement levels $126 million; and reduces the UH–60—that is that Blackhawk helicopter—Patriot and Roland procurements.

They reduced the M–88 Recovery vehicle procurement, and there are the R. & D. reductions.

Let us pause there for a moment. When you look at the national defense budget and you look at our competition, the competition they are talking about is unequal. I get letters saying, "Why can't we produce a tank as economically as the Russians?" I do not know what their cost is. I do not know if in Communist countries they allocate costs.

In any event, it is a rather amusing thing, because the truth of the matter is that they spend on personnel around 18 or 19 percent, about 18 percent on personnel costs. We are right up there at about 60 percent of the entire defense budget on personnel costs. That leaves us what for research and development? That means that they can spend about 35 percent for research and development and have been doing it for a 10-year period. They can get into space, they can get into lasers, they can get into the ballistic missile defense, and try and make their radar superior and different other things that we now hear about. And we are limited to less than 10 percent for R. & D.

Where does the cut come for research and development? The cut comes right here with this B–1 inclusion, because in order to make room for it, we have to cut the Army $137 million, we have to cut the Navy $198 million, we have to cut the Air Force $620 million out of research and development, and you have to cut the Department of Defense $92.4 million, for a total of $1,048,300,000.

When you cut that billion dollars out of R. & D., that puts you behind and you are playing catchup ball. You are trying to get ahead.

America's freedom depends upon the superiority of its technology. When that tank comes up, yes, we can build a cheap, tough tank, if we are going to build to 50,000. We only have 11,000. You know why we are not going to build 50,000? Because we are not going to man them. We are not going to have that big an Army. I have a bill in for the draft. We cannot get the personnel. We are not going to have 50,000 tanks, so our tank has to knock out three to five of their tanks every time we raise our heads, so we are going to have to have superior technology.

When we get the superior technology, which is the posture of our national defense, we have to have the superior soldier. That means the superior soldier intellectually. Therein is the problem. It is not the guts and the character, it is the preparedness of that volunteer soldier that has been going down. He cannot handle this technology. We are not getting a cross section of American society. So we are going in one direction for the superiority of technology and in the other direction for personnel that just cannot handle it.

Is Congress going to give us 50,000 tanks? If so, I shall hush. But they are not going to do it. So I have to insist on R. & D. I cannot afford to cut it. I know we can wisely spend way more on it. I know our people are smarter. I hope the Congress is not dumber, and that we are going to hereby cut all of this.

Well, these cuts we are talking about go right on down to the Navy. And not just in research and development funds. What about additional ships? What about the *Oriskany*? The Armed Services Committee on the Senate side put that in last year. And President Carter signed it. And now we are going to do what? Cut Jimmy Carter's defense budget this afternoon. And some want a time agreement.

Get on with it, they say. We can take Carter's budget that he signed into law

on all of these items and cut them back. They were found very, very necessary when everybody was moving toward a national election last year, but now that we are moving to national bankruptcy, they say, well, let us hold up and let us go with the B–1 and make sure that keeps 137 contractors and 25 States happy to the tune of $40 billion.

There just is not any constituency for ammunition and all these other things I am listing. And on we go. We can cut the Marine Corps operating support another $80 million, delay activation of Victory ships for prepositioning.

You know how I could use the $40 billion? Twenty-five for the rapid deployment force. It exists just on paper. You and I know that. Is that not something? We think we settled the Persian Gulf program by agreeing to something in 1985, 4 years from now, on the AWACS. Is that not a great defensive, bold move, Congress? My heavens above. They should be ashamed of themselves.

I would use $25 billion for fleshing out the rapid deployment force and $15 billion on the Guard and Reserve. I can see those on the Armed Services Committee nodding, because they know we are way down. We do not have any equipment there, do not have the manpower. We should bring them up to strength, and it will take $15 billion. I will put that in the record. We are 176,000 men shy. Is that not a tragedy?

They talk about readiness and ask, "What is the matter with those people parading in downtown London and downtown Rome?" They are saying in Italy that they will take the Pershing missiles, they are saying, "You don't have a draft. You don't have a conventional force. You don't have a conventional capability. You don't have the national willpower. You can't even get deployed on your own continental limits the MX missile, but you are telling us, in the next breath, to accept the Pershing missile."

Here is what this kind of forced political judgment has been doing to us in this National Congress. We could not debate the 5-year needs of the Army, the Navy, and the Air Force. I can go down the line: the Harpoon procurement, the logistics and engineering support, the $224 million for the FFG–7.

These items that I list emphasize Commander in Chief Ronald Reagan's grocery list, not HOLLINGS'. This is what he found necessary, and this is what he has cut out now in his new green book, which is entitled "Highlights of the Fiscal 1982 Budget Revisions, June 1981 and September 1981, With Strategic Program Changes."

This Departmment of Defense book includes cuts that were originally in there with relation to the Air Force, the JCS RDF funding for airlift support. We have no plane. Where is that CX or C–5A, or where is the plan? We are going to talk more about that later.

Also, O. & M., Rapier missile, KC–10. We brought that up. We tried to get it in, and in lockstep they knocked it down. The MC–138. I could list them all.

Mr. President, I ask unanimous consent to have this list printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

EXAMPLES OF REDUCTIONS IN MODERNIZATION AND READINESS ACTIVITIES PROPOSED IN PRESIDENT REAGAN'S OCTOBER 1981 REQUEST

Total of examples of modernization and readiness cuts: $5.2 billion.

ARMY

[*Proposed savings (in millions of dollars)*]

1. Reduce end strength by 6,300: activities of new units delayed; deactivation of a brigade; agreed to in authorization: $35.
2. Reduction in O&M: $79.
a. Cancels or adjusts funds for camouflage screens, RDF improvements, and tactical automation and communications.
b. Cuts support funds for activation of new units.
c. These cuts agreed to in authorization conference.
3. Reduction in M1 tank procurement: $276.
a. Reduces tank buy from 720 to 665.
4. Reduces war reserve/training ammunition inventories: $159.
5. Reduces truck and cargo vehicle procurement levels: $126.
6. Reduces UH–60A, Patriot and Roland procurements: $654
a. Authorization agreed with most of the cut.
7. Reduce M88 Recovery vehicle procurement: $5.
a. Authorization cut $24 million.
8. R&D reductions: $137.
Total of proposed savings: $1,471.0.

NAVY

[*Proposed savings (in millions of dollars)*]

1. Reduce O&M funds for Oriskany carrier: $8.
2. Reduce O&M funds for Trident support: $10.
a. Authorization cut $30 million.
3. Cut costs for fleet modernization upgrade of General Purpose Ships: $80.
a. Agreed to in authorization.
4. Cut Marine Corps operating support: $10.
a. Reduce the buy of camouflage screens.
b. Cut funds for exercises with Maritime Prepositioning Ship Force.
c. Agreed to in authorization.
5. Delay activation of Victory ships for prepositioning purposes—impacts on Persian Gulf preparedness: $50.
a. Agreed to in authorization.
6. Reduce steaming hours: $173.
a. Authorization agreed to about $115 million.
7. Reduce flying hour mission readiness: $28.
a. Affects Indian Ocean/Persian Gulf operations.
8. Cut Marine Corps training activities: $4.
a. Agreed to in authorization.
9. Decommission nine ships: $15.
a. Agreed to in authorization.
10. Real property maintenance: $40.
a. Reduction adds to the backlog of deferred maintenance projects.
11. Reduce logistics and engineering support: $30.
a. Reduces engineering software support and aircraft modification installations.
b. Affects AEGIS support, ASW support, various aircraft and other logistic requirements.
c. Agreed to in authorization.
12. Cancelled activation of Oriskany: $561.
a. Includes both ship and aircraft support.
b. Agreed to in authorization.
13. Reduce Harpoon procurement: $50.
a. Cuts buy from 340 to 240 missiles.
b. Agreed to in authorization.
14. Reduces FFG–7 procurement from 3 to 2 ships: $224.
15. Cancels TAKX Maritime Prepositioning Ship program: $392.
16. Reduce and delay Marine Corps procurement of Copperhead, VIPER and guided missiles/ammunition: $45.
17. Reduce Marine Corps procurement for maritime prepositioning items: $15.
18. R&D reductions: $198.
Total of proposed savings: $1,933.0.

AIR FORCE

[*Proposed savings (in millions of dollars)*]

1. Reduce end strength by 6,000: $42. a. Agreed to in authorization.
2. Cut JCS RDF funding for airlift support: $79. a. Agreed to in authorization.
3. Reduce B–52D operations support: $19. a. Agreed to in authorization.
4. Cut O&M for Rapier missile: $5.
5. Reduce special education programs for handicapped dependents of service personnel: $8.
6. Reduce A–10 procurement from 60 to 20: $275. a. Agreed to in authorization.
7. Cancel KC–10 program: $500.
8. Reduce B–52 modification/spares program: $83. a. Agreed to in authorization.
9. Cut UH–60 procurement from 12 to 6: $31. a. Agreed to in authorization.
10. Reduce funds for MC–130H: $33.
11. Delay Rapier procurement delivery and cancel Minuteman extended survivable power program: $77.
12. R&D reductions: $620.
Total of proposed savings: $1,772.0.

Mr. HOLLINGS. Mr. President, the main point is this. The Senator from Kansas (Mrs. KASSEBAUM) had another view of the B–1. I was the B–1 gung-ho Senator. She said to me yesterday: "Senator, I don't understand how you can change."

I said: "Well, quite to the point, the economics will change me very quickly."

I would do anything to get this Government in the black, and I would do anything to build a strong national defense. To reconcile those two needs, there is no way in the world we can take, over a 5-year period, $40 billion and allocate it to a piece of weaponry that is going to be, at best, fifth or sixth in line in usefulness for penetration of the Soviet defense, at a cost of $400 million each.

Someone said, "Well, you're going to join that whole crowd that opposed you." I do not mind that.

My trouble is that we have this responsibility and we do not have the room for this, and we just cannot afford it. We are not letting down our Air Force bomber capability. In long range, there is no gamble. The B–52's are there, and I have testimony galore on it. The B–1 will not be performing after 1990, according to Dr. Perry and Caspar Weinberger. The Stealth can and will work, and it will be on line 1988, 1989, 1990, and thereafter, and take over both strategic and tactical operation. Until that time, we can jump forward on the ATB.

Someone was saying something about the Soviet B–1. All I can say is that the task is not to equal the technology but to surpass Soviet technology, and we have to do it within a free economy, and to do that you have to have public support. The only way you can get public support for national defense is to show that you are making good, rational, hard judgments at this time. The Nation will support it if it can be proved. But if they see you are just playing games and yielding to pressure and actually allocating away the readiness of their troops in the field, I do not think they will support it.

Mr. President, I promised to yield to the distinguished Senator from West Virginia.

I thank the distinguished chairman, as a cosponsor.

In trying to move along, I yield to the Senator from West Virginia, then the Senator from Michigan, and then the Senator from Arkansas.

Mr. GARN. Mr. President, will the Senator yield for a question before he yields the floor?

Mr. HOLLINGS. I yield.

Mr. GARN. I will save my speech for later.

I should like to debate many of the points of the Senator. In essence, all the Senator has said, which he has repeated several times—at least, I interpreted it that way—was that we will fall off the end of the world if this ceases to be effective at all. Is that a fair analysis of what the Senator has said?

Mr. HOLLINGS. I do not have to analyze it. We do not fall off the world. Everyone knows it is a relative thing, and it has been attested to with relation to your own Secretary of Defense and my Secretary of Defense, for whom I have the greatest respect.

What you are really trying to measure is not us and the B–1 capability. You are trying to measure an intention, but this occurs in the open testimony by Dr. Perry before the Armed Services Committee, relative to Soviet detection capabilities.

On that score, Secretary Weinberger—not to fall off the end of the world—used this dramatic language:

> If you do the B–1 only you spend a lot of money—again I am trying to guess at the extent of development of the Soviet air defenses, so if I use a couple years, give me leeway 1989, 1990, probably 1988 to 1989—you lose the ability to penetrate unless someone wants to direct suicide missions and that is not anything I am going to do.

Mr. GARN. I thank the Senator for the answer. He gave it in his initial speech.

However, I think it might help to reflect back on the debate on the B–52, because we have heard many times that this airplane will last only 43 years.

In January 1953, the feeling in some U.S. Air Force quarters was that the difference between the B–47 and the B–52 was not worth the cost of the latter program. The Strategic Air Command also anticipates getting supersonic bombers soon enough to make the B–52 shortly a short-term, interim, measure.

So we hear it again today: The B–52 is going to be shortly a short-term, interim, measure. In 1953, 28 years ago, we were arguing that we should not go to the B–52 because it will not last long enough; it is too expensive; keep the B–47. Thank God we did not make that mistake then. So we still have the B–52 today, in light of that 28-year-old testimony saying that it is going to be just fine into the 1990's.

I suggest that we not make the same mistake over again and that we go ahead with the B–1.

Mr. HOLLINGS. Mr. President, I yield to the distinguished Senator from West Virginia.

Mr. ROBERT C. BYRD. Mr. President, the distinguished Senator from South Carolina is very able. I enjoy listening to him. He is very persuasive and very hard working.

I think that his statement here today is a very illuminating and very interesting one.

I have not yet made up by mind as to which way I shall vote on this amendment. My comments will be brief and will not go directly to the amendment.

I call attention to the fact that the news media has continued to report that most of the amendments offered by Senators on this side of the aisle are intended as an attack on the funding for the B–1 in this bill.

Last evening I took the floor in an attempt to clarify the situation. I called attention at that time to a wire service item of the United Press which inaccurately characterized Democratic amendments in such fashion.

AP last evening was also reporting in part as follows:

> DEFENSE SPENDING
>
> (By W. Dale Nelson)
>
> WASHINGTON.—Meeting solid Republican resistance, Senate Democrats failed repeatedly Wednesday to shift funds to military needs they said are more pressing than President Reagan's proposed B–1 bomber fleet.

Such reports constitute an inaccurate characterization of the amendments thus far offered by Democrats.

I take the floor to point out that now for the first time since the debate started on this bill, we have pending an amendment that will indeed transfer funds from the B–1 to a variety of other worthwhile military functions, including readiness, procurement of various weapon systems, ships, and other items. This is the first amendment, if it is adopted, that will take one thin dime out of the B–1 account, and we are now in the third day of debate.

Prior to this amendment, the amendments that were offered from this side of the aisle were add-on amendments, with no transfer of funds from the B–1 and no shift of funds from the B–1.

One of the amendments was offered by Mr. GLENN that provided for additional funding for restoration of the full amount of requested Navy steaming hour programs. There was no shift of funds from the B–1.

Another amendment offered by Mr. HOLLINGS was for additional funding for restoration of reduction in Air Force and Army active end strength. There was no transfer of funds away from the B–1.

There was an amendment which I offered providing additional funds for the advance technology bomber. There was no shift of funds away from the B–1, no deletion of funds.

There was another amendment offered by Mr. HOLLINGS to allow for additional funding for procurement of ammunition for the Army. That was in the amount of $148 million. There was no shift of funds, no attempt to transfer those funds away from the B–1. It was an add-on amendment.

Then there was an amendment by Mr. LEVIN providing for additional funding for the procurement of four KC–10A ATC aircraft for the Air Force. Again there was no shift of funds from the B–1, no transfer of funds from the B–1. It was an add-on amendment.

And there was an amendment by Mr. EXON for $60 million additional funding for Army force modernization. There was no transfer of funds from the B–1, no shift of funds from the B–1, no deletion of funding from the B–1.

So the record should be clear. These amendments have not constituted any effort whatsoever on the part of Democrats to whittle away at the B–1. It is an unfair characterization, not meant to be unfair, of course, but being inaccurate it unfairly characterizes the efforts of those on this side of the aisle who have attempted to add on funds for various items which we think are necessary to strengthen the defense of our country and to carry out the administration's program as it was presented to us earlier on.

We are now on an amendment that, for the first time, would transfer those funds from the B–1.

So I just simply wish to make that point again for the record and I hope that if any other Senator wishes to speak on this matter at this point, he do so.

Mr. LEVIN. Mr. President, I fully concur with the assessment just made by the minority leader. As a matter of fact, as a cosigner of that letter with Senator HOLLINGS and a cosponsor of this amendment with Senator HOLLINGS, it is very clear that the amendments which were voted on yesterday and up through this amendment now were add-ons. They were not transfer amendments from the B–1 to those items.

The issue there was whether the cuts which had been made in military readiness between March and October by the administration were going to be accepted by this Senate. The issue was whether the readiness deterioration which we have seen physically between March and October was going to be stamped with approval by this Senate. The amendments sought to restore critical items of military capability. They are not partisan items. They are some of the most basic questions of rapid deployment, operation and maintenance, ammunition, and other readiness items. They should not be partisan items. They were not intended to be in any way. These were intended to restore critical readiness items without taking away from the B–1.

That is the way those items were offered by various Senators. They were intended to be voted on in that way and only now, as the minority leader indicates, are we on an amendment which would transfer funds to readiness items. Until now these were add-on amendments which some of us would have funded one way or another but they were not amendments which deteriorated or detracted from the B–1.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield?

Mr. LEVIN. I am happy to yield.

Mr. ROBERT C. BYRD. I thank the distinguished Senator.

I think it is important that the people of this country understand and that the press understands that the amendments we have offered thus far would not have any effect on B–1 funding. They would not whittle away a little here, a little there from the B–1 program, as such press report imply.

As a matter of fact, some Senators who very strongly support the B–1 program have also supported some of the add-on amendments.

Mr. BENTSEN. Mr. President, will the Senator yield?

Mr. CRANSTON. Mr. President, if the Senator will yield, I am one of those Senators, and I wish to speak about that.

Mr. ROBERT C. BYRD. I yield.

Mr. BENTSEN. Mr. President, the minority leader has made the point for me. I am a strong supporter of the B–1B and have been for quite some time. Yet I voted for these additional add-ons to the military procurement bill because they are important and I thought that Senators NUNN and HOLLINGS and others made a contribution in bringing those kinds of amendments before us.

Mr. ROBERT C. BYRD. I thank the distinguished Senator, and I yield to the minority whip.

Mr. CRANSTON. Mr. President, I wish to say that I also am a very strong and constant supporter of the B–1 program and have been over many years and am now.

I sponsored the amendment in last year's defense authorization bill to insure that we have an effective, manned bomber program, and I insisted that the B–1B be included in that amendment, although if some other bomber proved more effective for the national needs of our country based upon an unbiased decision, I would accept that decision.

I will deal later in this debate with the reasons for my support for the B–1. I will oppose the Levin-Hollings amendment which seeks to delete funds for the B–1.

The amendments that we have been dealing with up until this point for the most part—those that we are discussing—are amendments that constitute a very serious effort to improve the readiness of our military forces.

These amendments restore funds that were in the President's original March budget request, coming from the Republican administration, however, now opposed almost unanimously on the Republican side. These amendments were all endorsed overwhelmingly in May by the Congress in the defense authorization bill.

What were these amendments? They were to provide full funding of the requested money for Navy steaming hours; they restored reductions in Army-Air Force active end strength; they provided funding for the advanced technology bomber; they provided ammunition for an Army that needs more ammunition than is now available, and so forth, and so on.

I supported these amendments because I believe they provide what we need for our Armed Forces. I did not support them because I wanted funds to go for these purposes instead of the B–1. I do not, of course, support that approach.

But these amendments serve a very valid purpose, in my opinion, and that was the opinion of the administration until it ran into a budget crunch.

Our national defense, more than any other, should be based on what is needed for the security of our Nation with less respect to budget aspects, although, of course, we have to take that into account.

In addition, it was stated throughout the debate that these amendments were not alternatives to spending money on the B–1.

As to the Stealth, I strongly support the Stealth program. I do not view that as necessarily competitive to the B–1. It is a technology we should explore. We should see if we can develop it. We well may. On the other hand, we may not, and if it turns out that we cannot develop and cannot deploy it, and it is not worth deploying the Stealth technology, then we should have the B–1 ready to go, and it is ready to go and ready to fly. That is why I support the B–1 and also the Stealth.

I will get back to the B–1 at a later stage in this debate.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. NICKLES). The Senator from New Hampshire.

Mr. LEVIN. I believe I had the floor, Mr. President.

Mr. RUDMAN. Mr. President, will the Senator from Michigan yield? I will be very brief.

Mr. LEVIN. I yield.

Mr. RUDMAN. I just want to say, in response to the statement of the very distinguished minority leader who, as is his usual habit, stated meticulously and precisely what has happened on the floor and how it has happened, that on the 25th of November we received a letter, a very thoughtful letter, which many of us studied in great depth. It was signed by the Senator from Michigan and the Senator from South Carolina.

It listed from (a) through (o) a number of changes in this appropriation, and it said:

> Therefore, we, the undersigned, intend to offer to the Department of Defense appropriation bill for FY '82 an amendment to delete funding for the B–1 bomber and allocate the savings to certain defense modernization and readiness priorities.

It also said, to paraphrase, that we have to make some choices.

Now, the fact of the matter is that the distinguished minority leader is absolutely correct. That is not the way it came to the floor. But I think it is not beyond the realm of possibility for some of us to have the faint idea that these amendments, offered one by one, followed by this amendment now, have some bearing on priorities.

So I simply state that the minority leader is correct in his statement. But those of us who have felt there was some choice being made here have more than faint reason to believe that.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield?

Mr. LEVIN. I would be happy to yield.

Mr. ROBERT C. BYRD. Mr. President, I thank the distinguished Senator for his statement. He may very well have arrived at that conclusion, that may have been his interpretation. But the truth of the matter is that any careful reading of those amendments will find there is no verbiage whatsoever that provides for any shift of funds or any transfer of funds from the B–1. They are strictly add-on amendments.

There will be a time, however, and it is here now, when Senators will have an opportunity to vote on an amendment that transfers B–1 funding into other items, and Senators can have their choice.

But it is inaccurate for the amendments that have been offered thus far to be characterized as efforts to whittle away or to delete funding from the B–1. It is simply not so, and I want the record to so show.

Mr. LEVIN. Mr. President, before I begin my remarks supporting the pending amendment, I just wanted to add one thought to the statement of the Senator from California. Not only were the add-ons previously offered in amendments additions which had been supported in the President's March budget but they were also add-ons which were supported by both the House and the Senate in their authorization bills.

It was not until the authorization conference after the October defense reductions submitted by the President that, in fact, those cuts in readiness were made. So there was a lot of prior support in the Senate and in the House for the amendments which were individually offered up to the point that this one now is before us.

Mr. President, relative to the now pending amendment, we are weakening our Nation by buying 100 B–1 bombers instead of buying 100-plus additional Stealth/advanced technology airplanes above and beyond the 123 Stealth airplanes already provided in the administration proposal.

The issue is not whether we will have a new bomber, but which new bomber or bombers we will buy with our billions. The issue is not maintaining our B–52's instead of buying a new bomber. The B–52's are going to be replaced in either event—whether we buy the B–1 or the Stealth bomber.

The issue is whether we want more bombers or less. The issue is whether we want better planes or less capable planes. The issue is whether we want longer penetrating bombers that can penetrate for 25 to 30 years or whether we will pay billions for the B–1, which can only penetrate from 5 to 10 years; and the issue is whether we want to buy more bombers, better bombers, longer penetrating bombers at less cost.

This all-Stealth amendment will result in more bombers, better bombers, longer penetrating bombers for less cost.

Mr. President, an important consideration in choosing the Stealth bomber instead of the mixed B–1 Stealth force proposed by the administration is that we will be able to buy more planes.

In testimony before the Strategic and Theater Nuclear Forces Subcommittee, Dr. Richard DeLauer, the Pentagon's research and development chief, said that a mixed force of 100 B–1's and 132 Stealth bombers would cost $114 billion, and that an all-Stealth/advanced tech-

nology bomber (ATB) force would cost $112 billion.

What he did not say is that the all-ATB force, the all-Stealth force, would consist of more planes. I cannot reveal how many more since that number is classified. However, the fact remains, and it is available to each of us in the Senate, that we can get more planes for our money.

Second, Mr. President, the Stealth planes are more capable. In testimony earlier this year before our Strategic Subcommittee, the then Commander-in-Chief of the Strategic Air Command, Gen. Richard Ellis stated:

The most pressing requirement is to prepare for the long-term—1990 and beyond—to develop a new technology bomber with the earliest possible initial operational capability (IOC). This new strategic bomber must have the capability to penetrate the projected defense environment of the Soviet Union into the next century.

Our studies show that, if we act now to take advantage of significant new technologies, bombers will be able to penetrate even the most sophisticated radar defenses. Over the next few years, great improvements will be seen in propulsion; reduced aircraft weight; non-reflective composites; dramatically lower radar and infra-red signatures; improved countermeasures and refined avionics. Air Force studies and preliminary development work indicate these new technologies are ready for melding into a strategic penetrator with the required characteristics and capabilities.

So spoke General Ellis.

Even B–1 supporters, in their "Dear Colleague" letter call the Stealth bomber "our premiere penetrating bomber," and Defense Secretary Caspar Weinberger, on November 5, said:

It is certainly accepted by everybody that we will have to have something better than the B–1 and that we have the ability to get something better starting now.

So spoke Secretary Weinberger.

Mr. President, it is true that we cannot talk too much about the Stealth on this floor, as a number of us have pointed out. But it is well known—and I can say this on the floor, having checked carefully to be sure I can—it is well known that, in order to more quickly resolve technical uncertainties regarding the design and subsystems of the ATB, $300 million could be prudently added to the DOD budget request for fiscal 1982. Our amendment provides this additional $300 million to accelerate resolving these uncertainties because we believe that the ATB is the only strategic bomber which will be able to meet our nuclear requirements successfully and long enough to justify the high price we are asking our citizens to pay to modernize the bomber leg of the Triad.

Our amendment is not a vote against buying a new bomber. It is a vote in favor of buying a better new bomber faster.

It is not a vote to weaken our Nation militarily by denving it the B–1 bomber. It is a vote to strengthen it militarily in the strategic arena by providing it with the advance technology bomber as fast as possible. So an all-Stealth program will provide more bombers. I think that is undisputed. Stealth is a better bomber. I think that also is undisputed.

Third, even the administration concedes the longer and greater penetration capability of the Stealth bomber. The Stealth bomber will be an effective penetrator through its 20- to 30-year lifespan. The B–1 can penetrate 5 years per Secretary Weinberger early in October. He increased that to 10 years a few days later. To get the Stealth's vastly improved penetrating capability we will have to wait but a few years. While the B–1 bomber will be available earlier, just when is a matter for debate, it will only be able to penetrate for 5 or so years after deployment.

For every B–1, we buy, giving us a few years penetration in the late 1980's, we will lose 20 years of Stealth's later penetration in the 1990's and into the next century.

The B–1 bomber just will not be able to accomplish for long enough the very mission which justifies the large expenditures the taxpayers and their elected representatives in Congress are willing to make to maintain the air-breathing leg of the strategic nuclear deterrent Triad—penetrating Soviet air defenses to attack targets deep within the Soviet Union.

Administration witnesses contradicted themselves many times before the Strategic Subcommittee of the Senate Armed Services Committee when they testified about the penetration capabilities of the B–1 bomber.

On November 4, 1981, the new Commander-in-Chief of the Strategic Air Command, General Davis, told the subcommittee:

But mission profile of the B–1 as I envision it is a penetrator and it will have the capability for a number of weapons, both gravity and cruise-missile weapons, well into the 1990's, then we can make it a standoff weapons as we get the advanced-technology bomber.

General Davis later defined "well into the 1990's" to mean the B–1 could penetrate Soviet air defenses until "1995."

However, the next day, Defense Secretary Caspar Weinberger, sharply contradicted this statement by testifying that after 1990 you lost the ability to penetrate unless someone wants to direct suicide missions and that is not anything I am going to do.

So there would be no doubt about his testimony, Secretary Weinberger, later said the following in response to a question by my committee colleague, Senator EXON, who asked:

The last time you were here I believe it is correct to say you testified that the B–1 probably would not be an effective penetrator of the 1900's.

Secretary WEINBERGER. I think that is generally correct. We are not sure of the exact years. I said a moment ago to Senator Warner 1989; 1990, probably, right in that range.

Recognizing that Secretary Weinberger was saying something quite different from General Davis, Senator EXON gave the Defense Secretary another chance to clarify his remarks. Senator EXON said:

Yesterday in front of our committee in open session, Gen. Bennie Davis, the head man at SAC, testified that it would be a penetrator he thought until 1995. I only cite these grave differences and signals that we are receiving both from you and from our top military commanders as making our decision on which way to proceed that much more difficult.

Secretary Weinberger's immediate and prompt response was as follows:

I think there is no question whatever that we will not be able to use the B–1 as penetrator after 1990. If it goes to 1992, that will be a little extra dividend.

In any event, it is certainly accepted by everybody that we will have to have something better than the B–1 and that we have the ability to get something better starting now.

Well, you can imagine the consternation this caused, because here was the highest official in the Department of Defense, the President's most trusted adviser on national security, saying that the B–1 would only be useful for its major reason for even being procured—to penetrate the U.S.S.R.—for only 3 years after it is deployed.

The Defense Secretary was saying that the American taxpayer was being asked to spend $20 billion to $40 billion for a few years of penetration capability; $10 billion a year is a heavy price to pay, and it destroys what little reason there is for buying the B–1.

So what happened then after the alarm bells began to ring in the Air Force and the Pentagon?

Only 4 days later, a lengthy letter from both Secretary Weinberger and Central Intelligence Agency Director William J. Casey was delivered to the committee declaring that the following miracle had occurred to improve the B–1's penetration capabilities. This letter concluded:

DoD analysis based on the results of these tests indicate the B–1 would have the capability to penetrate anticipated Soviet air defenses well into the 1990's.

A hurried hearing to rescue the B–1 was arranged for the same day. The head of the Pentagon's Research and Engineering Office, Dr. Richard DeLauer, and the Chief of Air Force Research and Development, Lt. Gen. Kelly Burke, rushed to the subcommittee to throw water on the raging fires of doubt about the B–1's penetration capabilities.

Dr. DeLauer was asked by Subcommittee Chairman WARNER, "How long will the B–1 be able to penetrate the projected Soviet air defense system?"

He responded:

Depending upon the nature of their chances, the estimates will vary up to the mid-1990's, depending upon what the reaction of the Soviets will be, depending upon what our advances might be in the future ECM capability.

So it will vary between 1990 and 1995, depending upon how bad they do and what target you talk about.

The subcommittee did wonders for the B–1's ability to penetrate simply by meeting often enough. In 4 days we added up to 5 years penetration capability.

I asked the chairman to consider scheduling a meeting for the next week, because I thought DOD and the Air Force would return to say the B–1 could now penetrate into the next century.

The fact is, Mr. President, that DOD and the Air Force are flim-flamming the American people and the Congress with these later estimates of the B–1 bomber's penetration capabilities. They knew as nearly as June of this year that Secretary Weinberger was correct in his initial

testimony that the B–1 could not penetrate beyond 1989 or 1990.

How did they know? Because the Secretary of the Air Force, Verne Orr, on June 2, 1981, possessed information from which only this inescapable conclusion could be drawn.

This information establishes firmly that the B–1's capability to penetrate begins to decline well before the Air Force and DOD now are contending.

This information further demonstrated that our much-maligned B–52's would be able to successfully attack the Soviet Union until well after the Air Force and DOD are claiming they can.

This information also demonstrates that our B–52 force will be able to do the same job as the B–1 until well into the 1990's and until the Stealth bomber becomes operational.

I will be happy to share the classified details of that information with any of my colleagues who wish to come over to my desk at any time during this debate to see that information.

The American people will seriously doubt our collective wisdom if Congress decides to pay tens of billions of dollars for a new aircraft only able to attack the Soviets in the same way as our present aircraft.

This dismal prognosis about the B–1's ability to penetrate Soviet air space has been well-documented in other information available to our committee.

Testimony last year before our committee clearly indicated that, by the late 1980's the B–1 would not be able to penetrate improving Soviet air defenses without unacceptable losses.

Former Air Force Secretary Hans Mark, a highly respected scientist and now Deputy Director of NASA, the National Aeronautics and Space Administration, testified about the B–1 as follows:

> With respect to the B–1, if we were to go ahead with the program today, the B–1 could be ready almost at the same time as the FB–111, say a year later, but it is not a big time difference. We are talking about three or four years in either case. But the same argument applies to the B–1 that applies to the FB–111. The airplanes have a problem in terms of meeting the strategic nuclear deterrent requirement, and my judgment is that accelerating M–X or accelerating the cruise program would be better ways of spending that money.

In the Defense Department's latest attempt to convince our NATO allies about the major improvements in the Soviet threat during the past years—its 99-page glossy publication issued just a few months ago and entitled "Soviet Military Power"—the following conclusions were presented about the upgrading of Soviet air defenses:

> The U.S.S.R. has persevered and is today entering a period of weapons system deployment aimed at measurably improving capabilities, primarily in air defense.
>
> A number of new interceptor aircraft types could enter the air defense force over the next decade . . . to increase the effectiveness of their force, the Soviets are developing an increasingly effective airborne warning and control system (AWACS) to detect low-altitude penetrators.

Last year, our committee heard expert testimony that the "Soviets strategic air defense, the new generation, will be reaching its full deployment" only shortly after the B–1 is deployed.

This new air defense system, based on what we know about it now, can be expected to severely degrade the ability of any presently designed bomber to penetrate Soviet airspaces—primarily because this new system is expected to include effective look-down/shoot-down radars and missiles on new Soviet AWACS and fighter-interceptor aircraft.

Air Force Secretary Verne Orr was recently quoted as saying that the B–1 bomber is "10-year-old technology, and costly."

All this leads one to ask several hard questions:

Why should we spend so much money to buy ourselves an outdated aircraft which will not be able to penetrate Soviet air defenses?

Why should we buy a B–1 if it will not be able to penetrate, according to the Secretary of the Air Force, much longer than our B–52H's?

Why should we buy the B–1 for the "shoot and penetrate" role if we can use the B–52 G's and H's in that role for many years into the next decade and well after the Stealth bomber will be able to take over the penetration role from any present type of aircraft?

The answer to all these questions, Mr. President, is clearly that we should not buy the B–1 bomber.

Proponents of the B–1 will try to rebut these arguments by claiming that some new developments in electronic countermeasures will permit the B–1 to penetrate longer than this dismal prognosis demonstrates.

They will bring out a newly completed study called the "Joint OSD/Air Force Bomber Alternatives Study," as well as relatively recent results from a bomber penetration evaluation program, in an effort to counter this B–1 penetration projection.

However, continuous information contradicts these overly optimistic contentions by B–1 proponents regarding the issue of ECM in particular and the conclusions of both the bomber alternatives study and the bomber penetration evaluation results.

In February 1980, in a report entitled "Planning the Strategic Bomber Force of the Future—Many Issues Must be Resolved," the GAO stated:

> There is skepticism within the Department of Defense as to how much reliance should be placed on electronic countermeasures and whether they can be designed now against a threat which has not yet been well defined.

In August 1981, GAO, in a report entitled "Countervailing Strategy Demands Revision of Strategic Force Acquisition Plans," stated the following about prospects for development of electronic countermeasures:

> Whether an effective system can be developed and deployed by the mid-1980's is uncertain.

For the past year, the then Commander of the Strategic Air Command and his Vice Commander, General Ellis and Lt. Gen. Lloyd Leavitt, have been pessimistic about the prospects that any non-Stealth bomber could penetrate successfully improving Soviet air defenses by the late 1980's.

General Ellis, I might point out, is held in extremely high regard by all members of the Armed Services Committee on both sides of the aisle for his expertise and candor, especially about the Soviet strategic threat and what is needed to combat that threat.

Earlier this year, General Ellis testified that the Soviets would deploy significant numbers of improved air defenses well before the time when DOD now is contending the B–1 will no longer be able to penetrate.

Several of us on the committee also are well aware of the great skepticism the Strategic Air Command had only 7 months ago about prospects for developing effective-enough ECM to permit B–1's to successfully penetrate improving Soviet air defenses in the future.

Just 2 weeks ago, General Ellis had what I think should be the last word about the prospects for improved electronic countermeasures being able to insure B–1 bomber penetration.

He testified:

> We have depended on ECM in the past. We have historically lagged the offense with ECM countermeasures, effective countermeasures, on the order of 5 to 10 years, depending on the system.
>
> While I don't say that it is impossible that we will have the ECM that can do it at that date, I say it is a weak crutch and it is one that could be protected by early development of the ATB.

Again, Congress must ask itself:

In the face of such prospects for developing the ECM upon which the B–1 must depend to penetrate, should we spend all this money to buy an aircraft which cannot perform the primary mission for which any future strategic bomber should be procured—penetrating Soviet defenses?

The administration will argue that the bomber alternative study and the bomber penetration evaluation, recently completed, provide evidence that the B–1 is a very effective penetrator.

The bomber alternatives study and the bomber penetration evaluation must be placed in their proper perspective along with Secretary Orr's information.

First, I understand that Secretary Orr based his submission to Secretary Weinberger and Deputy Secretary Carlucci in June on the results of both the bomber alternative study and the penetration evaluation. The results from these efforts were available then, I have been informed, even though formal printing and presentation of them was not done until October.

Second, a rigorous reading of the results of both efforts reinforces, rather than diminishes, the skepticism with which one must regard the B–1's future utility as a strategic penetrator.

Despite the surface impression that appears to support the B–1 case, better scrutiny of the reports reveals that the advanced technology bomber out-performs the B–1 force now being proposed for the most demanding strategic missions.

It further reveals that several of the key assumptions upon which are based a more sanguine assessment of the B–1 are overly optimistic, are based on inadequate test data, are only computer projections of ECM defensive systems which

do not yet even exist and are predicated upon deployment of a B–1 force much larger than that now being proposed.

Third, it must be emphasized that our assessment of Soviet air defense threats would not change in the short period of time between June and October without some miracle being visited upon the Soviets or us.

Not only does it take us months, if not years, to collect and analyze all the thousands of bits of intelligence data which must be pieced together like a vast jigsaw puzzle to reach overall conclusions about the threat, but it takes years for the Soviets to develop and deploy air defense radars, aircraft, and missiles.

Assessments of our own capabilities require similar lengths of time.

We should be extremely skeptical of any late-breaking and almost miraculous improvement in the ability of the B–1 to penetrate Soviet air defenses, whether this improvement is reported to have occurred in only the 4 months between June and October, or the 4 days between Secretary Weinberger's testimony and his later joint letter with CIA Director Casey.

So to summarize where we are: The issue is not whether there will be a new bomber but which new bomber or bombers. We can get more bombers with an all-Stealth force than with a mixed force. We can get better bombers, we can get longer penetrating bombers and, now let me add, we can get all that for less money.

The mixed force proposed by the administration would cost at least $2 billion more than the all-ATB force, $114 billion against $112 billion. In fact, the all-ATB force would cost even less but the actual number is classified. I do have it here and would be happy to show it to any of my colleagues.

We must ask:

If we therefore can get more of a better bomber for less money, why should we buy the B–1 at all? Some may try to argue that, if we do not buy the B–1, we have no options when our present bomber force loses penetration capability in the second half of the 1980's. This is clearly not the case. We have at least two options for maintaining the viability of our bomber force for the 5 years or so before Stealth is operational. First, we can deploy more cruise missiles on our B–52G's and B–52H's; and second, we can increase the alert rates on our B–52G/H's.

First. Under the Carter plan, we had the option to deploy 5,000 ALCM's on our B–52 force. Under the Reagan plan, only 3,000 cruise missiles are to be deployed on the B–52's and B–1's. Clearly, we are actually opening a wider window just to finance the high costs of the B–1 bomber. We can choose instead to close the tiny window by deploying the full 5,000 cruise missile complement to our existing strategic bomber force.

Second. Another option which would help close the tiny window is to increase the alert rate on our B–52 G/H force. This could be accomplished by the middle of this decade if we plan for it today, according to present SAC Commander Davis.

We have workable options and they can be accomplished for much less than the $20-, or $27-, or $40-billion cost of a bomber that will be obsolete for its function of closing this window a short time after its deployment. The answers to our defense problems are not always to be found in purchasing more hardware; they are to be found in purchasing the right kind of hardware, the systems that can do the job and do that job for an extended period of time, and in using our existing systems to their best advantage.

I have suggested two simple and direct methods of closing the window without resorting to the expensive purchase of the B–1.

Clearly, Mr. President, the choice of the Stealth technology over that of the B–1 will provide us with a plane that will do the job, penetrate Soviet air defenses. And just as clearly, we can use our existing and planned forces to maintain the viability of our bomber strategic force until we receive the Stealth bomber in the early 1990's.

Yes, you can close the tiny window a bit with a B–1. But there are cheaper and better ways. And, remember, going with the B–1 is creating a 20-year window of B–1 vulnerability when B–1 can not penetrate but Stealth can.

And remember, we are not naked in the late 1980's. We will still have tremendous penetrating capability in our submarine-launched missiles and land-based missiles and by then we will have thousands of air-launched cruise missiles as well.

Indeed, going with the B–1 will weaken us in the next 5 years because part of the price of paying for the B–1 is early retirement of the B–52's and Titan missiles.

The following exchange between Senator NUNN and Gen. Bennie Davis on November 4 in front of the Strategic Subcommittee makes that point clear.

Senator NUNN. Aren't we in effect, whatever the reason and whatever the budgetary pressures, are we not in effect extending the window of vulnerability for a longer period of time by reason of the phase-out of these B–52's and Titans?

General DAVIS. In terms of absolute numbers, certainly you lose capability. In terms of some items that I have proposed, like let's consider keeping a couple of squadrons of D's in longer and the fact that you have a fairly long phase-out period for Titan II's, you lose an increment of capability. There is no question about that.

Senator NUNN. We are really going down in capability in the next four or five years, isn't that correct?

General DAVIS. But it is not precipitously.

Senator NUNN. But it is a gradual reduction in capability over the next five years?

General DAVIS. In absolute terms, yes.

In a response for the RECORD, General Davis went even further by stating:

Phasing out the B–52D and Titan will result in fewer weapons committed to the SIOP (nuclear war plan), reduced target coverage and less megatonnage.

He presented one option for lessening the impact of these reductions in our deterrence capabilities—increasing the alert rates for our B–52 G and H force—but then stated this could not be done until 1985. Between now and until 1985, in other words, the window of vulnerability would open wider, thanks to the B–1 bomber.

The other main argument against an all-Stealth force is that Stealth technology is uncertain. But even the principal B–1 advocate, Secretary Weinberger, testifying before the full Armed Services Committee on October 5 stated clearly, directly, and unambiguously that:

Our vigorous ATB program will lead to that plane's deployment under current plans beginning in 1989.

On October 28, 1981, Dr. James Wade, the principal deputy Under Secretary of Defense for Research and Engineering, told the Strategic Subcommittee:

Our vigorous ATB program will lead to that plane's deployment in the early 1990's.

SAC Commander Ellis was confident we could deploy Stealth bombers by 1990. He was afraid that opting for B–1 would delay that—a process already happening. Last year, he wrote a member of the House Armed Services Committee:

Opting for the B–1 at this time could preclude procuring a more advanced aircraft available by 1990. What makes this a legitimate concern is that B–1 technology is representative of the late 1960s, or maybe 1970, and that aircraft could become obsolete in the nineties as a strategic penetrator.

So everyone from Weinberger and Allen and Wade, proponents of B–1, to Ellis, proponent of Stealth, agree that Stealth will be ready by the early 1990's—as early as 1989, depending on funding.

Arguments against that point of view can be answered but they are all classified and highly technical as are the arguments for that point of view. So, the reasons given to go to B–1 just do not hold water. Indeed, what the B–1 will do for us is rob funds from the Stealth bomber program and other important strategic and conventional defense improvement endeavors.

How much will the B–1 rob us? How much it will cost depends on the day you ask and whom you ask but it is somewhere around $20 to $40 billion.

The Air Force and the Defense Department seem to be trying to outdo each other in providing Congress with misleading, incomplete and contradictory cost estimates.

Air Force and DOD have consistently understated the costs of the program.

DOD and Air Force have been stonewalling the Congress in its efforts to obtain complete and independent cost data, especially on an extremely dubious and padded comparison purporting to show it is cheaper to build the B–1 than it is to rely only on our B–52 bomber force, which no one proposes, or to go with a Stealth bomber program.

The Pentagon's own independent cost analysis improvement group estimated that the program would cost between $27 to $28 billion in constant, fiscal 1981 dollars. That is significantly above DOD's advertised $20.5 billion constant dollar program.

The Congressional Budget Office has computed the program cost in real dollars, the dollars we actually spend. Using CBO's inflation rates, which are more realistic than the administration's self-serving overly optimistic rates, the cost of the B–1 program is between $29.9 and $39.8 billion.

DOD officials also have stated that the

cost of procurement and R. & D. for the proposed mixed force of B–1 and advanced technology bombers would be approximately the same as an all-Stealth bomber force.

While the exact numbers are classified, I can assure my colleagues, and have the chart, that the Air Force's own cost estimates show that we can buy more Stealth bombers than the total mixed force of 100 B–1's and 132 advanced technology bombers for several billions of dollars less than it will cost us just to buy the mixed force.

Even on a unit cost basis, and again despite misleading claims by DOD, each Stealth bomber in an all advanced technology bomber program would cost less than each aircraft in a mixed force of B–1's and Stealth bombers.

Of course, the advanced technology bomber will be able to accomplish the strategic nuclear penetration mission for 20 years after it becomes operational, the B–1 only for 5 to 10 years, again depending on the day the DOD testified.

Let me present an audit trail, if you will, of the contradictory and misleading statements by Air Force and DOD officials on the costs of the B–1 program, as well as appropriate rebuttal material.

On October 5 and 6, 1981, Dr. Delauer, Undersecretary of Defense for Research and Engineering, and Lt. Gen. Kelly Burke, Chief of Air Force Research and Development, told the House Defense Appropriations Subcommittee that the B–1 program would cost $19.7 billion in fiscal 1981 dollars.

Shortly after this, the General Accounting Office circulated a draft statement of facts showing that some $2.266 billion in questionable reductions were made by the Air Force to reach its original $19.7-billion estimate. GAO further identified some $1.6 billion in possible additions to the program—of which $1.1 billion in add-ons was later acknowledged by DOD and Air Force witnesses before various congressional committees.

Only 3 weeks later, on October 27, 1981, Milton Margolis, head of the Pentagon's Cost Analysis Improvement Group—CAIG, testified at a Governmental Affairs Committee hearing that an independent Air Force estimate had increased that estimate by between $500 million and $1 billion, not including possible additional subsystems.

The next day, October 28, DOD's comptroller, Assistant Defense Secretary Jack Borsting testified to the Armed Services Committee's Strategic Subcommittee that the program cost $20.5 billion in fiscal 1981 dollars, with the possible addition of another $600 to $900 million more for further additions.

On October 29, General Burke disclosed that an Air Force audit had indeed added some $600 million to the $20.5-billion estimate, thus bringing the total for the B–1 to at least $21.4 billion.

Just 2 days later, CAIG, the office which was established in the Pentagon to provide the Secretary of Defense program cost estimates independent from those provided by the military services, on the theory it might be less prone to understatement, informed Secretary Weinberger that the B–1 would cost between $27 and $28 billion, as I mentioned earlier.

I ask unanimous consent to have printed in the RECORD at this point the 20-page draft statement of facts from the GAO.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF FACTS FROM GAO

The attached paper summarizes issues and supporting facts disclosed during GAO's review of the Long Range Combat Aircraft program. It is provided to facilitate an exchange of views between the GAO staff involved in this review and interested Congressional staff. This material has not been reviewed by Air Force or DoD officials nor has it been fully coordinated within GAO. Accordingly, each page is marked DRAFT. Every effort has been made to stay current with the LRCA program as it evolves. The program is however very fluid at this time and some changes may not be reflected in our work.

Our review indicates an operationally ready multi-role bomber would cost significantly more and take longer to deploy than the Air Force estimates for this program. Cost and schedule goals set by the Air Force contain the LRCA program to acquiring a basic penetrating bomber having less mission capability than Congress directed. Substantial costs are omitted from the $19.7 billion cost estimate likely to be incurred as the program proceeds. The specific results of our review are highlighted below and discussed in detail in the attachment.

HIGHER COSTS ARE LIKELY

The $19.7 billion represents a rough estimate of the basic program's cost. It reflects over $2 billion in questionable reductions made to accommodate the Air Force's cost goal.

At least $1 billion of expenses directly related to LRCA development, production, testing and initial deployment are funded outside the program and consequently do not appear in the $19.7 billion.

More than $1.5 billion in additional cost are likely as testing requirements evolve and improvements are made to the basic aircraft such as:

Cruise missile capability,

External weapons carriage,

Expansion of the basic weapon complement, and

More capable defensive and offensive systems.

Contrary to program office estimates, use of nonstandard avionics in the LRCA could lead to higher acquisition costs, lower reliability, and less growth potential.

LIMITED CAPABILITIES

The established initial operational capability goal for LRCA does not represent or require operational capability. Program officials estimate it would be at least mid-1987 before they could complete nuclear certification and obtain the required combat readiness rating needed for nuclear alert.

While LRCA could carry many types of nuclear and conventional weapons, the current program provides for only two nuclear and two conventional types. Moreover, operational restriction on these weapons may be present until testing, not funded under this program, is completed.

The LRCA, as currently proposed, is not configured or equipped to carry cruise missiles. Extensive modification (internal and external hardware, wiring, and electronic systems) would be needed to provide this capability.

The Air Force decision not to enlarge the rear bomb bay for all practical purposes permanently limits LRCA to carrying only eight cruise missiles internally. This decision raises questions about payload flexibility and survivability of LRCA as well as the total production quantity programmed for ALCM.

While offensive and defensive systems provided by the program might be appropriate for today's nuclear and conventional missions. Air Force studies indicate more capable systems will be needed in the future.

QUESTIONABLE REDUCTIONS IN THE BASIC COST ESTIMATE

Initial cost estimates for the LRCA developed by the Air Force program office were reduced by over $2.0 billion to accommodate the Air Force cost goal. These reductions are shown below.

Items changed	Change to the cost estimate (millions)
Engineering change order budget	$440
Change in avionics learning curve	100
Change in airframe learning curve	500
Reduction in avionics production estimate	86
Consideration of multiyear procurement for production lots III, IV and V	800
Transfer of engine CED to CIP account	40
Deferral of air vehicle depot support development	300
Total	2,266

The engineering change order budget provides funds to correct safety and operational problems disclosed during system development and testing. It is also used to improve the maintainability and reliability of various subsystems. The $440 million change represents about a 30 percent reduction to the original estimate and could according to program officials limit the Air Force's ability to correct system deficiencies and keep future support costs low. The learning curve estimates represent anticipated production efficiencies realized as successive units are produced. Such efficiencies are difficult to predict without specific production experience. The learning curve changes made to the LRCA estimate have not been negotiated with LRCA contractors.

The basis for the $86 million reduction made in the avionics production budget could not be explained by the program office. The Air Force's $800 million allowance for multi-year procurement economies is questionable because it assumes a stable production program before system testing is completed. Congress will authorize multiyear procurement for LRCA; and, an $800 million savings can be realized. The transfer of engine component engineering development from the program estimate is not authorized under Air Force regulations. Development of air vehicle depot support is deferred to some later date not yet established.

DIRECTLY RELATED LRCA EXPENSES NOT INCLUDED IN PROGRAM COSTS

Major categories of expense directly related but unrecognized in the LRCA program cost estimate are funded within other program elements.

These costs are shown below.

Cost category	Estimated cost (millions)
Engine component improvement program	$115.0
Interim contractor support	[1] 500.0–2,000.0
Production facilities improvement	70.0
Manufacturing technology enhancement	169.7
Base facility improvement	173.0
Operational test and evaluation	[2]
Nuclear weapons certification	[1] 500.0–750.0
Conventional weapons certification	[2]
Total	1,527.7–3,277.7

[1] Anticipated cost range.
[2] Cost estimates for these items were not available.

The component improvement estimate of $115 million provides funds through 1987 to improve the engines maintainability and re-

liability beginning with acceptance of the first production aircraft and continuing throughout its operational life.

The Air Force plans to acquire interim contractor support for organizational and intermediate maintenance two years beyond IOC and depot maintenance 3 years beyond IOC, while Air Force capability is established. Estimated costs range from $500 million to $2 billion.

Production facilities improvements and manufacturing technology enhancement estimated at $70.0 and $169.7 million, respectively, are needed to modernize existing production capability. The $19.7 billion program cost estimate depends on the production efficiencies these investments provide.

Improvements to existing bomber bases to accommodate LRCA are estimated to cost $173 million. This is a preliminary estimate which will be refined once base selection is made.

Operational test and evaluation of the LRCA and certification of the aircraft for nuclear and conventional weapons carriage will be funded by the Strategic Air Command. Nuclear weapons certification is estimated to cost between $500 and $700 million. Cost estimates for operational testing and evaluation and conventional weapons certification are not yet available.

PROGRAM GROWTH IS LIKELY

Early in the LRCA program planning phase the Air Force Systems Command established a set of ground rules defining the basic aircraft configuration and testing to be included in the LRCA program. The resulting "baseline" program satisfies the Air Force cost goal but many desirable items were excluded. Program officials strongly contend the baseline program must be maintained to achieve the $19.7 billion program cost estimate. Nevertheless there has been continuing pressure to add some of the excluded items back into the program. Those which may be added are shown below.

Possible additions	Estimated cost (1981 dollars in millions)
Cruise missile carriage	650
A second inertial navigation system	220
Rear bomb bay enlargement	175
Fuel tank inerting system	(1)
Electromagnetic pulse testing	(1)
Full-scale fuselage fatigue testing	140
Permissive action link-command disable	(1)
Forward looking infrared sensor	125
Simulator development and production	337
Low frequency/very low frequency communications	(1)
Hardware, testing, electronics and support for additional weapons	(1)
Improvements to offensive and defensive systems	(1)
Total	1,647

[1] Cost estimates for these items are not yet available.

The LRCA program includes the structural reinforcement needed to carry 8 cruise missiles internally and 14 externally. The Air Force estimates the additional cost of converting these provisions to actual cruise missile carriage will be $650–800 million. When cruise missiles are added to LRCA a second inertial navigation system is required and expected to cost $220 million. The LRCA could carry 8 more cruise missiles internally (for a total of 16 internal 14 external) if the rear bomb bay is extended. This modification involves a structural change to the rear fuselage section of the aircraft which would be impractical to do after aircraft are produced. Air Force officials advise cruise missiles will be added to LRCA in the future, however, the rear bomb bay enlargement is not planned.

A fuel tank inerting system provides protection against fire caused by high energy projectiles. The initial B–1 design included this system but it was deleted to reduce cost. LRCA's conventional mission makes this system desirable and it may be added later in the program. Neither electromagnetic pulse testing or full-scale fuselage fatigue testing were performed on the B–1. Air Force officials advise these tests would validate the LRCA design and may be added to the program at a later date. The permissive action link is a required nuclear safety device allowing flight crews to permanently disable nuclear weapons carried on LRCA. DOD officials said this capability is necessary and will be added to the program.

A forward looking infrared sensor (FLIR) has been part of the B–1 program since its inception. The Strategic Air Command (SAC) considers a modern FLIR a requirement to supplement the LRCA's forward looking radars. The FLIR is particularly desirable for identifying targets in high threat areas when radar emissions would highlight the bomber's presence. DOD officials advise the LRCA's new radar may eliminate the need for a FLIR. Should the radar prove less capable than expected, SAC's requirement will be reconsidered. Air Force official advised development of LRCA simulators for crew training has been deferred until the aircraft design is more mature. Low frequency/very low frequency communication systems provides improved communications under certain threat conditions. Additional costs will be reviewed as weapons beyond the basic complement included in the program are added to LRCA. LRCA's offensive and defensive systems are designed to accommodate enhancements which may be required to accomplish future missions.

NON-STANDARD AVIONICS MAY COST MORE

The basic LRCA design utilizes avionics which do not satisfy military standards recently adopted by the Air Force. The program office contends incorporation of these standards would:

Cost an additional $65 million,

Delay the LRCA schedule 6–12 months, and

Preclude a fixed price contract for avionics.

Air Force regulations allow these standards to be waived if it is technically not practical to use the standard, or if non-standard components will be significantly more cost effective over the system's life cycle.

The Air Force reviewing authority found the program office's request for a waiver was not supported on either technical or life cycle cost basis. In recommending the waivers be denied the reviewing authority wrote:

"Our conclusion is that costs are lower using standards. Front-end acquisition costs are reduced and life cycle costs are, at a minimum, $63 million less. Schedule appears to be of equal risk with or without standards, however. reliability, supportability and operational readiness will improve significantly with the use of standards."

The standards at issue are:

Military Standard 1750A: Sixteen bit computer instruction set architecture,

Military Standard 1589B: Jovial J73 single higher order programming language,

Military Standard 1760: Aircraft/store electrical inter-connection system, and

Military Standard 1553B: Aircraft internal time division command/response multiplex data bus.

LRCA WILL NOT BE COMBAT READY AT IOC

The LRCA program is structured to achieve an initial operational capability in June 1986. Initial operational capability, however, is narrowly defined as delivery of the 15th aircraft to the Strategic Air Command and bears little relationship to the aircraft's combat capability. Moreover, the first LCRA squadron will not be ready to assume nuclear alert for at least one year after IOC. It would be at least mid-1987 before limited nuclear certification is complete and the first squadron achieves the required combat readiness rating needed to assume an alert posture.

Nuclear certification of the aircraft and its initial complement of nuclear weapons is a pacing item since testing must be performed on production aircraft and support equipment, and may require a year or more to complete. Additionally, before LRCA can assume a nuclear alert posture, flight and maintenance crews must be trained and essential logistics support must be in place.

LRCA'S INITIAL WEAPONS COMPLEMENT IS LIMITED

The LRCA program provides a basic complement of four weapons for which a limited carriage, weapon release and safety certification program is planned.

The weapons included are described below.

Weapon, type and delivery profile	Maximum number carried: Internal	Maximum number carried: External
B-61, nuclear bomb, gravity drop	24	14
SRAM, nuclear missile short range standoff	24	14
MK-84, conventional bomb gravity drop	24	14
MK-82, conventional bomb gravity drop	84	44

Although the LRCA is being designed to carry nuclear and conventional weapons internally in three 180-inch bomb bays and externally from 14 hard points, only internal weapons carriage will be provided under this program. Since the current inventory of B–61 and SRAM nuclear weapons is only sufficient to load 100 LRCAs internally, external weapons carriage or use of B–52s as penetrators will require additional weapons to realize LRCA's full potential. There are other nuclear and conventional weapons in inventory and being developed which are identified for LRCA carriage. See the attached table. The Air Force, however, has not established a specific plan for adding to LRCA's basic weapon complement.

The LRCA program provides for a limited weapons test program which will not be sufficient to fully certify even the limited number of weapons in the basic complement. Program officials advise this program will test each weapon only for the optimum delivery profile. For example, SRAM may be tested for high speed, low altitude launch while conventional gravity bombs may be tested for high altitude low speed delivery. Specific test points for each weapon have not yet been determined. Further weapons release testing and certification will be performed by SAC. This testing is not included in the current program or the program cost estimate.

The LRCA program provides capabilities needed to perform todays nuclear and conventional missions but by the late 1980s improved capabilities may be necessary. Air Force studies of future nuclear missions for example, emphasize damage assessment/strike tactics and attacks against imprecisely located and or movable targets such as mobile missiles, relocated command centers and field units. Only manned bomber force has the potential to seek out and attack such targets. These studies emphasize the importance of the bombers long range, and large payload for future conventional conflicts particularly in support of rapid deployment forces. Gravity bombs, however, are deemphasized in favor of medium range standoff munitions launched and directed by bombers having sophisticated target identification and weapon guidance systems. To perform these missions, LRCA will require a high resolution, long range radar and possibly a forward looking infrared sensor system. Standoff weapons and related guidance system will also be needed. Additionally, the Air Force recognizes more capable electronic countermeasures systems will be necessary to assure penetration of future Soviet defensive systems.

TABLE I.—MAXIMUM PRIMARY WEAPON LOADS

[SRAM—Short Range Attack Missile. ALCM—Air Launched Cruise Missile. LDGP—Low Drag General Purpose. SE—Snakeye-High Drag Fin Configuration. TMD—Tactical Munitions Dispenser]

Weapon class and designation	Approximate weapon weight (pounds)	Maximum number carried: Internal: Config. A 3–180 in.	Internal: Config. B 1–265, 1–180 in.	External *	Total number carried
Nuclear gravity drop:					
B-28	2,540	12		8	20
B-61 †	718	24		14	38
B-83	2,408	24		14	38
Nuclear guided (stand-off):					
AGM-69 † (SRAM)	2,240	24		14	38
AGM-86B (ALCM)	3,300		(16)8	14	(30)22
Conventional guided-standoff: AGM-84 (Harpoon)	1,157	24		14	38
Conventional Gravity drop:					
MK-82 LDGP †	531	84		44	128
MK-82 SE	560	84		44	128
CBU-58	820	21		32	53
SUU-65 (TMD) MK-84 †	950	36		32	68
Conventional gravity drop sea mines:					
MK-56	2,134	9		8	17
MK-60 (Captor)	2,399	12		14	26

* Backup structural provisions for external hard points and internal ALCM carriage have been made.

† The possibility of enlarging the aft weapons bay for ALCM carriage allows for internal carriage of an additional 8 MK-82 weapons.

The Air Force included many of these capabilities in early program plans for LRCA but subsequently eliminated them to accommodate program cost and schedule goals. The current program provides only provisions for future subsystem improvement. There is no specific plan, however, to develop or add them to the LRCA.

CRUISE MISSILE CARRIAGE HAS BEEN DEFERRED

The Air Force acquisition plan and cost estimate does not include cruise missile carriage capability. Extensive internal and external hardware, wiring and electronic systems modifications would be necessary to provide this capability, and extensive additional flight testing and certification would be required. In addition, extension of the LRCA's rear bomb bay, which would double the aircraft's internal cruise missile payload, has been deleted from the current program to reduce cost and schedule risks. The current LRCA program, however, does include provisions for eventual cruise missile carriage. For example, structural reinforcement is planned for the forward weapons bay and the lower fuselage to accept cruise missiles which are larger and heavier than other primary LRCA weapons. The offensive avionics system is also being designed to accept cruise missile carriage and control functions.

Program officials advise a firm date has not been established for incorporating cruise missiles on the LRCA. This decision is dependent on total bomber force structure decisions now being considered by DOD. Since full cruise missile carriage capability was excluded from the LRCA programs early in the planning process, firm estimates of cost and schedule impact are not available Program officials are certain, however, that this capability could not be added to the proposed program and still meet LRCA's IOC. Similarly, no firm estimates for a separate modification program are available. It is clear, however, that adding cruise missile capability to the LRCA will not be easily or quickly accomplished.

Extension of LRCA's rear bomb bay would double the aircraft's internal cruise missile payload to 16 missiles, however, this modification was excluded from the current program to reduce cost and schedule risks. Since basic changes to the LRCA airframe are required, extension of LRCA's rear bomb bay after production is considered impractical. Accordingly, LRCA will be limited to carrying 22 cruise missiles, all but 8 externally. Similar payload restrictions will apply to future conventional and nuclear weapons which cannot be accommodated in LRCA's 180 inch bomb bays. While the Air Force's decision to exclude this modification supports near term program goals, the flexibility and payload requirements of LRCA's cruise missile and conventional roles may be more important.

The B–1 aircraft has three 180 inch bomb bays which can not accommodate cruise missiles or other large weapons being developed. Under the LRCA program, provisions are made to move the bulkhead separating the two forward bomb bays allowing carriage of 8 cruise missiles. Structural modifications to the aircraft's rear fuselage structure would allow extension of the rear bomb bay to carry 8 additional cruise missiles, providing a maximum capability of 30 ALCM (16 internal, 14 external). Estimated cost of this modification is $315 million of which $175 million is required for design changes and tooling and $140 million is needed for full-scale fatigue testing of the fuselage. The design work is considered extensive and adds additional risk to achieving LRCA's IOC. Because basic structural components must be redesigned, program officials advise the cost of performing this modification after aircraft are produced would be so high as to be impractical.

Since a final decision on full-scale fatigue testing for LRCA has not been made, program costs avoided by not extending the rear bomb bay may amount to only $175 million. Program officials were unable to quantify the additional schedule risk or expected delay this modification entails. Similarly, a comprehensive analysis weighing the benefits of increased flexibility and payload for cruise missile and conventional roles provided by this modification against near term cost and schedule impacts has not been made. Of particular importance are:

The ability of LRCA to carry and deliver all cruise missiles now programed for the bomber force,

The reduced range and increased vulnerability associated with external cruise missile carriage, and

The added flexibility provided by a larger rear bomb bay.

Current guidance calls for the acquisition of about 4,800 ALCMs to be carried by modified B–52 aircraft. When B–52s are retired, possibly in the early 1990s, LRCA is to assume the cruise missile carriage role. As currently planned 100 LRCAs could carry a maximum of 2,000 ALCMs. If the rear bomb bay is extended, 3,000 ALCMs could be carried. While future bomber force structure decisions must reconcile weapons and delivery vehicles, LRCAs with enlarged rear bomb bays offer greater cruise missile capability for a 100 aircraft force. Without this modification 36 additional LRCAs costing about $200 million each will be required to deliver 3,000 cruise missiles.

The additional aerodynamic drag created by external carriage of cruise missiles reduces LRCA's expected range significantly. Air Force studies show an estimated — percent range penalty for external carriage of 14 ALCMs. Additionally, we believe external carriage of ALCMs or other weapons makes KRCA more detectable by enemy radars. The degree of increased vulnerability for specific missions, however, has not been quantified.

Besides larger internal cruise missile payloads, an expanded rear bomb bay offers increased flexibility for weapons loading. Carriage of cruise missiles in the rear bomb bay leaves two 180 inch bomb bays available for other nuclear weapons or fuel. Similarly, such a LRCA can accommodate varing payloads of future conventional standoff missiles, gravity bombs and fuel.

Mr. LEVIN. Mr. President, besides raising questions about the costs of the program, it casts serious doubt on the military utility of the B–1

In fairness, several of the GAO's original concerns have been addressed by DOD and the Air Force, so that this statement of facts no longer is applicable on certain points. However, its major conclusions still apply, and raise disturbing questions about the entire B–1 program.

For instance, several of the additional costs identified by the GAO as questionable reductions and possible needed increases to the program have been confirmed by the Defense Department and Air Force, albeit a bit ironically as part of the administration's efforts to convince Congress that it actually can hold down the total costs of the B–1.

The irony of this is underscored by the many contradictions, conflicts, and outright misstatements which have marked the administration's attempts in this regard.

Even when they are attempting to sell the B–1, administration spokesmen have unwittingly provided Congress with information which sharply warns us "let the buyer beware!"

For example, on November 4, in conjunction with Secretary Weinberger's joint letter to Congress with William Casey, Deputy Secretary of Defense submitted a memorandum to the Secretary

of the Air Force purporting to establish firm guidelines for constraining B–1 costs.

Instead, this memorandum confirms that between $1.2 and $2.7 billion in additional B–1 costs, as identified by the GAO, are hidden costs and will be paid for outside of the program; these costs include simulator development, initial contractor maintenance support, manufacturing technology and production facilities improvements, and engine component development improvements.

I ask unanimous consents to have printed in the RECORD Mr. Carlucci's letter.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM FOR THE SECRETARY OF STATE

Subject: B–1 Program.

I have reviewed the Air Force and CAIG estimates of B–1 acquisition costs. To ensure that the program does not exceed its $20.5B budget (in FY81 dollars, including $.8B for internal and external cruise missile carriage, as summarized in the attached table), I am directing that the following steps be taken:

1. Besides providing internal and external cruise missile carriage, no additions will be made to the B–1 program outside the acquisition and operating concepts on which the POM was based.

2. The aircraft design consistent with paragraph 1 will be controlled so as not to exceed the presently programmed 6% ECO factor. If for any reason this becomes impossible, other features of the B–1 program will be modified to offset additional costs.

3. Simulators for the B–1 program will be funded within the simulator program described in the Air Force memorandum of November 4, 1981.

4. The development of an organic depot maintenance support capability will be completed within the $1.8B the B–1 program manager has presently projected for support equipment.

5. The Air Force should proceed with a vigorous multi-year contracting program to achieve the $.8B savings presently projected.

6. Interim contractor support, if needed until an organic intermediate and depot maintenance capability is available, will be paid for out of AFSC/AFLC funds provided for this purpose.

7. MANTECH, an Engine Component Improvement Program and Production Facility Improvements for B–1 will be accommodated within general Air Force funds programmed for these purposes.

A program management plan outlining your ideas on how best to achieve cost and schedule objectives for the B–1 program, including strict change control procedures, streamlined management, and prompt reporting of programmatic issues should be submitted to me through the Under Secretary of Defense for Research and Engineering within 30 days. Particular management attention will be paid to limiting cost growth in the airframe, support equipment, initial spares, and avionics. Quarterly reports will be sent to me describing progress achieved in carrying out the B–1 program within its budgeted cost. No change to the presently planned B–1 acquisition program or major changes in configuration will be made without my approval.

It is vitally important that we have an effective contract for this program, followed up by vigorous program management. I am asking Under Secretary DeLauer and General Counsel Taft to review for me the contract negotiating process on a continuing basis. When contract negotiations commence, I would like bi-weekly reports on the progress of these negotiations with emphasis on any problems you are experiencing.

FRANK C. CARLUCCI.

Attachment.

B–1 baseline program FY 81 (FY 81–87)

[In billions]

RDT&E	2.4
Proc	16.2
Spares	1.1
Cruise Missile Carriage	.8
Total B–1 Program Element	20.5

Mr. LEVIN. Mr. President, other examples which cast doubt on the administration's plan to restrain B–1 cost growth abound. Here is a list:

MULTIYEAR CONTRACTING SAVINGS

First, Mr. Carlucci's memorandum orders that:

The Air Force should proceed with a vigorous multi-year contracting program to achieve the $800 million savings presently projected.

Yet, as the GAO statement notes, and an independent Air Force cost estimate also questions, it is doubtful that as much savings as DOD projects can be achieved through multiyear contracting.

This is because, according to Mr. Carlucci's own criteria for multiyear contracting:

The item should be technically mature, have completed research, development, test and evaluation.

If the B–1B is technically mature, why must we spend at least an additional $2.4 billion in research and development on it according to the Air Force?

DOD itself, casts doubt on the prospects for multiyear contracting in an answer for the record to Strategic Subcommittee chairman, Senator WARNER, on October 28. DOD stated:

The Air Force estimate for the B–1B does include a cost savings of about $800 million for multi-year procurement. While we are very confident that substantial cost savings can be attained via multi-year procurement for stable production programs such as the F–16, we are less confident for the initial production for the entire B–1B system.

It is true that some of the B–1's components, and parts of the airframe itself, are common with other programs or are derivatives of other systems already in rate production and thus are candidates for multiyear procurement.

However, there are major aircraft components and subsystems which are unique to the B–1, and for which testing and rate production probably will not be achieved until too late in the program to permit multiyear contracting to save $800 million.

In addition, Rockwell has not built a B–1 airframe since 1976 or 1977, and all four of the B–1 test aircraft are different from each other. Additional changes to the aerodynamic design of the airplane are being proposed to reduce its detectibility to various Soviet air defense sensors.

Thus, the B–1 today is not the same aircraft built in the past, and contentions to the contrary used to justify rosey predictions of savings from multiyear contracting, and from optimistic "learning curve" savings which I shall address shortly should be greeted with healthy skepticism.

Furthermore, if the Air Force is so confident in the design and configuration of the B–1 to justify multiyear contracting, why does it plan for at least 1,000 more hours of flight testing?

Second, these same arguments apply to the $600 million in savings the Air Force is projecting from changes in the contractor learning curves for both the airframe and the avionics for the B–1.

Learning curve savings represent anticipated production efficiencies realized as successive units are produced, and we would expect there to be some reductions, over time, as the contractor work force obtains more experience assembling their products.

However, testimony before our subcommittee disclosed that the Air Force's combined learning curve for the airframe and avionics production is only slightly less than that of the contractors, which the service had criticized earlier this year for being too optimistic.

NUCLEAR WEAPONS CERTIFICATION

Third, GAO accused the Air Force of funding outside the program some $500 to $750 million in costs to certify the B–1 for the delivery of nuclear weapons. The Air Force contended that this cost was included in the $20.5 billion program cost. DOD testimony raises questions whether all these certification costs are included, however. Deputy Assistant Secretary of Defense for Strategic and Theater Nuclear Programs, T. K. Jones, stated that will not certified for delivery of one of the primary nuclear weapons in our arsenal, the air-launched cruise missile, as well as other nuclear weapons, until after late 1986.

This raises the very real possibility that the costs needed to certify the B–1 for major parts of its nuclear mission, will be accrued after the $20.5 billion price tag is paid, since this total only represents spending in the 1982–86 time period.

This means that not only will we not be buying a fully capable B–1 when it reaches its IOC in late 1986, but that we most likely will be paying more for it to achieve that capability.

PERMISSIVE ACTION LINK/COMMAND DISABLE SYSTEM COSTS

Fourth, GAO accused the Air Force of not including such a system in the B–1. Since this system is a safety device normally installed in nuclear weapons and nuclear delivery systems to prevent unauthorized control by terrorists, or detonation from accidents, it is a most important component.

DOD witnesses conceded that such a system would be installed in the B–1 and that it would cost about $30 to $40 million. Principal Deputy Under Secretary Wade gave these estimates to us on October 28, 1981.

When Mr. Wade returned to the Pentagon, he discovered that DOD's estimate for this job was exactly double what he told the subcommittee.

A correction was submitted for the record which stated that the system now would cost between $60 and $80 million, although it would arguably still be included in the $20.5 billion total program estimate.

Unfortunately, it seems that DOD did not tell the Air Force about this cost estimate, since the Air Force informed

the Congressional Budget Office that the costs of this system would be not $60 million, not $80 million, but $187 million in constant fiscal 1981 dollars.

So we can add $100 million more to the B–1 program, which is not shall change to your average taxpayer, and we can further question the accuracy of the lower estimates emanating from the Pentagon about this program.

ELECTROMAGNETIC PULSE TESTING

Fifth, GAO questioned why the costs for this component of the B–1 program were excluded from the DOD/Air Force cost estimate. I asked Dr. Wade the same question, and he responded "we should test, and we will test the plane."

I asked Dr. Wade how much such testing would cost, and he responded:

Normal cost of testing the fuselage is in the order of $100,000 a day and it takes basically 1 day's testing to get a good fix on the airplane.

Gratified that at least this would be a minor cost increase, I then asked him: "So that testing is less than $1 million?"

Dr. Wades response was a heartening and simple: "Yes."

Sadly, Mr. President, what was said on October 28 changed dramatically later, when Dr. Wade corrected his last response to be a simple "no," and provided a new price tax for the EMP testing of $20 million. And instead of a 1-day test, the committee was told it now would be a 6-month effort.

Mr. President, some might argue that a difference between $1 million and $20 million in a multibillion dollar program like the B–1 is insignificant. They might state that it is only "small change."

I would respond that it represents a 1,900-percent increase, and that Congress should definitely be conceded about 1,900-percent increases in any part of any defense or domestic program.

Twenty million dollars here and $20 million there sure mounts up, and that is why we have Federal budget deficits as large as we do. Our constituents said they wanted no more of such profligacy.

Our constituents have demanded that Congress and the executive branch exercise more rigorous examination of all Federal programs—defense and nondefense, Mr. President. They said they were fed up with underestimating or sloppy estimating.

The testimony of administration officials about the costs of the B–1 program can only force Congress to ask what else in the program has been grossly misestimated.

Congress should reject any program sold on the basis of such contradictory and questionable testimony. It should warily reject any protestations that promise that this administration will be able to constrain B–1 costs to within the advertised $20.5 billion, particularly in light of GAO and CAIG reports.

As the last word on the costs of the B–1B program, let me place in the RECORD at this point the letter from the Congressional Budget Office estimating the much higher B–1B program costs, in response to a request from our colleague Senator LEAHY, who serves on the Appropriations Committee. Senator LEAHY's statement making public this estimate is attached to the CBO letter, and I will read just two excerpts from it which cogently summarize the B–1B program costs:

Senator PATRICK J. LEAHY (D-Vermont) released new estimates of the cost of the B–1 bomber which show that this weapon system will be twice as expensive as the Air Force estimated just 4 months ago. These estimates were prepared by the Congressional Budget Office and,

The B–1 bomber will be obsolete before it is deployed. I do not believe we can afford a $40 billion flying Edsel, Senator LEAHY concluded.

I ask unanimous consent to have this material printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LEAHY WARNS 100 PERCENT INCREASE IN B–1 COSTS WILL REDUCE MILITARY STRENGTH

WASHINGTON, D.C., November 6, 1981.—Senator Patrick J. Leahy (D–Vt.) released new estimates of the cost of the B–1 Bomber which show that this weapon system will be twice as expensive as the Air Force estimated just four months ago. These estimates were prepared by the Congressional Budget Office.

"Our national budget cannot afford this enormous cost, and our national security will not be improved by a penetrating bomber that cannot penetrate.

"In the mid-1980's, when our budget problems are most severe, the costs of this aircraft will be at their zenith.

"These huge costs will force higher budget deficits—and take money away from more effective strategic programs," Senator Leahy stated.

"These very large B–1 expenditures will reduce our military strength because fewer funds will be available for military readiness or for the Stealth Bomber which is widely agreed to be a superior aircraft.

"Cost estimates have increased so dramatically because original estimates were based on unrealistically optimistic economic assumptions and did not include all the required equipment and design changes.

"Unfortunately, we cannot pay for the B–1 with last year's dollars or build it without full equipment.

"The B–1 bomber will be obsolete before it is deployed. I do not believe we can afford a $40 billion flying Edsel," Senator Leahy concluded.

CONGRESSIONAL BUDGET OFFICE,
Washington, D.C., November 6, 1981.

Hon. PATRICK J. LEAHY,
Senate Appropriations Committee,
Russell Senate Office Building.

DEAR SENATOR LEAHY: In response to your request the Congressional Budget Office (CBO) has reviewed the investment (procurement and research development) costs of the B–1 bomber and assessed the impact of potential inflation on the program. Our estimate includes the total acquisition costs of the baseline bomber; the four major additional items that the Air Force has requested the contractor to examine; and as you requested, the items GAO has indicated should also be included in the cost of the B–1.

The baseline costs of the 100 bomber program as provided by the Air Force are, $19.7 billion (in constant 1981 dollars). In addition, the Air Force requested the prime contractor to examine four major items that may be included in the final contract. These four items are rear bomb bay enlargement, permissive action link/command disable system, air-launch cruise missile (ALCM) carriage, and ALCM avionics. The Air Force estimates that these additions to the program would cost $1 billion (in constant 1981 dollars).

As you requested, we have also analyzed the major investment items that the General Accounting Office (GAO) has indicated should be included in any cost estimates of the B–1. The GAO identified these items under three broad classifications: (a) questionable reductions, (b) expenses in other program elements, and (c) potential additions. These items are shown in Attachment 1. The identified cost for all GAO items is $5.5 billion (in constant 1981 dollars). For several of these items, including operational and electromagnetic pulse testing, conventional weapons certification, a fuel tank inerting system, low and very low frequency communications, and improvements to offensive and defensive systems—the GAO was unable to obtain basic cost estimates. We have therefore, not included estimates for these items in this assessment. Also, in estimating contractor support and nuclear weapons certification, the GAO anticipated a range of $1 billion to $2.8 billion; in this assessment we have used the mid-point of the GAO range for these two items.

After applying CBO's inflation rate assumptions to the full range of program costs discussed above, we estimate that B–1 investment costs will be $39.8 billion in then-year, or budget, dollars. With the Administration's inflation rate assumptions, the comparable cost would be $35.4 billion.

Attachments 2 through 5 provide year-by-year estimates of budget authority, using both CBO and Administration economic assumptions, for the baseline bomber (Attachment 2), the four options for which the Air Force requested contractor proposals (Attachment 3), the various items the GAO has indicated as being appropriate for any B–1 cost estimate (Attachment 4), and a summary of the total program costs (Attachment 5). Attachment 6 provides a year-by-year comparison of estimated budget authority and outlays for the total program.

These estimates, it should be noted, are for investment costs only; they are not life-cycle costs. They do not reflect the costs of operating the B–1 once it is in the Air Force inventory. Nor do they reflect the possible costs of other weapon systems to enhance the capability of the B–1 such as a new short range attack missile or a new tanker for aerial refueling.

I am sending an identical letter to Senator Proxmire and a copy to Chairman Hatfield. If your staff should have any questions concerning these estimates or the attachments they can contact Mr. Patrick Renehan of our Defense Cost Unit at 226–2840.

Sincerely,

ALICE M. RIVLIN.
Director.

ADDITIONAL ITEMS IDENTIFIED BY GAO

(In millions of constant 1981 dollars)

Subject, cost

Questionable reductions:
Engineering change order budget, $440.
Change in avionics learning curve, $100.
Change in airframe learning curve, $500.
Reduction in avionics production estimate, $86.
Consideration for multiyear procurement, $800.
Transfer of engine component engineering development to component improvement account, $40.
Deferral of air vehicle depot support development, $300.
Expenses in other program elements:
Operational test and evaluation, no estimate.
Engine component improvement program, $115.
Conventional weapons certification, no estimate.
Interim contractor support, $500–$2,000.
Production facilities improvement, $71.
Manufacturing technology enhancement, $170.
Base facility improvement, $173.
Nuclear weapons certification, $500–$750.
Potential additions:
Second inertial navigation system, $220.
Forward looking infrared sensor, $125.

Simulator development and procurement, $337.
Full scale fuselage fatigue testing, $140.
Fuel tank inerting system, no estimate.
Electro-magnetic pulse testing, no estimate.
Low frequency/very low frequency communications, no estimate.
Hardware, testing, electronics and support for additional weapons, no estimate.
Future improvements to avionics, no estimate.

ATTACHMENT 2. COMPARISON OF ADMINISTRATION AND CBO BASELINE B-1 COSTS (Budget authority by fiscal year, in millions of dollars)

	1981	1982	1983	1984	1985	1986	TOTAL a/
Development							
Constant 1981 dollars	210	670	620	460	430	40	2,430
Administration then-year dollars	218	750	741	583	573	56	2,921
CBO then-year dollars	218	762	761	608	609	61	3,017
Procurement b/							
Constant 1981 dollars	0	1,300	2,580	4,370	4,800	4,240	17,290
Administration then-year dollars	0	1,565	3,290	5,860	6,744	6,229	23,688
CBO then-year dollars	0	1,639	3,544	6,524	7,777	7,454	26,937
Total a/							
Constant 1981 dollars	210	1,970	3,200	4,830	5,230	4,280	19,720
Administration then-year dollars	218	2,316	4,030	6,443	7,317	6,285	26,609
CBO then-year dollars	218	2,401	4,305	7,131	8,386	7,514	29,955

a/ Numbers may not add to totals because of rounding.
b/ These procurement funds support a buy of 2 aircraft in 1982, 7 in 1983, 9 in 1984, 36 in 1985 and 46 in 1986.

ATTACHMENT 3. COMPARISON OF ADMINISTRATION AND CBO B-1 OPTION COSTS (Budget authority by fiscal year, in millions of dollars)

	1981	1982	1983	1984	1985	1986	Total a/
Rear Bay Enlargement							
Constant 1981 dollars	0	53	68	39	11	4	173
Administration then-year dollars	0	60	84	51	15	5	215
CBO then-year dollars	0	61	89	57	17	6	230
Permissive Action Link/Command Disable System							
Constant 1981 dollars	0	39	33	15	46	54	187
Administration then-year dollars	0	45	41	20	65	79	249
CBO then-year dollars	0	46	43	22	75	95	281
ALCM Carriage:							
Constant 1981 dollars	0	130	261	182	51	16	640
Administration then-year dollars	0	149	329	244	72	23	816
CBO then-year dollars	0	153	351	270	82	28	885
ALCM Avionics							
Constant 1981 dollars	0	6	10	8	2	1	26
Administration then-year dollars	0	6	13	10	3	1	32
CBO then-year dollars	0	7	14	11	3	1	35
Total a/							
Constant 1981 dollars	0	228	372	243	110	74	1,026
Administration then-year dollars	0	260	466	325	154	109	1,313
CBO then-year dollars	0	266	497	361	177	130	1,430

a/ Numbers may not add to totals because of rounding.

ATTACHMENT 4. COMPARISON OF GAO IDENTIFIED COSTS (Budget Authority by fiscal year in millions of dollars)

	1981	1982	1983	1984	1985	1986	Total a/
Questionable Reductions							
Constant 1981 dollars	0	245	395	576	585	465	2,266
Administration then-year dollars	0	287	496	767	817	683	3,050
CBO then-year dollars	0	297	529	846	935	817	3,423
Expenses in Other Program Elements							
Constant 1981 dollars	17	106	101	163	942	1,074	2,403
Administration then-year dollars	19	128	128	219	1,308	1,549	3,351
CBO then-year dollars	19	134	138	244	1,481	1,790	3,806
Potential Additions							
Constant 1981 dollars	0	109	153	198	206	156	822
Administration then-year dollars	0	126	191	263	287	229	1,096
CBO then-year dollars	0	130	203	289	328	274	1,223
Total a/							
Constant 1981 dollars	17	460	649	937	1,733	1,695	5,491
Administration then-year dollars	19	541	816	1,248	2,412	2,461	7,497
CBO then-year dollars	19	560	870	1,379	2,743	2,880	8,452

a/ Numbers may not add to totals because of rounding.

ATTACHMENT 5: COMPARISON OF TOTAL B-1 ACQUISITION COSTS (Budget authority by fiscal year in millions of dollars)

	1981	1982	1983	1984	1985	1986	TOTAL a/
Baseline B-1							
Constant 1981 dollars	210	1,970	3,200	4,830	5,230	4,280	19,720
Administration then-year dollars	218	2,316	4,030	6,443	7,317	6,285	26,609
CBO then-year dollars	218	2,401	4,305	7,131	8,386	7,514	29,955
Four Options							
Constant 1981 dollars	0	228	372	243	110	74	1,026
Administration then-year dollars	0	260	466	325	154	109	1,313
CBO then-year dollars	0	266	497	361	177	130	1,430
GAO							
Constant 1981 dollars	17	460	649	937	1,733	1,695	5,491
Administration then-year dollars	19	541	816	1,248	2,412	2,461	7,497
CBO then-year dollars	19	560	870	1,379	2,743	2,880	8,452
Total a/							
Constant 1981 dollars	227	2,658	4,220	6,010	7,073	6,049	26,237
Administration then-year dollars	237	3,116	5,312	8,016	9,883	8,854	35,419
CBO then-year dollars	237	3,228	5,672	8,870	11,306	10,524	39,837

a/ Numbers may not add to totals because of rounding.

ATTACHMENT 6. COMPARISON OF TOTAL B-1 ACQUISITION COSTS (Budget authority and Outlays by fiscal year, in millions of dollars)

	1981		1982		1983		1984		1985		1986		TOTAL	
	BA	O	BA	O	BA	O	BA	O	BA	O	BA	O	BA	O
Constant 81 dollars	227	128	2,658	840	4,220	1,925	6,010	3,319	7,073	5,057	6,049	6,141	26,237	17,410
Administration then year dollars	237	133	3,116	950	5,312	2,309	8,016	4,191	9,888	6,699	8,854	8,472	35,419	22,750
CBO then year dollars	237	133	3,228	970	5,672	2,407	8,870	4,485	11,306	7,374	10,524	9,610	39,837	24,979

Mr. LEVIN. As a Senator from Michigan, I know something about Edsels, Mr. President. At least the Edsel never cost between $250–$400 million per copy, which is what the B–1B will cost. Skepticism also must be expressed about the IOC of the B–1, based on the statements from DOD and the Air Force.

Secretary Weinberger told the full Armed Services Committee on October 5:

Specifically, we will develop a force of 100 B–1 bombers with an initial operating capability in 1986.

Air Force Chief of Staff Allen told the Strategic Subcommittee on October 29:

We propose to build and deploy a force of 100 modified B–1 bombers with an initial operating capability of 1986 . . .

However, DOD's own Dictionary of Military and Associated Terms, published by the JCS on June 1, 1979, and known as JCS Pub. 1, provides the following definition of "initial operational capability—The first attainment of the capability to employ effectively a weapon, item of equipment or system of approved specific characteristics, and which is manned or operated by an adequately trained, equipped, and supported military unit or force."

And, the B–1B IOC is being defined by the AF, according to GAO, as "delivery of the 15th aircraft to SAC."

Not only does this deviate from what is supposed to be a system's IOC, but GAO has been informed by AF that IOC for B–1B does not represent or require operational capability. GAO was told it would be at least mid-1987 before even limited nuclear certification of the B–1B is complete.

Most importantly, the Air Force's own strategic systems program office, according to GAO, stated to GAO investigators that:

It will be at least a year after the 15th aircraft is delivered before the first LRCA (B–1) squadron will have the capability necessary to stand nuclear alert.

I recognize that several witnesses before our committee this past month have denied this, Mr. President. Unfortunately, this would appear to be yet another example of the conflicting and contradictory sales job being played to the American people.

So, not only do we have a B–1 bomber program severely understated in costs by many billions of dollars, but it will not even deliver the advertised goods—inferior as they are—until a year later than is being contended.

Mr. President, the B–1 bomber will actually weaken us in strategic capability because it is causing a delay in the Stealth bomber and because it is diverting funds away from another highly promising classified program, which the administration has either drastically reduced or terminated completely. Since this program represents another challenge to the utility of the B–1, I can only conclude that it was slashed to neutralize its threat to the B–1.

Other ways we will be weaker strategically because of the Reagan strategic program are because it makes at least the following changes to the plan proposed by former President Carter:

First, retires the B–52D's in 1982 and 1983, years before the end of their useful lives: Until now, previous plans had maintained them in service for many more years.

Second, dismantles our Titan II missiles by 1983.

Third, fails to take advantage of the potential to deploy as many as 5,000 air-launched cruise missiles on our bomber force by deciding to deploy only about 3,000 on the B–52G's and H's and on the B–1. The Carter program would have deployed some 3,000 ALCM's on just our 170 B–52G's, and retained the option to deploy another 2,000 on our 90 B–52H's.

The program now before us forecloses this option to increase our nuclear firepower.

Fourth, retires our B–52G's and H's before the end of their useful lives.

Early retirement of the B–52's and of the Titan II missiles, which represent a significant proportion of the nuclear destructive megatonnage in our deterrent, was done simply to find money to fund other parts of the Reagan strategic program, SAC Commander Davis admitted to our Strategic Subcommittee. He did so in the following exchange with me on November 4, an exchange in which he also admitted we were foreclosing our option to deploy more cruise missiles:

Senator LEVIN. We are retiring the B–52D's earlier than you would like?

General DAVIS. Earlier because I don't have another capability, but in truth, I am sure the Boeing engineers never thought that that airplane would be in the inventory 26 or 27 years after it was produced.

Senator LEVIN. Well, according to that, you are talking about the D's. As of last year a D had a longer life than we are now.

General DAVIS. Yes.

Senator LEVIN. We are retiring them earlier now for fiscal reasons.

General DAVIS. That is right.

Senator LEVIN. Not for engineering reasons.

General DAVIS. No.

Senator LEVIN. As far as G's and H's?

General DAVIS. They are not as effective as the later models.

Senator LEVIN. But it is mainly for fiscal reasons that we are removing them earlier than planned a year ago.

General DAVIS. Yes.

Senator LEVIN. The B–52G's and H's according to Boeing Airframe claims, they should remain sound well into the 1990s, is that correct?

General DAVIS. That is right.

Senator LEVIN. And yet you are not using all of those even in terms of Cruise missile carriers, is that not correct, that we are only acquiring 3,000 Cruise missiles instead of a possible 5,000 Cruise missiles which they could carry. Is that not correct?

General DAVIS. That is approximately correct. We are equipping all of the H's and about 90 of the G's.

We would not need to make such false economies in our strategic program if we did not have to fund the B–1 program.

As I stated earlier, General Davis also admitted to Senator NUNN that the Reagan strategic program for the next 5 years actually opens rather than closes the well-publicized "window of vulnerability" this administration is so fond of describing.

Not only will buying the B–1 weaken our strategic posture, but paying its outrageous price tag will sap our conventional strength by diverting funds from needed conventional programs.

We have seen this already, as the fiscal 1982 Defense Authorization Act, and even the appropriations bill now before us, inadequately fund several important readiness areas because so much money is spent in the B–1 program. To pay for the B–1, we even are reducing the forces we need to maintain our commitment to defend the Persian Gulf.

We will be weaker militarily because the administration made significant reductions in nonstrategic programs in fiscal 1982 alone—cuts below its own original, March defense budget request—in order to raise the $2.4 billion proposed for the B–1 in that fiscal year.

The Reagan proposal has seriously cut our conventional force capabilities, and our amendment would restore many of them.

Less than a month after this body went through a bruising fight on the AWACS and F–15 enhancement package sale to Saudi Arabia—a package the administration argued was necessary to protect our interests in the Persian Gulf region—the President decided to cut our aircraft carrier presence there by 25 percent.

In doing so, he was reversing his position—which I supported—to keep two carrier battle groups on station in the Indian Ocean. His reversal meant that

half a carrier battle group would leave the very area of the world where the Soviets most directly threaten our national interests and peace.

Our amendment would restore the funds needed to keep two full carrier battle groups in the Indian Ocean.

The administration also proposed to cut the Navy's funds for steaming days per quarter—the time usually spent in training to increase readiness and in preparation for overseas deployments. Not only did it propose to renege on its March budget, but the steaming days it proposed actually were lower than those supported in President Carter's defense budget for the last fiscal year.

The Appropriations Committee is to be lauded for at least rejecting this reduction in steaming days, Mr. President. It added funds to the budget to restore this part of the Navy's operating tempo, even though it did not restore the funds for Indian Ocean presence.

The administration also slashed another program designed to improve our capabilities to rapidly deploy forces to the Persian Gulf and to Europe to defend our vital interests—the Air Force's KC–10A advanced tanker/cargo aircraft procurement plan.

Recognized shortfalls exist in our long-range airlift and aerial refueling capabilities. Mr. President, presently, the strategic air command which manages all our tankers because of their importance to successful completion of our nuclear bomber missions, must try to satisfy both strategic and conventional needs with insufficient resources.

The result is that both requirements are shortchanged, something General Davis testified about when he appeared before our subcommittee.

The general said this about the dilemma:

Modernization of SAC's tanker force is one of the Air Force's highest priorities. As you correctly noted, the air refueling shortfall has been of deep concern for several years. Today, (some) percent of the bomber force is limited in SIOP effectiveness due to inadequate air refueling availability. This condition will be exacerbated.

In addition, tanker support for general purpose airlift and fighter requirements will also increase over time. DOD planned enhancements to U.S. force projection capabilities cannot be fully attained without commensurate increases in aerial refueling capabilities. Of particular concern is the requirement to responsively deploy and employ our Rapid Deployment Joint Task Force, a formidable mission under the best of circumstances. Suffice it to say that the Air Force will continue to operate through this decade with a shortfall . . . unless aggressive steps are taken to modernize the tanker force.

Let me underscore what General Davis said:

DOD planned enhancements to U.S. force projection capabilities cannot be fully attained without commensurate increases in aerial refueling capabilities.

That means quite literally, Mr. President, that "we can't get there from here." Our tactical fighter aircraft will find it extremely difficult to ferry nonstop to the Persian Gulf or to Europe, and critical delays could occur in our efforts to reinforce those areas.

What are the administration's "aggressive steps"—to again reiterate General Davis—"to modernize the tanker force?"

It proposed to cut all eight of the KC–10 tankers it requested out of the budget as it tried to fund the B–1.

Instead of throwing the KC–10's out of the budget, Mr. President, the administration should have thrown out the B–1.

The authorizing and appropriating committees both rejected half of the total elimination of the KC–10 procurement originally proposed for fiscal 1982. They funded the purchase of four such aircraft.

Our amendment would add back sufficient funding to restore in fiscal year 1982 the entire buy of eight KC–10's—a program directly related to our capabilities to defend the Persian Gulf.

In trying to make room in the defense budget for programs like the B–1, the administration further carved up its original rceommendation by cutting the size of the Army by 6,000 soldiers, by stripping away some $60 million in operations and maintenance funds to support introduction of the new weapons systems needed to modernize the Army, and by reducing its procurement of tank recovery vehicles.

Personnel and operations and maintenance funding is not very glamorous, Mr. President, and tank recovery vehicles are downright ugly. But they are exactly the sort of unglamorous expenditures which form the very foundation of our Armed Forces. The personnel cut, for example, eliminates more than one combat brigade.

Another perfect example of such unglamorous, but necessary, "horseshoe nails" upon which our military "kingdom" is based, is training ammunition.

We have all heard many stories about how today's Army is not ready to fight because it never gets enough practice firing its weapons. Well, the President's October budget revision deleted $150 million in training ammunition from the program.

Our amendment would restore $148 million of this reduction, a restoration which would greatly enhance troop training according to the Army.

Our amendment also would restore the Army's end-strength by adding back funding for the 6,000 soldiers, provide the $60 million to adequately support the Army's modernization efforts, and increase the purchase of tank recovery vehicles.

Increased procurement of tank recovery vehicles also is needed to avoid uneconomic production rates and a possible, eventual shortage of such vehicles as the Army continues to increase its production and deployment of new tanks and infantry fighting vehicles.

And at a time when we should be trying to improve readiness, there is no good reason to cut the Army's size by 6,000 soldiers.

In addition to the reduced steaming hours and Indian Ocean presence, the Navy has been as short-changed as the Army by the administration.

At a time when it is talking about building a 600-ship Navy, the administration has been reducing programs aimed at adequately protecting and arming those ships we already have. It also has proposed retiring still-useful ships.

The President reversed his original budget request by about $80 million in the fleet modernization program, the endeavor which modernizes equipment and weapons systems aboard ships during regularly scheduled overhauls.

Examples of projects cancelled by the cut are installation of new Phalanx gun, close-in weapons systems for two of our newest destroyers and some 19 auxiliary ships, and the "hardening" or reinforcing of the superstructures of five more of our newest destroyers against shrapnel damage.

Early retirement of three active forces logistics support ships and six reserve destroyers and mine-warfare vessels also is being proposed to save money. In the case of the logistics ships, it remains unclear how the Navy will compensate for the loss of this capability in the near term.

Our amendment would prevent the cancellation of the fleet modernization projects as well as the premature retirement of these needed ships.

It also would accelerate our shipbuilding program by adding a fast attack nuclear submarine to the fiscal 1982 defense budget. If we are ever to reach and maintain the numbers of attack submarines the Navy savs we need, let alone ever have a 600-ship Navy, we must increase our construction rate. Our amendment adds $518 million to accomplish this improvement in our conventional warfighting capabilities against the Soviets.

These false economies in the conventional area would be unnecessary if the B–1 were not competing for scarce funds in the defense budget.

Our amendment seeks to restore the funds for these important programs to maintain our conventional strength, just as it seeks to restore the funds to maintain and improve our strategic capabilities in ways more cost- and military-effective than deploying the B–1 bomber.

I would now like to turn to the other justifications DOD and the Air Force try to use for the B–1 when the contradictions and weaknesses in their main hypotheses are driven home to them. They say that, even if the B–1 will only be able to penetrate Soviet air defenses for a limited period of time, it will then be useful as a standoff cruise missile launcher and as a conventional bomber.

It should be pointed out that, contrary to what some people are hearing these days in the Halls of the Senate, the Stealth bomber will be capable of launching cruise missiles and conventional bombs, as well as penetrating. We would not lack these military capabilities if we procured an all Stealth bomber force instead of the B–1.

SAC Commander Davis acknowledged this in a response to my committee colleague, Senator QUAYLE. He said:

The ATB will be able to carry a wide range of nuclear and conventional weapons, including the cruise missile. The design of the

ATB makes it highly resistant to Soviet defensive measures and will allow successful penetration against projected defensive threats and great flexibility to cope with unexpected threats.

In this regard, it also should be remembered that our present B–52 force will be able to perform these two missions—cruise missiles and conventional bombing—well into the 1990's and well after we would have enough Stealth bombers available for all three missions.

Besides the information I referred to earlier from the Secretary of the Air Force which demonstrate how long the B–52's will be useful, the Air Force Chief of Staff himself, General Allen, admitted this to our committee on February 6 when he said:

The Air Force position remains that B–52s will provide us with an effective cruise missile carriage capability well into the 1990s.

If, by the Air Force's own statements, our B–52's will be able to launch ALCMS well into the next decade, and the advanced-technology bomber will be available by then, there is no need for the B–1 even as a cruise missile carrier or conventional bomber.

Let me point out that the Air Force Secretary's information on the useful life for the B–52's and the deployment of the advanced-technology bomber are based on a comparison of "equal effectiveness forces."

In other words, this information shows that an all Stealth bomber force, used with our B–52's, will be able to deliver as many weapons on Soviet targets, as will the proposed mixed force of B–1's and Stealth bombers.

As for the conventional mission which some of our colleagues promote as a third rationale for the B–1, the words of the former head of Air Force R. & D. Lt. Gen. Alton Slay, place this shaky plank in the B–1 platform in proper perspective.

General Slay, who also was well-respected for his knowledge and candor before he retired, stated that the choice between the B–1 and the Stealth bombers should be heavily influenced by the following:

You will note my consistent use of the term "manned penetrator." That is not an idle use of words, it is a concise statement of my opinion of what should be the principal and paramount role to which any aircraft we choose should be designed. In the design of either the interim or the ultimate system, the tough and primary mission of penetrating Soviet homeland defenses to put nuclear weapons on SIOP targets should not be compromised in the slightest degree in order to allow it to do other interesting and even important missions like dropping hay to stranded yaks in Katmandu. Our philosophy should be "design the airplanes to do the hard job—penetrate—and, oh, by the way, as a fallout, it can also drop hay to stranded yaks."

Thus, General Slay has answered for the Congress the essential question upon which the choice of the advanced technology bomber force over a mixed force of B–1's and Stealth bombers rests. That question is "Whether it is more important to choose an airplane designed to optimize its ability to penetrate Soviet air defenses, and which also can perform the other missions with acceptable effectiveness, or one which will be more effective in Third World areas but with less effective penetration capabilities?"

The answer is we must choose the former aircraft type, and that is the Stealth bomber, and we must deploy it as quickly as possible, which this amendment is designed to support. And, it should be emphasized, Stealth can perform conventional missions, even dropping hay to stranded yaks.

The administration also says that maintaining the present force of B–52's will cost almost as much—$93 billion—as it would cost to buy the mixed force of B–1's and Stealth bombers being proposed—$112.2 billion.

This argument is perhaps the biggest "red herring" of all, Mr. President.

No one is discussing only maintaining the current force, without procuring any new bombers, as a viable option. That is what the trumped-up $93.4 billion represents.

We should be comparing the costs of the mixed force—$114 billion for 100 B–1's and 132 Stealth aircraft—to the costs of an all ATB program—which Dr. DeLauer testified would be $112 billion.

Both of these force options include the costs of maintaining and operating some portion of our B–52's for many years into the future, so regardless of what new bomber we choose, we will pay these costs as part of the package.

When we compare the two "apples and apples" force packages, only one conclusion can be drawn—it makes much more fiscal and military sense to buy an all Stealth bomber force.

The 2 billion less dollars that it would cost to buy 100 B–1's and 132 ATB's, we can purchase an even larger number of aircraft in an all Stealth bomber force. And we will be buying many more aircraft whose penetration capabilities are projected to last long after the B–1 loses whatever dubious penetration capabilities it has.

Another argument used by the administration is that building a mixed force of B–1's and Stealth bombers will greatly complicate Soviet air defense problems and force them to spend billions dealing with these problems instead of using those rubles for other military programs. This diversion of funds will constrain other Soviet military programs, it is argued.

The sad truth is, Mr. President, that the Soviets are already well on their way to developing effective air defenses against the B–1, because they have already invested much time and money into developing defenses against our air launched cruise missiles. As they develop an air defense against cruise missiles, which have a much smaller radar cross section to be detected than even the supposedly improved B–1, they obtain significant capabilities against the B–1. Only relatively marginal changes and investment to the already developing Soviet air defenses will be needed to defeat the B–1.

What really would complicate to the point of impossibility the job and price tag the Soviets would have to face would be a force composed solely of advanced technology bombers. No one, not even our own best scientists who far surpass the Soviets in their knowledge of designing and developing air defense systems, yet knows how to defend against the Stealth bomber.

Those who argue that deployment of Stealth will force the Soviets to start from the very beginning and build a different air defense system from the ground up to try to defend against Stealth, are correct. It will cost them untold billions to do this.

These conclusions were eloquently presented recently to our Strategic Subcommittee by former SAC Commander Ellis in response to the following question by Senator NUNN:

What I am trying to get at, really, is what are the Soviets going to have to do to counter the B–1 that they are not already doing now, and what are the Soviets going to have to do to counter the ATB in terms of air defense that they are not already doing now?

General Ellis: Let me comment generally on that. I will say that there are characteristics in the technology of the ATB which require a great deal more advanced sensors, Soviet sensors, radars, both in the ground-to-air radars and the surface-to-air missile systems, than would be required for the B–1 or any other interim bomber.

Our calculations have shown that these characteristics of the ATB will be such that it will cause them great difficulty through the 1990's and into the next century.

Senator NUNN: Are you saying that the Soviets will have to do enormously more in air defense in terms of expenditure of efforts to cope with the ATB than they will with the B–1?

General ELLIS. "Enormously" is difficult to measure, but it will have to do certainly a great deal more. When you talk with the industrial wizards of this country who are in the same business in terms of detection and they describe the problems they have in the development of systems that will be able to take care of the characteristics of the ATB, they don't know just how to do it.

If our people don't know how to do it and don't have an idea on how to do it now, I would say that the Soviets have an even larger problem. I don't know whether that is very helpful or not, Senator.

Senator NUNN. We can go into more detail, but would it be fair to say there is a very wide gap in terms of Soviet expenditures that would be required to cope with the B–1 air-defense-wise and the Soviet expenditures that are required to cope with the ATB?

General ELLIS. A great deal of the expenditures have already been planned and begun by the Soviets in trying to counter the ALCM. That helps very much with some of the characteristics that you worry about on the B–1, so much of what they are doing to handle the ALCM can be used as a fallout system for the B–1 problem.

The difference in the B–1 and the ALCM, of course, is speed, but speed is only one of three criteria or operational benefits or requirements that work into that solution. I can't give you—I don't think anybody has been able to figure out—the difference between exactly what will be required for the B–1 and Stealth, because we don't know even the magnitude of the problem to counter Stealth at this point. It is difficult when you don't know the magnitude of it to figure out the cost. We know, technologically, it is a very difficult problem.

The administration also argues that the B–1 is necessary because its capability to fly away or "escape" from its home bases is faster than that of present B–52's, and thus it is better able to respond to the threat of a surprise attack from Soviet submarine launched missiles.

The Pentagon's Doctor Delauer offered this rationale before the subcommittee on November 10. He said:

In contrast to the B–52, the B–1B will be able to survive, with high confidence, Soviet preemptive attacks on our air bases. In order to survive attacks by Soviet submarines patrolling off our coasts, bombers must be able to take off and clear the area around their home base within minutes. The B–1B can fly out faster than the B–52, and it is designed hard against blast overpressure and other nuclear effects. As a result, the B–1B will provide a much higher margin of safety in launch survivability, which, in turn, will reduce Soviet incentives for a surprise attack on our bombers.

Two days later, General Ellis blew this conjecture out of the water, so to speak, in this exchange with Chairman WARNER:

Senator WARNER. General, there has been a good deal of discussion on the improved capability of the proposed B–1B to cut down the launch time and therefore improve its survivability. Do you also attach a good deal of significance to that added development?

General ELLIS. Well, I add significance to it, Senator, but you have to remember that at the present time from your ICBM threat you have 30 minutes approximately.

Senator WARNER. I think it is the SLBM threat.

General ELLIS. On the SLBM, for those bases that are threatened by the SLBM timewise you take it up to the limit of the escape time. Then when you crowd that limit you disperse your forces to other bases.

So, there are ways to work around that.

General Ellis has spent the last 4 years, just before his retirement in August, worrying daily about the threat of Soviet submarines launching missiles against his B–52's in a surprise attack. Yet he considers it a "work around problem" which can be solved through dispersal of these bombers.

If we can "work around the problem with existing methods," Mr. President, we do not need to spend $40 billion for the B–1 because of its "base escape" capabilities.

I also would point out that another classified part of the Reagan strategic program addresses this issue and even further reduces the need for the B–1 for this reason.

The administration also argues that each part of the President's strategic program is "sacred" and must not be eliminated or else it will undercut his negotiating leverage with the Soviets as he is about to embark on a new proposal for arms limitations. He will lack bargaining chips, so to speak, and will not be able to negotiate from a position of strength, it is contended.

Considering the limited penetration capabilities of the B–1, Mr. President, the Soviets are hardly going to be impressed with this aircraft as a measure of American resolve and strategic strength, and as a "bargaining chip" in future arms negotiations.

Since the B–1 will only be able to penetrate for 4 years or so after its deployment, how much of a threat to the Soviet heartland will it be, and how much will this impress the Soviets? Not much.

For bargaining chips to be useful, in poker or in arms negotiations, they have to be worth great value, and they have to present a significant threat to your adversary across the table. The B–1 is neither, especially when compared to the advanced technology bomber.

What does represent a significant near-term threat to the Soviets are Titan II missiles with their great-destructive megatonnage, and our B–52D's. If this administration really was concerned about not undercutting the President's arms control initiatives, which I applaud, it would have not decided to prematurely retire these systems.

If this really was a concern to the administration, it would not have retired our Titan II missiles and all their great-destructive megatonnage, and the B–52D's. Both Republican and Democratic administrations have retained them as bargaining leverage in arms control negotiations.

The Titans are the only "heavy" missiles we have to compare with the Soviet, SS–18 heavy missile threat, the 308 formidable missiles this administration expressed so much concern about because they were not limited in the proposed SALT II agreement.

By prematurely retiring these Titan missiles, this administration has again weakened our Nation. It has done so because it has failed to demand any similar Soviet reduction in its heavy missiles for our own unilateral concession.

If we kept the Titan missiles, we would not be talking about the B–1's as a bargaining chip.

DOD and the Air Force compounded this error by foreclosing our option to deploy as many as 5,000 Cruise missiles on our B–52 bomber force. Such an overwhelming force of Cruise missiles would be a significant incentive to the Soviets to seek arms limitation agreements.

If they were to be deployed, we would again not need to talk about the B–1 as a bargaining chip in the President's arms control efforts.

We would not need to buy a B–1 bomber to support the President's arms control negotiations if we procured an even larger force of more capable advanced technology bombers to establish an even stronger position of strength for the United States than any B–1 bombers.

The prospects of an all Stealth bomber force will represent an overwhelming threat to the Soviets, a threat much greater than that posed by B–1 bombers. If that alone does not compel the Soviets to bargain for arms control, nothing will.

And I would add that there are several other major strategic programs which will be proceeding space without the B–1 bomber. Each of those represents more of a threat to the Soviets and an incentive to them for arms control than the B–1.

These programs include the Trident I and Trident II missiles and the more capable submarines which launch them, ground-launched and sea-launched cruise missiles—which the administration is proposing to deploy in larger numbers—and a new strategic gravity bomb.

Those are more than enough nuclear weapons and strategic delivery systems to support the President's arms control programs or any President's arms control program.

As a final word on the bargaining chips issue, Mr. President, I would suggest that the only way the Soviets will be impressed by the B–1 will be by its price tag. Unless we can threaten to drop dollar bills on Soviet targets, the Russians should applaud our decision to build the B–1 because it will drain the U.S. Treasury of the money we could more productively spend to procure more powerful weapons to send them to the bargaining table.

There is one additional point I would like to discuss before I summarize the many arguments against the B–1 and in favor of our amendments. Since the President's strategic program decisions were announced in early October, Congress has been treated to one of the worst examples of executive branch misinformation campaigns I have witnessed since entering the Senate.

Besides contradicting each other at almost every turn, administration witnesses have failed to provide Congress with much of the information it needs to make the best decisions about the Reagan strategic program.

Despite the fact that we held several weeks of hearings before the Strategic Subcommittee of the Armed Services Committee, many questions remain unanswered, including both those asked during the course of the hearings and those submitted later for the record.

In several instances, our committee has been told that detailed information still does not exist about some of the strategic programs for which Congress is being asked to begin appropriating billions of dollars.

No American these days would spend his or her hard-earned paycheck to buy a house or a car unless and until they knew exactly what he or she was buying. Yet the Defense Department and the Air Force are asking the American people collectively to make this kind of blind purchase.

DOD has refused to provide our committee with the cost estimate of the B–1 program developed by its independent cost analysis improvement group. Since that estimate totaled $27–$28 billion, far above the advertised program cost of $20.5 billion, it is understandable why the executive branch does not want Congress to examine it in detail. We might discover the weaknesses in the much lower estimate.

The Air Force also does not yet have a detailed plan for hardening existing silos in which it intends to deploy MX, and one of its proposed future basing options on which it wants to spend millions in R. & D. funds this year, the continuous patrol aircraft, is just a gleam in someone's eye.

I have tried to obtain some of this additional information through a still unanswered letter to Defense Secretary Weinberger which summarizes many of the outstanding questions. I shall place it in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COMMITTEE ON ARMED SERVICES,
Washington, D.C., November 25, 1981.

Hon. CASPAR WEINBERGER,
Secretary, Department of Defense, the Pentagon, Washington, D.C.

DEAR MR. SECRETARY: During the hearings held by the Senate Armed Services Committee and the Subcommittee on Strategic and Theater Nuclear Forces on the President's Strategic Program, many questions have been asked that have required answers to be submitted for the record. I have some additional questions that I would like to have answered for the record.

The list of these questions is attached to this letter. I would appreciate your prompt response as the Defense Appropriations Bill will soon be debated in the Senate.

I would like you to answer these questions on an unclassified basis. If some questions cannot be answered on an unclassified basis, I would like the classified answer. My thanks in advance for your help.

Sincerely,

CARL LEVIN.

QUESTIONS CONCERNING THE STRATEGIC MODERNIZATION PROGRAM FOR THE SECRETARY OF DEFENSE

1. Mr. Secretary, what is the CAIG estimate of the costs of the B–1B bomber program? (Dr. DeLauer discussed this estimate in the November 10, 1981 hearing).

2. Mr. Secretary, under the Carter cruise missile program, 3000 cruise missiles were to be acquired for all the B–52G's with an option to deploy an additional 2000 on the B–52H's. On November 5, 1981, you testified that 3000 cruise missiles would be on line by 1984, but that they would be deployed on the B–52G's, B–52H's and the B–1B's. Under the Reagan program, do we still have the option of acquiring 2000 cruise missiles in addition to the 3000 planned, and would we have carriers for their deployment? When is the IOC of the 3000 cruise missiles under the Reagan program and when was the IOC of the missiles under the Carter program?

3. Mr. Secretary, on November 5, 1981, Senator Denton requested that you supply sufficient military expert justification for hardening Titan or Minuteman silos. Has this analysis been forwarded to you and when will you provide it to the Committee? Did this analysis include comparisons of the static and dynamic balances and simulated war exercises? What other options were considered along with the silo hardening option (such as deploying 100 MX in unhardened silos) and what were their costs?

4. Mr. Secretary, what is the year-by-year comparison of the Reagan and Carter force structures with static and dynamic measures? Please provide the results of any simulations that were run to compare the two programs.

5. Mr. Secretary, you have supplied figures relating to the investment cost of the B–1B. What additional costs to the Defense Department will be attributable to the B–1B and are not normally expressed as a part of the B–1B acquisition cost? What will be the life-cycle costs of the B–1B assuming that it would have a twenty year lifetime? How do these costs compare to the life-cycle costs of the B–52 and the Stealth bomber in constant and current FY81 dollars?

6. Mr. Secretary, you have supplied figures for the costs of hardening missile silos to house the MX. What are the costs of reconfiguring the MX missiles to fit each of the basing modes to be considered?

7. Mr. Secretary, while you supplied figures of the combined B–1B and ATB force (100 B–1B and 132 ATB), your office did not supply the number of ATBs included in the all-ATB force. If Dr. DeLauer was willing in public testimony to state the number of ATBs in the mixed force, why is the number of ATBs in the all-Stealth force classified? What is the number of ATBs included in the budget estimate reported by Dr. DeLauer? How much more penetrating capability would the all-Stealth force have than the mixed force?

8. Mr. Secretary, what is the detailed schedule for the development, modification, engineering and production of the B–1B? When will the critical design review take place? The FACT SHEET of the USAF on the B–1B indicated that the first operational aircraft would be delivered to SAC in Oct., 1985 with the first IOC of 15 aircraft in Oct., 1986 (a period of 12 months). The DoD has testified that the first aircraft would be delivered in 1986 and the IOC would be 1986. How does the old acquisition schedule, with 12 months between first delivery to IOC, compare to the new schedule, with less than 12 months? What portions of the new schedule have been compressed to reduce the time between first aircraft delivered and IOC of the force?

Mr. LEVIN. Mr. President, let me summarize the overwhelming and conclusive arguments against the B–1 bomber:

It will cost billions for the B–1, a bomber which will not be able to penetrate Soviet air defenses—its primary and most important strategic mission—long enough to justify this great expense.

It will divert funds from the Stealth bomber program, thus delaying deployment of that bomber beyond when it is possible to deploy it with acceptable technical risk and after when Stealth will be the only bomber capable of accomplishing the strategic nuclear penetrating mission.

Again General Ellis repeated just 2 weeks ago his earlier testimony that the advanced technology, Stealth bomber is "one of the highest priority programs that we have, "And that it was of a much higher priority than any B–1 program.

The B–1 will divert funds from critical conventional military programs, such as defending the Persian Gulf and Indian Ocean, maintaining readiness and training, and maintaining the size of the Army. Thus, it will weaken us in conventional military capabilities.

It will rob another highly important and highly classified strategic program.

It will divert funds from buying as many cruise missiles as we could deploy abroad our B–52G's, ignore the opportunities to deploy thousands more cruise missiles on B–52H's; it will force retirement of both these models of the B–52 well before they have reached the end of their useful service lives as cruise missile carriers.

It will weaken rather than strengthen our position in arms control talks with the Soviets.

We will open rather than close the alleged "window of vulnerability" to pay for the B–1.

All in all, we will be weaker rather than stronger with the B–1, Mr. President, and it will be the "Trojan horse" of our defense programs which supply-side economics is to the Nation's fiscal programs.

In fact, OMB Director David Stockman's recent admission about the shambles of supply-side economics and this administration's economic decisionmaking process is a fitting commentary on the B–1.

In this month's Atlantic Monthly, David Stockman is quoted as saying:

We didn't add up all the numbers. We didn't make all the thorough, comprehensive calculations about where we really needed to come out and how much to put on the plate the first time, and so forth. In other words, we ended up with a list that I'd always been carrying of things to be done, rather than starting the other way and asking, "What is the overall fiscal policy required to reach the target.

Mr. President, the B–1 bomber certainly does not add up, and it will certainly not be able to reach the target. I urge adoption of the amendment.

Mr. NUNN. I thank my colleague from Michigan. I want to congratulate the Senator from Michigan for his emphasis on readiness. He has spent an enormous amount of time dealing with this subject that is not one that makes the front pages but requires a tremendous amount of tedious work.

There is no higher defense priority today than in the readiness area that the Senator from Michigan is not only working on but is becoming a leader in.

I also want to commend my colleague from South Carolina who not only made a very important statement, but he made one that all of us, I think, can understand because the points he made, many of them, are things I am going to be saying in the next few minutes.

THE B–1 BOMBER

Mr. President, in making a determination on the B–1 bomber, I think it would be a mistake for the Senate to base its judgment primarily on technical comparisons of the B–1 and the advanced technology or Stealth bomber. I have talked to the Senator from Ohio on many occasions. I know we will be having a very fine statement from him today that will be on the other side of this question than the one I have at the moment. But he has indicated to all of us, and he is an expert in this area, that any new development program has uncertainty. And certainly the advanced technical bomber is not an exception to that rule.

There are also risks involved in developing and deploying new weapons systems, particularly when they involve technological breakthroughs. But, of course, this is the kind of risk that we must take if we are going to maintain our technological lead.

I think we should not be deceived into believing that there is no risk, however, in the B–1B bomber. The B–1B program has made important improvements over the B–1 in combining a reduced radar cross section with new electronic countermeasures. The experts, however, disagree as to whether these innovations will preserve the B–1's ability to penetrate through the 1990's.

Dr. Richard DeLauer and Secretary Weinberger—well, Dr. DeLauer, because Secretary Weinberger has made a contrary statement. Dr. DeLauer, Gen. Lew Allen, Gen. Kelly Burke, and Gen. Bennie Davis are all confident on this point about the B–1B. On the other hand, equally qualified experts like Dr. Bill Perry and Gen. Richard Ellis are skeptical as to the effectiveness by the early 1990's of the B–1B's electronic countermeasures capability and conclude that this is a "thin reed" on which to base our

hope for continued successful B–1 penetration.

These are well-informed experts and I certainly respect their judgments. They have good-faith disagreements on this very important point.

So I do not pretend here today to be making a final and conclusive technical judgment on the question of the B–1B and its capabilities after 1990 or even on some of the difficulties that may arise with the advanced technological program. But I do conclude that there is a considerable risk involved in counting on the B–1B as a penetrating bomber into the 1990's.

I believe, however, in all fairness, that the B–1 will be an excellent conventional bomber and it is a good standoff cruise missile carrier. So I conclude, Mr. President, unlike some who may conclude that the B–1 bomber, the B–1B bomber is not going to be an asset, I think it will be an asset. I think it will be a valuable asset in our aircraft inventory if it is produced. And I believe, also, that this vote, as the Senator from South Carolina has already indicated is clearly going to be in favor of that decision.

But my decision on the strategic program at this stage is not based on technical judgments, but rather on simple arithmetic and on priorities. You do not have to be a defense expert to understand that President Reagan is calling for a very large dollar increase in our strategic program. The $180 billion price tag that is frequently used in the news media for the strategic program really is a very conservative figure, because that figure is just for the next 5 years and that does not include the Trident II missile procurement, nor does it include the advanced technology bomber, nor does it include the final MX basing mode. So we are being asked to fund in this bill programs which are already underway or which will be beginning in the strategic area, and those programs include six major items.

First, the Trident program and the Trident II missile. Second, the modernization of communications, command and control. Third, the cruise missiles program. Fourth, the MX missile program. Fifth, the Stealth bomber proprogram.

The budget squeeze is very obvious. You do not have to even go to the conventional forces that the Senator from South Carolina has stressed so well to see the impact of all of these items coming in a compressed time period. They also impact our strategic programs. There have been budget cuts this year on several important strategic program components.

First of all, we are retiring the B–52D's by over 4 years earlier than planned. Second, we are retiring the Titan ICBM's earlier than planned. Third, we are slowing down the Trident submarine production, which results in less platforms in 1990. Fourth, in this bill we are complying with the President's request and we are cancelling KC10 tankers and we are having delays in the WC135 reengine program, which are essential for aerial refueling, both strategically and conventionally. Finally, we have, I think, some very significant and serious delays in certain classified programs.

Mr. President, I am convinced that priorities are not being clearly established in this defense program. Speaking only for myself, as far as strategic priorities are concerned, I would list the Trident program, including the Trident II missile—and I have already commended the President for going to the Trident II missile. I think that is enormously important, and that is certainly a strong plus of his program. I would list that program.

I would also list the modernized communications, command and control, the so-called enhanced C–3 package. I would also list the cruise missile program as being our top three strategic priorities.

The Trident II missile and the C–3 enhancement are extremely important initiatives that President Reagan, again, should be commended for.

I would follow these priorities with the MX missile program, provided—as we stated in lengthy debate last night—provided it is properly deployed, followed by the Stealth bomber program and finally the B–1B.

If the Senate had not last night sent the President and Secretary of Defense a strong message of dissatisfaction with his plan for deployment of the MX, I would have been, frankly, very inclined towards voting to cancel the MX program. I remain hopeful, however, that the Senate message will be fully understood by the President and by the administration. If the President cannot or does not come up with a deployment plan for the MX that makes sense and adds both to deterrence and to stability, I will favor abandoning the entire MX program at some point in the future. I hope that does not happen.

In the meantime, our job is to decide priorities, as difficult as that may be, and it is difficult. Under these six items—and they are all programs that cost a lot and they are all programs that will add to our deterrence. They are all programs that are important. But under these six items, my last priority in the strategic area is the B–1B.

The question is then raised: Can we afford, within President Reagan's overall defense budget, to fund these six major strategic programs? If the answer is yes, then, of course, there would be every reason to vote against the Hollings amendment. But, simple arithmetic tells me that the answer is no.

I believe that if we attempt to fund all of these programs over the next 5 years, our conventional capability will suffer greatly. I am particularly concerned as to the adverse effect on our tactical forces, our mobility program, and our rapid deployment forces. I know the administration is very concerned about our naval power, and I agree with the President about that concern. I certainly agree with the Secretary of the Navy and his great leadership in trying to beef up the Navy.

Let me just give you a couple of figures that I think indicate the extent of the problem the Senator from South Carolina identified here today. These come from a staff on the minority side in the Senate Armed Services Committee. These are not figures that are approved by the Senate Armed Services Committee officially, but it is a staff study and the staff members are people of great competence and expertise. These figures are based on the Navy's own figures.

The administration has talked on and on about a 600-ship navy. That is something that we would all welcome if it can be achieved. A 600-ship navy, if it is going to be achieved by the year 1992, according to this study, would require an expenditure of about $25.5 billion per year—per year—in 1982 dollars. Of course, that means constant dollars and that means you do not add inflation and you do not add anything else. It costs $25.5 billion per year.

Now, if you decide you are going to achieve that goal a little later—and I see the Senator from Rhode Island, who is very knowledgeable in this area, is on the floor and I am delighted—if you are going to achieve that 600 ship Navy a little later, in the year 2000, this staff study showed that it would require funding of $18.5 billion per year beginning in 1982, again in constant 1982 dollars.

What level of funding is in this budget for naval shipbuilding? The level of funding is $8.5 billion. That is approximately one-third of the level of funding that would be required to get to the 600-ship Navy by the year 1992. It is less than one-half of what would be required to get to the 600-ship Navy by the year 2000.

Actually, the number $8.5 billion represents the President's budget request. I am informed that $9.3 billion is in this bill, so there has been an $800 million increase. But the same ratios generally apply.

In other words, this very large defense budget, compared to previous years, does not even begin to move toward the 600-ship Navy. It does not even begin to move toward the 600-ship Navy. I think there is questionable judgment about whether it even moves toward a 500-ship Navy, although I do not have an analysis of that.

Mr. President, we recently read about a highly publicized Department of Defense report on Soviet military power. That report had page after page documenting the relentless expansion of Soviet conventional armaments and forces, including Army, Navy, and Air Force. The fiscal year 1982 defense budget that we are considering here today authorizes, in spite of the tremendous step forward that it is in many ways, fewer combat aircraft than were procured in fiscal year 1982, the last year for which final procurement figures are available, and there are fewer combat ships, 9 versus 10, than were in the fiscal year 1980 program. Of course, we have already gone through considerable debate on the other items that have been canceled, including the tanker program, a very important program, reduced Navy steaming, flying hours, Army ammunition procurement, as detailed so well by the Senator from South Carolina.

Mr. President, let us get away from details for just a moment and back off and ask what we are doing when we consider this budget. What kind of foreign

policy, and what kind of defense implications are here? I think we have to look realistically at what has happened in the world in the last few years.

The Soviet Union did not take Afghanistan with nuclear weapons. They are not intimidating and threatening Poland with nuclear weapons. I have not heard the first speculation anywhere by even those who are most pessimistic who believe that the Soviet Union would use nuclear weapons if they invaded Poland.

They did not hesistate to invade Hungary in 1956 when America had overwhelming nuclear superiority. They went right on in. They invaded Czechoslovakia in 1968 when America retained a nuclear advantage with both strategic and theater nuclear weapons. The Soviets do not control Angola, Ethiopia, and South Yemen because of the strategic window of vulnerability, although in all fairness I must add that their nuclear forces may very well tend to make them bolder with conventional forces and with surrogates. There is nothing that is going to change in that equation no matter what we do in the strategic area.

Mr. President, the series of amendments which have been rejected by the Senate this week, as the Senator from West Virginia just outlined, are just a beginning of the real focus on the defense budget squeeze. In spite of an increasing defense budget, we are now embarking on a severe squeeze of our conventional forces. These amendments which failed would have restored important conventional programs produced by the Reagan administration requests. We have gone over those time and time again.

Those who opposed those amendments in good faith, and I know they did in good faith, did so by asking a perfectly logical question; that is, Where is the money coming from?

This point of opposition to the add-ons will be repeated many times in fiscal years 1983, 1984, and 1985 as efforts are made to improve our conventional capability. So that is the message that should be coming out of this debate this week. The message should be, what is happening to our overall defense capability, not just what is happening to the MX and what is happening to the B–1. That would be a very sad era, and I think we would omit the most important part of this debate.

Mr. President, if my skepticism becomes a reality, and I say to my colleagues I hope it will not, the upcoming 1983 fiscal year budget will face an increasing squeeze on conventional forces and this pressure is likely to grow each year thereafter. I fear that in an era of increased Soviet use of conventional forces and proxy forces, America is inadvertently, and I stress that word "inadvertently," following policies which inevitably, if followed in future years, will lead to limiting our options to nuclear responses in any kind of all-out confrontation with the Soviet Union.

Mr. President, unless we are careful, we will soon be sowing the seeds of a strategic step backward in the 1950's and a strategy of massive retaliation. I would say again, and I stress the word, that would be "inadvertent." I do not believe anyone is advocating that.

Deterrence then, in the 1950's, was assured primarily by our strategic nuclear forces which, without any doubt, were superior. Such a posture may have made sense in an era when we enjoyed overwhelming strategic superiority, but in today's era that I have labeled as "clinging parity" and some have labeled "essential equivalence," it is strategy that indicates massive destruction or capitulation, neither of which is a counter-option our defense budget should give our country.

Mr. President, the question then is do we really want to move back toward such reliance on nuclear weapons? Do we really want to move back toward an era of massive retaliation without either John Foster Dulles as Secretary of State or also without nuclear superiority? We better start thinking very seriously about that.

Mr. President, I must also add that I believe, as I stated in February, the President's projected defense budget significantly underestimates and underfunds the programs contained therein. Under all of these circumstances, I believe that the B–1 funding is likely to delay Stealth technology and/or severely impact our readiness and our conventional capability. I fear that the recommended two-bomber program may end up producing so few units of each bomber that the per unit cost, the separate logistics, the maintenance and support, for each bomber becomes almost prohibitive. I believe by next year, certainly by next year at this time, it will be clearer than it is today that we have to face these unpleasant choices and we have to make some priority decisions which we are not making at this time.

I hope, again, that I am wrong. I believe either the B–1, the MX, or the Stealth program will have to be canceled or significantly delayed, or I believe that our conventional force posture and our readiness will be severely eroded.

If the administration cannot or does not come up with a sensible basing mode for the MX, then this program, in my book, becomes the likely candidate for termination. If these circumstances develop, I would then—and I want to make this clear at least for the RECORD, because this is not an easy decision; it is a close call. If these circumstances develop—that is, if the MX does not have a suitable basing mode, if one cannot be found, if one is not advocated by the administration—in that case, I would support termination of the MX.

I would also, at that stage, support the B–1 program, which I am now arguing against at this time. I would support it at that stage as a hedge against Stealth uncertainty and as a long-term conventional bomber in preference to the MX if the MX is deployed in fixed silos.

My decision here today, Mr. President, is one of priorities. It is one of priorities. Under the present circumstances as we now have them, particularly with the Senate sending the message last evening that we did expect alternative basing modes to be, in good faith, presented, I continue to support the MX and I hope it will be deployed in a rational manner that preserves deterrence and stability. But under these circumstances that we are faced with now, even though I recognize where the votes are, I shall support the Hollings-Levin amendment, which deletes the B–1 and transfers the funding to other very high priority areas.

In summarizing, Mr. President, and I think the Senator from Michigan for yielding and I am about to complete my remarks—in summary, we may never produce a Stealth bomber. I do not know. I hope we can. By attempting, however, to fund all of these strategic programs at one time, we are likely to produce a stealthy Marine Corps, a stealthy conventional Air Force, a stealthy Army, and a stealthy Navy. I hasten to add that there would be an enormous advantage in announcing that we have just landed a stealthy Marine division on the shores of the Persian Gulf or deployed a stealthy aircraft carrier to the Indian Ocean. I fear, however, that unless those announcements are very skillfully leaked, they will not be credible.

Mr. President, I believe President Carter made a serious mistake in canceling the B–1 in 1977, and I said so at that time. I have reluctantly concluded, however, that President Reagan is making a mistake in reviving this program in 1981.

Mr. WARNER. Mr. President, would the Senator yield for a question?

Mr. NUNN. I would be delighted, Mr. President, but the Senator from Michigan yielded to me and has the floor.

Mr. WARNER. May I ask the Senator from Michigan if I may just ask one question on my distinguished colleague?

Mr. LEVIN. Mr. President, I am happy to do so if the Senator from Georgia wishes to respond.

Mr. WARNER. Mr. President, the Senator from Georgia joined me in a series of hearings that were not completed but took place within the past 4 or 5 weeks by the Subcommittee on Strategic Weapons of the Armed Services Committee, in which the Senator participated many times, heard a series of witnesses. Yet I hear the Senator say today that it is his concern that the B–1 funding would "delay the Stealth funding program."

Mr. President, I expressly asked every witness that had any knowledge on that issue to speak to it. My recollection is that not one single witness provided testimony to the effect that the Stealth bomber would be delayed because of the funding profile of the B–1. As a matter of fact, the Senator joined me and others in writing to the Secretary of Defense for clarification on that issue if it were needed.

The Secretary of Defense replied on November 17, 1981:

> Regarding your concerns pertaining to the bomber program, let me assure you that I do not intend to permit the advanced technology bomber program "Stealth" to slip.

Can the Senator provide me with any reference in the record wherein there is a basis for the allegation that the B–1 program funding profile will in any way delay the Stealth program?

Mr. NUNN. Mr. President, I say to the Senator from Virginia that, of course, I have enormous respect for the Senator and the job he has done in the committee. I say that my statement here today was that it either will delay the Stealth bomber program or it will begin to erode our conventional forces. I stand by that statement. I think we already are seeing an erosion of the conventional forces in terms of what the President originally advocated and what he now advocates.

I just went through a rather lengthy description of a staff study which shows that, to get to the 600-ship Navy that we have heard about over and over again—from the same people who wrote that letter, by the way, stating that this would not interfere with the Stealth technology—to get to that, we would have to have a funding level between now and 1992, if that is the year we are going to produce the 600-ship Navy, of $25.5 billion per year in constant dollars; and if we are going to get to it by the year 2000, we have to have a funding level of $18.5 billion.

This defense bill right here, which is a very large bill, is $9.3 billion on Navy ship building. My point was not to try to pinpoint precisely what the B–1 funding combined—I combined it with all these other strategic programs, not the B–1 alone, the combination. My point is not to precisely identify what the squeezed program will be, but rather to show that we are going to have a severe budget squeeze in sum, and some programs that are very, very important will have to be squeezed. I hope the administration does not squeeze the advanced technology bomber. I am glad that I joined in that letter to the Secretary of Defense, and I am pleased that he came back with that commitment. But there is going to be a severe squeeze in the defense budget.

The administration did not anticipate taking out all these other items when they submitted the budget in January. Now we have a significant dilution in this budget. I do not think they anticipated changing the advanced technology bomber.

But I think it is going to be almost impossible to try to fund the Trident, to fund the cruise missile program, to try to have the CQ modernization—which I strongly support and the Senator from Virginia has had more than anybody to do with—and also at the same time to fund the cruise missile program and the two-bomber program. I fear that we may end up with so few numbers of B–1B's and, perhaps, the ATB, that we are going to increase the per unit cost even above the $400 million that we talked about, increase the per unit cost of the ATB further than anyone can imagine and, at the same time, create a tremendous inefficiency in logistics and manpower.

Mr. WARNER. If I understand the distinguished Senator from Georgia, it is based on his judgment, and not on fact in any record we can point to. As a matter of fact, the witnesses testified to the very thing, as reinforced by the Secretary of Defense, that Stealth would not suffer if indeed the B–1 goes forward and there is a shortage of money somewhere.

Mr. NUNN. The Senator is correct. That primarily came in answer to very precise and persistent and perceptive cross-examination by the Senator from Virginia. He sort of milked it out, with his very formidable cross-examination, and I am not sure I would call it an entirely voluntary statement. Nevertheless, it is in the record.

I must add that we also were told that we were going to have a 600-ship Navy.

Mr. WARNER. I thank the Senator from Georgia and the Senator from Michigan.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. HART. Mr. President, I ask the Senator from Georgia this question: The fact is, and the record is clear, that the administration has reduced its own shipbuilding program already this year, has it not?

Mr. NUNN. The Senator is absolutely correct on that. They have reduced the shipbuilding program substantially, and I do not hear any more about a 600-ship Navy. In fact, I wonder where those plans have gone. They were enormously important.

Mr. HART. That is a way of underscoring the point the Senator is making, that the dollars are competing with each other, and what is being cut back is the big strategic program, and what is suffering are the conventional forces, particularly the maritime people this country is going to need in the 1980's and 1990's to maintain its posture in the world.

Mr. NUNN. I thank the Senator.

Several Senators addressed the Chair.

Mr. WARNER. Mr. President. will the Senator yield for a question?

Mr. LEVIN. I am happy to yield for a question.

Mr. WARNER. Since the Senator made a very careful record of the testimony relating to the penetration capabilities of the B–1 would the Senator feel it proper to refer to the letter of November 10, 1981, addressed to the chairman of the Armed Services Committee from the Secretary of Defense in which he states as follows:

Tests against advanced technology air defenses indicate a high degree of success with these techniques. DOD analyses based on the results of these tests indicate the B–1B would have the capability to penetrate anticipated Soviet air defenses well into the 1990's in a multitude of employment modes and to perform effectively as a cruise missile carrier and as a conventional bomber into the next century.

Mr. LEVIN. What is the question?

Mr. WARNER. Would it not be proper to put in the RECORD alongside the other testimony that the Senator included and the Senator consider this worthy of mention?

Mr. LEVIN. It is not only proper but I wish it included in the RECORD because it indicates exactly what I have been saying: That Defense Department witnesses will change dates about penetrating capability, they will change dates as to when Stealth will be ready, and they will change the cost of the B–1 day-by-day, week-by-week, because I believe that the DOD will do just about anything to sell this B–1 bomber. That letter is an example of this because the same person who signed that letter, Defense Secretary Weinberger, was asked three times at the same hearing as to how long the B–1 can penetrate and that same Secretary of Defense said, "I am not sending my people on suicide missions. Nineteen ninety is the date."

Quoting him directly, he said:

I think there is no question whatever that we will not be able to use the B–1 penetrator after 1990.

That is what the Secretary said over and over again a few weeks ago, and I know he has changed his position, and I am happy to make that letter a part of the RECORD to prove that change of position.

Mr. WARNER. Mr. President, I ask unanimous consent to have various letters from and to the Secretary of Defense printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE SECRETARY OF DEFENSE,
Washington, D.C., November 10, 1981.

Hon. JOHN G. TOWER,
Chairman, Committee on Armed Services, Washington, D.C.

DEAR MR. CHAIRMAN: The following joint statement is intended to clarify capabilities of the existing and planned U.S. bomber force to penetrate current and projected Soviet air defenses.

The intelligence community estimates that current Soviet air defenses would be unable to deal effectively with conventional bombers penetrating at low altitude because they ask sufficient deployed forces with the technological capabilities to detect, track, and engage such targets effectively. The Soviets have several programs underway that will substantially improve their capabilities to perform each of these key functions by the late 1980's. The impact of such improvements will depend on the pace of their air defense deployment programs and the progress they make in improving the technical capabilities of their radars, command and control systems, and weapons. Although the number of deployed units projected by the intelligence community for the late 1980's would not be sufficient to heavily defend all potential targets in the Soviet Union, the Soviets are likely to concentrate their better-quality defenses to protect the targets which they perceive to be most valuable.

Department of Defense analyses indicate that the B–1 will have better capabilities to penetrate Soviet air defenses during the next 10 years than other conventional type bombers.

"As new low-altitude-capable air defense systems are deployed in sizeable numbers in the last half of the 1980's, penetration of Soviet air defenses by aircraft such as the B–52 will become more difficult, particularly against those targets which the Soviets choose to defend heavily. This aircraft has a larger radar cross section and relatively slow low-altitude penetration speed, neither of which can be appreciably changed.

"The B–1 as originally designed, while having a radar signature smaller than the B–52, would nevertheless have been detectable by Soviet radars. However, continuing development and testing of radar signature reduction techniques has achieved a further tenfold reduction in radar signature relative to the original B–1 design. This reduced signature allows the B–1B to employ fundamentally new ECM techniques which cannot be applied to the B–52 due to its large radar cross section. As a result of the combination of reduced signature, higher penetration speed, and new ECM, Soviet defense engagement opportunities will be severely reduced.

Jamming power levels necessary to mask the remaining signature are achievable.

"Tests against advanced technology air defenses indicate a high degree of success with these techniques. DOD analyses based on the results of these tests indicate the B–1B would have the capability to penetrate anticipated Soviet air defenses well into the 1990's in a multitude of employment modes and to perform effectively as a cruise missile carrier and as a conventional bomber into the next century."

The planned Advanced Technology Bomber (ATB) will serve as an essential element of a mixed force of penetrating bombers and cruise missiles capable of holding at risk the whole variety of targets necessary to deter the Soviet Union through the 1990's and well into the next century. The ATB will ensure continuing capability against the extremely important targets which the Soviets would defend most heavily with combinations of their newest air defenses and mobility or superhardening. A mixed force of B–1 cruise missile carriers and the ATB will present an extremely difficult problem to the most sophisticated defense system—thereby requiring major expenditures by the U.S.S.R. on defensive systems that cannot be used to attack the U.S. and its allies.

CASPAR W. WEINBERGER,
WILLIAM J. CASEY.

COMMITTEE ON ARMED SERVICES,
Washington, D.C., November 12, 1981.

Hon. CASPAR W. WEINBERGER,
Secretary of Defense, The Pentagon, Washington, D.C.

DEAR MR. SECRETARY: On October 2, the President announced his long-awaited program to modernize American strategic nuclear forces. The five point package recommended by the President addresses many problems which have been associated with our strategic forces. In particular, we are pleased with the emphasis which has been placed upon command, control and communications and appreciate the support which you gave to similar initiatives taken by this Committee in the FY 1982 authorization bill. Also this Committee has, in the past, strongly endorsed the D–5 version of the Trident II sea-launched ballistic missile. We are pleased that you are committed to funding fully this missile consistent with an initial operational capability of 1989.

However, we do have reservations about some aspects of the President's program. First, the testimony taken by the Committee and its Strategic and Theater Nuclear Forces Subcommittee thus far concerning the current MX basing options being pursued by the Administration appears preliminary. Second, although the two-aircraft approach to the modernization of our strategic bomber forces has much to recommend it, we are concerned that initiation of the B–1 bomber program at defense budget levels anticipated could delay important programs including classified programs such as the advanced technology bomber.

Testimony before the Senate Armed Services Committee has suggested that there is validity to our concerns and has made it evident that actions can and should be taken to rectify, in part, shortcomings in the program which we have identified. Senior Defense Department witnesses have shown a sensitivity to the issues we have raised and have indicated a willingness on the part of the Reagan Administration to strengthen its strategic program by addressing these problems. We are writing to seek clarification of the President's position in this regard. Specifically, we would appreciate your responding to the following questions:

What steps do you propose to take to ensure that location uncertainty with respect to land basing of offensive and defensive missiles and defensive radars is preserved as an option for the planned decision in 1984 on MX basing?

What is the planned initial operational capability of the advanced technology bomber and is that program fully funded to achieve that objective?

What steps are you prepared to take to ensure that the initial operational capability of the advanced technology bomber will not be allowed to slip beyond that now planned?

What steps are you prepared to take to identify and fund additional efforts to resolve technological uncertainties or other issues so as to permit the earliest deployment of Stealth technology?

What steps are you prepared to take to provide the earliest production schedule for the classified program which was reduced by $350 million in the President's October budget revision?

Your responses may be of critical importance to the favorable consideration by the Congress of the President's strategic force modernization program and its component parts. We urge you to provide us with a clarification of the Administration position on these questions at the earliest possible opportunity.

Sincerely,

JOHN TOWER.
JOHN W. WARNER.
SAM NUNN.

THE SECRETARY OF DEFENSE,
Washington, D.C., November 17, 1981.

Hon. JOHN TOWER,
Chairman, Committee on Armed Services, Washington, D.C.

DEAR MR. CHAIRMAN: Thank you for your letter concerning the five point program for modernization of the American strategic nuclear forces. Development of that program involved some very difficult programmatic and budgetary decisions and some details still need to be worked out.

In keeping with the importance of this matter and to ensure that the development and pursuit of this program continues to have a high level of attention, I have asked Dr. DeLauer to chair a Strategic Modernization Program Executive Committee (EXCOM) composed of the senior leadership from my OSD staff and the Services. The immediate task of this EXCOM is to facilitate the coordination of the various facets of this program among the Services and appropriate elements of the OSD staff. This group has already begun to function, having met on two occasions last week.

With regard to your question concerning MX and the associated BMD program, the Administration's rejection of the MPS basing mode for MX was not a rejection of deception per se. Instead, this rejection was based on a recognition of the unfavorable economics of trying to build shelters faster than the Soviets could build more warheads to destroy the system.

The Administration intends to explore deceptive basing of offensive missiles and defensive components as an option within the BMD program. To do otherwise would exclude highly effective tactics, for example, preferential defense which the U.S. could use to gain leverage against the Soviet threat.

To accomplish the above we intend to do the following:

Establish a subpanel of the EXCOM chaired by the Deputy Under Secretary of Defense (Strategic and Theater Nuclear Forces) to ensure an integrated and balanced defense/offense system which could take advantage of deceptive techniques in both offense and defense components.

Provide appropriate program direction for the Army and Air Force.

Regarding your concerns pertaining to the bomber program, let me assure you that I do not intend to permit the Advanced Technology Bomber Program (ATB) (Stealth) to slip. As I stated in my letter of 10 November 1981, the ATB will serve as an essential element of a mixed force of penetrating bombers and cruise missiles through the 1990s and well into the next century. In accordance with the importance attached to the ATB, we have identified the technical risk areas and have adequately funded them. As soon as technical progress allows, we will move into full-scale development. Funds have been set aside in our out-year planning to fund this program fully and to cover the earliest start of full-scale engineering development that we now forecast to be prudent. We are, in sum, committed to proceed at the fastest prudent pace based on demonstrated technical progress. We intend to hold periodic technical reviews under the sponsorship of the EXCOM to reassess progress and future schedules.

Finally, with regard to the questions on classified aspects of Stealth technology, the Department is vigorously pursuing this area and will continue to do so for the foreseeable future.

I believe that these actions are consistent with the objective which we share, to build a survivable land-based missile force that is affordable and cannot be negated by responses known to be within the Soviet capability. I believe they will also lead us to the earliest availability of Stealth technology consistent with prudent technical, schedule, and budgetary risk.

Sincerely,

CASPAR W. WEINBERGER.

Several Senators addressed the Chair.

Mr. GLENN. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from Michigan yield the floor for a question to the Senator from Ohio?

Mr. GLENN. Mr. President, will the Senator yield for that purpose?

Mr. LEVIN. I am happy to yield for a question.

Mr. GLENN. This will be brief.

The Senator bases much of his opposition to the B–1 on the Stealth technology and makes the statement that the Stealth is better, that that is "undisputed" I believe is the word he uses. I know that the Senator and I have sat in some of the same technological briefings on the Stealth technology, and I realize in open session at least here it is impossible to go into some of these details. I just cannot imagine having that kind of confidence in the Stealth technology, when we do not have answers in many of these areas and Stealth, in effect, remains a paper aircraft on a rubber schedule, basically, and it is just not something that is here in the immediate future, although I favor continuing with the R. & D.

But I am mystified as to why the Senator has this confidence and really thinks that technology is here now.

Mr. LEVIN. I am glad that the Senator asked that question.

We do have differences on this and the Senator from South Carolina, with whom I am cosponsoring this amendment, I think answered that same question. Basically, one can listen to the same briefings and come up with different conclusions. The Senator from South Carolina and I have been briefed by the same people as the Senator from Ohio.

I have again available for any Senator the specifics, the answers to the questions which the Senator from Ohio has raised

in private as he must because he cannot raise them publicly, and I am happy to share that, but we are all under the same liability. We are not able to argue the pros and cons of Stealth technology because of its high classification. All I can say is that Senator HOLLINGS and many others, and the Senator from Ohio and I in the same briefings from the same people, reached different conclusions.

The final answer to the Senator's question I shall quote someone who is a strong B–1 supporter if there ever is one. As a matter of fact, I just said he will do just about anything to sell it. Let me quote Secretary Weinberger, who said on November 5:

> It is certainly accepted by everybody that we will have to have something better than the B–1 and that we have the ability to get something better starting now.

Let me also say that the latest year of operating capability that anyone has given for Stealth, and these are B–1 supporters, is the early 1990's.

They have never deviated from this. Even Secretary Weinberger in his sfforts to sell the B–1 has never suggested that the Stealth plane cannot be ready by the early 1990's.

Mr. GLENN. Mr. President, if I thought the only mission for the B–1B was to be, was going to be, just the penetration—and I believe that is what was referred to in that timeframe, just the penetration mission to Moscow—that is not the only reason for having this airplane, and the reason why I favor the airplane I will mention later in a more lengthy speech here. But I think by the time we get around to trying to penetrate to Moscow we are probably going to have enough things, so that whether we have the B–1 or do not have the B–1 is something which is going to be reasonably academic at that time. It may not be true. But the conventional role of this plane is that it carries twice the bomb load, has much longer distance without refueling, all of that along with cruise missiles, and so on, which is quite apart from the 1990 timeframe that the Secretary refers to.

As far as the technical briefings we have had, I have asked the Secretary of Defense, the Secretary of the Air Force, the Joint Chiefs of Staff, David Jones, the Chairman of the Joint Chiefs, the program director, all of the list of questions that the Senator and I have gone over repeatedly. I do not know where he got his answers to those questions I have asked, but I have talked about these things for roughly the last 2 years with all of the technical experts, and they do not have answers to them. They say, "We hope we can work some of these things out," and I am for giving them money to help work these things out.

But the technology is just not here yet enough so that I want to see the security of my country based on that, and willing to rely on that now that it will be here and now, that it will work, and we are basing the security of our Nation on that, and that is just too sketchy yet to do all that. So I want to continue with this because many of the technologies developed under Stealth have much broader application than just to that airplane itself. It can be used on some other functions, as we are well aware.

Mr. LEVIN. In response to that question, I have here a staff document prepared by an Armed Services Committee professional staff member for Strategic programs, in which he has set forth the responses of the Air Force Stealth program manager to the questions which have been raised by the Senator from Ohio.

I am not able to compete obviously, with the Senator from Ohio in terms of all technological aspects. The Stealth program manager can and his answers are here. Again, I cannot make this public, since it is highly classified, but I will be happy to share it individually with my colleagues.

Mr. GLENN. I talked myself to the program manager as late as yesterday.

Mr. LEVIN. I think I was with you.

Mr. GLENN. You were there during part of that discussion. They still did not have answers to the questions I have been talking about over the last year-and-a-half or 2 years.

Mr. LEVIN. Others of us thought they did.

Mr. GLENN. I will be glad to read that hot document.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. BENTSEN. Mr. President, I cannot help but be amused about these timetables of 4 years, or 8 years, and maybe 10 years for the life of the B–1B bomber as a penetrator. I kept thinking back to the time I used to lead bomber raids in World War II and how we used to vie for some targets because some of us thought they were going to be easy while others thought we were going to get the tar shot out of us. I can also remember the evaluations of the generals as to the kind of defense we would be up against and how often they were wrong.

My kids tell me, "Well, dad, World War II, that is back when the Earth's crust was just cooling, wasn't it?" Not quite. But the abilities of the generals to tell what kind of defenses you are going to run into, and how long a bomber will be useful as a penetrator are just as fuzzy now as they were then.

To say it is going to be 4 years or 8 years with any degree of certainty is, I think, the height of arrogance. That is not the way it works out.

Mr. President, I do not think it adds up to say that we are going to restore America's military might and, at the same time, suggest we are going to turn down the B–1B bomber.

How can we aspire to a defense force that is second to none when one leg of our strategic triad, the B–52, is a product of early post World War II? I suspect, Mr. President, that many Members of the Senate would feel extremely uncomfortable to go out to National Airport or Dulles, and were asked to fly off into a real rough environment in DC–3's or DC–6's. They would not feel very comfortable and they would not like it at all. We all want to fly on modern, state-of-the-art aircraft. The B–52 was developed when the DC–3 and DC–6 were mainstays of commercial aviation. How, then, can we, in good conscience, ask American pilots and crews to fly an outdated bomber against one of the world's most sophisticated air defenses? That is, in fact, what we ask today's pilots to do and I can tell you the B–52 is not an aircraft I would want to pilot against the Soviet Union. I think its time we made a commitment to the B–1B bomber.

However, age is not the only problem of the B–52. It is an aircraft that was never designed as a low-altitude penetration bomber, and when you operate it at those altitudes you put additional stress on that aircraft.

In addition, the B–52 has only a limited capability to operate in a nuclear environment. It will cost tens of billions of dollars to continue to patch up the B–52 in the years ahead, and still there is no guarantee that the aircraft will remain serviceable until we can deploy a Stealth bomber.

Much has been made of the statement that the B–1 will only be able to penetrate Soviet air defenses for four years after it is deployed. This is an arrogant assertion that can never be proven. The question of penetration is enormously complex and depends on a wide variety of factors and circumstances. Mr. President, there is no one who can tell us with any certainty when the B–1 will cease to be able to penetrate Soviet air defenses. The 1990 date suggested to the Congress is arbitrary and unsubstantiated. It does not even allude to the combat circumstances under which penetration would allegedly become impossible.

No one, however, would seriously suggest that the B–1 is less able to penetrate the Soviet Union than the B–52. And I submit that should be an important factor in our decision to build the B–1.

The variables on all sides of the equation are such that we simply do not know when the B–1 will remain a useful weapon against Soviet defenses. A case has been made for 4 years, and it has been widely publicized. An equally convincing case could be made for a 6-, or 7-, or 8-year useful life time frame. But that is not the end of the matter.

Those who make the argument that the B–1 will become obsolete in the early 90s when we deploy a Stealth bomber may tend to underestimate the problems and production bottlenecks inherent in the development of a new generation of aircraft. Mr. President, I sat on the board of directors of Lockheed for many years and I gained some firsthand experience in the difficulty of solving the technical problems in aircraft design. Without being critical I can say that I can hardly remember any aircraft being developed right on schedule. When we consider the enormous problems and the technology involved in design and production of the Stealth bomber, it would not surprise me at all to see delays in development and deployment.

I think it is safe to say that most of the criticism of the B–1 relies on a worst case hypothesis. Critics assume the plane will not be able to penetrate the Soviet Union after 1990 and that Stealth will be developed on schedule. An equally convincing argument could be made for a

longer ability to penetrate by the B–1 and delays in Stealth deployment. In either instance, the B–1 looks better and better.

Cost—possibly approaching $40 billion—is the other argument frequently made against the B–1. There is no denying that the B–1 will be an expensive weapon, but we should also understand that there will be vast costs—on the order of hundreds of billions of dollars—involved in the effort to keep the B–52 operational until it is replaced by Stealth.

The choice is not between spending $40 billion for the B–1 and spending nothing. It is rather between spending $40 billion for a proven, modern bomber and spending perhaps $25 or $30 billion to keep an aging B–52 in the air without any guarantee that we can even succeed.

I recognize that the B–1 is an expensive weapons system, and some may be reluctant to make the investment when we can see a logical successor aircraft on the horizon. But what is the alternative to the B–1? It is an increasingly expensive, decreasingly effective B–52 fleet for the rest of this decade, and perhaps longer. That is not an alternative I am prepared to accept.

The argument in favor of the B–1 bomber is compelling and overwhelming.

The B–1B is a proven aircraft that can be deployed anywhere in the world at a moment's notice. There is an unfortunate tendency to view the B–1B only in the environment of Soviet air defenses, but I hardly need point out that sometime in the decade ahead we may well need to deploy a manned bomber in a regional conflict. The Middle East is only one possibility. In considering this question let us remember that the B–52 has seen combat, but never against the Soviet Union. There is much to be said for a modern, manned bomber that will enable this country to project its power anywhere in the world. Even the harshest critics of the aircraft would agree that the B–1B would be able to operate effectively against any non-Soviet target for many years to come.

Some people have been tempted to question whether this country still needs manned, penetrating bombers as an integral part of our deterrent. Perhaps, they suggest, we could get along with cruise missiles, the MX, and submarine-launched missiles. Perhaps the day of the manned bomber is over.

That argument overlooks the fact that the B–1B is both a credible and recallable deterrent that could play a unique and vital role in any future confrontation with the Soviets. As a general rule, we have some advance knowledge of Soviet buildups and impending crises. These periods of alert are particularly sensitive times in our relations with the Soviets, with symbols and nuances playing an important role. We can put the B–1B in the air as a show of force; we can refuel it and keep it up, ready to go. It can be an important sign of our resolve and concern in any crisis situation. You cannot send a missile up on patrol; you cannot call a missile back, and the distinction is important. Also, the very fact of the B–1B deployment would enormously complicate Soviet air defense strategy and therefore add immeasurably to our own national security.

Finally, Mr. President, the B–1B—unlike the B–52—has been hardened against the effects of a nuclear war. It has a much faster getaway time than the B–52 and is far more capable of operating and surviving in a nuclear environment.

To those who maintain that America cannot afford to build the B–1B while doing everything else necessary to restore our military credibility I would reply that the B–1B is an absolutely vital and essential element in any defense capability that is truly second to none. When you consider the fact that the Soviets have been outspending us year after year in defense; when you consider the state of our B–52 fleet and the costs of maintaining it; when you consider the importance of the manned bomber in our strategic triad, Mr. President, the conclusion is clear: America cannot afford not to build the B–1B bomber.

Mr. JACKSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. RUDMAN. Will the Senator from Washington yield?

Mr. JACKSON. Yes.

Mr. RUDMAN. Madam President, I just want to announce that because many Senators have expressed a desire to speak, we now have 14 Senators on the list who wish to speak in favor of the B–1 program. I do not know how many wish to speak against it. But I thought Senators might like to know that it appears that we will have about 20 more speakers.

ORDER FOR RECESS UNTIL TOMORROW AT 10 A.M. AND UNTIL SATURDAY, DECEMBER 5, 1981, AT 10 A.M.

Mr. BAKER. Mr. President, it is clear to me, based on the list of speakers yet to be recognized, though not officially bound, a number of amendments apparently are still to be offered and that the Senate will be in late this evening. It may also be, as much as I hate to make the statement, that we will not finish this bill, even though we stay late tonight.

I have discussed this matter with the minority leader.

I ask unanimous consent that when the Senate completes its business today it stand in recess until 10 o'clock in the morning, and when the Senate completes its business on Friday it stand in recess until 10 o'clock a.m. on Saturday.

The PRESIDING OFFICER (Mrs. HAWKINS). Without objection, it is so ordered.

Mr. JACKSON. I wish to thank my colleague from Texas for an excellent statement.

Madam President, because of the importance of the decision to produce the B–1B aircraft and its associated costs, I would like to set forth my reasons for supporting the B–1B and voting against the amendment to eliminate funds for it from this appropriations bill. While there may be a need to increase funding for other programs as contemplated by this amendment, I cannot agree to fund those programs at the expense of the B–1B when confronted with this Hobson's choice.

In 1977, I voted against the production of the B–1 bomber because, in spite of the fact that it offered some improvements over the B–52's, it failed in my judgment to meet the need in two important respects. The ability of the aircraft to serve as a penetration bomber was not credible in view of projected Soviet Air Defense capabilities; moreover, while its penetration ability was not enhanced by the supersonic capabilities of the B–1, the engines required for that capability resulted in a less than optimum aircraft with regard to payload and range. I basically felt that the B–1 did not offer a significant enough improvement over the B–52 to warrant its cost to the national defense budget.

On October 2, the President submitted his strategic arms package to the Congress with regard to the production of the B–1B and the MX basing mode. Since the submission of the President's package, the Senate Armed Services Committee has held extensive hearings on it, including hearings devoted exclusively to the B–1B question under the able leadership of the Senator from Virginia (Mr. WARNER). These hearings, some of which were open to the public, have presented a complete analysis of the capabilities of the B–1B in comparison to the B–1, the B–52 and the advanced technology bomber. Some of the information presented in these recent hearings is the result of ongoing tests and analysis completed since the hearings last spring on the Department of Defense fiscal year 1982 authorization bill. These recent hearings on the strategic package, along with private briefings to answer questions submitted following the hearings, have led me to the analysis and conclusions that I am stating today.

I think that it is important to stress the point that the B–1B is not the same aircraft that the Congress voted to terminate in 1977. In outward appearances it still looks like the same aircraft, however, through continued research and development activities funded in the aftermath of the decision to terminate B–1 production, major improvements have been made in the aircraft with regard to its ability to perform its initial mission as a penetration bomber. Through the application of concepts flowing from our Stealth technology program, the radar cross-section of the B–1B has been reduced by a factor of 10 from the B–1 aircraft. Thus, the B–1B aircraft will be much harder to detect. This important technological improvement is coupled with significant improvements in the electronic countermeasures capabilities of the proposed design.

The Air Force assures us that the B–1B in comparison to the B–1 will have a more sophisticated avionics capability which has been under evaluation through the integration of prototype hardware into one of the four B–1's that were built prior to the termination of the B–1 program. The combination of reduced radar cross-section and improved ECM capabilities means that the B–1B can successfully penetrate Soviet air defenses for a longer period of time than the former B–1 aircraft could have. The B–1B should be capable of achieving its role as

a penetration bomber until perhaps 1995 or beyond with little or slight modification.

Another significant modification from the B–1 in the new design of the B–1B is the use of a different set of jet engines for what will be essentially a subsonic aircraft. This will greatly increase its payload and range capabilities without refueling. Whatever mission the B–1B is sent on, it will have a superior payload capability to that of the B–52 for bombs and cruise missiles. With regard to range, the B–1B will have as much range as the B–52 with the same inflight refueling requirements. The B–1B will have a maximum payload which is 167 percent of that for the B–1. For a typical mission, the B–1B can carry a 40-percent greater payload with a 20 percent longer unrefueled range than the B–1.

Madam President, I believe that another critical factor in my thinking on the B–1B aircraft was to evaluate all the pieces of our strategic puzzle. As part of that puzzle we need to take a long-term look at our manned strategic aircraft requirements over perhaps the next 30 years. The B–1B will probably not be capable of penetrating Soviet air defenses over its entire lifetime. However, a crucial fact is that the B–52's in our current inventory will have to be retired with ultimate phaseout in the 1995 to 2000 time period.

Thus, not only will a new aircraft be needed to serve in the B–52's current roles as a penetration bomber and as a conventional bomber, but also in its new role as a standoff cruise missile carrier by the middle or end of the 1990's. Under this approach, the B–1B will first assume the penetration bomber mission of the B–52's, as well as perhaps conventional bombing missions in areas where air defenses might render the B–52's vulnerable. As the B–1B's become vulnerable to Soviet air defenses for penetration bombing, they, under current administration plans, would be supplanted for this role by the advanced technology bomber sometime in the 1990's. At this point, the B–1B aircraft would naturally transfer to the roles of the B–52's as standoff cruise missile carriers and conventional bombers. The B–1B should be adequate for these missions over the remainder of its airworthy lifetime. The important fact is that the B–1B should have a useful life of 25 to 40 years.

A pivotal point, Madam President, is how to minimize the cost to the Federal Treasury over time from the requirements of a manned bomber capability, is it cheaper to build the B–1B and the advanced technology bomber or to build an advanced technology bomber and a follow-on aircraft for the less demanding roles of the B–52? It is probably impossible to answer this question with any absolute assurance today. However, because of the importance of maintaining the manned aircraft leg of our strategic triad, I believe that we must err on the side of caution. Because we cannot guarantee the continued availability of the B–52's for its currently projected remaining useful years nor the early availability of an advanced technology bomber, it is prudent not to stretch our strategic luck by leap-frogging the B–1B aircraft. I have been convinced through the recent hearings in the Armed Services Committee that the B–1B not only has sufficient penetration capability to provide an important period of strategic deterrence to the Soviet threat, but also that it will be a satisfactory design for the less demanding roles of a standoff cruise missile carrier and a conventional bomber over its remaining useful life.

Estimates have been provided to the Congress regarding the respective costs for meeting the requirements for a manned strategic aircraft by two options. One contemplates purchase of 100 B–1B's followed by an appropriate number of advanced technology bombers. The other option is to buy all advanced technology bombers and to make improvements in B–52's to allow them some continued penetration capability against Soviet air defenses until the advanced technology bomber is deployed. The costs for these two options are essentially equal within the errors of estimation. The scenario of skipping the B–1B production does not address how the stand-off cruise missile carrier role of the B–52's would be met after their retirement. Testimony before the Senate Armed Services Committee indicated that cruise missile carriage by the advanced technology bomber would not necessarily be a prudent use of such a sophisticated aircraft. Thus, these cost estimates ignore the possible cost for a follow-on aircraft to serve the standoff cruise missile carrier role after the B–52 retirement.

Another important element in my decision is coupled with the regrettable decision of the President to delay a survivable basing mode for the MX missile. While the President's decision will not be overturned by this Congress, it will result in a delay of several years in the deployment of the MX missile in a survivable basing mode. This, delay will exacerbate our loss of strategic parity with the Soviet Union. If we were to forego the production of the B–1B aircraft, the imbalance in our strategic systems with the Soviets would continue to widen through the 1980's with no means of narrowing the gap until the early 1990's. I find this inability to close the "window of vulnerability" for such a long period very troublesome. The Soviets are basically cautious militarily and test the waters before making new initiatives. I believe the Soviets would be more inclined to direct action or action by proxies to achieve their aims in various areas of the world if they felt that the United States lacked either the military capability or the national will to deter them. Production of the B–1B should add to the Soviet's perception of our national will to maintain an adequate deterrence and reduce their interest in adventurism throughout the world.

Another element in my thinking on the B–1B derives from my historical involvement in fostering the B–52 program. The decision to build the B–52's back in the 1950's resulted in the Soviets spending in excess of $100 billion on air defense to intercept our strategic bombers. If the Soviets are forced to spend more to attempt to counter military systems than we do to deploy them, then there is a twofold advantage to the United States, not only from the value of the system we have deployed, but also from denying Soviet planners the use of their military funds for other purposes. The deployment of the B–1B penetration bomber will force the Soviets to deploy already planned and required additional improvements in their air defenses to counter this new strategic system and will result in added stress on the Soviet military budget.

For instance, this stress will reduce the resources which the Soviet planners can commit to development and deployment of new air defense capabilities to defend against the B–52's as standoff cruise missile carriers and to anticipate the deployment of the advanced technology bomber. Without the added stress resulting from the production of the B–1B, the Soviets could forego many improvements in their air defense and would be able to divert some funds from their air defense program into new technology for other elements of their military program. The estimates are that the Soviets will spend in excess of $200 billion on air defense systems in the 1980's and still not be able to counter the B–1B until well into the 1990's.

I think it is also important in examining the strategic puzzle to address the question of whether or not these funds for the B–1B come at the expense of other important programs. In particular, a major concern of mine is that the funding of the B–1B not result in delay or diminution of our efforts to deploy the advanced technology bomber. Secretary Weinberger has committed to a program funding level for the advanced technology bomber which will not lead to this result. In his statement in the Washington Post on Monday, November 16, 1981, he stated in part:

> Early replacement of the B–52 by the B–1B . . . will not delay development of the advanced technology or Stealth bomber.

I intend to offer an amendment to this bill to insure that priority emphasis is maintained on the advanced technology bomber program. There is some prospect for adverse effect on other programs in the defense budget due to the commitment to the B–1B. I believe that that likelihood has been diminished by the reduced spending that will result from the President's decision not to deploy the MX missile in the MPS basing mode. The resultant delay in a decision on basing the MX missile will probably lead to a delay in this major expense of 3 or 4 years, thus limiting the pressure on the strategic arms budget.

I believe there will be additional savings over those currently projected because the Congress will probably not support the massive hardening of silos for the fixed deployment of the MX missile. Thus, we are in effect largely reallocating funds within strategic programs and not causing a significant impact on funds currently planned for conventional forces. Further, I believe that the major factor in deterring the Soviets from adventurism around the world is our strategic capability. We must try to maintain strategic parity as a high

priority. Thus, if we must err in funding our military forces, it should be on the side favoring strategic systems.

Madam President, the key to America's strategic deterrence is its technological excellence, and I believe that we should exploit that excellence at the earliest practical time to insure that the Soviets are constantly in the catchup mode of planning. While I support the advanced technology bomber program very strongly, there is some risk in going forward solely with the advanced technology bomber due to some revolutionary developments in technology that will be applied. The estimates prior to this year on the availability of the advanced technology bomber were probably as optimistic as current projections on its availability are pessimistic. The truth undoubtedly lies somewhere in between. I believe that we should maintain as aggressive a program as is possible to achieve the early deployment of the advanced technology bomber, but not to the exclusion of the B–1B aircraft.

The B–1B has penetration abilities which may prove important in other areas of the world as well. Through the export of Soviet military hardware, the air defense capabilities outside of the Soviet Union may well threaten the B–52's in the 1990's. Thus, our ability to project American military force into troubled areas of the world would be diminished. Also in the 1990's, the B–52 may confront an increased threat against it as a standoff cruise missile carrier. Its earlier retirement than presently planned for this mission would require a substitute aircraft.

The B–1B is superior to the B–52's in some respects with regard to this mission as well. For instance, the hardening of the B–1B against the electromagnetic pulse will permit this aircraft to fulfill this mission with a higher degree of confidence.

One final point of major importance. We are facing the decision on the B–1B just as President Reagan has made his far-reaching proposals to the Soviet Union for the mutual reduction of nuclear weapons in a stabilizing manner based on effective methods of verification. I strongly support the President's initiative. The United States and the Soviet Union began negotiations on intermediate range nuclear forces in Europe just this week in Geneva. The President's endeavor to achieve serious mutual arms reductions is bound to take time, patience and hard bargaining. This is a moment to signal clearly that the United States will maintain its strategic deterrent steadily into the future.

Madam President, there are a myriad of arguments for and against the B–1B. Many of these arguments are based upon projections into the future for which none of us have a perfect crystal ball to assess them. It is because of these postulated but indeterminate future situations that reasonable men can come to totally opposite points of view on an issue such as the B–1B. However, because of the significant improvements in the B–1B over the B–1 and the rapid deterioration of our strategic parity vis-a-vis the Soviet Union, I believe the most prudent step is to support the production of the B–1B. Now is probably not the time in history that we can afford to err on the side of hoping for a better thing to come down the road.

Madam President, I yield the floor.

Mr. GARN addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. GARN. Madam President, first may I thank my distinguished colleague from Washington State. I hope our colleagues will listen to his words. I do not know that there is anybody in the Senate who has had a longer history of being a defense expert in this body than Senator JACKSON. As a matter of fact, I can remember many years ago when I was a young military pilot. I am not trying to make my colleague feel old, but he was in the Senate when I was newly out of flight training. I remember reading various defense magazines at that time, more than 25 years ago, respecting him for his great contribution to the defense of this country. I hope our colleagues will listen to his words of wisdom today.

I will be very brief, Madam President. The debate is a little bit amazing to me in that I never thought I would spend most of an entire term in the Senate of 6 years and into the 7th year having the same debate recur again. In 1977 some of the faces were different, but Senator John Culver, of Iowa, sat over there, and he and I debated in the Armed Services Committee on this issue, on the floor, on Meet the Press, and on Issues and Answers. Little did I believe at that time that in 1981 the same arguments would be going on. Nevertheless, they are.

A lot of statements have been made here today, a lot of quotes from various people.

May I just summarize from my own experience as a military pilot who has flown both the B–52 and the B–1—so I do not look at it from an academic standpoint of having to rely on the opinions of others but from personal experience of knowing a lot about the aircraft, having spent in excess of 10,000 hours in the left seat of airplanes—it really comes down to the choice of, do we continue in the air-based or manned bomber leg of the triad with an airplane, the B–52, that was designed right after World War II?

Again I said earlier in response to Senator HOLLINGS, and I would like to repeat, a quote from the January 5, 1953, issue of Aviation Week.

> Feeling in some USAF quarters is that the difference between the B–47 and the B–52 is not worth the cost of the latter program.

The same argument we are hearing today.

> Strategic Air Command also anticipates getting supersonic bombers soon enough to make the B–52 strictly a short interim measure.

In 1953, I say to my colleagues, the B–52 was going to be a short-term aircraft because they were soon going to get supersonic bombers. This is 1981 and we are arguing about that supersonic bomber today. We are hearing the same charges being made by the critics of the B–1B, namely that it is not worth the money and provides only a short-term interim capability. I anticipate the critics of the B–1B will be as mistaken as were officials on the B–52 nearly 30 years ago.

So the B–52 has been a fine airplane but it is an old airplane. It was designed as a high altitude bomber, not a low altitude penetrator. It has been used for many purposes it was not intended to be used for. Its design is now approaching 30 years of age. I have said many times that many of the crews flying it today were simply not born when it became operational.

Something that Senator GLENN would certainly agree with, Senator BENTSEN, and other military pilots in this body, is that the older an airplane gets, the more expensive it gets to maintain. You start manufacturing parts that are no longer in production, by hand. So whatever the estimates are on long-term maintenance of the B–52 fleet if we cancel the B–1, it certainly has to be fair that you subtract from the cost of the B–1 the cost of maintaining those additional B–52's.

I would submit to most anyone if you look at the record on aircraft, whatever they are, the long-term operation and maintenance costs have always far exceeded what the original estimates were for them. I see no different pattern of why that would be different on the B–52. You are going to find that in the year 2000, if you do not build the B–1, an astronomical cost to keep those B–52's flying and a much less capable airplane.

We are saying, then, "Well, fine, even some of the critics will agree with that, so let us go on to the Stealth."

I have sat here and listened to it. The Stealth is a paper airplane. As long as we are looking at some quotes, the Air Force Secretary Verne Orr described the ATB plane as a "paper airplane."

In addition, Gen. Bennie Davis, Commander in Chief of the Strategic Air Command, warned that, "While the technology for the Advanced Technology Bomber is a very exciting development, we cannot and should not depend upon this, as yet, unproven system.

Finally, it is well to keep in mind that the Air Force Chief of Staff, Gen. Lew Allen, responded to a tough question by Senator WARNER, the chairman of the Armed Services Strategic and Theater Nuclear Forces Subcommittee, that if given the stark choice between the B–1B and the ATB, he would choose the B–1B.

On the matter of it being a paper aircraft, all of us who have seen aircraft over the years start from the original idea to be put on paper. I cannot think in my 25-year military career, and reading back beyond that, of one single instance where we produced a major new aircraft in the time that we said it would be developed. So if it is fair, as Senator STEVENS has done, to add a cost increment increase on the average that it has cost overruns to develop aircraft over the years, it is also fair to add a time overrun. If you start adding that time overrun, even if you take the best guess of people who say you produce an ATB by 1991 and adjust the average, you are looking at 1995.

I would be willing to bet any Member of this body there is no IOC or initial in completion date on a Stealth until 1995. That does not come from anybody's testimony. It does not matter whether it is this Secretary of Defense or one from the past. That is a matter of taking the average of the time delays that have occurred on aircraft after aircraft. It will take you 15 years to produce an F–15 to replace an F–4. But now we are being told there is brand new technology which is very different, even from the standpoint of the pilot flying it, stability, and so on, new air frames, very new technology.

We are now being told with assurance on this floor tonight that, sure, we can do it by 1991, and we will probably do it by 1991.

I do not intend to be in the Senate by that time but I will sure be reminding a few of my colleagues who still are when we do not have a Stealth in 1995 and we are still trying to change something to make it a viable aircraft. And I hope we still have the B–1B still flying and still performing a number of missions.

Let me make just one more comment on the cost factor.

Whether you accept the 1981 dollars at $20.5 billion or some other estimates that go up to $39 billion, I think people ought to recognize what we are talking about in terms of cost. To put it into layman's terms so we can understand it, not minimizing the amount of money, I wonder how many people would buy an automobile if they went down to the dealer and not only the initial cost of the car, the base price of the car, was quoted and all of the extras, but then they said, "In addition, we are going to apply all of the interest, financing charges; we are going to put in all of the maintenance, all of the repairs, all of the tire replacements, everything you do for the life of the time you own that car, and we are going to lump all of that together. All the oil, the gas, everything, tire repairs, you name it, and that is the total price of your car." How many people would buy one?

So, when we say a B–1B is going to cost $20.5 billion or $39 billion, either figure, people should understand that includes everything. That includes all the gasoline, includes the simulators, includes the training, includes the spare parts. It includes the maintenance. It accepts an estimate for inflation over those years to get to that $39 billion. We do not price anything in that way execpt in the military. That is the one place we say, put in the whole cost of the system.

So, yes, it is a lot of money, but let us look at it in real terms and what it will buy. Let us also put it in perspective. If you are talking about $20 billion over a period of 20 years, that is about a billion dollars, or $2 billion a year if you use the high estimate. We can afford to spend $12 billion a year on food stamps—$12 billion. But we are being told that we cannot afford an average of $2 billion for a major weapons system to defend this country.

Simply to sum it up, the B–52 is an old airplane. It has served us well but it certainly will not into the 1990's. The Stealth is a paper aircraft. The only real thing, right now, to build up the bomber leg of the triad is a B–1B.

I hope this body will not make the mistake we have made, Madam President, over and over again, that they made in 1953 or were about to make and fortunately did not. I am sure glad we are not still flying B–47's.

THE B–1 BOMBER: NOW IS BETTER THAN NEVER

Madam President, I am both heartened and saddened today as I join with my colleagues in debating the merits of President Reagan's B–1B/ATB (Advanced Technology Bomber) proposal to modernize the bomber leg of our Nation's triad of strategic nuclear forces. I am heartened by this President's decision to reverse the Carter administration's cancellation of the B–1 bomber program—one of the most ill-advised national security decisions made during President Carter's time in office. Yet, I am saddened, as well, to think of the damage that has been done over more than a decade to the defense posture of this country.

We have failed to pursue vigorously enough the kind of resiliant defense posture that will be necessary to meet the Soviet menace and protect our national interests from a host of other challenges throughout the 1980's and 1990's. The decision in 1977 to cancel the B–1 was characteristic of this failure. Let us not repeat this same mistake. Today, we are paying the price in dollars, as the cost for this needed weapon system escalates; should the Congress fail to support the President's B–1B/ATB proposal, we may find that the costs have grown beyond dollars to the further endangerment of our security and our freedom.

I support President Reagan's initiative to pursue a two-bomber, B–1B/ATB, program for the following basic reasons:

First. It is a timely response for meeting an increasingly dangerous Soviet threat;

Second. It is a flexible response in the execution of its multi-faceted missions;

Third. It is a strong response which will enhance strategic deterrence and provide for an arms control negotiation position based on strength; and,

Fourth. It is a durable response which will provide for the long-term modernization needs of the bomber leg of the triad.

Timeliness, flexibility, strength, durability; these words illustrate the nature of the President's proposal. Let me address each of these in greater detail.

TIMELINESS

Recognizing the severity of the Soviet military threat to the security of the United States and its allies, and the need to close the window of opportunity which is emerging as a consequence of the shifting strategic nuclear balance, the Congress last year directed the President to make a proposal with respect to the deployment of a new, multirole bomber. In this regard, the conference report to the fiscal year 1981 defense authorization bill reads as follows:

> The Secretary of Defense shall vigorously pursue full-scale engineering development of a strategic multi-role bomber which maximizes range, payload, and ability to perform the missions of conventional bomber, cruise missile launch platform, and nuclear weapons delivery system in both the tactical and strategic role . . . to achieve an Initial Operational Capability as soon as practicable, consistent with the aircraft selected, but not later than 1987.

The B–1B will provide us with this capability in a timely manner; it will have an IOC of 1986, with full deployment achieved in 1988. Our confidence in reaching these goals is bolstered by the sturdy foundation upon which the B–1B program can build. Specifically, the B–1B rests, in part, upon our experience during the 1970's when the original B–1 completed an aggressive 1895 hour flight test program which clearly demonstrated the aircraft's operational utility and effectiveness. Having had the opportunity to fly the B–1, I personally can attest to this effectiveness and assure my colleagues that even the original B–1 constituted a marked improvement over our current fleet of aging B–52 bombers.

On the other hand, Madam President, the ATB program still must overcome major technical and operational uncertainties before it can enter our strategic arsenal. The IOC date for the ATB cannot be predicted with great certainty; my own guess would be that it will not be available until 1995, at the earliest. Let us remember that the Secretary of the Air Force, Verne Orr, has accurately labeled the ATB a "paper airplane." In addition, Gen. Bennie Davis, Commander in Chief of the Strategic Air Command, warned that, "while the technology for the Advanced Technology Bomber is a very exciting development, we cannot and should not depend upon this, as yet, unproven system." Finally, it is well to keep in mind that the Air Force Chief of Staff, Gen. Lew Allen, responded to a tough question by Senator WARNER, Chairman of the Senate Armed Services Strategic and Theater Nuclear Forces Subcommittee, that if given the stark choice between the B–1B and the ATB, he would choose the B–1B.

FLEXIBILITY

As has been mentioned previously, Congress mandated during its consideration of the fiscal year 1981 defense authorization bill the development of a long-range, multirole bomber which would provide a certain measure of flexibility in executing its missions. Those capabilities have been incorporated into the B–1B. It can be a penetrating bomber capable of making strikes deep into the heart-land of the Soviet Union against mobile and imprecisely located targets—a task that the cruise missile is either limited or unable to execute. Second, the B–1B will have from its initial deployment date the capability to stand off and launch cruise missiles against the Soviet Union, thereby saturating Soviet air defenses. Finally, the B–1B will contribute significantly to our quick-reaction conventional force projection capabilities. This may, in the long term, prove its most valuable contribution to U.S. national security interests, as we face the challenge of protecting a wide array of geographically dispersed national interests in Europe, the Mideast, South and Southeast Asia, and South America.

The B–1B, in combination with the

ATB, will comprise an extremely formidable force mix—one that will impose operational challenges and financial burdens on Soviet defenses. In a letter to Senator STEVENS, chairman of the Senate Appropriations Defense Subcommittee, Secretary of Defense Caspar Weinberger and CIA Director William Casey indicated that, "A mixed force of B–1 cruise missile carriers and the ATB will present an extremely difficult problem to the most sophisticated defense system—thereby requiring major expenditures by the U.S.S.R. on defensive systems that cannot be used to attack the United States and its allies."

The nature of the force mix provided by the B–1B/ATB bombers reflects the mission requirements of our long-range, strategic bomber force. In turn, those mission requirements are determined by the threat they are intended to address. To argue, therefore, that we can cancel the B–1B program and use the money to help balance the budget, to accelerate the ATB program, or to apply it to conventional forces is specious and misleading.

If we are going to address the threat, then the mission requirement of the B–1B must also be met. If we kill the B–1B program we must either delude ourselves into thinking that the threat is no longer so great or we must execute the required missions by other means. The first option is clearly unacceptable; the latter choice involves costs that, according to the Under Secretary for Research and Engineering, Richard DeLauer, will be greater than or nearly equal to the President's two-bomber proposal.

Madam President, I fully share the concern for and the commitment to the enhanced readiness posture of our general purpose conventional forces which has been expressed so ably by our colleague from South Carolina (Mr. HOLLINGS). He is right in one respect; the readiness of our conventional forces is not what it should be. In addition, the President's revised September budget will hamper or delay some earlier initiatives to restore the needed strength to our conventional forces. But these revisions were made because of overall constraints imposed by the Federal budget—not because funding for the B–1B program was preserved.

We have not done what was necessary in the past to insure a finely-tuned strategic and conventional force capability. We need a balanced modernization program to make up for this shortsightedness. The President has, on the whole, provided us with such a balanced program. Therefore, let us not be deceived into believing that the cancellation of the B–1B would constitute a panacea for our other well-recognized defense preparedness needs. Robbing the strategic forces, "Peter," in order to pay for the conventional forces, "Paul," will not serve the security interests of this country.

STRENGTH

Madam President, President Reagan's recently announced proposal to modernize our strategic nuclear forces will significantly strengthen all three legs of our strategic Triad, as well as our all-important command, control, communications, and intelligence (C^3I) network. The B–1B/ATB recommendation is an essential part of this initiative. We cannot rely on our aging B–52 fleet to carry the heavy burden of our long-range, strategic bomber mission until the ATB comes on line some time in the 1990's. Dr. DeLauer emphatically stated in correspondence with Senator STEVENS that "the B–52's ability to accomplish all three parts of its mission in sufficient numbers to be an effective and credible deterrent becomes increasingly questionable in the last half of the 1980's. In addition, the cost of the B–52's operation and maintenance is rising dramatically as its age increases."

President Reagan was elected on the platform of "Peace Through Strength." A versatile and potent force of B–1B's and ATB's is one of the best ways to insure that a policy of peace through strength by which to deter the Soviets and protect our far-flung national security interests is implemented. In addition, it provides the only solid foundation upon which to negotiate arms control agreements with the Soviets. In testimony before the Senate Foreign Relations Committee, Secretary of State Alexander Haig stated that congressional support for the B–1B program would contribute to the ultimate success of the START (Strategic Arms Reduction Talks) negotiations. If we are to negotiate from a position of strength, then we need systems deployed as part of our strategic arsenal, not undergoing further changes on the defense designer's drawing board.

DURABILITY

Madam President, Dr. DeLauer recently observed that "the combined (B–1B/ATB) program offers both near and far term modernization that will force the Soviets to improve their air defense program starting now, and continuing throughout the rest of the century." Moving ahead with these programs now will insure a timely response to an increasingly dangerous Soviet threat, while providing for the long-term modernization of our strategic bomber force.

Some questions have been raised about the penetration capabilities of the B–1B beyond the 1980's. These questions have been addressed on several occasions in official correspondence and congressional testimony. Rear Adm. E. A. Burkhalter, Deputy Director of the Defense Intelligence Agency (DIA), testified before the Senate Armed Services Committee to the effect that the B–1B will be able to penetrate Soviet air defenses well into the 1990's. That judgment has been confirmed by the Secretary of Defense, the Director of the CIA, and the commander in chief of the Strategic Air Command. The B–1B's penetration capabilities have been significantly enhanced by the addition of an upgraded, highly sophisticated electronic countermeasures (ECM) system, as well as a tenfold reduction in its radar cross section, as compared to the original B–1 design.

In its penetration role, the B–1B will function as a cruise missile carrier and long-range conventional bomber through the turn of the century and beyond. We are not buying an overpriced, interim bomber. In this respect, it would be good to reflect back on the history of the B–52. In January 5, 1953, edition of Aviation Week, the following judgment was recorded:

> Feeling in some USAF quarters is that the difference between B–47 and B–52 is not worth the cost of the latter program. Strategic Air Command also anticipates getting supersonic bombers soon enough to make the B–52 strictly a short interim measure.

And so it is today; we hear the same charges being made by the critics of the B–1B; namely, it is not worth the money and provides only a short-term interim capability. I anticipate the critics of the B–1B will be as mistaken as the officials who misjudged the B–52 nearly 30 years ago.

Let us then proceed with the deployment of the B–1B as expeditiously as possible, while continuing to work aggressively on a responsibility paced ATB program to provide for our premier, frontline penetrating bomber.

In short, Madam President, let us get on with the business of making America strong again.

Mr. WARNER. Madam President, I compliment the distinguished Senator from Utah for his analysis of the B–1B, based on his own experience as an aviator as well as his careful reading of the record.

Before the distinguished Senator from Washington leaves the floor, I wish to acknowledge his lengthy participation as ranking minority member in a series of hearings on the subject before the Strategic and Theater Nuclear Forces Subcommittee of the Armed Services Committee.

I also wish to put to him a question because he also serves in a dual capacity on the Intelligence Committee and is in a position, I think, to share with our colleagues a very important point that is not being brought out because of extreme classification. I believe we can allude to it in a colloquy here.

That is that the Soviet Union is not standing still with respect to its bomber program. I only wish we could impress upon our colleagues the importance of the B–1 in terms of what the Soviets are doing with aircraft of comparable capabilities. I wonder if my distinguished colleague from Washington would be able to comment on that.

Mr. JACKSON. Madam President, I am very happy to respond to my good friend. We have been aware for some time that the Soviets were not going to conclude their long-range bomber program with Backfire. They have deployed a very large number of Backfires, both for purposes of intercontinental strategic application and in support of their maritime forces. I think it is fair to say that we believe that the Soviets have been working and working very hard on a follow-on bomber to the Backfire. Depending on various scenarios, the Backfire does not have full intercontinental range except with refueling, of an intercontinental bomber of the capability of the B–52 in our current inventories. But the country needs to know that the Soviets have almost certainly given the

highest priority to the work that they are doing in connection with a follow-on to the Backfire bomber. This is going to pose, in the future, a very serious problem for the United States as the Soviets add on to all legs of their strategic nuclear triad.

They have pushed hard, as the Senator knows so well, in the large program to expand their strategic nuclear capability. What they have done in terms of intercontinental ballistics missiles is the No. 1 problem that we face in the strategic area, the whole family of intercontinental strategic missiles—the 17's, the 18's, the 19's—and then a whole family of intermediate range missiles—the SS–20's, now the SS–22's, and so on. So a follow-on to the Backfire will be there and we have to face that fact, I say to my good friend from Virginia.

Mr. WARNER. The point the Senator makes then is clear confirmation of the fact that this type of weapon—the B–1B—is needed in the U.S. arsenal.

Mr. JACKSON. Madam President, that is correct, and a weapons system that has credibility with the Soviets in terms of its ability to penetrate. The B–1B is not the B–1 of 1977. This point also needs to be made because it has an entirely different set of capabilities.

Mr. WARNER. I thank the distinguished Senator from Washington.

Madam President, I shall take one more minute to address an inquiry to the distinguished Senator from Ohio with respect to the ATB documentation displayed only by holding it up by our distinguished colleague from Michigan.

The Senator from Ohio and I have had an opportunity to examine this document jointly. The Senator has heretofore, on many occasions, been present at the briefings and I think we have done as much as anybody in this body with respect to investigating the capabilities of the ATB, as is our responsibility, on our respective committees. The document displayed by the distinguished Senator from Michigan certainly confirms precisely what the Senator from Ohio said earlier with respect to the risk in connection with this ATB. The ATB is definitely a project we ought to go ahead with, but we cannot at this time, based on the present progress in the technology, in the research and development, rely on the ATB to be a substitute for the B–1B.

Mr. GLENN. The Senator is absolutely correct. I went through the questions and the answers, as did the distinguished Senator from Virginia, who has gone into this in real depth. We have had many conversations about this whole Stealth technology, how we might bring it along faster, what could be done, but not rely on it now and bypass the B–1, because that would be a mistake. That technology is valuable, it is developing, but it is not here yet. We cannot go much beyond that on the Senate floor without getting into classified areas, which none of us wants to do right now.

I say, after having read the questions and answers which the distinguished Senator from Michigan had, they may satisfy him but they do not satisfy me, because they are the same questions I have been asking for the last year and a half or 2 years on the Stealth technology. Madam President, we do not have those answers yet, and to place the security of our country at risk at this point and say that we will just continue into the future but hope that, somehow, these things work out—I am not willing to go that route.

Madam President, I wish to respond to a couple of areas that have already been mentioned here and then make a little more lengthy statement.

Repeatedly so far in the discussions this afternoon, we have heard reference to the $40 billion program as though that is the figure we are supposed to accept now. I am torn two ways on this. One, is to correct it and put it back to its correct figure and the other is to hope they keep talking of those figures, because when they get back to the real figures, they will sound so low that people will be inclined to vote for it. The $40 billion figure that came out of one of the studies included many things that the Air Force does not even plan to have on the airplane and inflated the cost out to 1986 dollars.

I ask this body what other program we are accounting for in that way, of putting outyear dollars, added cost of inflation, and programs that are not even intended, that are only talked about as possibilities for the future, but which the Air Force says they do not plan. What other program do we do that with? None that I know of around here.

So the figure we have been given, the figure that the Air Force has substantiated, has been $20.5 billion. Are there new developments to come along, which they want to put something on in the future? Every plane we have had has had some growth potential in it that perhaps has resulted in some expense in the future. But to just double the cost of the airplane right now, going in, and put things on it that are not planned, and inflate it into outyear dollars is about as fallacious a way to try to shoot this thing down as anything I have seen around here.

So I do not agree with that. and I have the refutation of all those different increasing costs that have been alleged to go into the airplane—the GAO concerns, as they are called. I do not know that anyone wants to get into that kind of detailed debate here this evening and go through those things items by item. It will take several hours to do so.

If the opponents of the B–1 feel that their figures of, say, $40 billion and up are good figures, if they want to debate these figures this evening, I am prepared to debate as long as they want to. But let us not accept the figure of $40 billion. It is $20.5 billion. I think that with the experience we have had with the airplane so far, that is a reasonably good figure.

There is something else to be considered here. We are talking about all kinds of options. We are talking about whether we stay with the B–52 or B–52 with mods of some kind. Are we going to Stealth only? Are we going with Stealth with the B–52 backup; with the B–1 alone; with the B–1 with the Stealth R. & D., or none of the above?

I think the basic question, first, is this: Do we need a large, long-range bomber in any potential future conflict?

(Mr. CHAFEE assumed the chair.)

Mr. GARN. Mr. President, will the Senator yield for a question before he gets to his formal statement? I think this is very important.

Mr. GLENN. I yield.

Mr. GARN. It concerns what I was talking about and others were talking about earlier, about the date that Stealth and any of these options the Senator talks about would go to, and the matter of that slipping, talking about average slippage.

The thing I would like to say—which I am sure the distinguished Senator from Ohio would not say about himself—is that, forgetting orbiting the earth, this is the only test pilot we have in this body who has spent years testing new types of aircraft and modifications and so forth.

I bring that out and ask the question on the basis of mutual concern, not as Cap Weinberger, who has never flown anything except in first-class or coach section, so far as I know, and all these other experts who may not even have been buck privates, and suddenly they can come out with all these facts and figures, pulling them out of the sky, and we are going to produce a Stealth by 1989.

We cannot talk about any of the aerodynamics details. Here is a man who has test pilot experience, who has tested airplanes that are far less sophisticated aerodynamically than those we are talking about, perhaps. That is not a real world figure. We are not getting this from Senator GLENN on the basis of somebody's quotations, but from a man who has done that and knows what it is to fly these aircraft.

Mr. GLENN. I appreciate the Senator's remarks. They are very kind.

We are going into a wholly different regime and type of flight here. It is a very rare program that has ever come in on time, and I would expect this to be extended for some period of time. As for those who would say that we have a 1987, 1988, or 1989 IOC, I do not see that as being realistic.

Mr. GARN. Would the Senator from Ohio like to test-fly what they have ready in 1988?

Mr. GLENN. I might want to take a crack at it. But so far as putting it out and making it the No. 1 combat plane for our Nation is concerned and saying it is ready to go to combat—it is one thing to test it and try to work out the bugs of a new airplane. but it is another thing to put pilots into that kind of equipment, into combat, into harm's way, where their life is on the line. You want that airplane pretty well refined by that time, if you can.

That is the kind of thing you try to work out. Are we going to have those bugs worked out in the time period we have here on the floor this afternoon? I think it is grossly unlikely.

Mr. GARN. I thank the Senator from Ohio. I appreciate the answer and the background and lengthy experience from which that answer was derived.

Mr. GLENN. I thank the Senator very much.

Do we need a large, long-range bomber? That is a basic question in any future combat. My answer to that is, "Yes." Then, what roles do we see for it?

The amendment we adopted here about a year-and-a-half ago, or a little more than that, which was an amendment I proposed on the floor because I felt that we needed a replacement for the aged B–52, provided for 3 years in the study we asked the Defense Department to come back to us with. We called it a multirole bomber—MRB—at that time. We said, No. 1, it had to have an IOC, an operation date in 1987, first, to fill this role at the time period the B–52 would start phasing out.

It had to do three things. I had to be able to deliver the old, conventional iron bombs—smart bombs, as they are called—semiguided gravity bombs that have some maneuverability in going down, plus some plain, old conventional iron bombs.

It had to be able to launch cruise missiles, air-launched cruise missiles.

No. 3, nuclear weapons. I intentionally at that time listed that one last, because I do not see this primarily as the basic reason, as the penetration to Moscow, as being the main reason for this airplane. I think we need a power projection airplane quite apart from that particular purpose.

Mr. President, before I continue with my statement, I should like to return for a moment to a remark about Stealth, and ask unanimous consent to have printed in the RECORD an article published in the Wall Street Journal.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Sept. 18, 1980]

THE REAL QUESTION ABOUT STEALTH: WILL IT WORK?

(By Edward Teller)

If the average citizen is asked, what is Stealth? he or she is apt to say it is our new invisible bomber. A somewhat more sophisticated person might reply that it is a bomber which is under development, which is all but invisible to radar, and which will give us a decided advantage over the Soviets.

Stealth has already created a great deal of discussion. Most of this discussion focuses on questions of who gave away what secret and why. Indeed, the inquiry seems fully justified. Has classification been manipulated to serve political goals? However, this issue should not obscure what may be an even more important question.

To date, there has been practically no public discussion about the validity or significance of Stealth technology. Just how difficult is it to build such a bomber? Would it be reliably invisible, or could it be made visible by comparatively easy means? Numerous detailed discussions have convinced me that the cost and complexity of constructing such a fleet of bombers is greater—probably much greater—than the cost and complexity of modifying existing detection systems to make these "invisible" bombers visible again.

National policy most often seems to overlook the fact that providing clear information to the public may be even more important than trying to keep the Soviets from obtaining information. The latter may be effectively impossible; the former is so often neglected that the public is misled concerning vital matters of defense. Niels Bohr, the great physicist who practically created the atomic theory, said late in 1945, the most effective weapon of a dictatorship is secrecy, but in a democracy the weapon of openness is decisive.

It is a good general rule to make all possible progress in military technology and to worry about countermeasures later. I firmly believe that the present case is an exception. At least one proposal for a countermeasure exists. This method appears obvious and does not even require any extensive technological effort in order to allow the Soviets to detect, localize and destroy Stealth bombers.

Unfortunately, the rules of classification do not permit me to describe this countermeasure concept. Probably there are other valid methods of defense that exist. However, this one countermeasure is sufficient to make the usefulness of Stealth highly questionable.

The real danger is that the American people are being misled about the possibility of a practical and effectively invisible bomber. This is important not to the status of any single person but to the safety of the nation.

Careful congressional review should be given to Stealth with initial emphasis on determining how difficult it would be to effect countermeasures. It may be all but impossible to conduct such an investigation in an objective manner, but the attempt should be made. The review itself will probably have to be conducted in secrecy, but the American people should be informed of the essential conclusions.

One may, of course, argue that it would have been better to develop the bomber in complete secrecy. Such development would necessitate a major effort. One can hardly imagine that such activities would go unnoticed by the Soviets for long. Countermeasures seem so easy that even a couple of years, considerably less time than the actual production-time requirement for Stealth, would suffice for their deployment. One may also assume that the Soviet may never think of the appropriate countermeasures. To make such an assumption seems truly dangerous.

Although it is known that in military matters the Soviet Union is quantitatively ahead of us, we console ourselves with the thought that our technology is superior. I am afraid that while their civilian technology is lacking, their military technology may already be more capable than our own. There are many who agree that even if this fear is not just justified today, it will become fully justified within a few years.

All of us should be happy about good and well-founded news concerning our security. It has been asserted that Stealth changes the military balance back to the older and more stable situation in which the strength of the United States made the free world safe. But if our military developers can produce nothing better than the Stealth bomber, they should give less time to boasting and more to work on truly realistic ways to insure peace and stability.

Mr. GLENN. Mr. President, this article was published in September 1980, a year ago. It is by Edward Teller, one of the most distinguished scientists in the world—not just in this country, not just in California, but one of the most distinguished scientists in the whole world. He wrote an article entitled "The Real Question About 'Stealth': Will It Work?"

I will not read the article, but in talking about whether there were countermeasures and whether this Stealth technology would really have the effects we want it to have, he said:

At least one proposal for a countermeasure exists. This method appears obvious and does not even require any extensive technological effort in order to allow the Soviets to detect, localize and destroy Stealth bombers.

Unfortunately, the rules of classification do not permit me to describe this countermeasure concept. Probably there are other valid methods of defense that exist. However, this one countermeasure is sufficient to make the usefulness of Stealth highly questionable.

I have talked to Dr. Teller, and his comment there I have had on my list ever since I talked to him some time ago, and that is still on the list of unanswered questions as to why we think the Stealth technology is here now.

I repeat: I am very much in favor of all the R. & D. that the Stealth program can take. But to put our national security on the line and go directly to Stealth now and bypass the B–1 would be a tragic mistake for our country.

As many Senators know, I opposed President Carter's cancellation of the B–1 bomber in 1977, and I have since worked to keep the bomber program alive and to insure that we would have a replacement for the aging B–52 fleet that has served us so well for nearly a quarter of a century.

The basic premise that shapes my thinking on the bomber issue is that we will need a versatile, long-range bomber force well into the 21st century.

THE CONVENTIONAL ROLE

Penetration of Soviet airspace in a nuclear war has received the greatest share of attention in the bomber debate. Unfortunately, we have overlooked the requirements that our bombers must also be able to carry out conventional missions and to serve as cruise missile carriers.

In my own opinion, the most important of our bomber requirements is the need for deployable conventional forces that would allow us to avoid a disastrous reliance on the early use of nuclear weapons should deterrence fail.

In other words, we must have a demonstratable ability to project conventional combat power quickly into areas where naval and ground forces might take days or even weeks to reach in sufficient strength.

We have in areas of the world the awesome firepower that can be brought to bear with our carrier task force and our carrier battle groups, but we cannot have a carrier task force everywhere we may need to project forces in the interest of our own foreign policy and those of our allies as well.

But as recent budgetary reductions have shown we may not be willing to back up our rhetoric with surface forces needed in close proximity to our vital

In fact, just yesterday in this Chamber an amendment of mine was defeated that called just to restore the steaming money, the gas money, in effect, the fuel money, so we can keep two carriers in the Indian Ocean area instead of cutting it back in half as is being proposed in the interest of saving $74 million while at the same time we talk about our need to talk tough, be tough, and carry a big stick in that Persian Gulf area.

So I see the B–1 in a conventional role as being able to project power where we do not have carrier task force or do not have sufficient carriers in a particular part of the world in case something happens there, and this is a means of power projection.

I am convinced that after thorough assessment of the technology involved,

which we discussed earlier, that the so-called Stealth bomber is too far into our future to risk our national security on the chance that it can be developed more quickly no matter how much money is poured into it.

THE CRUISE MISSILE CARRIER ROLE

The requirements for a cruise missile carrying aircraft have most often been examined by focusing on the simpler part of the wartime mission—the attack by launching cruise missiles from outside Soviet airspace, thus avoiding hostile air defenses. This has given rise to an assumption that we can hang air-launched cruise missiles (ALCM) on virtually anything with wings and expect success with a minimum of expense.

Analysis of this sort ignores the fact that for an ALCM carrier to pose a credible deterrent, an enemy must not be able to destroy it as it sits on its alert bases. To successfully escape annihilation by submarine-launched ballistic missiles which give minimal warning which can be as short as 6 to 8 minutes a cruise missile carrier has to be able to escape from its base within a few minutes, a requirement that will soon exceed the capabilities of our B–52's, and a requirement that is beyond commercial aircraft modified for military use.

Also overlooked is that enroute to its launch points, an ALCM carrier must have its electronics protected from interference effects.

These interference effects have been called EMP, electromagnetic pulse, as well as nuclear explosive shock waves, but EMP can be countered somewhat as can some of the effects of nuclear explosions by hardening, hardening of the electronics systems such as those which cannot be done on the B–52 without huge expense but which will be done on the B–1 and which are so necessary to navigation, communications, which could otherwise be destroyed or be inoperable from this interference.

THE PENETRATION ROLE

As our cruise missile technology matures, I believe there will be correspondingly less demand for a penetrating bomber.

That does not mean that I see the time coming in the immediate future when cruise missiles are going to take over all of this role. But the penetration role, that penetration role of trying to get through the most hostile environment is one that I think will eventually be taken over to a large extent by the cruise missile but those also are still being developed.

But to judge a bomber's penetration capability—as many are now doing—solely on what we estimate Soviet defenses might be a decade from now ignores the lessons of warfare. In the air, as on the land, no defensive weapon can completely block a determined offense. The machine gun did not make the infantryman obsolete, nor, as the French learned, did the concrete of the maginot line hold against the imaginative flanking attacks of the German tank commanders.

Similarly, Soviet air defenses of themselves will not automatically signal the end of the manned bomber.

Just because their defenses are there does not mean that we will not try to get through those defenses. That has been the history of warfare.

There will be no magic moment when the Soviet Union becomes impenetrable, although I have no doubt that there are Soviet planners who would hope that we would reach such a conclusion and thus permit them to divert vast sums to offensive weaponry rather than being forced into defensive weaponry as they will be if we buy the B–1. And so I believe that the attempts to fix a specific year when a penetrating bomber cannot do the job is an exercise in futility.

What we must do is to face the brutal reality that as long as there is a manned bomber requirement—and there will be one until we can at least place part of our reliance on cruise missiles—we will have to be ready to send our airmen to do the job of penetrating Soviet air defenses. And we should send them in the best aircraft this country can produce.

THE B–52 AND STEALTH AS A MULTIPURPOSE BOMBER

As a multirole bomber required to perform the missions I have outlined above, the B–52 will have to be replaced well before the turn of the century.

I am convinced, after thorough assessment of the technology involved, which we discussed earlier, that the so-called Stealth bomber is too far into our future to risk our national security on the chance that it can be developed more quickly, no matter how much money is poured into it. Moreover, I do not believe that the Stealth concept would give us an aircraft that is sufficiently versatile to serve in a variety of combat roles, the variety that I have talked about. In spite of these drawbacks, I agree fully that we should continue to support spending for research on Stealth technologies because they obviously have many applications.

Because of its age alone, the B–52 is becoming rapidly less reliable. Originally designed in the mid-1940's as a propeller-driven bomber, the newest of these big planes are now almost 20 years old.

In fact, we have logbooks that actually have son flying the same aircraft their fathers flew in the Air Force before them. Actually the same aircraft, not the same type, but the same aircraft, sons flying the same aircraft their fathers flew before them.

If we opt for a "Stealth only" bomber fleet, we still have to maintain B–52's even at that stage for cruise missile carriage and conventional bombing, which could mean sending our airmen to combat in aircraft approaching 40 years of service at the turn of the century.

Just a few days ago here we had a debate on the battleships, and many Senators who now advocate retention of the B–52 then argued that because the battleship had 13 years of service life they were unfit for combat.

I find it somewhat inconsistent that some of the opponents of the battleship would now ask that young Americans be ready to go war in aircraft that are already antiquities, aircraft that make the battleships look mint new by comparison.

Both as a cruise missile launcher and as a conventional bomber, the B–52 will be increasingly unsatisfactory because it lacks the modern features of an aircraft such as the B–1. That was demonstrated. Seventeen of the B–52's were lost to relatively primitive North Vietnamese air defenses in the early 1970's. During the next 20 years, even deadlier air defenses will become common in the arsenals of many nations, thus greatly reducing the credibility of the B–52's in conventional roles.

In the event of nuclear war, even the comparatively less demanding mission of the cruise missile carrier might be beyond the B–52, since the old plane's wiring, communications, and navigation systems are protected adequately from the disabling electromagnetic pulse (EMP) effects of nuclear detonations.

Mr. ANDREWS. Mr. President, will my colleague yield a moment?

Mr. GLENN. I yield.

Mr. ANDREWS. I congratulate him on making an excellent statement. One of the things he is pointing out is the fact this is so much more modern aircraft than the B–52 and I think we should stress also it is a much more modern aircraft than the prototype B–1 that came off of the assembly lines 4 or 5 years ago because I understand there has been significant changes of the fuselage so it is not as perceptible on Russian radar screens and they have put more modern engines in the aircraft as well.

So this is truly a bomber of current technology. Is that not the way my colleague understands it?

Mr. GLENN. That is exactly correct. In the data we brought with us today here I think we had a listing of just a few of the things that are different between the B–1 and the B–1B.

The B–1B improvements over the B–1: longer range, air-launched cruise missiles carrier, improved penetrability, which includes the reduced radar cross section, improved electronics countermeasures, and ALQ–153 tail warning system—

Mr. ANDREWS. Putting in new engines.

Mr. GLENN. Improved avionics, and improved engines are the next two; modernized offensive avionics; enhanced capability of defensive avionics; standardized communication and traffic control equipment; movable weapons bay bulkhead for greater variety of weapon carriage; external weapons and fuel capability; increased gross weight—395,000–477,000 pounds—capacity for added range; added tail warning radar system; added cross bleed starting system to enhance fast base escape; and reduced radar cross section by one-tenth of B–1.

Those are just the obvious ones.

Mr. ANDREWS. These, Mr. President, are very important things to be pointed out to the general public. This is indeed and in fact an aircraft of the eighties, not of the sixties or seventies.

Mr. GLENN. I appreciate the Senator's comments in pointing this out. I think he made a very good point.

Mr. ANDREWS. I thank my colleague.

Mr. GLENN. As a multirole bomber Stealth's only strong suit is the possibility, and it is still a possibility, that a bomber-sized aircraft can be built that might be able to avoid detection by Soviet radars.

Actually what the Stealth-only supporters are really saying is that Stealth might be able to do well against the types of radars that our intelligence services estimate might be in existence 10 to 20 years from now.

If, of course, the Soviets do better than we estimate, Stealth could well be useless and America would be stuck with the B–52—if it can still fly—and there will be no replacement in sight.

We cannot overlook the possibility that Stealth's "clock of radar invisibility" could be completely shredded by the development of detection means other than the radars we know today.

Once again I would refer to Dr. Edward Teller's article which I entered into the RECORD just a few moments ago.

Teller wrote:

> Counter measures seem so easy that even a couple of years, considerably less time than the actual production time requirement for Stealth, would suffice for their deployment.

A spate of recent articles in technical literature support Dr. Teller. Already in advanced research is an "optical radar" that would detect aircraft—not by radio frequency energy that Stealth is designed to contend with, but by amplified light waves. Another journal discusses the uses of lasers in air defense warning systems, while a third describes a method of tracking aircraft by the turbulence resulting from flight through the atmosphere. And if these developments are not sufficient to cause doubts about Stealth, there are other advances in long-wave infrared sensors and in unconventional radars to worry about.

I will not go into technical detail, we cannot here, which we have said repeatedly, about why we have doubt about Stealth.

I am concerned that, for a variety of reasons, Stealth is being viewed by many as a panacea for our bomber problem. It is not. Security prevents full disclosure of the shortcomings of Stealth concepts in an open forum.

I must say this, that if this really is going to be an issue that is going to sway many votes, it would be my intention to ask for a closed session of the Senate. That could occur tonight, tomorow, or whenever, because I think it is important enough that we have the basics of the Stealth technology pointed out which, I think, we could probably do in closed session without getting into a lot of the details that might be bordering on giving away secrets anytime we try to get 100 people together and put out something of this classification. But we might, if this becomes a major issue in this evening's debate, want to go to a closed session.

But, after hours of briefings and discussions about Stealth with DOD officials and members of the scientific community, I have come to the conclusion that while the technology should be pursued, an operational, on-the-runway Stealth bomber is not in the cards in the foreseeable future.

THE B–1 AS A MULTIROLE BOMBER

In contrast to the B–52 and the conceptual Stealth aircraft, the B–1 is a truly multirole bomber.

In the conventional role, the B–1 can rapidly project massive nonnuclear power far from our shores. It can take off from bases in the United States, fly to Eastern Europe with a full internal load of conventional "iron" bombs and return without the use of refueling tankers. The B–1 can carry more conventional bombs internally than the older B–52's can carry both internally and on external racks. When both external storage of bombs and internal bomb bays are used, the B–1 can deliver 125,000 pounds of bombs—well over twice the payload of the ancient B–52. And because of its smaller radar signature and electronics, the B–1 will be far less vulnerable than the B–52 to the rapidly improving air defenses of nations outside the Soviet bloc.

As a cruise missile carrier, the B–1 is far superior to the B–52 and Stealth. In the initial portion of a nuclear war, the B–1, because of its speed will be better able to escape from its bases than can the B–52. Structurally, the stronger B–1 can withstand almost twice the blast pressure than can the B–52. The electromagnetic effects I spoke of earlier will disable the B–52, which is not hardened, while the B–1 is designed to withstand a high level of electromagnetic pulse.

In the penetration role, the B–1 has received a bum rap while we have simultaneously made the Soviet air defense gunners 10 feet tall. Although I believe the necessity of having a manned bomber run the risk inherent in penetration will decline in importance, this decline will occur because our technology will be able to come up with a better substitute—not because Soviet defenses can, at some magic point, make the U.S.S.R. impregnable.

It is not widely known, but the 1977 studies of the B–1 in the penetration role were seriously flawed, and those were referred to earlier on the floor, and I want to address those for just a moment to respond to that bit of information as I see it also. In that 1977 study—it was a theoretical study that I think went wrong—the failure lies in the assumptions: In the 1977 study the B–1 was pitted against undamaged Soviet defense systems, assuming that there had been no knocking out or no attempt to hit their defensive systems at all.

There was not any assumption there was then at that time a nuclear war and that there had been U.S. ballistic missiles fired that had probably taken out a significant portion of air defenses, and this was not factored into the penetration studies at the time.

Then next, the B–1's electronic countermeasures were not considered when evaluating the ability to penetrate. They did not even use the ECM capability in that 1977 study, and these have been updated over the past 4 years and have proven highly effective in fly-off tests against the best radars and missile defenses available.

The original tests did not assess the most likely scenario that the B–1's would be attacking the Soviet Union in the midst of hundreds—or thousands—of air-launched cruise missiles which could saturate surviving Soviet defenses. In other words, that study was basically based on the ability of single or low numbers of aircraft to get through without any of these other assumptions that would more likely be the combat scenario.

In a few words, balancing requirements against capabilities leads me to the conclusion that what we must have is a bomber that not only can penetrate, but that can also be used for other roles. And that bomber is the B–1.

In regard to the cost of a new bomber, we have to look at the costs we would have to pay for each practical option available to us.

I am just as much concerned about the cost of this machine as anyone in this Chamber. They are horribly expensive, and we are talking about this kind of money, $200 million for each airplane, and it is almost mind boggling. But you have to ask yourselves if we need it and do not have it what is the cost to our Nation?

So I asked the Air Force and the Department of Defense to lay out the total cost of each of these tactical options available to us. The following choices are:

Option 1, keeping the present B–52/FB–111 fleet modernized and flying until the year 2000. Option 2, buying and operating B–1 bombers to supplant our present B–52/FB–111 fleet and operating them until the year 2000. Option 3, keeping the B–52/FB–111 fleet until Stealth can become operational. Option 4, progressing from the B–52/FB–111 to the B–1 while continuing work on the Stealth concept, eventually producing Stealth aircraft when practical.

The Department of Defense analysis of these options showed that no real savings could be realized by option 1 over option 2 and that a mixed force of B–1's and Stealth aircraft, when practical, would probably be no more expensive—but much more effective—than a bomber fleet comprised entirely of Stealth aircraft.

A line-by-line examination of the CBO letter of November 6 that priced the B–1 program at nearly $40 billion that I referred to earlier revealed that the cost estimate was given to this level by adding features the Air Force does not require by assigning unrealistic cost to such aspects as the value of manufacturing experiences. The CBO then took this gold-plated program and inflated it to 1986 dollars by use of higher factors than in general use elsewhere in the Government or on any other weapons system that we are debating about in this bill.

My position can be summarized as follows: We will need a multiroll bomber capability in the 21st century. The present fleet of B–52's and FB–111's cannot meet this requirement. While Stealth research seems promising and must be fol-

lowed, we cannot rely on our present aging bombers until Stealth can be produced unless we are willing to accept high risk to our national security. I think we must build the updated B–1 while going ahead as fast as we can pursuing the Stealth technology.

Mr. President, I look at the B–1B program as a low-risk program because it is qualified from the systems standpoint. Four aircraft have been built. Over 1,900 flight test hours have been flown. There has been 7,550 engine flight hours; 37,556 miles have been flown below 400 feet on the automatic system for low-altitude running simulation. All high-load structures were subjected to ultimate load fatigue testing; a three-life-times projected airplane.

Gen. Tom Stafford, a close friend of mine, ex-Commander of Edwards Flight Test Center, where the B–1 was tested, stated that the B–1 test program was the most successful in the history of the Senate.

So the airplane is ready to go to production. Critical long lead time items necessary for production, such as forgings, toolings, and materials have been retained in storage and are readily available. The major portion of the engineering is completed. The design is mature. It has been thoroughly tested. A skilled corps of about one workforce is still in place, including hundreds with key engineering experience who have been on loan to other aircraft companies. Production facilities are available at Rockwell, including a new building and others which will be added depending upon the requirements of the program.

So I see the program as being ready to go. I do not think you can afford not to have it, even though it is a very expensive project.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, at this stage of the debate, it is difficult to say anything that is not redundant and that has not already been said in spades. But there are two or three observations I want to make and maybe, even at the expense of being redundant, try to emphasize a couple of points.

I think, first of all, we are not really deliberating this issue like a great deliberative body is supposed to. We are tonight, probably within the next hour or 2, going to vote on a weapons system that is bigger than any weapons system we have ever procured by a magnitude of somewhere between 2 and 5 times.

It has been said that one of the reasons for building a penetrating bomber is that you can call them back. Well that is true. You can call a penetrating bomber back after it has been sent on a mission. But I want to say to my colleagues tonight you cannot recall your votes. Once you vote tonight, we are embarked on building 100 airplanes that are going to cost, in then year dollars, $400 million each.

The only people in the world that I can envision really getting a pretty good deal out of this is the Soviet Union. The Soviet Union has been anticipating a B–1 bomber, or a follow-on to the B–52, for many, many years and everybody here knows that they have a classic air defense system designed for just this aircraft that we are getting ready to build.

Now you can talk about when the B–1 is going to be operational. That is a very narrow figure. Everybody knows that it is going to be operational sometime around 1985 to 1987. There is some considerable dispute about how long it will have a penetrating capability. But put the best light on it and it comes out to about 1995.

Ask yourselves: What is the mission of the B–1? Why are we committing $40 billion in this defense budget to 100 airplanes? What is its mission and how can it fulfill it?

Well, in 1977, the only thing I ever heard was that it was to be a penetrating bomber. Nobody talked about it being a conventional bomber, nobody talked about it being a cruise missile carrier. Indeed, at that time we were putting money in this budget to buy L–1011's and 747's to experiment with as cruise missile carriers. That was when we thought we were going to wind up with the SALT II treaty.

But now the argument is made, in justification, and in the certain knowledge that it is not going to be able to penetrate for any long period of time, that it is also a magnificent conventional bomber and it is also a fine cruise missile carrier.

Well, if you want a bomber that can shoot its cruise missiles and penetrate the Soviet Union until the mid-1990's, we have one—the B–52. Now that always provokes the same response every time it is mentioned—that they are older than the pilots that are flying them. And there is some justification for saying that and there is enough credibility to it for all of us to be concerned about the life of the B–52's. But all I am saying is I have never heard an Air Force general—and, indeed, I heard the President say less than 2 months ago—that we were going to spend billions of dollars retrofitting the B–52G's and H's with the goal that they will be able to shoot and penetrate the Soviet Union through the mid-1990's.

Now the amount of money we are spending on the B–52 does not make it brand new, but we are putting the best avionics and the best counterelectronics measures we have on it, and it will carry 20 cruise missiles. So, it is a conventional bomber. If you want it as a standoff bomber, it will carry 20 cruise missiles. And, if you want it to shoot and penetrate, every Air Force general I have heard talk says it will perform this mission through the mid-1990's.

So why are we putting $40 billion into a weapons system to duplicate what we already have and add to that the ATB? Well every time you start talking about the Stealth, the proponents of the B–1 say the Stealth is just on paper. It is rather tragic that we cannot debate some of the technology of the Stealth. But I will say this: There are two people for whom I have the utmost respect when it comes to research and development in the Defense Department, and I will tell you who they are. They are Dr. Bill Perry and Dr. Richard DeLauer.

I have heard both of them say personally to me that they have great confidence in the Stealth bomber.

Bill Perry says he can conceive of no reason, unless we funnel too many of our resources into the B–1, why the Stealth bomber could not have an IOC of 1989–1991.

I talked to an Air Force general the other day and he said it may be 1990, but he also expressed a great confidence factor in this bomber.

It is not a paper bomber.

Why are we going to build a penetrating bomber that will not penetrate when we have one coming on that will, assuming you believe in penetrating bombers? I have been an advocate of the Stealth and I still am an advocate of the Stealth, even though I think at some point we are going to have to debate again the value and the desirability of even having a penetrating bomber because everybody during this debate. and for the past 12 months, has put the most revolutionary weapon of this century on the back burner as though it does not exist, and that is the cruise missile.

Has anyone in this body heard one person from the Pentagon say that he does not think the cruise missile is going to work?

Bill Perry and Dr. DeLauer will both tell you that it is the most revolutionary weapon of the century, accurate to an unbelievable degree. I heard one general say you can put one in the Kremlin dining room, if you want to.

And we are going to put them on submarines, all of our Los Angeles and Trident submarines.

Mr. President, there is only one nice thing about the way this vote is going to come out tonight, and that is I will be able to say to all of my constituents and all of my friends when they start hearing these stories about how far behind we are in this and how far we are behind in that, "I am really sorry about that, but the B–1 ate that up like a piranha," and I will be telling the truth.

Is it cost effective to spend $40 billion for an airplane that we are all agreed upon is going to be superseded in 1989 or 1990?

Mr. President, I wish that everybody in America could hear this debate tonight. I would be delighted, incidentally, to debate this issue on national television, not only the B–1, but the second part of the amendment which would take the money you would otherwise put in B–1 and put it into some readiness items.

That is what this amendment does.

You know, Clausewitz said that you fight the kind of war you are prepared to fight. Are we prepared to go to war with the rapid deployment force in the Middle East? Are we prepared to fight in Western Europe if the Soviets decide to attack? Not if you believe everything you read and everything you hear from witnesses who come up here from the Pentagon.

What kind of war are we prepared to fight? We are prepared to fight a strategic nuclear war.

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When you start talking about the desirability of a conventional bomber because you can call it back, that was fine back when the novel "Failsafe" was written. But that was before we had submarine launched SLBM's; that was before we had ground-launched GLCM's. Our strategic planning does not include a first strike. Our strategic planning does not include a launch-on-warning attack. Our strategic planning is designed to keep a retaliatory capability so that if the Soviet Union launches the first strike, we have ample force to answer, not with airplanes, but with enough of our survivable ICBM's and our submarines.

Winston Churchill made the point in a different context and John Culver magnificiently and eloquently elaborated on it last year when he said the airplanes will get there when the war is over and can do nothing except make the rubble bounce higher.

Nobody doubts that for an instant.

Mr. President, our strength and the strength of this Nation is not entirely dependent on how many planes, tanks, and guns we have. Our strength relies, I think, just as heavily on the confidence of the American people in their Government and in each other. I think the way we feel about each other as Americans is important. I think that the strength of this Nation and the strength of its economy is as important as how many tanks, planes and guns we have.

What we have done now is assure a $100-billion deficit for 1982 by an administration, incidentally, which has said you cannot have a free lunch, you cannot have it both ways, you cannot spend more than you take in.

What has happened in the Administration's very first year? We are anticipating somewhere between an $80 billion and a $100-billion deficit. The President was dead right. There is no such thing as a free lunch. All we are doing is destroying a national consensus for a strong defense. If you do not think the tide is changing, talk to the folks back home. Talk to the people who have lost their jobs, all million-and-a-half of them in the last 3 months, and see how strongly they feel about this defense budget.

There are a lot of things that are important in this country.

I have voted for every defense budget since I have been in the Congress. Put that down in the record. I have voted for every defense budget that has come up since I have been here, but I am not going to vote for this one.

Mr. President, our strength lies, from a military standpoint, more in the kind of conventional forces we have right now than even our strategic forces, because a conventional war is the kind of war that we are most likely to have to fight. What do we do when we siphon off $40 billion for a plane of very limited utility? We jeopardize the rapid deployment force; and we jeopardize what we have as a conventional force in Western Europe.

The Army says today—listen to this—that we have only one combat-ready division, the 82d Airborne.

Think about that.

We consider ourselves the most powerful Nation on Earth, and the Army says we have one combat ready division.

Do you know what else the Army says? They say we have the ability to fight for 30 days in Western Europe. When the Senator from South Carolina offered an amendment to preposition equipment, to give our troops more ammunition, to raise that from 30 days to 60 days, to fix it so we could fight 60 days when the Army says that to have a credible deterrent in Europe, we have to have 180 days worth of munitions, we cannot even get enough money in this budget for an additional 30 days.

That is not something I dreamed last night. That is what the people come over here and testify to.

What else have we done?

Well, we have cut our manpower by 6,000. We are going to have 6,000 men fewer under this budget than we would have had under the projected Carter budget. And we talk about revitalizing our military strength and our armed services. We are buying this year, because of the B–1 siphoning so much money off—listen to this—20 percent fewer combat tactical aircraft this year than we bought in 1980.

We talk about ships. We want a 600-ship Navy. We want 540 ships by 1987. However, we are buying 18 percent fewer ships in this budget than we bought in 1980. Does that sound like a country that is really serious about rearming itself?

Those AWACS, which were so widely debated and the technology of which was so widely touted, cost $123 million. That plane out at Andrews Air Base, which the President is going to jump on—he will never make it, but we like to think he will—and guide the war from, cost $120 million. And this plane, the B–1B, will cost 400 million smokes.

How are we going to get to that 540-ship Navy? Well, we are going to bring out the old battleship *Iowa*, and the old battleship *New Jersey*. I did not hear anybody who was talking about those decrepit old B–52's talk about their being decrepit when we were dragging those old battleships out.

I am reminded of the story of Wellington. He was reviewing a little old ragtag company of troops one time. The officer in charge of the troops did not know they were a ragtag company. He said to Wellington, "Do you think these troops will frighten the enemy?"

Wellington said, "I don't know about the enemy, but they scare the hell out of me."

That is the way I think we are about the B–1. I do not know whether the Soviet Union is frightened by what we are doing here, but it scares the hell out of me. This program represents an unbelievable waste, and, I say to the Senators, you cannot recall your vote.

There is one other point I want to make on the Navy. While trying to reach a 540-ship Navy, we are going to build this airplane for $400 million apiece. It is going to have a 7- or 8-year life expectancy to perform the mission we are building for it. But you can build a guided missile frigate for the cost of two to three B–1 bombers, and it has a 35-year life expectancy.

The other day, I was coming back from lunch at one of the local restaurants. I looked up at that magnificent Hart building, with all that beautiful marble. I thought about all the abuse I took last year when I was running because I had voted for that building. I did not vote for the original appropriation, and I might have voted against it. But when I got here, the superstructure was coming out of the ground.

I remember my colleague who sits in the chair wanted to tear it all down and make a parking lot out of it. He cannot defend himself right now. Somehow, I got caught on the floor. They said, "Senator HOLLINGS will be back in a minute. Will you hold the floor until he gets here?" I spent 3 hours debating with my fine friend from Rhode Island in the chair, there. And I finally won it. I found out Senator HOLLINGS not only was not here, but that he was not coming. And maybe you think I did not pay a high price for that, last fall.

Now he shows up, 1 year and 5 months later. [Laughter.]

But to go on with the story, I looked up at that building and told my staff, "Can you imagine all the furor that building has caused in this country and that when it is finished, it will cost one-third as much as one B–1 bomber." And I have a feeling it will be here a lot longer than the last B–1 bomber.

Do you know what we are doing here, Mr. President? We are pandering to the American people, for whom I really feel and in whose judgment I have great confidence once they are given the facts. We are pandering to people who do not want to be pandered to. I can say that I have seen a couple of polls that show the American people are not very rhapsodic about the B–1 bomber.

I thought in 1977 when I was opposed to the B–1 that it was a fairly close call. It is no longer a close call.

Mr. President, I shall wrap up here by saying that I would like everybody tonight who votes for this to be prepared to go home and tell their constituents that they want their sons and daughters to enlist in the Armed Forces of the United States, but because we are to spend $40 billion for 100 bombers—$40 billion for 100 bombers—we may not have any guns and ammunition for their youngsters when they get in. Still, we think it would be a nice patriotic thing for them to do.

I did not blame the Senator from Alaska when he said this afternoon that he wished the amendment of the Senator from South Carolina did not reallocate this money for all those readiness items. I do not blame him at all. If I were voting against the amendment, I would wish it were not in there too.

I would like to go on national television and ask anybody who votes against this amendment to tell the American people that we have a 30-day war fighting capability in Europe, that we have cut TACAIR by 20 percent, and that we have cut our shipbuilding by 18 percent, and everything that goes with it. I guess the solution to this dilemma goes back to 1977, when we zapped this thing. At

that time we were going to build 244 of them. Do you remember that, Mr. President? Now we decide we just want 100. I think that means that anything that is not worth doing is not worth doing well.

When this vote is taken tonight, it will make the decision final. I have never heard anybody in this body boast about voting for the ABM that we spent $6 billion for out in North Dakota and dismantled before it was finished. I have never heard anybody in this body boast about being a great B–70 advocate. And I am going to tell you something: Within 3 years or maybe less, you are going to be hard pressed to find anybody in this country, or in this room, who is going to be boasting about voting for the B–1 bomber tonight.

We are pandering, I promise you, Mr. President. We are pandering and we are mistaken.

One night, Bill Perry and Senator HART and I were having dinner and we were talking about the relative technologies of the Russian and the American Cruise missiles. As you know, the American Cruise missile is vastly superior to anything the Soviet Union has. That is not classified; I know it and the Soviets know it. But their Cruise missile is about eight times bigger than ours. And Senator HART said, "I sure hope folks don't find out theirs are bigger than ours."

Well, in about 30 days, Mr. President, we are going to see all these magazine stories coming out. They are going to be reflecting what the generals are saying over here before the Defense Appropriations Committee and the Armed Services Committee about our inability to fight; that even though we spent $202 or $208 billion, we still do not have a war fighting capability in the Middle East; that we still do not have the ability to defend ourselves in Western Europe; that in fact, the number of ships in our fleet has not gone up anything like the required amount to reach a 540-ship navy by 1987; or that we bought more tactical aircraft in 1980, when the budget was about $140 billion, I believe, that we are buying with over a $200 billion defense budget this year.

It reminds me of Lucy holding the ball for Charlie Brown. Every fall she promises that she is not going to pull the ball out from under him. Every year, Congress does the same thing. We vote for all these exotic weapons systems and our defense capability continues to decline.

I want a strong defense, Mr. President, I want a lean, hungry defense. I want our youngsters to have the finest equipment in the world to fight with. When you vote against the Hollings amendment tonight, you are assuring the American people that they are not going to get it.

I yield the floor, Mr. President.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. (Mr. MATHIAS). The Senator from Indiana.

Mr. QUAYLE. Mr. President, unfortunately, we are not able to have this debate on national television. But in due time, after the majority leader brings television proceedings to the U.S. Senate, we will at least be able to debate these issues on cable television. I am sure the Senator from Arkansas will join me and others to allow that to go through.

I should like to be exacting and try to quote someone who has been quoted very often, Dr. William Perry, who testified before our Armed Services Committee.

He said:

The B–1B will be extremely useful as a Cruise missile carrier.

Second, he said:

It will be useful, maybe close to optimum, in a nonnuclear engagement in a conventional war.

He said:

I think it is a fine airplane, and I think it has real capacity in conventional warfare.

He sort of summarizes his testimony:

So, to me, it is not a black-and-white issue. It is a priority judgment issue.

I tend to agree with him. It is a priority judgment issue, and when we get into situations such as this, where we have judgment, I think it is appropriate to turn to some of the military personnel and what they have said.

General Ellis was before our committee, and I asked him to assume that we are not going to go ahead with the basing mode on MX. He said:

If you don't have that, you had better have something else or some other system, and the B–1 or interim bomber is even more critical than it would have been if your MX was coming in.

So, in short answer, he says that if you are not going to have the MX on schedule, you had better do everything else you can do, including getting the B–1, or whatever you are going to get, as soon as possible.

General Allen has testifitd that this year the B–1 program is the No. 1 priority.

General Davis testified on November 4 that under the present circumstances, with the MX basing issue up in the air, his order of priorities is B–1B, MX, and Stealth.

It is a judgment call, a judgment decision, that we will be making.

Many statements have been made tonight, and there is no use repeating them.

I wish to emphasize one point made by the Senator from Utah (Mr. GARN) in reflecting on the debate in 1952 with respect to building the B–52. During that debate, it was argued that this would be only an interim bomber, that it would not be very lasting. In fact, 30 years later, we are still using the same bomber, and we are going to use it until 1995.

The B–1 is the same type of bomber. The configuration of the B–52 is 20 years old. We began the discussion of B–1 in 1970, and it will not be deployed until at least 1985 to 1987—15 to 17 years.

Now we are told, "Let us wait for Stealth. Stealth is just around the corner. Wait on the B–1 and go to Stealth."

I say that if we wait on the B–1 and go to Stealth, we will be having the same argument 5 or 6 years from now—wait for Stealth, because the son of Stealth is just around the corner. Wait and wait and wait is exactly what we have done.

I believe that now is the time to act, and the B–1B is the appropriate plane the Senate should consider.

Mr. President, for the past several weeks, the Senate Armed Services Committee has been considering the President's plan for improving the strategic posture of the United States. Formal testimony has been received from senior officials of the Department of Defense, Air Force, and Navy. Supporting data has been provided during many private meetings on key aspects of the proposed program.

After considering all of the facts, I am convinced that it is in the best interests of the country to proceed with a program to improve our strategic forces. I will vote accordingly.

Following the SALT I agreements, we had great expectations that the United States and the Soviet Union would use that treaty as a framework around which we could begin a gradual and mutually equitable reduction in our strategic forces. We looked forward to an easing of international tensions which would have permitted both countries to concentrate our resources on improving the quality of life within our borders, and throughout the world.

After SALT I, the United States refrained from developing or deploying new strategic weapons. The Soviet Union chose the opposite path—a path which has led directly to the heightened state of tension in which we find ourselvess today.

The Soviets were not content to achieve a strategic nuclear parity, but instead elected to gain a substantial unilateral advantage over us. Hundreds of massive SS–18's were deployed with greatly improved performance, raising the ominous potential for crippling us in a first strike. While such a move was legally permissible under the written terms of the agreement, it was wholly inconsistent with the intent of the treaty and with the spirit of arms limitation discussions.

Consider the destabilizing effect of that unilateral exploitation of loopholes in SALT I.

Immediately following SALT I, each of us had essentially equivalent missile forces which could not be destroyed by the other's ICBM's. Neither the Minuteman nor the Soviet's missiles had the accuracy and megatonnage to threaten either country's silos.

Both our ICBM forces were, at that moment, invulnerable deterrent weapons with the potential for retaliatory second strike capability.

Each side, thus, had substantial motivation to refrain from starting a nuclear war because neither side could gain a military advantage by striking first with ICBM's.

The Soviets now have deployed the SS–18 which can attack and destroy our Minuteman silos, while we must still rely on the Minuteman which cannot destroy their SS–18 silos. Any semblance of parity has been lost.

The Soviets' public pronouncements express alarm at the prospect of the United States developing the MX. They claim that it will be a destabilizing first strike weapon; yet they totally ignore the fact that the MX is essentially identical in capability to their SS–18. How can the Soviet Union be so hypocritical as to claim that the SS–18 is a defensive

system and the MX is an offensive weapon?

It is obvious that the Soviets are not anxious to reduce international tensions. It is obvious that the Soviets are not concerned about the massive expenditures on military hardware adding to the continuing hardships on its people.

It is obvious that the Soviets have no interest in recognition or accommodation of our mutual concerns.

It is obvious that the Soviets have only one goal in mind—overwhelming military superiority over the United States.

That simply cannot be permitted to take place. Regrettably, we must now act to restore some sense of parity.

The B–1B should be developed on a time-urgent basis as proposed by the President. Manned penetrating bombers are the only element of the triad which has been proven in combat, and they were decisive in turning the tide of World War II.

The B–52's are obsolete and can no longer be counted upon to perform penetrating missions. Consider that in their limited time of operation in Vietnam we lost 18 B–52's to the backward air defenses of the North Vietnamese. Is it reasonable to believe that these same aircraft can survive sophisticated Soviet air defenses in the 1980's? It clearly is not.

The B–52's are not only losing their military effectiveness, but the cost of maintaining them in flightworthy condition is becoming prohibitive. The Air Force has testified that it would cost $93 billion to keep our current bomber force in flying condition until the year 2000. Spending that amount of money on an increasingly ineffective system does not make sense.

Each of us has had an automobile which finally became too expensive to maintain. There comes a time when that car should be traded in on a newer, more efficient model. That is the point we have reached with the B–52's. It is time to trade them in and to commit our resources to building a replacement bomber. The only open question in my mind is: Which bomber?

After giving this question a great deal of time, thought, and analysis, I have concluded that the B–1B is the only realistic option open to us at this time.

The B–1B can perform the manned penetrating missions at least until the 1990's and possibly much longer. The B–1B's ability to penetrate is based upon its very small radar cross section and its defensive electronic system. Current and near-term technology cannot cope with that twofold capability, according to Air Force experts, and the B–1B's invulnerability is the key to its deterrent value.

Whether the Soviets can realize a long-term technological breakthrough and develop the means to defend against the B–1B in 1990, 1995, or 2000 is purely a matter of conjecture. There is simply no possibility of sitting down today and establishing a specific date at which time the Soviets will invent a solution to the B–1B.

It may well be that, like the B–52's, which have been in service for nearly 20 years, the B–1B's may last longer than any of us now have reason to believe.

The B–1B will also be a very effective cruise missile carrier, enabling us to also retire the B–52's from that assignment. It can further serve as a conventional bomber. In fact, Dr. William Perry recently testified that the B–1B is an optimum delivery system for non-nuclear weapons. We are, therefore, getting a threefold return on our investment, a new aircraft able to perform the Air Force's three primary attack missions for the next several decades.

There is no valid argument for skipping the B–1B and proceeding directly to the advanced technology bomber. Right now, Stealth is little more than a promising technology, but it is not currently translatable into a credible airplane design. We do not have the option to buy the ATB. As of this moment we do not even know how to build one.

There is ample historical evidence to lead one to conclude that the delivery schedule on a system as complex and technologically uncertain as the ATB is likely to suffer substantial slippage. Will the technology prove out in 5 years? In ten? By the end of the century? Ever?

It is dangerous, if not suicidal, to gamble our deterrent posture on our ability to produce an ATB which first, probably will not be operational on time, and second, may or may not frustrate the Soviet's ability to develop effective countermeasures.

The B–1B may not be the "perfect" airplane. In my year of service on the Senate Armed Services Committee, I have learned that there is no such thing as the perfect airplane, the perfect ship, or the perfect soldier.

But the B–1B is a very good weapon. It is available, and we can look forward to a high return on our investment.

Given the current budget situation and the uncertainty of MX basing, it would seem that the time for the B–1B is now. I urge my colleagues to support the construction of this airplane.

The need for the B–1B becomes even more urgent when we consider the uncertainty surrounding the MX program. While I have supported continuing the development of the MX missile, as the debate in this Chamber yesterday indicated, I have grave doubts about its basing mode.

The primary justification for a new land-based missile must be that it is relatively invulnerable to a Soviet first strike. If it is not, it will lose its deterrent value, which is the position we are facing with our Minuteman missiles.

It continues to distress me that, despite years of discussion and debate, we still lack an acceptable basing mode for the MX. The amendment which I cosponsored with Senators COHEN and NUNN, holds out yet another opportunity for the Department of Defense to solve the basing problem.

They have until July 1, 1983. If it has not been solved by that time then the future of land-based missiles will be in serious doubt. Perhaps other elements of our deterrent forces—specifically our submarine-launched missiles—should assume a greater portion of the deterrent role. While experts have testified that MX is vulnerable and that we do not know how to make MX invulnerable, no one—I repeat, no one—has stepped forward and suggested that submarines will be vulnerable for the next 15 to 20 years.

Concepts have been suggested by which the fabled Stealth bomber might someday become vulnerable, but no one has the sketchiest notion as to how the Trident submarine can be detected and tracked while on operational station.

Our strategic deterrent posture has been seriously eroded in the past 10 years. Recent Soviet actions have convinced me that this is the time to send the strongest of signals to the Soviets as well as to our European allies that we will not repeat the mistakes of an earlier era when, in our desire for peace, we allowed a potential adversary to build a massive military machine, while we watched and waited.

This desire for peace was seen as a sign of weakness. We must deal from a position of strength. The way to maintain peace, is to make war an untenable option.

Mr. RUDMAN. Mr. President, we have now had 3 or 4 hours of debate on this issue. Many things have been said, and it certainly indicates that there can be an honest difference of opinion on this issue.

I want to start out by saying that the Senator from Ohio has given a complete, detailed, logical, and unemotional argument in support of this program and against this amendment.

If I have learned anything in the 11 months I have been here, it is that on issues such as this, one can find evidence to support almost any position imaginable. This is not too much different from trying cases in jury trials in New Hampshire. You can find an expert who will testify about almost anything.

I think we all can agree that every quotation that has been given by every Senator during this debate, quoting someone at the Defense Department with an opinion, has been accurate and faithful. The fact is that they are opinions. The fact that somebody holds the title of Secretary of Defense, past or present, or director of research and development, or whatever, does not necessarily make those opinions any better than other opinions from people who, in many cases, have less expertise.

There has been a great deal of discussion here about penetrability, and there have been quotations from some of the same people, given at different times. But one thing cannot be argued, one thing cannot be refuted, and that is this: The B–52 force upon which we presently depend as the airborne element of the triad can in no way compare strategically of tactically with the B–1B that is being proposed at this time.

One significant point has not been raised on the floor of the Senate. We have heard cost figures bandied about, but no one has addressed the fact that the B–1 will cost more, but remarkably not that much more, over the remainder of this century than the B–52 force, which must be modified. Let us get into those figures, because the American people should know what we are talking about.

In the first place, the Senator from

Arkansas was correct when he spoke about a $400 million cost of the B–1B in outyear dollars. That is a little like saying that the Chevy you buy tomorrow for $10,000 may cost you $36,000 in 1994. We all know that. But we should talk about apples and apples, not apples and oranges.

Second, the CBO report, to which the Senator from Ohio referred was designed, in my view, for one purpose and one purpose alone—to inflate those figures that will be presented in debate such as this. I do not accuse the CBO of doing it intentionally. But when you look at the question they were asked, the answer they produced was inevitable.

The numbers furnished by Dr. DeLauer at my request, after a hearing of the Defense Appropriations Committee, are rather interesting. The figures the Pentagon now puts forth for maintenance and modification of the B–52 force until the year 2000 are approximately $93 billion. The best figures we can find for operating a 100-aircraft B–1 fleet, including construction, maintenance eventual modification, and deployment, would be $115 billion.

There are those who say that the figure of $93 billion for the B–52 is too high. I submit that it may be. Reduce it, if you wish, to any other figure you feel is reasonable. Some say 80, some say 70. The fact is that we are talking about a difference of between $30 billion and $40 billion over a 20-year period for deploying a first-rate, 1980's technology weapons system that, in terms of range, speed, maneuverability, load carrying, and countermeasures, is vastly superior to the B–52. Finally, I just want to add to what the distinguished Senator from Ohio said about Stealth. He is absolutely right. For the last week in this body, we have tried to talk about Stealth, and we always fall short of being able to say what we want to say.

Two points must be made. When you have that briefing and you look those program people right in the eye and ask them about the radar threats that might confront Stealth in the mid-1990's and the ability of that aircraft to counter them, the room becomes very quiet.

Second, anyone who is a pilot, anyone who has done any amount of flying—and we have the best testimony from the Senator from Ohio—knows full well after that briefing that to stand on the floor and indicate to the American people that there is a high likelihood of this system's being able to fly effective by 1990 just does not agree with the facts. It confounds the facts. We at least should deal with the facts to the extent we can.

The Senator from Arkansas makes a very good point. This is a great deal of money. There are many other things we need. We need conventional forces. We need a large Navy.

Mr. President, in this particular context that is like saying the people need both food and fuel. You cannot live, one without the other. And the fact of the matter is that to assure the safety of this Nation, we need a bomber system that is a product of the eighties, not the fifties.

I hope that we will defeat this amendment and I further hope that some day in the RECORD I can look back and say that I was right in my belief that we will never deploy Stealth as a strategic bomber. The sooner we recognize that the more efficiently we might proceed with work on other systems.

Thank you, Mr. President. I yield the floor.

Mr. CHAFEE. Mr. President, the defense appropriations bill which we are considering tonight will allocate over $35 billion more than last year's defense budget. The real growth which this figure represents is a 10 percent increase over the current year.

In the past 6 years, if we include this year's figure—the fiscal year 1982 budget we are considering tonight—we have increased defense spending by 35 percent after taking into account inflation.

Earlier this week, the Senate added to the budget another $91 million on this bill to rehabilitate the U.S.S. *Iowa*, a World War II battleship whose keel was laid 39 years ago.

Mr. President, I fear that the vote on the *Iowa* has come to symbolize the approach we are taking to defense issues this year, a willingness to support virtually any program. Any program that anyone can conceive flies here, because it is labeled defense. The Russians are coming down Pennsylvania Avenue, approve anything.

And this comes at a time when we are subjecting the remainder of the Federal budget to intense scrutiny.

There is no question that all domestic programs should be subject to careful and critical examination. I have supported many of the cuts that we have made. But the same standard should apply to the defense budget.

The real problem is that neither Congress nor the Department of Defense is thinking in terms of the future. The heavy hand of tradition, and we are hearing it all over this floor, the mystical conviction that we have to do now what we have done in the past, is dictating how we proceed and appears to be our guiding principle.

We just heard the distinguished Senator from New Hampshire speak about the "triad." The triad seems to have assumed mythical proportions. Land, sea, and air does have a marvelous tone. It is like the Marine Corps hymn: land, sea, and air deterrence, the triad.

I believe in a mix of strategic forces, but belief in the triad does not mean we need to proceed with the same systems that we have always had in the past.

What is happening here is that we are ignoring new developments, such as the increased numbers, range, and accuracy of the Trident missile, for example, and what the Trident submarine does for our strategic forces. Also being overlooked are the vast potential of our cruise missiles and the changing environment of the Soviet air defenses which, of course, make the penetration of a manned bomber increasingly difficult.

So what has been our response to all these changes? Our response is that we are going to approve vast sums for a manned penetrating bomber which will be obsolete as a penetrator within a decade after its production.

We are being asked tonight to vote on the funding of the initial phase of a program which will cost between $30 and $40 billion. This is for 100 aircraft. Each aircraft is going to cost between $300 and $400 million.

We are embarking on this major new spending program when we are already cutting other domestic programs and when we are being asked to cut them still more. More is to come. We have to cut $3 billion more before Christmas, all from the domestic programs.

We have already cut job training programs by 50 percent, block grants for education by 25 percent, and maternal and child health programs by 25 percent. We have reduced programs for school lunches and child nutrition by $1.5 billion.

Everyone knows what we have done to the domestic and social programs. No area was spared.

What did we accomplish? We managed to reduce the nondefense components of the budget by about $35 billion, nearly exactly the same amount by which we are going to increase defense. So we have not come away with a net nickel of saving.

I feel compelled to point out, Mr. President, to my colleagues that the defense budget is not unlimited. The sky is not the limit, but we are beginning to act as though it is. We are adding millions and literally billions to the defense budget as if these sums did not somehow count toward the Federal deficit, a deficit that started out a mere $42 billion for 1982, then went up $45 billion, then went up to $60 billion, and now it is up to $80 billion, and some are talking about a $100 billion deficit in 1982.

What has happened to all the rest of the savings that we have made in our budget? Difficult though they have been they are being gobbled up by this defense spending.

There is no question we need a strong defense, I know as well as anyone here. I voted for all kinds of defense programs, and there is no doubt that we need an increase in the 1982 budget for defense over 1981. Many of the items in the present appropriations bill are valuable and cost-effective contributions to the defense of this Nation. But we have to judge each program on its merit and its priorities. We cannot do everything. We have to make some choices.

I would say that this bill here tonight does not make those choices.

We cannot afford every strategic weapon, and I think the statement made by the distinguished senior Senator from Georgia earlier this evening was a very accurate one.

Make our priorities. Choose what is best. Do not go with everything. But that is not certainly true of this bill we have before us tonight.

We are being asked to consider spending a tremendous amount of money to purchase an aircraft which will not be available for at least 5 more years and which will have a useful life as a pene-

trating bomber of less than 10 years. At the same time we are meeting all the requested advance funding for the advanced technology bomber.

I think, Mr. President, that indeed we are lapsing into nostalgia around here. I know there are those who contend that the B–1 is a valuable stopgap measure for the late 1980's. I am not persuaded by that argument. The B–52 aircraft properly configured and maintained will be able to deliver air-launched cruise missiles (ALCM) which can penetrate Soviet defenses until well into the 1990's. At that point our advanced technology bomber will be there. There is no "gap" because of the B–52's and ALCM's. The argument for a new manned penetrating bomber prior to the 1990's is very weak.

What is really happening, Mr. President, is that those considerations which I believe should govern our deliberations on the defense appropriations bill are not being thoroughly considered.

We should spend our precious dollars on those programs which enhance our readiness, which provide us with the most cost-effective and militarily capable systems over the long run and which, while increasing our national defense capability, will not undermine our national economic health.

But this bill in no way conforms to that. For some unknown reason, which has not been explained to me, nor on this floor, this body seems to be prepared to pour unlimited amounts into strategic weapons while underfunding our conventional forces.

The greatest single risk which this Nation currently runs is that our conventional forces will be overrun or unable to respond properly when required.

We have talked about the Rapid Deployment Force here tonight. The Rapid Deployment Force is neither rapid nor deployable nor a force, and that is true of the rest of our conventional forces.

Our Nation faces extreme difficulties in conventional weapons. This amendment which we have here tonight strengthens those efforts, strengthens our readiness.

Where our funds should go, as has been pointed out so frequently this evening, is for more ships and more aircraft, more tanks, more conventional weapons of all types, not for the B–1 bomber.

It seems to me that the following points summarize the message I am trying to get across.

First, this Nation does not have unlimited funds. Congress has to recognize that, while we slash domestic and social programs, defense has to take its share. That has not been true up to this point. Every weapon the Pentagon or anyone else could conceive has been included in this bill and I am ashamed to see the *Iowa* added recently.

Second, our defense planning has a slavish adherence to traditional strategic weapons. The triad, as I mentioned, has assumed holy proportions. We must have a manned bomber, say those here tonight, because we have always had one.

Third, the greatest military danger this Nation faces is in conventional warfare. This amendment addresses that danger. The bill that we have before us does not do enough for increased readiness.

Mr. President, it seems to me obvious that the military-industrial complex is in full sway. That is bad for our defense, it is bad for our economy, and it is bad for our Nation, and I hope this amendment is approved.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. Mr. President, for a few moments I should like to address the amendment that is presently before us and, hopefully, hand-in-hand the defense appropriation bill itself which carries this amendment.

Mr. President, I hope that America will learn from this debate, but I doubt very much that it will; and I hope even further that the President of the United States will learn from this debate, but I doubt that very much also.

As the RECORD will show, this Senator has supported all of the add-ons for force readiness. It is appalling that the majority of this supposedly deliberative body rejected, essentially on a party line vote, all of the needed readiness and enhancements for conventional forces.

It seems to me we tend to look at defense needs all too frequently in isolation. We need a B–1 or we do not need a B–1. The facts are that we need a total integrated defense policy, and the facts are we do not have one. But consistent with the statement I have made, I am not in favor of the amendment before us which cancels the B–1B in its entirety.

There was a time when that would have been in order. That option was, in my opinion, eliminated with the October 2 last announcement by President Reagan of the cancellation of the mobile-based missile system for the MX.

Without the mobile-based MX system, which throws wide open the window of vulnerability, that the B–1, I think, has a chance to help close, therefore, I think it is wrong to eliminate the B–1B.

The need for the B–1B is not, therefore, in its own right but is required because of the President's decision on the MX basing mode.

I support the fiscal year 1982 defense appropriation bill with reservations, with the B–1B and the crippled MX program. Its totals are astounding but necessary. Some would question how anything so apparently well-funded would not cover every conceivable need for the military. Yet this measure falls seriously short in some areas, especially in convential-force readiness.

Several amendments were brushed aside by the majority that dealt specifically with the shortfall. While we did address to an extent the serious shortcomings of the administration's MX basing mode, we failed to set an overall balanced course to meet our security needs. Nevertheless, it appears this is the best we can accomplish at this time and the bill, therefore, when it is voted on, hopefully later tonight, should be approved, in my opinion, on an up-or-down vote.

Last year Congress advocated and passed a large increase in defense spending, and this legislation implements a second installment of the critical long-term program to enhance America's defense to the level necessary to protect our people and our vital interests around the world.

Nevertheless, Mr. President, I am greatly concerned and disappointed over the future direction of our strategic nuclear forces, those forces which represent the essence of deterrence.

The decision made by the President on October 2 regarding the future of the land-based leg of our strategic nuclear deterrence shocked the entire Defense Establishment, and this Senator as well, and yet I have heard, I have seen, I have read little about that since that time.

Before expanding further on this articular portion of the new strategic program, I want to say that I support many of the programs contained therein, which are vitally important. Improvements such as those in command, in control, communications and intelligence, which are vital indeed, and the specific recommendations made, followed very closely the proposal made by the Armed Services Committee earlier this year.

Proceeding with these developments and the Trident II missile is essential and represents an impressive new capability as well as our ace-in-the-hole against a future possible breakdown in arms control. Continuation of the air-launched cruise missile program, although at a disappointingly reduced level, is likewise highly important.

The development of the advanced technology bomber deserves more support, as well, and I have been somewhat surprised at some of the statements made on the floor of this body in that regard. It was most unfortunate, Mr. President, that the Senate rejected the Byrd amendment that could have advanced the system's IOC by a year.

When I first came to the U.S. Senate almost 3 years ago and became a member of the Armed Services Committee, I was skeptical of the proposal to base the new MX missile in some type of a mobile structure basing mode. However, during the course of countless hours of discussion and classified and unclassified testimony and briefings on the subject, my opinion was changed.

One by one the alternatives were presented and one by one they fell by the wayside due to vulnerability, technical difficulties or cost considerations. We investigated elimination of the land-based leg of our strategic deterrent triad, air basing, small submarine basing, trench basing, railroad basing, and road basing. All of these alternatives were found to be lacking and the Senate has voted many of them down overwhelmingly.

In short, deployment of the MX missile in a survivable basing mode was and still is imperative—both from a military standpoint and from the aspect of negotiating arms control agreements from a position of growing strength.

Unfortunately, I feel that the MX decision by the President of the United States is the real reason why we are here tonight considering the question and the B–1B proposal.

What did the Reagan administration

decide to do with the MX missile as part of its strategic nuclear forces modernization program? The administration took the political high road and the national security low road with regard to proposing a program which would help insure America's security and promote arms control initiatives.

The President managed quite nicely to appease his political constituencies in the West by killing the proposed MX missile and the basing system in Nevada and Utah, but he also accomplished something else, and that was not only to defer but to jeopardize achieving any solution to our most pressing strategic problem, the growing vulnerability of our land-based missiles.

The decision to place up to 50 MX missiles in existing so-called hardened silos and to defer a decision on the long-term basing mode until 1984 is unsound defense policy for many reasons. The Senate has wisely recognized this obvious fact by its overwhelming acceptance of the Cohen-Nunn amendment.

The administration's MX decision will open further and extend the so-called "window of vulnerability" about which we heard so much before last November and which I believe will exist during the latter part of the 1980's. It will also take us longer than anticipated to close this "window of vulnerability" under the President's plan. All should understand and accept that regardless of how unpalatable that might be politically.

Probably the most serious of all is the ill-conceived placing of the 10-warhead MX missile in place of the 3-warhead Minuteman III missile or the single-warhead Minuteman II and Titan missiles which would contribute to the unstable "launch-on-warning" doctrine we should instead be trying to avoid. It makes no sense to this Senator to place a more valuable weapon such as the MX in silos which are becoming more vulnerable with each passing month. During time of tension or warning of actual Soviet missile launch, there will be a greater tendency to "use them or lose them" rather than having our land-based missiles attempt to "ride out" an attack and then retaliate. This situation does not contribute to crisis stability—one of the administration's own properly-stated goals.

It should be understood by all of mankind that despite our persistence and pretentions for man's salvation, we continue to march, driven seemingly by forces beyond our intellectual control, to the brink of ultimate disaster. The emergence of new technology on the part of both of the super powers with instruments to not only destroy the other with a push of a button, but the ultimate in detection of who is doing what thousands of miles away, is leading us toward a hair trigger existence with oblivion. How soon will it be before we run the risk of an errant bird triggering a sensing device that shows a blip on a screen that is misinterpreted as a projectile?

This leads us to hope and pray that the current Geneva negotiations can at least be a constructive start toward arms reductions and control. Meanwhile, we must approve this bill which is our second installment on our peace through strength initiatives. In this regard, the Congress should insist that the administration "get their act together" on military-foreign policy initiatives.

The President's decision to retire early our current Titan II missiles is a puzzler. I do not understand why, 6 months before the beginning of strategic arms reduction talks, the United States is unilaterally dismantling Titan missiles—each of which has a nine-megaton warhead. This proposed action is not an example of formulating a strong START negotiating position. The same can be said for the proposed early retirement of our B–52D bombers, although the Appropriations Committee wisely added back partial funding to retain them in service. I hope the Air Force reprograms funds to obtain the remainder of the money necessary to keep them flying.

This leads me to a discussion of the administration's proposals for enhancement of the air-breathing leg of our nuclear Triad of forces. It appears to me that the decision to proceed with the B–1B bomber will definitely cause a delay in the introduction of the advanced technology (or Stealth) bomber—whether by design or necessity, due to scarcity of funds. If deploying the MX missile in a survivable basing mode as quickly as possible had been part of the administration's proposals, I do not see how I could have supported the B–1—especially in light of the promising capability offered by the advanced technology bomber.

However, this is not the situation we face. The October 2 decisions turned our strategic force planning "on its head" and a solution to the difficult problem of solving our land-based missile vulnerability has been delayed unacceptably. The need to get a proven capability into the field, in light of the MX indecision, brings me—most reluctantly—to the conclusion that I have no viable option to support the B–1B program. Without it, the "window of vulnerability" is thrown even more widely open.

The B–1B may not be the best system to fulfill all of the missions assigned to it; however, our options are limited in light of the position in which we find ourselves. Nevertheless, I am most conterned over the cost of this program. Estimates range from $28 to $39 billion for 100 aircraft—or $280 to $390 million per aircraft. What concerns me most is the effect which spending this large amount of money on one system will have on the rest of the defense budget. What effect will spending $30 to $40 billion on the B–1 over the next 6 or 7 years have on the goal of achieving a 600-ship Navy? The rapid deployment force? Our Army and Air Force modernization plans?

These questions have only been partially answered; however, early indications are that the effects will be quite harmful. At the same time the administration proposed proceeding with the B–1 bomber, they proposed cutting back on our naval strength in the Indian Ocean, the early retirement of Titan missiles and B–52 bombers which I mentioned before, cutbacks in equipment and construction for the National Guard and Reserve and reductions in the steaming and flying hours so necessary to training. What other sacrifices will we be asked to make to finance a two-bomber program?

This dilemma is brought about primarily because the administration refused to "bite the bullet" on an acceptable MX deployment. I sincerely hope, Mr. President, that during the next several months the administration will be receptive to the recommendations of the Senate and its Armed Services Committee on how best to meet the strategic nuclear challenge facing us as we move in the future to improve on the President's programs.

Mr. President, I yield the floor.

Mr. NUNN addressed the Chair.

The PRESIDING OFFICER (Mr. MURKOWSKI). The Senator from Georgia.

Mr. NUNN. Mr. President, I just want to take a couple of minutes, because I have been listening to the debate and I have heard repeatedly people talking about the submission by Dr. DeLauer identifying the cost comparison between the extension of the B–52 force to the year 2000 as compared to the ATB/B–1 combination costs.

I made this speech either yesterday or the day before. I, frankly, have been on the floor so much I am not completely sure. But this whole speech I would like to have printed in the RECORD again because it is apparent that what I consider to be erroneous figures are still being quoted in the debate.

I have heard no rebuttal to this position at all. The Department of Defense has this analysis. They have not come up with a rebuttal that I know anything about. If they have, I would certainly like to see it. If there is anything wrong with my analysis, I would welcome any kind of correction.

Just to summarize what I said in this comparison of something like $93 billion to something like $114 billion, I happened to ask General Ellis back in July of 1981 to tell me what would happen and what would need to be done to the B–52 force in order to extend it to be compatible with the ATB. So that comparison was submitted by the head of the Strategic Air Command, who was, at that time, the commander of the B–52 fleet.

At that time, he gave me a detailed description, one step after another, about what needed to be done on the assumption that there would be no B–1. I did not see the comparison that Dr. DeLauer had submitted for a good period of time, but I heard more and more Appropriation Committee members say that that was an important factor in their determination.

So I went back and got the Ellis letter. Then I compared the substance of what General Ellis was calling for and the substance of what Dr. DeLauer was calling for in his letter. And I would just like to share this very briefly with the Senate.

In July, General Ellis submitted this analysis. One of the things that he did not submit that Dr. DeLauer did submit was reengining for the B–52 G's and H's. Dr. DeLauer includes $6.3 billion for this reengining of the G's and H's. General Ellis did not.

So the question naturally arises: Is this $6.3 billion modification necessary or not? There is no testimony that I know of anywhere supporting this requirement.

Another item, Dr. DeLauer includes $4.3 billion as a requirement for modification of the B–52D's. General Ellis did not.

So the question logically arises, what is the justification for spending $4.3 billion on the B–52D's which all agree will be useless as a penetrator in the mid-1980's and which will not be modified to carry Cruise missiles? These planes were supposed to be phased out in 1987 even before the B–1 was revised. So I know of absolutely no testimony or analysis to support this $4.3 billion.

Item 3, Dr. DeLauer includes $5.7 billion for operating and support cost for the B–52D's beyond 1986. General Ellis did not. What is the basis for this cost estimate when the B–52D's under everyone's scenario would be phased out?

The next item is $4.9 billion for electromagnetic hardening work. General Ellis did not. General Ellis supports the January 1982 budget justification data as submitted by the Air Force in which the total cost of this program was stated to be $465 million. This estimate was based on actual testing supported by the nuclear lab.

So the question arises where is the testimony for this $4.9 billion and how do we go from $465 million for an item in January to $4.9 billion? Even in the history of Pentagon overruns I do not know of any 1,000-percent increase that has taken place in the period of 9 months, except in this DeLauer submission.

To summarize, the total of this submission has to be greeted with tremendous skepticism unless there is something forthcoming from the Department of Defense. Frankly, no matter how this debate goes, I think they ought to be required, and I will be asking them in committee, to submit and let me know how they justify this. We have enough problems without having what appears to be a $22 billion pad thrown in on comparisons. I do not believe this enhances the credibility of the Air Force or of the Department of Defense.

Again I would welcome any correction that they have. General Ellis has looked at this again, by the way, since we found this comparison of Dr. DeLauer. He went back and reexamined it and came to exactly the same conclusion. That has been within the last week.

The total of this is $6.3 billion for reengining B–52 G's and H's that was not in the Ellis submission; $4.3 billion for modification of the B–52D's; and $5.7 billion in operating cost for the B–52D's after 1986, and $4.9 billion for electromagnetic pulse hardening work. That is a total of over $21 billion that has been huffed up on the B–52 list. That means that the difference between the B–52 force, if these costs are eliminated, the extension of that force and the B–1 combination, is something in the neighborhood of $44 billion rather than $21 billion.

I know we are dealing with a lot of big figures but I think $23 billion is worth talking about even in the kind of economy and the kind of budgets that we have in the U.S. Government at this time.

STRATEGIC BOMBERS—THE ISSUE OF AFFORDABILITY

Mr. President, unfortunately, the major strategic issues facing us were not debated during the military authorization process because the administration did not submit its strategic program until the authorization bill was already in conference.

At a later point in the debate on this appropriation bill, I intend to have a longer statement on the President's overall strategic package because of the long-term and far-reaching consequences of that package for our national security. At this point I want to focus on just one problem area—the issue of affordability, particularly as it relates to the strategic bomber program.

Mr. President, I believe that our Nation must allocate sufficient resources to our overall security to assure our freedom and to provide every incentive for peace. It is naive, however, to assume that the defense budget is open ended. If we allocate so much of our defense budget to strategic programs that we allow our conventional posture to suffer, we will inadvertently decrease our options in protecting our vital interests without resorting to the use of nuclear weapons.

We have seen much focus on the $180 billion price tag for the President's strategic program. Few seem to realize that this $180 billion figure is only the 5-year (1983–87) cost measured in 1982 constant dollars. This $180 billion figure does not include inflation. Neither does it include most of the cost of the Stealth bomber, the procurement of the Trident II (D–5) missile, or the permanent basing mode for the MX. Given this budget situation, it is no wonder that the Army and Navy as well as some in the Air Force are concerned about the allocations of resources for conventional programs.

There are two critical questions on the B–1. No. 1, will the B–1 penetrate Soviet air defenses for a period of time sufficient to justify its expense as a penetrating bomber? In this area, the answer is a matter of picking your experts.

Dr. Richard DeLauer, Under Secretary of Defense for Research and Development, testified:

> I am confident that the low radar cross section of the B–1B and its state of the art electronics will allow it to penetrate to needed targets well into the 1990s.

Dr. William Perry, who held the same job in the Carter administration, testified:

> I have no idea how anyone could make that kind of projection if the penetration depended on ECM (electronic countermeasures). I can't think of any field in which there is more dynamics and in which there is see-saw back and forth between measures, countermeasures and counter-countermeasures.

The second question on the B–1 is a question of economics. The economic consequences of the B–1 may exceed its military effect. Can we afford to spend $400 million per unit for a plane that even in the best penetrating case will be limited to being a conventional bomber or a cruise missile carrier for most of its useful life.

Based on the Air Force's extensive research and development of the B–1, and Rockwell International's excellent reputation, I have confidence that the B–1 will be a sound airplane. The issue is how much should we spend for this plane as compared to extending the B–52's and accelerating the Stealth bomber.

Much attention has been given a recent DOD cost analysis as provided to Congress by Dr. Richard DeLauer during critical decisions by the Senate Appropriations Committee. Dr. DeLauer's analysis compared extending the current B–52 force and buying only Stealth versus procuring both the B–1 and Stealth.

For the purposes of analysis, these two estimates are approximately $93 billion for the current B–52 force extended and $114 billion for the B–1B Stealth program. These figures are about the same as estimates previously provided by the Air Force and contained in the Air Force Secretary's recommendations to Secretary Weinberger which has now officially been provided to the committee. The point is obvious. For $21 billion more, a new two bomber program is an attractive bargain and option.

These figures, however, should be subjected to detailed scrutiny since there is considerable disagreement over what is actually required in modification costs for the current B–52's.

In July 1981, I asked Gen. Richard Ellis, then SAC commander, to provide an analysis of what modifications of the B–52's would be necessary if this Nation opted to produce only the Stealth and to extend the B–52 force as needed. SAC's analysis was provided in writing and did not include a significant number of those modifications and costs which Dr. DeLauer includes in his list.

For example, Dr. DeLauer includes $6.3 billion for reengining the B–52 G's and H's. General Ellis did not. Is this $6.3 billion modification necessary or not? I know of no testimony supporting this requirement.

Dr. DeLauer includes a $4.3 billion requirement for modifications for the B–52D's. General Ellis did not. What is the justification for spending $4.3 billion on the B–52D's which all agree will be useless as a penetrator in the mid-1980's and which will not be modified to carry Cruise missiles. These planes were supposed to be phased out in 1987 even before the B–1 was revived. I know of no testimony to support this level of modification.

Dr. DeLauer includes $5.7 billion in operating and support costs for the B–52D's beyond 1986. General Ellis did not. What is the basis for this cost estimate? I know of no testimony supporting this position.

Dr. DeLauer includes $4.9 billion for electromagnetic pulse hardening work. General Ellis did not. General Ellis supports the January 1982 budget justification data as submitted by the Air Force in which the total costs of this program was stated to be $465 million. This esti-

mate was based on actual testing supported by the nuclear labs. Where is the testimony to support a tenfold increase in this program from January 1981 to November 1981?

The total in question in the "DeLauer Submission" at this point is over $21 billion as follows:

First, $6.3 billion for reengining the B–52 G's and H's.

Second, $4.3 billion for modifications of the B–52D's.

Third, $5.7 billion in operating cost for the B–52D's after 1986.

Fourth, $4.9 billion for electromagnetic pulse hardening work.

Both SAC and the Air Force conducted a considerable amount of detailed analysis as to what was needed to extend the B–52 force after former President Carter canceled the B–1 in 1977. This was done when there was no B–1 or Stealth on the horizon and the B–52's were actually being extended. Even when the Stealth was the only follow-on bomber option, these modifications to the B–52's were not included. None of Dr. DeLauer's questionable $21 billion add ons appeared until the promotional program began for the B–1.

It is interesting to note in a letter I just received from Senator GARN and other Senators supporting the two bomber approach that they state "the B–52 is not sufficiently hardened to withstand nuclear blast effects and it cannot be modified to do so." I believe the signers would be interested in learning that Dr. DeLauer thinks it can be and includes $4.9 billion in his current force projection for this hardening. This letter cites Dr. LeLauer's cost analysis on extending the B–52's as a major reason to support the B–1 and Stealth package.

It is clear that this package of costs for extending the B–52 was engineered to convince the Senate that it is cheaper to procure and operate two new bombers than procure only the Stealth and maintain the B–52 as needed.

Where are the facts and testimony supporting Dr. DeLauer's analysis?

If this over $21 billion in questionable costs for the B–52's is removed, then the total differential between extending the current force and procuring the planned two bomber program is significantly larger than the figures given to the Senate Appropriations Committee. The difference is $44 billion, and the $21 billion in unsupported add-on is coincidentally about the same as the constant dollar estimates for the B–1.

Mr. President, this analysis by Dr. DeLauer and the Air Force is clearly designed to make the B–1 option look like a bargain. In my mind, however, it raises more questions than it answers.

The issue of affordability also applies to the number of B–1's being procured. A great deal has been focused on the total costs of the B–1—from the $20.5 billion that Secretary Weinberger supports to the $25.2 billion GAO estimates. If DOD makes good on its promise to hold the costs to $20.5 billion, will they also make good on procuring 100 B–1's for that amount? If the costs increase as commonsense and history indicate, will the sacrifice occur with reduction in numbers? What number of planes, then, is affordable as the unit costs keep increasing and the numbers decrease? What number makes sense in terms of force size?

The final B–1 affordability issue relates to the Soviet budget.

Although it is difficult to quantify and assess precisely, the Soviets have already expended significant resources to counter and defend against low-altitude penetrators such as the B–52, the air-launched Cruise missile and B–1. Experts estimate these costs in excess of $100 billion. Determining the gap between expenditures to counter the B–1 and additional expenditures to counter the Stealth is even more difficult to make.

Testimony indicates that our own technical wizards have great difficulty in projecting a defense against the Stealth. This means the Soviets will probably have an even greater problem. It is reasonable to assume from the Soviet's historical emphasis on strategic defense that they will expend significant sums over a long period to deal with Stealth and will have to largely redo their current multibillion dollar-defense system.

The critical economic question then must be asked: Would Stealth cause the Soviets to divert and expend resources for defenses at far greater levels than currently planned?

If the Soviets choose to pose a serious defense to Stealth then their defense expenditures must undergo an enormous shift. If they do not make this "stealth air defense" effort, our long-term ability to penetrate is greatly enhanced. In either event, the Stealth, from both technical and economic perspectives, has a profound potential effect on the balance of power.

I urge my colleagues to support this effort.

Mr. WARNER. Will the Senator yield for a question?

Mr. NUNN. I will be glad to.

Mr. WARNER. Does the Senator believe that the $6.3 billion on B–52's was or was not included in the Air Force program for the ATB program?

Mr. NUNN. We are talking about the B–52 program.

Mr. WARNER. Relating to the $6.3 billion, the $6.3 billion reengining program for the B–52, was that or was that not included in the ATB only estimate?

Mr. NUNN. I do not have any idea whether it was in the ATB only estimate. What I am talking about is something different. I am talking about items that Dr. DeLauer said had to be done to the B–52 that General Ellis said did not have to be done to the B–52. That is what I am talking about.

Maybe I am not understanding the Senator's question.

Mr. WARNER. The answer is that it is not included in the program.

Mr. NUNN. In which program?

Mr. WARNER. The ATB only.

Mr. NUNN. I have not seen that.

Mr. WARNER. You are questioning the figures raised by the distinguished Senator from New Hampshire.

Mr. NUNN. I am talking about the list that Dr. DeLauer submitted as being necessary to modify the B–52 force if you did not have a B–1. What I am saying to the Senator from Virginia is that $6.3 billion was listed by General Ellis as not being required for the modification or reengining of B–52D's and H's. That was in July. Now in October we find that it is necessary. This was not in any of the program that was submitted after President Carter canceled the B–1. You would think that the Air Force or SAC would certainly be pushing very hard to do everything possible to beef up the B–52's since it was obvious under the Carter administration they were not going to get a B–1. There may be an explanation for this and if there is, I welcome it. But I do not understand why this item and these other items were not in the Ellis letter. General Ellis still takes the position that they were not needed and Dr. DeLauer concluded they were needed. I do not understand that.

Mr. WARNER. At that time they thought they would get the ATB, and $6.3 billion was in the B–52 only case, with the follow-on cruise missile.

Mr. NUNN. Is the Senator from Virginia saying that the $6.3 billion engine figure for reengining the B–52G's and H's was not in the DeLauer list?

Mr. WARNER. I was distracted momentarily by the distinguished Senator from Alaska. Will the Senator repeat the question?

Mr. NUNN. Is the Senator saying that the $6.3 billion for reengining the B–52G's and H's was not in the DeLauer list as the cost submitted to the Appropriations Committee?

Mr. STEVENS. If the Senator will yield, I put that into the RECORD on December 1. It is there. The modification is $8.3 billion for the B–52. That is there. It compares to a cost of $27.4 billion on the present force only concept through the year 2000.

Has the Senator looked at that which I put into the RECORD, the comparison of the B–2 and B–1 bomber plans and the cost in 1981 dollars?

Mr. NUNN. I will say to my friend from Alaska I have seen the list that Dr. DeLauer submitted to the Appropriations Committee. There were several copies floating around. I am not certain whether that is the same list.

Mr. WARNER. I suggest the Senator from Georgia look at that.

Mr. NUNN. Is this a different list? I worked off of a list. This whole analysis is based on the DeLauer submission to the Appropriations Committee in unclassified form.

Mr. STEVENS. That is what I put into the RECORD.

Mr. NUNN. I have seen that, yes.

Mr. STEVENS. It is in there, $6.3 billion. In my opinion, it does have a fair comparison of the cost between the present force extended and the B–1B only. That is the basis for my comment in the Senate previously today, that it is not necessary, in my opinion, to vote on the B–1B to have any of the classified information that was in the other letter. The comparison of the present force of B–52's is extended and the cost into the year 2000 as compared to the B–1B only. It would show that there is a comparison here that we can actually have the B–1B.

maintain the present B–52's so long as they are needed, and when we reach the year 2000 have a net asset value in the B–1B for a follow-on cruise missile carrier beyond the year 2000. That was the whole justification for the approach.

As a matter of fact, as I commented earlier, that was the thing that convinced me that it was cost effective to follow the approach that had been outlined, and it was the reason I urged the subcommittee to report to the full committee and now to the floor the B–1B/ATB proposal as before us now.

Mr. NUNN. All I am saying to my friend from Alaska and my friend from Virginia is I am not an expert on what needs to be done to the B–52's and I do not pretend to be. All I know is that the head of the Strategic Air Command, when he thought he was not going to get a B–1, said that certain items had to be done to the B–52. None of these items that I have just listed were in that Ellis comparison. He has since reexamined it and he still says that these items are not needed, in his judgment.

Now, it is a matter, again, of judgment, maybe. We are talking about $22 billion, though, and we are talking about a very important document that a lot of people made their decision on. I made my talk on this two days ago. I have gotten nothing at all from the Air Force. I have gotten nothing at all from the Department of Defense correcting any of this. If they think this is wrong, they ought to come forward and say so.

I believe they have an obligation to the Armed Services Committee, and I think the Senator from Alaska would agree that if we are going to vote, we all know this ought to be proved. I am not even saying it is a determining factor. Even if I am 100 percent correct, I think it is going to be a close decision. I said that earlier today on the B–1.

I do believe the credibility of the Department of Defense is in question when people place their judgment on a decision which has at least to this stage, preliminary, I think, included a $22 billion pad. That is a good bit of pumping up.

Mr. STEVENS. Mr. President, I see no pad. I invite the Senator's attention to it. It is on page 29245. We went through it item by item. I see no pad. The Senator has a right at a later time to inquire further, but I see no reason to get the Senate into any situation where we are saying that Dr. DeLauer's listing that he give us is padded. I do not think that the Senator, with due respect, has studied yet the summaries that Dr. DeLauer provided me at my request, which I provided to every Member of the Senate. I put it in the RECORD to make certain that every Member of the Senate had the same information that we did and relied on in order to get where we are now.

I say it is there, it is not padded. There is no padding.

As a matter of fact, Mr. President, there is a reference at one place to a new plane cost of some $20 to $25 billion, which is not included in the DeLauer figures. That is not there. The comparison is there.

Mr. NUNN. To get to that point, Mr. President, you have to assume that we are going to decide in the year 2000, after we have had 19 more years of technological progress, that we are going to have a new manned strategic bomber for the purpose of strategic defense. I would call that a rather specious assumption.

Mr. STEVENS. Mr. President, I say that is not in there. It is specifically noted that there would be at that point another cost if you went on the B–52 option only. We are not going that way.

Mr. NUNN. Mr. President, I recognize that is not there and I think there is good reason it is not in there and I think they are to be congratulated for not putting it in there.

I say to the Senator I have looked at that list, if that is the list that Dr. DeLauer submitted to the Appropriations Commitee. I not only looked at it. My staff has been over it very carefully and that is exactly what we crosswalked with Ellis later. That is what we asked Jim Ellis to crosswalk again and that is what he crosswalked again.

I have looked at that but if there is anything new in there that I have not seen, I welcome it and I would like to have clarification on this point. I shall pursue it in the Armed Services Committee, because we are talking about a good deal of money. These are very important submissions on which we base judgments. I do not think we are going to solve it tonight, but I would say to the Senator that I have looked at the submission Dr. DeLauer gave. That is the basis of my whole thrust.

I yield the floor.

B–1

Mr. DIXON. Mr. President, I rise to speak in opposition to the amendment by Senators LEVIN and HOLLINGS that would delete funds now in the defense appropriations bill for the B–1 bomber.

This matter involves a considerable sum of money—nearly $2 billion in this approriations bill, and more later, the total cost of the B–1 program is estimated at more than $22 billion.

In the past, I have held reservations about the B–1 bomber. I have agreed that we need a new long-range bomber to replace the B–52, but I have shared the concerns of many of my colleagues about whether the B–1 is the proper step in the progression that takes us, ultimately, to the advanced technology bomber (ATB) popularly known as the "Stealth."

Mr. President, my study of the matter has led me to conclude that the B–1 is, indeed, a necessary step, to forego it and to focus our attention solely on the Stealth would involve risks that we should be unwilling to take.

Our B–52 fleet is, as everyone knows, aging. I believe it is not realistic to expect that plane to carry a heavy defense load until the Stealth is ready for deployment. That time is just too far off.

There is no firm date for deployment of the ATB—perhaps the early 1990's. Past the mid-1980's. Secretary Weinberger has testified, and I am convinced, the B–52 will not be able to penetrate Soviet air defenses.

Indeed, the likelihood is not great that the B–52 could even get off the ground here in the event of a first strike attack. Its takeoff is relatively slow and it cannot withstand nuclear blast effects.

That leaves us with a long, dangerous period—possibly as long as a decade—during which we would have no manned bomber capable of penetrating Soviet defenses.

It has been testified to, and I believe, that the B–1 will be capable of penetrating Soviet defenses well into the 1990's Then, when the Stealth is ready, the B–1 can continue to perform an important function in both a conventional role and as a cruise missile carrier.

Mr. President, I do not decide quickly to spend an amount of money as large as the one we are talking about here.

But the period of time between the end of the B–52's usefulness as a penetrating bomber, and the availability of the Stealth bomber is too great to ignore.

I urge my colleagues to support the B–1 bomber and to vote against this amendment.

HOW THE B–1 FITS INTO THE STRATEGIC PICTURE

Mr. JEPSEN. Mr. President, we have heard a great deal of debate in the House of Representatives and the Senate on the most effective means of modernizing our strategic bombing force. There is almost universal recognition that the aging B–52 fleet must be replaced with a new bomber.

The B–52 dates from the late 1940's, and in fact the aircraft is now older than many of the pilots who fly them. The maintenance costs of the B–52 are rising steadily. In addition, the aircraft was not designed for the extremely low-level missions it is now flying, which aggravates the airframe fatigue that in turn is shortening the B–52's service life.

Furthermore, as the accuracy of the Soviet missiles improves and the warning times decrease, the vulnerability of the bombers on alert has risen dramatically. This further compromises our nuclear deterrent.

To underscore the gravity of this situation, I would like to clarify the role of the manned bomber in the strategic triad, as well as its importance in projecting conventional forces around the world.

We have heard that it would be imprudent to buy a bomber, which some intelligence estimates say would only be able to penetrate Soviet airspace until 1990. But there have been many conflicting intelligence reports on the prospective capabilities of the Soviet air defenses. The electronic countermeasures carried by the B–1 will be very effective, and we can certainly expect that the aircraft's penetrating capability will be enhanced as new technology is applied throughout its projected service life.

Even if we accept the questionable assumption that the B–1 will be unable to penetrate the Soviet air defenses after 1990, it will still provide a very survivable stand-off cruise missile platform through the year 2000.

The question of cost has been raised to scuttle the B–1 program. Discrepancies between the Air Force's figures and those supplied by GAO and CBO are pointed out. In truth, the Air Force program cost figure of $22.3 billion in fiscal year 1982 dollars includes all the mili-

tarily essential equipment as well as modifications on the original B–1 design.

In fact, if we compare costs, the realistic alternatives to the B–1/advanced technology bomber approach do not yield significant savings in the long run. None of the current alternatives offers the mission flexibility of the President's strategic bomber program.

We need an effective manned bomber in our strategic triad. Each leg of our triad has unique characteristics, but our strategic bomber force, which carries 50 percent of our strategic nuclear megatonnage, is the only element that can be launched prior to the decision to employ its weapons. The nature of a manned bomber permits its crew to make decisions and take actions that cannot always be anticipated. Finally, the nuclear weapons carried by a manned bomber can be delivered very accurately.

Our strategic bomber force also must have the capability to deliver large conventional bomb-loads anywhere in the world on short notice. Many times during the course of the modernization debate, we seem to lose sight of how vital this long-range conventional bombing capability really is. Despite the assumptions of some people, it is much more likely that we will be involved in a conventional war, rather than a nuclear one.

The administration's plan to first buy 100 B–1B long-range bombers, later followed by procurement of 100 of the so-called advanced technology bombers is a sound program that takes the needs of long-term operational flexibility into account. Naturally, many objections have been raised against this program; almost all of them deal with the decision to go ahead with the B–1.

Some critics have advocated foregoing the B–1 entirely and pushing the advanced technology bomber into production as soon as possible. However, the so-called "Stealth" bomber has not reached a stage of technological development where we can predict with any certainty its cost or initial operational capability date. Moreover, all present indications lead us to believe that it will not have the operational flexibility of the B–1 design to carry out conventional missions anywhere on the globe.

We must go forward with the deployment of the B–1. This aircraft has completed most of its research and development. While only two-thirds the size of the B–52, it will be able to carry out at least 22 cruise missiles, as opposed to 20 for the B–52. It will be able to carry as many as 128, 500-pound bombs on a typical conventional bombing mission. The B–52 can only carry 51 of the same bombs on conventional missions.

If we balance the need with considerations of cost and technology risk, the administration's program clearly represents a sound approach to the modernization of our strategic bomber forces. It combines the certainty of a proven design with the potential of advanced technologies.

(By request of Mr. BAKER the following statement was ordered to be printed in the RECORD:)

● Mr. HAYAKAWA. Mr. President, I rise in strong opposition to any efforts to reduce the funding for the B–1B bomber.

I know many of my colleagues here in this chamber today recall vividly former President Carter's decision in 1977 to cancel the B–1 program. At that time, I had refrained from taking a position until I studied it in great detail. I then came to the unqualified conclusion that the B–1 was needed, and said that the cancellation of the B–1 program would be interpreted around the world as a lack of decisiveness and direction U.S. defense policy.

I was delighted when President Reagan announced this past October that as a part of his defense package he planned to build and deploy 100 B–1B bombers.

The B–52s which the Air Force is currently using are just too old to keep flying much longer. In some cases, the planes are older than the pilots who are flying them. Also, many companies have stopped making spare parts which are needed to keep the planes flying, which means that the Air Force will soon have to go to the additional expense of custom-making these spare parts. Clearly, we need a new strategic bomber.

The B–1B will be a much more efficient and capable version of the original B–1. Some of the improvements result from the application of advanced "Stealth" techniques. And for this reason, I am confident that the B–1B will penetrate Soviet defenses throughout this decade and well into the 1990's.

Mr. President, certainly my support of the B–1B bomber in no way indicates that we should not proceed with the research and development of the Advanced Technology bomber. However, the Stealth bomber is in the very early stages of design and as such will probably not be flying until the 1990's—even with accelerated development. We simply cannot wait.

Furthermore, the B–1B will be able to perform some missions which the Stealth bomber will not. Specifically, the Stealth will not be able to carry enough bombs to serve as a conventional bomber, while the B–1B, even though it is smaller than the B–52, will be able to carry more bombs. Even after the Stealth bomber is flying, there will be a definite need for the B–1.

So, Mr. President, let us get on with it. We have, for far too long, been considered a paper tiger that need not be taken into account in a world of bears. In the past, our response to the challenges and disorders abroad has been a litany of things we will not do, interventions we will not contemplate, bases we will not seek, weapons we will not build. This attitude of indecisiveness—this Hamlet-like indecision, let us wait and see what is going to happen—is a nondecision of which other people have taken advantage. It is time that we reverse this image and restore international confidence in the United States of America.●

● Mr. DANFORTH. Mr. President, among the major elements of President Reagan's plan for the modernization of U.S. strategic forces, I have been most skeptical about the decision to deploy the B–1 bomber. After considerable study and consultation, I have decided to support the development of the B–1 as a supplement to the B–52 bomber force.

Our strategic capability depends on a triad—a three-part force consisting of land-based intercontinental ballistic missiles, submarines bearing sea-launched ballistic missiles, and the bomber fleet. Of the three legs of our nuclear triad, the bomber force has been the most neglected. Although I am reluctant to see us embark upon a new defense program of this magnitude, I am convinced that the B–1 is the most cost-effective means to keep the air-breathing leg of the strategic nuclear triad viable.

There is no doubt that the B–1 will be expensive. Estimates range from $28 billion to $39.8 billion in then-year dollars for a total fleet of 100 aircraft. However, the cost of extending the life of a B–52-only fleet to the year 2000 is estimated to be $93 billion. We would get very little bang for those B–52 bucks, but, by comparison, we get a bomber which will be able to penetrate Soviet defenses well into the 1990's and an effective launching platform for the new air-launched cruise missiles by purchasing the B–1.

There are some who argue that, rather than investing in the B–1, the United States should accelerate development of "Stealth," the advanced technology bomber. Certainly, work should go forward on Stealth as quickly as possible, but we cannot—and should not—rely on that technology being perfected before the capabilities of the B–52 fleet are severely reduced. The B–1 can incorporate the very best technology available today and can serve as the core of the U.S. bomber force until better technology is developed.

Mr. President, the United States is presently embarking upon negotiations with the Soviet Union, with the goal of securing a reduction of nuclear forces on both sides. This is certainly no time for Congress to tell the Soviets that we are unwilling as a Nation to do what is necessary to maintain our defensive posture, since a showing of our resolve will be necessary to secure the kind of arms agreement that will make the world safer from the threat of nuclear war.

For these reasons, Mr. President, I will support President Reagan's decision to build the B–1 bomber.●

Mr. MATTINGLY. Mr. President, the need for the immediate deployment of a new long-range bomber as the successor to the B–52 arises from several considerations:

First, it is necessary to maintain a Triad of capabilities that is both flexible in its potential use and diverse as to its basing mode.

Second, the changing environment in which we must provide for our security resulting from the vast Soviet efforts to increase both their military capabilities and to render such systems less vulnerable to attack by us has given rise to the need for our systems to obtain greater accuracy and payload capabilities.

Third, highly developed air defenses by our adversaries increase the need for a bomber with penetrating capabilities unless we are willing to use it solely to launch stand-off weapon systems such as cruise missiles.

Fourth, the possible scenarios that can be imagined for our involvement demand that the aircraft have substantial

range requirements, particularly for the projection of conventional power in regions where U.S. interests are vital.

Because of the premium that will be placed upon the rapidity with which U.S. power can be projected, the United States has essentially three options:

First, maintain access to bases and other facilities in, or adjacent to, the country or region of conflict;

Second, pre-position as great a portion of such capabilities as possible on naval vessels at sea in close proximity to the conflict zone, including forward based carrier aircraft; and

Third, develop a long-range combat aircraft capability that could be used in conjunction with combinations of capabilities already available in or near the affected country or region. None of these alternatives should be regarded as mutually exclusive.

I submit, Mr. President, that the B–1B addresses these needs. This is not to say that I do not favor the ATB. However, I find the concept of a mixed force of long-range strategic aircraft to be compatible with both the strategic military doctrine and the force deployment policies that this Nation has had for many years.

Mr. President, I wish that we could start production tomorrow on the ATB, but there is not one Senator who will rise in this Chamber and say that is possible. So the question arises: If the B–52 is inadequate, which I believe it to be, and the ATB is not available, what are we doing in the meantime to protect our shores, assure our allies, and—if need be—project the power of this Nation in other parts of the world?

I cannot in good faith tell the people of my State that I will defend them with a paper airplane. I cannot tour our military bases and look the men who are willing to give their lives for us in the eye and say "this is the best we can do."

The rationale for the B–1B is several fold. One reason is the restart capability to produce and deploy the aircraft. Another is the technology base which would need to be developed before a wholly new generation, long-range combat aircraft could readily be designed.

Finally, there is the nature of the evolving strategic environment and the critical need of the United States to marshal its resources to meet the challenge of the next few years during which the West will find itself in a position of strategic military vulnerability in relation to the Soviet Union.

Since the United States is scheduled to achieve an initial operating capability with the first ACLM B–52G squadron in December 1982, it would make more sense for the U.S. concentrate, in the near term, on development of the penetrator version of the B–1B. In this configuration, and incorporating advanced avionics and stealth technologies, the B–1B could enhance considerable the air leg of the triad, as well as provide the basis for development of a long-range, multirole bomber for the more distant future.

The rapid deployment of an interim long-range combat aircraft based upon B–1 technology, together with an active R. & D. program designed to produce a wholly new generation aircraft for the 1990's and beyond, will afford the United States the potential necessary for enhancing strategic force flexibility and survivability, while increasing power projection capabilities in the various regions of the world vital to U.S. security and giving to American decisionmakers to the political-diplomatic options inherent in a robust and versatile military force structure.

Mr. President, the B–1B is the best we have now. It can defend us now. Another paper airplane cannot.

Mr. THURMOND. Mr. President, on Wednesday, November 18, the President of the United States told the world that our country was ready to avoid "the dreaded threat of nuclear war" by negotiating with the Soviet Union meaningful and equal arms reduction agreements.

That same day I issued a press release announcing my support for the President's proposals, contingent, of course, on an equal and verifiable response from the Soviets.

STRATEGIC REDUCTIONS

While President Reagan's statement focused on the reduction of immediate range missiles in Europe, he also included in his statement the willingness of our Nation to seek true reductions in the area of strategic weapons systems.

President Reagan stated:

Let us see how far we can go in achieving truly substantial reductions in our strategic arsenals.

He declared further:

To symbolize this fundamental change in direction, we can call these negotiations START—Strategic Arms Reduction Talks.

Mr. President, it has only been a short time since the President made this historic statement. Yet now, here in the Senate, before the details of his program have hardly reached the corners of the world, we have a proposal to undercut the strength we need to negotiate these meaningful reductions in nuclear delivery systems.

MUST SHOW STRENGTH

The B–1B bomber and the MX missile are President Reagan's negotiating chips. They are needed to show our determination to have the systems to provide essential equivalence with the Soviet Union. We cannot expect the Soviets to reduce their arms unless we demonstrate our determination to regain a strategic balance with the Soviets.

Mr. President, we find ourselves today the victim of years of "re-ordering priorities" and embracing "détente" while the Soviets have conducted the most massive conventional and strategic arms buildup in the history of mankind. Those who cried out in the 1960's and 1970's to allow the Soviets to achieve parity in order to set the stage for arms reductions have been proven wrong. We now see that the Soviets not only seek, but are achieving a clear superiority in military power.

B–1B, MX NEEDED

In this critical period when everyone admits we have slipped into a stage of vulnerability, we must rebuild and modernize our conventional forces and our strategic triad. Despite warnings from the Congress and the people, the B–1 and the MX were debated in the 1970's but not built. Now, in a new decade, the 1980's, we must act. Failure to do so could result in the Soviets moving so far ahead that we would be left in a position of permanent and dangerous inferiority.

Modification and maintenance of the B–52's and the old FB–111 bombers would be roughly comparable in cost to building a mixed force of B–1B's and Stealth bombers. The B–52 bomber, a design of the early 1950's, has served us well but it is now 25 years old. It is vulnerable to Soviet submarine attack because of its slowness in getting aloft after warning of a Soviet missile launch. It is not hardened to withstand nuclear blasts. Its slow speed, structural integrity and its large visibility to defense radars greatly reduce its ability to penetrate Soviet defense.

HIGHLY IMPROVED B–1B

The B–1B, a highly improved version of the original B–1, can take off quickly, operate from shorter airfields and withstand some nuclear blast.

Further, and of critical importance, its visibility on enemy radar screens is one one-hundredth that of the old B–52, and one-tenth that of the original B–1.

Even in the 1990's, when the Soviets have improved their defenses, the B–1B would still be able to penetrate in some areas and would serve well as a conventional bomber or cruise missile carrier.

Opponents of the B–1B tell us to wait until the Stealth bomber is developed. They do not stress that the Stealth bomber is only a design on a piece of paper. It should have a careful development period as it is based upon revolutionary technology.

B–1B SUPPORT STRONG

Air Force Chief of Staff Lew Allen has testified that if we could have only the B–1B or the Stealth, he would take the B–1B. Air Force Secretary Vern Orr has declared the program to build the B–1B as "crucial" to our strategic defense. Defense Secretary Caspar Weinberger has declared that in this "dangerous—if not yet critical—situation we must modernize our aging bomber fleet." President Reagan summed up the need for the B–1B with one key point, "We can't afford to wait until the 1990's for a new bomber."

Mr. President, the key point for support of the B–1B is the need to produce a weapons system as soon as possible to reduce the time when we will be vulnerable to a Soviet first strike and power plays around the world.

B–1B CENTERPIECE

Mr. President, in my judgment the B–1B is the centerpiece of President Reagan's strategic program. This program includes not only the B–1, but production of the MX missile, improvements in strategic defenses, communications and control systems, and deployment of new submarine-launched missiles.

All of these elements are critical, but the B–1B is the symbolic centerpiece of our strategic modernization. It is visible. It can be on line in the mid-1980's.

The world would be dumbfounded, our allies thrown into turmoil, if within a short time after the President has called for mutual arms reductions we falter in rebuilding our strategic strength.

We must modernize our land-based missile forces as well as our bomber forces. We have spent years and billions in development of the MX for this purpose. We await only a viable basing method for this vital program.

Mr. President, I urge my colleagues to not only support the B–1B bomber program, but to give it solid support as was evidenced in the almost 2 to 1 vote in the House. The time is now, we must act with decisiveness. If we fail to do so, our opportunity to restore our strategic balance with the Soviets may be lost for many, many dangerous years ahead.

● Mr. SCHMITT. Mr. President, the B–1 issue has generated a great deal of controversy since 1977 when President Carter canceled the program. As I pointed out yesterday, on October 2, 1981, President Reagan announced the most comprehensive strategic program ever developed. The B–1B bomber is an integral part of that program. While I support the concept of developing the advanced technology bomber (ATB), the reality is that it is a future plane for which we lack sufficient information regarding cost, schedule and technological risk. We need a new bomber right now.

Let me begin my remarks with a quote from Aviation Week. It reads:

> No decision has been reached yet, but a proposal is circulating around USAF headquarters to eliminate all but a small part of the Boeing B–52 production program. Feeling in some USAF quarters is that the difference between B–47 and B–52 performance is not worth the cost of the latter program. Strategic Air Command also anticipates getting supersonic bombers soon enough to make the B–52 strictly a short interim measure.

The article appeared on January 5, 1953. The B–52 has served well as "strictly a short interim measure."

The issue has been debated principally on the basis of cost: Can we afford the B–1B? Let me submit that the proper question should be: Can we afford not to buy the B–1B? In dealing with defense and national security, the Congress must first debate the requirements and then the cost.

The fact is that the B–52 is an old plane, older than most of the pilots who are flying them. Old planes as old cars or old appliances wear out. There is metal fatigue to deal with as well as old equipment on the planes. While most of the equipment on the B–52 fleet can be updated, one must ask at what cost and is it worth it. The airframe is still subject to metal fatigue that comes with age.

In addition, the B–52 was built as a high altitude penetrating bomber. It was not built for the type of penetration needed today, namely low-level flying. The recent crash of a B–52D was most likely due, at least partially, to its age; either to the fatigue of the aircraft or the fatigue of the pilots because of the type of ride the B–52 provides in a low-level penetration mode.

The B–52 has served us well, not only as a penetrating strategic bomber but, more importantly, as a multirole bomber. It has performed in both strategic and conventional roles, in both nuclear and non-nuclear roles. What we need now is a new multirole bomber. The Congress last year mandated a new multirole bomber with an IOC of no later than 1986. The B–1B is the only bomber that can meet that congressionally mandated requirement.

Mr. President, let me briefly address the issue of cost. By not procuring the B–1B, we do not save any money. We will be required to modernize and update the B–52 force. In addition, the operations and maintenance of B–52's will have to be taken into account as well as fuel costs.

The total cost of maintaining our present B–52 fleet between now and the year 2000 will be between $85 and $100 billion according to Department of Defense figures. The total cost of procuring and maintaining the B–1B will be in the $86 to $106 billion range. The costs are about the same. However, the B–52 will never be a penetrating bomber which the B–1B will be. The B–52 will continue to age and will be over 40 years old by the year 2000 while the B–1B will only be about 15 years old with continued usefulness.

Mr. President, the issue is whether we are going to rely on an old bomber to provide for our national security or whether we are going to move ahead now with a replacement for the B–52. The reality is that by not proceeding now, we will incur the same costs for our bombers between now and the year 2000 but we will be mortgaging the future.

Mr. President, let me address just one last issue. A few months ago the Congress passed legislation to substantially increase military pay. The Congress admitted that this country is facing serious personnel problems in the military.

Morale has been low and pay has been allowed to fall behind the cost-of-living. Last year we began addressing some of the problems which have caused a decline in morale. The military pay bill is part of that effort.

Yet, all one has to do is visit military bases, whether active military or guard and reserve units, to find that one of the major causes of low morale is the lack of sufficient equipment or old equipment. We expect our military to fulfill its missions, yet we fail to provide them with the means to do so.

Talking to the pilots that must fly the B–52, one will hear what a great plane the B–52 is but the pilots agree a new replacement is needed and needed now. We cannot do more to boost morale in the military than to provide our men and women with the means and equipment to fulfill the missions we have placed on them. The B–1B is part of that solution.●

● Mr. PELL. Mr. President, I have decided to vote against funding for the B–1 bomber on the grounds of its short-term effectiveness and exhorbitant cost.

It is not clear to me why we should authorize construction and deployment of a new manned bomber which will only be able to perform its primary penetration mission for 3 to 5 years, which will be superseded by the advanced technology bomber, ATB or Stealth, by the early 1990's, and which will cost $300 million per plane. I can think of many other ways to spend such funds, and some of them would, in my view, do more to improve our national defense.

We need more and better trained troops; we need better maintenance for existing equipment; we need greater mobility and flexibility for our conventional forces; we need improved readiness throughout the world. And beyond the defense sector, we need to revitalize an economy which is mired in recession.

Extravagant spending on this new strategic weapons system will contribute little to our national defense, and even less for the economy.●

● Mr. DODD. Mr. President, I rise in support of the amendment offered by my distinguished colleague from South Carolina (Mr. HOLLINGS) and the distinguished Senator from Michigan (Mr. LEVIN).

Mr. President, I believe this amendment represents a sound, commonsense approach to defense procurement. This amendment will transfer funding from the B–1B penetrating bomber program to a variety of defense modernization and readiness needs.

I agree with the authors of this amendment that the $2.027 billion transferred by this amendment would be better spent on force readiness and modernization programs than on the highly controversial B–1B bomber.

This amendment recognizes the need to maintain the viability of the air-breathing leg of our strategic triad by allocating funds for the acceleration of the advanced technology bomber, the so-called Stealth program, and modernization and spares for our existing B–52D bomber force.

The amendment also provides for additional funding for the full amount of requested Navy steaming hours for our ships at sea, and increased funding for an additional attack submarine, greater support for the Trident submarine program, and additional ammunition for the Army among other needs.

However, the primary effect of this amendment will be to delete funding for the B–1B bomber. Over the past several years, the Congress has debated the B–1 program time and time again. The principal issues before us today, as they have been in the past, are the cost and military utility of the B–1 bomber.

First, let me address the issue of cost. When President Carter canceled the B–1 program in 1977, the cost of a single B–1 bomber was estimated to be $100 million; $100 million seemed like a lot of money back in 1977, and the high cost of the bomber was one reason the program was killed. Today, the cost of a single B–1 bomber has gone up, like everything else. What disturbs me, however, is the fact that no one can agree on how much a B–1B bomber will really cost.

The Air Force puts the cost at $210

million today, and at $280 million in inflated dollars by the time all 100 B–1B's are delivered. The Congressional Budget Office, however, puts the cost of a single B–1B at almost $400 million by the end of the decade.

Frankly, Mr. President, I have a difficult time supporting a defense program when there is so much uncertainty as to whether a single airplane will cost $280 or $400 million. If the B–1B program ends up costing more than the Air Force now estimates, will this mean we will buy fewer ships for the Navy, fewer tanks for the Army, and fewer fighters for the Air Force?

I believe there are legitimate fears that the accelerated cost of the B–1B program will eventually drain defense dollars for other needed programs, including the Stealth bomber.

Second, Mr. President, there are serious questions about the military effectiveness of the B–1B bomber. Ironically, the most serious questions have been raised by Secretary of Defense Weinberger himself. In testimony last month before the Senate Armed Services Committee, Secretary Weinberger said that the B–1B will not have the ability to penetrate Soviet air defenses after 1990.

In his testimony, Secretary Weinberger said:

> I think there is no question whatever that we will not be able to use the B–1 as a penetrator after 1990. If it goes to 1992, that will be a little extra dividend.

Considering the fact that the first B–1B bomber is scheduled to be deployed in 1986, Secretary Weinberger's testimony suggests that we will be paying between $280 million to $400 million for a plane which will not be able to perform its mission after 4 to 6 years of service.

We have also been told that the Stealth bomber might be available as early as 1989. If this is true then we would be spending enormous amounts of money to cover the 3-year gap between the first B–1B deployment in 1986 and 1989.

Either way, Mr. President, it is clear that the B–1B program is simply not worth the investment. We would do far better by spending the funds allocated to the B–1B on other, more pressing defense needs.

Not only has the Secretary of Defense cast doubt on the utility of the B–1B program, so has the Central Intelligence Agency. In testimony before the Senate Defense Appropriations Subcommittee, a CIA analyst is reported to have said that there would be practically no difference between the B–1 and B–52's armed with Cruise missiles in terms of their ability to penetrate Soviet air defenses.

Now, I realize that since Secretary Weinberger's and the CIA's testimony, we have received a letter cosigned by CIA Director Casey and Defense Secretary Weinberger. The letter states that:

> It is intended to clarify capabilities of the existing and planned U.S. bomber force to penetrate current and projected Soviet air defenses.

Not surprisingly, after having already shot themselves in the foot with their testimony, the letter affirms the ability of the B–1 to penetrate Soviet air defenses into the 1990's. Mr. President, it is hard to know who to believe: Secretary of Defense Weinberger on November 5 when he testified before the Armed Services Committee, or Secretary of Defense Weinberger on November 10 when he signed a letter with CIA Director Casey.

If both the Defense Department and the Central Intelligence Agency are so unsure of the actual ability of the B–1 to do its job, I would suggest that this program does not deserve the support of the Senate.

It is clear, however, that if the B–1 is to be effective after 1990, it will primarily be as a Cruise missile carrier. But the B–1B has been designed and built as a high speed, low altitude, penetrating bomber.

It simply makes no sense to use such a plane for the far less demanding task of carrying Cruise missiles within launch range of the Soviet Union. The B–52 bombers can perform the Cruise missile launching mission just as well.

I will admit that the B–1B bomber is a better airplane than the B–52, and at $280 to $400 million per copy, it better be. But the B–1's advantages over the B–52, especially in the Cruise missile role, are far too slight to justify its huge and ever-increasing costs.

Mr. President, the B–1B fails to pass muster on the two most important issues facing the program: Cost and military effectiveness. I urge my colleagues to support this amendment.●

Mr. DURENBERGER. Mr. President, whenever we debate a Defense appropriations bill, we do not simply weigh the pros and cons of narrow technical issues. We are not technicians. We are U.S. Senators, and our concern in any Defense appropriations debate deals with three dominant questions: Preservation of our economy, maintenance of our national security, and public understanding of and support for a program which relates the two.

We are called upon to exercise a broad overview. As President Eisenhower recognized years ago when he first assumed office, our national security is indivisible from our economic strength, and an excessive devotion to military budgets can cause us to spend ourselves into weakness and poverty.

We are dealing with finite and limited resources. We simply must set priorities. We cannot hope for a miracle of the loaves and fishes.

So if there is any overriding criticism that I have of the approach which we often take to Defense appropriations, it is that we too often fail to address the budgetary impact. Unlike appropriations for other Government functions, the Defense bill is not designed to balance the budget. We have taken a huge leap this year, increasing our appropriations by some $37 billion.

Yet, I am not satisfied that this appropriations bill, which sets aside $208 billion and which obligates us to further and more costly programs down the road, has given most Americans a feeling that we have answered the fundamental questions.

As has been noted in much of this debate, it has taken us years of neglect to reach the alarming state in which we find ourselves. And it will take time to restore our strength. So it is understandable that this bill will not magically improve our security all at once. This is the first in a long series of steps, and we need persistence and patience as much as we need money.

But by the same token, we are still forced to ask the questions which so many Americans asked last November: Are we safer? From whom? Under what conditions? And at what price?

In other words, we must ask how this bill, and its various elements, provides for the common defense while fitting into our larger plans for economic recovery.

There is a related set of questions, as well. We must decide upon the priorities which we choose to emphasize in our defense plans. We simply cannot do it all at once. And if I am concerned that the ravages of time may have eroded our strategic nuclear forces, I am genuinely alarmed about the condition into which our general purpose forces have fallen.

There is no established set of facts on which we can agree when discussing how best to deter a nuclear war, and we can all thank God for that lack of historical experience. But what this means, of course, is that each of us has a firm obligation to exercise his or her independent judgment when it comes time to fund some programs at the expense of others. And each of us has an equally firm obligation to do so with an eye on the economic conditions of this country.

If we could write blank checks, if we could overlook the impact on our economy, if we could ignore our duty to feed the hungry, house the homeless, clothe the naked, and minister to the sick, there would be little debate. We could support an MX missile program in exotic basing systems on the off chance that it is really needed in the real world of deterrence rather than the artificial world of theoretical calculations. We could proceed with a full-scale commitment to the B–1B bomber and a crash program on the advanced technology bomber.

But there are no blank checks, and we cannot ignore our other duties. Each of us must decide what is truly important, and what is only desirable, and each must cast his or her vote accordingly. That is why I voted today for the Pryor amendment on the MX missile. That is why later tonight I will be cosponsoring the Hatfield amendment to reduce research and procurement spending by 2 percent. And that is why I cannot support the Hollings amendment.

Senator LEVIN, whose position on this matter is clear, crystallized the real issue yesterday when he told us that it is not a matter of whether we develop a new bomber, but simply what that new bomber will be. There are few in this body who would claim that the B–52's can last indefinitely, even with increased funding for maintenance.

We need a new manned bomber in the near future, and the matter for our judgment is whether it is worth it to procure the B–1B now or to wait a few years

for an advanced technology bomber. Regardless, the bomber leg of our Triad is the leg which most demands attention.

The advanced technology bomber research program, as we have been reminded earlier, is a subject which we can discuss only with the greatest caution. But there is no question that the concept is a revolutionary advance in military aeronautics. That is precisely why it has attracted so much attention, and why the President has wisely chosen to explore it.

But this suggests the perils as well as the promises of the advanced technology bomber. Simply put, a decision to commit ourselves exclusively to the ATB—a decision implicit in the Hollings amendment—would create three major problems. It might not work. It might break our bank. And it will certainly limit us to one military mission, a mission which is the least likely to be performed.

Regardless of how much money we put into ATB research today, and regardless of the fate of the B–1B bomber, the ATB is at best a calculated risk. We often forget that nearly every time we have been promised a miracle program by the Defense Department or by technological hucksters, we have lived to regret it.

We often seem to forget that there are no panaceas, whether they take the form of magic number increases in defense spending or of exotic military hardware programs.

We have committed ourselves to revolutionary advances and miracle weapons before. The results have been only the familiar litany of cost overruns, schedule delays, and performance gaps.

Paper programs simply do not develop the way we hope they will. And radical innovations in the state of the art never seem to provide the weapons and the savings we hope for.

In defense as elsewhere, there is no free lunch and no tooth fairy. We cannot buy defense on the cheap, whether we seek it in an excessive devotion to strategic nuclear arms at the price of conventional forces, or whether we seek it in revolutionary weapons which are always over the horizon at the expense of known weapons which are available today.

Indeed, I am struck by the fact that many of those now promoting the advanced technology bomber as a safe and certain bet are people who have cogently criticized the Defense Department for its presumed fascination with a high-technology fix to each of our problems.

The advanced technology bomber merits investigation; if it lives up to only a portion of its promise, it will be a valuable asset. But until it is more than a gleam in some designer's eye, it does not merit an absolute commitment.

That leads me to my second point. The B–1B will not be inexpensive, either in terms of this year's budget or in terms of its overall program costs. But the advanced technology bomber is going to cost at least as much, and we will be forced in the interim to maintain an aging fleet of B–52's.

We may be able to save a little money this year. But we will pay the price later, and we will pay it in inflated dollars. New programs tend to increase in price over time, not decrease. And the prices being quoted for the advanced technology bomber are already high. The B–1B, by contrast, is a known and mature technology, and we can be somewhat more confident about its price.

Finally, let me note that the B–1B has the merit of flexibility, and the added quality of growth potential. It is not the same aircraft which Jimmy Carter mistakenly chose to cancel. It is better, cheaper, and more flexible. It can carry Cruise missiles and conventional ordnance. And it has incorporated some significant design changes which make it a capable penetrator for the foreseeable future.

The advanced technology bomber, by contrast, will be optimized solely for the mission of penetration of hostile airspace on a strategic nuclear mission. This is the last mission which it will perform, for such an event would occur only after we had launched our ICBM's and other weapons. Just as important, it is the least likely mission which any of our miiltary forces will be called upon to perform.

If we had unlimited resources, and if all of our military forces were in equally bad shape, it might be sensible to build a fleet of bombers devoted exclusively to the penetration mission. But we do not have unlimited resources, and we will not, even if we delete the funding for the B–1B or divert the money to our conventional forces.

It is therefore simply foolish to forgo a plane which is available sooner, a plane which is inherently flexible, and a plane which represents an incremental growth in the state of the art, for a plane which is available later, a plane which is devoted to one mission only, and a plane which is risky because it is revolutionary.

The real question is whether we pay now or pay later. But in either event, we shall pay, there is no mistaking that. In my judgment, it is better to pay now at a known price for a known commodity than to pay later for a pig in a poke.

● Mrs. HAWKINS. Mr. President, I support the funding of the new B–1 bomber because our aging B–52 bombers are in desperate need of replacement, since the first B–52's were deployed in 1956. Though the U.S. Air Force has worked to modernize these bombers to maintain their effectiveness, no one believes that they are still capable of penetrating the sophisticated air defense system of the Soviet Union. This weakness is a major cause of the "window of vulnerability."

There are several other reasons why I support funding the B–1B instead of other strategic options. One important reason is cost. The B–1B is cost effective. The Defense Department's research chief, Dr. Richard D. DeLauer, estimates that the cost of modernizing and maintaining our B–52 fleet and our smaller FB–111's through the end of the century is $93 billion. By comparison, Dr. DeLauer estimates that the cost to buy and operate a fleet of 200 B–1B's to the end of the century would be $92 billion.

If we compare the advanced technology bomber (ATB) with these calculations, we again find that the B–1B is the most cost-effective choice. The cost of equipping a fleet of B–52's and ATB's through the end of the century is $114 billion, while the cost of President Reagan's program of 100 B–1B's and 132 ATB's is $112 billion. The point is that we should purchase a fleet of B–1B's and ATB's for slightly less cost and much improved capability instead of continuing the B–52 fleet and then moving to the ATB.

Another important reason for moving ahead with the B–1B is that ATB technology is an unknown. When dealing with new and exotic technologies, timetables frequently must be thrown out the window. The funding and deployment of the B–1B would provide us with the time we need to be sure we get the plane we want from the ATB technology.

Finally, this country has been vacillating on its choice of future strategic systems for too long. If we delay or cancel again this program, we will send a message that we are unable to come together and develop a plan for our own defense. This would clearly be a sign of weakness. Consequently, Mr. President, I believe it is in the best interest of this country to maintain the funding of the B–1B.●

● Mr. HEFLIN. Mr. President, I rise in opposition to this amendment to delete funding in the defense appropriations bill for the B–1B bomber.

Of primary importance to all of us who have been elected to this body is the safeguarding, to the best of our ability, of the people of the United States. This primarily entails the charge upon the Congress to maintain and refine the freedom which our citizens proudly display to all the peoples of the world. We must actively defend against threats which indefinitely gnaw at the foundations of our freedom by maintaining the strength to keep them at bay.

One of the most ominous and ubiquitious forces at work against the United States is the vast Soviet machine. While the United States thrives on freedom, which is its lifeblood, the Soviet Union daily grows stronger by virtue of its burgeoning military strength. The powers in the Kremlin only watched with a growing mixture of boldness and relief as we allowed our defense to wither and decay over the last 10 to 15 years.

In my judgment, their goal is not peace. It is not freedom. The ultimate goal of the Soviet ideology is world domination. Areas such as the Persian Gulf might soon follow Afghanistan and become subservient satellites without the strong support of a formidable ally, and thus further augment the expanding Soviet stronghold. I believe that we must regain and maintain military superiority over the Soviet Union and any other nation which might challenge us in the difficult years ahead. Only through a position of unassailable strength can we nurture the peace and freedom which sustains us in our ideals.

In 1977, I vigorously opposed President Carter's decision to halt production of the B–1 bomber. I believed at that time, as I do now, that the United States must have an interim vehicle, one that serves

as an alternative to the outdated B–52 and can perform effectively until an advanced technology bomber is fully operational. America may have been at a position of rough equality with the Soviets at the time the decision on the B–1 was made.

There is no doubt, however, that we would be in a more secure position today if the decision had been to go ahead with the production of the B–1. Since that date, we have slipped at an alarming rate into a position of subordinance to the Soviet military forces. It is now up to the Congress to recognize the warning signals and make this Nation strong enough once again to reassume our position as a guardian of peace. This can only be accomplished by making the results of war absolutely devastating for the Soviets. We must rebuild our forces and show, through quiet might, that the muscles of the free world have not begun to grow lax and ineffective.

On October 2 of this year, President Reagan unveiled his administration's proposals for a five-point strategic program. This program included an answer to America's need for an effective manned strategic aircraft system to modernize and round out the "air-breathing" leg of our military triad. Under the administration's proposals, the United States will develop and deploy 100 B–1B bombers to bolster our strategic forces during the 1980's. The B–1B is a variant on the B–1 bomber. The administration's program also calls for a "vigorous research and development" program for an advanced technology bomber to be deployed in the 1990's that will be able to penetrate Soviet air defense into the next century. Because I believe this proposal will do much toward strengthening the U.S. strategic position, I support the administration's program.

The B–1B will be an interim bomber only, with a life span beyond the year 2000, that will allow the United States to concentrate on the development of an advanced technology bomber. Secretary Weinberger has testified on a number of occasions that the B–1B will penetrate Soviet air defense well into the 1990's and perform effectively as a criuse missile carrier and a bomber into the next century.

Furthermore, we are not abandoning the B–52, but instead these bombers will remain operational until the B–1B's are ready for combat. However, we must not continue to depend solely on the B–52 as a penetrating manned bomber for the strategic triad. Although the B–52 has served us well, its 1940's technology is ineffective to deal with the ever-increasing threat that we face.

The need is imperative for a bomber which functions as a manned, penetrating weapon system that can effectively and consistently in a war-time atmosphere, enter hostile air space, debilitate its target, and return safely. I believe the most effective and cost-efficient design for this mission is the B–1B. Besides having a nuclear delivery capability, the B–1B will be able to perform the conventional task which hopefully would allow us to avoid a nuclear confrontation. It will be able to cover expansive distances in abbreviated times in order to reach theater conflicts. It would also allow time for the United States to develop an advanced technology bomber that will be an effective aircraft when ultimately deployed. Most importantly, it will be an aircraft that the citizens of this country could confidently depend on in wartime to defend the United States, its people, and its institutions.●

Mr. STEVENS. Mr. President, the Senator from Vermont has called my attention to some language that is in the bill that was placed in at the time we were trying to compare our bill with the House bill as it was proceeding through the House. It is language that the Senator is correct in asking us to delete, because it did not survive in the House bill and it should not be in this bill.

I ask unanimous consent that this present amendment be set aside solely for the purpose of taking the technical amendment that will be offered by the Senator from Vermont. It should not take but a few minutes.

Mr. HOLLINGS. Reserving the right to object, Mr. President, how long will this take?

Mr. STEVENS. Two or 3 minutes.

Mr. HOLLINGS. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

UP AMENDMENT NO. 745

(Purpose: To strike out a provision relating to payments and arrangements made under section 6 of the Act of September 30, 1950 (Public Law 874, 81st Congress) as modified by section 505(c) of the Omnibus Budget Reconciliation Act of 1981)

Mr. STAFFORD. Mr. President, I have an unprinted amendment at the desk. I call it up and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Vermont (Mr. STAFFORD), for himself, Mr. ROTH, and Mr. PELL, proposes an unprinted amendment numbered 745.

On page 66, strike out lines 5 through 12.

Redesignate the succeeding sections in title VII accordingly.

Mr. STAFFORD. Mr. President, I offer this amendment to strike authorizing language from H.R. 4995, the Department of Defense appropriations bill. Briefly stated, Mr. President, the objectionable language in this legislation before us would transfer administrative authority over the so-called section 6 impact aid schools from the Department of Education, where they have been administered for so long, to the Department of Defense.

Before I detail my objections, allow me to remind my colleagues that these schools, established under the impact aid law, are operated on military bases where no public education services are available to the children of military personnel in nearby areas either through geographic or fiscal circumstances or because of legal prohibitions preventing public education from being provided these children.

The attempt to transfer authority over this program should be turned back for several reasons.

First, only a few months ago, Congress mandated continued Department of Education administration of these schools even though it approved transferring the budget for their operations to the Department of Defense under the Omnibus Budget Reconciliation Act.

Second, the Governmental Affairs Committee, which has primary jurisdiction over the structure of the Department of Education, has not held any hearings or discussed this issue. In fact, to my knowledge, the Appropriations Committee has not ever held hearings on this transfer.

Third, the Education, Arts and Humanities Subcommittee, which has jurisdiction over the impact aid program, has not examined this issue through hearings or any subcommittee consideration, except in its action in June to reaffirm that administrative jurisdiction over impact aid schools should remain within the Department of Education.

Mr. President, I urge my colleagues to support this amendment which simply deletes the authorizing language on this issue from this bill. The issue of the future of the Department of Education will be discussed by this body during the next session of Congress, and I would hope that we could take up the issue of which agency should administer impact aid schools at that time.

● Mr. ROTH. Mr. President, I rise in support of the amendment offered by the Senator from Vermont to strike authorizing language from H.R. 4995, the Department of Defense appropriation bill. I share the Senator's concerns over both the intent of this language in the appropriation bill and the way in which the proposal has been developed. It is my hope that the Senate will move expeditiously to remove the undesirable language.

After having listened to Senator STAFFORD's remarks, I must say that I concur with each of his points. Before the discussion proceeds any further, however, I would like to underscore several concerns.

The responsibility for the administration of the section 6 impact aid schools has rested for years with education officials at the Federal level. This arrangement is wholly appropriate because these are the officials with the background and expertise to properly carry out this administrative authority. The Congress recognized this fact when it chose last summer in the Omnibus Reconciliation Act to retain this relationship. I think it wholly inappropriate for the Congress to turn around only a few months later and to reverse this stance by allowing the current appropriation bill language to stand.

My concern is heightened by the fact that the Governmental Affairs Committee, which has jurisdiction over all such governmental reorganizations has not had the opportunity to hold hearings on the proposed change, and in fact was not consulted on the issue at any point in the process. I think a thorough and open review of this issue before the committees of jurisdiction is imperative before

the proposal advances any further. No such review has occurred to date.

Mr. President, I will conclude these brief remarks by requesting that my colleagues support this amendment to remove the specified language from the defense appropriations bill. To let it remain would represent both a hasty and unwise policy decision.●

Mr. STAFFORD. I ask my good friend, the manager of the bill, if he is prepared to accept this amendment.

Mr. STEVENS. Mr. President, I am prepared to accept the amendment.

Mr. STAFFORD. Mr. President, I move the adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (UP No. 745) was agreed to.

Mr. STAFFORD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STEVENS. If the Senator will withhold that, we shall clear that as soon as we hear from the Senator from Mississippi.

UP AMENDMENT NO. 744

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from South Carolina.

Mr. STEVENS. Mr. President, I say to the Senator from South Carolina that we have a group of people who wish to address this amendment of the Senator. The Senator from Kansas has been waiting.

Mr. HOLLINGS. If they will come to the floor, I shall be glad to yield to them but the hour is late. We have been waiting all afternoon.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. DOLE. Mr. President, I have been arguing for a considerable time that, in a period of very severe budgetary restraint, defense programs must take their fair share of the cuts that have to be made in spending programs this year. After seeing so many difficult cutbacks we have had to make on the domestic side, and after thinking about more cuts we may have to consider in just a few weeks in these same domestic programs, I believe that we have to look very closely at any opportunities for savings on defense.

Because of my concern about defense costs, I have already opposed a number of proposed additions to the defense appropriations bill, even though some of these items—like the reactivation of the U.S.S. *Iowa*—might have been extremely cost-effective. It has also seemed to me that the very expensive, major programs—like the B–1 and the MX, especially the B–1—are programs where we should ask seriously whether we can possibly afford the enormous costs.

Those costs could be over $20 billion for the B–1—some estimates have said as much as $40 billion—and over $20 billion to deploy just the first 36 or 40 of the MX missiles. Together with the advanced technology bomber the administration has also requested, these programs might add up to over $100 billion.

It seems to me that, even though we have a responsibility to do everything necessary to insure an adequate defense for this country, we also have a responsibility to try to contain such huge costs if it is at all possible. After all, if our economy is damaged by the very programs that should give us greater security, it is hard to be sure that we have really come out ahead.

Two weeks ago, the President announced a comprehensive arms control program, including proposals for negotiations on strategic weapons as well as the talks in progress now at Geneva on intermediate-range nuclear weapons in Europe and efforts to cut back conventional forces there and to find ways to reduce the risks of miscalculation or surprise attack in the use of cataclysmic nuclear weapons.

These proposals, I believe, offer the first real hope we have had for a long time to make progress on arms control with the Soviet Union. The importance of this undertaking is so great, that I think we must do everything we possibly can to insure that these negotiations come to a successful conclusion, so that we need never use in war the weapons that are in our arsenal.

To back this administration as fully as we can in such a crucial arms control effort, Mr. President, we must send the signal that we are prepared to do whatever is necessary to maintain our military strength however negotiations may proceed. Only with such a clear sign of determination on our part, I believe, do we have a chance to persuade the Soviets to deal seriously—in other words, to achieve an outcome on our own terms and not just on Soviet terms.

So, in spite of the very great costs, Mr. President, I support going ahead with the B–1 and MX programs today—and I am opposing amendments to the defense appropriations bill that would cut funds for these programs—in the hope that, with serious progress in arms control, our military expenditures over the longer term can be reduced far more substantially than by abandoning these weapons now.

Mr. President, I commend all Senators on both sides, who are experts in this particular area of defense appropriations, $200 billion plus. I want just to speak as one who is not on the committee, but one who has some responsibilities in other committees, where we are scraping around trying to find a million here and a million there, and it adds up to $1 billion, $2 billion, $11 billion.

I must say at the outset that I think I probably would have voted against the amendment in any event, based on the President's speech 2 weeks ago, but I received a call from the President on this issue. I indicated to the President that it is becoming more and more difficult for those of us who have areas of responsibility—the Finance Committee, for example, and other committees—where we are asked to continue to look at entitlement programs and where we were able to reduce taxes rather substantially, far too great in the eyes of some—perhaps it is unfair to say that we have exempted the Pentagon from any budget scrutiny.

Perhaps it is unfair to say that we have exempted the Pentagon from all budget scrutiny; but there is that feeling and that perception by some of us who have responsibilities that are not directly related to the issue on the floor.

This Senator has been arguing for some time that in a period of very severe budgetary restraint, defense programs, notwithstanding the fact that we probably have fallen behind for a number of reasons, still must be scrutinized carefully and must accept some share of cuts that have to be made in spending programs in this fiscal year and beyond.

After seeing so many difficult cuts that have been made, and more must be made on the domestic side, I believe we have to look closely at every opportunity for savings on defense.

Because of that, this Senator is opposed to a number of additions to the defense appropriation bill, even though some of these, such as the reactivation of the *Iowa*, seem to have some merit and would be extremely cost effective.

The B–1 and the MX—especially the B–1—are programs in which we have to ask whether we can afford the enormous costs. I have heard the estimates on the floor the last couple of hours, and I have read the committee report. I am not certain what the exact cost finally will be. It probably will be larger than the projected cost, even with a 3-percent inflation figure added.

Two weeks ago, the President announced his comprehensive arms control program, including proposal for negotiations on strategic weapons, as well as talks in progress now at Geneva on intermediate-range nuclear weapons in Europe and efforts to cut back on conventional forces. The President, in my view, in that speech, made a difference not only to millions of people around the world but also to a few of us on the Senate floor who might have been going in another direction.

These proposals, in my view, offer the first real hope we have had in a long time to make some progress in arms control with the Soviet Union. The importance of this undertaking is so great that, in my view, we must make every effort to insure that negotiations can come to a successful conclusion and that they will be in our national interest. It is on that basis that I am opposing this amendment and supporting the administration in this program.

It seems to me that if we send conflicting signals to the Soviet Union, notwithstanding our budgetary problems, it will be the wrong way to proceed.

I believe we have a chance to persuade the Soviets to deal seriously—in other words, to achieve an outcome on our own terms and not just on Soviet terms.

So, in spite of the costs—and they are massive—I support going ahead with the B–1 and MX programs, and I am opposed to other amendments.

However, I say this to the distinguished members of the Armed Services Committee: The Senate Finance Committee has jurisdiction of about $400 billion of the budget. About $100 billion of that is interest. We are being asked, properly, to take a look at medicare, medicaid, AFDC, social security, and other programs. I know it might be like mixing oranges

and apples to discuss those programs in relation to defense appropriations which are vital to our security and perhaps our liberty.

However, it appears to me—and I have great confidence in Secretary Weinberger and members of the committee—that as we proceed later this fiscal year and in fiscal 1983, and as we are asked—as I am certain we will be asked—in January to make additional cuts in domestic programs, as we should in many cases, I think some of us will insist that we provide the same scrutiny of defense programs. I will support the administration.

Mr. KASTEN. Mr. President, I supported the B–1 program in the House of Representatives and deeply regretted President Carter's decision to cancel it. I believe that President Reagan's proposal to build the B–1B, while proceeding with development of the advanced technology bomber, is a sound one. I strongly support this portion of his strategic package.

The B–1B is a substantially different and more capable aircraft than the B–1 cancelled in 1977. We have received repeated testimony from Secretary Weinberger, Under Secretary for Research and Engineering Richard DeLauer and others that it will be capable of penetrating Soviet air defenses well into the next decade. There is no magic moment when any given aircraft loses this ability. Estimates of penetration capabilities depend on what assumptions are made about existing and future Soviet air defenses and conditions under which the manned bomber would be employed. I am convinced that the B–1B, with its reduced radar cross section and improved electronic countermeasures, will be able to perform its strategic mission beyond 1990.

The B–1B is not a one-mission, stopgap, interim aircraft, useful only until the production of some ultimate bomber. If this were the case it would be too expensive at any price. But the B–1B is a highly versatile, long-range combat aircraft. It is capable of performing not only as a strategic penetrator but also as a cruise missile carrier aircraft. Its flexibility and capabilities will allow it to perform well in conventional roles, supporting worldwide force projection, and in support of our theater nuclear forces. And it will continue to perform these missions long after the ATB is available.

The cost issue has received a great deal of attention. Estimates based on GAO, and CBO reports cite a total program cost of $40 billion. But this figure is based on a number of seriously flawed assumptions and arguments which have been refuted point by point. The Defense Department is on record with its commitment to keeping program costs at the $20.5 billion requested.

Mr. President, I think it is clear that a majority of this Senate strongly supports the need for a new manned penetrating bomber as part of our strategic triad. Given this fact, the most important question is what alternatives are available and what are the costs of these alternatives?

One option is to cancel the B–1 and maintain our current inventory of B–52's and FB–111's until the ATB is available. I do not find this acceptable for two reasons: First, the cost of maintaining our current force of bombers and, second, the uncertainties associated with development of the ATB.

Maintaining the current inventory of B–52's is an extremely expensive proposition. The Defense Department estimates that it would cost $93.4 billion through the year 2000. This is more than their estimate of $91.9 billion for building and maintaining a comparable force structure of 200 new B–1B's. And what would we have left in the year 2000 after investing this $93.4 billion in B–52's. We would have a fleet of aircraft whose structural life is over. Mr. President, we cannot afford to sink increasingly scarce dollars into an airplane that is rapidly reaching the end of its useful life. This is waste that the American taxpayer cannot and should not tolerate.

Waiting for the new advanced technology bomber is also an extremely risky approach to modernizing our strategic forces. The B–1B is essentially production ready. But the ATB is still largely a paper aircraft. By virtually all accounts, design, and production uncertainties make it unrealistic to expect the ATB to be available in this decade. Increased spending to accelerate the program will not solve this problem. The schedule is dependent on meeting engineering milestones, not on funding.

In fact, Secretary DeLauer testified that in order to meet a 1989 initial availability date we would have to approve full-scale development before we even know how the aircraft will be configured. I could not support such an approach to procurement of any weapon system, let alone one so vital to our national security. Decisions based on insufficient information increases the risk of rapidly escalating costs for a less capable aircraft.

Proceeding now with the B–1B will allow us to follow an aggressive but prudently paced ATB program without these risks. While the exact numbers are classified, the cost of a combined B–1B and ATB force is about the same as the ATB-only option.

The two-bomber approach will force the Soviet Union to immediately spend billions of dollars to defend against the near- and far-term threat. It will force them to divert funds that might otherwise be used for offensive systems or for new measures that would erode the current invisibility of "Stealth" technologies from existing means of detection. And the two-bomber approach will provide a cost competition between the B–1B and the ATB, insuring more efficient production and cost management.

Mr. President, I strongly support the B–1B program and urge my colleagues to vote in favor of President Reagan's proposal.

I yield the floor.

The PRESIDING OFFICER (Mr. LUGAR). The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, the Senate has debated the B–1 bomber many times over the past 6 years. There will be several more hours of debate during the consideration of this Defense appropriations bill.

We have debated the B–1 bomber many times over these past 6 years since I have been here. I notice that now the name has changed slightly. It is called now the B–1B. Some have suggested that this was done so that even though the plane has not really changed, many who have voted against the B–1 before could now turn around and vote for it saying they are voting for a different plane.

As I listen to this debate I am reminded of early attempts of inventors to build the first airplane.

Although today we remember almost only the efforts of the Wright brothers, many others were active. One of the most notable of these was Samuel Langley.

Samuel Langley invented several airplanes which he hoped would fly. Langley's efforts were especially interesting because he attempted to launch his airplanes off of houseboats on the Potomac—somewhere between where the Lincoln Memorial and the Pentagon are now.

Unfortunately, Mr. Langley failed. After much fanfare and the roar of the motor, the aircraft hit the water "like a handful of mortar"—in the words of a contemporary newspaper.

Ambrose Bierce, a contemporary satirist, included his observation of this event in a volume entitled "Fantastic Fables." He wrote:

> An ingenious Man who had built a flying-machine invited a great concourse of people to see it go up. At the appointed moment, everything being ready, he boarded the car and turned on the power. The machine immediately broke through the massive substructure on which it was builded, and sank out of sight into the earth, the aeronaut springing out barely in time to save himself.
>
> "Well," said he, "I have done enough to demonstrate the correctness of my details. The defects," he added, with a look at the ruined brickwork, "are merely basic and fundamental."
>
> On this assurance the people came forward with subscriptions to build a second machine.

Ambrose Bierce's discerning comments apply as aptly to the B–1 as they did to Langley's follies.

The thousands of words I have heard in defense of this bomber certainly demonstrate the correctness of the details. The defects of the B–1, however, are merely basic and fundamental.

The two fundamental defects of the B–1 bomber are, first, that it is not needed to preserve the peace and, second, that its huge expense will make it impossible for the Nation to achieve fiscal integrity in this decade.

There is a national consensus that the peace can best be preserved if our enemies are deterred from attacking us because of their fear that our counterattack would devastate their nations.

If the B–1 bomber is not built, will the Russians believe that, if they attack us, we will not be able to destroy their nation in retaliation?

Do you think they are going to have any more confidence in the survivability

of their nation following an attack on us with or without the B–1 bomber?

Over the years, our deterrence strategy has been on a strategic triad of manned bombers, intercontinental missiles, and submarine-launched missiles.

I do not accept the argument that the B–1 will be a more effective deterrent than the other bomber options—including the Stealth bomber, reconditioned B–52's, and air-launched cruise missiles.

But even if the B–1 is the only effective penetrating bomber for a few years in the late 1980's, history shows that the existence of this triad is not essential to deter our enemies. For many years, only manned bombers could deliver nuclear warheads. Today these warheads can be delivered by intercontinental missiles, submarine-launched missiles, and manned bombers.

The only justification for the B–1 bomber is that, for some short period between now and 1990, our existing B–52's probably will not be able to deliver nuclear weapons against the Soviet Union. Does that mean that during this period Russia need not fear attack? Hardly.

Even if, from 1985 through 1990, we have no manned penetrating bomber at all, we would still have a massive deterrent capability.

We will have 1,000 ICBM's which can carry 875 megatons. We have more than 50 submarines carrying 360 megatons of destructive power. If warheads from just a fraction of the missiles reach the Soviet Union, it will be enough firepower to destroy every city in the Soviet Union. If just 5 percent of these missiles reach their targets, they will deliver 4,000 times more destruction than the Hiroshima bomb.

So the B–1 bomber does not make us any more secure. It only makes us poorer.

The United States and the Soviet Union are like two men knee deep in a room full of gasoline. Is the man with a hundred matches more secure than the man with 99 matches?

My deepest concern is that this administration is more interested in counting the matches than it is in draining the gasoline.

Only a negotiated reduction in nuclear armament can make us—and our children—more secure.

Building the B–1 bomber will make us neither more nor less secure—it will only make us poorer.

And this brings me to the second fundamental flaw of the B–1 program—it is simply too expensive.

It has been observed that it must be easy to be a Republican. You only have to learn two arguments which you can use against any Democratic proposal. The two arguments are that they will cost too much and that they will not work.

These are fine arguments I say to my good friend from South Carolina. Those are the two best arguments against the B–1 bomber.

There is, in truth, no free lunch, no easy way to balance the budget, no simple step to fiscal integrity.

Before I examine the specific costs of the B–1 bomber, I believe it is essential that the overall economic impact of the defense budget must be examined.

The Reagan administration defense plan cannot be evaluated in military terms alone.

The 5-year, $1.5 trillion administration defense program, if adopted, will have far-reaching effects on the Nation's economy and on nondefense government services. It will place tremendous demands on our Nation's economic resources, effecting dramatic shifts in private-sector investment patterns. If approved in full, it will force a wholesale reordering of national budget priorities.

The national security implications of these secondary effects of the massive administration defense build-up cannot be ignored.

The $1.5 trillion Reagan administration defense plan was first proposed in March when hopes for "supply-side" economic miracles were running high. The President acknowledged from the outset that his defense plan would be costly—that it would be financed, at least in part, by shifting Government funds from domestic program areas to our national defense. The loss of domestic services was to be minimized, according to the President, by the dramatic growth in Federal tax revenues expected from his supply-side tax cuts and economic policies.

What has happened since March?

The administration forecast of 5.2 percent economic growth—real GNP—from 1982 has declined to 4.1 percent, then 2 percent, then 1 percent, and we are now mired in a deep recession with no recovery in sight.

The administration forecast of millions of new jobs and 7-percent unemployment has been abandoned as the unemployment rate has soared to 8 percent. More Americans find themselves jobless today than at any time since the great depression of the 1930's.

Although interest rates have eased in recent weeks as the recession has deepened, mortgage rates and other interest rates remain well above last year's levels and the single-digit levels forecast by the administration in March.

What are the implications of this dire economic news for the budget, and for our ability to afford the Reagan administration defense buildup? I believe they are critical, if not catastrophic. We are misleading the American public if we pretend we can afford this defense program given the many failings of current economic policy.

In March, the Reagan administration predicted budget deficits of $42.5 billion and $22.9 billion in fiscal years 1982 and 1983, and a budget surplus of $0.5 billion in 1984. These optimistic deficit projections were questioned by me and others who felt they could not be achieved given the administration's commitment to a $1.5 trillion defense budget and a $750 billion tax cut.

It is no surprise to me, then, that rising unemployment, high interest rates and the current recession have combined to produce dramatically higher Federal budget deficit estimates.

To be specific, the five leading private economic forecasters now believe a $90 billion deficit in fiscal year 1982 is more likely than the $42.5 billion deficit forecast by the administration in March. They predict a fiscal year 1983 deficit of $120 billion. And they believe the balanced budget the President has promised for 1984 will give way to a deficit of $130 billion or more.

Mr. President, without major change in the current administration economic policies, I submit that we cannot afford a $1.5 trillion defense program over the next 3 years.

The high interest rates and inflation that would result from deficit-financed defense spending of this magnitude would far outweigh the national security gains.

The declining American productivity and competitiveness in world economic markets which would result from the diversion of hundreds of billions of investment dollars into weapons stockpiles would undermine our economic strength and our national security.

The implications of a $1.5 trillion defense program, at a time of soaring budget deficits, for domestic government services are equally troubling.

In March, with rosy economic forecasts, the administration proposed an increase in the defense share of our national budget from 24 percent to 32 percent by 1986. The share of spending for the environment for education, training and employment, and for other nondefense needs would have been cut in half under the March budget proposals. As the economy has faltered and the deficit projections swelled, the pressure on the nondefense areas of the budget has intensified.

The President has not yet acknowledged the reality of the $300 billion deficit problem he has created. He has, however, time and again, refused to reconsider his $1.5 trillion defense plan or his $750 billion tax cut.

The implications of the President's current position are frightening. Either he must propose another $300 billion in domestic spending cuts—cuts which would literally dismantle the Government and break faith with the millions of Americans who depend upon Government retirement, health, housing, and food benefits. Or, he must accept huge deficits and the soaring interest rates and inflation that inevitably accompany such deficits. This is not a "zero sum game" we are playing, it is a negative sum game.

Mr. President, the ongoing battle between Congress and the President over 1982 funding levels illustrates the painful trade-offs between defense and domestic budget needs, in the face of growing budget deficits, which have been virtually assured by the Reagan economic policies.

Last week, the President vetoed the continuing appropriations resolution because it fell $2 billion short of his goal for 1982 spending cuts. The defense spending level recommended in the bill he vetoed was $196 billion. The defense appropriations bill before us today recommend $208.5 billion for defense—some $12.5 billion more than the bill the President vetoed, and nearly $8 billion above

his own September defense spending proposal.

Will the President veto this bill if we approve it in its present form?

Will he sign this bill and propose additional cuts of $8 billion, or $12.5 billion in domestic programs?

Or is the President willing to accept another $12.5 billion in budget deficits which result from defense spending, but not those which are covered by domestic spending needs?

Mr. President, I do not know the answers to these questions. I do know that we are facing budget deficits in excess of $300 billion over the next 3 years. I do know that cuts in domestic programs beyond the $131 billion already approved cannot be achieved easily or painlessly.

We must acknowledge these facts. We must acknowledge that soaring budget deficits and growing public and congressional opposition to further domestic budget cuts raise serious questions about our Nation's willingness and ability to support a $1.5 trillion defense budget over the next 5 years.

In 1982, faced with a deficit projection of $90 billion plus, can we afford a defense bill which is $8 billion above the President's request?

In 1986, when revenue loss from the Reagan administration tax cut reaches $225 billion a year, can we afford a defense budget of $350 billion?

I think not. We cannot overlook today's economic and budget realities. We must adopt a defense budget which is strong, and yet one which is affordable—one which will not bankrupt our economy and decimate Government services. We must avoid the tremendous waste that will follow if we ignore today's realities and embark upon a boom and bust cycle of defense expenditures.

The B–1 bomber, as I have shown earlier, is a very, very fast airplane. But even with its great speed, the B–1 bomber cannot begin to catch up with the accelerating estimate of the cost of the B–1 bomber.

Because of my particular concern about the budget impact of the B–1 bomber, I asked the Congressional Budget Office to prepare a realistic estimate of the costs of the B–1 in the mid-1980's.

This estimate shows that the costs of the B–1 program will be staggering. Between now and 1986, the B–1 will require budget authority of $40 billion and budget outlays of $24 billion.

In 1986, the budget outlays—not authority—outlays—will be $9.6 billion.

This huge sum is about twice the Federal Government's outlays for agriculture. It is a third more than all our science efforts—including the space program. This $9.6 billion is more than twice our Federal spending on the administration of justice.

It is a billion more than all our energy spending. It is a billion more than all our spending for community and regional development.

It is one-twentieth of our entire defense budget. And that is just 1986 budget outlays.

If we build this bomber there will be no question about a balanced Federal budget in 1984, 1985, or 1986. It will be simply impossible.

Even to achieve a defiicit in the $30 to $50 billion range, every other program—from defense readiness to public health protection—will have to be cut. These vital responsibilities of the Federal Government will be sacrificed to build a $40 billion flying Edsel.

No price is too great a price to pay to insure our national security—but $40 billion is $40 billion more than we should pay for a bomber that will not enhance our security but will certainly debase our fiscal integrity.

I support the amendment of the Senator from South Carolina.

I think his amendment makes good fiscal sense. I think that we have some significant unmet security needs. We will do more to increase our security by putting this money where it is needed—in the readiness increases proposed by this amendment.

I might say, Mr. President, that once not too long ago I visited a number of our military installations in Europe, and it was during the time there was a debate on the B–1 bomber a couple of Congresses ago. I talked to a number of Air Force people expecting to be lobbied on the B–1 bomber.

Commander after commander would take me aside and would say, "Have you taken a position on the B–1 bomber?" And I said I am against it, and they would say, "I am glad you are." I said "That is really not the party line." And they said, "We know, but the party line seems to come from the people who are just going to stay right there in Washington. We are the people who are taking our fighter planes and tearing them apart for spare parts for others," and they are the ones who took me out and told me how many fighter planes can actually fly. Although that number is classified, it is a rather discouraging figure.

They told me how they could not get spare parts or money for training. They could not prepare airplanes so that they were ready to fly or build shelters for those planes. They knew that something like a B–1 bomber would look nice at air shows, but it would not do much to protect our security.

Mr. President, I support the Senator from South Carolina and I yield to the Senator from Delaware.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. Mr. President, I rise today to support the funding of the President's B–1 bomber program. After considerable thought on my part, I have come to the conclusion that the B–1B is the best alternative available to the Congress if we are to maintain an adequate security posture throughout the world.

I would be the first to admit that this decision was not an easy one. Questions dealing with national security of the United States are extremely complex, particularly when you have to gaze into a budgetary and technological crystal ball in order to try to find the right answer.

The Carter administration, as my colleagues know, strongly opposed the B–1. Although I had doubts then about that decision, I nonetheless supported President Carter and voted against the consideration of the B–1 because I thought it made no sense to waste taxpayers' dollars on a program to which the administration was so opposed.

The Reagan administration has committed itself to the B–1 program, and thus, if the Congress does provide the funds for the airplane, I feel confident that this administration, unlike the Carter administration, will not seek to place any roadblocks in the path of the prompt deployment of the system.

In effect, the Senate is being offered two options.

One, seek to modernize our aging B–52 fleet—many of which are older than the pilots flying them—and hope that the Stealth technology will be developed rapidly, or two, move ahead with the B–1B.

If we choose the B–1 and the Stealth technology develops faster than most experts predict, the B–1 becomes less necessary. But if we gamble on the development of the Stealth and it takes longer than anticipated, then we may have put our country's security in jeopardy.

I simply do not want to play high stakes poker with the security of the country nor do I want to base the foundation of this security on the shifting technological sands that the Stealth seems to offer. Such would be an Alice in Wonderland approach to protecting this country, and I do not think we can afford that kind of course.

In reaching this conclusion, I have considered two basic questions: First, do we really need a manned bomber, and two, if so, what is the best approach?

To the first question I have come to the conclusion that the manned bomber continues to be an important asset to the United States. Strategically, the arguments for a triad of air, sea, and land based nuclear forces are well known, and I subscribe to them. But to me the most important reason for having a manned, penetrating bomber in our strategic arsenal is its recallability. In a faceoff with the Soviet Union, only a manned bomber gives the President of the United States an alternative to the doomsday choice of either launching our strategic missile force, or submitting to Soviet intimidation. In short, only the manned bomber is fail-safe.

Furthermore, the dramatic and relentless expansion of the Soviet military reach to regions far beyond its borders has made it imperative that we retain an effective capability to react flexibly to crises around the world. Only a large, modern bomber can react rapidly and flexibly over great distances.

Now to the question of what manned bomber?

Essentially, there are two principal and viable options. One alternative is to upgrade the B–52 fleet and accelerate development of Stealth technology. The second option is to buy the B–1 and continue Stealth technology at a slower rate. But after listening to the experts, I have

come to the conclusion that the B–52 upgrading approach would be akin to souping up a model-T at tremendous cost and asking it to race in the Indianapolis 500. Even if we took this course, we would still have to replace the B–52 in the 1990's. The B–52 has served as a vital part of our national defense for the past 30 years, but time has taken its toll. These airplanes are increasingly vulnerable because they cannot get off the ground fast enough under attack. Second, soon the B–52 will no longer present a threat of penetration to the Soviet Union. And third, although cost estimates relating to our strategic programs are guesstimates, upgrading and extension of the B–52 is a highly expensive process which in any case still leaves us with a very old plane. Many experts have testified that even a modified B–52 will not be able to perform beyond the 1990's, which may well be before the Stealth plane becomes available. My greatest concern is that by following the upgraded B–52 approach, our country runs the risk of having no manned bomber for a period of years. I do not believe we can afford to have such a gap in our defense posture.

The Stealth system has enjoyed a great prominence in the press recently and has been built up as the great invulnerable weapon of the future. But, despite all the press hoopla surrounding it, the plain fact of the matter is that the Stealth is a high risk technological solution that will not be available until at least the 1990's. Even then, there are questions about its vulnerability and about the kinds of detection systems the Soviets may then have. Furthermore, there is no guarantee that Stealth will have the payload or multirole capabilities of the B–1.

Right now the Stealth is an excellent concept—but concepts cannot protect America. The question could well come down to having something or having nothing. I do not think our country can run this risk.

Thus, I have come to the conclusion that the B–1 offers the best alternative to protect our security in the 1980's and 1990's.

But I cannot take this position without letting the Senate know of my reservations about the huge costs of these weapon systems, as well as the penchant for the actual costs to go way beyond initial estimates. As I have said in hearings before my own Governmental Affairs Committee, I think the Defense Department must find ways to avoid gold plating weapon systems, or else we simply will not have the capability to provide the necessary funds for sufficient numbers of any system.

The Senate today is being asked to play catchup ball. This country has allowed its strategic forces to slide downward over the last decade. We have not upgraded or maintained strategic capability for almost 30 years. The B–1B is a proven aircraft that best meets our Nation's strategic needs for the near future and will serve as a conventional system for much longer. We need to continue our program to develop the Stealth technology but it would be foolish to rely on early development of the Stealth.

Prudence dictates that we move ahead with the B–1 now.

Mr. MITCHELL. Mr. President, I share the view of every other Senator that we must maintain an adequate defense. For that reason, it is of course imperative that the defense appropriation bill be enacted, and I shall vote for it.

But the bill, as reported to the Senate by the Appropriations Committee, is deficient in several important respects. We should correct those deficiencies before we act finally on the bill.

The principal deficiency in the bill is the misordering of priorities.

This bill, while providing much more money for defense than has ever previously been provided, allocates too much to strategic nuclear force programs and too little to conventional force needs. This bill calls for a reduction in the sizes of our Army and Air Force; and a reduction in steaming hours for our fleet in the Persian Gulf. It calls for inadequate expenditures for the basic equipment—such as tanks, trucks, and ammunition—needed by our forces in Western Europe.

In other words, this bill calls for less than we need in those areas where we are already behind the Soviet Union and where conflict is most likely to occur, while at the same time it calls for more than we can afford in those areas where conflict is least likely to occur.

It is a classic case of wrong priorities. The B–1B bomber illustrates this point.

I will oppose funding for the B–1B aircraft. An analysis of three major factors leads me to this conclusion.

First. The first and most important factor involves the mission of the aircraft. The B–1B is a long range penetrating bomber. It is designed to enter enemy airspace at very low altitudes and to deliver nuclear warheads to predetermined military, industrial, and population targets.

Such entry is only possible as long as the Soviet Union, our probable adversary, does not possess an in-the-air radar which can look down, distinguish enemy aircraft from ground clutter, and direct a coordinated attack against the intruder.

The United States possesses look-down, shoot-down radars. They are, for instance, deployed in the AWACS. The Soviet Union possesses no such system, but is working diligently toward developing one. This development effort, we are told, will reach fruition late in this decade. Once this milestone is reached, no manned bomber, except the deceptive advanced technology bomber (Stealth), will be able to enter Soviet air space and be confident of returning again.

The Secretary of Defense, Mr. Weinberger, in congressional testimony, has confirmed that the B–1B will not be able to penetrate Soviet air space after 1990.

On November 5, before the Senate Committee on Armed Services, the Secretary stated:

> The simple fact is that the information I have, the Department has, on which the decision was based, was that it would be no longer safe to utilize the B–1 as a penetrating bomber after approximately that year (1990) if the Soviet rate of development does continue at the rate we think it will.
>
> If their radars do not solve problems that we think they can solve within that time, we may have another year. I don't know. I think there is no question whatever that we will not be able to use the B–1 as a penetrator after 1990.

Although Secretary Weinberger sought subsequently to push this date further into the future, the fact remains that since the B–1B will not be deployed until 1987, it will have a very short life as a penetrator.

The administration argues that the United States should add the B–1B to its inventory because the B–52, its existing strategic bomber, is very old. Pentagon officials argue that the B–52's design is of late-1940's vintage, and that the most recent B–52's in our fleet came off the production line in 1962.

In my judgment, our discussions should not focus on the age of our present manned bomber, but on its capabilities and the degree to which it can meet the challenges for which the United States must be prepared.

We should be looking ahead, not behind. We should ask ourselves what capabilities the B–1B gives us which we do not already possess. We should calculate whether the benefits provided by the new aircraft are worth its costs—especially in light of other effective weapons which are known to exist.

The administration has done everything it can to deemphasize the fact that the B–1B's life as a penetrator will last only 2 or 3 years. It does not point out that this past June the Secretary of the Air Force provided the Secretary of Defense with information establishing that the B–1B's capability to penetrate begins to degrade well before the Air Force and DOD now are claiming.

To strengthen its case for the B–1B, the administration deemphasizes the fact that B–52G's and B–52H's, when armed with cruise missiles, will be able to shoot and penetrate well into the next decade.

Furthermore, in order to bolster its case for B–1B, the administration has decided to juggle previously established cost estimates and program schedules for related systems.

Take, for instance, the date by which the Stealth aircraft is supposed to be initially available for deployment. Last year, the Air Force said the date was 1990. This year, the Department of Defense tells us that it will be considerably later and that, as a consequence, the B–1B is even more necessary as an interim solution to our strategic bomber problem. When one notes that the Northrop Corp. claims it can produce a first Stealth by 1987, DOD's present timetable and motives are certainly suspect.

Administration spokesmen go so far as to suggest that the B–1B should serve as a conventional bomber when its ability to penetrate lapses. This point does not enhance their case; it diminishes it. If the B–1B is to function for the greater part of its service life in a conventional role, should we not consider other, less expensive aircraft which perform conventional tasks? We must not forget that the United States can purchase seven F–15 fighters or 14 F–16 fighters for the $205 million which the administra-

tion claims each B–1B will cost. Should we not evaluate whether existing aircraft costing less might not suffice? Do we not have a responsibility to compare the capabilities of such aircraft with the B–1B?

The B–1B may be a great aircraft, but it does not meet America's needs at this time. Its enormous cost simply cannot be justified by its short-lived role as a penetrating manned bomber.

Second. The program's cost is the second major factor which the Senate must take into account. Earlier this year, administration officials suggested that a B–1B production program could be undertaken for less than $10 billion. The Secretary of Defense now cites a price tag of $21 billion for the fleet of 100 B–1B's which the Air Force desires to have "combat-ready" by 1987. This figure does not reflect the probable inflation which will occur over the next 6 years. When inflation is reflected, the official estimate climbs to $28 billion.

The Congressional Budget Office, in a report released on November 9, says that even the Pentagon's highest figures may understate by $12 billion the actual cost of the weapons system. According to CBO, $39.8 billion is a more realistic estimate. This figure includes inflation during the production period, the cost of the bomber itself, and the amount which would be required to give the aircraft a cruise missile carrying capability, and necessary communications equipment.

For fiscal year 1982, the Congress is being asked to fund the B–1B program at a level of $2.4 billion. Of this amount, approximately one-half billion will finance research and development efforts, and the remainder will be dedicated to procurement.

How can we, in good conscience, pay so much for so little in return? I support a strong national defense, and increased spending to achieve this objective, but I cannot defend spending precious defense dollars on strategic systems which provide only marginal benefits while our conventional force readiness declines.

Our conventional force deficiencies are many. We have a responsibility to rectify these deficiencies, and to do so soon. To ignore them while we spend billions of dollars on the production of new sophisticated strategic weaponry is to invite further problems, to endanger our national security, and to undermine the confidence which our allies have in us.

I am concerned about the broad scope of our conventional problems. These problems range from underfunding for support activities necessary to insure that we get the full benefit of new weaponry, to cutbacks in so-called steaming-time for U.S. naval vessels in the Indian Ocean. Accordingly, during consideration of this bill I have supported funding levels above those recommended by the Committee on Appropriations for:

The purchase of four KC–10A tanker aircraft which will help rectify the present Air Force tanker shortfall. This shortfall threatens to seriously hinder U.S. force projection in the Persian Gulf and Indian Ocean. An addition of $220 million.

More hours in "steaming" time for our Navy. An addition of $73 million. Both President Reagan and former President Carter emphasized the importance of the Persian Gulf area's oil supplies. The value of this resource was voiced repeatedly during the Senate debate on AWACS. We are told that friendly states in this area are in danger. And yet the President's budget and this bill fails to provide the funds necessary for Navy carrier force task groups to carry out their missions there.

If the security of the Persian Gulf/Indian Ocean region is in jeopardy, we should depend on the U.S. Navy, not the Saudi Arabian Air Force, to keep the peace and promote stability. The Navy cannot do its job without the funds it requires to operate its vessels.

The purchase of ammunition which our Armed Forces personnel require if they are to be both adequately trained and sufficiently ready for all possible defense contingencies. An addition of $148 million.

Maintaining present Air Force and Army personnel levels. An addition of $77 million. The committee's bill would force a reduction in personnel.

Army force modernization which will let us get our full money's worth from new weapons entering our inventory. An addition of $60 million.

Just last week, President Reagan vetoed a continuing resolution approved by the Congress. He subsequently ordered the entire Federal Government to cease operations. He did all this because the continuing resolution was about $2 billion greater than he desired. In light of this recent executive branch action, and the continuing pressure to restrict spending and to devote attention to the deficit, I do not see how we can rationalize committing ourselves to an aircraft program which will cost close to $40 billion, especially when the planes involved will be used only a few years in the primary role for which they were designed.

Third. The third and final factor which the Senate must consider involves possible alternatives to building and deploying this expensive system. One alternative is to continue to upgrade the B–52. According to structural engineers who have tested the B–52 at Boeing Aerospace Corp., the fuselage of the aircraft remains strong, and will retain its durability for many more years—perhaps even into the next century. In the early 1990's, when, by Secretary of Defense's own admission, penetration of Soviet air space will be impossible. B–52's will be able to serve as stand-off launchers for cruise missiles (ALCM's). According to Air Force Chief of Staff, Gen. Lew Allen, on February 6, before the Senate Armed Services Committee:

> The Air Force position remains that B–52's will provide us with an effective cruise missile carriage capability well into the 1990's.

Over 3,000 of these cruise missiles will be ready for deployment by the time Soviet radar technology renders vulnerable the manned bomber in a penetrating role.

With adequate funding and sufficient Pentagon attention, a Stealth bomber may be ready for deployment by 1989 or 1990. This new generation of aircraft, by using advanced electronics, certain structural shapes, and new materials, should be able to evade radar detection. The Reagan administration has acknowledged its desirability. Indeed, the administration's present strategy calls for an accelerated development of Stealth, as well as the conversion of 150 B–52's to cruise missile carriers between now and 1988. For this development and conversion, the cost will be $62 billion in constant 1982 dollars. The total cost of the Stealth program is now estimated to be in the $30 to $40 billion range.

I favor an even further acceleration of the advanced technology bomber. That is why I supported Senator BYRD's amendment to increase funding for the Stealth development program. Moreover, I believe that Members should heed the concern expressed by Strategic Air Command (SAC) Chief, Gen. Richard Ellis, who last year in a letter said:

> Opting for the B–1 at this time could preclude procuring a more advanced aircraft available by 1990. What makes this a legitimate concern is the B–1 technology is representative of the late 1960's or maybe 1970, and that aircraft could become obsolete in the nineties as a strategic penetrator.

When all the acronyms and all the differing cost estimates are put aside, the B–1B issue comes down to a single question: Will the B-1B provide the United States between 1987 and 1989 with an increment of security sufficient to justify its large price tag?

The answer, in my judgment, is that it will not.

For the next 3 or 4 years, we can rely on the B–52 as a penetrating aircraft. As it becomes obsolete in this role, we can convert it into a launcher for low-cost, but highly effective, cruise missiles. Concurrently, we can accelerate the development of the Stealth, which will give our country the opportunity to resume for many years our capability to strike strategic targets in the Soviet Union with a manned bomber.

This combination, along with improvements in our conventional force readiness, will give us the most efficient defense capability possible.

Mr. STEVENS addressed the Chair.

Mr. HOLLINGS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Did the Senator from South Carolina want to speak?

Mr. HOLLINGS. I want to put some things in the RECORD here.

Mr. STEVENS. I yield the floor.

Mr. HOLLINGS. Mr. President, maybe we ought to get the yeas and nays on the amendment, I ask the Senator from Alaska. Does that suit him? I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the distinguished Senator from Maine (Mr. MITCHELL) be included as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLINGS. Mr. President, the

distinguished Senator from Georgia was talking earlier about his fears relative to the cost and how they may be inflated in the outyears.

Let us look at the Office of Management and Budget composite and purchase inflators, that are used by the DOD in cost estimate and let us look at the CBO inflation. I also have had some defense deflations developed based on economic projections compiled by the Senate Budget Committee minority economist.

I ask unanimous consent that a table identifying these inflators be included in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

DEFENSE INFLATORS—HOLLINGS, CBO AND OMB

	1981	1982	1983	1984	1985	1986
OMB purchase:						
Budget authority	9.2	7.2	6.2	5.6	5.0	4.7
Outlays	9.8	8.4	7.0	6.4	5.4	5.0
OMB composite:						
Budget authority	11.2	8.7	6.7	6.0	5.3	5.0
Outlays	11.4	9.6	7.3	6.6	5.7	5.3
CBO purchase:						
Budget authority	10.6	8.7	8.2	7.9	7.6	7.5
Outlays	11.2	9.1	8.4	8.2	7.8	7.5
CBO composite:						
Budget authority	12.0	9.7	7.9	7.6	7.2	7.0
Outlays	12.3	10.1	8.1	7.8	7.3	7.0
Hollings purchase:						
Budget authority	10.8	9.2	9.3	9.0	8.9	8.6
Outlays	11.2	9.3	9.6	9.0	9.3	8.6
Hollings composite:						
Budget authority	12.1	10.0	8.7	8.3	8.0	7.7
Outlays	12.3	10.2	8.9	8.3	8.3	7.7

Mr. HOLLINGS. Mr. President, the purchase inflators used by OMB for 1982 7.2 percent and by 1985 they calculate just 5-percent inflation. That would be a happy day—a delightful situation. Can you imagine that, a 5-percent inflation rate by 1985? That is the way you get to cost overruns. You start the program, based on overly optimistic inflation and by hard, bitter experience there again goes the commencement of a cost overrun. Why? Because we have taken a very, very expensive weapons system and projected its costs into outyears, and what do we use? A totally unrealistic inflation figure.

I want to include these inflations so that my colleagues can see and know at the time of the vote exactly what they were doing. They are building up a cost overrun.

Now, Mr. President, with respect to the CBO estimates of the B–1, they have been referred to as overinflating the B–1 costs.

I ask unanimous consent that a letter dated November 6, 1981 to the distinguished ranking minority member, the Senator from Wisconsin (Mr. PROXMIRE) from Dr. Alice M. Rivlin be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL BUDGET OFFICE,
Washington, D.C., November 6, 1981.

Senator WILLIAM PROXMIRE,
Senate Appropriations Committee,
Dirksen Senate Office Building.

DEAR SENATOR PROXMIRE: In response to your request the Congressional Budget Office (CBO) has reviewed the investment (procurement and research development) costs of the B–1 bomber and assessed the impact of potential inflation on the program. Our estimate includes the total acquisition costs of the baseline bomber; the four major additional items that the Air Force has requested the contractor to examine; and, as you requested, the items GAO has indicated should also be included in the cost of the B–1.

The baseline costs of the 100 bomber program as provided by the Air Force are, $19.7 billion (in constant 1981 dollars). In addition, the Air Force requested the prime contractor to examine four major items that may be included in the final contract. These four items are rear bomb bay enlargement, permissive action link/command disable system, air-launch cruise missile (ALCM) carriage, and ALCM avionics. The Air Force estimates that these additions to the program would cost $1 billion (in constant 1981 dollars).

As you requested, we have also analyzed the major investment items that the General Accounting Office (GAO) has indicated should be included in any cost estimates of the B–1. The GAO identified these items under three broad classifications: (a) questionable reductions, (b) expenses in other program elements, and (c) potential additions. These items are shown in Attachment 1.

The identified cost for all GAO items is $5.5 billion (in constant 1981 dollars). For several of these items, including operational and electromagnetic pulse testing, conventional weapons certification, a fuel tank inerting system, low and very low frequency communications, and improvements to offensive and defensive systems—the GAO was unable to obtain basic cost estimates.

We have therefore, not included estimates for these items in this assessment. Also, in estimating contractor support and nuclear weapons certification, the GAO anticipated a range of $1 billion to $2.8 billion; in this assessment we have used the mid-point of the GAO range for these two items.

After applying CBO's inflation rate assumptions to the full range of program costs discussed above, we estimate that B–1 investment costs will be $39.8 billion in then-year, or budget, dollars. With the Administration's inflation rate assumptions, the comparable cost would be $35.4 billion.

Attachments 2 through 5 provide year-by-year estimates of budget authority, using both CBO and Administration economic assumptions, for the baseline bomber (Attachment 2), the four options for which the Air Force requested contractor proposals (Attachment 3), the various items the GAO has indicated as being appropriate for any B–1 cost estimate (Attachment 4), and a summary of the total program costs (Attachment 5). Attachment 6 provides a year-by-year comparison of estimated budget authority and outlays for the total program.

These estimates, it should be noted, are for investment costs only; they are not life-cycle costs. They do not reflect the costs of operating the B–1 once it is in the Air Force inventory. Nor do they reflect the possible costs of other weapon systems to enhance the capability of the B–1 such as a new short range attack missile or a new tanker for aerial refueling.

I am sending an identical letter to Senator Leahy and a copy to Chairman Hatfield. If your staff should have any questions concerning these estimates or the attachments they can contact Mr. Patrick Renehan of our Defense Cost Unit at 226–2840.

Sincerely,

ALICE M. RIVLIN,
Director.

ATTACHMENT 1: ADDITIONAL ITEMS IDENTIFIED BY GAO

(*In millions of constant 1981 dollars*)

(Subject, cost)

Questionable Reductions:
Engineering change order budget, $440.
Change in avionics learning curve, $100.
Change in airframe learning curve, $500.
Reduction in avionics production estimate, $86.
Consideration for multiyear procurement, $800.
Transfer of engine component engineering development to component improvement account, $40.
Deferral of air vehicle depot support development, $300.
Expenses in other program elements:
Operational test and evaluation, no estimate.
Engine component improvement program, $115.
Conventional weapons certification, no estimate.
Interim contractor support, $500–$2,000.
Production facilities improvement, $71.
Manufacturing technology enhancement, $170.
Base facility improvement, $173.
Nuclear weapons certification, $500–$750.
Potential Additions:
Second inertial navigation system, $220.
Forward looking infrared sensor, $125.
Simulator development and procurement, $337.
Full scale fuselage fatigue testing, $140.
Fuel tank inerting system, no estimate.
Electro-magnetic pulse testing, no estimate.
Low frequency/very low frequency communications, no estimate.
Hardware, testing, electronics and support for additional weapons, no estimate.
Future improvements to avionics, no estimate.

The tables are printed earlier in today's RECORD.

Mr. HOLLINGS. Mr. President, anyone can quickly see from this document what it included. Let me quote:

As you requested, we have also analyzed the major investment items that the General Accounting Office (GAO) has indicated should be included in any cost estimates of the B–1. The GAO identified these items under three broad classifications: (a) questionable reductions, (b) expenses in other program elements, and (c) potential additions. These items are shown in Attachment 1. The identified cost for all GAO items is $5.5 billion (in constant 1981 dollars). For several of these items, including operational and electromagnetic pulse testing, conventional weapons certification, a fuel tank inerting system, low and very low frequency communications, and improvements to offensive and defensive systems—the GAO was unable to obtain basic cost estimates. We have therefore, not included estimates for these items in this assessment.

I state that this is not an inflated CBO estimate.

Reading further:

These estimates, it should be noted, are for investment costs only; they are not life-cycle costs. They do not reflect the costs of operating the B–1 once it is in the Air Force inventory. Nor do they reflect the possible costs of other weapon systems to enhance the capability of the B–1 such as a new short range attack missile or a new tanker for aerial refueling.

So this is not just one of those big add-ons by the Congressional Budget Office, as it was earlier referred to. And let me state the reason why this CBO estimate was made. Incidentally, it was the distinguished President of the United States who referred to Alice Rivlin in his speech on September 24 and while he cited her as splendid authority in the latter part of September, she suddenly became an inflated authority by November 6 when the CBO B–1 estimate was published.

The fact of the matter is she has done the best objective job that the Congressional Budget Office can perform.

Mr. STEVENS. Mr. President, will the Senator yield at that point?

Mr. HOLLINGS. Yes.

Mr. STEVENS. It ought to be clarified to put this CBO program in perspective. Those estimates were based upon General Accounting Office numbers. The General Accounting Office by its own definition was using preliminary numbers. When we asked them to come and testify before our committee to defend their numbers they had provided the CBO, they said they did not wish to do so because they had only used preliminary estimates. The Department of Defense had pointed out that many of the GAO estimates assume weapons systems or modifications not actually planned by the Air Force.

The DOD's $20.5 billion estimates include a cruise missile tarriage, one of the costs counted as an add-on by GAO, for instance. It is just not possible to be fair in comparing the GAO original numbers, which were preliminary estimates, and the CBO report based upon that preliminary estimate and the Department of Defense's estimate, which is a firm figure based upon the items that are actually in the B–1B package.

I have been one of those who have defended Miss Rivlin, defended CBO as a function of the Congress. But, in this instance, the estimates were made upon GAO estimates that were prepared in an admittedly preliminary fashion. And when we asked them to come and defend them, the GAO did not want to do so because they had pointed out to us that they were preliminary estimates. They were also estimates that did not take into account the same items that the Department of Defense has included in the firm figures that had been given to us that led to the $20.5 billion that is the 1981 cost for the B–1B.

Mr. HOLLINGS. Mr. President, the distinguished Senator from Alaska has made his statement, but that is not necessarily the case. The GAO may not want to testify, but we have taken the tables and we have reviewed these same factual figures. We have checked it with staff familiar with these things.

The difference between CBO, GAO, and DOD really is what is to be included on the bomber. There are certain things in the estimate that CBO included that the DOD says would not be included. Well, my experts think they will be. We did not include them all.

I was speaking to the objectivity of the estimate. I will use another quote from the letter.

> In estimating contractor support and nuclear weapons certification, the GAO anticipated a range of $1 billion to $2.8 billion; in this assessment, we have used the midpoint of the GAO range for these two items.

CBO tried to be as objective as they can. They know any time they send us a report that it is going to be picked apart, so there is no casual, indefensible kind of estimate made by the Congressional Budget Office. On the contrary, I think it is right on target. And we will all come around and watch it go up, up, up, and away.

My friend from Alaska and my friend from New Hampshire talk about the B–52 costs. They continually and naggingly again and again come and give B–52 costs for operations between 1990 all the way up to the year 2000. But no one contends that scenario. No one contends that the B–52 will be the only bomber until 2000 or forever.

Now, the B–52, Mr. President, is a very capable plane. We have never contended it beyond the mid-nineties.

Dr. Perry said it is good for 10 to 15 years, minimum. That was not maximum. Good for 10 to 15 years minimum.

I ask unanimous consent that the testimony of Dr. Perry before the Armed Services Committee in early November be printed in the RECORD so there be no misunderstanding of the facts regarding the bomber issue.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

STATEMENT OF DR. WILLIAM J. PERRY, FORMER UNDER SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING

Dr. PERRY. Thank you. After that introduction, I think what I am going to say will be an anticlimax.

I am here today not to criticize the Administration's defense program. I must say in all candor that there are many aspects of this defense program that I am strongly supportive of. In particular, I applaud the increased emphasis on defense which has come with this Fiscal 1982 Budget.

Nor am I here to defend the programs proposed by the last Administration. Even though I helped formulate them and believed in them, I did not defend and do not now believe they were unique solutions to problems facing the country. They were reasonable but not unique solutions.

What I will try to do is give an objective assessment of specific programs in the President's proposal. What I proposed to do is, just as quickly as I can, cover each of the five major programs and give you a brief summary assessment and then go back and talk as much as you would like about any one of them, or two of them, in which you have special interest. Any one of these five programs is worthy of an hour or two of discussion. I will try to give a minute or two to each of them and then we can go back to them.

COMMAND, COMMUNICATIONS AND CONTROL, C3

First and I think in some ways the most noteworthy in the proposal was the so-called C3 guidance programs. That is often put at the bottom of the list. I would like to bring it up to the top and say that that is a fine proposal. I hope that the Senate will support that proposal. It will give us increased confidence in our ability to transmit an emergency action message if necessary, and it will give us a decreased probability of being put in a position where we may be subjected to a false alarm.

Both of those, I think, are very important to the country's, indeed the world's, security. So I applaud that program and I urge the Senate to support that program. I will put two caveats on it, though:

First of all, I think you would be mistaken if you believed that that program, even at its full level, would put this country in a position where we could confidently go on a launch-under-attack posture. I do not believe that program or any program we could conceive of would put us in a position where being dependent on launch under attack is a safe position to be in.

Secondly, I believe you would be misled if you believed that that program would give you what is sometimes referred to as enduring warfighting capability in the presence of nuclear detonations. I do not believe the program would have that kind of capability. So I do want to applaud that program and recommend support for it, but I would think it is important not to be misled about what it can or cannot do.

TRIDENT II MISSILE PROGRAM

Thirdly, on the Trident II programs, also I think it is a program well worth your support, for two reasons—and sometimes these reasons get mixed up:

First of all, it is a very cost effective measure; that is, given the tremendous expense of building and operating Trident submarines it is foolish not to put the full capability of weapons in those submarines and, depending on what is actually achieved in the Trident program, we can get probably a 75 percent, on the order of 75 percent, increase in capability per Trident submarine by having Trident II missiles instead of Trident I missiles in it. So that is one very obvious benefit. I think the program can pay for itself just on that basis.

There is a second point as well, and that is, we can alternatively deploy the reentry vehicles in Trident II to have an improved performance capability. Instead of building lots of warheads equivalent to those on the present Trident I missile, we could put a fewer number of warheads equivalent to those now on the Minuteman III. Effectively then, we could make the Trident II into a missile where each of those warheads would have a Minuteman III capability in terms of nuclear yield and accuracy, but which would have perhaps twice as many warheads as the Minuteman III. So it could give to our most survivable components of our strategic forces a capability equivalent to what we now have in the Minuteman III force. That, in itself, is a capability which I think would be worth achieving.

I will go from the Trident II program to the MX.

MX MISSILE

I am sure it is no surprise to this committee when I say that I was disappointed at the solution that is proposed to the MX basing problem. I believe—and I testified to this committee many times—that the Minuteman vulnerability problem is real. I submit to you that the solution is unacceptable, in my judgment. I have read several reports describing why that is a good solution. The burden of the argument is that by superhardening the silos you make the problem of destroying them harder for the Soviets, you require them to develop a new guidance system and therefore you are buying time.

I submit that is simply not correct, that the Soviets presently have missiles which are capable of destroying those silos. All they have to do is make their large, single RV warheads with the accuracy that they have presently demonstrated on the Missiles, and they have a superhard silo-buster.

I make that statement irrespective of how hard we make the silos. The technical issue of whether they can be made harder, 3,000, 5,000 or 10,000 psi, is an interesting technical issue but it is irrelevant. The Soviets now have the capability where they can deliver the missiles with sufficient yield and sufficient accuracy so that the silo will be encompassed within the crater of the fireball, in which case hardness is quite irrelevant.

So, I believe that the superhard silos is not a solution to the problem. At most, it requires the Soviets to target those relatively few silos with single RV missiles rather than multiple RV missiles. Superhardening could increase the cost to the Soviets attacking our silos if we did it with many, many silos, if we did it with thousands of them, but not doing it with 36 or 50 or 100. It is a negligible impact on the Soviet war-planner.

I made a strong statement about that be-

cause I believe that is an accurate assessment of the problem.

My recommendation to the Congress is simple, which is, that you reject that proposal.

CRUISE MISSILES

To go from the MX to the so-called air-breathing fleet, the cruise missile program is proposed to be continued. It won't surprise you to know that I endorse that and urge you indeed to continue that program.

B-52 MODERNIZATION

I was disappointed to see the B-52 improvements being dropped. I think that is poor economy. I think that is poor economy whether or not you proceed with the B-1. I would like to make a little plug for the B-52 while I am sitting here, because sometimes in our interest in getting a replacement airplane we have not given the B-52 sufficient credit. It has an outstanding range capability which is one of the major ways you can measure the effectiveness of the bomber.

It also has, according to the best information that was available to me when I was in the Defense Department, probably a useful life of another 10 or 15 years minimum, based on the Air Force's follow-the-fleet program of estimating. We think of it as an old airplane, but we forget about the fact that it does not get flown very often; while it is an old airplane, it does not have many miles on it, so to speak, and it still has a long, useful life.

But to really get operational utility out of the airplane, one has the replacement of the old, unreliable electronics in it. That is what the B-52 improvement is, so whether or not you proceed with the B-1 program, the B-52 has very fine capability and it should be maintained, and whether it is maintained in the strategic forces or the conventional forces can be determined, but in terms of its range, payload, capability, it has it; it has it better than any other airplane that is in the force today, and it will maintain that capability for another 10 or 15 years if it is properly maintained.

B-1 BOMBER

Relative to the B-1, I have mixed feelings on the subject, and I will not give you a clear, unequivocal recommendation. When the program was cancelled in 1977, the reasons which dominated our thinking at that time were that a look-down/shoot-down missile capability was evolving in the Soviet Union and that the B-1 would not be capable of penetrating against that kind of defense. We also believed that a cruise missile was an adequate solution to that problem and we even had Stealth as a gleam in our eyes at that time, but not much more than that.

Where do we stand today vis-a-vis that estimate in 1977?

First of all, the look-down/shoot-down capability which we were projecting in 1977 has, in fact, materialized and at about the rate that we estimated.

Secondly, the cruise missile program which we believed would be a successful program has turned out to be a successful program and, in fact, has demonstrated its ability to penetrate the kind of systems that I projected to you.

Third, the gleam in our eye has solidified into something more impressive, so one might argue that the basis for the decision in 1977 is even stronger in 1981.

I would submit, however, that the B-1 that is being proposed in this budget, the so-called B-1B, is a different airplane than we were considering in 1981, and it does require different consideration.

The two factors that are most significant is that there will be some modest reduction in radar cross-section, which is a plus in terms of ability to penetrate; and, secondly, there will be a new and improved ECM system designed for the airplane.

Let me comment that if the B-1 program goes ahead, I think it is mandatory that those two changes be made in it, because those are the only two that give it any capability of dealing with modern air defenses, in my judgment.

Now, one should not be misled into thinking that the improvement in cross-section with the B-1 will be sufficient to allow it to defeat the look-down/shoot-down missile which we see as a threat; it just makes that job somewhat more difficult.

Without quoting specific numbers that are being projected, let me hypothesize numbers, namely, that if we could achieve a tenfold reduction in cross-section or a ten decibel number as electronic engineers say, if you could get approximately a two-to-one reduction in range of the missile system, you have just made the defensive system that much more difficult if his engagement envelope is reduced by a factor of two. That is what a reduction in radar cross-section can do for that airplane.

In addition to that, an ECM system is being postulated which is believed to be capable of dealing with the Soviet radar. I will be happy if you would care to discuss this in more detail in closed session.

All I will say in open session is that any countermeasure system, any electronic countermeasure system, does not provide an absolute high confidence defense and is subject to counter-countermeasures; therefore, while I just spent a fair amount of my career in the analysis and design of electronic countermeasure systems, I would not want to ever suggest that the confidence of the success of a weapon system should rest entirely on ECM. We may be dangerously close to leaning on that lead almost exclusively.

Now, having said that, let me now further argue that however the ECM counter-countermeasure struggle comes out, the B-1B will be extremely useful as a cruise-missile carrier, certainly not optimum but as a future cruise-missile carrier. Second, it will be useful, maybe close to optimum, in a nonnuclear engagement in a conventional war. In many ways, that is the way the airplane ought to be considered, as to what contribution it can make to our conventional warfighting ability.

In summary, on the B-1B I do not take the position that some of its detractors have taken, that the B-1B is a "turkey", which is a cliche which has been used. I think it is a fine airplane and I think it has real capability in conventional warfare, but I do not believe we should delude ourselves into thinking it is a high confidence penetrator of sophisticated, modern air defenses that will be in the Soviet Union in the late 1980s and 1990s.

I would not care to engage in a guessing game as to what is the year at which the B-1B will no longer be effective. No one can say that with any confidence in this country or in the Soviet Union. It depends on the vigor and skill with which the Soviets pursue counter measures five, six, seven, eight years from now. That is an extremely difficult issue to project. I have heard figures that its lifetime would probably last until 1990. I would not argue with that figure, but I could make a case a few years earlier or few years later, depending on how optimistic or pessimistic I want to be about Soviet reactions. It does depend on the countercountermeasure reaction.

I would sum up my views on the B-1B by saying that at the time of the spring budget submission I was reasonably sanguine about it, that I thought within the size of that budget it was a reasonable judgment of priorities.

When I look at the fall budget, with reductions that have been made in the fall budget since then, I take a different view on it. All I am doing is giving you my own subjective view of priorities. I would have not placed this program on as high a priority for readiness when it was cut out in the spring and fall budgets. I would not place it at as high a priority as the Roland missile which was cut out.

Given a choice, I would have bought more tactical airplanes, more F-15s and F-16s. So, to me, it is not a black and white issue; it is a priority judgment issue.

My priority judgment would be to put more emphasis on tactical forces, more emphasis on readiness in lieu of that; but that is a judgment call.

BALLISTIC MISSILE DEFENSE, BDM

I think a final statement that I would make would be on the ballistic missile defense. That was not a major part of the President's proposal, but he mentioned almost parenthetically that one would be looking at BMD as a possible defense for either presumably the superhardened silos or perhaps Minuteman.

LOAD SYSTEM

Just a brief comment on the status of LOAD system. The last time I made a careful evaluation of it, I believe that it was or could be designed to be capable of extracting a two-to-one or perhaps a three-to-one cost from the Soviets wanting to attack our silos, that is, we could require them to expend two or three RVs instead of one RV to have any confidence they could defeat the silo.

I have never seen the evidence which would suggest that we could with confidence extract any higher cost, four or five or six to one cost; therefore, the question on BMD, the question of LOAD system, in my judgment, is not whether it works or does not work. I have reasonably high confidence you could shoot down the first RV and maybe the second. The question is, will it work in the defense of a thinly deployed system? Will it do you any good in defending 36 silos or 50 silos or 100 silos? In my judgment, the answer to that is no.

That is a different question than asking whether LOAD would be useful in defending 4,000 or 5,000 silos. Now, you drive the cost up to unacceptable levels in trying to mount an attacking system, so I suggest if we are thinking of BMD, until or unless someone can present a way of a BMD system operating in a nuclear environment, whether three or four or five or six interceptors being engaged within a short period of time, the way to think about it then is simply what kind of cost to extract, and my best estimate now is that there is no reason to be optimistic it can extract any more than three to one cost in RVs if we have to look at how many silos are being defended before you can assess whether that is a negligible or important improvement in survivability.

In a sense then, the BMD issue is like the superhard silos: What it does is extract somewhat higher cost from the offense; it does not defeat it. The cost is proportional to how many silos are being built. In a thinly deployed system of 36, 50, 100, you are hardly likely to get benefits from those systems once you consider superhardening of BMD systems in the context of major deployment of several thousand.

Senator Warner, that summarizes my views on these issues. I will be happy to entertain questions on any points I have made.

Senator WARNER. I will proceed quickly to ask a few questions, and then defer to my colleagues.

Recently in the Armed Services Committee, we have sought and pretty well received now a clarification of the alternatives to be considered in 1984 on the basing alternatives. That clarification now provides the Administration will look at deceptive basing in combination with BMD. I am not sure you are aware of that fact.

Dr. PERRY. Yes, I have heard that was being considered.

Senator WARNER. Does that alter in any way your most recent comments here?

Dr. PERRY. No. I would rephrase it in a different way, namely, that the effectiveness of the BMD system will probably be three times the number of apparent targets. I think that covers both the single-silo deployment and the deceptive-silo deployment. Therefore, the advantage of deceptive basing is simply to give you a leverage, a number qualified by this three, without necessarily building any more missiles.

That is one of the reasons we entertain it is a reasonable consideration as part of a multiple protective shelter system, because here the number we were multiplying was 4,600. You multiply that number by three and you get a very different result.

I am not suggesting that it is not possible to design or build an ABM system that would give you a higher multiple factor of three.

Senator WARNER. The Stealth program, the rate at which it can be brought in, at the present the Administration is representing that the milestones, the R&D milestones, engineering development milestones, will be the criteria and not budgetary considerations. Do you agree that that is a proper way to pace the development of the advanced technology bomber?

Dr. PERRY. The program, all the time I was associated with it, was paced by engineering milestones—I guess that is a way of putting it—not by budgetary considerations. My own belief was that the program gives a high enough leverage capability to our military forces, and that is the way it ought to be structured.

I would think, again, it would be poor economy to be slowing down that program on the basis of budget. You can still have—even if you decide you are going to pace it on engineering milestones—you can still have honest disagreements among the technical people about which is the most prudent way of pacing those milestones.

Senator WARNER. Within that framework?

Dr. PERRY. Within that framework.

Senator WARNER. Have you had an opportunity to examine the funding profile for the ATB through Fiscal Year 1982–1983 and is it sufficient, in your judgment?

Dr. PERRY. I have not, Senator Warner.

Senator WARNER. If you have that opportunity, if you can make that information available, because I would very much want to have your views on that——

Dr. PERRY. Yes, I will.

(The information follows:)

Committee insert.

Senator WARNER. You opened up with comments on the C3 system, yet I gained the clear impression that you felt that the program as announced by the President, which in a sense was an augmentation of an earlier enhancement this subcommittee had initiated in the 1982 cycle, that that program will not have an enduring characteristic and certainly not a launch under warning.

Is it possible to design such a system to meet those two goals?

Dr. PERRY. No, I think the program is as fine a program as is possible to design. What I am expressing more is the generic reservation that an intelligence system, a warning system, by its very nature, has to operate within line of sight of its targets. In the case of a system that is warning of missile launch from the Soviet Union, it has to have line of sight to the Soviet Union, which means, conversely, the Soviet Union has line of sight to our warning system.

Our communications system by its very nature, when it is operating, cannot be in deep holes in the ground, cannot be covered with concrete. You can put antennas in deep submerged silos but they are not operating, so for the purpose of an emergency action message, for the purpose of having communications and warning against surprise attack, an important part of your communications system has to be exposed in order to function. That means they are going to be susceptible to attack.

For those technical reasons, one should be leery about the long-term survivability of the elements of your warning system and communications system.

About the only way of achieving that kind of survivability is by deceptive basing. Since you cannot harden them effectively, and since you have to expose them, you can try to be deceptive about how they are based, and that gives you some margin of safety there.

The other factor is one which is very difficult to quantify. Nobody really has a very good assessment of how the human factors, human links, in this communications and warning system will operate the second day, the fifth day or the tenth day of a prolonged nuclear war, what the psychological reaction of people may be, how well the command system would operate if the top six layers of the command were missing.

Those are largely imponderable issues. For those technical reasons, and I guess you can say psychological uncertainties, I only suggest that it is not possible to have any real certainty as to how your command and control intelligence system operates one week or two weeks into a prolonged nuclear exchange. One should not expect too much out of it in that regard.

Senator WARNER. Thank you very much, Dr. Perry.

Senator Nunn?

Senator NUNN. Dr. Perry, you are unequivocal in your expression of opposition to the funding of a hardening of the silos for a place to deploy MX; is that correct?

Dr. PERRY. That is correct.

Senator NUNN. President Reagan seems to be equally unequivocal in his opposition to the MPS basing mode, so if we take those two givens, that the President's new program simply will not do the job, as you put it, and that he is not going to go back to the MPS system, and if you were faced then with those two givens, would you vote to fund the MX missile and bet on the probability of discovering some new basing mode that would be adequate?

Dr. PERRY. I am happy that I am not going to be confronted with that decision.

Senator NUNN. That is the very decision we are going to have to vote on next week——

Dr. PERRY. I don't have any confidence——

Senator NUNN. Or two weeks.

Dr. PERRY. I don't have any confidence that any of the three longer-term basing systems that are being studied will produce anything that will be any better, so I guess that would lead me to the conclusion then that would make me skeptical about spending the money to build the missile if I did not believe I could get a satisfactory way of basing it.

If I felt that way, which is my inclination, that would certainly motivate me to put the maximum resources and the maximum priority in the Trident II program and to include in the Trident II program, in addition to the Trident I type of warhead, a larger, highly accurate warhead option, so that you would have ICBM-type capabilities onboard a submarine force.

Even proceeding with the Trident II program, you have, first of all, an option on how much emphasis you put on it and what kind of schedules you get out of it; and, secondly, you have the option of whether you continue it in the Trident I mode with relatively small and relatively less effective warheads, or whether you specifically plan for a high-yield, highly-accurate warhead option.

Certainly my judgment, if I were not proceeding with an MX program, there is no doubt in my mind as to how I would proceed on Trident II. I would go all out in that effort.

You know from earlier testimony I preferred an MX solution, but my preference for the MX solution was contingent on its being in a survivable basing. I have no enthusiasm for an MX system which is not in a survivable basing.

Senator NUNN. If you put MX in a nonsurvivable mode, whether it is an open silo or hardened silo, do you believe that the strong implication would be going out to the Soviet Union that we were embarking on a strategy that would have to inevitably lead to launch under attack?

Dr. PERRY. I would not put it that strongly, Senator Nunn. We would be doing, in effect, nothing different from what they have already done, which is putting a big, high-yield, accurate missile in a relatively unprotected silo.

It would seem to me they can't conclude anything about our motives any different from what we might conclude about theirs. There would be symmetry in the situation. My concern with that though is that if we had this very accurate, very threatening missile in unprotected silos, and if they do not go to a survivable system themselves, I don't know what they are going to do, but if they do not go to one themselves, then that simply increases the hair trigger.

Senator NUNN. On both sides?

Dr. PERRY. On both sides. I am more worried about their side, because that now means that if there is a situation in the world and a state of high tension where there is some ambiguous message that gets into that warning center and they feel they are going to lose what to them is more than three-fourths of their strategic forces in an attack, then that puts a hair trigger, and I don't know how good their warning system is; I don't know how good their assessment system is. I don't have that much confidence in our own from the point of view of occasional false alarms.

I have lived through some false alarms in our system and in each case we had the luxury of being able to ride out the false alarm because we knew our system, first of all, our ICBMs were not susceptible to attack; and, secondly, even if they were, we still had the bulk of our forces in submarines and bombers. So, we are able to ride out the false alarms in our system.

I am very concerned about putting them in a position where they will feel they don't have that luxury, when I don't know how good their warning system is, I don't know how reliable their computers are, how susceptible they will be to sending out false alarms.

Senator NUNN. If we don't find any kind of deceptive or mobile basing mode, or both, for the MX, and we deploy that MX in the existing silos, and if the Soviets don't go to some mobile or deceptive system so that their ICBMs could survive, would we not have evolved in both countries into a situation where we had rather significantly lowered the nuclear threshold?

Dr. PERRY. I believe so. I don't believe from a point of view of premeditated attack, Senator Nunn, to me it raises the danger of an accidental war.

Senator NUNN. Or third country trigger?

Dr. PERRY. An accidental war or war by miscalculation. It does not necessarily lower the threshold in terms of a premeditated attack.

Senator NUNN. I share that apprehension, I must say.

Dr. Perry, there are some questions I have for the closed session.

What do you think of the argument on the B–1, that you need the B–1 because it greatly reduces the vulnerability of the bombers to an SLBM attack because of its fast escape capabilities?

Dr. PERRY. I do not believe that the Soviets would launch an SLBM attack on our bomber bases without also attacking our ICBM silos.

If one looks at the time lines involved in these two different attacks, one of them is incompatible with the other; that is, they really have to choose whether they want to make a surprise attack on our bomber bases or a surprise attack on our silos. They can't do them both at once.

An attack on one of them is the trigger to use for getting the other ones away, so I think our primary safety, our primary security, today against an SLBM attack on our bomber bases is the fact that that would inevitably trigger an ICBM launch from the United States, which is an even more serious threat to the Soviet Union.

So, I don't see that as a serious problem for that reason, as long as we maintain a substantial ICBM capability, such as we have today.

Senator NUNN. Without getting into classified matters, how do you rate the ATB in terms of its potential, how do you compare it to the B–1?

Dr. PERRY. I believe the ATB will be capable of penetrating any Soviet air defense that we know of now or can reasonably project for the rest of the century. Beyond that, I don't say simply because I lose my ability to project much beyond that point.

Senator NUNN. Do you have any ballpark estimates as to the differences in funding the Soviets would have to expend in order to counter the ATB compared to the air defenses they would be providing for defense against the B–1?

Dr. PERRY. I don't have figures on that, Senator Nunn. I can give you a few qualitative statements.

Basically, the look-down/shoot-down system that they are now developing and just entering in deployment is designed for bomber defense, is more or less optimized for bomber defense and is a powerful defense against the original B–1.

If we put in an effective ECM system against that specific defense, then we drive them, as I say, to a counter-countermeasure system. That is a modification of the system they are already starting to build.

On the other hand, our comeback to that defense, Stealth comeback, simply nullifies that defense and requires them to start over again. There is nothing they can do in fine-tuning or modifying or adjusting that defensive system to deal with it, so it means a new defensive system from the ground up.

Senator NUNN. So that the ATB would require the Soviets to really almost totally rebuild their air defense system?

Dr. PERRY. I believe it would, yes.

Senator NUNN. You are talking about at least hundreds of billions of dollars, are you not, somewhere in that range?

Dr. PERRY. If they can do it at all, yes. Their present air defense system cost well over $100 billion.

Senator NUNN. I assume then, as Senator Warner developed with you, that you would accelerate the Stealth technology in every way possible?

Dr. PERRY. Consistent with prudent engineering judgment, yes. I think that was the thrust of the question that he was asking.

I am not trying to second guess the engineering judgment of the people who are running the program now. I am only saying that the criterion I would put on the program is prudent engineering judgment. I would want to be convinced that it was that and not budgetary constraints that was pacing the schedule.

Senator NUNN. Dr. Perry, have you concluded that the MX, as we did in the questioning a few minutes ago, that the MX is not survivable in the mode that President Reagan proposed, and he is not likely to go back to the MPS system or some other form of relatively invulnerable basing mode, and you then decided you are going to vote against the MX, and then if you further decided the B–1 was squeezing out so many programs in the conventional area, and also perhaps delaying some of the development on the Stealth technology, what then would you do if you were going to come down negatively on both of those programs, what then would you do to give a forward thrust to our overall strategic deterrent?

Dr. PERRY. I would accelerate Trident II. I would ensure that Trident II had a hard target kill capability. I would accelerate the cruise missile program.

Senator NUNN. Keep the B–52s?

Dr. PERRY. I would restore and perhaps accelerate the modification, the replacement of the electronics, on the B–52. I would certainly consider other basings of the cruise missile besides the ALCM basing.

I haven't thought that through in detail, so I don't want to make a specific recommendation there.

Senator WARNER. Senator Cohen?

Dr. PERRY. I might also say, I would maintain a high rate of R&D in the BMD program. Notwithstanding the apprehension I give to the BMD, I do believe that a vigorous R&D program is appropriate and would be even more appropriate in the circumstances you have described.

Senator WARNER. Senator Cohen?

Senator COHEN. Dr. Perry, I would like to follow up on the line Senator Nunn was questioning you, about the kind of decision we have to make in the next few weeks. He asked you what would you do if the Administration is adamantly opposed to any kind of mobile basing, land basing for the MX. Assuming that the Administration through 1984 remains adamant in its opposition, where do you go?

You suggested Trident II. I think Harold Brown in today's paper indicated, even assuming you put more emphasis on your Trident II, you have a problem in terms of numbers, that you free up immediately some 9,000 RVs for the Soviets to play with in targeting on your submarine capability, you give them a great incentive to enhance their R. & D. and ASW research and development. So that presents you with an unpalatable choice, even though you go to a hard target kill capability with enhanced Trident II.

I assume you have to increase your numbers as well, not just the missile capability but you have to get bigger numbers, and more Tridents in order to offset the 9,000 RVs in your submarine force.

In your deliberations when you were with the DOD, did, in your opinion, political considerations enter into your deliberations as to whether you would go to land basing or not? Was that a factor in your mind?

Dr. PERRY. Was it a factor originally when the MX decision was made?

Senator COHEN. Let me put it this way, without being too hypothetical about it: A lot of us have grave apprehensions about the direction we are going in terms of a hardened silo capability. The other reality is such that a number of us realize that the Europeans are looking at the United States to see whether we are going to put our MX in a land-based mode.

Notwithstanding that our land is currently at risk with Minuteman IIs and IIIs and Titans, a good many Europeans, even the most conservative CDU members, would indicate that unless we are willing to put our land at risk with our MX, you cannot expect them to go forward with TNF and put Pershing Is on their soil. You have them saying, "We don't like the mobile MPS but we have something in between which will still preserve the option; in the meantime, we are going forward with a land-based MX system.

Would that be a factor in your considerations, assuming you had to make a decision today?

Dr. PERRY. I would worry about that. It would seem to me that the logic of the situation, which probably does not cut much ice, would not support that view, because we are still maintaining 1,000 Minutemen silos which are becoming more vulnerable every day.

If they would like us to demonstrate we have a vulnerable target in the Continental United States, we have it in spades; but they want a new vulnerable target, not an old vulnerable target.

Senator COHEN. I agree with you, but I am asking you a serious question: Did you not take it into account?

Dr. PERRY. I would take it into account. I would say notwithstanding the impeccable logic I just gave to you, I would think there is a reasonable probability that the TNF would become unraveled with this decision. I think there is a reasonable probability it will become unraveled anyway, so we are now comparing a somewhat higher probability.

Senator COHEN. I will rephrase it: Would it be a legitimate factor, assuming I agree with your synicism about the potential for TNF in the future, in any event would it be a legitimate factor for us to take into account?

Dr. PERRY. Yes, If I were in your position, I would take it into account.

Senator COHEN. To go forward on a limited basis until we decide exactly what we are going to do?

Dr. PERRY. Yes. I would not make that decision, but I would take that into account. After taking it into account, I would decide not to do it, anyway.

Senator COHEN. Fair enough.

Let me come back to the B–1. You indicated it might be useful for a cruise-missile carrier in a non-nuclear capability. The question I have is, if that is the case, unlike your former superior, Harold Brown, who indicates it is way overpriced as a cruise-missile carrier or for conventional mode, would that then dictate, in your mind, that we should eliminate the effort made to reduce the radar cross-section for cost factors and, number two, we should not put that much money into ECM? In other words, if you think it is a good air-launch cruise-missile carrier and a good conventional weapon system, now we have a problem, we have estimates going from $20 billion up to $39 billion, at the $30 billion scale we have some problems here in view of the ATB.

If it is down around $20 or $25 billion, it is an easier question.

Now, I raise the issue as to whether or not, if in fact the principal mission of the B–1, in your judgment, from the mid-1980s to the mid-1990s, would be air-launched cruise-missile carriers and conventional bombers, would you recommend we reduce or eliminate efforts to reduce radar cross-section, and to go forward with ECM?

Dr. PERRY. No, I would still incorporate those efforts, because I believe that even in a limited war application in the 1990s we will be facing relatively sophisticated air defense systems.

The Soviet air defense systems today which might be in some other country in the late 1980s or 1990s pose some problems in themselves which I think I don't want to discuss in an open session.

Senator COHEN. Let me ask it another way:

What does penetration give you that an enhanced cruise missile capability does not? In other words, if you were to put the money into advanced air-launched cruise missile technology, what is the difference in terms of military capability with a penetrator that can get through these sophisticated air defense systems, if, in fact, you have a bomber with advanced cruise missile technology?

Dr. PERRY. I think if you do the best you can on penetration, reduce the cross-section as much as it can be reduced, put in the

best ECM, then you have a fairly good prospect of having a machine that is reasonably effective in a tactical, limited war environment in the 1990s. You have to do all those things, even to give you the confidence of that. But I would have very little confidence with that same machine being able to operate in an extremely dense, extremely sophisticated environment, the Soviet ground-air defense system, in the 1990s.

Senator COHEN. You did not mention the "big bird" as an option for strategic systems. Would you categorically dismiss that?

Dr. PERRY. Quite honestly, I haven't studied that carefully enough to come to a considered judgment on it. I spent four or five months of my life, about half time, looking at an airborne MX system, considering different airplanes than the big bird. My reasons for finally being persuaded not to proceed with the airborne MX were not uniquely tied to the airplane. Probably they would apply equally well to the big bird.

One of those reasons is that by the late 1980s or the 1990s it will be possible for us or the Soviets to have systems that can detect airplanes in flight. If we proceed on a program that offers that sort of incentive, then that might be a possible comeback to it. Therefore, the point I would simply make is, that quite aside from the issue of how expensive it would be to build the airplane and the problems of maintaining a continuous air patrol and the operational maintenance cost of maintaining continuous air patrol, there is what I consider to be a fatal flaw in a continuous air patrol airplane carrying ICBMs, and that is, in the time period we are talking about it could be detected and it could be targeted not by other airplanes but by barraging nuclear missiles on it.

I would be concerned about that, irrespective of the design of the airplane. I have to say I have not looked at the design of the big bird.

Senator COHEN. As I understand it, you would put the B–1 in terms of priority over a hardened silo MX?

Dr. PERRY. Yes. I was categorical about my views on the superhardened MX. I was a little wishy-washy about the B–1.

Senator COHEN. Thank you, Mr. Chairman.

Senator WARNER. Senator Exon?

Senator EXON. Thank you, Mr. Chairman.

Doctor, I welcome you back again. I am delighted to have you back, with your freshness and your directness and the attitude that I think all of my colleagues have always appreciated.

Dr. PERRY. Thank you, Senator.

Senator EXON. With regard to hardening of these silos, I suspect that we eventually will recommend against doing that, because we don't seem to find any support for it outside of the immediate people close to the President.

One of the things that came up in recent testimony that intrigued me somewhat was the suggestion was made that if we did indeed harden these as protection for the MX, they would certainly give some degree of protection from Soviet SLBM's. Do you have any information to believe that the Soviets are so advanced in their technology that SLBM's would be a threat to our present holes? Are they anywhere near accurate enough that they could be counted on?

Dr. PERRY. I cannot conceive of why the Soviets would want to target our silos with SLBM's. As I understand their present capability, and as I would project their capabilities in the next decade or so, I don't believe that would be a serious threat to our silos, hardened, superhardened or not.

Senator EXON. You question whether or not we should maybe even go ahead with the MX if we were not going to put it in an MPS system of some type; is that right?

Dr. PERRY. I agonized over that and said on balance I would not go ahead with that because I don't believe we will come up with a survivable basing mode that is acceptable. I am opposed to basing that——

Senator EXON. Mr. Chairman, I am having a little difficulty hearing the witness.

Senator WARNER. We beg your pardon, Senator. It is our fault.

Dr. PERRY. Since I am pessimistic that we will get a basing mode that is both survivable and acceptable, I am opposed to putting a weapon that lethal in an unsurvivable mode, for reasons I have described in terms of hair-triggering the alert.

I would instead pour my resources into other directions I described to Senator Nunn, the possibility of where they would go.

Senator EXON. Moving on to the Stealth technology, in your view—I think I know what your answer is but I would like to have you state it again for the record—in your view, if we went all out with the Stealth bomber purchase, when do you think the IOC would be?

Dr. PERRY. Senator Exon, I do not think I am the best witness on that question. My detailed information is about seven months out of date, eight months out of date on that question. As of that time, I would have estimated that 1989 was a reasonable possibility, but I would not have bet my life on it, or even my reputation.

Senator EXON. What about all these options that we are considering today? Remind me again what your attitude was on using the FB–111 as an interim to the B–1 in our talk about leapfrogging from the B–52 to Stealth technology; have you ever studied that?

Dr. PERRY. The FB–111?

Senator EXON. Yes. You originally said we could fill that gap in between with the FB–111. If I remember the figure, it was somewhere between $5 and $7 billion of improvements in the FB–111?

Dr. PERRY. I was not very enthusiastic about that. For one thing, I was very skeptical about those figures. I thought it would cost substantially more than that, and it was an opportunity cost in subtracting those airplanes from the actual forces. I have no great enthusiasm for doing that. I don't think that they really provided an attractive solution to the problem and it was posed.

The problem, presumably was developed because our ICBMs were vulnerable to attack and if we were going to go for non-ICBM solutions, for offsetting that, then it seemed to me we had better programs that were already underway, namely, in the cruise missile, that could be accelerated instead.

We had then and we still have the option of converting not only the B–52Gs as cruise-missile carriers but also the B–52Hs as well, that would take you from a 2,000 cruise missile force to a 5,000 cruise missile force. That would be a pretty powerful response.

I also felt then and still feel now that we had the Trident II option and that option is really being pursued, I think, independently of the other considerations we are having.

Senator EXON. If we were not locked into what the Administration is now proposing, I suspect then that you would say that you felt that the interest of the United States overall security would best be served by proceeding as quickly as possible with the development of the MX missile in an MPS system, and go all out on the Stealth bomber; is that a fair assessment?

Dr. PERRY. I haven't advocated the MX and MPS system at this hearing because I have come to my own assessment that it is politically dead. I don't care to pursue—I haven't been trying to provide—the artificial respiration that might be necessary to bring it back to life. I might be wrong, but my assessment is that that would be an extremely difficult task. I have instead tried to concentrate, if it is dead, on what are the alternatives open to us.

Senator EXON. If it is dead—that is the basis for a follow-up question—if it is dead, and I respect very much the attitude that you have expressed by not playing sour grapes on some decisions that I think you and others had made, let me ask this question: Have you ever heard of the phrase, "window of vulnerability"?

Dr. PERRY. Yes, I have, once or twice.

Senator EXON. In your opinion, from what you know of the defense plans that were laid when you were there and from what you know of the defense plans that have since been announced with regard to our strategic capability, is it your opinion that the window of vulnerability is being closed or thrown open wider with the recent changes?

Dr. PERRY. I am having a difficult time answering that question, Senator Exon, because I had defined that phrase differently than is implicitly defined in the President's definition of the problem.

To me, the window of vulnerability applied to that time period after our Minuteman became vulnerable, before a survivable ICBM was deployed. That is how I understood the phrase.

Senator EXON. I think you were wrong on that. You are not wrong very often, but I think that was not the perception of Americans in general.

Dr. PERRY. I think it came to be regarded as a general deficiency of our strategic forces relative to those of the Soviet Union. I had always believed that original phrase was conceived to be related strictly to the vulnerability of the ICBMs. Relative to any assessment of that problem, I think that any assessment that our strategic forces are deficient and inferior to those of the Soviet Union must rest on comparing our ICBM forces, observing, first of all, that they have perhaps three times as many warheads in their ICBM forces as we have; but in any consideration of the bomber forces and submarine forces, ours is clearly superior by any objective evaluation.

To the extent that the window of vulnerability means our strategic forces are inferior to theirs, I think it is miscast. I simply don't agree.

Senator EXON. You think what?

Dr. PERRY. I think it has been miscast. I do not agree there is a window of vulnerability as so defined. I do agree there is a period of time that our ICBM's will be vulnerable before we can do anything about it. That is why I say it depends on what the definition is. I believed then, and I believe now, that the superior strength of our bomber forces, our cruise-missile forces which will be coming on line, and our submarine forces, over the equivalent forces in the Soviet Union is a reasonable offset to the Soviet ICBM force. That is why I don't accept the fact that our forces are inferior.

Senator EXON. My time is up. I want to say you are a scholar and a gentleman. Thank you for coming.

Dr. PERRY. Thank you, Senator.

Senator WARNER. One question before I turn to Senator Quayle.

You have undoubtedly studied the Administration's theory that fractionation would eliminate the MPS system as a viable option.

What is your rebuttal to that theory?

Dr. PERRY. I thought that the best way of solving that problem was trying to persuade the Soviets not to do it, and to a certain extent you try to do that. Fundamentally, you try to make it unattractive for them to do it by having a response. When we talk about the response of adding more shelters, response of going to BMD/MPS, it was the idea that that is not something that one ought to do, but you ought to have the option of doing it and clearly explaining to the Soviets you have the option to do it, so that they could see that fractionation was not an inviting alternative.

Now, given that it was equally clear to us and to the Soviets that that fractionation—

BMD race was not attractive to either party, then it probably would be possible to codify that view in some sort of treaty. I worded that in a roundabout way because I say in my judgment it never depended strictly on having a treaty; it depended on being able to create the conditions that were not attractive to the Soviets to fractionate.

If you had those conditions, you would probably get them incorporated in a treaty.

Senator WARNER. Senator Quayle?

Senator QUAYLE. Thank you, Mr. Chairman.

I would like to echo the sentiments of the Senators. This is the first time I have had the opportunity to meet you. You are a very outstanding expert as we qualify our witnesses these days and I have certainly enjoyed your testimony.

Dr. PERRY. Thank you.

Senator QUAYLE. You have stated that the B–1B would not be optimum for cruise missiles but would probably be the optimum in a non-nuclear conventional mode. If we didn't go ahead with the B–1B, what would our alternatives be on a conventional bomber in the non-nuclear mode you referred to?

Dr. PERRY. I had not come, myself, to a clear judgment on what the best approach to that problem would be. The clear alternative was between building a multipurpose airplane like the B–1B, which was both capable of doing the tactical war-fighting job, and as a cruise missile carrier, you end up with a compromise design and that is what the B–1B is. That is as opposed to building two separate airplanes, one is optimized to be a truck, a big bus, which carries the cruise missiles, and the other is optimized to be a fighting airplane.

I am not sure which of those two approaches is better, but whichever one, my feeling was that the need date for the airplane was not probably until the 1990s, rather than the mid-1980s. It has to do not so much with my judgment about airplane design as my feeling about this window of vulnerability question. My feeling is that the best thing we could do to strengthen our forces in the interim was pour on the coals on the cruise-missile program, that the Trident deployment, which is already underway, will maintain our forces adequately for the rest of the decade.

By that time, presuming that the ATB/Stealth bomber were available, then it would be the clear candidate for the fighting airplane, penetrating airplane, and in all probability I think you would look to an eventual replacement for the B–52 as a cruise-missile carrier, which is optimized to do that job. But the need date for an airplane just as a cruise-missile carrier is probably not until the mid-1990s.

The B–52, in my judgment, will be a perfectly adequate cruise-missile carrier at least until the mid-1990s.

Senator QUAYLE. Wouldn't you at some time have to have the Stealth bomber to fill the non-nuclear void problem after the B–52s? Would we need another airplane besides Stealth?

Dr. PERRY. I think you need one other airplane which you could optimize around the cruise-missile carrier, one other airplane besides Stealth. You might be able to get some further benefit out of that airplane as a hardened command and control airplane.

You are looking at it basically as a transport-type airplane.

Senator QUAYLE. For the cruise-missile carrier?

Dr. PERRY. Yes, but that has hardened features in it; it has to be designed from the ground up. We did consider several years ago adapting a transport airplane to this purpose and that turned out to be a loser. If you design an airplane and optimized it for a cruise-missile carrier with subsidiary role of a command and control airplane, it would look like a transport airplane that had some special features like the nuclear hardening.

Senator QUAYLE. Under the present strategic proposal that the cruise-missile carrier is basically the B–52 and the B–1B, you are saying if we would not go for the B–1B—and that is sort of a hypothetical that I think a number of us are trying to think through—if we don't get it, where will we be going? I raise the question, what will be the follow-on tactical bomber, assuming we have Stealth as a strategic, would we go to a much lesser plane than the B–1B as a follow-on to the B–52, and is the B–1B too much, the way it is proposed, to basically serve in that non-nuclear force?

Dr. PERRY. That is pushing me a little farther than I was prepared to go in judgment a year ago when I was working the problem intensely. My estimate at that time was that the appropriate solution would be to bring the ATB or Stealth bomber on as a bomber which could serve both the strategic penetrating and the tactical bomber roles ,and to go to a second airplane which was optimized around a cruise-missile carrier and possibly have command and control features, the first airplane, the Stealth bomber, coming on line about 1990, and the second airplane, which is the transport-like airplane, coming on line about the mid-1990s.

I thought that was suitable for the need date for the airplane and it has a further advantage of not bunching together the development costs so that they all fall in the same period.

Senator QUAYLE. Would Stealth then be an optimum non-nuclear bomber?

Dr. PERRY. Yes, I think so.

Getting back to the comment I made earlier to Senator Nunn, I think that in the 1990s, even in a limited war environment, we are going to have difficult air defense problems. One will be happy to have an airplane which is difficult for an air defense system to handle.

Senator QUAYLE. There have been arguments in favor of B–1B that we need a two-bomber force, we need two contractors for competition; is that a valid argument? Would there be a concern if we didn't have a two-bomber competition as opposed to the B–1B/Stealth competition?

Dr. PERRY. Yes. I have tended to be a strong supporter of competition. In the cruise missile program we sponsored two competitive contractors right up to the production decision on the missile. One could do the same thing with the ATB or Stealth. One has that option of doing it. It is expensive. Or you could get the competition by having two different contractors building two different airplanes.

The problem with the second one is that it leads you to more difficult logistics on supply and unit cost of the airplane. You lose the advantage of a learning curve; you have the problem of two separate logistics on supplies to keep.

I think you want to have a pretty good argument beyond competition for doing that. You have to be able to convince yourself that the two different airplanes have the distinguishing features you want it to have.

Senator QUAYLE. Do you think it is a factor that should be considered? There is a lot of talk in Congress and the public about cost overruns. If we go with one contractor and one bomber, which apparently we would do if we go with the Stealth, then there would be this so-called competition argument that is raised, and it has been raised a couple of times. Your successor brought it up.

Dr. PERRY. I feel competition is very important. There are various ways of achieving it. We did it one way in the cruise missile program. That cost the Government several million to run two contractors in parallel. I believe today that was a good investment. It gave us a better program and ultimately—I can't ever prove this but I believe the total program cost turned out to be less.

We considered in the cruise missile program maintaining two contractors in the missile production base. We debated that back and forth.

Senator QUAYLE. Could you do it with Stealth?

Dr. PERRY. We could do it with Stealth if we wanted to.

Senator QUAYLE. It would be very expensive?

Dr. PERRY. It is more expensive on an airplane than a missile, because for an airplane the development cost is a higher percentage of the total program cost than in the case of the missile.

Senator QUAYLE. Is there any good second option on MX? You have gone through this with other Senators here. Is there any good second option, in your opinion?

Dr. PERRY. I don't know of any and I have wasted a good many years of my life studying that problem. More importantly, there have been a lot of good people that have spent a good many years looking at alternative ways of survivable basing of ICBMs. I don't believe there will be anything new under the sun.

Senator QUAYLE. Do you think there will be any shift in the strategic balance of any significance if, in fact, we basically discard MX and obviously maintain the Minutemen and Titans that we have and accelerate Trident II and the cruise missile program and make the determination dependent on how fast we get an ATB? Would there be any shift?

Dr. PERRY. I don't think the MX as proposed adds that much to our military capability, even if you imagine it would survive. We are looking at 6,000 warheads in the Soviet ICBM force and 2,000 in ours. After deploying MX, we are looking at 6,000 and 2,000. Instead of two to one, we are looking at three to one.

Senator QUAYLE. Basically, we would be emphasizing the diad, so to speak, rather than the triad. We would still have the land-based missile but not in any kind of modernization mode?

Dr. PERRY. The Minuteman is a formidable force, the Minuteman III in particular. It probably will be into the 1990s before you have to start worrying about deterioration of the rockets and you have to start replacing rockets or replacing with a new missile.

Senator WARNER. Senator Quayle, your time is up. I think the Senators would like to have one more question.

There will be a good deal of debate on the possibility of the road-mobile system which, as I understand it, would involve the design of another missile that we don't have in inventory or on the drawing board now.

Do you think that is a viable option that we should spend much time considering?

Dr. PERRY. I would like to differentiate between two different kinds of road-mobile missiles. One is a system where you keep it at its base and then on an alert you scramble it, much as we do with the B–52s today.

Senator WARNER. And as done with the Pershing?

Dr. PERRY. That system, I think, would be ineffective, because of the time it takes——

Senator WARNER. I missed that.

Dr. PERRY. It would be ineffective. It takes too long for the trucks to drive away and the trucks are too soft. If you take the combination of the slow speed of the trucks and the relatively softness of the trucks, no matter how hard you try to make them, you end up with requiring several hours of alert, which means, in effect, you have no capability against a surprise attack.

So, I tend to rule out the road-mobile system which is contained at the base because it does not provide protection against attack.

On the same basis, the Pershing system

and the GLCM system, INF, do not either. We never had any illusions that they would do that.

The alternative for a road-mobile system is like continuous airborne patrol, but this would be a continuous highway patrol where you have trucks driving the missiles up and down your interstate highways continuously. Every time that proposal has come to me, I have turned it down and I would not recommend that program, because I think sooner or later you are going to have an accident with one of those trucks. That is not going to cause a nuclear explosion—I don't want to overdramatize it—but the rocket itself is a high explosive and the possibility of that rocket exploding would be very high and the probability then of splattering nuclear material over the countryside becomes very high.

So, what you have a potential of is a Titan-type accident on the public highways, and not just one of them but the possibility of several of them.

For that same reason, we don't fly B-52's on airborne patrol with nuclear bombs in them as a matter of routine. We simply want to avoid the possibility of that kind of accident. I think that possibility is relative; it is not a remote possibility. I would not recommend such a system.

I will say on the other side of that, that of all of the systems we looked at, it is one of the cheapest systems you can envision. The cost per warhead is low because you are not putting a lot of money into basing.

Senator QUAYLE. The next qnestion is a tough one and you can politely say, "Mr. Chairman, I decline." I have spent a modest amount of time in the defense community, as you have. There is a fraternity of thoughtful people who are not influenced by political decisions or parties or anything else. They simply try to make decisions on defense based on fact and what is best for the country.

I put you squarely in that category as I have come to know you for over three years. Nevertheless, today you have probably more effectively than any other witness discounted the MX basing options which have been enumerated in the President's proposal and have straightforwardly indicated that you feel that if we go ahead with that option, with the interim hardened site and so forth, it would add very little to our overall deterrent capability.

Having stood back now in your present position in private life and examined that decision and undoubtedly talked to a number of your colleagues—and I would presume having had some access to the Townes report analysis, the question is simply, how in good conscience could men arrive at that decision based on facts? You characterize it as being a political one. I do not know whether you intended to indicate it is your feeling it was guided by political considerations, as opposed to factual. Is there a segment within your fraternity of scientific advisers who can be supportive of any one of these options?

Dr. PERRY. I think the arguments for that decision are not technical but that does not make them invalid. Calling it a political decision is not a derogatory term either. Political means accommodating diverse sets of views.

Senator WARNER. You mean political in terms of states' interests and geographic interests?

Dr. PERRY. Let me state what I think are arguments I could adduce in favor. One of them, Senator Cohen has already hinted at, that we might believe it is important to do this so as to minimize the probability of unraveling the TNF decision in Europe. I think that is a reason which ought to be considered. How much weight you want to give to it is the issue. It is a substantial consideration.

A second argument is a perception argument. We have made much over the last few years of the vulnerability of Minuteman and do we want it to look like we are just walking away from that problem. This has to do with international political perceptions; it is not domestic political; it is geopolitical considerations.

The third argument you can give for it is that notwithstanding my gloomy assessment, maybe we will, in fact, a year or two or three from now, come up with a basing mode which has eluded everybody so far, which is both survivable and acceptable.

Those are the only three reasons I can adduce for doing the program, and I think they are substantial reasons which ought to be weighed.

Senator NUNN. What do you think of the fourth reason which has been given, perhaps not directly and at least in conversation, that, look, if we in effect put a hard target kill capability on land, even though it is vulnerable, it would threaten the Soviets' ICBM force to the extent that they would be more likely to come to the negotiating table and make significant reductions? In other words, it is sort of the Reagan Administration argument that would go along the line that you are arguing, that you are creating the conditions under which you would probably bring about some form of codification of an agreement?

Dr. PERRY. I would not mind that argument as a bluff, but I would hate to follow through on the bluff, for the reasons that it accents this hair trigger which I described earlier. If you threaten to do it and not have to do it and get some political benefit out of it, get some quid pro quo out of it, I think that is a pretty outside chance, but I guess you could make a case for that.

Senator NUNN. In other words, if it is going to work, it ought to work quickly, so that we get some codification quickly and be able to back away from the hair trigger?

Dr. PERRY. Yes. I don't really have any great hopes that would be an effective tactic. I cannot deny the possibility of its being an effective tactic.

Senator COHEN. One thought occurs to me: In addition to forcing, possibly forcing the Soviets to the bargaining table, I suppose you could argue that the Soviets being as equally concerned as we are about the possibility of a nuclear attack, might be encouraged to go to a submarine-launched program. I suppose you could stretch that out one step further and say they not only would go to the bargaining table but they also might get away from a land-based system. I suppose that could be a logical assumption.

Dr. PERRY. It seemed to be the argument for putting a hard target, substantial hard target kill capability in the MPS silos, is that you wanted to push the Soviets in the direction of a survivable system and push them to the negotiating table.

I have less enthusiasm for that logic when the missile is vulnerable.

Senator COHEN. Whatever is done on the MX and the B-1, I think you advocated that we go forward as quickly as possible to an advanced BMD program; is that correct?

Dr. PERRY. Yes.

Senator COHEN. As I recall, during the Carter Administration, in addition to the MPS system, you also left open the possibility—because of the fragmentation problem which may or may not have been solved by SALT II—of having MPS in conjunction with BMD sometime in the future?

Dr. PERRY. Yes.

Senator COHEN. I would ask you, would it not be equally possible to argue that if this Administration is permitted to go forward now with BMD and if this Congress is going to insist that we leave open the option of deceptive basing mode for the MX, couldn't you, in fact, come to the very same ultimate conclusion that the Carter Administration wanted, only in an inverse way? You were going to go MPS plus BMD. It may be that we go BMD plus MPS and end up in the same exact situation.

I know you are cynical about that possibility, but if there is enough incentive and impetus coming from this side of the debate, saying we don't like a static or fixed based silo for the MX, what we are saying is we are prepared to give you the BMD, accelerate it, and we are also insisting that you have MPS and not foreclose that option, don't you ultimately come out in the same place?

Dr. PERRY. No. The sequence is different. It leads you perhaps to different reactions from the Soviets. I was never in favor of deploying a BMD system. I was in favor of having the capability so that we could use that capability to persuade the Soviets not to fractionate, not to challenge, our MPS system.

To me, the BMD system is something which you have maintained a vigorous R&D, you have it in your pocket, you threaten to use it. If you do that in reverse sequence, it follows that strategy.

I would hope that we could avoid deploying a BMD system that, it seems to me, is going to trigger a series of reactions from the Soviet Union, certainly among others, the deploying of a BMD system, acceleration of the whole BMD activity.

It is not clear to me that in that chain reaction which is set off that we are any better off.

Senator COHEN. I am not sure whether you call it BMD or air defense system, what the Soviets are going to do. I think they are advancing a very widescale, sophisticated air defense system, where we have very little, if any, in that regard. I am not sure that that is a legitimate concern, that if we go to BMD they are going to go too. I think they are headed there, whether you call it BMD or air defense system. They are far advanced with any system than we are undertaking. If we go BMD plus option for the deceptive basing mode, not the most ideal, not something I would advocate, but faced with the choice of cancelling it or leaving open the option, don't you still have two possible consequences: Number one, they may decide this is the time to start negotiating, as you would like to see; it may force them into a deceptive basing mode other than their current SS-18 system?

Dr. PERRY. Yes.

Senator WARNER. Senator Exon, do you have one question?

Senator EXON. Yes, I have two questions, Mr. Chairman.

Senator WARNER. You are petitioning for two questions? Go ahead.

Senator EXON. Doctor, would you give the committee your evaluation as to the pros and cons of the B-52 versus the B-1B as a cruise-missile carrier, as an effective cruise-missile carrier? What are the strong and weak points of the two, and how much difference is there between those two bombers as far as the cruise-missile carrier efficiency up to, let me say, 1995, to choose a date?

Dr. PERRY. I think that in 1995 either of them will be quite adequate as a cruise-missile carrier. The primary advantage that the B-1B would have over the B-52 would be a superior escape capability, the ability to escape from its base; therefore, if you were worried about an SLBM attack on the bomber bases, you would weight that as being an important capability.

As I indicated earlier, I don't believe that is a significant worry and therefore I have tended not to weight that very high in my judgment. I think that would be a major difference between the two.

Senator EXON. One last question: I keep getting back to the MX basing mode because the change in the basing mode of the MX missile—

Dr. PERRY. Excuse me, Senator. I should make one other point: If we are going on as late as 1995, we might imagine that the Soviets would try to reach out with an air defense and attack the carrier airplane instead of the missiles.

Senator EXON. In that case, the B–1B would be superior?

Dr. PERRY. In that case the B–52 really has only one good alternative, which is backing farther away, which means you now have the burden of making the cruise missile longer range, which we can do. Whereas, with the B–1B you would have two options: either make the cruise missile longer range or fight it out, so to speak.

Senator EXON. Or allow it to go in closer to the target?

Dr. PERRY. Yes.

Senator EXON. Now, the Chairman, I think, said something to the effect that he assumed that you had seen the Townes report. Have you seen the Townes report?

Dr. PERRY. I have not seen the full and complete version of the Townes report, no. I think I know the essence of what is in it.

Senator EXON. I am trying to find out. Can you tell me?

Dr. PERRY. As I say, not having read the report, I don't think I am really a good witness on that.

Senator EXON. I took it from the question that possibly the Chairman had seen the Townes report. Has the Chairman seen the Townes report?

Senator WARNER. The Chair has not.

Senator EXON. I would hope that we keep pressing for that, because if we make these rather important decisions that we are asked to make in the next two weeks, if we merely close the door on the MPS system, as the good soldier has just testified he is assuming here today, I still think that that is a very critical decision and affects possibly whether we should or should not go to this whole series of weapon systems, including the B–1.

Thank you.

And thank you, Mr. Chairman.

Senator WARNER. Thank you.

Senator Quayle?

Senator QUAYLE. I have one question: If we go ahead with the two bombers, the B–1B and the ATB, what kind of risk would we incur by sliding the IOC and FOC of the ATB by going forward with both and not accelerating our efforts on the ATB?

Dr. PERRY. I am not sure I understand the question.

Senator QUAYLE. Do we run a risk of deferring any kind of implementation of IOC of the ATB by going with two bombers, the B–1B and the ATB, rather than cancelling the B–1B and jumping to the ATB? Would we run the risk of sliding?

Dr. PERRY. I don't think you are running a technical risk in that. The things which cause one program to slip are independent to a certain extent that cause another to slip. I think we have an adequate industrial base to do both of them at once.

I think you run into one problem, and you can assess that problem much better than I, which is competition for funds. The issue is as simple as that.

Senator QUAYLE. You don't see any technological problems?

Dr. PERRY. No.

Senator WARNER. We will now go into a brief closed session.

(Whereupon, at 5:22 p.m., the subcommittee proceeded in executive session, under separate transcript.)

Mr. HOLLINGS. Now, we saw the B–52 plane fly all the way from North Dakota to Egypt, drop its simulated bombload and come back. A very good plane.

Dr. Perry says:

I was disappointed to see the B–52 improvement being dropped. I think that is poor economy whether or not you proceed with the B–1.

Going further into Dr. Perry's testimony he says:

It also has, according to the best information that was available to me when I was in the Defense Department, probably a useful life of another 10 or 15 years minimum, based on the Air Force's follow-the-fleet program of estimating. We think of it as an old airplane, but we forget about the fact that it does not get flown very often; while it is an old airplane, it does not have many miles on it, so to speak, and it still has a long, useful life.

But to really get operational utility out of the airplane, one has the replacement of the old, unreliable electronics in it. That is what the B–52 improvement is.

You see, it is not totally the airframe and the other parts. It has older electronics in it and you need a new electronics package.

That is what the B–52 improvement is, so whether or not you proceed with the B–1 program, the B–52 has very fine capability and it should be maintained, and whether it is maintained in the strategic forces or the conventional forces can be determined, but in terms of its range, payload, capability, it has it; it has it better than any other airplane that is in the force today, and it will maintain that capability for another 10 or 15 years if it is properly maintained.

Now back to the CIA judgment which started this particular debate, quoting my distinguished chairman from Alaska. There was no difference between now and 1990 with respect to the penetration capability of the B–1 or the B–52. Now that is ground one. So you do not have to jump up and say we have to level with the people and level with your own conscience.

Nobody contemplates the B–52 as a penetration bomber after 1990. So there we are with that particular record. I think that should be included there.

We are trying to draw the debate to a close. I think the distinguished Senator from Massachusetts wishes to speak. If there are other Senators that wish to be heard, I wish they would please join us so that we can get to a final vote and perhaps pass this Defense appropriations bill this evening.

I say to the Senator from Alaska, the chairman of the committee, that we are waiting for the Senator from Massachusetts momentarily. That is the last speaker I know of on this side. I am saying this so other Senators may hear.

Does the Senator have any other speakers on his side?

Mr. STEVENS. I say to the Senator that we are awaiting the distinguished Senator from Mississippi, who has been at dinner and who does want to make a statement. The Senator from California (Mr. CRANSTON) was also waiting.

Mr. HOLLINGS. Let me yield to the Senator from California.

The PRESIDING OFFICER. The Senator from California.

Mr. CRANSTON. I thank my friend from South Carolina.

Mr. President, I think my colleagues are well aware of my strong and continuing support for a manned bomber program. My most recent initiative to insure that we have an effective, modern, manned bomber was last year when I, with Senator GLENN, sponsored an amendment instructing the Department of Defense to proceed with a strategic, multirole bomber. I was very pleased that the Senate passed this amendment and that it became part of the defense procurement authorization bill for fiscal year 1981.

This year we are considering the proposals that are the result of this amendment—the President's proposal to proceed with the B–1B bomber and concomitantly to develop the advanced technology bomber (ATB). I support this program. While we have considered the issue of a new manned bomber program in the Senate many times in recent years, I would like to reiterate why I support it.

Manned bombers continue to play an essential role in our strategic triad: Land-based ICBM missiles, submarine-launched missiles, and cruise missile and bomb-carrying aircraft. The manned bomber is a vital part of this package. Only a manned bomber can be recalled once it takes off on its mission; a missile cannot. Once a missile is launched—even if by accident or miscalculation—the die is cast forever. In the nuclear age that is a terrifying rigidity. Because manned bombers are slow compared to missiles, they cannot serve as first-strike weapons. Their production is, therefore, far less threatening and less potentially destabilizing to United States-Soviet relations. It is also a weapon system that is easily verifiable with respect to arms control agreements.

As part of his strategic package, President Reagan has proposed to modernize the air-breathing leg of the triad. I strongly support the President's plan. President Reagan proposes that we proceed immediately with the production of the B–1B bomber—a derivative of the B–1 which was canceled in 1977—in order that we have a strategic, multirole bomber by mid-decade.

The initial operating capability (IOC) of the B–1B will be 1986. The B–1B will be a significant addition to our strategic defenses. The B–1B plane is a much better plane than the one that was canceled in 1977. The B–1B has a vastly improved radar cross section compared to the B–52—only one-hundredth of the cross section of the B–52 and only one-tenth of the cross section of the first B–1 model. The reduced cross section makes detection by enemy radar much more difficult. The new B–1B also has the "state of the art" technology with respect to avionics so that the electronic countermeasures should enable the B–1B to penetrate Soviet air defenses well into the 1990's. The much vaunted "look down, shoot down" technology may not be as great as some experts have anticipated. And, even if it is eventually perfected, the development time may be very long and, meanwhile, new countermeasure may frustrate it.

The B–1B has much better prelaunch survivability because it can take off

faster than the B–52's. It also can take off on shorter runways which means that it can be dispersed to more bases throughout the United States than the B–52 which requires special long, heavy-duty runways. Thus, the B–1B will be less vulnerable to a surprise Soviet attack. The B–1B will also have a nuclear hardness capability—a capability which the B–52 does not have. Compared to the aging B–52's, there is no question that B–1B significantly improves our triad.

The President has proposed that while we proceed immediately with the B–1B we also proceed with development of the advanced technology bomber (ATB). Some question why we need the B–1B if we are also going to have the ATB—the so-called Stealth plane.

We do not know when we will have Stealth. The B–1B, which we will have beginning in 1986, will perform the task of our manned penetrating bomber until and when the ATB is ready. Presuming that we eventually do produce Stealth, the B–1B will then complement the ATB by performing the role of a cruise missile platform and a conventional bomber.

The real problem is that the ATB is in many respects still an unknown quantity. I do not believe that we should entrust our national security to an unknown quantity. We do not know what problems we will encounter with the ATB since it is still a paper airplane. Pushing the ATB program too fast will be both costly and risky. Dr. Richard DeLauer, Under Secretary of Defense for Research and Development, stated before the Senate Armed Services Committee this fall:

> The (ATB) technologies involved are exciting and promising but because of the quantum leap in technology and the consequent uncertainties involved, there would be a high degree of program risk in concentrating solely on an ATB. Under these conditions I cannot have the same confidence in ATB cost and schedule objectives as I do with the B–1 and I believe that there would be substantial risk in attempting to accelerate the program. In my judgment, the cost and schedule risks associated with the ATB would be about twice that of the B–1.

Time and again we have complained about other weapon systems where there has been inadequate testing which drives up the costs and where we end up with a system that we do not want. Yet, if we push too hard on the ATB now that is exactly what we will get—a costly plane which may not meet our needs. We are proceeding with the ATB as fast as is prudent. To go faster will jeopardize the program and will be inefficient and unnecessary. We also risk not having a manned penetrating bomber.

Given the history of weapon systems, it is inevitable that we will experience delays and setbacks with the ATB. But there is a clear need for a manned bomber now. And with the problems that we are experiencing with our efforts to modernize the land-based leg of the triad—finding an acceptable basing mode for the MX—it is even more important to move ahead with the modernization of the bomber force now.

General Ellis, the recently retired head of the Strategic Air Command, testified to this effect before the Senate Armed Services Committee. He went on to say that "given the other elements of the President's program there would be a significant shift against the United States in the strategic balance in the latter part of the 1980's if we did not go ahead with the B–1B."

The B–1B is the only major part of the President's strategic program that we will have by the middle of this decade. The B–1B's IOC is 1986. The D–5 missile for the Trident submarine has an IOC of 1989. The ATB is projected to be ready sometime in the early 1990's. The MX missile may be ready by 1986 but we will at best have an interim basing mode for it.

The issue then is not whether we should have two bombers simultaneously. We will not. The B–1B will be the penetrating bomber for the mid-1980's and beyond until the ATB is ready. With the B–1B, we can proceed in an orderly and efficient manner with the ATB until that time. With the B–1B we will not have to depend on such an uncertainty as "early 1990's." When and if the ATB come on board, the B–1B will then become the complement to the ATB as a cruise missile platform and as a conventional bomber. We must have these capabilities and the B–1B will be an excellent weapon system for these purposes.

With both the ATB and the B–1B we will have a strategic combination which will present serious problems for Soviet air defenses and will force the Soviets to expend considerable resources to defend against this combination. And it is important to remember that it is the combination which requires the Soviet Union to build defenses for both rather than being able to concentrate on one or the other.

I would like to address the two points for which the B–1B is being criticized. First, the B–1B's critics claim that it will not be able to penetrate long enough to make it a useful weapon system. The Secretary of Defense, the head of the CIA, the Air Force Chief of Staff have all stated that the B–1B will have a penetrating capability well into the 1990's. The mid-1980's to the mid-1990's is when we will need the B–1B as a penetrating bomber since the B–52's will not be able to fulfill the role and the ATB will not be ready. The B–1B will be able to penetrate when we need to have that potential capacity. Thereafter it will fulfill the roles I have already outlined.

The second criticism is that the B–1 is not worth the cost and we should wait for the ATB. On the surface this seems to be a very tempting argument. But as I have indicated, we do not really know when we will have the ATB. This argument also neglects the important fact that if we do not have the B–1B we will have to have something else. Whatever that "something else" is, it will also cost money. For instance, if we maintain the B–52's and the FB–111's, that will be costly. The administration estimates that it will cost almost as much as a new bomber program. Or if we proceed only with the ATB we will have to buy more of them. The point is that it will cost money, a great deal of money, to upgrade our strategic forces. To pretend that if we do not spend the money on the B–1, we can save all of it, is simply not true.

The administration has taken extraordinary steps to control the cost of the B–1B. The Deputy Secretary of Defense and the Undersecretary of Defense for Research and Development have established controls to insure that the program does not exceed its $20.5-billion budget, in constant fiscal year 1981 dollars. No change to the presently planned B–1B acquisition program and no major changes in the configuration will be made without the approval of the Deputy Secretary of Defense. In addition, particular attention will be paid to limiting the cost growth in areas such as the airframe, support equipment, initial spares, and avionics.

Weighing the cost on balance with what we gain, I believe that the B–1B is worth the price. Proceeding with it will insure that we will have a manned strategic bomber that will be capable of performing multiple roles, and that we will have it before this decade is over. It will have a useful life well into the next century. It will provide an essential complement to our air-breathing leg of the triad.

Mr. President, I believe that the program proposed by the administration makes sense. We need to move immediately with the B–1B while we develop the ATB. I will support this program and I urge my colleagues to do likewise.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

THE B–1 ISSUE AND AN EFFECTIVE STRATEGIC DETERRENT

Mr. KENNEDY. Mr. President, I oppose the B–1 bomber. America's national defense requires more than a $40 million exercise in voodoo aeronautics.

Throughout this debate we have considered the vital issues of world peace and national security. In each action we take and each decision we make, we must constantly keep in mind these fundamental questions we face: Are we strengthening our defense capabilities in the areas of greatest need? Are we increasing the prospects for international stability and reducing the risks of war? Are we spending tax dollars wisely in light of both our military priorities and our domestic needs?

Advocates of the B–1 bomber have failed to answer any of these questions. How can it possibly be worth up to $40 billion to build and deploy a plane which will be obsolete the day it leaves the assembly line? The proponents have not made a credible case that the B–1 will ever penetrate Soviet air defenses, let alone reduce the risks of war with the Soviet Union or any other major adversary. They have not explained why we should squander billions on a dubious new bomber, when our Armed Forces lack the necessary training, ammunition, and equipment to fight effectively, whenever and wherever they are needed in the world.

In fact, advocates of the B–1 are weakening the consensus which our country needs for a prudent and effective nation-

al defense. By wasting billions of dollars on a weapons system we do not need, they raise doubts about our priorities and commitment to our defense program as a whole.

This is why I am proud to cosponsor the amendment, offered by Senator HOLLINGS and Senator LEVIN, to transfer funds from the B–1 to a variety of defense programs important to the readiness and modernization of our military forces. A vote for this amendment is a prudent and effective national defense. It is a vote against military waste and for military strength. It will enhance the readiness of our military forces by restoring funding for Navy steaming days, by providing funds for ammunition for the Army and by restoring the proposed reduction in Air Force and Army manpower levels. It will also provide funding for acceleration of the Stealth bomber and other important modernization programs.

I believe these programs represent a much better use of the funds in this bill than those allocated to building the B–1 bomber. At this time of necessary budget restraint and important national security requirements, production of the B–1 bomber will divert valuable defense resources from other, more critical programs, including the development of the Stealth bomber and the strengthening of our conventional military forces.

Mr. President, I am committed to a strong nuclear deterrent, but a resurrected B–1 is the wrong bomber at the wrong time. Production of air-launched cruise missiles for our B–52 bomber force provides a far more effective means to strengthen the air leg of our strategic deterrent until the Stealth technology comes on line in the early 1990's.

Proponents of the B–1 ask us to spend up to $40 billion on a bomber which is unlikely to penetrate Soviet defenses beyond this decade. As former Defense Secretary Harold Brown stated in his fiscal year 1982 annual report, "Our B–52 aircraft equipped with air-launched cruise missiles will be effective well into the 1990's. By this time, the Stealth bomber will be available."

In its haste to gain congressional approval of the B–1 bomber, the administration has contradicted itself repeatedly and has left important questions unresolved.

First, the true cost of the B–1 program remains unknown. On Ocotber 5, Secretary of Defense Weinberger stated, "The B–1 would cost $19.7 billion." Then his Undersecretary of Defense for Research and Acquisitions testified that, "The B–1 would not cost more than $20.5 billion. At the end of October, Secretary Weinberger learned from his cost analysis improvement group that the B–1 program would cost up to $28 billion. And, on November 6, the Congressional Budget Office reported that the B–1 program would cost $39.8 billion.

Mr. President, the American people expect us to control Government spending and to use their hard-earned tax dollars wisely and effectively. They expect us to pay for real military strength, not for military white elephants. How, then, can Congress justify paying for an obsolescent bomber program, whose cost estimates have already doubled and whose true cost remains unknown?

Second, we have no assurance that even the advanced version of the B–1 will be able to penetrate the increasingly sophisticated and extensive Soviet air defenses. The administration claims that the B–1 would be able to do so well into the 1990's. Yet, there is ample reason to doubt that the B–1 could serve effectively beyond this decade.

For example, Mr. President, the Soviets are developing new missiles which pose a threat to the B–1 and which are expected to be deployed by the mid-1990's. These missiles could make the B–1 obsolete before it got off the production line. As Dr. William Perry, then Under Secretary of Defense for Research and Development, explained in 1979:

> The B–1 depended for its penetration on high speed and low altitude operation. In my judgment, the air defense system that is now being developed in the Soviet Union, which includes look-down shoot-down interceptors, would render that operation very hazardous.

In light of the serious uncertainty surrounding the B–1 program, the alternative of B–52's equipped with air-launched cruise missiles and vigorous development of Stealth offers a clearly superior means to insure we deploy an effective bomber force.

It is true, Mr. President, that our B–52 aircraft are aging and that they no longer are dependable for penetrating Soviet airspace. But our B–52's can be deployed outside the Warsaw Pact, and launch their thousands of cruise missiles reliably and effectively against Soviet targets. With their small radar cross-section and capability to fly close to the ground, these missiles can fulfill their missions much more cost-effectively than the B–1 bomber. As former Secretary Brown has recently written, "ALCM's will be able to penetrate the same defense with much more confidence than the B–1."

By December 1982, we will have 15 B–52's carrying 12 ALCM's apiece. By 1989, we will have 151 B–52's equipped with cruise missiles, amounting to over 3,000 highly accurate and nearly invulnerable warheads capable of striking targets within the Soviet Union.

Finally, the development of Stealth technology holds out the promise of a truly effective penetrating bomber by the late 1980's or early 1990's. Instead of squandering valuable defense resources on the B–1 and running the risk of underfunding Stealth, we should concentrate on develvoping a technologically innovative and combat-capable Stealth bomber.

In sum, Mr. President, it is a serious mistake to revive the discredited and extravagant B–1. As Congress continues to face the challenging task of controlling the Federal budget, we cannot afford to waste the scarce resources the B–1 will consume. And we cannot afford to shortchange the other pressing conventional and strategic military needs of our Nation.

Today the Senate is faced with a clear choice over the future direction of American defense policy. Are we going to build a bomber which will be effective in its primary mission for only a few years. Or, are we going to assure that our conventional forces are combat ready; that programs important to the mobility of U.S. military forces, such as the KC–10 air refueling tanker, are deployed; and that programs which are important to the future effectiveness of the U.S. nuclear deterrent, such as the Stealth bomber, receive adequate funds?

Mr. President, I believe the choice is clear. If Senators want to send a clear and convincing message to the Soviet Union and to all nations that America is serious about strengthening its military forces, then they will vote to transfer the funds designated for the B–1 into programs that will truly enhance our national defense.

Mr. President, I urge my colleagues to support that amendment.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. STENNIS. Mr. President and Members of the Senate, I certainly shall not detain the body but a few minutes.

We really had an excellent debate on a very intricate and difficult question, Mr. President, the subject matter of which is of amazing importance. If we accept the fact that there is value in our deterrent strength with reference to the possibility of having intercontinental ballistic missiles fired at us and our homeland—if we accept that fact just for a deterrent effect, then we cannot afford to take the chance of tying us down on money affairs. We cannot afford to take the chance of letting an old bomber play out before we have completed its ultimate successor; that is, the successor aircraft for the last part of this century.

When we get down to counting the years under consideration, no one can say with accuracy how long it is going to take to perfect and deploy this new bomber that we have referred to by various names, but it is the new advanced technology bomber. Who can say, be careful, do not ever try to count even the years that it will take, the stops and starts, the steps that fail and have to go back and find another way that goes with the building of these intricate aircraft?

You might predict the time that the first form of a model will be completed, but you are a long, long way then from getting these intricate high-pressure, high-powered, amazing pieces of machinery, I call them, ready for use in the field and development and use in the hands of our men to carry out their ultimate purposes.

It does not worry me much, Mr. President, whether the Secretary of Defense is right on the mark or off by 2 or 3 years about how long it is going to be before the new bomber can come in or how many years the B–1B can be of practical service. I have heard the testimony all these years and I know no one can be accurate. It is just a matter on which we have to play as safe as we possibly can.

Those are the points that led me, Mr. President—I did not want to have to reach this conclusion. I did not want the B–1 bomber stopped back when it was. I remember very definitely the very minute we took it out of the bill, but left the money in there for research and de-

velopment and it has gone on for these 4 years—1977 to 1981. And we got the benefit of that R. & D. But I do not have any doubt now that we have to play safe with that and go back.

Furthermore, Mr. President, we certainly do want definite, major parts of a plan that had been devised by the President getting ready to go first through negotiations and then finally, the meeting place itself to try to get an effective agreement that can be put under surveillance so each side can tell whether the other is obeying it.

I have reference to the control and the reduction and the limitations upon these deadly weapons that can now, no doubt about it, be enough to blow up the world, so to speak, and destroy half or more of our population.

I do not want any doubt, any doubt whatsoever, or uncertainty, nothing less than the positive position that Congress is behind him, the people are behind him, and even though the cost is exorbitant, terriffic, more than we like to bear, that we are going to do whatever is needed to back up that position.

I believe with confidence in it. This debate has been, I say again, a tremendous contribution to the understanding of the membership, the understanding of our people, the understanding of our allies as well as our adversaries. I am very proud that we had this debate on this bill.

I yield the floor, Mr. President.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. HART. Mr. President, I strongly support the amendment offered by the Senators from South Carolina and Michigan.

Mr. President, there are two basic aspects to the B–1 issue: The B–1 itself and the opportunity costs associated with its production.

If we look at the B–1 itself, we see an aircraft which reflects an incorrect approach to combat effectiveness. The essence of success in war is not throwing strength against strength, but throwing strength against weakness. The B–1 throws strength against strength. It must fly head-on against one of the strongest elements of the Soviet military: Soviet defenses. Air defense is so important to the Soviet Union that they have a separate service, the PVO–Strany, dedicated to the air defense mission. That "service" has 550,000 men in it—about the same number in the entire U.S. Air Force.

The B–1 must throw itself directly into the teeth of the PVO–Strany. It attacks the Soviet air defense radar with electronic countermeasures in the same general way bomber offenses have attacked bomber defenses for decades. The Soviets have been preparing themselves to counter it for many years. By the time the B–1 is in service, the Soviet defenses will be ready and waiting. An attack by the planned B–1 force against those defenses will be an aerial equivalent of Pickett's charge at Gettysburg.

It is not surprising, in the face of this situation, that the Secretary of Defense testified the B–1 might only be able to penetrate Soviet air defenses for a few years. Indeed, the Secretary stated it might not be able to penetrate those defenses after 1989 or 1990. Since the B–1 will not actually enter operational service until 1987, it might be viable, in view of the Secretary's words, for as little as 2 years.

Can the Senate visualize itself buying new tanks for the Army, at a cost of, say, $3 million each, after a Secretary of Defense testified the tank would be viable for only 2 or 3 years? Can it even see itself approving funds for a new rifle after testimony to the same effect? I doubt it. But the Senate is now being asked to approve 100 bombers—bombers which may cost $300 million each once the final sums are reckoned—after precisely such testimony.

Of course, once the Secretary had let the cat out of the bag, great efforts were made to stuff it back in, and to assure us that somehow 1989 or 1990 minus 1987 does not equal two or three. The Pentagon attempted to apply the same miraculous mathematics to the dates that it has applied all along to the cost estimates. It has even attempted to justify the aircraft because, after its very brief career as a strategic bomber, it could still be used as a conventional bomber. The Air Force should at least blush at requesting $300 million airplanes for a mission where a $30 million price tag is usually considered steep.

Some proponents of the B–1, yielding at least in part to the obvious, admit to the aircraft's shortcomings, but then argue either:

First, without it we have a "bomber gap" between the B–52 and the Stealth, or

Second, if we do not build the B–1 the Soviets can stop investing in air defense and spend that money in other ways.

Neither argument will wash. The answer to the first is the air-launched cruise missile, or ALCM. The ALCM changes the B–52 from a penetrating bomber into a stand-off Cruise missile carrier, a role in which it remains viable for the foreseeable future. The ALCM itself promises to be a highly effective penetrator. It is really the first generation of Stealth technology—an ALCM shows up as about the size of a seagull on Soviet radar. By the time they know it is a missile, it is too late. Second generation ALCM technology, now in development, promises to reduce the radar signature down to the size of a ping-pong ball. No one makes such claims for the B–1, which will show up on radar looking very much like a B–1.

Were the cancellation of the B–1 also the termination of our bomber program, the Soviet Union might be able to shift resources away from air defense—if they could ignore the bomber threat from other nations and from our forward-based systems, and if they could overcome their own bureaucracy. But, of course, this amendment does not end the U.S. bomber program; it strengthens it. It confronts the Soviets with a far more effective new bomber than the B–1—the Stealth. Not only does Stealth require the Soviet Union to continue investing in air defense, it demands an increased level of investment, for many current deteticon and interception systems will not be fully effective against the Stealth bomber. On the other hand, most of them should work just fine against the B–1.

The Stealth, like the Cruise missile, will use advanced technologies that make it practically undetectable by radar and thereby renders the Soviet air defenses, present and future, obsolete. Deployed in a mix with air-launched cruise missiles (ALCM's), the Stealth would put the United States in a position of outthinking—not just outspending—the Soviets. The end result would be a problem too great for the Soviets to solve, and thus a strong deterrent to nuclear war.

Discussing the Stealth bomber brings us to the second element in the B–1 question, the matter of opportunity costs. The B–1 program promises to be expensive—somewhere between $20 and $40 billion, depending on who plays with the abacus. That means $20 to $40 billion we cannot spend on other defense needs.

What is likely to suffer? First, of course, the Stealth bomber. We cannot afford to build two new bombers, and any attempt to do so is likely to founder in budget cutbacks and program stretches, with Stealth as the primary victim. Second, our conventional forces—the forces we are far more likely to be called upon to use. And within the conventional force category, a prime target for cuts is likely to be operations and maintenance, which is the heart and soul of combat readiness. It is a pattern we have often seen before, and have seen again in the administration cuts of this past September, half of which came out of readiness.

Mr. President, this amendment is intended to deal precisely with the problem of opportunity costs. Not only does it shelve the B–1, it redirects most of the funds saved into areas which will profit us far more militarily. First of all, it provides an additional $300 million to accelerate development of the Stealth bomber. Then, it restores needed readiness funds: Funds for Navy steaming hours, funds for ammunition, funds for spare parts for the B–52 force. Finally, it puts some money where the administration's mouth has been, into naval shipbuilding, in the form of an additional attack submarine.

Ultimately, these matters of substance count far more than the symbol of the B–1. For that is what this aircraft really is: A symbol, a symbol that unfortunately means far more to our Air Force than to the Soviet Union.

It is a symbol uncomfortably reminiscent of one of our warships encountered some 15 decades ago, when we first ventured into the coastal waters of the Chinese empire. That symbol was the war junk. The war junk was quite impressive to those who owned it. It carried many fearsome banners. It was outfitted with loud gongs and with fireworks to terrify the enemy. It had been highly effective in the past against Japanese pirates, who invariably fled at its approach.

Unfortunately, the war junk was only a symbol. It had no effective armament. When it came down the rivers to scare off the Western warships, banging its

gongs and setting off its firecrackers, they replied with a broadside of 24 pounders that blew it out of the water.

Today's 24 pounders are Soviet SA–5's, 6's, 10's and so on. But the effect is likely to be the same. And the value of the investment will also have proven the same—nothing.

I urge my colleagues to join me in support of the amendment.

Mr. President, the unacceptable cost of this weapons system, the money that this weapons system will divert from very much needed conventional force modernization, particularly our shipbuilding program, and the fact that any benefits to be derived from this weapons system will be very temporary at best, all lead to the conclusion that we should not go forward with its production. The decision which the U.S. Senate made in 1977 was the correct decision. I think history will not reward the U.S. Senate or deal with us kindly if we reverse that decision. I strongly urge my colleagues to vote for this amendment and against this weapons system.

Mr. STEVENS. Mr. President, I think the cloakroom should notify absent Senators that we are near a vote and I expect to vote in a very few minutes. The Senator from South Carolina, of course, will make a closing statement. It is his amendment.

We shall not make a motion to table this. We have no agreement to vote but I assume we will vote in a very few minutes.

Let me make a statement here because I think it is a significant vote that is coming up, Mr. President. I am delighted to have had the opportunity to serve with my good friend from Mississippi. I was pointing out today that there are two of us—the Senator from Texas as chairman of the Committee on Armed Services, and I in my capacity here as chairman of the Defense Appropriations Subcommittee—who have taken the lead from our good friend. In past sessions of Congress, he had the duties that we have and he has taught us well and we are honored to be able still to serve with him.

I think it is important to note that the two of us, though, represent a new generation. We are the first two Members of the Senate in these positions whose first military experience was in World War II. All of those who have preceded us in these jobs as chairman of the Armed Services Committee and the Appropriations Subcommittee have had dealings with the military prior to World War II.

I keep in mind the question I kept asking myself as I came back from World War II, having spent 3 years of my life involved in that war, as to why we had to get involved in it. The conclusion I came to then, and it is still my conclusion, is that we get involved in wars when we are not prepared to defend ourselves.

Personally, I am very proud to be able to support the program of the President, which is a program we all have been behind, of strategic modernization.

What we are doing today is asking the Senate, really, to act upon the total strategic modernization program in this fiscal 1982 defense appropriations bill. The strategic modernization program contains five complementary elements, each of which is vitually important to the maintenance of nuclear deterrence and strategic stability. These five elements include:

I. ICBM MODERNIZATION

The development of the MX missile, deployment of the missile in an interim basing mode and research and development on three alternative permanent MX basing options;

II. SLBM MODERNIZATION

The development of the hard-target, counterforce D–5 SLBM;

III. BOMBER FORCE MODERNIZATION

The initiation of a two-bomber program (B–1B and Stealth), to replace our aging B–52 bomber fleet;

IV. STRATEGIC DEFENSE

Increased research and development on ballistic missile defense and space defense, with improvements to our air defense capabilities; and

V. STRATEGIC C^3

The initiation of a program to upgrade U.S. strategic command, communications and control capabilities, which would include improvements in missile attack warning, an extremely low frequency communications system for U.S. strategic nuclear submarines, and other vitally important command and control improvements.

No one element of this strategic modernization program is expendable. Rather each element is complementary, and is designed to enhance strategic deterrence and stability across the broad spectrum of potential nuclear conflict scenarios. To successfully maintain deterrence and provide the President with the strongest possible bargaining position in the forthcoming START negotiations it is essential that the entire strategic modernization program of President Reagan be initiated in fiscal year 1982.

If the B–1B bomber program is denied in this appropriations bill, the entire strategic modernization program of the Reagan administration will be rejected. All of the efforts to strengthen nuclear deterrence and the President's START negotiating position will be defeated.

I urge the Senate to defeat this amendment. In doing so, we will be voting not only for the B–1B bomber but also for the strategic force modernization program articulated by the President. I believe it is supported by the country, and I hope the Senate will demonstrate that tonight.

Mr. President, the last remark I make to my good friend from South Carolina with respect to the amendment before us—and I hope the Senate will listen to this—is that some Members of the Senate voted for the Cohen-Nunn amendment on MX basing. That was accepted, as well as several other amendments: an amendment to increase emergency expenses for defense agencies, the amendment correcting the limitation on the National Board for Promotion of Rifle Practice. All the amendments that have been adopted to date on the floor of the Senate in debate during 4 full days, but one, and that was the *Iowa* amendment, have been deleted by the amendment of the Senator from South Carolina. I would not want to see an amendment adopted that would delete 4 day of work in one fell swoop.

Mr. President, I yield to the Senator from Illinois.

Mr. PERCY. Mr. President, I oppose the amendment offered by the distinguished Senator from South Carolina.

President Reagan's decision to go ahead with the deployment of 100 B–1 bombers while continuing research and development on an advanced technology bomber that can virtually evade radar detection, known as Stealth, strikes me as the most prudent and sensible course which he could possibly have followed. Our existing B–52 bombers were built in the 1950's and 1960's and are becoming increasingly costly and difficult to maintain.

Estimates recently developed by the Air Force show that it is costing us $12,000 for each hour that we keep one of our current B–52 bombers in the air. Indeed, the Air Force projects that it would be less expensive to procure, maintain, and operate a fleet of 100 new B–1 bombers through the year 2000 than it would be to keep our existing force of aging B–52's in operation till the end of the century.

We simply cannot wait any longer to decide on a proper replacement for these aircraft. The issue, then, is whether we should go now with the B–1, followed in time by the Stealth bomber, or try to leapfrog directly to Stealth, skipping the B–1 altogether.

The problem with the latter course is that the Stealth bomber is still just a design and the first test aircraft will not fly for at least another 3 years. While the basic concept shows considerable promise, many technological and design uncertainties remain. History has repeatedly shown that programs which are rushed through on a crash basis result in cost overruns and suboptimal performance. The Stealth program is too important to be pursued imprudently. By going with the B–1 now, we will gain the time needed to get the Stealth program right while at the same time capitalizing on the $6 billion already invested in developing the B–1 bomber. If the Stealth bomber should become available sooner than we think, we can always shift funding from the B–1 to the Stealth.

Some critics have charged that in the event of war the B–1 would not be able to penetrate Soviet air defenses and thus should not be built. In my view, this argument is based on unrealistic assumptions regarding likely combat scenarios. If, in World War II, the United States had decided that it would build no B–17's or B–29's unless they were invulnerable to German or Japanese defenses, we would have built no bombers and may well have lost the war. Then, as now, the success of a bomber attack depended

more on tactics and mass than on the invulnerability of a single bomber in a strictly technological sense.

B–1 bombers on nuclear retaliation missions would reach Soviet airspace several hours into all-out nuclear war and encounter an air defense network left in shambles by prior U.S. missile strikes on key Soviet airfields, radars, and command and control facilities. Moreover, the bombers could launch supersonic, nuclear-tipped short range attack missiles to take out whatever air defense installations remained in the designated penetration corridors and employ very low level flight and newly upgraded electronic countermeasures to evade defenses in the immediate target area.

In a letter of November 10, 1981, Secretary of Defense Weinberger and CIA Director Casey affirmed that the B–1B will have the capability to penetrate anticipated Soviet air defenses well into the 1990's. I believe that Soviet military leaders must also conclude that a considerable portion of the attacking force would deliver bombs on target. This knowledge—the certainty of nuclear devastation—is the essence of credible strategic deterrence. And a credible strategic deterrent has been the heart of our efforts to prevent nuclear war for the last three decades.

I would also point out that the B–1 and Stealth are more complementary than competitive in design. Once the Stealth is deployed in the mid-1990's, it would assume principal responsibility for the manned penetrator role. Nonetheless, the B–1 will remain fully capable of serving as a standoff Cruise missile launcher or as a conventional bomber in support of nonnuclear military operations, such as a U.S. military deployment in defense of the Persian Gulf oil fields. The advanced technology bomber, which will be optimized for speed and stealth, will not be nearly as effective in performing these missions.

Last, I believe it is essential to recognize that deployment of the B–1 is not only fully consistent with existing strategic arms limitation agreements, which this administration has pledged to respect as long as the Soviets reciprocate, but also that the B–1 will provide a strong underpinning to our negotiating position in the upcoming START talks. As Secretary Haig advised the Foreign Relations Committee during a November 4 hearing on the strategic package:

> More than any other elements of the plan, B–1 and MX, and the degree of Congress support for them, will make or break an attempt to negotiate a reasonable arms control agreement.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, the question is not just any plane, as it was referred to. The fact is that we do have 345 B–52's and some 63 FB–111's. We will have 1,366 F–18's, 1,383 F–16's, 160-plus F–15E's, and hundreds of A–6's and A–7's.

I ask unanimous conser.t that the list of planes be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Strategic and tactical bombers
(current and projected)

Strategic bombers:	
B–52, C, F and D models	78
B–52, G and H models	267
FB–111A	63
Tactical bombers:	
F–18	1,366
A–6	160
A–7	600
AV–8B	336
F–16	1,388
F–15E	160+

Source: Department of Defense.

Mr. HOLLINGS. Mr. President, what we are looking at, as everyone has agreed, is that between now and 1990, we are home free. We do not have to worry about nuclear war. We are not going to start one. We have a sufficient capability to not have an open window. But they are wrong. We have an open window; it can be seen through. Our conventional forces are in trouble.

But with our Trident, as many have testified, with our B–52's, with the Minuteman III's—we now have nearly a thousand in silos—there is no chance of their getting away with a nuclear strike. So there will not be any nuclear war, and we have a good preventive to make certain that it will not start.

What we are looking for after 1990 is a manned penetrating bomber. After that particular time if you remember proponents try to sell the plane type of attack, on the basis that you can recall the plane, and recall the decision.

The distinguished Senator from Alaska says that he does not want to waste 4 or 5 days. I do not want to waste the next decade. We will not be able to recall this decision. When the next Congress comes in, having made a decision tonight, it will be in both bills.

They can talk about waste, fraud, and abuse, but the national defense budget will go up $5.7 billion next year. When the next Congress comes in right after that in 1984, it will be $8.9 billion—$9 billion. That is the hidden cost of B–1 as shown in the CBO estimate—based on real inflation rates.

You can cut the cost, but when you do, you stretch out delivery of the plane and you are back then to a 1988 IOC and you have a penetrating plane for only 2 years. Looking further, in 1985, you are committing yourselves to $11.3 billion; in 1986, $10.5 billion. That is the commitment.

You are not concerned now about nuclear superiority but conventional adequacy. You have condemned yourself to a conventional inferiority. For what? Well, the Senator from Georgia says that we might not be able to guarantee a Stealth bomber. But with this crowding out of a rapid deployment force, the 600-ship Navy, the Army, National Guard, and Reserve Forces, the Tactical Air Command's needs, of predispositioning ships for the marines, and on down the list, we have guaranteed ourselves a stealthy Marine Corps, a stealthy Army, and a stealthy Navy.

Clausewitz says we will fight the war we are prepared to fight. We are not prepared to fight in the Indian Ocean, so we will not fight there or in the Persian Gulf. We are not prepared to fight the conventional battle at the NATO front in Western Europe, so we will not fight in Western Europe. We are prepared to fight a nuclear engagement. So tonight what we do is take that $40 billion, where we are already prepared, and over-prepare us for nuclear and under-prepare us for conventional.

As Winston Churchill said, thinking as a commander in chief, knowing that you will never use a B–1B for its mission as a penetrating bomber until perhaps you have used your ICBM's or your SLBM's or your Pershing II's or your air launched or your sea launched cruise missile and so forth, about the sixth option is to have a manned penetrating bomber to bomb Moscow—in reality, as Churchill said, you are just spending $40 billion to bounce the rubble and guarantee yourself conventional inferiority.

SEVERAL SENATORS. Vote. Vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from Alabama (Mr. DENTON), the Senator from Arizona (Mr. GOLDWATER), the Senator from California (Mr. HAYAKAWA), the Senator from Pennsylvania (Mr. HEINZ), and the Senator from Wyoming (Mr. WALLOP) are necessarily absent.

I further announce that, if present and voting, the Senator from Arizona (Mr. GOLDWATER), the Senator from Pennsylvania (Mr. HEINZ), and the Senator from Wyoming (Mr. WALLOP) would each vote "nay."

Mr. CRANSTON. I announce that the Senator from Arizona (Mr. DECONCINI) is necessarily absent.

I further announce that, if present and voting, the Senator from Arizona (Mr. DECONCINI) would vote "nay."

The PRESIDING OFFICER (Mr. HATCH). Is there any other Senator who needs to vote?

The result was announced—yeas 28, nays 66, as follows:

[Rollcall Vote No. 448 Leg.]

YEAS—28

Baucus	Hatfield	Pell
Biden	Hollings	Pressler
Bradley	Kassebaum	Proxmire
Bumpers	Kennedy	Pryor
Byrd, Robert C.	Leahy	Riegle
Chafee	Levin	Sarbanes
Dodd	Mathias	Tsongas
Eagleton	Matsunaga	Williams
Ford	Mitchell	
Hart	Nunn	

NAYS—66

Abdnor	Cochran	Glenn
Andrews	Cohen	Gorton
Armstrong	Cranston	Grassley
Baker	D'Amato	Hatch
Bentsen	Danforth	Hawkins
Boren	Dixon	Heflin
Boschwitz	Dole	Helms
Burdick	Domenici	Huddleston
Byrd, Harry F., Jr.	Durenberger	Humphrey
Cannon	East	Inouye
Chiles	Exon	Jackson
	Garn	Jepsen

Johnston	Nickles	Stafford
Kasten	Packwood	Stennis
Laxalt	Percy	Stevens
Long	Quayle	Symms
Lugar	Randolph	Thurmond
Mattingly	Roth	Tower
McClure	Rudman	Warner
Melcher	Sasser	Weicker
Metzenbaum	Schmitt	Zorinsky
Moynihan	Simpson	
Murkowski	Specter	

NOT VOTING—6

DeConcini	Goldwater	Heinz
Denton	Hayakawa	Wallop

So Mr. HOLLINGS' amendment (UP No. 744) was rejected.

Mr. TOWER. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. THURMOND. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BAKER. Mr. President, if I could have order, I wish to explain the situation to the Senate.

The PRESIDING OFFICER. The Senate will be in order.

Senators will resume their seats.

Mr. BAKER. Mr. President, I thank the Chair.

Mr. President, I wish to inquire, if I may, of the distinguished manager of the bill and the minority manager of the bill or the minority leader if they can favor me with information on how many amendments are yet to be disposed of and how long it may take to deal with them.

Mr. STEVENS. Mr. President, I respond to the majority leader by saying it is my understanding that the Senator from Oregon has an amendment. He discussed that with me and was talking about somewhere around 20 minutes.

The Senator from Washington (Mr. JACKSON) has an amendment that we are prepared to accept after a very short discussion.

And I believe that the Senator from Wisconsin (Mr. PROXMIRE) has an amendment. We have not discussed how long that will be.

The Senator from Georgia (Mr. NUNN) has an amendment which will be very, very short and will require a vote but there will be at most 4 or 5 minutes discussion on it.

Mr. BAKER. Mr. President, I will judge from the list, then, that with those amendments and debate on them we can finish within less than an hour.

Mr. STEVENS. That is correct.

We anticipate three votes out of that; at least 1½ hours.

Mr. BAKER. I see the minority leader has his list before him. I wonder if he could give me some insight as to the situation on his side.

Mr. ROBERT C. BYRD. Mr. President, I see, inclusive of the amendments that have been enumerated by the distinguished majority whip, a total of at least eight amendments.

Mr. BAKER. So, that would be eight, altogether, including the three that were listed by the Senator from Alaska?

Mr. ROBERT C. BYRD. I am prepared to suggest a time agreement on each.

Mr. BAKER. I wonder if the Senator will do that at this time.

Mr. ROBERT C. BYRD. I am prepared to suggest that there be, on an amendment by Mr. LEVIN with respect to the B–52's, 30 minutes, equally divided; on an amendment by Mr. LEVIN and Mr. GLENN, which has to do with the steaming hours, et cetera, 30 minutes, equally divided; an amendment by Mr. EXON with respect to ammunition, 30 minutes, equally divided; an amendment by Mr. METZENBAUM, a sense of the Senate resolution on a program for the elderly, 20 minutes, equally divided; two amendments which I will have, each of which I will be agreeable to 40 minutes, equally divided.

Mr. BAKER. Will the Senator from West Virginia give me some idea of what they are?

Mr. ROBERT C. BYRD. Yes; one deals with an add-on on Stealth; the other would be an add-on for a number of items which were included in the amendment by Mr. HOLLINGS. There is an amendment by Mr. PROXMIRE, in which there would be 40 minutes, equally divided.

Mr. PROXMIRE. If the Senator will yield, make that 30 minutes, equally divided.

Mr. ROBERT C. BYRD. All right, 30 minutes, equally divided. Then the amendment by Mr. HATFIELD, on which the distinguished majority whip says it would be 20 minutes equally divided, was it?

Mr. STEVENS. The Senator wants 20 minutes.

Mr. BAKER. Thirty minutes, equally divided?

Mr. HATFIELD. Yes.

Mr. ROBERT C. BYRD. Then there would be an amendment by Mr. NUNN, which Mr. STEVENS has already addressed his remarks to, but which would require a rollcall vote, 10 minutes equally divided.

So, I would say to the majority leader that there is also to be contemplated something like eight rollcall votes, in addition to final passage.

Mr. BAKER. Mr. President, that is a lot of work yet to do. I think we ought to do as much of that tonight as we can.

Let me inquire of the minority leader if he is in a position now to consider a time certain for final passage of this bill?

Mr. ROBERT C. BYRD. Yes; I would propose, if the majority leader would like to go over—I am offering two alternatives—if the majority leader went over now, I would say no later than 4 o'clock p.m. tomorrow. If he wishes to go, let us say, a little while longer and take a couple of these amendments with the rollcall votes, we could cut that to no later than, say, 3 o'clock tomorrow.

Mr. BAKER. Mr. President, I need to consult with Members on this side. Perhaps the minority leader may have other Senators he wishes to consult with.

At the moment, I suggest the absence of a quorum.

Mr. BUMPERS. Mr. President, will the majority leader withhold that request for just a second?

Mr. BAKER. Yes.

Mr. BUMPERS. Would the majority leader entertain the idea of asking unanimous consent right now that all future rollcalls tonight be 10 minutes? We might save a little time, anyway.

Mr. BAKER. Mr. President, I wish I could do that. The problem I have, frankly, at this hour, because of other commitments Senators have, it is more difficult to get them back, ordinarily. Some carry beepers with them and some can be reached by telephone. I would like to do that, but I must say to the Senator from Arkansas that I cannot at this moment.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, in conversations with Iowans I have often expressed my wish to inhabit a world where it would not be necessary to spend a single penny on defense. Unfortunately, we do not live in such a world; therefore, we must maintain a defense posture that enables us to defend ourselves and our allies. Our very existence as a nation is dependent upon our willingness to maintain our Armed Forces on a par with our potential enemies.

I do not believe an America that is weak vis-a-vis the Soviet Union serves the cause of world peace. This week's Economist carried an interesting article on the prospects for the negotiations in Geneva, which I think illustrates my point well. Reporting on the private Soviet reaction to President Reagan's zero option proposal, the article stated:

> Mr. Reagan's proposal would have to be studied, diplomats were told . . . it was a rather brief proposal, more details, please . . . then we'll analyse . . . our president wants "very substantial cuts", yours is calling for liquidation . . . hmmm, that, surely is a negotiable gap. How different a reaction this has been so far from that in March, 1977, when Russia's foreign minister, Mr. Gromyko, strode before the waiting press to read a statement scribbled in his own hand brutally rejecting the cuts in big long-range missiles just proposed to him by Mr. Cyrus Vance.

Yes, Mr. President, what a contrast. And what a contrast there has been in the postures of Mr. Carter's and Mr. Reagan's administrations. President Carter came into office believing that the Soviet Union really did not pose a threat to international stability, that it was essentially a nonaggressive, status quo-oriented state; that we had an inordinate fear of the Soviet Union. He did not have the will or the inclination to take the steps that were necessary to maintain our strategic position vis-a-vis the Soviet Union. His offer to reduce strategic arms was not honored because he gave the Soviet Union no reason to honor it. By the time the Soviet invasion of Afghanistan taught President Carter a hard lesson about Soviet diplomacy, it was too late.

President Reagan, on the other hand, harbors no illusions about the Soviet Union. From the time he entered office, he has not ceased to try to impress the American people with the necessity of a strong defense to counter Soviet imperialism. More importantly, he has displayed the will to increase the strength of our defense. When President Reagan proposes arms liquidation the Soviet Union is forced to listen.

Mr. President, I think everyone in the United States shares the commitment that our arms should be used only for our protection and the protection of our allies. This year's defense budget demonstrates an important commitment to protect and maintain our freedom and our ability to work to bring about a just and lasting peace.

UP AMENDMENT NO. 746

(Purpose: To reduce by 2 percent, appropriations for titles IV and V Procurement and Research and Development—for Department of Defense appropriations bill)

Mr. HATFIELD. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Oregon (Mr. HATFIELD) proposes an unprinted amendment numbered 746.

Mr. HATFIELD. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the bill, add the following new section: Section notwithstanding any other provision of this Act, the total budget authority appropriated or otherwise made available by titles IV and V of this Act is hereby reduced by 2 per centum: *Provided*, That except as may be permitted by Section 733 as by reprogramming; no account, program, or activity shall be reduced in excess of 5 per centum.

Mr. HATFIELD. Mr. President, I ask unanimous consent that Senators ROTH and DURENBERGER be added as cosponsors to the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATFIELD. Mr. President, this amendment proposes a 2-percent reduction in titles IV and V—procurement and research and development—from the defense appropriations bill as reported to the Senate. Only in extreme circumstances would I advocate such an across-the-board reduction, and I choose only two of the titles in order to apply this particular amendment. Mr. President, in my view, the situation as far as defense appropriations is concerned, is indeed extreme. For the defense bill, unlike any other bill considered by the committee this year, has not been cut. It has not suffered any reductions.

In fact, the Senate-reported bill recommends Defense Department funding at $208.5 billion, some $7.64 billion over the President's September budget request, and $11.8 billion over the House.

Moreover, Mr. President, I would like to correct what seems to be a predominant impression, that the defense bill has been subject to real decline over the past 5 years. That is far from the truth. The Congressional Budget Office has informed me only today that defense had a real growth increase of 26 percent from 1975 to 1981. And from 1981 to 1982, the President's program recommends a real growth of 10 percent. In effect then, over the past 6 years, the growth in defense spending—exclusive of inflation—has been 36 percent.

As chairman of the Appropriations Committee which is responsible for recommending sound, fiscally responsible funding legislation to the Senate, I am deeply disturbed at the spending levels proposed to us here today for the Department of Defense. In my view, the proposal is neither sound nor fiscally responsible. I regret to use such harsh words against a proposal on which I know my distinguished colleague and good friend Senator STEVENS has worked diligently. In no way do my remarks cast reflections upon his efforts or those of the staff of the subcommittee.

However, the stakes are too high, particularly during the budget decisions necessary this fiscal year, to be less than forthright. The impact of approving a bloated budget, in any area of spending, can be devastating to the charge of the committee and to the economic renewal so desperately needed by this country.

I believe it is important to point out the following facts about the proposed defense funding mark:

First. If the Senate approves the recommendation as reported, almost three-fourths (74 percent) of the often painful cuts we have made in domestic programs this year, will be sucked up by this single defense add-on to the President's budget. The Senate has carefully and methodically reduced domestic programs in 10 other appropriations bills by some $9.9 billion from the administration's March budget request. And in a single bill we nearly obliterate that record, by adding to that request some $7.6 billion.

Second. The President's veto of the continuing resolution 2 weeks ago makes abundantly clear his dissatisfaction with congressional efforts to reduce domestic spending. It is ironic that the total spending level in excess of the President's September request for 10 nondefense appropriations bills is nearly doubled with defense at the recommended level of $208 billion. The average increase above the President's September request for the 10 nondefense appropriations is under a billion dollars. The proposed defense add-on is seven times that figure. Will the congressional and Presidential scrutiny be applied to such excess in the military spending bill? Clearly not.

Third. Even if the Senate was to reduce the reported bill and adopt the President's proposed reduction in military spending—some $8 billion in budget authority from his March request—defense spending will increase by 45 percent from what was spent in fiscal year 1980. If, however, the reported level is adopted, defense spending will increase by an even more significant 50 percent over the amount spent in fiscal year 1980. Over that same period of time, all other appropriations accounts—nondefense—will decrease by 13 percent.

Under the President's budget proposal for 1981 through 1986, we will spend $1.4 trillion for the military. Despite that almost incomprehensible sum, we do not have a plan as to how and where that money will be spent. I am talking about a major blueprint.

Mr. President, on June 4—6 months ago—I stood before this body in reporting the 1981 supplemental/rescission bill, and said:

(This bill) begins a defense buildup guided at this point by little in the way of overall strategy.

I regret to say—in fact, I am embarrassed to say—that this is still the case. While the administration has submitted its 5-year defense budget which projects a more than doubling of military expenditures, from $177 billion in 1981 to $366 billion in 1986, we still have huge programmatic gaps as to how that money will be spent.

I have requested the Congressional Budget Office to prepare a projection into the out-years of the administration's fiscal year 1982 defense budget. That office cannot accommodate my request because the Department of Defense has made few decisions on what programs it will recommend beyond 1982. More than $50 billion remains undefined in the next 5 years. Mr. President, DOD has in effect said, "give us the 1982 money, and we'll tell you later what we'll do in '83." In fact, the administration has failed to supply budget justifications for the two of the most expensive items in fiscal year 1982—the MX missile and B–1 bomber.

It is elementary and imperative that when we spend billions of dollars on research for new weapons systems to add to the 200 systems already in the pipeline, we must know the program plan into which these weapon systems fit. How many of each does DOD plan to procure in the out-years? What is the anticipated mix of weaponry? These questions must be answered if Congress is to make rational and intelligent decisions.

I shudder to think, Mr. President, about the implications of this lack of information: There is no long-term policy or conceptual framework involved in this, the largest military peacetime budget in U.S. history. In its haste to draw up a defense budget, the administration failed to sort out priorities. It simply asked the Services: "What do you want?" This is surely management without specific objective.

Mr. President, it mystifies and saddens me that we in Congress, without consciousness of our responsibility for these actions, are ready to appropriate billions of dollars for a defense policy which has not yet been formulated; for a long-term strategy which has not yet been developed. We continue to throw these precious dollars at a problem, without a plan of how we are to solve it. In the meantime, quickly and somewhat casually, we deprive hundreds of thousands of poor Americans of their own security, for food, for housing, for a proper educa-

tion. We in Congress must take responsibility for that action, as well.

We can no longer afford to fool ourselves, and we are surely not fooling the American public: That same Federal dollar which is deprived from the human services programs, is used instead to feed the voracious appetite of the military. I use the example which I have mentioned before to my colleagues on the committee, because no more clear example of this phenomenon can be cited than what occurred several weeks ago when the full committee considered the Labor/HHS/Education bill. The committee struggled desperately to find $300 million in additional cuts in programs aiding the handicapped, unemployed, low-income students, elderly poor Americans in ill health.

I point out that the Labor/HHS/Education Subcommittee had already reduced the President's March request by some $3 billion in order to accommodate the administration's new budget mark. During the very next hour, that $300 million was quickly consumed by the nuclear weapons program, with a floor amendment to the energy and water appropriations bill, voted 49 to 43. I might add that the nuclear weapons program, under the committee recommendation, had already received a $1 billion increase over appropriations for fiscal year 1981.

I remind my colleagues that constituencies around the country are alert to the irresponsibility of cutting human services so that more nuclear weapons can be built, so that the war machine can ramble on unobstructed. We are certain to approach a public backlash against a military buildup that appears to be reckless spending on the backs of vital domestic programs.

It is of great concern to me, as a Senator from Oregon and as chairman of the Appropriations Committee, that the "Russians are coming" mentality has tended to supersede all sensibilities. That cry has allowed us to simply throw money at a problem without critical analysis, to deny the same cost-effective standards and criteria for funding defense programs as we require of domestic ones; to participate in the hypocrisy of believing that our strength against enemies resides only in planes and fighting ships.

I regret that little was accomplished in the most critical area of defense spending, that of procurement. Termination of ineffective, marginal programs which are costly and replacement with effective, less costly weapons systems is mandatory. Make no mistake: It will be impossible to fund all of the 200-odd weapons systems we now have in the pipeline to completion. Even Deputy Defense Secretary Carlucci insists that we have too many weapon systems for the amount of money we have budgeted. But neither the Department of Defense nor the subcommittee has been willing to make those necessary, politically difficult decisions.

Mr. President, I have little problem with increasing funds for our readiness accounts—for military personnel, for operations and maintenance. But these important facets of our defense have gotten shrift over the years, compared with the skyrocketing growth of new weapons procurement. How much has been spent on improving conventional forces rather than on boosting U.S. arsenal? How much for improving the combat readiness of equipment already in the field, instead of buying new hardware?

According to CBO, the revised budget submitted last month shows funding for new weapons, including the procurement, military construction, and research and development accounts, growing from $68 billion in budget authority in fiscal year 1981 to $89 billion in 1982 and $175 billion in 1986. This growth in the funding of new weapon systems represents a real increase of 95 percent between 1981 and 1986 compared to a real growth for the defense budget as a whole of 52 percent over the same period.

The thrust of this amendment is toward a moderate—2 percent—decrease in the procurement and research and development accounts.

My amendment, should it be agreed to, will not come at the sacrifice of readiness of forces in the field. But at the expense of overly complex, unnecessary, cost-inflated weapon systems which are fully funded in this bill.

Title IV—procurement—and title V—research and development—are reported in the bill at $86.121 billion. The cost impact of my proposed 2-percent reduction would be $1.722 billion.

Under the conditions of my amendment, the Secretary is directed to reduce these accounts up to 5 percent. Of course, as specified in the amendment, this does not preclude transfer of funds in excess of 5 percent, where the Secretary determines such authority is needed to provide for higher priority defense needs. This authority is clearly set forth in section 733 of the bill.

It is hoped that this limited discretion would aid the Secretary in buying smart, or not buying at all. The contrary practice, as recommended by this and previous administrations, has been simply to defer spending authority, shuffle money, stretch out buys, all of which increase the long-term cost of weapon systems. The Secretary can, with this transfer authority, instead move to cancel a militarily ineffective weapon system, just as Mr. Carlucci has suggested needs to be done.

According to CBO, the 1982 budget revisions submitted in September proposed a number of stretch-outs which may result in substantial cost-growth. For example, the original March request proposed to buy 60 A–10 aircraft for $9.1 million each. The October revision proposes to buy 20 A–10's for $13.4 million each—a 47-percent increase in the cost of each aircraft due primarily to the less efficient buy size.

Other examples of higher costs resulting from slipping the scheduled delivery of weapon systems or stretching out programs can be seen in the December 1980 SAR, which showed increased program costs of $673 million—14 percent—for the AH–64 helicopter, $856 million—21 percent—for the DIVAD gun, $907 million—4 percent—for the F/A–18 aircraft, and $1,063 million—8 percent—for the F–16 fighter aircraft—all of them due to schedule changes.

Let us not attempt to overstate the impact of this proposed amendment, Mr. President. A reduction of $1.7 billion in the context of hundreds of multimillion dollar weapons systems will in fact do very little. But it is a step toward responsibly curbing the wasteful expenditure on weapons which do not have high priority, which squeeze out the funding of other less costly, more effective systems.

Even if the Senate adopts my amendment, this bill will remain $5.9 billion in budget authority over the President's request. That amount is nearly six times greater than any one of the 12 other appropriations bills reported to the Senate, and one and one-half times larger than the total overage of the nondefense appropriations bills for 1982, as reported by the continuing resolution, which was vetoed by the President.

Mr. President, it is distressing that all other subcommittees have been willing to face up to budgetary realities and painful costcutting decisions. Yet, when it comes to defense, we are unable to even apply measures of cost-effectiveness to the largest sum ever included in one bill for military purposes in the history of the country.

I regret that I cannot in good conscience endorse the proposal presented today. I know and I want to underscore that Senator STEVENS, and all the members of that committee and especially the ranking minority member (Mr. STENNIS), have worked feverishly, under the most difficult of circumstances, to produce a proposal within tight time constraints and after numerous alterations in their budget by the administration. However, in my view, the defense bill, which is $42.46 billion over the fiscal year 1981 regular defense appropriation bill, and $7.64 billion over the President's defense program, is excessive.

Gene R. Laroque, retired rear admiral, sums it up well when he claims that in contrast to popular perceptions, the military budget, as now formulated, is not an effective measure of our real defense capability. It is merely a symbol, and not a very good one at that.

Too many extensive programs are competing in the military arena, and even the budget increases contemplated by the Reagan administration cannot accommodate all of them. We cannot simultaneously acquire a vast new arsenal of nuclear weapons, expand costly forces for defending countries in Europe and Asia, add to substantial equipment and manpower for rapid intervention everywhere in the world, enlarge a very expensive Navy for deployment on all the world's oceans, develop new weapons that are always better than Soviet weapons, and keep existing forces at a high level of readiness and training.

We must begin to set priorities in our defense spending, Mr. President. These obsessions with combating every extremely remote scenario with a unique weapon system is a fairytale escapade. And it prevents us from taking the necessary steps to assure a strong, effective defense force.

Mr. President, I urge my colleagues to support this amendment. It represents a small but important move toward ration-

ality and the critical setting of priorities in our defense program.

Mr. STEVENS. Mr. President, I shall be brief. Does the Senator wish the yeas and nays on his amendment?

Mr. HATFIELD. I would like them, yes, Mr. President.

Mr. STEVENS. Mr. President, I ask for the yeas and nays on the Senator's amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. Mr. President, I am not being facetious when I say that I never realized when I became chairman of this subcommittee that I would become somewhat interested in birdwatching and in entomology. We have in the other body one group called the Boll Weevils and another group called the Gypsy Moths. Ornithologist is the word my friend tells me I am becoming in terms of watching the peregrinations of some of our people on the other side.

I just want to point out to my good friend from Oregon, and I hope the Senate will listen, at the time we considered the continuing resolution, the defense bill was not an issue because, if you look at the low amount in the House bill and and the low amount in the Senate bill, this bill is less than the President's budget by more than $4 billion.

It is over in the Senate because we have reduced items in the Senate that the House put up high, and we have added items that the House did not contain.

For example, $4.8 billion is for the pay raise that passed both Houses, became law and must be funded. That is not over the budget in the 1982 framework. It should not be considered a budget buster. In the continuing resolution conference, it was not considered to be one of the items that was over the budget.

So the effect of the Senator's amendment would be to cut 2 percent, or $1.73 billion, which means a $414 million cut in research and development, a $1.32 billion cut in procurement.

It is a cut which, in my opinion, would tie the hands of those of us who must go and negotiate with our colleagues in the House, in conference, and try to bring in a bill.

I have dedicated our committee to bring in a bill somewhere as close as possible to the September mark that was listed in the President's budget. It was approximately $200 billion so far as the nonpay items are concerned in this bill.

We are not talking about the $4.8 billion military pay increase that was brought about by the act of Congress which was passed since the President's budget came in. It is not part of the budget process. It is not fair to say that we are that far over. I know it is nice to talk about big numbers, and we have some items that are over budget. One is the inflation item, which we will discuss later, along with the 3 percent cost overrun figure. Those are two legitimate items that are above the House.

In the supplemental, we took the inflation item to the House. The House would not listen to us when we pointed out that inflation and procurement consistently run ahead of the cost of the rest of the economy, and it is wrong to understate a military budget to the extent we do.

This time, to make sure we had conferenceable items in addition to the inflation item, we added a cost overrun item which deals with basically the MX and B–1. Senator PROXMIRE will discuss that in a moment.

Right now, I urge the Senate and my good friend from Oregon, respectfully, as chairman of our full committee, to remember that we have to be able to negotiate, to represent the priorities of the Senate.

If you cut out the money now across the board, you limit our complete flexibility to deal with the priorities that Senators have come to our committee and talked about throughout this whole year, as well as the priorities in here that the Senate has as opposed to the House.

I point out that the proof of that is that when we dealt with the continuing resolution, we were dealing with a figure under the budget—under the President's September mark—because of the action of both Houses in reducing items that we know the other House puts a priority on. That is what makes the defense conference such an important conference to work out those priorities so far as the weapons systems are concerned.

Senators should not be misguided. Those are not major weapons systems. There is no difference between the House and the Senate on major weapons systems. The differences are in the procurement items, which are substantial in amount, because of the myriad number of those items. But the major weapons systems in the President's program are not in dispute in amount or in basic approach, so far as the House and the Senate are concerned.

This amendment, unfortunately, would cut that item of agreement. This amendment, unfortunately, would cut the B–1, it would cut the MX, and it would change the effect of the Cohen-Nunn amendment. It would change the effect of the amendments we have already adopted here relative to other items of procurement.

Unfortunately, I am in the position of asking the Senate to reject the amendment of my good friend from Oregon. It is not a good amendment to cut across the board at this time, before we go to conference, and I urge that it not be done.

Mr. HATFIELD. Mr. President, I should like to correct one misunderstanding that I think the distinguished manager of the bill has concerning my amendment.

This does not require the Secretary of Defense to cut those specific items. It gives flexibility for him to apply cuts where he may decide and to set his own priorities. So it does not necessarily include those specific reductions that have been enumerated by the Senator from Alaska.

Second, I wish to point out one simple thing: Last year, over and above the inflation rate, in 37 of the 47 weapons systems, we had a cost overrun of over $4 billion. I repeat, a cost overrun of over $4 billion in weapons systems procurement over and above inflation. My amendment would barely be one-fourth of that cost overrun.

In cranking in a so-called 3 percent growth factor for a couple of weapons systems, that is an invitation for cost overruns. That is speaking against what the Secretary of Defense testified before our committee, that he was going to get control over the cost overruns. He had a 31-point program.

The Senator from Mississippi said, "I can remember when Secretary McNamara came before our committee and told us he had a program to get control of the cost overruns. When are we going to get control of the cost overruns?"

Not only have we failed to get control of the cost overruns, but also, we now have said, in effect, that we are going to crank them in as an invitation at the beginning of the budget year by a so-called growth factor.

This amendment would reduce by only one-quarter the total cost overruns in the last year, over and above inflation.

Mr. STEVENS. Mr. President, if I knew of a way to legislate cost overruns, I would join the Senator from Oregon.

As a matter of fact, if we cut $1.73 billion out of this bill now, when it comes back next year it will be $2.5 billion. That is what we proved before.

Every time we underfund a weapons system, when the cost comes in the next time, it is with handling costs, all the administrative overhead, the cost of keeping lines open, production lines waiting, subcontractors not paid, and it mounts up until it pyramids.

What we are trying to say is this: Let us have a fully funded budget. If we fund these matters in advance, there will not be cost overruns. The cost overruns take place because of underfunding. I do not know how to get the Senate to understand that.

It costs more to keep a production line open when you are going to pay for something over 2 years or 18 months that could have been done in a year. But if you put up only part of the money to keep it running part way during the year, it will run 18 months or 2 years, and the cost overrun is cranked into the system by virtue of this kind of amendment.

Mr. HATFIELD. Does the Senator really believe that the cost overruns are caused by underfunding or because we fail to take the action we should, and that is to give multiyear authority to contractors for procurement purposes?

Mr. STEVENS. In some instances, we could save money by multiyear funding, and the authorization committee has told us that that is their function—to authorize multiple-year funding—and we have not done that.

However, in terms of the areas where there are changes that are sought, where they would add moneys to procurement—small amounts, but go beyond line items we have earmarked, to take a gun, a gunsight, or whatever it might

be—if the contract comes in over the bid, they must come back and get an additional amount of money. Meanwhile, they enter into a contract for less than the full amount.

That is exactly what happened with the F–18's. We ordered 60 of them. The contract was let, and as a result of the contract, 52 were delivered, and we had to come back and ask Congress for money to fund the eight. Many people thought we were buying eight more planes. The Senator from Mississippi will recall that. They asked, "What are we doing? We only agreed to buy 60."

As a matter of fact, the delivery on that line was 52, and they had to keep the line open to produce the other 8 for which we had already contracted, but we underfunded. Had we put up the money in the beginning and given them just a little cushion in case the contract came in over the estimate—remember, those items are just estimates, and they are just human.

Experience shows that the average cost growth is 3 percent a year. I say give them the margin of 3 percent and it will cost us less. The F–18's proved that, because when we ended up, we paid for 60 aircraft, but we paid as though we had bought two separate lines of aircraft. It really cost us considerably more for the last eight than it should have if we had funded them all to begin with. That is all we are saying.

By this amendment, it would take away the negotiating position on the procurement accounts for at least $1.32 billion. That acquisition already has been authorized. It is approved by this bill. The money is just not here.

So in the supplemental they will come in and ask for more money, and I would be willing to bet, as a matter of fact, I would stake my life on the fact that if we cut out $1.32 billion by the time it came in the supplemental it would far exceed that amount. It would be $2 to $3 billion.

We proved that in the supplemental. I had the figures to prove in each instance where one of these cuts went through what happened the next year in the supplemental.

I urge the Senate to defeat this amendment.

Mr. HATFIELD. Mr. President, I have only one additional comment.

What the Senator is saying really to me is we have no way to control military spending. There is just no way to control it. We just have to add, add, and add and escalate, escalate, and escalate.

I wish we would have the same kind of cost caring about the development of water projects, reforestation of our national lands, and some of these other things where we apply a certain restriction and where contracts have to be kept within means or the programs are canceled.

Let me remind the Senator from Alaska that the Secretary still has the authority to cancel programs in order to achieve savings. So, consequently, I wish to see the same applied to the procurement of milk for school milk programs.

But any time we seek cost overruns there or inflated costs, we always take the attitude there must be a lot of bums getting into the public trough.

I think we should apply the same cost-care scrutiny and the same cost analysis and the same demands for fiscal responsibility in military procurement that we demand in any other procurement programs of the U.S. Government.

We are not going to change votes. I am ready to vote on this. But I just do feel this is but a very small percentage reduction.

The Senator knows the agony that we have gone through in reducing all these nondefense programs in our bill to get a Presidential signature on a continuing resolution. It is not unreasonable to ask for a 2-percent reduction in two sections of this bill that have been the greatest growth parts of the entire defense program. Other programs are taking 5, 10, and 12 percent reductions.

It will be difficult to go back to our constituents and tell them we made an equitable distribution of the reductions of fiscal year 1981. Not one penny was cut from Defense in the rescission package and we cut $14 billion in the nondefense programs. Not one penny was cut from Defense in reconciliation and $25 billion was cut from the nondefense programs.

Let me say from President Carter's last full year defense program in 1980 to Mr. Reagan's full defense program of 1982, it will go up 49 percent. In those same nondefense areas they will have been diminished, decreased, and reduced by 12 percent.

Mr. STEVENS. I cannot leave that there because my good friend from Oregon is wrong. The authorization committee did cut, and we have been committed to live with that limit of the September readjustment of the President of $2 billion reduction in outlays. But we have agreed to fund the military pay raise.

Every Senator whom I can see here voted for that pay raise. Somehow or other we seem to be getting whipped over the back because we put $4.8 billion up to pay for it.

That is not a cost overrun as far as this budget is concerned. We are still going to be under the President's September mark when we come back from conference.

Mr. HATFIELD. Is the Senator saying the President gave us a phony budget?

Mr. STEVENS. No, the President did not give us a phony budget. Congress gave the President a pay raise after the budget came up. It is not phony at all. The payment started on that pay raise on October 1.

But again do not cut the defense bill this way on a 2-percent across the board. It makes no sense. It will cost more money in the long run.

Mr. ROTH. Mr. President, I support the amendment offered by the distinguished Senator from Oregon to reduce by 2 percent the amounts allocated to procurement, and to research and development. I believe that this amendment will provide an additional measure of discipline in the defense budget without damaging the basic objectives of the President's defense rebuilding program. In fact, the $1.7 billion that this amendment represents will still leave the Senate appropriation for defense in fiscal year 1982 $6.1 billion over the President's request.

Mr. President, as a strong supporter of reversing the downward trend in our defense capabilities, I have been uneasy over what sometimes appears to be an open checkbook approach to defense. A decade of neglect cannot be reversed overnight. In trying to do so, we may not only end up with less defense than we need, we may also damage the economic base for a sustained and effective defense effort.

We have many and complicated defense needs. We need to have an ability to respond rapidly to crises far from our shores. We need to improve the readiness of our Armed Forces. We have personnel shortages, and there is no question that we have to increase the amounts available to procure and develop new weapons systems to meet the enormous growth in Soviet military strength.

I am sure that the Defense Appropriations Subcommittee has done a thorough and responsible job of scrutinizing the priorities, costs, and effectiveness of the various procurement and R. & D. proposals submitted to it by the administration.

But let us be candid. The prevailing mood has been one of the "more is better" when it comes to defense hardware. The pressure has largely been off to do the kind of painful prioritizing that has been applied to social welfare programs.

I think that it is incumbent on the Senate to send a signal to our defense planners, and to the country, that we have defense spending under control.

If we do not send such a signal—and I must say, $1.7 billion out of more than $200 billion is minimal—I fear that the public confidence so essential to putting this country's economy back on the right track will be undercut. This country has taken some bitter, but necessary medicine in reducing the budget in social welfare areas to restore our economy to health. I think it would be a grave mistake to vitiate the beneficial effects of that medicine by indulging in open-ended defense spending.

Furthermore, there is considerable doubt among expert opinion as to the ability of our industrial base to absorb the massive and rapid increases in defense procurement being proposed. The immediate effect may well be simply higher prices, rather than larger quantities or better quality. I know from hearings that we have held in my own Governmental Affairs Committee that defense procurement procedures could be greatly improved, resulting in large savings for the taxpayer.

Over the longer term, I am also concerned that too many of our best engineering, managerial and scientific talents may be drawn into defense industries to the detriment of our international economic competitiveness. The way to avoid this unfortunate outcome, it seems to me, is to engage in a prudently prioritized rebuilding program. And the only effective way to get careful

prioritizing out of any bureaucracy is to keep its budget under strict control.

For these reasons, then, I support the amendment.

Mr. LEVIN. Mr. President, I agree with so much of what the Senator from Oregon has had to say about the bloated nature of this budget and the contrast between the increases we are making for defense and the decreases we are imposing on equally essential social programs, that I am strongly tempted to vote for his amendment.

But I long ago concluded that across-the-board cuts and transfer amendments are an unacceptable way of reallocating expenditures. I have reached that conclusion for two reasons. First, it is an abdication of congressional responsibility. For example, I think we could easily achieve the savings contemplated by the amendment by making reductions in the B–1 and MX research and development programs and increasing competition in defense procurement programs. But this amendment leaves the decision about where to cut to the Department of Defense and it would be their priorities which would determine the cuts rather than the Congress.

Consequently we might be faced with cuts in the very programs I have fought to strengthen over the past few weeks—programs designed to increase our conventional strength. In fact, given the Department's support for the B–1 and MX basing mode and their opposition to the amendments that have been offered to increase spending in conventional areas, I suspect that is precisely what they would do. I cannot support either that outcome or the process which would allow it to take place.

Second, I have always believed that if those of us who support social programs want to have any hope of preventing across-the-board cuts in those areas, then we have to be able to argue from a consistent base. If we vote for across-the-board cuts in defense, how can we legitimately argue that proponents of sundry cuts should identify where precisely they would make them in social programs?

Accordingly, Mr. President, while I am sympathetic to the arguments made by Senator HATFIELD, while I certainly share his goals, I cannot agree with his method and accordingly, I must reluctantly vote against it.

SEVERAL SENATORS. Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from Mississippi (Mr. COCHRAN), the Senator from Alabama (Mr. DENTON), the Senator from Arizona (Mr. GOLDWATER), the Senator from California (Mr. HAYAKAWA), the Senator from Pennsylvania (Mr. HEINZ), and the Senator from Wyoming (Mr. WALLOP) are necessarily absent.

Mr. CRANSTON. I announce that the Senator from Arizona (Mr. DECONCINI) is necessarily absent.

I further announce that, if present and voting, the Senator from Arizona (Mr. DECONCINI) would vote "nay."

The PRESIDENT pro tempore. Is there any other Senator wishing to vote?

The result was announced—yeas 36, nays 57, as follows:

[Rollcall Vote No. 449 Leg.]

YEAS—36

Abdnor	Kassebaum	Pryor
Andrews	Kasten	Quayle
Burdick	Kennedy	Randolph
Byrd, Harry F., Jr.	Mathias	Riegle
	Matsunaga	Roth
Chafee	Mattingly	Simpson
Danforth	Metzenbaum	Specter
Dole	Mitchell	Stafford
Durenberger	Nickles	Tsongas
Eagleton	Pell	Weicker
Hatfield	Percy	Williams
Hawkins	Pressler	
Inouye	Proxmire	

NAYS—57

Armstrong	Exon	Long
Baker	Ford	Lugar
Baucus	Garn	McClure
Bentsen	Glenn	Melcher
Biden	Gorton	Moynihan
Boren	Grassley	Murkowski
Boschwitz	Hart	Nunn
Bradley	Hatch	Packwood
Bumpers	Heflin	Rudman
Byrd, Robert C.	Helms	Sarbanes
Cannon	Hollings	Sasser
Chiles	Huddleston	Schmitt
Cohen	Humphrey	Stennis
Cranston	Jackson	Stevens
D'Amato	Jepsen	Symms
Dixon	Johnston	Thurmond
Dodd	Laxalt	Tower
Domenici	Leahy	Warner
East	Levin	Zorinsky

NOT VOTING—7

Cochran	Goldwater	Wallop
DeConcini	Hayakawa	
Denton	Heinz	

So Mr. HATFIELD's amendment (UP No. 746) was rejected.

Mr. JACKSON addressed the Chair.

The PRESIDENT pro tempore. The Senator from Washington.

UP AMENDMENT NO. 747

Mr. JACKSON. Mr. President, on behalf of the junior Senator from Virginia (Mr. WARNER) and myself, I call up an unprinted amendment which is at the desk.

The PRESIDENT pro tempore. The clerk will state the amendment.

The bill clerk read as follows:

The Senator from Washington (Mr. JACKSON), for himself and Mr. WARNER proposes an unprinted amendment numbered 747.

On page 71, after line 3, insert the following:

"SEC. . Of the funds appropriated by this Act for strategic programs, the Secretary of Defense shall provide funds for the Advanced Technology Bomber program at a level at least equal to the amount provided by the committee of conference on this bill in order to maintain priority emphasis on this program."

Mr. WARNER. Mr. President, may we have order, please?

The PRESIDENT pro tempore. Order in the Senate.

Mr. JACKSON addressed the Chair.

The PRESIDENT pro tempore. The Senator from Washington.

Mr. JACKSON. Mr. President, I am offering an amendment to this appropriations act which is intended to maintain a priority emphasis on the advanced technology bomber program. While the effect of this amendment will only be for 1 year, I am offering it to send a clear signal to the administration that they should continue to maintain a high priority on the ATB program so that the earliest practical date for its initial operational capability can be achieved.

This amendment does nothing more than commit the Pentagon officials to what they have already said is their objective. Specifically, this amendment prohibits the transfer of funds out of the ATB program, but permits the transfer of additional funds into this program if the Secretary of Defense determines that they are needed. Secretary Weinberger has publicly stated the administration's policy is to avoid delay in the development of the advanced technology bomber. In meetings with other high-ranking officials of the Department of Defense, I have been given further assurances of their commitment to the early deployment of the advanced technology bomber.

However, given the cost of the B–1B which will be about $30 billion under the general estimates of the administration, one of my concerns is the possibility of a negative budgetary impact on the advanced technology bomber program. A delay in the availability of the advanced technology bomber could impair our strategic forces in the 1990's. We must make sure that the commitment to building the B–1B bomber does not damage the strength of the national resolve to also fund the ATB. Moreover, after the first 100 B–1B aircraft have been committed to, there will be some pressure to continue production of the B–1B based solely on the argument of lower unit cost per aircraft for a larger production run allowing wider amortization of the research and development and early production costs. When that time comes, we will have to resist such pressures if the ATB program is to be pursued to the actual deployment in our strategic forces. The only reason that I could envisage for diverting funds from the ATB program to further B–1B production would be if the advanced technology bomber program is not successful in meeting its technical objectives.

Mr. President, I believe that this amendment will protect the ATB program from diversion of funds during fiscal year 1982 to other defense programs. I hope the administration will submit budget requests in future years for the ATB program which are consistent with the spirit of an aggressive program which they have expressed as their intent.

I yield to the Senator from Virginia.

The PRESIDING OFFICER (Mr. HATCH). The Senator from Virginia.

Mr. WARNER. Mr. President, the subcommittee, of which Mr. JACKSON and I are the chairman and ranking minority member, respectively, carefully laid in the hearings the foundation in this amendment and established by all the witnesses that appeared that this was the intention of the Department of Defense. Nevertheless, it is our desire to have a little insurance policy. I think it meets the legitimate concern raised by

our colleague from Georgia earlier today and our colleague from Maine. I urge its adoption. I understand the managers are prepared to accept it.

Mr. GLENN. Mr. President, I think I am for this. I just want to ask a question of the distinguished floor manager of the bill. As a member of the Appropriations Committee, what is the usual procedure for the Pentagon if they want to transfer funds out of one fund or account into another account?

Mr. STEVENS. They would have to reprogram it if it was an amount in excess of the stated amount in our report. But they would have to come in with a reprograming.

Mr. GLENN. Come in for congressional action or just committee approval?

Mr. STEVENS. It would be committee approval for reprograming in excess of the stated limited amount that would be necessary in a category like this. We would not look with favor upon reprograming.

Mr. GLENN. I know they need some flexibility in funding. What is the amount that they have; does the Senator recall? I do not plan to make a long issue of this tonight. I am just curious about it.

Mr. STEVENS. On the report, we have increased the amount that can be reprogramed from $5 million to $12 million as the threshold for increases to existing procurement programs. There is a percentage involved, too, but the maximum would be $12 million.

This amendment would, in effect, state that could not be done except by an act of Congress.

Mr. GLENN. Even that minimum?

Mr. STEVENS. I think the minimum amount could be changed around up to the $12 million.

Mr. GLENN. I thank the Senator.

Mr. STEVENS. Mr. President, the Senator from Washington has discussed this with us. We know that he has discussed the language with the Senator from Virginia (Mr. WARNER) and with Dr. DeLauer, the Under Secretary of Defense. It is an amendment which has been discussed at length with us and we have had some impact on it in terms of the application of this money for strategic programs. I am informed, and I am able to state to the Senate, that it is entirely acceptable to the Secretary of Defense and to the administration. I urge its adoption.

Mr. JACKSON. Vote.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment of the Senator from Washington (Mr. JACKSON).

The amendment (UP No. 747) was agreed to.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. The bill is open to amendment, Mr. President. If there are no amendments, I will ask for third reading.

Mr. CANNON. Third reading.

Mr. NUNN. Mr. President, I have an amendment ready. I have been requested by Senator HOLLINGS to hold off until he has a chance to get back. He left for a few minutes.

Mr. PROXMIRE. I have an amendment. I can get mine ready now if you are willing to discuss it.

The PRESIDING OFFICER. The Senator from Wisconsin.

UP AMENDMENT NO. 748

Mr. PROXMIRE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will state the amendment.

The bill clerk read as follows:

The Senator from Wisconsin (Mr. PROXMIRE), for himself, Mr. PRYOR, and Mr. RANDOLPH proposes an unprinted amendment numbered 748.

On page 24, line 20, strike "$14,044,298,000," and insert "$13,987,298,000,".

On page 28, line 18, strike "$9,076,906,000," and insert "$9,018,400,000,".

Mr. PROXMIRE. Mr. President, I am happy to agree to a time limitation if the manager of the bill would prefer that, or I can just proceed. I do not think it will take very long in either event. But if he wants an agreement on 15 minutes on a side, I am happy to agree to that, if that would serve the interests of the manager.

Mr. STEVENS. Mr. President, I would be more than happy to agree with that.

Mr. PROXMIRE. That is fine.

Mr. STEVENS. Mr. President, I ask unanimous consent that time on the amendment not exceed 15 minutes to a side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, the committee has incorporated a special line item in this bill which anticipates and pays for in advance the cost growth in the B–1 and MX programs. Using an arbitrary figure of 3 percent, a total of $57 million is added on for the B–1B procurement and advance procurement and $58.5 million is added on for MX research, development, test, and engineering. Now, that is a total of $115 million in anticipated overruns—virtually unprecedented.

I was told in the Appropriations Committee that this had been done before, but for the life of us we cannot discover any precedent for this. I have discussed this with a number of staff members on both sides of the aisle. They cannot recall this. I have discussed this with Pentagon personnel. They cannot remember it.

So this is giving this, not for inflation, Mr. President, not for inflation, this is for sheer overruns, overruns that have not yet occurred, have not been requested by the Defense Department, and are above and beyond the increase for inflation already built into the bill.

This point must be clearly understood. The committee has increased the allotment for inflation in this bill. This increase for inflation applies to both the MX and the B–1B programs. But on top of this increase for inflation above the estimates of the Department of Defense, on top of this inflationary add-on there is another increase for mismanagement. We are putting money in this bill above inflation for classic cost growth—waste, fraud, abuse, mismanagement, underestimating, buy-ins, and bail-outs.

My amendment would eliminate the arbitrary 3-percent add-on and save the taxpayers over $115 million. The committee is arguing that the taxpayers are being asked to pay taxes for mismanagement. I say that is outrageous and should never be done in advance.

Mr. President, including advance cost overruns for the B–1 and MX programs establishes a precedent which will imperil the Federal budget. Far more important than the amount of money is the precedent involved. The rationale that we should program for expected but not yet occurring cost overruns in a prior year budget would mean that every appropriations bill would be artificially expanded by mammoth amounts. In the last year, the Comptroller General has informed the Congress that major civil and military acquisitions—programs now ongoing but not yet completed, have experienced a cost overrun of $170 billion. Only half of this can be attributed to inflation.

Therefore if we were to follow the precedent of the MX and B–1 cost overrun add-on in this defense bill, we would have to add $85 billion annually to the appropriations process. There is no greater risk to the budget process than the initiation of advance programing for cost overruns.

Planning for, anticipating, and budgeting for cost overruns is a budget manager's dream. No longer will our procurement specialists have to worry about coming to Congress with an overrun story. We are telling them that the Congress expects an overrun—so go ahead and overrun if you want. We expect it, we know it is coming, we are budgeting for it, so why should the manager make any great effort to avoid cost growth? I can tell you today that if this precedent is established, every program manager will simply plan for the cost overrun—maybe even welcome it.

Mr. President, if you want to bury cost overrun problems and keep them out of sight, what would be the best way to accomplish this? If you wanted to gut the provisions of the Nunn amendment, which we adopted unanimously, which highlights cost growth in defense programs and provides automatic devices to curtail overruns, then what would be a good strategy to do this? Now, Mr. President, I am not saying this is the intent of the 3-percent provision, I am arguing that it is the practical result of it. And that result would be to incorporate cost overruns in the regular appropriations process. From this point on cost overruns will have a new measuring base. There will be real cost overruns and budgeted cost overruns. We will have overruns in and out of the budget.

Anticipating cost overruns poses another hazard. What happens, for example, if the program is well managed, and to use the B–1 as a case in point, the

Secretary of Defense is right and there will be no cost growth in that program. Then what happens to the 3-percent extra we have given them? Does anyone believe that the Air Force is going to give that money back? Will the Treasury ever see a dime of that 3 percent again even if there is no cost growth? I think not. Somehow a use will be found for that money. If you were a program manager and had an extra $50 million lying around waiting for a cost overrun to happen, there would be a terrible temptation to put those dollars to use even if a cost overrun had to be invented.

Mr. President, the manager of the bill very graciously gave me aircraft unit cost estimates for some of our fighter planes, F–14's, F–18's, F–15's, F–16's, and so forth. What this sheet shows is that with inflation taken out, the cost overrun on the F–14 was 3 percent and the F–18 was 1.4 percent.

The F–15 was 2.5 percent; the F–16, 2.1 percent, and then 3.3 percent on the UH–60, 3.0 percent on the A–10. In half the cases it was below 3 percent. So what we are doing in this case is providing for an anticipated overrun and there is a good chance that they will not reach it. The Secretary of Defense is very firm in saying that he thinks his cost estimates can be met. In this bill we are giving an additional allowance for inflation above what the House provides and above what the administration requested.

Mr. NUNN. Will the Senator yield for a question?

Mr. PROXMIRE. I am happy to yield.

Mr. NUNN. This amendment leaves the committee inflation increase intact. It does not touch that inflation increase. The Senator is saying that he agrees with that increase?

Mr. PROXMIRE. The Senator is correct.

Mr. NUNN. The Senator is going further in saying that his amendment would remove the additional 3 percent the committee has put in on two major programs which are identified as anticipated cost overruns, is that correct?

Mr. PROXMIRE. That is exactly right.

Mr. NUNN. I sponsored an amendment in the past, earlier this year, which has become law now, which was designed to bring about some accountability in this overrun system. I think it is threatening the very national security of our country because I think we are disarming by procurement overruns, inadvertently. What that amendment is supposed to do is to bring to bear some pressure on the program planners and, in turn, on those who do the estimating to first of all have correct estimates so we can make meaningful comparisons when we choose between weapons systems, and, second, for the program planners to plan the program in a way that minimizes cost overruns. It is an accountability amendment because the program manager has to be identified.

Does the Senator from Wisconsin see that the committee provision for cost overruns is inconsistent with that approach?

Mr. PROXMIRE. Absolutely. The Senator's amendment, which was unanimously approved earlier this year, is an amendment which I enthusiastically supported. Highlight the cost overrun, expose it.

This would contradict it by providing in advance for an anticipated cost overrun.

Mr. NUNN. I think the Senator has made a good point here.

Mr. PROXMIRE. I thank my good friend from Georgia. I appreciate his support.

Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. PROXMIRE. Mr. President, providing advance cost overruns also threatens the check and balance responsibilities of the Congress. It is the duty of the Congress not only to fund programs but to check on them from time to time to see that they are being carried out in an efficient manner. We owe that to the taxpayers. By budgeting for cost overruns in advance we give up the opportunity to enforce discipline on the program managers when they overspend. Instead we tell them "Go ahead and spend, spend, spend. We will cover you with automatic cost overrun insurance." That is what this program is—insurance against being hauled before Congress to answer embarrassing questions. Freedom to exploit the 3-percent free money at will.

No proposal in recent memory runs more counter to good business sense than the automatic cost overrun appropriation. Can you imagine what would happen in the board room of any major corporation if you stood up and said, "Now that we have fully budgeted for inflation, let us now budget for mismanagement. Let us accept mismanagement as a normal price of doing business. Let us expect to have cost overruns, not related to inflation, and budget for them in advance."

That is not how business works. Business enforces discipline on its workers and on its management team. If there is mismanagement, they do not simply budget for it; they find out the cause and fix it. Believe me, they would not tolerate a permanent form of mismanagement built into their budget cycle at a fixed rate every year. Where the ledger is the key to success or failure, discipline and profit are the enforcing mechanisms—not automatic planning for mismanagement.

Far from being an example of truth in budgeting, the automatic 3-percent cost overrun proposal actually is the acceptance of mismanagement in the Federal Government. It is telling the taxpayers of this country that we can do nothing about cost overruns except pay for them in advance. This is not truth in budgeting; this is wholesale abdication, a throwing in the towel, an admission of failure which makes a mockery out of the budget process. We might as well start putting in line items for waste, fraud, and abuse because we all know that occurs. So why not put it in the budget? We know there is a certain amount of inefficiency in the federal system, so why not budget for it in advance?

We should all recognize that this innovative concept of budgeting cost overruns in advance has not been requested by the Department of Defense. It has not been approved by the Office of Management and Budget. Can you imagine what OMB might say if we were to add $85 billion to the budget every year from now on based on this concept. We would have to put off balancing the budget into the next century if this proposal gets a life of its own. It is a sure fire way to increase spending at an enormous rate. Those who support this concept will be contributing to the biggest potential raid on the Federal Treasury in a decade. Talk about big spenders. We now have a concept which not only endorses the size of planned budgets but would automatically increase these budgets by 3 percent annually.

In sum the President has not asked for this. The Secretary of Defense has not asked for this. The Joint Chiefs of Staff have not asked for this. The Secretary of the Air Force has not asked for this. The Chief of Staff of the Air Force has not asked for this. OMB has not asked for it. But the defense contractors will absolutely love it. It means they can just go ahead and budget for cost overruns because the Congress has given them the green light.

This is just not the camel's nose under the tent. He has all four feet in, his hump is sticking out the ceiling, and his nose is in the food bucket. This is a budget-busting concept if there ever was one. It is an automatic spending device that could eventually break the budget if it gets a start here today.

I reserve the remainder of my time.

Mr. STEVENS. I would like the Senator to turn to page 21 of the bill. I invite the attention of every Senator to page 21, line 18, just to demonstrate my position on this. I must say we had a full discussion in the subcommittee and the full committee. I hope the Senate will back us up on this because I feel very strongly that this may be the turning point of trying to deal with budgets of the size we are talking about.

If you look at that, $808 million is provided for cost growth and other expenses on prior year programs. That applies only to the shipbuilding and conversion account of the U.S. Navy.

Contrary to what the Senator says, every single item we have here in this bill has a catch-up account for past cost growth and postappropriation cost incurred because we do not act like we are in a board room.

Let me just address the Senator from Wisconsin about a project that I know something about. We just passed the waiver for the Alaska gas pipeline. That pipeline is going to cost $8.7 billion in 1981 costs. By the time the company, as required by the FERC procedure, figures out its costs, do you know what its costs are on the estimate we just approved? Thirty-one billion dollars. Do you know

why? There is a cost overrun pool, there is an inflation pool, there is a pool for contingencies, and the people in the Government who manage the approval of a pipeline of that size say you cannot build that project in terms of as-spent dollars for less than $31 billion.

Here we are as the Senate. We are starting a project of $20.5 billion in terms of the B–1. I have been criticized because I said I agree in the long run that is going to cost about $40 billion. Do you know why? It is going to cost $40 billion because we do not budget the way a business, a sound business concern, would do it. They would figure in what the cost growth is going to be. They would figure in a realistic projection of inflation. Then they would give a top figure. Then do you know what they do? They give an incentive to management to come in under it.

As a matter of fact, that is exactly what FERC did to the Alaska gas pipeline. There is an incentive rate of return if they bring in a gas pipeline for less than $30 billion.

All this does is for the first time on two items, the two new ones in the bill, the MX and B–1, that in the past on such weapons systems there has been an average cost growth—an average, Mr. President—of 3 percent per year. This is per year, Mr. President. The longer it stretches out, the more that 3 percent adds up to.

So we are saying to the Department of Defense, "We are going to put the money up front, 3 percent more on these two projects. You come to us before you spend that. But it is there to spend if in the first year you can save money by contracting within the amount rather than waiting a year and coming back next year and asking for more money."

I see heads shaking, but believe me, look at that one account. A total of $808 million is in the shipbuilding account alone in this bill for costs incurred on prior year programs already approved by the Congress.

The final statement I am going to make is this, Mr. President. We are trying to develop a new relationship in our negotiations with the other body. We tried to get the other body to understand the problem of the inflation account, on which the Senator from Wisconsin does agree with me. I think the Senate has expressed itself twice now that inflation should not be understated because that is understating the impact of a program and really misleads the country as far as the cost of these weapons systems. The House refused to go along with that.

This time we are taking back to them the inflation account and this cost growth item in the hopes that perhaps the House might agree that at least one of these items has some merit.

If you want to take away our bargaining position, follow the Senator from Wisconsin and, in effect, take us into conference as we were in the supplemental, which is one item to talk about, not several.

We have several items in this bill to talk about, and we all have pledged that we are coming back to the Senate from conference with a bill which is nearer the September mark, which means $2 billion in outlays must be cut from the March request of the President. That means we are going to get this bill down, not counting pay. That is another item, because I think it is improper to charge that against this budget. We are going to get this bill down to where it approaches $200 billion. If we are not successful, we will have the continuing resolution, which will take it down to $197 billion, anyway.

So our real area to negotiate here is roughly $3 billion, and I hope the Senate does not take away our negotiating strength so far as the remainder of this bill is concerned. It is a bill that gives us flexibility to negotiate, to represent the Senate's position in terms of priorities.

Again I point out that that is $808.5 million for the shipbuilding and conversion of the Navy account alone. We have added only 3 percent for the B–1 and MX, and as the Senator has pointed out, our 3 percent does not approach that.

So if the Senator from Wisconsin wants to attack the cost growth, the main item in the bill is $808.5 million for the Navy alone in terms of cost growth and other expenses, costs that were incurred by the Navy since last year. We have to have some leeway to deal with these problems.

When we have to deal with a bill that has $808.5 million in cost growth and other increases because of an improper approach, I think we should try a new tack, and that is what this 3 percent is. It applies to only two items, the B–1 and MX.

Mr. PROXMIRE. It is indeed a new tack which was not considered by the authorizing committee. It is a new tack which has not been considered by the House. It is a new tack which has not been testified about by the administration, by the Defense Department. They have not asked for it.

Mr. President, the item referred to by the Senator from Alaska on page 21 is for prior year overruns.

Mr. STEVENS. That is right.

Mr. PROXMIRE. The Senator is correct—$808 million. But it is a prior year. Then we bring them in and ask them to account for it.

We have in the Nunn amendment, which we adopted this year, the basis for accountability, the basis for discipline, and the basis, if we wish to do so, to cancel a program.

Mr. STEVENS. We do not get any accountability for that $808.5 million. It is already spent. For this 3 percent, we get accountability in advance. We put the money up and say, "You can spend it, but tell us what you are going to spend it for." It is entirely consistent with the Nunn approach.

Mr. PROXMIRE. The Senator from Georgia is the expert on the Nunn approach. He said it was not, and I agree with him.

Mr. STEVENS. The Senator from Georgia has to see this experiment tried, too.

It does not say, "Come to us before you run up additional costs." It says, "Come to us if you have."

Mr. PROXMIRE. The Senator is saying that we will determine this in advance, but he is giving it now. He is saying, "Here is the money. Spend it."

Mr. STEVENS. No. I am saying, "Here it is. Justify it."

In the Navy case, we put up $808.5 million without blinking an eye because it was already spent. We were not consulted on that at all. It was just done.

This is the way to get control and have them say, "We have spent money"—rather than come back next year—"Can we use part of the 3 percent?" We will say, "Yes, if it is justified." It will cost less money.

Mr. PROXMIRE. Is the Senator saying that we will have a debate on the floor as to whether they can use this $115 million?

Mr. STEVENS. On this 3 percent money, if there is a dispute in our committee between the Senator from Mississippi and me, it will come to the floor, yes.

Mr. PROXMIRE. Where is the provision for that in the bill?

Mr. STEVENS. It is tradition in our committee.

Mr. PROXMIRE. We give them $115 million. We appropriate it. The money is there.

Mr. STEVENS. The money is there, but they would have to come to the committee to use it. That is the practice, and they could not get around that. It has been a good practice.

Mr. PROXMIRE. Why does not the Senator add it on the bill?

Mr. STEVENS. We do not have to. They understand that they cannot use that money without our approval.

Mr. PROXMIRE. This is the first time we have ever done that. How can it be a practice?

Mr. STEVENS. We establish this practice in similar finding reviews such as reprogramings. Reprograming procedures are outlined in the report, not the bill.

Mr. PROXMIRE. Where we have given advance money for an overrun?

Mr. STEVENS. No. Where they have to come to us for approval to shift funds.

Mr. PROXMIRE. It is not written in the statute, and it is not in the committee report.

Mr. STEVENS. That is established practice in this account. I have no objection to writing it in. We do not have to write it in, because they know it.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendment. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from Alabama (Mr. DENTON), the Senator from Arizona (Mr. GOLDWATER), the Senator from California (Mr. HAYAKAWA), the Senator from Pennsylvania (Mr. HEINZ), and the Senator from Wyoming (Mr. WALLOP), are necessarily absent.

Mr. CRANSTON. I announce that the Senator from Arizona (Mr. DECONCINI), and the Senator from South Carolina (Mr. HOLLINGS), are necessarily absent.

The PRESIDING OFFICER. Is there any other Senator who needs to vote?

The result was announced—yeas 46, nays 47, as follows:

[Rollcall Vote No. 450 Leg.]

YEAS—46

Baucus	Ford	Melcher
Bentsen	Glenn	Metzenbaum
Biden	Hart	Mitchell
Boren	Hatfield	Moynihan
Bradley	Heflin	Nunn
Bumpers	Huddleston	Pell
Burdick	Inouye	Proxmire
Byrd, Harry F., Jr.	Jackson	Pryor
	Johnston	Randolph
Byrd, Robert C.	Kassebaum	Riegle
Cannon	Kennedy	Sarbanes
Cranston	Leahy	Sasser
Dixon	Levin	Tsongas
Dodd	Long	Williams
Eagleton	Mathias	Zorinsky
Exon	Matsunaga	

NAYS—47

Abdnor	Gorton	Pressler
Andrews	Grassley	Quayle
Armstrong	Hatch	Roth
Baker	Hawkins	Rudman
Boschwitz	Helms	Schmitt
Chafee	Humphrey	Simpson
Chiles	Jepsen	Specter
Cochran	Kasten	Stafford
Cohen	Laxalt	Stennis
D'Amato	Lugar	Stevens
Danforth	Mattingly	Symms
Dole	McClure	Thurmond
Domenici	Murkowski	Tower
Durenberger	Nickles	Warner
East	Packwood	Weicker
Garn	Percy	

NOT VOTING—7

DeConcini	Hayakawa	Wallop
Denton	Heinz	
Goldwater	Hollings	

So Mr. PROXMIRE's amendment (UP No. 748) was rejected.

Mr. BAKER. Mr. President, if I could have the attention of the Senate, I would like to once again explore the possibility of an arrangement for the——

Mr. RANDOLPH. Mr. President, let us have order in the Senate.

The PRESIDING OFFICER. The Senator makes a good point. The majority leader has the floor.

Mr. BAKER. Mr. President, according to the list I have compiled in cooperation with the minority leader, the following amendments are yet to be disposed of. Incidentally, on one here that will not require a rollcall vote I have not yet apprised the minority leader, but it will not cause him any problem, an amendment offered by the Senator from Ohio (Mr. METZENBAUM) which will, perhaps, be the first amendment to be dealt with when we reconvene tomorrow.

There is a suggestion on the amendments I am about to list that we try to get a 20-minute time agreement to be equally divided.

In addition to the Metzenbaum amendment, an amendment by Mr. LEVIN dealing with the B–52; a second amendment by Mr. LEVIN dealing with steaming times; an amendment by Mr. EXON dealing with ammunition; an amendment by Mr. ROBERT C. BYRD——

Mr. ROBERT C. BYRD. The second one, if the distinguished Senator will yield——

Mr. BAKER. Yes.

Mr. ROBERT C. BYRD (continuing). Is a sense-of-the-Senate resolution that would provide that the Secretary of Defense comply with the requirements of submitting a 5-year shipbuilding program annually when the President submits his budget message.

Mr. BAKER. And finally, an amendment by the Senator from Texas (Mr. TOWER) on a multiyear contract amendment.

Mr. STEVENS. It is a modification of a provision in the bill.

Mr. BAKER. A modification of an existing provision in the bill. On that a 5-minute time limitation equally divided.

Mr. President, to reiterate, I would propose, and I now ask unanimous consent that on tomorrow—and an amendment by Mr. MATHIAS with a time limitation of 10 minutes equally divided on sea-launched cruise missiles.

Mr. President, there is already an order for the Senate to convene at 10 tomorrow. Could I inquire—on tomorrow I have special order requests as follows—let me put this entire unanimous-consent request.

PROPOSED PROCEDURE FOR FRIDAY

Mr. BAKER. Mr. President, I ask unanimous consent that when the Senate completes its business tonight it stand in recess until the hour of 9:30 a.m. tomorrow.

After the recognition of the two leaders under the standing order, that the Senators from Alabama (Mr. HEFLIN) and (Mr. DENTON) be recognized jointly for not to exceed 15 minutes on special order; that the Senator from Texas (Mr. BENTSEN) then be recognized for 5 minutes on special order; the Senator from Mississippi (Mr. COCHRAN) for not to exceed 15 minutes on special order; that after the expiration of the time for Senators' recognition under special orders there be 5 minutes for the transaction of routine morning business in which Senators may speak for not more than 1 minute each; that at the expiration of the time for the transaction of routine morning business the Senate resume consideration of the Department of Defense appropriation bill, H.R. 4995.

At that time the Chair will recognize the Senator from Ohio (Mr. METZENBAUM) to offer an amendment which is at the desk and dealing with aging; that thereafter only the following amendments would be in order and the time limitations apply in the following manner: an amendment by Mr. LEVIN on the B–52, 20 minutes to be equally divided; an amendment by Mr. LEVIN dealing with steaming hours, 20 minutes to be equally divided; an amendment by Mr. EXON dealing with ammunition, 20 minutes equally divided; 20 minutes on the Metzenbaum amendment heretofore referred to; on an amendment by Mr. ROBERT C. BYRD on Stealth, 20 minutes equally divided; and by Mr. ROBERT C. BYRD, as he indicated in the record a moment ago, in respect to the shipbuilding program, 20 minutes equally divided; 5 minutes on the Tower amendment dealing with multiyear contracting relating to a provision already in the bill; and 10 minutes on an amendment by the Senator from Maryland (Mr. MATHIAS) dealing with sea-launched cruise missiles; and, Mr. President, that a vote occur on these amendments at not later than the time allocated in this order, and that a vote occur on final passage of this bill at not later than 2 p.m. on tomorrow.

Mr. NUNN. Reserving the right to object, if I may have the attention of the majority leader——

Mr. BAKER. If the Chair will bear with me for just a moment.

Mr. STEVENS. Mr. President, I need to inquire if there is any provision for amendments. Since we have been through all of these amendments once before and they are being amended, I assume they will not be subject to amendment.

Mr. BAKER. I believe I include in the request that no other amendment would be in order, and that would include any second-degree, perfecting amendment or substitutes.

The PRESIDING OFFICER. The Senator is correct.

Mr. BAKER. Mr. President, I change the request for the convening of the Senate.

I ask unanimous consent that the convening of the Senate be changed to 9:15 a.m., and I include in the request that paragraph 4 of rule XII be waived.

Mr. NUNN. Mr. President, reserving the right to object, and I shall not object, if the majority leader would agree that the amendment I propose will come up tonight.

Mr. BAKER. Yes. The list I have just given applies to tomorrow. I do understand the Senator from Georgia (Mr. NUNN) will offer an amendment tonight which will be in order and on which I understand he is willing to have very short debate and will require a rollcall vote.

Mr. NUNN. That is correct.

Mr. DOLE. Mr. President, reserving the right to object, the amendment by the distinguished Senator from Ohio (Mr. METZENBAUM) deals with the White House Conference on Aging. I wonder if we could not consider that separately? I think we can work out an agreeable amendment and bring it up separate and apart from the Defense bill. Otherwise I would be constrained to object to a 20-minute time limit and waiving my motion to table and waiving the right to amend this advertisement.

Mr. METZENBAUM. I would like to say to the Senator from Kansas that the amendment we have has been worked out with a number of Members on the opposite side of the aisle. I think it is not controversial as presently drafted. I do not particularly care whether it goes on this bill or whether it goes separately, but I am concerned about the time element and I am afraid if it does not go on this bill it will not be timely.

So I would really prefer to put it on this bill. It will not be the only matter that reflects a sense of the Senate. The Senator from Pennsylvania last night was proposing one having to do with railroad retirement benefits. So it is not——

Mr. STEVENS. That is not in the bill.

Mr. BAKER. Mr. President, I would point out that I would not presume to tell the Senator from Ohio what to do, but I will make an offer. If we can resolve this issue and he wishes to offer a freestanding resolution I will make every effort, and I am sure the minority leader will cooperate, at seeing that he had an opportunity to present that to the Senate for consideration separately.

Mr. METZENBAUM. When would the Senator be disposed to permit the amendment to come in as a freestanding amendment, early in the morning prior to action on this measure, that you would make a window for it?

Mr. BAKER. Mr. President, I would propose to do it immediately after final passage of this bill tomorrow.

Mr. METZENBAUM. I would like to be cooperative with the majority leader. But realistically speaking, when 2 o'clock on Friday arrives it is pretty had to keep a quorum present, and I am afraid there will not be a quorum present at that time.

Mr. BAKER. I can assure the Senator there will be a quorum.

Mr. President, after we finish this bill tomorrow, it is the intention of the leadership to ask the Senate to turn to the consideration of the small business bill. There will be rollcall votes on that bill during the day tomorrow and after 2 o'clock tomorrow.

Mr. METZENBAUM. I would like to sleep on the suggestion overnight. I may very well accede to it in the morning, but I would like to sleep on it.

Mr. STEVENS. Mr. President, on that basis, I object to the agreement.

Mr. BAKER. Mr. President, if the Senator will withhold his objection.

Mr. STEVENS. No, the Senator will not. The Senator has been managing this bill for 4 days and will be again tomorrow. There is no reason for an amendment like this in the bill. If we cannot get it over now, we might just as well go home tonight and come back tomorrow. We will work our way with this bill. I must quarrel with the concept that we have to go through amendments again that we have argued at length just so there will be a rollcall, because I tried to get a time agreement time and time again and could not get it and finally tabled the amendment. Now we are going to have another debate and have to keep everybody here tomorrow going through those same amendments. We are going to discuss those amendments again from now until the bill is passed, with the exception of the amendments of Senator LEVIN and Senator NUNN.

Under the circumstances, I get a little tired. I think everybody gets a little tired. I do not see any reason to be harassed by amendments that do not belong in the bill.

Mr. BAKER. I do not see any reason for the Senator to object and I hope the Senator will withhold his objection.

Mr. STEVENS. I will withhold it if the Senator will withdraw the amendment.

Mr. BAKER. Mr. President, under these circumstances, I was about to suggest, and I now suggest that, instead of providing for a vote on the amendment, we preserve the right of the Senator from Kansas to table the amendment, if he wishes to do so, and overnight let us see if we can work that out so it can be offered as a separate freestanding amendment.

Mr. DOLE. Will the Senator yield?

Mr. BAKER. Yes.

Mr. DOLE. I just received it 5 minutes ago. Most of the things that the Senator suggests here comes to the Finance Committee. We may not be able to act on these tomorrow and provide more units for the elderly and provide for more for the elderly. Maybe we could work out some satisfactory mutually all-inclusive admiration society and commend the delegates and all those things and then introduce it together tomorrow as a free-standing amendment, with the Senator's name first.

[Laughter.]

Mr. METZENBAUM. I will not worry about the name first. But at this moment the Senator from Ohio will just sit back and look to his rights. I have stepped aside in order that other things might come up this evening. When the majority leader asked me not to press to bring the amendment up this evening, I said that would be all right. But do not test my patience, because I have a perfect right under the rules to bring up this amendment on this bill and if forced to do so I will be happy to do so. If one wishes to raise the issue of germaneness, I will be prepared to meet that issue.

But I am attempting to be cooperative and I am finding less than that same degree of cooperation and reciprocity at this point from the other side of the aisle, notwithstanding the efforts of the majority leader to achieve that end.

Mr. BAKER. I do not know where that leaves me.

Mr. President, I really hope that we can arrive at a time certain to finish this bill. Otherwise, we are going to have to keep going tonight and we are going to have to try to work our way through these amendments and come in tomorrow and slog our way through again. Maybe that is what the Senate wants to do, but I doubt it.

I think what we ought to do is to try to regularize this and get a time certain to finish and provide a limitation on amendments which this provides for and a very short time for further debate.

If the Senate is not yet ready to do that, I am perfectly willing to withdraw the request and see what else we can do. But it is about 11:30 at night. I would hope, then, that perhaps the Senator from Ohio would consider withholding his request and that we will simply provide that tomorrow we can take another look at his amendment on whether or not he wishes to offer it as a free standing resolution or as an amendment to this bill. But I would really hope that it does not interfere with the setting up of the framework of disposing of this measure at this time.

Would the Senator from Ohio agree to withholding this amendment to this bill and offer it as a free standing amendment tomorrow as the first order of business after final passage?

Mr. METZENBAUM. Mr. President, I want to cooperate. The majority leader is well aware of the fact that if I offer this as a free standing amendment that, under the rules of the Senate, it would be laid over under the rules and referred to committee. Obviously, the Senator from Ohio desires to bring the matter to issue on the floor.

The Senator from Ohio has gone out of his way to accommodate the Senator from Pennsylvania and the Senator from Maine and other Senators on that side of the aisle to modify the proposal and has not brought it up earlier in the day in order to be accommodating.

Frankly, I do not see that there is any reason to expect me to be any further accommodating than I have been. This procedure I am using is absolutely not one whit different than that which was used by the Senator from Pennsylvania last night in connection with a railroad retirement pension and nobody raised the same issue that it did not belong on the defense appropriation bill.

Mr. STEVENS. Mr. President, that is not so. That was an amendment to an amendment and the Senator did, in fact, allow me to set it aside. It has not been called up and it is not part of the bill.

Mr. METZENBAUM. I understand that. But, up until that point, it was going to be, and the reason it was not called up was because Mr. Stockman acquiesced and changed the rules of the game and said he would go along and said the amendment was not needed.

Mr. STEVENS. That is not true. I had notified the Senator from Pennsylvania that I would not support that amendment and would table it if it was raised again.

Mr. BAKER. Mr. President, I think the best thing to do is, there is one more amendment we can dispose of tonight. I understand Senator NUNN's amendment would require only about 10 minutes debate and a rollcall. This could go on endlessly. So I withdraw my request at this time and ask the Senator from Georgia to offer his amendment.

Mr. ROBERT C. BYRD. Will the distinguished majority leader yield?

Mr. BAKER. Yes.

Mr. ROBERT C. BYRD. Mr. President, I wonder if the majority leader would care to pursue the request to this extent: That the amendments that he enumerated earlier, with the exception of the amendment by Mr. METZENBAUM, be entered into with the times allotted by him, with the understanding that they would be up or down votes and also that there would be no further amendments, other than possibly the one by Mr. METZENBAUM if he cares to pursue it. So that the leader would have at least time agreements on those amendments and would be assured there would be no other amendments.

Mr. BAKER. Mr. President, let me puzzle on that suggestion for a moment. I withdraw my request and I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

UP AMENDMENT NO. 749

Mr. NUNN. Mr. President, I send an amendment to the desk and ask for its

immediate consideration. This amendment is offered on behalf of myself, Mr. JACKSON, Mr. GLENN, Mr. HOLLINGS, Mr. ROBERT C. BYRD, Mr. EXON, Mr. JOHNSTON, Mr. LEVIN, and Mr. BUMPERS.

Mr. STEVENS. Mr. President, may we have order? On this amendment, I think the Senate will be very interested in this. It is something that is quite sensitive and I hope that the Senate will allow the Senator from Georgia to present his amendment.

The PRESIDING OFFICER. The clerk will state the amendment.

The legislative clerk read as follows:

The Senator from Georgia (Mr. NUNN), for himself, Mr. JACKSON, Mr. GLENN, Mr. HOLLINGS, Mr. ROBERT C. BYRD, Mr. EXON, Mr. JOHNSTON, Mr. LEVIN, and Mr. BUMPERS, proposes an unprinted amendment numbered 749.

On page 28, line 18, strike "9,076,906,000" and insert "9,264,406,000."

Mr. NUNN. Mr. President, I ask unanimous consent that Mr. CANNON be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NUNN. Mr. President, this is an amendment that adds $187.5 million to the category known as the Air Force R. & D.

First of all, I can say to my colleagues that this is a classified program. Second, this is the level of the expenditure in this program that has been authorized by the conference committee and the Armed Services Committee and it is now in the final authorization bill. I believe that bill has been signed into law.

I will also say that this is one of the programs that was in the Hollings-Levin amendment. Beyond that, Mr. President, that is all that I am able to say at this point in time.

I would say that I think it is a very important program, otherwise I would not be urging its support at this stage.

Mr. President, I know Senator TOWER is very familiar with this program and I yield to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas.

Mr. TOWER. Mr. President, it is unfortunate that this program cannot be discussed, because I think it is of extremely great merit. I am certain that if my colleagues could be further enlightened on it, they would support it.

I might say that I hope they will take this amendment on faith. It is enormously important. I do support the amendment offered by the Senator from Georgia. It is consistent with what we have done in the authorizing committee as a result of a great deal of compromise, I might say, with the House and the authorizing committee. I urge its adoption.

Mr. GLENN addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. GLENN. Mr. President, I am delighted to be associated with the Senator from Georgia and the Senator from Texas in support of this amendment. I agree completely with it. I think it is extremely important.

I urge everyone to vote for the amendment. That is about all anyone can say about it at this point. Bu it is a very important amendment.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I am familiar with this program, also. I simply want to add my voice in support of it. There is nothing one can say about it, other than that we had somebody in room S-407 the other day for many, many hours available to answer questions. Many of us were able to get up there and talk to him about it.

Beyond that, I hope that the Senate will support this program. There is no more important program that I know about.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, this shows what happens late at night. I cannot talk about this program, but I can tell you what happened.

The House has a figure that is similar to this in a program that is highly classified. After the House bill was passed, the managers of that program came to our staff, on a bipartisan basis, not to me, and told us they felt a mistake had been made in connection with that program by the authorizing committee and that they felt that this money should be rearranged. We have rearranged the money in the bill. I cannot discuss with you where that money was placed. I have discussed it at length with the Senator from Georgia.

I am surprised at my friend from Texas that he has taken the position he has taken. He had offered, as I did, here on the floor before, to have a discussion in room 407 with the authorizing committee on the House and the Senate and the Appropriations Committee in the House and the Senate that are familiar with this program to determine whether the managers were right.

I can only tell you that on the basis of the presentations that were made first to the staff and then to me, we concluded, I concluded, that the managers of the program were right. The effect of this amendment will be to reverse that, to follow a decision which was made in the authorization committee, which the managers of the program now say is wrong. It is very difficult to discuss it. The only thing I can tell you is that if we adopt this amendment, there will not be competition in this area for the balance of the program. This will become a sole source, black box acquisition program with no further control by the Senate.

I move to table the amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. DOMENICI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. NUNN. I ask unanimous consent that the Senator from Virginia be recognized for 1 minute. The Senator is head of the Strategic and Theater Nuclear Forces Subcommittee.

Mr. STEVENS. I will withhold the motion to table. It does strain one's patience to try to work something out with people. I am very strained to say something that the Senator from Georgia does not wish me to say.

Mr. WARNER. I will yield back instead of making a statement.

Mr. STEVENS. It has gone so far there is no reason not to go further.

Mr. WARNER. Mr. President, I was delegated by the chairman of the Senate Armed Services Committee in my capacity as chairman of the strategic subcommittee to work out a resolution of the matter. This was carefully considered by both Members of the House and Members of the Senate.

The Senator from Georgia represented the need, in his judgment, for the restoration to the authorization limits tonight. I concur in that. It is regrettable that we cannot discuss it, but I believe the Senator from Georgia acted in good faith during the conference and he comes before his colleagues tonight acting in good faith. I regret that this is a problem with the managers of the bill, but I urge my colleagues to support the amendment of the Senator from Georgia.

Mr. NUNN. Does the Senator from Alaska——

Mr. STEVENS. Mr. President, the patience of the Senator from Alaska is sorely, sorely strained on this one because of the way it has been raised and the judgment that is going to be made by the Senate which it has no knowledge of at all, which could have been straightened out.

I move to table the amendment. If the tabling motion does not carry we can voice vote it.

As a practical matter this should not have been raised in this way. In the whole time I have been on the Appropriations Committee dealing with matters such as this it has never been raised this way. The persistence of it is something, again, which was raised a little bit before. It is not right to deal with a program like this in this manner, and it should not be. I urge the Senate to table the amendment. I do move to table it.

The PRESIDING OFFICER. The motion has been made to table the amendment.

The yeas and nays have been requested. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the amendment of the Senator from Georgia. The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from Alabama (Mr. DENTON), the Senator from Arizona (Mr. GOLDWATER), the Senator from California (Mr. HAYAKAWA), the Senator from Pennsylvania (Mr. HEINZ), and the Senator from Wyoming (Mr. WALLOP) are necessarily absent.

Mr. CRANSTON. I announce that the Senator from Arizona (Mr. DECONCINI), the Senator from Louisiana (Mr. JOHNSTON), the Senator from Louisiana (Mr.

LONG), the Senator from Rhode Island (Mr. PELL), and the Senator from Mississippi (Mr. STENNIS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 49, nays 41, as follows:

[Rollcall Vote No. 451 Leg.]

YEAS—49

Abdnor	Gorton	Percy
Andrews	Grassley	Pressler
Armstrong	Hatch	Proxmire
Baker	Hatfield	Randolph
Boschwitz	Hawkins	Roth
Burdick	Helms	Rudman
Chafee	Humphrey	Schmitt
Cochran	Jepsen	Simpson
Cohen	Kassebaum	Specter
D'Amato	Kasten	Stafford
Danforth	Laxalt	Stevens
Dixon	Lugar	Symms
Dole	Mathias	Thurmond
Domenici	McClure	Weicker
Durenberger	Murkowski	Zorinsky
East	Nickles	
Garn	Packwood	

NAYS—41

Baucus	Exon	Melcher
Bentsen	Ford	Metzenbaum
Biden	Glenn	Mitchell
Boren	Hart	Moynihan
Bradley	Heflin	Nunn
Bumpers	Hollings	Pryor
Byrd, Harry F., Jr.	Huddleston	Quayle
	Inouye	Riegle
Byrd, Robert C.	Jackson	Sarbanes
Cannon	Kennedy	Sasser
Chiles	Leahy	Tower
Cranston	Levin	Tsongas
Dodd	Matsunaga	Warner
Eagleton	Mattingly	Williams

NOT VOTING—10

DeConcini	Heinz	Stennis
Denton	Johnston	Wallop
Goldwater	Long	
Hayakawa	Pell	

So the motion to table Mr. NUNN's amendment (UP No. 749) was agreed to.

Mr. BAKER. Mr. President, there will be no more votes tonight.

● Mr. ROTH. Mr. President, the Senate has been debating the Department of Defense appropriations bill for 1982. This legislation may be one of the more important issues facing Senate consideration because of the huge amount of money involved, the diversity of policies and programs involved, the significance of national defense policy to the American public, our allies and to the citizens of the entire free world.

The huge amount of money involved in the Defense appropriations bill demands that we do everything possible to insure that this money is spent efficiently and effectively.

The Committee on Governmental Affairs has been working for some time on legislation to create a statutory Inspector General in the Defense Department to act as a watchdog on our defense dollars. The committee remains vitally concerned that legislation creating an Inspector General at the Department of Defense be reviewed and a bill prepared for Senate consideration early next year. I have had concerns expressed to me by my colleagues that while we are appropriating large dollar amounts for our national defense there is no statutory Inspector General in place at the Department to monitor, audit, evaluate and review the most massive defense appropriation in our history.

I can assure these Senators, the administration and the public that this very important legislation will be a top priority item of the Governmental Affairs Committee next year. I fully recognize that we must continue to measure the effects and management of this appropriation after consideration of this bill has ended and that legislation to create a statutory Inspector General at Defense will go far to assure the Congress, the administration and the American public that our defense dollars are being spent wisely.

I encourage my colleagues to join with me and the Governmental Affairs Committee next year in moving this important legislation through to passage.●

(By request of Mr. ROBERT C. BYRD the following statement was ordered to be printed in the RECORD:)

● Mr. DECONCINI. Mr. President, although unable to be present for the final vote on the Cohen-Nunn amendment to the MX portion of the Defense appropriations bill, I appreciate the opportunity to voice my support of the compromise language.

President Reagan has taken a number of important steps toward improving this Nation's strategic position vis-a-vis the Soviet Union. He should be commended for these. But he has also, it seems to me, allowed extraneous considerations to obscure what has otherwise been a sharp and undistorted view of strategic issues when it comes to the MX basing mode question.

The future stability of the nuclear balance is related intimately to the development and deployment of the MX. At present, we have allowed the Soviet Union to gain an edge in ballistic missiles which makes the United States potentially vulnerable to preemptive attack. This situation is intolerable and must not be allowed to endure.

MX is a superb weapon, quite equal to the task of defending this Nation. However, the absolutely essential element in that equation is its basing mode. If the missile is not capable of surviving a first strike, then it cannot deter a first strike. That is as obvious a strategic principle as this Senator can imagine.

The President is clearly committed to going forward with the rapid deployment of MX. I support and commend that decision. However, the President has not been able to decide upon a basing mode for the missile among the many which have already been studied and, indeed, approved during the previous administration. Because he feels he cannot yet commit to a permanent basing mode, the President has requested funds to study in detail the basing of the MX in existing Titan and Minuteman silos. He would add additional concrete and steel to these vulnerable structures, making them more expensive and almost equally as vulnerable.

By placing our most advanced strategic weapon—the MX—in silos which belong to an earlier era of nuclear technology, the President has reduced—perhaps even eliminated—the usefulness of the MX. Hardened existing silos would make a nice target for Soviet planners; it might even encourage them to contemplate a preemptive attack because the payoff—America's MX missile—would be so attractive.

The Cohen-Nunn amendment correctly puts the Senate on record as opposing this decision. It does not tie the administration's hands, but it clearly expresses to the Department of Defense our concern that they develop some alternative to the existing silo alternative, and that they do it quickly. I am hopeful that the administration hears this message. Because I am quite sure that many Senators would be unwilling to actually approve the construction of such a short-sighted and strategically useless—and perhaps even dangerous—basing mode.

I greatly regretted being unable to be present for the vote on this important issue. I was, however, participating in a conference against the growing menace of pornography, an issue that involves the fundamental moral and spiritual well-being of our Nation's youth.●

ALTERNATIVE FIGHTER ENGINE

● Mr. SCHMITT. Mr. President, I wish to briefly address an Air Force program known as the alternative fighter engine. The program was developed to provide the Defense Department with an alternative fighter engine for the F100 should one be required. The F100 engine is used in the F–14, F–15, and F–16. It did not make a great deal of sense to rely on only one engine and one manufacturer for all these planes, especially since the F100 engine encountered a number of problems early in its development. While most of the problems have been solved, we are not totally out of the woods yet and do not know of what problems may develop in the future.

The purpose of the alternative fighter engine program was to provide an alternative and provide competition. The F101–DFE (derivative fighter engine) is a derivative of the B–1 engine. The Air Force requested $35 million in fiscal year 1982 for this program.

This amount has been authorized by each body. The House Appropriations Committee provided the full budget request but earmarked $20 million of the F101–DFE and $15 million for development work on increasing the thrust of the F100 engine.

Although our committee has approved the $35 million as requested and as shown on page 119 of the committee report, it has expressed concern over the possibility of a higher thrust requirement. We have testimony from the Air Force that there is no requirement for additional thrust, but rather a need for improved reliability and maintainability. The flight tests completed in the F–16 fighter show the current F100 and the F101–DEF engines to be similar in performance characteristics.

The tests in the F–16 are to be completed in fiscal year 1983 and are to be based on reliability, maintainability, and durability without regard to thrust differentials between the two engines. It

is important that these tests be completed. At the same time, should a requirement for a higher thrust engine develop, the committee expects the Air Force to inform the committee of such a requirement and to structure a competitive program for a higher thrust engine.

Hopefully, when the conferees meet, the differences between the two bills can be resolved to provide for fair competition and an alternative engine should a need for another engine arise.●

TAX DISCLOSURE AND SUMMONS AMENDMENTS

Mr. ROTH. Mr. President, over the past several weeks, the Senate Permanent Subcommittee on Investigations has heard repeated testimony from Federal law enforcement officials concerning the need to amend our tax laws to insure that major criminal offenders are not the beneficiaries of tax law provisions otherwise properly conceived to protect taxpayers in general.

In subcommittee hearings during October and November of this year, we have clearly seen how the current tax laws continue to frustrate the effective enforcement of Federal criminal statutes aimed at organized crime and narcotics trafficking. This testimony is similar to that heard in prior subcommittee hearings. Members of the Permanent Subcommittee on Investigations have led the effort in the past to correct these shortcomings.

Under the able direction of our ranking minority member, SAM NUNN, a set of amendments passed the Senate earlier this year as part of the Economic Recovery Tax Act of 1981 but were not agreed to in conference although the conferees agreed that congressional attention in this area was warranted. I have supported Senator NUNN in his efforts and have cosponsored his proposed legislation in this area, S. 732.

Due in large part, I believe, to the past work of Senator NUNN and the recent efforts of the subcommittee, the administration has finally responded with its own legislative recommendations on this matter. The administration's proposals have marked similarities with S. 732 and is in general accord on the objectives to be sought. The differences between the administration proposal and S. 732 are, in my opinion, matters which can be quickly and effectively resolved. To insure an expeditious resolution between these proposals, I consider it appropriate for me, as chairman of the Permanent Subcommittee on Investigations, and one who is vitally interested in developing and refining Federal responses to crime in America to introduce S. 1891, the "Tax Disclosure and Summons Amendments" to title 26. This bill has the enthusiastic support of many law enforcement officials. I ask unanimous consent that the section-by-section analysis of the bill be entered into the RECORD.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS OF S. 1891, TAX DISCLOSURE AND SUMMONS AMENDMENTS

Because of the substantial number of changes which this proposal would make in existing law, the various provisions of the proposal and their effect upon existing law will be discussed in the order in which they appear in the draft bill.

DEFINITIONS OF PROTECTION INFORMATION

[26 U.S.C. 6103(b)(3)]

Existing law uses a perplexing series of four terms to describe information held by the Internal Revenue Service (IRS), i.e., "returns," "return information," "taxpayer return information," and "return information other than taxpayer return information." The Administration proposal would improve the law as it applies to information sought for use in nontax criminal cases by adopting a workable two-part definitional structure.

In essence, federal prosecutors seeking access to tax information for use in a nontax criminal case would only be concerned with the two new definitions added at § 6103(b)(3).* The first new category of protected tax information, "investigative return information," includes (i) returns of all taxpayers and (ii) underlying records and information submitted by or on behalf of "individual taxpayers," such as during an IRS audit of a return. The second category of information held by IRS, "investigative nonreturn information," is defined to encompass all information held by IRS not covered by the definition of "investigative return information," primarily underlying books and records submitted by or on behalf of corporate taxpayers and information obtained from third parties during IRS investigations of taxpayers. The proposal defines the term "individual taxpayer" as a natural person or a legal entity with no more than two shareholders or partners, such as a husband-and-wife corporation or a two-person partnership.

Taken together, these definitions simplify the law as it applies to nontax criminal investigations and prosecutions by reducing the number of categories of crime-related information from four to two. Moreover, the two new categories of information conform to the methods of obtaining access: "investigative return information" requires a court order (§ 6103(i)(1)) while "investigative nonreturn information" may be obtained pursuant to a formal law enforcement request (§ 6103(a)(2)) or pursuant to a report of crime by IRS (§ 6103(i)(3)).

The only substantive change made by the revised definitional structure is that information (primarily books and records) furnished by or on behalf of legal entities, such as corporations, are made available pursuant to law enforcement request or IRS reports of crime; they are now available only pursuant to court order. Again, all returns and supporting schedules continue to be available only pursuant to court order.

The rationale for the distinction between books and records of individuals as contrasted with those of corporations is that natural persons have greater privacy rights than do corporations or other legal entities. A similar distinction is made in the Privacy Act of 1974 (5 U.S.C. 552a) and the Financial Privacy Act of 1978 (12 U.S.C. 3401–3422), neither of which applies to corporate records. Moreover, records of corporations and other entitiss are normally subject to inspection by shareholders and others with an interest in the entity, as well as by federal, state and local authorities; individual books and records are not. Furthermore, books and records of legal entities are normally maintained for purposes other than tax requirements; individual books and records are frequently maintained solely to comply with tax laws. Finally, the Fifth Amendment privilege against self-incrimination does not extend to legal entities.

For these reasons, this proposal accords a higher degree of protection to underlying books and records of individuals than to those legal entities. Because legal entities comprised of only one or two persons are usually the alter ego of an individual or married couple, they are treated as individuals.**

DISCLOSURE PURSUANT TO COURT ORDER

[26 U.S.C. 6103(i)(1)]

The revised § 6103(i)(1) preserves the structure of the existing court order provision. The modifications are intended primarily to clarify existing law and to make the literal terms of the statute comply with actual practice. For example, the standards in existing (i)(1), if read literally, require a factual showing that cannot be made unless the prosecutor seeking access is already in possession of the information sought.

Courts have interpreted this language in a practical fashion to require proof only of those facts a federal prosecutor can realistically be expected to demonstrate: that there is reasonable cause to believe a specific federal crime has occurred, is occurring, or will occur, that there is reasonable cause to believe tax data is relevant to that offense, and that the information will be used exclusively for investigation and prosecution of that offense.

This proposal would substitute these standards for those of existing law. No change is made in the statutory standard of proof required to obtain a court order—"reasonable cause to believe"—which has been interpreted in a commonsense manner as requiring an objective showing of reasonableness less demanding than "probable cause." It is the intent in proposing reenactment of this standard that the courts continue to construe the term "reasonable cause to believe" as being the equivalent of reasonable suspicion. The revised (i)(1) also makes clear that investigative return information may be sought where such information may assist in the location of a fugitive for whom a judicial arrest warrant has been issued.

Because these modifications codify present practice, they have no practical effect on taxpayer privacy or tax administration. They do, however, reduce the potential for widely varying judicial results and the chilling effect that the unrealistic language of current law has on federal prosecutors who need tax information for legitimate law enforcement purposes.

The new paragraph (i)(1) modifies the class of federal officials who may authorize an application for a court order. Existing law requires all such applications to be routed through Washington for approval before being presented to the court, a requirement which results in substantial delay and paperwork. The draft bill would permit United States Attorneys and Attorneys-in-Charge of Organized Crime Strike Forces in the field to present applications directly to the appropriate federal court for consideration.

The proposed revision would also delete the authority currently possessed by all heads of federal agencies to approve (i)(1) applications, thereby centralizing applica-

*Existing definitions of "return" (§ 6103(b)(1)) and "return information" (§ 6103(b)(2)) are preserved intact to avoid any unnecessary impact upon other provisions of § 6103; the new definitions apply only to subsection (i) governing access to tax information for use in nontax criminal cases.

**The new definitions replace the existing definition of "taxpayer return information" at § 6103(b)(3); that definition is no longer needed by virtue of the new two-part definitional structure.

tion authority in a single agency, the Depart of Justice, where it can be more effectively coordinated. Since 1976, only five applications for (i)(1) orders have been signed by non-Justice Department entities; this change will not, therefore, adversely affect federal agencies.

The revised (i)(1)(D) also clarifies existing law by explicitly providing that redisclosure can be made to those support personnel necessary to prepare for a criminal prosecution. This would not change existing practice.

Finally, the new (i)(1) provides that court orders may be granted by U.S. Magistrates as well as U.S. District Judges. Magistrates are now authorized to act on analogous applications such as those for search and arrest warrants.

DISCLOSURE PURSUANT TO FORMAL LAW ENFORCEMENT REQUEST

[26 U.S.C. 6103(i)(2)]

The revised § 6103(i)(2) clarifies existing law governing requests for nonreturn information. As amended, (i)(2) would permit requests to be made by those officials authorized to apply for an (i)(1) court order, a supervisory-level attorney for the government designated by the Attorney General, heads of agencies, and statutory Inspectors General.

The new (i)(2)(C) also authorizes these federal law enforcement officials to inquire whether a taxpayer filed a return for a given year and whether there is or has been a criminal investigation of the taxpayer. This will help avoid the waste of resources which has occurred where a court order is sought and obtained only to find that the taxpayer did not file a return for the year in question.

Finally, the revised (i)(2) would modify the factual showing required to support a disclosure of nonreturn information by substituting "the allegation of criminal conduct giving rise to the proceeding or investigation" for "the specific reason or reasons why such disclosure is or may be material to the proceeding or investigation." Like the (i)(1) court order requirement, a prosecutor cannot show the materiality of tax information to a case without access to the information sought.

IRS-INITIATED DISCLOSURES

[26 U.S.C. 6103(i)(2)]

The draft bill proposes two improvements to the procedure by which IRS initiates reports of nontax crime to law enforcement authorities. First, the new § 6103(i)(3) would make such reports mandatory rather than discretionary. Second, the new (i)(3)(B) provides that when the IRS refers a tax case to the Department of Justice, it must also refer any evidence it has of nontax crimes committed by the taxpayer. The purpose of the non-disclosure rule is to encourage taxpayers to report their incomes fully and honestly; taxpayers who evade taxes should not benefit from a policy enacted to encourage honest reporting. These changes, together with related amendments, will expand the number of IRS referrals of nontax criminal cases.

ADMISSIBILITY OF TAX INFORMATION

[26 U.S.C. 6103(i)(4)]

The new (i)(4) provides that tax information is admissible in judicial and administrative proceedings like other evidence rather than pursuant to special rules. The bill, in (i)(1)(A) and (i)(4), also clarifies that tax information can be disclosed for and is admissible in proceedings "ancillary" to criminal proceedings, i.e., those arising from the same course of conduct and involving the same parties. Proceedings ancillary to criminal proceedings include civil forfeiture or damage actions which may be pursued in addition to or in lieu of criminal prosecution, as well as probation and parole revocation hearings and criminal fine collection proceedings.

The amendments to (i)(4) also clarify that tax information may be disclosed to a defendant pursuant to the Jencks Act and discovery provisions of the Federal Rules of Criminal Procedure or other discovery requirements. This explicitly protects a defendant's Due Process rights and is consistent with current practice.

EMERGENCY DISCLOSURE

[Proposed 26 U.S.C. 6103(i)(5)]

The new paragraph (i)(5) would direct the IRS to report to the appropriate federal agency any circumstances involving an imminent danger of physical injury to any person, serious property damage or flight from prosecution. This authority for disclosure in rare emergency situations is patterned on the similar provisions of the Financial Privacy Act of 1978 (12 U.S.C. 3414(b)) and, like the Financial Privacy Act, requires that all such disclosures be reported promptly to the appropriate federal district court. Although not anticipated to be used frequently, this provision will permit notification of appropriate officials in true emergency situations.

JOINT INVESTIGATIONS

[Proposed 26 U.S.C. 6103(i)(6)]

The new (i)(6) merely states that § 6103 does not preclude or prevent IRS from assisting or working jointly with federal law enforcement agencies in the investigation of nontax crimes which may involve violations of federal tax laws. This does not change current law but will encourage cooperation between the IRS and the Department of Justice by expressly approving joint investigations.

DISCLOSURE TO STATE AND LOCAL AUTHORITIES

[Proposed 26 U.S.C. 6103(i)(7)]

The draft bill also proposes a new (i)(7) authorizing carefully limited redisclosure of tax information to state and local law enforcement authorities. This limited redisclosure would be permitted only as to information already obtained by federal law enforcement officials for a federal nontax criminal investigation. If such information reflects a state felony violation, the federal official obtaining access would be authorized to go back to court and seek an order authorizing redisclosure to the appropriate state attorney general or district attorney exclusively for use in the investigation or prosecution of that state felony violation. Like other persons receiving tax information, the state attorneys general and district attorneys receiving tax information under (i)(7) would be subject to civil and criminal sanctions for any unauthorized use.

DISCLOSURE PURSUANT TO MUTUAL ASSISTANCE TREATIES

[Proposed 26 U.S.C. 6103(i)(8)]

The proposed new (i)(8) would permit disclosures of tax information to foreign governments pursuant to mutual assistance treaties for use in nontax criminal matters such as narcotics trafficking, thereby making it possible for federal officials to obtain reciprocal disclosure of foreign tax information. Such treaties, of course, must be ratified by the Senate. To further regulate this foreign access to tax information, the amended (i)(8) would require entry of an order by a U.S. district court, similar to that required by § 6103(i)(1), before a disclosure could be made.

Paragraph (k)(4) of § 6103 presently authorizes similar disclosures to foreign governments for tax use pursuant to international tax conventions. This analogous provision for nontax criminal purposes would enhance prospects for improved international cooperation in support of law enforcement efforts to curb narcotics trafficking and other crimes that involve travel across international borders.

FOREIGN INTELLIGENCE ACCESS

[Proposed 26 U.S.C. 6103(i)(9)]

The new (i)(9) would authorize disclosure of investigative return and nonreturn information to the Attorney General of the United States where there is reasonable cause to believe such information is needed in connection with foreign intelligence collection or a foreign counter-intelligence investigation related to specified activities by foreign powers. Such disclosures would require the personal certification of the Attorney General (or Acting Attorney General in the event there is a temporary vacancy in that Office) and any disclosures and redisclosures pursuant to the subparagraph would be reported annually to the House and Senate Intelligence Committees. An analogous provision for intelligence access to information was enacted by the Congress in the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)).

TECHNICAL CONFORMING AMENDMENT

[26 U.S.C. 6103 (a) and (p)]

Technical amendments are made to conform subsections (a) and (p) of section 6103 to the revised definitional structure set out above.

CRIMINAL LIABILITY

[26 U.S.C. 7213]

The amended section 7213 creates an affirmative defense to prosecution where the disclosure of tax information was made pursuant to a good faith but erroneous interpretation of the law. This would make it clear to federal employees that they need not fear criminal prosecution if they proceed reasonably and in good faith. Actually, this makes no practical change in existing law which requires a "willful" violation to sustain a conviction. It would, however, reduce the chilling effect which present law has on legitimate disclosures.

CIVIL LIABILITY

[26 U.S.C. 7217]

The amendments to section 7217 make federal agencies, rather than individual federal employees the defendants in civil suits alleging unauthorized disclosures of tax information. This change would conform § 7217 to the Privacy Act of 1974, the Right To Financial Privacy Act of 1978 and the Privacy Protection Act of 1980, all of which make federal agencies rather than individual federal employees civilly liable for any statutory violation.

In support of this amendment, it seems unduly harsh to place federal employees who work with tax information regularly in the position of risking financial ruin daily for any mistaken disclosure. Of course, federal employees would continue to be subject to administrative sanctions, including dismissal, for any negligent disclosure as well as criminal prosecution for any willful, corrupt or malicious abuse of tax information.

SUMMONSES IN CRIMINAL TAX INVESTIGATIONS

[26 U.S.C. 7602]

In *United States* v. *LaSalle National Bank*, 437 U.S. 298 (1978), the Supreme Court held that the IRS may not issue a summons under section 7602 of the Internal Revenue Code after the Service has recommended prosecution to the Department of Justice or after the Service has made an institutional commitment to refer the case for prosecution. The Court acknowledged that use of a summons for a criminal purpose prior to referral of a case to the Department of Justice would be impermissible on only rare occasions. The LaSalle National Bank decision has been criticized both as a matter of statutory construction and on policy grounds. *De-*

velopments in the Law: Corporate Crime, 92 Harv. L. Rev. 1227, 1320–33 (1979).

The practical effect of LaSalle National Bank is that, while the summonses will inevitably be enforced, a person under investigation for a criminal tax violation may be able to obtain information concerning the Service's conduct of the investigation through cross examination of an agent at an enforcement hearing, ostensibly directed at determining the institutional posture of the Service. The criminal purpose issue also contributes to delays in enforcement.

The amendment to section 7602 would expressly authorize the IRS to issue a summons for the sole purpose of conducting a criminal tax investigation and, thus, would eliminate unnecessary litigation and attendant delay in obtaining summoned materials. Examples of comparable authority for issuance of administrative process in connection with criminal matters include the summons powers of the Securities and Exchange Commission (15 U.S.C. § 77t(b)); the authority of the Department of Justice to issue civil investigative demands in connection with antitrust investigations (15 U.S.C. § 1313(d)) and in connection with racketeering investigations (18 U.S.C. § 1968); and the subpoena powers of the Inspectors General (5 U.S.C. App. § 6(a)(4)).

Under the amendment, the IRS would be empowered to issue a summons for the investigation of criminal offenses involving the administration or enforcement of the internal revenue laws at any time prior to indictment. Thus, in the event that the Department of Justice believes that a supplemental investigation should be conducted by the Service administratively, a summons could be utilized in the investigation. The amendment would not infringe on the rights of taxpayers because a taxpayer has a greater opportunity to protect his interest when the investigation is conducted administratively in light of the notice and challenge provisions of section 7609. Since summonses cannot presently be used for a supplemental investigation requested by the Department of Justice because of the LaSalle National Bank decision, the amendment would permit some cases to be prosecuted which would now be declined where the Department of Justice determines that because of resource problems or for other reasons completion of the investigation by a grand jury would be impractical.

A second proposed amendment to section 7602 is intended to avoid situations which have occurred wherein IRS agents, working as agents of a federal grand jury, have devoted many hours toward investigation of a taxpayer only to be deprived of the use of the information so developed if no indictment is returned by the grand jury. Often in such situations the taxpayer, although determined not to be criminally liable, will be civilly liable and the IRS, upon entry of a court order under Rule 6(e)(3)(C)(i) of the Federal Rules of Criminal Procedure, should have access to information developed by the grand jury to assist in preparation for a civil tax proceeding.

In addition, grand juries frequently uncover evidence of bribes or other illegal forms of income that has not, or likely has not, been reported for tax purposes. The IRS has an obvious interest in such information and the Justice Department's interest is similar—to assure that appropriate taxes are paid on the illegal income. Thus, it is proper for the Department to seek release of grand jury information to the IRS in such circumstances.

Some courts, however, have held that IRS access to grand jury information is not "preliminary to a judicial proceeding" within the meaning of Rule 6(e). This provision would avoid such a result. Moreover, the importance of tax collection, and the obvious relevance of such grand jury information to a determination of tax liability, establish the compelling need of the IRS for such information.

SPECIAL PROVISIONS FOR THIRD-PARTY SUMMONS

[26 U.S.C. 7609]

PERSON ENTITLED TO NOTICE OF IRS SUMMONSES

[Proposed 26 U.S.C. 7609(a)(3)(B)]

The draft bill would enact a new section 7609(a)(3)(B) which would define "person entitled to notice" as an individual or a partnership of five or fewer individuals. Thus, the scope of the interests protected by Section 7609 would be similar to those protected by the Right To Financial Privacy Act (12 U.S.C. 3401(5)).

PROCEDURES FOR CHALLENGING IRS SUMMONSES

[26 U.S.C. 7609(b)]

Under existing law, a person entitled to notice can stay compliance with a summons merely by serving on the third-party recordkeeper a notice not to comply and providing a copy of that notice to the IRS. This stay of compliance procedure was intended by the Congress to afford a person entitled to notice the opportunity to challenge the summons by intervening in the ensuing summons enforcement proceeding. The experience of the IRS is that the procedure has been abused and misused as a means of obstructing and delaying IRS investigations. When an enforcement action is commenced, many persons fail to assert their rights in court.

As a result, the stay of compliance procedure adopted in the Tax Reform Act of 1976 frequently serves not only to delay the investigation, but also to waste the not unlimited resources of the IRS, the Department of Justice, and the courts.

The Administration proposal would modify the stay of compliance procedure to place on the person entitled to notice the burden of commencing the summons litigation. Thus, any challenge by such a person to the summons would be made by filing a motion to quash in the United States district court. The motion to quash must be filed within 14 days, the same time limitation for such motions provided in the Right To Financial Privacy Act (12 U.S.C. § 3410). The reasons for objecting to compliance with the summons must be contained in the motion. The court can deny the motion if it fails to meet the statutory requirements. If the motion complies with the terms of the statute, the court can direct the United States to file a response within 20 days.

Section 7609(b) would also require that in the event a motion to quash is filed, the third-party recordkeeper must intervene in the motion-to-quash proceeding in order to assert any objections that it may have to enforcement of the summons.

In conformity with the Right To Financial Privacy Act, the legislation would impose time limits on the judges and magistrates for hearing and deciding motions to quash. A person summoned may avoid an appearance before the court by depositing the summoned records with the court in accordance with regulations issued by the Secretary. The challenge procedures of section 7609 would be the sole judicial remedy available to a person entitled to notice. Thus, the only means for challenging a section 7609 summons is by filing a motion to quash.

STATUTE OF LIMITATIONS

[26 U.S.C. 7609(e)]

Under the proposed amendment to section 7609(e), as amended, the suspension of the statute of limitations would terminate only when any production order of the court is fully satisfied.

EXCEPTION TO NOTICE

[26 U.S.C. 7609(g)]

Section 7609(g) permits the court to grant special exceptions to the general requirements that notice be given to the person to whom the records pertain and that such a person can stay compliance by filing a motion to quash. The amendment would clarify the fact that the court has the authority to enter an injunction against the recordkeeper to prevent the recordkeeper from disclosing to the taxpayer that the IRS has obtained or has requested the summoned material.

DUTIES OF RECORD CUSTODIAN

[Proposed 26 U.S.C. 7609(i)]

Section 7609(i) is new. It would require the third-party recordkeeper to assemble the records and be prepared to produce the records requested on the date specified in the summons or, in the event a motion to quash is filed, within ten days after the court's decision. The Secretary is authorized to issue a certificate to the third-party recordkeeper that a motion to quash has not been filed within the prescribed time. The third-party recordkeeper must then comply with the summons unless it notifies the Secretary in writing of any objections that it may have to compliance. A third-part recordkeeper, its agents or employees could not be held liable to any customer or other person for production of records in good faith reliance on a certificate of the IRS that a motion to quash has not been filed in a timely fashion or in reliance on a court order requiring production of the records.

EFFECT OF DENIAL OF MOTION TO QUASH

[Proposed 26 U.S.C. 7609(j)]

Section 7609(j) would provide than an order denying a motion to quash would have the same effect as an order enforcing a summons.

APPEALS

[Proposed 26 U.S.C. 7609(k)]

Under present law, a district court order enforcing a summons can be appealed in the event that the person objecting to compliance can obtain a stay of enforcement from the district court or the court of appeals. Immediate appeal of a summons matter can create a substantial delay in production of the summoned documents, and the problem is particularly serious in jurisdictions where the court of appeals has a severe backlog. As a result, investigations have been discontinued solely because of the delay factor. In some instances, the investigations could be completed only by referral of the case to the Department of Justice with a recommendation that a grand jury investigation be instituted.

The Right To Financial Privacy Act sought to deal with the problem of delay resulting from protracted appeals by providing for deferral of appeal. Deferral of appeal was also recommended by the Privacy Protection Study Commission as a means of dealing with bottlenecks generated by immediate appeals. Personal Privacy in an Information Society, p. 372.

The bill provides, in a new subsection (k), that an order denying a motion to quash a summons is an interlocutory order and that an appeal from denial of a motion to quash can be taken only on a deferred basis. Objections to the determination of the district court will be preserved and may be asserted by the taxpayer as an evidentiary question on appeal of a subsequent tax case which arises out of or is based upon the summoned records.

AUTHORITY OF MAGISTRATES

[Proposed 26 U.S.C. 7609(l)]

At the present time, many summons enforcement proceedings are referred to magistrates by district judges for a hearing and recommended decision, after the district judge has determined that a hearing is necessary and has entered an order to show cause. This procedure is desirable in that it results in expedited consideration of summons cases. The bill would affirm the desirability of as-

signing summons matters to magistrates by providing that magistrates may exercise the jurisdiction of the district court in connection with the new motion-to-quash procedure. Thus, for example, a magistrate may be assigned to conduct a review of a motion to quash and may direct the United States to file a response. The legislation would also authorize magistrates to issue final orders in ex parte proceedings under section 7609 (g).

TECHNICAL AND CONFORMING AMENDMENTS

The legislation would make technical and conforming changes to subsections (a)(1), (d) and (e) of section 7609.

ANDREI SAKHAROV

Mr. WALLOP. Mr. President, this morning I sent a letter to President Reagan asking that he take steps to ease the plight of Andrei Sakharov. Dr. Sakharov's life is in the balance. This noble and decent man, whose lonely fight for human dignity and freedom has touched us all, is deserving of our support and our prayers. I ask unanimous consent that the text of my letter to the President be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., December 3, 1981.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I write to call your attention to the possibility that Andrei Sakharov may die soon of his hunger strike, and to ask you to exert whatever influence you can to save his life.

Never have I met a nobler man than Andrei Sakharov. In January 1979, against the wishes of the U.S. Ambassador in Moscow, Sam Hayakawa and I visited Dr. Sakharov in his two-room flat. The Soviet government had stripped him of every comfort and honor. Knowing that the place was bugged, I was anxious to say and elicit nothing which would cause this man further trouble. But Sakharov put us to ease—and to shame—by showing his determination to talk and live like a free man in spite of his circumstances and of the sure knowledge that the Soviet government would punish him for this. The grace that he and his wife exuded made the terrible circumstances in which he had been placed appear quite irrelevant.

Only a few months after that visit, Sakharov was exiled. When I left Sakharov he asked me to take some of his books as presents to his stepdaughter in the United States. The Soviet government had already cut him off from communication with his family abroad. Now they have refused permission for other members of his family to immigrate and of course they have cut him off from communication with everyone except his wife. Clearly the man now has only his very life left with which to fight. Hence the hunger strike.

Sakharov told me that the only weapon of the Soviet civil rights movement is the pressure it can generate from abroad. He is putting his life on the line in order to remind us once again of what sort of regime the Soviet Union is, and to ask us to make the effort and pay the costs to bring pressure.

You have any number of means available to you. It matters less which you choose than that you commit real assets of the United States—be they diplomatic or economic—to bringing pressure. Not even success is necessary. It would be unseemly, however, to deal with the Soviet Union on a regular basis as if it were not the regime which is causing the death of Andrei Sakharov.

I urge you to follow your heart and to direct the United States in this matter in a way worthy of the man whose life isat stake. Time is of the essence.

Sincerely,

MALCOLM WALLOP,
U.S. Senator.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STAFFORD, from the Committee on Environment and Public Works, without amendment:

S. 657. A bill to designate the Department of Commerce Building in Washington, D.C., as the "Herbert Clark Hoover Department of Commerce Building" (Rept. No. 97-286).

By Mr. THURMOND, from the Committee on the Judiciary, without amendment:

S.J. Res. 122. Joint resolution to authorize and request the President to designate the week of February 28, 1982, through March 6, 1982, as "National Construction Industry Week"; and

S.J. Res. 123. Joint resolution authorizing and requesting the President to proclaim "National Disabled Veterans Week."

By Mr. DOLE, from the Committee on Finance, with amendments:

S. 1249. A bill to increase the efficiency of Government-wide efforts to collect debts owed the United States, to require the Office of Management and Budget to establish regulations for reporting on debts owed the United States, and to provide additional procedures for the collection of debts owed the United States (Rept. No. 97-287).

By Mr. JEPSEN, from the Committee on Armed Services, without amendment:

S. 1906. An original bill to eliminate general and flag officer grade requirements from certain statutory positions in the Armed Forces, to delay the effective date of the ceiling on the number of general and flag officers serving on active duty, and for other purposes (Rept. No. 97-288).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. HEINZ:

S. 1900. A bill for the relief of Sin Fong Chang and Sau Wah Chang, husband and wife, and their children, Tung Fu Chang and Tung Yan Chang; to the Committee on the Judiciary.

By Mr. LEVIN (for himself, Mr. COHEN, Mr. PRYOR, Mr. ROTH, and Mr. EXON):

S. 1901. A bill to amend chapter 137 of title 10, United States Code, to impose certain requirements on the awarding of sole-source contracts by the military departments; to the Committee on Armed Services.

By Mr. DANFORTH (for himself and Mr. SYMMS):

S. 1902. A bill to extend for 2 additional years the residual authority to negotiate duties under the Trade Act of 1974; to the Committee on Finance.

By Mr. BENTSEN:

S. 1903. A bill to require the President to determine what activities now performed by the Federal Government could more efficiently be conducted by small business, and to prepare a schedule for transferring those activities to the private sector; to the Committee on Governmental Affairs.

By Mr. MITCHELL:

S. 1904. A bill to amend the Internal Revenue Code of 1954 to provide targeted rate schedules to replace the across-the-board tax cuts enacted by the Economic Recovery Act of 1981; to the Committee on Finance.

By Mr. MITCHELL:

S. 1905. To require certain reductions in the windfall profit tax contained in the Economic Recovery Tax Act of 1981; to the Committee on Finance.

By Mr. JEPSEN, from the Committee on Armed Services:

S. 1906. An original bill to eliminate general and flag officer grade requirements from certain statutory positions in the Armed Forces, to delay the effective date of the ceiling on the number of general and flag officers serving on active duty, and for other purposes; placed on the calendar.

By Mr. ROTH (for himself, Mr. RUDMAN, Mr. COHEN, Mr. NUNN, and Mr. CHILES):

S. 1907. A bill to amend the Currency and Foreign Transactions Reporting Act and section 1961(1) of title 18, United States Code, to improve enforcement, and for other purposes; to the Committee on the Judiciary.

By Mr. NICKLES (for himself and Mr. BOREN):

S. 1908. A bill to provide for the reinstatement and validation of U.S. oil and gas lease NM-A26947 (Oklahoma); to the Committee on Energy and Natural Resources.

By Mr. NICKLES (for himself and Mr. BOREN):

S. 1909. A bill to provide for the reinstatement and validation of U.S. oil and gas lease No. W-24153; to the Committee on Energy and Natural Resources.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEVIN (for himself, Mr. COHEN, Mr. PRYOR, Mr. ROTH, and Mr. EXON):

S. 1901. A bill to amend chapter 137 of title 10, United States Code, to impose certain requirements on the awarding of sole-source contracts by the military departments; to the Committee on Armed Services.

REDUCTION OF NONCOMPETITIVE CONTRACTING

● Mr. LEVIN. Mr. President, during the last few weeks we have tossed budget-cutting numbers back and forth. The figures change so constantly that they are making us dizzy. How much to cut the Federal budget here, how much there.

But, Mr. President, we can all agree that this body should embrace proposals that will generate savings to the Government without bringing undue hardship to necessary Government programs. In short, we should seek out and support ways to save money without excessive spending cuts to critical programs.

That is why it is especially disconcerting to me to have a proposal rejected when it would change the way in which the Government spends its money in order to bring about savings without cutting the budget.

What I am speaking of is an amendment that recently was defeated in the House-Senate conference on the fiscal

year 1982 defense authorization bill. It was defeated because of heavy lobbying against the measure by the Department of Defense (DOD) and because of lack of support by the Office of Management and Budget (OMB). It was a provision that would have served to increase competition in defense spending, thereby bringing about approximately 25 percent in savings for contracts being competed rather than awarded noncompetitively. What I am speaking of is DOD's refusal to recognize the beneficial nature of the very market forces which President Reagan has endorsed in so many other places. What I am speaking of is the deterioration and shrinkage of our defense industrial base due in part to the failure of DOD to adhere to sound contracting principles. And what I am speaking of is the continuing tendency of DOD to contract with the private sector using contracting procedures that run counter to statutory intent.

Recent history concerning Federal procurement procedures has demonstrated the value of competition for inducing savings into Federal acquisitions. The Office of Federal Procurement Policy (OFPP), in recently submitting a draft proposal to Congress for a uniform Federal procurement system, stated that—

> Vigorous competition among suppliers has long been a procurement goal, but many producers become so frustrated with the maze of regulations, erratic funding and planning, . . . that they either limit their business with the Government or leave the Government market to those who are willing to accept these frustrations. The departing firms are sometimes the more competent ones. Of particular concern is the shrinking base of suppliers, both at prime and subcontractor levels.

In no one area of Federal procurement is this loss of suppliers more evident than in defense procurement. We are acutely aware of the shrinking defense industrial base, and its effects on our national defense posture. A House panel recently summarized the state of the defense industrial base as shocking, citing a loss of suppliers at both the prime and subcontractor levels as detrimental to national security.

One major cause of the loss of suppliers to the defense establishment is DOD's continued refusal to recognize the value of competition. The Department's tendency to award contracts on a sole-source, noncompetitive basis more often than competing contracts between a number of viable firms only serves to knock businesses out of the defense supply picture, and further increases procurement costs to the Government.

The Department chose to go the noncompetitive, or sole-source route, during fiscal year 1980 on 60.3 percent of its contract actions. In a field of over 11 million contracts, that is choosing to use one supplier rather than testing the marketplace in almost 7 million contract actions. From a dollar standpoint, DOD awarded $45 billion, or 64.3 percent of its $70.5 billion procurement budget through sole-source contracts.

There are two fundamental reasons why it is unconscionable that DOD continue to use sole-source contracting to such a great extent: First, the Federal procurement statute governing defense spending requires that DOD award contracts through a formal advertising, competitive procedure. The statute allows some 17 exceptions to that procedure however, and it now appears that the tail is wagging the dog—the Department awards through negotiation oftentimes without competition more often than awarding through formal advertising. In fact, 94.5 percent of its procurements followed procedures other than formal advertising in fiscal year 1980. Second, it has been estimated that 10 to 50 percent can be saved through competing contracts rather than awarding them noncompetitively. The Defense Department itself has estimated 10 to 25 percent savings in numerous studies. Why, then, do we continue to see such excessive use of sole-source contracting?

DOD seems to treat competition in procurement as an afterthought. In April of this year, Deputy Defense Secretary Frank Carlucci authorized 31 initiatives in DOD to improve procurement. Increased use of competition was not one of those initiatives. Instead, after considerable criticism and pressure from Congress, DOD added a 32d initiative: Increasing the use of competition. Even then, the initiative was stated very generally and did not carry with it any requirement that the services establish numerical goals for reducing noncompetitive contracting, contrary to several recommendations by the General Accounting Office (GAO) and the Congress.

This has got to stop. We are at an impasse. DOD is not really committed to the use of competition, as evidenced by their strong opposition to a small procompetition amendment that was rejected in conference. The amendment was defeated because of DOD opposition, OMB opposition and very heavy defense lobbying against the provision. Well, we cannot stop there. Legislation must be enacted. There is no other way to insure that DOD changes its ways.

It is for this reason that I offer legislation today that will force the Department to consider competition in procurements as the first rather than the last resort, for procurement actions over $100,000. Senators COHEN, PRYOR, ROTH, and EXON have joined me in this legislative effort, and I urge my other colleagues to offer their support as well.

The provisions of the bill require that the Department publish its intent to enter negotiations with a sole-source contractor at least 30 days prior to those negotiations, so that alternative bidders might be able to submit a proposal to compete for the contract. This 30-day waiting period merely extends an existing 10-day waiting period under existing regulations, and is consistent with current OFPP directives to the agencies to institute greater use of advanced procurement planning. The 10-day period has simply proven inadequate. The new 30-day waiting period would only apply to contracts over $100,000, less than 3 percent of DOD's yearly contract actions.

The bill also would provide for adequate description of contract requirements, so that potential competitors could submit a proposal to the Department to be considered for the procurement in lieu of the sole-source contractor. Finally, the bill allows exceptions for legitimate instances in which it would not be possible for the Department to seek competition.

It is my conservative estimate that following the provisions of this legislation would reduce noncompetitive contracting at DOD by at least 20 percent and, as a result, would bring about savings of from $1 billion to $5 billion each year.

This legislation is a modest step designed to improve defense procurement procedures and to afford the taxpayer more return for each defense dollar. I urge all of my colleagues to give the measure their full support.●

By Mr. DANFORTH (for himself and Mr. SYMMS):

S. 1902. A bill to extend for 2 additional years the residual authority to negotiate duties under the Trade Act of 1974; to the Committee on Finance.

EXTENSION OF RESIDUAL TARIFF NEGOTIATING AUTHORITY

● Mr. DANFORTH. Mr. President, the President's residual tariff negotiating authority under section 124 of the Trade Act of 1974 is scheduled to expire on January 3, 1982. With the expiration of this authority, the President would retain only the limited compensation authority of section 123 of the act.

Therefore, today I am introducing legislation which would extend the President's authority under section 124 for an additional 2-year period.

The primary purpose of extending 124 authority is to alleviate, through negotiated reciprocal tariff reductions, disparities resulting from instances where foreign tariffs are higher than U.S. tariffs on the same product, thereby enhancing export opportunities for American producers.

The most recent example of the use of 124 authority by the administration resulted in an agreement with the Japanese on semiconductors which accelerated the staging of duty reductions in the Tokyo round of multilateral trade negotiations (MTN), bringing Japanese semiconductor tariffs into conformity with U.S. levels.

I am assured by U.S. Trade Representative (USTR) Bill Brock, in the administration's request for extension of this authority, that current limitations and procedural requirements of section 124 authority safeguard sufficiently those industries concerned about injurious import competition. Under these restrictions, tariffs on items that were cut by 60 percent in MTN are not eligible for further cuts and there is a maximum 20-percent cut subject to section 101 of the Trade Act of 1974. Second, advice from

the International Trade Commission (ITC) is required before any authority is used, and as part of the process of deciding whether to use 124, the interagency Trade Policy Staff Committee (TPSC) and the ITC hold hearings soliciting comments from private industry.

Finally, section 124 authority can only be used in any given year on products accounting for no more than 2 percent value of total U.S. imports.

Mr. President, I believe extension of the President's tariff negotiating authority under section 124 for an additional 2-year period will provide an opportunity for our negotiators to lower foreign barriers to exports of American-made goods, without threatening those industries concerned about injurious import competition.●

By Mr. BENTSEN:

S. 1903. A bill to require the President to determine what activities now performed by the Federal Government could more efficiently be conducted by small business, and to prepare a schedule for transferring those activities to the private sector; to the Committee on Governmental Affairs.

GOVERNMENT ACTIVITY REDUCTION ACT

● Mr. BENTSEN. Mr. President, I must confess my continuing astonishment with the focus of economic issues from Washington. The major product of our Capital City and indeed of our Nation used to be ideas—principles so sound and enduring that we set the tone and tenor for much of the world.

Well, the tone and tenor of Washington occasionally goes off-key, as it has in recent years, when both Congress and the administration have neglected small business. In its rush to please this or that portion of our economy, the Federal Government has all but ignored our most important sector—small business. Our 12 million small business firms employ 63 percent of all working men and women in the United States. They create 87 percent of the new jobs and, according to OMB, account for fully one-half of all innovations. They produce 43 percent of our GNP and are truly the heart of our productive economic system.

America is small business. This country was founded on the principle that free enterprise coupled with only a modicum of government was the surest path to individual freedom and to a robust and growing standard of living. That principle nurtured the growth of small business which became the foundation that sustained our growing Nation as it gained its independence and has sparked its growth during the seven generations since.

GOVERNMENT COMPETITION WITH SMALL BUSINESS

Gradually and then not so gradually, Washington chipped away at that foundation as our Nation's free enterprise principles became blurred. The initial, crystal-clear message from Washington became more and more out of focus as Government increasingly began to perform activities in direct competition with small business.

Competition, of course, is not quite the right word, for it implies some balance or equilibrium between competitors. In reality, Government activities performed in competition with small business are conducted by a unique set of rules which bear no relationship to the real world. Costs are irrelevant. Productivity is a boring abstract. Quality is something people write about for the suggestion box.

Activities performed by Government in competition with small business have surged over the past half century. The list of competing activities has grown and grown to become virtually endless now, ranging from art reproduction to the management by local government of zoos.

These commercial and industrial activities are unfair competition to small business. They rob the private sector of jobs, slow investment, reduce profits, boost taxes, hamper productivity growth, and restrict the ability of our key small business sector to thrive and prosper.

The perverse character of this competition is felt most keenly now when millions of small businesses are threatened by the dual dangers of excessive interest costs and declining demand. Our Founding Fathers would be aghast to learn that the Federal Government is conducting tens of billions of dollars worth of activities today which hard-pressed small business could do better and cheaper.

GOVERNMENT COMPETITION IS WASTEFUL

When I first started talking about productivity and our capital formation problems in 1973, I received the same thundering silence then which greets the subject of Government competition today in Washington.

Most listeners politely nod their heads when I say that Government competition with small business violates both commonsense and the precepts of free enterprise. But they generally shrug their shoulders, saying the problem is too unmanageable. For too many years, that attitude has prevailed.

Since 1955, for example, each President has reaffirmed the concept that Government competition be minimized—that Federal agencies should contract out as much work as possible to the private sector. Those admonishments were rarely honored, however. Not until 1976 did the General Accounting Office and, later the Defense Department begin to seriously evaluate the cost savings attainable by either relying on the private sector to perform work instead of bureaucrats, or requiring agencies to utilize private-sector practices.

The results of these evaluations were astounding.

The GAO identified over $4 billion in uncollected debts owed the Government which were collectible using private credit agency practices.

The GAO identified $11.7 million which annually could be saved at Federal hydroelectric projects by adopting the automation practices of private utilities.

DOD found it could cut its employment rolls by 11,000 and save $90 million annually by transferring 264 activities to private contractors.

The GAO found that up to $300 million could be saved by adopting private sector day care standards for HEW.

The GAO found that the General Services Administration could cut its custodian costs by one-third or almost $30 million in 1980 alone by contracting for such services through the private sector.

OMB testified before the Joint Economic Committee on October 28, 1981, that:

> The Government currently operates thousands of commercial or industrial activities with an annual operating cost in excess of $20 billion and with a similar amount of capital investment. The vast majority of these activities have never been subject to competition.
>
> If these activities were subject to the cost comparison studies required by A–76, we estimate that 154,000 personnel spaces could be converted to contract operations with a 5-year cumulative savings between fiscal year 1982 and 1987 in excess of $3 billion. These savings will continue to accrue thereafter.

A–76 refers to an OMB circular first promulgated in 1966 and revised in 1979 which requires Federal agencies to utilize private sector contractors whenever economically justified.

These investigations are more than mere straws in the wind. They clearly point to the need for a thorough overhaul of the way our Federal Government goes about its work. These investigations reveal that the Federal Government can raise productivity, cut costs, reduce taxes, and give a badly needed boost to small business by slashing activities done in competition with the private sector and relying far more on private sector contractors.

STEPS TO ELIMINATE GOVERNMENT COMPETITION

The 1979 revisions to the OMB Circular A–76 set forth an explicit Government policy on private contracting: It is to be used whenever economically justified. However, there is a large gap today between that policy and the practice of most Federal agencies.

The next step to reduce Government competition must be to identify in a standard, uniform fashion across our Government those areas where economic sense dictates the use of private firms—and here I mean small business ones specifically—in place of bureaucrats. Why small business? Because it faces a much tougher road than larger firms do in generating income and profits, and in meeting the mandates of Federal regulations and redtape.

The challenge is to close the present information gap by accelerating agency efforts under A–76 to conduct economic assessments of all their activities, while insuring that these assessments are conducted uniformly. This is a major challenge. It is easy to underestimate both the size of this information gap and the difficulties in obtaining uniform economic evaluations from all Federal agencies. The lack of solid information on Government spending is striking. For example, while OMB knows how much Federal agencies spend on private con-

tract work, they have no data on the spending split between goods and services.

EXPLANATION OF LEGISLATION

We have a long way to go in moving the Government out of activities which can more efficiently be performed by small business and the private sector. My bill is designed to start us on that road by requiring the President to establish a uniform data base—a base that identifies Government activities which could better be done by small business.

The Government Activity Reduction Act requires the President to report annually to Congress on such activities, and determine the potential cost savings to taxpayers should those activities be conducted by small business. In addition, the President's report must include a schedule for transferring such activities to the private sector where economically warranted.

This bill is a measured, realistic step toward reducing the scope of Government competition with small business. To my mind, it is a long overdue one, as well, and I encourage my colleagues to join me in making up for that lost time.

It is time for the entire Federal Government to play the same tune—one designed to aid small business in this trying period while improving the cost effectiveness of the Federal Government and reducing its deficit, as well.

Mr. President, I ask unanimous consent that the Government Activity Reduction Act be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1903

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Government Activity Reduction Act."

SEC. 2. FINDINGS AND PURPOSE.

(a) The Congress finds that:

(1) small business is the economic heart of the United States, creating 87 percent of all new jobs, employing 63 percent of all workers, and responsible for a majority of all innovative activity, and almost one-half of the Gross National Product;

(2) small business is bearing the brunt of tight money policies which have pushed interest rates to an excessive level, thereby creating a recession and extraordinary hardship among small business owners and unemployment among small business workers;

(3) the Federal Government is exacerbating these hardships by performing many activities in direct competition with small business;

(4) the General Accounting Office and other Federal entities have documented numerous instances where activities being performed by the Federal Government could more efficiently be performed by the private sector; and

(5) permitting small business to more efficiently perform activities now conducted by the Federal Government will reduce the cost of government, reduce taxes, and improve the economic condition of our crucial small business sector.

(6) the purpose of this Act is to reduce Federal spending by encouraging the transfer of those Federal agency activities to small business which can more efficiently be performed by the private sector.

SEC. 3. ANNUAL EVALUATION AND REPORT.

By January 31 of each year, the President shall submit a report to the Congress. The report shall contain:

(a) a description of activities performed in the previous calendar year by the Federal Government which could be more efficiently performed by small business; and

(b) an estimate of the potential cost savings to the government and taxpayers of conducting such activities under contract with small business.

SEC. 4. TRANSFER OF GOVERNMENT ACTIVITIES TO THE PRIVATE SECTOR.

The President shall include in the report required pursuant to section (3), a schedule for transferring those activities identified in section 3(a) to the private sector, with an emphasis on contracting for the performance of such activities with small business firms.●

By Mr. MITCHELL:

S. 1904. A bill to amend the Internal Revenue Code of 1954 to provide targeted rate schedules to replace the across-the-board tax cuts enacted by the Economic Recovery Tax Act of 1981; to the Committee on Finance.

S. 1905. A bill to repeal certain reductions in the windfall profit tax contained in the Economic Recovery Tax Act of 1981; to the Committee on Finance.

LEGISLATION TO CHANGE CERTAIN PROVISIONS OF THE ECONOMIC RECOVERY TAX ACT OF 1981

● Mr. MITCHELL. Mr. President, today I am introducing two bills that will correct what I consider to be the major mistakes that Congress made in its passage of the Economic Recovery Tax Act of 1981.

The first bill would redirect the individual income tax cut to moderate-income taxpayers.

The second would repeal the oil industry tax breaks granted in the tax bill.

Events since the enactment of the administration's budget and tax cut proposals have revealed many weaknesses in the social and economic philosophies that provided the underpinnings for the administration's policies. It is now clear that the policies of the administration favor the wealthy over the vast majority of working men and women.

Furthermore, record-high interest rates, surging unemployment, and declining economic output have signaled the end of the high expectations for the economy generated by the administration earlier in the year.

Throughout the economic policy debate, I sought to enact changes in the budget and tax plans that would have made Government policy more equitable and would have resulted in a more reasonable budget and fiscal policy. Now we find ourselves having to restore faith in the Government and the economy.

Several steps must be taken. New and imaginative approaches to social and economic policies must be adopted. Yet our first step should be to acknowledge our earlier mistakes and correct them.

Throughout the tax cut debate, many Members of Congress seemed wedded to the notion that an across-the-board tax cut was a fair tax cut. Yet this simplistic analysis ignored the off-setting effect of inflation and social security tax increases. Because those increases fell disproportionately on moderate- and low-income taxpayers, the across-the-board tax reductions approved earlier this year actually leave low- and moderate-income taxpayers with a greater share of the total tax burden.

A few statistics illustrate the point. The tax increases for the taxpayers in the $5,000 to $20,000 income class actually outweigh the income tax cut in 1982.

In other words, this group faces a net tax increase next year. Taxpayers earning $20,000 to $50,000 pay 52 percent of total individual and social security taxes, but will receive only 42 percent of the next tax cut.

In contrast, individuals making over $50,000 will receive 62 percent of the net tax cut even though they pay only 28 percent of total taxes.

The proponents of the Kemp-Roth tax cut tried to persuade the rest of us that their tax cut was "fair." But the statistics reveal that the result is actually to redistribute income toward the wealthy.

The bill I am introducing is identical to an amendment offered by Senator BRADLEY and myself in the Finance Committee and on the floor of the Senate during debate on the tax bill. This will leave the 3-year tax cut in effect but makes more of it available to individuals making less than $50,000 per year. There would be no changes in the revenue loss. My bill will result in a far more equitable tax cut, as this marginal tax rate reductions are skewed toward lower and middle income households.

The second bill I am introducing would repeal the major windfall profit tax breaks included in the Economic Recovery Tax Act. These are the exemption from the tax of oil from stripper wells run by independent producers, the lower tax on new oil, and the expanded tax benefits for royalty owners. Combined, these provisions will cost the Treasury $11.6 billion in revenues through 1986.

These tax benefits have been challenged repeatedly, both during the debate on the tax bill and in subsequent Senate action. During the Senate's consideration of the tax bill, it was clear that windfall profit tax reductions did not have significant support.

Although the Senate-passed bill contained $6.5 billion worth of windfall tax benefits over 5 years, proposals that would have added another $25 billion were rejected.

The final combination of oil tax breaks was due to a compromise with the House bill, which was the product of an unfortunate bidding war for the votes of oil State representatives. That bill contained roughly $16 billion in windfall profit tax breaks over 5 years.

I opposed all oil tax breaks at every stage of the tax writing process. I voted against the tax relief in the Finance Committee, opposed the additional re-

ductions offered on the Senate floor, and sought to have the conference report sent back to the conference committee. The reason for opposing these oil tax breaks are as valid now as they were earlier.

Whether tested on budget policy or energy policy grounds, the tax reductions are unwise. As the administration and the congressional leadership search for options to deal with the pending budget crisis, repeal of the windfall profit tax breaks should be at the top of everyone's list. Better uses for the revenues devoted to those provisions are easy to devise.

One obvious use is simply to reduce projected Federal deficits, thereby easing pressure on interest rates. Repeal of these tax breaks would be a strong signal to the financial markets, which are indicating serious concerns over the size of the impending budget deficits.

These tax breaks should also be compared to the budget cuts that have been proposed or enacted. With the proposed social security reductions and the cuts already enacted in the school lunch program, medicare, medicaid, and other social programs, can anyone seriously argue that tax breaks for oil producers deserve a high claim on scarce Government revenues?

Perhaps this argument could be made if these tax provisions served some legitimate purpose in our energy policy. Yet the windfall tax provisions fail on these grounds as well. The administration has advocated a market-based energy policy, on the presumption that this would provide oil producers with sufficient incentive to drill for oil.

Indeed, the administration's early decontrol move provided the oil industry with as much as $7.6 billion in unexpected revenues this year.

This action was taken in spite of evidence that the phased-decontrol plan was already inducing record-drilling activity in the United States. On top of what has been termed an "overheated" search for oil, the new oil tax benefits will not add significantly to domestic oil supplies. One estimate shows that drilling activity in the United States is likely to be only 1.2 percent higher in 1985 as a result of the tax bill provisions.

A closer look at the oil industry tax breaks reveals the weak case in favor of these provisions. For example, the tax bill provided an exemption for oil from independent producers' stripper wells.

The Windfall Profit Tax Act of 1980 acknowledged the special difficulties facing independent producers by taxing independents at only 30 percent, as low a rate as any producer or type of oil is taxed. Furthermore, independents still qualify for the percentage depletion allowance, a tax benefit that major oil companies cannot take.

Similarly, the phased-in reduction in the tax rate on newly discovered oil cannot be justified. The original windfall profit tax set a low levy on new oil. Furthermore, the record levels of exploration and drilling activity indicate the adequacy of existing incentives for oil production.

Finally, the tax bill expanded the tax benefits available for royalty owners. The combination of the higher credit and the two-barrel-per day exemption will exclude 80 percent of all royalty owners from the windfall profit tax.

This generosity toward royalty owners is somewhat surprising, given that they are not involved in the production of oil.

Although many will argue that royalty owners, independent producers, and producers of new oil deserve tax relief over and above what they receive from the rest of the tax bill, those arguments pale in comparison to the hardship created by the budget cuts enacted earlier this year.

To the general public, the windfall profit tax breaks symbolize the triumph of special interests over the public interest. Repealing these provisions would signal to the public that all segments of society will share equally in the sacrifices Americans have been asked to make in the name of fiscal responsibility.●

By Mr. ROTH (for himself, Mr. RUDMAN, Mr. COHEN, Mr. NUNN, and Mr. CHILES):

S. 1907. A bill to amend the Currency and Foreign Transactions Reporting Act and section 1961(1) of title 18, United States Code, to improve enforcement, and for other purposes; to the Committee on Finance.

AMENDMENT OF CURRENCY AND FOREIGN TRANSACTIONS REPORTING ACT

Mr. ROTH. Mr. President I am pleased to introduce today, on behalf of myself and Senators RUDMAN, COHEN, NUNN, and CHILES, a bill to amend certain provisions of the Currency and Foreign Transactions Reporting Act and the Racketeer Influenced and Corrupt Organizations Act in order to improve their applicability to international narcotics trafficking.

In early November, the Permanent Subcommittee on Investigation (PSI) conducted an extensive series of hearings on drug trafficking. These hearings have demonstrated that, despite decades of concerned law enforcement efforts against drugs, the flow of illicit narcotics in the United States remains substantially unchecked. These hearings have amplified and substantiated the warnings contained in previous studies of this subject.

In his report to the Congress, dated October 5, 1979, the Comptroller General observed that despite some positive results in controlling the illegal drug problem, drug trafficking and abuse still flourish in the United States. The 1-vear return on drug trafficking in the United States has been estimated at upward of $80 billion. Regardless of the value one wants to attach, the drug trafficking problem in the United States is massive.

During the last few years, several hearings have been held on this topic before numerous congressional committees, further underlining the critical need for decisive legislative action to control this problem.

The testimony which has been received during the Permanent Subcommittee on Investigation's hearings indicates that one of the most effective methods of combating the drug problem is to monitor and curtail the international flow of currency connected with the illegal drug trafficking industry.

Testimony presented before PSI on innovative prosecutions such as Operation Gateway, Project Greenback, and Project Bancoshares has shown that, in order to achieve positive results in the war against illicit drugs, it is imperative to investigate and monitor the international cash flow. Obviously, trafficking is, of necessity, a cash flow business.

At our recent hearings on international narcotics trafficking and money laundering, Deputy Assistant Secretary of the Treasury Robert E. Powis noted that the highly successful Operation Greenback in Florida is based on two enforcement concepts:

First, the attack on drug trafficking and other illegal activity should be made through the vulnerability of the financial operations of the violators through income tax law and the Bank Secrecy Act reporting requirements; and second, the integration of the criminal investigations should be achieved through the grand jury process with special prosecutors coordinating all of the related investigations, including those involving Customs, IRS, DEA, BATF, FBI, or Secret Service violations.

At a hearing before the Subcommittee on Criminal Justice on July 23 and 24, 1980, entitled "Forfeitures of Narcotics Proceeds," Richard J. Davis, Assistant Secretary of the Treasury, stated that to attack the narcotics industry as well as other parts of organized crime, it is necessary to try to develop strategies to deal with the movement of cash.

Developing an understanding of cash flow connected with drug trafficking is important for two reasons.

First, actual curtailment of the movement of vast amounts of cash to the drug producing countries will disrupt the mechanics of illicit narcotics transactions.

Second, knowledge of the location and movement of the cash flow is a tremendous aid in the investigation of the major drug figures.

One of the most effective tools available to assist in monitoring and curtailing the vast flow of the illegal drug profits out of the country is the Bank Secrecy Act (31 U.S.C. 1051). The Bank Secrecy Act, formally entitled the Currency and Foreign Transactions Reporting Act, was intended to provide law enforcement agencies with recordkeeping and reporting tools to investigate the financial resources connected with illegal activities, including drug trafficking.

Yet various loopholes which have been found in the act greatly dilute its usefulness in achieving this intended purpose. It is imperative to close these loopholes which hinder the ability of law enforcement authorities to stop the il-

legal movement of currency out of the United States.

During PSI's hearings, the Treasury Department and the Drug Enforcement Administration stressed the urgent need to close these loopholes.

Unless these loopholes are closed, the hands of the law enforcement authorities are virtually tied, as the major drug traffickers move millions of dollars out of the country without fear of detection or penalty.

In order to answer the needs which these law enforcement agencies have identified, it is necessary to amend the Currency and Foreign Transactions Reporting Act to correct deficiencies in its current enforcement and to enhance criminal penalties under the act.

One of the most devastating loopholes in the act concerns the absence of an "attempts" provision in connection with failing to file a report when taking over $5,000 out of the United States. Currently, since there is no "attempts" provision, many courts have held that the person must actually leave the country with the unreported money, before they violate the law.

For all intents and purposes, the crime is not completed until the person is out of the jurisdiction of the United States. Clearly, this ties the hands of Customs agents, as they must helplessly watch as drug traffickers leave with the unreported money.

Our amendments to title 31 would make it illegal to attempt to violate the reporting requirement, thereby allowing for apprehension prior to departure from the United States. This would greatly improve our detection and interdiction of the illegal flow of money out of the United States.

The proposed amendments would also raise the dollar amount at which a report must be filed. from $5 000 to $10.000. Due to the inflation of the dollar, and the high costs of traveling abroad. it is necessary to limit the requirements of the act to those transactions where large amounts of cash are involved.

The intent of the act is to facilitate the investigation of illegal cash flow, not to hinder legitimate international business or travel.

A practical problem arises over the appropriateness of searching individuals, containers and vehicles upon entering and departing the United States. A reasonable cause standard has always been applied in connection with warrantless border searches. and section 1(e) of the amendment does not change existing law; it merely clarifies it with respect to the authority of Customs agents regarding searches upon departure from the United States.

Section 1(f) allows Treasury officials to pay a reward to informants for information which leads to a recovery of a fine, civil penalty or forfeiture under the act, whenever the amount of recovery or penalty exceeds $50,000. The amount is limited to 25 percent of the net amount of the recovery fine, penalty or forfeiture, or $250,000, whichever is less.

This provision is a critical tool in combating drug trafficking. It is important to remember that we are dealing with a multi-billion-dollar industry. Law enforcement authorities need some tool to combat the great financial attraction that remains in the drug trafficking industry.

The majority of the vital investigations into major drug rings stem from informant tips—these tips are crucial to further investigations.

Additionally, the amount paid to the informant will be minimal in comparison to the amount gained in fines, civil penalties and forfeitures. Without the tip there may not have been any investigation and recovery—at all.

Furthermore, the bill appropriately increases the penalties and fines for failing to file the necessary currency reports. The proposed penalties and fines are much more realistic in comparison with the huge profits realized by trafficking in illicit narcotics. The bill will also clarify the area of civil forfeiture by requiring the establishment of a knowing failure to file before the forfeiture provisions of the act will apply.

Finally, the bill recognizes that currency transaction violations are inherently part of all major drug racketeering schemes. These activities adversely affect international trade, domestic health and safety, and Federal, State, and local law enforcement. As such it is appropriate that such activity should also be subjected to the enhanced penalties of the Racketeer Influenced and Corrupt Organizations Act (RICO) (18 U.S.C. 1961). Our bill will also amend RICO to bring criminal violations of the Bank Secrecy Act within the categories of criminal acts which are defined as "racketeering activities."

This legislation is drastically needed to carry out the purpose of the Currency and Financial Transactions Reporting Act—that of assisting law enforcement officials in obtaining better information and intelligence to seriously impede illegal drug trafficking. We want to make it as tough as we can for traffickers to pay for their contraband.

In conclusion, I would also like to note that at the conclusion of PSI's hearings, Senators RUDMAN, COHEN, NUNN, CHILES, and I issued a list of 10 recommendations that were intended to clearly define the need for a new commitment against international narcotics trafficking.

One of these recommendations called for the amendment of title 31 in a manner which this bill is designed to accomplish. We also recommended that the administration must develop a clear and cohesive policy regarding narcotics trafficking which will encompass both domestic and foreign policy.

We specifically called for the expenditure of additional funds to help domestic law enforcement agencies such as the Drug Enforcement Agency and the Customs Service expand their current efforts. We also called for the increased utilization of the IRS, Department of Defense and the Coast Guard in these efforts.

Mr. President, I ask for unanimous consent to have the text of the bill and a brief section-by-section analysis printed in the RECORD. I also ask that our 10 recommendations be printed as well.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1907

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 207(a) of the Currency and Foreign Transactions Reporting Act (31 U.S.C. 1056 (a)) is amended by striking out "a civil penalty not exceeding $1,000" and inserting in lieu thereof "a civil penalty not exceeding $10,000".

(b) Section 209 of such Act (31 U.S.C. 1058) is amended by striking out "$1,000, or imprisonment not more than one year, or both" and inserting in lieu thereof "$50,000, or imprisonment not more than five years, or both".

(c) Section 231(a) of such Act (31 U.S.C. 1101(c)) is amended—

(1) by inserting ", or attempts to transport or cause to be transported," after "transports or causes to be transported" in paragraph (1); and

(2) by striking out "in an amount exceeding $5,000" and inserting in lieu thereof "in an amount exceeding $10,000".

(d) Section 232(a) of such Act (31 U.S.C. 1102(a)) is amended by inserting before the period at the end thereof the following: ", except that in the case of a failure to file a required report, this subsection shall apply only if the person required to file the report knowingly fails to file the report".

(e) Section 235 of such Act (31 U.S.C. 1105) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting the following new subsection after subsection (a):

"(b) A customs officer may stop and search, without a search warrant, a vehicle, vessel, aircraft, or other conveyance, envelope or other container, or person entering or departing from the United States, on which or whom the officer has reasonable cause to believe there is being transported a monetary instrument for which a report is required under section 231.".

(f)(1) Chapter 1 of such Act is amended by adding the following new section at the end thereof:

"§ 214. Rewards for informants

"(a) The Secretary may pay a reward to an individual who provides original information which leads to a recovery of a criminal fine, civil penalty, or forfeiture, which exceeds $50,000, for a violation of this title.

"(b) The Secretary shall determine the amount of a reward under this section. The Secretary may not award more than 25 per centum of the net amount of the fine, penalty, or forfeiture collected or $250,000, whichever is less.

"(c) An officer or employee of the United States, a State, or a local government who provides information described in subsection (a) in the performance of official duties is not eligible for a reward under this section.

"(d) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.".

(2) The table of contents of such chapter is amended by adding the following new item after the item relating to section 213: "214. Rewards for informants.".

SEC. 2. Section 1961 (1) of title 18, United States Code, is amended—

(1) by striking out "or" after "(relating to embezzlement from union funds),"; and

(2) by inserting before the semicolon at the end thereof the following: ", or (E) any act which is indictable under the Currency and Foreign Transactions Reporting Act".

SECTION-BY-SECTION ANALYSIS

Section 1(a) amends section 207(a) of the Act (31 U.S.C. 1056(a)) by increasing the criminal penalty for a violation of the Act from $1,000 to $10,000.

Section 1(b) amends section 209 of the Act (31 U.S.C. section 1058) by increasing the penalty for a violation of the Act from a $1,000 fine and a maximum prison term of one year or both, to a $50,000 fine and a maximum imprisonment of five years or both.

Section 1(c) currently section 231(a)(1) of the Act (31 U.S.C. 1101(a)(1)) requires a person to file a report whenever currency or monetary instruments exceeding $5,000 are transported or caused to be transported outside of the United States. Section 3 will amend this provision by raising the dollar amount to $10,000 and by also requiring such a report to be filed whenever a person attempts to transport the amount outside of the United States.

Section 1(d) clarifies the intent which must be proven to effectuate the civil forfeiture provision of the Act. Section 232(a) (31 U.S.C. 1102(a)) is amended to apply only to a knowing failure to file the required report.

Section 1(e) is designed to clarify the existing warrantless search authority of Customs officials. It will provide authority for searches of individuals, containers and vehicles, upon entering and departing the United States, based upon reasonable cause.

Section 1(f) amends Chapter 1 of the Act by adding a new section 214. This section is designed to create a mechanism whereby Treasury officials will be able to pay a reward to informants for information which leads to a recovery of a fine, civil penalty or forfeiture under the Act, whenever the amount of the recovery or penalty exceeds $50,000. The amount of the reward, which will be determined by the Secretary, cannot exceed the lesser of 25 percent of the net amount of the fine, penalty or forfeiture, or $250,000.

Section 2 would bring criminal violations of the Act within the definition of racketeering activities, as set forth in 18 U.S.C. section 1961(1), and would bring a criminal violation of the Act within the purview of the Racketeer Influenced and Corrupt Organizations Act.

RECOMMENDATIONS

1. The United States must develop a clear and cohesive policy regarding narcotics trafficking. Past policies have been fragmented. The recommended policy must encompass foreign and domestic efforts and strike a realistic balance between resources allocated for both supply and demand. The Administration must announce and then implement an unequivocal commitment to combat narcotics and then clearly evidence this commitment in our foreign policy.

It should be expressed as an essential element in our dealings with the drug producing nations in South America and Southeast Asia. It should also be evidenced in our relations with our allies and other so called "demand nations," so that the United States does not stand alone in our international efforts to halt the flow of illicit narcotics.

On a domestic level, the Administration must develop a comprehensive effort against drugs. Obviously this will involve traditional law enforcement agencies such as DEA and the FBI but increased use of Customs investigators is also a necessity. Moreover, expanded utilization of the IRS, Coast Guard and the Department of Defense will be required. These efforts clearly imply the dedication of additional resources and the expenditure of additional funds.

2. Narcotics efforts at the source of production are critical to our success in the war against drugs. The United States should assist producer nations in developing safe and effective means of drug eradication within the context of those nations' individual problems. Moreover, the United States itself should seek to develop and employ safe and effective eradication of domestically produced drug crops.

3. The Department of Justice and the Department of State should develop closer ties in the establishment of a unified narcotics policy and, in conjunction with the CIA, should develop a clear statement of responsibilities regarding the collection and dissemination of narcotics intelligence.

The Department of Justice and the Department of State should make a priority the development of additional international agreements regarding the extradition of international drug traffickers and the creation of mutual assistance treaties to enable federal law enforcement agencies to operate more effectively on an international level.

4. A lasting solution to the drug problem must include efforts on both the demand and supply sides of the narcotics market. The United States, in its effort to solve the problem of narcotics demand within this country, should closely examine and consider the efforts and experience of other drug-affected nations in the areas of registration, rehabilitation, and preventive drug education.

5. The administration should encourage the activities of parent community organizations, such as the National Federation of Parents for a Drug Free Youth and Texans War on Drugs and other voluntary groups in their efforts to educate the public and create a drug free home environment.

6. Foreign nations often confront the narcotics problem without the benefit of many proven law enforcement tools. The State Department and DEA should make available to those nations information and training in legislative and operational techniques which have been successfully employed in U.S. narcotics enforcement.

7. American credibility in the war against drugs has suffered from a foreign conception that the American criminal justice system is unreasonably lenient in dealing with drug offenders. We must reevaluate and reform our domestic policies on bail, sentencing, and parole to clearly reflect a strong American commitment to effective narcotics law enforcement.

8. The international narcotics industry in part flourishes through the relatively free trade of precursor chemicals needed in narcotics production. The State Department should seek international agreements with affected countries for restraints in the production and distribution of those precursor chemicals.

9. The Congress should consider new legislative initiatives which confront emerging methods of international narcotics trade and thereby provide federal law enforcement agencies with improved techniques to combat this traffic. These legislative initiatives should include:

a. Amendment of the Currency and Foreign Transactions Reporting Act to provide for enhanced penalties and increased law enforcement authority.

b. Restatement of drug forfeiture laws which are currently confusing in concept and cumbersome in enforcement. This results in the inadequate usage of criminal and civil forfeitures as an effective mechanism of deterrence. Current forfeiture statutes should be clarified and forfeiture procedures simplified to ensure the swift and total forfeiture of all the proceeds, vehicles, and vessels related to narcotics trafficing.

c. New laws which will place criminal penalties upon the illicit conversion and investment of drug proceeds to legitimate uses. Current criminal statutes do not adequately address the utilization of illegal drug proceeds.

d. Amendment of the Tax Reform Act to allow and encourage the more active participation of IRS in criminal investigations of the narcotics trade.

10. Federal regulations should be amended to improve the enforcement of the Currency and Foreign Transactions Reporting Act.

a. The Department of Treasury should review its regulations which exempt certain businesses from the necessity of filing currency transaction reports required by 31 USC S 1055. The current exemption list is too broad and allows for many exceptions to the filing requirements.

b. The Customs Service, in cooperation with the Federal Aviation Administration and Civil Aeronautics Board, should develop regulations and procedures which will enforce existing laws by ensuring that all international travelers departing the United States with $5,000 receive prior notice of the currency transaction report filing requirements of 31 USC S 1101, and the opportunity to acquire the required form. If the requirements of the Act are to provide law enforcement officials with a paper trail of the international flow of monetary instruments, all international travelers must be informed of and required to comply with the Act upon departure from the United States.

By Mr. NICKLES (for himself and Mr. BOREN):

S. 1908. A bill to provide for the reinstatement and validation of U.S. oil and gas lease NM-A26947 (Oklahoma); to the Committee on Energy and Natural Resources.

S. 1909. A bill to provide for the reinstatement and validation of U.S. oil and grass lease numbered W-24153; to the Committee on Energy and Natural Resources.

REINSTATEMENT AND VALIDATION OF CERTAIN OIL AND GAS LEASES

● Mr. NICKLES. Mr. President, today, I am introducing legislation along with the cosponsorship of my distinguished colleague, Senator BOREN, to reinstate certain Federal mineral leases in Oklahoma and Wyoming. These leases were lost in both cases by clerical oversight not by lack of good faith on the part of the lease owners. In each case, the owners of the leases invested hundreds of thousands of dollars in order to develop the minerals, only to lose the leases after production was established because of a mistakenly missed $160 delayed rental payment in one case and an overlooked filing of a Federal form in the other.

Mr. President, for the further information of my colleagues concerning these issues, I have here a detailed explanation of each case. Since they are

rather lengthy, I ask unanimous consent that they be included in the RECORD as if read.

I sincerely hope my colleagues will give swift and favorable action to this legislation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FACTUAL BACKGROUND

Lease W-24153 was issued June 1, 1970, for a primary term of ten years. It covers the east half (320 acres) of Section 26, Township 20 North, Range 112 West, 6th P.M., Sweetwater County, Wyoming and provides for a 12½ percent royalty to the United States. Exh. 1. Devon was assigned a 50 percent working interest in the lease by assignment approved by the Bureau of Land Management on November 14, 1973, effective October 1, 1973. The assignment to the other 50 percent working interest owner, Eason Oil Company, was approved by the Department of Land Management on November 14, 1973, effective September 1, 1973. Exh. 2.

The lease on the west half (320 acres) of the Section 26 is owned by Tenneco Oil Company under lease W-47820, dated November 1, 1974. This lease also provides for a 12½ percent royalty. Exh. 3.

During 1979, Devon, acting on behalf itself and Eason, made plans to drill a test well in the Frontier formation in the east half of Section 26. On August 8, 1979, Devon applied to the Wyoming Oil and Gas Conservation Commission requesting an exception to the Fabian Ditch Field Spacing Order, which called for a single well in the southwest quarter of 640 acre spacing units. Exh. 4. Devon requested permission to drill a Frontier formation test well in the southeast quarter of the section on its lease instead of on the Tenneco lease. This exception request was opposed by Amoco Production Company on the grounds that there was no geological or topographic necessity for the exception. Exh. 5.

Devon also applied for a forced pooling order to the Wyoming Oil and Gas Conservation Commission because Tenneco, the owner of the lease in the west half of the Section, had declined to participate in the cost and expense of drilling a test well. Exh. 6. The forced pooling application and the exception application where withdrawn in September, 1979, when Tenneco changed its position and agreed to participate in a test well.

Devon, Tenneco and Eason then entered an operating agreement dated October 18, 1979, covering all of Section 26. The agreement designated Devon as the operator of the well to be located on the Tenneco acreage, in the west half of the section. Exh. 7. Designations of Devon as operator were duly filed. Exh. 8. Devon then applied to the United States Geological Survey ("USGS") for permission to drill the well, designated the Federal 1-26 well The application dated November 5, 1979, was approved by the District Engineer on December 6, 1979. Exh. 9. Drilling operations for the Federal 1-26 were covered by Lessee's bond on Tenneco Oil Company of $150,000.00.

The Federal 1-26 well was spudded on January 5, 1980, and reached total depth on March 10, 1980 at 12,508 feet. The well was completed on July 20, 1980 as a gas well. The calculated 24 hour test rate for the well was 20 barrels of oil and 1.9 MM of gas. Exh. 10. The well is currently shut-in awaiting pipeline connection.

Devon submitted to the Bureau of Land Management checks dated May 1, 1980 and May 20, 1980, designated as "in payment of delay rental to the party or parties named on attached stub pursuant to lease identified herein." Exh. 11. The lease number on the face of both checks was Devon's lease number (WY-011700-00) corresponding to Federal lease W-24153. Each check was for the entire annual rental due under the lease, $160.00. On November 24, 1980, Devon received a check for $320.00 drawn on the United States Treasury with the designation "refund BLM W-24153." Exh. 12. After receiving the refund check, Devon filed a protest of expiration of the lease with the Wyoming State of BLM by letter dated November 25, 1980. Exh. 13. On December 11, 1980, the Wyoming State Office issued its decision dismissing the protest and holding that the lease had expired because the lease contained no drilling operations and was not part of an approved unit plan or communitization agreement. The agreement was not filed through the error of an employee of Devon whose employment was terminated by Devon prior to the discovery of this error.

STATEMENT OF CASE

Re: History of United States Lease NM-A26947 (Oklahoma) T13N, R25W, I.M., Section 10: E/2 160 net acres, Roger Mills County, Oklahoma No. 35-129-003.

United States Lease NM-A26947 (Oklahoma) was issued under the effective date of January 1, 1976, to Monsanto Company for a five year primary term beginning January 1, 1976, said lease issued as a result of competitive bidding.

On August 25, 1980, Monsanto Company entered into a Farmout Agreement with Harrison L. Townes, Inc., which Agreement was accepted by Harrison L. Townes, Inc., on September 16, 1980. In accordance with the terms and provisions of the Farmout Agreement, referenced above, Monsanto agreed to execute and deliver to Harrison L. Townes, Inc., an assignment of 75 percent of all its right, title and interest in and to the above referenced lease, limited in depth to 50 feet below the total depth drilled and logged on a test well. Furthermore, Monsanto reserved an overriding royalty interest of 12.5 percent with the option to convert the overriding royalty interest after payout to a 25 percent working interest in and to the test well.

If Monsanto decided to exercise its option to convert the override to a 25 percent working interest, the parties to the Farmout Agreement (Monsanto and Harrison L. Townes, Inc.) were to enter into an operating agreement essentially in the same format as the Model Form Operating Agreement AAPL Form 610-1977. Prior to the effective date of the Operating Agreement, Monsanto was to pay delay rentals to keep the above referenced lease in force. Under Schedule "B"-Competitive, attached to the lease, delay rentals were to be paid to the United States by Monsanto on or before the 1st day of the month in which the lease issued and for each lease year thereafter, prior to a discovery of oil or gas on the leased lands, in the amount of $2.00 per acre. Delay rentals were paid by Monsanto on December 21, 1976, for the lease year 1977, on December 16, 1977, for the lease year 1978, on December 8, 1978, for the lease year 1979, and on December 17, 1979, for the lease year 1980.

On September 5, 1980, Harrison L. Townes, Inc., and others as non-operators, entered into an Operating Agreement AAPL Form 610 Model Form Operating Agreement-1946 with Ports-of-Call Oil Company, as operator, covering all of Section 10, Township 13 North, Range 25 West, Roger Mills County, Oklahoma, the Clift No. 10-1 well. The non-operators, other than Harrison L. Townes, Inc., are Nova Energy Corporation, El Paso Natural Gas Company, Palmer Investments, Hoover and Bracken Energies, Inc., Nicor Exploration Company, Patrick Petroleum Corporation, Monsanto Company, Eastern Energy Corporation, Plains Resources, Inc., Transwestern Gas Supply, and Pacific Lighting Gas Development Company. This Operating Agreement covered all of Section 10-13N-25W insofar and only insofar as said land covered from the surface of the ground down to the stratigraphic equivalent of a point 50 feet below the base of the Upper Morrow formation.

On October 1, 1980, a Communitization Agreement became effective as to all of Section 10-13N-25W as to natural gas producible from the Douglas, Tonkowa, Cottage Grove, Cleveland, Marmaton, Upper and Lower Cherokee, Atoka, and Upper Morrow formation. This Agreement was approved by the US Geological Survey, Tulsa District, on December 11, 1980. The Agreement was entered into by and between Ports-of-Call Oil Company, as operator, and Monsanto Company, Transwestern Gas Supply Company, Pacific Lighting Gas Development Company and El Paso Natural Gas Company, as the lessees of the leases communitized in the Agreement.

The Communitization Agreement provided for all of Section 10 to be developed and operated as an entirety, with the understanding and agreement between the parties that all communitized substances produced therefrom shall be allocated among the leaseholds comprising said area in the proportion that the acreage interest of each leasehold interest bears to the entire acreage interest committed to the Agreement. By virtue of this Agreement, Harrison L. Townes owns an undivided 25 percent interest in the communitized lands (Section 10-13N-25W) subject to the reversionary interest of Monsanto. The Agreement provided that the payments of delay rentals under the terms of the leases committed to the Communitization Agreement should not be affected by the Agreement except as provided for under the terms and provisions of the leases.

On October 27, 1980, Ports-of-Call Oil Company commenced drilling operations in a legal location, located in the SW/4 of Section 10-13N-25W, designated as Clift No. 10-1 well. The drilling was finished on January 27, 1981, and the Clift No. 10-1 well first began producing on February 22, 1981. The well was drilled to the Morrow formation with a total depth of 15,821 feet, with perforation and production from 15,678-15,682 feet. In May of 1981, the well went on-line and began producing gas.

On July 23, 1981, Monsanto was informed by telephone that federal lease NM-A26947 (Oklahoma) had terminated by operation of law for failure to pay the $320 delay rental for the 6th lease year as extended. On July 24, 1981, Monsanto contacted Harrison L. Townes regarding the BLM's placing the lease in "dead file" status. Neither Monsanto nor Harrison L. Townes have received formal decision notice from the U.S. Department of Interior, Minerals Adjudication Section, as to the leases automatic termination. To date, Monsanto has not made its tender of the past due $320 delay rental.

A proposed Gas Purchase Agreement is pending between El Paso Natural Gas Company, as buyer, and Harrison L. Townes, Inc., and its partners Nicor Exploration Company, Patrick Petroleum Corporation of Michigan, Eastern Energy Corporation, and Plains Resources, Inc., collectively, as seller.●

ADDITIONAL COSPONSORS

S. 234

At the request of Mr. HATCH, the Senator from New Jersey (Mr. WIL-

LIAMS) was called as a cosponsor of S. 234, a bill to amend the Public Health Service Act to encourage the establishment of home health programs and to amend the Social Security Act to provide expanded coverage of home health services under the medicare and medicaid programs.

S. 265

At the request of Mr. PERCY, the Senator from Georgia (Mr. MATTINGLY), the Senator from Pennsylvania (Mr. SPECTER), and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of S. 265, a bill to amend the Congressional Budget Act of 1974 to establish procedures for setting targets and ceilings, in the congressional budget process, for loans and loan guarantees under Federal credit programs.

S. 604

At the request of Mr. MATHIAS, the Senator from Connecticut (Mr. WEICKER) was added as a cosponsor of S. 604, a bill to amend the Communications Act of 1934 to provide that telephone receivers may not be sold in interstate commerce unless they are manufactured in a manner which permits their use by persons with hearing impairments.

S. 985

At the request of Mr. MOYNIHAN, the Senator from Kentucky (Mr. HUDDLESTON was added as a cosponsor of S. 985, a bill to authorize the issuance of variable-rate debentures by the FDIC and FSLIC.

S. 1053

At the request of Mr. MELCHER, the Senator from Rhode Island (Mr. PELL) was added as a cosponsor of S. 1053, a bill to amend the Federal Meat Inspection Act to authorize the Secretary of Agriculture to regulate the transportation in commerce of horses intended for slaughter, and for other purposes.

S. 1491

At the request of Mr. MELCHER, the Senator from Montana (Mr. BAUCUS) was added as a copsonsor of S. 1491, a bill for the relief of Josefina Gonzales Batoon.

S. 1713

At the request of Mr. MATHIAS, the Senator from Wisconsin (Mr. KASTEN) was added as a cosponsor of S. 1713, a bill to amend the Internal Revenue Code of 1954 to permit the rollover of gain from sale of farmland development rights to a State or a political subdivision thereof under a farmland preservation program, and for other purposes.

S. 1814

At the request of Mr. JEPSEN, the Senator from California (Mr. HAYAKAWA) was added as a cosponsor of S. 1814, a bill to amend title 10, United States Code, to require the Secretary concerned to comply with the terms of certain court orders in connection with the divorce, dissolution, annulment, or legal separation of a member or former member of a uniformed service and which affect the retired or retainer pay of such a member or former member, and for other purposes.

S. 1852

At the request of Mr. JEPSEN, the Senator from Nebraska (Mr. ZORINSKY), the Senator from Montana (Mr. BAUCUS), the Senator from South Carolina (Mr. THURMOND), the Senator from Arkansas (Mr. PRYOR), and the Senator from North Dakota (Mr. ANDREWS) were added as cosponsors of S. 1852, a bill to amend the Export-Import Bank Act of 1945 to provide for the extension of credit for agricultural commodities.

S. 1889

At the request of Mr. MATSUNAGA, the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1889, a bill to establish the United States Academy of Peace, and for other purposes.

SENATE JOINT RESOLUTION 121

At the request of Mr. MITCHELL, the Senator from Oklahoma (Mr. BOREN), the Senator from Texas (Mr. BENTSEN), the Senator from Kentucky (Mr. FORD), the Senator from Virginia (Mr. HARRY F. BYRD, JR.), the Senator from New Jersey (Mr. WILLIAMS), the Senator from Nebraska (Mr. EXON), the Senator from Iowa (Mr. JEPSEN), the Senator from Nebraska (Mr. ZORINSKY), the Senator from Maryland (Mr. SARBANES), the Senator from Louisiana (Mr. JOHNSTON), and the Senator from South Dakota (Mr. ABDNOR) were added as cosponsors of Senate Joint Resolution 121, a joint resolution to provide for the designation of the year 1982 as the "Bicentennial Year of the American Bald Eagle" and the designation of June 20, 1982, as "National Bald Eagle Day".

SENATE JOINT RESOLUTION 122

At the request of Mr. THURMOND, his name was added as a cosponsor of Senate Joint Resolution 122, a joint resolution to authorize and request the President to designate the week of February 28, 1982, through March 6, 1982, as "National Construction Industry Week."

SENATE RESOLUTION 218

At the request of Mr. MELCHER, the Senator from North Dakota (Mr. BURDICK) was added as a cosponsor of Senate Resolution 218, a resolution retaining nutritional goals in the school lunch program.

SENATE RESOLUTION 251—RELATING TO CONGRESSIONAL RECESSES

Mr. PRESSLER submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 251

Resolved, That it is the Sense of the Senate that no congressional recess be taken after October 1 of any new fiscal year, exceeding a two-day period, until final Congressional action on all general appropriations measures has been completed for that fiscal year.

NO APPROPRIATIONS . . . NO VACATION

● Mr. PRESSLER. Mr. President, today I am introducing a resolution to stop the practice of overreliance on continuing resolutions as a procedure for congressional avoidance of conclusive action on general appropriations measures. Recent congressional action on budget and appropriations measures demonstrates again a certain lack of discipline in the search for a reduction in Federal spending.

As a cosponsor of Senate Joint Resolution 58, a constitutional amendment requiring balanced budgets, I must say that the proposed amendment is a last resort. Favorable congressional action on the President's economic recovery program would be much better medicine, although still bitter medicine, than the time-consuming constitutional amendment process.

When Congress stalled until the last minute last month in producing a continuing appropriation to keep the Government functioning, in the absence of regular appropriations enactments, it was playing "Russian roulette" or the game of "chicken" with the White House. In this game, the President won. And I hope he wins time and time again if Congress persists in its avoidance of timely and responsible spending reductions.

The President's veto of an expensive continuing appropriation bill was a spark of discipline which Congress needed and may need again. The President could also resort to rescissions and deferrals to reduce spending. These tools of fiscal responsibility seem to be all that stand in the way of runaway deficits and resulting high interest rates.

It would be far better for Congress to understand the facts of contemporary political life than to rely totally on the executive branch to produce balanced budgets. The whole Nation is in trouble unless Congress develops the political fortitude to stay in line with the President's budget requests.

I applaud the President's courage to use the veto and his other constitutional powers to keep the Congress on track toward a stronger economy.

Mr. President, we are once again rapidly approaching the cutoff date for Federal funding—the third one in less than 3 months. We should not again wait until the last minute to put together an appropriations package to keep the Government running. The last-minute spectacle that the public witnessed 2 weeks ago, regrettably, is being viewed as an indictment against congressional practices. If we are to regain a semblance of order, Congress must pass the regular appropriations bills in a timely fashion to avoid the threat of a costly and disruptive governmental shutdown.

Therefore, I am today introducing a resolution calling for the suspension of recesses, exceeding 2-day periods, as long as all general appropriations measures are not completed beyond the beginning of the fiscal year. Should this resolution be adopted—and I would urge the support of my colleagues on this measure—this would mean a cancellation of the upcoming Christmas recess. This is a drastic measure because I know that we all have plans in our States during this period. However, the Congress must run itself on a businesslike basis and complete its work before going on leave. We owe this much to the American people.●

ADDITIONAL STATEMENTS

SAUDI ARABIA PRESSURE ON OMAN

● Mr. BOREN. Mr. President, yesterday it was reported in the Washington Post that Saudi Arabia continues to apply pressure on Oman to withdraw from military agreements with the United States. A text of the article follows these brief remarks.

The article states:

Saudi Arabia and the other Persian Gulf Arab states have offered the sultanate of Oman $1.2 billion in aid if Oman agrees to cancel an agreement allowing the United States access to its military facilities.

To say that I am distressed by this Saudi action is an understatement. At the time that I reluctantly cast my vote in favor of permitting the sale of AWACS aircraft to Saudi Arabia, I indicated that since the planes will not be delivered for a few years, there would be a period of time in which to evaluate the relationship between our two nations. I made it clear that if Saudi Arabia does not turn out to be the friend we hope and expect her to be, then I would urge that the planes not be delivered.

It is far too early to make a final evaluation. This latest action by the Saudis is particularly negative. I plan to carefully monitor the situation.

I am especially disturbed by this latest action because it directly contradicts what I have been told by some Saudi and American officials. During my visit to Saudi Arabia with the delegation headed by the majority leader, I interpreted statements by some Saudi leaders to mean that they opposed a presence for the United States anywhere within the region.

I could understand Saudi opposition to bases within their own kingdom, but I could not understand their opposition to the availability of facilities elsewhere in the region which could be used by the United States to stockpile supplies and for other purposes in the event of aggression directed at the area. Such a policy clearly contradicts any notion of effective mutual action to protect Saudi and American interests. I was assured by American diplomatic and military personnel that I had misunderstood Saudi intent. If the report in the Washington Post is accurate it would appear that I was not the one who misunderstood those conversations. It also causes me to doubt the credibility of assurances about Saudi policy given to me during the AWACS debate.

I am only one Senator with a limited ability to impact foreign policy. However, if the Saudis do follow a course of action which impairs and impedes the ability of the United States to protect our friends and our interests in the area, I will not hesitate to do all that is within my power to reverse the decision on the sale of AWACS to Saudi Arabia.

Let us hope that the Saudis will follow a more reasonable course.

The article follows:

SAUDIS WARY OF U.S. MILITARY ROLE

(By David B. Ottaway)

RIYADH, SAUDI ARABIA.—Saudi Arabia and the other Persian Gulf Arab states have offered the Sultanate of Oman $1.2 billion in aid if Oman agrees to cancel an agreement allowing the United States access to its military facilities.

The offer, disclosed by a high Saudi government official during a recent interview, was made during a meeting here of the newly formed Gulf Cooperation Council last month and would provide Oman with the equivalent of what it reportedly hopes to obtain in military and economic assistance from Washington as a quid pro quo for U.S. use of Oman's facilities.

The action highlights the ambiguity of Saudi policy toward the growing American military presence in the region and the difficulties Washington faces in centering its Persian Gulf defense policy around the Saudi kingdom.

On the one hand, the Saudis seem eager for closer military cooperation with the United States, at least after a solution is found to the issue of a Palestinian homeland in lands held by Israel. On the other hand, they are urging Oman to sever its formal military ties with Washington.

The official Saudi view that the gulf states must keep a certain distance from the United States seems unchanged even by the U.S. Senate's approval of the sale of sophisticated Airborne Warning and Control System airplanes to Saudi Arabia, which was greeted here with great satisfaction if not outright jubilation.

The explanation for this ambiguity in Saudi attitudes appears to lie partly in the internal political dynamics of the Gulf Cooperation Council, which groups Kuwait, Qatar, Bahrain and the United Arab Emirates in addition to Oman and Saudi Arabia.

But, partly, too, it can be attributed to differing viewpoints within the Saudi royal family about how best to protect the security of the kingdom and the region from hostile outside forces.

The gulf council is still little more than a skeleton organization for economic and military cooperation among the six conservative Arab kingdoms and sheikdoms in the Persian Gulf region. But the group, with its emerging strategy for keeping all outside powers from interfering in the region's affairs, already has generated pressures on Saudi Arabia and Oman to lessen the closeness of their ties with the United States.

The other gulf council members, most notably Kuwait, hold that such a close association with the United States only encourages the Soviet Union to seek similar access. There is already a strong Soviet presence in South Yemen, which is a Marxist, party-run state.

Kuwait has taken the lead in trying to convince Oman and South Yemen to agree mutually to cut their respective ties with the two superpowers and patch up their bilateral differences. For years Oman, a monarchy ruled by Sultan Qabous, fought a Yemeni-backed insurgency in its southern Dofar Province, and there is still a deep distrust between the two neighboring countries.

Kuwait is the only gulf Arab state that maintains diplomatic ties with the Soviet Union, and its attitude is likely to be crucial to any American attempt to organize a U.S.-backed regional air defense system.

Reports that such a system was in the works coincided with approval of the AWACS sale, but just how far the Saudis and Americans have gone in laying the groundwork for such a strategy is difficult to determine here. The high Saudi source denied there had been any official talks on the system between the two governments.

He said a regional air defense system had been discussed only as a "potentiality" in addition to other "contingencies" for problems in "purely hypothetical areas."

Close observers of Saudi politics here say that reports of an understanding between Saudi and American military officials on a gulf defense strategy may reflect only the advanced planning of the two military establishments and fails to take into account the divergent views within the Saudi political leadership.

Younger members of the Saudi royal family are scattered throughout the high commands of the armed forces, but decisions ultimately are taken by senior family members grouped around Crown Prince Fahd, the kingdom's day-to-day ruler. These senior royalty are keenly aware of the political pressure on the kingdom and the problems posed by such a close Saudi-American military strategy in the absence of a settlement of the Palestinian issue.

Prince Fahd is regarded as a leading proponent within the royal family of a close Saudi-American alliance to protect the kingdom and the gulf, but he also is seen as extremely sensitive to the political arguments against the alliance in the prevailing Middle East climate.

Prince Saud Faisal, the highly articulate, Princeton-educated foreign minister, is widely viewed as one of the chief opponents of a closer Saudi-American tie, arguing that the kingdom is better served by keeping the U.S. military "over the horizon" in the Indian Ocean and out of the Persian Gulf altogether.

The high Saudi official said the offer to Oman was extended as "an expression of solidarity" so that Oman would not feel isolated from the other gulf states and without an alternative should it agree to end its military cooperation with the United States.

Oman has been the only council member advocating close ties with the Western powers as the best way of defending the gulf and its vulnerable oil fields. Despite the council offer, Oman is going ahead with participation in the U.S. military's Bright Star exercises in early December, when American troops are scheduled to practice a landing on Omani shores.

Some Western diplomatic sources here believe the formation of the Gulf Cooperation Council and pressures within it for all members to keep their distance from Washington will make organization of a U.S.-backed air defense system in the region even more difficult.

Even without these pressures, the physical problems of organizing such a system among the six council states are sizable, according to Saudi government and Western diplomatic sources.

The high Saudi official, noting the different military traditions and equipment among the six members, said the council was still "very far" from establishing a joint military command or an air defense system.

He said the Saudis had proposed as a first step the creation of "channels of coordination" among the six states to synchronize the development of their armed forces and to carry out joint purchases of arms when possible.

The official said this was already taking place in some instances. Kuwait and Saudi Arabia, for example, have American-made Hawk missiles, the United Arab Emirates and Saudi Arabia have French tanks, and the Emirates and Qatar have the French Mirage fighter plane.

He said the defense ministers of the six states were scheduled to meet in mid-December to discuss a Saudi proposal for a go-slow approach to a coordinated defense system and an Omani proposal for a speeded-up and more detailed plan of cooperation. But he called the Omani plan "too specific at the present time to allow its execution."

Among the major obstacles to a joint air defense umbrella for the region are the congressional restrictions placed on the sharing of information gathered by the Saudi AWACS planes.

This problem cannot be overcome, according to diplomatic sources, until the other gulf states first reach some kind of bilateral agreement with the United States over access to the information, and they then plug into

an integrated command, control and communication system presumably centered in Saudi Arabia.

Whether the other council members are really interested in establishing such a Saudi-dominated air defense network remains unclear. The Saudi defense minister, Prince Sultan, said in an interview with the Kuwait Arab Times in early November that the council was only discussing "coordination of defense" rather than "joint leadership."

This seemed to suggest the other members are reluctant to integrate their defenses into one overall system, let alone one linked to U.S. military strategy for the region.●

FOURTH CIRCUIT RULES THAT AGENCIES NEED EXPLICIT AUTHORITY FROM CONGRESS TO GIVE MONEY TO PUBLIC WITNESSES

● Mr. DANFORTH. Mr. President, on Monday the Fourth Circuit Court of Appeals ruled that Federal agencies cannot pay the expenses of public witnesses in agency proceedings unless they have express authority from Congress to do so. This is an important victory for the Congress. During the Carter administration—with the approval of the General Accounting Office—Federal agencies took it upon themselves to decide whether to provide money to public interest advocates in agency proceedings. In my view, this was wrong. Whatever the merits may be of providing tax dollars to private intervenors in agency proceedings—and in my view the merits are hard to find—there is clearly no merit in allowing agencies to make such expenditures on their own, without authority or guidance from the Congress.

During consideration of the regulatory reform bill in the Governmental Affairs Committee, I offered an amendment—together with LAWTON CHILES and several of our colleagues—which would prohibit Federal agencies from paying the expenses of persons participating or intervening in agency proceedings unless they have express statutory authority to make such expenditures. The amendment carried by a vote of 10 to 2. Nonetheless, because the amendment lacked unanimous support the prohibition has not been included in the consensus draft of the bill which will be taken to the floor in the near future. Therefore, I will again offer the amendment when the bill is debated by the Senate. The decision of the fourth circuit provides strong support for the amendment and deserves the attention of the Senate.

I ask that a copy of the Washington Post article reporting the fourth circuit's decision be printed at this point in the RECORD.

The article follows:

MONEY PLUG PULLED FOR REGULATORY WITNESSES

(By Mary Thorton)

Federal agencies cannot award legal fees and expenses to public witnesses in administrative rule-making proceedings unless the agency has explicit authorization from Congress, a U.S. appeals court ruled yesterday.

The decision, handed down by the court for the 4th circuit in Richmond, was sought by the California-based Pacific Legal Foundation, a non-profit law firm with strong ties to the Reagan administration.

The court, reversing an earlier decision by a federal district court in Maryland, found in a 2-to-1 opinion that the Food and Drug Administration may not reimburse witnesses at hearings for their expenses or attorney fees.

On its own, the FDA began a reimbursement program in October, 1979, to encourage more public participation in the hearing process.

FDA spokesman Wayne Pines said that of the $250,000 originally appropriated for persons who wanted to testify but couldn't afford the expenses, only several thousand dollars has been spent. In each case, the witness's application for assistance was approved by an FDA evaluation board.

Two other agencies—the Agriculture Department and the Federal Deposit Insurance Corp.—have set up reimbursement programs for costs in rule-making proceedings without specific authority from Congress, according to a recent study by the General Accounting Office.

Several other agencies, including the Environmental Protection Agency, Federal Trade Commission, Consumer Product Safety Commission, and Federal Energy Regulatory Commission, have reimbursement programs that have been approved by Congress.

Under legislation passed by Congress last year, all agencies now must pick up the attorney's costs of individuals and small businesses when the government loses in a court case, unless the agency can get a judge to agree it had a good reason to bring the case.

The Pacific Legal Foundation, which describes itself as dedicated to the values of free enterprise, private property and limiting the role of government, argued that Congress never approved spending the money to implement the regulation.

Eileen White, the foundation lawyer who argued the case, said the purpose of the suit was to "see that the government sticks to the laws it has."

Congress did not authorize the payment program, but the FDA argued it held implied power to spend the money because it has broad regulatory powers and is required to hold frequent hearings.

The appeals court ruled, "It has always been the practice in this country's jurisprudence for a party to pay its own litigation expenses. Thus, in the absence of specific statutory authorization, a court is without authority to compel the losing party to pay the attorneys' fees of his successful opponent." ●

ARMS IN DEFENSE OF LIFE AND PROPERTY

● Mr. McCLURE. Mr. President, in past years, the media seemed to encourage passivity. Without the constant succor of the Government, we were told, the average citizen would be helpless, destitute, a victim. I do not believe that this is a natural posture for the American person. And more and more, we see the true, self-reliant individual speaking out. Perhaps the most basic right we have is not to be victimized, by the Government, or by violent criminals.

We have a right to live where we choose and peacefully go about our business without being robbed, raped, or murdered. And we have the right to insure this freedom. I think that those who feel as Chip Elliott does, as shown in an article in Esquire are a rapidly growing majority. And I think this is good.

The article follows:

LETTER FROM AN ANGRY READER

(To the editor from Chip Elliott)

The streets of America in 1981 are as dangerous as the roads and alleys of an earlier century. But before we resign ourselves to helplessness, this reader urges us to listen to the story of how he took up arms in defense of his life and property in regard to Adam Smith's April column, "Fifty Million Handguns": Come off it. Smith laments the fact that large numbers of people are prepared to defend themselves with handguns. He can't really accept the fact that we are living in a world where personal self-defense is a necessity. Didn't he read the article in the February Esquire called "Shooting to Kill"—about middle-class citizens who are determined to shoot to defend their lives? Did he or you think that was a joke? That it was made up?

I went from being where both of you seem to be at this point to carrying a 9mm Smith & Wesson automatic in ten weeks. My wife is a psychiatrist. Very attractive, very easy to intimidate, very abstracted, a likely target for muggers both outside, because she's lost in her thoughts, and at home, because punks think doctors keep drugs in their houses (they don't). She has a gun, too, a .38, and she knows how to use it. We are not hillbillies: we are people who went to Radcliffe and Stanford respectively. Apalling, huh? It used to appall us too, until we were forced to realize that our lives, both as a married couple with a deep commitment and as individuals doing important and meaningful work, were worth protecting.

In the spring of 1976 we were living in the San Francisco Bay area. My wife was doing her psychiatric residency. I had just walked out on the advertising business and was working on a novel. That spring, Peter Brook directed a play called The Ik, a hair-raising piece created by the troupe of the International Center for Theater Research from Colin Turnbull's anthropological study called The Mountain People. Sponsored by the French government, Brook and his gang made a six-week American tour and played Berkeley.

The play cast in theatrical bronze the lives of a tribe of hunters in Uganda who had been displaced from their centuries-old hunting grounds by the creation of a national park and a game reserve. What followed was an utter disintegration of their social structure, and it turned every Ik—including members of the same family—into mortal enemies seeking, each alone, food.

The play's premise is that what we call human values are actually luxuries—qualities that only emerge and exist under the best and calmest of conditions. It was a spooky production and great theater, but I did not see how it could possibly relate to America in the late Seventies.

Two years later, we moved to Los Angeles. We did not move to the glamorous, movie-struck Los Angeles of The Ginger Man and the Beverly Hills Hotel—though I would be lying if I said the thought had never crossed our minds. We moved to the Los Angeles of the Nuart theater, the Fox Venice, the Jung Institute, a city with the sense of being in another country with American hamburger overtones. And, of course, the sea. Not the beach, the sea.

Our friends Boris and Ute—a Yugoslav sculptor and a German painter—had just bought a house in Venice, and we quickly rented a house nearby on Electric Avenue. Electric Avenue yet! Whooee! It was dirty pink with a gray-green roof, and its outstanding feature was an eight-by-thirty glassed-in porch. A grown man in good condition could have torn this house down with his hands, but I loved it because it swayed when you walked through it. It was like being on a weather-beaten but seaworthy closed-cabin schooner.

Venice at that time seemed like Sleeping Beauty after a century of trance: musty, dusty, and long stagnant, but with the promise of awakening magic. On that porch I intended to write a new Three-penny Opera, to invent at least two or three new Sally Bowleses. I would knock the world on its ear.

More friends quickly turned up: Rene and Renata, European graphic wizards; Carolyn and Chris, a mime and an actor who wanted to get away from off-Broadway and into movies and television; a middle-aged Australian writer and adventurer and his half-Irish-half-Mexican wife with her wall-to-wall cheekbones and her head full of D. H. Lawrence and Denise Levertov . . . and many others.

My beloved French Lop rabbit, Nicole, had a yard to romp in. We quickly discovered a sensational wine from a local vineyard, a county-fair prizewinner that sold for $3.38 a gallon at the local Safeway.

Our days quickly became ordered: group breakfasts, work all day, talk all evening, lights out ten p.m. My wife took a job as staff psychiatrist for a county mental-health clinic in downtown Los Angeles. We settled in in a hurry. There was no time to lose. We were going to re-create the world not of the Sixties but of F. Scott Fitzgerald's friends Gerald and Sara Murphy in the years 1922 and 1923. We would throw a two-year-long working party.

But it quickly became apparent that all was not as it seemed in Venice. For starters, we had moved to the intersection of turfs of two rival Mexican gangs. We got along with them. When they shot at each other—as they did less than a week after we had moved in—they shouted to us in Spanish to get out of the way. We did.

There were other clues. Walking, I would occasionally see brown spots on the sidewalk that, from my experience as a police reporter, I could recognize as bloodstains. I would notice this the way you might notice a scruff of feathers where something has gotten a small bird: a tiny memorial to violence.

One morning, as I was sitting on the wobbly glassed-in-porch, I watched a gang of black teenagers pour gasoline all over a parked car and set it on fire. This was at ten o'clock in the morning. Broad daylight.

A few days later, I heard of a robbery two blocks from where we lived: A woman came to the door of a house and asked to use the telephone, said it was an emergency. When the man opened the door, her henchmen came in right behind her. The three of them stabbed the man to death and left his wife barely alive. In the next block a woman was raped twice after her nose and jaw were broken.

Just to be on the safe side, after a kitchen-table powwow, we went to a gun shop on Pico Boulevard one Saturday morning and bought a .38 snub-nosed revolver. After all, this was Los Angeles, land of Joe Friday. Strange things had happened here. Sharon Tate had once had a very bad evening here. But a gun! Who had ever owned a gun? I picked the revolver up after the normal fifteen-day waiting period and wrote the guy a check from the Santa Monica Bank, It cost $160. It seemed like a lot for a silly object. I would rather have bought a painting. We put the revolver under the corner of our mattress and there it stayed. For ten days.

One night we went to the Fox Venice to see Forbidden Planet—you know, the movie about monsters from the id. When we returned, the door had been broken in. The stereo was gone, the television was gone, the paintings and cameras and typewriters were gone. The dressers had been turned over and ransacked, the bed had been torn up and the revolver taken; the birdcage had been torn off the wall and the parakeet set free for a while until the cat got it and ate it, leaving the remains on the floor where a rug had been. All the jewelry was gone, such as it was. Including my Cartier watch. I had earned that watch, you know? I had saved for it just as surely as I had saved the money for a house or a car or a couple of new suits. That ended my romance with Cartier watches. There is an enormous black market for them in Los Angeles, but I don't want one now. I wear a Thirties Gruen Curvex now, a sister to the watch Bogart wore in Casablanca. It's worth about the same as a tank watch but very few people know what it is.

Three thousand in after-tax dollars. It took the police two hours and forty-five minutes to show up.

Our revolver, which had begun as a museum piece, a curio, as far as we were concerned, had now entered the underworld. We were unprotected now, and we felt so. We reported the gun stolen, of course. Serial number and all that. Big deal. Five months later, it was used in an assault against a Los Angeles woman. I made up my mind that the way to handle a gun in a dangerous situation was to never let it out of my sight.

Our friends were robbed, burglarized. Carolyn, of her sewing machine, her typewriter, her clothes. Another couple, of all their photographic equipment, used not for a hobby but for their livelihood. Easy-going Boris bought a twelve-gauge riot gun and hid it in a trunk with his sixteen-millimeter movie equipment so no one would steal it. And a huge black shepherd dog to protect the trunk. Someone broke in anyway and slit the dog's throat.

We bought a new revolver, a .38 Special Smith & Wesson, and had the handgrips filed down so my wife could hold it easily. The two weeks while we waited for the permit to go through were the most terrifying of my life.

It turned out that my wife's work for Los Angeles County was more like a Clint Eastwood movie than a medical practice. One of her street patients quickly fastened on her and began writing her death threats with sexual overtones. There was no place to put him away because there was no money for any serious treatment, and there were no available psychiatric beds in any of the local hospitals. She began carrying the .38 in her briefcase along with her patient case-load progress notes.

We quickly developed a pattern: when she came home at night she would park her car and blow the horn; I would go outside and escort her into the house. It dawned on me for the first time that we might be killed. That it was possible we would die here.

I bought a second handgun, a 9mm automatic that would fire as fast as lightning. I phoned around, discovered where to go to practice with it. And I practiced.

A word about revolvers versus automatics: If you don't know much about all this, a revolver is better because it is a simple mechanism. You can see if there are cartridges in it.

I also went to the police and got a carry permit. A carry permit is not as difficult to obtain as a lot of people would have you believe. You have to give a good reason for wanting the permit. You have to not be a felon and not have, for example, eleven hundred outstanding parking tickets. If you are a crackpot, someone will sniff it out and you will not be issued the permit.

One night I was awakened by a noise outside on the street. I got up, peeped through the dining room curtains and saw a gang of teenagers taking the fog lights off my car. I raised the curtains and knocked on the window. The sight of a thirty-three-year-old naked guy is not going to frighten very many people anymore, but the sight of a thirty-three-year-old naked guy with an automatic did the trick. They fled.

Our lives settled down again. We cut a safe into the floor of our dining room and hid our remaining valuables in it. It was never discovered, even though they took the Oriental rug that covered it.

We went to a wedding in San Francisco on a Friday night. The week before, I had prepped the house as you might prepare for medieval warfare: two-by-six boards bolted into doorframes with lag bolts six inches long and a socket wrench. That sort of thing. Anything we had left that was slightly portable—my wife's doctor bag, a pair of binoculars, our passports and checkbooks—I threw into two suitcases, which I put into storage.

When we returned from the wedding there was no back door and no doorframe, only an enormous hole with smashed edges leading into a set of empty rooms. We were left with a bed, some pots and pans, and a bookcase. It was one of our more memorable Thanksgivings.

On the seventeenth of December in 1978, I saw a woman mugged for her purse—and I watched her run screaming after her assailant until she collapsed, crying in the street.

On the eighteenth or nineteenth of December, my wife was at a meeting, everybody else was busy doing something, and I walked alone to the Venice Sidewalk Cafe for some dinner. It occurred to me that it was silly to put on a shoulder holster just to go out for a beer and a sandwich, but I did it anyway, although I had never been threatened physically, ever, except in foreign countries.

Walking home about six-thirty at night, just off the corner of West Washington Boulevard and Westminster Avenue, I was confronted by five young, well-dressed uptown brothers. Black. Okay. Let's get that right out front. They could just as easily have been white. We were directly under a streetlight and less than fifty feet from an intersection thick with traffic.

I was not dressed as a high roller. I am not a high roller. I don't look like a robber baron or a rich dentist. I look like exactly what I am, a middle-aged guy who's seen a little more than he needs to see. I thought, what are these guys doing?

Their leader pulled a kitchen knife out of his two-hundred-dollar leather jacket. His mistake was that he wasn't close enough to me to use it, only to threaten me. He smiled at me and said, "Just the wallet, man. Won't be no trouble."

That was a very long moment for me. I remember it just as it happened. I remember thinking at the time that it was one of those moments that are supposed to be charged with electricity. It wasn't. It was hollow, silent, and chilly.

I looked at this guy and at his companions and at his knife, and I thought: Don't you see how you're misreading me? I am not a victim. I used to be a victim, but now I'm not. Can't you see the difference?

I pulled the automatic, leveled it at them, and said very clearly, "You must be dreaming."

The guy smiled at me and said, "Sheeeit," and his buddies laughed, and he began to move toward me with the knife. I thought, this guy is willing to kill me for thirty-five dollars. I aimed the automatic at the outer edge of his left thigh and shot him.

He dropped like a high jumper hitting the bar and yelled "Goddamn!" three times, the first one from amazement, I guess, and the second two higher pitched and from pain.

He yelled at his buddies, "Ain't you gonna do nothing?" They did do nothing.

I backed off and I walked away, right across busy West Washington Boulevard, with the gun still in my hand. I remember thinking, shouldn't I call a doctor? And then I thought, would he have called a doctor for me? And I kept right on walking.

I am not a macho guy. White water to me is club soda. I haven't been skiing in ten years. Anything I order from L.L. Bean ends up on the dining room table and then in a box in the basement. I'm never going to

shoot a zebra and have it made into a rug, okay?

I was not coming on like James Bond, and I was not being territorial or aggressive. I was simply protecting my right to walk around town with a lousy thirty-five dollars in my pocket and not be afraid for my life.

I walked home. I felt terribly strange, but it was a strangeness that I could identify. I realized that what I was doing—in our current state of affairs—was a cultural procedure no different from going to the grocery or getting a haircut or buying a shirt. And that I had balked over it and felt strange because it was a new procedure, something I was doing for the first time—not unlike dealing with one of those twenty-four-hour banking devices with the code numbers and the buttons—and that if I wanted to stay alive, it was possible I would have to get used to it.

I am not proud of this. I did not swallow it easily, either. More than a year passed before I talked about it with anybody, not even my wife. But I did it. And I could do it again if I had to.

What happened to us, of course, is that we got hit in the face with time's swinging door. The world changed sometime between 1975 and 1980, and we had a couple of tough years getting from one Pullman car to another. We were lucky. We lost more than eleven thousand dollars of what we owned, but we weren't killed. We adapted. Now the guns are a normal part of our lives. We accept them, just as we accept the seven motors of suburbia. They are a necessary convenience, like the washing machine or refrigerator or one of those devices that zaps mosquitoes with electricity.

Sometimes I think, this is a stupid, abhorrent, exasperating situation. And it is. But we've adapted to other stupid, abhorrent, exasperating situations: 20 percent interest rates. Iran. And now we've adapted to this one.

Let me tell you how we've adapted. We dress low-key, we don't flaunt anything, we keep loaded guns in the house, and we don't keep them stashed in some drawer where we can't find them if we need them. We keep them right out in the open, and we always know exactly where they are. The difference is in that exterior framework of protection and in our attitudes toward it: it is something that was not necessary when we were younger, and it is something which most of us, Adam Smith included, still carry on about. We don't even think it's too bad anymore; we're beyond that. We accept it as a fact of life and go right on. And it will stay a fact of life until our fellow countrymen get it out of their heads that they can do as they please, that there is no such thing as social responsibility, that they have a right not to behave. Because the way we see it, if they have the right to mug us, we have the right to shoot them.

I used to believe that these people had some justifications on their side. I used to feel that I ought to have some compassion for them, and I did. I used to believe that a job and some credit would put them on the right path. It isn't true. I also used to believe that much of the human wreckage—the millions upon millions of people with emotional damage—could be repaired. That isn't true either. They can't be, for the most part, because the effort necessary to straighten out a single one of them is enormous: four or five years perhaps of therapy, in an age when there is no time for anything but emergency medicine.

Let's face it. Some of these people are poor. Some of them are driven crazy with desire for stuff they will never be able to afford. But not all of them are poor, not by a long shot. A lot of them make as much money, or a great deal more, than you or I do. They do it because it's easy. They do it because they believe no one wil stop them. And they'e right.

Let's talk for a moment about John Lennon. Adam Smith brought him up. I'm particularly interested in this one because John and Yoko had something very similar to what my wife and I have: two equal people who happened to be able to witness each other's life to the fullest possible extent. The grand passion. The real thing. Now it's gone.

When all is said and done, the real tragedy of John Lennon is that he dinosaured out. He ought to have known better. He stayed in the house for four or five years, and when he came out again, the world had changed. He could have had a bodyguard, for Christ's sake. He could have lived in the country. He did not have to stay in New York City and rub people's noses in it with his $150 million and his blue jeans. The clown who killed him did it for fame, not money, obviously. But if someone is willing to stick a knife in me for thirty-five dollars and not bother to find out what blood type I am, you can just imagine what they are willing to do to someone who has real money.

I think a lot about John Lennon. You know what I think? I think, Jesus Christ, if it's this bad for my wife and me now, what will it be like if either of us ever becomes well known?

More to the point, let's talk about Adam Smith's friend Michael Halberstam. I did not know Halberstam, but I liked his work. He surprised a burglar in his Washington, D.C., home and was shot.

Halberstam figured all of this out in the very last seconds of his life. He didn't like being killed. He must have thought it was pretty damned unfair. He was furious. In his last few moments, rushing adrenaline and pouring blood, he got in his car and ran down his assailant.

You know what? If he had made this discovery even slightly earlier—long enough to buy a weapon and wait for the permit to go through—he would very likely be alive right now.

Now listen to me a minute. The guns themselves don't cause all this. What causes it is that people think they can have the American dream by sticking someone up for it. They think that there ought to be a huge equal society out there. Equal shares for everybody. Forced equal shares if necessary.

What is true is that we are entering a time of vast restratification. The United States is becoming more European ... but it is a Europe of a different century. We are moving toward a culture in which we'll have cooks, chauffeurs, maids, carpenters, brewmasters, vintners, industrialists, bankers, machinists, hat makers, shopkeepers, and kings and queens of a sort. And, of course, we'll also have highwaymen, cutthroats, and thieves. Think of it in terms of a vast panorama, a huge cross section much like the world Balzac, Hugo, and Dumas described. Think about Dickens. Read Weber's The City. Read Pirenne's The Economic and Social History of Medieval Europe. None of this is new. What is new is that we're experiencing it. What was new was the social structure in America of the past three or four decades, which has collapsed.

To have any kind of culture or civilization in a world like this, it is going to be necessary to stop talking about things like prisoners' unions and start talking about the concept of crime and the definition of the word "criminal."

It would be nice also to talk about police. But if you'll read these books, you'll find very little mention of police. What you will find are numerous references to people who wore swords and pistols whenever they went anywhere.

People now fashionably put down the Seventies, but it was a time when many people reached a level of personal success and satisfaction that may not be achieved again in our lifetimes. By comparison, we are in the pit, and I don't mean the floor of the commodities exchange. In many ways the Seventies gave us a glimpse of what life may be like in 125 years.

But it's like the Dark Ages now. Each time there is a major change, it is necessary to gain a clear understanding of what the changes are, what skills still hold, which ones need to be discarded, which new ones need to be developed.

Now, about those fifty million handguns: taking them away will not automatically give us a society like England's or Holland's. We are just not like that. It would be nice if we were. That's why Americans run away to Europe. What might help is a good set of disc brakes on people's behavior here. But anything that might put such desperately needed stops on people's personal "freedoms" is perceived out there in the streets as a violation of civil liberties, of constitutional rights. That is, it is a "right" to mug, rape, burglarize, murder, and commit arson for the insurance money. So there you are: a nation of pirates.

I would like to see impossibly tight gun-registration laws, but I secretly scoff. Anyone who's honest can get through any registration process we can come up with. Anyone who's not honest won't bother. The way guns get into the criminal underworld is that they are stolen. That makes registration a useless exercise.

As for the manufacture of all those devices and all those bullets, during World War II the United States became "the great arsenal of democracy." It is a damned good thing for the English that we were, too, or they would be holding Oktoberfests right now.

Do you really think the rest of the world sees us as insane because we bear arms? Try going to one of the South American countries. Try going into a country in which only the government has weapons. Try watching armed soldiers carrying their semi-automatic carbines around the airport gates and the customs offices, while the people have none. You want the wealth redistributed? Try it under those circumstances.

Don't talk to me about the saintly Japanese either. Everyone says they have a very low crime rate. No one really knows. It could be, because they are very big on making each person responsible for himself and also to his fellow countrymen: a sort of "One for all, all for one" attitude. They are sublimated like mad and they are rich because of it. It looks good on the surface, but just below that surface is a caldron; and if you look close you can see it. They have a history of barbarism that goes back for centuries and that we could never hope to match.

When the Soviets invaded Afghanistan, the first thing I thought was, now I'll never get to go there. Try putting yourself in Afghan shoes: no matter what you think, from your current vantage point, with a cellarful of good vintage wines and a wallful of Wittgenstein, if you lived there and the Soviets came trucking in with tanks and occupational forces, I am willing to bet you would hock your house, your automobile, your Baume & Mercier watch, or you ass on the street for a good gun and the bullets to put in it.

So much for international relations; on the home front, suffice it to say that as long as we live in a society in which a large constituency thinks it can do whatever it damn pleases—no sense of morality asked for or required—then those of us who have the middle-class work ethic, those of us who believe the Freudian epithets of work and love, will be seen as potential victims by the flocks of hustlers and lurkers who are out there. It is sometimes tough to get a job. It is also, right now, easier to rob people than it is to work for money. It's easier because it can be

gotten away with. These people believe no one will stop them. They're right. No one will. Not the police, not the courts, not the penal system. No one but the growing number of us who have decided we will not be victimized again, ever.

We moved from Venice in 1979. Our old friends blew away to various other places. Their dreams, like ours, blew away too.

We moved to a condominium in Culver City. Very uptown. Top floor, surrounded by Russian olive trees and flaming bougainvillea. Three swimming pools, Jacuzzis at every turn, an underground parking lot, and a tennis court. We didn't have anything to put in our place, but still it was pretty.

People were robbed in the parking lot. People were mugged on the tennis court. There was a rape nearby and then another. My wife began carrying her .38 again when she walked from our place to the car. We were burglarized again. We didn't even call the police.

One night we went to West Hollywood to see the movie Watership Down. We sat through it twice and couldn't understand why neither of us could stop crying.

Sometime after that, we packed up—a simple matter, believe me—and drove east. We parked my rabbit, Nicole—who had survived Venice by digging a hole and hiding in it—in a picnic basket so we could sneak her into motels.

While we were looking for a house and staying in a motel, a white teenage boy and his girlfriend knocked on the door of a nearby room and asked to use the telephone. Inside, they held the couple at gunpoint; tied them to chairs with wire rope; took their wallets, clothes, luggage, traveler's checks, and car. We slept peacefully that night. If they had come to our door, they would have been surprised.

Now we live in a big old house out in the Midwest. Big enough for each of us to have a studio in the house. Huge yard, ravine, et cetera. The neighbors are friendly. A lot more friendly than we are, because we have memories we're trying to forget. It's not completely safe here, but it is a notch or so better than other places we've lived. We keep the guns, loaded, in the house, but we don't have carry permits anymore and we don't carry them around as though it were 1880—or 1980.

I've stopped going to target ranges to practice. But I still keep my hand in, as they say. Because every time we leave this relatively sublime neighborhood and enter the world of hotels and airports, we enter into a world of imminent danger—an area where the law is no recourse. So we remember how to use the guns, and try to forget that we have had to use them or ever will again.

When President Reagan was shot, I was outside painting a trellis. Some neighborhood children told me. At first I thought they had just seen a documentary on JFK. It seemed as far away to me as the moon—or the "forbidden planet." But it isn't.

Are human values luxuries? Could be, right now. If so, I lead a pretty luxurious life. I've paid for it, though, and the price was too goddamned high, because those human values used to come free. Part of the American package. Although sometimes I wonder if something so precious could ever have been—or be—free.

So you can fuss and bitch, Adam Smith, all you like, and you can rail at the hillbillies in the NRA, but the next time someone breaks into your house or your apartment, the next time someone busts the window of your car and rips off your FM radio and your thirty-five millimeter camera, the next time some woman you know gets raped and busted up and you have to visit her in the hospital and try to cheer her up, the next time you are totally freaked out after coming up against a gang halfway between the restaurant and the car, sit yourself down and do some serious considering about who has the right to do what to whom. Often this stuff has to touch people personally before they think about self-protection, and often by then a tragedy of far more epic proportions than getting knocked off for a Sony stereo receiver has occurred. I hope that doesn't happen to you. You have a right to carry on merrily with what you're doing.

Whenever I'm perplexed, upset, need some stillness, you'll find me out in the yard somewhere, pulling thistles out of my rosebushes, digging in the dirt. That's where I am today.

Let us know, you guys, when you figure out that sociopaths may be worthy of your concern but not your life. The rest of us would like to come out of hiding.●

SUCCESSOR GENERATION III

● Mr. HEINZ. Mr. President, I ask that the following speech by John J. McCloy be presented in the RECORD as a sequel to my July 16 and August 19 statements on the "Successor Generation" problem. The speech, delivered upon Ambassador McCloy's acceptance of the Jean Monnet Award in Lausanne, Switzerland, sheds light on a situation which has very serious implications for our national security. Ultimately, the survival of the Atlantic Alliance is at stake.

Recently the attention of most Americans has been focused on rebuilding and modernizing the alliance's military deterrent. And properly so. We need sufficient strength to guarantee that we never have to use it.

But we also need to pay close attention—as President Reagan did in his speech yesterday—to the political health of the alliance. The surest invitation to armed confrontation would be a politically weak and disintegrating alliance, ripe for Soviet military-diplomatic blackmail attempts. The danger of the peace movement in Europe today is that if it were to continue unchecked, it could push some of our allies to embrace neutralism, leaving what is left of the alliance weak and vulnerable.

One of the dangerous strands of thought in the peace movement is the assumption that the Soviet Union is benign and presents little threat. In recent years Moscow has helped create this illusion through a massive propaganda effort, the centerpiece of which has been the importation of thousands of Western European young people for visits to the Soviet Union. The visitors are then treated to a showcase view of communism.

These same young people too often develop an equally distorted view of America. In their minds, the United States has abandoned such values as democracy, guaranteed individual freedoms, pluralism, and the rule of law, for which we have traditionally stood and which in fact are part of the very fabric of American life.

We need to ask ourselves why these young Europeans see the United States as part of the problem, not part of the solution.

One reason, I submit, is that we have not been aggressive enough in demonstrating that the United States, in contradistinction to the Soviet Union, practices the democracy it preaches. According to the State Department, the most effective way to get this message across is through direct exchanges of American and Western European young people, at the age when they are forming their political philosophies.

In particular, we need to sponsor visits by the unconvinced that they might observe life in our truly open society, where reform can and does take place within the system. We simply have not done enough in this area in the past to cope with both Soviet efforts and the internal dynamics operating in Europe. I am convinced that the right kind of exchanges can do much to dispel the misconceptions evident today among Europe's "Successor Generation."

Unfortunately, exchanges are expensive. Given their importance, however, it would be absolute folly—even at a time of budget contraction—to cut back USICA funds for Fulbrights and other exchanges, as has been proposed. Not only do we need to maintain our publicly supported exchanges, but we need to supplement them with new private initiatives, in keeping with the spirit of this administration.

We must realize all the while that spending for exchanges is just as much part of our national security effort as spending for new bombers is. In fact, if we do not spend for exchanges, we are that much more likely to have to use those bombers in the future.

On November 3, in conjunction with the Atlantic Council of the United States, Senators BOSCHWITZ, COHEN, LUGAR, and NUNN, and Representatives FENWICK and LEACH, I sponsored a conference on the Successor Generation issue. Our guests speaker was Dr. Hildegard Hamm-Bruecher, Deputy Foreign Minister and member of the Bundestag of the Federal Republic of Germany. That conference convinced me that we cannot downplay the battle for people's hearts as we fight the battle for new hardware.

John J. McCloy was present at our conference. His Jean Monnet Award acceptance speech—particularly the latter half—explores the "need for a deeper understanding and appreciation of the fundamental commonality of European-American interests than we now seem to display." The man in whose name Ambassador McCloy was being honored, Jean Monnet, conceptualized the European community to preserve and extend those freedoms and values which we in the Western World—on both sides of the Atlantic—hold in common.

The speech follows:

REMARKS ON THE OCCASION OF THE CEREMONY FOR THE PRESENTATION OF THE JEAN MONNET AWARD

I am, of course, deeply warmed by the receipt of this award which bears the name of my old and dear friend, Jean Monnet. I suppose I was as old a friend of his as almost anyone in this room. My association goes back to the time he spent in the United States as a member of an American investment banking firm. Indeed, it goes back farther to the period immediately following World War I and the early days of the League of Nations. I had the good fortune to work with him during some of his most

productive years and I continue to marvel at his dedication to the public tasks he set himself.

Monnet and I had a mutual friend dating from those Blair & Co. days. His name was Swatland, a man of great ability, perhaps the ablest I have ever known. Typical of Monnet, who was a past master when it came to identifying talent, they soon came together and produced a most impressive combination. In comparing my ability, somewhat unfavorably, with that of my friend's, and former partner, Jean once said "You also have a most admirable trait, you are lucky." While I know there are a number of Monnet's later colleagues and followers who are at least as well entitled to this Award as I am, I do believe that there are none who could appreciate more than I do the thought which caused the Trustees or jurors of the Monnet Foundation to grant this Award to me.

I can quite readily think of one who deserves, beyond all others, a Jean Monnet Award, First Class. Of course, it is his wife, Sylvia. Their life together was, as we all know, a real romance, though at times, due to some of his idiosyncracies, it might have seemed somewhat less than idyllic. She was the moderator of his optimisms and a mender of his frustrations. She frequently played a most constructive role in refining his judgments as to both people and events. In this, and other imponderable contributions to his work, she was indispensable.

Throughout his career, Jean could identify talent as I say, but he also had a highly developed sense of where power lay. He never seemed, however, to be interested in having his own recognized. After he had been in Washington only a short time, he gained the ear of such men as Harry Hopkins and Averill Harriman, as well as Secretary of the Treasury Henry Morganthau and Justice Felix Frankfurter. He didn't have to know many more such influential figures, but he soon did.

I could name perhaps a half dozen, who by reason of their position or capacity, were prime movers in the Roosevelt Administration with whom Jean gained easy access. These contacts, joined with his vision and perseverance, and I was about to say, coupled with a touch of his own obstinancy, was all our friend needed to make his influence deeply felt in the Washington of those war days.

You have probably heard it said that Monnet was the originator of the term "The Arsenal of Democracy" which Mr. Roosevelt used in making one of his great wartime speeches. There were several who claimed to have originated that expression, including some speech writers and White House staff members. I cannot prove that Monnet originated the term, but I do know this much about it. Monnet used it in my presence one day and I was struck by it.

Shortly thereafter I cribbed it in talking to Mr. Justice Frankfurter about the role the United States should be able to play at that stage of the war. The Justice immediately admonished me never to use the phrase again and in my presence called up Bob Sherwood, the playwright and one of the President's best speech writers. It was not long before it appeared in President Roosevelt's famous speech. I have reason to believe that Justice Frankfurter also personally passed it on to the President.

I firmly believe that Monnet, during his stay in the United States, gained much of a United European Community concept from his observance of the continental sweep and depth of the American economy and its markets. In later days, when we worked together attempting to marshal the resources and productive potential of the United States for the successful conduct of the war, I recall that Monnet, almost out of thin air, hit upon an objective of 50,000 war planes in one year. He arrived at this total with no precise or carefully calculated analysis of the men and materials it would take to produce it. It was largely his own instinctive and pragmatic vision of what a country of the magnitude and size of the U.S. was capable of producing. And it was accomplished.

Commentators properly called Monnet a "supranationalist". He certainly had a breadth of vision which transcended narrow nationalism wherever he encountered it. This brought him in conflict with a good many able and devoted public servants whose outlook and training had largely been framed within the conventions of nationalistic thinking.

Later, when he began his massive individual effort to advance the concept of a United Europe, he came to be known as "Mr. Europe", and he well earned the title. Yet it was an element of his strength that he embodied so many of the virtues and characteristics of his own countrymen. He was quite as Gallic as deGaulle, even though they were very differently motivated men. He was proud of his sturdy, middle class French winemaker's background, and I often felt he, like Antaeus, used to gain strength from his contact with the soil of France.

When he encountered an impasse in his thinking, he would take a walk in the countryside, preferably it seemed to me, in the mud and the rain, plodding over his Houjourray acres. Well shod and clothed, with a sort of Loden mantel cloak about him and a sturdy cane, (whether he needed it or not), he would defy the elements (as long as there was no thunder and lightning about), and confidently return with a solution to the current problem confronting him. Though he was most unsympathetic to political dictatorships, he was disposed, I thought, to employ quite dictatorial methods when it came to the administration of his own office.

He imposed mercilessly on the time and good will of his staff, men and women alike, but he always seemed to have the time to come forward, after the battle, with some particularly thoughtful recognition of their loyal devotion and service to him. Whenever I called at his Avenue Foch office, it seemed to be at a point where work was interrupted by the search for a misplaced document or file, whose production Jean was demanding. I learn that his archives are now reposing here in Lausanne. I would be inclined to think there may be some gaps in them.

Moreover, it always seemed to me that he was either telephoning or just putting on his hat and coat to go out and see someone of importance in the government, or elsewhere, sparing himself meanwhile no exertion or indignity in the process of getting the matter at hand advanced. I have difficulty in thinking of him as a collector or a preserver of documents, but then he did have, always at hand, a Kohnstamm, a Duchene, a Hirsch, a Marjolin or a Uri or similarly well equipped individual to compose a draft or make a record.

I depart from these reminiscences of our friend with one more picture I have or him in Houjourray. I came upon him once looking at himself in the mirror just before he was to set out on one of his walks. He had on his heavy shoes and rustic clothes, but he also had on his head a beret with a red bandanna scarf at his neck, his "plume" as it were, all of which combined, set off his rather confident and somewhat handsome appearance. There was no vanity in the scene. He was simply satisfied with what he saw, and it gave him the self confidence to confront and solve the challenges which his spacious vision brought forth.

Having had these things to say about my friend and having indulged to some degree my urge to reminisce a little about him and me our rich association, I quite realize that something more than this is called for today in accepting and thanking you for this Award. Monnet's memory needs no new eulogies at this time. The existence of this Foundation does greater homage to the man and his accomplishments than any I could now render. Furthermore, most of you now present in this room knew Jean Monnet personally and were familiar with his quality, his achievements and his method of operation. You need no further account of them from me.

In giving thought to what would be relevant to this occasion, I concluded I would try to identify what Jean would feel were the priorities which should be applied today to the further progress of the European Community he did so much to advance.

One hears from many sources that a lack of progress or slackening of pace has occurred in the development of the European Community. There has been a too extended discussion amongst the members as to whether they are receiving individually as much from the Community as they feel their contributions to it entitle them. Overconcentration on the agricultural program has deflected consideration of serious industrial and political developments of a more fundamental character. One also hears of resolutions leading to a possible British withdrawal. After all the delay and debate surrounding the U.K. entry, this is, indeed, discouraging news. I have also read recently some severe criticisms of the lack of coordination and apparent malfunctioning in the existing institutions of the Community. If true, it should not be allowed to drift into any prolonged lack of progress. But it would be a great mistake if, in taking note of the present imperfections, we lose sight of the great advances which have already taken place, and the solid base on which the new leaders of the movement have the means to build. Not all of the progress in the area can be related to the establishment of the Community concept, but much of it clearly can be. The institutions on which Monnet placed such great store are in place, including the very significant direct election of delegates to the Assembly. Trade and commerce have increased and a standard of living has reached levels never contemplated before the advent of the Community. The European Community has become the world's largest trading bloc. Moreover, the dangers which were predicted as the Community was being created, have simply not been realized. Political advantages of far reaching significance have been achieved to parallel the economic advance.

Today people cross boundaries and old frontiers in Europe as if they were no more than county lines, while hostilities within the Community, including the perennial ones between France and Germany, have become virtually unthinkable. Indeed, I can think of no respect in which the world would be as well off, as it is today, were it not for the United Europe movement. To be sure, the Soviet Union continues to take a hostile attitude toward a United Europe, and considering the exclusively nationalistic approach it takes, it is perhaps understandable.

Khrushchev, while still in power, once said to me at Putzinda, that the major part of Russia's distress followed invasions from Western Europe, not Eastern Europe, and this was when it was divided. Napoleon in one century, the Kaiser and Hitler in another.

The last thing the U.S.S.R. sought, according to him, was a United Western Europe, which might undertake another Eastern adventure. Nor could he comprehend why the United States so consistently supported it. Because he could think only in nationalistic terms, its creation and competition, he contended, would only bode ill for United States' economic and political interests. Because of the desire of the U.S.S.R. to extend its hegemony over all of Europe, we can continue to expect a constant effort from the Soviet

Union to wish a divided Europe, sharply separated from the U.S.

The world has greatly changed from the condition it was in when Monnet first began his crusade for a United Europe. Europe has, it is said, miraculously recovered from the devastation of World War II, and now two great super powers have emerged, as d'Toqueville prophesied they would so long ago. Interests and attitudes that once existed between Europe and America have now been greatly altered. American prestige following the war, once so immeasurably high because of the victories and the extent of the expectations of benefits sought from the U.S. is now considerably, and I believe, fortunately, moderated.

No longer are Americans incomparably richer than their European counterparts, as the per capita income of a number of European countries is now about the same as it is in the United States. And so it is with the G.N.P. Moreover, the level of technology is about equal, although the productivity ratios of the United States have not kept pace with foreign competition, nor with previous high records set by the U.S. economy.

The world is also more diverse. One of the most significant developments is that the broad Atlantic is no longer the impassable barrier to any serious aggression against the United States. Cities in the western part of the United States are as vulnerable today to the heavy Soviet missiles as are Hamburg and Frankfurt. An indisputably heavy Soviet build up in conventional and strategic military power has been taking place within the last fifteen years, to a point where serious thought and attention must be given to it by the North Atlantic Treaty Organization Alliance.

It is no longer possible for us to confine our perceptions, whether from Europe or the United States, to the NATO area. And as the world becomes more diverse and our perceptions vary, new strains, and quite possibly serious differences, will develop as we face our respective problems. We shall need to apply our best combined statesmanship to resolve them. This is the stage at which I sense we now find ourselves.

At one interesting point in my public service, I was asked what I thought should be the chief imperative, or priority, of the new Federal Republic of Germany. The Military Government was about to end and that of the Federal Republic to begin. Konrad Adenauer was the new Federal Chancellor. On the eve of the transfer of authority, he sought from me my opinion on this question.

As Allied Military Governors, we had been rather heavily preoccupied with economic affairs related not only to the rehabilitation of West Germany, but of all Western Europe as well. We had such things as monetary reforms, the valuation of the Mark, the economic priorities, the allocating of the counterpart funds, the disposition of the refugees from the East, and a number of other economic matters with which to contend. I believe the new Chancellor was thinking of what economic measures I had in mind, when he put the question to me. I had no hesitation, however, in replying that his chief priority, I thought, was political rather than economic. It was, in short, the establishment of a permanent rapprochement with France.

The Chancellor had made it quite clear that he was not asking any directive from me, for I would and could give him none, nor was he making any commitments in regard to my recommendations. He was simply asking for my views for whatever they might be worth. I pointed out that twice in my lifetime I had been called upon to commit all my energies to help end wars started in Europe, in large part because of the prevailing hostile attitudes of France and Germany. In an earlier generation, there had been still another war—the Franco-German war of 1870.

Whether it was in 1917 or in 1940, the intervention of the United States had been accompanied by a costly expenditure of U.S. blood and treasure. On both occasions the United States had thrown the balance, belatedly perhaps, but, indisputably. I suggested that the pattern was getting tiresome. I felt it was to a very large degree within the Chancellor's power to put an end to the pattern. I emphasized it was not a matter of placing blame—it was simply incumbent upon rational leaders in Europe to end the process. The Chancellor needed little urging. He was a Rhinelander.

Charlemagne, Aachen and the Holy Roman Empire loomed large in his heritage. This, I think, accounted, in an important degree, for his later highly constructive relationship with General de Gaulle. I mention this here because the thought of such a permanent rapprochement between Germany and France was an integral factor in the genesis of the United Europe concept. It was an augury of peace. I did not need to "crib" this idea from Monnet, as his thinking, and mine, as well as that of many others, coincided on this subject.

I have likewise little hesitancy now in identifying, in my own mind, at least, what would be Monnet's chief priority today were he alive and active.

I would imagine that Monnet would have to give thought to several priorities, some would undoubtedly relate to the need for better functioning and coordination of the work of the institutions which compose the structure of the Community. Among these would certainly be to impart more significance to the functioning and situs of the Assembly, on which Monnet placed such importance. I would imagine he would try to divert the attention of the Community's agencies from the minutiae it deals with now to more fundamental European problems.

But my conviction is that his main preoccupation would be on the increasing need for a better recognition, and understanding, of the sense of partnership and interdependence between the people of Western Europe and those of the United States. The political and economic challenges of the two communities would be much better dealt with at this critical point in history by the fuller acceptance than now exists of the sense of a common commitment and a common responsibility for the preservation and protection of the free and democratic societies which compose the Alliance.

I have already indicated that it was my belief that a large part of Monnet's emphasis upon the unfortunate effects of the fragmentation of Europe, and its intensive nationalism arose from his life in the United States, and his observations while there. One of the chief tenets in his philosophic attachment to the idea of a European Community, was the part which could and should be played by a firm partnership with the United States.

To him, it was a matter of mutual necessity. Europe needed the example of the wide markets and the depth of the American economy, as well as its profound attachment to political freedoms, while, on the other hand, the United States needed the support of Europe, its culture and experience in government, as well as its like attachment to our common values.

When one looks at the world map and observes the massive territory presided over by the Soviet dictatorship, one can appreciate the need of Europe to rely on the strength, resources, economy, and goodwill of what is both a nation and a continent, to act, not so much as a guarantor, but as an effective partner in the protection of our common freedoms.

All this connotes something more than improved communication, or intermittent consultations—it requires, to repeat, the full acceptance of the need of fairly sharing our common commitments and common responsibilities. At the outset, in his devotion to the concept of a European Community, Monnet strongly stressed the integral importance of such a common partnership with the U.S.

Because, as time went on he became preoccupied with the need for structuring the institutions upon which his United Europe could be based, together with the fact there were then in Europe some less disposed to place as much emphasis as he did on the Atlantic partnership, Monnet made less reference to the partnership, but he never doubted its necessity.

Today, with the strains developing from the differing perspectives of our common interests, the need for renurturing the vigor and quality of the United States-European cooperation becomes more apparent. The Soviet build up and its increasingly aggressive moves, in highly strategic parts of the world, directly and through its militant proxies, only accent this need.

Moreover, the sustained character of the Soviet build up, together with the loss of U.S. prestige in the Vietnam war, has resulted in some impairment of the credibility of the American deterrent which, during a vital period of European recovery, served as a comforting umbrella of security.

But, if it is said that there has been some impairment of that credibility, not only the commitment of a great nation remains intact, but an eloquent earnest of that commitment is the fact that there are now deployed in Europe upward of 300,000 American troops, and they have been there for a very long time. The NATO commitment, when closely examined, is not automatic. Indeed, it has what might be called some illusory aspects. The United States has, however, buttressed its NATO commitment with this extraordinary earnest.

These troops are still deployed in substantial size on the ground in Europe in spite of Mr. Roosevelt's desire to have them return as soon as possible. They remain in Europe, and they will be involved the minute any attack occurs. The response, as a practical matter, would be automatic and all out. There is no comparable security given by any other NATO member to its commitment to defend the United States.

Judged by any criterion in history, it is an extraordinary phenomenon. The quality of our troops has been criticized in some quarters. They may not have the bearing of traditional Guard Regiments, but they are still American soldiers, quite like those who, on many battle fields, including not a few in Europe, have proven, by their fighting qualities, to be worthy of their allied counterparts, as well as of those they opposed. It should also be remembered that they have the advantage, in their present posts, of being able to train and maneuver with some of the finest troops in Europe.

It has been unpleasantly suggested that for the U.S. to urge our European allies to take steps to improve their defenses against the formidable new missiles actually being deployed against Western Europe and its capitals, is due to our wish to shift the possibility of a nuclear exchange, from one across the Atlantic, to a Soviet-European one. The presence of our troops in such quantity in Europe, so long after the war, ought to be quite enough to demonstrate to any fair mind the utter falsity of the charge.

To the extent that the Soviet Union is faced with a convincing European-U.S. determination and capacity to meet any attack, or any threatened attack, the chances of it ever occurring greatly diminishes. The joint will, in itself, suitably demonstrated, would be worth many missiles and many tanks. As it is unthinkable that hostilities could ever recur within the community today, so is it unthinkable that the U.S. could ever be

induced to attack the Soviet Union, unless attacked, or directly threatened by an attack.

Moreover, I believe the Soviet leaders would never be so foolish as to attack, or attempt to blackmail, either Western Europe, or the U.S., once they were convinced of the solid unity and determination of the Alliance to protect itself. Only if there existed any likelihood of a division within the Alliance would there be a real temptation for the U.S.S.R. to do so.

A full and convincing acceptance of the implications of the European-U.S. Alliance, throughout its membership, can at one and the same time constitute a guaranty of the security of those covered by it and an assurance to the U.S.S.R. and to the world, for that matter, of the continued adherence to a policy of combined restraint on the part of the Alliance.

Recently there have been appearing on both sides of the Atlantic, but I think perhaps more here than in America, a spate of recriminations. It is due perhaps to a series of interrelated economic and political developments. The world is clearly out of joint and very tense. No wonder, with the Pope, the President of the United States, President Sadat, and a good many others, being shot. On top of which, high interest rates and anti-inflation measures induce repercussions in our respective economies. In the meantime, the invasion of Afghanistan seems almost forgotten.

El Salvador has taken its place as a point of apparently greater international concern than Afghanistan, Poland or Pakistan. Only on one thing do the critics now seem to agree. It is that the U.S. is somehow responsible for it all. The time has certainly come for us to stop indulging in these recriminations, and set about doing what I believe Jean Monnet would do, go to a high hill and search for new and more objective perspectives. He would, I think, come back with them, worried, as indeed, I am, but with a clearer sense of the need for a deeper understanding and appreciation of the fundamental commonality of our interests than we seem now to display.

Whether our problems be political or economic, they would be more readily soluble by such an understanding, though to achieve it may demand a level of leadership and statesmanship comparable to that of those who were responsible for the creation of the Alliance.

When I was recently in Europe, in Berlin as a matter of fact, I gained the impression that Europe had rather convinced itself that it could not alone defend itself, and it was uneasy about the credibility of the American deterrent. There was some irritation in the air, as a result, as well as a real element of fear. I doubt that the mood was representative of the city as a whole, but any suggestion of such an attitude was something new to me, for when I was officially in Berlin, it was the symbol of combined strength and resistance. There might have been a few qualms in what we used to call "the Zone," but not in Berlin. There the U.S. could do no wrong.

We are all subject to fear at times, for we are human, but as a general course of action, it is never wise to take counsel only of one's fears. It is a poor guide. It is clear to me that if Europe, in combination with the U.S., undertook to do what is necessary to deter any attack it could be accomplished. Western Europe and the American continent have tremendous strengths and great resources, difficult to marshal perhaps, but quite large enough to make it quite irrational to risk any aggression against them.

We must all realize that though our friend, whose name accompanies this Award, spent such a large part of his life and energies in endeavoring to move forward his grand, and yet pragmatic, concept of a United Europe, it was all in the context of achieving a further purpose, that is the preservation of our freedoms, the elimination of wars in Europe and the general advancement of the cause of peace. It is because he always had these objectives so deeply in mind, I feel confident that if he were with us today, his chief priority would be as I have outlined it. His aim of peace within the community, as well as, of course, between the communities of Europe and the United States seems already to have been achieved.

Monnet was, indeed, a man of peace. He sought a United Europe as a stepping stone to peace. He was well on the way to it. Our recollection of him and his work should inspire us to reach for the new perspectives which would help bring about the accomplishment of his full vision.

Thank you.●

VLADIMIR FELTSMAN

● Mr. LEVIN. Mr. President, I rise to call the attention of my colleagues to an important issue.

Vladimir Feltsman, a renowned Russian pianist, and his wife have been denied permission to emigrate to Israel. This is the fourth time their request has been refused.

Since the day he began playing, Feltsman was shackled by Soviet suppression and censorship. Overcome by an intense desire to fully and freely express his artistic potential, Feltsman decided he had to emigrate. Maxim Shostakovich, who recently defected from the Soviet Union, explained in an interview with U.S. News & World Report why so many Russian artists decide to defect or emigrate.

Mainly, it is because there is a lack of true expression in the Soviet Union, a lack of freedom. That has led to this great loss of very valuable individuals. Very unfortunately, the situation is so bad there that there is now a mass exodus of artists from the Soviet Union—painters, writers and composers.

The "lack of freedom" described by Shostakovich is detailed in a Newsweek article.

Soviet artists say their main grievance is the degradation of living under a regime that regulated every aspect of their lives, treating them not as creative adults but as naughty children. The government agency Goskontsert maintains complete control over every artist. Soviet security agents watchdog every touring ensemble, and musicians are ordered to move about in groups dubbed "quartets," usually headed by a Communist Party member, so that they can have no private contacts with Westerners. "The most humiliating experience I ever had was being a Soviet artist abroad," says violinst Dmitry Sitkovetsky, 26, who came to the United States in 1977. "Onstage, you're a celebrity. Backstage, someone is telling you what to do."

I ask that the full texts of these articles be printed in the RECORD at the conclusion of my remarks.

Vladimir Feltsman wants to cast the yoke of restraint and restriction off of his creative endeavors. But he has two strikes against him. First, he is one of the Soviet Union's most promising young pianists and has become too valuable to lose. He has won numerous competitions and has performed internationally. Second, it is unofficially reported that his father, a popular composer, wrote to the Communist Party Central Committee describing his son's desire to emigrate as "unpatriotic"—evidently to protect his own career.

Not only has Feltsman been prevented from emigrating, he has been prevented from pursuing his career. Hours after he first applied to emigrate in 1979, his records and tapes were removed from shops and radio stations; his performing engagements were canceled. Feltsman's talent has been locked inside him as he is locked in the Soviet Union.

It is an outrage that a gifted pianist has been deprived of his avenues of artistic expression and that the world has been deprived of the superior talent of Vladimir Feltsman.

The article follows:

INTERVIEW WITH MAXIM AND DMITRI SHOSTAKOVICH—EXODUS OF ARTISTS LEAVES RUSSIANS "MORE ALONE"

Q. Why are so many artists—like ourselves—defecting from the Soviet Union now?

Maxim Shostakovich: Mainly, it is because there is a lack of true expression in the Soviet Union, a lack of freedom. That has led to this great loss of very valuable individuals. Very unfortunately, the situation is so bad there that there is now a mass exodus of artists from the Soviet Union—painters, writers and composers.

Q. What are the main differences between American and Soviet artists?

A. First of all, the difference lies in the freedom of expression available. In America, an artist doesn't have to stop to think about the political aspects of his creation. I'm not going to speak very much about the American artist, because I don't know that much about it.

But I know that in the Soviet Union when a person writes, he writes with a weight attached to him—a weight of censorship. The Soviet artist must constantly be aware which spheres of life are available for his writing, which are forbidden. Everyone becomes accustomed to writing between the lines. They must—for survival. All of that very much narrows all of the avenues of expression for any artist.

Q. Would your father have written differently if he had had the freedom you have now?

A. My father possessed a very unusual inner freedom, because in the basic line of his creativity he always expressed what he wanted to express. It's a different question whether it was always understood by the bureaucrats who examined his art. His entire product of creativity was always a battle. Underlining it were the highest humanistic ideals and the most profound expression of protest against the circumstances in which he found himself and in which his homeland is now.

It's difficult to say that his music might have been completely different, because his life was filled to excess with global cataclysms such as revolution and world wars and all the horrors of the epoch of the cult of personality of Stalin and facism in general. They say in Russia that, with the music of Shostakovich, the future generations are going to judge today's history, and I believe that is really so.

Q. Have the departures of so many Soviet artists made any difference for the artists still left in Russia?

A. The presence in the Soviet Union of people such as my father and Mstislav Rostropovich, cellist and now music director of the National Symphony Orchestra in Washington, D.C., provided moral support for the rest of the artists. When these leaders were no longer there, the rest of the Russian people were even more alone in their misery.

There are still many composers and performers of outstanding quality left in the Soviet Union, but people like Shostakovich and Rostropovich were of an especially civic

bent, and toward the end of their opinions were very much counted on by the Soviet government. So they were able to give a lot of help and support to the rest of the country. The people have become much poorer having lost men such as these.

Q. How will the recent departure of two prominent Shostakoviches affect their countrymen?

Dimitri Shostakovich: It will give them a little incentive to assert their independence.

Maxim Shostakovich: From the superficial point, I had everything in the Soviet Union. So anyone who will stop to think a moment will come to realize that if I was able to leave my homeland, then not everything was hunky-dory in the soul of Maxim Shostakovich. My defection from the Soviet Union was a very deeply thought-out step of protest. It was a mark of disagreement with everything that went on.

Another push that led me to the step was the defamation of the image of the character of my father that is constantly presented to my countrymen. I consider it my obligation to speak to the whole world about his true character. The Soviet government very often used the phrase that my father was a "Communist of conviction." By doing so, the bureaucrats wanted to share their responsibility for what is happening in their country. In fact, I remember very, very well that I saw my father weeping bitterly only twice in his life: At the death of Nina Shostakovich, his wife and my mother, and the second time was when he came home and told us that under the force of blackmail he had been forced to join the Communist Party.

Q. Are many Russians aware of how your father hated Stalin?

A. It's hard not to guess through his music.

Q. In the long run, who will win the Soviet Union—the artist or the state?

A. Today, it's just as hard to determine that as to determine who will win in Poland—the Army or Solidarity. But I'm an optimist, and I believe that good will prosper and the humanistic powers will win in the long run.

Q. What is your impression of the U.S. since your arrival?

A. First of all, it's the scope of the country. There is this great concentration of everything that pertains to the arts. Then there are the amazingly friendly people and the amazing number of different lifestyles—city, suburban and differences in between. Everybody lives the way he wants to live.

Q. Have American orchestras that you have conducted and performed with lived up to your expectations?

A. For so many years, the United States has been establishing a tradition of great artists and people who have come here of such high caliber, and it seems to me that America has at her disposal some of the best orchestras of the world.

Q. How would you rank them with those of the Soviet Union and the rest of the world?

A. Europe and the Soviet Union have world-class orchestras, but not as many as here. What is very important is that in the United States not just the large cities but also the provinces, so to speak, have a great number of very high-caliber orchestras.

Q. What do you hope to accomplish in the West?

A. I have to start all over again because everything that I have accomplished in the Soviet Union will now be obliterated. So I have a wide circle of goals.

First of all, I want the maximum popularization of the works of my father. This, of course, would include not only concert performances but also the recording of all his works. I had almost completed this cycle of recording in the Soviet Union, but now everything that was available there will no longer be available.

I also want to conduct the works of other composers to whom I have a debt: Mahler, Bruckner, Stravinsky, Tchaikovsky and Brahms. I will also try to record the works of American composers because I've become accustomed to working with new music, having worked with the radio in Moscow. Without this constant stream of new music, I simply don't feel well. I start to get a little dusty without this new music.

Q. Do you like American orchestral music?

A. Very much. As my father used to say, American music is developing a lot more quickly than the music of other countries simply because it got such a late start.

Q. Why have there been so many great Russian composers?

A. It's true that there were many great Russian composers, but there were also many great writers and painters. Perhaps it is because life in Russia was always without a special hurry. This encouraged thinking and even meditation. The Russian people are very emotionally wealthy.

From the political point of view, Russia always suffered a great deal. Through art, the people sought relief because art helps in difficult moments.

Q. What can be done in the West to foster more artistic freedom in the Soviet Union?

A. Political influences do help. When the world political situation becomes just a little bit softer, then the artist's life is easier also. But those are just temporary solutions. Right now, I can't see any deep hope for basic changes in the Soviet Union.

A lot depends on the idiotic decisions made by the top bureaucrats. For example, some functionary will not like Boris Pasternak, the novelist, and will do all he can to destroy him. Another bureaucrat for 40 years despised my father and tried to ignore all his compositions.

There's no security one way or the other that things will get worse or better. Everything is very capricious and depends on the momentary decisions of the rulers.

Q. Can you give an example of the kind of bureaucratic decision making you abhor that is going on now in the Soviet Union?

A. Yes. It relates to this remarkable period when the 75th anniversary of my father's birth is being observed and I see how often the music of Dmitri Shostakovich is performed and how much attention is paid to it in the United States. The Soviet Union is also celebrating the occasion. There are a lot of performances and completely new editions of the works. Some have already been published, and there are more to come.

But even in this occasion there are things that confound me. The powers over the arts in the Soviet Union have decided to delete all the dedications that Shostakovich had made in all his works—to his friends, to other artists, to his relatives. The primary reason for that was the departure from the Soviet Union of "Slava" Rostopovich and his wife Galina Vishnevskaya, to whom so many of Shostakovich's works are dedicated. Now, of course, I'm gone, too. So this exodus pushed them to delete all of those dedications. I wonder what the Soviet authorities will do to the dedication of the 12th Symphony, which is dedicated to Lenin!

I think for anyone to interfere with the intimate act of a composer's dedication is a slap in the face to the composer. Generations after a composer's death, people will still be able to judge about his surroundings, about who was close to the man, about which personalities he liked—through the dedications. Such rude interference by the bureaucrats is totally unacceptable.

Q. Do you ever feel nostalgic for the Soviet Union?

A. I suffer not because I left other people there but only because I know that there are people left there whom I would like to have with me here.

Q. What are the best and worst things Dmitri Shostakovich has discovered about America?

Dmitri Shostakovich: I haven't seen anything bad yet. And I don't think that I will soon. So far, I've seen only the good part—very friendly people, astoundingly beautiful nature, just everything.

NEW FLIGHT TO FREEDOM

In the West German town of Nuremberg, members of the Second Moscow Radio Symphony Orchestra straggled out of the Merkur Hotel one night early last week. They had just finished a twelve-city concert tour, and now it was time to board buses that would start them on the journey home to Russia. Suddenly someone shouted, "Where's the director?" and Soviet security men began a frantic search. The director was nowhere to be found. In the confusion of the departure, Maksim Shostakovich, 42, had slipped out of the hotel and into the custody of West German police. With his son Dmitri, a 19-year-old pianist, he was headed for a new life in the West.

Their ultimate destination appeared to be the United States, and the news stunned Soviet authorities. Shostakovich is a towering name in Russian music; by the time of his death in 1975, Maksim's father, Dmitri, was regarded as the greatest of Soviet-era composers. "Shostakovich is the mirror of the soul of our country, and the son's defection is a tremendous occurrence," said Russian cellist Mstislav Rostropovich, an émigré himself and now music director of Washington's National Symphony Orchestra. After obtaining asylum in West Germany, Maksim telephoned Rostropovich, a close family friend. Rostropovich then called "my friend Mr. William Clark," the Deputy Secretary of State, who arranged refugee status for the father and sons. Rostropovich made plans to bring Maksim to the National Symphony.

In Moscow a Russian musician heard the news and said wonderingly: "Maksim Shostakovich. The authorities must be asking themselves if there is anyone they can trust." In recent years Soviet musicians have flooded the West, among them the late conductor Kiril Kondrashin and pianists Vladimir Ashkenazy and Bella Davidovich. Some are Jews who have managed to emigrate legally, ostensibly to go to Israel; others are ethnic Russians who exist route was defection. For every artist who has fled, hundreds more long to do so, even though the Soviet Government pampers its top cultural figures, paying them handsomely and heaping them with honors.

Soviet artists say their main grievance is the degradation of living under a regime that regulates every aspect of their lives, treating them not as creative adults but as naughty children. The government agency Goskontsert maintains complete control over ever artist. Conductors complain that bureaucrats decide whether to fire a second-rate flutist or whether a certain symphony can be performed. Before any visit to the West, musicians are interrogated by Communist Party officials and required to answer a 100-item questionnaire that seeks clues to their political attitude and reliability. (Simple questions: Who is your father and what does he do? What was the date of the last Communist Party congress? Who is the President of Zambia?)

Once permission to travel is granted, a musician must leave his closest relative behind as a hedge against defection. (It was a measure of Maksim Shostakovich's high reputation that he was able to take his son to Germany.) Soviet security agents watchdog every touring ensemble, and musicians are ordered to move about in groups dubbed

"quartets," usually headed by a Communist Party member, so that they can be no private contacts with Westerners. "The most humiliating experience I ever had was being a Soviet artist abroad," says violinist Dmitry Sitkovetsky, 26, who came to the United States in 1977. "Onstage, you're a celebrity. Backstage, someone is telling you what to do."

Musicians who betray their disenchantment with the system find their careers at a sudden dead-end. Hours after Moscow pianist Vladimir Feltsman, 29, applied for permission to emigrate to Israel in 1979, Soviet officials ordered all of his records and tapes removed from radio stations and shops. The government has turned down Feltsman's visa application three times, although he has obtained all the required letters of permission from his parents and those of his wife, Anna. Unofficially, Newsweek has learned, it is Feltsman's father who is holding up his departure; evidently to protect his own career, popular composer Oskar Feltsman wrote a letter to the Communist Party Central Committee in which he described Vladimir's desire to emigrate as unpatriotic.

Rigid Rules: As many musicians see it, it is the Kremlin that is unpatriotic: by restricting artistic freedom, Communist officials are driving some of the nation's finest talent out of the country. Faced with this fact, even some official Soviet spokesmen say they believe that travel policy should be eased. "If we didn't have such rigid rules on travel, maybe nobody would defect. They would go for a while and then return," says an officer of the Moscow composers union.

Among Soviet artists living in the West, there was little jubilation at the news of the Shostakovich defection: many had felt the pain of being cut off from the Russian musical roots they treasure so deeply. "I cannot tell you I am very happy that Russian musicians are leaving Russia," said Rostropovich, 54. "I cannot tell you I am very happy there are such circumstances that must run away." The cellist did admit to one great joy. The late Dmitri Shostakovich, he said, was "the most precious person in my life. When I see Maksim again, it will be like seeing my own son."●

MISSOURI WINE

● Mr. DANFORTH. Mr. President, most Americans are aware of Missouri's standing as one of the premier beer-producing States in the union. The praises of Missouri beers are sung every weekend at halftimes and between innings across the Nation. Less well known is the fact that Missouri also produces some great wines. Indeed, when the Federal Government recently classified America's viticultural regions, Augusta, Mo., was first in line.

Missouri's accomplishments as a wine-producing State are heralded in the November issue of Texas Flyer magazine, in an article entitled "Another Wine Country." Author Robert Lewis Thompson notes that Missouri is no Johnny-come-lately to the wine business. Augusta wines won gold medals at the Chicago World's Fair in 1893 and at the St. Louis World's Fair in 1904. Prohibition took its toll on the Missouri wineries, however, and it has only been in the last 20 years or so that Missouri wines have achieved their richly deserved renaissance. Now, there is no place to go but up. Beware Napa Valley. The day is not far away when names like Aurora, Heinrichshaus, Hermanoff, and Bardenheier's will strike fear in the hearts of Ernest and Julio.

Mr. President, I ask that Mr. Thompson's article be printed in the RECORD.

The article follows:

ANOTHER WINE COUNTRY

(By Robert Lewis Thompson)

The first wine-growing region in the United States to be recognized by the federal government as a distinct viticultural district was not the Napa Valley. It was, in fact, none of the grape-producing areas in California. Look to New York and you will also be wrong.

But drive forty miles west of St. Louis, just beyond the burial place of Daniel Boone, and you will encounter Augusta, Missouri (population 301)—home of America's first wine district. Although this fifteen-square-mile area above the winding north bank of the broad Missouri River presently boasts only two commercial wineries, no one has accused these Augusta vintners of being slow to take the initiative. When the Federal Bureau of Alcohol, Tobacco and Firearms launched its program to classify the various viticultural areas throughout the nation, akin to the *appellation controlée* designations in France, these Missouri grape growers were among the first in line. Fortunately for them, the Augusta application was both promptly filed and uncontested—unlike some from the more famous but geographically more controversial wine-growing areas. On June 20, 1980, the Federal government made it official: the Missourians waltzed away with the first appelation designation in the country, and tiny Augusta became the nation's first wine district.

Lest Missouri's nomenclatural coup d'etat appear to be merely Trumanesque chutzpah or a regional derivative of Madison Avenue hype, be assured that wine making was a serious business in this rolling countryside long before there was a Federal Bureau of Alcohol, Tobacco and Firearms. Augusta wines won gold medals at Chicago's 1893 World's Fair and swept four-fifths of the gold at the St. Louis World's Fair in 1904. Before Prohibition, thirteen wineries prospered throughout the region, including one founded in 1869 that claimed vineyards dating back to 1832.

Today, the venerable Mt. Pleasant Winery is Augusta's largest and, by most measurements, the state's most successful winery. Lucian Dressel, whose prior experience in the dairy business taught him, in his words "how to use chlorine and how to clean up," bought the winery (which was built in 1881) seventeen years ago. This year, he will make about thirty thousand gallons of wine, and the winery has the capacity to double that output in the future.

If the names of Missouri wines appear unusual to the average consumer (Aurora, or Baco Noir, for example), there is a reason: the grapes for which they are named are different from those *vinifera* varieties that are widely grown in California (such as Cabernet Sauvignon or Chardonnay). Neither Dressel nor colleague Clay Byers of Augusta's tiny Montelle Vineyards is optimistic about the prospects for *vinifera* grapes in their area, principally because the vines are not hardly enough to withstand "winter kill." Others believe that Missouri's hot summers cause the *vinifera* grapes to ripen too quickly, before desirable acid levels have been attained.

Consequently, Dressel's white wines (and reds too) are produced from French-American hybrid grapes, such as the Vidal and the Seyval, which are the principal varieties grown in the Eastern United States. Although the unprecedented heat of the 1980 season (forty days over 100 degrees) yielded wines that Dressel believes do not fairly reflect his wine-making potential, one of his 1980 white wines, the Münch Blanc de Noir, is a light, clean wine with medium-dry flavors and a pleasant, balanced finish. The 1980 Vidal Blanc is drier, almost austere, and finishes somewhat like an Italian Soave. Although he has used sixteen wooden barrels in wnich to age white wines in past years, Dressel is converting to stainless steel. In an effort to waste not, the white cyress barrels will be sold as hot tubs.

Dressel and Byers have had significantly more luck with their white wines than with their reds. "My last and only good year with red wines," Dressel observes, "was 1972." He went to California's Napa Valley in 1977 "to learn how not to make bad red wine." It may have worked. He is cautiously sanguine about his 1979 red wines, which were bottled this summer after aging for over eighteen months in oak barrels.

The lightest of his three principal red wines is the Blanc de Noir, a pleasant, medium-bodied wine that displays a soft, Merlot-like nose. The medium-bodied Cynthiana has an intense mulberry bouquet that, Dressel says, yields to a more vinifera-like character after several years. Mt. Pleasant's Cordon Rouge, which won a gold medal at the Missouri State Fair this year, is said to have an aging potential of ten to fifteen years, although it is not a big, tannic wine. Dressel explains that the "St. Louis style" of producing lighter red wines is ideally suited for the hot and muggy Missouri Valley area. "Big wines here," he states, "would be almost oppressive." Dressel himself finds considerable relief from the heat and from winery routines in a cold beer.

Mt. Pleasant's most expensive wine, at eight dollars, is "Stark's Star," a 16 percent alcohol, 5 percent residual sugar wine that wins raves from fans of the "late-harvest" style of red wines. Another popular wine is a fruity sparkling wine (champagne) made from the Delaware grape. Dressel personally prefers his drier Blanc de Blanc champagne, but he is often sold out of the latter variety.

Mt. Pleasant and Augusta are not alone, however, in the state's grape-growing sweepstakes. "Show Me" Missouri and you will be shown more than twenty other wineries scattered throughout the state. Most have tasting rooms open to visitors in summer months, and some even offer free tours.

An hour west of Augusta, the picturesque town of Hermann, settled by wine-loving German immigrants, is home to two of Missouri's most charming wineries. The Stone Hill Winery, established in 1847, is a National Historic Site featuring the largest underground arched cellars in America. Its wines are made from French hybrid and native American grapes, grown on sixty acres of hillside vineyards overlooking the Missouri River. During the annual Oktoberfest celebrations, visitors also flock to the Hermannhof Winery, another National Historic Site, which also contains magnificent cellars dating from 1852.

Other wineries, such as Peaceful Bend Vineyard, Heinrichshaus Vineyards, St. James Winery, Winery of the Abbey and Rosati Winery, flank Interstate Highway 44 in south-central Missouri. Bardenheier's Wine Cellars, founded in 1873, is the state's largest winery and is located in the northern suburbs of St. Louis. While these wineries produce generally sweeter table wines and fruit wines, other wineries, such as Midi Vineyard near Kansas City and Reis Winery south of Rolla at Maples, are experimenting with hard-to-grow vinifera varietals such as Chenin Blanc and Riesling.

Despite the achievements of Missouri's wine-making renaissance, most vintners are cautious about their predictions for the future of the state's fledgling industry. The demand for Missouri wines is, frankly speaking, modest. Mt. Pleasant wines were at one time sold coast to coast. Today, Dressel can boast that his is the only Eastern United States winery whose product is featured on a major airline. Yet, nearly all of the Mt. Pleasant wines are sold today to local customers and to the more than fifty thousand tourists who trek to Augusta each year.

The root of the problem may lie with the vine. Weaned on principally Californian and European vinifera varietal wines, most Americans have an identity problem with wines made from and named after French-American hybrid grapes. Aurora and Baco Noir may have a light, fresh bouquet; in today's market, however, they are not Chenin Blanc or Zinfandel.

There is also the "provincialism" factor. Despite how pleasing or affordable Missouri wines may actually be, they must compete—at least east of St. Louis and west of Kansas City—with the entrenched wine barons of California and, to a lesser extent, New York. Augusta is not St. Helena, and St. Louis is San Francisco's arch rival only on the NFL football field.

Dressel, whose immediate, personal goal is to "take Sunday off," earnestly is seeking a talented wine maker but has been unsuccessful in luring help from California, even at twice the West Coast salaries.

Moreover, the level of grape growing in the state has not increased significantly in past years. As long as the corn and soybean markets hold firm, specialized Missouri farmers are not likely to turn to the time-consuming, capital-intensive cultivation of grapes. As Montelle's Clay Byers observes, "Professional people are the ones behind the new wineries, not the farmers."

Yet, Byers is confident that the "half-dozen serious scholar-vintners" in the state will upgrade their techniques and, hence, the reputation of Missouri wines in general.●

PRELIMINARY NOTIFICATION PROPOSED ARMS SALES

● Mr. PERCY. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive advance notification of proposed arms sales under that act in excess of $25 million or, in the case of major defense equipment as defined in the act, those in excess of $7 million. Upon receipt of such notification, the Congress has 30 calendar days during which the sale may be prohibited by means of a concurrent resolution. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Foreign Relations Committee.

Pursuant to an informal understanding, the Department of Defense has agreed to provide the committee with a preliminary notification 20 days before transmittal of the official notification. The official notification will be printed in the RECORD in accordance with previous practice.

I wish to inform Members of the Senate that such a notification was received on December 1, 1981.

Interested Senators may inquire as to the details of this preliminary notification at the offices of the Committee on Foreign Relations, room 4229, Dirksen Building.

The notification follows:

DEFENSE SECURITY
ASSISTANCE AGENCY,
Washington, D.C., December 1, 1981.

Dr. HANS BINNENDIJK,
Committee on Foreign Relations, U.S. Senate, Washington, D.C.

DEAR DR. BINNENDIJK: By letter dated 18 February 1976, the Director, Defense Security Assistance Agency, indicated that you would be advised of possible transmittals to Congress of information as required by Section 36(b) of the Arms Export Control Act. At the instruction of the Department of State, I wish to provide the following advance notification.

The Department of State is considering an offer to a NATO country tentatively estimated to cost in excess of $25 million.

Sincerely,

ERICH F. VON MARBOD,
Director.●

PROPOSED ARMS SALES

● Mr. PERCY. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive advance notification of proposed arms sales under that act in excess of 25 million or, in the case of major defense equipment as defined in the act, those in excess of $7 million. Upon such notification, the Congress has 30 calendar days during which the sale may be prohibited by means of a concurrent resolution. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Foreign Relations Committee.

In keeping with my intention to see that such information is available to the full Senate, I ask to have printed in the RECORD at this point the notifications which have been received. Any portion which is classified information has been deleted for publication, but is available to Senators in the Office of the Foreign Relations Committee, room 4229, Dirksen Building.

The notifications follow:

DEFENSE SECURITY
ASSISTANCE AGENCY,
Washington, D.C., November 30, 1981.

Hon. CHARLES H. PERCY,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Arms Export Control Act, we are forwarding herewith Transmittal No. 82–07, concerning the Department of the Air Force's proposed Letter of Offer to Saudi Arabia for defense articles and services estimated to cost $27 million. Shortly after this letter is delivered to your office, we plan to notify the news media.

Sincerely,

ERICH F. VON MARBOD,
Director.

TRANSMITTAL NO. 82–07

(Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b) of the Arms Export Control Act)

(i) Prospective Purchaser: Saudi Arabia.

(ii) Total Estimated Value:

	Million
Major Defense Equipment*	$ 0
Other	27
Total	27

*As included in the U.S. Munitions List, a part of the International Traffic in Arms Regulations (ITAR).

(iii) Description of Articles or Services Offered: Cooperative logistics supply support arrangement (FMSO II) for follow-on spares and supplies to support aircraft and other systems and subsystems of U.S. origin being operated by the Saudi armed forces.

(iv) Military Department: Air Force (KBP, Amendment No. 1).

(v) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vi) Sensitivity of Technology Contained in the Defense Articles or Defense Services Proposed to be Sold: None.

(vii) Section 28 Report: Case not included in Section 28 report.

(viii) Date Report Delivered to Congress: November 30, 1981.

POLICY JUSTIFICATION

SAUDI ARABIA—COOPERATIVE LOGISTICS SUPPORT ARRANGEMENT

The Government of Saudi Arabia has requested the purchase of a cooperative logistics supply support arrangement (FMSO II) for follow-on spares and supplies to support aircraft and other systems and subsystems of U.S. origin at an estimated cost of $27 million.

This sale is consistent with the stated U.S. policy of assisting other nations to provide for their own defense by allowing the transfer of reasonable amounts of defense articles and services. It will demonstrate the continuing willingness of the U.S. to support Saudi Arabia which is an important force for moderation in the region.

This cooperative logistics supply support arrangement is necessary to ensure an uninterrupted flow of spare parts to support the Saudi F–5, F–15, and C–130 aircraft and other systems and subsystems of U.S. origin. Saudi Arabia will have no difficulty in absorbing the articles.

The sale of this equipment and support will not affect the basic military balance in the region.

Procurement of these items will be from the many contractors providing similar items to the U.S. forces.

Implementation of this sale will not require the assignment of any additional U.S. Government or contractor personnel to Saudi Arabia.

There will be no adverse impact on U.S defense readiness as a result of this sale.

DEFENSE SECURITY
ASSISTANCE AGENCY,
Washington, D.C., November 30, 1981.

Hon. CHARLES H. PERCY,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Arms Export Control Act, we are forwarding herewith Transmittal No. 82–08 and under separate cover the classified annex thereto. This Transmittal concerns the Department of the Navy's proposed Letter of Offer to Indonesia for defense articles and services estimated to cost $20 million. Shortly after this letter is delivered to your office, we plan to notify the news media of the unclassified portion of this Transmittal.

Sincerely,

ERICH F. VON MARBOD,
Director.

TRANSMITTAL NO. 82–08

(Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b) of the Arms Export Control Act)

(i) Prospective Purchaser: Indonesia.

(ii) Total Estimated Value:

	Million
Major Defense Equipment*	$18
Other	2
Total	20

*As included in the U.S. Munitions List, a part of the International Traffic in Arms Regulations (ITAR).

(iii) Description of Articles or Services Offered: Forty-eight Mark 46 Mod 2 torpedoes and related support equipment.

(iv) Military Department: Navy (AAM).

(v) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:

(vi) Sensitivity of Technology Contained in the Defense Articles or Defense Services

Proposed to be Sold: See Annex under separate cover.

(vii) Section 28 Report: Included in report for quarter ending September 30, 1981.

(viii) Date Report Delivered to Congress: November 30, 1981.

POLICY JUSTIFICATION

INDONESIA—MARK 46 MOD 2 TORPEDOES

The Government of Indonesia has requested the purchase of 48 Mark 46 Mod 2 torpedoes and related support equipment at an estimated cost of $20 million.

This sale will contribute to the foreign policy objectives of the United States by strengthening the naval capabilities of a friendly country. As an island country, naval defense is an important element of Indonesia's overall national security posture.

Indonesia intends to deploy these torpedoes aboard its U.S.-origin destroyer escorts and Dutch-origin corvettes to enhance their effectiveness against surface units and submarines.

The sale of this equipment and support will not affect the basic military balance in the region.

The prime contractor will be the Honeywell Corporation of Hopkins, Minnesota.

Implementation of this sale will not require the assignment of any additional U.S. Government or contractor personnel to Indonesia.

There will be no adverse impact on U.S. defense readiness as a result of this sale.

DEFENSE SECURITY ASSISTANCE AGENCY,
Washington, D.C., November 30, 1981.

Hon. CHARLES H. PERCY,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Arms Export Control Act, we are forwarding under separate cover Transmittal No. 82-09, concerning the Department of the Navy's proposed Letter of Offer to Australia for defense articles and services in excess of $25 million. Shortly after this letter is delivered to your office, we plan to notify the news media of the unclassified portion of this Transmittal.

Sincerely,

ERICH F. VON MARBOD,
Director.

POLICY JUSTIFICATION

[Deleted.]

[Deleted.]

As an ally under the ANZUS Treaty, Australia plays a major role in assuring the stability of Southeast Asia and the South Pacific and is strategically located with respect to the Indian Ocean. Therefore, the United States has cooperated in improving Australia's military capability through foreign military sales, logistics agreements, and combined exercises.

[Deleted.]

The sale of this equipment and support will not affect the basic military balance in the region.

The prime contractor will be the McDonnell-Douglas Corporation of St. Louis, Missouri.

Implementation of this sale will not require the assignment of any additional U.S. Government or contractor personnel to Australia.

There will be no adverse impact on U.S. defense readiness as a result of this sale.

DEFENSE SECURITY ASSISTANCE AGENCY,
Washington, D.C., December 1, 1981.

Hon. CHARLES H. PERCY,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D. C.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Arms Export Control Act, we are forwarding under separate cover Transmittal No. 82-11, concerning the Department of the Navy's proposed Letter of Offer to Japan for defense articles and services estimated to cost in excess of $25 million. Shortly after this letter is delivered to your office, we plan to notify the news media of the unclassified portion of this Transmittal.

Sincerely,

ERICH F. VON MARBOD,
Director.

TRANSMITTAL NO. 82-09

(Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b) of the Arms Export Control Act)

(i) Prospective Purchaser: Australia.

(ii) Total Estimated Value:

Major Defense Equipment*------	[Deleted]
Other ----------	[Deleted]
Total ----------	[Deleted]

*As included in the U.S. Munitions List, a part of the International Traffic in Arms Regulations (ITAR).

(iii) Description of Articles or Services Offered: [Deleted].

(iv) Military Department: Navy (AQ).

(v) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vi) Sensitivity of Technology Contained in the Defense Articles or Defense Services Proposed to be Sold: See Annex under separate cover.

(vii) Section 28 Report: Included in report for quarter ending 30 September 1981.

TRANSMITTAL NO. 82-11

(Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b) of the Arms Export Control Act)

(i) Prospective Purchaser: Japan.

(ii) Total Estimated Value:

Major Defense Equipment*------	[Deleted]
Other ----------	[Deleted]
Total ----------	[Deleted]

*As included in the U.S. Munitions List, a part of the International Traffic in Arms Regulations (ITAR)

(iii) Description of Articles or Services Offered: [Deleted.]

(iv) Military Department: Navy (AFE).

(v) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vi) Sensitivity of Technology Contained in the Defense Articles or Defense Services Proposed to be Sold: See Annex under separate cover.

(vii) Section 28 Report: Included in report for quarter ending 31 March 1981.

(viii) Date Report Delivered to Congress: 1 December 1981.

POLICY JUSTIFICATION

[Deleted.]

[Deleted.]

This sale will further the close mutual security relationship between Japan and the United States by contributing to commonality and interoperability. The mutual security relationship is governed by the 1960 U.S.-Japan Treaty of Mutual Cooperation and Security, and is a vital factor in the political stability of the Pacific Ocean area.

[Deleted.]

The sale of this equipment and support will not affect the basic military balance in the region.

[Deleted.]

Implementation of this sale will require the assignment of one additional U.S. Government employee to Japan.

There will be no adverse impact on U.S. defense readiness as a result of this sale.●

SOCIAL SECURITY: OUR SOLEMN COMPACT WITH THE ELDERLY

● Mr. SASSER. Mr. President, many of us have followed with great interest the meeting of the White House Conference on Aging this week. Today marks the close of the conference. And it reflects more than 2 years of preparation and the countless hours of thousands of citizens and volunteers.

I know that in the weeks ahead we will have ample opportunity to review the positions taken by the conference delegates. And we will have time, I hope, to act on some of the recommendations made by the delegates.

I would like to note for the RECORD, actions taken by one of the conference committees on December 2. The Social Security Committee adopted almost unanimously a resolution opposing any reductions in social security benefits for current recipients. The resolution also calls on the Congress and the administration to resist reductions in current benefit levels for future beneficiaries.

I am sure that all of my colleagues can remember when the administration earlier this year recommended painful cutbacks in social security benefits for both current and future recipients, far more than was needed to solve any problem. The Congress immediately and overwhelmingly rejected these ill-timed and ill-conceived recommendations. Even the administration finally realized their error, and backed away from these proposals.

Today, we are told over and over again that social security benefits will not be subjected to the future entitlement cuts to be announced early next year. The President himself went before the conference of aging delegates and promised them that "social security can and will be saved."

Congress has already approved legislation to guarantee the financial solvency of the social security system in the short term.

And, the administration now says that it will wait until 1983 for the recommendations of a 15-member commission on how to solve social security's financial problems.

We must not forget the needs of our older citizens, and we must not forget our contract with our senior citizens to provide social security in their retirement years.

More older Americans live in poverty today than 2 years ago. We owe our elderly, as Franklin Roosevelt said, a "measure of protection * * * against poverty-ridden old age."

Mr. President, we must not disrupt the retirement hopes and dreams of our older people.

I want the administration in 1983 to remember the promises they have made to the elderly in 1981. And I want the administration to understand that neither the Congress nor the people of this country, young or old, will permit the old and disabled retired worker to bear the brunt of this effort to reduce the budget.

That is why we rejected the May 12, recommendations for the social security program proposed by the administration.

Lest we all forget the dramatic impact of those proposals, I ask that the May 12 proposal be inserted in the RECORD.

The material follows:

PROVISIONS OF THE SOCIAL SECURITY PROPOSAL

I. Changes to encourage work between 62–65:

Change benefit computation point from age 62 to 65.—The benefit formula treats early retirement the same as waiting until age 65. After 65, there is an annual incentive to continue working. Early retirees at 62 get 80 percent of what they would get at 65.

Proposal would discourage early retirement by assigning zero value to the age 62–64 period, thus reducing benefits in such cases while rewarding those who elect to work until age 65. This returns the program to the formula used before the age of retirement for women was lowered to 62 in 1956.

Reduce benefits for early retirement.—Workers electing early retirement at 62 now receive benefits equal to 80 percent of what they would receive if they delayed retirement to age 65.

Proposal would reduce early retirement benefits to 55 percent of the maximum, thus strongly encouraging workers to remain in the work force until age 65.

II. Change to reduce opportunity for "windfall" benefits:

Eliminate "windfall" benefits for non-covered employment.—The benefit formula now makes it possible for a person, such as a retired Federal employee, who enters Social Security-covered employment for only a few years to receive disproportionately high benefits, in some cases exceeding those paid to low-wage earners who have spent a lifetime in covered employment.

Proposal would have formula take pension resources from non-covered employment into account in such cases, thus sharply lowering the Social Security benefit in such cases.

III. Changes to relate disability insurance closer to work history and medical condition:

Require "medical only" determination of disability.—Workers can now qualify for disability benefits on combinations of medical and non-medical factors, such as age, education and work experience. More than one-third of disability cases age 60 to 65 involve non-medical factors.

Proposal would limit qualification to medical factors alone, thus restoring program to original purposes.

Increase waiting period of six months.—Under a 1972 liberalization of the program, the waiting period for disability benefits was reduced from six to five months on the assumption that ample funds would be available.

Proposal would restore the six-month waiting period previously in law. This conforms to the terms of most private disability insurance programs.

Require prognosis of 24-plus months of disability.—Workers now seeking disability benefits must show only that disability claimed will exceed 12 months or will result in death. The 12-month test, enacted in 1965, replaced a test of "long-continued and indefinite duration" in prior law.

Proposal would restore the original intent of the law, requiring that the prognosis of disability be of long duration, at least 24 months, a more reasonable definition of disability.

Increases requirement for insured status to 30 quarters.—Workers may now qualify for disability benefits even if they have been in the work force only 20 out of the past 40 quarters. Therefore a person could be out of covered employment for 5 years and still qualify.

Proposal would set the minimum at 30 out of the past 40 quarters, thus more closely tying benefits to the principle that they are replacement for wages recently lost.

IV. Changes to reduce welfare elements:

Eliminate children's benefits in early-retirement cases.—Children under 18 or under 22 if in school are now eligible for benefits on the basis of a retired parent's wage record. Thus a retiree with a child receives a dependent's benefit, whereas a retiree with no children gets only his own benefit.

Proposal would end this inequity in early-retirement cases and thus encourage the worker to continue work until 65.

Extend disability maximum family benefit to retirement and survivors cases.—Benefits for families of retired and deceased workers can now actually exceed that worker's net take-home pay.

Proposed would extend the maximum limitation benefits to families in disability cases enacted in 1980 to retirement and survivor cases. This would return the program closer to its original purpose as a "floor" of protection.

V. Other amendments for short-term:

Increase bend points by 50 percent instead of 100 percent of wage increases for 1982–87.—In 1977, the "bend points" (dollar amounts referred to in the weighted benefit formula) were made subject to automatic wage indexing. This change was adopted in legislation intended in part to offset the cost impact of earlier legislation and the faculty benefit computation procedure adopted in the 1972 amendments. However, benefit levels today remain disproportionately high (by about 10 percent) compared with the pre-1972 levels.

Proposal would restore the traditional relative benefit levels for future beneficiaries by increasing the "bend points" by 50 percent (instead of 100 percent) of increases in average wage earnings for the years 1982–87, after which the 100 percent factor would be restored to the formula.

Move date for automatic benefit increases from June to September and use 12-month CPI average.—Under the 1972 amendments (as modified in 1974), annual Social Security benefit increases have been automatic such June (payable beginning in July). The increase is based on changes in the Consumer Price Index as measured between the first quarter of the current calendar year and the corresponding quarter of the preceding year, a provision which can unduly inflate or deflate the increase, depending on economic conditions in those quarters.

Proposal would correct the anomaly of having benefit increases initiated on the pre-1976 Federal Fiscal Year basis and change the CPI computation to cover a full year (July–June) period, thus making the measurement a more accurate reflection of economic trends and measuring living costs in a period ending closer to the initiation of benefit increases.

VI. Change in coverage:

Extend coverage to first six months of sick pay.—Most sick pay is not taxed due to complex exclusion which forces employers to track sick pay on daily, even hourly basis, and leads some to unwittingly break the law.

Proposal would extend tax to all sick pay during first six months of an employee's illness. This would eliminate the administrative burden and would treat sick pay in the same way as vacation pay.

VII. Phase out retirement earnings test by 1986:

Under current law, 1981 Social Security benefits payable to persons aged 65 through 71 are reduced by $1 for each $2 of annual earnings in excess of $5,500, a level which rises each year in relation to average wage earnings. However, benefits are not reduced for those aged 72 and over (70 and over beginning in 1982).

Proposal would phase out the retirement test over a three-year period, permitting $10,000 in earnings in 1983, $15,000 in 1984, $20,000 in 1985 and unlimited earnings thereafter.

VIII. Reduce long-range social security taxes: Assuming enactment of these proposals, and those introduced in the Administration's Budget proposals, it will be possible to lessen the Social Security tax increase now scheduled for 1985 and to actually decrease Social Security taxes below the current level in 1990. (See chart below). Note that while an increase will again become necessary in 2020 due to the aging of the population, the rate will still be lower than the 1990-and-after rate scheduled under current law.

SOCIAL SECURITY TAX RATES UNDER PROPOSAL—TAX SCHEDULE

[In percent]

Period	Present law	Proposal	
		Under budget assumptions	Under worst-case assumptions
1981	6.65	6.65	6.65
1982–84	6.70	6.60	6.70
1985	7.05	6.45	6.95
1986–89	7.15	6.45	7.05
1990–2019	7.65	6.45	6.45
2020 and after	7.65	7.55	7.55

COST ANALYSIS OF EFFECT OF VARIOUS SOCIAL SECURITY OPTIONS

[Positive numbers indicate savings; negative numbers indicate added costs or amounts needed to meet cost of present program]

Item	Short-range effect, CY 1982–86 [a]	Long-range effect [b]	
Status of present system, deficit	−$11.0	(−110.8)	−1.52% (100%)
Effect of budget proposal	35.5	(36.8)	.20 (15)
Status of program after budget proposals enacted		(−74.0)	−1.32 (87)
PROPOSAL			
(1) Cover sick pay in 1st 6 mo	2.6	(2.6)	.02 (1)
(2) Change computation points for average indexed monthly earnings from age 62 to age 65	1.3	(1.4)	.39 (26)
(3) Increase bend points in primary benefit formula by 50 percent (instead of 100 percent) of wage increases, 1982–87	4.2	(4.7)	1.30 (86)
(4) Benefit rate of 55 percent of primary benefit for retired workers (and 27½ percent for spouses) at age 62	17.6	(20.3)	.85 (56)
(5) Eliminate benefits for children of retired workers aged 62–64	1.9	(2.0)	.02 (1)
(6) Disability maximum family benefit applicable to survivor and retirement cases	2.9	(3.3)	.10 (7)
(7) Eliminate windfall portion of benefits for persons with pensions from noncovered employment	.6	(.6)	.10 (7)
(8) Require "medical only" determination of disability (i.e., exclude vocational factors)	7.7	(9.0)	.06 (4)
(9) Increase disability waiting period from 5 mo to 6 mo	1.4	(1.5)	.03 (2)
(10) Require disability prognosis of 24+ mo duration (instead of 12+ mo)	2.8	(3.4)	.07 (5)
(11) Require 30 QC out of last 40 quarters for disability benefits (instead of 20/40)	10.0	(11.5)	.21 (14)
(12) Move date for automatic benefit increases from June to September (and use 12-mo average)	6.3	(27.8)	.14 (9)
(13) Raise retirement-test exemption for age 65+ to $10,000 in 1983, $15,000 in 1984, $20,000 in 1985, and eliminate test in 1986	−6.5	(−7.4)	−.14 (−9)
Total effect	[d] 46.4	(75.0)	2.86 (188)

In billions. Figures in parentheses are based on "worst case" assumptions; other figures are based on the expected economic assumptions (those in the President's Budget).

Average-cost over 75-year period, in percentage of taxable payroll. Figure in parentheses long-range effect of this item as **percentage of actuarial deficiency of present program.**

Amount necessary to restore "financial **soundness of program over the long range."**

Including effect of additional net income to Hospital Insurance program.

ESTIMATED SHORT-RANGE EFFECT OF PROPOSAL AS COMPARED WITH PRESENT LAW, FUND RATIOS AT START OF YEAR [a]

[In percent]

Calendar year	Expected economic conditions		Worse-case economic conditions	
	Present law	Proposal	Present law	Proposal
1981	23	23	23	23
1982	21	22	21	22
1983	18	23	16	22
1984	16	25	[b] 6	19
1985	14	28	(c)	17
1986	16	30	(c)	18
1987	22	[d] 35	(c)	[e] 21

Balance in combined Old-Age and Survivors Insurance Trust Fund, and Hospital Insurance Trust Fund at beginning of year as percentage of outgo from trust funds in coming year (i.e., assumes availability of inter-fund borrowing).

Funds have insufficient balance to pay monthly benefits (actually, this situation would occur several months earlier).

Funds exhausted.

By 1990, the fund ratio would be about 50%.

By 1990, the fund ratio would be about 30%, and by 1995 it would be about 50%.

YEAR-BY-YEAR COST ANALYSIS OF PROPOSAL

[In billions]

Calendar year	Proposal	
	Under expected economic assumptions	Under worst-case economic assumptions
1981	$0.9	$0.9
1982	9.1	11.3
1983	11.8	16.2
1984	15.7	21.7
1985	20.5	28.1
1986	23.9	33.6
1981-86	81.9	111.8

ILLUSTRATIVE BENEFITS FOR WORKERS RETIRING AT AGES 62 AND 65 UNDER PROPOSAL AND UNDER PRESENT LAW [a]

Earnings category [b]	Present law	Proposal
Age 62 at retirement in January 1982:		
Low	$247.60	$163.90
Average	372.80	246.80
Maximum	469.60	310.50
Age 65 at retirement in January 1982:		
Low	355.30	355.30
Average	535.40	535.40
Maximum	679.30	679.30
Age 62 at retirement in January 1987:		
Low	384.40	225.20
Average	580.70	348.30
Maximum	755.60	430.00
Age 65 at retirement in January 1987:		
Low	477.10	447.40
Average	719.00	691.90
Maximum	942.80	860.30

[a] Includes effect of (1) 55 percent benefit rate (instead of 80 percent) for retirement at age 62, (2) age-65 computation point (instead of age 62) for all ages at retirement, and (3) increasing bend points in primary-benefit formula by 50 percent (instead of 100 percent) of wage increases in 1982–87. Benefit amounts are for worker only. Worker is assumed to reach exact age shown in January.

[b] "Low earnings" are defined as the Federal Minimum Wage in each past year, and the 1981 Minimum increased by the change in average wages in future years. "Average earnings" are defined as the average wage for indexing purposes in each year. "Maximum earnings" denote the contribution and benefit base in each year.

Assumptions:

(1) Worker entered covered employment in 1956 and worked steadily thereafter.

(2) Future earnings (for retirement in 1/87) follow trend under intermediate assumptions in 1980 Trustees Report.●

RUSSIAN DAY OF SORROW

Mr. DOLE. Mr. President, on November 7, 1981, the rulers of the Soviet Union celebrated the 64th anniversary of the "Great October Socialist Revolution." As has been their practice in the past, the Soviet leaders proclaimed their devotion to world peace, at the same time parading before its citizens and the rest of the world an array of military hardware that goes far beyond the defensive needs of the motherland. The anniversary celebration was also accompanied by the usual self-congratulatory announcements touting the alleged economic and social progress achieved under Soviet rule, progress that any knowledgeable Soviet citizen would tell you, were he or she free to speak freely, is nothing more than a cruel hoax perpetrated for over half a century on a suffering Russian people and the captive nations of communism.

In mentioning this notable, yet less than fortunate event, I would like to quote from a recent press release from the Congress of Russian-Americans:

On this tragic anniversary of the Bolshevik takeover in Russia, the Congress of Russian Americans reiterates its continued concern for the condition and destiny of all people living under Communist rule. Sixty-four years ago a tragedy occurred which scarred not only the Russian nation but also the entire free world: Lenin and his minority party overthrew the democratic provisional Government of Russia. Two months later the Bolsheviks dissolved the freely elected constituent assembly, in which they had polled only 25% of the vote and renamed the nation the Union of Soviet Socialist Republics.

Despite the bitter struggle waged in the ensuing civil war, which lasted more than three years and was followed by numerous peasant and worker uprisings against Communist domination, Lenin and his successors were able to consolidate their iron hold over the people that make up the U.S.S.R. Moreover, since World War II, Communist leaders have added to their empire most of Eastern Europe. This tyranny has caused millions of deaths and untold suffering in the prisons and concentration camps of the Gulag Archipelago, and has kept life at a subsistence level for most of the population.

The Soviet build-up of armaments in conjunction with foreign policy aimed at spreading the Communist system wherever possible has caused the threat of world war to hang over the United States and the free world for several decades. Furthermore, unsolicited Soviet meddling in the affairs of the devoloping nations continues to cause serious foreign policy problems faced by the United States and its allies.

For sixty-four years Russian immigrants have repeatedly warned the world of the dangers of communism. Too often they have been not only misunderstood, but even mistaken for Communists. As a result, the word "Russian" has ironically become synonymous with the words "Soviet" and "Communist". Moreover, despite being the first and foremost victim of communism, the Russian nation is not even included on the list of captive nations.

Thus, in light of the ever-increasing threat of Communist domination we appeal to all people of good will to join us in condemning the inhuman and evil nature of communism, reminding ourselves of all the people deprived of their basic human rights, defending those persecuted for their religious beliefs and praying for the souls of the millions of victims of Communist terror in all captive nations.

DAY OF SORROW DECLARED

Mr. President, in concluding, I would note that at the behest of the Congress of Russian-Americans, the Governors of the States of New York, Pennsylvania, New Jersey, and Michigan have declared November 7, 1981, to be a "Day of Sorrow" and have urged our American citizens to become fully aware of the dangers inherent in a Communist form of government. I commend these gentlemen in calling to our attention once again the threat that communism presents, not only to these United States, but to all the peoples of the free world.●

ARMS SALES TO PAKISTAN

● Mr. MOYNIHAN. Mr. President, yesterday's New York Times carried a story that is as disturbing as it was predictable. It was inevitable from the outset that shortly after Congress approved the administration's proposal to sell 40 F–16 fighter bombers to Pakistan, which it did on November 21, the Times would run a story with the headline: "India Says It Will Counter Arms Sale to Pakistan."

Now we have the story, along with the accelerated arms race on the Indian subcontinent that was, that is, the only possible effect of this decision to sell Pakistan fighter bombers with which it can attack all the major cities of India. There could be no other result, as the Senate was forwarned.

On October 28, during the debate on the sale of AWACS and the F–15 enhancement package to Saudi Arabia, I pointed out that the two arms transfers are related. I said then:

Pakistan is building a nuclear weapon, very likely with much financial help from Libya, and also from Saudi Arabia. The Pakistanis have close contacts with the Saudis, and already supply much of the technical competence of the Saudi military, it being a common practice in that region for dynasties to engage warriors of distant tribes for their own defense. Or offense. The British in their time mastered this technique.

Pakistan will get its bomb, from Libya, as it were, and 40 F–16 fighter-bombers to deliver the weapon from the United States, if another proposal of the present administration comes to fruition. This creates a strategic nuclear power, lacking only the fighter protection required to strike in any direction on the compass. The Saudi F–15s—with Sidewinder missiles, long-range fuel tanks, and the AWACS command and control guidance function—provide fighter protection. No nation anywhere in the region is any longer secure.

This sequence would take several years, and several coups, but these are plausible, even predictable. It is equally predictable that India will go to war to prevent the final consummation of the nuclear force.

Though the U.S. Government may be unwilling or unable to perceive the natural and inevitable consequence of a foolhardy arms transfer program, others do perceive it, the Indians surely appreciate it.

On November 21, when the Senate discussed and then set aside a resolution of disapproval of the F–16 sale to Pakistan which I had cosponsored, I engaged in a short colloquy on this subject with the distinguished Senator from Oregon (Mr. HATFIELD). One exchange followed a statement by the Senator from Oregon to the effect that he had received certain confidential assurances from the Secretary of State that alleviated some of his concerns about the wisdom of selling F–16's to Pakistan. I insert a portion of that colloquy in the RECORD at this point:

Mr. MOYNIHAN. Will the majority leader yield for a moment? Before the Senator from Oregon leaves the floor, may I ask him two questions?

First, did the Secretary of State, in his bizarre behavior of sending you a confidential letter about public policy, on which the U.S. Congress had expressed itself by statute, assure you that Pakistan is not building a nuclear weapon? You might have noticed the article in yesterday's New York Times about the seizure, on October 31, of an illegal shipment of zirconium, a key metal used in the construction of nuclear weapons, to Pakistan. Second, did the distinguished Senator ask—and did the Secretary tell the Senator—if the administration had made any effort to obtain a commitment from the Pakistani Government that these weapons would not be used against India? It is inconceivable from the point of view, of New Delhi, that they would not be.

There have been two Indo-Pakistani wars in this generation. In both cases, Pakistanis invaded India with American weapons that they had been given to fight Russians. They have never yet fought a Russian. They keep fighting the Indians. And they keep getting whipped.

Mr. HATFIELD. To respond to the Senator, we did not explicitly get into that part of the issue. I did again raise that issue in conversation with the representatives of the Secretary, that two-thirds of the Pakistani Army today is not on the Afghanistan border; it is on the Indian border.

Mr. MOYNIHAN. On the Punjab border.

May I make a point? We necessarily think of the world from the part of it we occupy. And that is normal. But we are a world power and are obligated to know what we are doing in other places.

Let me offer you a scenario. Pakistan has produced a nuclear weapon. That weapon is delivered by an F–16. We have unwittingly given Saudi Arabia, which has close military contact with Pakistan, the F–15, the AWACS, and the sidewinders to protect the bombing missions. That is a nuclear weapons force.

The Pakistanis are financing the establishment of the nuclear weapons force with Saudi money. The Pretorian Guard in Jidda is Pakistani. That government of 2,000 cousins, as the distinguished ranking minority member of the Foreign Relations Committee described it, certainly would not want itself protected by its own country.

We are giving the Saudis and the Pakistanis together a nuclear weapons system, and I am sorry to tell you that before it is consummated, the Indians will go to war. We will have a nuclear war in the subcontinent.

In his confidential letter, did Secretary Haig raise the thought? I just put it to you: We do not know what it looks like out there.

I am not sympathizing with the Indians. When that bomb went off in 1974, I was in New Delhi serving as our Ambassador. I recall saying to the Foreign Secretary and to the Prime Minister, "You have just done something disastrous. You have absolute hegemony in South Asia today, and yet you set off this bomb." The day will come in 10 years' time when there will be a mogul general in power in Islamabad and he will call you up one day and say, "I have four bombs, one for Madras, one for Calcutta, one for Bombay, and one for New Delhi. We would like to have the Punjab and Kashmir back by Thursday, or we'll all meet in Heaven on Friday."

That is geopolitics for you.

Mr. HATFIELD. I thank the Senator.

That was on November 21. According to yesterday's Times, the Deputy Defense Minister of India, Mr. Shivraj Patil, has now said Indian is increasing its own military preparedness because of the sale, "acting swiftly and in a planned manner." Does that not suggest at least that some form of military confrontation is envisioned, if the date has not yet been set?

Mr. President, I insert the Times story to which I have referred in the RECORD:

INDIA SAYS IT WILL COUNTER ARMS SALE TO PAKISTAN

(By Michael T. Kaufman)

NEW DELHI, December 1.—A Defense Ministry official told Parliament today that India was increasing its military preparedness because of the American sale of F–16 fighters and other sophisticated arms to Pakistan.

"We are acting swiftly and in a planned manner," said the official, Deputy Defense Minister Shivraj Patil, who declined to spell out specific steps during testimony before the upper house of Parliament.

His appearance came after considerable drum-beating, including a warning by Prime Minister Indira Gandhi that American military links to Pakistan were creating war clouds. Mr. Patil's comments, however, were the clearest public expression of Indian anxiety since the United States Congress endorsed the arms sale last month.

Mr. Patil essentially echoes the public Indian view that the presence of 40 F–16 fighters and other sophisticated equipment in Pakistan will alter the military balance that has kept the peace between India and Pakistan for the last 10 years. Privately, some Indian foreign policy experts concede that they think the political dangers of a restored arms-supply relationship between Pakistan and the United States are far greater than the military risks to India's vastly larger military machine.

Nonetheless, Mr. Patil, striking a note of grave concern if not alarm, declared that the transfer of the jet fighters, communications systems and tanks in the $3.5 billion package involved "the induction into this region of a class of armament at least a generation ahead of anything operating with the other armed forces of the subcontinent."

Contrary to reports from Washington and Islamabad that the F–16's would be delivered gradually over several years, Mr. Patil declared that the planes were likely to begin arriving "very soon." He said: "I think the delivery could be any time. Beyond this I can't say anything."

Mr. Patil also repeated the assertions of Mrs. Gandhi that the quantity and quality of arms being sought by Pakistan could not be intended to repel any Soviet incursions from Afghanistan. "The arms appear far in excess of Pakistan's legitimate defense requirements," Mr. Patil said. He said the Government had told Pakistan it was disturbed by the arms sale.

Mr. Patil said India's desire to buy still-experimental Mirage 2000 jet fighters from France was independent of Pakistan's arms purchase and he dismissed the contention of one member of Parliament that India's defense policies seemed reactive.

He also denied the burden of another question by saying that the Government was not trying to create insecurity among Indians by indicating that war was inevitable. "But we are definitely trying to keep them ready for any eventuality," he added.

In Pakistan, Government officials expressed fears last month that India would be tempted to use the arms purchase as a pretext to attack Pakistani installations to humiliate the country and deflect any resurgence of military might.

The long-range implications of Pakistan's being supported by the wealthy Islamic states of the Persian Gulf and drawing closer to Washington are what Indian diplomats privately find upsetting.

Meanwhile, the Pakistanis, in an attempt to draw international attention to what they regard as Indian belligerence, have offered to discuss an agreement against war with India. At first this offer was dismissed by India on the ground it had not been tendered in a serious form. More recently, Indians have declared that they proposed such a pact in 1949 and that although Pakistan spurned the gesture then, the proposal still stood.

OPPOSITION TO THE GENOCIDE TREATY

Mr. GRASSLEY. Mr. President, today, the distinguished Senator from South Carolina, Senator THURMOND, testified before the Senate Committee on Foreign Relations in opposition to ratification of the Convention on the Prevention and Punishment of the Crime of Genocide.

Senator THURMOND's testimony should be of interest to the Senate in providing an analysis of the legal and Constitutional defects of the proposed Genocide Convention.

The Genocide Convention has been before the Senate for 32 years and has never received Senate approval, but Senator THURMOND's testimony will be beneficial, in my judgment, especially to new Members who may not be fully familiar with the many defects of the treaty even though these defects have been repeatedly brought to the attention of the Senate in years past.

I ask that Senator THURMOND's testimony be printed in the RECORD.

The testimony follows:

STATEMENT BY SENATOR STROM THURMOND

Vietnam over the past several years has reportedly used poison gas is a large-scale attempt to exterminate several anti-Communist tribal groups. On June 9, 1981, Vietnam became party to the Convention on the Prevention and Punishment of the Crime of Genocide—the Genocide Treaty.

The point is this: The Genocide Treaty, where it should restrain atrocity is not observed, and where it would be observed, it is unnecessary. In the barbaric nations of the world, the treaty is given lip-service. In our civilized free republic, the treaty would be followed to the letter and could thus harm irreparably the fabric of our Constitutional system.

I welcome the opportunity to testify

against the Genocide Treaty because, in my view, the time has come for the President to request the rturn of the treaty so that the Senate will not year-after-year face needlessly an issue which has already been effectively resolved and which is wasting the time of this institution to no good purpose whatsoever.

I have today written to the President to express that opinion, and I am hopeful that he will request the return of the treaty without further delay. Thirty-two years of Senate consideration is long enough.

In my view, the individuals who seek Senate consent to ratification of the Genocide Treaty do not understand the legal effect of such action in terms of the domestic law of the United States.

Unlike many other nations of the world, our Constitution provides that an international treaty shall become "the supreme law of the land" and shall have the status of supreme law for all purposes of domestic law in binding the conduct of American citizens and the States. In our Federal system, a treaty does much more than simply to bind the international conduct of the Federal government as a contracting state.

In the United States, the Genocide Treaty would become both an international contract between the United States and other contracting states, and it would become binding domestic law which would immediately supersede all law and practice inconsistent with the treaty. The treaty, being later in time, would nullify all provisions of Acts of Congress and of all prior treaties of the United States which were inconsistent with the provisions of the Genocide Convention.

I am confident that virtually all Americans abhor even the thought of genocide. Every thoughtful American should, however, analyze the actual effect that the Convention would have within the United States, if the Senate makes the error of consenting to its ratification and if the President thereafter proceeds to ratify the agreement and thus causes it to become law.

Controversy surrounds almost all of the nineteen separate articles of the Convention. I will deal here with a few major points.

Article I states: "The contracting parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish."

Article IV provides: "Persons committing genocide or any of the other acts enumerated in article III shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals."

Article III specifies: "The following acts shall be punishable:

(a) Genocide;

(b) Conspiracy to commit genocide;

(c) Direct and public incitement to commit genocide;

(d) Attempt to commit genocide;

(e) Complicity in genocide."

Questions concerning fundamental concepts naturally arise as a first issue.

The 1973 Senate Foreign Relations Committee report states that genocide would simply be added to a list of other agreements such as "the protection of submarine cables . . . and anti-social conduct like slave trading." That statement is a dangerous and erroneous oversimplification.

The Convention would create a series of new crimes as the supreme law of the United States. Under the Constitution these new crimes would "be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding."

Matters concerning fundamental criminal conduct involving murder or conspiracy to commit murder should be primarily a matter of State domestic jurisdiction. The use of the treaty-making power in this area is inappropriate. In effect, the Convention would continue the policy made possible by the Supreme Court in its decision in *Missouri* v. *Holland*, 252 U.S. 416, in which the Court held that State powers could be transferred to the Federal government through the treaty-making process as a *de facto* method of amending the Constitution.

Moreover, the Convention, if ratified, would nullify Article II, Paragraph 7, of the Charter of the United Nations which expressly prohibits that organization from intervening in matters within the domestic jurisdiction of a country by the method of making treaties on domestic subjects within the jurisdiction of member countries and, in the case of the United States, within the jurisdiction of either the Federal government or of individual sovereign States.

The treaty defines "genocide" as "acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such." Insofar as the specified acts are already prohibited by law when done against individuals, it is novel to contend that the nature of the crime changes when committed against the same individuals as a group.

In other words, under our common law tradition and, indeed, as part of our religious heritage, to murder one man, for whatever reason, is as inherently evil as to murder a group. That concept has done more in America to prevent genocide than any treaty could ever do. Ironically, the Genocide Treaty would erode that concept by implying that the life of a group, or of a group member, is somehow more valued than the life of an individual.

We should not wonder, then, that the term "genocide" is loosely thrown at the United States by Communist and Third World countries in the United Nations when those very countries have, by their own conduct, ignored the sacredness of individual life. Our society is built on respect for the individual, a respect which makes genocide impossible.

There are other less philosophical and more technical objections to the treaty.

For example, Article VI of the Convention would permit persons charged with genocide to be tried by "such international penal tribunal as may have jurisdiction with respect to those contracting parties which shall have accepted its jurisdiction." Admittedly, there is now no international penal tribunal of that type in existence, and it is unlikely that the United States would accept the jurisdiction of such an international tribunal should one be established.

However, the fact remains that if the Convention were ratified, a future Administration could agree to accept the jurisdiction of an international penal tribunal and American citizens could be called before that tribunal to answer for an international crime without any of the guarantees given a criminal defendant by the Constitution. Presumably, our courts would hold unconstitutional any proposal to send a person charged with a crime committed within the United States outside the country for trial, but that is a risk we ought not to take.

I am concerned, too, that Article VII provides as follows:

"Genocide and the other acts enumerated in article III shall not be considered as political crimes for the purpose of extradition.

"The Contracting Parties pledge themselves in such cases to grant extradition in accordance with their laws and treaties in force."

That Article would void the provisions found in most extradition treaties which allow the United States to refuse extradition for offenses determined to be of a political or military nature.

For example, a serviceman could be charged with the crime of genocide for fighting enemy soldiers in a country which had contracted with the United States for the extradition of American nationals. The extraditing state would assert that the soldier was guilty of genocide, and under the terms of the Genocide Convention, the United States would not be in a position to refuse extradition on grounds that the crime charged was a political or military offense.

There is also great potential for abuse of the terms of Article IX of the Convention. That Article provides that disputes between the contracting parties "including those relating to the responsibility of a state for genocide or for any of the other acts enumerated" must be submitted to the International Court of Justice at the request of any party to the dispute. Under that provision, Vietnam could have charged the United States with genocide in Vietnam and brought the issue before world public opinion using the forum of the International Court of Justice. Similiarly, the Soviet Union could allege that the murder or other act of violence against an individual member of a minority group within the United States constituted genocide, and wage an unfounded propaganda campaign, again using the International Court of Justice as a public forum.

The Committee also should consider carefully the potential impact of the provision of Article III which makes criminal "direct and public incitement to commit genocide."

During the hostage crisis in Iran, any number of Americans urged massive military action against Iran in retaliation for the hostage seizure. Regardless of the wisdom of that form of outcry, it was protected speech under the First Amendment of the United States Constitution.

Should the Genocide Treaty become supreme law, the incitement provision of Article III would, at a minimum, chill free speech in any area which might be interpreted by any contracting state as "incitement to commit genocide."

Using the incitement provision, Iran, as a contracting party, could have called the United States before the International Court of Justice for permitting editorial writers, citizens groups, and even individual citizens, the freedom to urge the bombing of Iran.

These, then, are some of many legal and political problems which ratification of the Convention would undoubtedly cause.

The Convention has proven ineffective where true genocide has been committed. Where there is no danger of genocide being committed, the Convention would only serve the enemies of freedom in their effort to propagandize against the United States and to disrupt our internal domestic liberties.

In preparing this statement, I was impressed by the testimony given in 1950 by Charles B. Rix, Vice Chairman of the Special Committee on Peace and Law of the American Bar Association. At that time, Mr. Rix stated that the Genocide Treaty would change the traditional concept of international law as the law of the relations of states to each other into the law of "relations of states and *individuals* in states, thereby imposing individual liability for international law and creating unknown individual rights."

The Genocide Convention is uncharted water alien to our free traditions and fundamentally dangerous to our sovereignty and unique institutions.

I urge no action on the Convention other than its return to the President without Senate consent.●

BILL KLING—OUTSTANDING ACHIEVEMENT IN RADIO

● Mr. HEFLIN. Mr. President, the Alabama State Legislature recently adopted a resolution honoring Bill Kling, Jr., of

Huntsville, Ala., for his outstanding achievements in radio broadcasting.

I have known Bill Kling, Jr., for a number of years and I know he is a man of the highest integrity and dedication to his chosen profession—that being a professional radio broadcast journalist. I wish to join the Alabama State Legislature in commending Bill Kling, Jr., for his outstanding achievements.

Bill is the news director of WLRH, public radio station in Huntsville, Ala., the high technology and space center of the South. Bill is a native Alabamian and a graduate of the journalism school at the University of Alabama.

Bill has won numerous awards for journalistic excellence, including the Alabama Sigma Delta Chi, society of professional journalists statewide radio news competitions for investigative reporting, spot news, and best documentary.

Bill has won the Troy State University's statewide Hector Award for public service newswork for the past 2 years.

Mr. President, I am very proud of this fine young man from my home State. His achievements and dedication to hard work and accuracy make him most worthy of the honor bestowed upon him by the Alabama State Legislature.

Mr. President, I ask that the resolution adopted by the Alabama State Legislature, HJR 19, be printed in the RECORD.

The resolution follows:

ALABAMA STATE LEGISLATURE—H.J. RES. 19

Whereas, Bill Kling, Jr., News Director of WLRH Public Radio in Huntsville, is a state employee; and

Whereas, Bill Kling, Jr., is a native born Alabamian; and

Whereas, Bill Kling, Jr., is the senior full-time radio news reporter in Huntsville; and

Whereas, Bill Kling, Jr., airs live broadcasts of the annual public forum that the Huntsville-Madison County Legislative Delegation holds prior to the regular session of the Alabama Legislature; and

Whereas, Bill Kling, Jr., airs live radio broadcasts of the meetings of the Huntsville City Council; and

Whereas, Bill Kling, Jr., has won the Alabama Sigma Delta Chi statewide radio news competitions for "Investigative Reporting," "Spot News," and "Best Documentary"; and

Whereas, Bill Kling, Jr., has won Troy State University statewide "Hector" Award for Public Service newswork for the past two years; now therefore.

Be it resolved by the Alabama House of Representatives, That we hereby commend Bill Kling for outstanding achievement in radio broadcasting and for distinguished public service on behalf of the people of Huntsville and North Alabama.

Be it further resolved, That Mr. Kling receive a copy of this resolution in token of our praise and warm, personal regard.●

U.S. POPULATION

● Mr. PACKWOOD. Mr. President, I wish to report that, according to the latest U.S. Census Bureau approximations, the total population of the United States on December 1, 1981, was 230,327,647. This represents an increase of 200,037 since November 1, 1981. In 1 short month we have added enough people to our population to fill the entire city of Roanoke, Va., two times.

The final count of the 1980 census was 5 million more than what was anticipated. This has made any comparison between 1981 figures and 1980 figures difficult. I should be able to resume the yearly comparison in January.●

AMERICAN TUNA PROTECTION ACT

● Mr. WEICKER. Mr. President, on July 31 of this year I introduced S. 1564, the American Tuna Protection Act, along with 14 cosponsors. This legislation provides for the conservation and management of all tuna within the 200-mile economic zone established by the Fishery Conservation and Management Act (FCMA).

Last year Public Law 96-339 was enacted as an attempt to alleviate overfishing of Atlantic bluefin tuna by Japanese longliners. While this was an important first step it has not solved the problems caused by Japanese longlining in U.S. waters. It has not resulted in increased observer coverage of foreign longline fishing vessels as intended.

Further, annual reports to Congress, as provided for in the act, on the status of bluefin tuna stocks will not serve to increase our knowledge on the health of the stocks since the information would be available in any case.

S. 1564 will effectively address the multiple problems of dwindling Atlantic bluefin stocks, the incidental taking of large numbers of swordfish, marlin and sharks by Japanese longliners, the gear conflicts between U.S. commercial fishermen and Japanese longliners, and the problems of developing tuna fisheries in our trust territories. However, I understand there has been some misinterpretation of the intentions of this bill. I would like to take this opportunity to clearly state my position on a few important issues.

There can be no argument that stocks of bluefin tuna are gravely diminished in the western Atlantic. At a recent International Convention for the Conservation of Atlantic Tuna (ICCAT) Advisory Committee meeting, data was presented showing that stocks of 1-to-4-year-old bluefin have dwindled to one-twentieth of their 1960 levels. Since they spawn at age 6 to 10, fewer and fewer bluefin are reaching maturity. This is despite rigid controls imposed upon U.S. fishermen by the National Marine Fisheries Service (NMFS) limiting their take of bluefin.

Clearly, past attempts at conservation and management of bluefin tuna through ICCAT resolutions have been ineffective. This bill is not intended to supplant ICCAT but to assert jurisdiction over the tuna in our waters just as 87 other coastal nations have, including nearly every ICCAT member nation. In so doing, we will close a loophole in the FCMA and insure future stocks of tuna and billfish for tens of thousands of commercial and recreational fishermen along the Atlantic and Gulf coasts.

May I reiterate, Mr. President, that it is not our intent to forego international management of tuna. However, as a practical matter it is possible to significantly improve western Atlantic bluefin stocks by passing S. 1564 and curtailing the taking of bluefin from the U.S. 200-mile economic zone by foreign interests.

Bluefin congregate near our shores for spawning and feeding, thus making them easy to catch despite dwindling numbers. This is precisely why the Japanese, despite intense political pressure, have continued to longline for bluefin in our 200-mile zone. This fact also counters the argument that if we stop foreign vessels from fishing for tuna in our waters they will simply move to the high seas and catch the same amount there.

As an instrument to collect scientific data ICCAT has been and will continue to be essential. Clearly it is important to internationally manage tuna. Our bill does nothing to prevent this and may well be the spur ICCAT nations need to seriously negotiate an effective international regime.

Some believe that gear conflicts between United States and Japanese fishermen can be alleviated through administrative regulations. If so, why has this not been done already? The fact is, the United States has no real control over Japanese longliners fishing for tuna in our FCZ either through domestic law or international convention.

At the recent ICCAT meeting which ended on November 18, the United States proposed that a quota be placed on the taking of western Atlantic bluefin. The proposed quota is essentially zero, with a small tonnage divided among the United States, Japan, and Canada mainly to monitor the stocks.

While we appreciate the State Department's understanding of the seriousness of the problem, this is a drastic shift in policy compared with the negotiating posture we understood the State Department would take at ICCAT, which was to recommend a coastal State preference regime where fishermen from coastal States would have the first opportunity to take stocks in their waters.

A zero quota would mean that, once again, the U.S. fishermen would have to bear the burden of U.S. tuna policy. A zero quota for bluefin would not address the problems of gear conflicts or incidental catches since Japanese longlining could continue in our FCZ for bigeye and yellowfin tuna.

Furthermore, there is no assurance that a zero quota will even help bluefin stocks since non-ICCAT nations and even ICCAT nations which go through a simple objection procedure will still be able to take bluefin from the western Atlantic.

Next, Mr. President, I would like to address the effects that changing our juridical position on tuna through S. 1564 will have on the Pacific tuna fishery.

To begin, it is important to note that the present U.S. position on tuna is the extreme minority position worldwide, with 87 coastal nations now claiming control of tuna. The situation was vastly different when the present U.S. policy originated. We are now operating in a confrontational manner and are forcing our policies on the world largely through the use of embargoes on the importation of tuna products into the United States. Resentment against this U.S. policy is building.

Clearly, the current U.S. position has not resulted in effective international management of Pacific tuna. Yellowfin tuna were managed in the eastern Pacific through the Inter-American Tropical Tuna Commission (IATTC). Conservation efforts ended, however, when Mexico and Costa Rica withdrew from the IATTC in 1978 and 1979, respectively.

According to the Director of the IATTC the lack of management has resulted in yellowfin stocks slipping below optimum levels in just 2 fishing years. Currently the IATTC has but six members: the United States, Canada, Japan, France, Nicaragua, and Panama. Even if the embargoes on Mexico and Costa Rica force these countries back into the IATTC fold, the antagonism and resentment that has built up will keep Pacific tuna conservation efforts in constant turmoil.

Current U.S. policies are also severely hurting our own trust territories in the Pacific. Many of these small governments have only one resource—tuna. But they believe their interests have been bargained away by the United States in order to support a small but wealthy U.S. distant water tuna fleet. Because of this they are dependent on the U.S. Treasury.

The combined ocean area within the 200-mile zones of the trust territories is 3 million square nautical miles, 30 percent of the South Pacific, or an area greater than the 200-mile zone of the continental United States plus Alaska. This is precious acreage, particularly to our Defense Department, and the amount of untapped tuna resource in this area is enormous. However, due to a lack of interest in this resource by the U.S. distant water fleet, some of these island nations have resorted to fishing agreements with Asian nations, among others.

The proposed legislation, S. 1564, will help our trust territories and tuna conservation efforts by swinging U.S. policy into line with the rest of the world. By demonstrating to other nations our willingness to cooperate, we can open the doors to fruitful negotiation of a stable conservation regime. This will never occur if we ignore the right of coastal States where a large part of the resource exists. Additionally, we see no evidence that our distant water tuna fleet will be hurt by a change in the U.S. juridical position on tuna.

We know that our distant water tuna fleet is an important segment of the U.S. fishing industry. S. 1564 will most certainly not result in a collapse of the U.S. tuna industry. The Fisherman's Protective Act and the import prohibitions of section 205 of the FCMA will remain intact. Hopefully, a more cooperative U.S. stance will reduce the need for these measures since the U.S. taxpayer bears the burden of their use.

In 1980 over $8 million were paid through the Fisherman's Protective Act to reimburse U.S. purse seiners for losses resulting from seizure by foreign nations. Further, U.S. consumers must pay higher prices for tuna every time an embargo is used.

Unfortunately, past U.S. policy has created a situation in which it is quite lucrative for the U.S. tuna fleet to depend on subsidies from the Federal Government, in order to force access into waters where they are not wanted.

In summary, Mr. President, it is my conclusion that passage of S. 1564 will: alleviate overfishing of bluefin tuna, gear conflicts, and incidental killing of swordfish, marlin, and sharks by Japanese longliners fishing in the U.S. waters off the Atlantic and gulf coasts; help our trust territories gain financial independence; and create an atmosphere conducive to negotiating effective international conservation and management regimes.●

HIGH INTEREST RATES

● Mr. MELCHER. Mr. President, I have been fighting for many months now to get something done to reduce interest rates. The high interest rates of the last 12 months have pushed us into a recession.

No sector of the economy has been hurt more than housing. I have been fortunate to hear from many representatives of the home building industry on the problems they face because of high interest rates.

I invited Mr. Edwin J. Swope, president of the Shenandoah Valley Builders Association to testify at a recent hearing held by the Senate Task Force on Interest Rates. His testimony hits at the heart of the problems being caused by high interest rates, and at this time I would like to insert this testimony in the RECORD.

The testimony follows:

STATEMENT OF EDWIN J. SWOPE

My name is Edwin Swope. I live near Harrisonburg in the heart of the Shenandoah Valley of Virginia. I'm a builder and I also operate a small family farm. This year I'm president of the Shenandoah Valley Builders Association, a small grass-roots organization, one of 800 local groups affiliated with the National Association of Home Builders. Our membership includes builders, subcontractors, local banks and thrift institutions, realtors, and many other small businessmen who furnish goods and services to build our communities.

I'm not here just to repeat bad economic news . . . like yesterday's headlines about housing starts being at their all-time lowest level. What I do want to say here is that things are much worse than those dismal statistic suggest. If you will allow me to use myself as an example, perhaps I can show you what I mean.

I'm a residential builder. For the past ten years I've built an average of five houses a year. But 1981 has been a nightmare. The housing market in our area is dead, as it is in many other areas. And the new houses that can't be sold are probably going to bury those builders who have survived so far. I'm just finishing a house and I'm afraid I won't be able to sell it because there aren't many people who can qualify for a loan to buy a $60,000 house like mine even if they want or need to. High interest rates have got people scared to death. Many have just given up hope of ever owning a home of their own.

I frankly don't know if I can survive in the building business. If I am forced to lay off the three people who have worked with me all these years, I doubt that I can rehire them when, and if, things get better. And I'm one of the lucky ones. I've survived this far. But I know from first-hand experience that there are a lot of builders in our part of the country just hanging on because their lenders and suppliers and subcontractors aren't willing to put them out of business by demanding overdue payments. My personal experience, and that of those I work with, has proved this to us: that as bad as all the national statistics are about business failures in the building industry, things are much worse at the grass roots level than those figures indicate.

Just last week we held our annual joint meeting with the other builder associations in the Shenandoah Valley. This year, in keeping with our National Associations' "Unlock the Economy" theme, we invited Realtors, auto dealers, and farmers to meet and share their views with us. All of us are small businessmen and we all have common concerns and fears. We also have common goals. We all support efforts to control inflation, to reduce federal spending, to stimulate savings and investment and production. But our biggest fear is that our business won't survive long enough to enjoy the improved economy that is supposedly just around the corner. The remedy of high interest rates may kill the patient before it cures the disease of inflation. We're afraid that government fiscal and monetary policy is based just on theory and statistics rather than the real needs of real people. We're afraid that our government is more concerned with Wall Street than Main Street.

None of us is suggesting that there are simple, quick answers to the problems of inflation and high interest rates. After all, those economists and planners who claims to have all the answers can't agree on what to do. But ordinary people don't need computers or research studies to know this: When money finally does become available at affordable rates, the price of housing is going to skyrocket. That means more inflation, and another, deadlier cycle of higher interest rates. The longer high interest rates continue now, the worse our national economy will suffer in the future.

We are told there is a Trojan Horse somewhere here in the capitol. Well, let's color it "high interest rates" because inside that policy are hidden the weapons that will kill off the small businessman. . . . the builder, the farmer, and others who produce the essential needs of this nation.

What I've tried to convey to you here today is my personal experience of the economic damage that high interest rates are inflicting on builders like me. But—as a builder, a farmer, and a family man—I am also concerned with the social consequences of this high interest rate policy. I have to wonder if my children and their generation will be able to realize the American dream of home ownership that has been our country's special blessing. Our nation has always placed a high priority on decent, affordable housing for all its citizens. Now I'm not sure that our government is still committed to that priority or that it's support of a high interest rate policy will let us accomplish the goal of affordable housing.

I wish I could have expressed better the feelings of the people with whom I work back home. And I wish I could be more confident about the future. But at least your willingness to listen to the concerns of small business men like myself is encouraging.

Thank you.●

DEVELOPMENTS IN RURAL EDUCATION

● Mr. MELCHER. Mr. President, I would like to report to the Senate on the developments in rural education in the Department of Education since 1977 when

I was dismayed to learn that the Federal education agency—then the Office of Education in HEW—had not even one of its thousands of staff members assigned to this important segment of the education enterprise.

Secretary Bell, unlike his predecessor, has given far more than lipservice to the unique concerns of small schools. The following statement of policy, presented to the Rural Education Association at the October 13 meeting in Tucson, is gratifying, indeed, to those of us who are concerned over the pattern of neglect which has denied rural and small schools their fair share of appropriate assistance.

Mr. President, I ask that the policy statement be printed in the RECORD at this point.

The statement follows:

A RURAL EDUCATION POLICY FOR THE 1980's*

Historically Federal and State policies have tended to militate against rural schools because of the inherent characteristics of rural areas. These characteristics are usually described as (1) population sparsity, (2) geographic isolation, (3) smallness of size, (4) scarcity of resources and (5) cultural differentness. Policy makers at all levels either ignore rural LEAs or attempt to eliminate them through imposition of unreasonable standards or consolidations. Neglect of rural concerns is further encouraged by the demographic fact of life that rural areas have fewer voters and less political clout than urban areas. Therefore, even though 66 percent of the LEAs in U.S. are rural (11,000 of the 17,000) urban LEAs receive the most attention, services and funds. This has lead rural personnel to describe themselves as an aggrieved minority and to raise the question of equity in matters of Federal and State educational policies.

In response to the concerns of this significant constituency the Department of Education adopts the following as policy: Rural schools will share on an equitable basis with urban and suburban schools the information, services, assistance and funds available from or through the Department of Education and its programs.

Toward this end the Department will take the following steps:

1. Expand the data base on the condition of education in rural areas.

2. Support research and dissemination efforts to develop knowledge of special curricular, organization, personnel and support services needed for rural schools.

3. Institute two-way communications with the rural constituency through local, State and National networks of rural personnel.

4. Monitor Department program regulations, eligibility and evaluation criteria, subregulatory directives and administrative policies to ensure equity for all LEAs regardless of size, location or condition.

5. Provide for consultative assistance to rural educational entities towards the goal of improving the quality of education in rural areas.

All offices in the Department are instructed to act in accordance with this policy.

Mr. MELCHER. Further, Mr. President, I am impressed with the "tell it like it is" quality of a paper by Dr. Norman Hearn, senior policy analyst of the Office of Elementary and Secondary Education of the Department of Education. Dr. Hearn was designated as the rural spokesman for the Department after months of urging on my part that someone from within the agency be named as the contact person for rural education. It was a wise choice and I hope, whatever the future holds for the Department, that Dr. Hearn will continue his present responsibilities as the "point man" for rural education at the policy level. His commonsense is essential to continued progress.

I ask that Dr. Hearn's paper "The Roots of Rural Educational Inequity—or How Country Folks Get Whipsawed and Bushwacked" be printed in the RECORD.

The paper follows:

THE ROOTS OF RURAL EDUCATIONAL INEQUITY—OR HOW COUNTRY FOLKS GET WHIPSAWED AND BUSHWHACKED

Rural folks have borne the indignities of "hicks", "bumpkin", "red-neck" and other such name-calling and stereotyping since time immemorial. Even the dictionary carries the message. City means "civilized"; urban means "urbane" or "sophisticated". Rural has always meant "crude" or "peasant". Country implies "uncultured" as in "Hee-Haw" and "Let's-all-laugh-at-them." Most rural people respond to such ridicule good-naturedly and without rancor.

But this historic baggage of biases has influenced our thinking about rural education and our public policies regarding rural schooling with some serious consequences. As Paul Nachtigal points out in "Improving Rural Schools," policy makers regard the "reality" of the rural schools condition—sparsity, isolation, smallness and limited economic base—in negative terms. This bias has led to public policies that either ignore them, neglect them or stamp them out. The evidence is monumental that this is exactly what has happened. During the past 75 years small schools everywhere were turned into storage sheds or antique barns, and rural children, in the name of reform, were hauled out of their home communities to larger urban centers.

But we need not point accusing fingers at some ambiguous "they" as in "They-did-it-to-us." As in Pogo, "we" is "us". The fact is that those who molded and enforced rural education policies during the past 75 years came from rural schools. The leaders of the school consolidation movement, for example, were country born and reared. Neither can we escape the fact that we taught ourselves that we were somehow inferior, that we must put country ways behind us and camouflage the nature of our rural birth with a gloss of erudition. Only recently as cities began to groan under their burden of large numbers and deteriorating environments has it become "chic" to even confess our rural heritage. We may even brag a bit about our good fortune, though we know that past bias and resultant inequity have hurt us and our children

It is obvious that the tap root of rural educational inequity is a cultural prejudice but the off shoots are not nearly as conspicuous. It is my purpose to expose as many of these roots and offshoots as possible in the hope that future public policies will not penalize rural areas and thus rural children and adults.

One basic source of anti rural bias is the "big-is-better" syndrome. The American preoccupation with bigness—tall buildings, big crowds, mass markets—has caused policy makers to arrange their priorities by the numbers rather than by the intensity of the human need.

The criticalness of a problem becomes a function of the degree of concentration of students. This works against rural areas in two ways: (1) a large quantity of learners becomes a precondition for a quality curriculum, and (2) a large concentration of non-learners constitutes a more serious problem than a similar number of dispersed non-learners (underachievers and dropouts, for example). When translated into grants-making policy this means that agencies will give more rating points for such concentrations, thereby penalizing rural areas because of dispersion. Rural and small schools lose on at least two counts: (1) they don't have large numbers of pupils, and therefore in any competition with populous schools they appear less cost effective and (2) guidelines and the laws for formula-grant allocations often specify a minimum number of pupils before an LEA is eligible for a share of the monies—cutting them off at the pass, so to speak.

Ironically, the large number of LEAs works against rural areas when it comes to sharing information and receiving assistance. A common exclamation is: "There are too damn many of them". (11,000 LEAs are under 1500 enrollment). Unabashedly, agency personnel preparing mailing lists or assistance schedules will state that it is not feasible to notify so many.

Small rural schools are expected to find out about financial opportunities, technical assistance or promising research and successful practices through some kind of telepathy or hearsay network; or they are to read some expensive and obscure publication, such as the Commerce Business Daily or the Federal Register.

Another curious thing happens to rural areas when legislators sit down to design a formula for distributing public monies. Though obviously it would cost more to provide a really quality education for the rural disadvantaged child in small and isolated schools, when it comes to distributing funds to States to help these same kids, the per-pupil expenditure (PPE) gets cranked in to the formula as if PPE were the real cost of a truly quality education. A rural State gets less per child because it "costs less" than a higher cost State. In this way policy makers and legislators blithely perpetuate the poverty-level education of less affluent areas under the guise of administering programs designed to address the causes of inequality. Schools that have spent less (because they can't afford it) get less because they didn't have it to spend.

Another manifestation of a subtle bias that causes unintended harm is the habit of policy makers and grants administrators to favor a "commitment" by the local educational agency when deciding who shall be funded. Surrogates for this commitment are usually "matching funds" or "full-time staff" or "short-term phase-in". Though the objective of encouraging local continuation or adoption by such commitment is commendable, the side effect is to exclude the small and rural LEAs that lack financial ability to make such a commitment. Self exclusion by LEAs often takes place up front before the application. Or, if applications is made, the funding agency excludes LEAs during the proposal review process when this "commitment factor" is given special weight in the funding decision. This is a case where a noble program purpose subverts a basic intent of the program, such a serving the most needy.

Good intentions also mask the root cause of one of the most serious forms of discrimination by government and private funding agencies. That is found in the national mania to achieve pseudo sophistication for an otherwise simple process of grants making by aping the jargon of the research and management sciences fields. Specifications for project applications often read like a foreign language text. This practice has intimidated the harried school administrators from even walking onto the field of competition for grants.

* This policy was announced October 13, 1981 by Elam Hertzler, Executive Assistant to the Secretary, representing Secretary Bell speaking at the Tucson, Arizona, Convention of the Rural Education Association.

The avowed purpose of requiring comprehensive needs assessments, measurable objectives, elaborate research designs, valid and reliable instrumentation, PERT and Gannt charts, significance tests and other such technical provisions is to ensure a well-constructed and well executed project and program. But the larger unintended effect of these requirements often is to skew the outcome of the program from that of meeting pupil needs to that of serving the information and professional growth needs of researchers and administrators. It has been said that there is an inverse ratio between ability to get a grant and the need for a grant. As grantsmanship is so rewarded, small school administrators who have little time for such falderal because they may be driving buses, or counting lunch money will continue to lose. The capability to master the grants process becomes more important than the need, capability and motivation to serve children.

The most subtle but effective way that small and rural schools are penalized in the grants-awarding process is through the imposition of common criteria for rating proposals and applications. A few examples of the most widely used criteria illustrate the built-in bias.

Typically a "Plan of Operation" criterion awards points for a "clear description of how the applicant will provide equal access and treatment of the traditionally under-represented, including minorities, women, elderly and handicapped." Rural communities are often homogenous and have few or no minorities; womens' roles are traditional; the elderly are usually occupied; and the handicapped are dispersed—all enough to not only make a plan futile, but to discourage applicants even before they lose on points.

The "quality of key personnel" criterion, on the surface, would seem to be a fairly objective criterion; but rural schools are immediately at a severe disadvantage because of low pay and the isolation factor which makes recruitment and retention of highly qualified personnel difficult. Raters of proposals usually consider degrees and years of experience as quality points, both standards not usually found in rural areas.

Even more inappropriate is the commonly used "time-committed-to-job" standard. Rural personnel are notorious for their many occupational hats—drivers, part-time teachers, business managers, etc. It is unlikely that a small rural school could tolerate personnel devoting fulltime to one job. Furthermore, it presents an awkward personnel situation when a full-time State or Federal project director is prohibited by audit threats from sharing routine duties with regular personnel.

The almost universal inclusion of a "budget-and-cost-effective" criterion is especially detrimental to small and rural schools. Cost effectiveness is usually determined by looking at a quotient derived by dividing the number of pupils into total dollars. If the LEA designs a comprehensive quality program their ratio will be bad because a quality education for a small number of pupils requires a basic minimum number of teachers and the same number of library books as a larger school. If the LEA attempts to lower costs by skimping on salaries, for example, they will likely score lower on the "quality-of-personnel" criterion. Small schools get bushwacked and whipsawed.

But rural schools really get bushwhacked and whipsawed on the ubiquitous evaluation criterion. Not only are they not likely to have personnel who can design a sophisticated evaluation plan, they usually do not have a grant large enough to allow sufficient funds for an evaluation. A typical rural project of about $10,000 would be allowed by usual guidelines (5–10%) about $500–$1,000 for evaluation—hardly enough for a valid design and certainly not enough to win many points in any competition with larger projects. And technical assistance help is usually far away and far too expensive.

This entire travesty is reinforced by a common public and private agency practice of hiring experts to read and rate applications and grant proposals. These experts are usually researchers and writers—the very people who originate and perpetuate the system. Not only are the readers usually from academe; they are most often from the few commonly recognized large and prestigous institutions that are likely to be out of touch and out of sympathy with rural America. Seldom are persons fresh from the classroom or school board rooms, particularly of rural or small schools, asked to comment on the quality or reality of the proposals. As a result, much of what is funded is irrelevant for small and rural practitioners and, as time goes on, the grants-making process becomes further encumbered with more and more research and management sciences rhetoric. If this trend is unchecked, it will take the entire grants process into an esoteric orbit that will put public monies completely out of reach of the most needy, particularly those in small and rural schools.

It is risky to attack this system for fear of being dubbed as anti-intellectual and unsophisticated. But rural and small school advocates must not be intimidated. They should make it clear that they are not indicting the entire social and management science fields; but rather they are objecting to the inappropriate and unbalanced application of theoretical principles to a process that makes it difficult for small, rural and usually poor LEAs to participate.

No one will seriously argue with the need for clear objectives, good management, and solid evidence of success. But they can ask that while striving for those noble goals, policy makers not put undue stress on improving the process to the detriment of meeting real needs. Or to put it positively; the grants process must emphasize need, creativity and sincerity, and must put greater trust in the integrity of those who serve children. As this occurs, not only are rural areas more likely to receive a fair share of Federal, State, and private funds and services, but all pupils—regardless of place residence—will benefit from educational programs closer to the reality of everyday classroom learning.●

HAITIAN REFUGEES

● Mr. MOYNIHAN. Mr. President, there appeared in Sunday's New York Times an open letter to the American people from "The Unhappy Refugees of Enclave VI," a group of the Haitian refugees currently stored—there is no other word—by the U.S. Government at Fort Allen in Puerto Rico.

It is a powerful, eloquent plea for decent treatment and should be read by every member of the Senate. It reminds us that the vexing problem of immigration into this country from the Caribbean is not the bureaucratic question of formalities and procedures and quotas which the present administration seems to think it is. What we are confronted with is a human tragedy of monumental proportions.

The thousands of desperate Haitians who have made their way to American shores in flimsy, open boats have come to this country for the same reason. They want to escape a brutal tyranny and almost unimaginable poverty. They want to eat; they want to work; they want freedom. They want to make better lives for themselves and their children in a free land of opportunity.

And we, to our profound and continuing shame, are unprepared to help them, either to improve significantly the quality of life in Haiti or to provide for a just and orderly manner in which some Haitians might come to the United States to live.

Worse still, the U.S. Government has been unable or unwilling to halt the execrable trafficking in Haitian refugees that is occurring just a few miles from American land. Desperate Haitians pay whatever money they can gather to the vilest sort of people, who promise to transport them to American waters. Sometimes the bodies of the would-be refugees wash ashore in Florida. Can the Coast Guard not seek out these brigands on the high seas, and halt these murders? Why cannot the U.S. Government do this? We are talking of human beings, men and women and children who need our help.

Mr. President, I ask that the letter from "The Unhappy Refugees of Enclave VI," who may be the more fortunate of the Haitian refugees, be printed in the RECORD.

The letter follows:

HAITIANS: WE'LL KILL OURSELVES

(Following are excerpts from an open letter to the United States Immigration Service from "The Unhappy Refugees of Enclave VI"—a group of Haitians held at Fort Allen, Puerto Rico. In it, they threaten suicide. The letter was handed to a New York Times reporter.)

Dear Readers, Gentlemen, Civilian, and Military Authorities,

For the last few months we have been imprisoned without knowing what outcome our fates would have.

You can imagine that if we risked our lives by leaving our country on sailboats and planes it was in order to find a haven on the soil of America, which we thought was capable of receiving us, since it is a large power in the world.

Since 1957, we have endured atrocious suffering due to the lack of a good government. But now it is worse, and we cannot stand it. This is why we are forced to emigrate in larger numbers. At home if we manage to get work, we cannot collect our salary. If we claim our rights, our life would be in danger. Not only one's own, but also that of the entire family, which would be implicated by the authorities.

To our great surprise, upon arriving to the Immigration Center in Miami, we were made to wait for several hours during which time we were interrogated on one single topic, to wit, "Why did you come to the United States?" Since our answer is positive and always the same, we were finally accepted although we were told that we would have to spend a few days in the Krome [detention center] for formalities.

Upon arriving, our eyes widened with fear and surprise at the conditions of life. We thought we were throwing ourselves into a stable. One thousand persons are jammed into one and the same cell. It reminds us of black slavery. But alas, after shedding many tears and imploring God to come help us, we finally resigned ourselves to accepting this sufferance for a few days. Because we did not want to go back. Each day that would go by was one day less for us. We hoped that may be in 8, 10, or 15 days we would be called to be freed.

One day around 4 p.m., we [women] were all gathered at the sound of whistles. We spent a day and a night awaiting for our fate, after having been tagged with a plastic ID bracelet. After that we were made to parade in the nude in front of men and women. We were splashed, badly dressed. Stripped of our

own clothes and belongings, we were made to sit in a room where we were to spend the night. In this distress, the room was like a wake, where sad songs were being sung. At that moment an enormous chill would run down the spine. Around 5 a.m., we were jammed into a bus which was to drive us to the airport. This is how we left Miami for Puerto Rico.

If sometimes a few of us misbehave, it is not their fault. You must understand that all of us don't have the strength, the same understanding, nor the same degree of education, and that we all suffer a lot from the behavior of others. Life at Fort Allen has been very hard for us.

When we left Miami, we were led to believe that we were only going to Puerto Rico for a few days. And until now we have been suffering for eight months without knowing why. Each day we hear only one thing: those who wish to return to Haiti can come give their names.

Since we arrived on American soil, we have been mistreated. We have been made to suffer and we have accepted it all, we have endured it. We have left at home relatives who are relying on our help. How can we return to Haiti now, empty handed and stripped of everything? Oh no, it would be the greatest injustice. If the Americans did not want to take us in, they should have sent us back the very same day. And now, instead of making us suffer, why not send us to other countries like Russia, Cuba, France or Canada, who are willing to take us in with open arms?

We are Christians. We have blood in our veins and thoughts like all the other people who are free. We want our freedom because we have been suffering for five months, because we left our relatives in order to help others get out of the lion's mouth in Haiti.

Our situation is pitiful. We have been locked up behind barbed wire from Miami to Puerto Rico. The days are always the same for us. We don't know what the date is. Sometimes we are hungry and cannot eat.

We have needs and cannot satisfy them. Is this the better life we are seeking? We took refuge in the United States in the hopes of filling our voids. Can we not fill them? Where are we going?

Now we cannot stand it any more. It is too much. If we have not been freed by the end of November, a good number of us are going to commit suicide. Because we have sworn to die in the United States.

We are asking why you treat us this way. It is because we are Negroes? Why are you letting us suffer this way, America? Don't you have a father's heart? Haven't you thought we were humans, that we had a heart to suffer with and a soul that could be wounded? Give us back our freedom. Why among all the nations that emigrate to the United States have only the Haitians known such suffering?●

WHITE HOUSE CONFERENCE ON AGING

● Mr. DURENBERGER. Mr. President, this week marks a special occasion which will have an impact on this country for years to come. The event I am referring to is the 1981 White House Conference on Aging. From all over the Nation, leaders in the fields of gerontology and aging have gathered in an exceptional forum to develop aging policies for the 1980's and beyond. The 1981 White House Conference on Aging offers an opportunity for association leaders, senior citizen advocates, academicians, Government program officials, and other concerned citizens to come together offering their individual perspectives to the problems and challenges of aging policy. As a member of the Senate Special Committee on Aging, I have a personal concern in the actions of the conference, but I am sure all my colleagues share my interest in the outcome of this forum.

We have made great progress in developing programs for the elderly. But we have barely scratched the surface. Not only can we improve the delivery of services to the elderly, we can recognize the untapped resources they offer. When an older American reaches out his hand, it is not always to ask for help. It may be to offer assistance, encouragement, and wise advice to those of us less experienced. Part of our efforts in aging policy must recognize the many contributions seniors have to offer. Thus, policies for the elderly must focus both on their needs and on their abilities as individuals. Through recommendations developed in this conference, we will have a blueprint for aging legislation needed in the coming years.

We set in motion the 1981 White House Conference on Aging through authorizing legislation in the 1978 amendments to the older Americans Act. The goal of the conference is to develop a comprehensive coherent national policy on aging together with implementation recommendations designed to transform these policies into reality. During the course of this week, over 2,000 delegates and 1,500 observers met in committees to discuss and draft these policy recommendations. The delegates' inquiries will reach into every area of a senior's life—income security, health care, housing, social services, and more—drafting policies that will shape aging legislation in the 1980's.

I have had the opportunity to meet with the Minnesota delegation to the White House Conference. Coming from every walk of life, they present a unified concern for the well-being of older Americans. Each brings special talents and knowledge to the issues affecting today's seniors. As a group, the North Star State's delegation are capable and caring representatives of Minnesota's concern for seniors' quality of life. And, as an example of the leadership and knowledge brought together for this forum, the Minnesota delegation leaves me convinced that the recommendations of this conference will be important tools for future aging legislation.

As one who will implement the policy recommendations, I am grateful to every participant of the 1981 White House Conference on Aging. Through these delegates' efforts, Congress will have had the benefit of years of experience and insight into aging issues. I appreciate their willingness to help focus aging policy needs and look forward to receiving their recommendations.●

THE GREAT BUSINESS GIVEAWAY

● Mr. BOREN. Mr. President, in this morning's Washington Post, columnist Hobart Rowen has written an excellent article under the heading of "The Great Business Giveaway."

In the article, Rowen focuses upon a loophole which was created in the Economic Recovery Act of 1981. I have previously spoken about the problem created by this provision which allows the so-called leasing of tax credits from one company to another. It has cost the taxpayers far more than anticipated. It could run as much as double the original estimate of $29 billion of lost tax revenues.

There were many good features of the tax reduction bill. However, this provision as Rowen points out is being abused to an unconscionable degree. When Occidental Petroleum Co., which is certainly not in financial difficulty is able to take advantage of such a provision on a huge scale, it is clear that something needs to be done.

Tax relief for all Americans to the extent that we can afford to provide it and a reduction of nonessential Federal spending are both goals supported by me. However, I cannot understand why the administration has signaled its willingness to give up on the balanced budget and has begun talking about tax increases on the average American man and woman while not taking the lead in recouping revenues by ending this flagrant abuse of the tax laws.

Turning a blind eye to tax abuses by the affluent while considering tax increases on the average worker who is struggling to get by will not meet anyone's test of fairness. I intend to work to change the law.

The article follows:

THE GREAT BUSINESS GIVEAWAY

(By Hobart Rowen)

Only now is the nation getting a fuller appreciation—and the final story hasn't been told—of just how bad a piece of legislation is the "Economic Recovery Act of 1981." In the guise of an investment-stimulus program, via super-generous business credits and write-offs, it constitutes the biggest tax giveaway in history.

Most business assets, other than buildings, that have a real economic life of more than 10 years can now be written off against taxes in five years. Thus, in five years of "accelerated depreciation," a business recovers the total cost of its investment in equipment, which can be expected still to be producing and generating profits.

But even more startling, a company that doesn't have a tax liability against which to write off such expenditures can "lease" the tax break to somebody else through what former Internal Revenue Commissioner Sheldon S. Cohen has dubbed the "rent-a-deduction" provision.

This particular gimmick was dreamed up by Washington lobbyist Charls Walker—an unofficial adviser to the Reagan administration—when businessmen began to complain that the tax credits and depreciation allowances moving through Congress earlier this year were so generous they couldn't make full use of them. So, Walker reasoned, if Corporation A has tax benefits that it can't use, why not let it sell them for cash to Corporation B?

Cohen thinks that the whole tax system—personal as well as business—has been distorted and made less progressive. All told, the revenue loss will amount to nearly $750 billion by fiscal 1986. Says Cohen: "The tax burden has been shifted dramatically from capital to income and wages; the corporate income tax and the estate tax have been virtually eliminated; and substantial benefits, such as windfall [oil] profits tax reductions, have been bestowed upon certain industries."

The egregious and indefensible "rent-a-deduction" provision does more than enable red-ink corporations, like Ford, Chrysler and

International Harvester to "sell" their tax losses to profitable companies that can use them to reduce their own tax burden.

Even worse (and the administration's tax experts never anticipated it), some companies, like Occidental Petroleum Co., have been able to use the loophole even though they themselves are profitable. Occidental, for example, has a surplus of foreign tax credits that wipe out its U.S. tax burden, and thus was able to sell off millions in investment and depreciation credits it couldn't otherwise have used.

The tremendous "market" in tax losses that has been generated is evidence, Sen. Nancy Kassebaum (R-Kan.) said the other day, that "we simply had no idea what we wrought with that." Cohen guesses that by the time it's all counted up through 1986, the loss to the Treasury from this one gimmick alone will be double the $29 billion that the Reagan administration was expecting.

To his credit, the influential Sen. Pete Domenici of New Mexico, Republican chairman of the Senate Budget Committee, has begun to speak out against this and other legalized frauds in the tax code. "We are going to have to look at such things as the loopholes, the legal tax breaks which are growing like crazy," Domenici said on "Face the Nation" over the weekend.

"If we're asking the average citizen to sacrifice, then we can't let the very rich and the very big corporations get extreme benefits through legal tax loopholes and tax breaks that don't have any social merit, and are not aimed at building the whole economy back up."

Domenici says that $45 billion to $50 billion should be trimmed from a list of $266 billion in loopholes, or so-called "tax expenditures," by fiscal 1984. The House Rules Committee, incidentally, will hold hearings next week on a proposal by Rep. David Bonior (D-Mich.) to require that the congressional budget resolutions set a binding ceiling on tax expenditures.

Curiously, Treasury Secretary Donald T. Regan, who should be worrying about these revenue losses to the government, stepped forward to claim "paternity" for "rent-a-deduction," even though everybody in Washington recognizes it to be Charlie Walker's baby. "What's wrong with helping an ailing company rather than put it out of business?" Regan asked defensively.

What's wrong, of course, is that the tax-loss sale or lease is just one more form of government bail-out for companies that have flunked the test of the marketplace. Where is the vaunted dedication of the Reagan administration to a free-market philosophy?

As Republicans like Domenici and Democrats like Cohen agree, there is a desperate need to repeal the worst mistakes of the tax bill bonanza. They also see the need for further budget cuts, especially in the bloated military spending program, to help reduce overwhelming deficits in prospect for years to come. Unless there is progress on both fronts, taxpayers at the lower end of the scale inevitably will pay the price through new excise, value-added, energy, or other regressive taxes.●

AMENDMENTS SUBMITTED FOR PRINTING

COMMISSION ON MORE EFFECTIVE GOVERNMENT

AMENDMENT NO. 648

(Ordered to be printed and to lie on the table.)

Mr. ROTH (for Mr. LEVIN) submitted an amendment intended to be proposed by him to the bill (S. 10) to establish a Commission on More Effective Government, with the declared objective of improving the quality of Government in the United States and of restoring public confidence in government at all levels.

Mr. President, I am submitting today, on behalf of Senator LEVIN, an amendment to S. 10. Senator LEVIN will be offering this amendment when S. 10 is brought to the Senate floor. I am submitting the amendment now so that it may be printed and available for Senators when S. 10 is brought to the floor. I ask unanimous consent that the amendment be printed in the RECORD.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

On page 13, line 14, strike out "Senate majority leader" and insert "President pro tempore of the Senate".

On page 14, line 2, strike out "Senate majority leader" and insert "President pro tempore of the Senate".

On page 14, line 9, strike out "two" and insert "three".

On page 14, line 15, strike out "other major political party" and insert "political party which is the minority party in the House".

On page 14, line 22, insert after the period the following: "In appointing members under subsection (a)(2) who are from the political party which is the minority party in the House, the Speaker shall obtain the advice and consent of the Minority Leader of the House.".

On page 15, line 1, strike out "other major political party" and insert "political party which is the minority party in the Senate".

On page 15, lines 1 and 2, strike out "majority leader" and insert "President pro tempore".

On page 15, line 15, strike out "appoint" and insert "select".

On page 15, line 17, insert after the period the following: "The selection by the President of the Chairman shall be subject to the approval of a majority vote of the members of the Commission, conducted by secret ballot.".

On page 21, strike out lines 17 through 20 and insert the following: "On December 3, 1984, the Commission shall submit to the Congress and the President its final report with respect to such activities, including all of its findings and recommendations.".

On page 23, line 23, strike out "$16,000,000" and insert "$10,000,000".

DEPARTMENT OF DEFENSE APPROPRIATION, 1982

AMENDMENT NO. 649

(Ordered to be printed and to lie on the table.)

Mr. MATHIAS submitted an amendment intended to be proposed by him to the bill (H.R. 4995) making appropriations for the Department of Defense for the fiscal year ending September 30, 1982, and for other purposes.

AMENDMENT NO. 650

(Ordered to be printed and to lie on the table.)

Mr. METZENBAUM (for himself, Mr. PELL, Mr. RIEGLE, Mr. EAGLETON, Mr. DODD, Mr. RANDOLPH, Mr. BURDICK, Mr. FORD, Mr. KENNEDY, Mr. MELCHER, Mr. SASSER, Mr. BAUCUS, Mr. MOYNIHAN, Mr. BRADLEY, Mr. DIXON, Mr. MITCHELL, Mr. HEINZ, Mr. COHEN, Mr. HATFIELD, Mr. TSONGAS, Mr. BIDEN, Mrs. HAWKINS, and Mr. PRYOR) submitted an amendment intended to be proposed by them to the bill H.R. 4995, supra.

NOTICES OF HEARINGS

SUBCOMMITTEE ON EMPLOYMENT AND PRODUCTIVITY

Mr. QUAYLE. Mr. President, the Subcommittee on Employment and Productivity will hold hearings on the problem of unemployment in the automobile industry. The hearings will be held in Washington, D.C., January 11 and 12, 1982.

The purpose of the hearings is both to gather factual information on the nature and dimension of the unemployment problems of the industry and to hear recommendations.

Questions and issues that the subcommittee hopes to have addressed in the hearing are as follows:

I. DIMENSIONS OF THE PROBLEM

What are the employment prospects in the automobile industry in the next few years? How many workers with experience in the industry have no reasonable expectation of future employment there? Where are they, who are they? What is their age, sex, and economic status? What is their educational and employment background? What occupations have been most affected? What has been the duration of unemployment for laid-off workers?

II. WHAT HAS HAPPENED TO THE UNEMPLOYED WORKER?

How many workers laid off from the automobile industry have returned to other work? What are their characteristics? Which workers are least likely to return to work, either at their previous jobs or other jobs and why? What has happened to unemployed workers whose unemployment benefits have expired; how are they supporting themselves and their families? How many are on welfare, and how many have relocated to other labor market areas or regions?

III. WHAT EMPLOYMENT OPPORTUNITIES ARE THERE FOR THE UNEMPLOYED WORKER?

What is the likelihood of matching current skills and abilities of unemployed workers with the occupational skills in demand in the locality, State, or elsewhere? What skill levels are required and what training or retraining is needed to match the skills of these workers with occupational opportunities in the labor market?

IV. WHAT ASSISTANCE PROGRAMS ARE AVAILABLE TO OR NEEDED BY THESE WORKERS?

What assistance programs are available to the workers at the Federal, State, and local level, from the employer, from the union? What training/retraining is being done by the Vocational and Adult Educational Systems, by the Federal Government, by private industry?

What assistance programs are needed, particularly in the area of employment and training and related support services?

WHAT DOES THE FUTURE HOLD FOR THESE WORKERS?

Persons interested in testifying at this hearing should submit a written request to Bob Guttman, 4230 Dirksen Senate Office Building, Washington, D.C. 20510 by December 18, 1981. Questions should be directed to Mr. Guttman at 202/224-6306.

SUBCOMMITTEE ON GOVERNMENTAL EFFICIENCY AND THE DISTRICT OF COLUMBIA

Mr. MATHIAS. Mr. President, I would like to announce that the Subcommittee on Governmental Efficiency and the District of Columbia of the Governmental Affairs Committee will be holding a hearing on S. 1845, technical amendments to the District of Columbia Self-Government and Governmental Reorganization Act and the charter of the District of Columbia. The hearing will be held on Wednesday, December 9, 1981 at 9:30 a.m. in room 5110 of the Dirksen Senate Office Building.

For further information, please contact Eileen Mayer of the subcommittee staff at 224–4161.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Thursday, December 3, to continue the markup of the Clean Air Act Amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ENERGY, NUCLEAR PROLIFERATION, AND GOVERNMENT PROCESSES

Mr. BAKER. Mr. President, I ask unanimous consent that the Subcommittee on Energy, Nuclear Proliferation, and Government Processes of the Committee on Governmental Affairs be authorized to meet during the session of the Senate on Friday, December 4, at 9:30 a.m., to hold a hearing on enforcement of Federal regulations.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CIVIL SERVICE, POST OFFICE, AND GENERAL SERVICES

Mr. BAKER. Mr. President, I ask unanimous consent that the Subcommittee on Civil Service, Post Office, and General Services of the Committee on Governmental Affairs be authorized to meet during the session of the Senate on Friday, December 4, 1981, to hold a hearing to discuss pay matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR FRIDAY

RECESS UNTIL 10:30 A.M. TOMORROW

Mr. BAKER. Mr. President, I ask unanimous consent that when the Senate completes its business tonight it stand in recess until the hour of 10:30 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF CERTAIN SENATORS

Mr. BAKER. Mr. President, I ask unanimous consent that after the recognition of the two leaders under the standing order, the following Senators be recognized on special orders: The Senators from Alabama, Mr. DENTON and Mr. HEFLIN, jointly for 15 minutes total: the Senator from Texas (Mr. BENTSEN) for 5 minutes; the Senator from Mississippi (Mr. COCHRAN) for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEADERSHIP TIME REDUCTION

Mr. BAKER. Mr. President, I ask unanimous consent that the time for the two leaders be reduced to 5 minutes each on tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERIOD FOR ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that after the expiration of the time for the recognition of the leadership and the special orders there be a period for the transaction of routine morning business to extend not longer than 5 minutes in which Senators may speak for not more than 2 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESUMPTION OF CONSIDERATION OF DEPARTMENT OF DEFENSE APPROPRIATIONS, 1982

Mr. BAKER. Mr. President, I ask unanimous consent that upon the expiration of time for routine morning business the Senate resume consideration of the Department of Defense appropriations bill, H.R. 4995 on tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BAKER. Mr. President, on tomorrow the Senate will resume consideration of this measure. It is the intention of the leadership to pursue this measure as long as necessary to finish it. We already have an order to convene on Saturday. It is the intention of the leadership to do this bill, if possible, as well as the Small Business bill, and perhaps other measures before the Senate goes out for the weekend.

Mr. ROBERT C. BYRD. How about the Military Construction bill?

Mr. BAKER. Mr. President, I also hope we can do the Military Construction appropriations bill either tomorrow or Saturday, and if not, then on Monday.

RECESS UNTIL 10:30 A.M. TOMORROW

Mr. BAKER. Mr. President, if there be no further business to come before the Senate—and I see no Senator seeking recognition—I move, in accordance with the order previously entered, that the Senate now stand in recess until 10:30 a.m. on tomorrow.

The motion was agreed to; and at 12 o'clock midnight the Senate recessed until Friday, December 4, 1981, at 10:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 3, 1981:

ALASKA LAND USE COUNCIL

Vernon R. Wiggins, of Alaska, to be Federal Cochairman of the Alaska Land Use Council.

DEPARTMENT OF THE INTERIOR

Pedro A. Sanjuan, of the District of Columbia, to be an Assistant Secretary of the Interior.

Janet J. McCoy, of Oregon, to be High Commissioner of the Trust Territory of the Pacific Islands.

The above nominations were approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

THE JUDICIARY

Edward R. Becker, of Pennsylvania, to be U.S. circuit judge for the third circuit.

Jackson L. Kiser, of Virginia, to be U.S. district judge for the western district of Virginia.

Robert G. Doumar, of Virginia, to be U.S. district judge for the eastern district of Virginia.

DEPARTMENT OF JUSTICE

Brent D. Ward, of Utah, to be U.S. attorney for the district of Utah for the term of 4 years.

Joseph P. Stadtmueller, of Wisconsin, to be U.S. attorney for the eastern district of Wisconsin for the term of 4 years.

Donald B. Ayer, of California, to be U.S. attorney for the eastern district of California for the term of 4 years.

Louis G. DeFalaise, of Kentucky, to be U.S. attorney for the eastern district of Kentucky for the term of 4 years.

William S. Vaughn, of Missouri, to be U.S. Marshal for the eastern district of Missouri for the term of 4 years.

Howard V. Adair, of Alabama, to be U.S. Marshal for the southern district of Alabama for the term of 4 years.

Paul R. Nolan, of Washington, to be U.S. Marshal for the eastern district of Washington for the term of 4 years.

Harry Connolly, of Oklahoma, to be U.S. Marshal for the northern district of Oklahoma for the term of 4 years.

James L. Meyers, of Louisiana, to be U.S. Marshal for the middle district of Louisiana for the term of 4 years.

THE JUDICIARY

Jules G. Korner III, of Maryland, to be a judge of the U.S. Tax Court for a term expiring 15 years after he takes office.

Perry Shields, of Tennessee, to be a judge of the U.S. Tax Court for a term expiring 15 years after he takes office.

Meade Whitaker, of Michigan, to be a judge of the U.S. Tax Court for a term expiring 15 years after he takes office.

EXTENSIONS OF REMARKS

INTERIOR SECRETARY JAMES WATT—PART I

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. McDONALD. Mr. Speaker, during the past few months accusations have been made that the policies of Interior Secretary James Watt will undermine efforts to preserve and protect our natural resources. I strongly disagree with this contention. What Secretary Watt has done is reversed the business-as-usual syndrome. For the first time in a very long time, the policies emitting from the Interior Department reflect a more balanced and reasonable approach to managing our natural resources.

An article by Lee Edwards, which appeared in the October 1981 issue of Conservative Digest, discusses this in greater detail and shows that Secretary Watt has not abandoned the goals of the truly concerned conservationists. I commend the first part of this article to the attention of my colleagues:

Some people really don't like Interior Secretary James Watt, an outspoken, unabashed conservative Republican.

Former Senator Gaylord Nelson, a liberal Democrat and chairman of the Wilderness Society, calls Watt "unfit to hold public office."

Rep. Morris Udall, a liberal Democrat and chairman of the House Interior Committee, contends that Watt hopes to "destroy and distort some of the nation's basic environmental laws."

Sen. Alan Cranston, a liberal and the Senate's number two Democrat, urges the ouster of Watt on the grounds that he is "a puppet of the exploiters and destroyers." Cranston has also described Watt as an "extremist," a "radical" and a "butcher."

Former Interior Secretary Cecil Andrus, appointed by Jimmy Carter, calls Watt one of the "rape, ruin and run boys of America."

Democratic National Chairman Charles Manatt labels Watt "a man who would despoil the surface of the earth." His comments followed passage of a resolution by Democratic Committee members from the Western states calling for Watt's "immediate resignation."

On the other hand, some people, including one very important person, like James Watt and what he is doing as Interior Secretary very much.

President Ronald Reagan stresses that Watt "has my full support."

Republican seantors from the West—men like Alan Simpson of Wyoming and Paul Laxalt of Nevada—strongly praise Watt.

Carl Bagge, president of the National Coal Association, says of Secretary Watt: "He's made my job a pleasure to do again. I can look myself in the mirror and no longer see myself as evil incarnate."

What's going on? Why is Secretary Watt, the head of a government agency that normally makes as many waves as there are in an old mill pond, so controversial?

There are basically two reasons. The first is national politics.

Angry over President Reagan's continuing success on Capitol Hill, but afraid to attack him directly, Democrats are striking at the men around the President, especially those who they think are politically unpopular.

Specifically, leaders of the Democratic Party have forged a political alliance with outraged environmentalists to oust James Watt and, not so incidentally, wound the President.

Both groups are quite open about their alliance.

Environmental lobbyists have met with Ann Lewis, political director of the National Democratic Committee, and chairman Charles Manatt.

"The very extreme positions by Watt and others in the administration leave us looking for some leadership," admits Rafe Pomerance of Friends of the Earth. "Manatt was responsive."

Officials of no less than seven major environmental groups have met with Manatt, including the National Audubon Society, the Sierra Club, the League of Conservation Voters, the Environmental Defense Fund, the Environmental Policy Center, the Wilderness Society and Friends of the Earth. Not so incidentally, all supported Jimmy Carter and opposed Ronald Reagan in 1980.

A recent issue of Democrats Today, the official publication of the Democratic Party, focused on Watt. It featured an article by Congressman Udall denouncing the Interior Secretary.

Robert Neuman, spokesman for the National Democratic Committee, concedes: "We're watching Watt with some interest because he's a political liability."

How much of a political liability he is remains to be tested. As political analyst Kevin Phillips wrote, the places where Jim Watt seems to be the most unpopular "just happen to be Aspen, Cape Cod, Carmel, Marin County, Calif., and so forth, locales where 'the environment' is a marvelous backdrop for a wine-and-cheese picnic or a stunning view from the deck of a $400,000 home. They're by no means the areas where 'the environment' (or the wilderness) is a place to earn a living in the copper mines or in the potato fields or in the sawmills."

The second reason for the controversy swirling around James Watt is national resources.

Although most Americans are not aware of it, the Secretary of the Interior, as Newsweek puts it, "is not only the nation's chief environmental officer, but also its game warden, dam builder, miner and Indian chief."

Secretary Watt oversees one-third of the land in the United States, some 762 million acres. He administers 300 national parks, 400 wildlife refuges and the wilderness areas. He manages the Bureau of Reclamation, which builds the dams and other irrigation projects that provide water for the West. He executes the strip-mining law, leases oil rights on the 1 billion acres of the Outer Continental Shelf and regulates the mineral rights on some 190 million acres of national forest.

For many years, the Department of the Interior was run by single-minded proenvironmentalists who considered "economic development" two dirty words. They made preservation of the land a holy cause. In the process, they acquired new federal parklands, slapped severe restrictions on mining and oil and gas drilling, and emphasized the importance of saving various endangered species, but paid little attention to one species that was experiencing considerable economic danger—man.

For nearly two decades, these environmental extremists rode tall in the saddle, but they were also riding for a fall. It came last November with the election of Ronald Reagan as President and his selection of James G. Watt as Secretary of the Interior.

The environmentalists knew there would be changes but did not suspect they would come so swiftly. They did not take proper measure of Jim Watt.

Within days of taking office, the new Secretary fired 51 of Jimmy Carter's political appointees and abolished the agency charged with acquiring additional parklands.

In addition, as the *Los Angeles Times* summarized the first hectic months, large sections of the California coast were reopened to potential offshore oil production, strip-mining controls were relaxed, the budget of the endangered species program was reduced by 40 percent, granting of mineral leasing rights was speeded up and 50 attorneys in the departmental solicitor's office, mostly responsible for investigating violations of environmental regulations, were removed.

For many, these changes were long overdue. Traditional roles of the department, such as dam building and mineral and petroleum development, had become increasingly difficult because of new regulations. Chris Farrand, a lobbyist for Peabody Coal Co., and a former Interior official, says his industry had concluded that "you just could not get a fair hearing over there. Now, people are listening."

The charge that environmental extremism prevailed at Interior is borne out by findings of the General Accounting Office, the official watchdog of the federal government. According to a number of GAO reports released over the past 18 months, the National Park Service and the U.S. Forest Service (both Interior agencies) have often acquired land where full ownership was not necessary to provide adequate protection. They added to inflationary pressures by bidding up the price of the land, disregarded the interests of local communities and private owners and refused to consider alternate protective measures that would be more efficient.

GAO official Ray Kirk told a Senate workshop in July: "We recognize that some lands must be purchased, but we find no plausible reason why every one must be owned."

Jim Watt was determined to change the "land-over-man" attitude quickly and without apology. Within the first few weeks of taking office, he declared that his mission was "to undo 50 years or so of bad government." He brought his own team in with him, and they litterally cleaned house—moving, for example, the Secretary's office

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

from the enormous ceremonial hall fancied by his predecessor to a small, plain room that had served as Harold Ickes's bedroom back in the 1930s.

After six months, and in a reflective mood, Secretary Watt told the Washington Star that he had not chosen to be provocative or to stir up controversy with environmental groups but was trying to redirect the policies of Interior back toward a centrist position.

"I came here," he explained, "in an effort to bring balance to this department, to bring the pendulum back from left field. My early actions may have appeared to be pro-development, but that was because we were trying to swing the pendulum back to the middle ground" between unrestricted development and unbridled conservation.

In an exclusive interview with Conservative Digest, Secretary Watt stressed that he had a responsibility to see that public lands are managed for the nation's short-term and long-term benefit. He says that every decision is measured in three ways: Will it improve our national security? Will it protect the environment? And will it create jobs?

It is the Secretary's insistence on "multiple uses" of the land, more than anything else, which has infuriated the environmentalists who clearly believe they have a divine mission to protect America's public lands against miners, hunters, farmers and ranchers—in short, against the very people who discovered, settled and developed the land in the first place.

The environmentalists don't know what to make of Watt. As Newsweek says, they are used to those who oppose them out of economic self-interest—miners, developers, oilmen—rather than on principle. But Jim Watt has never profited from any exploitation of the outdoors. He is, next to David Stockman, the least prosperous member of Reagan's Cabinet, with a net worth of only $65,000.

Actually, although it is seldom mentioned by the environmental extremists, the majority of Americans are not on their side, but with Jim Watt. A Newsweek poll conducted in June showed that an overwhelming majority of the public agrees that it is possible to have strong economic growth and still maintain high environmental standards.

Even larger majorities support most of the measures proposed by Watt to increase energy production. By a 70-22 · percent margin, Americans approve of expanded offshore oil drilling, an by 76-19 percent, they favor increasing oil exploration on federal lands.

A plurality would ease strip-mining regulations to allow more coal to be mined, while a majority would relax air-pollution standards to permit more coal to be burned. These findings suggest that, like the man who appointed him, Jim Watt is a man whose time has come.

James Gaius Watt was born in the High Plains—in Lusk, Wyo., near the Nebraska border, in 1938. His grandmother came west by covered wagon in the nineteenth century. His father, William, was raised on a small cattle ranch in the middle of Wyoming. The Watts moved to Wheatland when Jim was in the eighth grade. There his father practiced law and his mother ran the town's 30-room Globe Hotel.

Jim Watt has always been an achiever. He was a high school officer for three years, a varsity athlete, a member of the honor society and the governor of Wyoming's Boys' State. He married the only girl he ever dated, Leilani Hombartner, when they were both sophomores at the University of Wyoming. They had two children, Erin, now 20 and married to a divinity student, and Eric, 19. Both children presently attend Oral Roberts University in Tulsa, Okla.

A nominal Christian in his early years, Watt was "born again" in 1964 when he accepted Jesus Christ as his personal savior. His charismatic faith is central to him and his entire family, but he scrupulously separates his professional work from his religious beliefs. He and his wife now attend the Assembly of God Church outside Washington, D.C.

Jim Watt is a big man—6 feet 2 inches tall and a lean 185 pounds. He moves with lanky grace in a crowd or on the range. He does not smoke, nor does he drink alcohol, coffee or tea. He frequently takes his lunch at his desk and avoids idle chitchat during the working day. He is serious but not solemn, with a quick wit that frequently punctuates his conversation with colleagues or visitors.

Watt received both his undergraduate and law degrees from the University of Wyoming. In 1962, he worked in the Senate campaign of conservative Republican Milward Simpson. When Simpson won he brought Watt to Washington as his administrative assistant. Watt worked for the U.S. Chamber of Commerce and then served at the Interior Department from 1969 to 1975, including a period as director of the Bureau of Outdoor Recreation. During those six years, he learned much about the ins and outs, the strengths and weaknesses of the 80,000-employee agency. He was appointed to the old Federal Power Commission by President Ford, serving from 1975 to 1977.

Jim Watt then returned to the West, settling down in Denver, when he formed the Mountain States Legal Foundation (MSLF) with the financial backing of conservative businessman Joseph Coors. The foundation usually represented clients, large and small, who were challenging overly restrictive regulation of natural resources. MSLF went to court constantly to open public lands to exploitation, to expand grazing rights on federal land and to open recretational areas to vehicles and powerboats.

According to Newsweek, one case that Watt remembers as particularly significant involved 35 Mexican-American ranchers who grazed their small herds on a patchwork of federal, state and private lands along the Rio Puerco in New Mexico. The Bureau of Land Management, concerned about erosion due to overgrazing, ordered substantial cuts in the size of the herds. The MSLF successfully challenged the cuts in court.

Watt points to this case as an all-too-typical example of government intrusion affecting private as well as federal land. "To tell people how to manage their own land—that's despicable in America," he declares.

In effect, Watt and his lawyers used the same legal tactics that had worked so well for environmental groups seeking to slow or halt development. The Mountain States Legal Foundation was patterned after the Pacific Legal Foundation in California, started nearly 10 years earlier by former Reagan aides.

"Jim would never say, 'I don't know,' or 'What do you want me to do?' about questions that would come up," said Kea Bardeen, and attorney at Mountain States. "He was a leader. He was never wishy-washy, and most of us felt inspired by his presence."

Watt was chosen as Secretary of the Interior after former Senator Clifford Hansen of Wyoming withdrew his name because he did not want to sell his family's extensive grazing rights to comply with the new conflict-of-interest regulations. Senator Paul Laxalt was unofficially responsible for all top Interior appointments. Laxalt had never met Watt, but after interviewing him, he phoned Reagan to say, "He's our man."

Jim Watt has been Reagan's man ever since. He is all the things the President looks for in a Cabinet member: He is loyal, he is conservative and he is a good manager. Reagan has recognized his ability by naming Watt chairman of a Cabinet subcommittee, the Council on Natural Resources and Environment, which gives him authority over Energy Secretary James Edwards and Environmental Protection Administrator Anne Gorsuch.

Watt explained his quick rise to prominence in an interview in Public Opinion magazine: "No other Secretary of the Interior, in recent times at least, has had a President who understands my department like Ronald Reagan does. He's a Westerner. Fifty percent of his state is owned and managed by the Federal government. . . . I move with confidence in the management skills I bring to the department, because I know I'm going to be backed by the President."●

JOHN DELANEY

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. STARK. Mr. Speaker, it gives me great pleasure to honor an outstanding public servant, Mr. John Delaney, who is retiring from the board of trustees of the Amador Valley Joint Union High School District.

Over the past 12 years, John has devoted countless hours of personal time, at no small sacrifice to his own family, to insure the youth of our valley the best possible education. He was tireless in his effort to identify community and academic needs and to set goals for the future. Due to his efforts, and to the efforts of his fellow board members, parents and teachers, Amador Valley High School District is recognized as one of the finest in the State, proud of its diversity and its commitment to individual achievement.

Mr. Speaker, may I take this opportunity to ask you and all my colleagues in the House to join with me in wishing Mr. John Delaney further success and continued involvement within our community.●

ATOM BOMB'S PRAYER

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. BINGHAM. Mr. Speaker, how would the famous prayer of St. Fran-

cis read if it were the prayer of the atom bomb? Bishop William E. Swing of the Episcopal Diocese of California has proposed an arresting answer.

The following is an excerpt from an address made by Bishop Swing to the Diocesan Convention on October 23, 1981:

Although I understand and sympathize with the necessity for strong Military preparedness in the face of possible Russian aggression, I believe we have to face the moment of truth when our weaponry exceeds our defense needs and then threatens God's created order far beyond our national interests. Now that Russia can destroy all our major cities 17 times and we can destroy all major Russian cities 40 times—and both sides are producing 3 more nuclear bombs each day—we must now ask the simple question: Will these bombs be used? The answer to that as far as I am concerned is, "Yes."

The first story we read in the Bible is the story of Adam and Eve in the Garden. They are told they must not eat of the fruit of the tree of the Knowledge and Good and Evil. What Adam and Eve do about that apple is exactly what people in all time do about using god-like power. They will eat the apple. We will use the bomb. To trust in the potential perfect conduct of this world's two great powers seems naive. The only way to keep Adam and Even from eating this apple is to chop down the tree and get it out of there. The only way to keep us from nuclear self-destruction is to pursue aggressively a course of mutual disarmament.

On this 800th anniversary of this city's patron saint, Francis, the man who had such profound respect and appreciation for the created order, I changed the words of his famous prayer. Having the same form but an opposite theme, this could be the prayer of the nuclear bomb:

Lord, make me an instrument of total annihilation.
Where there is hatred, let me bring it to finality;
Where there is injury, death;
Where there is doubt, chaos;
Where there is despair, oblivion;
Where there is darkness, void;
Where there is sadness, doom.
O Divine Master, grant that I may not seek so much to be intimidated as to intimidate;
To be understood as to avoid detection,
To be loved as to be feared;
For it is in threatening that we control;
It is in condemning that we bring condemnation; and
It is in dying I bring an end to what You created.●

THE SALE OF F-16 FIGHTERS TO PAKISTAN

HON. THOMAS J. TAUKE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. TAUKE. Mr. Speaker, an important deadline passed on November 22, 1981. As of that date, the administration was free to carry out its proposed sale of 40 F-16 fighter-bombers to Pakistan. Only a vote of disapproval by both Houses could have prevented the sale, and neither House acted within the required 30 days after Congress was formally notified of the proposed sale.

The F-16, as one of our most advanced aircraft, has been doled out sparingly to other nations. Apart from the NATO countries, only Israel and South Korea have been favored with the F-16. Both of those countries have been closely tied to the United States in formal and informal alliances. But Pakistan is no such ally. The only reason for this sale is the presence of 85,000 Russian troops in Afghanistan. We are told that we must shore up Pakistan against the threat of attack from the north. But is it wise to base our policy toward Pakistan solely on the threat from the Soviet Union?

Our policy should be based on other factors as well, I think. We must not overlook the fact that Pakistan is led by a military government that has taken positions clearly opposed to American policy in the Middle East and other parts of the world. General Zia, Pakistan's President, is a man whose poor record on human rights has won him broad unpopularity among his own people. He has contributed to nuclear proliferation—and thus to the dangers in an already dangerous world—by leading his country into a covert program to develop a nuclear explosive. Selling F-16's to Pakistan sends the wrong message to the rest of the world. It says that no matter what actions a nation takes, the United States will extend a shield if that nation is threatened by the Soviet Union.

At best, we share only limited interests with Pakistan, and there is good reason to question whether those interests will be served by the sale of the F-16's. It is clear that for Pakistan, the F-16 is most appealing not as protection against the Russians—the Pakistanis have often showed themselves to be less concerned about the Russian threat to their borders than we are—but as a potential weapon against Pakistan's old adversary, India.

India is much larger than Pakistan—in land area, population, gross national product, and military strength. The 40 F-16's may well offer Pakistan the illusory hope of redressing the military imbalance. Sixty percent of India's territory will lie within the range of the F-16, and, in particular, India's nuclear facilities will be vulnerable to F-16 strikes. It should be remembered that when Israel struck the Iraqi nuclear reactor earlier this year, it was with F-16's supplied by the United States. The F-16's sold to Pakistan will thus be a destabilizing element in an already unstable region. Indeed, it is not beyond the realm of possibility that the presence of the F-16's in Pakistan will tempt India into the sort of preemptive strike that would serve the interests of the Soviet Union itself.

In short, by selling the F-16's to Pakistan we may be defeating our own purpose—that is, helping Pakistan to defend itself from attack. We could have served that purpose much better by selling Pakistan aircraft that are not capable of long-range strikes but are suited only to defensive uses.

Fortunately, Congress may yet be able to block at least part of this sale. Direct military assistance to Pakistan is barred under section 669 of the Foreign Assistance Act, because of Pakistan's efforts to develop a nuclear explosive. Unless Congress lifts that ban, arms sale credits cannot be extended to Pakistan—and without such credits, it is at least questionable that the sale of all 40 F-16's can be completed.

For my own part, I will strenuously resist the lifting of restrictions on aid to Pakistan when that issues comes before the House.●

CONGRESSIONAL THEATER OF THE ABSURD

HON. RALPH REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. REGULA. Mr. Speaker, the spectacle surrounding the adoption of the latest continuing resolution must not reoccur.

Congress—on its own, yet buttressed by the administration—permitted the crucial budget debate to deteriorate from important issues of policy to obfuscating issues of numbers.

The fact of the matter is that nobody—OMB, the Appropriation Committees, the Budget Committees, nobody—knew whether the budget embodied in the continuing resolution vetoed by the President on November 23d was over or under the administration's budget in the only category relevant to appropriation bills—discretionary spending. This was an absurd situation.

How could this be? The answer is as complex as the problem. The problem of sorting out the numbers is very difficult. Honest analysts will disagree. Yet, many of the numbers used in debate were clearly derived from a partial or complete vacuum.

Mr. Speaker, I am encouraged by what I perceive to be an honest and sincere effort on the part of all the players—the administration, congressional Republicans and Democrats, Budget and Appropriations Committee staffs—to resolve the numbers dispute so that we can get on with our job-making policy.●

COMMENTS ON ST. LOUIS CIRCUIT ATTORNEY'S STYLE OF JUSTICE

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. CLAY. Mr. Speaker, I would like to call a matter to the attention of my esteemed colleagues. In this day and time, the rights of an individual in our criminal justice system are under severe attack and in danger of being eroded to the point of nonexistence. Citizens throughout the country are calling for law and order, no matter what the cost. They believe the way to end crime in the streets is to eliminate an individual's protections under the law so as to insure incarceration. Such actions would cut the moral fiber this country is made of. The matter I want to acquaint you with concerns the circuit attorney of the city of St. Louis, Mo., Mr. George Peach. He has made some remarks that are not only disparaging, but disgusting, and disappointing. Upon hearing of the release on bond of a defendant accused in a bombing case, Mr. Peach commented that, "If someone decided to take care of him, it would save us a lot of time and effort. I won't worry a bit about his safety."

Mr. Speaker, those remarks were callous, insensitive remarks. For someone in Mr. Peach's position, the comments were in complete disregard of the position he holds and shakes the premise of this Nation's basic code of law. In all educational institutions in this country, from elementary school through college, we are taught that a man is presumed innocent until proven guilty. To advocate citizens taking the law into their own hands is inexcusable. To condone the exacting of punishment by citizens before guilt is established is reprehensible, unconscionable, and grossly negligent, especially when it is done by the very person whose responsibility it is to uphold the law. The legal profession and the citizens of St. Louis deserve better. With this in mind, I would like to share with my colleagues the following editorial:

[From the St. Louis Post Dispatch, Oct. 27, 1981]

MR. PEACH'S NOVEL APPROACH

It is discouraging enough to realize that good sense may never govern the tongue of St. Louis Circuit Attorney George Peach. It now appears that shame will not do so either. What else is one to conclude upon reading Mr. Peach's comments that a gangland murder of a defendant in a bombing case would be in the interests of law and order? The prosecutor's gross remarks were made upon the release on bond of Michael E. Kornhardt, who has been charged in the bombing death of George M. Faheen Jr. Speculating slyly that Mr. Kornhardt himself may become the victim of another bombing, Mr. Peach said that "If someone decided to take care of him, it would save us a lot of time and effort. I won't worry a bit about his safety."

Caught up, as Mr. Peach no doubt is, in the heady prosecution of his duties, it may well be easy for him to overlook the niceties of the law, which prescribe that Mr. Kornhardt is an innocent man until proven guilty. And pressed by his many duties, Mr. Peach may well imagine that it would be convenient if the hoodlum world would save him "a lot of time and effort" by bumping off suspects, thus obviating the need for formalities and the bother of going to trial. What a carefree existence prosecutors would have if all of their criminal cases could be disposed of with so little fuss. The fact that such a resolution would produce more work for law enforcement authorities in the form of new murders to solve apparently has not yet penetrated Mr. Peach. But give him time. The man, after all, is working on the very edge of criminal justice theory—where no responsible official has tread, at least for a couple of centuries.●

PRESIDENT REAGAN'S CALL FOR ARMS REDUCTIONS

HON. DONALD J. PEASE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. PEASE. Mr. Speaker, on November 18, President Ronald Reagan addressed the Nation in his first major foreign policy speech. In this address, the President made a strong statement for nuclear arms control—a bold and welcome move on his part. Speculation abounds among the President's critics as to his reasons for his statements. To me, however, speculation about motives is far less important than the fact of the speech itself.

This is the topic that I discussed in my most recent weekly newspaper column. It follows:

WASHINGTON REPORT

(By Don J. Pease)

American and Soviet negotiators met this week to talk about whether limited-range "Theater Nuclear Forces" can be restricted in Europe.

President Ronald Reagan deserves much credit for moving aggressively to take the initiative for arms reductions with his November 18 speech to the nation.

The United States, Reagan told Soviet President Leonid Brezhnev, is willing to forego deployment of any nuclear warhead missiles in Europe if the Soviet Union will dismantle medium-range missiles it already has aimed at Europe.

Further, said Reagan, his administration is eager to begin talks "as soon as possible" on ways to reduce the intercontinental ballistic missiles and other strategic nuclear weapons which the world's two greatest powers have aimed at each other.

For good measure, the President added conventional arms limitations to the agenda for future negotiations between the two nations.

It was a bold, and in my view, welcome move on the part of President Reagan.

To be sure, some critics contend that the Reagan speech was a hasty effort to slow down the rapidly growing anti-nuclear movement in Europe which might ultimately leave the U.S. with no European soil on which to place its Pershing II and cruise missiles.

The anti-nuclear demonstrations, critics say, developed because of Reagan's sword-rattling and his scrapping of the SALT II arms control treaty negotiated by his three predecessors.

To me, speculation about motives is far less important than the actual fact of the speech itself. For whatever reason, President Reagan made—in his first major foreign policy speech—a very strong statement for nuclear arms control. The speech ought to be taken at face value.

I'd like to think that President Reagan is becoming increasingly aware of the awesome power which is his to wield. At any time of the day or night, he may pick up the phone and be informed of a possible or probable Soviet nuclear missile launch. He will have 20 minutes to decide whether the reports are accurate and whether to launch U.S. missiles in retaliation. Dozens of B-52 bombers and thousands of land and submarine-based missiles will await his word. Any one of those bombers will carry more destructive force than all of the bombs dropped in the six years of World War II.

Perhaps, too, President Reagan has recently re-read President Dwight Eisenhower's farewell address to the American people in 1961 in which he not only warned about the power of the military-industrial complex but also said: "America's leadership and prestige depend, not merely upon our unmatched material progress, riches and military strength, but on how we use our power in the interests of world peace and human betterment."

And, continued Ike: "Disarmament, with mutual honor and confidence, is a continuing imperative. Together we must learn how to compose differences, not with arms, but with intellect and decent purpose."●

THE RETIREMENT OF MR. WAYNE BARNES

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. STARK. Mr. Speaker, it is a great honor to have been invited to speak at the retirement of Mr. Wayne Barnes. Such events always bring a multitude of thoughts and emotions to mind. The Amador Joint Union High School District will miss the dedication and guidance of Wayne Barnes, yet we are more than grateful for all he has done.

During his 6 years on the school board we have seen many changes, and Wayne Barnes has played an active role the entire time. His participation in the task force to establish high school proficiency tests has been critical to the success of secondary education programs in the valley.

I want to join the entire staff, administrators, teachers and students, in wishing Wayne Barnes, his wife, Valerie, and their children, Steve, Richard, Jeffrey, Tina Marie and Mary all

the best. I speak for everyone when I say he will be missed.●

RUBIK'S ECONOMICS

HON. NORMAN D. SHUMWAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. SHUMWAY. Mr. Speaker, it is part of an economist's job to try to mystify us with a lot of numbers and formulas. Despite that, the basic principles of human economic activity can be read within each of us. In trying to make sense of "supply side" economics, maybe that is a good place to start.

The Keynesians tell us that demand creates supply. Their idea is that demand can be created by putting money into the hands of the people, who will then demand goods and services, and so those goods and services will be provided. For many years, Government has chosen to put money into the hands of the people by spending more than it takes in, and printing enough money to cover the difference. It would be possible to give people money by cutting taxes, but politicians do not like that method, because the people might spend the money on the wrong things.

Supply-side economics starts at the other end. Supply-siders tell us that supply creates its own demand. They say that someone will produce something even though there is no demand for it. Although at first that seems unlikely, if you think about it, you see that it couldn't be any other way. How could anyone demand something that did not exist? Let me give a simple example.

Think about Rubik's cube. No matter how much pump priming Congress did, or tax cutting, nobody was sitting around waiting for a Rubik's cube to play with. It was Rubik who had the bright idea of creating a supply of the little beasties. Once they were created, the demand grew enormously, and now thousands of man-years have been wasted trying to put the things together properly.

Exactly the same thing happened with video games, with home computers, with front-wheel drive cars, with jogging shoes, and with color television. These things did not come into being because of a demand for them. They came into being because an entrepreneur figured he could find someone to buy them if he went into the business of making them. The demand followed the supply.

The question for us today is how we can encourage more entrepreneurs to undertake the creation of more supply. The answer involves tax cuts, but not just any tax cuts. We can cut taxes across the board, or just for rich people, or just for poor people. The kind of cuts that are likely to help, it seems to me, are across the board cuts, the kind Congress recently passed.

These cuts are what we need because they affect marginal tax rates. They reduce taxes on the next dollar earned. And they do it for everyone. The result is that anyone with a bright idea sees that he will profit more from putting that idea into production than he would without the cut. He has an added incentive to produce, to create a supply of new storage batteries, or food processors, or Rubik's cubes.

Lower marginal rates encourage Mr. Rubik and all his friends to get to work creating the supply that will answer tomorrow's demand. Productivity increases; the standard of living rises; and lo and behold, even the tax man gets more, as the general level of economic activity rises.

And that, in a plastic cube, is supply-side economics.●

SAFETY IN THE POST OFFICE MUST BE MANDATED

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. BIAGGI. Mr. Speaker, today I am introducing legislation that would protect the health and safety of our Nation's postal workers by affording them coverage under certain provisions of the Occupational Safety and Health Act of 1970. By bringing the post office under the jurisdiction of certain provisions of this act, it is my expectation that we can reduce the abysmally high accident rate which plagues the post office and its employees.

Accident statistics for postal workers dramatically illustrate the pressing need for this legislation. The numbers show that the illness and injury rate for the U.S. Postal Service is close to twice the average of all agencies of the Federal Government, and higher than that for private industry. According to our data, between 1973 and 1978, the illness and injury rate among postal workers increased by 50 percent; the lost workday case rate nearly doubled, the rate of lost workdays per 100 full-time workers increased by 150 percent and the fatality rate remained nearly the same. In 1978, the three injury rates declined slightly, while the fatality rate increased.

As New York's senior member of the House Education and Labor Committee which will consider this legislation, I remain an active and ardent supporter of OSHA which has galvanized workers rights to safety in the workplace since its creation in 1970. Its record for protecting and insuring employee safety is well documented and the post office and its employees should be afforded the same rights as others who receive its monitoring and enforcement activities.

The reasons why these injury and illness rates have increased over time and remain unnecessarily high are largely due to the increased volume of mail processed annually. In the last 9 years, pieces of processed mail have increased from 88 to 100 billion annually while the number of the postal work force has been reduced by 80,000. Today, only 30 percent of the mail is processed manually as compared to 70 percent in 1979. If we are to begin to address this issue successfully, the Occupational Safety and Health Administration, within the Department of Labor, must be able to monitor and enforce safety in the post office. My bill will do just that.

In addition, because the Postal Service was established as a quasi-government, independent agency in 1970—the same year OSHA was created—it was neither totally private industry nor totally Federal Government. The OSH Act set forth protection coverage for private workers and section 19 of that act provided special coverage for Government employees but neither of these two were applicable to the Postal Service in an apparent oversight by Congress. My bill would eliminate this nonalined sector status of the Postal Service once and for all. It would also provide an added incentive to postal supervisors to insure maximum safety in the workplace.

Surveys indicate that nearly 26 percent of all reported injuries in the Postal Service are primarily preventable. This includes 20 percent of the accidents due to manual mail handling and 6.4 percent which result from workers striking against things. While we realistically cannot expect to address all areas where illness and injury might occur, we can, at a minimum, tackle those work situations which are preventable. My bill would encourage better safety precuations in the mail service which would undoubtedly assist in the timely delivery of mail to customers.

The Postal Service provides a service to this Nation which is critical to all sectors of society—commerce and industry, the Federal Government, and the small business man. The safety and health of its workers must be of paramount importance to us if we are to adhere to the scope and intent of OSHA and to assure them that their right to a safe workplace will be provided and protected.●

CONGRATULATIONS TO HONDURAS

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. BARNES. Mr. Speaker, last Sunday, November 29, there was an election in Honduras. As any observer of events in Central America knows, a fair and free election is no small accomplishment, but the election in Honduras demonstrates that it can happen. The reports now available indicate that the turn-out was near 80 percent and that it was fair, open, and free. Three of our colleagues, Congressman BENJAMIN GILMAN, Congressman ROBERT LAGOMARSINO, and Congressman JAMES JEFFORDS were present during the election and report that it was truly democratic.

I want to take this opportunity to congratulate the citizens of Honduras. Congratulations are also in order for the Liberal Party and its Presidential candidate, Roberto Suazo Cordova. Mr. Suazo was elected with 54 percent of the vote, while his main opponent, Ricardo Zuniga of the National Party received 41 percent.

Despite this success, Honduras and its new President face a difficult future. Their economic situation is critical, and they are surrounded by conflicts. I think that the United States has a responsibility and a national interest in doing all that we can to assist Honduras new government. It is time to make clear that the United States supports democratic governments—both before and after the elections.●

DEATH OF A DREAM

HON. NORMAN E. D'AMOURS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. D'AMOURS. Mr. Speaker, I would like to take this opportunity to commend to my colleagues the following article, entitled "Death of a Dream" from a New Hampshire newspaper, the Concord Monitor, of November 16, 1981, and written by Ralph Jimenez. This article points out very poignantly the current crisis in the housing industry, a crisis which is destroying the economic livelihoods of homebuilders, construction workers, and the building materials and lumber industries as well as denying the opportunity to many of our citizens the goal of homeownership and realizing the American dream.

DEATH OF A DREAM

The roof of the housing industry hasn't fallen in yet, but it's sagging badly.

New Hampshire contractors who once built the affordable homes of the American dream, are now taking shelter in office buildings and luxury housing.

"By April, I foresee a fatality rate of more than 40 percent in the ranks of New Hampshire's builders," said Wally Beede. Beede is the owner of Liberty Home Builders, which he described as the area's largest builder of custom homes.

This is the third bad year in a row for the housing industry. Nationally, housing starts are down more than 40 percent over last year and are nearing a record low set in 1959.

The situation is forcing construction companies to pack up their toolboxes. Their failure rate is up 49 percent over last year, according to the business information firm of Dunn & Bradstreet.

Though no exact figures were available, at least a dozen builders are out of business in New Hampshire while others are simply idle.

"The American dream is dead—it's gone," Beede said. "The days when most people could look forward to owning their own home are passe. Only about one out of 10 potential homebuyers make enough money to qualify for a mortgage and I don't see that changing for at least three years, if it ever changes at all."

Because buyers can't afford homes, builders aren't building them. Part of the story sits in slim manila folders on a desk in Concord's code enforcement office.

In 1978, the city issued 157 building permits for single family homes and 144 in 1979. By 1980 it was down to 92. And as of Nov. 1, only 42 permits had been issued, 55 percent fewer than last year.

Concord is not unique. In Bow, new housing start figures have also tumbled into the cellar. Just 16 permits were issued as of Nov. 1, less than half last year's number.

With the year nearly over, and the construction season coming to an end, a large increase in the numbers of permits being issued in either town is unlikely.

If no permits are issued next month, the number of housing starts in Bow will have fallen an incredible 450 percent since 1978 when 73 permits were issued.

In Concord, six permits were granted in November and December of last year. If six more are granted this year, housing starts will be 300 percent below the city's 1979 level.

The city also keeps track of the total number of new dwelling units built each year. These include houses, apartments and condominiums.

Douglas Woodward, assistant city planner, said Concord has added only half as many dwelling units in the first nine months of this year as it did in the same time last year.

The best of the last five years was 1979, thanks to projects like the 83-unit Firehouse block building. But Woodward knows of no similar projects in the works.

"There is no other word for what is happening to the housing industry, but a depression," Beede said.

The president of the New Hampshire Homebuilder's Association said the situation is going to get worse before the end of the year.

"I know that some builders, at least a dozen but probably more than that, have folded up their tents and slipped away," Warren Davis said.

So far, he said, none of them are from the Concord area.

Bob Dunning is a contractor from Hopkinton who owns The Dunning Home Group. He said he's heard of 15 or 20 builders who have gone under this year.

Many more, Dunning said, are sitting on the sidelines.

"The guy still has his business cards and would build a home if someone came to him with the money, so I guess you could say that he's still in business," he said.

Dunning is a newcomer to the custom home business. He turned down $1.5 million worth of work two years ago because his company was simply too busy to handle it. That, he said, isn't likely to happen again.

The contractors who are working, he said, are building homes for upper income bracket clients or have expanded into commercial work.

"The range of homes being built has changed dramatically," said Dunning. "Affordable houses in the mid-50s price range used to be 90 percent of our business but now it's down to 20 percent."

Two or three years ago, he said, three-quarters of the housing market consisted of young families. Now, Dunning and his brother Craig are building homes in the $100,000 bracket for local professionals and executives transferred here from other states.

"We're not building houses anymore for the people who really need them," he said.

But even the well-to-do are not entirely insulated from the bad economy.

Wally Beede has been building nothing but custom homes for 11 years. He has built more than 200 of them. Prices start at $100,000.

High interest rates, he said, have also hurt house sales in that income group, which traditionally is somewhat protected during a recession.

"My business, though we haven't had to lay anyone off, is down 60 percent over last year," Beede said.

Where Liberty Homes once built an average of 25 luxury houses a year, this year it will build just nine.

Beede sold two $200,000 homes recently to buyers who had down payments of $120,000 and $140,000. Even they had to pay 18 percent for mortgage money on the balance.

"You need to have an income of at least $38,000 a year to buy a $60,000 house today and be able to afford a $1,000 a month mortgage payment," Beede said.

He has kept his crew busy by having them do most of the work that he once subcontracted to other companies.

Beede also believes in going after a sure thing. He has never been a "spec builder" a contractor who borrows the money to build a house in the hopes of selling it later at a profit.

"Most of the builders who go under are building on speculation," said Beede. "You can't borrow money at 20 percent, wait a year to sell a home and make money. And the smaller the builder the sooner he goes under."

At The Dunning Home Group, all eight people on the payroll are still working but Bob Dunning said that he has had to go after business agressively and diversify by doing additions and commercial construction.

"We're doing more renovations, because people are keeping the homes they have," said Dunning. "We're also putting up an office building and doing work on a church."

Commercial construction, he said, is still booming in New Hampshire and keeping many contractors in work. Nationwide, however, 40 percent of all construction workers are unemployed.

Though high interest rates basically are at fault, another factor has aggravated the problem. Changes in federal law designed to tighten the availability of mortgage money have choked it into lifelessness.

"In recent years, nearly two-thirds of all Concord housing starts were subsidized with low interest mortgages provided by the New Hampshire Housing Finance Agency," said Woodward. The agency, which sells tax free bonds to raise the money, has not done so since 1980.

Both Woodward and Davis blame federal legislation passed that year for making many people's dreams of owning their own home a castle in the air.

"The regulations have been made so tight that no housing agency in the country can float bonds to raise mortgage money," Davis said. "Until Congress, in its wisdom, amends the Ullman bill, the consumer is just going to have to sit by and wait."

Before the bill passed, families with incomes under $28,350 could qualify for a reduced rate loan if the new home did not cost more than $64,000. The bill eliminated the family income ceiling, but limited eligibility to first-time homebuyers who could locate a house selling for under $56,070.

Last year, the state housing agency lent out its money at slightly more than eight percent.

Housing costs, the builders say, are likely to remain high indefinitely. Even families with two wage earners no longer can afford to own a home, Dunning said.

Even so, condominiums in the $100,000 to $150,000 range are still selling, he said.

"What is now an economic problem will soon be a serious social problem as well," Dunning said.●

GOLD MEDAL FOR BRYAN LEWIS ALLEN

HON. CHARLES PASHAYAN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. PASHAYAN. Mr. Speaker, last October I circulated a letter requesting support for a measure to have a gold medal struck in honor of Bryan Lewis Allen, who pedaled his way across the English Channel in a self-powered airplane. This was the first time in history that man has achieved this. I thank those who have agreed to cosponsor this legislation with me. I am introducing that bill today and ask those who have yet to do so to assist me by cosponsoring this bill.

Bryan Allen is one of America's aviation pioneers. In August 1977 he piloted his airplane, the *Gossamer Condor,* on the first controlled and sustained flight ever in a human-powered airplane. Powering his plane with a pedal system similar to that of a bicycle, he steered the *Condor* around a figure-eight course covering a distance of 1.15 miles. The *Gossamer Condor* is now on permanent display at the National Air and Space Museum.

On June 12, 1979, Bryan began a far more ambitious flight. Flying the *Gossamer Albatross,* a plane similar to the *Condor,* he took off from Folkstone, England, and made the first human-powered flight across the English Channel. This grueling ordeal ended after 2 hours and 43 minutes when Bryan landed on the beach at Cape Cris-Nez, France. The next day every Western newspaper headlined the story.

Bryan Allen fulfilled one of the world's oldest aviation dreams—human-powered flight. A gold medal honoring Bryan is in keeping with the practice of America to honor its aviation pioneers. This practice began with the awarding of a gold medal to the Wright brothers in 1909. Most recently a gold medal was presented to the three men who piloted the *Double Eagle II* balloon across the Atlantic.

I hope to receive the assistance of my colleagues in promoting this bill for California's innovative aviator. Mr. Allen's effort deserves this congressional recognition. A text of the bill follows:

H.R. 5117

A bill to authorize the President of the United States to present on behalf of the Congress a specially struck gold medal to Bryan Lewis Allen

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, (a) the President of the United States is hereby authorized to present, on behalf of the Congress, to Bryan Lewis Allen, the first aviator to cross the English Channel in a self-powered plane, a gold medal of appropriate design in recognition of his distinguished feat as an aviation pioneer. For such purpose, the Secretary of the Treasury is authorized and directed to cause to be struck a gold medal with suitable emblems, devices, and inscriptions to be determined by the Administrator of the National Aeronautics and Space Administration with the concurrence of the Commission of Fine Arts, subject to the approval of the Secretary of the Treasury. There are authorized to be appropriated not to exceed $15,000 to carry out the provisions of this subsection.

(b) The Secretary of the Treasury may cause duplicates in bronze of such medal to be coined and sold under such regulations as he may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the appropriation used for carrying out the provisions of this subsection shall be reimbursed out of the proceeds of such sale.

(c) The medal provided for in this section is a national medal for the purpose of section 3551 of the Revised Statutes (31 U.S.C. 368).●

THE NEED FOR CERTAIN NATIONAL POLICIES

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. WALGREN. Mr. Speaker, I am pleased to share with my colleagues some interesting thoughts about the need for certain national policies. Anthony Lewis' column, entitled "Pernicious Myths About Free Enterprise," appeared in the November 21, 1981, Pittsburgh Post-Gazette:

PERNICIOUS MYTHS ABOUT FREE ENTERPRISE

(By Anthony Lewis)

BOSTON.—Thanksgiving Day, as history and symbol, throws some curious light on a myth of our day: that American greatness came from free enterprise, from individual rather than community effort, and that a return to individualism can solve our current problems.

That myth informs Ronald Reagan's whole political program, and a lot of people believe it. But it is a myth.

The Pilgrims who landed at Plymouth Harbor in 1620 were a community in the deepest sense. Those in charge were a group of separatist religious believers, moved by their faith to seek a place where they could live in their own way together, undisturbed by outsiders.

Their survival in the new land depended on joint struggle, and on the help of friendly Indians. Half the colonists died during their first terrible winter. When Gov. William Bradford declared a Thanksgiving to celebrate their first harvest in 1621, Indians shared the feast.

Individualism in the political sense was there at the beginning. In the Mayflower Compact, drafted on the way across the Atlantic, the company agreed that their settlement would be governed by majority rule. There was no divine right or inherited rank; every man had an equal vote.

The development of this country has been shaped, from that beginning, by a mix of individualism and community enterprise. At times more of one than the other, then swinging back. It was an America of pioneers and frontiersmen—but also, by some of our earliest political decisions, of public roads and a national postal system. It was a country of Horatio Alger and Henry Ford—but also of public schools and public libraries.

One of the distinctive aspects of American culture was and is an expression of community. That is, the existence of myriad civic organizations: the educational, business, professional and do-good groups that have such an influence on the society. We are so used to these collective enterprises that we do not usually realize how American they are: how much more numerous and significant, for example, than they are in European countries.

Since the 1930's we have looked increasingly to government to meet community needs. That is the trend that President Reagan says he wants to stop, and he has a point—especially about the concentration of responsibility in Washington. Liberals, too, ought to recognize that we sometimes go too far in relying on the federal government to solve local problems. The point was made 50 years ago by that great liberal, Louis Brandeis.

But it does not follow that national programs are automatically bad, that ending federal regulations will always free the people's creative energies, or still less that individual enterprise can solve all of today's social and economic problems. Those are not just myths but pernicious ones.

Like it or not, the United States is a nation now—much more so than before the 1930s, with a national economy and a highly mobile population. We need a national mon-

etary policy, a federal system of unemployment insurance, a Social Security system.

Nor can we escape the consequences as a nation if we ignore social evils here or there. We learned in the 1950s and 1960s that the country as a whole was damaged when black citizens were not allowed to vote in Mississippi, and it would be a disaster if the national commitment against racial discrimination were weakened now. And the same for the food-stamp program, by which the richest country on earth protects its poor and weak from hunger: a highly efficient way to meet a community responsibility.

The most misguided notion in the current political rhetoric, and the most dangerous, may be the idea that relaxing federal environmental standards will help the economy. And it is not just an idea. The Environmental Protection Agency is eliminating wholesale the rules that protect our air and land and water.

It is the very essence of an industrial world's environmental problems that they cannot be met by individual or local action. What happens in one place affects others. Poison in Chesapeake Bay or the Hudson River touches the striped bass fishermen of New England. Sulfur fumes coming from the smokestacks of the Middle West poison the lakes of New York State and Canada with acid rain.

When we speak of the environment these days, we are most often talking about health. It is not just a question of esthetics when the EPA undoes just about all the restraints on toxic-waste dumping—as it has done in the last 10 months. It is not just some "environmental extremists" who will suffer if the EPA budget is cut in half from its 1981 fiscal year level, as the Reagan budget-cutters are trying to do.

There are community values that can be preserved only by action of the community. And Americans really do understand that. In a recent poll, 61 percent said they would keep present clean-air laws even if some factories must close. Thanksgiving is a good time to remember that America is not synonymous with individual greed.●

SOMETHING SHOULD BE DONE

HON. CARROLL HUBBARD, JR.

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. HUBBARD. Mr. Speaker, John S. Davis, a realtor with John Smith Gallery of Homes in Paducah, Ky., has written a very thoughtful letter to me regarding his ideas on how to cope with the current economic situation. I feel that Mr. Davis' letter is one which should be shared with my colleagues and I wish to do so at this time. The letter follows:

DEAR CONGRESSMAN HUBBARD: We want three things from you and the other members of Congress:

1. The President and the Congress to hold the budget deficit to under $42.4 billion in fiscal 1982. Balance the budget in fiscal 1984.

2. The Federal Reserve Board to allow the money supply to increase at the upper end of its monetary targets to accommodate economic growth and stability.

3. The President to appoint a non-banking, small business representative to fill the first vacancy on the Federal Reserve Board.

The public can no longer be asked to accept the economic hardships that are resulting from the devastating cost of money.

We want something done NOW, not 12 months down the road when election time gets close.

Sincerely,

JOHN S. DAVIS,
Realtor.●

REAUTHORIZATION OF THE OLDER AMERICANS ACT OF 1965—URGES PASSAGE OF H.R. 3046

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. BIAGGI. Mr. Chairman, as an original cosponsor of the pending bill and a member of the Education and Labor Committee, I rise to lend my full and enthusiastic support of H.R. 3046, the Older Americans Act Reauthorization of 1981. For the past 16 years, and hopefully for many years to come—the Older Americans Act has been the centerpiece of this Nation's policy for providing social and human services to millions of our older citizens.

We consider this legislation—and all of its key provisions—just days before the convening of the 1981 White House Conference on Aging. The fact is, the Older Americans Act grew directly out of the very first White House Conference conducted in 1961. Just 4 years later, under the auspices of the Great Society programs of President Lyndon Johnson, the Older Americans Act of 1965 was enacted. It began as a $6 million social service program and today its funding level has grown close to $1 billion. It has also grown in the variety of services it offers to older Americans as well and now includes nutrition, employment, legal, and transportation, as well as educational and outreach services.

This bill, H.R. 3046, will extend all programs of the Older Americans Act for an additional 3 years and will extend the number of titles in the act to seven. The length of the reauthorization is critical. Equally vital is the fact that passage of this legislation by the House will reaffirm total congressional support for the Older Americans Act remaining a categorical grant program as it has been from its inception. The significance of this is especially evident in 1981 with the new wave of "block grant fever" which has swept this Nation. The maintenance of the categorical status of this act is fundamental to its success.

The bill contains a number of improving amendments. The most critical of them is provision which permits State agencies to transfer up to 20 percent of its funds between title III-B and III-C. The purpose of this is to provide/needed flexibility to States in how they allocate their social service dollars. More specifically, the 1978 amendments to the act called for title III-B to assume funding responsibilities for the supportive service related to the nutrition program under III-C. One of the most important of these services is transportation. A basic problem developed when the funding levels for III-B did not grow at a rate sufficient to assume responsibility for services such as transportation.

Consequently, States found themselves with adequate funds for nutrition but not enough money to get the people to the meal sites. The 20-percent transfer language—which I authored—should greatly relieve this problem.

In addition, H.R. 3046 eliminates one of the more contradictory provisions in the act which mandate that area agencies on aging allocate 50 percent of their funds under title III-B for in-home access and legal services. While no one has ever disputed the importance of these services, a number of us always had problems with the Congress telling area agencies on aging how they had to spend their money. Earlier amendments to the act created the "aging network" which included area agencies as a concept. Today, there are more than 660 AAA's nationwide. They are the central focus on the local level for the development of social and human services to the elderly.

H.R. 3046 eliminates the 50 percent mandate and instead, urges that an adequate portion of funds be used. It would be my hope, as a cosponsor of this legislation, that the determination for the "adequate" portion will be that of the area agency.

Other important provisions of this legislation include an amendment which I authored in the Education and Labor Committee, which would greatly upgrade the status of the Commissioner on Aging. Presently, the Commissioner and her administration on aging is mired deep within the bureaucracy of the Department of Health and Human Services. My amendment would have elevated the Commissioner's position by giving the job directly line authority to the Secretary, rather than the Office of the Secretary, as is the present case. It is a long-overdue recognition of the importance of this position and of course, the act, to older Americans. This amendment was approved in 1978 and almost made it into the final legislation. I contend that with older Americans being the fastest growing segment of this Nation's population—we must begin to give them something better than second-class treatment by the Federal Government.

This bill retains the grandfathering clause which has helped to insure

speedy delivery of nutrition services to millions under the act. The thousands of nutrition projects which provide one hot meal a day, 5 days a week, are a vital element in the overall Older Americans Act. I hope there can be a complete continuation of existing services without any major interruptions in whatever revised administrative structure is agreed upon as part of the reauthorized bill.

It is important to note that H.R. 3046 clearly rejects the so-called "consolidation" proposal proposed by the administration. Under this plan, authorizations for the home-delivered and congregate meals programs and the commodity foods program within the Department of Agriculture, would have been merged. This consolidation would have not achieved better efficiency in terms of the delivery of nutrition services and might in fact lead to interruptions. The Committee on Education and Labor clearly went on record against a consolidation proposal and I hope that the House will accept the reported bill's language in this area.

I wish to note that the bill also allows contributions received at nutrition sites from participants to be used for both nutrition and supportive services. This is an important reform which should help us in our quest to provide a balanced and coordinated network of services to our seniors.

The committee bill also approved my amendment establishing special demonstration projects in mental health. This amendment was offered on behalf of my colleague, Mr. HAMMERSCHMIDT, and is reflective of the concern of the House Select Committee on Aging on which we both serve—about the mental health needs of our seniors. While the elderly make up just over 12 percent of our population—they have more than 25 percent of all the cases of mental illness in our Nation.

The authorizations provided in the committee-reported bill are a reflection of the high degree of support which our committee has for the various key service programs in the act. We felt that substantial growth is needed in these programs if we are to better fulfill the mandate of the Older Americans Act. I will support, with reluctance, the committee amendment which will lower the authorizations to be more in line with the Budget Reconciliation Act, but sincerely hope that we can maintain or increase appropriation levels.

Several other points in brief. While H.R. 3046 retains the 1 percent set-aside for a nursing home ombudsman program on the State level—the Senate passed Older Americans Act eliminates the specific set-aside amount. I wish to reiterate my total support for the nursing home ombudsman program and urge States to guarantee its continuation.

Finally I wish to bring to the attention of my colleagues a matter of profound concern to me. Under the terms of the Older Americans Act formula for the distribution of funds under title III—States are awarded funds on the basis of their percentage of the 60 and over population. A total of 19 States in this Nation, including and especially my home State of New York, have registered increases in their 60 and over population—but not at a rate sufficient to increase their percentage of older people thus increasing their portion of funds under the act. I am seeking to address this problem in one of two ways—either through earmarking funds from section 206(g) for a hold harmless for these States to avert service reductions, or a commitment from the administration that they will distribute some $1.4 million from these same funds, outside the existing formula to insure no service reductions.

Mr. Chairman—I fully support this bill and urge its adoption.●

THANKS TO SCANDINAVIA—A SCHOLARSHIP FUND

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. SCHUMER. Mr. Speaker, I rise today to pay tribute to an organization that has been referred to as "a candle in complete darkness." I refer to a very special organization named "Thanks to Scandinavia." "Thanks to Scandinavia" approaching its 20th anniversary was founded in order to commemorate the Scandinavian rescue of thousands and thousands of Jews from Hitler's "Final Solution."

Since 1963, "Thanks to Scandinavia" has provided educational scholarships enabling young Scandinavians to study here in the United States. These scholarships and apprenticeship opportunities cover a wide spectrum of studies in technical and cultural subject areas not available in Scandinavia.

The result of this important exchange has been a perpetual memorial to the parents and grandparents of these young scholars; a memorial more important than any building or monument, because it is carried on through the continuation of the human spirit.

The success of "Thanks to Scandinavia" can easily be attributed to the efforts of National Chairman Victor Borge, President Richard Netter, and Vice President S. Ralph Cohen. They are to be commended for their dedication and devotion. The various Scandinavian countries, overwhelmed with gratitude, have taken great pride in knighting each of these men several times. The result of their efforts is not only evident in the success of "Thanks to Scandinavia," but is also evident in an intensified good will shown by Scandinavian countries toward both America and Israel.

I join "Thanks to Scandinavia" in its effort to provide a living memorial of the Scandinavian "mitzvah." It is with immense tribute to "Thanks to Scandinavia" and the Scandinavian countries themselves, that I repeat: "Never Again."●

INTERNSHIPS A WORKABLE ALTERNATIVE

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. WHITEHURST. Mr. Speaker, all of us receive frequent inquiries from young people seeking internships, and many more applications than we can possibly accept for placement in our own offices. As we all know, the Office of Personnel Management has an excellent publication which comes out at the end of each year outlining summer positions with the Federal Government for the following summer.

In addition, the "Careers" column by Joyce Lain Kennedy which appeared in the Norfolk Virginian-Pilot on Thursday, November 26, contained some particularly useful guidance regarding internships, and I am pleased to share it with my colleagues in the thought that it might help them assist their young constituents:

[From the Virginian-Pilot, Nov. 26, 1981]

INTERNSHIPS A WORKABLE ALTERNATIVE FOR INEXPERIENCED

(By Joyce Lain Kennedy)

There's a specter hanging over students, new graduates, women returning to the work force and career changers: "They only hire people with experience, so how can I get experience unless they give me a job?"

Internships can banish that ghost. Not only do good ones offer real experience, they can ease the psychic transition from school, home or another job to the work place. When your internship ends, you may be asked to stay on permanently. Or you may discover your interests lie elsewhere.

Money could prove to be your biggest hang-up: if you're trying to scrape together enough to pay for your next school term and eat a decent meal, ask yourself, "Can I afford this opportunity?"

Some internships pay off in experience or college credit only; others ante up minimum wages or better. If you must relocate, lean on relatives and friends to help you find lodging. Find out where other interns stayed.

Expect prickly competition for paid internships. Here are a few concrete leads:

A new book, "1982 Internships," is available for $11.50 postpaid from Writer's Digest Books, 9933 Alliance Road, Cincin-

nati, Ohio 45242. The book explains how to select and apply for internships and how to get the most out of them. It also suggests places where you can find inexpensive living quarters. The editor, Colleen Cannon, says 75 percent of the book's listings fit returning women and career changers as well as they fit the traditional student.

Other publications: "Directory of Public Service Internships," edited by Debra Mann and updated yearly, is $9.50 postpaid from the National Society for Internships and Experimential Education, Suite 601, 1735 Eye St. N.W., Washington, D.C. 20006. The "National Directory of Summer Internships" is available for $10 postpaid from Career Planning Office, Haverford College, Pa. 19041.

Get advice from friends, professors, internship coordinators and other interns. When you've narrowed your selection to half a dozen, send the sponsoring organization a copy of your resume, a sample of your work, letters of recommendation and a personal statement emphasizing your strengths. Some organizations may want a transcript of your grades.

If, after you've begun your internship, you feel you're not getting the experience you bargained for, speak up. But don't be surprised if you get stuck with some gofering at first—it usually comes with the territory.●

ELLIOT STREET SCHOOL

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. RODINO. Mr. Speaker, my home city of Newark will celebrate the 100th anniversary of a very important educational institution on December 10. Mayor Kenneth Gibson, County Executive Peter Shapiro, the members of the Newark Board of Education, and numerous other public officials and private citizens will join in a day long tribute to the Elliot Street School in Newark.

First established in 1881, this elementary school moved a few years later to its present site, which was then called Cottage Street. In 1914 the school took its name after John Elliot, past president of Yale University. Not long after that the street was named after its most important building—a place of fundamental learning which helped to educate the children of Irish, Italian, and more recently Hispanic immigrants. As its role has changed several times over the years—at one time it functioned as a center for visually impaired children, and then it became a school for music—it has remained a place of steady enlightenment for generations of Newarkers.

Next Thursday Elliot Street School's principal, John W. Hansen, will lead the school's administrators, its 85 teachers and nearly 1,000 students in a special celebration of the school's past, present and future. Many of the children will present posters they made depicting various stages in Elliot Street School's history. Several former teachers, administrators and students of the school will return to remember the place which contributed to their lives.

The city of Newark is rightly proud of Elliot Street School and of the very active parent-teachers association there headed by Helen Poch. But I believe the entire Nation has reason to share in our celebration—because Elliot Street School represents the best of our educational traditions and I am sure it will endure for many generations to come.●

NEW YORK STATE ASSEMBLY SPEAKS ON NORTHERN IRELAND

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. BIAGGI. Mr. Speaker, as chairman of the 126 member bipartisan ad hoc congressional Committee for Irish Affairs, I wish to present a resolution adopted by the New York State Assembly on October 29, 1981, dealing with peace and reunification for Ireland.

A applaud this important legislative initiative of the State Assembly and especially commend the various sponsors, Messrs. Feldman, Walsh, Butler, Conners, Ms. Dugan, Ferris, Mrs. Lipschutz, Morahan, Perone, and Ms. F. M. Sullivan.

The basic theme of the resolution is its call for Great Britain to work for the unification and freedom of Ireland. It is laudable objective to seek and work for a peaceful political resolution and it is my contention as chairman of the ad hoc committee that this Nation has an important role to play to make that happen.

LEGISLATIVE RESOLUTION, ASSEMBLY No. 1207

Whereas, The members of the New York State Legislature, being for the most part not of Irish ancestry, have viewed the English Government's lack of response to the recently ended Maze Prison hunger strike, the ultimate protest against injustice, with increasing horror; and

Whereas, This Legislative Body believes that the time has come for Americans of all ethnic backgrounds to take notice of the urgent human appeal that is the message of these Irish martyrs and patriots; and

Whereas, The United States purports to have a special relationship with the United Kingdom which should also imply a special responsibility for the actions of the United Kingdom; and

Whereas, Certain responsible groups in the United Kingdom, although not in the seats of power, have urged that the Government of the United Kingdom adopt an explicit policy that Northern Ireland be united under the jurisdiction of Free Ireland over a reasonable period of time, most likely a decade; and

Whereas, The announcement of an explicit unification policy, the unification itself however to take place through a gradual process over a number of years, would assuredly have the effect of initiating the processes of psychological as well as political and economic adjustment to this inevitable occurence; and

Whereas, Those who prefer to avoid action using as a cloak for their real motivation the false excuse that the particular dilemma of Northern Ireland is forever insoluble should have been confounded by the recent example of the Rhodesian solution; now, therefore, be it

Resolved. That the Government of the United States shall express to the Government of the United Kingdom our firm conviction that an Irish unification policy must be implemented if the United Kingdom wishes to retain its status as a nation which lays claim to a reasonable standard of civilization, and to a special relationship with the United States, this conviction to be expressed in increasingly concrete terms, both diplomatic and economic, as time passes; and be it further

Resolved. That a copy of this Resolution, suitably engrossed, be transmitted to the Honorable Ronald Reagan, President of the United States, to the President Pro Tem of the Senate, to the Speaker of the House of Representatives, to the Secretary of State and to each member of Congress from the State of New York.●

THE STOCKMAN ARTICLE

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. HAMILTON. Mr. Speaker, I insert my Washington Report for Wednesday, November 25, 1981, into the CONGRESSIONAL RECORD:

THE STOCKMAN ARTICLE

Budget Director David Stockman's comments in a magazine article on President Reagan's economic program have dominated conversation in Congress this week. The article is a fascinating piece of political literature, based as it is on 18 candid interviews with the nation's top budgetary officer from December, 1980, to September, 1981.

Mr. Stockman's many statements add up to a stunning confession that the Reagan program cannot work. The heart of the program is the idea that huge cuts in taxes and spending will increase government revenues, eliminate budget deficits, stimulate growth, and halt inflation; yet Mr. Stockman says, "I've never believed that just cutting taxes alone will cause output and employment to expand." One wonders at Mr. Stockman's willingness to pretend in public about the adequacy of the program when he believes that it is inadequate. Mr. Stockman has been saying privately that the budgetary numbers are chaotic and uncertain, but he has been using them in public with great assurance. The admission of ignorance about the data is especially distressing. Mr. Stockman confesses that "none of us really understands what's going on with all these numbers." He states that the President's own numbers are constructed on shaky premises which, at bottom, do not add up. Time and again, Mr. Stockman is quoted as saying that the administration's budgetary

projections are unreliable. There is, he notes, "less . . . than met the eye" to the $35 billion in cuts enacted last summer. Deficit projections have been made "by hook or by crook, mostly the latter." When budgetary rhetoric produces such dramatic claims from all sides, it is deeply disturbing to hear that the numbers have been conjured up. There is a tone of desperation in Mr. Stockman's comments as his high hopes for the economy are overwhelmed by the reality of an unforeseen recession and the prospect of enormous deficits which will again drive interest rates up.

For months, opponents of the Reagan program have charged that it is tilted toward the wealthy. Mr. Stockman acknowledges the tilt when he says that the cutting of taxes across the board is a "Trojan horse" designed to make the reduction of maximun tax rates for the wealthy politically acceptable. He also acknowledges that by permitting the biggest share of the tax cut to go to the wealthy, the Reagan program espouses a subtler version of the old "trickle down" theory of economics.

Most of the deficiencies of the budgetary process are plainly revealed in the article. Acknowledging that the power of organized groups is stronger than even he has realized, Mr. Stockman says the "unorganized groups can't play in this game" and that "weak clients" suffer for their weaknesses. He admits accepting projects he has long criticized because they are supported by powerful legislators whose backing of the budget is essential. Illustrating the government's short-term perspective, he rejects long-term reform in social security because he is "just not going to spend a lot of political capital solving some other guy's problem in 2010." He admits that the Defense Department has been handed a "blank check," that his subordinates have not given its budgetary estimates the usual scrutiny, and that "the defense numbers got out of control." The pressures of time on top policymakers are exposed when he says, "I don't have time, trying to put this whole package together in three weeks, so I just start making snap judgments." He also says, "the thing was put together so fast that it probably should have been put together differently . . . we were doing that whole budget cutting exercise so frenetically . . . we didn't know where we were ending up for sure."

The illuminating statements of the budget director show a sensitive, intelligent man overwhelmed by the difficulty of the budgetary process, assailed by doubt about the complexity of the decisions to be made, aware of the insufficiency of the data, and frustrated by the thought that neither he nor anyone else really understands what has been happening. His statements show that even a budgetary reformer dedicated to radical change who starts out from a solid base in policy can be engulfed in the political "horse trading" of organized interest groups as he loses the fight for a lower deficit. "Do you realize," he says, "the greed that comes to the forefront?—The greed level, the level of opportunism, just got out of control." The statements also show him losing the battle within the administration for a cut in military spending. He accuses the Pentagon of "blatant influences, poor deployment of manpower, contracting idiocy," and $30 billion in waste.

The President's decision to retain Mr. Stockman after the embarrassing article is a political gamble. One can only conclude that the President considers Mr. Stockman an indispensable member of the economic team. Mr. Stockman has been the principal spokesman of the Reagan program, yet it is doubtful whether he can remain a persuasive proponent.

In the end, perhaps our judgment of Mr. Stockman should not be too harsh. He is a capable and important member of the President's economic team even if his usefulness to the President is not as great as before. Mr. Stockman has given opponents powerful ammunition to use against the President. He has surely increased the vulnerability of the Reagan program. However, if we understand that we have ahead of us an awesome struggle to get the budget under control, and if we recognize that all of us could be a bit more humble with respect to the economic theories we so confidently toss around, then maybe the education of David Stockman can be our education.

Finally, I think that the President should be worrying less about Mr. Stockman and more about the economy. As attention is refocused on consideration of the budget in Congress, I hope that we will not fail to see that behind the numbers and computer projections are real people with real problems. These people and their problems—not economic and political abstractions—are what the budgetary process is all about.●

UKRAINIAN INDEPENDENCE

SPEECH OF

HON. DENNIS E. ECKART

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 1981

● Mr. ECKART. Mr. Speaker, once again the anniversary of the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords is passing by with the hopes of the group's leaders unrealized. While the express purpose of this admirable "family" has been undermined by the enemies of human rights, the group and its message are certainly not passing unnoticed.

In the free world, the heroic efforts and sacrifices of the Ukrainian group are an example we must always remember. Our efforts must reflect their dedication. We must not condone the injustices of Soviet human rights violations through silence by Congress, the collective voice of the United States. Certainly, the Soviet oppression of Ukrainians, Soviet Jews, Lithuanians, Afghanistanis, and others is shocking, although the Soviets' actions, however perverse, are not particularly surprising. Constant oppression is a fact of life for dissidents and their families.

Even in the Soviet Union, the efforts and ideas of the Ukrainian group are commanding attention. This fact is apparent in the continuous and diversified attempts to subvert the groups' motives. The Soviet leaders must be confounded at the resilience of those under their heavy hand. To those of us whose ancestors and immediate families have fought for natural rights, though, it is no surprise for we understand that the spirit's strength is indomitable.

Mr. Speaker, I am honored to be able to speak for the rights of the people of the Soviet Union. I am even more honored to actively aid in the fight being waged by the members of the Ad Hoc Committee on the Baltic States and Ukraine.●

A TRIBUTE TO WILLIAM O. WALKER, PUBLISHER OF THE CLEVELAND CALL AND POST

HON. GUS SAVAGE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. SAVAGE. Mr. Speaker, the passing of William Otis Walker, 85-year-old publisher of the Cleveland Call and Post, ended a life of service and dedication to the fourth estate in general and an era in the history of the black press in particular.

Mr. Walker, a longtime friend and fellow publisher, died on October 29.

Throughout my 26 years as an editor, including 16 years as editor/publisher of my own newspapers, Mr. Walker was a source of strength for me and other younger journalists affiliated with the National Newspaper Publishers Association (NNPA). An outstanding leader of NNPA since 1941, Mr. Walker served two terms as its president—in 1957 and reelected in 1958. He served as secretary from 1946 to 1957.

His contributions to NNPA were numerous. For example, he established at Howard University the Association's "Gallery of Distinguished Newspaper Publishers."

Active in publishing circles in his home city, he served as a board member of the Greater Cleveland Newspaper Publishers Association.

Mr. Walker was born in Selma, Ala., on September 19, 1896, son of Alex and Annie Walker. His father was a businessman.

Walker was educated in the public school of Selma. In 1914, he entered Wilberforce University, Wilberforce, Ohio, and was graduated from this historic black institution's department of business in 1916. He was graduated from Oberlin Business College in 1918.

Prior to his newspaper career, Mr. Walker was a staff member of the Urban League of Pittsburgh, Pa. He served as secretary to the director.

Early in 1919, he joined the staff of the Pittsburgh Courier. After 3 weeks' service, he was promoted to city editor. In October 1920, he joined the staff of the Norfolk (Virginia) Journal and Guide as city editor.

Mr. Walker was one of the founders of the Washington Tribune, a weekly newspaper published by the Murray Bros. Printing Co. in Washington, D.C.

He served as managing editor of this publication from its inception in May 1921 until 1930.

In 1930, he became advertising manager of The Fair Department Store, located in downtown Washington. This was the first major venture to integrate black and white clerks in a retail store. After a few months, Walker was promoted to assistant manager. In 1932, when a branch store was purchased in Baltimore, he was promoted to to manager with full charge of the new store.

Walker, however, was anxious to return to the newspaper field. He left Baltimore in October 1932 to go to Cleveland, Ohio, to take over the Cleveland Call and Post, a weekly newspaper.

Under Walker's leadership, the P-W Publishing Co. (The Call and Post) became one of the largest black-owned newspaper publishing companies in the United States. The firm prints three editions of the newspaper—in Cleveland, Columbus, and Cincinnati. Walker's company also does extensive printing of other newspapers and grocery circulars.

The Call and Post has an ABC audited circulation of more than 30,000 and has a staff of more than 60 employees. The annual payroll exceeds $500,000.

William O. Walker was more than just a leader in the publishing field. He was affiliated with the civic, business, and political movements in his chosen city of Cleveland. He also was active in the other communities in which he lived before coming to Cleveland.

He organized and served as chairman of a summit meeting of black leaders in Washington, D.C. in May 1957. He was an organizer and chairman of the Cleveland Leadership Council in 1957-58, and was one of the founders of Future Outlook League.

In 1946, Walker was appointed by President Franklin D. Roosevelt to a delegation assigned with the task of inspecting and reporting on the status of black soldiers in Germany, Austria, Italy, France, and England.

He was a member of the U.S. delegation in 1960 to French Cameroon and Liberia. He was a member of the African-American Institute's delegation to the African Dialogues in Addis Ababa, Ethiopia, in 1973, and was special U.S. ambassador to Jomo Kenyatta's 10th anniversary in Kenya. He also visited Guinea, Mali, Nigeria, and Tanzania.

Mr. Walker was a member of the delegation to the German Democratic Republic in 1975, a delegation to Egypt, Jordan, and Israel, in 1976, and a group to Taiwan in 1977 and 1980.

Among Mr. Walker's many awards were the following:

The Shield Club, Community Service Award; Urban League of Greater Cleveland's Past Presidents' Award for Community Service for Leadership in the Pursuit of Social Justice; Glenville Area Community Council Award of Appreciation for Outstanding Community Service to Greater Cleveland; Founding Member Award—Whitney M. Young, Jr. Memorial Foundation; Cuyahoga Community College—Editor of the Year Award; Cleveland Association of Real Estate Brokers' Award as a Distinguished Black Publisher, all 1978. He also received the Real Estate Brokers' Award in 1959. Capital Press Club—Journalist of the Year Award in Recognition of 58 Years of Journalistic Service (1977); Frederick Douglass Civic Club's Award for Outstanding Service (1976); Plus Club's Award for Positive Leadership, Unstinted Service to All Mankind, and Cleveland Branch NAACP—Award of Merit for Implementing the Goals and Objectives of First-Class Citizenship Under the Constitution, both in 1972.

Interracial Interfaith Committee of Fellow Citizens' Award for 50 Years as a Crusading Newspaper Writer, Editor and Publisher (1970); Ohio State Bar Association's Newspaper Award for Constructive Contribution to the Administration of Justice (1968-1969); 18th Ward Republican Club's Award for Recognition for Outstanding Achievement in the Field of Business and Notable Pulbic Service in the State of Ohio; and National Association of Negro Business & Professional Women's Award for Outstanding Achievements, both in 1963; National Association of Market Developers' James (Billboard) Jackson Award for Outstanding Service to the Negro Market (1958).

Mr. Walker was inducted into the Ohio Senior Citizens Hall of Fame in 1979.

His affiliations included Operation Alert and The Surrogates; Cleveland Convention and Visitors Bureau; Legal Defense Fund, New York City; coordinator, Ohio Republican Council; Omega Psi Phi Fraternity; National Newspaper Publishers Association; Board—Executive Committee, National Conference of Christians and Jews; Board—Cleveland Zoological Society; Advisory Board—Greater Cleveland Safety Council; Trustee Board, Ohio College of Podiatry; Bluecoats, Inc.; Sigma Delta Chi; Cuyahoga Community College Foundation Board; League of Women Voters Educational Fund; Greater Cleveland Roundtable; African-American Institute International Advisory Council; and Nationalities Service Center.

Past affiliations included International Association of Government Labor Officials; Board of Trustees, Wilberforce University; U.S. Commission for UNESCO; National Urban League Board; Negro Business League Board; Budget Committee, Cleveland Welfare Federation; Cleveland Urban League Board; Cleveland NAACP Board; Cleveland Transit Board; Greater Cleveland Growth Board; American Red Cross; Review Board, LERTH; Board—Continental Bank; Board—Aim Jobs; Cuyahoga Valley National; Recreational Advisory Committee; Board—Downtown Corp.; and Census Advisory Committee on Black Population for 1980 U.S. Census.

Walker was a member of St. James African Methodist Episcopal Church.

He held honorary degrees from Wilberforce University, 1977; Central State University, 1967; and Cleveland State University, 1981.

Surviving the publisher is his widow, Mrs. Naomi Walker of Shaker Heights, Ohio and a sister, Mrs. Josie Waller of Cleveland.●

IRISH ECHO CALLS FOR SUNDAY ELECTIONS

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. BIAGGI. Mr. Speaker, in a recent editorial, the Irish Echo, the largest Irish American newspaper gave their support to H.R. 84 legislation I have introduced to provide for same time voting on Sundays beginning with the 1982 off year congressional elections.

I authored this bill in response to the alarming drop off in voter participation in this Nation. In the 1980 elections, a paltry 53.95 percent of those registered to vote in fact exercised this vital privilege. This represented the lowest turnout in 32 years. My bill is simply a 6-year experiment with Sunday/same time voting. By contrast—in those Western European nations where voting is on Sunday—participation rates range from 87-91 percent.

I offer my bill as one possible solution to a basic problem affecting this Nation. I hope that it can be given expeditious and favorable consideration by Congress to permit us to give it a trial run in 1982.

At this point, I wish to insert the Irish Echo Editorial entitled "Enhancing Our Voting Record."

ENHANCING OUR VOTING RECORD

As this is written, people are voting throughout the nation in the general election. Only in Virginia and New Jersey where governorships are being decided is there much national interest.

Next year at this time, however, there will be many major contests—the entire House of Representatives, one-third of the U.S. Senate and a number of governors will be elected.

It seems to us that this would be a good time to test a bill proposed by Representative Mario Biaggi (D-N.Y.) which calls for general elections to be held on Sundays at the same time across the nation.

Obviously, Congressman Biaggi's bill is mainly concerned with presidential election

years, but a trial run next year would not hurt in our opinion.

Mr. Biaggi points out that in the last several presidential elections voting fell off in the Western states as television results poured in from the East and the Midwest.

His proposal that we all vote at the same time would eliminate that problem. For instance, voting could start at 10 a.m. Eastern Time, 9 a.m. Central, 8 a.m. Mountain and 7 a.m. Pacific. It would end—let's say 10 or 12 hours later—with the polls closing at the same time throughout America.

This way, vote results from one area would not affect those from another. In fact, everyone's vote would be important.

This is an idea whose time has come and we strongly support it. If more people vote, the nation will be well served.●

DOUG BANDOW

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. HUNTER. Mr. Speaker, on May 3 of this year, the graduates of Okaloosa-Walton Junior College in Florida heard the following presentation by a graduate of the college—and a fellow San Diegan—Doug Bandow.

Mr. Bandow, a native of Escondido, Calif., has achieved at the early age of 24 what many would want in a lifetime—service on a successful presidential campaign, a law degree from Stanford University, and a key position in the administration. He currently serves as Special Assistant to the President for Policy Development.

I commend his remarks to the Members of the House:

Commencement speech follows:

COMMENCEMENT SPEECH, OKALOOSA-WALTON JUNIOR COLLEGE, MAY 3, 1981

(By Doug Bandow)

Dr. McCracken, faculty, OWJC graduates and families, and other friends. I want to thank you for your kind invitation to speak here today.

It's been some six and one-half years since I last set foot here as a student. I hope I can share with you whatever wisdom and experience that I've been able to gain in that short period of time.

However, I must warn you: my experience has little to do with the real world. I've variously been an undergraduate student, a law student, a campaign worker, and a federal employee—none of whom are particularly noted for their grasp of reality. And, I have to confess, I hope the trend continues for awhile. I really don't want a little reality to ruin my life.

But, most of us really can't be that lucky—if it is lucky—for long. Indeed, as graduates, you are facing a new reality. I congratulate you on your current achievement, and wish you well in your future endeavors, as you make those educational and career decisions that lie before you.

As you move out into your new reality, you will be making your own future. And I use the word "making" carefully. You won't be "finding" your future: your future has yet to be determined. You won't be "claiming" your future: your future is not guaranteed. Instead, you will be making—creating, designing, assembling, molding, forming, developing, building—your future.

As you prepare for the future, you should see your experience at a community college as a positive factor in your personal growth. You've received a quality and community-based education, with the informality of a small campus. Build on that experience.

Perhaps most important, do not feel that your opportunities are limited. I won't promise you that a degree from OWJC and six years will land you in the White House. But an OWJC degree, six years, and some luck did get me there. And hard work, ability, and luck can get you to places you may not yet have dreamed of.

Indeed, I encourage you to dream. For there are many people in our society who are equally capable of being political, business, and social leaders. But only a handful are at the right place at the right time. You can't create luck, but you can certainly encourage it by watching for, and taking advantage of, opportunities where luck may strike. And by being willing to take a chance if a once-in-a-lifetime opportunity occurs. So don't be afraid to dream. Just be prepared to act if your dream suddenly becomes reality.

However, I don't want to leave you with the impression that success is achieved only if you're a Senator, or a corporate president. Or a social editor, or a star athlete. Or a White House staffer.

To the contrary. Success can be measured by the standards of others. But it should be measured by yours. By that I mean our society depends upon the efforts of millions of people, virtually none of whom are Senators, corporate presidents, social editors, star athletes, or White House staffers. There are millions and millions more successes all across this country.

Thus, you should follow your personal moral code in deciding where to take your life. Business may yield material wealth, but can one objectively say acquiring material wealth is more important then, for instance, healing the sick? Politics may yield fame, but how can one compare the gain of fame with the result of teaching?

There are many examples of fine people who have succeeded in their own ways by living their own lives. But there are two in particular who I'd like to mention today.

One is 41-year-old James Brady, the President's Press Secretary, who was tragically injured barely a month ago. Brady is a success, having reached the top of his profession. And his career includes serving as Press Secretary for the Connally for President Committee, working for Delaware Senator Roth, handling public relations for former Defense Secretary Rumsfeld and former OMB Director Lynn, as well as thriving in private business.

But more than that, he's earned the respect and affection of his colleagues. As one who spent eight months on the campaign tour with him, I can't help but admire his personal qualities—his wit, personableness, and irrepressability.

Indeed, he possessed what may be the most difficult human virtue to maintain—humility—refusing to take himself or his cause too seriously. Perhaps the most celebrated instance of his irreverence occurred after President Reagan had made reference to the pollution given off by trees. A week or so later, on the campaign plane, Brady and another staffer sighted a forest fire below, and ran down the aisle shouting "killer trees, killer trees."

The remark was reported in the New York Times, and got Brady grounded. But he persevered without complaint, and, a week later, rejoined the campaign tour.

And in the past month, his courage in the face of the gunshot wound has gained admiration and respect across the nation.

The other one is 44 year-old Phil Brody, a Los Angeles school teacher. He trains children who are considered to be "trainable mentally retarded"—that is, who have IQ's between 25 and 50.

Typically, most TMR's, as the children are called, are taught but a few safety basics, such as stop and go. Then their education effectively stops.

But they don't stop learning in Brody's class. By using sign language, he's been able to take children who didn't even know the alphabet, and take them to where beginners can read several hundred words, and veterans several thousand.

One parent of 13 year-old Andy Royal said that: "What Phil had done with Andy contradicts everything I'd ever been told to expect. We were told he'd never get beyond the most elementary words, if he ever read at all. * * * Now he knows abstract things. * * * he talks more often. He's a totally different child than he was before."

Brady and Brody live on different coasts and work in different professions, but both are giving in service to others in thier own ways. One cannot compare their achievements; one gives understanding to the nation as a whole, and the other to a dozen children. Both are successes.

However, perhaps the more fundamental lesson to be learned from these two individuals is about the system which allows the Bradys and Brodys of our world to thrive. A system in which individual rights transcend majority dictates. A system in which Jim Brady can choose public relations, and Phil Brody teaching.

It is a fragile system, one that is under a frightening attack from all sides. And this struggle, far from being abstract and esoteric, and unrelated to your life, may have a profound impact on your future, and your childrens' future.

Most of the attacks are made by well-meaning but misguided people intent on turning their personal beliefs and whims into law. Not content with persuading their fellow man, they want to coerce their fellow man.

Much of such legislation is in the area of economics, and reflects the almost routine separation of economic freedom from political freedom. For example, the Supreme Court guards the latter and despoils the former. Congress regulates lightly on political rights, but infringes greatly on economic rights. People carefully discuss threats to political freedom. But they constantly vote for massive intrusions in economic freedom.

In fact, the right to utilize one's body—one's most important economic resource—is an economic right that underlies all personal rights of speech, property, and life.

This relationship between economic and political freedom is normally debated only in abstract philosophical terms. But there is some interesting real world evidence to consider.

For instance, Freedom House, a respected research organization, conducts an annual survey of the status of political freedom and civil liberties throughout the world. The survey includes a breakdown of the countries by economic system as well.

The results show that half of the capitalist countries were free, one-fourth of the mixed capitalist/statist countries were free,

and none—I repeat, none—of the socialist countries were free, or even partially free.

Though capitalism alone is not a sufficient condition for political freedom to exist—half of the capitalist nations are not free—some element of economic freedom appears to be necessary for political freedom to exist. Only those states that have some respect for economic freedom have a certain degree of political freedom.

This result should not be surprising. Giving the government—or, more accurately, those who control the government—power over productive economic resources necessarily empowers the government to suppress dissent and enforce conformity. Thus, any theoretical guarantees of political freedom are in practice devoid of any substance.

For example, if the government owns all TV and radio stations, and controls all paper and printing facilities, how can one exercise freedom of expression? Only access to the underlying economic resources can guarantee the political right.

A dramatic example of this phenomenon is the role of photo-copying machines in the Soviet Union. The Soviet regime strictly limits the number of, and access to, copying machines, because it realizes that unlimited copying would be a powerful catalyst for the reproduction and dissemination of illicit manuscripts and tracts. Thus the Soviet rulers control this economic resource, and, through it, the ability to exercise political freedom.

Compare the U.S., where for a nickel anyone can use such a machine. College campuses, in particular, are flooded by low-cost xerox political tracts. The end of photo-copying would end much of college political debate.

Now, I realize that some of you may want to say: that could never happen here. That the U.S. government would never intentionally suppress political freedom.

Unfortunately, that may not always be true. The reason we have a constitution is to limit the power of government, just in case. * * * We can't afford to take the chance on it wanting to abuse its power.

Moreover, government limiting access to those economic resources which it controls need not spring from an evil intent. If the government controls scarce resources, it must necessarily allocate them between competing interests. It must decide how the resources are to be used and who may use them.

Thus, it is only logical that resources get directed to "positive" pro-government, or status quo, groups, and away from "negative" anti-government, or anti-status quo, groups. And that resources flow toward parties representing the majority, and away from those representing minorities. The resources are scarce, and will be allocated according to the government's definition of the "social interest," "public interest," "general interest," or whatever other euphemism for the special interest of those who control the government.

However, maintaining an area of private ownership and economic decision-making circumscribes the power of government, and its ability to infringe on any rights, economic or political. This is particularly true of a country such as ours, where the government is limited, but which has been growing daily for years, increasing its intrusion into our economic and personal lives. A growing, protected, private sector will help arrest the heretofore inexorable growth of government.

Economic and political freedom are inseparable; the right to own property is itself a fundamental human right. Free speech is the right to rent a hall; free association is the right to sell or not sell. And the freedom to live is the right to become a press secretary, a teacher, or anything else.

In fact, perhaps the most threatening attack on our system focuses on the last point—the freedom to choose the direction ones' life will take. It comes from those who would take your most basic economic resource—you—and turn it into a resource of the state.

Now this is no abstract debating point. Government actions along these lines could affect you more than any other. Indeed, government actions along these lines could make it impossible for those following you to have the freedom of choice that you have.

This philosophy is in its most idealistic, but misguided, form as mandatory national service, or a selective military draft. There are many reasons advanced for such programs—including that people should learn particular values, such as selflessness, charity, and obedience, and that certain tasks, such as teaching the handicapped and defending the country, are obligations enforceable by law.

However, though the goals of such proposals are praiseworthy, the method is not. Unwilling to rely upon voluntary association in a free society, national service proponents would turn everyone into a government resource to be exploited at will. They realize that most Americans do not want to turn their lives over to high-minded paternalists. So they must be forced to do so.

There is no adequate justification for allowing a few to fix their goals on the rest of us. In a free society, it should be up to each individual to determine his or her commitment to that society and the level of service that he or she feels obligated to provide.

Even if most people believe that an obligation of some sort is imposed by merely living—a presumtuous notion at best—it is still strictly a personal, moral burden, and not a legal one.

Moreover, if service is owed to the country, it is strange that only the young are liable for the debt. Virtually all national service proponents talk as if the young are singularly selfish, wayward, insensitive, and parasitic. Thus everyone else—who is safely out of the proposed age range of service—can stand back and determine what the goals of the young should be, and how their obligation should be fulfilled.

And even it one accepts the premise of national service, it is difficult to see how the programs would achieve their lofty goals. The idea of compulsory compassion is nonsensical. Service ceases to be service once it is coerced.

Thus, instead of imbuing the young with the spirit of service, involuntary servitude would embitter them toward an oppressive government. Instead of cultivating altruism, such a program would highlight the selfishness of the rest of the population that exempted itself. And the civic morality that would be learned would be that of the power to force others to do ones' will.

A truly free society should seek to generate the voluntary support necessary to solve its problems. A society without the moral authority to persuade people to freely come to its aid surely lacks the moral right to force those same people to support it.

As you leave OWJC, I hope you'll stop a moment to reflect upon the basis of the system that allows you to make your future as you see best. It is the system that gives us people as fine as Jim Brady, Phil Brody, and you.

Former Supreme Court Justice Stone was speaking to us today when he said that "It may well be questioned whether the state which preserves its life by a settled policy of violation of the conscience of the individual will not in fact ultimately lose it by the process."

If America loses its life, it will be our fault, and our fault alone, for being too willing to use the power of government to impose our own values on others. For many, those values are economic. For others, they are moral, social, and cultural. But in all these cases, the role of the government is being perverted from that of protector of the rights of all to promoter of the whims of a few.

You can help turn that around.

Thank you.●

H.R. 5113

HON. RON de LUGO

OF VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. DE LUGO. Mr. Speaker, today I introduced a bill which will reduce the 30-percent withholding tax in the Virgin Islands to 10 percent and allow for a full credit of the tax paid against U.S. taxes. This bill is the result of several months of analysis by the Governor of the Virgin Islands, in consultation with his Economic Policy Council.

The existence of the Governor's Council is indicative of the necessity in the Islands for direct, pointed measures to retain the business we went to great lengths to attract, and to attract new business. With the numerous trade agreements the United States has entered into, the Virgin Islands is finding it increasingly difficult to compete for offshore business.

Several businesses have declined the Virgin Islands Government's efforts to get them to locate in the territory, citing the 30-percent withholding tax as their sole impediment.

Furthermore, the 30-percent withholding tax was not producing resounding tax benefits for the Virgin Islands Treasury. The burden of paying the 30-percent tax on interest has stifled business expansion due to reluctance by mainland banks to lose 30 percent of their interest on loans to Virgin Islands taxes. On the other hand, dividends have not been declared by many businesses who chose to avoid the tax by accumulating earned surplus instead of declaring dividends.

To quote the Virgin Islands Commissioner of Commerce, with the exception of the Virgin Islands' competitors, no one wins under the existing withholding tax. The losers include Virgin Islands workers and entrepreneurs

and the strangely enough Virgin Islands Treasury itself.

The Virgin Islands cannot afford to view its current tax policy with tunnel vision. Available estimations of major tax revenues from the 30-percent tax discount the cumulative effect of high taxation; namely, reduced job opportunities, higher capital costs, reduced investment, and subsequently a lower tax revenue base.

This bill is important for the people of the Virgin Islands. It would provide a healthy investment incentive that should lead to a better circulation of capital, more available mortgage money and potential for funding a much needed housing development. It promises more in revenues to the Virgin Islands Treasury through this expansion than ever resulted from withholding of the 30-percent tax.

For these reasons, I ask for your support of this bill.●

INDUSTRY ANALYSTS PREDICT ALASKAN NATURAL GAS PIPELINE WILL NEVER BE BUILT

HON. TOM CORCORAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. CORCORAN. Mr. Speaker, even if the House votes to approve House Joint Resolution 341, which I oppose, there is serious doubt as to whether the Alaskan natural gas pipeline will ever be built. House Joint Resolution 341 provides for waivers of existing law and would supposedly expedite the pipeline's construction while "pre-billing" gas rate payers for gas they may never get.

In the November 23 issue of Energy User News, Deena Shoshkes cites the conclusions of various analysts who predict that the project will be unable to attract private financers. In view of these kinds of predictions, it seems particularly inappropriate for the House to approve of the pending waivers.

Mr. Speaker, for the benefit of our colleagues, I would like to include in the RECORD at this point the November 23 Energy User News article regarding the potential lack of Alaskan pipeline financing even if the waivers are approved by the House:

[From the Energy User News, Nov. 23, 1981]

ALASKAN GAS PIPELINE WILL NEVER BE BUILT, ANALYSTS SAY

(By Deena Shoshkes)

NEW YORK.—Even if Congress approves a plan to bill gas users in advance for the proposed Alaskan gas pipeline, the pipeline will not be built because the project will be unable to attract private financers, industry analysts predict.

The pre-billing provision could cost an average commercial user $38 to $447 per year in 1982 dollars, and an average industrial or utility user $2,062 to $25,032 per year in 1982 dollars, according to a report by the House energy committee staff. But even with this influx of capital, banks and investors will be reluctant to finance the pipeline because the Alaskan gas will be too expensive for the market, according to Dennis Bakke, deputy director of the Mellon Institute's Energy Productivity Center, Arlington, Va.

The Senate has approved the pre-billing legislation, which consists of a set of waivers to the original legislation authorizing the pipeline. In the House, the interior and energy committees have approved the legislation, and a vote by the full House is expected this week (see story page 4).

Gas users and user groups interviewed by Energy User News said that for the near future the availability of the Alaskan gas is not a necessity, and that decontrol of gas would stimulate the development of more easily accessible gas in the lower 48 states.

"The private market just cannot sustain the project," said Arnold Safer, president of the Energy Futures Group Inc., Bethesda, Md. "The only way the pipeline will be built is if the government were to put money into it."

The Reagan administration is against offering financial support to insure the construction of the pipeline, according to a Department of Energy spokesman. "We're all for the pipeline but it must be financed by the private sector," he said.

"The market will select the most cost-effective solution," Bakke said, adding that it appears the most cost-effective solution is not to build the pipeline.

"No pipeline will be built, and Alaskan gas probably cannot be marketed, under present law with or without the requested waivers," Arlon R. Tussing, a professor of economics at the University of Alaska testified at recent congressional hearings.

"The project will not be completed under its present organization and financial strategy, whether Congress approves or rejects these waivers. In one year, two years, or three years, either the present sponsors or a somewhat different group of sponsors will probably be here again, seeking additional waivers and additional subsidies or guarantees from consumers or the taxpayers," Tussing said.

"We're not counting on Alaskan gas," said Henry Sauer, manager of energy for the Chemical Manufacturers Association, Washington, D.C. "We're more concerned with rapid decontrol of gas."

"Looking at the decade ahead, we have sufficient gas supplies," said Ira Dorfman, legislative director of the American Bakers Association, Washington, D.C. "We can do without Alaskan gas."

Users also said they will avoid buying the Alaskan gas if its price rises as high as some analysts predict it will.

"Wherever possible, we will make the maximum use of the cheapest fuels and concentrate on conservation if gas prices get very high," said Carl Johnson, government affairs manager for Corning Glass Works, Corning, N.Y. "However, there will always be a certain amount of gas that we need for special processes and we will have to pay for it at any cost."

MARKET PROBLEM

"Under rapid decontrol, there will be a problem selling the Alaskan gas because there will probably be more domestic gas available at a much lower price," estimated Johnson. "We expect that prices will increase and are hopeful that decontrol will expand the supply and availability of gas."

The original Alaska Natural Gas Transportation Act, which in 1976 set up the regulatory framework for the pipeline project, specifically prohibits billing gas users in advance in order to raise money needed for construction. Sponsors of the pipeline proj-ect have said they now need the advance billing provision to attract private investors.

"Initially, Alaskan gas will cost in excess of $8-10 per million Btus," Bakke of Mellon Institute said. "The price will slowly come down, so that over a twenty-year period the price will average $4.50-6.00/million Btus. In order to compete, Alaskan gas prices must be that low in the 1980s, or they won't be able to sell it."

"No fuel is essential," Bakke said. "There are substitutes for everything. At that price it will be more economical to burn coal, convert to electricity and invest in conservation technology."

The 4,800-mile-long pipeline will cost about $23 billion to construct, according to a spokesman for the Northwest Alaskan Pipeline Co., Salt Lake City.

"By 1985, when the proposed pipeline should be completed, under the existing laws gas will already be two-thirds decontrolled," Safer of the Energy Futures Group said. "And even if the market price rises after deregulation, it probably won't rise sufficiently high to justify the cost of the Alaskan gas. By 1985, the average price of gas will be $6 per 1,000 cubic feet, or about $6 per million Btus."

SPONSORS' OPTIMISM

Sponsors of the pipeline have argued that there will be a market for the high-priced Alaskan gas because the price of decontrolled gas at present is already quite high, and therefore the overall price users will pay for gas in 1986 is higher than the analysts have predicted.

The cost of the Alaskan gas will be no higher per Btu than the price of oil in 1986, according to the pipeline company spokesman.

"Although the gas will be at $9 per million Btus initially, the cost averaged out over 20 years is $4.65 to $5.10," the spokesman said. "Right now, we are already paying $5 per million Btus for Canadian gas. That cost is tied to the price of oil and oil prices are not going to come down."

The price of the Alaskan gas will be reduced over time, he said, offering the country an assured, plentiful, and reasonably priced energy supply.

"Thirteen percent of the total U.S. gas supply is sitting up there. The longer we wait, the more expensive it will be to build the pipeline—which must be built eventually," he said.

"It is difficult to predict what the highest price users will pay might be," the spokesman said. "However, this gas will get cheaper over time, you can't say that about any other supply. Nothing ever gets cheaper."

The availability of Alaskan gas may even help to drive the price of all gas down under decontrol, according to Kenneth W. Thompson, vice president of government affairs for the Interstate Natural Gas Association of America. "If the pipeline is not built, the price of gas could be $15 per million Btus by 1985," Thompson said. "The gas from Alaskan gas would exert a downward pressure on the market."

"High prices could force users to other fuels, but the switch would be due to the overall market, not the price of Alaskan gas," Thompson said.

Gas users contacted by EUN said that if the price of gas were to climb up to $9 per million Btus they would convert wherever possible to alternate fuels and step up energy conservation programs. But they said that in certain industrial processes gas is essential, and they would have to pay for it whatever the cost.

A spokesman for Coca Cola Co., Atlanta, said the company would do everything it could to switch to an alternate fuel rather than pay for high-priced Alaskan gas if the prices are as high as analysts have predicted they will be.

Dave Dake, engineering projects manager for Salem Carpet Mills, Inc., Ringgold, Ga., said he was more pessimistic. "We expect to be paying $9 per million Btu's by 1986 even without the Alaskan gas and it will still probably be the cheapest fuel around for our needs."●

CERTIFICATE FOR HEROISM AWARDED TO JACK HYDRICK II

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. JONES of Tennessee. Mr. Speaker, I rise today to share with my colleagues a heroic feat accomplished by one of my constituents, Jack Hydrick II. Last summer, this young man jumped into a drainage ditch filled with flood waters to save the life of one of his companions, Miss Christy Osborne.

Obviously, the saving of lives at the risk of one's own life takes special courage and bravery. What makes this case even more special is the age of the young man. He is 9 years old. When Miss Osborne, age 8, fell into the swirling water and was carried through a culvert under the street, young Jack jumped into the fast-moving water, pulled her out and pushed her up the bank of the ditch to safety.

For his quick action and courage and endangering his own life for another, Jack Hydrick has been awarded the Certificate for Heroism by the Boy Scouts of America. I think Jack's action should be recognized by all the Members of the House of Representatives and that his bravery should be applauded by all of us who recognize the significance of his deed.●

TAYLOR AND GAYLER: GOOD SENSE ON DEFENSE

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. DOWNEY. Mr. Speaker, on numerous occasions I have taken the floor of the House to express my dismay over the low quality of what passes for thought on national defense these days. A welcome exception to this dreary mass is a series of articles which appeared in the Washington Post over the summer. One of these articles is by former Chairman of the Joint Chiefs of Staff Maxwell Taylor; three are by former Pacific Fleet Commander Noel Gayler.

I will not review the substance of their arguments here, since I am about to insert the articles themselves. I do, however, urge everyone to read them. You will find in them perhaps a half dozen innovative and self-evidently valid insights into matters of national security, without the closed-mindedness and regidity which characterizes many defense iconoclasts. I can only wish our present national security appointees shared General Taylor and Admiral Gayler's intellectual depth and grasp of national security essentials.

[From the Washington Post, June 30, 1981]

CAN WE DEPEND ON DETERRENCE?

(By Maxwell D. Taylor)

In the debate over the needs of our strategic forces, one controversial point is always in the foreground—or background—of the discussion: do we have forces capable of deterring the Soviets from initiating nuclear war? From the Eisenhower through the Johnson administrations, there was little doubt either as to the credibility or the indispensability of their deterrent effectiveness. It was credible because our forces were clearly able to destroy the Soviet Union as a viable nation. It was indispensable because, after the Soviets had acquired intercontinental missiles, it was generally accepted that strategic war would be mutually suicidal and that no defensive means, passive or active, existed that could make it less so.

Not only were defensive measures viewed as futile, but damage control was equally unpromising. One could never hope to foresee where and how to stockpile reserves of food, water, medicines, hospital beds, firefighting equipment and the like needed to deal simultaneously with hundreds of regional disasters. Even if there were warning of attack, how to relocate senior government officials without closing down government itself, how to evacuate urban populations without creating nationwide panic, and how to disperse industry at a time when all communications might be blotted out by nuclear explosions? And after the attack, how to put out fires, restore order and keep survivors alive while disposing of millions of dead?

Unable to answer such questions, most of my contemporaries concluded, as I did and do, that there is no conceivable way of hedging adequately against a failure of deterrence. We are not dealing with war in any rational Clausewitzian sense—the use of military force as another means for a government to achieve political ends beneficial to the nation. In any major strategic exchange, the reciprocal damage would create conditions that would make victory and defeat virtually indistinguishable, save perhaps that the victors might survive a bit longer than the vanquished.

In recent years, there has been a progressive loss of faith in this doctrine, now derisively dubbed MAD (mutual assured destruction) by its critics. There is fairly broad acceptance of the possibility of a limited strategic attack concentrated on a limited target such as our silo-based ICBMs, a contingency used to justify the need for the new MX missile.

It is also widely asserted that deterrence is a dubious goal for our strategic forces because Soviet military writers never mention the word in discussing strategic doctrine. They make no sharp distinction between conventional and nuclear warfare as we do, and seem to expect to use both nuclear and conventional weapons in any combination as needed anywhere from the battle front to the heartland of the enemy. By using such blended military means, although expecting heavy losses, they seemingly anticipate ultimate victory pretty much as it was won against Germany in World War II.

The apparent existence of such a warfighting concept among Soviet leaders has convinced a considerable number of American experts on the subject that our own strategic forces are grossly inadequate to deter an enemy instilled with such a doctrine. They urge a drastic increase in our strategic forces to reinforce their visible strength and call for measures similar to the Soviets' for hedging against the failure of deterrence and fighting a nuclear war to a finish.

I am unconvinced by these arguments—in fact, I firmly believe that it should be easier for us to deter the Soviets from initiating nuclear war than it would be for them to deter us.

In the first place, the Soviets have superior conventional forces in close proximity to virtually all of their national interests that may require defense. Thus they would have no reason to resort to nuclear weapons for their protection.

Second, from their World War II experience, their leaders know how devastating conventional war can be. They also know nuclear war would be many times more so—that they would lose in a few hours more than they lost in four years fighting the Germans.

Third, they could not afford to fight or even "win" a strategic war with the United States. In doing so, their losses would so paralyze the nation as to make it easy prey to nearby enemies—wolves ready to take advantage of a stricken bear. Such enemies could include Chinese, Afghans, Turks, Germans and Poles beyond Soviet borders, and non-Russian minorities within.

Finally, the past record of the Kremlin leaders indicates an extreme reluctance to run unnecessary risks, particularly if there is a safer way to gain the desired end. In this case they have such an alternative—to ride the tide of the present favorable correlation of forces, increasing its momentum when possible and exploiting every opportunity to further weaken the United States and its allies. This moderate course would not only promise gain at minimum risk. It also would allow crediting the ultimate victory to the fulfillment of the Marxist-Leninist prophecy of the inevitable collapse of capitalism from its internal weaknesses and contradictions. It would be an ideological triumph of considerable worth.

If the foregoing reasoning is sound, the probability of a deliberate Soviet attack is extremely low and the possibility of effecting enduring deterrence very high. But even so, we should never cease our efforts to improve the quality and survivability of our forces, particularly their command and communications systems, and thus assure continued maximization of their deterrent potential. The size and numbers of their weapons would be determined not by what the Russians have, but by the weapons needed

to destroy enough targets causing Soviet losses equal to or exceeding those of World War II.

With an arsenal of such lethality to assure deterrence, it would be folly to race the Soviets further in numbers of weapons or to waste the finite resources available for national defense in profligate hedging against the failure of deterrence. We can apply the savings to far better purpose in strengthening the conventional forces necessary to defend our essential interests overseas, currently beyond the supporting range of our military power.

[From the Washington Post, June 17, 1981]

(I) STICKING BY OUR GUNS

(By Adm. Noel Gayler)

This is the first of three articles on defense by Admiral Gayler, who has participated in strategic nuclear planning, and who served as director of the National Security Agency and, before his retirement, as commander of all U.S. forces in the Pacific.

Chancellor Helmut Schmidt came to see us at a time when the NATO West was troubled over nuclear weapons based in Europe. He has had to tell his own party, the Social Democrats, to shape up on this issue, or find a new leader.

With full American support, he's taken a firm line. So have other NATO governments. But their electorates are not necessarily on board. And if there's one clear lesson of the Vietnam War, it is that military policy, without supporting political consensus, is a loser. The basic issue is that most Europeans don't want to fall under Russian military conquest or domination, with all the odious apparatus of Communist totalitarian rule. But, they also don't wish to take a serious or unnecessary risk of being eradicated by nuclear weapons. Most people will think these are reasonable concerns.

In the past some Europeans have made a choice, under the slogan of "Better Red than Dead." More robust characters have reacted in the spirit of our own Patrick Henry: "Give us liberty or give us death." But these are not the only alternatives. Both security and freedom for Europe are possible. They require that as allies we see clearly what the military needs are, and that we act on that knowledge.

The first nuclear proposal now before the allies is that NATO must "match" the Soviet medium-range ballistic missiles targeted on Europe (SS20) with medium-range ballistic missiles of our own (Pershing II or cruise missiles) based in Europe. This may or may not be a good idea. We have made it a touchstone of the unity of NATO, and Chancellor Schmidt's loyal support to that ideal should command admiration and respect. The deployment plan is seen also as a necessary, if paradoxical step to the negotiation of balanced nuclear force reduction. Let's hope the negotiating strategy works.

But there are few things we should understand about it:

Europe is under no special or unusual danger from SS20's. There are plenty—very many more than plenty—of Russian intercontinental-range missiles, which can strike any target in Europe, simply by shortening the trajectory. It makes no real difference to the target where a missile comes from—only where it lands.

● You don't have to "match" any weapons with an equal and opposite weapon of your own. Late in the 19th century, battle cruisers were built to rule the seas. They had 11-inch guns to sink other battle cruisers, 8-inch guns for cruisers, 6-inch guns for light cruisers, 4-inch guns for destroyers, 3-inch guns for torpedo boats and (I guess) small arms to repel boarders. Then British Admiral "Jackey" Fisher had a remarkable insight: 11-inch guns that could sink a battle cruiser could also sink any smaller ship! The all-big-gun Dreadnought was built, and all other big warships were obsolete. Our intercontinental weapons are our big guns.

● European-based NATO missiles impart no special freedom of action or autonomy to the European allies. It is inconceivable they could be used without American consent.

The basis to which to judge the proposals is the extent to which they contribute to or lessen the nuclear threat to Europe and to the unity of NATO.

The second nuclear issue before NATO is the so-called neutron bomb. President Carter first supported this notion, then snatched it back. Secretary Weinberger recently flouted the idea. Secretary Haig slapped it down, for reasons not central to its merits. No one doubts the idea will surface again. It has powerful supporters. What about it?

The "neutron" weapon is one of a class called "tactical" nuclear weapons. These are weapons smaller (but still enormous) in yield, designed to be used by military forces against military forces. Some examples are artillery shells, short-range missiles and aircraft bombs. They have great destructive power and their use entails grave risks. What are those risks?

● The enemy will certainly retaliate in kind, and he will up the ante. Rapid escalation to total nuclear war is a strong possibility, once the nuclear firebreak has been crossed.

● Russian incursion will be fought on allied soil. Noncombatants will be killed in their hundreds and thousands, and these will be our friends and allies. Since our friends may well object to this outcome, the alliance may be fractured at the outset.

● Even if we enjoy two miracles in series—there is no escalation and the alliance holds together—we will be far worse off militarily after a tactical nuclear exchange than before. That is because we have the more critical and vulnerable targets; ports, airfields and lines of communication central to our defense.

The so-called neutron weapons (also called enhanced radiation weapons) are designed to meet some of these objections. Most, but not all, of the energy comes out as radiation that kills or injures living creatures but does little damage to material. There is, however, an irreducible minimum of heat and blast, which is still very large by ordinary standards. Are they very different from "conventional" nuclear weapons in practical effect? No. Are they more dangerous? Perhaps, if they serve to lower the threshold to nuclear war. Are they really necessary to defeat tanks? No. There are better alternatives.

There is another difficulty, of a different kind. Rightly, no president with all his marbles is likely to release nuclear weapons for use, except in the most extreme circumstances, if even then. The risks are simply too high to make the game worth the candle. The commander in the field therefore, has an uncertain weapon on which he can never rely. Much better that he have effective means to victory that he can be confident will be available to him. We can have such means, if we will.

What are some of these alternatives? Weapons that effectively kill tanks, by finding them and hitting them. Weapons that ensure our aircraft are superior to the enemy's. Means to find and kill submarines and protect our ships at sea against aircraft and missiles. Weapons to stop infantry on the ground. Most important, means to control information, the key to tactics and to battle. All of this without resort to nuclear weapons. All of this, fundamentally, by technology well suited to the American and European genius and far ahead of the adversary.

Given political will and economic support NATO can field the forces necessary to defend ourselves. We have no need to resort to the unmeasured hazard of nuclear weapons. We need be neither Red nor dead.

[From the Washington Post, June 23, 1981]

(II) A WAY OUT OF THE NUCLEAR TRAP

(By Adm. Noel Gayler)

All the West is caught in the cruel trap of ever-increasing danger from nuclear weapons. We have strange company: the U.S.S.R. We and they struggle mightily for a preferred place within our trap, but every struggle draws the net tighter.

Most of you who read this live near Washington—you will not survive a nuclear exchange. Nor will those who live in New York or Boston or Seattle or Chicago or any of our great cities. Nor those who live in Moscow or Kiev or Tbilisi or Vladivostok or remote Alma-Ata or almost anywhere else in either enormous country.

Our present policy has reached a dead end. So has the Russian policy. But there is a way out of the trap. George Kennan has made a dramatic proposal for the immediate 50 percent reduction, on both sides, of all nuclear weapons, of all kinds, without haggling over detail. This is great, as far as it goes, but it does not go far enough. To see why this is so, read on.

Our basic need is truly to understand the nature of nuclear weapons. They are so enormous that, in a nuclear exchange, the first few weapons arriving do almost all the damage conceivable to the fabric of the country. So we have a military paradox: the power position of either side is not affected much by the size of its nuclear forces. Which way the wind is blowing (carrying nuclear fallout) makes more of a difference than an extra thousand missiles or so on either side.

In a similar way, technology has no great payoff. It makes no difference whether New York, say, is devastated by an old SS11 or a brand new SS19 MIRV warhead. In the absence of effective defenses, it makes no difference whether delivery is by a hypersonic maneuvering re-entry body, or a tired old Bear bomber. The results are the same.

But what about defenses? Can't we have the missile defenses and air defenses that would shield us against a Russian attack? The short answer is: no way. In conventional air defense, it's enough to shoot down a few aircraft at each go—the cumulative losses soon bring the attack to a halt.

In nuclear defense, the situation is reversed: essentially all weapons have to be stopped or else the damage is done. Effective defense against hundreds or thousands of weapons is impossible.

Isn't accuracy important, and its exotic technology? Well, yes, but only if you want to attack hard, fixed targets such as missile silos, and that brings us to MX.

MX is really two separate and separable ideas. One idea responds to the potential threat against our own missiles by creating

uncertainty about their precise location. No matter how powerful and how accurate the attacking missile, it cannot, except by chance, destroy a target it cannot locate.

The idea is good. We make our missiles relatively secure against attack, and we don't have to fire them out in the few minutes of warning time available. The hair-trigger is gone, as is much of the danger from false alarms. But the present scheme is unnecessarily elaborate. We don't have to pave the states of Utah and Nevada and suck dry the water of the West to give security to our force. Much simpler means will do the job.

The second MX idea creates a powerful rocket with numerous and very accurate independent warheads, as replacement for Minuteman. This is a dubious proposal, in its present form. If and to the extent we need to replace an aging missile with a new one, it's a good idea. To the extent we create a force with warheads numerous, powerful and accurate enough to threaten the Russian ICBM force in hard silos, it's a bad idea. Why?

Because the U.S.S.R. will surely respond. They will be no more content than we to see their land-based force threatened by surprise attack. What are their options?

They could live with their vulnerability. This would be very dangerous—they would feel the hair-trigger necessity to fire out on warning of attack.

They too could play hide and seek.

There is a worse Russian option. That is that they would do both the above. They could elect to keep the hair-trigger force they have and also to build a force we cannot target. We would end up with the worst of both worlds.

All of this means that the security of both their force and ours is good—stabilizing. The idea of attacking such forces—"counterforce" in the jargon—is a loser. It is destabilizing and dangerous for us and for them.

The missile-firing submarines are pretty secure. Sure, both sides are working hard on anti-submarine measures, and have had some limited success. But with the vast areas of the ocean they both can now hide in, it's inconceivable that any important number can be sunk in the opening hours of war. Three months, maybe—not three hours.

Still different are the bombers. We've accepted that their chance of getting shot down is so great they must carry cruise missiles to penetrate to the target. Better we should convert most of the bomber force, present and future, to useful military purposes.

This notion, that military force should have useful military purpose, is so self-evident that it seems fatuous to state it. Yet we must, for there is an obvious disconnect in our present forces.

There is no sensible military use for any of our nuclear forces: intercontinental, theater or tactical. Their only reasonable rationale is, first, to deter the other fellow from the use of his and, second, to gain whatever political edge there may be from the appearance of nuclear strength. As a general rule, we can state that nuclear forces are militarily sufficient whenever they are politically sufficient.

So now we know how to escape the trap. It is the usable conventional military power that counts, not the useless threat of distant destruction. Cut back the nuclear forces, ours and theirs, across the board, as Kennan suggests. Give up any notion of first use. Look to the united political, economic and usable military strength of the West to keep us free.

[From the Washington Post, June 25, 1981]

(III) THE SOVIETS WANT TO SURVIVE, TOO

(By Adm. Noel Gayler)

Neither we nor the Soviet Union can possibly want to be in our present position, where our very existence depends on the nuclear restraint of the other. There is only one way out—we must each negotiate with the other not only a major reduction of nuclear weapons but an absolute end to any military dependence on them.

Negotiating will be tough. We each have major and nearly insoluble problems with the other. The West feels threatened by the enormous Russian military buildup, by their worldwide trouble-making under the rubric of "wars of national liberation," by their unprincipled subjugation of their neighbors. They in turn recognize us as their most dangerous potential military adversary, as the stumbling block to their worldwide ambitions, and as the organizers of international alliances to contain them.

And we have a lot of experience negotiating with the Soviet Union—much of it bad. We see them as adversary, devoid of good will, manipulatory, unwilling to compromise. They see us as uncertain, compliant, willing to yield after a while to intransigent positions, for the sake of agreement. Both views have a good deal of validity.

Yet both are beside the point. The object isn't to "win" a negotiation, or to end up with "superior" nuclear forces. The object is to make the chance of nuclear war as small as possible. We have other political objectives. So has the Soviet Union. Most of them conflict intensely. But this one objective we share, and it is far more important than all the rest put together.

The key is to find our common interests, and they are not hard to find; we have a common interest in not being blown up. We also have a common interest, as great powers, that we not be subject to nuclear blackmail from smaller powers or terrorist groups. This is plenty to build agreement on, but only if we detach these overriding problems from all the other issues between us. The notion that we can punish or coerce the Soviet Union for its behavior by withholding our agreement on nuclear weapons is fallacious. Our need is every bit as great as theirs. If we wait until they shape up, to our standard, on every bone of contention between us, we will wait a long, long time. And the clock of nuclear danger is ticking away.

So we have the basis for negotiation. What precisely should we propose? Here is a list, for openers:

Immediate equal reduction of nuclear weapons of all categories as proposed by George Kennan. This can become a progressive process.

Renunciation of nuclear initiatives for any purpose whatever.

Renunciation of any "counterforce" strategy against strategic nuclear forces.

Concurrent strong opposition to any form of nuclear weapons proliferation, by our clients or theirs. The first step must be our own reductions, or we have no credibility whatever.

Are such agreements possible? Yes, because the Soviet Union and the United States would gain by them. Can they be verified? Yes. Weapons turned in can be counted. Weapons could be hidden away in small quantities, but only very large quantities would make a difference. And very large quantities we would know about. Nuclear initiatives are foreshadowed by the nature of the weapons, for example a "neutron" bomb must be made and deployed before it can be used. And opposition to nuclear weapons proliferation must by nature be public, or it isn't real opposition.

Supposing we believe all this; what are the Russian views? We know that they are suspicious, and slow to react to new proposals. We know that their military literature abounds in references to nuclear war exchanges and mixed nuclear-conventional campaigns. (To a certain extent, so does our.) We know that some of their military exercises and some of their military equipage bear out these ideas. But there is no evidence that the Soviet Union is irrational. The compelling logic against the use of nuclear weapons applies equally to the Russians as to us. The Party leadership has given every signal that they understand that logic. And the last effort to reach a limiting agreement, imperfect though it was, was terminated not by the Soviet Union, but by the Americans when the Senate refused to approve SALT II.

The nuclear preparations of the Soviet military can therefore be regarded as worst-case insurance, as indeed ours should be.

So we have our prescription for negotiations. We need be realistic, hardheaded and specific. Generalities about the "spirit" of Camp David or anywhere else will get us nothing but disappointment. And we must confine negotiations severely to our common interests: to reduce the chance of nuclear war. No attempted arm-twisting on other subjects, no attempts to gain points by "winning." If we do this, we and they have a good chance to reach agreements that will in some measure lift this cloud of danger from us.

President Reagan has an unmatched opportunity. He alone can initiate this process without suspicion of weakness. The American people wish, and he wishes, for America to have unmatched strength—military, economic, political strength and strength of purpose. Yet the president has common sense in uncommon measure, and will surely see, that our military strength lies in people and forces far removed from these useless and dangerous nuclear weapons. Should he act on this perception, and should he succeed, history will record him as one of our greatest presidents.●

IAEA "SAFEGUARDS" ARE AN ILLUSION

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. MARKEY. Mr. Speaker, for over 25 years we have heard the assertion made that nuclear commerce is conducted safely, and steps are taken which prevent the diversion of nuclear materials from peaceful nuclear programs to atomic weapons. But since the advent of nuclear commerce the world has had to rely on the efforts of the International Atomic Energy Agency to prevent this diversion. And now it has become all too clear that the IAEA safeguards are no barrier at

all to this diversion and the spread of nuclear weapons.

Mr. Speaker, the Nuclear Regulatory Commission has recently expressed the grave concern that "the IAEA safeguards system would not detect a diversion" of nuclear materials. It is time to recognize that the safety provided by the IAEA is an illusion and we must take steps to halt the export of dangerous nuclear materials, which carry such enormous proliferation risks.

Mr. Speaker, in the Washington Post of December 2, 1981, Jessica Tuchman Matthews wrote an incisive op-ed piece on the problem of proliferation and IAEA safeguards. I submit that article in its entirety into the RECORD.

LETTING NUCLEAR DANGER SPREAD

(By Jessica Tuchman Mathews)

The Nuclear Regulatory Commission's resounding vote of no-confidence this week in the international system of safeguards on which trade in nuclear technology is premised is but the latest in a series of events and policy shifts that has all but wiped out American non-proliferation policy.

As one who once had a hand in helping to formulate that policy during part of the Carter administration, I have watched with awe the rapidity with which the dismantling has taken place.

The erosion began last spring in a close vote by the Senate Foreign Relations Committee approving an administration request to permit a large new assistance program for Pakistan by waiving the law that prohibits assistance to a country trying to make nuclear weapons. The vote attracted little attention at the time, yet it was a significant milestone; in the first test of its own sanctions against nuclear proliferation, the United States was choosing to ignore them.

By the time the waiver reached the Senate floor a few weeks ago, there was no remaining doubt that Pakistan is aggressively pursuing every possible technical route to building a bomb. It may be ready to stage a nuclear explosion in one year.

Nevertheless, the full Senate chose not to vote on the wisdom of the waiver. Sen. John Glenn (D-Ohio), trying to redraw the line he had helped write into law a few years ago, offered an amendment requiring termination of American aid if Pakistan went all the way and actually detonate a nuclear bomb. But the message that was conveyed that evening to Pakistan, and who knows how many other interested governments, was not, that the amendment had passed—which it had, just—but rather that nearly half the Senate—45 members—had voted against it, in the name of preserving "flexibility" for the president. The flexibility in this case is the flexibility to do nothing—as this country did when India exploded its bomb in 1974.

Meanwhile Israel had bombed Iraq's research reactor. The International Atomic Energy Agency's response was not to investigate why Iraq, despite having no commercial nuclear facilities, was stockpiling hundreds of tons of uranium ore. Nor did it or any other group consider intelligence findings that Iraq was indeed pursuing a nuclear capability, despite having renounced the right to do so by signing the Non-Proliferation Treaty. Instead the IAEA called on its members to offer Iraq "emergency assistance" to rebuild the destroyed reactor.

France, Iraq's original supplier, responded. Discussions between France and Iraq have been under way since last summer. American officials are apparently not privy to the terms being negotiated, especially whether the new reactor will be as inexplicably large for its asserted "research" purpose as the old one was, or whether this time France will insist that the reactor not be fueled with highly enriched, weapons-usable uranium.

France's recent agreement with South Africa does not offer much ground for optimism. The United States has been trying for years to get South Africa to accept safeguards on its nuclear facilities. Its leverage was the supply of fuel rods for South Africa's first power reactors scheduled for completion next year. But American law requires that South Africa first accept safeguards. Suddenly, in mid-November, it was announced that the reactor would be loaded on schedule with fuel rods made in France, and without safeguards. The action took American officials completely by surprise, cutting the ground out from under the U.S. government's position.

A few years ago, the nuclear supplier nations agreed to an informal moratorium on the transfer of reprocessing and enrichment plants—facilities that produce material that is directly usable in bombs. This year, for the first time since that agreement, a non-nuclear weapons state—Mexico—has invited bids for the construction of power reactors and let it be known that it wants "advanced technology"—enrichment and reprocessing—to be part of the deal. The suppliers' responses will be a major test of how much, or how little, is left of the will to slow nuclear proliferation. The outlook is clouded by the administration's recently announced willingness to transfer classified enrichment technology to Australia, making it all the harder to say no to others.

Several other thresholds have been quietly crossed. In extending an agreement tht allows U.S.-supplied fuel to be reprocessed in Japan's pilot reprocessing plant, the administration, without prior congressional consultation, dropped two key provisions of earlier versions. One of these dealt with whether reprocessing plants, because they provide direct access to weapons-usable materials, can ever be effectively safeguarded. The other retained U.S. control over Japan's use of the separated plutonium.

U.S. negotiators, unable to find acceptable conditions for ending nuclear cooperation with India, are reportedly considering major concessions. The United States wants international safeguards to continue to be applied to the used fuel (containing more than a ton of plutonium) it has supplied to India over 18 years. India has refused, and is reportedly considering a unilateral renunciation of the agreement and its attendant safeguards. To avoid that damaging precedent U.S. negotiators may allow India to reprocess the U.S.-supplied fuel.

The Reagan administration let it be known from the outset that it planned a dramatic "shift in emphasis" from the Carter non-proliferation policy. It would emphasize American leverage as a "reliable nuclear supplier" rather than trying to restrict access to sensitive nuclear technologies. But leverage is only leverage if one is prepared to use it. The administration's easy acceptance of Pakistan's nuclear bomb program and many subsequent decisions signaled clearly that it was more interested in encouraging nuclear trade. The message was picked up not only by potential proliferators by also by other suppliers—France, especially—that had reluctantly gone along with earlier U.S. insistence on a tough non-proliferation policy. Congress, overwhelmed with other concerns, failed to respond. The result has been a frighteningly swift unraveling of the containment net that had been slowly stitched together in the seven years since India's nuclear explosion shocked the world. No one knows where it will end or what it will now take to stop the process.●

PRESIDENT'S PROGRAM DESERVES A FAIR CHANCE

HON. PHIL GRAMM

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. GRAMM. Mr. Speaker, it was recently my pleasure to read an eloquent article refuting the latest bit of "intelligence" floating about Washington; that is, the idea that President Reagan's economic recovery program has failed after only 2 months. The author of that article is Mr. Ray Zauber, the editor of the Oak Cliff Tribune in Dallas, Tex. I insert Mr. Zauber's article in the RECORD and recommend it to my colleagues.

Turning this country's economy around will be neither easy nor swift. However, the President is heading us in the right direction and, as Mr. Zauber's article demonstrates, the majority of the American public continues to agree with the President's policies.

CRITICS OF REAGANOMICS SHOULD EXERCISE MORE PATIENCE

The Reagan economics plan has been in place for less than six weeks and already many influential individuals and organizations throughout the United States have deemed it a failure.

For almost 50 years the nation has been guided by Presidents and Congresses—largely Democratic dominated—who have steered the ship of state toward socialism and welfarism.

The theory of the tax and spend political leaders—with heavy support from the media, academe, labor and liberal voters—has been to correct the deficiences of unproductive social programs with massive infusions of new money.

In the wake of these tactics a monumental bureaucracy at almost every level of government from the precinct to the national administration has proliferated.

Ronald Reagan and George Bush are the most outspoken tenants of the nation's two highest offices who have offered an overt, straight forward plan to reduce the federal establishment.

Reagan has preached the benefits of federalism which would return great power and responsibility to state governments as practiced in the early days of the Republic.

Getting Washington bureaucrats off the backs of taxpayers and businessmen, who provide the funds with which government is fueled has been Reagan's oft-stated objective.

They want to eliminate waste, duplication, fraud, malingering, theft, conversion, mismanagement, sinecures, inefficiency, over-

staffing, backbiting, greed and other common ills of socialism which have been the linchpins of Reagan's new deck economics.

The Tribune and this typewriter have often warned in discussing Kemp-Roth-Reagan, Gramm-Latta and Stockman economics that rolling back the welfare juggernaut would be extremely painful.

Additionally we insisted that before things got better they would get worse for the nation. Perhaps much worse.

In order for any kind of medicine to take effect, there must be time allowed for the curative ingredients to attack the disease symptoms.

Treating a very sick national government differs little from doctoring a human or an animal. Certain common sense procedures must be observed for a panacea to be effective.

Placebos have been tried by previous administrations without success because the ingredients are inert. The American economy is so sick that psychology will play only a minor role in curing the political patient.

What worries Scratchpad is the intolerance of some politicians who place personal ambition and the welfare of the party above the good of the country.

There are journalists, academics, students, fellow travelers and ultra liberals who prefer socialism or communism to our present system of government. Unscrupulous politicos also prey upon those who favor the free lunch.

To my utter dismay, there are some of the most influential media in the country—from the three television networks to the county seat weekly—who consistently support communist-inspired revolutions. Around the globe.

So powerful are many of the liberal east coast daily newspapers, news magazines, movie producers and network television news departments that they can strongly influence the thinking of Middle America.

Many were sounding the death knell of Reaganomics weeks before the program's October 1 commencement.

If ever there was time a time in this nation's history for patience by the voters and taxpayers, this is it.

The socialists and welfarists have tried every known political trick to redistribute the wealth of America without success. Wasting billions upon billions collected from the labors of the most affluent nation that history has ever known.

However, there are sinister forces at work to scuttle the ideals of the Reagan-Bush administration. These opportunists have great resources for mischief and misdirection.

Let's resist the demagogues and hypocrites inside and outside of government. Those who would gladly destroy this great system for selfish benefit.

For heaven's sake, let us conclude with the trite and often restated admonition: Please, let's give the new administration a chance. A fair chance.

THE RURAL ENTERPRISE ZONE AND DEVELOPMENT ACT OF 1982

HON. WES WATKINS

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. WATKINS. Mr. Speaker, I included the following statement for the CONGRESSIONAL RECORD:

STATEMENT OF CONGRESSMAN WES WATKINS OF OKLAHOMA, CHAIRMAN OF THE CONGRESSIONAL RURAL CAUCUS, BEFORE THE SUBCOMMITTEE ON CONSERVATION, CREDIT, AND RURAL DEVELOPMENT (HOUSE COMMITTEE ON AGRICULTURE)

Mr. Chairman, thank you for scheduling this public hearing on H.R. 4576, Rural Enterprise Zone and Development Act of 1982. I am especially pleased that you, as Vice Chairman of the CRC, together with all Members of the CRC Executive Committee, unanimously endorsed and cosponsored HR 4576. To date, there are 51 cosponsors.

H.R. 4576, a bill to amend the Agricultural Act of 1961, authorizes the Secretary of Agriculture to provide financial assistance for the economic development of rural enterprise zones and it amends the Internal Revenue Code of 1954 to provide tax incentives for small businesses located in rural enterprise zones.

Much has been said and written concerning this concept in urban areas and it appears that not much has been said or written concerning small cities and rural areas in the enterprise zone dialogue between the Executive Branch, Congress, Public sector, and Private sector.

We are assuming a positive perspective as we discuss H.R. 4576, its role, and place in the Reagan Administration and the 1980's.

As you and the members of this subcommittee know, rural areas lack investment capital by banks and venture capital by rural entrepreneurs. Rural America has come to depend on both the farm and nonfarm job income to exist, resulting in a tax base from which to support needed local facilities and services.

Maximum effective and efficient utilization of local resources is essential to maintain and improve the economic and social health of rural America.

The distribution of private economic enterprises, income opportunities, and high quality developmental facilities and services, is a critical part of the process. The fair and equitable sharing of private and public resources is an important consideration for rural areas, bringing about an additional increase in such resources for the construction, expansion, operation, or trading of a business in rural areas which do not have sufficient access to investment funds from existing credit and investment.

The basic solution for rural America is in the maintenance and expansion of its small business, resulting in more jobs and productivity for our nation.

Small businesses are stymied by the high and exorbitant interest rates, as well as tight money policies of the Federal Reserve Board, causing irreparable damage to capital financing and long-term investments.

The Economic Recovery Act of 1981 failed to adequately accommodate small business. There must be an equitable tax incentive policy which is carefully thoughtout and considerate in its treatement of all people.

Sound economic development in rural America needs maximum coordination and communication among those who represent the private and public sectors, as well as the farm and non-farm sectors.

Technical and management skill is not readily available in rural areas when compared to the tremendous resources available in the urban areas. Planned and orderly growth and development of rural areas is a major factor in any program designed to meet rural challenges.

In many instances, reports cite the abundance of underexploited physical and human resources which, if developed, would alleviate the distress of an area if such financial resources were available locally. Capacity building in rural areas is crucial to raise the technical, occupational, and entrepreneural skill of existing and new labor force entrants to attract new industry and to encourage local expansion of existing business.

Federal policy consideration must include additional investment needs for additional investment and financial resources, including helping local people to plan, develop, and implement resource development and investment strategies for the orderly growth and development of distressed rural areas. There must be a local capability to provide adequate developmental facilities and services. The increase in technical and occupational skill levels among rural people is essential.

H.R. 4576 sets the stage for the dialogue between rural and urban proponents to designate rural enterprise zones, to provide appropriate financial and technical assistance required to reverse economic distress, and to provide tax and financial incentives to small businesses willing to locate or expand, resulting in increased employment and income producing opportunities in such areas.

By targeting job incentives, financial and technical assistance of FmHA to rural areas, coupled with private sector support, the enterprise zone concept can be used. The needs of rural America continue to be ignored at the very time our people are facing tremendous financial and other burdens.

During the late 1940's, we initiated a Marshall Plan to rebuild Europe. The 1960's and 1970's gave birth to many programs to rebuild our decaying inner cities and to alleviate urban poverty. Rural America was once again on the outside looking in.

Rather than restate detailed provisions of H.R. 4576, we have provided a Section by Section Summary and Highlights of its provisions for your information and consideration.

We want to continue to work with you to insure fairness and equity in the orderly growth and development of small cities and rural areas. Thank you.●

THE WEEK THE GOVERNMENT STOPPED

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington report for Wednesday, December 2, 1981, into the CONGRESSIONAL RECORD:

THE WEEK THE GOVERNMENT STOPPED

With increasing regularity, Congress and the President have failed to enact spending bills by the beginning of the new fiscal year. Time and again, they have failed to meet the deadlines which govern spending for federal activities. This past week, for the first time in history, all agencies ran out of money when a stopgap financing law expired at midnight on November 20. President Reagan moved immediately to shut the government down. It was the week the government stopped.

It is instructive to review the background of the impasse which led to the shutdown. Congress' failure to complete action on the

regular appropriations bills (the House has passed 12 of 13, the Senate six of 13) made it necessary to consider stopgap financing (in budgetary language, a "continuing resolution") to keep the government in business. Six months after submitting his budget request and two months after Congress approved his spending and tax proposals, the President insisted that Congress trim another $8.5 billion in spending from the continuing resolution. Later, he said he would accept half that amount. When Congress passed a continuing resolution which the President said did not cut enough, he vetoed it. Most agencies began to furlough "non-essential" employees under an 1870 statute which tells government managers, in effect, that if Congress has not provided the money then they cannot spend it. The impasse was temporarily broken a few days later when Congress approved, and the President signed, a continuing resolution extending current levels of spending to December 15. Since the underlying budgetary problems have not been resolved, another impasse could come in three weeks.

The blame for the impasse must be shared by all concerned. The President believes the free-spending Congress caused it, and he complains that Congress inaction left the country without a budget for 14 months. Every member of Congress would agree that the latenight, last-ditch legislating of the past week is a poor way to operate, but other reasons are offered to explain the delay in enacting regular appropriations bills. The House has done almost all its work, but the Senate has kept more than half the regular appropriations bills off the floor because it has been unable to agree with the President on his request for a new round of spending cuts. In fact, the Senate leadership told the President that he should not seek a new round of cuts so soon after the bruising battles of last summer. So the President blames Congress, and Congress blames the President.

By shutting down the government, the President demonstrated his determination to control federal spending. My guess is that his action was good politics—that it played well in the country—and that he wanted to show he would be tough in negotiating spending cuts next year. After a run of bad economic news, the President almost certainly concluded that he had to "take command" of the budget process. The cuts he won with his veto of the continuing resolution were surely not as important as the symbol of a resolute stance against spending. In addition, they were not large enough to have much effect on the 1982 deficit, which is now likely to exceed $80 billion because of the recession and the huge tax cuts. It is hard to see why a continuing resolution which came down to a difference of one-half of 1% caused such a fuss.

Throughout the debate on the continuing resolution, there was much confusion about the underlying budgetary figures. The President contended that the continuing resolution was far over his budget. Congress argued that it was under both the President's budget of March and the budget resolutions which he had supported. The dispute was eventually narrowed to a single issue: whether the continuing resolution was over the President's modified budget of September. Congress thought it was very close, but the President believed the difference was larger. The sources of disagreement were many. The President may have misread the continuing resolution, anticipated the passage of bills which Congress did not, and used different economic assumptions. Moreover, errors in calculation were easy to make because there were so many seperate programs in the continuing resolution, and separate calculations had to be made for each one. Finally, no accord was reached on the programs to be classified as discretionary, and thus subject to cuts, and the programs to be classified as entitlement, which go up automatically with inflation and increases in the population.

Having just gone through this divisive struggle, I have the strong impression that we must avoid legislating budgets with the threat of a shutdown of government hanging over us. Good legislation cannot be passed in such conditions. Unfortunately, stopgap financing has become the focus of too many disputes because Congress has fallen behind in its consideration of regular appropriations bills. We are using continuing resolutions for long periods of time, yet they should be used only wnen emergencies arise. We are using them to fund almost all government activities, yet they should be used only in isolated instances. The danger is that the continuing resolution will take the place of the regular appropriations process, yet it has none of the legislative safeguards the latter has.

The deadlocks which have plagued the budget process in recent years reflect structural weaknesses in the process. With four money committees and two budget committees, several stages of consideration, and dozens of votes, the process has become unwieldly. These weaknesses must be corrected. An issue of policy makes matters worse. At the root of the impasse which shut down the government is disagreement between Congress and the President on the segments of American society which should bear the burden of the spending cuts. Until a broader consensus on this issue is reached, Congress' budgetary troubles are likely to continue despite all efforts to reform the budget process.●

CIVIL AERONAUTICS BOARD SUNSET ACT OF 1981

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 1981

● Mr. MINETA. Mr. Speaker, on November 23, 1981, I introduced H.R. 5103, the Civil Aeronautics Board Sunset Act of 1981, on behalf of myself, Chairman HOWARD of the Public Works Committee, and Congressmen CLAUSEN and SYNDER, the ranking minority members of the Public Works and Transportation Committee and the Aviation Subcommittee. The bill is intended to serve as a vehicle for a subcommittee markup early next year. To assist interest parties in evaluating this legislation, we have prepared the following section-by-section analysis of the bill:

SECTION-BY-SECTION ANALYSIS OF H.R. 5103—CAB SUNSET ACT OF 1981

Section 1. The Act may be cited as the "Civil Aeronautics Board Sunset Act of 1981".

Section 2. Amendment of Federal Aviation Act of 1958. Unless otherwise specified, amendments to this Act are to be considered amendments to the Federal Aviation Act of 1958.

TITLE I. TERMINATION AND TRANSFER OF FUNCTIONS OF THE CIVIL AERONAUTICS BOARD

Section 101. Functions Under Federal Aviation Act of 1958. Under existing law, the requirement that CAB make public convenience and necessity findings before authorizing air carriers to provide interstate and overseas air service is terminated effective December 31, 1981. The introduced bill eliminates similar requirements for interstate all-cargo service.

The introduced bill also amends the sections in existing law terminating various CAB authority on January 1, 1983, and transferring CAB's remaining authority on January 1, 1985. Under the bill, the general date for termination of CAB functions which are not being transferred to other agencies is 60 days after enactment. The date for final "sunset" of CAB and transfer of its remaining authority is 150 days after enactment.[1]

The following CAB authority is terminated 60 days after enactment: Sections 401(q) and (r) of the Federal Aviation Act, which give CAB authority to require carriers to maintain insurance and file performance bonds, and impose a continuing "fitness" requirement on certificated air carriers; Sections 407 (b) and (c), which impose reporting requirements relating to stock ownership of air carriers and stock ownership by air carrier officers and directors; Section 409, which gives CAB authority over specified interlocking relationships involving air carriers; Section 410, which gives CAB authority over air carrier applications for loans and financial aid from the United States government; Section 417, which authorizes CAB to allow charter air carriers to provide scheduled service in specified circumstances; Section 418, which gives CAB authority to authorize all-cargo air service in interstate or overseas air transportation; Sections 1002 (d), (e), and (g), which give CAB authority to regulate rates and fares for interstate and overseas air transportation; and Sections 1002 (h) and (i), insofar as they authorize CAB to regulate joint fares and through transportation of property.

The following CAB authority is terminated 60 days after enactment insofar as it relates to interstate and overseas transportation: Section 401 of the Federal Aviation Act (other than subsections (j), (k), (l), (m), and (o)), which authorizes CAB to award certificates of public convenience and necessity for interstate and overseas air transportation; Section 403, which requires air carriers to file tariffs specifying fares, and imposes related requirements; Section 404, except insofar as this section requires air carriers to provide reasonable through service; to establish, observe, and enforce just and reasonable joint fares and just and reasonable classifications, rules, regulations, and practices relating to joint fares; and to establish just, reasonable, and equitable divisions of such joint fares; and except insofar as such section requires air carriers to provide safe and adequate service. (The requirements terminated include the duty to

[1] Where authority is extensively modified before being transferred, the modifications are accomplished under Title II of the bill. To obtain a complete picture of transfers and terminations it is necessary to review both Titles I and II.

provide "reasonable" individual fares, and the prohibitions against "unjust discrimination" or "undue or unreasonable prejudice or disadvantage"); Section 415 of the Act, which gives CAB authority to inquire into the management of the business of any air carrier.

Sections 401(d)(1), (2) and (3) of the Federal Aviation Act are terminated 60 days after enactment insofar as they require an applicant for a certificate for foreign air transportation to demonstrate that it is fit, willing and able to perform the transportation properly.

The bill further provides for the termination of the following provisions 150 days after enactment: Sections 201, 202, 203, and 205 of the Federal Aviation Act which establish CAB and give it basic authority; and Section 411 of the Act, which gives CAB authority over unfair or deceptive practices or unfair methods of competition in air transportation.

The following provisions terminate 150 days after enactment to the extent they relate to interstate and overseas air transportation; Sections 401(1) and (m) which require certificated air carriers to carry mail; and Sections 405(b), (c), and (d), which give CAB and the Postal Service various authority to require the carriage of mail.

The following provisions terminate on January 1, 1986, insofar as these sections relate to interstate air transportation: Sections 412(a) and (b) and Section 414, which authorize CAB to approve and grant antitrust immunity to certain agreements between air carriers.

The following provisions terminate 6 years after enactment: Section 404(a)(1), except insofar as it requires air carriers to provide safe and adequate service (this termination ends the duties of air carriers with respect to joint fares in interstate and overseas air transportation); and Sections 1002(h) and (i) which give CAB authority to regulate joint fares and through service in interstate air transportation.

The bill further provides for the transfer of remaining CAB authority to other agencies 150 days after enactment, as follows: The CAB's authority over the carriage of mail in interstate and overseas air transportation is transferred to the Postal Service to be exercised through negotiations or competitive bidding: the CAB's authority over foreign air transportation is transferred to the Secretary of Transportation to be exercised in consultation with the Secretary of State; and all other non-terminated authority is transferred to the Secretary of Transportation.

Section 102. Functions Under Other Laws. Transfers to the Secretary of Transportation CAB's authority under specified laws other than the Federal Aviation Act.

TITLE II. AMENDMENTS TO CONFORM TO CAB SUNSET AND RELATED AVIATION AMENDMENTS[2]

PART A—PROVISIONS TO TAKE EFFECT ON DATE OF ENACTMENT

Section 201. Temporary Air Transportation. The bill provides that all certificates for temporary air transportation shall be for an initial period of at least five years. Any temporary certificate in effect on date of enactment which is the first certificate issued to a carrier for a route is extended to terminate 5 years from the original issuance.

Temporary certificates shall be renewed unless the Board[3] determines that it is not consistent with the public convenience and necessity to award certificates to all applicants for the route, and another applicant demonstrates by clear and convincing evidence that it can provide a substantial improvement in the cost or quality of service.

Section 202. Division of Joint Fares. Under existing law, an airline's duty to enter into joint fares and the CAB's authority to regulate joint fares and divisions of revenues for interstate and overseas air transportation end on January 1, 1983. Prior to that date, the carriers have a duty to enter into joint fares and CAB has discretionary authority to regulate the fares. The bill amends these requirements to provide that for the three-year period beginning on the date of enactment, the Board's current uniform system for establishing joint fares and dividing the revenues therefrom shall continue to be applicable to interstate and overseas transportation. During this period, the Board may prescribe a different uniform method, but this uniform method must provide for a division of revenues based on the cost of each participating carrier. In no event shall a carrier participating in a joint fare receive more than its local fare.

For the next three years, DOT is required to establish a uniform system, but is given discretion over the method which is used to establish this system.

The duty to establish joint fares does not apply to any air carrier that does not participate in any through service or joint fares.

Section 203. Subsidy Reduction Program. This section places limits on the subsidy payable under Section 406 of the Act, effective 90 days after enactment.

The bill provides that Section 406 subsidy shall not be paid for service to cities enplaning 80 or more daily passengers during the preceding 12-month period. Subsidy payments may not exceed the level established on February 4, 1981 (in the case of class-rate carriers), or December 31, 1980 (in the case of other carriers). Subsidy payments shall be reduced by any excess profits realized on subsidy ineligible routes.

Ceilings are established for Section 406 subsidy payments in fiscal years 1982 through 1985. (Separate ceilings are established for Section 406 subsidy payments for service in States other than Alaska, and for service in Alaska.) For fiscal 1982, the ceiling applies to service beginning 90 days after enactment. If carriers are eligible for payments in excess of the ceiling, each carrier's payment shall be reduced by the same percentage.

The provision in existing law allowing a commuter carrier to replace a Section 406 carrier is revised. The effective date for this "bumping" is changed from January 1, 1983 (existing law) to date of enactment of this bill. Under existing law, a commuter may bump a Section 406 carrier if the commuter demonstrates that it can provide a substantial improvement in service at a substantial decrease in the amount of subsidy. The introduced bill provides that the commuter must show that it can provide "equivalent or better" service and a decrease in subsidy.

Section 204. Fare Flexibility in Foreign Air Transportation. Under existing law, carriers providing foreign air transportation have authority to raise fares 5% above or 50% below a specified standard foreign fare level. The Board has discretion to extend the zone. The bill modifies the zone of flexibility to provide for unlimited downward flexibility and upward flexibility beginning at 10%, or any higher lever currently established by CAB. Subsequently, the Board may reduce the upward zone but not below 10%. There is no limit on upward flexibility for service with a level of amenities higher than normal economy service.

Section 205. State Taxation. Prohibits the states from taxing air carrier transportation proterty at a tax rate or assessment level exceeding that imposed on other commercial and industrial property.

Section 206. Procedures for Certification for Limited Designation in International Markets. Requires the Secretary of Transportation to adopt rules to ensure that DOT will follow procedures providing an impartial decision-making process for awarding international routes to U.S. carriers in markets in which not all applications can be granted. The proposed and final DOT rules are to be made available to appropriate committees of the House and Senate.

Section 207. Report on Air Carrier Agreements. Requires the Secretary to report to appropriate Congressional committees by January 1, 1985, on the administration of authority to immunize inter-carrier agreements from the antitrust laws. The report shall include recommendations on whether authority to grant antitrust immunity should continue.

Section 208. Elimination of Discrimination and Unfair Competitive Practices in Foreign Air Transportation. Requires the Secretaries of State and Transportation and the Civil Aeronautics Board, through bilateral negotiations, to eliminate all forms of discrimination and unfair competitive practices faced by United States air carriers in foreign air transportation to the greatest extent feasible.

Section 209. Protection of Employees. Imposes a duty on the parties to air carrier mergers and other specified transactions to make arrangements for the integration of work forces and the protection of employees which are at least as protective of and beneficial to employee interests as the "Alleghenny-Mohawk" conditions developed by CAB. Before a transaction may be consummated, the Secretary of Labor must certify that the required arrangements have been made. Notwithstanding any other provision of this section, an agreement pertaining to the protection of the interests of such employees may be entered into by any air carrier or air carriers and the duly authorized representative or representatives of its or their employees. The subsection applies to transactions specified in Section 408(a) of the Act when at least two of the parties to the transaction are qualifying air carriers, defined as a passenger carrier operating 60-seat or larger aircraft, or a cargo carrier providing foreign air transportation with aircraft with a capacity of 18,000 pounds or more.

The employee protection provisions of the Airline Deregulation Act are amended to

[2] The summary of this Title does not discuss all changes to the Federal Aviation Act which conform the Act to the terminations of authority discussed in the summary of Title I above.

[3] This authority will be exercised by CAB until the agency is sunset. Thereafter, the authority will be exercised by the Secretary of Transportation. The same transfer of authority takes place for subsequent sections of the bill.

modify the "duty to hire" provisions. Under the bill, the duty to hire will apply only if there is a qualifying dislocation,[4] the same trigger which governs the financial assistance program. Under the bill, the "duty to hire" will apply to all air carriers providing passenger service with aircraft with a capacity of more than 60 seats, or cargo service in foreign air transportation with aircraft with a capacity of more than 18,000 pounds. The bill also amends the provision under which displaced employees who are hired by another carrier under the duty to hire retain their rights of recall with their original employer. The introduced bill provides that this right of recall does not extend to pilots, flight engineers or flight navigators who exercise their right to be hired by another carrier.

PART B—PROVISIONS TO COINCIDE WITH TERMINATION GENERALLY OF FUNCTIONS OF CAB

SUBPART 1—FEDERAL AVIATION ACT OF 1958

Section 221. Modification of Certification Requirements. Section 401 of the Act is amended so that certificates of public convenience and necessity will be required for foreign air transportation only. To issue a certificate for foreign air transportation, the Secretary will be required to make public convenience and necessity findings only. The requirement that the Secretary find that the applicant is fit, willing and able is eliminated. (However, a requirement similar to "fitness" requirement is imposed by Section 227, below.)

Section 402 dealing with foreign air carrier permits is amended to eliminate the requirement that the Board find the applicant fit, willing and able. However, it will still be necessary for the Board to find that the applicant is "qualified" and has been designated by its government under terms of an agreement with the United States, or that grant of the application is otherwise in the public interest.

Section 222. Insurance for Air Carriers. The Board's authority under Section 401(q) to require carriers to carry liability insurance and to file performance bonds is eliminated. FAA is given authority to require carriers to maintain liability insurance. This amendment does not affect the Board's authority over insurance and performance bonds under Section 404 of the Act which requires air carriers to provide safe and adequate service.

Section 223. Mergers and Interlocking Relations. Eliminates the current requirement that CAB approval must be obtained before air carriers merge with other carriers or aviation entities. CAB is given the right to intervene in any case under the antitrust laws involving these mergers. The bill also eliminates requirements for CAB approval of various interlocking relationships and requirements for the filing of reports of stock ownership in air carriers.

Section 224. Antitrust Exemption for Providing Advance Notice of Fares. Authorizes the Board to prescribe regulations setting forth methods by which carriers can give advance notice to any person of changes in their fares, for the purpose of facilitating the sale of air transportation by that person. Carriers complying with these regulations shall be immune from the antitrust laws.

[4] Defined as a bankruptcy or a 7½ percent reduction in employment during a 12-month period, the major cause of which is the Airline Deregulation Act of 1978.

Section 225. Essential Air Service. Modifies notice requirements for termination of essential air service to take account of the termination of certificates of public convenience and necessity. The bill provides that the notice requirements for termination of essential air service now imposed on certificated air carriers will be imposed on carriers operating aircraft with a capacity of more than 30 seats.

For cases not involving essential air transportation, the bill eliminates the requirements in existing law that air carriers must give advance notice of specified terminations or suspensions of service. However, notice will still be required before termination of all service to a city in foreign air transportation. The bill also imposes a requirement that a carrier which terminates all large aircraft service to a city must give notice to the community at the same time it gives notice to an organization which publishes airline schedules.

Section 226. Advance Filing of Fares. For two years after enactment, carriers must file in advance with the Secretary all changes in fares for interstate and overseas air transportation of persons and changes in the terms governing the construction of fares and the availability of particular fares. Apart from the latter, this section does not contemplate the filing of other carrier "rules" which are now filed in tariffs, such as limitations on liability.

Section 227. Other Conforming Changes to the Federal Aviation Act of 1958. Adds a new policy goal of assuring, to the maximum extent feasible, that charter services are not subject to more restrictive conditions than are imposed on group or bulk movements in scheduled service.

The bill changes various provisions governing airport certificates and security requirements to take account of the termination of certificates of public convenience and necessity.

Under existing law, airlines may be exempted from passenger screening requirement for operations which are not scheduled operations by a certificate holder. The bill modified this exemption authority to allow the Administrator to exempt operations from screening requirements where he finds those requirements unnecessary to assure security.

Existing law imposes airport security requirements, including requirements of a law enforcement presence, at airports served by certificated carriers. The bill amends this requirement to give the Administrator discretion as to which airports will be covered by the regulations.

The exemption of certificated carriers from emergency locator transmitter requirements is modified to exempt carriers "utilizing a dispatch system, including flight following, approved by the Administrator".

The FAA's authority to determine whether applicants for operating certificates are equipped and able to conduct a safe operation is modified to provide that the Administrator must also make findings on the financial fitness of applicants to conduct safe operations.

In existing law FAA is empowered to issue airport operating certificates to airports served by air carriers certificated by the Civil Aeronautics Board. This provision is amended to give the Administrator jurisdiction to issue certificates for airports enplaning 2,500 or more passengers, or airports which are receiving scheduled or unscheduled service from aircraft designed for 30 or more passenger seats.

Section 228. Amendments to Table of Contents. Makes conforming changes to Table of Contents of Federal Aviation Act.

SUBPART 2—OTHER LAWS

Section 231. Changes to Aviation Laws. The Aircraft Loan Guarantee Act is amended to reflect elimination of certificates of public convenience and necessity. The concept of certificated air carriers is replaced by a carrier operating passenger aircraft of 60 seats or more or cargo aircraft of 18,000 pounds or more capacity. The current expiration date of October 24, 1983, is extended to September 30, 1988. Between October 24, 1983, and September 30, 1988, loans may be guaranteed only for passenger aircraft of less than 60-seat capacity or cargo aircraft of less than 18,000 pounds capacity.

The "Love Field" provision in the International Air Transportation Competition Act of 1979 is amended to require that air carrier operating certificates issued under 604 of the Federal Aviation Act shall prohibit service from Love Field consistent with requirements imposed in the Love Field provision.

Section 232. Changes to Nonaviation Laws. Conforming changes to other laws which refer to certificates of public convenience and necessity, or to tariffs filed with CAB.

PART C—PROVISIONS TO COINCIDE WITH FINAL TRANSFER OF FUNCTIONS AND SUNSET OF CAB

SUBPART 1—FEDERAL AVIATION ACT OF 1958

Section 241. Federal Preemption.

Revises preemption provision in Airline Deregulation Act of 1978 to take account of elimination of certificates of public convenience and necessity. Excludes from preemption operations of an air carrier which operates wholly within a state, which does not interline, and which does not list schedules in any airline guide. Also excludes from preemption charter operations wholly within Alaska and operations wholly within Alaska by a carrier operating small aircraft only.

Section 242. Termination of the Board. Conforming changes to Federal Aviation Act to eliminate provisions establishing CAB and giving it general powers.

Section 243. Repeal of Duty to Carry Mail in Interstate and Overseas Air Transportation.

Conforming amendments to carry out termination of duty to carry mail in interstate and overseas air transportation, as set forth in Section 101 above.

Section 244. Limitation on Reporting Requirements.

Provides that the Secretary shall by rule, after notice and comments by all interested parties (including the air carrier industry and users of air carrier records and reports) reduce reporting requirements to the minimum necessary, considering the burden on air carriers and foreign air carriers and the public interest, to accomplish the purposes of the Federal Aviation Act.

Section 245. Unfair Practices and Methods of Competition.

Repeals Section 411 of the Federal Aviation Act which gives the CAB jurisdiction over unfair or deceptive practices or unfair methods of competition in air transportation or the sale thereof. Eliminated the exemption of air carriers and foreign air carriers from Section 5(a)(2) of the Federal Trade Commission Act which prohibits unfair methods of competition and unfair or deceptive acts or practices in commerce. Provides that for purposes of Sections 301, 302, and 303 of this bill, the foregoing provi-

sions shall be deemed a tranfer of the functions of the Civil Aeronautics Board relating to unfair and deceptive practices and unfair methods of competition to the Federal Trade Commission. Makes conforming changes in Consumer Credit Protection Act to take account of termination of Civil Aeronautics Board and give CAB's authority to the FIC.

Section 246. Miscellaneous. Conforming changes to War Risk Insurance Program in Federal Aviation Act to take account of termination of Civil Aeronautics Board.

SUBPART 2—OTHER LAWS

Section 251. Changes to Aviation Laws. Conforming changes to International Aviation Facilities Act and International Air Transportation Fair Competitive Practices Act to take account of the termination of the Civil Aeronautics Board. Generally, the Board's authority under these laws is given to DOT.

Section 252. Changes to Nonaviation Laws. Conforming changes to specified nonaviation laws to take account of termination of Civil Aeronautics Board. Generally, the Board's authority under these laws is given to DOT.

PART D—PROVISIONS TO COINCIDE WITH LATER TERMINATIONS OF FUNCTIONS OF CAB

Section 261. Air Carrier Agreements. Effective January 1, 1986, limits the Secretary's power to approve agreements between carriers to agreements affecting foreign air transportation.

Section 262. Joint Fares and Through Routes. Effective six years from date of enactment, eliminates air carriers' duty to enter into joint fare agreements and authority of the Secretary to regulate joint fares.

TITLE III. ADMINISTRATIVE AND PERSONNEL PROVISIONS

Section 301. Transfer and Allocations of Appropriations and Personnel. Provides that employees and unexpended appropriations in connection with transferred functions are transferred to the appropriate agencies. In order to facilitate transfers effectuated by this bill, the Director of the Office of Management and Budget is authorized, in consultation with CAB and the transferring agencies, to make necessary determinations on the transfer of functions, positions, and assets. During the period between the 60th and 150th day after enactment, CAB shall consult with the Secretary before making any decisions regarding personnel. The Chairman of the CAB and the Secretary are directed to consult and plan for the orderly transfer of functions and personnel, beginning as soon as practicable after the date of enactment.

Section 302. Effect of Personnel. Provides that transferred employees are entitled to have CAB evaluations used in determining merit pay, in addition to the evaluations of the new agency.

Section 303. Savings Provisions. Provides for the continuation of all effective CAB orders and proceedings after termination of Civil Aeronautics Board.

Section 304. Definitions. Definition of "agency" and "function" for purposes of this Title.

Section 305. Effective Dates. Establishes effective dates for provisions of the bill.●

SENATE—*Friday, December 4, 1981*

(Legislative day of Monday, November 30, 1981)

The Senate met at 10:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, the Reverend Richard C. Halverson, LL.D., D.D., offered the following prayer:

Let us pray.

Loving, Heavenly Father, Thy servants have worked long hours under great pressure, which shows no signs of diminishing. I do not pray for relief from responsibility, but for an extraordinary measure of grace. Strengthen the Senators who, under the duress of time and pressure from diverse interests, must make many decisions of great magnitude. Be with their staffs who run the offices and provide the information to make decisions. Be with those who process the mountain of business in and out of the cloakrooms. Be with those who record the debates and transcribe them for the CONGRESSIONAL RECORD with such demanding precision. Bless those who monitor parliamentary order, schedule and voting records. Be with the men and women who provide security at the doors, on the floor and on the street. Help all who are a part of the efficient support system without which the Senate could not function.

And Father, as we near Chanukah and Christmas, when families are more sensitive and fragile than ever, protect our families against the pressures of the Hill. Help us to make our homes a haven and not a Senate annex. Help us to make undivided, uncluttered time for our loved ones, free from distraction. Make us realize that national affairs will fail if our families disintegrate.

Gracious God, grant that these next 3 weeks will be times of peace, good will, hope, and love, to Thy glory and the honor of Thy Son. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

THE JOURNAL

Mr. STEVENS. Mr. President, I ask unanimous consent that the Journal of the proceedings of the Senate be approved to date.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMENDATION OF THE SENATE CHAPLAIN

Mr. STEVENS. Mr. President, I cannot help but reflect on how privileged we are to have the Chaplain open the session of the Senate each day to give us the guidance and, in spite of the heat of battle on the floor, to recall that we are here by the grace of God and due to the confidence of our constituents to continue our democratic process.

S. 1912—RECRUITMENT INCENTIVES AND PAY ADJUSTMENT FOR AIR TRAFFIC CONTROLLERS

Mr. STEVENS. Mr. President, the continued ability of Members of both Houses to attend to important matters with their constituents in their home States and still be present for the critical votes now taking place in this Congress provides ample evidence of a phenomenon for which citizens from all sectors of our populace can be grateful.

Despite the walkout of air traffic controllers in August of this year, our air traffic system is operating at about 80 percent of the prestrike commercial traffic levels.

The grave concerns that attended the impending strike have given way to admiration for the high level of performance delivered by those operating our air traffic system.

I am sure that there is no disagreement about the debt we owe the men and women in the FAA who have kept our air traffic control system operating both safely and efficiently.

However, we need to go beyond feelings of gratitude and admiration for what has been accomplished up to this point. We need to smooth the way for the more permanent adjustments in FAA staffing that remain necessary.

It is critical that we undertake an expedited effort to restaff our air traffic control facilities at the appropriate levels to insure the continued safety of the flying public. Special recruitment procedures and increased emphasis on controller training are necessary.

In recognition of this need, I am submitting legislation to provide special recruitment incentives and to assure that the current work force receives an equitable pay treatment. This body has previously agreed to the need for legislation of this nature when it added substantively identical provisions to the continuing resolution on agency funding.

The bill does not require an additional appropriation because sufficient funding is contained within the FAA appropriation.

Mr. President, this bill would enable the Federal Aviation Administration to appoint retired military and civil service annuitants to positions in the air traffic control system on a temporary basis. They would be hired to fill both controlling and training positions without reducing their annuities. They would be hired to fill short-term needs and would be used only in positions for which they were fully qualified.

It should be emphasized that maintaining safety would be a major consideration in selecting properly qualified annuitants to fill the positions in question.

Safety would be enhanced and not compromised in any manner. When the FAA Administrator determined the need for a special controller recruitment effort had terminated, these special employees would return to their retired status.

Designated classes of FAA employees would also receive an operational responsibility differential equal to 5 percent of their basic rate of pay in recognition of the important role they have played and continue to play in the operation and maintenance of the air traffic control system.

In addition, certain personnel—such as data system specialists and planning and procedures specialists in FAA terminals and centers—would be entitled to receive an operational currency differential of 1.6 percent of their basic pay.

Mr. President, the air traffic controllers who provide training to other air traffic controllers are assuming an extra responsibility on top of their already significant duties. I propose a premium pay of 10 percent of their basic rate of pay to those air traffic controllers.

The premium pay would be in addition to other premium pay to which the controller is entitled.

Further, I am proposing a training provision so that an air traffic controller could receive pay for time spent in a training status in excess of a 40-hour workweek. Pay would be at the basic pay rate, not at overtime rates. These provisions, Mr. President, recognize that intensified training efforts may be necessary to rebuild the air traffic system in a timely manner.

Although the FAA seeks to provide each controller with a meal break, this is not always possible given unusual workload conditions which may arise at a particular facility. Accordingly, my legislation proposes that, on those occasions when a half-hour meal break cannot be granted at a reasonable time during an 8-hour shift, a controller will be paid at one and one-half times his basic rate of pay for the time spent working rather than taking the time that most employees get for a meal break.

The last aspect of my proposal, Mr. President, would clarify the special controller retirement program which guarantees a minimum 50-percent annuity to a retiring controller.

My proposal would amend the controller retirement statute to make clear that a controller who had withdrawn money from the retirement fund would

not receive the minimum annuity of 50 percent unless it had been redeposited as is normally required.

As presently drafted section 8336(f) of title 5 could be construed to mean that a controller who resigns and withdraws all of his retirement contributions would still be eligible for a minimum 50-percent annuity upon reemployment. Of course, that is not the intent of the provisions, and this proposal today would clarify that.

Mr. President, I urge the Senate to study this proposal. I hope the Senate will once again support this concept so that we can rebuild our Nation's air traffic control system.

I state to the Senate that today, providing the schedule of the floor permits it, I will conduct a hearing on this legislation at 2 p.m. in room 3302, where we will receive testimony from the Department of Transportation and Administrator Helms of the Federal Aviation Administration.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1912

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4109 of title 5, United States Code, is amended by adding at the end thereof the following new subsection:

"(c) Notwithstanding subsection (a)(1) of this section, the Administrator, Federal Aviation Administration, may pay an individual training to be an air traffic controller of such Administration, during the period of such training, at the applicable rate of basic pay for the hours of training officially ordered or approved in excess of 40 hours in an administrative workweek.".

SEC. 2. Section 5532 of title 5, United States Code, is amended by adding at the end thereof the following new subsection:

"(f)(1) Notwithstanding any other provision of law, the retired or retainer pay of a former member of a uniformed service shall not be reduced while such former member is temporarily employed, during the period described in paragraph (2) or any portion thereof, under the administrative authority of the Administrator, Federal Aviation Administration, to perform duties in the operation of the air traffic control system or to recruit or train others to perform such duties.

"(2) The provisions of paragraph (1) of this subsection shall be in effect for any period ending not later than December 31, 1984, during which the Administrator, Federal Aviation Administration, determines that there is an unusual shortage of air traffic controllers performing duties under the administrative authority of such Administrator.".

SEC. 3. (a) Chapter 55 of title 5, United States Code, is amended by inserting after section 5546 the following new section:

"§5546a. Differential pay for certain employees of the Federal Aviation Administration

"(a) The Administrator of the Federal Aviation Administration (hereafter in this section referred to as the 'Administrator') may pay premium pay at the rate of 5 percent of the applicable rate of basic pay to—

"(1) any employee of the Federal Aviation Administration who is—

"(A) occupying a position in the air traffic controller series classified not lower than GS–9 and located in an air traffic control center or terminal or in a flight service station;

"(B) assigned to a position classified not lower than GS–10 or WG–10 located in an airway facilities sector; or

"(C) assigned to a flight inspection crewmember position classified not lower than GS–11 located in a flight inspection field office,

the duties of whose position are determined by the Administrator to be directly involved in or responsible for the operation and maintenance of the air traffic control system; and

"(2) any employee of the Federal Aviation Administration who is assigned to a flight test pilot position classified not lower than GS–12 located in a region or center, the duties of whose position are determined by the Administrator to be unusually taxing, physically or mentally, and to be critical to the advancement of aviation safety.

"(b) The premium pay payable under any subsection of this section is in addition to basic pay and to premium pay payable under any other subsection of this section and any other provision of this subchapter.".

(b) The analysis of chapter 55 of such title is amended by inserting after the item relating to section 5546 the following new item:

"5546a. Differential pay for certain employees of the Federal Aviation Administration.".

SEC. 4. Section 5546a of title 5, United States Code (as added by section 3 of this Act), is amended by adding at the end thereof the following subsections:

"(c)(1) The Administrator may pay premium pay to any employee of the Federal Aviation Administration who—

"(A) is occupying a position in the air traffic controller series located in an air traffic control center or terminal;

"(B) is not required as a condition of employment to be certified by the Administrator as proficient and medically qualified to perform duties including the separation and control of air traffic; and

"(C) is so certified.

"(2) Premium pay paid under paragraph (1) of this subsection shall be paid at the rate of 1.6 percent of the applicable rate of basic pay for so long as such employee is so certified.

"(d)(1) The Administrator may pay premium pay to any air traffic controller of the Federal Aviation Administration who is assigned by the Administrator to provide on-the-job training to another air traffic controller while such other air traffic controller is directly involved in the separation and control of live air traffic.

"(2) Premium pay paid under paragraph (1) of this subsection shall be paid at the rate of 10 percent of the applicable hourly rate of basic pay times the number of hours and portion of an hour during which the air traffic controller of the Federal Aviation Administration provides on-the-job training.

"(e)(1) The Administrator may pay premium pay to any air traffic controller or flight service station specialist of the Federal Aviation Administration who, while working a regularly scheduled 8-hour period of service, is required by his supervisor to work during the fourth through sixth hour of such period without a break of 30 minutes for a meal.

"(2) Premium pay paid under paragraph (1) of this subsection shall be paid at the rate of 50 percent of one-half of the applicable hourly rate of basic pay.

"(f)(1) The Administrator shall prescribe standards for determining which air traffic controllers and other employees of the Federal Aviation Administration are to be paid premium pay under this section.

"(2) The Administrator may prescribe such rules as he determines are necessary to carry out the provisions of this section.".

SEC. 5. Section 5547 of title 5, United States Code, is amended by adding at the end thereof the following: "The first sentence of this section shall not apply to any employee of the Federal Aviation Administration who is paid premium pay under section 5546a of this title.".

SEC. 6. Section 8339(e) of title 5, United States Code, is amended by inserting before the period "unless such employee has received, pursuant to section 8342 of this title, payment of the lump-sum credit attributable to deductions under section 8334(a) of this title during any period of employment as an air traffic controller and such employee has not deposited in the Fund the amount received, with interest, pursuant to section 8334(d) of this title".

SEC. 7. Section 8344 of title 5, United States Code, is amend by adding at the end thereof the following new subsection:

"(h)(1) Subject to paragraph (2) of this subsection, subsections (a), (b), (c), and (d) of this section shall not apply to any annuitant receiving an annuity from the Fund while such annuitant is employed, during any period described in section 5532(f)(2) of this title or any portion thereof, under the administrative authority of the Administrator, Federal Aviation Administration, to perform duties in the operation of the air traffic control system or to recruit or train other individuals to perform such duties.

"(2) Paragraph (1) of this subsection shall apply only in the case of any annuitant receiving an annuity from the Fund who, before August 3, 1981, applied for retirement or separated from the service while being entitled to an annuity under this chapter.".

SEC. 8. (a) The amendments made by sections 2, 3, and 7 of this Act shall take effect **at five o'clock ante meridian (Eastern Daylight Time)**, August 3, 1981.

(b) The amendments made by the first section and sections 4 and 5 of this Act shall take effect on the first day of the first applicable pay period beginning after the date of the enactment of this Act.

(c) The amendment made by section 6 of this Act shall take effect on the date of the enactment of this Act.

The PRESIDING OFFICER (Mr. MATTINGLY). The time for the leader has expired.

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDING OFFICER. Under the previous order, the acting Democratic leader is recognized for not to exceed 5 minutes.

Mr. STEVENS. Mr. President, I ask unanimous consent that the time allocated to the leader on the other side be allocated to Senator HEFLIN's special order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HEFLIN. Mr. President, I ask unanimous consent that if we do not use all the time, and I do not think we will, that it be deferred for the minority leader to use later.

Mr. STEVENS. That is entirely agreeable.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING AND COMMENDING PAUL W. "BEAR" BRYANT

Mr. HEFLIN. Mr. President, I send a resolution to the desk on behalf of myself, Mr. DENTON, Mr. BUMPERS, Mr. PRYOR, Mr. MATHIAS, Mr. SARBANES, Mr. FORD, Mr. HUDDLESTON, Mr. TOWER, and Mr. BENTSEN. I ask unanimous consent that the Senate proceed to the immediate consideration of this resolution and, if necessary, that we proceed to it in lieu of morning business and that any other technical aspects which might prevent its immediate consideration be waived so that we could proceed to the consideration of this resolution at this time.

The PRESIDING OFFICER. Is there objection? Hearing none, it is so ordered.

The clerk will state the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 252) honoring and commending Paul W. "Bear" Bryant.

The Senate proceeded to consider the resolution.

Mr. HEFLIN. Mr. President, this is a resolution honoring Coach Paul "Bear" Bryant. There are no original sponsors; they are all joint sponsors, primary sponsors. Two sponsors are from the State of Alabama, where he now resides and coaches. Two sponsors are from the State where he was born, Arkansas. The sponsors from Maryland represent the fact that he started his coaching career at the University of Maryland. The sponsors who are listed from the State of Kentucky represent his career at the University of Kentucky. The Texas sponsors are in connection with his coaching career at Texas A&M.

This is a resolution in which we have attempted to have no cosponsors but to have joint sponsors who have been limted to those particular States which are so important to the marvelous career of Coach Bryant.

Mr. President, in a world such as ours, there are many achievements which, at first glance, appear extraordinary, yet, upon further inspection begin to pale. I rise today to recognize a man whose achievements only become more remarkable the deeper you search.

This past Saturday in Birmingham, Ala., the University of Alabama defeated Auburn University in a football game seen across the Nation on television. The importance of this, as many of you know, is that it constituted the 315th coaching victory for Alabama's great coach, Paul (Bear) Bryant, breaking the record of the late Amos Alonzo Stagg.

Beginning in 1945, Coach Bryant has coached 1 year at the University of Maryland, 8 years at the University of Kentucky, 4 years at Texas A&M University, and almost 24 years at the University of Alabama. Through these moves, and all the changes 37 years have made, one thing has remained constant—Coach Bryant and his teams have always been winners. His record as a head coach is 315 wins, 80 losses and 17 ties. At Alabama, Bryant has coached the Crimson Tide to 224 wins against only 41 losses.

Coach Bryant has been named National Coach of the Year three times. No other coach has been named more than twice. Seven times he has been named Southeastern Conference Coach of the Year, three more than any other coach. He has coached teams to 12 Southeastern Conference championships, 11 at Alabama and 1 at Kentucky, the only one that university has ever won. His teams have won or shared six national championships. No other coach in history ever won more than four national titles.

Coach Bryant has been named Southeastern Conference Coach of the Century, and NCAA Coach of the Decade for the period of 1960–69. After winning that honor, he swept through the 1970's, becoming the first coach ever to win 100 games in a decade.

After growing up in Moro Bottom and Fordyce, Ark., Paul Bryant came to the University on a football scholarship. He played in the 1934 Rose Bowl, and has since coached teams to 28 bowl appearances, including a current streak of 23 at his alma mater.

Another amazing fact about this man is that 44 of his former players or assistant coaches have gone on to become head coaches on the college or professional level, certainly more than any other one person has ever tutored. Among these are Danny Ford of Clemson, Jackie Sherrill of Pittsburgh and Howard Schnellenberger of Miami, whose teams are all among the best in the Nation this year.

The numbers can go on endlessly, it seems, but the dimensions of the man go far beyond mere numbers. Coach Bryant is the only coach or athletic director ever to establish a scholarship fund with personal donations. He has given over $300,000 to the university to be used for scholarships for handicapped and needy students. None of the money can be used for athletics.

As athletic director, Coach Bryant has built an athletic program which is financially sound, while also building an athletic dormitory, a coliseum, a track stadium, a tennis stadium, a natatorium, a club house for the golf course, and enlarging the football stadium. Additionally, acres of tennis courts and recreational facilities for student use have been constructed. All this has been done through athletic receipts, without the use of State money.

His list of honors goes on and on—University Administrator of the Year, Charter Member of the Alabama and Arkansas Sports Halls of Fame, the National Award from the Fellowship of Christians and Jews, the National American Legion Commander's Public Relations Award, and only the third athletic figure to be named to the American Award of Achievement.

Still, this man who had outfought, outcoached, outthought or outlived his peers rises above all this. Perhaps the highest honor he has received, and maintained, is the respect of those who have played for him. The greatest testimony a coach can have is the people who have long since left the athletic program. Ask Coach Bryant's former players about him, and you hear things like "dedication," "proud," "the best," and "like a father."

All this is true of "Bear" Bryant—a coach who has excelled at the challenge of taking a group of very young men and melding them into a whole, making each man's vision of himself interdependent with those of his teammates.

Paul "Bear" Bryant—315 wins and still counting. His winning record is one that may very well never be matched, one that should rightfully be recognized here today, and his life, even beyond football, is that of a winner.

At this time, I yield to the distinguished Senator from Alabama, my colleague, Senator DENTON.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. DENTON. Mr. President, it is a special privilege for me to join with my friend and distinguished colleague from Alabama in offering the resolution honoring Coach Paul W. "Bear" Bryant. He has established himself, as we all know, as the winningest college football coach in the history of that uniquely American sport.

The resolution addresses his coaching victories and many championships. I want to talk of Coach Bryant, as a man who, during his 37 years of coaching, has had a remarkable and salutary effect upon the people with whom he has come in contact and who have been entrusted to his care.

Coach Bryant sets an example. The lines on his face, his expressions, reflect a history of practicing what he preaches. One famous sportswriter said that, even if you have not met Bear Bryant, when he walks into the room he has the kind of face that makes you want to stand up and cheer.

Bear Bryant is a father figure. He has a fine family, and that is no small achievement.

But, Mr. President, I believe Coach Bryant's greatest achievement may be found in an even larger family he has helped produce and lead, the family of American football. Sharing in that special group, in its proud and distinguished heritage, are his players and his staff, their mothers and fathers and children, their teachers and their pastors, and the fans who have been an essential part of his football teams. For that larger family, Coach Bryant is not only father but also leader, teacher, and exemplar of the finest values of humanity and of this country.

A father, a teacher, a mentor must have many positive characteristics. He must comfort, but at the same time he must call out the inner strength of those who depend on him. He must teach the young to look outward and to care for others, not to remain solely within themselves. He must encourage all to maintain

the essential strengths and values of the self while also growing and preparing for the future.

The members of Coach Bryant's football family are remarkably prominent among past and present players and coaches in professional football, and in the ranks of college coaches. Their success reflects and emphasizes his.

In the broad sense, we are all members of "Bear" Bryant's family. We share the joy of his victories, we understand the necessity to learn from defeat. We take pride in what he accomplishes as a coach and as a man.

We should admire his humility. He sees his many accomplishments in football not as personal triumphs for which he alone is responsible. He sees them as collective achievements, in which all his players, his coaching staff, their families and friends, and the fans have played a role. It is a family accomplishment.

Alabama is especially in his debt for his brilliant record at the University of Alabama from 1958 to 1981 but we are all proud of Coach Bryant, and honored to be a part of what he has done, not only now but throughout his career as a coach and throughout his life as a man.

Mr. HEFLIN. Mr. President, I yield to the distinguished Senator from Texas (Mr. TOWER).

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. TOWER. Mr. President, I am pleased to have this opportunity to cosponsor the resolution by Senator HEFLIN to honor Paul W. "Bear" Bryant, the former football coach of Texas A&M University. Coach Bryant compiled a win-loss record of 25–14–2 while he was at A&M, from 1954 to 1957. He coached 14 All-Southwest Conference players, 5 All-Americans, and the 1957 Heisman Trophy winner, J. David Crow. Another distinguished Texan, Coach O. A. "Bum" Phillips, served as Coach Bryant's assistant at A&M.

Incidentally, at Houston they wish they had "Bum" Phillips back from New Orleans.

Recently, he related an anecdote to me that sheds a bit of light on Coach Bryant's winning philosophy.

It seems that Coach Phillips had just been hired by the "Bear," and was reporting to work for his first practice. The "Bear" told "Bum" to go outside a little early and work on the option play with the quarterbacks and centers, the idea being that he would get to know the players and the plays a little better. "Bum" went out to the football field, and noticed that there were not any footballs. At that time, Coach Bryant came out onto the field, so "Bum" approached him, and asked, "Coach Bryant, you don't imagine that those managers can get any footballs over here in time to start practice, do you?" Coach Bryant responded with a surprised look, and then turned to "Bum" and said matter-of-factly, "I don't know, Coach Phillips. But one thing I do know: I'm certainly not goin' to get 'em!" As he turned to walk to the supply shed, Coach Phillips realized he had just learned the difference between a head coach and an assistant coach. Evidently Coach Bryant made that relationship clear everywhere he went.

I would be remiss, however, if I failed to mention one nemesis of Coach Bryant's, one that he is preparing to face at this very moment. It happens that the upcoming Cotton Bowl will pit the University of Texas Longhorns against Coach Bryant's Crimson Tide. Coach Bryant has done so well in his coaching career, and I wish him well in the future.

I just want to say that Coach Bryant has done extremely well in his coaching career, and I wish him very well in the future. But now that he has broken the record, I see no point in his beating up on the University of Texas on January 1 in Dallas. That would be an enormous embarrassment to the State of Texas.

I do wish him well, with some exceptions.

I ask unanimous consent to enter into the RECORD figures on his coaching career at Texas A&M.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

"Bear" Bryant coached the Texas A&M football team from 1954 through 1957.

His overall record during those years was 25–14–2.

His record by year is as follows:

1954	1–9–0
1955	7–2–1
1956	9–0–1
1957	8–3–0

He coached a total of 14 all-SWC players; 5 all-Americans; 1 Heisman Trophy winner: John David Crow, 1957.

Mr. TOWER. I might note that his record against my alma mater, Southern Methodist University, is somewhat better than it is against the University of Texas. When he coached at Kentucky we managed to beat him one year, and managed to beat him one year when he was at A&M. But he beat us four times and, therefore, he has a 4–2 record against my alma mater.

I am sorry that some of the record-breaking wins that he received here were missed by the poor old SMU Mustangs. I hope the University of Texas will not be the next victim.

I do wish coach Bryant well. He is a great man. I cherish this opportunity I have had today.

Mr. HEFLIN. I yield to the distinguished Senator from Texas (Mr. BENTSEN).

Mr. BENTSEN. Mr. President, I am pleased to join my distinguished colleagues from Alabama in sponsoring this resolution to honor the winningest college football coach in America, Paul "Bear" Bryant.

We Texans have a very clear memory of coach Bryant, dating back to the 4 years he coached at Texas A&M University. When he first arrived at the college station campus, he is reported to have stomped into a meeting with the 5,000-member student body, rolled up his sleeves, and announced in his low, firm voice: "My name is 'Bear' Bryant and I'm ready to go to work."

The people of Junction, Tex.—about 100 miles west of Austin—easily recall how coach Bryant went to work. He began his first A&M training camp in the summer of 1954 with 96 scholarship players. After 10 days of 110° heat and merciless drills, only 27 players remained. The rest had quit.

Bryant later called the physical and emotional tests he put his players through "terrible." Saying now that he knows more about how to lead his athletes, Coach Bryant admits that "if I had been one of those players, I'd have quit too."

During that first year at Texas A&M, Coach Bryant suffered his one and only losing season, winning only 1 of 10 games. But over the next 3 years, his Aggies lost only five games and won the Southwest Conference Championship. He had the Agges No. 1 in the polls in 1957 with two games to play when he accepted Alabama's offer to return to his alma mater. Nothing was to be said until the season's end, but someone talked and the Aggies were so dispirited that they lost their last two. Nevertheless, John David Crow went on to win A&M's only Heisman Trophy that year.

Coach Bryant earned 25 of his record 315 victories while head coach at Texas A&M. There are those Aggies to this day who still refrain with Coach Bryant's most famous statement "I believe."

There are those who complain that football is only a sport, and that too much emphasis is given to winning. But Coach Bryant is a winner not only because he is a tough taskmaster, but because he cares about his players. and is deeply concerned about the welfare of each athlete. He is involved in each player's future, as he teaches them as much about life as he does about football.

Mr. President, I am very glad that Coach Bryant has etched his name into the record book as the winningest coach this past weekend. I say that because I think it would be a tragedy for him to have to wait another year before gaining that 315th win. I remind my Alabama colleagues that the Crimson Tide will line up against my alma mater for their next game, in the Cotton Bowl. As much as I admire "Bear" Bryant, and wish him the best, I have to say that I will be pulling for the Texas Longhorns on New Year's Day, and for Coach Bryant's 81st loss.

Mr. HEFLIN. Mr. President, I feel that I should respond to the earlier remarks made by my distinguished colleagues from Texas, Senator TOWER and Senator BENTSEN, in a brief manner by saying that when the University of Alabama plays the University of Texas in the Cotton Bowl on January 1, 1981, I think the University of Texas will experience a Junction Day.

Mr. President, I yield to the distinguished Senator from Arkansas (Mr. PRYOR).

Mr. PRYOR. I thank the distinguished Senator from Alabama and his colleague, Senator DENTON for sponsoring the resolution.

I would also like to say, Mr. President, that I am honored to join in this resolution as a cosponsor. I am especially proud that the distinguished Senator from Alabama has recognized the fact that "Bear" Bryant is not from Alabama, that he is, in fact, from Arkansas. In fact "Bear" Bryant was born in Moro Bottom, Ark. Actually, one of the greatest victories of his career was getting out of Moro Bottom, Ark. The only thing they do down there for entertainment is fight bears and swat flies. Every now and then they get to go down on a weekend and see them change the Coke machine, but that is about the extent of their entertainment.

"Bear" Bryant a few years later went to Fordyce—we call it "Fordyce on the Cotton Belt"—where he enjoyed a distinguished high school career for the Fordyce High School Fighting Redbug football team. In 1931, "Bear" Bryant led that small and courageous team to the State championship.

Mr. President, there are many legends surrounding the career of Coach Bryant, including the story that he obtained the nickname of "Bear" when at the age of 16, he wrestled a bear at a carnival in Fordyce, Ark. I would say to my friend from Texas that I think it was one of those Texas carnivals that came through Arkansas during the summer of each year and fleeced all of our people out of their money. Paul Bryant was challenged to fight the bear, went on to pin his opponent, and thus attained that name and great notoriety.

But now, 315 wins later, he deserves this tribute today on the floor of the U.S. Senate.

Fans from all over our State, citizens from our State, and certainly from all across this country, share in this great commendation of coach Paul "Bear" Bryant this morning.

There was something said about "Bear" Bryant the other day when I was watching television, watching him win that 315th game against Auburn. He was interviewed before the game while leaning up against the goalpost. This reporter said, "Coach Bryant, why are you leaning up against the goalpost every time we interview you? You are always leaning up against the goalpost."

He said, "Well, because it's comfortable."

He is a man of few words, of solid philosophy, and great wisdom. He has become not just a coach of a great football team, as our friend from Texas has just said, but he has become a true leader. More than that, he has become a legend and a folk hero of this great country of ours.

It is a wonderful opportunity that Senators from Alabama have given us today to join in this commendation of Paul "Bear" Bryant, one of those great American citizens who take the time to say that maybe things are going all right in this country after all. That is what Paul "Bear" Bryant stands for in my mind.

I do appreciate the opportunity to join with my colleagues this morning.

Mr. HUDDLESTON. Mr. President, I am extremely pleased to be an original cosponsor of this Senate resolution which will honor Paul "Bear" Bryant for his achievements in, and contributions to college athletics. As a coach, "Bear" Bryant has deserved this honor for a long time but it is especially fitting at this point in his career when he has surpassed the record of the great Amos Alonzo Stagg by winning his 315th game.

The honors and awards which have been bestowed upon Coach Bryant over the last 37 years are almost countless. Among the many are National Coach of the Year—three times—Coach of the Century, and Coach of the Decade. He has set records in football which will probably never be surpassed. And every one of those records attest to the fact that Coach Bryant is truly the living legend he is said to be.

The "Bear" will always have a special place in the hearts of all Kentuckians because we had the privilege of knowing him personally. For 8 years from 1946–53 he was head coach at the University of Kentucky. During that period of time, he gave us a taste and love for football which carries over to this day.

During those glorious 8 years, he coached the Wildcats to a 60–23–5 record, gave us three bowl victories, and the Southeastern Conference championship. One of the awards he received while at the university, the Kentucky Man of the Year, symbolizes the admiration and respect we have always had for him.

While we are impressed by the number of wins he has achieved as a coach, we should be equally as impressed by the impact he has had upon the lives of those who have come in contact with him. A true leader is someone who can inspire others to do great things, and by this standard, Coach Bryant is a truly gifted leader of men. Forty-four of his former players or assistant coaches have gone on to become head coaches in either college or professional football. And 61 of his players have made the All-American first team.

Among the many outstanding players he has produced are Joe Namath, Lee Roy Jordan, Scott Hunter, Ken Stabler, Steve Sloan, John Hannah, and Ray Perkins. Although Coach Bryant is a genius at mastering football, his real genius obviously lies in his ability to inspire greatness in others.

I am proud to be an original cosponsor of this resolution and I close my remarks with a personal wish for Coach "Bear" Bryant that he have continued good health, happiness, and success.

The PRESIDING OFFICER (Mr. MATTINGLY). The Chair asks the Senator from Alabama if he will allow the Senator from Georgia to be a cosponsor of the resolution.

Mr. HEFLIN. We will certainly allow the Senator from Georgia to be a cosponsor. I ask unanimous consent that the name of the distinguished Senator from Georgia (Mr. MATTINGLY) be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

● Mr. BUMPERS. Mr. President, I am honored to cosponsor the resolution introduced by the Senator from Alabama, Mr. HEFLIN, honoring Paul "Bear" Bryant for his many coaching accomplishments. Last Saturday, Coach Bryant surpassed the record for total victories by a college football coach held by Amos Alonza Stagg when the Crimson Tide defeated arch rival Auburn in a hard-fought game 28 to 17. His record after 43 years of coaching at Maryland, Kentucky, Texas A&M, and Alabama is a remarkable 315 wins, 80 losses, and 17 ties. This year's team will play Texas in the Cotton Bowl on January 1, 1982.

Mr. President, Paul Bryant was born in Moro Bottom, Ark., near the town of Fordyce. He acquired his now famous nickname of "Bear" in Arkansas at the age of 14 and recently told Jules Loh of the Associated Press the story, which appeared in the November 29, 1981, edition of the Arkansas Gazette.

> A carnival came through and they had this little ole scraggly bear. A man was offering anybody a dollar a minute to wrestle it. I got the bear pinned, holdin' on tight. The man kept whispering, "Let him up. Let him up." He wanted action. Hell, for a dollar a minute I wanted to hold him 'til he died. The bear finally shook loose and so did his muzzle. I jumped off the stage, the man took off and I never did get my money. All I got was some scars on my leg and a name.

After leaving Arkansas, "Bear" Bryant played football at the University of Alabama and after his graduation started on a coaching career. Although he never came back to coach in Arkansas, he coached at Maryland, Kentucky, Texas A&M, and since 1958 at Alabama. He has coached numerous All-Americans and All-Pros including Babe Parrilli, John David Crow, Leroy Jordan, Joe Namath, Ken Stabler, and Richard Todd.

Throughout his coaching career, "Bear" Bryant has conducted himself admirably and set a fine example for thousands of young men. He has contributed a great deal to the development of college athletics and, at a time when so many coaches and athletes were grabbing at the huge sums being offered by the professional teams, it is good to see a remarkable success story of a coach who stayed on the college level and worked with young men for so many years. Again, I am pleased to be a cosponsor of this resolution and I send my congratulations to Coach Bryant and his wife, Mary Harmon.●

IT ALL STARTED IN MARYLAND

● Mr. MATHIAS. Mr. President, I am pleased to join with the distinguished Senator from Alabama, Mr. HEFLIN, in sponsoring a resolution honoring and commending Paul W. "Bear" Bryant.

It is especially satisfying for me to take part in this much deserved tribute because if it were not for the State of Maryland this commemoration might not

be taking place. At least it would probably be sometime in the future. Back in 1945, the administration at the University of Maryland had the judgment to hire a young man, still in his naval uniform and who had been an assistant coach at Alabama and Vanderbilt, to guide the Maryland Terrapins as their head football coach.

At Maryland, "Bear" Bryant compiled a record of six wins, two losses and one tie. The first of his 315 coaching victories came against Guilford College by a score of 60 to 6. Six thousand fans witnessed this first winning game. A player on that Guilford team recently recalled his memories of the game for Sports Illustrated. He said:

The thing I remember is that the crowd sang "Maryland, My Maryland" after each touchdown, even the four they called back. By the end of the first quarter I knew all the words.

Well, Mr. President, they sang "Maryland, My Maryland" many times that season and people have been singing his praises ever since at the University of Kentucky, Texas A&M University, and the University of Alabama.

The University of Maryland had the vision to give him his first head coaching job but it could not keep him. The University of Kentucky made Coach Bryant an offer he could not refuse. Upon hearing of his leaving, 2,500 University of Maryland students staged a protest. Coach Bryant had to talk them back into the classrooms. I believe those students then had an idea of what was to come.

We can all take pride in "Bear" Bryant's accomplishments, not only in what he has done on the playing fields but in the contributions he has made to his players, his school, his community and his Nation. His quest for excellence in all facets of life is an inspiration to us all.

We in Maryland are proud that we were part of the opening chapter of one of the greatest stories in the history of American sport. We only wish we could have kept him a little longer. We have, though, kept a bit of Coach Bryant here, for the present football coach at the University of Maryland, Jerry Claiborne, was once one of his assistants.

Mr. President, I urge that the resolution honoring Paul Bryant be favorably accepted.●

● Mr. FORD. Mr. President, I am extremely pleased to join in sponsoring this resolution to honor Alabama Coach "Bear" Bryant on reaching the remarkable milestone of 315 victories which makes him the winningest coach in the history of college football.

I think the record should show in no uncertain terms that 60 of those victories came when Coach Bryant was at the University of Kentucky between 1946 and 1953 and it cannot be denied that it was in our State where he established his winning reputation.

Coach Bryant still has many friends and admirers in Kentucky where he is warmly remembered and we are just as proud of him as we can be. Indeed, there are a good many Kentuckians who wish the Bear had never left because any State would be proud to have him coaching at one of their universities.

On behalf of all Kentuckians, I extend congratulations to "Bear" Bryant on this impressive achievement. We are delighted to see this well-deserved good fortune come his way, and we wish him many more years of personal happiness and success.●

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 252) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 252

Whereas Paul W. "Bear" Bryant is head football coach and athletic director at the University of Alabama;

Whereas this native of Arkansas has previously coached at the University of Maryland, the University of Kentucky, and Texas A&M University during his thirty-seven-year career;

Whereas he has coached football teams that have won or shared six National Championships and twelve Southeastern Conference Championships;

Whereas he has been named Southeastern Conference Coach of the Century and National Coach of the Decade and has received countless other honors and awards;

Whereas on November 28, 1981, he won his 315th game, surpassing the record for most victories by a head coach in college football, long held by the late Amos Alonzo Stagg; and

Whereas it is appropriate and fitting to recognize him on the occasion of this accomplishment: Now, therefore, be it

Resolved, That the Senate honors and commends Paul W. "Bear" Bryant for his achievements in, and contributions to, college athletics in the United States.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to Paul W. "Bear" Bryant; University of Alabama; University of Maryland; University of Kentucky; Texas A&M University; and the mayors of Moro Bottom, Arkansas, and Fordyce, Arkansas.

The PRESIDING OFFICER (Mr. MATTINGLY). As a Senator from the State of Georgia, the Chair states to the Senator from Alabama that he has placed me in a very difficult position today with the Georgia Bulldogs.

[Laughter.]

Mr. HEFLIN. In reply to the Chair, I would like to point out that the University of Georgia football team is coached by Vince Dooley, an Alabamian.

The PRESIDING OFFICER. I thank the Senator for recognizing the special status of Coach Dooley.

Mr. HEFLIN. If we go down the list of the top-ranking teams today, we find that Clemson and Georgia, No. 1 and 2, are either coached by "Bear" Bryant proteges or Alabamians.

I would say in a joking manner that I fully realize that whether it is on the floor of the Senate or in other matters, other people always have inferiority complexes when Alabamians are involved.

The PRESIDING OFFICER (Mr. MATTINGLY). I now return to my capacity as Presiding Officer.

Mr. LONG. Mr. President, I should like the RECORD to show that the Senator from Louisiana voted for the resolution.

We, too, commend "Bear" Bryant, one who speaks of winning and playing by the rules, but taking advantage of the rules. He is a great American who believes in discipline and hard work.

RECOGNITION OF SENATOR BENTSEN

The PRESIDING OFFICER. Under the previous order, the Senator from Texas (Mr. BENTSEN) is recognized for not to exceed 5 minutes.

A SKILLED LABOR CRISIS

VI. SKILLED LABOR TRAINING IN JAPAN AND GERMANY

Mr. BENTSEN. Mr. President, this is the sixth in a series of speeches I am devoting to a review of our shortage of skilled labor. When I began this review back in September, I placed a question mark behind the phrase, "a skilled labor crisis." It was my expectation then to gather data from a variety of sources in assessing whether our Nation, in fact, faces a shortage of skilled workers.

It did not take me long to remove that question mark. Virtually every credible source of data and opinion I solicited confirmed that our Nation does, indeed, confront a serious shortage of skilled workers. This shortage is a current problem, not just a prospective future one. It is a widespread one, as well, reaching from the hospital operating room, the backroom of brokerage houses, the factory floor, and the navy yard, to the computer room.

LABOR SHORTAGES AND INFLATION

The shortage is projected, based on Labor Department data, to total at least 2.5 million jobs this decade. And it threatens to become even worse. Our efforts to rebuild our vital defense sector holds the threat of sharply exacerbating this skilled labor shortage and generating a tidal wave of wage competition for skilled craftsmen and technical personnel.

More alarmingly, labor shortages could hamper this Nation's efforts to enhance our defense capabilities by delaying the delivery of key military components or their effective use and maintenance once delivered.

Shortages which emerged during the Vietnam war buildup added over 1 percentage point to the Consumer Price Index. The linkage today between wage or price changes in one sector and general wage levels—reflected in the widespread explicit or implicit adoption of COLA's—is far stronger now than 15 years ago. Consequently, the impact of skilled labor bottlenecks on inflation will likely be far greater than during the Vietnam period. It is important to note, as well, that the conventional types of goods and services required for that war

are far less prone to inflation and shortages than the high technical goods and services which will be demanded as our civilian and defense sectors expand this decade.

If our economy attains even a semblance of the robust growth projected for it by the administration in the coming years, any defense-related shortages and wage competition will be magnified. And the inevitable pattern of reduced overall labor force growth this decade will generate further pressures on scarce skilled labor supplies and wages.

The upshot, Mr. President, is that we face a shortage of skilled labor which could become an enormous inflationary force over the next several years and a barrier to our efforts to rebuild our defense capabilities. Rising skilled labor costs will be reflected in rising production costs and prices for everything from health care, autos, and dishwashers to desk calculators. The close linkage now between general wage levels, even in labor-surplus occupations, and such prices will result in these rising skilled labor costs rapidly being reflected in all wages and generating a wave of cost-push inflation.

Let me stress, Mr. President, that skilled labor choke points and inflation are not inevitable in the years ahead. Our economy is in a recession now and may experience a prolonged period of stagflation before regaining robust growth. This breathing spell can be utilized to identify and ease our skilled labor shortage and enable our Nation to meet its defense commitments.

As I have noted in earlier talks, we face two options in dealing with that shortage: The refocusing of our Nation's training programs toward skills in critically short supply, and the widespread application of labor-saving devices—an option which will aggravate the shortage of skilled personnel in some occupations initially. These options are not mutually exclusive.

SKILLED LABOR TRAINING PROGRAMS IN JAPAN AND GERMANY

In the balance of my speech today, I will focus on the first option in reviewing the government labor training systems in Japan and West Germany. We have looked to these nations in recent years for insights in dealing with our capital formation and productivity problems. I believe they offer fertile ground. For insights on how we may best deal with our shortage of skilled workers as well.

At my request, the Congressional Research Service prepared a white paper entitled, "Occupational Skill Training in Japan and Germany." It was authored by Mr. Thomas Gabe, analyst in social legislation. Before submitting it for the RECORD, let be briefly summarize its major findings.

JAPAN

The Japanese labor training system reflects the unique lifetime relationship among at least the larger employers and their generally male workers, and features a tight link between wages and age. That system is under pressure today because of the aging of Japan's work force and the resulting wage pressure on production costs.

Despite the role of Japanese women as a flexible labor source—subject to abrupt hiring and layoffs as demand fluctuates—Japanese men of middle age and older are increasingly subject to unemployment. Their age and related wage costs put them at a disadvantage in competing with younger workers for new jobs or for existing jobs when payrolls are shrinking.

Compared to our Government training system, the Japanese target a larger share of their efforts at these older workers. A major emphasis is given to retraining such workers, especially those from distressed industries. This Japanese training system features subsidy payments to employers conducting the retraining which are financed, in part, with employer contributions to their unemployment compensation program—a fund traditionally under far less fiscal pressure than our own compensation program.

Compared to our education system, a much greater emphasis exists in Japan on vocational education at the high school level, with two of every five students receiving vocational schooling.

GERMANY

West Germany has avoided major unemployment among experienced workers by adjusting the number of foreign workers. As in Japan, unemployment insurance contributions by German employers is a major source of funds for the training of workers. The German public education system is utilized far more as a training tool than our own, as well, with as many as 7 out of every 10 high school youths in vocational programs.

Mr. President, I ask unanimous consent to have a paper, entitled, "Occupational Skill Training in Germany and Japan," by the Congressional Research Service, printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OCCUPATIONAL SKILL TRAINING IN GERMANY AND JAPAN

(A White Paper Prepared for Senator LLOYD BENTSEN)

OCCUPATIONAL SKILL TRAINING IN JAPAN

Introduction

Occupational training in Japan must be viewed in light of established employer-employee relations, as well as changing economic and demographic circumstances.

In Japan the employer assumes many of the "social welfare" functions that have been delegated to government in many other countries. While the same statement could be made about the United States, and many other Western countries, the extent of enterprise-based social policy is much greater in Japan and is generally bolstered by the government. In Japan, most training outside of school is provided by the firm. The government provides support for such training on a limited basis under conditions of extenuating economic circumstance. Government supported training outside the firm is modest.

Economic climate

Following an initial period of high unemployment after World War II, the economic situation within Japan has been characterized by periods of rapid to moderate economic growth, low unemployment, and recurrent structural problems. With the import of new technology and high consumer demand for durable, leisure, and luxury goods, Japan experienced unprecedented economic growth beginning in the mid-1950's and extending through 1973. From 1955 to 1960, the real annual average rate of growth was 8.5 percent, 10.0 percent from 1960 to 1965, and 12.3 percent from 1965 to 1970.[1] In 1955, the unemployment rate was 2.5 percent, and from 1961 to 1974 never strayed above 1.5 percent. More recently, following the 1973 shock in oil prices, Japan's rate of economic growth has declined to the more moderate level of 5 to 6 percent per year. Unemployment had increased to about 2.13 percent in 1977.[2]

As noted by the Organization for Economic Co-Operation and Development,[3] in spite of the generally tight labor markets in post-war Japan, there appears to be very little mobility of workers between firms. Under tight labor market conditions, one might expect that skilled labor could easily be bidded away from competing firms. However, the practice of lifetime employment and seniority based compensation—typifying a substantial portion of the labor market—and the nature of training, greatly minimizes inter-firm labor mobility in Japan. As a result of minimal labor turnover in the firm, employers are able to invest heavily in training of workers with little fear that those investments will be lost.

EMPLOYER-EMPLOYEE RELATIONS

Japan as a "dual economy"

Japan may be characterized as a "dual economy".[4] The lifetime employment and seniority based compensation system has never been universally applied in Japan. Only about half the employees in Japan are employed in enterprises that practice these policies.[5] In general, these policies are limited to the major firms within the modern sectors of the economy, and the government. Other industries, in less productive sectors of the economy, adjust their demand for labor more upon changes in product demand within the economy.[6] Typically, the principal enterprises in the modern sectors of the economy invest heavily in training workers and attempt to hoard their trained workforce. Other firms generally provide less training to workers, and tend to adjust the size of their workforce to changing demands in the economy through layoffs.

Private support of training under the lifetime employment system

Employer-employee relations throughout much of Japan have been characterized by a system of lifetime employment and seniority based compensation. This system dates back to the period of high unemployment in Japan that preceded World War II. The system was most prevalent in government-owned factories and major private firms during this period. The system arrived at by mutual, tacit agreement between management and labor protected workers from outside competition; at the same time it provided the firm with a stable workforce.

Under the system, new workers agree to take jobs at initially low wages. Many employers supplement low wages with company provided benefits, such as housing and transportation to and from work. The employee can expect his/her wages to increase with age, being more a function of seniority in the firm than a reflection of productivity. Gen-

Footnotes at end of article.

erally, once hired, the employee stays with one firm until reaching the age of mandatory retirement—usually between the ages of 55 and 60. The employer generally prefers to hire untrained persons directly out of school, with the expectation that they will stay with the enterprise until reaching the age of mandatory retirement. In turn, the employer provides both general and firm-specific training without fear that these investments would be lost as a result of workers going to other firms.

The nature of training

Within enterprises practicing life-time employment policies, the majority of new hirees come directly out of school. Firms compete to hire the best graduates, and graduates compete to be hired by the most prestigious firms. Firms generally look for graduates who have high intelligence, proper attitudes, and general development potential, rather than specific skills. Once hired, the firm provides training which tends to be firm-specific rather than general in nature. Workers are taught about the history of the company, organizational structure, and the production process related to the firm's products. A team approach is emphasized, with workers being expected to not only learn their own jobs, but the jobs of workers up and down the production line. This type of training is not generally transferable to other firms, nor can it be provided in a general vocational school. Such an approach is seen as reinforcing work group and company loyalty and reducing the routinization of work, thereby assuring minimal turnover.

Pressures for change

Skill Shortages

Up until the 1974–1975 recession, there had been a general shortage of skilled production workers in the Japanese economy. Since then, the slower rate of economic growth has eased the skilled worker shortage somewhat. As a result of the large proportion of young people who have opted to go on to college, employers had been faced with reduced supplies of labor for production workers. In response to the surplus of workers in the managerial ranks, many firms have reduced hiring of college graduates in recent years.

Changing Demographic Conditions

Japan has been undergoing a major demographic transition since the 1950s. Falling birth rates and increased longevity have transformed Japan into a rapidly aging society. The International Labor Organization predicts that by the year 2025, the proportion of population age 55 or over in Japan will reach 29 percent, and 18 percent for the 65 and over age group—the highest of any country in the world.[7] These figures compare with 28.9 percent and 17.2 percent for the U.S., respectively.[8]

The rapidly aging workforce is placing increased stress upon the lifetime employment, early retirement, and seniority based compensation system in Japan. Workers who reach the age of mandatory retirement (55 to 60) may have several years of useful worklife remaining. However, given the aging population, in general, and the aging workforce, in particular, many firms are finding that the seniority based compensation system is becoming prohibitively expensive, as the total wage bill automatically increases each year as a strict function of the age structure in the enterprise. In addition, the swelling in the upper managerial ranks has created bottlenecks, inhibiting promotion of younger workers. As a result, there appears to be little direct incentive for employers to retain older workers. Once having left a firm, middle-aged and older workers experience a difficult time finding re-employment. In addition, many of these workers find that their skills are outmoded, or are not readily transferable to other firms. Unemployment among middle aged and older workers is a particular area of concern for policy makers.

INTERGENERATIONAL SUPPORT OF EDUCATION

The lifetime employment and seniority based compensation system may have an indirect effect upon the provision of education and training, by promoting the intergenerational support of education in Japan. Because income growth so closely parallels the life cycle, families may find that they are in a position to make more substantial investments in their children's education than they otherwise might. The seniority based compensation system is sometimes cited as a major reason why college enrollment has increased so dramatically in Japan in recent years.[9] In 1975, 37.8 percent of high school graduates were going on to universities or two year junior colleges; this compares to about 10.3 percent in 1960.[10]

GOVERNMENT TRAINING POLICY

The Japanese government's training policies generally focus on four levels—the educational system, the provision of training at public vocational training centers support for privately provided training under extenuating economic circumstances, and support to promote the employment of special groups.

Education system

The Japanese Government requires that youth receive nine years of compulsory education. Upon graduation from a secondary school, at age 15, a youth may choose to work, go on to a government financed upper secondary school, or go to a public vocational training center. In 1976, over than 90 percent of secondary school graduates chose to go on to upper secondary school.[11] They had the choice of three types of schools at the upper secondary level—general education, vocational training, or a combination of the two. In 1973, about 41 percent of the students at the upper secondary level were enrolled in vocational courses.[12]

Provision of training at public vocational training centers

The Japanese Government provides vocational training outside the general educational system on a limited basis. In 1979, 421 vocational training facilities were in operation throughout the country, with an annual enrollment of approximately 230,000 trainees.[13] The majority of these centers are funded and operated by the 47 prefectural governments. The training provided by these centers is free, and training, commuting, and lodging allowances are available to recipients of unemployment insurance benefits. In 1980, about one third of the trainees were enrolled in general training courses, designed to prepare participants for initial employment. Placement from the courses tends to be concentrated in smaller firms, where training opportunities are not generally available. The remaining two thirds were enrolled in upgrading training and Occupational Capacity Redevelopment Training.[14] Upgrading training may last from a few days to six months. Occupational Capacity Redevelopment Training, a retraining program designed primarily for the unemployed normally lasts for six months, but may extend up to one year for displaced workers from depressed industries. The upgrading and Occupational Capacity Redevelopment Training programs primarily address the training and retraining needs of middle aged and older workers.

Government support for private training

The Japanese government provides training subsidies to workers and employers under extenuating economic circumstances. One program provides training support to industries during periods of economic downturn, whereas the other provides support for the reconversion of redundant workers in industries that are depressed due to structural causes.

Both of these measures were put in place since the 1973 oil shock. The replacement of the 30-year-old Unemployment Insurance Law with the Employment Insurance Law of 1974 signals the Japanese government's promotion of a "positive employment policy"—a policy designed to achieve the goals of moderate and steady economic growth, stable prices, and full employment.[15]

Countercyclical training subsidies to private industry

In the effort to prevent unemployment and temporary layoffs during periods of economic downturn, the Japanese Government provides training grants and subsidies to certain employers designated by the Minister of Labor. Funding for the program comes from the Employment Stabilization Fund System. The Fund, established in 1977, is financed from contributions made by employers and employees and general revenues under the Employment Insurance (formerly the Unemployment Insurance) law. Thanks to many years of tight labor markets, the Fund has accumulated a large surplus. The grants and subsidies paid out under the Fund are in basic recognition and support of the lifetime employment system, encouraging employers to retain and train workers during economic downturns, rather than to restort to layoffs.

Subsidies are made to employers who have conducted education or training for their employees and have continued to pay normal wages during the business adjustment period.[16] Subsidies cover one half the normal wages (two-thirds of the normal wages for smaller enterprises) for up to 75 days. In addition, a lump-sum grant is awarded to enterprises to offset a proportion of the direct expenses incurred in providing education or training. In cases where employers must convert their operations to adjust to economic conditions, employers may receive subsidies for education and/or training for up to 150 days. In 1979, less than half of the funds budgeted for these subsidies were used by employers.[17]

Training subsidies for structurally depressed industries

The Japanese Government extends special assistance industries under the 1978 Law for Temporary Measures to Rehabilitate Specific Depressed Industries. As of 1980, 39 industries were designated as "depressed" under this law. The majority of depressed industries were concentrated in textiles, fishing and related industries, mining, smelting, and refining of ore, shipbuilding, and plywood manufacturing.[18]

Under this law, employers are provided grants and subsidies to retrain workers they hire from structurally depressed industries.[19] In addition, workers designated under this law are provided extended unemployment benefits and retraining allowances. As an incentive to find employment, displaced workers are provided a bonus (i.e., a share of their unpaid unemployment benefits) if they secure employment prior to the expiration of their benefits. Employers who hire displaced workers from specific depressed industries may secure a subsidy equal to one half the normal wage (two-thirds for middle and small enterprises) for the first six months of employment. In 1979, less than 10 percent of the funds budgeted for these grants and subsidies were used by employers.[20]

Footnotes at end of article.

Other programs

The large proportion of older workers in the economy, combined with the seniority based wage system and mandatory retirement provisions are placing particular pressures on the Japanese labor market and employment security system. Once having left a firm, middle-aged and older workers experience a difficult time finding employment in the Japanese labor market; in 1977, among job applicants age 55 and over, there were ten applicants for every opening.[21] Many firms, already overburdened with the costs of a seniority based compensation system, are not willing to hire middle-aged and older workers, since under the system, they would have to be paid in accordance to their age. In addition, many of these workers find that their skills are outmoded, or are not readily transferable to other firms. Unemployment among these groups within the Japanese economy is a particular area of concern to policy makers.

The Japanese government encourages employers to provide vocational counseling and training to workers who are approaching retirement so that they may acquire the necessary training and knowledge necessary to secure re-employment. The government assumes the costs of such training, regardless of whether it is provided by the enterprise or vocational school.[22]

The Japanese Government provides special incentives to employers to hire middle aged and older workers. Employers who hire middle aged and older workers, without replacing other workers in the process, are eligible for a subsidy equal to one-half of normal wages (two-thirds for medium and small enterprises) for three months for workers aged 45 to 55, and for six months for workers aged 55 to 65 years.[23]

In addition to subsidies for hiring older workers, the Japanese Government provides subsidies for hiring the physically and mentally handicapped, widows, and persons on probation. The government also operates public works projects in areas where mass unemployment occurs.

OCCUPATIONAL SKILL TRAINING IN GERMANY

Vocational skill training in the Federal Republic of Germany is supported by the government through its compulsory education system and an active manpower policy. Each of these will be discussed below, after first describing the economic climate in Germany.

ECONOMIC CLIMATE

Except for a brief period following World War II, Germany has been able to effectively eliminate unemployment, at least by U.S. standards. The unemployment rate displayed a near steady decline from 7.2 percent in 1950 to 1.3 percent in 1960, with the exception of a temporary pause at 3.7 percent in 1957 and 1958. During the 1960s, and until 1974, the unemployment rate hovered around 1 percent, except for a brief recession in 1967 and 1968 when it increased to about 2 percent. During the 1974–1975 world wide recession, induced by the rapid rise in oil prices, Germany's unemployment nearly reached 4.7 percent, but has dropped and held steady at about 3.5 percent since then.[24]

Foreign workers have played an important role in labor market adjustment processes within the German economy. Prior to the 1974–1975 recession, foreign workers augmented an otherwise diminishing labor force. As a result of early retirement and prolonged education among the young, the employment rate in Germany fell from 60.1 percent in 1962 to 53.6 percent in 1976.[25] Over this period, the native population grew from 55.9 million to 57.6 million. At the same time, the foreign population grew from 0.9 million to 3.8 million, largely as a result of foreign "guest workers."

Over the last several years, it could be argued that Germany has "exported" much of its unemployment through contracting its use of foreign workers.[26] In November 1973, in anticipation of a slow down in the economy, Germany stopped immigration of foreign workers from outside the European community and tightened the extension of work and residence permits. As a result, the number of foreign workers decreased by some 700,000 from September 1973 to September 1977, the equivalent of a 2.7 percent reduction in the active labor force.[27]

GERMAN EDUCATION SYSTEM

Under German law, 12 years of education is compulsory. Educational and vocational paths are selected very early in life. By the time a child is ten years old, after just four years of elementary school, parents and children, in consultation with teachers, must select the type of secondary school the child will enter. Once a choice has been made, parents and children are usually bound by the decision through the remainder of their educational and vocational careers.[28]

Three types of schools are available. Enrollment is on a competitive basis. The Gymnasium provides an academic curriculum up to age 18 in preparation for a university education. The Realschule offers a technical course of study resulting in an intermediate degree at age 18 and then possible entrance to an upper level technical school. The Hauptschule provides a basic course of study up to age 15. At age 15, the student typically becomes employed as an apprentice or unskilled laborer. Statutory day-release from work allows the youth to attend school on a part-time basis until reaching the age of 18. In 1974, 19 percent of secondary school students attended Gymnasium, 12 percent were in Realschulen, and 41 percent in Hauptschulen.[29] The other 28 percent attend Berufschulen, which are part-time vocational schools, which essentially carry on the work of the Hauptschule. Consequently, 70 percent of German youth are in vocational tracks.

The Berufschule

The Berufschule, or vocational, trade, or apprenticeship school, is an adjunct to the full-time school system. It is part of what is commonly referred to as the "Dual System," in which the youth receives part-time instruction in a vocational school (usually for 6 to 12 hours a week), and works the rest of his/her time as an apprentice.[30] The Berufschulen draw most of their students from the Hauptschulen—in 1974, 81.8 percent came from Hauptschulen, 17.2 percent from Realschulen, and 0.3 percent from Gymnasium.[31]

Typically, a student would enter a Berufschule at age 15, after having passed the lower secondary school exam. Although the law does not require passing the exam for entrance to a Berufschule, it has become the common practice.[32] In 1976, about one quarter of the Hauptschule students failed to pass the exam. Some Berufschulen offer remedial courses for these students. In addition, the Federal Employment Institute, under the Federal Minister of Labor and Social Affairs, makes funds available to charitable organizations, local authorities, and employers to offer remedial courses. Upon entering the Berufschule, the youth enters into an apprenticeship agreement, or training contract, which must be mutually agreed upon by the youth, the youth's parents, the school, and the employer.

Vocational training provided through the Berufschule is sometimes criticized as providing too narrow a specialization, by training students in a particular craft rather than in a broad occupational field. In 1974, some 500 different training schemes existed.[33]

The Organization for Economic Co-ordination and Development claims that the vocational schools are in a state of crisis.[34] Per pupil expenditures in vocational schools lag behind what is spent in other schools. The system is short on teachers, and actual teaching time is less than required by law. There has been little coordination between industrial training and academic schooling.

The structure and health of the economy affects the amount and type of training opportunities available to students. This is reflected in a number of ways. For example, only about 16 percent of the companies in Germany provide education and training. The companies that have training and education facilities generally tend to be large. However, about half of the youth in training work for small companies.[35] In 1976, about 240,000 youth were working in jobs that did not have facilities for vocational training.[36] Some employers argue that they provide adequate training in spite of the lack of specific training facilities. They back up their claims by noting "high success rates" of trainees in "Handwerk" (craft skills) examinations.[37]

Several means of addressing some of the problems mentioned above have been proposed (we don't know if these have been implemented). One measure would establish a system of grants and taxes imposed on companies. Companies which increased their apprenticeships would receive a grant. Companies would be taxed when the demand for training within their industry exceeds the supply of training positions. A second measure would expand the number of training positions through "extracompany" or "group training centers."[38] Further details are not available on these proposals.

MANPOWER POLICY

The Federal Republic of Germany has assumed an active manpower policy stance, in conjunction with economic and social policy, to strike a balance between the multiple, competing, objectives of full employment, price stability, increased production, and a healthy balance of payments.[39] Efforts to promote these goals are embodied in the Employment Promotion Act of 1969.

THE EMPLOYMENT PROMOTION ACT OF 1969

The principal focus of the Employment Promotion Act of 1969 is to prevent employment problems from occurring, as opposed to merely counteracting problems once they arise. Specific functions authorized under the Act include: vocational counseling, job placement, job counseling, promotion of vocational training, special assistance to the hard-to-employ (handicapped), payments to maintain work during temporary shortages of work resulting from seasonal variations and bad weather, payments to create employment, and the provision of unemployment compensation benefits as a supplement when suitable job vacancies do not exist or when vocational training opportunities do not exist. For purpose of this discussion, we will focus primarily upon vocational training.

Administration

The Federal Employment Institute (Bundesanstalt fur Arbeit) is responsible for carrying out the provisions of the Employment Promotion Act. The Institute is a self-governing public corporation, subject to government supervision. Membership on the corporate governing council is equally divided between worker's representatives, employers, and public corporations. The Federal Minister of Labor and Social Affairs has the

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Footnotes at end of article.

power to put specific rules and regulations under the Employment Promotion Act into effect, if, after one year's notice, the governing council has not already done so. The Institute's budget requires approval of the Federal Government. Activities conducted by the Institute are mainly financed through the unemployment insurance system fund. Contributions to the fund are based upon 3 percent of gross wage or salary income, shared equally between employers and workers. Direct contact with the public is made through 146 local offices.

Education and training provisions

The Employment Promotion Act has a number of provisions to support education and training. In addition to initial training, the Act provides for further training and education, and retraining. These provisions recognize the changing nature of work, resulting from integration of new technology and changing demand for goods and services in the economy. In addition, these provisions—for training, further training, and retraining—would appear to address problems inherent in the existing educational system. In particular, support for vocational education and training in later life may be one means of compensating for the near irrevocable education and career decisions which occur so early in life under the existing education system.[40] Calls for reform of the education system have been loud in recent years, but change has been difficult to effect.

Adult training

The 1969 Law established the right of each citizen to be given individual assistance in obtaining further training or retraining. Until 1976, the law provided generous financial assistance to gainfully employed adults to retrain to make up for obsolescent skills, to assist in the transfer to more secure jobs, and to acquire additional education to further knowledge within their current vocation. In 1971, occupational training schemes accounted for about 30 percent of the Federal Institute's total expenditure.[41] Specific provisions included the defrayal of direct education and training expenses, as well as an allowance equal to up to 90 percent of the participant's last net income.[42] "Settling-in grants," an on-the-job training subsidy to employers, could pay up to 60 percent of a worker's wage for up to one year.[43]

With the onset of the 1974–1975 recession, the German Government introduced more restrictive measures for extending financial assistance for further training and retraining for adults. Beginning in 1976, financial support is extended to those applicants who have been working for at least five years (including training periods). Regulations governing the type of training which qualifies for financial support have also been tightened. Reimbursement rates vary depending upon whether a course is considered "necessary" or "reasonable" by the Institute.[44] The training allowance for a course deemed to be "reasonable" amounts to 58 percent of the applicant's last net income, while it is 80 percent for a course deemed to be "necessary". With the introduction of the more restrictive provisions, enrollment for continued training in 1976 dropped by 50 percent over previous years.

Training for the Hard to Employ

Since 1976, there has been an increased emphasis upon training for the long term unemployed (i.e., persons unemployed for one year or more). Employers who hire the long-term unemployed are eligible for 80 percent wage subsidy for up to two years.[45] Work Councils, supported by the Protection Against Dismissals Act,[46] help to assure that workers who are hired under the subsidy are not subsequently discharged, or that other workers are not subsequently displaced by the subsidized workers.

Youth Training

As of 1976, training for youth, provided by the Federal Employment Institute, was relatively small in comparison to adult training and retraining programs. Stingl[47] reports that in 1976, the Institute provided training to 27,800 youth in 858 courses. This compares to about 150,851 adults in training and retraining courses in that same year—260,362 adults in 1975.[48] Without more recent data, it is difficult to say whether savings from the recent reductions in adult training and retraining are being redirected toward youth.

Mr. BENTSEN. Mr. President, let me conclude this speech by noting that my next talk in this series will review the implications for our skilled labor shortage of the application of robotics.

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SENATOR HART'S SPEECH ON THE THREAT OF NUCLEAR WAR

Mr. PRYOR. Mr. President, I wish to call to the attention of my colleagues a speech delivered recently by the distinguished Senator from Colorado (Mr. HART) at Cornell University on the subject of the prevention of nuclear war. I believe this subject and the comments made by Senator HART should have the attention of every Senator and, indeed, of every American.

I ask that the address made at Cornell University, Ithaca, N.Y. on November 11, 1981 be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR GARY HART

I am honored to be part of this nationwide convocation on the prevention of nuclear war. There is no more important issue before our society.

For nearly forty years, nuclear weapons have posed the gravest threat to our society; today, they are becoming an immediate threat to our survival.

For nearly forty years, nuclear weapons have had the power to render war unthinkable; today, there are those who think about a limited nuclear war—and think it can be won.

For nearly forty years, our nation has sought to lead the world away from the abyss of nuclear war; today we have managed—incredibly—to cast aside that sense of purpose.

Today there are almost no constraints on the nuclear arms race between the superpowers. The spread of nuclear weapons worldwide is unchecked. And major governments lack the will to pull us back from the edge of the nuclear abyss.

These developments are incompatible with the security of America; they are incompatible with the dream of America; and they are incompatible with the survival of America.

I would like to ask two questions. First, how many of you here today were alive when we dropped the Hiroshima bomb? Would you raise your hands? Now, the second question: How many of you remember air raid drills in your schools—huddling in basements or under your desks?

Very few of you remember. But American leaders who knew war—who led men in battle and saw men die—saw nuclear weapons tested and used and were awed. They thought nuclear arms would make war itself impossible. In General Douglas MacArthur's words:

". . . this very triumph of scientific annihilation—this very success of invention—has destroyed the possibility of war's being a medium for the practical settlement of international differences . . . Global war has become a Frankenstein to destroy both sides. No longer is it a weapon of adventure—the shortcut to international power. If you lose, you are annihilated. If you win, you stand only to lose . . . [war] contains now only the germs of double suicide."

Remember those words. And remember they were spoken at a time when the U.S. and Soviet Union, combined, measured their strategic weapons in the hundreds. Today, our two nations together have about 20,000 each more powerful than the Hiroshima bomb. Then, most were carried on slow-moving bombers that could be recalled. Now, most are on missiles—weapons on a hair-trigger. Now, 30 minutes or less lie between launch and irrevocable destruction.

Who can comprehend the meaning of tens of millions dead?

Who can comprehend millions more severely burned, unable to reach hospitals that, at best, might care for one thousand nationwide?

Who can comprehend still millions more blinded, wandering sightless in a post-attack world, simply because they looked up when the first flash came?

And who can comprehend rebuilding such a society—not just repairing physical injury, but restoring a sense of order in a world ruled by mobs, struggling over scraps of food, with no reason for human restraint?

Faced with this dark vision, no one should think lightly of nuclear war. Just as important, none of us can refuse to think about it at all.

If we refuse to think about it, we entrust our survival to think-tank theoreticians with pocket-size bomb damage calculators.

If we refuse to think about it, we entrust our survival to those who believe nuclear war can be neat and clean—who believe nuclear war would merely throw our economy back to the 1920s—who believe nuclear weapons permit such a thing as a surgical strike.

If we refuse to think about it, we entrust our survival to leaders who believe that limited nuclear war can be fought and won—and who might act on that belief.

The idea of limited nuclear war is an attempt to rationalize insanity.

Yet fantasies of limited nuclear war are embraced at the highest councils of our government. They are now driving our weapons decisions—like the decision to build the neutron bomb which could lower the threshold of nuclear war. They are fragmenting our NATO alliance while the Soviet threat in Poland and Afghanistan demands more than ever that we stand as one. They are allowing the Soviet Union to pose as a leader for peace, and to portray us as an obstacle to peace.

And, while a few leaders indulge in these fantasies, other nations dream other nightmares. No longer are there two nations that possess the power of ultimate destruction; now there are six. In a decade, there may be ten or twenty or more. And can anyone say with confidence that Iraq or Libya or Pakistan will show restraint in the use of a nuclear weapon?

And what of the terrorist groups now active in many of the world's nations? Nuclear terrorism is the new nightmare that haunts us—not nation making war on nation, but an isolated terrorist group imposing its will on the world.

Not armies of scientists working with ultrasecret technologies, but a few individuals building a nuclear bomb with some basic physics and a few pounds of plutonium.

Not weapons hurled thousands of miles on complex rockets—but one container in an abandoned warehouse in an American or European or Israeli city.

This is the ultimate nuclear nightmare—and, too soon, we may drift into it, never to awake.

So it is time to wake those who believe nuclear war simply can never happen. It is time to wake those who ignore the lessons of past civilizations—civilizations which, like us, dreamed they would last forever.

Such belief today is more than harmless dreaming—it is sheer arrogance.

It is sheer arrogance to believe the United States and Soviet Union can increase their nuclear forces beyond any rational level, and still expect other nations to forego these weapons themselves.

It is sheer arrogance to talk of exploding a nuclear bomb as a demonstration of strength, and expect our allies and adversaries not to be concerned.

It is sheer arrogance to believe that arms can be piled on arms without consequence—this on a globe where once distant countries are today's neighbors, where the weapons we have today will be the weapons others have tomorrow.

It is sheer arrogance to believe we can promote the spread of nuclear materials around the globe and not one day see the Fifth Horseman of nuclear terrorism ride upon some American or European or Israeli city.

All this is sheer arrogance and it is dangerous arrogance. So it is time to reawaken all our leaders to their most solemn responsibility—the prevention of nuclear war.

It will take a supreme effort of national and innternational will to carry us safely to the twenty-first century. If we are to make this effort, we must first banish three pervasive errors.

The first error is that controlling nuclear weapons amounts to being soft on national security. Arms limitations enhance our national security. They are checks on our adversaries, not rewards to our friends. And to the precise extent arms control agreements limit the size of the Soviet force, they are essential to our national security.

The second error is that unilateral disarmament holds our best hope for averting nuclear war. In my view, such a course would lead to the war we seek to prevent. It would encourage dangerous miscalculations by adversaries we seek to deter. The profound paradox of our time still stands—the very terror and certainty of these weapons is necessary to prevent their use.

The third error is that the spread of nuclear weapons throughout the world is an issue separate and distinct from the superpower arms race. In fact, the two are intimately related. We cannot demand restraint from other nations while we act without restraint ourselves. Each time a new country joins the nuclear club, efforts at worldwide arms control are seriously complicated and the threat of nuclear terrorism is increased.

I would like to stand before you and offer a magic formula to end the nuclear arms race and prevent the outbreak of nuclear war. The simple truth is that there is no simple plan. We are dealing with decades of mutual suspicion. We are dealing with a powerful technological momentum that drives both sides. And we are dealing with the gruesome desire of many countries to assert their national pride with deadly weapons.

So far, the struggle to overcome these obstacles has been an unequal fight, for we, as a nation, have not confronted the problem of nuclear war. Fewer than one thousand Americans in government and universities are working actively to reduce nuclear arms. One thousand times their number are working to build them.

It is time to apply the full strength of our nation to the byzantine nuclear threat. There are common-sense steps to be taken—steps that will once more put us on course toward peace.

The first step is to direct our nation's military policies to the prevention of nuclear war.

This means judging our weapons by a new standard—will they increase or decrease the risk of nuclear war.

It means improved nuclear command and control so we never use nuclear weapons in ignorance or error.

It means building verifiability into our weapons so we can negotiate arms control agreements based on mutual knowledge, not mutual trust.

It means better intelligence collection so our national defense decisions rest on information, not speculation.

And it means strong conventional armed forces, so nuclear weapons are the last line of defense, not the first.

The second step is to resume serious negotiations with the Soviet Union. And we must reorient the purpose of those negotiations—away from the numbers game that has become an end in itself and back to the original goal, the prevention of nuclear war.

Reducing the numbers of arms is not an unimportant goal, but it is insufficient. It must be buttressed by measures that pull the two sides apart, in space and in time, to reduce the incentive to use these weapons in some future crisis. Europe provides a good example. If the coming negotiations on nuclear arms in Europe only limit the numbers of medium-range systems on hair trigger alert, then they will have failed.

For, whatever the numbers, those missiles are on a hairtrigger. Their short flight time provides a powerful incentive for shooting first and asking questions later. To remove that hair-trigger, we must negotiate to move Soviet missiles out of range of Western Europe. In return for this, we could consider not placing our own missiles on European soil. To use these weapons, each side would have to move them within range of Europe. This would provide a cooling-off period—a firebreak, if you will—and lessen the chances of nuclear war.

These measures will never be achieved until we decide we must talk—and talk seriously.

That word "seriously" is fundamental. For officials in both governments may devise proposals that sound like progress, but are really constructed to prevent any progress at all. And our discussions are doomed to remain discussions—unless both sets of leaders are committed to reducing the chance of war.

Unfortunately, we haven't even negotiated on strategic arms with the Soviets since the SALT II Treaty was signed in 1979. And the current administration does not plan to resume talks on strategic limitations until

next spring. This is too long to wait. It's time—now—to resume arms negotiations. Whatever the difficulties of reaching agreement, the dangers of not trying are worse.

The third step on a course toward peace is a tough, determined policy to prevent the further spread of nuclear weapons. Our ability to develop such a policy rests on our willingness to stop our international trade in nuclear technology.

For three decades, we have tried to maintain a distinction between peaceful and military uses of nuclear energy. The fact is, no such distinction exists. There is only a thin line of technology. And we and other world nuclear suppliers are edging closer and closer to that line.

For example, today's nuclear reactors have produced about 140 tons of plutonium—enough to make 28,000 Nagasaki-sized bombs. So far, most of that plutonium is locked in spent nuclear reactor fuel. But the technology to unlock it exists, and several nations, including Libya, are trying to buy it.

What assurances do we have that the separated plutonium would be used in conventional nuclear plants—and not in weapons? None.

And what assurances do we have that plutonium will not find its way to terrorists bent on nuclear blackmail? None.

Yet most plans for nuclear energy envision spent fuel reprocessing and breeder reactors—which produce more plutonium than they use as fuel—as standard elements of the nuclear fuel cycle.

Our policy of nuclear exports make us and the other exporting nations—the "reliable suppliers" of our own potential destruction. By continuing that policy, we are squandering the brief moments left to prevent the further spread of nuclear arms.

At a minimum, we and the other nuclear suppliers must recognize that the world's interest in peace, security, and survival far outweighs the economic benefits of nuclear trade. Our first step is clear: we must agree to stop exporting technologies and materials that can be used to make nuclear bombs. We should set an example for the rest of the world.

The fourth, final, and absolutely essential step is to marshal our economic and political strength to the cause of peace and human progress around the world. Blustering rhetoric and saber-rattling are no substitute for a foreign policy aimed at diminishing the risks of a dangerous world. It will take active, courageous diplomacy—in the Middle East, in Central America, in southern Africa, and elsewhere, to help defuse the regional conflicts that can explode into broader confrontations. And it will take an affirmative American effort, together with the efforts of like-minded nations, to address the world's human needs—its need for food, its need for health, its need for hope. Left unattended, these unmet human needs are the seeds of war.

Twenty-four years ago, to this week, General Omar Bradley told another school convocation:

"If I am sometimes discouraged, it is not by the magnitude of the problem, but by our colossal indifference to it. I am unable to understand why—if we are willing to trust in reason as a restraint on the use of a readymade ready-to-fire bomb—we do not make greater, more diligent, and more imaginative use of reason and human intelligence in seeking an accord and compromise which will make it possible for mankind to control the atom and banish it as an instrument of war."

If today's convocations here at Cornell and elsewhere can begin to alter this "colossal indifference," then we will have moved toward a safer world. For if you are forced to think about nuclear war—to contemplate its likelihood and its consequences—then you, your family, your university, your community, your nation, will be compelled to act.

Today, a day to honor those who have given their lives for this country, it is appropriate to think about our personal visions of this nation. We each have these visions, our own ideal of what we want this country to stand for and accomplish. But I believe these personal visions share at least one element in common—that the purpose of America is peace, a secure peace.

With that purpose, we are here today. Without it, we will fail. And in such purpose there is hope.

RECOGNITION OF SENATOR COCHRAN

The PRESIDING OFFICER (Mr. ANDREWS). Under the previous order, the Senator from Mississippi (Mr. COCHRAN) is recognized for not to exceed 15 minutes.

THE VOTING RIGHTS ACT

Mr. COCHRAN. Mr. President, I have been addressing this body for several weeks now about legislation I have introduced, S. 1761, to amend the Voting Rights Act of 1965.

The purpose of this amendment is to assure the nationwide protection of voters' rights by making available a preclearance procedure in every State. Political subdivisions would be required to apply for a declaratory judgment in local Federal district court for the preclearance of any change in election or voting laws. The United States would be the named defendant, and process would be served upon the Attorney General. The Department of Justice would have the normal 60-day period to answer and interpose an objection if it believes the change is discriminatory. All interested persons or groups would be notified of the action. The bill also provides for an expedited proceeding, including a priority setting in district court and an automatic stay on appeal.

At the time I introduced this bill, I pointed out that the proposal was developed by William C. Keady, chief judge for the Northern District of Mississippi, and George C. Cochran, who is on the faculty of the School of Law at the University of Mississippi, in an article to be published soon in the Kentucky Law Journal, Volume 69, No. 4, 1980–81.

Mr. President, the Keady/Cochran article, entitled "Section 5 of the Voting Rights Act: A Time for Revision," provides an extensive historical background of the development of the act and, in particular, section 5. It discusses the operation and impact of section 5, well-documented with statistical data. Finally, it develops the new preclearance proposal, introduced now as S. 1761.

Mr. President, I ask unanimous consent that excerpts from this article, with footnotes and exhibits being omitted, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SECTION 5 OF THE VOTING RIGHTS ACT:

A TIME FOR REVISION

(By William Colbert Keady)

The Voting Rights Act of 1965 represents significant legislation which, notwithstanding certain limitations, has given life to the fifteenth amendment. Experience under the Act, and in particular Section 5, shows that despite the assault upon our federalism, affected jurisdictions have not suffered from its enactment but have in fact been strengthened politically on account of greater electoral participation on the part of minority voters. Furthermore, there is every reason to believe that the beneficial effects of this legislation would insure to the advantage of all jurisdictions to which it would be applied. The time has come to lay aside arguments concerning which region of our country has the worst record of excluding minorities from the political process. The Republic, given its historical pursuit of equality, can have no greater source of strength in the future than that deriving from the nationwide eradication of discrimination in matters of franchise.

The purpose of this article is not to laud the Voting Rights Act as ingeniously conceived legislation for preventing disenfranchisement of minorities; nor is it to condemn Congress for enacting and maintaining this regional legislation based in large measure upon findings made in 1965. It is also not the authors' intent to become ensnared in the ongoing dialogue concerning matters such as substantive interpretations given Section 5 by the courts and the Attorney General. Furthermore, it is not the authors' wish that this discussion have the taint of past efforts which utilized the rhetoric of "nationwide application" as a vehicle to rid Section 5 of its vitality. Rather, we believe there is much to be learned from the past sixteen years and that this experience, if correctly evaluated, clearly justifies the continuance of Section 5's preclearance requirement, a requirement, however, which should be administered by the judicial system created under Article III of our Constitution.

Thus, this article is designed to proffer two explicit propositions: (1) Congress should amend Section 5 to provide for nationwide application; and (2) Section 5's procedural mechanisms should be revised to discard both a seldom used judicial remedy and a cumbersome administrative procedure and to replace them with a judicial remedy in the United States District Courts under conditions guaranteeing expeditious resolution of Section 5 preclearance requirements.

I. THE OPERATION AND IMPACT OF SECTION 5

As originally enacted, Section 5 prohibited certain states and their political subdivisions from enacting or seeking to administer "any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect on November 1, 1964" without advance federal approval. The Act was amended in 1970 to extend to political units which maintained a "test or device" with respect to voting and in which less than fifty percent of the eligible voting population registered or voted in the 1968 election. In 1975, the Act was further broadened to include jurisdictions with more than five percent language minorities which, as of November 1, 1972, had election materials printed in English only and in which less than fifty percent of the voting age population registered and voted in the 1972 presidential election.

With a legislative history indicating that the term "procedure" was considered "to be all-inclusive of any kind of practice" relating to voting, the United States Supreme Court has, beginning with *Allen* v. *State Board of Elections* in 1969, given the Section broad and wide-ranging scope. Since the Act was designed to preclude "the subtle, as well as the obvious, state regulations which have the effect of denying citizens their right to vote because of their race," Section 5 scrutiny is triggered if the change or modification has "a potential for discrimination." Thus, the purpose for enacting a change in

voting is irrelevant to a determination of whether the state or subdivision must comply with Section 5, and federal preclearance must be had even if the legislation or other change was enacted for the purpose of complying with the Act. Section 5 preclearance must be met whether the change is one in polling places, candidate qualifications, boundary alterations, reapportionment, redistricting, annexations, changes from ward to at-large elections, alterations in procedures for casting write-in ballots, or even with respect to a requirement that public employees take unpaid leaves of absence when campaigning for elective office. Indeed, there would seem to be few state actions which relate to the electoral process that would not be subject to the proscriptions of Section 5.

Pursuant to Section 5, voting changes are not given effect until the political unit in question receives a declaratory judgment in the United States District Court for the District of Columbia "that such qualification, prerequisite, standard, practice, or procedure does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color." Alternatively, the state or political subdivision may submit the proposed change to the Attorney General and enforce the new voting practice if no objection to the proposal is entered within sixty days after submission. If neither action is taken prior to implementation, private parties or the Attorney General may bring suit before a local three-judge district court to enjoin enforcement. In the latter instance, the sole issue to be addressed is whether the enactment is subject to Section 5; the district court is not empowered to determine whether the change has a discriminatory purpose or effect.

The Act itself, in conjunction with a Section 5 preclearance requirement which is both "unusual, and in some respects . . . severe," has produced startling results in the jurisdictions to which it applies. An analysis of black voter registration in the six states covered by Section 5 since its inception reveals . . . dramatic increases. . . .

* * * * *

1978 data shows that the South fares not significantly worse, and in some instances better, than any area of the nation with regard to the difference between black and white voter registration. . . .

* * * * *

Furthermore, preliminary information concerning 1980 registration indicates that while 8.4 percent fewer blacks than whites registered throughout the entire country, the registration difference was only 6.9 percent in the South.

The extent of black voting strength is perhaps best reflected in the numbers of black elected officials within the jurisdictions subject to Section 5. From 1974 to 1980, there was an increase of 63.5 percent in the number of black elected officials nationwide. In four of the six states that have been covered by Section 5 since 1965, however, the increases were much higher.

Indeed, in 1980, Mississippi had the highest number of such officials of all states in the nation, and Louisiana was second. If the analysis is directed toward per capita black elected officials, i.e., ratio of black elected officials to black population, it is significant that three of the six affected states rank among the nation's ten highest in this regard. Finally, the positive impact of Section 5 is perhaps best demonstrated by the startling fact that "a majority of white [congressional] representatives from the American South supported" extension of the Voting Rights Act in 1975.

The preclearance mechanism has undoubtedly served to effectuate the right of minority voters to participate in the electoral process by identifying and preventing both obvious and subtle attempts to prevent electoral participation solely on the basis of race. Moreover if preclearance were eliminated, it is probable that local and state governments would reinstate voting procedures which would irreparably harm black citizens and other minorities by impinging, directly or indirectly, upon their right of suffrage. The manner in which preclearance is currently implemented, however, should be cause for concern. The requirement should and must be extended to the remainder of the United States. In addition to retaining this requirement which has proved so effective in a limited portion of our country, such action would serve to insure that the proscription of disenfranchisement provided by the fifteenth amendment becomes a reality for minority voters nationwide.

II. PRECLEARANCE IN THE DISTRICT COURT FOR THE DISTRICT OF COLUMBIA: DESIRE FOR UNIFORMITY AND MISTRUST OF SOUTHERN JURISTS

The principal rationale offered for the original decision in 1965 to limit jurisdiction of Section 5 declaratory judgment actions to a three-judge district court in the District of Columbia was to insure uniformity of interpretation. Although not a single suit had been filed in the court seeking a declaratory judgment concerning the purpose or effect of a voting change, the uniformity justification was again relied upon five years later when Section 5 was renewed as originally enacted. Congressional critics, however, began to emphasize the weak underpinnings of the rationale. Senator Ervin, for example, unsuccessfully seeking to divest the court of plenary jurisdiction by means of amendment, argued:

There were many specious reasons given at the time of passage of this bill for denying all courts jurisdiction except the District Court of the District of Columbia. One was that we needed uniform interpretation. That was a specious reason, because we have 10 separate and district U.S. courts of appeals sitting in the 10 circuits handing down, in some cases, different interpretations of the law and those interpretations are ultimately made uniform by appeals to the Supreme Court of the United States.

By the end of 1974 only five suits had been filed, resulting in three published opinions. Despite meager judicial activity, proponents for retention of the District of Columbia court as the only viable judicial avenue for preclearance maintained that "the United States District Court for the District of Columbia [is an] expert in the area, ha[s] developed familiarity with the impact of discriminatory voting systems," and "has built up a degree of expertise on the Voting Rights Act that is invaluable." The response of legislators to suggestions that Section 5 jurisdiction be expanded to all United States District Courts because of minimal utilization of the District of Columbia forum, however, revealed an assumption implicit in the Act as expressed by Senator Tunney of California:

"I might say, in all honesty . . ., I think that in the area of civil rights there is a great deal of peer pressure on judges in the South. . . . I think there is a lot of peer pressure, and I would only have to point to the fact that recently the Supreme Court unanimously reversed a three-judge court in Mississippi that had approved a reapportionment measure . . . ."

The response by Senator Morgan of North Carolina to Senator Tunney's implicit attack upon the competence and integrity of Southern jurists was direct and emotional:

"For the Senator from California . . . to stand here and say that the judges—to indict the Federal judiciary in the South, is beyond my imagination.

"And for the Senator to say that just because the Supreme Court reversed a decision of a three-judge panel in Mississippi is an indictment of the Federal judiciary in the South which, again is beyond my comprehension, and I resent it . . . I resent it."

During the House debates, Representative Kindness introduced an amendment to divest the District of Columbia court of sole jurisdiction. His argument that there was "no particular expertise built up" by that court was successfully countered by responses citing the "need for uniformity" and remarks making reference to the Supreme Court reversal of the three-judge court in Mississippi. There was, however, yet another justification proffered which, until that time, remained undisclosed. As articulated by a major advocate of retaining Section 5 without amendment.

"[T]he Department of Justice desires to centralize all litigation about this matter right here in the District of Columbia. . . . The Department of Justice in this and other areas of national importance feels that they should build up a body of jurisprudence right in the District of Columbia and it is they, more than the civil rights group, that really want to locate this here, rather than the regional aspects."

An examination of the relevant statistical data evinces the speciousness of this explanation and those that preceded it. During the years 1975 through 1980, only eighteen suits for declaratory relief were initiated, resulting in seven published opinions. Thus, after fifteen years of experience with the Act, only twenty-three suits have been filed, ten of which resulted in published opinions. It is therefore apparent that the quest for "uniformity" has never been realized, and the resulting "expertise" justification with respect to adjudicating "purpose or effect" transgressions can only be considered a myth.

More important, the pattern established by covered jurisdictions of avoiding the District of Columbia court during this sixteen-year period demonstrates that there is not, in fact, a functional judicial remedy for those situations where these jurisdictions have either refused or been unable to submit to the preclearance process of the Department of Justice. Such factors as time, distance, expense and other logistical burdens, or a notion of the futility of invoking such a judicial remedy may, collectively or individually, compel affected jurisdictions to refrain from utilizing an isolated segment of the judicial system. Practically speaking, therefore, judicial review is not presently a feasible alternative. Consequently, the legislative processes of over 7,000 political subdivisions are now subject to the virtually unreviewable decision-making process within the Office of the Attorney General of the United States. As we shall see, the history and current status of this administrative process demonstrates the compelling need for its elimination.

III. ADMINISTRATIVE PRECLEARANCE: THE BIRTH AND EVOLUTION OF A CONGRESSIONAL AFTERTHOUGHT

As originally proposed, preclearance was to be limited to declaratory relief before a three-judge court in the District of Columbia. In the wake of hearings before a House Subcommittee, however, several legislators expressed concern over the probability of delays if this procedure were to be the sole avenue of relief for jurisdictions subject to Section 5. Since validly enacted laws would be suspended pending declaratory relief, the consensus of opinion was that if such "drastic effects must be visited" on covered states, "resolution of this class of cases should be handled expeditiously [sic]."

Testifying before the Senate Judiciary Committee, Attorney General Katzenbach recognized the tensions which result from state laws being held in such a lengthy

state of suspended preclearance and proffered a remedy in the following dialogue:

"Senator ERVIN. It seems to me that is a drastic power which can hardly be reconciled with the federal system of government. . . ."

"Attorney General KATZENBACH. I think it is quite a strong power, Senator. The effort is to prevent this constant slowing down process which occurs when States enact new laws that may clearly be in violation of the 15th amendment, but you have to go through the process of getting judicial determinations of that. It takes a long time. In the interval the purposes of the act are frustrated.

"Now, there may be better ways of accomplishing this. I do not know if there are. There are some here I can imagine, a good many provisions of State law, that could be changed that would not in any way abridge or deny the right; . . . except for the fact that some members of the committee, I think, including yourself, have had difficulty with giving the Attorney General discretion on some of these things—perhaps this could be improved by applying it only to those laws which the Attorney General takes exception to within a given period of time. Perhaps that would remove some of the burdens."

Attorney General Katzenbach's suggestion of vesting the Attorney General with such discretion apparently impressed Congress for the committee bill incorporated the 60-day administrative preclearance provision which—without further debate on the issue—became a permanent and the most important segment of the Voting Rights Act. Its inclusion may be best described as an "afterthought, . . . a practical way to avoid the onerous task of preparing and filing a lawsuit in the District of Columbia." It soon became apparent, however, that such administrative preclearance was fraught with difficulties which were not and could not have been anticipated in 1965.

The 1970 congressional renewal hearings provided a forum for discussion of problems encountered during the first five years of the Section's operation. The major criticisms centered around administrative burdens resulting from the unexpected number of submissions to the Department of Justice and the potentiality that political considerations might enter into the Department's decision-making process. With regard to the former, Assistant Attorney General David Norman, one of Section 5's original drafters, expressed doubts as to the "effectiveness" of administrative preclearance because of the Attorney General's inability to apply purpose or effect criteria to current submissions, ever-increasing demands on limited personnel to make extensive, independent investigations of all submissions, and the deluge of inconsequential changes submitted pursuant to the expansive interpretation accorded the Act in Allen.

Prior to the Supreme Court's broad interpretation of Section 5 set forth in Allen, neither the Department of Justice nor the affected jurisdictions were certain of the parameters of the Section. The immediate impact of the ruling was therefore significant. In 1968, the year prior to the decision, there were only 110 submissions for preclearance to the Department; for 1970 that number had more than doubled to 255.

Ostensibly as a response to these administrative burdens, Attorney General Mitchell presented a Nixon Administration bill to amend Section 5 to abrogate preclearance, both administrative and judicial, and vest the Department of Justice with sole power to invoke the jurisdiction of local three-judge courts nationwide when there was "reason to believe" that a "standard, practice or procedure with respect to voting . . . has the purpose or effect of denying or abridging the right to vote" on the basis of race. Mitchell stressed the inefficiencies of administrative preclearance and contended that the Department not only was encountering difficulties in making informed judgments with respect to discriminatory effects but was also unable, at that time, to monitor and secure submission of all changes.

Furthermore, the Attorney General argued that the need for conducting extensive investigations prior to making a determination hindered the Department in its effort to perform the tasks required of it under Section 5. Thus, Mitchell's testimony can be perceived as an attempt to establish two points: (1) the impropriety of vesting what is essentially a judicial function in an administrative body not accompanied by procedural or due process safeguards; and (2) the idea that no sensitive lawmaker "would . . . have [designed Section 5] as it [is] structured, because . . . the processes provided under which the Attorney General must make a decision are not adequate. They result in arbitrary decisions without sufficient information."

Congress found Mitchell's contentions unpersuasive, perhaps in large measure on account of suspicions of legislators that considerations of a purely political nature served as motivation for the Administration's proposal. The tenor of the Nixon Administration and its perceived hesitancy to enforce vigorously the Voting Rights Act served to bring to mind views expressed in 1965 in opposition to the Act:

"[W]e view with much concern the broad discretionary powers placed in the hands of the Attorney General. . . . Without suggesting any criticism of the present incumbent, we foresee a multitude of opportunities for political manipulation by an Attorney General who is inclined to do so. This is especially true since in recent times several Attorneys General, Republican and Democrat, have been closely tied to the political campaigns prior to their taking office. Of all the grants of authority to the Attorney General . . ., including the ability to consent to the entry of declaratory judgments . . ., it does not require a great deal of imagination to see that the authority to approve or disapprove State laws stands out as the power most subject to abuse."

Such concerns surfaced in the disapproval of the Department's handling of Section 5 one year later when the House Civil Rights Oversight Subcommittee held hearings in response to complaints that "the Attorney General has failed . . . to carry out the intent of Congress, and has disregarded recent Supreme Court decisions protecting the right of all Americans to exercise their right to vote." At the outset, fears of political manipulation were voiced in light of the fact that no suits had been filed with the District of Columbia court, and it appeared more than possible to Subcommittee members that covered jurisdictions had reason to believe they would receive more "sympathetic consideration" from the Attorney General. David Norman, who one year earlier expressed concern as to Section 5's effectiveness, was again the Administration's chief spokesman.

Norman countered the legislators' suspicions by explaining that any maladministration resulted from the increased burdens upon the Department arising from the broad construction of Section 5 mandated by Allen and the fact that many submissions raised complex issues dealing with "reapportionment, redistricting and . . . annexation[s]" which would "best be treated in the courts." Responding to the latter point, Congressman Wiggins recalled that administrative preclearance "was intended to permit an expeditious, prompt response on behalf of a State submitting a relatively minor problems and thus avoid unnecessary court delays" while it was "contemplated that complicated issues . . . would be resolved in the District Court for the District of Columbia." Conceding that Wiggins' understanding "might have been discussed around the halls of Congress," Norman noted that "Congress didn't authorize the Attorney General to decide that this thing is tough and, therefore, it ought to go into court."

As a solution to the problem, he noted that the Department was considering proposing an amendment to Section 5 providing for an initial clearance of submissions before hearing examiners, with judicial review in a court of appeals under procedures authorized by the Administrative Procedure Act. Subsequently, however, a representative of the Civil Rights Commission expressed his disapproval of this proposal on the ground that it would "create a very time-consuming, very dragged-out administrative procedures."

At the close of the hearings, the House Subcommittee could arrive at only one solution—to force political subdivisions to engage in the "onerous task of preparing and filing a lawsuit in the District of Columbia." This proposal mirrored that of the Director of the Civil Rights Commission, who suggested that "when questions [of preclearance] get that complicated . . . the Attorney General should just interpose an objection and allow the [covered] jurisdiction to go to court in the District of Columbia and resolve it in [that court]."

Such an approach, however, presented the Subcommittee with a dilemma inasmuch as this procedure could be conducive to even greater delay and therefore contrary to the Act's purpose. This problem was resolved by the determination that the burden should be placed upon the submitting authority since "[c]overed jurisdictions [are] supposed to avail themselves of the faster route to preclearance only when the submitted changes [are] readily assessable as nondiscriminatory." Finally, the Report concluded that the Attorney General had failed to implement properly the preclearance procedure and that complaints of the Act's unenforceability would subside if the burden of proof were placed squarely on the shoulders of the submitting jurisdiction. The Attorney General's regulation placing the burden of proof upon affected jurisdictions utiliizng the administrative preclearance procedure, as in declaratory judgment suits in the District of Columbia court, was subsequently upheld by the Supreme Court in *Georgia* v. *United States*.

* * * * *

Concern with the efficacy of administrative preclearance outlined above remain viable today. An examination of data from the past six years reveals a steady increase in the rate of submissions accompanied by a constant decrease in the percentage of objections.

* * * * *

Indeed, the deluge of submissions provoked the following analysis by Justice Powell:

"[N]o senior officer in the Justice Department—much less the Attorney General—could make a thoughtful, personal judgment on an average of twenty-five preclearance petitions per day. Thus, important decisions made on a democratic basis . . . are finally judged by unidentifiable employees of a federal bureaucracy, usually without anything resembling an evidentiary hearing."

As noted earlier, the limited judicial review afforded covered jurisdictions has resulted in a restricted utilization of that alternative. Furthermore, administrative review of Section 5 submissions often takes place in the face of approaching elections whose occurrence is contingent upon the Department's determination. These realities combine to render crucially important the decisions made by these "unidentifiable em-

ployees" of the Justice Department. This process is equally critical to the interests of minorities in light of the plenary authority afforded the Attorney General's decision. Under the Supreme Court's decision in Morris v. Gressette, the decision of the Department is not subject to review. With respect to a decision not to object to a proposed electoral adjustment, "it matters not whether the Attorney General fails to object because he misunderstands his legal duty . . .; because he loses the submission; or because he seeks to subvert the Voting Rights Act" for, under all circumstances, the decision is unreviewable.

With the Department's decision-making process now virtually immune from judicial intervention, it is critical that the procedures employed by the Department in performing the preclearance function be closely evaluated. As a congressional "afterthought", this delegation of authority is practically without legislative history. It is nonetheless indisputable that present administrative practices are markedly divergent from those which could have been reasonably foreseen by Congress in 1965.

The Department has adopted the same standards for review as those employed by the District of Columbia District Court in declaratory judgment actions. As such, the administrative preclearance procedure now requires review of the multitude of political, social, economic and legal criteria employed by that court to determine whether the purpose/effect standard has been met. To amass pertinent information and evaluate its content, the Department maintains within its Voting Rights Section a "submission unit" which has primary responsibility for the preclearance process. This unit consists of one attorney, a paraprofessional director and eleven paraprofessionals, sometimes referred to as paralegal analysts, and is instructed to look for "suspicious type changes" which include "at-large elections, reductions in the number of polling places, changes in the location of polling places and redistricting." Among the staff's responsibilities is investigation of motive and impact, which in turn is largely accomplished by "telephone calls to on-site persons." Information independent of the submission is gathered from minority interest groups and other interested individuals within the submitting jurisdiction, and in turn assimilated in a decision-making process relying upon "the preparation and analysis of . . . demographic and legal information [which] is in the hands of paraprofessionals who possess neither demographic/statistical skills nor legal training." Thereafter, the paralegal assistants make the "initial (and normally upheld) determinations with respect to whether or not the proposed change has a discriminatory purpose or effect."

A recent review of the submission unit's performance by the Government Accounting Office (GAO) revealed that "59 percent of [sampled] changes . . . did not have all data required by Federal regulations." In addition, the inefficiency of the unit was found inasmuch as "some submission files could not be located and data inaccuracies . . . limited the use of the Department's computer system which maintains data on identified changes." Indeed, a GAO representative testified that staff members "have no way of managing the data they get in from the jurisdictions; who reported—who gave their objections, who submitted submissions, who made changes that they didn't submit."

Utilization of a "permanent registry" (a compilation of individuals and groups interested in submissions) and other techniques for obtaining relevant information from minority groups was likewise found inadequate. After noting that a review of 271 randomly selected submissions showed that only fifty-five percent contained comments by interested groups or persons, the Report commented upon the followup with respect to those groups or persons: "[T]he Department's [own] records showed that individuals or groups commenting were informed of the review decision in less than 1 percent of the cases sampled.

"Consequently, minority groups and individuals may not have adequate information to detect changes implemented despite the Department's objections." Similarly, responses from a sampling of minority interest groups as to their impressions of the effectiveness of Section 5 revealed the following: thirty-five percent had no knowledge of Department preclearance procedures; ninety percent were not on the mailing list, and over half were unaware of its existence; twenty-five percent knew of significant changes that had not been submitted; and eighty percent had rarely or never been consulted by Department representatives. Indeed, "[t]his sense of removal from the decision process was reinforced by the minority respondents' belief that [Department] approval of changes opposed by minority leaders was a more important problem than a covered jurisdiction's failure to submit.

Given the fact that an immense number of submissions are received by the Department and must be reviewed by a small number of personnel within only sixty days, each passing day becomes critical. Although in *Georgia* v. *United States* the Supreme Court agreed with the Department's argument that the 60-day period may be tolled by a request for additional information, the process has been described as "hectic, with letters usually being mailed at the last possible moment," and the request for additional information is often reserved as the Department's "trump card." The GAO Report made corroborative findings as follows:

"[I]n about 6.8 percent of the submissions reviewed, a Department decision was not rendered until at least 100 days from the initial receipt of the submission.

"Despite [the requirement that submissions be handled expeditiously] over 50 percent of . . . requests [for additional information] were made on the 60th day after receipt of the initial submissions, over 70 percent were made at least 55 days after receipt, and only 2 percent within 30 days.

"In over 50 percent of the cases reviewed, the Department did not notify jurisdictions of its decision until at least 56 days after it had complete information. Notification was given within 30 days for fewer than one out of every six changes."

In addition to the GAO Report, several reported decisions confirm the fact that the Department has encountered difficulties in complying with the time limitation. Not only have objections been imposed on the last day, but the Department has found it necessary to argue, unsuccessfully, that Georgia allows tolling periods for more than one request for additional information.

Although it has expended a great deal of professional energy in other areas, the Department remains plagued by the continuing serious problem of covered jurisdictions failing to preclear all voting changes. The GAO Report's conclusion on this issue is unmistakably clear:

"The Voting Rights Act has been in effect for over 12 years, yet there is little assurance that covered States and localities are complying with the act's preclearance provision. We found that the Department of Justice had limited formal procedures for determining that voting changes were submitted for review as required by the act or for determining whether jurisdictions implemented changes over the Department's objection."

The Report also reveals that the Federal Bureau of Investigation "identified 102 unsubmitted changes [on behalf of the Department] of which 60 were still unsubmitted as of October 1976. Moreover, although "[the] Attorney General objected to 257 of the reported 13,433 submissions . . . the Department has not initiated formal monitoring procedures for making sure that jurisdictions do not implement a voting change over the Department's objection." A study paralleling that of the GAO indicates that perhaps the GAO Report even understates the problem. Continuing activity in the lower courts dealing with unsubmitted changes and a compilation by former Texas Representative Barbara Jordon listing sixty counties and 170 Texas cities which have never submitted a change evince the fact that the problem of unprecleared changes is a significant one.

There is also a growing sense of frustration by those who perceive that the required adversarial and investigatory nature of the Department is becoming increasingly debilitated by "professional" relationships established between Department attorneys and local officials. Those who take this point of view perceive a negotiating process between "fraternal professionals" which, while conducive to Section 5 compliance, results in enforcement at a "suboptimal level." The problems posed by this relationship are indicated in this discussion of the process:

"[T]he almost unanimous selection by covered jurisdictions of the administrative procedure option . . . when they seek to comply with the preclearance requirement is indicative of their preference for the kinds of outcomes which are obtainable through the lawyer-bureaucrat bargaining process. These enforcement practices when coupled with the inability of the Department of Justice to detect many of the unsubmitted voting changes, or to follow up effectively to make certain that jurisdictions do not implement changes to which the Department had [sic] objected, suggest an enforcement pattern in which state and local governments retain a considerable amount of discretion over the manner in which they exercise their reserved power to conduct elections."

The Civil Rights Commission lends credence to this conclusion when it states that while it is "evident that minorites still need the protection of the Voting Rights Act," the unfortunate "lack of enforcement by the executive branch of Government" remains a problem.

The nationwide aspects of voter discrimination have also affected the Department's activities in the last five years. Responding to a portion of the critique by the GAO as to the manner in which it utilizes its professional resources, the Department pointed out that since "Section 5 does not reach all jurisdictions . . ., litigation is required to challenge *many* dilutive apportionment plans." It noted that four constitutional dilution suits had been filed since 1976, that sixteen were under "serious investigation" and that a study had been completed of "40 northern and western states to uncover dilution problems." As a result, an investigation of "three northern cities" was soon to be undertaken.

IV. THE PROPOSAL

The most salient conclusions to be derived from the foregoing examination are easily summarized. First, the present avenue of judicial preclearance is totally inadequate. Second, the administrative preclearance alternative has sufficiently served the interests of neither covered jurisdictions nor minority citizens. Third, both methodological weaknesses and political vulnerabilities of the administrative remedy render the decisions of the Attorney General highly suspect from the viewpoint of covered jurisdictions and minority citizens alike. Fourth, as statistics have shown, an ever-increasing rate of submissions for preclearance can be expected in the future. This burden will remain in-

surmountable if the Department continues in its role as the only viable avenue for preclearance, a state of affairs incompatible with the expeditious, considered treatment envisioned by the formulators of the remedy. Fifth, the problem of unsubmitted changes continues unabated and the Department appears unable to devise a monitoring mechanism capable of assuring compliance with the Act. Finally, the question whether covered jurisdictions implement electoral changes despite objection from the Attorney General remains unanswered.

The Department was surely correct when, in responding to the GAO Report, it argued that too much was being expected from the Voting Rights Section and that the Act, as presently structured, "relies to a considerable extent on voluntary action by the covered jurisdictions" as well as "private lawsuits [for] effective enforcement." Indeed, such conclusions merely restate in another form a critique made by a staff attorney nearly a decade ago who, after reviewing the judicial construction given Section 5, concluded that "the Attorney General [was] playing a role in [its] enforcement . . . far beyond that originally envisioned."

Despite the serious flaws evident in this procedure, however, they in no way detract from the fundamental proposition that the social benefits generated by the preclearance requirement clearly outweigh its present inadequacies. Indeed, the mere presence of preclearance has a deterring effect on public officials who, but for its existence, would be far less concerned with avoiding discriminatory actions resulting in impediments to the effective utilization of the franchise by minorities.

It is the authors' proposal that, with the exclusion of states or political subdivisions having a de minimis percentage of minorities, Section 5 be amended to provide for nationwide application and that political units be required to bring a declaratory judgment action in local United States District Courts for preclearance of electoral alterations. The amended statute would provide that any state or political subdivision desiring to implement a voting change having a "potential for discrimination," be required, prior to such implementation, to file a complaint naming the United States as a defendant in the United States District Court for the judicial district in which the submitting jurisdiction is located. The relief sought would be identical to that currently found in Section 5 proceedings, namely, a declaration that the proposed change does not "have the purpose and will not have the effect of denying the right to vote on the basis of race or color." The burden of proof would continue to fall upon the submitting political unit.

Upon filing the complaint, appropriate notice would be required to inform interested parties other than the United States that the political unit is proposing a change within the scope of Section 5. This notice should take two forms: first, publication in local newspapers for three consecutive weeks; and second, actual service of the complaint upon interested persons or organizations who could have their names placed in a "permanent registry" to be kept in the office of each district court clerk. Any person residing within the political subdivision or any organization existing therein desiring to object to the proposed voting change would be allowed to intervene as a matter of right within sixty days after publication or receipt of the complaint.

Appended to the complaint should be that information now required by regulation issued by the Attorney General. The United States would be allowed sixty days to answer, with a tolling of the period occurring after one request for additional information. This tolling period would also apply to private parties, and any supplemental information provided to the Department would be served on those persons or organizations receiving the complaint. If the United States fails to answer, and if no person or organization intervenes within the specified period, the court would enter an uncontested judgment allowing the jurisdiction to implement the proposed change. The rendering of such judgment would not, however, preclude subsequent constitutional challenges. Obviously, the judgment could be set aside as provided in Federal Rule of Civil Procedure 60(b), in which event the action would be calendared for trial as though the allegations of the complaint had been controverted in the first instance.

Preclearance actions would be given a priority setting in the district court, with a statutory right of mandamus available to insure promptness, e.g., sixty days after the Section 5 issue is joined. Decisions adverse to the United States or intervening parties should be automatically stayed upon filing notice of appeal, with an expedited appeal granted as a matter of right. Expedited appeals should also be granted to submitting jurisdictions desiring review of adverse Section 5 decisions.

Moreover, if the defense should include constitutional counterclaims, the Section 5 portion would be separated from other issues which may be reserved for later determination. In any case, resolution of the Section 5 issue would be appealable by the aggrieved party on an expedited basis as an interlocutory order. Where the appellant or appellants are private parties, a cost-free transcript would be provided. Appellate courts should handle Section 5 appeals on a priority identical to that currently afforded criminal cases.

The authors are convinced that the proposal and suggested guidelines for its implementation would facilitate more expeditious and thoughtful resolution of the questions surrounding Section 5 changes in voting matters. In the first place, it is likely that many petitions filed under the revised procedure, absent any objection, can be disposed of summarily. In such cases, federal preclearance would be expeditously obtained, with the political unit free to implement the voting change upon reasonable notice to the public. The proposed amendments would also allow a local district court to determine all statutory and constitutional issues in one lawsuit, something that is now forbidden by Section 5. Moreover, if the latest Department of Justice compilations are empirically sound (51 objections out of 7,340 submissions in 1980), the minimal increase in caseload for the federal judicial system which this proposal would bring about is surely a small price to pay for a procedure which insures more meaningful participation by affected minorities in the electoral process.

Resolution of Section 5 conflicts would be further expedited under this proposal since the burdens heretofore placed upon the Department will be shared with those most affected by the Act, namely, minority voters. Given the broad provision for intervention of outside parties, the protection of minority interests will no longer hinge upon determinations made by "unidentifiable employees" within the office of the Attorney General. Moreover, with the United States retained as a defendant, the expertise and experience of those attorneys in the Voting Rights Section can be employed where they are most needed: in complex matters such as annexations, reapportionment and redistricting which "account for over two-thirds of . . . Section 5 objections." Finally, the provision of an automatic stay coupled with the right to an expedited appeal renders any decision adverse to the United States or intervening minority parties by a "biased forum" totally meaningless since no change can be implemented until it receives appellate approval.

An award of attorneys' fees is also critical to effective implementation of the proposal. Since "Congress depends heavily upon private citizens to enforce the fundamental rights involved," the 1975 amendments included an incentive for private parties to bring meritorious actions by allowing a court to assess a reasonable attorney's fee in such actions. This provision derives from the recognition that "[f]ee awards are a necessary means of enabling private citizens to vindicate these Federal rights." The Committee studying the proposed amendments found that "fee awards are essential if the Constitutional requirements and federal statutes . . . are to be enforced. We find that the effects of such fee awards are ancillary and incident to securing compliance with these laws, and that fee awards are an integral part of the remedies necessary to obtain such compliance."

As the Second Circuit noted:

"Attorneys' fees are awarded to recompense those who by helping to protect basic rights are thought to have served the public interest. A principal purpose of the legislation is to encourage people to seek judicial redress of unlawful discrimination.

"In short, imposition of full attorneys' fees is a useful and needed tool of the court to fully protect plaintiffs' rights as American citizens and voters. . . ."

It must be noted, however, that the attorneys' fees provision is a two-edged sword inasmuch as fees may be imposed against a private party, or his attorney, if intervention is found to be "frivolous, vexatious or brought or maintained for harassment purposes." The attorney fee provision therefore operates to make certain that frivolous litigation will be minimal while at the same time encouraging the initiation by private parties of well-founded claims of discriminatory disenfranchisement.

Finally, this proposal contemplates that the problem of noncompliance with the Act be addressed in traditionally equitable terms, thus forcing political units to realize that such failures to obey the law inevitably pose threats of dire consequences both to the political unit and its citizens. Furthermore, it would seem that this problem will diminish because of two considerations. First, as noted earlier, there is presently minimal participation by minorities in the preclearance process as currently structured by the Department of Justice. Under the proposal, a substantial measure of participation by minorities in the process should result in a "brooding presence" ever ready to raise the noncompliance issue in a readily-accessable forum. Second, familiarity with the local district court as the forum in which all disputes may be resolved by traditional means as opposed to the current alien and distant administrative remedy should enhance participation in the preclearance process.

V. CONCLUSION

The federal judiciary has historically been the guardian of the constitutional rights of all citizens. In that capacity, no more important business concerns the courts than the vital function of shielding from unlawful state action every citizen's right of franchise. It is time—indeed long past time—to invoke the full authority of federal judges throughout the United States in an effort to realize the fundamental objectives of Section 5. The process of administrative preclearance represents an unfortunate failure on the part of the Congress to utilize that segment of government traditionally vested with the duty of preserving federal rights. The time for change is now.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business, for not to exceed 5

minutes, with statements therein limited to 2 minutes each.

Mr. BAKER. Mr. President, I ask unanimous consent that the time for the transaction of routine morning business be extended until 11:45 a.m. under the same terms and conditions.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL PETROLEUM COUNCIL'S REPORT ON U.S. ARCTIC OIL AND GAS

Mr. MURKOWSKI. Mr. President, yesterday the National Petroleum Council (NPC) met to discuss and review its report entitled "U.S. Arctic Oil and Gas." The NPC then presented the report to the Secretary of Energy, per the request of that office of April 9, 1980. On that date, the Secretary of Energy requested that the NPC undergo a study of the U.S. Arctic in terms of resource assessment, available recovery technology and environmental impacts of hydrocarbon exploration. Secretary of Energy, James Edwards and Secretary of the Interior, James Watt were present this morning and praised the NPC for the results contained in their report on the Arctic.

Today I am applauding the NPC for their efforts on this much needed assessment of our Arctic energy potential. Specifically, Mr. President, I think it to be extremely significant that the NPC estimates that there are 24 billion barrels of oil and 109 trillion cubic feet of gas yet to be discovered in the U.S. Arctic. There has been further speculation by some members of the NPC that one-half of the undiscovered hydrocarbons in this country may be found in the Arctic, both onshore and offshore.

As I stated before the Senate on April 29, 1981, it is my intention to make the development of a national Arctic research policy one of my priorities in the 97th Congress. The NPC report simply reinforces the need for such a policy. The report recommends that continued private and public Arctic research is necessary and important to the national interest and should be encouraged. The NPC report also recommends that Federal and State governments should provide necessary assistance to local communities and governments in understanding and planning for the significant community development that will accompany oil and gas development in the Alaskan Arctic.

Mr. President, on July 31, 1981, I introduced S. 1652, the Arctic Research and Policy Act of 1981. The purpose of that legislation is to create mechanisms necessary to develop and implement an Arctic research policy. I have been anxiously awaiting the NPC report in light my interest in this issue. Having studied the report recommendations, I am pleased that the industry shares many of my concerns relating to energy development in the Arctic. I am looking forward to working closely with the NPC, the scientific community, and the Native community in the Arctic to make a stable and sound Federal Arctic research policy a reality.

Mr. President, I ask unanimous consent that a summary of the NPC report be printed in the RECORD at this point.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF NPC REPORT

On April 9, 1980, the National Petroleum Council (NPC), a federal advisory committee to the Secretary of Energy, was requested by the Secretary to undertake a comprehensive study of Arctic area oil and gas development.

In requesting the study, the Secretary of Energy specified that:

"The study should include: resource assessment information; an engineering economic analysis for exploration, development, and production activities; a state-of-the-art presentation on the adequacy of available recovery technology and prospects for innovative technology required by the harsh Arctic climate; an assessment of the environmental impact of Arctic oil and gas operations and of the available mitigating measures; a comprehensive review of the adequacy of the existing oil and gas transportation infrastructure and proposals for improving this situation; and a discussion of any international jurisdictional questions that may affect Arctic area development."

The complete text of the Secretary's request letter and a description of the National Petroleum Council are provided in Appendix A.

To assist in its response to the Secretary's request, the NPC established the Committee on Arctic Oil and Gas Resources under the chairmanship of Robert O. Anderson, Chairman of the Board, Atlantic Richfield Company. Jan W. Mares, Assistant Secretary for Fossil Energy, U.S. Department of Energy, served as Government Cochairman of the committee. The committee established a coordinating subcommittee and seven task groups to provide coordination and technical advice for the committee. Rosters of these study groups are included in Appendix B.

The broad membership of these groups includes representatives of both major and independent petroleum-related companies; federal, state, and local governments; the academic community; the environmental movement; organized labor; consultants; and Alaskan native organizations. As might be expected with such a diverse membership, all participants do not necessarily endorse each finding and recommendation; however, this report represents a consensus of the participants' views.

GEOGRAPHIC AREA OF THE U.S. ARCTIC

In discussions with representatives of the U.S. Department of Energy during the early stages of this study, the Arctic area referenced in the Secretary's request letter was defined as seabed and subsoil under the resource jurisdiction of the United States north of the Aleutian Islands offshore and land territory north of the Brooks Range onshore. Accordingly, the terms "U.S. Arctic" or "Alaskan Arctic" as used in this report includes the Bering Sea, a sub-Arctic region.

Due to differences in physical environment, operational requirements, and industry's expertise in the Arctic, three geographic regions, as shown in Figure 1, were defined for the purposes of this study. Region I, onshore Alaska north of the Brooks Range, is composed of the coastal plains and the foothills of the Brooks Range. Region II, the Bering Sea, includes a broad continental shelf less than 650 feet (200 meters) in water depth; however, the southwest portion of the region falls off rapidly to extreme water depths. This region is characterized by seasonal ice and severe storms. Region III, the offshore area north of the Bering Strait, includes the Beaufort and Chukchi Seas. This region also has a continental shelf that falls off gradually to 650 feet in depth and more rapidly to greater depths. The majority of this region is characterized by multi-year ice with ice ridges that may reach a thickness of 150 feet (45 meters), although the area very near the coast may be ice free for as much as three months a year.

TASK GROUPS

Seven task groups were established to provide specialized expertise for the development of this report. Experts in the areas of jurisdictional issues, resource assessment, exploration, production, transportation, environmental protection, and economics provided the data and support for this report.

The Jurisdictional Issues Task Group defined, for the purposes of this report, the territorial and seabed and subsoil limits of the United States in the Arctic area, applying principles embodied in international agreements and in the Draft Convention on the Law of the Sea. The Task Group also identified areas of state/federal dispute, native claims, and land withdrawal that may affect oil and gas operations in the Arctic.

The Resource Assessment Task Group made estimates of the conventionally recoverable undiscovered oil and gas resources in the Arctic, utilizing the expert opinions of 17 organizations or individuals that responded anonymously to the NPC Assessment of Arctic Oil and Gas Potential questionnaire. An independent public accounting firm aggregated the survey results for 20 geologic, geographic, or jurisdictional areas. Using Monte Carlo techniques, the Task Group provided resource assessments for the total Arctic area and the three regions previously described.

Petroleum operations in the Arctic were examined by three Task Groups: Exploration, and Transportation. Each of these task groups developed a comprehensive review of all factors related to Arctic operations, especially the limitations of conventional methods and the opportunities for the development of innovative techniques to be used in the Arctic. These task groups also developed cost data on Arctic operations and examined the effect of the Arctic environment on the timely development of oil and gas resources.

The Economics Task Group utilized the output from the other task groups to determine the economic attractiveness of selected areas and to calculate their economically attainable resources. In addition, the sensitivity of these results to changes in key parameters such as timing were evaluated, and total capital requirements were estimated.

The Environmental Protection Task Group examined the Physical and biological environment in which petroleum operations may occur, noted the effect these operations may have upon the environment, examined the risk avoidance and mitigation techniques that can be employed to protect the Arctic environment, and identified environmental data needs. In addition, the impact of operations upon Alaskan native populations as well as legislative and regulatory contraints to oil and gas development were studied.

The work of these seven task groups is the basis for this report and many of their findings have been incorporated into it. The working papers submitted by the individual task groups for the use of the Coordinating Subcommittee are available from the office of the National Petroleum Council. A listing and abstracts of these working papers are presented in Appendix G.

FINDINGS AND RECOMMENDATIONS

FINDINGS

It is the Committee's judgment that oil and gas production from undeveloped areas in the U.S. Arctic could make a significant contribution to the nation's future energy supply. This judgment is based on the analyses set forth in this report and on the

expertise of the study participants, and is supported by the following findings:

Substantial undiscovered oil and gas resources are believed to exist in the Arctic regions of the United States. The total potentially recoverable undiscovered oil and gas resources in the U.S. Arctic are estimated to be approximately 24 billion barrels of oil and 109 trillion cubic feet of total gas, or a total of 44 billion barrels of oil and oil-equivalent gas.

It is also estimated that there is a 1 percent probability that the total undiscovered recoverable resources in this area could exceed 99 billion barrels of oil and oil-equivalent gas; there is an estimated 99 percent probability that the total undiscovered recoverable resources will exceed approximately 13 billion barrels of oil and oil-equivalent gas. These resources constitute a significant portion of total U.S. undiscovered oil and gas. It is felt that the Arctic Slope and the Bering, Beaufort, and Chukchi Seas all contain basins with significant promise.

The basic technology is available to safely explore for, produce, and transport oil and gas in most of the U.S. Arctic. Industry experience in the North Slope area, Cook Inlet, Gulf of Alaska, Canadian Arctic, North Sea, and in other cold, hazardous, or deep-water areas provides the basis for the design, construction, and operation of systems in Arctic regions. Proven technology exists for onshore operations.

Proven technology and sufficient information and technical expertise for advanced design work is available for the industry to proceed confidently with operations in water as deep as 650 feet in the southern Bering Sea and to about 200 feet in the more severely ice-covered areas of the northern Bering, Chukchi, and Beaufort Seas. These capabilities will allow development of prospective areas in all of the northern Bering Sea, most of the southern Bering Sea, and well out into the ice-covered areas of the Chukchi and Beaufort Seas.

Long lead times are required prior to production in the Arctic because of its harsh climate, remote location, and the large scale of the projects. Depending on the location, at least 9 to 14 years will be required for planning, permitting, exploration, development drilling, design work, facility construction, and transportation system construction. These timing projections are felt to be near the minimums under improved business and regulatory conditions; even in an emergency, development could be accelerated by only a few years because of the unalterable physical obstacles.

Economic analyses indicate that it will be attractive for industry to develop U.S. Arctic oil and gas if sufficiently large resources are found to support the costly development, production, and transportation systems that are required to operate in the region. Oil and gas operations in the hostile environment of the remote Arctic regions will be much more costly than those experienced in other climates. A significant cost associated with developing large resource volumes will be the major new transportation systems, either marine or pipeline, required to move the oil and gas to the market. Based on the assumptions used in these analyses, it appears that 18 to 21 billion barrels of the 24 billion barrels of potentially recoverable undiscovered oil will be economically recoverable.

Of the 109 trillion cubic feet (TCF) of potentially recoverable natural gas and natural gas liquids, 68 TCF is non-associated and 41 TCF is associated, i.e., produced with oil from the same reservoir. Under the assumptions used in these analyses, 10 TCF of non-associated gas will be economically recoverable. At a 10 percent rate of return criterion, 22 billion barrels of oil and oil-equivalent gas are estimated to be economic. Certain key assumptions made and bases established in these economic analyses must be kept in mind in interpreting the economic findings since they have significant effects on the analyses and could yield low-side estimates.

In this study, the more complex economics of associated gas were not evaluated, nor were the economics of the incremental use of the Trans-Alaska Pipeline System or the proposed Alaska Natural Gas Transportation System considered. The volume of economically recoverable gas would likely increase substantially if existing or planned production and/or transportation systems are in place and available at the time of development, since the analysis assumes grass roots investments are required for all oil and gas production and transportation.

Some individual companies, utilizing their own internal assumptions and assessments, have considerably more optimistic estimates of economically recoverable gas. An optional portion of the NPC resource assessment survey requested participant estimates of the economically attainable resource. Limited responses suggest that 14 billion barrels of oil, 34 TCF of non-associated gas, and 20 TCF of associated gas, or a total of 24 billion barrels of oil and oil-equivalent gas, would be economically recoverable. This total is very similar to that obtained by the detailed analyses in this report.

Pre-exploratory resource assessment or economic analysis, while useful, should not be given undue weight in the decision to open a basin for leasing. Until a considerable amount of exploratory drilling is conducted in each and every basin, any assessment of potential resources or economically recoverable resources and whether the resources will be oil and/or gas must be taken as a preliminary estimate.

Several promising sedimentary basins extend across international boundaries both to the east and to the west. The boundary with the Soviet Union is defined by the Convention of 1867; no agreement exists as to the continental shelf boundary with Canada. No promising areas were identified beyond the seabed and subsoil under the resource jurisdiction of the United States as they are defined by the Draft Convention on the Law of the Sea.

Year-round oil and liquefied natural gas tanker operations to ports south of the Bering Strait are feasible and practical. In severe ice areas north of the Bering Strait, year-round tanker operations can probably be established, but the ability to maintain a continuous uninterrupted schedule is uncertain. Significant interruptions of tanker arrivals would require additional facilities if continuous production from a field is to be maintained. The cost of these facilities or the loss of revenues resulting from production cutbacks would reduce the amount of economically recoverable oil and gas in marginal areas.

Many benefits can accrue to Alaskans from the oil industry's activities in their state. Some of the income from lease sales, royalties, and taxes will provide additional support for government programs. Industry operations have provided employment, a source for emergency medical aid, and communications. Industry personnel and equipment have been used for rescue operations, and company personnel are usually active in their local communities.

Native interests exert an important influence over oil and gas development in the Arctic. Through their native-owned corporations, Alaskan natives control more than 40 million acres of land throughout Alaska that they wish to see developed in a manner that will meet their social and financial goals. Subsistence activities, particularly hunting and fishing, are of vital importance in preserving their cultural heritage and integrity. The oil and gas industry must be responsive to these interests.

Impacts from oil and gas development on the lifestyle of the Alaskan native population can be anticipated, managed, and made beneficial by improvements in communication among all parties involved and by careful long-term joint planning. It is in both the communities' and industry's best interests to develop good practical planning capabilities in order to prepare for future petroleum developments. Such planning is necessary to help alleviate citizen concern about their lifestyle and livelihood and to maximize opportunities for these citizens resulting from the development activities while avoiding adverse impacts.

The Arctic environment is important and sensitive, but impacts from the development of oil and gas resources can be minimized or avoided. The ecology in this region, both onshore and offshore, is important. Although accelerated activities in undeveloped areas will require an extension of existing information and technology, no problems are perceived that are beyond the demonstrated capability of the industry to solve. Prudent designs and methods of operation will allow oil and gas development to co-exist with commercial fisheries, recreational activities, and subsistence needs that are dependent on biological resources.

A complicated regulatory system created by federal, state, and local governments to control oil and gas activities has delayed and added to the cost of Arctic oil and gas development. This system is made more complex by overlapping jurisdictions, by limited coordination between agencies, and by the lack of a clear federal policy regarding Arctic development. There appears to be unanimous agreement by all affected parties that this regulatory system needs to be redesigned.

RECOMMENDATIONS

To assist the nation in realizing the oil and gas potential of the U.S. Arctic, the federal government should implement and maintain a clear, comprehensive policy for Arctic oil and gas development. This policy should be responsive to the national need for domestic resources, consistent with national energy policies. Expedited development of oil and gas resources and multiple use of Arctic lands, both onshore and offshore, should be an integral part of this policy, consistent with local needs and concerns. State and local governments should be encouraged to support this policy. Accordingly, the Committee makes the following specific recommendations:

A stable lease schedule offering federal Arctic lands for private exploration and development should be established, with all areas both onshore and offshore having oil and gas potential included in the schedule. Areas with the greatest potential should be scheduled for early leasing. Scheduled lease sales need not be delayed until comprehensive information on physical and biological environmental conditions is available, or until specific site information is available; such information can be developed well in advance of any significant onsite work. Adequate provisions exist under present law to allow withholdings of tracts with potentially significant environmental problems until mitigating measures are developed.

The leasing system should be made responsive to the unique conditions encountered in the development of oil and gas in the U.S. Arctic. Each lease sale should include a sufficient amount of acreage to justify necessary operating systems. Acreage offered for the first sale in a frontier area should cover all major exploration prospect features in the entire basin or area of interest so as to expedite the evaluation of prospective areas. The primary lease term for OCS leases should be at least 10 years because remote operating areas combined with hostile climate require lengthy lead time

preparations. An automatic "suspension of production" provision should become a part of leasing policy so that marginal discovered resources can be retained by the lease owner until economic transportation can be justified.

A comprehensive exploratory drilling effort extending to all areas thought to have undiscovered resources should be undertaken by industry to define the true oil and gas potential of the U.S. Arctic. Several resource assessments of the type prepared for this report have been completed by others. Additional similar analyses will not enhance real knowledge of the region's resources until the promising areas have been leased, tested by drilling, and important new data are obtained.

A specific existing agency should be designated the responsibility for expediting permitting actions in the Arctic. A common procedure should be established to ensure that both its own permits and those of other involved agencies are expedited. The most important way to accelerate and improve efficiency is to streamline and simplify the laws and regulatory processes relating to leasing and permitting. Overlapping responsibilities of regulatory agencies should be eliminated. Such changes would allow government to be more pragmatic in its decision making. Statutes and procedures that unnecessarily delay operations or are not applicable to the Arctic should be modified or eliminated. Deadlines should be set for procedural requirements and for approvals. Such initiatives should be aimed at expediting energy development while fully responding to substantive environmental and socio-economic needs.

Government agencies with legislated responsibilities for conducting operations in support of exploration, production, and transportation activities in the Arctic should be organized and staffed to meet in a timely manner those responsibilities. Some of these responsibilities include search and rescue, oil spill surveillance, weather and ice forecasting, structure accreditation, vessel inspection, preparation of environmental impact statements, and surface and air navigational aids.

Continued private and public Arctic research is important to the national interest and should be encouraged and supported where necessary. Research and development in Arctic technology for operations in hostile environments will lead to evolutionary improvements in operating systems. Efforts to enhance knowledge of ice conditions, ice properties, and ice forces should be stressed. Biological research and monitoring should be continued. Federally funded research programs should focus on collection and characterization of fundamental data and testing programs of broad issue. Timely and rapid dissemination of information obtained by government agencies should be required.

The federal and state governments should provide necessary assistance to local communities and governments in understanding and planning for the community development that will evolve with oil and gas development. Particular attention should be given to determining the most efficient means of funding comprehensive and continuous planning efforts.

Sources of funding should be identified for government and community programs and activities related to development of oil and gas in the U.S. Arctic. Both lease sales and production royalties provide substantial sources of funds directly attributable to oil and gas industry activities. A portion of these direct revenues could be used to ensure that appropriate governmental support is provided. Stability of funding is required for effective execution of these programs.

More detailed findings and recommendations can be found in the chapters of this report.

Arctic oil and gas exploration began in Alaska with the U.S. Geological Survey's (USGS) surface work in 1901. In 1904, oil seeps were found on what is now the National Petroleum Reserve-Alaska (NPRA). This 23.6-million-acre area was designated the Naval Petroleum Reserve Number 4 (NPR–4) by Executive Order in 1923, and some geological mapping occurred shortly thereafter. From 1944 until 1953, the Navy, in conjunction with civilian drilling contractors, conducted an extensive geological mapping and exploratory drilling program on the NPR–4. Renewed government exploration in the NPRA was undertaken in the 1970s. Commercial quantities of oil and gas were not found.

During 1949 and 1950, in an effort to develop a natural gas fuel supply for the Navy's Barrow Camp, several test wells were drilled in the vicinity. These South Barrow wells were the first development wells drilled and completed in the U.S. Arctic. They furnished proof that hydrocarbons could be produced in the Arctic region.

In 1968, the Prudhoe Bay oil field was discovered east of the NPRA. After this field was discovered, two alternate transportation options were considered: tanker movement through the Northwest Passage, and pipelining across Alaska to an ice-free port. The pipeline option was chosen on the basis of reliability, and pipe was ordered. The design called for a 48-inch-diameter line with a potential capacity of 2 million barrels per day, initially equipped to deliver 1.2 million barrels per day across an 800-mile route from Prudhoe Bay to an ice-free terminal in Valdez, Alaska.

Opposition to the pipeline by environmentalists and disputes over land ownership led to a series of legislative, environmental, and judicial hearings that delayed the start of construction for five years. Construction of the Trans-Alaska Pipeline System (TAPS) began in April 1974, and the pipeline was completed and went into service in mid-1977. Upon completion of TAPS, the field was placed on continuous production.

During the early 1970s an extensive research and development program was carried out by industry to solve the many problems associated with oil operations in the Arctic. The success of these programs is attested to by the fact that some 350 wells have been completed, and oil is being produced and transported at a rate of 1.5 million barrels per day. A total of approximately 2 billion barrels of oil have been moved to market as of the end of 1981. A second, smaller field, Kuparuk, is now being developed, and production is expected to commence in 1982.

Development of the Prudhoe Bay field and construction of TAPS and the Valdez terminal were conducted under the most rigorous design and quality control specifications ever imposed upon onshore petroleum operations. Successful operation of this system has been achieved and it represents a model for future land pipelines and terminals.

RESOURCES

An evaluation of the potential oil and gas resources in the sedimentary basins of the U.S. Arctic was made based on a review of published information, USGS data, and a survey of the study participants. It was established that as of August 1980, 16.5 billion barrels of recoverable oil and oil-equivalent gas had been discovered on the North Slope of Alaska. Of this total, 10.2 billion barrels are oil and 35.4 trillion cubic feet (TCF) are gas. An additional 44 billion barrels of undiscovered recoverable oil and oil-equivalent gas resources are expected to be present in the Arctic. Of these total undiscovered resources, it was estimated that 24 billion barrels will occur as oil, and the remainder will consit osf 109 TCF of gas and natural gas liquids. Of this gas total, 68 TCF are expected to occur as non-associated gas and 41 TCF should be associated with oil production.

Although there are at least 10 highly prospective areas, the largest resources are estimated to occur in the Beaufort Shelf and the Navarin Basin Shelf. It was also concluded that there is a 1 percent chance that the total quantity of undiscovered recoverable oil and oil-equivalent gas could exceed 99 billion barrels, and a 99 percent chance that it could exceed 13 billion barrels. These undiscovered resources may constitute as much as 40 percent of the total undiscovered recoverable oil and gas resources remaining within U.S. jurisdiction.

Basins appearing to have a low potential should not be ignored. Additional basic geological information could cause significant revisions, either upward or downward, in the estimates. Confirmation of these estimates can be achieved only by extensive leasing and exploratory drilling.

TECHNOLOGY

Large-scale Alaskan North Slope operations and extensive experience in the Cook Inlet, the Canadian Arctic, and the North Sea have demonstrated that, with an economic incentive, the petroleum industry can rapidly develop sufficient technology to safely conduct exploration, design and operate production facilities, and provide transportation in cold, remote, and ice-covered regions, both onshore and offshore. The fundamental techniques of exploration, production, and transportation in Arctic regions are not significantly different than those used elsewhere. The novel problem is the design and operation of systems that can cope with severe sea ice.

Continuing research, development, and engineering programs will provide basic information and technology for successful site-specific designs. Technological advances that have the greatest economic potential relate to improving the ability to operate exploration, drilling, production, and transportation systems efficiently during all seasons. This requires coping with low temperatures, poor visibility, storm waves in the Bering Sea, and particularly, the extreme sea ice conditions in the Chukchi and Beaufort Seas.

Exploration technology in the Arctic requires that the usual geological techniques be modified to accommodate weather and specific environmental concerns, but no unique methods are needed or employed. The same is true for geophysical work, although seasonal considerations more generally control the use of heavy geophysical equipment on the tundra and affect the accessibility of offshore areas containing sea ice. The drilling of an exploratory well in the Arctic differs from drilling in other climates in that special techniques have been developed for drilling safely in permafrost areas.

Offshore drilling sites must be located in areas free of sea ice or must have a platform or island as a drilling base able to withstand the moving pack ice. Remote locations make logistical support of operations very difficult. These considerations lead to substantially higher costs than those encountered in less hostile regions. Most of the future geological and geophysical technology that will improve exploration will not be Arctic-specific but will be applicable in all areas.

Production technology for Arctic regions requires similar considerations of weather, and climate, especially in the design, construction, and installation of production

facilities under adverse conditions. Installations and operations must be designed for permafrost, both onshore and in some offshore locations. Offshore structures for drilling, production, storage, and loading that will successfully resist sea ice are a major requirement. It should be possible to develop safe designs for offshore production islands or platforms within the time period required to lease, explore, and delineate a major oil or gas field.

Additional information on sea ice and its associated problems is being obtained through research programs. These research programs should be continued, as they are needed to compel novel designs and will lead to more cost-efficient operations. Modular construction in temperate climates with transportation of large modules to the sites is a proven method of reducing construction costs.

Transportation technology for oil in Arctic regions has been successfully developed for onshore pipelines, as demonstrated by TAPS. Marine transportation has not reached the same level of development. Appropriate tankers and icebreakers can be designed to provide year-round reliable operations to ports south of the Bering Strait handling either crude oil or liquefied natural gas. Marine vessel operations north of the Bering Strait appear less reliable, and there is a need for more icebreaker experience in this area before tankers are considered an attractive transportation system. Marine pipeline operations in the Arctic should be similar to operations in the North Sea and Cook Inlet, but will be more difficult and demanding because weather and logistics are more severe. As in the case of exploration and production, extended knowledge of the characteristics, conditions, and dynamics of sea ice is needed to optimize and ensure reliability in Arctic marine operations.

ECONOMICS

Limited economic evaluations of the Arctic oil and gas resources were made based on assessments of potential resources, costs, and schedules for operations developed in this study. These evaluations demonstrate that large reserves are required to support the high cost of oil and gas field development and associated transportation systems. When transportation systems can be shared by producing areas, significantly improved economics are obtained.

The economic resource base was calculated by combining the reserve evaluations with the resource assessments. Estimates of the capital investment required for exploration, production, and transportation facilities were developed and the sensitivity of the economics to various factors were evaluated.

In evaluation of the oil resources, the economic resource base analysis showed that when applying a 10 percent return as an investment criterion and deleting presently infeasible areas, the total risked mean assessment was reduced from 24 billion barrels to 21 billion barrels. At a 15 percent return it was reduced to 18 billion barrels of economically recoverable oil. The analysis indicates little opportunity for a 20 percent rate of return to be achieved. These results assume that grass roots investments are required for all oil production and transportation and that no incremental use of the TAPS line would be possible at the time of development.

Evaluation of non-associated gas resources showed that when applying a 10 percent return criterion, the risked mean assessment of 68 TCF of potentially recoverable non-associated gas is reduced to 10 TCF of economically recoverable gas. In no case was a 15 percent rate of return shown to be achieved. No evaluation was made of the more complex economics of producing associated gas, which could improve the prospects of gas development. Gas transportation from the North Slope was evaluated only on the basis of transporting LNG by tanker from different ports. No case comparable to the proposed Alaska Natural Gas Transportation System (ANGTS) was developed, nor were evaluations of the economics of the incremental use of the ANGTS line developed. Use of this system could substantially increase the economically recoverable gas.

Although considerable variation was shown in the economics for different areas, the uncertainties inherent in estimating all factors in frontier basins, especially the undiscovered resource base, suggest that none of the prospective basins should be excluded from early leasing and exploration.

IMPACTS

While benefits of oil and gas operations have been demonstrated, it is inevitable that substantial oil and gas development in the U.S. Arctic regions will have some impact on rural Alaskan populations and on the surrounding environment. The experience of the petroleum industry in recent years demonstrates that such impacts can be managed in a beneficial manner with minimal adverse effects on the environment.

The Arctic area contains about 45,000 inhabitants located in six regional centers and about 60 small villages. This population is distributed over thousands of square miles along the northern and northwestern coasts of Alaska from the Alaskan/Canadian border through the Aleutian Islands. Because oil and gas development is likely to occur only at a few specific points, many of the native villages will not directly experience the impact of development.

In the few communities that would be directly affected, expansion will occur in community structure, shoreline resources, local labor markets, and housing. Employment and business opportunities will evolve that could benefit those who choose to participate. In order to maximize these opportunities and minimize any adverse impacts, it is necessary to develop adequate long-term planning and good industry/native relationships.

Environmental impacts can be minimized or avoided in the Arctic by operating practices that have been and continue to be developed by the oil and gas industry in their operations throughout the world, particularly at Prudhoe Bay, the TAPS corridor, the Cook Inlet, the North Sea, and the Canadian Arctic. The Arctic environment is both fragile and biologically important; however, the risk of significant disturbance can be minimized. Accelerated activities in new geographic areas will require an extension of existing technology. However, no problems are perceived that are beyond the projected capability of the industry. As discoveries of oil and gas are made, additional site-specific data will be developed, and research, development, and information gathering will continue. With this information and a continuing commitment to good practices by industry, environmental impacts should be negligible and oil and gas development can proceed safely and successfully in the Arctic.

REGULATION

Both the leasing of prospective areas and the permitting of operations in the Arctic are under government control. A multitude of statutes, regulations, and policies have been developed at federal, state, and borough levels, resulting in an elaborate series of regulatory constraints that have increased costs and delayed all aspects of oil and gas development. A major impediment to Arctic development would be removed if these policies and procedures were simplified and expedited.

The aggressive leasing program undertaken by the State of Alaska has made the present Prudhoe Bay development possible. Most of the rest of the area onshore is under federal control and has been closed to development for many years. A limited program to open a portion of the NPRA is under way, but most of the highly prospective North Slope area under federal jurisdiction is still unavailable for exploration activity. The offshore leasing schedule as of July 1981 does not offer some of the most promising areas until 1984 or later. Acceleration and simplification of leasing for these areas would allow oil and gas development to proceed more effectively.

The complicated regulatory system that has been imposed on the industry needs a complete redesign with the permitting and leasing agencies operating under a clear federal policy to expedite Arctic development. Revisions in statutes, regulations, and policies at all levels of government are necessary to accomplish such a simplification. Specific recommendations for such revisions are made in this report.

THE NATIONAL KNIFE MUSEUM

Mr. BAKER. Mr. President, I would like to take this opportunity today to recognize the National Knife Museum which opened this year in Chattanooga, Tenn.

The National Knife Collectors Association is proud that the museum opened its doors free of debt, a shining example of free enterprise at work. Because of its location in historic Chattanooga, the museum will become a major attraction.

Although I am not a knife collector, I understand from a well-known authority that knife collecting is quite an enjoyable hobby. That authority is President Ronald Reagan, who has an extensive knife collection.

Mr. President, I commend the National Knife Collectors Association for their enthusiasm and dedication to their avocation.

MAXIMUM ALLOWABLE RATES FOR USE OF PRIVATELY OWNED AUTOMOBILES

Mr. MATHIAS. Mr. President, I wish to announce that as of December 6, 1981, the maximum allowable rate for use of privately owned automobiles is 20 cents per mile instead of the current 22½ cents per mile. I ask unanimous consent that a copy of a letter I have sent to all senatorial offices explaining this order be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE COMMITTEE ON
RULES AND ADMINISTRATION,
Washington, D.C., December 3, 1981.

DEAR SENATOR: This is to inform you that the Administrator of General Services has, under the provisions of Section 5707 of title 5, of the United States Code, issued regulations which have decreased the maximum allowable rate for use of privately owned automobiles from 22½ cents per mile to 20 cents per mile for all travel on and after December 6, 1981.

Under the authority vested in this Committee by subsection 1 (n) (1) 8 of rule XXV of the Standing Rules of the Senate and by section 68 of title 2, United States Code, the above decreased rate is hereby made effective for Senate travelers for all travel on or after December 6, 1981.

Please note that the rates for use of privately owned motorcycles and privately owned airplanes will continue to remain at 20 cents per mile and 45 cents per mile respectively.

Your attention is also called to the fact

that, as in the past, the above rates are the maximum allowable rates and that it is the responsibility of each Senator and Chairman to set such rates as will most nearly compensate the traveler for necessary expenses.

Sincerely,

CHARLES McC. MATHIAS, Jr.,
Chairman.

HUNGER STRIKE OF ANDREI SAKHAROV AND YELENA BONNER

Mr. MOYNIHAN. Mr. President, Andrei Sakharov and his wife, Yelena Bonner, have today entered the 13th day of their hunger strike in support of the right of Yelizaveta Alekseyeva to emigrate from the Soviet Union to join her Russian-born husband in the United States. As one expected would be the case, they remain steadfast in their commitment to do everything possible, to give all they have, to the cause of liberty, the right to emigrate, the freedom to love and marry as one wishes.

Today's New York Times informs us about the isolation, the loneliness and the relentless intimidation the Sakharovs have experienced since their banishment to the city of Gorki last year, and which has led now to the hunger strike as an ultimate protest.

The Wall Street Journal also comments today, in an editorial, on the hunger strike by Dr. Sakharov and Miss Bonner, and makes the point that the Sakharovs' protest "involves an almost purely private matter."

It is, of course, a private matter whether a 26-year-old woman may marry a young man of her choosing. That is precisely why the issue is of such monumental public import—because the Soviet system does not permit private lives. That is the fundamental meaning of totalitarianism. It does not permit one's thoughts to be one's own, does not allow people to live where they want or do as they wish, except at the pleasure of the State.

Now we learn, our attention drawn to the fact by Dr. Sakharov's heroic action, that the Soviets will not allow a marriage between two young people who love each other because the stepfather of the young man has challenged, and embarrassed, the State.

The significance of this vile persecution, at this time, cannot be overstated. For we are witnessing not merely further harassment of the family of Andrei Sakharov, an historic champion of human rights and civil liberties, but a demonstration of just how lightly the Government of the Soviet Union regards its own formal international commitments and treaty obligations.

That the Soviet Union should engage in such flagrant and outrageous violation of the spirit and the letter of the 1975 Helsinki accords, which guarantee the rights of people in Eastern Europe to emigrate freely and communicate across borders, at the very moment the Soviet Union is sitting down with the United States at Geneva to negotiate about strategic arms reductions in Europe, leads one to question just how seriously they will treat any agreement that may result from these talks.

Why would the Soviets abide by an agreement to dismantle nuclear missiles, if they cannot fulfill a commitment to allow their own people to travel, to communicate, to emigrate?

Mr. President, I am pleased to note that the Department of State is acting precisely in accordance with the expressed wishes of the Senate with respect to the Soviet harassment of Dr. Sakharov. Senators of course recall the unanimous adoption, on November 24, of a resolution associating the Congress "fully and completely with the hunger strike protest by Andrei Sakharov." Yesterday's New York Times reports that the Department is "angrily protesting" the treatment of Dr. Sakharov, and that Under Secretary Walter Stoessel has personally brought the Senate resolution to the attention of Soviet officials.

I ask that there appear in the RECORD at this point the articles to which I have referred.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Dec. 4, 1981]

FOR ISOLATED SAKHAROVS, 12TH DAY OF FAST

(By John F. Burns)

Moscow, December 3.—After a decade together at the heart of the human rights struggle in the Soviet Union, Andrei D. Sakharov and Yelena G. Bonner have grown accustomed to the isolation and intimidation that descend on those confronting the system.

But the distinguished physicist and his wife have never been as alone as they are now, sequestered in a drab apartment in the sealed city of Gorky, far from their families, with no telephone, staking their lives on a challenge that could end tragically if neither they nor their Kremlin adversaries concede.

TAKING ONLY MINERAL WATER

This morning, the couple entered the 12th day of a hunger strike. With only mineral water to sustain them, they are acting in support of a 26-year-old Moscow woman, Yelizaveta Alekseyeva, who has been barred from emigrating to join Alexey Semyonov, a 25-year-old student at Brandeis University in Boston.

Mr. Semyonov, who is Miss Bonner's son by a previous marriage, emigrated from the Soviet Union four years ago and was married to Miss Alekseyeva in the United States by proxy. The Sakharovs regard her as a victim of a vendetta by the state security police, the K.G.B.

In a telegram to Leonid I. Brezhnev, the Soviet leader, Dr. Sakharov said on the eve of his fast that his action had been forced on him by the separation of Miss Alekseyeva and his son-in-law, "the cause of which is I think their close relationship with me."

From other messages, and from conversations the physicist has had with the few friends and relatives he is permitted to see in his administrative exile in Gorky, it seems plain that his motives go beyond emigration for Miss Alekseyeva, to the core of his own struggle for dignity and justice under Soviet law.

Miss Alekseyeva comforts herself with the thought that Dr. Sakharov could not have been dissuaded. A slim woman of Oriental features—her father, a retired lieutenant colonel, is a Buryat Mongol—she was able to visit the physicist earlier this year in Gorky, the Volga River city that has been his place of exile since early 1980.

Since the fast began, she has gone to the local post office here each day by pre-arrangement to dispatch a telegram to the Sakharovs. She prepays for the response, allowing them to keep their vow not to leave their Gorky apartment as long as the fast continues.

For a few days, the system worked. But since Nov. 25, Miss Alekseyeva has learned from friends in Gorky, her telegrams have not gone through. Two days ago, by slipping a message to a friend, the Sakharovs were able to get word through that they were "holding on cheerfully." The telegram produced a bubble of hope, but the feeling that the couple might have embarked on a road with no return soon asserted itself.

"In the broadest sense, this is a struggle for human rights and legality, not just for my right to leave," Miss Alekseyeva told a group of visitors, including two American diplomats who have been visiting her daily at Miss Bonner's apartment here since the fast began.

"For two years now, Andrei Dmitriyevich has been trying to resolve his problems without resorting to extreme measures," Miss Alekseyeva continued, using his first name and patronomic, Russian-style. "He has written twice to Brezhnev and several times to the Academy of Sciences; he has appealed to friends abroad, and he has demanded a proper trial."

She paused, glancing around the apartment, its shelves and display cases crammed with the books and mementos that the Sakharovs chose to leave.

"But you know," Miss Alekseyeva said, picking up her thoughts, "none of this has changed anything, and he feels now that he has exhausted the possibilities. For him, a hunger strike is the only logical step left."

BANISHED SINCE JANUARY 1980

Dr. Sakharov's exile came without warning on Jan. 22, 1980, when security agents stopped his car on a Moscow street, hauled him off to the airport and flew him to Gorky. The action was taken without recourse to the courts, which have the power to banish.

At the same time, he was stripped of his awards, which include the Stalin Prize and the distinction of a threefold title of Hero of Socialist Labor, all given for his nuclear weapons research.

Now 60 years of age, with a weak heart, he faces the prospect of living out his life in a city that offers little to the taste of one of the most celebrated scientists the Soviet Union has produced. Worse, his routine in the Shcherbinki district in Gorky, six miles from the city center in a new housing project overlooking a busy highway, is punctuated by the harassment of K.G.B. agents.

Although the Soviet press said at the time of his banishment that Gorky, a metropolis of 1.4 million people, had been chosen out of "humane considerations" as a place where he could pursue his research, the doors of the city's academic institutes and defense research establishments that could have employed his talents remain closed.

WORKING ON NATURE OF UNIVERSE

He pursues his inquiries into the nature of the universe in the four-room apartment assigned to him, with nothing to fall back on but the books his wife brought from Moscow.

By order of the Presidium of the Supreme Soviet, the nominal legislative arm of the Government, the physicist is being watched around the clock, with a guard at a desk outside his apartment and a police post nearby.

Only a handful of visitors are allowed, two of them Gorky residents, and they are subjected to searches. Visiting other residents of the city has become impossible, since any contact with the couple invites trouble with the police. Even shopping or walking in the park are difficult because the security police make a habit of entering the apartment while the couple are out and searching through their belongings.

The attentions of the K.G.B. are pervasive. Agents on foot or in unmarked cars follow the couple wherever they go, keeping an eye on Miss Bonner when she exercises her freedom to travel to Moscow. On one occasion, when the physicist went to the station to see his wife and his 80-year-old mother-in-law board a train, an agent drew a gun and motioned him away from the car.

RADIO A LIFELINE TO OUTSIDE WORLD

The couple's lifeline to the world outside, as for many Russians, is their short-wave radio. This proved a limited asset when they encountered an electrical interference inside the apartment, making it difficult and sometimes impossible to pick up broadcasts.

In one of his early messages to foreign reporters here, Dr. Sakharov compared his circumstances in Gorky to being in a "gilded cage." But from his own descriptions, and from those of his visitors, the analogy applies only if the Sakharovs' life in Gorky is compared with what they would have encountered if they had been tried, convicted and banished to a remoter region.

Even in Gorky, exile seems calculated to induce strains. After years of living in secret weapons research centers, constantly followed by bodyguards, Dr. Sakharov might be better prepared to deal with the anxieties than others. But some clue to the effect can be taken from interviews in his early days as an activist, when he cited the pleasures of being back in Moscow, amid colleagues, family and friends.

[From the New York Times, Dec. 3, 1981]

WASHINGTON TALK

The State Department is quietly and angrily protesting the treatment of Andrei D. Sakharov, the dissident Soviet physicist and Nobel Prize winner who is on a hunger strike in the industrial city of Gorky. Mr. Sakharov, who started his protest on Nov. 22, is pressing the Soviet Government to allow the woman who married his stepson by proxy to join her husband, who is a graduate student at Brandeis University.

Last Friday night, Walter Stoessel, the Under Secretary of State for Political Affairs, called in the Soviet minister-counselor, Alexander A. Bessmertnykh, and "took him to task" over the treatment of the ailing Dr. Sakharov, according to a State Department official. Mr. Stoessel also sought to present a copy of the unanimously approved Senate resolution expressing strong support for Dr. Sakharov and protesting Soviet "harassment and persecution" of the 60-year-old scientist, Mr. Bessmertnykh declined to take the copy.

In sponsoring the Senate resolution, Daniel P. Moynihan said of the Russians: "What are we to think of their real intentions at the arms talks in Geneva if they allow Sakharov to die rather than give an exit visa to a girl in her 20's?" He added: "This would also put a stop to scientific exchanges. I can't imagine any self-respecting American scientist setting foot on Soviet soil if the Soviets allow Sakharov to die."

[From the Wall Street Journal, Dec. 4, 1981]

THE SAKHAROVS' HUNGER STRIKE

Andrei Sakharov and his wife, Yelena Bonner, are said to be holding up well in the second week of a hunger strike that has worried and possibly puzzled his many admirers. Dr. Sakharov distinguished himself first in the Soviet Union's nuclear weapons development and then in its fledgling human rights movement. His call for international peace and domestic justice brought him the Nobel Peace Prize. He has been called one of the greatest moral figures in the long tradition of Russian intelligentsia. It must be some truly cosmic concern, one might think, that has driven him to threaten his health with such an extreme gesture. But no, his protest involves an almost purely private matter.

Dr. and Mrs. Sakharov are fasting because the Soviet government refuses to allow his stepson's wife, Yelizaveta (Liza) Alexseyeva, to emigrate. Liza was betrothed to Yelena Bonner's son Alexei Semyonov, when he left the Soviet Union three and a half years ago for Brandeis University; they were married last summer by proxy under the laws of Montana. These two people in their twenties have become pawns in the Soviet campaign against its most illustrious dissident.

Dr. Sakharov's response shows a great deal about his special character. Unlike many of history's titans, his concern for humanity hasn't deadened his love for human individuals. His friends marvel at his "great heart" for the suffering of strangers, but even more at his concern for those nearest to him. The case of Liza may be especially urgent because he feels himself responsible for her problems.

His conduct in this case shows why other dissidents hold him in such awe. It also casts a sharp light on the nearly universal careerism and opportunism of Soviet life. Sakharov's reputation for decency has spread so widely in the Soviet Union that the regime scarcely dares to strike him down directly. The government instead has imposed an internal exile unsanctioned by its own courts and countless indirect harassments such as the treatment of Liza Alexseyeva. According to the Sakharovs, the KGB is even spreading gossip that the hunger strike is Yelena Bonner's way of doing in her husband. The wonder of this protest is not only that the Sakharovs are acting with such simple morality but that their government is being so petty.

(Later the following occurred:)

Mr. MOYNIHAN. Mr. President, the Associated Press reports from Moscow today that Soviet authorities have hospitalized hunger-striking Nobel Peace Prize winner Andrei Sakharov and his wife, Yelena Bonner. This is according to today's edition of the government newspaper Izvestia.

Earlier today I made a statement and placed in the RECORD a series of reports from Moscow about the Sakharovs' hunger strike, which was on November 24, the occasion of the unanimous adoption of a resolution by the Senate calling on the Soviet authorities to desist from the villainous behavior which had prompted the strike.

This has not happened; they have not ceased their persecution of Andrei Sakharov and his family. Indeed, they have now escalated the harassment by removing Sakharov and his wife from their home.

All the Sakharovs have asked is that a young woman be given an exit visa as is the presumed right of any Soviet citizen under the Helsinki accords. They did not do so. They have not done so.

They have now taken this Nobel Peace Prize winner and his wife to a government hospital. What is happening there we cannot know. We can only fear the worst.

As I said earlier today if the situation does not improve the Soviet authorities will have demonstrated clearly they do not understand what would be the inevitable consequences in their relations with the West, in negotiations with the United States, in their ties to the scientific community in the United States and the West if Sakharov should die or if Miss Bonner should die.

Clearly they cannot understand the consequence of relations with this body if a unanimously adopted resolution is so easily dismissed. The Soviet minister who came to the Department of State on Friday night a week ago did not even accept a copy of our resolution. He claimed to know of the matter and not to need one.

I remind the Senate that, of all his many achievements in various fields, Sakharov has said he is most proud of the test ban treaty of 1965. What more ominous event could occur at the outset of the new round of strategic arms negotiations than for the man who personifies cooperation between the United States and the Soviet Union in nuclear arms matters to be forced to a hunger strike and taken to a government hospital. It will inevitably affect those negotiations.

We wish Andrei Sakharov and Yelena Bonner well. We admire their courage. We hope theirs is not a doomed effort.

I shall now read in the RECORD the Associated Press article to which I have referred:

Moscow (AP)—Soviet authorities have hospitalized hunger-striking Nobel Peace Prize winner Andrei Sakharov and his wife, the government newspaper Izvestia reported today.

It said the two were taken to the hospital "to prevent any complication in their state of health."

An earlier telegram from the Sakharovs had said the fast was aggravating Sakharov's heart ailment, and friends had warned that the hunger strike could end in Sakharov's death.

Sakharov, 60, and his wife began their hunger strike Nov. 22 in the city of Gorky, where Sakharov was exiled in January 1980 for criticizing Soviet Government policies.

The hunger strike was designed to protest the refusal of Soviet authorities to allow Liza Alexseyeva to emigrate to the United States. She was married by proxy last year to Mrs. Sakharov's son by a previous marriage.

On Thursday, a family friend was barred from traveling to Gorky to visit the Sakharovs.

Sources said the friend, Maria Petrenko-Podyapolskaya, was first told at the train station that no tickets were available for the 240-mile journey to Gorky, then told it was "not necessary to go there."

She was one of 10 Soviet dissidents and Jewish activists who signed a petition this week calling on scientists around the world to appeal to their governments to support Sakharov.

The Sakharovs were last heard from Tuesday. A telegram received from them then said: "We're not bad. We keep our spirits up. We keep to the regimen."

Earlier this week, informed sources said another of Sakharov's friends was detained by plainclothes police outside the Gorky apartment building where the fast had been going on.

Mr. BAKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TOWER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1982

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of the pending business, H.R. 4995, which will be stated by title.

The legislative clerk read as follows:

A bill (H.R. 4995) making appropriations for the Department of Defense for the fiscal year 1982, and for other purposes.

The Senate resumed consideration of the bill.

the PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, it is my understanding that the Senator from Texas has an amendment that we can consider at this point. I would like to have it laid down and then make certain that my conclusion is correct, as far as the Senator from Mississippi is concerned.

Mr. METZENBAUM. I am sorry, Mr. President, but I could not hear the Senator from Alaska.

Mr. STEVENS. I ask that the Chair recognize the Senator from Texas so he can lay down his amendment and then we will await the arrival of the Senator from Mississippi.

Mr. METZENBAUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. METZENBAUM. Mr. President, I object and demand recognition.

UP AMENDMENT NO. 750

(Purpose: To permit multi-year contracts for weapons systems with termination liabilities which do not exceed $100 million)

Mr. TOWER. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

Mr. METZENBAUM. Mr. President, I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. METZENBAUM. Is the Senator from Ohio correct that one Member on the floor may not yield to another Member for any such purpose?

The PRESIDING OFFICER. The Senator from Ohio is certainly correct. The Chair recognized the Senator from Alaska. Following that, the Chair recognized the Senator from Texas for the purpose of offering an amendment. The Senator from Texas was on his feet before the Senator from Ohio.

Mr. METZENBAUM. I have no objection to the Senator from Texas being recognized independently. It is my understanding that the Senator from Alaska was yielding the floor to the Senator from Texas.

The PRESIDING OFFICER. That is not what——

Mr. STEVENS. Mr. President, I merely said I suggested that the Chair recognize the Senator from Texas for the purpose of getting his amendment down so we could await the arrival of the Senator from Mississippi. That is all I said. I did not yield; I merely suggested.

Mr. METZENBAUM. May I make an inquiry of the manager of the bill?

Mr. STEVENS. I will be happy for the Senator to make inquiry.

The PRESIDING OFFICER. The Senator from Texas has the floor.

Mr. TOWER. Mr. President, I do not yield the floor at this time.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Texas (Mr. TOWER) proposes an unprinted amendment numbered 750.

Mr. TOWER. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 63, line 9, delete the period and insert the following in lieu thereof: "unless the cancellation ceiling for such contracts is $100 million or less."

Mr. TOWER. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally to both sides.

Mr. METZENBAUM. Objection.

Mr. STEVENS. There is no time limitation.

The PRESIDING OFFICER. There is no time limitation.

Mr. TOWER. I am sorry. I thought there was a time limitation.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MATHIAS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. HAWKINS). Without objection, it is so ordered.

Mr. MATHIAS. Madam President, a parliamentary inquiry. What is the pending business?

The PRESIDING OFFICER. The amendment by the Senator from Texas.

Mr. MATHIAS. I ask unanimous consent that the pending amendment be temporarily laid aside, so that I may call up my amendment which is at the desk, and that when I have completed action on that amendment, the pending amendment then be the pending business.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT NO. 649

Mr. MATHIAS. Madam President, I call up my amendment which is at the desk.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Maryland (Mr. MATHIAS) proposes an amendment numbered 649:

On page 28 after line 11 add: "None of the funds appropriated by this Act shall be made available for the Sea Launched Cruise Missile Program.".

Mr. MATHIAS. Madam President, I send to the desk an amendment to my amendment, in the nature of a technical amendment, deleting the words "Sea-Launched Cruise Missile Program," and substituting in lieu thereof the words "Sea-launched Nuclear Tomahawk Land Attack Missile."

The PRESIDING OFFICER. The Senator has the right to modify his amendment. Does the Senator wish to modify the amendment?

Mr. MATHIAS. Yes, I modify my amendment.

The PRESIDING OFFICER. The amendment is so modified.

The modified amendment is as follows:

On page 28 after line 11 add: "None of the funds appropriated by this Act shall be made available for the Sea-Launched Nuclear Tomahawk Land Attack Missile.

Mr. MATHIAS. Madam President, one feature of President Reagan's stategic nuclear program announced on October 2 has not received either sufficient public or sufficient congressional attention: The decision to "deploy several hundred nuclear armed sea-launched cruise missiles on general purpose submarines beginning in 1984."

This decision has literally been eclipsed by other features of the President's package. But the negative implications of this deployment for arms control and for our long range national security have not been discussed. It is an omission which could come back to haunt us in the years ahead. It is perhaps an omission which we can do just a little to rectify today.

Rear Adm. William A. Williams III, in testimony prepared for the Senate Foreign Relations Committee on October 30, said that these sea-launched cruise missiles, or SLCM's, would "provide additional survivable nuclear forces for the strategic reserve force." He went on to say that "the latter role could be pivotal in the post war balance and struggle for recovery."

I will not dwell on what this last statement might mean with respect to Reagan administration plans for nuclear warfighting, though it does seem to suggest that the administration believes that somehow one side or the other can come out ahead in a postnuclear war situation.

I do want to make the point that we have already deployed thousands of highly survivable nuclear warheads on our ballistic submarines. With the Trident program, we will be adding in the 1980's to our capabilities in this area.

I do not believe that the administration has made a convincing military case for its SLCM decision. Indeed, it has made almost no case at all. But most importantly, the administration has given little indication that it has weighed the very clear arms control drawbacks to this SLCM deployment de-

cision against the rather tentative military advantages of going ahead.

Arms control depends on the ability of each side to verify with a high degree of confidence the number and capabilities of the weapons being limited by any agreement. In both SALT I and SALT II, the United States pressed for provisions intended to safeguard our ability to monitor Soviet compliance with treaty provisions through our own independent means, including satellite surveillance.

Verification has always been more our problem than that of the Soviets. Our open society and public debate permits the outside observer to know with a good deal of confidence what our weapons deployments consist of. The Soviet Union, on the other hand, is not so forthcoming.

Cruise missiles by their very nature create verification problems. They are relatively small and easily transportable. It is impossible to verify by national technical means, such as satellite surveillance, their range or whether they are conventionally or nuclear armed.

SALT II addressed the verification problem with respect to air-launched cruise missiles in a way acceptable to both sides. Ground-launched cruise missiles are on the negotiating table in Geneva at this moment. But the SLCM problem remains, and it is a serious one.

We will shortly begin placing several hundred nuclear-armed, long-range, land-attack cruise missiles on attack submarines and on surface ships. Once they are in place, it will be impossible for the Soviet Union to determine by national technical means which submarine or which ship is armed with the SLCM's. All or submarines and all our ships will become potential nuclear launch platforms in Soviet eyes. This situation may temporarily be militarily attractive for us, but the benefits could be fleeting.

At present, the Soviet Union lags behind the United States in cruise missile technology. Their cruise missiles are crude in comparison to ours. However, we have found too often in the past that our lead in a given weapons technology can be erased by Soviet gains in the same area.

Once Soviet technology has progressed to the point where they can duplicate our relatively small cruise missiles, we could have a serious problem. The day may not be too far off when we will have to consider every Soviet fishing trawler operating off the Great Banks as potentially nuclear armed.

Clearly if both sides were to engage in a massive deployment of long-range, nuclear-armed cruise missiles at sea, then President Reagan's search for an arms control agreement incorporating deep verifiable cuts in nuclear arsenals would become a practical impossibility. There would be little possibility of verifying with any confidence the nuclear arsenals of the other side.

I believe that the Reagan administration, in its search for readily available solutions to our perceived strategic nuclear inferiorities, has not yet considered the arms control implications of this particular decision. As is too often the case on major decisions, the unintended effects of the decision may prove to be more significant than those contemplated by the decisionmaker at the moment the decision was taken.

I believe, however, that the President still has an opportunity to call on the Soviet Union to join us in mutually controlling this new technology before significant deployments, difficult to retract, are undertaken.

In 1969, then Senator Brooke of Massachusetts made a determined effort to get us to negotiate with the Soviet Union to halt the MIRVing of ballistic missiles. His call went unheeded. We had a technological advantage over the Soviets that we were determined to exploit. But that technological advantage was shortlived. It lasted only for a brief span of time.

Now that advantage is gone and our land-based forces are vulnerable to the Soviet MIRVed ICBM's. That is the origin of the famous window of vulnerability.

So let us not repeat the same error with sea-launched cruise missiles, and let us at least make a conscious effort to see whether control is possible.

Mr. STEVENS. Madam President, I hope that the Senator would not pursue this amendment. He has raised once again a voice of reason on the floor of the Senate dealing with an important strategic weapon that is in our arsenal. The strategic arms reduction talks, the START talks are commencing.

I am certain that the Senator realizes that our current plans for the use of the cruise missiles do not violate any arms control agreement and that although the SALT II protocol would have permitted these weapons to be used to a range of 600 kilometers, that would have expired on December 31 of this year, and would not have had any impact on the surface-launch cruise missiles that might be deployed as the Senator mentions.

The Tomahawk money is here in the bill. The administration is dedicated to a full-scale discussion with the Soviets on the weaponry involved. That certainly is within the scope, as I understand it, of the talks that are going on, and I hope that the message that the Senator from Maryland has given the Senate and has sent to the administration will be heeded, and this is one of the weapons that will be considered in the arms control negotiations. But we would not want to unilaterally make that decision here. I hope the Senator will not want to see that happen either.

Mr. MATHIAS. I, of course, appreciate what the distinguished chairman of the Defense Subcommittee of the Appropriations Committee is saying. I am as sensitive as he is to the need for maintaining our strategic weapons at an adequate level.

It is a fact, of course, that as a matter of law the arms control implications of a new weapons development must be assessed by the Arms Control and Disarmament Agency.

These particular weapons being strategic in character would ultimately be the subject I presume, as the Senator says, of a new SALT negotiation or a START negotiation, or whatever name it may be given. But we are not up to the table on strategic arms negotiations yet. I think that is why it is so important for us to go very carefully here.

If this were money for deployment I might feel more urgent than I do now since we are talking only about research and development.

Will the chairman of the Defense Subcommittee assure the Senate that he will make sure that the law is complied with and that the arms control implications of this new weapon system will be fully explored before we get too far down the—I started to say too far down the road, but maybe since we are talking about a naval weapon before we are too far into the water?

Mr. STEVENS. I say to my friend that I think that the administration's strategic modernization program does envision the ultimate deployment of sea-launch cruise missiles in the future if they are not the subject of the arms control agreement.

As I indicated the arms control agreement that was previously negotiated but not ratified would have covered cruise missiles to the extent that they exceeded 600 kilometers but even that provision would expire on December 31 of this year and it would have no impact on the plans that were in effect then to deal with the use of these surface launch cruise missiles from the water.

Mr. MATHIAS. What the Senator said is absolutely right and I agree with him. That is why I think we need to have this moment of caution right now, and all I am asking the Senator is his assurance that the law will be complied with and that the arms control implications will be studied and that that study will be made available to Congress.

Mr. STEVENS. I can assure the Senator that that is our goal, which is to see to it that that law is complied with and that we do have the results of the studies.

I also assure the Senator, however, that it is my understanding that the administration's strategic modernization program is for the purpose of demonstrating our resolve to restore and modernize our defense forces in the event the arms control negotiations do not bring about meaningful mutual reductions in strategic arms, and, as I understand, missiles of this type would be subject to that negotiation.

Mr. MATHIAS. I have no problem with that. All I want to be sure is, when we look at the array of weapons which we want to deploy in order to maintain our strategic position, that we be able to choose those that are best suited for that purpose and those which do not have unintended consequences as the MIRVing decision did 12 years ago.

Mr. STEVENS. The Senator raises a very valid point.

I think that the Senator from Texas, as the chairman of the Armed Services Committee, may wish to make some comment concerning compliance with the existing law, but it is my understanding from the testimony that we had before the subcommittee the Secretary has stated that it is the intention of the ad-

ministration to proceed with the procurement and the ultimate deployment of these sea-launched cruise missiles; that is, of course, subject to the negotiations that will take place in the interim.

Mr. TOWER. If the Senator will yield, let me say to the Senator from Maryland that we always have and will continue to give careful consideration to the arms control implications of any weapon system we set for authorization. That is our policy and will continue to be our policy.

Mr. MATHIAS. I appreciate that assurance from the distinguished chairman of the Armed Services Committee, and that is the reassurance I was seeking. I think it is particularly important in this case, and I did not mean to imply there would be any deviation from the standard policy of the committee and of the administration. But I do believe that this is a watershed decision that requires extra care.

Mr. HART. Madam President, will the Senator from Maryland yield briefly?

Mr. MATHIAS. I am happy to yield to the Senator from Colorado.

Mr. HART. Madam President, I wish to add a word of support to the issue that the Senator from Maryland has raised in two regards.

The Senator from Colorado is a strong advocate of cruise missile technology whether launched from the air, land, or sea. I think it is both a tactical and strategic weapon of the future.

In terms of strategic concerns I, frankly, favor the air-launched cruise missile over the manned penetration bomber. I have supported that in the past. On the other hand, as a strong supporter of the SALT II treaty and the SALT process, I think the Senator is to be commended for raising a serious concern here.

The reason this Senator and others have urged the administration to get on with or to continue the negotiating process is I think partly contained in the Senator's concern here—that technology is beginning to outrun our ability to negotiate limits on it. While on the one hand we believe our strategic forces must be modernized, on the other hand it is the policy of this Government, this administration, to seek limitations on strategic systems. That is going to be harder in the 1980's than it was in the 1970's. In the 1970's it was harder than it was in the 1960's primarily because of increased weapons sophistication, guidance systems, and all the rest of it.

I think all that says to us in the Senate is that we have to do better. We have to think harder and more clearly about arms control implications of these new weapons and how to, on the one hand, modernize and, on the other hand, seek viable limitations.

So I identify myself with the concerns of the Senator from Maryland and I share them.

● Mr. DURENBERGER. Madam President, the strategic arms package announced by President Reagan last October was greeted with the applause and support it deserves. The President's decision to cancel the so-called racetrack basing system which had been devised by the Carter administration for our MX missiles saved us from huge budget outlays, massive arms control problems, and the possibility of major environmental damage. The decision to build a modified version of the B–1 bomber—a decision which has been ratified by this body—will provide us with a risk-free modernization of our strategic Triad. And the attention which has been paid to our command, control, Communications, and intelligence (C3I) systems is perhaps the most vital element of the overall package, for as the GAO recently noted, it is these systems which are most in need of improvement and modernization.

It is perhaps understandable that amidst so much attention to so many bold and sensible decisions, the President's decision to deploy nuclear-armed cruise missiles aboard our fleet of attack submarines received relatively little comment. This is an important decision with potentially vast consequences, yet there has been virtually no discussion about it here in the Senate.

As a recently completed book by the Brookings Institution makes clear, we have not yet thought through the military and arms control consequences of cruise missiles. This is particularly true with the nuclear land-attack Tomahawk cruise missile. It makes considerable sense to deploy antiship cruise missiles with conventional warheads. The air-launched cruise missile has become a vital component of our bomber modernization programs. But the decision to employ nuclear land-attack cruise missiles aboard our attack submarines must raise some questions.

As my colleagues know, the chief function of our attack submarines is to conduct antisubmarine warfare. Related missions include reconnaissance, convoy escort, and antishipping duties. The attack submarines are stretched thin, but they are absolutely vital to our naval strength. They can make up for the heavy mission load which we impose on them only by flexibility and freedom of maneuver. Anything which would potentially degrade their existing missions must be examined closely.

In the short term, each nuclear-armed cruise missile placed aboard an attack submarine displaces a conventional weapon, such as a torpedo. Down the road, of course, there are plans to supplement the torpedo tubes of our attack submarines with vertical launching tubes for the cruise missiles. Nonetheless, there is a potential constraint on the weapons capacity of our attack submarines if we decide to deploy land-attack cruise missiles aboard them.

More importantly, however, once nuclear-armed cruise missiles are deployed aboard these boats, they become part of our single integrated operations plan (SIOP)—the command and control system which governs our nuclear forces. A necessary element of the SIOP is regular and ongoing communications between our forces and the National Command Authority. We have accounted for this with our strategic nuclear submarines. But we have not yet accounted for it without attack submarines. If they are forced to remain in regular contact with the National Command Authority, they lose freedom of maneuver and they risk detection by antisubmarine forces. In other words, integration into the SIOP could seriously degrade the effectiveness of our attack submarines.

Finally, of course, we are proposing to deploy nuclear-armed cruise missiles which are relatively limited in range. This means that if they are to be released, the submarines which fire them will be forced to move closer to the shoreline. Yet the entire thrust of our fleet ballistic missile modernization program has been to extend, not to diminish, the range of our nuclear weapons.

For instance, the C–4 missile, commonly known as the Trident I, has a substantially greater range than the C–3 Poseidon missile. This will permit the submarine which deploys it to operate farther away from Soviet territory, vastly increasing its survivability. And survivability will increase once again when the D–5 Trident II missile comes into the fleet. These programs make considerable sense, for they stabilize the nuclear balance. But I must question a nuclear arms program which runs entirely contrary to the logic of our SLBM modernization programs, as the sea-launched cruise missile program would do.

If there are substantial military or operational grounds on which to question the nuclear-armed land attack missiles, there are equally substantial arms control grounds. We are all familiar, of course, with the difficulties of verification raised by dual purpose weapons. While it bears notice that the Soviets have deployed nuclear-armed cruise missiles aboard their submarines for many years. this does not necessarily mean that we should seek a comparable capability. When we do so undercuts the primary military function of our attack submarines and further complicates verification problems.

But the chief arms control problem raised by these weapons relates to our so-called theater nuclear forces. The NATO alliance has established a clear policy aimed at ending the threat posed by Soviet intermediate range missiles such as the SS–20, the SS–4 and the SS–5. That policy, announced in December 1979, requires a two-track approach. First, the alliance will proceed with plans for the deployment of comparable missiles, the extended range Pershing II and the ground launched cruise missile. Second, we will seek arms control talks. This decision was both ratified and given further life by the President's recent statement concerning the so-called zero option. His statement and our negotiations deserve the support of all peace loving people.

Fundamental to this policy, however, is the credibility of our intentions to go ahead, if necessary, with the deployment of land-based missiles. The key word here is land-based, for it is only in this mode that the alliance and the Soviets alike can be assured of our willingness to maintain a spectrum of deterrence.

The deployment of cruise missile configured for a nuclear land-attack mission, however, provides a tempting escape valve for those who would wish to

evade their responsibilities under the 1979 NATO decision. This has always been the fear of those connected with the theater nuclear force modernization decision, and it led Gen. Bernard Rogers, our commander in Europe, to express his grave concerns about the cruise missile decision. We cannot afford an escape valve, for it will undercut both the solidarity of the alliance and the prospects for successful negotiations.

Madam President, I have only briefly touched upon some of the potential problems raised by a decision to go ahead with this deployment. And I have not even discussed the questions we must consider regarding the utility of a so-called "strategic reserve." What possible purpose can several hundred more nuclear weapons serve as a "reserve?" Why should not our efforts go more toward the modernization of our severely-strained general purpose forces, rather than toward creating reserves of nuclear weapons?

As I say, I have touched only briefly on these questions. I fervently hope that this will not be the last time we raise this important policy issue. And I strongly commend my colleague from Maryland, Mr. MATHIAS, for raising it now—in this important setting.●

Mr. MATHIAS. I thank the Senator from Colorado for his remarks and for his understanding and comprehension of this very difficult and complex question.

Madam President, in the light of the assurances which the Senator from Alaska, the manager of the bill, has given and the assurances that the Senator from Texas, the chairman of the Armed Services Committee, has given that the arms control implications will be studied and that in particular the verification aspect will get proper attention. And further, in view of the fact that the funds we are discussing are not for deployment, but rather for research and development, with which I am essentially sympathetic, I will now withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. STEVENS. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STEVENS. That brings before the Senate the Tower amendment, does it not?

The PRESIDING OFFICER. The Senator is correct.

UP AMENDMENT NO. 750

Mr. STEVENS. Madam President, I am authorized to state to the Senator from Texes that the Senator from Mississippi joins me in recognizing this as a technical amendment to the multiple year contracting provision and we are prepared to accept it on the basis of this statement.

Mr. TOWER. I thank the Senator from Alaska.

Madam President, section 909 of the fiscal year 1982 Department of Defense Authorization Act, which was passed by the Congress several weeks ago, permits the Department of Defense to enter into multiyear contracts for weapons systems provided that the Department of Defense determines:

First. That the use of such contracts will promote the national security of the United States and will result in reduced total costs under the contract;

Second. That the minimum need for the property to be purchased is expected to remain substantially unchanged during the contemplated contract in terms of production rate, procurement rate, and total quantity;

Third. That there is a reasonable expectation that throughout the contemplated contract period the Department of Defense will request funding for the contract at the level required to avoid contract cancellation;

Fourth. That there is a stable design for the property to be acquired and that the technical risks associated with such property are not excessive; and

Fifth. That the estimates of both the cost of the contract and the anticipated cost avoidance through the use of a multiyear contract are realistic.

Madam President, the Senate and the House Armed Services Committees are looking for meaningful and innovative ways to achieve savings in the procurement of very costly weapons systems. This multiyear contracting provision may well be the most significant step that Congress has taken in recent years to achieve savings by procuring property at a more efficient and thus a more economic production rate. Keep in mind that this multiyear contracting concept may only be used for the procurement of programs which have demonstrated technical and cost stability; it cannot be used by the Department of Defense to bind Congress to a procurement of weapons systems which are not technologically mature, and which have not demonstrated cost stability.

Section 769 of this Defense appropriations bill provides that "no part of any appropriation contained in this act will be available to initiate multiyear procurement on contracts for major weapons systems except as specifically provided herein." For many years, the Department of Defense was authorized to enter multiyear contracts provided the cancellation ceiling of such contracts did not exceed $5 million. The effect of the provision contained in this Defense appropriation bill, however, would restrict the authority that the Department of Defense has had for many years to enter into certain multiyear contracts at a time when Congress is attempting to expand the use of multiyear contracts to, first, achieve sizable savings through more efficient production rates; second, provide stability to our defense industrial base; and third, acquire weapons systems in a more timely manner.

My amendment simply makes the provision contained in the Defense appropriations bill consistent with the provision contained in the fiscal year 1982 Department of Defense Authorization Act. For these multiyear contracts containing cancellation ceilings in excess of $100 million, the Department of Defense would have to satisfy each of the criteria which I previously discussed and, in addition, would be required to give a 30-day prior notice to the Senate and House Armed Services Committees as well as the Senate and House Appropriations Committees.

Madam President, again I want to make it clear that this amendment does nothing more than make the provision reflected in this Defense appropriations bill consistent with that provided in the Defense Authorization Act, fiscal year 1982. I, therefore, urge my colleagues to simply reaffirm the endorsement to the multiyear contracting concept that they gave several weeks ago when they voted in favor of the fiscal year 1982 Defense authorization bill.

Let me simply make reference to section 769 of the Defense appropriations bill which provides that:

No part of any appropriations contained in this act will be available to initiate multiyear procurement on contracts and major weapons systems except as specifically provided herein.

My amendment simply makes the provision contained in the appropriations bill consistent with the provisions contained in the fiscal year 1982 Department of Defense Authorization Act.

I will make it clear that it does no more than that and makes it consistent with a provision in the authorization act that this body has already endorsed by a vote of some 90 to 1.

I have discussed the matter with Senator STENNIS myself and I am told it is acceptable.

Mr. STEVENS. We accept the statement to that effect. This makes it consistent with the authorization bill, and I ask for the adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas.

The amendment (UP No. 750) was agreed to.

Mr. TOWER. Madam President, I move to reconsider the vote by which the the amendment was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 650

(Purpose: To express the sense of the Senate with respect to a program for the elderly in the eighties)

Mr. METZENBAUM. Madam President, I call up my amendment pending at the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Ohio (Mr. METZENBAUM) proposes an amendment numbered 650.

Mr. METZENBAUM. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the bill insert the following:

It is the sense of the Senate that the Congress give priority attention to all official recommendations of the White House Conference on Aging in achieving the goal of establishing a far-reaching program for present and future generations of older Americans, including recommendations to—

(1) safeguard current eligibility condi-

tions, retirement ages, and benefit levels in the social security program;

(2) broaden opportunities for older workers to remain active voluntarily in the labor force;

(3) assure older individuals an income sufficient to maintain a minimum level of dignity and comfort;

(4) ensure that all Americans have access to adequate health care;

(5) take interim steps to improve health care for older individuals;

(6) make available an adequate number of federally assisted housing units to meet the needs of the elderly;

(7) complete comprehensive service delivery systems for older individuals at the community level; and

(8) strengthen the Federal commitment to gerontological research, education, and training.

Mr. METZENBAUM. Madam President, this amendment is offered on behalf of myself, Senator ROBERT C. BYRD, Senators PELL, RIEGLE, EAGLETON, DODD, RANDOLPH, BURDICK, FORD, KENNEDY, MELCHER, SASSER, BAUCUS, MOYNIHAN, BRADLEY, DIXON, MITCHELL, LEVIN, HEINZ, COHEN, HATFIELD, TSONGAS, BIDEN, HAWKINS, and PRYOR. In addition, I ask unanimous consent that Senator WILLIAMS be made a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. METZENBAUM. Madam President, this amendment is supported by the Leadership Council of the White House Conference on Aging which consists of the following organizations:

American Association of Homes for the Aging,

Association Nacional por Personas Mayores,

Association for Gerontology in Higher Education,

Concerned Seniors for Better Governments,

Gray Panthers,

Legal Research and Services for the Elderly,

National Association of Area Agencies on Aging,

National Association of Mature People,

National Association of Meals Programs,

National Association of Nutrition and Aging Services Programs,

National Association of Retired Federal Employees,

National Pacific Asian Resources Center on Aging,

National Retired Teachers Association,

American Association of Retired Persons,

National Senior Citizens Law Center,

Older Women's League,

Retired Members Department/United Auto Workers,

Social Security Department/AFL-CIO,

Urban Elderly Coalition,

Western Gerontological Society,

National Association of State Units on Aging,

National Caucus and Center on Black Aged,

National Council on the Aging,

National Council of Senior Citizens, and

National Indian Council on Aging.

Having said, Madam President, it is obvious this is an amendment which has widespread support. It is, in effect, a sense-of-the-Senate resolution offered as an amendment to the pending bill.

The argument will be raised and will be made of why would you offer such an amendment to the defense appropriations bill? I can think of no more logical reason, and I think it is a perfect answer, to say that when we are spending a week on the floor of the U.S. Senate passing a bill that provides $208.5 billion for defense purposes, an amount that is $37 billion higher than the aggregate in the 1981 bill, an amount that is $7 billion over, almost $8 billion over, the budget request of the President of the United States, who could claim that we ought to be so indifferent to the concerns of the senior citizens, that we could be inhumane and have that lack of compassion, that we could not find the time to indicate that the Senate also has a concern for the aged citizens of this country who have made our growth and our strength so possible?

This is our way of saying that "We have not forgotten, we are aware of what you have been doing down the street at the White House Conference on Aging." We are saying that those who participated in that conference should be commended for their efforts despite that which the press has reported to have been many obstacles put in their way, despite the efforts of some to politicize the process at the White House Conference on Aging. We here in the Senate on a bipartisan basis are saying in this amendment, "We care, we are concerned, we feel, we know of your problems, and we share the concern that you have for those problems."

The argument has been made, and I was not there and I cannot prove it, but the argument has been made that this was an effort to politicize the elderly in the conference. What we are saying here is not anything more than, "We, the Members of the United States Senate, do feel that what has been going on down the street is a matter of concern to all persons, the Senate, the House, and that we will address ourselves to the issues as they came out of that conference."

The conference approved hundreds of recommendations. This resolution highlights eight. It highlights eight because it is those eight that need priority attention, and we will be saying that we want to give that priority attention to the actions of the conference, and particularly to those eight which are somewhat all-encompassing.

Now, the fact is that previous conferences of the White House on aging have been responsible for major vital legislation for the elderly. Some of that legislation which has been effective is medicare which came out of the 1961 conference, medicare which provided health care to millions of older Americans, and out of that same 1961 conference, 20 years ago, Federal and State programs for the elderly such as social services, senior centers, and counseling programs. So much of what they recommended 20 years ago has now become the law of the land and accepted as a part of our everyday life.

Then, 10 years later, the 1971 conference came to the conclusion that the mandatory retirement age should be raised from 65 to 70 so that older Americans could continue to use their expertise and their experience for the benefit of our society, and Congress has reacted with respect to that subject and has acted favorably.

The 1971 conference recognized that senior citizens have a problem of being fed, that they get hungary, that they are not able to get food for themselves, and so they addressed themselves to nutritional programs such as home-delivered meals, Meals-on-Wheels, making it possible for the poorest of the elderly to receive the basic nutritional requirements to sustain life.

What we are saying here is in this bill with $208.5 billion, a bill that in all likelihood the Senator from Ohio will support, we also did not fail to indicate our concern about what was going on down the street.

The Senator from Ohio is not unrealistic about the efforts that some will make with respect to this pending amendment. There are many motions that can be made. You can make a motion to table my amendment or our amendment. You can raise the issue of germaneness, you can move to refer the matter to committee, you can move, perhaps make some other different kinds of motions.

But whatever the motion may be there will be a rollcall vote on it and the rollcall will be saying in effect, "If you want to express your point of view, if you want to indicate your concern, if you have some feeling for those who have been meeting down the street, then this is the way to do it, and you will vote against laying it on the table or whatever the motion may be."

The vote will say, "This is our expression, this is our statement. You may win a vote, but the fact is this is the opportunity that we give you to say that you care, to say that you are concerned."

So I will not belabor the point. I will not speak at great length because the issue is clear. Will we or will we not in the U.S. Senate make a statement, indicate a concern, indicate that we are prepared to act and to do something about all the actions that have been taken down the street this week, and that is all the issue is.

It does not deal with some of the hard-knock substantive questions that may be involved as these issues progress through the Senate or the House. It deals with the general approach to the problems that face these senior citizens of this country. Either you are with the senior citizens in indicating concern or you are against them, and that is what the vote will indicate.

Madam President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is not a sufficient second.

Mr. METZENBAUM. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Madam President, I ask for the yeas and nays on the pending amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

THE ELDERLY IN THE EIGHTIES

Mr. ROBERT C. BYRD. Madam President, today I am pleased to join in cosponsoring the pending measure which has been offered by Mr. METZENBAUM.

Madam President, the 4-day, once-in-a-decade, White House Conference on Aging has drawn to a close. The Congress authorized this conference with the mission to develop "a comprehensive, coherent national policy on aging together with recommendations to implement the policy."

The 1981 meeting carried with it a past tradition of being a nonpartisan meeting to develop recommendations on issues affecting and impacting elderly Americans. The last two conferences have had important results which have affirmed our national character and commitment in meeting the needs of our aging population.

The 1961 conference paved the way for enactment of medicare. Passage of the Older Americans Act sprang from the recommendations of the 1971 conference.

This year, however, the spirit and tradition of the conference has been somewhat marred by delegate discontent under a heavy shadow of White House politics. There have been unsettling decisions in the hiring and firing of conference committee staff. The conference has had three executive directors, including one Republican who lasted only 2 months in the job.

In the fall, the Republican National Committee polled conference delegates on their views of the administration's budget cuts in social security retirement benefits, medicare, nutrition funding for the elderly, and housing assistance for the aging, as well as the President's general handling of the economy.

Unexpectedly, the administration moved to appoint 400 new delegates to the conference. A significant number of these delegates were placed in what many consider key committee positions. As an extra measure, Secretary Schweiker exercised strong and final say over conference rules. Those final rules greatly limited opportunity for debate and dissent.

The 1981 meeting has taken place somewhat in a vacuum. We know that the President asked, more than 2 months ago, that a Presidential commission be formed to study social security financing issues. The administration has yet to let us know what such a commission will be: Who will serve and under what conditions the commission will meet. After the conference delegates return to their homes, away from Washington, I expect that we will begin hearing the details of this commission.

When the President signed his Federal budget-cutting bill into law last August, he cut medicare costs and raised elderly Americans' personal health care bills. In recent months, we have heard consistently that the August medicare "reforms" were just the tip of the iceberg, and that more entitlement reform legislation is expected to reduce the size of the Federal budget. The legislation will reportedly include proposals to further reduce the cost and size of the medicare program.

It is unfortunate that we do not have any details of these proposals and we did not have them prior to the conference on aging, because delegates to the meeting voted, many times over, to expand medicare coverage and protection.

Conference delegates sought to assure retirement income security for all Americans. They sought to insure better job opportunities for older workers. The delegates were committed to improved health care protection for older Americans and access to adequate medical care for all Americans.

The resolution offered by the Senator from Ohio (Mr. METZENBAUM), cosponsored by myself and others, simply expresses support of the Senate for general principles endorsed by many conference delegates. I commend these delegates for their spirit and dedication in pursuing the discussion of national goals at the conference. I urge all Senators to vote for the pending resolution.

Mr. DODD. Madam President, I believe the Senate should act affirmatively on this amendment endorsing an eight-point national program for older Americans to serve as a basis for substantive legislation during this decade.

Madam President, this eight-point program was drafted by the leadership council of aging organizations and approved by the vast majority of delegates to the White House Conference on Aging which ended yesterday. It covers major areas of concern to older Americans including social security, jobs, annual incomes, health care, housing, community services, and aging research.

By sending us their plan for legislation, our senior citizens have once again demonstrated expert leadership. As I have stated many times before, my senior constituents in Connecticut have never failed to provide me with good ideas about ways to solve the problems facing them. The same has been true on a national level with respect to the White House Conference on Aging. White House aging conference delegates in 1961 helped Congress begin to formulate plans for medicare. In the same manner, those in 1971 suggested ways for Congress to improve the social security system by establishing supplemental security income.

By calling upon us to establish a national program for older Americans in the 1980's, the White House aging conference delegates remind us of two important facts. First, senior citizens tend to be poorer, on average, than other Americans. Second, they tend to rely more heavily than younger Americans on Government social service and income-maintenance programs.

Madam President, I do not have to remind my colleagues of the reasons why older Americans deserve the assistance of their Government in obtaining adequate health care, job opportunities, nutrition, and housing. Our senior citizens have worked all their lives to help make the United States the great Nation it is today. They helped establish the very hospitals, factories, farms, community nutrition and service centers, schools and housing projects we so often take for granted.

Older Americans not only deserve our assistance because of what they have contributed to this country in the past, Madam President, but also because of what they can contribute in the present and the future. We need the help of all our citizens, both younger and older, in solving the many problems which face us today. Thus, if we fail to do all in our power to enable older Americans to participate as full, productive members of our society, we not only cheat them but we also cheat ourselves.

We hear a great deal these days about cutting out waste and mismanagement in Government. Yet I can think of no greater mismanagement than wasting the talent of our senior citizens by failing to provide them with access to jobs and necessary support services.

Madam President, anthropologist Margaret Mead, once said that "the best way to live is in three-generation communities where * * * young and old can share in each other's diversity, both living close to the past and close to the future." I urge my colleagues to adopt this amendment as a means of bringing us closer to such a community life in th's country.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. DOLE. Madam President, I read the resolution offered by the distinguished Senator from Ohio, Senator METZENBAUM, and just addressed by the distinguished minority leader, Senator BYRD.

As one committee chairman who has a major responsibility to review many of the 600 recommendations made by the White House Conference on Aging, which terminated, as everyone knows, yesterday noon—it seems to me that by singling out one, two, or in this case eight areas for priority consideration by Congress, we could very well do a disservice to the other 592 recommendations.

Even though I understand these eight would in effect cover everything that the White House conference may have considered in a general way, it just seems to this Senator that, in addition to not being well-timed, it catches many of us who have the responsibility for legislative follow-through a bit off guard in the sense that we have not had a chance to focus on the 600 recommendations. This Senator is not even certain the 600 recommendations are available for us to review. We might want to address all 600.

I do know one recommendation this Senator would not include in any review, and that would be general funding of social security. That was one of the areas of great debate at the White House Conference on Aging.

As I said in a statement a couple of days ago, as far as this Senator knows there is no support for that in the Senate Finance Committee—maybe 1 or 2 members out of 20. There is very little support for that in the House Ways and Means Committee, which is controlled by members of the Democratic Party. However, that still became the big issue of the whole White House Conference on Aging. One way to destroy the social security system is to start funding it with general revenues, for a number of good reasons and finally for the reason that we do not have any general revenues.

This is why we just went over a $1 trillion debt a couple of weeks ago. This is why we are trying to cut spending up and down the line in Government and to get a handle on some of the problems we have, because we have been overspending for the last 20 years.

However, this Senator would indicate that all of us commend the delegates who participated in the White House Conference on Aging. All of us are aware of some of the charges made that there was an effort to "stack" the White House conference. I think the facts are that there was an effort to balance the White House conference. I think it was pretty well stacked to start with, with organized labor and with Carterites left over from the previous administration. Still, there was an effort to balance the White House Conference on Aging. Unfortunately, the media focused on the negative aspects, and most of their time was spent showing somebody who was dissatisfied with what was going on in the conference.

There were a number of outstanding people at the conference, and they should be congratulated for their significant contributions. Many held different views. Some came from organized labor; some came from business; some came from agriculture; and some were housewives. In the opinion of this Senator, they performed a great service.

So rather than to attempt to just single out four, five, six, seven, or eight areas, I will offer a substitute for the amendment by the distinguished Senator from Ohio, on behalf of Senator HEINZ, Senator HAWKINS, Senator COHEN, Senator DANFORTH, Senator MATTINGLY, and maybe others as we progress here, which would commend all the delegates and commend the President and Secretary Schweiker and all the observers who participated in the White House Conference on Aging. It was a very important event.

We would also indicate that it is the sense of the Senate that the appropriate committees of Congress, including the Special Committee on Aging, should give their early and careful consideration to the more than 600 recommendations of the conference—and I say "more than 600" in the event there might be 610 or 620. We should somehow make certain that we address the concerns of every delegate who offered a resolution, of every delegate who offered a recommendation, and not try to single out four, five, six, seven, or just the eight in the Senator's resolution, which may be broad in scope. It would seem to this Senator that the substitute which I will offer at the appropriate time will cover, in addition to what the Senator from Ohio suggests, every recommendation. We should address every recommendation. Whether we agree with it, or reject it, or approve it, we ought to give careful consideration to everything that happened during the White House Conference on Aging.

Mr. LONG. Will the Senator yield?

Mr. DOLE. I yield.

Mr. LONG. Madam President, I commend the chairman of the committee for making that suggestion. I ask unanimous consent that my name be added as a cosponsor to the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. Madam President, I think the only fair thing to do is to see that all these various suggestions be considered—especially the whole 600 that were theoretically approved when this was agreed to. All those people who came before the conference to make their suggestions and who got their proposals put in from their committee ought to have an opportunity to come before the various committees, be witnesses before the committee that has jurisdiction, and explain their point of view. Obviously, we cannot do all these different things—some we might be able to do, and some we might not be able to do.

But the way I read the report of the White House conference, they had just one vote. Of course, that was controversial, too. But there were so many different provisions. I think if that conference had done justice to all those 600 recommendations themselves, they would have put us to shame, while we talk about just staying past midnight with our business. They would have been around the clock for a week to try to discuss it if the whole conference was to consider all 600 recommendations that are contained in what they were supposed to have voted on.

So it is very appropriate. That is why we have committees, so that a committee can look at all these different recommendations and suggestions and see which ones are worthy of enactment or worthy of recommending to a legislative body and those that should not be recommended. Because, obviously, we cannot do all of those things.

I agree with the Senator that among the various suggestions that are not in the Metzenbaum amendment, as it stands at this moment, there might be some extremely meritorious proposals that would claim an even higher priority than some of those that are suggested by the Senator.

So I think that we ought to have time to know what we are doing and we ought to proceed on the theory that our funds are not unlimited. Because, as much as I would like to, we do not have enough money to do as much for all the fine elderly people in this country as we would like to do.

We cannot do as much in the way of health benefits, we cannot do as much in the way of disability benefits, we cannot do as much with cash benefits as we would like to do for the elderly citizens of America. So we have to do the best we can.

It is only when one studies this thing at considerable length and with some good advice that can be had from people in all walks of life—in labor, in business, among the elderly, the minorities, and all of those—that we can get the best advice to the Senate.

I agree with the chairman of the committee and I support his position.

Mr. DOLE. I appreciate the remarks of the distinguished Senator from Louisiana who, I might add, as a member or chairman of the Senate Finance Committee, has probably initiated more constructive programs for senior citizens than anyone who has ever served in this body.

I think he is exactly correct.

Madam President, we had delegates from my State who made recommendations. I am sure that the recommendations are in the group of eight. I would not want to slight anyone from Kansas who came all the way back East and participated for 4 days in a White House conference by voting for a resolution that may have ignored their work. These may all have been from Ohio. The Senator from Kansas is not aware of where they originated.

The Senator from Kansas attended a reception sponsored by my colleague, Senator KASSEBAUM, for the 48 Kansas delegates. They were from different parties, different backgrounds, different vocations, different professions, different occupations, but they are concerned about the same issues—the future of medicare, the social security system, and 100 other things.

UP AMENDMENT NO. 751

Madam President, it would seem to me that the amendment I will now send to the desk in the nature of a substitute would make certain that we do not overlook or omit the efforts of anyone who may have attended the conference, including the Secretary of HHS, including the President of the United States, who attended the conference, made a speech, and received an outstanding reception from all the delegates. We should include every delegate and every observer who attended any function.

Madam President, I ask for the immediate consideration of the substitute.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Kansas (Mr. DOLE), for himself, Mr. LONG, Mr. HEINZ, Mrs. HAWKINS, Mr. COHEN, Mr. DANFORTH, Mr. MATTINGLY, Mr. COCHRAN, Mrs. KASSEBAUM, and Mr. JEPSEN proposes an unprinted amendment numbered 751 in the nature of a substitute to amendment numbered 650:

In lieu of the language proposed to be included by the Amendment, insert the following:

It is the sense of the Senate that Congress should commend the more than 3,500 delegates and observers to the 1981 White House Conference on Aging, as well as the President and the Secretary of Health and Human Services, for the important contribution they have made to establishing goals and priorities for improving the well-being of older Americans.

It is further the sense of the Senate that the appropriate committees of Congress, including the Special Committee on Aging,

should give early and careful consideration to the more than 600 recommendations of the Conference.

(By unanimous consent names of the following Senators were also added as cosponsors: Mr. PRESSLER, Mr. ROTH, Mr. GORTON, Mr. CHAFEE, Mrs. KASSEBAUM, Mr. KASTEN, Mr. JEPSEN, Mr. GRASSLEY, Mr. PERCY, Mr. HATCH, and Mr. HATFIELD.)

Mr. DOLE. Madam President, I present the following remarks also in support of the amendment in the nature of a substitute.

There has been a very significant happening here in Washington this week—the White House Conference on Aging has been taking place and the conferees have completed action on over 600 recommendations of 14 conference committees. For some time, we have been looking forward to this conference and the input that we would be able to receive from senior citizens and those concerned with the problems of our Nation's elderly. It is the hope of the Congress that we can give prompt and careful consideration to the recommendations that emerge from this conference.

At a time when increasing numbers of our citizens are age 65 or over—and living longer and more active lives due to advances in the field of medicine—we should focus on the unique problems affecting our older Americans. At the same time, we should recognize the potential contributions that they are capable of making to our society after retirement. There is much to be learned from the experience of those who have played an active role in creating part of our Nation's history.

Services to our Nation's elderly have greatly increased the quality of life that those over 65 have to look forward to, but the major problem remains that of eroding economic power. We now have such Federal programs as social security, medicare, and the variety of programs incorporated in the Older Americans Act, such as employment programs, congregate meals and Meals on Wheels. The challenges that presented themselves when these programs evolved have given way to other challenges in providing assistance to older Americans.

The state of our Nation's economy has a direct impact on those who live on fixed incomes. Over the past decade inflation has ravaged the hopes and dreams of those who have worked all their lives to save for retirement. In the past they have found themselves trying to keep one step ahead of a general economic erosion. Effective economic policies are the key to solving this problem, and the elderly have been the immediate recipients of the administration's efforts to turn the corner of inflation.

Madam President, when our country became an independent Nation, every 50th American was age 65 or older—about 2 percent of our total population at that time. At the beginning of 1980, there were an estimated 25 million older Americans, comprising over 11 percent of our population. Today every ninth American is a senior citizen.

Back in 1961, the first White House Conference on Aging helped to generate information concerning older Americans, and bring their problems to the attention of those who were in a position to do something about them.

In 1965, two of the major recommendations—medicare and the Older Americans Act—were enacted by the Congress. The current Congress plans to listen to older Americans as well.

Madam President, it is the hope of all of us that we will be able to give timely and careful attention and consideration to the recommendations that have emerged from the input of 2,200 delegates and 1,200 observers from all 50 States, who have shared concerns during this week. We commend them on their efforts and dedication to improving the lives of our Nation's elderly, and for taking constructive steps to bring to our attention the unique social and economic needs of older Americans.

Most of all, we thank our older citizens for what they have contributed to the greatness of this country, for the sacrifices they have made and continue to make, and for the values they have taught us through their patience and experience.

The PRESIDING OFFICER. The Senator from Maine.

Mr. COHEN. Madam President, I rise in support of the resolution just submitted by the Senator from Kansas which expresses the sense of the Senate that Congress should give serious consideration—early and careful consideration—to all official recommendations of the White House Conference on Aging.

Madam President, upon leaving this historic conference yesterday, one of the Maine delegates—the Senator from Kansas talked about the delegates from Ohio and Kansas—made a comment to a member of the press that "although each delegate arrived with pet projects and pet peeves, everyone made an effort to compromise and get along. These resolutions are goals for the decade."

This 71-year-old delegate noted that perhaps some new program might not come about or develop immediately, but, "I am optimistic for the future."

Another delegate observed that the conference reflected a true consensus. Delegates managed to pass meaningful resolutions to carry out the wishes of those who came to try and help shape that 5-day-long event.

Madam President, my intention in cosponsoring this resolution is to assure that the 600 resolutions which over 2,000 delegates reported yesterday be given serious consideration and not simply forgotten as we move into the Christmas season and move toward adjournment for that period of time.

I would like to point out there has been some suggestion that once again this has somehow been a stacked operation, a partisan affair, that Republicans have not been in support of that.

But the record is quite different. The record shows that medicaid and medicare were programs enacted under the Republican administration.

The Older Americans Act program was enacted and supported under the Republican administration. It is not a partisan issue.

The previous White House Conference on Aging resulted in a number of recommendations which addressed many of the problems which face older people: poverty, failing health, isolation. For the first time, those issues were addressed.

After the 1961 conference, the conference approved medicare, the Older Americans Act, and then years later, while in the second conference, Congress went ahead and approved the first cost-of-living adjustment in the Social Security Act followed shortly thereafter by a 20-percent increase for all beneficiaries.

So these conferences have very important consequences for the future of our older people.

This year's conference focused on the effectiveness and feasibility of these programs as they relate to older people today, as well as a broad range of issues.

That is what the Senator from Kansas and I talked about—the need to look at the broad range of the issues—including the role of Government in the lives of older Americans, opportunities in the private sector, older Americans as a continuing resource, concerns of older women, family and community support services, and a number of other topics addressing the range of needs of the elderly in areas of employment, volunteerism, and concerns of security, whether in the home or on the streets.

Some of these issues we have already started to address.

I might say that as a member of the Special Committee on Aging, I served also with Congress CLAUDE PEPPER in the House in 1974. I was one of the original members of that committee when it was created over there, and it worked very closely and in a spirit of bipartisanship with Congressman PEPPER and others, as the chairman of our own committee has, Senator HEINZ.

We have already started to address many of these issues in our own committee during the past year. There will be other opportunities for fresh ideas and new debate in the decade ahead.

Some time ago, Lawrence Frank wrote in "New Goals of Old Age:"

We are not making sufficient demands upon older people. What they want is not idleness and freedom but an opportunity to do something with their lives that will make them significant.

This reminds me of the time when the actor Will Geer came before the House Select Committee on Aging and he made perhaps the most impassioned and most impressive speech that I ever heard when he called for us to remove the mandatory retirement of people who reach the age of 65.

He got up and said, "A person has got to have a pulpit to pound on, and if he doesn't have that pulpit to pound on, you take away that person's reason for living and success in life."

Given that kind of testimony, and that kind of leadership in the House and Senate we were able to remove mandatory retirement limitations at least for the Federal workers, and increase it in the private sector.

I think that is the kind of spirit which

has been captured in the 1981 White House Conference on Aging, and that which the delegates and the observers dedicated themselves to during the last few days to achieve these very objectives.

I believe it is up to us to act, and to do so in a spirit of hope and confidence for our older Americans, to address their needs and concerns as they have been expressed to us in the White House conference, and to do so in a way which I think truly reflects the bipartisan spirit in which they went about conducting their own business.

I urge support of the resolution offered by my colleague.

● Mr. HEINZ. Madam President, I am pleased today to cosponsor this sense of the Senate amendment requesting Congress to give early and careful consideration to the official recommendations of the 1981 White House Conference on Aging.

History shows that the 1961 and 1971 White House Conferences on Aging pioneered public policy for the elderly in this country. In reality, those conferences produced dramatic changes that enhanced the well-being of millions of older Americans to a continued life of dignity and self-respect.

This conference and the decade ahead will be no less significant. I believe that the collective efforts of the delegates to the 1981 conference have produced positive resolutions in support of policies designed to endow older persons with more genuine opportunities for self-fulfillment.

As an honorary cochairman of this event, I had the privilege to address the delegates and observers who assembled here this past week, and share with them some of my own concerns on the public policy issues which we face as a nation. I had the added opportunity to speak to many of these outstanding individuals personally, and to listen to the thoughtful concerns that they brought to Washington.

When Congress authorized the 1981 White House Conference on Aging in 1978, it acknowledged that dramatic demographic and societal changes have made it necessary for new national policies to be developed. I believe that this conference largely has succeeded in suggesting such new directions and concerns. Resolutions to lead us to these new policies have been developed and hold the key to continued full participation for the elderly in many aspects of American life including: income security, employment, health, housing, and scores of other important programs.

Madam President, much work has gone into this conference. Activities began years ago and were designed to allow people of all ages, all walks of life, all areas of the country, and all religious and ethnic groups to present their views. The delegates, observers, members of the Leadership Council of Aging Organizations, volunteers, and scores of other similarly dedicated individuals have poured out their energies in discussion and debate during this past week. Their efforts must be recognized and reaffirmed.

The resolution before us is an affirmation of our resolve to continue the work started by these outstanding individuals. As they return to their homes all across this great Nation, let them be assured that their initiatives to propose thoughtful, creative, and meaningful policies for older Americans in this next decade have been recognized and are deeply appreciated by this Congress.●

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. METZENBAUM. Madam President, the Senator from Ohio sought recognition and was standing first.

Mr. DOLE. I think we were pretty close. All I want to do right now is to ask for the yeas and nays on the substitute.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. DOLE. Madam President, I ask that Senator COCHRAN be made a cosponsor of the substitute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Finally, I want to thank the distinguished Senator from Maine, Senator COHEN, and Senator HEINZ, and the staff of the Special Committee on Aging for their efforts and their concerns.

I would also say that many of these recommendations which have been made are under study right now by the Senate Finance Committee, and most likely in several other committees in the Congress. They are not all brandnew ideas that suddenly just came to Washington. The Finance Committee staff and some of the subcommittee staffs, the Labor and Human Resources Committee, and others, I am certain, are working on, or at least addressing some of these concerns at the present time.

As I understand it, the one big concern expressed across the board, regardless of party, or regardless of past affiliation, or whatever, was concern for the social security system. They want to preserve the social security system. They have a right to expect Congress to do that. I would hope that one of these days Congress will take that responsibility. So far this year, we have not accepted that responsibility.

I am not certain if the White House Conference on Aging had been asked to commend Congress that the resolution would have passed, because, if they are really concerned about social security they probably would have had a resolution chastising Congress for not carrying out our responsibilities. The Senator from Kansas accepts, certainly, part of that responsibility.

It would seem to me that this was the big issue at the conference. There were a lot of others with reference to housing, income security, transportation, nutrition, medicare, and health care of all kinds. These are all matters under consideration. Crime, as far as senior citizens are concerned, is under consideration by the Judiciary Committee.

I believe the broad approach, with all respect to the distinguished Senator from Ohio, is much better than trying to narrow this down to seven or eight items, even though I understand they are broad-brush items.

I would hope that we could proceed to vote on the substitute, unless there is some gimmick that the Senator from Ohio has left. Then we can go on to the defense appropriations bill, which is really what we are here for.

Mrs. HAWKINS. Mr. President, I was presiding at the time of the debate on the amendment of the Senator from Kansas, and I would like to associate myself with his remarks. Florida is a State with a large percentage of aging. I have also worked with Senator HEINZ who has been on the Select Committee on Aging. We discussed this yesterday. It is unfortunate that Senator HEINZ cannot be here today. Senator COHEN has taken a lead in dealing with the complex questions facing the health care delivery system and social security, both of which affect the elderly so deeply.

It is very important that Congress carefully consider the 600 recommendations made by this conference because their previous work was so impressive that the Congress and the President adopted their findings into law. Recommendations made by delegates to the 1961 conference resulted in the creation of two landmark health care programs for our elderly, medicare and medicaid. And recommendations adopted at the 1971 conference, stressing the need for the elderly to remain independent and useful members of society, led to the passage of the Older Americans Act. This act provides the elderly with employment opportunities, nutritious meals and other services which help our senior citizens to retain their independence and pride.

In many ways, the third conference on aging had the most difficult agenda to consider. As columnist William Buckley stated:

> The principal problem socially during the next twenty or thirty years is not going to be the problem of overpopulation, nor Soviet recklessness nor nuclear war, but the problem of caring for our aged.

I believe he is right because the elderly will represent a sharply increasing percentage of the American population. In part, this is a testimonial to the success of the medicare and medicaid programs which have lengthened the lives of millions of Americans along with advances in medical technology.

A recent health report published by the Department of Health and Human Services points out that great strides made in reducing deaths from heart disease and stroke have lowered the mortality rate for older Americans. Increased longevity has expanded the elderly population from 9 million in 1940 to 24.7 million in 1979. So, in the past 25 years, the number of Americans over 65 has grown twice as fast as our population as a whole.

Today more than 24 million people are over 65, including the President of the United States, representing 11 percent of our population. At the beginning of the next century, over 32 million Americans will be over age 65. This growth will place tremendous strains on our health care system. For example, only 5 percent of the elderly today live in nursing homes, but with the number of those 85 and over increasing, utilization

of nursing homes is forecasted to double by the turn of the century.

Increased longevity also creates special challenges for policymakers working to insure that the elderly retain their financial independence. Protecting the solvency of the social security system, the private pension system, and providing tax incentives to enlarge retirement savings will test the ingenuity and creativity of American democracy profoundly in the years ahead.

As a Senator representing a State with the largest proportion of elderly in the Nation, I will continue working to implement the policies called for under this sense of the Senate resolution, and I applaud the conference delegates for helping the Nation focus on our most "important social problem," the care of our elderly.

I urge the adoption of the Dole amendment.

● Mr. DENTON. Madam President, I rise in support of the Dole resolution commending the work and dedication that marked the proceedings of the 1981 White House Conference on Aging. As the chairman of the Senate Subcommittee on Aging, Family and Human Services, which has jurisdiction over the legislation authorizng this conference, I am looking forward of reviewing the Conferernce's recommendations—recommendations that can have a major impact in the shaping of a national aging policy for the 1980's.

These conferences on aging have been most productive in identifying the needs of older Americans and stimulating public and private sector programs and policy initiatives. With a rapidly changing society and the presently projected demographic changes in an era of economic reappraisal, it is time to again consider the adequacy of our social institutions in terms of their effectiveness in assessing and responding to the implications of an aging American population.

I am delighted to join with my colleague, the senior Senator from Kansas in congratulating the conference participants, especially those who are themselves senior citizens and many of whom came to the Conference at their own expense. In their lives, these senior citizens have acquired a wealth of knowledge in many areas, and are only too willing to share that knowledge if given the opportunity to do so. Through discussions at forums such as the White House Conference on Aging, we can explore policies that will make best use of this vast experience as well as address many of the problems faced by our Nation's elderly.

I can assure Senator DOLE and my other colleagues that the subcommittee I chair will look carefully at the recommendations which have been adopted.●

UP AMENDMENT NO. 752

Mr. METZENBAUM. Madam President, I send to the desk a perfecting amendment to the original amendment of the Senator from Ohio.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Ohio (Mr. METZENBAUM) proposes an unprinted amendment numbered 752 to printed amendment numbered 650:

Insert the following at the end:

It is the further sense of the Senate that Congress commend the more than 3,500 delegates and observers to the 1981 White House Conference on Aging for the important contribution they have made to establishing goals and priorities for improving the well-being of older Americans.

It is the further sense of the Senate that the respective Committees of the Congress should give early and careful consideration to the 600 recommendations of the Conference.

Mr. METZENBAUM. Madam President, the amendment I have sent to the desk as a perfecting amendment to my amendment picks up some of the fine ideas that my good friend from Kansas has expressed. I am never one to reject a good idea.

I think it makes the point that the resolution should give commendation to all the recommendations of the conference.

It also would retain intact the eight points that have been matters of major priority, which are in the original resolution and which represent months of work by the national elderly leadership, and they incorporate the major issues of concern at the conference.

I also think there is merit to the suggestion—I believe it is excellent—that the appropriate committees of Congress should certainly give their early and careful consideration to the matters recommended by the conference, all 600 of them. I cannot think of any better way to express our point of view than to do that.

I am happy, therefore, to offer my perfecting amendment to my amendment, and I hope it will be agreed to, and then there will be no need for the substitute amendment.

The PRESIDING OFFICER (Mr. SYMMS). The Senator from Idaho.

Mr. McCLURE. Mr. President, the Senator from Ohio has a right to modify his amendment, even though the yeas and nays have been ordered on his amendment. I would have no objection if he would desire simply to modify his amendment to include the perfecting amendment. I would raise no objection if he would like to do that at this time.

Mr. METZENBAUM. The Senator from Ohio would like this yeas and nays with respect to the perfecting amendment and the basic amendment, and I as for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. MOYNIHAN. Mr. President, yesterday marked the final session of the third decennial White House Conference on Aging. The history of such Conferences is distinguished. The first, held in 1960, produced medicare. The second, in 1971, resulted in increased social security for retired persons and extension of the retirement age to 70.

The final product of this Conference adds little to the reputation of the White House Conference on Aging. Rather than proposals for important legislative initiatives, the legacy of this Conference is a memory of political manipulation and the rancorous dissent that it caused.

I do not make such statements lightly, and I very much regret that I am compelled to do so. But the facts show that the administration was not content to let the Conference proceed unless the delegates were favorably inclined to the administration's policies.

By September, 1,800 delegates to the Conference had been nominated by Governors and Congressmen. In September, the Republican National Committee polled a sample 920 of those delegates to determine their views of the Reagan administration. Subsequently, Secretary Schweiker added 400 delegates to the conference. It cannot be coincidental that these were assigned to the committees on social security, health policy and general economic well-being, the very issues which polled delegates believed the administration was mishandling. This politicization of the Conference led Representative CLAUDE PEPPER, chairman of the House Committee on Aging, to accuse the administration of trying to "pervert and prostitute" the Conference to prevent it from criticizing "the disastrous impact that President Reagan's social security and budget proposals would have on the elderly."

Had this been the only problem with the Conference on Aging, it would have been quite enough. But the administration was not content with packing the Conference with its allies. It insisted on manipulating the rules as well.

The plenary group was divided into 14 committees, each of which reports a set of recommendations to the conference as a whole. Because of rules set unilaterally by Secretary Schweiker, delegates to the Conference could not vote on each of the 14 sets of recommendations. They merely had one vote, yes or no, on all 14. Under the Schweiker rules, therefore, recommendations approved by a majority of one committee—about 7 percent of the Conference—could not be altered in any way by the other 93 percent.

To term this undemocratic is to understate its import. The administration quite clearly distrusted the conference members. Recall that the new delegates were sent to the committees on social security, health policy and general economic well-being. Recall also the recommendation approved by the social security committee on Tuesday that would oppose benefit cuts for those now receiving social security but that was approved only after it was amended to delete a reference to workers who have not yet retired. As the Washington Post of December 2 put it:

As amended, the resolution reflects the administration's position.

No one will have the chance to voice disagreement with this specific resolution or with any of the social security resolutions. Each delegate can register his or her approval of the entire package only. Had the administration believed the White House Conference a forum for policymaking and deliberation, this would not be the case. Sadly, the Conference is to be a showcase for the "universal" agreement with which senior citizens view White House policies. It is false accord, arrived at by methods unworthly of the U.S. Government and surely unworthy of its leaders.

This is why I am proud to be a cosponsor of the amendment introduced by the distinguished Senator from Ohio, which makes clear that America's senior citizens are not political pawns but a vital part of society with important needs.

(Later the following occurred:)

● Mr. MOYNIHAN. Mr. President, earlier this afternoon I exchanged remarks with the distinguished senior Senator from Kansas (Mr. DOLE), about President Reagan's speech before the White House Conference on Aging. Senator DOLE stated that he had not read the President's address. So that he and other Senators may have an opportunity to read President Reagan's speech, I ask that it be inserted in the RECORD.

The speech follows:

[From the New York Times, Dec. 2, 1981]

EXCERPTS FROM REAGAN'S SPEECH TO THE WHITE HOUSE CONFERENCE ON AGING

Following are excerpts from a transcript of President Reagan's address yesterday to the White House Conference on Aging, as recorded by The New York Times:

A speaker usually tries to establish in his own mind some relationship between himself, and his audience. Or, put another way, why he or she is addressing a particular group.

Well, I could say, "It is traditional for the President to address the White House Conference on Aging." But there is, in my case, a better answer: We are of the same generation. We have met to counsel together on matters of mutual interest.

It is right that each generation looks at the preceding one and is critical of its shortcomings. We were when it was our turn, and as a young generation will challenge our mores and customs, will question our values as we did before them when we were young. But as the years pass we learn not to cast aside proven values simply because they are old. At least we should learn that, if civilization is to continue.

A few years ago in the rebellious 60's and early 70's, we did see a discarding of basic truths. It was a time when at least a part of the generation of our sons and daughters declared that no one over 30 could be trusted. One wonders what they think, now that they themselves have passed that 30-year mark.

Our generation has made mistakes and possibly fallen short at times.

NEED APOLOGIZE TO NO ONE

But we need apologize to no one. Only a few times in history is a single generation called upon to preside over a great period of transition. And our generation, yours and mine, has been one of those rare generations. We have gone literally, in our lifetime, from the horse and buggy to journeys to the moon.

We have known four wars and a great worldwide Depression in our lifetime. We have fought harder, and paid a higher price for freedom and done more to advance the dignity of man that any people who ever lived.

Having said what I have maybe you can understand my frustration over the last couple of years, during the campaign and now in this office I hold, to be portrayed as somehow an enemy of my own generation.

Most of the attack has been centered around one issue, Social Security. There has been political demagoguery and outright falsehood, and as a result many who rely on Social Security for their livelihood have been needlessly and cruelly frightened. Those that did that frightening either didn't know what they were talking about or they were deliberately lying.

In October of 1980, as a candidate, I pledged that I would try to restore the integrity of Social Security and do so without penalty to those dependent on that program.

I have kept that pledge and intend to keep it, both parts of it. We will not betray those entitled to Social Security benefits, and we will, indeed we must, put Social Security on a sound financial base.

HE CITES RESULTS OF POLL

A recent poll showed that 59 percent of the people were willing to pay a higher tax in order to be sure of Social Security's continuation. Almost as many, 54 percent, have expressed mistrust and a lack of confidence that the program will be there when their time comes.

Well, let me take up that matter of increased tax. The answer to the problem isn't that simple. We already have an increase. It was passed in 1977 and I don't think very many people are aware that it calls for a series of increases (one in this coming January) and several more automatically over the next five years.

The payroll tax has increased 2,000 percent since 1950 and even with the increases yet to come, the accumulated deficit could still be $111 billion in the next five years.

In 1982 the maximum tax will be $2,170.80, matched of course by the employer. For the self-employed, that payment will be $3,029.40. The 1980 top rates are 6.7 percent and 9.35 percent for the self-employed on the first $32,400 of earnings. Both the rates and the amount of earnings taxed will go up in the several increases that are already scheduled.

When the program started in 1936 it was $20 a year: 1 percent of $2,000; 30 years ago there were about 16 workers for each recipient. Now there are only 3.2 and in the next 40 years that is projected to be only 2.1.

I am not pointing out these facts because I want to scare anyone.

I AGREE WITH PEPPER

I agree with what Congressman Claude Pepper has said, that this country is big enough and able enough to provide for those who have served it and now have come to their time of retirement.

What we can't afford is supporting, as disabled, people who are not disabled or educating from Social Security funds young people from families of affluence and wealth.

I had hoped our proposal would have been taken as a beginning point for bipartisan solution to the problem. I was led to believe it would.

Social Security can and will be saved. It will require the best efforts of both parties and of both the executive and legislative branches of Government. Its future is too important to be used as a political football.

For this reason, I have established a bipartisan Task Force on Social Security Reform.

We want the elderly needy, like all needy Americans, to know that they have a Government, and a citizenry, that cares about them and will protect them. Their basic human needs must be met with compassion as well as efficiency. This, too, is a goal that I have set for our Administration.

This Administration is dedicated to the kinds of programs and policies that will allow the vast majority of older Americans to continue to live independent lives. This is not just a matter of economic common sense; it is a matter of basic human dignity.

Here, as elsewhere, the state of the aging is bound together with the state of the nation. We cannot have a healthy society without a healthy economy.

Young and old alike, Americans have suffered too long from the combined burden of runaway inflation and an ever-heavier tax burden.

This destructive cycle has fed on itself. The same taxes and inflation that directly undermine the earning power of individual Americans also drive down productivity and economic growth nationwide.

EVILS OF INFLATION AND STAGNATION

Because of the graduated tax rate, each 10 percent increase in inflation pushes tax receipts up 17 percent. The taxpayers have that much less money to spend. Washington has that much more to squander, and the economy suffers another blow from the twin evils of inflation and stagnation.

The only way to put an end to this disastrous cycle, a cycle that hits Americans on fixed incomes the hardest, is to make real cuts in spending and taxes.

And this Administration has made a beginning. It's only a beginning, but the initial signals are encouraging.

The inflation rate, as measured by the Consumer Price Index, has fallen from 12.4 percent in 1980 to 9.6 percent in the first 10 months of this year. And last month's figures marked the lowest rate of increase in 15 months. If we could hold to last month's increased cost, we would be down to a 4.4 percent inflation rate.

There was also improvement at the wholesale level, with prices rising at a 7.5 percent annual rate, down from 11.8 in 1980. Now this is especially important because a decline in wholesale prices now usually means further relief for the consumer as wholesale goods reach the retail market down the line a ways.

Interest rates have also begun to drop. The prime lending rate, at 16 percent, has reached a 12-month low. Some banks have already dropped to below 16. A year ago they were at 21½.

Now these are only early signs, but they are all positive indicators that our economic policy is beginning to work.

RUNAWAY GOVERNMENT SPENDING

None of this relief from taxation and inflation would be possible if we ignored the problem of runaway Government spending.

This Administration is serious; we have cut back the increased rate of Government spending.

We're convinced that the nation's economy cannot heal itself unless the Federal Government begins to put its own house back in order.

But while cutting spending, we have safeguarded services to those poor and elderly who depend on the Government.

In the field of health care and human services, Federal spending is actually up, by over 15 percent in 1981 and about another 10 percent in 1982. Elderly Americans making up 11 percent of our population will receive 28 percent of the Federal budget in this present fiscal year 1982.

Ours is a generation rich in experience as well as in years. We've been tried and tested, and we've also benefited from a surge of human progress that our parents and our grandparents could never even have imagined.

I HAPPEN TO BE AN OPTIMIST

Now I happen to be an optimist; I believe attitudes toward the elderly are getting better, not worse.

And the polls seems to bear this out. One recent survey revealed that 65 percent of the younger workforce now rejects the notion of requiring older workers to retire. This is a dramatic turnaround from just seven years ago. Then a plurality of younger workers took the opposite view.

So, as some Americans grow older, America itself seems to be growing a little wiser, and a little more tolerant.

You know Cicero said, if it weren't for elderly citizens correcting the errors of the young, the state would perish.

In those days of the "generation gap" that I mentioned earlier it was almost as if our young rebels saw the generations as horizontal. Each generation separated from the others like slices from a sausage.

Humankind is vertical. Each generation sees farther than the one before because it is standing on the shoulders of those who have gone before.

I look forward to receiving the results of your work here in this conference.●

Mr. McCLURE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLURE. Am I correct in stating that the order that would be followed would be the vote upon the perfecting amendment, whether that is adopted or rejected, and the next vote, unless something else intervenes, would be on the substitute?

The PRESIDING OFFICER. The Senator is correct.

Mr. McCLURE. And the final vote would then occur on the amendment as amended, if amended by either the perfecting amendment or by the substitute?

The PRESIDING OFFICER. The Senator is correct.

Mr. McCLURE. Mr. President, I will yield in a moment to the Senator from Kansas.

I should like to indicate, as manager of the bill, what is abundantly obvious, and that is that the bill is really a matter of defense and therefore not a matter of particular concern, in terms of the contents of the amendment, to the Defense Appropriations Subcommittee.

I do note that the perfecting amendment of the Senator from Ohio, as sent to the desk, is intended, I suppose, to be a gratuitous insult to the Secretary of Health and Human Services and a gratuitous insult to the President of the United States. I hope Senators keep that in mind as they vote on the perfecting amendment, because it is the language of the substitute offered by the distinguished Senator from Kansas and supported by others, with the exception of the commendation to the President of the United States and the Secretary of the Department, that is directly affected in the conference.

Mr. DOLE. Mr. President, I move to table the perfecting amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the perfecting amendment. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from New Mexico (Mr. DOMENICI), the Senator from Arizona (Mr. GOLDWATER), the Senator from California (Mr. HAYAKAWA), the Senator from Pennsylvania (Mr. HEINZ), and the Senator from Wyoming (Mr. WALLOP) are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico (Mr. DOMENICI) would vote "yea."

Mr. CRANSTON. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Arkansas (Mr. BUMPERS), the Senator from Arizona (Mr. DECONCINI), the Senator from Louisiana (Mr. JOHNSTON), and the Senator from Michigan (Mr. RIEGLE) are necessarily absent.

I further announce that, if present and voting, the Senator from Michigan (Mr. RIEGLE) and the Senator from Arizona (Mr. DECONCINI) would each vote "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber who wish to vote? Are there any Senators in the Chamber who wish to change their vote?

The result was announced—yeas 54, nays 36, as follows:

[Rollcall Vote No. 452 Leg.]

YEAS—54

Abdnor	Gorton	Percy
Andrews	Grassley	Pressler
Armstrong	Hatch	Quayle
Baker	Hatfield	Roth
Bentsen	Hawkins	Rudman
Boren	Helms	Schmitt
Boschwitz	Humphrey	Simpson
Byrd, Harry F., Jr.	Jepsen	Specter
	Kassebaum	Stafford
Chafee	Kasten	Stennis
Cochran	Lavalt	Stevens
Cohen	Long	Symms
D'Amato	Lugar	Thurmond
Danforth	Mathias	Tower
Denton	Mattingly	Warner
Dole	McClure	Weicker
Durenberger	Murkowski	Zorinsky
East	Nickles	
Garn	Packwood	

NAYS—36

Baucus	Glenn	Metzenbaum
Bradley	Hart	Mitchell
Burdick	Heflin	Moynihan
Byrd, Robert C.	Hollings	Nunn
Cannon	Huddleston	Pell
Chiles	Inouye	Proxmire
Cranston	Jackson	Pryor
Dixon	Kennedy	Randolph
Dodd	Leahy	Sarbanes
Eagleton	Levin	Sasser
Exon	Matsunaga	Tsongas
Ford	Melcher	Williams

NOT VOTING—10

Biden	Goldwater	Riegle
Bumpers	Hayakawa	Wallop
DeConcini	Heinz	
Domenici	Johnston	

So the motion to lay on the table UP amendment No. 752, was agreed to.

Mr. McCLURE. Mr. President, I move to reconsider the vote by which the motion to lay on the table was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. DOLE. I yield to the Senator from Ohio.

Mr. METZENBAUM. Mr. President, the Senate has spoken. We now have pending a substitute motion of the Senator from Kansas for my original amendment, and we also have pending—in connection with which there also has been a rollcall ordered.

Mr. President, I am prepared to accept the Dole amendment without a rollcall and then to pass the amendment as substituted without a rollcall, and I am prepared to ask for vitiating the rollcall votes.

Mr. LONG. I object.

Mr. DOLE. I object.

The PRESIDING OFFICER. Objection is heard.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. METZENBAUM. Mr. President, I have already indicated I was prepared to accept the Dole substitute and vitiate the vote. Under those circumstances, if there is a vote on it I would urge all Members in the Senate to vote for it. But I would also say that the Senator from Ohio will be willing to vitiate the vote with respect to the passage of the amendment or with respect to the Dole amendment, the Dole substitute. I do not think we need two rollcalls. I do not think we need to take up the time of the Senate. Whichever is agreeable to the Senator from Kansas is agreeable to the Senator from Ohio. I would urge all Members of the Senate to vote in the affirmative for the Dole substitute as well as for the Metzenbaum amendment as substituted.

Mr. DOLE. Mr. President, will the Senator yield? I would suggest that we vote on the substitute and vitiate the vote on the Metzenbaum amendment.

Mr. BAKER. Mr. President, I would recommend that. I hope we can do that.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. BAKER. I yield the floor.

Mr. MOYNIHAN. Mr. President, before we vote I wonder if I could engage the chairman of the Finance Committee and the Senator from Ohio and even the majority leader in saying that there was one event in the White House Conference on Aging which struck a jarring note, and I regret to have to say that to the Senate.

The President came himself to the Conference. It was a gracious gesture on his part, and he spoke about social security. He said at one point in his remarks that "There have been people trying to tell you the social security system is in trouble, trying to panic you into thinking it is not fiscally sound." He then said "Those persons are either misguided or they are lying."

I wonder if the Senator from Kansas would not share my feeling that this was an unfortunate choice of words. I do not doubt the choice was made by a speech writer—it is not the way the President himself speaks. But if anyone has been talking about the world's largest bankruptcy—about to occur on October 1, 1982—I believe it has been the Director of the Office of Management and Budget. If there is any fault on the part of some others—and I would be among them—it is that we have perhaps not pointed to the fiscal difficulties facing the social security system with a sufficient sense of alarm.

Now we learn from the President himself that persons who were alarmed were somehow possibly lying trying improperly to panic the millions of Americans who depend on social security. Would not the chairman agree that such a term might well be stricken from the record if

we are going to have any success with the 15-person committee the President has proposed to deal with this matter?

I ask because I have been nominated by the Democratic leader to be on that committee, and I would be proud to serve on it, proud to work with any President on a matter of such importance to the Nation. I would hope, however, that a word such as "lying" would not come between us in our efforts to cooperate in a large purpose. That is a question, my question, although an extended question.

Mr. DOLE. I certainly would agree it was an outstanding appearance by the President at the White House Conference on Aging. I think he did a tremendous job—he even got a cheering, standing ovation. I was so taken with the ovation he received, and his reception, that I dd not listen to what he said. [Laughter.]

I will promise the Senator from New York I will look at his entire speech today and comment sometime over the weekend—if I may drop you a note.

Mr. MOYNIHAN. I accept that because I know the Senator from Kansas to be a man of perfect honor and propriety.

I doubt that he would have ever allowed a speechwriter to write that speech for him.

Mr. DOLE. I have said a few things myself that I probably should not have said.

Mr. MOYNIHAN. You did not have a speechwriter.

Mr. DOLE. I did have. That was the problem.

Mr. MOYNIHAN. I thank the chairman.

Mr. BAKER. Mr. President, I hope that we may be in a position now to agree on a vote on the substitute and vitiate the yeas and nays on the underlying amendment.

The PRESIDING OFFICER. Is there objection?

Mr. BAKER. Would the Senator from Ohio agree with that?

Mr. METZENBAUM. Yes, I agree.

Mr. BAKER. I make that request.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. PERCY. Mr. President, I had the pleasure of meeting the Illinois delegation on Sunday night. They went in with a great deal of concern. However, overall these proceedings went well as a result of the hard work and effort put in by all the delegates.

I am pleased to cosponsor the amendment offered by the Senator from Kansas (Mr. DOLE) to commend the delegates and observers to the White House Conference on Aging who just yesterday completed their 4-day conference in Washington. As a member of the Aging Committee, I look forward to reviewing the more than 600 recommendations developed. I agree wholeheartedly with my colleagues that the review of these proposals by the Congress should be given top priority. I know that will be the case for the Aging Committee under the distiguished leadership of Senator HEINZ, its chairman, and Senator CHILES, the ranking minority member.

I must say that prior to the opening of the Conference, I was very concerned by allegations that conference rules and delegate selections were part of an attempt by the administration to limit in some way free debate on the issues. One of my major concerns was that debate over the allegations would take important time away from the business of the Conference itself—to make recommendations that would result in the development of a "comprehensive, coherent national policy on aging."

I joined several members of the Aging Committee in expressing our concerns in a letter to the President. On Sunday, before the Conference convened, I met with the Illinois delegation, many of whom echoed similar concerns. Subsequent reports, however, convinced me that despite a somewhat uneasy beginning, all views were being debated and voted on in the committee sessions and almost all delegates and observers felt they were being given the opportunity for input into the Conference recommendations.

Surely, the final recommendations of the Conference are evidence of this. They span a wide range of viewpoints on all the issues and I believe the work of the Conference was highly productive.

I have not had the opportunity to review in any detail the committee resolutions, but from reports that I have had I am pleased by many of the recommendations. I strongly support elimination of the social security earnings test and age restrictions on employment. I agree there is a definite need for programs that train older workers and for more innovative approaches to work that suit the needs of older workers who want to work, like flextime and job-sharing. These are just a few of the recommendations which have a great deal of merit, and there are many more.

Mr. President, last May I had the privilege to address the Illinois White House Conference on Aging in Champaign-Urbana. In my remarks, I cited some of the achievements that grew out of past White House Conferences on the Aging—great achievements such as medicare, the Older Americans Act and the Age Discrimination in Employment Act, all measures I strongly supported.

We have made great strides since the first White House Conference in 1961. But as I pointed out in my address in May, the continued acceleration of the aging of America, presented new problems and challenges to the delegates of the 1981 Conference.

As we have seen, solutions to some of these problems will not be easy; there will be disagreement and a great deal of debate. But I am confident that the 1981 meeting has presented us with an excellent foundation for meeting the challenges of the future, and again, I commend the more than 3,000 delegates and observers who devoted their time and talents to this historic Conference.

As a member of the Special Committee on Aging and a cosponsor of the Dole substitute, I urge its adopton.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kansas (Mr. DOLE). The yeas and nays have been ordered and the clerk will call the roll.

The bill clerk called the roll.

Mr. LEVIN (when his name was called). Present.

Mr. STEVENS. I announce that the Senator from New Mexico (Mr. DOMENICI), the Senator from Arizona (Mr. GOLDWATER), the Senator from California (Mr. HAYAKAWA), the Senator from Pennsylvania (Mr. HEINZ), the Senator from Texas (Mr. TOWER), and the Senator from Wyoming (Mr. WALLOP) are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico (Mr. DOMENICI) would vote "yea."

Mr. CRANSTON. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Arkansas (Mr. BUMPERS), the Senator from Arizona (Mr. DECONCINI), the Senator from Louisiana (Mr. JOHNSTON), and the Senator from Michigan (Mr. RIEGLE) are necessarily absent.

I further announce that, if present and voting, the Senator from Michigan (Mr. RIEGLE) and the Senator from Arizona (Mr. DECONCINI) would each vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 88, nays 0, as follows:

[Rollcall Vote No. 453 Leg.]

YEAS—88

Abdnor	Garn	Moynihan
Andrews	Glenn	Murkowski
Armstrong	Gorton	Nickles
Baker	Grassley	Nunn
Baucus	Hart	Packwood
Bentsen	Hatch	Pell
Boren	Hatfield	Percy
Boschwitz	Hawkins	Pressler
Bradley	Heflin	Proxmire
Burdick	Helms	Pryor
Byrd, Harry F., Jr.	Hollings	Quayle
	Huddleston	Randolph
Byrd, Robert C.	Humphrey	Roth
Cannon	Inouye	Rudman
Chafee	Jackson	Sarbanes
Chiles	Jepsen	Sasser
Cochran	Kassebaum	Schmitt
Cohen	Kasten	Simpson
Cranston	Kennedy	Specter
D'Amato	Laxalt	Stafford
Danforth	Leahy	Stennis
Denton	Long	Stevens
Dixon	Lugar	Symms
Dodd	Mathias	Thurmond
Dole	Matsunaga	Tsongas
Durenberger	Mattingly	Warner
Eagleton	McClure	Weicker
East	Melcher	Williams
Exon	Metzenbaum	Zorinsky
Ford	Mitchell	

ANSWERED "PRESENT"—1

Levin

NOT VOTING—11

Biden	Goldwater	Riegle
Bumpers	Hayakawa	Tower
DeConcini	Heinz	Wallop
Domenici	Johnston	

So Mr. DOLE's amendment (UP No. 751) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. GORTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The

question recurs on the amendment of the Senator from Ohio, as amended.

The amendment (No. 650), as amended, was agreed to.

Mr. METZENBAUM. Mr. President, I move to reconsider the vote by which the amendment, as amended, was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, the Senator from Nebraska has an amendment on which I believe we might negotiate a time limitation. It is my understanding that he would be willing to have a 20-minute time limitation, with 10 minutes on each side. Am I correct?

Mr. EXON. The Senator is correct.

If the Senator will yield, this Senator would also request that no amendment to my amendment be in order. That would expedite the matter.

Mr. STEVENS. Mr. President, I make that request, that no amendments to the amendment of the Senator from Nebraska be in order, and that there be a 20-minute time limitation.

Mr. EXON. And that there would be an up-or-down vote.

Mr. STEVENS. I agree. There will be an up-or-down vote on any amendment with a time limitation.

The PRESIDING OFFICER. Without objection, it is so ordered.

UP AMENDMENT NO. 753

(Purpose: To provide funds to meet the Army requirements for ammunition)

Mr. EXON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Nebraska (Mr. EXON), for himself, Mr. HOLLINGS, Mr. MITCHELL, Mr. NUNN, Mr. GLENN, Mr. LEVIN, Mr. PRYOR, Mr. BUMPERS, and Mr. ROBERT C. BYRD, proposes an unprinted amendment numbered 753.

On page 18, line 4, strike "2,338,400,000" and insert in lieu thereof the following: "2,438,400,000".

Mr. STEVENS. Will the Senator yield for just one moment?

Mr. EXON. I yield.

Mr. STEVENS. Mr. President, during my brief absence from the Chamber, the Senator from New Hampshire (Mr. RUDMAN) will manage the bill on this side of the aisle.

Mr. EXON. Mr. President, the time agreement on this amendment is short, so I will be brief. My amendment restores $100 million to the Army's ammunition procurement account for fiscal year 1982.

During this debate, a number of us have offered amendments to correct what we consider to be some of the deficiencies in the funding provided for readiness-related functions in the committee's bill. Unfortunately, of all of these amendments, the only one the Senate has adopted is one to spend $88 million to bring an old World War II battleship out of mothballs. In some cases, we have even been told that our proposals would have only restored the fat in the Defense Department budget request.

Mr. President, I can assure my colleagues that there is not only no fat in the funds provided in this amendment, but, indeed, the funds are critically needed to restore Army ammunition stockpiles. The facts of the matter are that the amount provided does not provide any fat. There is not even any muscle with it.

The Army's current mobilization requirements call for us to have on hand a 180-day war reserve supply of ammunition. Our stocks now on hand only total about 25 percent of this requirement.

This, Mr. President, is only a 40-day supply in a shooting war. It is a ridiculously low figure.

The budget amendments for fiscal year 1982 submitted by President Reagan in March would have begun the process of building our ammunition stockpiles to a 60-day requirement by the end of the next 5 years. I should point out that this would still be only one-third of what the Army says it will need. Unfortunately the October budget cuts in the Defense Department demonstrated that the current Pentagon leadership is guilty of the same mistakes that they have criticized their predecessors for: When they needed to make some budget cuts, one of the first places they went was the Army's ammunition account. Let us not fall into the trap of becoming preoccupied with all of the exotic weapons systems to the detriment of the basic necessities our troops would need to survive.

Now, Mr. President, the Pentagon will no doubt say that they can still reach their objective of a 60-day war reserve stockpile of ammunition at the end of the 5 years based on the fact that they will make up for these cuts in the next couple of years.

However, Mr. President, the Navy has been telling us that we cannot reach a 600-ship Navy by just planning to buy ships in the third, fourth, and fifth years of the current 5-year program, and the same holds true for building up our ammunition reserve.

The Army shortfalls of ammunition are a well-documented fact that we cannot ignore any longer.

Certainly, in a defense budget of over $208 billion, we can begin the process of funding the programs we need to sustain our combat capabilities. We desperately need this program to sustain our ground forces in the most probable type of conflict in which they will have to survive.

Senator HOLLINGS earlier tried to restore the full $148 million needed to fully fund the Army's orginial request for ammunition. My amendment restores only $100 millon of the amount cut by Defense Department in the October budget cuts.

I plead with my colleagues to support this extremely important amendment.

Mr. President, I reserve the remainder of my time.

Mr. RUDMAN. Mr. President, we will have very little to say about this amendment offered by the Senator from Nebraska. We have discussed this in some detail over the last couple of days. I believe the facts are reasonably well known. I will just hit two salient points.

First, so that the record is clear, this appropriation does contain $780 million over the fiscal year 1981 funding level for this account. This figure, in fact, is $56 million over the budget request of the President.

With respect to the statement of the Senator from Nebraska about time to build up ammunition supplies, that is certainly true. But compared to many of the high technology programs we have, this is something that—particularly with the Government owning some of the depots that manufacture these munitions—could be turned around in emergency fairly quickly.

It is our view that although there is some merit to this amendment, we are dealing with a $208 to $209 billion defense budget, and we believe the time has come to put a cap on it. We hope the amendment will be defeated.

Mr. EXON. I yield myself 2 additional minutes, and after that I will be prepared to yield back the remainder of my time.

Mr. President, the statements that have just been made in opposition to this amendment are ones we have heard on many occasions.

I think it is very serious, when we talk about the fact that if we get into a shooting war, we have some facilities somewhere that we could quickly turn around to produce ammunition.

Regardless of the amounts contained in this bill for ammunition, the statements I made a few moments ago about only a 40-day supply of ammunition still stands as fact.

I emphasize for my colleagues that even if my amendment is adopted, we still will not be back to the Army's 5-year plan for achieving a 60-day stockpile of ammunition. And the real mobilization request is to have 180 days on hand. Therefore, the goal of 60 days is only one-third of what is actually needed.

What we are talking about here is the woeful state of ammunition stockpiles for our soldiers right there on the ground—the men who will be eyeball-to-eyeball with the enemy. We have shortchanged them for too long and this amendment is only one small step in the long process to begin getting our fighting men what they need to survive.

Ammunition is not glamorous and it does not make headlines. It is not good "show and tell" like some of the amendments and weapons we have been debating here. But we certainly do not want our men in the field to run out of ammunition if they are called upon suddenly to fight.

Mr. President, either we continue to brush aside these unglamorous amendments that go right to the heart of our military readiness, or, we adopt this amendment and begin the long process of building up the sustainability of our forces in the event of a national mobilization.

The choice before the Senate is clear. I

urge my colleagues to support this amendment.

Anyone who voted to bring an old battleship out of mothballs obviously has his priorities confused, if he cannot also support this amendment for basic readiness.

I am prepared to yield back the remainder of my time, if the other side is prepared to do so.

Mr. RUDMAN. Mr. President, I certainly agree with the priorities of the Senator from Nebraska about bringing battleships out of mothballs, and I am pleased to advise him that I do not vote for that, either.

This particular appropriation of $780 million over the fiscal year 1981 funding level is a 50-percent increase. We think that is more than adequate.

Does the Senator from Nebraska wish a rollcall vote on this amendment?

Mr. EXON. Yes.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. COHEN). Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. RUDMAN. Mr. President, I yield back the remainder of my time.

Mr. EXON. I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Nebraska.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. TOWER. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from New Mexico (Mr. DOMENICI), the Senator from Arizona (Mr. GOLDWATER), the Senator from California (Mr. HAYAKAWA), the Senator from Pennsylvania (Mr. HEINZ), the Senator from Vermont (Mr. STAFFORD), the Senator from Alaska (Mr. STEVENS), and the Senator from Wyoming (Mr. WALLOP) are necessarily absent.

Mr. CRANSTON. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Arkansas (Mr. BUMPERS), the Senator from Arizona (Mr. DECONCINI), the Senator from Louisiana (Mr. JOHNSTON), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Michigan (Mr. RIEGLE) are necessarily absent.

I further announce that, if present and voting, the Senator from Arizona (Mr. DECONCINI) and the Senator from Michigan (Mr. RIEGLE) would vote "yes."

The PRESIDING OFFICER. Are there any other Senators in the Chamber who have not yet voted who desire to cast a vote?

The result was announced—yeas 37, nays 49, as follows:

[Rollcall Vote No. 454 Leg.]

YEAS—37

Armstrong	Cranston	Heflin
Baucus	Dixon	Hollings
Bentsen	Dodd	Huddleston
Boren	Eagleton	Inouye
Bradley	Exon	Jackson
Byrd, Robert C.	Ford	Leahy
Cannon	Glenn	Levin
Chiles	Hart	Long
Matsunaga	Pell	Tsongas
Metzenbaum	Pryor	Williams
Mitchell	Randolph	Zorinsky
Moynihan	Sarbanes	
Nunn	Sasser	

NAYS—49

Abdnor	Grassley	Packwood
Andrews	Hatch	Percy
Boschwitz	Hatfield	Pressler
Burdick	Hawkins	Proxmire
Byrd, Harry F., Jr.	Helms	Quayle
	Humphrey	Roth
Chafee	Jepsen	Rudman
Cochran	Kassebaum	Schmitt
Cohen	Kasten	Simpson
D'Amato	Laxalt	Specter
Danforth	Lugar	Stennis
Denton	Mathias	Symms
Dole	Mattingly	Thurmond
Durenberger	McClure	Tower
East	Melcher	Warner
Garn	Murkowski	Weicker
Gorton	Nickles	

NOT VOTING—14

Baker	Goldwater	Riegle
Biden	Hayakawa	Stafford
Bumpers	Heinz	Stevens
DeConcini	Johnston	Wallop
Domenici	Kennedy	

So Mr. EXON's amendment (UP No. 753) was rejected.

Mr. RUDMAN. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. HATFIELD. I move to lay that motion on the table.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

UP AMENDMENT NO. 754

(Purpose: To add funds to continue operation of B–52D bombers in fiscal 1982)

Mr. LEVIN. I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan (Mr. LEVIN), for himself, Mr. HOLLINGS, and Mr. NUNN, proposes an unprinted amendment numbered 754.

Mr. LEVIN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 24, line 20, strike out the figure "$14,044,298,000" and insert in lieu thereof the following: "14,106,398,000".

Mr. LEVIN. Mr. President, I am joined by Senators HOLLINGS and NUNN in offering this amendment. I understand it is going to be accepted.

The purpose of this amendment is simple and straightforward. It is to add $62.1 million to the bill to enable the Air Force to continue operating the three B–52D squadrons as originally planned.

The Appropriations Committee itself recognized that they should not be phased out prematurely, and the Appropriations Committee added back to the President's budget request the $18.9 million in operations and maintenance funds needed to continue operating these squadrons through fiscal 1982.

I believe inadvertently or otherwise, but I believe inadvertently, the committee overlooked the need for the additional $62.1 million for the spares and modifications to retain this still needed component of our strategic nuclear bomber force in active service.

The B–1, let us remember, is not going to enter the force until 1986 or 1987, and this funding will allow the B–52D's to continue into that period as originally planned.

The actions by the Appropriations Committee in adding back the operations and maintenance funding is an important indication that these aircraft play a useful role in our strategic deterrent, and that they should not be retired prematurely.

The House and Senate Armed Services Committees, in their conference report on the Fiscal 1982 Defense Authorization Act expressed grave doubts about the proposal to retire the B–52D's.

On page 108 of the conference report, we stated:

Conferees expressed their concern regarding the planned phase-out of the B–52D force during a period of increasing vulnerability for U.S. strategic forces. The conferees understood that the timing of the currently planned phase-out would not impair eventual continuation of the existing B–52D force should the planned phase-out be reconsidered before the end of fiscal year 1982. The conferees agreed to further study this matter in conjunction with the fiscal year 1983 budget request.

This body should restore these funds now because sufficient information exists to more than justify this restoration in funding to maintain our strategic strength.

The House Appropriations Committee did appropriate the $62.1 million to maintain our B–52D's. In its report, the House committee gave the following strong justification for its action:

B–52D RETIREMENT

Considering that these aircraft have recently been reskinned and recently received modifications to update their inertial guidanc systems, and considering the capability of these aircraft to deliver significant numbers of conventional bombs, the Committee believes that the retirement of these aircraft is imprudent and recommends an increase of $62,100,000 to keep them in the active force. An increase of $18,900,000 is also included in the "operation and maintenance" account, for the continued operation of these aircraft.

The Senate Appropriations Committee, in its report acknowledged these recent improvements to the B–52D's and recognized the desirability of keeping them operating in fiscal year 1982. It said:

B–52D retirements.—The amended budget included the recommendation to retire three B–52D aircraft squadrons and a combat training squadron. In view of recent improvements to these aircraft, the Committee recommends restoring $18.9 million to retain operation of these aircraft through this fiscal year.

By the admission of every spokesperson we have heard, the strategic program before us has been offered only as an "interim" solution to what the administration believes is a serious window of vulnerability.

But to achieve this "interim" solution—a solution which begins 5 years from now and arguably provides marginal, additional protection for a grand total of another 5 years—the American people are being asked to pay a terrible price.

It is not only a price in terms of dollars. It is also a price in terms of security.

Gen. Bennie L. Davis, the new head of the Strategic Air Command (SAC) admitted that the net effect of adopting the administration's program would be to weaken the defense of the United States for the next 5 years. This is due in part because of the proposed earlier-than-planned retirement of B–52D's. We will be worse off for the next 5 years than we are now. I have never heard of closing a window by opening it wider.

Early retirement of the B–52D's was done simply to find money to fund other parts of the administration's strategic program, according to SAC Commander Davis. He said so in the following exchange with me on November 4, an exchange in which he also acknowledged we were foreclosing our option to deploy more Cruise missiles:

Senator LEVIN. We are retiring the B–52D's earlier than you would like?

General DAVIS. Earlier because I don't have another capability.

Senator LEVIN. We are retiring them earlier now for fiscal reasons.

General DAVIS. That is right.

Senator LEVIN. Not for engineering reasons.

General DAVIS. No.

Without our amendment, the B–52D's might have to be retired years before the planned end of their useful lives.

The $62.1 million in spares to be added by this amendment would support the training flying hours and alert requirements to keep these B–52D's in operation.

General Davis stated that the administration's strategic program actually opens, rather than closes, the administration's well-publicized "window of vulnerability" on November 4, in the following exchange with Senator NUNN:

Senator NUNN. I understand that and I know we all have to concern ourselves about the budget and there may be a legitimate argument that we stretch out, but aren't we in effect, whatever the reason and whatever the budgetary pressures, are we not in effect extending the window of vulnerability for a longer period of time by reason of the phase-out of these B–52s and Titans?

General DAVIS. In terms of absolute numbers, certainly you lose capability. In terms of some items that I have proposed, like let's consider keeping a couple of squadrons of D's in longer and the fact that you have a fairly long phase-out period for Titan IIs, you lose an increment of capability. There is no question about that.

Senator NUNN. We are really going down in capability in the next four or five years, isn't that correct?

General DAVIS. But it is not precipitously.

Senator NUNN. But it is a gradual reduction in capability over the next five years?

General DAVIS. In absolute terms, yes.

In a response for the record. General Davis went even further by stating:

Phasing out the B–52D and Titan will result in fewer weapons committed to the SIOP (nuclear war plan), reduced target coverage and less megatonnage. . . .

He presented only one option for lessening the impact of these reductions in our deterrence capabilities—increasing the alert rates for our B–52G and H force—but then stated this could not be done until 1985. In the interim, the so-called window of vulnerability would open wider.

In addition to weakening us, premature retirement of the B–52D's would represent a unilateral concession to the Soviets in the arms control arena, just as we are beginning talks in Geneva and are contemplating resumption of strategic arms limitation talks next year.

These B–52D's still represent the capability to drop significant nuclear megatonnage on the Soviet Union, Mr. President. They are "real" airplanes and thus true bargaining chips in any arms negotiations, in contrast to the B–1B, which will not be able to threaten the Soviets for many years.

We should not give up the B–52D's without getting something in return for them at the bargaining table, and my amendment preserves their value as bargaining chips as well as their potent military capability.

Lastly, Mr. President, I would point out that, before the President's October budget revisions, both the Senate and House Armed Services Committees recognized this dual military and arms control utility of maintaining the B–52D's and authorized sufficient funds in their versions of the fiscal 1982 Defense Authorization Acts to prevent their premature retirement.

The President saw the value of the B–52D's by seeking these funds in the first place.

The full Senate and House of Representatives approved these funds—the full $62.1 million was in the House bill. The Senate endorsed the $50 million authorization recommended by the Armed Services Committee.

It was only after the President slashed his defense budget in October and eliminated this funding for the B–52D's that both committees reluctantly agreed to this reduction and stated their concerns.

Mr. President, the full $62.1 million should be appropriated to keep our B–52D's operating. The addition is a relatively modest one to maintain our strategic capabilities and with it we can keep some 75 aircraft flying. At less than $1 million per B–52D, and in light of the recent improvements to these aircraft to make them more effective, that is a prudent and cost-effective investment in American military strength.

I urge adoption of my amendment.

Mr. RUDMAN. Mr. President, I think the Senator from Michigan has accurately stated the situation. We are going to have to keep these operating until such time as the B–1B is deployed, and the subcommittee is willing to accept the amendment offered by the Senator from Michigan.

The PRESIDING OFFICER. Is there any further discussion or debate?

Mr. LEVIN. I thank the Senator.

The PRESIDING OFFICER. If not, the question is on agreeing to the amendment of the Senator from Michigan.

The amendment (UP No. 754 was) agreed to.

Mr. RUDMAN. Mr. President, for the information of Senators, we have approximately three more amendments that we expect we will have record votes on. Hopefully, if those who are offering those amendments will come to the floor, we should be able to proceed with those within the next hour.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROBLEMS OF SENATORS WHO HAVE TO VOTE ON CLASSIFIED MATTERS

Mr. SPECTER. Mr. President, as we have a moment before the sponsors of the next amendment appear, I would like to take this opportunity to comment about some of the proceedings late last night with respect to the absence of information on a matter which was pending on the Senate floor when a great many of the Senators were called upon to vote, and I would like to comment generally on the issue of secrecy as it relates to judgments which have to be made by Senators.

This is obviously an important and a complex question. Those of us who have been elected to this body have a very heavy responsibility to vote on issues involving billions of dollars as, for example, on this current bill which encompasses some $205 billion, and there are sums of money within this bill in a classified or secret category where moneys are being appropriated and where the facts are not before those of us who are called upon to vote.

There has been a custom evolved over the years where only a limited number of Senators are privy to these classified projects, and it raises a substantial question in my mind as to the propriety of what is, in effect, a delegation by the elected U.S. Senate to a very small number in this body to pass upon judgments which involve very substantial sums of money.

The proceedings last night are illustrative when the Senator from Georgia (Mr. NUNN) proposed an amendment which would add $187.5 million to the category known as Air Force R. & D. Mr. NUNN starts off saying, as reported in the CONGRESSIONAL RECORD of yesterday at S14455:

First of all, I can say to my colleagues that this is a classified program.

Then he discusses it for a bit and then says:

Beyond that, Mr. President, that is all that I am able to say at this point in time.

I would say that I think it is a very important program, otherwise I would not be urging its support at this stage.

The senior Senator from Texas (Mr. TOWER) then makes a comment:

Mr. TOWER. Mr. President, it is unfortunate that this program cannot be discussed, because I think it is of extremely great merit. I am certain that if my colleagues could be further enlightened on it, they would support it.

I believe it is asking too much to call for support of a matter where the Senate might be supportive if the Senate were

to be further enlightened on it, when the Senate is not enlightened on it. The next comment is:

I might say that I hope they will take this amendment on faith.

which, in my judgment, is not appropriate to do consistent with the oath which we have taken in the discharge of our duties as U.S. Senators.

The senior Senator from Ohio (Mr. GLENN) then continues in the same vein:

I urge everyone to vote for the amendment. That is about all anyone can say about it at this point. But it is a very important amendment.

Then the junior Senator from Michigan (Mr. LEVIN) makes a comment about—

Mr. LEVIN. Mr. President, I am familiar with this program, also. I simply want to add my voice in support of it. There is nothing one can say about it, other than that we had somebody in room S-407 the other day for many, many hours available to answer questions. Many of us were able to get up there and talk to him about it.

I, for one, was not aware that the amendment was going to come up, not aware of the proceedings in S-407, and those who were, I think, mostly were from the Armed Services Committee or in other words had access to the special briefing which was going to come to pass at that point.

When the motion to table was made by the senior Senator from Alaska (Mr. STEVENS) I personally felt there was insufficient information needed to cast a vote on whether or not to table, but at least a tabling motion resulted in the appropriation not being made, and that was the basis for my voting in favor of tabling.

I made a parliamentary inquiry as to whether a Senator can vote present and still retain the record of having voted, and was informed that probably not, that a present vote was doubtful as even having expressed a judgment in a voting context.

I intend to pursue the matter further, Mr. President, to see where the ramifications of this issue lead not only on this subject but also on other classified matters.

But I for one feel that once here Senators ought to be trusted presumptively and as well as from an evidentiary base, that we are worthy of the trust and know what it is we are voting upon or if there is some policy consideration which requires a different treatment, it ought to be explicit and we ought to be dealing with it in a specific way so that it is known what we are doing here and to whom we are delegating our responsibilities and whether or not that is appropriate.

If there is a contention that the national interest requires secrecy, then a judgment should be made on that basis, or it may be that the consequences of secrecy are more damaging than the risks of disclosure.

But these, to me, in my way of thinking, are all considerations which require a great deal more of elaboration than has been presented on this record illustrated by the exchange last night.

Mr. TOWER. Will the Senator yield?

Mr. SPECTER. Yes.

Mr. TOWER. If I might respond to the Senator, I fully appreciate my distinguished colleague's frustration. And it is unfortunate that we are called on to make a legislative decision under these circumstances.

We are both blessed and cursed by living in an open society, one in which the Government is responsive to the popular will. I think, of course, the benefits outweigh the disadvantages substantially. But, in fact, when confronted by a powerful adversary that is indeed a closed society that can protect its secrets, we do suffer a disadvantage, particularly when you consider the fact that the adversary has a very, very powerful military machine that probably now exceeds our own in terms of overall capability.

It is very difficult for us to keep secrets. The Russians can buy a copy of Aviation Week for maybe $2.50—I think you have to subscribe for it, you cannot buy it on the newstand—but they can get more intelligence out of that than we could get in the way of comparable intelligence if we spent a billion dollars. So we do suffer a certain disadvantage in being an open society with a Government whose actions are always accountable to the popular will.

I think we must recognize that and, in fact, permit certain trusted members of the legislative branch to have access to highly classified information without insisting that everybody have access to it. Because every time you add one person into the secrecy net you increase not arithmetic but geometric the chances that sensitive information is going to be revealed to the adversary. And this has happened. Unfortunately, the Congress leaks like a sieve. We have been, even ourselves, unable to contain classified information and we have suffered for it.

Again, I would say to the Senator from Pennsylvania what I said yesterday. There is a certain amount that has to be taken on faith. And I hope that that can continue to be the case. Even if we went into executive session here with 100 Senators and threw out of the Chamber all of the staff members that do not have access to this information or are not cleared, there would still be a good prospect of a leak.

Let me say to the Senator from Pennsylvania that the reason the Russians are closing the technological gap on us so rapidly is because they have gained access to our ways of doing things, to our high technology, and gained it by virtue of the fact that we are an open society and do publish everything. And that is why we are having to spend billions upon billions of dollars to try to rehabilitate our own military capabilities.

I would hope that the Senator from Pennsylvania would not press this to the extent that we make classified information more widely available. As I say, you do have to take certain things on faith. All of us do. Very often I am not up to speed on a matter that pertains to taxation, and so I ask my good friend, BOB DOLE, the chairman of the Finance Committee, for his advice on what I should do. Perhaps I am not up to speed on an agricultural issue. I ask my good friend, JESSE HELMS, the chairman of the Agriculture Committee, what I should do. Perhaps I am not up to speed on a particular aspect of appropriations. I ask MARK HATFIELD for advice. We do that. We act on faith with each other around here. And certainly, if there is any area on which we should act on faith, it is in the area of classified military material.

May I say that we in the Senate and the House act on blind faith when we delegate away so much legislative authority to executive branch departments or agencies or regulatory bodies. We have delegated away more authority over the last 40 years than probably the founders of the Constitution ever thought, we should have as legislators in the first place. If the Senate wants to reclaim its authority in any area, it ought to be in the field of domestic affairs, which should be sharply distinguished from external affairs, where we have delegated away the authority to regulatory authorities of this country.

I wish I could hear as many complaints on the way the Senate has done so much on faith in delegating its authority to faceless bureaucrats than I do in the Senate not properly availing itself of classified information.

I did not mean to get on the soapbox, but I want to try to put things in perspective. And I say again to the Senator from Pennsylvania, I apologize—I did not bring it up—but I apologize anyway for the fact that this issue did come up in open session of the Senate and Senators were required to vote blind. But I would say that that should not be used as the basis for insisting on classified material being more broadly available.

Any Senator—any Senator—can insist, almost, I think, without fail, on making classified information available to him should he choose to do so. Many Senators choose not to do so. There are certain matters that I am aware of that I do not choose to be briefed on thoroughly.

As a matter of fact, in the old days, the way we worked around here, intelligence matters were handled largely by the chairman and the ranking minority member of the Armed Services Committee. Richard Russell and Leverett Saltonstall used to be the only two people in the Senate that really knew about sensitive matters in the Intelligence Committee. We decided that was not enough; that more Senators and more Congressmen should have access. In the process, we have seriously denigrated the intelligence-gathering capability of this country and at once our ability to preserve our own secrets.

So what I am saying is that I sympathize with the Senator from Pennsylvania, I share his sense of frustration, but also, at the same time, to try to implore him to understand why we cannot always, even in a closed session of the Senate, get into very intimate details about matters that, if they become known to our adversaries, would militate strongly against the security interests of the United States of America.

Mr. SPECTER. I thank the distinguished Senator from Texas for those illuminating comments.

I agree totally with his castigation of the delegation of blind authority to regulatory agencies or executive branches. And while the delegation to other Senators is of a different type, it involves the same kind of a concern as to the appropriateness of any kind of delegation.

When the distinguished Senator from Texas refers to inquiries which he makes to Senator DOLE or Senator HELMS or Senator HATFIELD on matters within their purview of expertise, I think that is exactly correct; that I would suspect that if the Senator from Texas pursues with Senator DOLE some of the underlying facts on the decisions on finance, that Senator DOLE would respond giving him details or Senator HELMS on agriculture or Senator HATFIELD on appropriations.

Mr. TOWER. It is really a very poor analogy, because in fact there is no analogy to what we are talking about.

Mr. SPECTER. Well, with all due respect to the Senator from Texas, I disagree. The amendment was up yesterday and in the cloakroom I made inquiry of the Senator from Texas about the substance of it and was told, in perfectly good faith, and I accepted it at that time, that it was not susceptible to disclosure.

Mr. TOWER. What I am saying is I made a poor analogy, because in fact there is no absolute analogy.

Mr. SPECTER. In that respect, I will not disagree with the categorization of the analogy.

I am concerned with a couple of the things which the Senator has said and I would look to pursue briefly, since we have a window here until someone returns for the next amendment.

When the Senator made the comment that things have to be left to "certain trusted Members" of the Senate, I believe, I certainly would like to believe, that there is no category of "certain trusted Members" of the Senate which is in distinction to other Members of the Senate who are not trusted. And I am concerned with the conclusion, which I know the distinguished Senator from Texas reaches with a lot of authority and a lot of experience.

Mr. TOWER. If the Senator would yield, let me say it is not a matter of one Senator's being trusted over another. It is a matter of dealing with information on a need-to-know basis. As you know, in the intelligence community everybody is departmentalized so that various elements of the community do not, in fact, know what other elements are doing. And there is very good reason for that. So there is a certain departmentalization.

The fact is, it is not a matter of one Senator being more trusted than another. It is a matter of one Senator having a greater requirement to know than another.

Mr. SPECTER. The difficulty I have with that is the need to know when matters are coming before this body to vote for them. I was coming to the conclusion of Congress leaking like a sieve, which, I understand, is based on substantial experience, the Senator having experienced his 20th anniversary in this body not long ago.

Mr. TOWER. I was the vice chairman of the spoof one, as it was called, of the Select Committee on Intelligence. We bared the secrets of the intelligence community and hamstrung the efforts of our intelligence community for several years. They are only now beginning to recover. We lost the confidence of other friendly intelligence communities over the world in our efforts to democratize the business of gathering intelligence.

We made a mistake. I should not like to see us repeat these mistakes.

I am well aware of the people's right to know. The people have a right to know a great deal. At what point does the people's right to know come in conflict with the people's right to be secure to the extent that secrecy can afford them security?

Mr. SPECTER. I would think that if the 100 Members of this body were trusted with a secret, it could be retained.

Mr. HART. Will the Senator from Pennsylvania yield?

Mr. SPECTER. I yield.

Mr. HART. One of the hazards of staying on the floor is occasionally some interesting debate occurs. When that happens, one has trouble staying out of it.

Mr. RUDMAN. Will the Senator yield for a moment?

Mr. HART. Yes.

Mr. RUDMAN. For the information of Senators on the floor, I want to announce that at the conclusion of the two next amendments, which they are about ready to present, we will be able to have passage of this bill.

Mr. HART. Getting back to the subject, I joined with the Senator from Texas on the Select Committee to Investigate Intelligence Operations. I would want to register a little bit of a caveat to the statement he made. It was in response to an observation, I think, about leaking like a sieve.

What is important to know, however, about the committee, and it was an ad hoc select committee, is that it handled an enormous amount of very secret information for a year and a half. I think one would be hard pressed to find one leak out of that committee.

We did issue a report. The view of the Senator from Texas on that report was that it had all of those negative ramifications and apparently no positive ramifications. Historians and participants in that can disagree about what the results of the investigation were.

But if the subject of the investigation at that time was whether a Senator or group of Senators can handle highly classified material in a responsible way, I would use the select committee, or the Church committee, as an example of how that could happen. I frankly think that the oversight committee, which has been a direct result of that investigation, has been very responsible in that regard. That does not go to the specific issue of whether all Senators should have access to all information, but it does go to the issue of whether some Senators can, over a period of time, handle very classified information and do so responsibly.

I think both the Church committee and the Oversight Committee proved that they can.

Mr. TOWER. May I say to the Senator from Colorado that I think the successor committee did a better job than we did. That is a confession. But I think, in fact, they learned from our experience. I think we did get into some areas that we publicly probably should not have done, but I think our successor committee learned from our experience. They are not a chip off the old block but they are an improvement.

Mr. HART. I would only say it was revealed that one of the main concerns was the assassination of world leaders. I would believe that if the intelligence community or the U.S. Government undertook to assassinate foreign leaders in the future, it should be exposed.

Mr. TOWER. I may suggest to the Senator from Colorado that I am not sure that we got all the facts on the assassination business.

Mr. HART. I thank the Senator from Pennsylvania.

Mr. SPECTER. I do have a couple more comments to make before yielding the floor. I shall be very brief.

The comments of the senior Senator from Colorado suggest that Senators can be trusted and that we could have the information and it not be leaked. I think on the "Congress leaks like a sieve," that is a subject that we ought to take up and do something about. That should not be the starting point for not having the necessary information available when we vote.

I was very interested in the comments by the Senator from Texas when he said that "any Senator can insist, almost" on getting information. I will be inquiring to see how far a Senator can go, what the parameters of "almost" may be.

Mr. TOWER. I think I would remove that "almost." The Senator has a great deal of power if he should insist. I would not encourage a Senator to do so unless there was a good reason to know.

Let me say this: When we go into closed session here and talk about classified matters, I do not think the Senate Chamber can be well swept, that what we say here can be really contained in these halls. There are certain staff who have to be retained here.

I am not saying that individual Senators may go out and talk. That is not what I am saying. But sometimes they talk to their staffs, unwittingly, and sometimes things just seep out. But, in fact, this is not a very secure place to talk about highly classified matter.

As a matter of fact, I think we have already talked too much here in open session about certain matters that had best be left to closed doors indeed.

Mr. STENNIS. Will the Senator yield to me for a comment on the subject matter?

Mr. SPECTER. I yield.

Mr. STENNIS. I thank the Senator.

Let me preliminarily say that I think the Senator is entirely within his rights in this inquiry he is making. It is a con-

stitutional right. But at the same it is very, very difficult to handle. I know for 20 years we have had this matter and we have pursued it in various ways. Things have finally worked out.

I would like to relate some facts on that, if I may.

I understand from other Members that they have several amendments that they are ready to proceed to. Under those circumstances, we will talk about this some more a little later.

I have some remarks I want to make on the bill, on the merits of the bill, when these amendments are considered. I just mention that now.

I was going to try to get the floor. However, I will yield to the leader who is about to offer some amendments.

Mr. SPECTER. As a concluding statement, and I think I still have the floor, the Senator from Texas said that he hopes I would not press to the extent of making classified material available. I certainly do not intend to press for any classified material to be available. I had some doubts as to whether I pressed on making material available to this Senate, which I will explain at a later time with the Senator from Texas and the Senator from Mississippi.

I very much appreciate the candor of the remarks this afternoon. I yield the floor.

Mr. PRYOR addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Mr. President, until the distinguished Senator from West Virginia comes back to offer his amendment, and I know all of us are anxious to proceed with the amendments and ultimately pass the Defense Appropriations Act of 1982, I would like to say that I am very pleased to note in yesterday's RECORD that Chairman WILLIAM ROTH, the distinguished Senator from Delaware, the chairman of the Governmental Affairs Committee, has stated that he will hold hearings on the independent inspector general bill sometime in the early part of the year.

It is my belief, it has been my long-held conviction, that we do need in the Department of Defense an independent inspector general to be the watchdog over this $208 billion we are about to appropriate.

I must say that my good friend from Missouri, Senator EAGLETON, has been a moving force in the past on the creation of the independent inspectors general in other areas of our Government. It is now time to move forward with the creation of an independent inspector general in the Department of Defense.

In 1978 Congress created the Office of Inspector General at most Federal Departments. Thanks to the leadership of the Senator from Missouri (Mr. EAGLETON), the Congress took one of the most cost-effective and sensible actions in our country's history.

Then, in May of this year, the House of Representatives at the urging of the distinguished chairman of its Government Operations Committee, Congressman JACK BROOKS of Texas—passed legislation creating an Inspector General in the Department of Defense.

We now have the opportunity to build on that important action. The American people want a Department of Defense that is plainly subject to the same controls as those in other Government agencies. We have an Inspector General at the Agriculture Department with 880 staff members who keep an eye on less than $20 billion. But we have no Inspector General at the Pentagon to watch over $208 billion.

We do have auditors and inspectors within the Defense Department. In fact, we have 18 separate organizations, and 18,000 people in various services who handle small parts of the puzzle. This situation is fragmented, however, and as a result no one is fully responsible or accountable.

Nowhere in Government is a responsible and totally independent Inspector General needed more than at the Defense Department. We need someone, Mr. President, who is "mean as a junkyard dog," to use a phrase of the present administration. We need someone who is not a family pet or a house puppy. It should be a person who has enough independence and power to strike fear in the hearts of anyone tampering with tax dollars—whether the wrongdoer is military, civilian, contractor, or lobbyist.

And we need someone soon, Mr. President. Already money has been lost. We will soon approve major spending increases. Yet all indications from the Defense Department are that any future Inspector General should be different from those at other agencies. The Pentagon feels that an exception should be made, and that any function along this line should be carried out by one of their own.

Let me illustrate this position by referring to the testimony of William H. Taft IV, General Counsel to the Defense Department, at a Senate hearing last June 18:

> Those provisions which establish the independence of the Inspector General in the Department of Defense are completely inconsistent with the hierarchal commander, subordinate relationship that is at the heart of any military organization and is embodied in the chain of command. . . . These provisions do not encourage the individual to work with the Secretary as part of his team. In our view, the Secretary of Defense must have the ability to terminate any review process or investigation that the Inspector General may initiate which would jeopardize national security.

We must invest in an Inspector General for the Defense Department the resources and authority to perform the job the taxpayer needs and deserves.

I was going to be joined earlier in this debate by Senators METZENBAUM and HEFLIN in an amendment for the creation of an independent inspector general. But because we now see that this hearing will be held before the Governmental Affairs Committee, I am very pleased to report that it looks like we are going to make progress on the legislation. I appreciate the efforts of the distinguished Senator from Delaware, the chairman of the committee.

Mr. ROBERT C. BYRD. Mr. President, I have two amendments. I want to accommodate Senators who wish to board airliners for places outside the city.

The first amendment I have would add $250 million to the bill for accelerating the advanced technology bomber. I would be willing to take 5 minutes on my side and be prepared to vote on that amendment.

I have a second amendment, which is a sense of Congress resolution, dealing with a stronger U.S. Navy. I am prepared to vote on that amendment; and if I could have 15 minutes, I would be prepared to vote.

If we could agree that there would be an up-and-down vote on each amendment, I would take 5 minutes on the first amendment, no more than 15 minutes on the second, and would have the two votes either back to back or have one vote and have the second vote follow the second speech.

Mr. RUDMAN. I thank the distinguished minority leader. I believe that will be a good way of handling these two amendments.

I ask unanimous consent that we have discussion on both amendments, followed by back-to-back votes, in accordance with the suggestion made by the distinguished minority leader. The time will be equally divided.

Mr. ROBERT C. BYRD. Would this allow me 5 minutes on the first and 15 minutes on the second?

Mr. RUDMAN. That is correct.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. ROBERT C. BYRD. The understanding is that I will have 5 minutes for my own use on the first and 15 minutes for my own use on the second. Is that agreeable?

Mr. RUDMAN. That is correct, I believe we are talking about 10 minutes equally divided, and 30 minutes equally divided. We will not be using all of our time.

Mr. ROBERT C. BYRD. And votes will occur up and down on both.

Mr. RUDMAN. That is correct.

Mr. ROBERT C. BYRD. I thank the Senator.

Mr. President, the first amendment I shall send to the desk proposes to add $200 million to the amount already in the bill for accelerating the advanced technology bomber, or "Stealth" bomber program. It does not transfer any money from the B–1 program. It is an add-on and is intended as an add-on, and no Senator should interpret it as related to the B–1. I am not taking funds away from the B–1. The Senate has already endorsed the administration's decision on the B–1.

I will not take the time of the Senate to repeat all the arguments that were made just a few days ago on my amendment which would have added $250 million. If the Senate had added $250 million, the figure would have been commensurate with the figure the House has in the bill, and there would have been no conference item to resolve. But as it is, the figure is $250 million in the House portion of the bill and zero, so far as the base I am talking about, in the Senate bill; so that in conference, the

figure could come out $250 million or it could come out zero, insofar as the base is concerned from which I am operating, or it could come out somewhere in between.

If the amendment I now offer is adopted, then the conference item will be that of resolving the difference between the $200 and $250 million. So here are the main points:

First, this is the top-of-the-line technology which promises to give America new leverage with the Soviet Union in the strategic area. We must nurture it on an accelerated track. The administration has said it intends to do so. But, as I have already indicated, the funding level in the bill is some $250 million below that in the House bill.

Second, we must insure that, if we go with the B–1, funding for Stealth is not sacrificed and that the program is not unduly stretched out because of the funding for the B–1 program.

Surely, all Senators can agree to that proposition. It is essential to bring the program on line, so that an initial operating capability [IOC] be available in the early 1990's. I believe that if we keep the program on the fast track, it is within the ingenuity of our scientists and engineers to deliver an operational squadron around 1990.

There has been a welter of confusing information on when the B–52H will no longer be able to penetrate Soviet airspace with assurance. There has been a shifting series of statements by the Secretary of Defense and other officials on when the B–1, if we build it, will lose that penetration ability. But there has been really no controversy that the Stealth will present very great difficulties for the Soviets throughout the 1990's and into the next century. So, if we want to assure the success of that vital strategic mission, we dare not crimp this program.

Testimony by both the recently retired Strategic Air Commander, General Ellis, as well as the present Commander, General Davis, before the Senate has provided us with substantial evidence that the Stealth program will be delayed. Indeed, the very amount appropriated in this bill is such evidence. The amount I am proposing we add in this amendment itself is somewhat lower than I have been advised could be added and still not reach a maximum program.

The important principle we adopt when we vote for this additional money is that the Senate joins the House in refusing to underfund what is perhaps the single most important new strategic, highly classified program now under development. This is a commitment to American technological superiority, and to maintaining our technological edge.

I urge the adoption of the amendment.

UP AMENDMENT NO. 755

Mr. President, I send the amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from West Virginia (Mr. ROBERT C. BYRD), on behalf of himself, Mr. NUNN, Mr. LEVIN, and Mr. HART, proposes an unprinted amendment numbered 755:

On page 28, line 18, strike "$9,076,906,000" and insert in lieu thereof "$9,276,906,000."

Mr. RUDMAN. Mr. President, we have discussed the funding of Stealth on a number of occasions in the past 72 hours.

This, of course, is right on point with what the Senator from Pennsylvania, the Senator from Texas, and the Senator from Colorado were discussing a few moments ago.

This program is so classified that I am unable to state in open session the precise amount of funding that is carried in this appropriation.

I simply point out—and I will be very brief—that, first, this appropriation item has not been underfunded. It has been funded at a level requested by the administration, and not 1 dime of the money that was requested has been reduced by the Senate. It is true that the Senate chose not to adopt the House add-on of $250 million, feeling that the Air Force and the administration had a reasonably good idea of what they desired.

Second, there are many who feel that there is only a certain rate at which money can be absorbed. We do not believe that money can be put into this program at a faster rate than it is capable of being spent efficiently.

It is my understanding that we will have a rollcall vote on this amendment, following the next amendment offered by the distinguished minority leader, and we will then have the votes together.

I yield back the remainder of my time.

Mr. ROBERT C. BYRD. Mr. President, I ask for the yeas and nays on the pending amendment.

The PRESIDING OFFICER (Mr. HATCH). Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. ROBERT C. BYRD. Mr. President, it is my understanding that the distinguished manager of the bill on the other side wishes to have the two votes back to back.

Mr. RUDMAN. That is correct. Our understanding and our unanimous-consent request was that we have both votes at the conclusion of these two amendments.

The PRESIDING OFFICER. The Senator is correct.

Mr. RUDMAN. Will the distinguished minority leader agree to a further unanimous-consent request, that the second rollcall vote be of 10 minutes duration?

Mr. ROBERT C. BYRD. It is perfectly agreeable to me.

Mr. RUDMAN. I make that request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS addressed the Chair.

Mr. ROBERT C. BYRD. Mr. President, will the Senator from New Hampshire retrieve his time and yield some to the Senator from Mississippi?

Mr. RUDMAN. Mr. President, I ask unanimous consent that my previous yielding back of my time be rescinded, and I yield the remainder of my time to the distinguished ranking minority member of the committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. I will take only 2 minutes.

Mr. President, this amendment for $200 million is above the figure recommended by the President as being his needs. It is $200 million beyond the official recommendation in the President's budget. I do not think any compelling reason has been given, with all deference to the author of the amendment, as to why we should vote the additional money at this time or why we should go over the rule we have, which does have a meaning—that appropriations for these purposes are subject to a point of order unless they have been authorized.

I point out to the Members that until a few years ago, the Appropriations Committee had full control of the amounts that would be appropriated for any military purpose. There were one or two exceptions to that.

The proposal was taken up then, considered by both Houses, and was passed, and it has been followed generally until particularly this year.

I know, as a practical matter, that it has rendered a tremendous service. The Armed Services Committee, should we go back to the old rule, would be virtually decimated, without any real part in carrying out the authorization of this massive military program now, which, compared to the old days, is enormous and dominates, to a degree, the entire budget.

So I respectfully say that there has not been any real reason given as to why we should violate this safeguard of authorization. As a practical matter, the Department of Defense says, in effect, that they do not need the money.

So I certainly am going to vote against the amendment, and I hope that will be the voice of the Senate.

I yield the floor.

Mr. ROBERT C. BYRD. Mr. President, do I have any time remaining?

The PRESIDING OFFICER. The Senator has 4 minutes remaining.

Mr. ROBERT C. BYRD. I thank the Chair.

Mr. President, I say to my distinguished friend from Mississippi, the distinguished Senator who is the ranking minority Member, that the other day when he was away I called up this amendment. It was tabled. It was in the amount of $250 million. It involves a subject which he has indicated, and properly so, cannot be discussed on this floor. But at that time, I offered a lengthier statement which I thought was convincing and persuasive within the restrictions that we have to operate. But I must say that I have been advised by the Stealth program director that this amount of money can be effectively used if appropriated by Congress.

That is what I am attempting to do. The money in the amount of $250 million is in the House bill. I am simply trying to avoid putting that $250 million totally into conference. It could come out of conference as zero insofar as the base on which we are operating here is concerned. I am trying to raise the Senate figure up to within $50 million of the House figure so that in conference it will only be the $50 million to be resolved. So I say that the money is needed. It can be effectively used and I hope that the Senate will adopt the amendment.

So I yield back the time on that amendment.

The PRESIDING OFFICER. Is all time yielded back?

All time is yielded back. Under the previous order the Senator from West Virginia is recognized to offer another amendment.

UP AMENDMENT NO. 756

Mr. ROBERT C. BYRD. Mr. President, I send the second amendment to the desk and ask that it be stated by the clerk.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from West Virginia (Mr. ROBERT C. BYRD), for himself and Mr. HART, proposes an unprinted amendment numbered 756.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 71, following line 14, insert the following: Sense of the Congress Resolution on the Navy of the United States.

It is the Sense of the Congress that—

(1) a larger and stronger American Navy is needed as an essential ingredient of our armed forces, in order to fulfill its basic missions of (a) protecting the sea lanes to preserve the safety of the free world's commerce, (b) assuring continued access to raw materials essential to the well-being of the free world, (c) enhancing our capacity to project effective American forces into regions of the world where the vital interests of the United States must be protected, (d) engaging the Navy of the Soviet Union or any other potential adversary successfully, (e) continuing to serve as a viable leg of our strategic triad, and (f) providing visible evidence of American diplomatic, economic and military commitments throughout the world.

(2) In order to conduct the numerous and growing missions of the modern American Navy, a goal of a Naval inventory of approximately 600 active ships of various types by the end of the century at the latest, is highly desirable, the exact figure to be flexible to accommodate new designs as the specific details of our Naval missions evolve to meet various contingencies.

(3) The Secretary of Defense comply with Section 808 of Public Law 94–106, the Department of Defense Appropriation Authorization Act of 1976, which requires him to "submit a five-year naval ship new construction and conversion program . . . concurrent with the submission of the President's budget" each fiscal year, in order that the Congress may more properly appropriate the funds necessary to reach a 600-ship goal at least by the end of the present century.

Mr. ROBERT C. BYRD. Mr. President, it is my understanding that the vote will be on this amendment and that therefore there will be no amendment in order to the amendment. The vote will be on the amendment itself.

Is that agreeable to the ranking manager of the bill?

The PRESIDING OFFICER. The agreement was for an up-and-down vote precluding a motion to table but does not preclude any second-degree amendment.

Mr. RUDMAN. It is my understanding that the Chair has stated correctly my understanding. It is my further understanding the minority leader is asking whether or not we would enter into another unanimous-consent request barring further amendments.

Mr. ROBERT C. BYRD. Yes.

Mr. RUDMAN. I wish one moment to look at this amendment which I just received.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I do apologize to my friend from Mississippi. He is correct and I should have cleared with him the requests that I received, but since we were trying to work this out it seemed to be just as easy to let the Senator from New York speak as to have a quorum call which could have confused it more.

I am trying to work out with the distinguished minority leader an amendment, I might say, and I would invite the Senator's attention to this as we have got it.

Mr. ROBERT C. BYRD. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time? If neither side yields time, time will run equally against both sides.

Mr. ROBERT C. BYRD. Mr. President, how does the amendment now read, may I ask the Chair or have the clerk begin the reading of the amendment?

The PRESIDING OFFICER. The clerk will read the amendment.

The legislative clerk read as follows:

On page 71, following line 14, insert the following: Sense of the Congress Resolution on the Navy of the United States.

It is the Sense of the Congress that—

(1) a larger and stronger American Navy is needed as an essential ingredient of our armed forces, in order to fulfill its basic missions of (a) protecting the sea lanes to preserve the safety of the free world's commerce, (b) assuring continued access to raw materials essential to the well-being of the free world, (c) enhancing our capacity to project effective American forces into regions of the world where the vital interests of the United States must be protected, (d) engaging the Navy of the Soviet Union or any other potential adversary successfully, (e) continuing to serve as a viable leg of our strategic triad, and (f) providing visible evidence of American diplomatic, economic and military commitments throughout the world.

(2) In order to conduct the numerous and growing missions of the modern American Navy, a goal of a Naval inventory of approximately 600 active ships of various types by the end of the century at the latest, is highly desirable, the exact figure to be flexible to accommodate new designs as the specific details of our Naval missions evolve to meet various contingencies.

(3) The Secretary of Defense comply with Section 808 of Public Law 94–106, the Department of Defense Appropriation Authorization Act of 1976, which requires him to "submit a five-year naval ship new construction and conversion program . . . concurrent with the submission of the President's budget" each fiscal year, in order that the Congress may more properly appropriate the funds necessary to reach a 600-ship goal at least by the end of the present century.

Mr. ROBERT C. BYRD. Mr. President, I yield myself such time as I may require.

Mr. President, I am offering a sense-of-the-Senate resolution on the American Navy. It has been obvious for a number of years that disturbing trends have beset our maritime capability. Our shipbuilding capacity has diminished over the years. Our commercial carriers cannot compete effectively with foreign carriers without subsidies, both in construction and operations.

Our fighting naval forces have decreased steadily. Today we have about 450 active naval vessels; 10 years ago we had about 700. In the meantime, the Soviet Union has changed the missions, composition, and size of its navy. The Soviet Union has about 1,000 combatant ships, well over double the U.S. number. Their forces are not strictly comparable to our own. They have not built the formidable aircraft carrier that we have.

Nevertheless, they have built a "blue-water" navy, able to operate on a sustained basis in the far-flung waters of the globe. They have steadily increased operations in our back yard, the Caribbean, and have slowly but surely developed a naval relationship with Cuba. They have formidable fleets in the Mediterranean, North Atlantic, and Pacific Oceans.

I think all Senators will agree that unmatched naval forces are not a luxury for the United States. We are an island nation, our principal allies in the NATO alliance all lie across the ocean; we have vital commitments in the Far East; we are trying to establish a viable naval presence in the Persian Gulf.

Our Navy has many functions. Traditionally, it has had to safeguard the sea lanes for American and free world commerce and assure continued access to raw materials essential to the health of the Western economies.

It has had to fulfill many military assignments, including serving as a viable leg of our strategic Triad, preparedness to engage any enemy naval force successfully, and conducting various operations in support of our diplomatic and military commitments around the world.

These functions are now being supplemented with new taskings to project effective and sustainable forces in new areas of the globe, new environments and not always with the nearby support of reliable allies.

In the face of these traditionally demanding requirements and new taskings, it was clear that renewed attention to the state of our Navy has been in order. I thought, Mr. President, that the very dramatic testimony of our new naval leaders during the opening months of the present Congress would bring some needed change. Both Navy Secretary Lehman and Chief of Naval Operations Admiral Hayward testified to an alarming deterioration of capacity in our Naval Forces.

Admiral Hayward, for instance, stated in Senate testimony on February 5, 1981, that:

For the first time in anyone's recollection, the U.S. Navy is unable fully to meet its peacetime commitments.

He said that:

Our margin of comfort is totally gone. We are operating at the ragged edge of adequacy

when it comes to our globally disposed Naval Forces. We have been able to manage only because our forces have not been subjected to the added stress of combat anywhere in the world.

The theme was that we have too few battle groups to cover too many commitments, too many oceans, too many contingencies. He went on to say that:

The situation today is so murky one cannot, with confidence, state that the U.S. possesses a margin of superiority. If we do, it is so cloudy and tenuous as to be unreliable—both as a deterrent and as assurance of our ability to prevail at sea in a conflict with the Soviets.

The Secretary of the Navy testified that over the last few years, the Soviet Union has built almost three times as many major warships as we. "During this period, they have constructed at least 18 classes of surface warships and submarines. In comparison, we are presently building seven, three of which derive from a single design."

The result of the steady imbalance of effort between us and the Soviets in this area leads to the assessment by the present Secretary of the Navy that "after more than a decade of these adverse trends, I believe that our former narrow margin of superiority is gone. I believe that in some circumstances the Soviets can militarily interfere with our access to vital requirements simultaneously and can reasonably be judged able to prevail in at least some of those areas."

It is true that the American Navy still possesses considerable advantages over the Soviet Navy. We still have greater than a two-to-one advantage in total tonnage. Our ability to operate is far superior in many important respects. Perhaps most importantly, we carry our air cover with us on our carriers.

But the Soviet Navy also possesses advantages that we do not have. For instance, 15 sorts of surface warships and submarines carry at least one kind of cruise missile. Soviet strategy seems designed to seize and secure initiative with a single killing salvo. Missile-carrying surface ships and submarines, moving without tactical formation, could trigger surprise preemptive strikes. We do not as yet have an effective defense against this threat.

Soviet naval developments are moving rapidly and should not be underestimated. Recently, the Soviets have launched a giant 30,000-ton ballistic missile submarine, dubbed the "Typhoon," one that is far bigger than its U.S. counterpart, the 18,000-ton Trident.

U.S. naval analysts have been repeatedly surprised by the size and ambitious designs of the vessels that are now fleshing out the Soviet Navy. They have also deployed the world's deepest-diving, fastest and only titanium-hulled submarine.

Indeed, intelligence sources have been quoted in the public press that the Russian submarine-building complex is the world's largest, producing at a rate of six to eight boats every year. We produce less than half that.

If they are behind in aircraft carriers, they will not be behind indefinitely. Although they have nothing to match our fleet of 12 supercarriers, they have already launched two smaller carriers, which are about one-third the size of our own, and are scheduled to commission two more within the next 3 years.

They handle vertical take-off and landing aircraft, a development some of our naval experts in the Senate believe the United States ought to investigate for our own carrier forces.

The administration stated on many occasions that one goal, one benchmark that we could use to revitalize our Navy, was to increase the pace of shipbuilding so that we had at least the minimum number of naval units available to try to meet our many commitments more adequately and without straining our resources to the bitter end. The administration talked about a 600-ship Navy.

Indeed, published reports indicated a 700-ship Navy was being looked at by sometime in the 1990's. According to a report in the Washington Star on March 28, 1981:

Secretary Weinberger was considering a plan that could initiate the most ambitious U.S. shipbuilding program since World War II—a program aimed at increasing the Navy's fleet to between 700 and 800 ships within 15 years.

According to that article, by Mr. John Fialka:

A Navy source said that, in light of the growing Soviet naval threat, the 700- to 800-ship Navy is under serious consideration.

He said:

The 600-ship Navy was merely used as a "benchmark," the minimum the Navy ought to have.

The Secretary of the Navy and others indicated that a 600-ship Navy, at least, would be a goal worth pursuing.

Mr. President, we do not have any real concept of what kind of Navy this administration is contemplating. How many ships? What kind of ships? Yes, we have a few ideas. We have endorsed the concept of bringing battleships out of mothballs as new multimission platforms. We are endorsing new supercarrier construction. But the details of the long-range naval plan have simply not been made available.

Mr. President, the details of such a plan are legally required to be submitted every year with the administration's budget submission. The legal requirement was laid down in 1977 in the Department of Defense Authorization Act, section 808. The Secretary of Defense must, according to that section, submit his revisions of the 5-year naval ship new construction and conversion program "concurrent with the submission of the President's budget." Each year, this 5-year revision has not been submitted to the Senate, by the present administration, so far as I am aware.

That is understandable, to some extent. The new administration needed time to get going. But it is now December. A new budget cycle is about to begin.

I hope that we have not established a precedent here. We expect to receive the administration's plan with the new budget—we would like to have it right now. But 1 year of grace in this area should not be taken as carte blanche to never give the Senate any sensible long-term plan in the naval area.

A 600-ship Navy is an adequate goal to start with. Some say it is too ambitious. Certainly it should be somewhat flexible because new designs will inevitably bring different numbers of types of ships, according to the needs and requirements of the new commitments we are entering into in the world. But as an approximate number to shoot for, 600 has generally been regarded as a good strong goal.

I am concerned that instead of moving toward that goal, however, we are not making any progress at all. The rhetoric concerning the need for new ships has not been matched by the hard realities in this bill. This bill provides for $9.2 billion in shipbuilding funds. I do not fault the subcommittee. The administration's revised budget request asked for some $1 billion less than that. But put this in perspective. Studies done in the Senate indicate that the funds needed to achieve a 600-ship Navy by the year 1992 would amount to about $25 billion per year, every year. Even if we were to defer our 600-ship goal to the year 2000, more than $18 billion per year would be needed.

This is if the general mix of ship types that are currently in our inventory is carried forward. I think we should be creative, we need new designs, but we certainly need many more of the general types of ships that we are currently operating.

If we are to achieve the goal of a 600-ship Navy by 1992, the annual cost in 1982 constant dollars, according to the Armed Services Committee staff study, will be about $25.5 billion, of which about $19.5 billion would have to be dedicated to battle group and convoy-related ships, and $6.0 billion to strategic submarines, amphibious and support ships.

If we are to stretch our 600-ship goal to the year 2000, then about $18.5 billion per year would be needed, of which $12.5 billion would go to the battle group and convoy-related ships and $6.0 billion to strategic subs, amphibious, and support ships.

We could go into considerable detail on this, but there are some very serious problems which must be overcome to reach our goal. The aircraft carrier inventory, for instance, will require 11 replacements or service life extensions in 13 years, a very ambitious and expensive program.

Second, the nuclear attack submarine building program will have to be increased from the present rate of 2 to 5 per year. Third, the cruise guided missile destroyer forces present a very formidable challenge. To meet the 1992 schedule, we would have to build 10 per year versus the current rate of 3.

How much is in the bill before us for Navy shipbuilding? The figure is $9.2 billion. This is only about one-half the money needed if we want a 600-ship Navy by the end of the century. The current administration's program is not substantially different from the previous program.

Last year, we authorized 18 new construction Navy ships, 11 of them combat ships. This year, it is 17 new construction ships, 8 of them combat ships, as well

as the refit of 2 battleships. For a 600-ship Navy, we would need somewhere around 25 battle group and convoy-related ships alone, not counting submarines, amphibious ships and supporting ships and aircraft.

The resolution I am offering is very straightforward. It recognizes the expanding commitments we are calling upon our Navy to make, its multitude of roles, and expresses support for an expanded Navy of approximately 600 ships by at least the year 2000, which is a flexible goal depending on new designs and the specific details of our naval missions as they evolve to meet new contingencies. It asks the Secretary of Defense to comply with the law in submitting his new changes to the naval shipbuilding program concurrent with the administration's budget submission.

This is a modest resolution. The goal endorses the program we all believe reflects the administration's thinking and has broad congressional support. It asks that the necessary details be provided to the Congress as is mandated by the law.

I ask for the adoption of the amendment.

Mr. President, I ask unanimous consent to modify the amendment in the following fashion: Line 24. after the words "Authorization Act of 1976," strike the remainder of line 24. the entire line 25. the entire line 26, and the words on line 27 "fiscal year.".

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The amendment is so modified.

Mr. STEVENS. Mr. President, I commend the minority leader for submitting this amendment at this time. I consider it to be an amendment which expresses support for the bipartisan goal of a 600-ship Navy.

Since 1977, the administration commenced submitting the 5-year shipbuilding plan. In 1982, the Carter administration came forward with a new 5-year plan. In March, the administration submitted a budget amendment which involved a change in the profile of the plan for future years in some regard.

I am informed that in January 1982 the administration does plan to submit its 5-year shipbuilding program to accompany the fiscal year 1983 budget. The Department of Defense has, in my opinion, complied with existing law which provides that after the submission of a 5-year plan, as was required in 1976 for the fiscal year 1977 year, the Secretary of Defense "shall report to the Committee on Armed Services in the Senate and the House of Representatives any changes to such a 5-year program as he deems necessary for the current year and for succeeding years, based upon, but not limited to, the alterations in defense strategy in the United States and advances in technology."

The deletion that has been made in the amendment, through the modification offered by the minority leader, does make this resolution track the existing law and does comply with the announced intention of the administration as far as the 5-year plan is concerned.

Mr. President, let me sound a note of caution. The Senator is correct. There is $9.2 billion in this bill for new shipbuilding. There is substantial money for ship conversion and modification. But the amount of money that is in this bill ought to be a warning, because it is the tip of an iceberg. In this bill there is $2.4 billion in operation and maintenance funds for steaming hours. Now, that item has been under attack and I believe it is a justifiable difference of opinion. But it is not necessary to have complete, full-time steaming hours on existing vessels in order to be prepared.

What we must do is what this amendment indicates, and that is direct our efforts toward rebuilding our Navy. We are in the situation where only 20 percent of the Russian Navy is more than 20 years old; 80 percent of the U.S. Navy is more than 20 years. So this amendment strikes at the heart of one part of the administration's modernization program; that is, the modernization program as far as the Navy is concerned and the commitment to a 600-ship Navy by the end of the present century.

We can do that if we do not put too much money into operations and too much money into modernizing old vessels and put more money into the acquisition of high technology new vessels.

As the Senator's amendment notes, the specifics of 600-ship Navy by the year 2000 must remain flexible and must adapt to technological change. I believe that the bill we have presented—and I stated this at the outset of this on Monday, the outset of the consideration of this bill—is a resounding endorsement of this administration's goal of a 600-ship Navy.

I am pleased to see the Senator from West Virginia come forward, almost in a Vandenberg-like spirit, to say this is a bipartisan goal. We are happy to be in the position to accept this amendment and to urge every Member of the Senate to endorse it. It does comply with existing law and it does track the announced intention of not only the past administration but of this new administration to modernize our Navy.

Mr. ROBERT C. BYRD. Will the Senator yield?

Mr. STEVENS. I am happy to yield.

Mr. ROBERT C. BYRD. Mr. President, inasmuch as the distinguished Senator has indicated a willingness to accept the amendment, I ask unanimous consent, in order to accommodate our colleagues who must be on airplanes soon, that the rollcall vote previously ordered on the second amendment be vitiated.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. ROBERT C. BYRD. I yield back my time.

Mr. STEVENS. Mr. President, I inquire if that means the only remaining vote on amendments would be the vote on the first amendment offered by the distinguished minority leader, the amendment to restore money to the Stealth program? Am I correct?

The PRESIDING OFFICER. That will be the only rollcall vote.

Mr. STEVENS. Has there been a rollcall ordered on final passage?

The PRESIDING OFFICER. There has not been.

Mr. STEVENS. Mr. President, I ask that it be in order to order a rollcall vote on final passage of the bill.

The PRESIDING OFFICER. It is in order at this time.

Mr. STEVENS. Mr. President, I ask for the yeas and nays on final passage.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. ROBERT C. BYRD. Mr. President, I ask that the first rollcall vote not go beyond 15 minutes so as to accommodate our colleagues.

Mr. STEVENS. I believe that is in order. The matter has been adequately debated. I am prepared to yield back the remainder of my time and to announce that there will be a 15-minute rollcall and it will be terminated at the end of 15 minutes.

Mr. STENNIS. Will the Senator yield?

Mr. STEVENS. I do not yield back the remainder of my time. The distinguished Senator from Mississippi is entitled to time under that agreement.

ROLLCALL VOTE ON UP AMENDMENT NO. 755

The PRESIDING OFFICER. The question is on agreeing to amendment No. 755 offered by the Senator from West Virginia (Mr. ROBERT C. BYRD). The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. I announce that the Senator from New Mexico (Mr. DOMENICI), the Senator from Arizona (Mr. GOLDWATER), the Senator from California (Mr. HAYAKAWA), the Senator from New Mexico (Mr. SCHMITT), and the Senator from Wyoming (Mr. WALLOP) are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico (Mr. DOMENICI) would vote "nay."

Mr. CRANSTON. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Arkansas (Mr. BUMPERS), the Senator from Arizona (Mr. DECONCINI), the Senator from Louisiana (Mr. JOHNSTON), the Senator from Michigan (Mr. RIEGLE), and the Senator from South Carolina (Mr. HOLLINGS) are necessarily absent.

I further announce that, if present and voting, the Senator from Arizona (Mr. DECONCINI) and the Senator from Michigan (Mr. RIEGLE) would vote "yea."

The PRESIDING OFFICER (Mrs. KASSEBAUM). Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 36, nays 53, as follows:

[Rollcall Vote No. 455 Leg.]

YEAS—36

Baucus	Ford	Mitchell
Bentsen	Hart	Moynihan
Boren	Heflin	Nunn
Burdick	Huddleston	Pell
Byrd, Robert C.	Inouye	Proxmire
Cannon	Jackson	Pryor
Chiles	Kennedy	Randolph
Cranston	Leahy	Sarbanes
Dixon	Levin	Sasser
Dodd	Matsunaga	Tsongas
Eagleton	Melcher	Williams
Exon	Metzenbaum	Zorinsky

NAYS—53

Abdnor	Glenn	Murkowski
Andrews	Gorton	Nickles
Armstrong	Grassley	Packwood
Baker	Hatch	Percy
Boschwitz	Hatfield	Pressler
Bradley	Hawkins	Quayle
Byrd, Harry F., Jr.	Heinz	Roth
Chafee	Helms	Rudman
Cochran	Humphrey	Simpson
Cohen	Jepsen	Specter
D'Amato	Kassebaum	Stafford
Danforth	Kasten	Stennis
Denton	Laxalt	Stevens
Dole	Long	Symms
Durenberger	Lugar	Thurmond
East	Mathias	Tower
Garn	Mattingly	Warner
	McClure	Weicker

NOT VOTING—11

Biden	Goldwater	Riegle
Bumpers	Hayakawa	Schmitt
DeConcini	Hollings	Wallop
Domenici	Johnston	

So Mr. ROBERT C. BYRD's amendment (UP No. 755) was rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from West Virginia (Mr. ROBERT C. BYRD).

The amendment (UP No. 756) was agreed to.

Mr. GRASSLEY. Madam President, on November 30, 1981, Senator HARRY F. BYRD, JR., the distinguished senior Senator from the Old Dominion State of Virginia, announced his decision not to seek reelection to the U.S. Senate. I received this message with great sadness, and yet am pleased that Senator BYRD's term of office does not expire until 1983.

Senator BYRD's detractors have attacked him on occasion for holding dear many principles which I also hold dear. During his service in the Senate he has remained a firm and persistent advocate for fiscal responsibility in government. In essence, the Senator has been a valuable friend of the beleaguered American taxpayer. I have sought to apply those same principles of Federal stewardship which Senator BYRD and my predecessor in the House, Mr. H. R. Gross, have so faithfully stood by throughout the years.

The present movement in Congress to bring Federal spending under control is in many ways so strong because of the groundbreaking, consistent, and tireless work of Senator BYRD and others.

I consider it a great honor to have worked closely as Congressman from the Third District of Iowa with Senator BYRD during the 95th Congress to gain passage of the so-called Byrd-Grassley amendment. That measure stated that:

Beginning with fiscal year 1981, the total budget outlays of the Federal Government shall not exceed its receipts.

Senator BYRD's careful and determined legislative work led to passage of that amendment to International Monetary Fund legislation. I very strongly approved of the inclusion of that amendment to balance the Federal budget in 1981 and was successful in stimulating a favorable House vote to include it in the final bill which became Public Law 95–435.

Passage of that amendment to balance the budget was a significant historic step. It was one of the first clear affirmations in recent years passed in the Congress to express a principle which the American people want and deserve to have applied in legislation—that the U.S. Government should not, and cannot without disastrous economic and social results, live beyond its revenues. In short in 1978 we were attempting to reestablish confidence in the economy and Senator BYRD's economic insight is even more valuable today.

The efforts in Congress today to reduce excess Federal spending and balance the Federal budget clearly build upon the foundation set by Senator HARRY F. BYRD's invaluable efforts during his terms in the U.S. Senate.

Mr. STENNIS. Madam President, we have had a genuine and an illuminating debate that has been clear cut, mostly crisp, and to the point. The pros and cons were most capably represented by Members who knew the facts and understood the subject matter.

I insisted that the bill be brought to the Senate floor, where it would be subject to debate and amendment in the regular way and would be the only subject matter up for debate at the time.

I am highly pleased that this situation has prevailed, rather than have the bill crammed in as a part of a continuing resolution, with all the distractions.

Madam President, all the major votes on amendments showed the solid support, with strong margins, in favor of every phase of our weaponry and all phases of military preparedness. This shows solid support for the President's position in his negotiations for meaningful limitations and restrictions on strategic weapons and related agreements. With this support, he will be able to negotiate from strength. The American people expect the President to be firm, which I have every reason to believe he will be. Actually, there is no real division between Congress and the people.

I greatly deplore the violations with this bill, in many instances, of the rule requiring express authorization for military weaponry and other items. This practice will gradually break and even destroy our committee system in the Senate. In a more normal year, we must return to a strict adherence to the system requiring authorizations.

Madam President, I commend those who have labored long and hard on this bill, especially the Senator from Alaska (Mr. STEVENS) and the Senator from Oregon (Mr. HATFIELD).

BUDGET-BUSTING DEFENSE APPROPRIATIONS BILL

Mr. PELL. Madam President, there are many excellent and long overdue initiatives in the 1982 Defense appropriations bill before the Senate today. There is much in this bill that I wholeheartedly support. I have concluded, however, that the overall level of spending in the bill is so excessive and unjustified by our real military needs that I cannot support final passage of this legislation.

This bill would appropriate a single year increase of 22 percent in our defense budget, from $171 billion in fiscal 1981 to $208 billion in fiscal 1982. The amount contained in the Senate bill is $11 billion more than approved by the House of Representatives and $8 billion more than requested by the President for military spending. I seriously question whether the Pentagon will be able to manage a single year increase of $37 billion without hasty, wasteful and unwise spending. In my view, $208 billion is an unconscionable level of defense spending unjustified by our present military needs and certain to contribute to the soaring Federal deficit that is at the root of our national economic crisis.

My vote against this bill is a reluctant one, because there is much in it that I strongly support. The committee has included $330 million in advance procurement for the Trident submarine program, a level I strongly support and one which I hope will be sustained in conference. This long lead funding is necessary to maintain the production of Tridents at the steady rate advocated by President Reagan. The Tridents are the most survivable and effective nuclear submarines ever built and I believe the committee has acted commendably in providing an adequate level of advance procurement funding in the absence of an authorization for the ninth and tenth Tridents.

Of particular importance to the future of the Trident program is the $239 million in the bill for research and development of the Trident II missile. I have previously urged the administration to accelerate the development of the Trident II and to consider a sea-based Trident II as an alternative to further development of the MX.

The Trident program is critical to our future national security, yet it should be noted that the amount of funding for the Trident program is less than 1 percent of the overall total of this bill.

The bill also contains $953 million for the construction of two additional SSN–688 *Los Angeles* class submarines. The continued production of attack submarines at the rate of two per year is strongly in our national defense interest, and I support this extremely important naval procurement.

I especially commend the committee for its inclusion of $300 million to supplement the capital improvements program of the Coast Guard. This initiative is a welcome recognition of the Coast Guard's role as member of our Armed Forces. This money will enable the Coast Guard to procure the vessels, aircraft and other equipment desperately needed to permit satisfactory performance of the enormously widespread military and civilian role the Congress has given to our "second Navy."

There are many other elements in the bill directed at conventional force modernization and improved readiness capability that are commendable and long overdue. The bill, however, is weighted down by more than $3.7 billion for the purchase of B–1 bombers and development of the MX missile. Both of these programs, in my view, are unjustifiable because of their immense long range costs and marginal addition to our national security. The value of the additional security we will supposedly be buying is not, in my judgment, equal to the enormous long term investment of tax dollars.

For these reasons, I have decided to oppose passage of this appropriations bill. There is much that is good in it and I am as mindful as any other Member of this body of the need for significant real growth in the defense budget. This bill, however, goes well beyond what is necessary for readiness to meet the current military threat, and for modernization of our conventional and strategic forces. A 22-percent in defense spending is foolhardy in light of the economic realities that confront us and is not a sane economic or military course for our country to follow.

Two weeks ago, the President vetoed a continuing appropriations resolution because it provided about $2 billion more in spending than he had requested for the entire Government. We are today acting on a single appropriations bill that is $8 billion above the amount requested by the President for one department of Government. If ever a bill were a budget-buster, this is it.

This appropriations bill now must be acted on by a House-Senate conference committee. I hope the conference committee will produce a bill that provides the increased funds really needed for a sound national defense, without the excessive budget-busting increases included in the bill now before the Senate.

FISCAL YEAR 1982 DEFENSE APPROPRIATIONS BILL IS $8 BILLION OVER BUDGET

Mr. PROXMIRE. Madam President, I intend to vote against this defense appropriations bill on budgetary grounds. Simply put, this bill exceeds the recommendations of the Reagan administration by about $8 billion. No one can accuse the Reagan administration of proposing a defense budget that is inadequate for our needs. The bill before us is a full $38 billion over the appropriations bill for fiscal year 1981. Now $38 billion is not an insignificant sum. It amounts to adding the entire Department of Labor budget to last year's defense appropriations. This is about a 22-percent increase over last year. No other budget has been so favorably treated. And perhaps no other budget needed such a large increase so that our military pay rates could be improved, our production rates accelerated and our modernization programs enhanced.

But to add an additional $8 billion to this mammoth sum, over and above the budget, is just too much to accept.

I understand the need to fund the already approved pay increase. I recognize the need to provide for a realistic inflation rate. But I do not accept the proposition that the President has submitted to the Senate a budget that is so woefully inadequate that we must add $8 billion to it. If increases are necessary for military pay and inflation, then we must find less critical areas to reduce spending at the same time. In a budget that has exploded by $38 billion in one year, surely no one can argue without some hint of discomfort that there is no room for more savings.

We cannot have two definitions of discipline in this country—one for the domestic agencies, the other for defense and foreign aid. If all Americans have been called on to sacrifice, then all agencies must share in the cost-cutting effort.

This bill gives the appearance that the Senate has a double standard—anything for defense without question but the most careful scrutiny of all domestic programs. In fact we should apply the same standards of questioning and investigation to the defense budget as the domestic budgets. We must be fair and evenhanded.

One of the worst aspects of this bill is the more than $100 million included in advance funding for potential overruns in the MX and the B–1. This precedent-setting provision removes any basis for discipline in defense contracting. It hands the contractors $100 million above the cost provided in the contract, above inflation—beyond what the President, the Secretary of Defense or the Air Force called for. Such a practice will hurt the budget and actually weaken our military by destroying the incentive to hold down exploding procurement costs.

Madam President, if this bill comes out of conference with the House at a level reasonably close to the President's request, and with the advance overrun deleted, then I will join in its final passage. But I cannot vote for this measure so far over budget and, at the same time, vote against other budgets over budget. There must be consistency in our budget process and that consistency demands that we treat all budgets alike. If they are over budget, they should be rejected by this body.

Madam President, it has been a long, grueling week, and while I could not vote for the final product, I commend my friends for their excellent handling of this bill. Indeed, I commend all my colleagues for the care and diligence with which they participated in this debate.

But I believe history will view it as a regrettable week because in this $208 billion bill, the largest appropriation for the Department of Defense in our history, we have shortchanged our defenses.

Instead of producing a balanced bill that would have carefully shored up the weaknesses in our strength—whether they were real or perceived—we have added to those weaknesses.

Instead of providing the President with the conventional manpower and equipment needed to project our presence into such vital areas of the world as the Persian Gulf, we have reduced those forces from the March budget and from the Senate authorization bill, before conference.

Instead of pushing ahead with the development and procurement of a major new weapon, the Stealth bomber, that uses the kind of advanced technology that has been the genius of America, we have taken actions which will slow that plane's development and instead build a 10-year-old bomber that will be obsolete within a few years after it is operational.

Instead of stopping the development of an MX missile until we know how it will be based, we are continuing to allow the missile to drive the basing mode and drive our strategic nuclear policy.

We have truly lost control over the MX missile. The missile size will decide the basing mode, instead of the basing mode affecting the missile's configuration.

Instead of forcing the administration to make a final decision on that MX basing mode, we shall continue to pour hundreds of millions into more studies. If studies could frighten the Russians, they would be quaking in their boots.

Also, this bill detracts from our strength at the same time it appropriates some $7 billion more than President Reagan requested. In fact, if the President is sincere in keeping the appropriations total within the guidelines he has established, he should veto this bill.

Many of us have not been very successful in having our ideas included in this bill.

What we have done successfully, however, is show that there is an alternative which says yes to readiness, yes to conventional strength, yes to rapid deployment, yes to the advanced technology bomber while saying "no" to second rate or wasteful nuclear systems.

I have no doubt of the sincerity of my colleagues who have succeeded in fashioning the kind of defense bill they wanted. I realize they believe they have fashioned a bill that will best protect the interests of the United States. I do doubt that the protection provided is the best protection or the most efficient protection.

I fear that by this bill we have distorted our Armed Forces by placing far too much reliance on the militarily inferior nuclear deterrent and far too little reliance on the conventional military strength that I think will be necessary to protect our national security without our having to resort to nuclear threats to deter aggression.

One of the most disappointing votes was the loss of the Proxmire amendment to strike the cost overruns actually built into the MX and B–1 by the bill.

The debate on this bill focused on militarily inferior and poorly conceived B–1 and MX nuclear systems against important military readiness needs.

Although the votes were lost, I believe the debate was useful. But the votes on those key issues being what they were, I cannot vote for final passage despite many good and needed other aspects of the bill.

Mr. LEAHY. Madam President, consideration of H.R. 4995, the fiscal year 1982 Defense appropriations bill, represents the first critical legislative test of the Reagan administration 5-year, $1.5 trillion defense plan.

The administration's plan is, by all accounts, extraordinarily expensive. If adopted in full, the $1.5 trillion defense program will have far-reaching effects on the Nation's economy and on nondefense Government services. It will place tremendous demands on our Nation's economic resources, effecting dramatic shifts in private sector investment patterns. If approved in full, it will force a wholesale reordering of national budget priorities.

The economic and spending priority issues raised by this bill, though vitally

important, must not be debated to the exclusion of critical defense policy questions. This bill in effect demands that we pass judgment, today, on a military strategy which will govern for decades our search for peace and security in this perilous age.

Madam President, I identify five fundamental questions which must be addressed as we shape the fiscal year 1982 Defense appropriation bill:

First. National security cannot be divorced from a vital and prosperous economy. Can the enormous Defense budget before us—$8 billion higher than the administration's September request—be financed without incurring enormous future budget deficits, and higher inflation and interest rates, and without substantially depressing the standard of living for millions of Americans?

Second. Will the commitment of vast funds for such programs as the B–1 bomber and deployment of MX missiles in hardened silos provide adequate long-term protection against the Soviet nuclear threat, and will expenditures here deflect funds needed to move ahead rapidly with the next generation of strategic weapons, such as the Stealth bomber?

Third. Do the proposed budget allocations provide sufficient support for force readiness, manpower and training, and supply requirements, or will these relatively "unexciting" components of an effective military establishment again be shortchanged at the expense of costly and untried strategic systems?

Fourth. Has every effort been made to eliminate cost overruns, and to reform wasteful procedures so frequently found within the Defense Establishment?

Fifth. Have we paid proper attention to the need for balance between nuclear and conventional forces, and to the implications inherent in the expansion of our nuclear deterrent on prospects for fruitful negotiations with the Soviet Union to curb the arms race?

Drafting a Defense appropriations bill which strikes the proper balance between competing economic and defense needs is never easy. Given the present budget squeeze, and faced with an alarming Soviet arms buildup, the task is particularly difficult this year.

On the one hand, I believe strongly, very strongly, that we must be unswerving in our commitment to a strong defense which will protect our Nation's vital interests. Our defense capability must assure our allies, and warn the Soviet Union, that we will not surrender our freedom or compromise the safety of the free world.

On the other hand, we must not, through excessive defense expenditures, compromise our Nation's economic strength and the well-being of the American public.

I believe the Reagan administration defense plan, at a cost of $1.5 trillion, upsets the proper balance between economic and defense needs, and exceeds the limits of an affordable military strategy.

The administration defense program cannot be evaluated in military terms alone. The national security implications of its effects on the economy, and on nondefense Government services, cannot be ignored.

The $1.5 trillion Reagan administration defense plan was first proposed in March when hopes for "supply-side" economic miracles were running high. The President acknowledged from the outset that his defense plan would be costly—that it would be financed, at least in part, by shifting Government funds from domestic program areas to our national defense. The loss of domestic services was to be minimized, according to the President, by the dramatic growth in Federal tax revenues expected from his supply-side tax cuts and economic policies.

What has happened since March?

The administration's forecast of 5.2 percent economic growth (real GNP) for 1982 has declined to 4.1 percent, to 2 percent, to 1 percent, and we are now mired in a deep recession with no recovery in sight.

The administration's forecast of millions of new jobs and 7-percent unemployment has been abandoned as the unemployment rate has soared to 8 percent. More Americans find themselves jobless today than at any time since the Great Depression of the 1930's.

Although interest rates have eased in recent weeks as the recession has deepened, mortgage rates and other interest rates remain well above last year's levels and well above the single digit levels forecast by the administration in March.

What are the implications of this dire economic news for the budget, and for our ability to afford the Reagan administration defense buildup? I believe the implications are critical, if not catastrophic. We are misleading the American public if we pretend we can afford this defense program given the many failings of current economic policy.

In March, the Reagan administration predicted budget deficits of $42.5 billion and $22.9 billion in fiscal years 1982 and 1983, respectively, and a budget surplus of $0.5 billion in 1984. These optimistic deficit projections were questioned by me and others who felt they could not be achieved given the administration's commitment to a $1.5 trillion defense budget and a $750 billion tax cut.

It is no surprise to me, therefore, that rising unemployment, high interest rates, and the current recession have combined to produce dramatically higher Federal budget deficit estimates.

To be more specific, the five leading private economic forecasters now believe a $90 billion deficit in fiscal year 1982 is more likely than the $43.5 billion deficit forecast by the administration in March. They predict a fiscal year 1983 deficit of $120 billion. And they believe the balanced budget the President has promised for 1984 will give way to a deficit of $130 billion more.

Madam President, without major change in the current administration's economic policies, without improvement in the $300 billion budget deficit outlook, I submit that we cannot afford a $1.5 trillion defense program. The high interest rates and inflation that result from deficit-financed defense spending of this magnitude would far outweigh the national security gains. The declining American productivity and competiveness in world economic markets which would result from the diversion of hundreds of billions of investment dollars into weapons stockpiles would undermine our economic strength and our national security.

The implications for domestic government services of a $1.5 trillion defense program at a time of soaring budget deficits are equally troubling.

In March, with rosy economic forecasts, the administration proposed an increase in the defense share of our national budget from 24 to 32 percent by 1986. The share of spending for the environment, for education, training, and employment, and for other nondefense needs would have been cut in half under the March budget proposals. As the economy has faltered and the deficit projections swelled, the pressure on the nondefense areas of the budget has intensified.

The President has not yet acknowledged the reality of the $300 billion deficit problem he has created. He has, however, reconfirmed time and again, his unwillingness to reconsider his $1.5 trillion defense plan or his $750 billion tax cut.

The implications of the President's current position are frightening. Either he must propose another $300 billion in domestic spending cuts—cuts which would literally dismantle the Government and break faith with the millions of Americans who depend upon Government retirement, health, housing, and food benefits. Or, he must accept huge deficits and the soaring interest rates and inflation that inevitably accompany such deficits. This is not a "zero sum game" we are playing. It is a negative sum game.

Madam President, the ongoing battle between Congress and the President over 1982 spending levels illustrates the painful tradeoffs between defense and domestic budget needs that have been virtually assured by the Reagan economic policies. Last week the President vetoed the $428 billion continuing appropriation resolution because it fell $2 billion short of his goal for 1982 spending cuts. The defense spending level recommended in the bill he vetoed was $196 billion. The Defense appropriations bill before us today recommends $208.5 billion for defense—some $12.5 billion more than the bill the President vetoed, and nearly $8 billion above his own September defense spending proposal.

Will the President veto this bill if we approve it in its present form? Will he sign this bill, and propose additional cuts of $8 billion or $12.5 billion in domestic programs? Or is the President willing to accept another $12.5 billion in budget deficits, as long as they are incurred in meeting defense, and not domestic spending requirements.

I do not know the answers to these questions. I do know that we are facing budget deficits in excess of $300 billion over the next 3 years. I do know that cuts in domestic programs beyond the

$31 billion already approved cannot be achieved easily or painlessly.

We must acknowledge these facts. We must acknowledge that soaring budget deficits, and growing public and congressional opposition to further domestic budget cuts, raise serious questions about our Nation's willingness and ability to support a $1.5 trillion defense budget over the next 5 years.

In 1982, faced with a deficit projection of $90 billion plus, can we afford a defense bill which is $8 billion above the President's request?

In 1986, when revenue loss from the Reagan administration tax cut reaches $255 billion a year, can we afford a defense budget of $350 billion?

I think not. We cannot overlook today's economic and budget realities. We must adopt a defense budget which is strong, and yet one which is affordable—one which will not bankrupt our economy and decimate Government services. We must avoid the tremendous waste that will follow if we ignore today's realities and embark upon a boom and bust cycle of defense expenditures.

History instructs us that societies can eventually weaken themselves as easily by neglecting the well-being of their people as by foregoing increased expenditures on armaments. I am distressed to think that the next generation of Americans may lack in education, in good diet and health care, and in access to basic human services that they need to sustain our political process and economic system. In such a case, it will do no good to compensate for such deferences by putting an enormous arsenal of destructive weapons at their command.

Madam President, the second of my major concerns with the spending bill is this: Does it allocate funds in a manner most consistent within our actual defense requirements?

I think not. Consider the examples of the B–1 bomber and the MX missile. Construction and deployment of these weapons will not, in my view, add substantially to our defense strength. And yet the cost of these weapons is enormous. I am convinced that the billions we would spend on the MX and B–1 are better spent on other more necessary, defense needs. I supported amendments to transfer these funds within the defense budget.

A brief commentary on the military worth of these weapons is in order.

First, a fundamental question: Is the B–1 bomber viable?

Advocates of the B–1 believe it would preserve maximum control over the decisionmaking process leading up to a nuclear exchange. This is so, they point out, because the B–1 could be used instead of missiles which we could launch but not then recall. Proponents of the B–1 believe it has performed well in tests and could be available for military use within 3 years.

Maintaining maximum control over the nuclear decisionmaking process is an important consideration, but I must take exception to claims that testing of the B–1 has proven its merits.

The B–1 is extraordinarily costly and projected costs are rising steadily. Estimates have gone from expensive—$200 million per aircraft—to outrageous—$400 million per plane in a single year. Many experts believe that the B–1 will prove to be a vulnerable aircraft. They believe its large size, its poor maneuverability at low altitude, and its electronic emissions make it easily detectable by enemy radar. The Pentagon recently conceded that after 1990 the B–1 bomber may no longer be able to penetrate Soviet air defenses—that pilots assigned to them would in effect be subjected to suicide missions.

Many of these aircraft would have only a couple of years of useful life as a penetration bomber. By proceeding with a $40 billion program to purchase 100 or more B–1 bombers, moreover, we are likely to siphon off funds needed for development of technology for the Stealth or other advanced penetration bombers.

By the Department of Defense's own admission, the B–1 bomber may be able to penetrate Soviet defenses no better than B–52's. It makes no sense to me to invest huge sums in a new strategic bomber which cannot meet defense requirements for more than a few years. It is small comfort to hear proponents advise that the B–1 will have a long afterlife as a conventional bomber. Why spend up to $400 million for such a plane when bombers which cost between $10 million and $30 million would do quite as well?

This bill also recommends that we proceed with another extremely expensive strategic weapons program—one which is equally limited in the number of years of enhanced defense capability it will purchase.

On October 21, 1981, President Reagan announced that he would abandon President Carter's proposal to deploy some 200 MX mobile missiles in 4,600 shelters to be built in Nevada and Utah. Instead, the President proposed to construct 200 missiles, of which 100 would be deployed during the next decade. The first group of missiles—between 38 and 50, would be placed in existing Titan and Minuteman silos.

Would such missiles in hardened silos survive a pre-emptive strike? The debate rages. Some experts doubt whether the United States or Soviet missiles systems would meet the expectations of pinpoint accuracy claimed by their creators. One theory is that launching one of the missiles in "real life" through the magnetic field over the North Pole will deflect missiles from their targets, and thus that East-West tests to demonstrate accuracy do not count for much. Others claim that silos hardened to 5,000 pounds per square inch would adequately protect missiles for the next decade. Reducing inaccuracies in bombing from 6,000 to 300 feet took 10 years, they point out, and further reductions will prove extremely difficult.

Other experts are not as quick to dismiss the threat of Soviet missiles. Intelligence technicians increasingly tend to accept reports that pinpoint accuracy claimed for Soviet inertial guidance systems are founded in fact. They suggest that we have no alternative to the Carter shell game proposal, unless we develop a feasible airborne missiles launch system, or bury the missiles in deep silos on the south side of our western mesas.

In fact, none of the proposed alternatives may work. Airborne and deep silo options have been rejected many times by the Pentagon. Hardening the silos may also prove futile. The Secretary of Defense has conceded that the advantages of hardening will be negated by improvements in Soviet missiles within 7 years.

Given these considerations, I believe we are ill advised to embark on this costly program. By pursuing this stopgap measure, we reveal the poverty of our strategic thinking on defense matters. We throw a great deal of money at an inadequate solution, and we deny resources urgently required to develop new and more durable strategic answers to our defense crisis. We should instead provide only such funds as are needed to continue to development of the MX pending agreement on an effective and affordable basing mode or limitations through a bilateral arms control treaty with the Soviet Union.

My third central concern with this defense bill involves the question of readiness. Simply put, are our military forces equipped to protect our vital interests around the world under a wide variety of possible combat conditions? Can we sustain a "theater" campaign for a year, or even a month, without running dangerously low on essential spare parts? Can our armed services handle our extremely sophisticated "big name" weapons effectively, avoiding numerous logistical problems stemming from their complexity and special uses? Can we deploy a credible force to defend our interests in the Persian Gulf or assist our friends in the Pacific? Could we do both simultaneously?

An unsettling amount of evidence indicates that we cannot do some of these things well and that some cannot be done at all.

We are all familiar enough with the horror stories about chronic shortages of spare parts and about inadequate budgets for training. We hear all too frequently of mechanical and performance problems with our newest generation of tanks and other tactical weapons. We have given in too often to the temptation to develop new weapons too sophisticated and too complicated for use under conventional war conditions. We have reduced the effectiveness of several key weapons systems while plunging ahead with plans to spend heavily on the "weapons of the future." It is intolerable that we must tear down new F–16's to obtain spare parts. It is unacceptable that we must tolerate breakdowns in the M–1 tank every 200 miles, that we must reduce the ammunition stocks of many military units to dangerously low levels, and that we ask our reserve forces to get along with worn-out equipment. It is intolerable that two-fifths of our advanced fighter aircraft are often out of service at any given time, and that the world's largest military vessel—the *Nimitz*—travels the seas 2,000 men under complement.

While we conjure up new ways to spend billions on the development and deploy-

ment of strategic weapons, we have scrimped on money needed for training personnel assigned to critical duties in our defense network. Some of the statistics concerning readiness are worrisome. The backlog in real property maintenance and repair funding has expanded sharply from $2.32 billion in fiscal year 1978 to a projected $3.55 billion by the end of fiscal year 1982. Real property maintenance, as the appropriations committee has aptly noted, has been neglected for so long, and the backlog is accelerating at such a rate, that if definitive action is not realized this fiscal year, allocation of funds for repair and maintenance of these resources in the future may no longer prove cost effective.

In 1981, we spent as much on cost overruns for new systems—$4 billion—as we did for the Army's central supply and maintenance program. For the projected cost of $400 million for a single B–1 bomber, we funded during fiscal year 1981 three-fourths of the Army's real property maintenance program in the United States, or the Navy's flight training program almost twice over. For the cost of four such proposed aircraft we ran the entire Marine Corps program in fiscal year 1981.

We are too ready to commit our limited resources to enormous new weapons systems, and far too reluctant to spend for the requirements of our armed services.

Fourth among my chief concerns with this appropriation bill is the persistence of defense waste and fraud.

I am deeply disturbed that our effort to increase our military strength has not been matched by a dramatic effort to cut waste, fraud and mismanagement in the defense budget. The waste and fraud amendment I offered would have eliminated just $200 million in waste from this bill, but it would have been an important first step.

Defense contractors have too often been encouraged to bid low on contracts with every assurance that price increases would later be allowed. Our military establishment has compounded the problem by "gold-plating," or inserting and paying for improvements after a contract has been awarded. Finally, there are simply too many instances in which contracts have been awarded without competitive bidding. Last year alone 37 major weapons systems under contract to the Department of Defense produced $4.3 billion in cost overruns. This translates into a 29-percent rate of increase per weapon after deducting the rate of inflation. This must stop.

Finally, and perhaps most important, I believe this bill fails to achieve the proper balance that must exist between conventional and nuclear forces. The implications are troubling for our national defense requirements, and for prospects of successful arms controls talks with the Soviet Union.

Can we project a credible conventional strategy in a war mercifully limited at the outset to conventional forces, or must we "go nuclear" to avoid the possibility of the defeat of our armies in Europe or Korea, or the loss of vital interests in other parts of the world? Evidence suggests that a serious imbalance exists between the Soviet bloc's enormous conventional forces in Europe and those under NATO's command. In neglecting our conventional strength, we raise the danger that we might be forced to "go nuclear" almost immediately to meet Soviet invasion challenges in Europe.

The President's effective and welcome speech on November 1, offered to forego deployment of 464 cruise missiles and 108 of the next generation of Pershing medium range missiles in Europe if the Soviet Union would remove 550 SS–20's, SS–5's, and SS–4's from their European launch pads. The President's offer marks a realistic inauguration to the Geneva arms talks which began this week.

Many of our allies and certainly the Soviet Union will conclude that one factor in the President's call for a substantial reduction in arms is his recognition that we cannot spend the enemy into submission.

The $1.5 trillion 5-year defense plan he has proposed was to be financed by a vigorously expanding economy: We are tumbling into recession. The industrial base which he is asking to manufacture an enormous range of new strategic weapons may not be able to do so—and, if it does, it will to the detriment of much of the rest of our industrial base. The marginal value of each new strategic weapon added to our already bloated arsenal of nuclear weapons and delivery systems is minimal. Worst of all, each new system we purchase for ourselves prompts an immediate and equal Soviet response, so that both superpowers opt for guns over serious domestic needs.

Of course, we cannot weaken our military power in the frail hope that the Soviet leadership will join us in a spontaneous move toward disarmament. This will not happen. We can, however, take steps to reduce the chance that we will raise the likelihood of nuclear war and undermine our economy in the pursuit of legitimate defense interests.

Modernization of our conventional forces is one important step we must take. Research and development should be accelerated. Our existing fleet of B–52 aircraft should be equipped with cruise missiles if necessary until more advanced bomber technology, such as the Stealth, is available. The construction of lighter submarines equipped with highly accurate short- and medium-range missiles should be considered before launching a new generation of large, expensive, and possibly less effective boats.

There are no easy answers, but we can and must dramatically improve the management of the Defense budget. We must keep our defense outlays in line with our economic resources. We must forego deployment of massive new strategic systems until we have a more compelling justification than has been put forward until now. We must look again at our readiness problems. We must get a handle on these egregious cost overruns. And finally, we must take a good hard look at the implications of accelerated defense spending on the prospect for our single most important task—the avoidance of a nuclear holocaust.

We enter a winter of increasing discontent about rising unemployment and a faltering economy, about valuable social programs abandoned or eviscerated, about the insensitivity of our political institutions to the Americans' fears of nuclear war. If production of the B–1 and deployment of the MX stand as hostages to a faulty assessment of our defense needs, the idea that we can spend the Soviets into second-class status reflects a misreading of history. A younger generation is demonstrating in Europe against nuclear madness, and our counterparts will join them soon enough. It will not be enough to take shelter behind a trillion dollar defense program, or to explain later that in fueling the arms race we meant only to insure our safety. A sense of proportion must be demanded. There is no better place to begin than with the Defense appropriations bill now before us.

Madam President, in conclusion, this bill presents the Senate with an impossible choice. There is no justification for spending $208 billion this year, and $1.5 trillion over the next 5 years on national defense. We are misleading the American public if we pretend we can afford a defense buildup of this magnitude given the current Reagan administration economic policies.

At the same time, the bill contains much which is essential to our national security and must be supported.

It is my strong hope that the conference with the House of Representatives, which has already passed a $196 billion Defense appropriations bill, will result in a bill which is affordable, and which is more responsive to the concerns I have raised on the issues of readiness, conventional and strategic balance, and Defense waste and fraud. While the Senate will pass a much larger Defense bill tonight, all of us know we must reach a dollar amount much closer to that of the House of Representatives.

I hope the President joins the conferees of the two bodies in working toward a final Defense bill that answers the real military security needs of our country—without seriously undermining the economic security of the Nation. It can be done so long as the Pentagon realizes it, too, has an obligation to give the taxpayers their money's worth. It can be done with a realization that the basic and proven defense systems are often more valuable than the exotic and unnecessarily expensive ones.

And last, it can be done when we realize that true security will come about for the United States—and the rest of the world—only when we have real, bilateral, nuclear arms reduction between the superpowers. I am convinced that virtually all my colleagues—of both parties—agree on these basic points.

Mr. BRADLEY. Madam President, I will vote in favor of the defense appropriations bill because I believe America needs to improve its military posture. I am also concerned, however, that the mix of programs funded in this bill is neither the best nor the most efficient means to achieve that goal.

Genuine improvements in military posture can be achieved only through a

sustained enhancement of our defense capability. This, in turn, requires a strategy for defense that serves our most important foreign policy and national security objectives.

This administration has yet to articulate such a strategy for defense. Without that, how can Congress judge whether this bill's allocation of our defense resources adequately serves our Nation's security interests?

To help the administration develop an effective defense policy, I offered an amendment that would have focused attention on the tough choices we must make in setting our defense priorities at a time of fierce internal competition for resources and fierce economic competition from abroad.

When our present alliances were formed, America did not need allies as much as they needed America. That situation has changed radically. Countries that used to be economically and militarily dependent on us are now our keenest competitors in international markets. In view of this shift, we must reassess our roles in, and responsibilities for, the defense of Western Europe, Northeast Asia, and the Near East. This reassessment should take place before we become committed to a particular set of defense programs and weapons systems.

It is clear that the United States no longer has enough resources to defend independently all Western interests that will be threatened by Soviet power in the late 1980's and early 1990's. Therefore, we must concentrate improvements in our military capability. Either we must do more to help our allies deter Soviet attacks in Western Europe and Northeast Asia, or we must do more to defend friends and assets in the Near East. To do that, the United States, its NATO allies, and Japan must agree on a redistribution of responsibility for defending our collective security interests in these regions.

The United States has belatedly recognized that we must give priority to securing a sustained flow of oil from the Persian Gulf to the industrialized democracies. America has a comparative advantage in deterring Soviet aggression in this region and in defending Western interests there. For this reason, we should concentrate our military improvements in the Near East. This means allocating a growing share of resources to the rapid deployment force which so far exists largely on paper only. It also means that Europe must contribute more to NATO, while Japan must assume a bigger role in Northeast Asia. In the absence of this redistribution of the collective defense burden, American forces will be spread dangerously thin.

The administration has not conducted a sharply focused analysis, and this appropriation bill reflects the absence of a coherent view of our vital interests and the factors most likely to threaten them in the coming decade. The bill funds additions to a hodge-podge of programs, unduly fattening some while starving others.

In particular, I am concerned about the readiness of our general purpose forces. This bill does fund substantial additions to readiness accounts. That is good. But I have doubts that those funding levels will be maintained. This bill uses inflation assumptions which, while more realistic than the President's, are still likely to seriously understate inflation in the defense sector. Nor do I believe Congress will increase defense spending to accommodate inflation. Rather, the Defense Department will have to absorb inflation within existing budget levels. If the past is any guide, they will respond to funding shortfalls, not by making the tough decision to cut certain programs and shut down production lines, but by shortchanging the readiness of our general purpose forces.

There already is a serious question about our forces' capacity for a timely, effective, and sustainable response to the most likely military threats. The reason is that we have historically underfunded essentials like spare parts, major overhauls and operation and maintenance activities. And we have subordinated readiness, mobility and sustainability to weapons procurement.

This trend must be reversed. Accordingly, I supported several amendments that would have insured improvements in the readiness of each of our Armed Services. And I voted to pay for these improvements by transferring funds from the B–1 bomber program. While persuasive arguments have been made for this bomber, I believe readiness must be at the top of our list of priorities. Without readiness, deterrence is a sham.

I also supported using funds from the B–1 program to accelerate development of our advanced technology bomber, the so-called Stealth. On the basis of extensive information which the Pentagon submitted to Congress, I have concluded that allocating more resources to Stealth will strengthen the U.S. strategic bomber program. The Stealth will be far more effective than the B–1 because its advanced technologies will make it virtually undetectable by radar and make Soviet air defense obsolete.

In a world of infinite resources we might go forward with two bomber programs. But in the real world, where resources are all too limited, there are large opportunity costs to pursuing both. The B–1 will cost between $20 and $40 billion. Given these costs, a decision to develop the B–1 is likley to end up delaying the deployment of Stealth or depleting the strength of our conventional forces.

Because all these amendments were defeated, we are left with a bill that places excessive emphasis on strategic nuclear programs at the expense of improving our conventional forces.

My concern with this bill's allocation of our defense resources is heightened by my concern for the well-being of our economy. Improving our military posture over the long haul requires a sound economic base and good prospects for future growth. This is essential to an enduring public acceptance of the costs of a sustained defense buildup. Without a consensus for more defense spending, we will be unable to avoid the cycles of boom and bust that have impaired readiness and increased costs in the past.

The amendment I introduced would have required the President to do four things: First, to anticipate the implications of both low economic growth and high inflation for the administration's defense policies and programs; second, to consider what alternative economic strategies the administration would pursue if we have a protracted recession or rampant inflation; third, to identify the adjustments to our military strategies, programs, and requirements that would be needed if the economy continues to perform badly; and fourth, to report these findings to Congress by January 31, 1982.

My purpose in offering this amendment was to insure that our economic policies will, in fact, allow us to finance the level of defense spending our national security requires. I do not believe the administration's present policies will do that. When the President's budget is fully implemented in 1986, he will have cut taxes by over $750 billion, raised military spending by over $180 billion, and cut civilian programs by no more than $130 to $140 billion. Even if he gets all these civilian cuts, which is unlikely, they still are not large enough to do the job. This means some tough choices in the months ahead. If the budget is to be contained even at levels previously held unthinkable, defense will have to be cut, more revenue will have to be raised, or there will have to be some combination of cuts and tax increases.

Our ability to make these choices wisely and to strike the right balance among competing economic and military claims will be greatly enhanced if we plan for them in advance. We should not indulge the dangerous illusion that we cannot afford the defense effort our security requires. At the same time, we must adopt the economic policies that will permit us to finance defense without causing inflation to surge.

I see little indication that we or the administration are willing to face up to these realities. We are planning for defense in an economic vacuum. And we have enacted fiscal and monetary policies that put our defense budget in jeopardy.

Despite these and other reservations—ranging from the total size of the budget to its component parts—I will vote for the defense appropriation bill. For all its shortcomings it does compensate for past deficiencies in funding key programs. While I might prefer a slightly different resource allocation within the defense budget, it does spend dollars on many personnel and weapons systems which are essential to our national defense. Therefore, on balance, I must support the legislation and I am hopeful that when we take up the 1983 budget and 1982 defense authorization and appropriation bills we will adopt a more thorough and more comprehensive approach to our national and economic security.

Mr. STEVENS. Madam President, I ask for third reading.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from New Mexico (Mr. DOMENICI), the Senator from Arizona (Mr. GOLDWATER), the Senator from California (Mr. HAYAKAWA), the Senator from New Mexico (Mr. SCHMITT), and the Senator from Wyoming (Mr. WALLOP) are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico (Mr. DOMENICI) and the Senator from Wyoming (Mr. WALLOP) would each vote "yea."

Mr. CRANSTON. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Arkansas (Mr. BUMPERS), the Senator from Arizona (Mr. DECONCINI), the Senator from Louisiana (Mr. JOHNSTON), the Senator from Michigan (Mr. RIEGLE), and the Senator from South Carolina (Mr. HOLLINGS) are necessarily absent.

I further announce that, if present and voting, the Senator from Delaware (Mr. BIDEN), the Senator from Michigan (Mr. RIEGLE), and the Senator from Arizona (Mr. DECONCINI) would each vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 84, nays 5, as follows:

[Rollcall Vote No. 456 Leg.]

YEAS—84

Abdnor	Ford	Mitchell
Andrews	Garn	Moynihan
Armstrong	Glenn	Murkowski
Baker	Gorton	Nickles
Baucus	Grassley	Nunn
Bentsen	Hart	Packwood
Boren	Hatch	Percy
Boschwitz	Hawkins	Pressler
Bradley	Heflin	Pryor
Burdick	Heinz	Quayle
Byrd, Harry F., Jr.	Helms	Randolph
	Huddleston	Roth
Byrd, Robert C.	Humphrey	Rudman
Cannon	Inouye	Sarbanes
Chafee	Jackson	Sasser
Chiles	Jepsen	Simpson
Cochran	Kassebaum	Specter
Cohen	Kasten	Stafford
Cranston	Kennedy	Stennis
D'Amato	Laxalt	Stevens
Danforth	Leahy	Symms
Denton	Long	Thurmond
Dixon	Lugar	Tower
Dodd	Mathias	Warner
Dole	Matsunaga	Weicker
Durenberger	Mattingly	Williams
Eagleton	McClure	Zorinsky
East	Melcher	
Exon	Metzenbaum	

NAYS—5

Hatfield	Pell	Tsongas
Levin	Proxmire	

NOT VOTING—11

Biden	Goldwater	Riegle
Bumpers	Hayakawa	Schmitt
DeConcini	Hollings	Wallop
Domenici	Johnston	

So the bill (H.R. 4995) was passed.

Mr. STEVENS. Madam President, I move to reconsider the vote by which the bill was passed.

Mr. TOWER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Madam President, I move that the Senate insist on its amendments and request a conference with the House of Representatives thereon and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer (Mrs. KASSEBAUM) appointed Mr. STEVENS, Mr. WEICKER, Mr. GARN, Mr. MCCLURE, Mr. SCHMITT, Mr. ANDREWS, Mr. KASTEN, Mr. D'AMATO, Mr. RUDMAN, Mr. STENNIS, Mr. PROXMIRE, Mr. INOUYE, Mr. HOLLINGS, Mr. EAGLETON, Mr. CHILES, Mr. JOHNSTON, and Mr. HUDDLESTON conferees on the part of the Senate.

Mr. BAKER. Madam President, the Department of Defense appropriations bill was a difficult and lengthy consideration for the Senate. It occupied 5 days of the Senate's agenda, occupying over 40 hours of floor time, including 26 rollcall votes and 47 amendments.

The hardship involved in this bill is best known by the managers of the bill, the distinguished assistant majority leader Senator STEVENS, and the distinguished senior Senator from Mississippi, Senator STENNIS. I wish to extend my appreciation and gratitude to both Senators for their tireless efforts this week. Senator HATFIELD, the distinguished chairman of the Appropriations Committee, and Senator PROXMIRE, the distinguished ranking member, also contributed to the bill's passage, and they have my sincerest thanks as well.

This was an emotional and complicated measure; I am indebted to all Senators for their cooperation.

Mr. STEVENS. Madam President, I yield to the Senator from Texas.

Mr. TOWER. Madam President, as the chairman of the authorizing committee for this appropriation bill, I have rarely seen anything to equal in this body the skillful job the Senator from Alaska has done in the management of this bill. He has been evenhanded and even tempered. He has tolerated my presence here and my concern. He has done a splendid job. He has sustained in splendid fashion the policy of this administration of rehabilitating the defense capability of the United States of America.

Not only do the Members of this body, but everyone in the country, owes him a great debt and I commend him and thank him.

Mr. STEVENS. Madam President, I thank the Senator from Texas for that exaggeration. I do wish to say that the gentleman who is in the Chamber, the Senator from Mississippi, with whom both the Senator from Texas and I have served our apprenticeship, is the man who spent more time on this floor on defense matters, I think, than any other Senator in this decade, if not in this century.

He has guided us well and he has been of sound and firm counsel.

He is not only a firm friend, but a strong supporter. I think we are all indebted to him for the long hours that he continues to put in on defense matters, and I am grateful to him for his support.

Madam President, I yield to the Senator from Oregon.

Mr. HATFIELD. Madam President, I voted no on the defense appropriations bill, but I do not want it to be reflective of my view concerning the managers of the bill or the chairman of the Armed Services Committee, because these gentlemen, Senator STEVENS, Senator STENNIS, and Senator TOWER, have all labored diligently in a direction pursuing a philosophy and a policy they deeply believe in, and I respect and admire their perseverence.

I have been in the role of the adversary. I have been rolled over every time, but at the same time I can rise at this moment and say that they are good adversaries and they are men of great patriotism and men of great principle.

I just wish to pay my tribute to them in spite of the fact that I think the bill is wrong and I think their position is wrong, but they are indeed very outstanding Senators.

Mr. STENNIS. Madam President, if the Senator will yield to me briefly, I thank him very much for the sentiment.

I wish to highly commend the Senator from Texas, the Senator from Oregon, the chairman of our Appropriations Committee, the Senator from Alaska and others who contributed for the fine job that they have done. With the enormous massiveness of this bill, particularly this year with everything else upside down, it is an amazing thing that they have done here. They stayed with it and stayed on the merits.

I count it a privilege to work with them and thank them very much.

Mr. STEVENS. I thank the Senator.

Mr. President, I wish to call the Senate's attention to the fact that we do have a relatively new staff in the Defense Committee headed by Dwight Dyer who is not a stranger to this Chamber. He and his staff, Susan Shekmar, Sean O'Keefe, Wayne Schroeder, Norma Perna, and Mazie Mattson, have done an excellent job on this along with the minority staff, Fred Rhodes and Jane McMullan.

But I do think they deserve a great deal of credit for the detailed work that has gone into this.

I yield to the Senator from California.

Mr. CRANSTON. Madam President, I thank the Senator for yielding.

Madam President, I join in the commendations that have been expressed.

This has been a very difficult bill. This has been a very difficult week. At the same time, I am deeply troubled by one aspect of the debate that we have engaged in this week.

I am not being critical of those who have handled the bill or the leadership on either side of the aisle, and I am not critical of them in what I am about to say.

I jotted on paper what I want to say because I want to choose my words carefully.

During this week of debate the Senate descended into a rancorous partisanship on national defense issues, issues which have traditionally been debated and decided on their merits.

Partisanship on economic and social issues where Senators have deep philosophical differences is understandable, but national defense is different. Every Senator wants America to have a strong national defense. When Senators have disagreed on how best to achieve a strong national defense, those disagreements have seldom, if ever, been partisan in this body.

But for Democratic and Republican Senators alike to be proposing and voting on defense issues consistently on the basis of party is a dangerous trend for the dignity of the Senate and for the security of our country.

To allow the legislating of our defense program to degenerate into a partisan quarrel will inevitably weaken national defense itself.

I am not pointing the finger of blame at any Senators. The entire Senate, myself included, has been caught up in a partisan atmosphere.

To understand the genesis of that atmosphere you have only to look at two developments: First, there is the new practice, begun 3 or 4 years ago, of introducing amendments intended only for use in political guerrilla warfare against Senators who are radical rightwing targets.

Then came extremist organizations like NCPAC, distorting the true meaning of Senate votes and falsely accusing incumbent Senators of being opposed to a strong national defense.

Senators see colleagues who they know—they know—are totally committed to the best possible national defense assaulted by the big lie technique of charges of softness on national security. It is no wonder Senators have become angry and partisan. It has been a partisan and it has been an angry week, and we can blame the politics of rightwing campaign techniques.

I would just like to suggest to my colleagues that we reflect upon this, that we think about what is happening in this body. Again, the leadership on neither side of the aisle and the leadership handling this bill on neither side of the aisle has been responsible for what has occurred in this body. All of us to some degree are, and I just suggest we think about it, and we try to restore a commonality and an absence of partisanship on national defense issues that I fear is slipping through our fingers.

Mr. BAKER. Madam President——

The PRESIDING OFFICER. The majority leader.

Mr. BAKER (continuing). I cannot recall in my 15 years in the Senate a more partisan speech than that which I have just heard, and I regret it, for I disagree with virtually every word of it, and I would not have expected it from the distinguished minority whip.

We have negotiated in 5 days of debate, in 40 hours of deliberation, with 26 rollcall votes, a historic piece of legislation that may indeed set the tone and shape the form of the defense of this country for decades to come. It has been done with conscientious contribution of effort, of insight, of points of view and passion by Members on both sides.

But that, Madam President, is not partisanship. That, Madam President, is in the very best traditions of this body as a public forum for the determination and the formulation of the policies of this Nation.

If, Madam President, the reference is to the fact that in most of those amendments the majority prevailed, then I accept whatever blame the distinguished Senator from California may assign to me, for I have tried throughout my tenure here in these 10 months as majority leader to fashion Republicans into a functioning majority, a group that can work out their differences, that can compromise, and can stand together and support our administration on important issues. I believe we have done that and we have succeeded.

But that is not partisanship. That is the responsibility to govern. That is the mandate of the majority. That is what we understood when the Democrats were in a majority, and that is what I urge that my friend from California understand now.

Mr. HART. Madam President, I supported this legislation. I did so because it is the primary function of the bill to finance the national security interests of this country.

I did so with great reluctance, however, because of two issues. I think we have made a very, very serious mistake in going forward with a weapons system, the B–1 bomber, that was previously canceled, and I think we further complicated one of the most complicated issues in our whole national security structure, and that is the issue of a new land-based ICBM or MX system.

I do not think we clarified that. I think we made it more complicated, and I think both of those decisions will come back to haunt us.

Finally, Madam President, let me just say as a veteran of the campaign of 1980 at least part of what the Senator from California had to say here today is absolutely true. I know as a matter of confirmed fact in the Armed Services Committee of the U.S. Senate and on the floor of the U.S. Senate that votes were set up to be used against candidates in 1980.

I think that is deplorable, and I think the Senator is right on target. The degree to which that practice carried over to this bill I cannot say, but I do know that votes that were absolutely phony as they could be on defense issues were used against me, and I voted in the national security interests of this country when I cast those votes.

So the Senator's argument on that score is well-founded. Whether he is right in terms of its carrying over on this particular piece of legislation I do not know.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. LAXALT. Madam President, I yield to the minority leader.

Mr. ROBERT C. BYRD. I thank the Chair and I thank the distinguished majority leader.

Madam President, I want to compliment the managers of the bill that has just been enacted, Mr. STENNIS and Mr. STEVENS. They have performed admirably and with a high sense of dedication and purpose. I personally commend and thank them

I also, however, take this moment to make a few observations in consonance with the remarks of the able minority whip, Mr. CRANSTON.

The actions of the majority Republican party in the Senate over the last 2 days on the Defense appropriations bill concern me that the program to rebuild America's defenses is in danger of being stillborn.

The early months of the present Congress witnessed a flood of rhetoric about how past Defense programs of the 1970's had been seriously underfunded, how the Soviets were outstripping us in every category.

More was urgently needed virtually across the board—from beans to bullets to battleships to ballistic missiles and bombers. There was widespread bipartisan agreement with this proposition, and we believe a broad national consensus to support it.

The first authorization bill for defense was passed in May and overwhelmingly endorsed the administration's funding levels.

We were concerned at that time that the necessary details of the programs—what kinds of strategic weapons systems, how large and what kind of Navy, what kind of a presence in the Persian Gulf, for instance—would be filled in in time. Now, it seems that we are being delivered a defense program which is not as advertised.

The strategic decisions—from early retirements of B–52's and Titan missiles, to deferring decisions on an MX basing mode, to an inadequate Stealth bomber program—are such as to lead one to believe the window of vulnerability is being opened earlier and that the current strategic program is fundamentally weak. It may well be weaker than the program proposed by the last administration.

In conventional forces, the original administration budget submission has been scaled down. We are reducing our presence in the Persian Gulf, our Navy may now never reach an adequate size, we have crimped down the readiness of the armed services. We will even be withdrawing troops from Europe.

It is unclear to me how this administration can say it will only negotiate with the Soviets from a position of strength, and allow this inadequate defense bill to become law.

We have attempted, by means of a series of amendments to bring this bill back up to a level closer to what the President originally proposed and the Congress endorsed in May. We have attempted to:

Increase our ability to project forces into the Persian Gulf by adding four new KC–10 tanker aircraft.

Maintain our naval forces at least at the level they were at last summer by insuring that enough money is available for Navy steaming hours.

Insure the major new technological breakthroughs represented in the Stealth aircraft program become reality by in-

creasing the funding for that program up to the level recommended by the program managers.

Reject the diminution in our Army and withdrawal of American troops from Europe just at the moment that sensitive negotiations have begun with Soviets in Geneva.

Add back the necessary money for various readiness functions, for example, ammunition, for the Army—at least closer to the level we endorsed last May.

Adequately fund the B–52 program.

All these amendments were rejected by the Republican majority in a display of complete partisanship. The Nation's defenses are being whipsawed by economic considerations rather than our security needs.

Our defense program is being made to pay for the mistakes of this administration's economic program. We will continue to try to reverse this trend and put into place a strong defense program which more adequately fills the national need.

ORDER VITIATING CONSIDERATION OF S. 881 AND SUBSTITUTING H.R. 4241 THEREFOR AT THIS TIME

Mr. BAKER. Madam President, I ask unanimous consent that the previous order entered in respect to S. 881, the Small Business Act, be vitiated, and that the Chair lay before the Senate H.R. 4241, the military construction appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAXALT. Madam President, I yield to the Senator from Oregon.

HERBERT CLARK HOOVER DEPARTMENT OF COMMERCE BUILDING

Mr. HATFIELD. Madam President, I ask unanimous consent that the military construction bill be temporarily laid aside in order to take up another bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATFIELD. Madam President, I ask unanimous consent that Calendar Order 395, a bill I have offered to designate the Department of Commerce Building in Washington, the District of Columbia, as the Herbert Clark Hoover Department of Commerce Building be laid before the Senate.

Mr. ROBERT C. BYRD. Madam President, reserving the right to object, and I do not expect to object, can we be assured that there will be no amendments offered to this bill?

Mr. HATFIELD. There are no amendments.

Mr. ROBERT C. BYRD. I thank the Senator.

The PRESIDING OFFICER. There being no objection, it is so ordered. The clerk will state the bill by title.

The bill clerk read as follows:

A bill (S. 657) to designate the Department of Commerce Building in Washington, the District of Columbia, as the Herbert Clark Hoover Department of Commerce Building.

The Senate proceeded to consider the bill.

Mr. HATFIELD. Madam President, this matter has been considered by the Senate committee. It is cosponsored by Senator CRANSTON of California, Senator HAYAKAWA, Senator MOYNIHAN from New York, Senator JEPSEN, Senator GRASSLEY from Iowa, Senator PACKWOOD and myself from Oregon.

The Senate and the Congress generally have taken time in our history to recognize the buildings of departments of our Government by naming them for people who have been most instrumental in giving them their greatest and finest and highest leadership.

We have designated the Department of Labor as the Frances Perkins Department of Labor Building. We have designated the Health and Human Resources building as the Hubert Humphrey Building. I think any objective historian will say that the man who developed the Department of Commerce in the history of this Nation more effectively than any other Secretary was Mr. Herbert Clark Hoover.

In fact, one of the great tributes was that all during the Roosevelt administration, and every administration up to Mr. Carter's, his portrait was still hung over the mantle of the Secretary of Commerce's office, personal office, recognizing his great contribution. Only in the Carter administration was it removed. It has now been placed back in that position of honor.

On this 107th anniversary of his birth, I am delighted to offer this bill and have this kind of sponsorship from the Senators from the four States in which he lived.

Madam President, I ask that the bill be adopted at this time.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 657) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 657

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Department of Commerce Building at 14th Street and Constitution Avenue Northwest, in Washington, the District of Columbia, shall hereafter be known and designated as the "Herbert Clark Hoover Department of Commerce Building." Any reference in a law, map, regulation, document, record, or other paper of the United States to that building shall be held to be a reference to the "Herbert Clark Hoover Department of Commerce Building".

Mr. HATFIELD. Madam President, I move to reconsider the vote by which the bill was passed.

Mr. LAXALT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HATFIELD. Madam President, I wish to thank the Senator from Nevada for his courtesy in yielding. I also wish to thank the majority leader and the minority leader for clearing the program for this action at this time and lift the 3-day rule.

MILITARY CONSTRUCTION APPROPRIATIONS, 1982

The PRESIDING OFFICER. The clerk will state the military construction bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 4241) making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1982, and for other purposes.

The Senate proceeded to consider the bill which had been reported from the Committee on Appropriations with amendments.

Mr. LAXALT. Madam President, I am pleased to bring before the Senate H.R. 4241, the military construction appropriations bill for fiscal year 1982. This bill, as reported by the committee, has been carefully reviewed by the committee and contains projects which we believe are necessary and justified for improved living and working conditions for our military personnel as well as for the improved readiness posture so vital to our national security.

Madam President, as with most of the appropriations bills this year, the military construction bill was amended in March and again in September. It is interesting to note that the $7.3 billion request considered by the committee is $700 million below the administration's March budget. The committee has strongly supported these amendments, and the bill includes the changes which were requested.

The bill now before the Senate recommends $7,287,756,000 for military construction and military family housing in fiscal year 1982. The bill as reported is $12.9 million under the President's amended request and is $400.2 million over the House allowance.

Madam President, this bill contains an increase of $1.9 billion over the fiscal year 1981 appropriation. While this appears to be a rather significant increase over last year's bill, it is important to note that the military construction program in the recent past has been used as a balancing tool by the Defense Department in their budget preparations.

We must realize that without the facilities to house and feed our personnel, and without proper facilities to maintain our weapons systems and equipment the Department of Defense would be in a very bad situation. The committee has discovered that in some locations these conditions already exist—we must not let this continue. I believe that this bill is a step in the right direction toward meeting the needs of the military construction program.

Madam President, the bill as reported is within budgetary guidelines with regard to budget authority and outlays.

Madam President, the report that accompanies H.R. 4241, Senate Report 97–271, has been available to our colleagues since November 13. The report contains the detail of the committee actions including a project listing by location. I would, however, like to highlight a few areas which I believe are of significance.

MX missile—The committee considered an amended request of $30.3 million

for facilities to support the MX missile system. Of this request, $19.3 million was for planning and design and $11 million for a so-called MX headquarters at Norton Air Force Base in California. The committee has recommended the Norton facility because even without the MX in the multiple protective mode (MPS) there is a crying need for administrative space to support functions at Norton. The remaining $19.3 million has not been included in the Senate bill because it is the committee's feeling that adequate funds already exist from a previous deferral for any planning and design requirements for MX during fiscal year 1982.

Middle East, Persian Gulf and Indian Ocean facilities—The committee has strongly endorsed, as did the Armed Services' Subcommittee on Military Construction, the administration's request for facilities to support the rapid deployment force. Some $540.9 million is recommended for projects in Oman, Kenya, Somalia, Diego Garcia, Lajes, and Egypt. The national security interests of the United States are directly involved with the flow of oil from these regions of the world, and the United States must have the ability to deploy forces rapidly to the areas if the resources are threatened. The facilities supported in this bill will help to make such a deployment feasible.

Madam President, this bill also includes some $305.2 million for projects to support the Guard and Reserve forces. This represents an increase of $69 million from the budget request, but supports the committee position that the Guard and Reserve components play a vital role in the total force concept of our Armed Forces. The Guard and Reserve components have had enormous backlogs of deferred projects in the past, and this recommendation hopefully will help to reduce some of those requirements.

The family housing account within this bill is recommended at $2.4 billion. This amount is not solely for new construction, but for the day-to-day operation and maintenance of our family housing assets worldwide. This appropriation is vitally important to the quality of life of military personnel who, at times, must reside in locations which certainly do not meet the standard of living which they should be entitled to. The committee has restored $115 million cut by the House from the family housing account.

Madam President, the bill now before the Senate is considered by the committee on a line-item basis. There are approximately 1,000 individual projects which must be considered on their merit. As I said earlier, I believe that the recommendation before the Senate is a good one and solidly justified. It would take us days to detail the projects; therefore, I would ask for the support of my colleagues in passing this bill as reported. I will be pleased to answer any questions my colleagues may have on specific items.

Madam President, that concludes my opening remarks.

Madam President, I ask unanimous consent that the committee amendments be agreed to en bloc, and the bill, as thus amended, be regarded for the purpose of amendments as original text, provided that no point of order shall be considered to have been waived by agreeing to this request.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments agreed to en bloc are as follows:

On page 2, line 9, strike "$1,029,519,000", and insert "$942,081,000";

On page 2, line 11, strike "$137,550,000", and insert "$139,700,000";

On page 3, line 4, strike "$1,404,883,000", and insert "$1,473,953,000";

On page 3, line 6, strike "$92,500,000", and insert "$83,700,000";

On page 3, line 19, strike "$1,407,565,000", and insert "$1,670,426,000";

On page 3, line 21, strike "$93,000,000", and insert "$89,200,000";

On page 4, line 13, strike "$251,004,000", and insert "$338,315,000";

On page 5, line 11, strike "$385,000,000", and insert "$345,000,000";

On page 5, line 18, strike "$62,925,000", and insert "$67,658,000";

On page 6, line 1, strike "$117,740,000", and insert "$105,140,000";

On page 6, line 8, strike "$59,277,000", and insert "$59,665,000";

On page 6, after line 6, insert the following:

MILITARY CONSTRUCTION, RESERVE COMPONENTS GENERALLY

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Reserve components of the Armed Forces, $470,000, to be allocated by the Secretary of Defense for the Army Reserve, and to remain available until September 30, 1985.

On page 7, line 16, strike "$2,223,117,000", and insert "$2,338,536,000";

On page 7, line 20, strike "$260,635,000", and insert "$261,344,000";

On page 7, line 22, strike "$1,814,371,000", and insert "$1,949,581,000";

On page 8, line 9, strike ": *Provided*", through and including the end of line 12;

On page 13, strike line 3, through and including line 21;

On page 13, line 22, strike "120", and insert "117";

On page 14, line 4, strike "121", and insert "118";

On page 14, line 11, strike "122", and insert "119";

On page 14, after line 22, insert the following:

SEC. 120. It is the sense of the Congress that the administration should call on the pertinent member nations of the North Atlantic Treaty Organization and on Japan to meet or exceed their pledges for at least a 3 per centum real increase in defense spending in furtherance of increased unity, equitable sharing of our common defense burden, and international stability.

Mr. LAXALT. Madam President, at this time, I would like to express my thanks to the distinguished ranking minority member of the subcommittee, the gentleman from Tennessee (Mr. SASSER) for his assistance in the consideration of this bill. I am pleased to say that we have worked in close agreement throughout the time during which recommendations on the bill have been made. In addition, I especially want to thank Senator SASSER for his assistance during the hearings held earlier this year on the bill.

Madam President, I yield to the distinguished ranking minority member of the subcommittee, Senator SASSER, for any comments he may wish to make on the bill as reported.

Mr. SASSER. Madam President, I thank the distinguished chairman.

Madam President, I rise in support of H.R. 4241, the military construction appropriation bill. I wish to commend the chairman of our subcommittee, the distinguished Senator from Nevada (Mr. LAXALT) for the leadership that he has demonstrated throughout this year in our subcommittee, with regard to this bill.

Madam President, the military construction budget represents a relatively small percentage of the total Defense budget. But it is an important part of the Defense budget. For without the basic facilities and infrastructure, the Armed Forces cannot perform its mission.

The bill before us today is an historic bill. It represents one of the largest military construction budgets in history. But I would point out that the bill is still $12.9 million under the President's revised budget request.

Among the most important aspects of this bill are the provisions relating to construction in the Middle East/Persian Gulf/Indian Ocean region in support of the Rapid Deployment Force. The committee has provided $540.9 million, the full budget request, for these facilities in support of the RDF.

Madam President, this Nation has assumed a major responsibility for preserving the peace in this important region of the world. The funds in this bill will provide for construction of facilities in Oman, Kenya, Somalia, Diego Garcia, Lajes, Ras Banas, and Egypt. These facilities will provide necessary forward bases in the event the RDF is ever deployed to this region. The existence of these facilities and the ability of the RDF to be deployed efficiently to this region will be a deterrent to hostilities in the Middle East.

Madam President, as the United States assumes new defense responsibilities such as construction of these facilities in the Middle East, it becomes increasingly important that the costs associated with the common defense be shared fairly and equitably by our allies. I am pleased that H.R. 4241 includes a general provision, section 120, which I drafted, which expresses the sense of Congress that our allies should do a better job of providing additional financial resources to meet common defense commitments.

It is my feeling that our allies should be asked to provide a more equitable share of the mutual defense burden in view of the need for budget austerity in the United States and the pledge by our NATO allies to provide for a 3-percent real increase in defense spending. In addition, it should be noted that Japan alone would have contributed $2.4 billion more to the common defense if that nation had achieved a 3-percent real growth in defense spending in 1980.

The United States has assumed the burden of providing forward bases in the Middle East/Persian Gulf/Indian Ocean region in an effort to maintain peace in that vital area of the world. In view of the heavy dependence by our allies on Middle East oil supplies, I believe our

allies should be providing additional financial resources for the common defense in Europe and the Pacific to compensate the United States for the burden of constructing and maintaining these facilities in the Middle East region.

Madam President, I urge adoption of the military construction appropriation bill.

Mr. LAXALT. I thank the Senator.

Mr. JACKSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

UP AMENDMENT NO. 757

Mr. JACKSON. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will state the amendment.

The assistant legislative clerk read as follows:

The Senator from Washington (Mr. JACKSON), for himself and Mr. GORTON, proposes an unprinted amendment numbered 757.

Mr. JACKSON. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 3, line 4, insert the following: under Military Construction, Navy strike $1,473,953,000 and insert in lieu thereof $1,475,813,000.

Mr. JACKSON. Madam President, the amendment I am offering provides appropriations to the Navy for the construction of five family service center projects at a total cost of $1,860,000.

Family service centers are aimed at providing support in order to respond to the changing and increasing needs of Navy service members—needs which when unmet, have been shown to have a major negative impact on retention.

Twenty years ago only 30 percent of military personnel were married. In today's Navy more than 55 percent of all personnel, and 80 percent of careerists are married. And the No. 1 reason married personnel leave the Navy is due to family problems.

Navy studies show that a spouse's attitude is a key factor in a member's decision to reenlist and that Navy life is inherently hard on family life.

Nearly half of Navy wives have reported difficulty in securing needed support services from the Navy. The reason for this difficulty at present is that existing services are inadequate in number as well as scattered.

The Navy has inaugurated a program to broaden the range of services provided. In recognition of the importance of this program, the Navy has dedicated some 600 people to execute the program at the local level. In order to perform these functions in the most efficient manner, it is self-evident that the various services should be provided from a central location. The Navy's family service centers will provide services in one location.

The Navy has conveyed to me the importance of this program and that every effort is being made to minimize construction costs by additions or alterations of existing buildings. This is the case for three of the family service centers located at Puget Sound Naval Shipyard, Bremerton, Wash.; the Naval Training Center, Great Lakes, Ill., and Naval Station, Pearl Harbor, Hawaii with estimated costs of $400,000; $240,000, and $360,000, respectively. The other two family service centers are located at: Naval Training Center, Orlando, Fla., and Naval Air Station, Alameda, Calif., with estimated costs of $580,000 and $280,000 respectively.

As a matter of fact, of the 22 sites that will have have a family service center in fiscal year 1982, only the 5 mentioned above require military construction. The remaining sites are able to use existing facilities to locate the various family service center components in one central location.

This year's request is a modest start. I feel very strongly that we should support this effort.

Madam President, this is in the authorization bill. It is in the budget. The committee was not able to act because the conference had not completed its work at the time they marked up the bill. I hope that the amendment will be agreed to.

Mr. LAXALT. Madam President, I thank the distinguished Senator from Washington, Mr. JACKSON, for his amendment. We have discussed this amendment and understand the need for these family service centers. The committee had not included the funds for the facilities at $1.86 million because they were not authorized by the Senate; however, the conferees on the military construction authorization bill have agreed to include the projects for fiscal year 1982.

We have no objection to the amendment.

Mr. JACKSON. I thank the Senator for his statement.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. SASSER. I have no objection, Madam President.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Washington (Mr. JACKSON).

The amendment (UP No. 757) was agreed to.

Mr. LAXALT. I move to reconsider the vote by which the amendment was agreed to.

Mr. JACKSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UP AMENDMENT NO. 758

(Purpose: To add $23,000,000 for the construction of an Airborne Warning and Control System (AWACS) facility at Tinker Air Force Base, Oklahoma)

Mr. NICKLES. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will state the amendment.

The assistant legislative clerk read as follows:

The Senator from Oklahoma (Mr. NICKLES), for himself and Mr. BOREN, proposes an unprinted amendment numbered 758.

Mr. NICKLES. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 3, line 19, strike out "$1,670,426,000" and insert in lieu thereof $1,693,426,000".

Mr. NICKLES. Madam President, today my colleague, Senator BOREN, and I are offering this amendment to reinstate $23 million to construct an AWACS alert facility at Tinker Air Force Base in Oklahoma. This project was requested by President Reagan and is included in the military construction appropriation bill as passed by the House of Representatives.

It is unnecessary for me to spend time informing my colleagues of the importance of the airborne warning and command aircraft. We are more than well aware of its supersophisticated computer systems capability in coverage of all air activity within its zone of coverage. I am proud that the AWACS program is assigned to Tinker Air Force Base in Oklahoma.

Since the program is relatively young, it is taking time to provide the necessary support system for the aircraft and crews. At present, there is no facility for AWACS crews while on alert. These crews must stay by their telephones at home and drive to the base when summoned. This appropriation will allow the construction of living quarters, briefing room, and offices.

An additional 10,000 square feet of aircraft maintenance is also included in this funding. All AWACS are maintained at Tinker Air Force Base regardless of deployment throughout the world. These airplanes return from NATO countries and Saudi Arabia for routine maintenance and overhaul.

One of the most important reasons for this amendment is to provide better protection for these aircraft which cost $125 million each. At this moment, these planes are parked wing tip to wing tip which makes them extremely vulnerable. A parking apron to allow the spreading out of the E–3A aircraft will be constructed if this funding is approved.

Madam President, I have a letter from Gen. Lew Allen, Jr., Chief of Staff of the U.S. Air Force, further corroborating the need for this amendment which I would like to read at this time.

Dear Senator NICKLES: On behalf of the Department of the Air Force, I appreciate and support your efforts to restore funding in the FY 82 Military Construction Appropriations Bill for the AWACS alert facility at Tinker Air Force Base.

This project, which has been authorized by both Houses and funded by the House of Representatives, will permit the Air Force to maintain an alert posture with these extremely important resources similar to that now maintained by our bomber forces within the Strategic Air Command. This will enhance both the survivability and the responsiveness of the AWACS aircraft.

I am mindful of the fact that the Senate Appropriations Committee deferred, without prejudice, funding of the project pending clarification concerning the shortage of AWACS crews. If funded now, the projected completion date for the facility is March,

1984. At that time, Air Force training programs will have produced sufficient ground, flight, and mission crews to satisfy our operational and alert commitments. For this reason, I consider it essential that the project be funded in the FY 82 program.

Sincerely,

LEW ALLEN, Jr.,
General, USAF Chief of Staff.

For these reasons, Madam President, Mr. BOREN and I bring this amendment to the floor and ask for the support of our colleagues.

Mr. BOREN addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. BOREN. Madam President, I rise to support the amendment offered by my colleague from Oklahoma and myself restoring funds for the E–3A alert facility at Tinker Air Force Base in Oklahoma City. As you know, the funds for this facility are included in the House version of the bill, and placing them in the Senate version will insure that this needed facility will be constructed.

The prime concern of the Air Force in this matter is the ability to provide a survivable command and control facility during wartime conditions. As stated in the military construction project report, this will be satisfied by having AWACS aircraft and crews standing a strategic air command type of alert. This facility, which includes a parking apron for 12 AWACS aircraft and 7 crews will support a sustained alert posture.

In addition, Madam President, it is vitally important that the AWACS aircraft, in which we have a great deal of investment, can be so deployed so as to minimize possible damage from strong adverse weather conditions which sometimes occur in Oklahoma.

Madam President, it is my understanding that the committee did not question the need for this project, but was concerned about the capability of the Air Force to maintain an alert posture in the face of a shortage of AWACS crews. It is true that the optimum ratio would be two crews for each aircraft and that at the moment the Air Force is somewhat short of filling that ratio. But I believe that Air Force goals in training will be met and that even allowing for attrition there will be sufficient crews to satisfy commitments.

Finally, Madam President, I want to commend my friend and colleague from Oklahoma, Senator NICKLES, for his diligent efforts on behalf of this project. His efforts have been instrumental in bringing recognition to the vital need for this project.

I join with him in urging the adoption of this amendment.

Mr. LAXALT. Madam President, the distinguished Senators from Oklahoma, both Mr. NICKLES and Mr. BOREN, have spoken to me several times about this amendment.

The committee had deferred this project for an AWACS alert facility at Tinker Air Force Base without prejudice. The action was taken because of concern over crew manning levels. In our report we asked the Air Force to report to us as soon as possible concerning the situation.

We have received information that clarifies the committee's concerns and gives solid justification for this $23 million facility.

We believe the project is valid and support the Senator's amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma (Mr. NICKLES).

The amendment (UP No. 758) was agreed to.

Mr. LAXALT. I move to reconsider the vote by which the amendment was agreed to.

Mr. BOREN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HART. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UP AMENDMENT NO. 759

(Purpose: To add $3,400,000 for construction of a Naval and Marine Reserve Center at Wheeling, West Virginia)

Mr. ROBERT C. BYRD. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from West Virginia (Mr. ROBERT C. BYRD) proposes an unprinted amendment numbered 759:

On page 6, line 16, strike "$36,000,000" and insert in lieu thereof "$39,400,000".

Mr. ROBERT C. BYRD. Madam President, my amendment would add $3,400,000 for construction of a new Naval and Marine Corps Reserve Center at Wheeling, W. Va. The present facility was built in 1947 and is in very poor structural, mechanical, and electrical condition. Shifting soil conditions have caused severe settlement cracks and separation of some walls. The existing Reserve center is not structurally or spatially adequate to meet the training needs of the nearly full complement of 182 Navy and Marine reservists who train there. Even if expensive repairs were made to the existing structure, there is no assurance that further settlement damage will not occur. Furthermore, these repairs would simply improve a facility on a 2.6-acre site which is too small to accommodate the number of reservists who must train there with their equipment.

Madam President, my amendment would provide funds to build a new 25,000 square foot Reserve center. This project was recently approved by the conferees on the 1982 military construction authorization bill. This new center would include an assembly hall, conference room, classrooms, library, garage, offices, bathrooms, and adequate parking space for the reservists assigned there.

Madam President, because of the deplorable condition of the existing facility and because there is no nearby Reserve center which can serve the needs of the Navy and Marine Reserve units, I urge my colleagues to support my amendment.

Mr. LAXALT. Madam President, the distinguished minority leader has discussed this amendment with me, and we understand this Navy and Marine Corps Center at Wheeling, W. Va., has been included in the projects agreed to by the conferees on the military construction authorization bill. It is not a part of the House bill on military construction appropriations.

We will accept the amendment and take it to conference with the House.

Mr. ROBERT C. BYRD. Madam President, I thank the distinguished manager of the bill, and I also thank the distinguished Senator from Tennessee (Mr. SASSER), the minority manager of the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (UP No. 759) was agreed to.

Mr. ROBERT C. BYRD. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. LAXALT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LAXALT. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LAXALT. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONSOLIDATED SPACE OPERATIONS CENTER

Mr. LAXALT. Madam President, on page 26 of our report on the military construction appropriations bill for fiscal year 1982, the committee had included report language concerning the consolidated space operations center (CSOC). This language was inserted at the request of Senator SCHMITT because of concerns he raised over the Air Force's planning process for this proposed facility.

The language states "that none of the planning and design funds targeted for this center be used for site specific design."

Madam President, at this point, I would like to clarify the committee's intent on this language.

The General Accounting Office is presently doing an investigative study into the site selection process for this proposed facility. The GAO report is expected to be accomplished on or about January 31, 1982. It is the intent of the Subcommittee on Military Construction, of which I am chairman, to review the GAO findings.

Madam President, the estimated design funds to be expended on this facility during fiscal year 1982 are about $7 million. The committee also understands that funding for the facility will be included in the Air Force budget request for fiscal year 1983 military construction appropriations. This is a project which I believe will be of vital importance to our

national security interests; however, it is also a very costly venture which must be carefully considered.

Let me state for the record, it is not the committee's intent to stop this project through the report language included. We expect that through the GAO report and committee hearings the facts and justification for CSOC and its site selection will be fully clarified. It is the committee's intent to complete all actions on this matter within 60 days after the GAO report is presented to the committee.

Mr. HART. Madam President, will the Senator from Nevada yield for a question?

Mr. LAXALT. I am happy to yield.

Mr. HART. Is it the intent of this bill to allow CSOC design work to continue at the site chosen by the Air Force, Colorado Springs, after a 60-day period has elapsed following release of the GAO report?

Mr. LAXALT. Yes, it certainly is.

Mr. HART. I thank the Senator.

Madam President, permit me to thank my able and distinguished colleague, the Senator from Nevada, as well as my colleague, the Senator from Tennessee, for recognizing the very vital importance of the consolidated space operations center.

The history of debate on this issue has always been characterized by strong bipartisanship, and I would just like to reiterate my support for the concept of a consolidated space operation, and for the diligent efforts put forth by the U.S. Air Force on this project.

There is no question that the United States needs a consolidated space center. As the Secretary of the Air Force, Vernon Orr, pointed out in a March 17 letter to the distinguished chairman of the Senate Armed Services Committee, the planned CSOC facility will encompass two major and vital mission elements for the Air Force: satellite control, and all Department of Defense Space Shuttle operations. Indeed, the consolidation of these operations into a single facility is an important step, as space becomes more and more crucial to our national security. Moreover, the need to move forward rapidly and forcefully with this operation cannot be overstated; we cannot allow ourselves to be placed in a position of inferiority in space operations.

Of course, Madam President, as would occur with virtually any Government facility of this size, CSOC has been a desirable facility for citizens and their representatives from many areas of the country. The Air Force was most certainly aware of the competition among Members of Congress, for instance, when it undertook its study of 12 potential locations for CSOC. The study, requested by the able chairman of the Budget Committee and monitored by the good friend and appointee of the President, Secretary Orr, concluded decisively that the best location for the facility would be near Peterson Air Force Base at Colorado Springs, Colo. As Secretary Orr noted in his letter to Senator TOWER on March 17:

Peterson Air Force Base was selected because of its unique operational advantages which accrue from proximity to related activities, i.e., the Space Defense Operations Center (SPADOC) activities of the North American Air Defense Command at the USAF Cheyenne Mountain Complex, the Aerospace Data Facility at Buckley Air Guard Base in Denver, the supporting contractors located in the Colorado Springs area, and the area's academic assets.

I should add that Secretary Orr's decision was characterized as "final" in that letter, leading to the awarding of contracts for design work on the space center. In fact, Madam President, the final design contract work on the site-specific location of CSOC was to begin just this week, on December 1.

Thus, it is extremely commendable of my colleagues today to reaffirm the importance of CSOC to our national security, and to reaffirm the value of the Peterson Air Force Base location for the facility. I join them in their wholehearted support for it.

Madam President, I ask unanimous consent that the full text of Secretary Orr's letter of March 17 to Chairman TOWER be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE AIR FORCE,
Washington, D.C.

Hon. JOHN G. TOWER,
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: This is to inform you and other interested Members of Congress of my final decision to locate the Consolidated Space Operations Center (CSOC) near Peterson Air Force Base, Colorado Springs, Colorado.

The CSOC will encompass two major mission elements: satellite control and Department of Defense Space Shuttle operations. The Satellite Operations Complex will perform communications, command, and control service functions for orbiting spacecraft. The CSOC will enhance the USAF's operational capability for satellite control, and by providing a second node in the satellite control network, increase the survivability of this important function. The CSOC will also perform as the Shuttle Operations and Planning Complex (SOPC), conducting Department of Defense Shuttle flight planning, readiness, and control functions. In this capacity, the CSOC will provide direct mission authority over Department of Defense Shuttle missions, respond to national priorities, and protect national security data.

The Colorado Springs area was identified as the preferred site out of twelve potential locations, with Kirtland Air Force Base, New Mexico, and Malmstrom Air Force Base, Montana, considered as final, alternate locations. All three locations meet the basic geographic, environmental, support, and resource siting criteria. However, Peterson Air Force Base was selected because of its unique operational advantages which accrue from proximity to related activities, i.e., the Space Defense Operations Center (SPADOC) activities of the North American Air Defense Command at the USAF Cheyenne Mountain Complex, the Aerospace Data Facility at Buckley Air Guard Base in Denver, the supporting contractors located in the Colorado Springs area, and the area's academic assets. Proximate location of CSOC and SPADOC will provide a foundation for significant, long-term operational efficiencies stemming from convenient, face-to-face planning as well as shared support assets. In this regard, SPADOC will be able to provide the CSOC with a link into the existing space surveillance and warning structure. The proximate siting of these two functions also offers flexibility to accommodate future, unfolding defense missions in the medium of space.

The Final Environmental Impact Statement was filed on February 13, 1981, with the Environmental Protection Agency. It concluded that the CSOC would cause no significant, adverse environmental impact at any of the final three candidate locations.

The CSOC will require a new technical facility totaling about 370,000 square feet, as well as about 100,000 square feet of support facilities. We expect construction to begin in Fiscal Year 1983. The total construction cost is currently estimated at about $150 million. The facility will be constructed on land acquired from the State of Colorado located approximately ten miles east of Peterson Air Force Base. When fully operational, the facility will be manned by approximately 1800 personnel, consisting of about one-third military and the remaining two-thirds a mixture of Department of the Air Force civilian and contractor personnel. Manning estimates are being refined through manpower studies now in progress.

If we can be of any further assistance in this matter, please let us know.

Sincerely,

VERN ORR,
Secretary of the Air Force.

Mr. LEVIN. Madam President, as a member of the Committee on Armed Services, I wish to discuss a matter of mutual concern with the distinguished chairman of the Military Construction Appropriations Subcommittee—the level and the quality of medical care provided our military personnel and their families and how this affects recruitment and retention of the All-Volunteer Force, and the ability of our Armed Forces to accomplish their mission.

I know my colleague from Nevada, who has important military installations in his own State and much experience studying national security issues, shares my concerns that inadequate military health care facilities and services increase the recruiting and retention problems of the Armed Forces, to say nothing of the undue hardships they cause our servicemen and servicewomen and their dependents.

Would the chairman agree with me that this is a serious concern and one which has a direct impact on the capabilities of our Armed Forces themselves and on the "quality of life" of our military personnel and their families, and thus on their willingness to continue to serve in the All-Volunteer Forces?

Mr. LAXALT. Yes; I agree, and this committee attempts to take every opportunity to consider justified military construction projects which contribute to keeping our military personnel healthy and to the quality of life of our military personnel and their families.

Mr. LEVIN. In that regard, does the chairman agree that investment of taxpayer dollars for the construction of needed and justified military health facilities such as clinics, probably pays for itself many times in saving the taxpayers from the need to increase spending to replace military capabilities lost due to health problems and for recruitment and retention of military personnel?

Mr. LAXALT. I agree.

Mr. LEVIN. With the chairman's indulgence, I now would like to discuss with him the recent and severe degradation in the provision of health services to military personnel and their families in the Detroit/Warren, Mich., area caused

by the closing of another Federal health facility in the region.

The unexpected closing of this Federal clinic is expected to cause the current workload at the Army health clinic at the Selfridge Air National Guard Base, Mt. Clemens, Mich.—already an inadequate, understaffed, overcrowded, and outdated facility—to more than double. An increase in patient visits of 1,370 monthly to the clinic is expected.

This increase will cause further hardships on the thousands of active duty personnel from all five services, and their families, and still more retired military and their dependents, who now must rely on the Selfridge clinic for health services.

To give my colleagues a sense of the problems experienced by these individuals in their attempts to obtain health care to which they are properly entitled, let me point out that the Army clinic at Selfridge is located in a building constructed in 1927—54 years ago—as one of the first military hospitals. Selfridge has grown considerably since those early days, and now has more than 40 separate commands, active and reserve, from all the services. These include the Air National Guard's 191st Fighter Interceptor Group, which stands daily, 24-hour "strip alert" as part of the air defense of the United States. Selfridge also is the location of more than 1,000 family quarters, most occupied by military personnel of the Army's tank automotive command (TACOM) in nearby Warren, Mich. TACOM is responsible for the development, procurement, deployment, and maintenance of our armored and mechanized forces, the combat backbone of our Army. Thus, the present Army health clinic plays an important role in supporting units charged with major military responsibilities. Yet the expansion of Selfridge, and time, have taken their toll and the present Army clinic clearly is incapable of providing adequate health care.

The Army is aware of the recent exacerbation of the problems at its Selfridge clinic, and the possibility of solving them through the construction of a new facility, perhaps with operation of the facility funded on a "joint service" basis. However, the recent worsening of the problems occurred after planning for the fiscal 1983 military construction program was almost complete, and I would expect a new clinic for Selfridge will not be in the Army program to be submitted to Congress next month.

I believe it would be helpful if the Congress could give some guidance to the Army about the need to consider solutions to the health care dilemma at Selfridge as soon as possible, and about the need to prepare whatever documentation and designs are necessary for the subcommittee to consider the possible addition of funding for the clinic to the fiscal 1983 program, and I would hope the distinguished subcommittee chairman would agree.

Mr. LAXALT. I would, Madam President.

Mr. LEVIN. It is my understanding that the Army receives funds each year for architect and engineer work required to support its military construction program. I would like to ask the chairman whether the study, planning, and design of a new health clinic at Selfridge would be an appropriate use of some of these funds during the next few months to support possible committee consideration of such a project during deliberations on the fiscal 1983 military construction program?

Mr. LAXALT. It would.

Mr. LEVIN. Madam President, would the chairman agree that such study and design activities for a new clinic at Selfridge would be helpful to his subcommittee in its consideration of the fiscal 1983 military construction program, and that the Army should initiate such activities?

Mr. LAXALT. Yes; and the planning and design of this facility at a 35-percent design level is necessary for the committee to give serious consideration to the project.

Mr. LEVIN. I thank the distinguished subcommittee chairman, Madam President.

Mr. LAXALT. Madam President, I ask unanimous consent to have printed in the RECORD at this point some revisions to the chart entitled, "Comparative Statement of New Budget (Obligational) Authority," which is located on page 4 of Senate report 97–271 which is the report to accompany the bill now before the Senate, the military construction appropriations bill. It has come to my attention that in the printing of the report, some numbers were inadvertently left uncorrected after the full committee action. These numbers are only comparisons and do not change any portion of the bill. This is a technical change.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

On page 4 of the Senate report 97–271, replace columns 7, 8, and 9 with following:

1981 appropriation (7)	Budget estimate (8)	House allowance (9)
+$55,847,000	+$41,981,000	−$87,438,000
+682,818,000	−3,847,000	+69,070,000
+733,201,000	−38,974,000	+262,861,000
+76,315,000	−15,785,000	+87,311,000
+95,000,000	−40,000,000	−40,000,000
+25,389,000	+20,658,000	+4,733,000
+15,440,000	+16,040,000	−12,600,000
+16,465,000	+20,665,000	+338,000
+3,000,000	+9,600,000	
+15,800,000	+2,700,000	
−3,272,000	+470,000	+470,000
+1,716,003,000	+13,508,000	+284,795,000
+228,705,000	−26,360,000	+115,419,000
(−16,659,000)		
−2,832,000		
+225,873,000	−26,360,000	+115,419,000
+2,000,000		
+1,943,876,000	−12,852,000	+400,214,000
+1,943,876,000	−12,852,000	+400,214,000
(+2,000,000)		
(+1,941,876,000)	(−12,852,000)	(+400,214,000)

Mr. LAXALT. I think we can move to third reading, Madam President.

The PRESIDING OFFICER. Are there further amendments to be proposed? There being no further amendments to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

So the bill (H.R. 4241) was passed.

Mr. HART. Madam President, I move to reconsider the vote by which the bill passed.

Mr. LAXALT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LAXALT. Madam President, I ask unanimous consent that the Secretary of the Senate be authorized to make any technical and clerical corrections in the engrossment of the Senate amendments to H.R. 4241.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAXALT. Madam President, I move that the Senate insist on its amendments and request a conference with the House of Representatives thereon, and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer (Mrs. KASSEBAUM) appointed Mr. LAXALT, Mr. GARN, Mr. MATTINGLY, Mr. HATFIELD, Mr. SASSER, Mr. INOUYE, and Mr. PROXMIRE conferees on the part of the Senate.

Mr. LAXALT. Madam President, I should like to thank my staff, Rick Pierce, and cerainly, my distinguished colleague from the State of Tennessee (Mr. SASSER) and his staff, Mike Walker, for helping us expedite what probably is the record processing of an appropriation bill in the Senate Chamber.

FISCAL NOTES AND FEDERALISM

Mr. SASSER. Madam President, during this time of budget austerity, it is imperative that we have truth in budgeting. My fiscal note legislation, S. 43 provides for a process of full and fair information about how changes in the Federal budget will affect the finances of State and local governments throughout the country.

In the last Budget Reconciliation Act, Federal aid to State and local governments was reduced by some $12 billion and many, many State and local governments have had a difficult time in getting complete information as to how these budget changes affect their finances, S. 43 would remedy that defect in our budget process.

I am gratified that this legislation has received approval by the Governmental Affairs Committee and is now pending on the Senate Calendar. I also commend the efforts of Congressman ZEFERETTI to move the companion bill, H.R. 1465, through the House of Representatives where it may be acted on by next week.

For the benefit of my colleagues I ask unanimous consent that a sheet presenting summary information on S. 43 be printed in the RECORD.

There being no objection, the infor-

mation was ordered to be printed in the RECORD, as follows:

SUMMARY INFORMATION ON S. 43, STATE AND LOCAL GOVERNMENT FISCAL NOTE ACT OF 1981

(1) S. 43, the State and local Government Fiscal Note Act of 1981, was introduced on January 5, 1981, by Senator Jim Sasser (D-Tennessee). The bill currently has 26 cosponsors and has been favorably reported by the Governmental Affairs Committee and reported without recommendation by the Senate Budget Committee. Companion legislation, H.R. 1465, has been approved by the House Rules Committee and that measure is expected to be passed by the House on the suspension calendar during the week of December 7th.

(2) S. 43 amends the Congressional Budget Act of 1974 to require that the Congressional Budget Office (CBO) prepare a "fiscal note" or cost estimate of the costs, if any, incurred by state and local governments in carrying out the requirements of all legislation reported from House or Senate committees. The "fiscal note" would be required for all federal legislation which, in the judgment of the Director of the CBO, is likely to cost state and local governments at least $200 million per year, or which is likely to have extraordinary fiscal consequences for a particular level of government or geographic region. The provisions of the legislation would be effective through September 30, 1986.

(3) The bill authorizes additional appropriations to CBO of such sums as may be necessary to pay for the costs incurred by CBO in complying with the bill's requirements—principally additional staff and development and maintenance of a State and local fiscal impact data base. CBO estimates the additional costs at approximately $650,000 per year for these purposes.

(4) Presently, CBO provides "fiscal notes" for the costs to the federal government of all reported bills. This legislation simply extends that concept to state and local costs, as well. This legislation has the endorsement of major state and local government interest groups, including the National Governors' Association, the National Conference of State Legislatures, the National League of Cities, the U.S. Conference of Mayors, the National Association of Counties, and the Council of State Governments.

(5) The "fiscal note" legislation will provide a means for assessing the impact of federal budget decisions on state and local governments. It is estimated that federal aid to state and local governments was reduced by some $12 billion as a result of the Omnibus Reconciliation Act of 1981. As a consequence, states are facing painful choices of either standing by while services to their citizens are reduced markedly or raising their own taxes. Local governments are facing the same dilemma, and many have been forced to increase local property and sales taxes. If the "fiscal note" concept as embodied in S. 43 is in place, state and local governments would be better prepared to understand the fiscal impact of bills like the Omnibus Budget Reconciliation Act of 1981, and Congress would be better informed concerning the impact of proposals it is considering.

LETTER FROM PRESIDENT REAGAN TO PRIME MINISTER FITZGERALD OF IRELAND

Mr. KENNEDY. Madam President, the Deputy Secretary of State, Judge William Clark, is in Dublin today for talks with Prime Minister FitzGerald and other leaders of the Irish Government.

A major part of the talks concerned the situation in Northern Ireland and the desire of the United States to help in every appropriate way to end the violence and achieve a peaceful settlement.

During the talks, Judge Clark delivered a letter from President Reagan to Prime Minister FitzGerald emphasizing the deep concern of President Reagan for peace in Northern Ireland.

In one of the most significant passages in his letter, President Reagan eloquently states his belief that a settlement can come only through "reconciliation between the two Irish political traditions and between Britain and Ireland."

In addition, President Reagan also took the opportunity in the letter to invite Prime Minister FitzGerald to lunch in the White House on St. Patrick's Day next year.

All of us who share the cause of peace in Northern Ireland welcome this latest statement by President Reagan, and I ask unanimous consent that it may be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LETTER FROM PRESIDENT RONALD REAGAN OF THE UNITED STATES TO PRIME MINISTER GARRET FITZGERALD OF THE REPUBLIC OF IRELAND, DECEMBER 1, 1981

DEAR MR. PRIME MINISTER: Let me take this opportunity to thank you for your kind invitation to William Clark, my Deputy Secretary of State, to visit Ireland.

In addition to reviewing the many issues we face together around the world, Bill will want to hear your views on Northern Ireland. The problems there are of tremendous concern to me, and I will continue to affirm the principles of my St. Patrick's Day Statement—support for just and peaceful solutions and condemnation of all terrorism and violence.

We believe a lasting solution can be found only in a process of reconciliation between the two Irish political traditions and between Britain and Ireland. The United States welcomes the efforts of the Irish and British governments in widening the framework of their cooperation to this end.

But as much as our hearts long for a settlement, it is not for the United States to chart the course others must follow. If the solutions are to endure, they must come from the people themselves. I wish to add a personal note of my support and encouragement for the efforts you and Prime Minister Thatcher have made in widening the framework of your cooperation to the achievement of that goal.

I am sorry that your schedule did not permit a visit to the United States this fall. But if it is possible for you to be here next March 17, I would be most honored if you could join me for lunch on that day.

Sincerely,

RONALD REAGAN.

NUCLEAR ARMS CONTROL IN EUROPE

Mr. KENNEDY. Madam President, this week in Geneva, the United States and the Soviet Union are engaged in negotiations to reduce nuclear forces in Europe. While these negotiations will undoubtedly be complex and challenging, they offer an invaluable opportunity to strengthen our collective security and reduce the risk of nuclear war.

First, the negotiations offer the opportunity to seriously pursue the dual track approach set forth in the NATO decision of December 1979. This decision to deploy two new types of land based missiles in Western Europe to offset Soviet intermediate-range missiles, including the new SS-20, was conditioned upon the pursuit of negotiations with the Soviets to reduce theater nuclear forces.

President Reagan's recent speech clarified an important point about this two-track approach: The negotiations are not intended merely as a complement to the planned American deployments. They could substitute for them altogether, depending on the extent of Soviet reductions of their own intermediate-range nuclear forces. Both the American and the Soviet missile build-up in Europe could be made unnecessary.

Second, these negotiations offer the opportunity to enhance the security of the Western alliance and to diminish the risk of nuclear war. NATO is committed to maintaining a stable balance of military forces in Europe. The negotiators must now do everything possible to reduce these forces, on both sides to the lowest possible levels.

Third, these negotiations offer the opportunity to get strategic nuclear arms control back on track. It is my hope that President Reagan's recent arms control initiative marks the beginning of serious negotiations not only on intermediate-range nuclear forces in Europe but also on strategic nuclear weapons and on conventional forces. Nuclear arms control in Europe will depend for its effectiveness on meaningful limitations of strategic weapons. In turn, a stable and enduring balance of conventional forces will reduce the risk of escalation to nuclear war.

Fourth, these negotiations offer the opportunity to improve our relations with our NATO allies. The Reagan administration's loose rhetoric on nuclear war and its seeming indifference to nuclear arms control created serious strains in the Atlantic alliance and fueled the largest antinuclear demonstrations in Europe since the 1950's. The deployment of nuclear missiles on European soil has become a major domestic political concern to the allied leadership. It is therefore an issue that could again threaten the cohesion of the alliance if the arms control option is not treated seriously and judiciously. I welcome the key role played by Chancellor Helmut Schmidt of West Germany in bringing East and West to the negotiating table in a remarkably constructive spirit, despite the East-West polemics of the past year.

United States and Soviet negotiators in Geneva must now seek answers to a series of questions which will define the terms of reference for the negotiations—and even determine their outcome. They will have to agree on the number of weapons possessed by each side, and on which weapons and which countries should be included in an eventual agreement. There are wide differences today on these basic issues, which must be resolved in order to achieve an arms control agreement.

These issues may take a long time to

solve. In the meantime, we should not rule out the possibility of negotiating more limited reductions of intermediate nuclear weapons as a first step toward more comprehensive reductions in Europe. The test should always be what steps we can take to enhance our security, increase stability and reduce the danger of nuclear war. Complete elimination of intermediate nuclear forces is our primary objective, but this should not rule out the possibility of smaller yet meaningful steps in this direction. I welcome President Reagan's statement on November 18 that:

We intend to negotiate in good faith and go to Geneva willing to listen to and consider the proposals of our Soviet counterparts.

Madam President, the administration must not let the important opportunities that I have discussed pass us by. While I welcome President Reagan's speech, one speech is no substitute for consistent policy. There have been legitimate and disconcerting questions regarding the Reagan administration's commitment to arms control. Before the speech, it seemed that the administration's policy was that arms alone could keep the peace with the Soviet Union. The administration should now demonstrate its commitment to the security, solidarity, and well-being of the Western alliance. It should vigorously pursue the reduction of nuclear weapons and the prevention of nuclear war in Europe and throughout the world.

THE GENOCIDE CONVENTION

Mr. PROXMIRE. Madam President, yesterday the Senate Foreign Relations Committee held a hearing on the Genocide Convention. This marks the fifth time over the last three decades that the committee has held hearings on this important human rights treaty.

No human rights convention has ever been subjected to the type of detailed scrutiny that the Genocide Convention has seen—line by line, word by word, syllable by syllable.

The Foreign Relations Committee has been scrupulously fair in reviewing every argument, every allegation, every concern raised by the opponents of the Convention and that hearing record—in 1950, 1970, 1971, 1977, and again yesterday—proves conclusively that many of the objections raised to the Genocide Convention are without foundation and that this convention is in America's best interests.

This treaty seeks to protect the most fundamental right known to man—the right to live.

It seeks to punish the most heinous crime known to man—mass murder. I know of no constitutional right to mass murder. It is a crime that deserves the outrage of every American and our firm condemnation and swift punishment.

Unfortunately, the opponents of this convention attempt to mislead their fellow citizens with hysterical charges that are simply not true.

The facts are clear.

This convention does not expand the authority of any international organization over our citizens; not in any way. It does not diminish American sovereignty one iota.

This convention with the safeguards recommended by the Foreign Relations Committee will never permit an American citizen to be taken from our country and tried abroad. Never.

This convention does not permit frivolous charges of "mental harm" for racial slurs or ethnic jokes—as repulsive as they may be. Only the permanent impairment of mental faculties, such as the forcible application of drugs, coupled with the clear intent to eliminate a national, ethnic, racial or religious group, would constitute genocide.

Madam President, this convention is very narrowly drawn and does not threaten the conduct of any American. Constitutional guarantees and freedoms always supersede treaties and no treaty can ever alter those rights and freedoms. If they could, I would be the first to oppose them.

It is time that we set the record straight, once and for all, and I ask unanimous consent that my testimony before the Senate Foreign Relations Committee as well as the text of the Genocide Convention be reprinted in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TESTIMONY OF SENATOR WILLIAM PROXMIRE

Thank you, Mr. Chairman.

I particularly want to commend you for the priority you have given this important human rights treaty, since assuming chairmanship of this Committee. Your efforts here today are continuing a long and bipartisan tradition of support for the Genocide Convention, which has been marked by four reports to the Senate enthusiastically recommending ratification. The Committee's tireless efforts to restore America's proper role as a world leader on human rights will not go unnoticed when the Senate ratifies the Genocide Convention.

Mr. Chairman, you are right to be moving ahead now. This is an opportune moment.

First. We have a new Administration—in office nearly a year now—and it is time to get them on record. In announcing the appointment of Elliot Abrams as the State Department's new Human Rights Coordinator, Secretary Haig pledged to restore human rights as a priority within our foreign policy.

Second. We have a new international climate which firmly underscores the need for the United States to regain the high moral ground in our competition with those who wish us ill. We have yielded this ground all to cavalierly by smugly asserting that our own record speaks for itself. It is a luxury that we cannot afford if our diplomats are to speak out, and speak out forcefully, against the repressive actions of closed, totalitarian societies.

Third, we have a new Senate. Thirty-eight Members have been elected since your last hearings in 1977. Your own Committee reflects that change, Mr. Chairman. Only six of the current seventeen Members served on this Committee during the 1977 hearings and, only one, Senater Pell, was here when I testified during the 1970 hearings. A new hearing record will be helpful in dispelling any lingering arguments of the opponents of this Convention so that we can at long last proceed to ratification.

A TREATY TO PUNISH CRIMINALS

Mr. Chairman, in reviewing your earlier hearings, I was impressed by the great lengths to which your Committee has gone to consider every argument, allegation and concern raised by the opponents of this Convention. The accumulated testimony effectively refutes those arguments, demonstrating that the Genocide Convention, together with the Understandings recommended by your Committee, deserves our wholehearted support.

As I pointed out during my testimony in 1977, few treaties have ever received the type of detailed line by line, word by word, syllable by syllable scrutiny that the Genocide Convention has received.

That review has demonstrated that the Genocide Convention really has two aspects.

First, it is a human rights treaty, which seeks to protect the most fundamental right known to mankind—the precious right to live.

Second, it is an international criminal treaty. A treaty designed to ensure that all nations, consistent with their own Constitutions will do everything possible to prevent and punish criminals who attempt to commit the most heinous crime—the elimination of an entire national, ethnic, racial and religious group.

The history of the Genocide Convention is clear on that second point.

The fact that the Genocide Convention evolved from the outrage of all decent human beings to the monstrous actions of the Nazis in attempting to eliminate every man, woman and child of Jewish ancestry within their borders is apparent to everyone.

What is not as apparent is the fact that the Genocide Convention exists because the International Military Tribunal at Nurnberg determined that consideration of genocide was outside of the charter that established their Tribunal.

International reaction was swift. The General Assembly, with our support and encouragement, unanimously adopted a resolution declaring genocide an international crime. In the next two years, the Secretary General's office, the Economic and Social Council and a drafting committee, chaired by the United States delegate, John Maktos, labored to draft a Convention which would implement the General Assembly's resolution. In 1948 the General Assembly, with the enthusiastic support of the United States delegation, unanimously adopted the Genocide Convention and two days later the United States signed the Convention.

AMERICANS SUPPORT THE GENOCIDE CONVENTION

Mr. Chairman. since President Truman submitted the Genocide Convention to the Senate for ratification, this treaty has had the broad support of Americans across the country as well as their leaders.

President after President, Administration after Administration, have given this treaty their enthusiastic support—Republicans and Democrat alike, conservative and liberal alike.

This is not a partisan issue. It is not ideological.

The ranks of the Genocide Convention supporters cross party lines and ideological lines.

In fact, you will be hearing very shortly from the Ad Hoc Committee on the Genocide and Human Rights Treaties, a coalition of 52 labor, civic, religious and nationality organizations, representing millions of Americans across this country.

GENOCIDE CONVENTION IS IN THE INTEREST OF ALL AMERICANS

And why do they support the Genocide Convention, Mr. Chairman?

Because it will serve America's interests. The interests of our citizens, our voters, our taxpayers.

The benefits of this treaty are not elusive. They are real and concrete.

Let me just cite a few of the reasons for ratification.

First, ratification of the Genocide Convention will strengthen our hand in attacking

the gross violation of human rights by the Soviet Union and its allies. While the treaty itself is narrowly constructed, your 1970 hearing record makes it clear how this treaty will help.

Rita Hauser, a Republican respected on both sides of the aisle, and President Nixon's delegate to the Human Rights Commission, testified:

"We have frequently invoked the terms of this Convention as well as the provisions of this Universal Declaration on Human Rights . . . in our continued aggressive attack against the Soviet Union for its practices, particularly as to its large Jewish communities, but also as to its Ukrainians, Tartars, Baptists and others. It is this anomaly . . . (that) . . . often leads to the retort in debates plainly put, simply put, 'Who are you to invoke a treaty that you are not a party to?'"

The 1977 hearings provide other devastating examples:

"The Soviet Union, usually on the defensive when the issue of . . . human rights was proposed at the U.N., could and would charge the U.S. with hypocrisy. In January, 1964, for example, when the U.S. member of the Subcommission on Prevention of Discrimination, Morris Abram, advocated "forceful measures of implementation" in dealing with racial and ethnic discrimination, his Soviet colleague had but to remind the body that the U.S. was not even a contracting party to the Genocide Convention. . . .

Two years later, Abram . . . vigorously endorsed a Costa Rican proposal that would have marked a significant breakthrough in the area of international human rights enforcement. . . . The Soviet Union's response was devastating. Its representative pointed out that in view of the fact that Americans "resolutely refused to accept legal obligations" through ratification of human rights treaties, it was "almost indecent" and certainly "hypocritical" for the U.S. to advocate the establishment of special human rights institutions in the international field. Shortly afterward, Pravda drove the point home. . . . It was 'no accident', the Communist Party organ commented, that the U.S. had not ratified the Genocide Convention since "racial and national oppression is still very widespread in the United States of America."

Our representatives to the Helsinki Accord review conference make a similar point. That where the United States should be on the offensive, holding the feet of the Soviet Union and its allies to the fire to live up to their pledges on human rights, instead we spend our time apologizing for our record on ratification of human rights treaties.

Mr. Chairman, the time has long since passed when we can smugly sit back and assume that our human rights record—which I firmly believe is the finest in the world—speaks for itself. Why permit Communist nations, which all too often only give lip service to these obligations, to take the high moral ground in these debates? Mr. Chairman, they have no right to it and we are foolish to abandon it to them.

If the Vietnamese communists commit genocide against religious groups in Cambodia, I want the U.S. to tell the world about it without challenge to our human rights dedication from other communist nations.

If the Peoples Republic of China systemmatically commits genocide against the Tibetans, I want us to be free to condemn that action without the inevitable propaganda about our failure to pass the Genocide Convention.

If one day the Russians turn against one of their national minorities, and commit genocide, then the United States should be the world leader opposing that action. Nothing less should be expected from this nation. But we will be unable to do this effectively without passage of the Genocide Convention.

In sum, it is unlikely that genocide will be committed in any Western democratic nation. It is more likely that genocide will occur in non-democratic, totalitarian or communist states. We need every device at our disposal to preclude that this happens, and if it does occur, God forbid, we need every diplomatic, economic and possibly military asset to stop such events.

We cannot do moral battle against genocide with one hand tied behind our backs.

Second, ratification of the Genocide Convention reasserts our intention to deal firmly with criminals who have violated the most sacred right known to man.

There is firm precedent for ratification of this type of criminal treaty. Just this year, in July, the United States approved a treaty dealing with hostages, unanimously. We were following the same policy on issues such as narcotics (1961), pollution of the sea by oil (1954) and treatment of prisoners of war (1949).

Contemporary practice makes it clear that the Senate has the authority to approve treaties involving international treaties and to hold Americans accountable for their actions before American Courts (as the Genocide Convention and its implementing legislation provides) for actions committed abroad.

Third, the ratification of the Genocide Convention will help our relations with Third World nations as well. Our failure to ratify a treaty so consistent with the high ideals expressed in our Declaration of Independence, Constitution and Bill of Rights, places us in dubious company with nations such as South Africa whose dedication to human rights is clearly questionable. With all other major Free World countries supporting the Convention, our inaction raises unnecessary doubts regarding our ability to lead.

Fourth, the ratification of this Convention would place the United States in a better position to bring our moral influence to bear in specific cases where genocide is alleged. For example, in the early seventies the State Department wrote to me, indicating that our efforts to halt the genocide of Biafrans during the Nigerian civil war would have been strengthened immeasurably had we been a party to the Convention.

Finally, there is a moral imperative to ratify this treaty. Domestic statutes regarding murder are insufficient for, as Senator Javits has correctly pointed out, "genocide is murder and more."

The different effect of this type of treaty is impossible to quantify but, as Bruno Bitker noted during your 1970 hearing, "The requirements of morality are more likely to be recognized if they are also the requirement of law."

SUBMISSION FOR THE RECORD

Mr. Chairman, I have not attempted in my statement to provide a line by line discussion of the Genocide Convention and the arguments that will be raised by Liberty Lobby later in this hearing. Your next panel will be addressing those questions and I have merely attempted to set the stage for that discussion.

However, I would like your permission to include as a permanent part of this record, at the conclusion of my statement, material which I believe will be helpful to the Committee's review:

(1) An article by article analysis of the Genocide Convention just produced by the Congressional Research Service at my request. I have also provided additional copies to every Member of the Committee.

(2) Copies of speeches which I have made responding in detail to the arguments of the new Liberty Lobby White Paper on the Genocide Convention, about which you will be hearing more shortly.

(3) Letters from each branch of the Armed Services and the General Counsel of the Defense Department during the Carter Administration, outlining their support for the Convention.

(4) A listing of 52 labor, civic, religious and nationality groups which endorse the Genocide Convention.

(5) A law review article by Louis Henkin from the April, 1968 issue of the University of Pennsylvania Law Review entitled "The Constitution, Treaties and International Human Rights", which conclusively proves the constitutionality of treaties such as the Genocide Convention.

Mr. Chairman, the fight for ratification of this Convention has often been frustrating. As Senator Javits noted during the 1977 hearings, "The numbers of rumors, innuendos, misconceptions and scares that have been spread about this treaty are literally endless, and this has been done by people who are very, very competent and able in many other ways, but who somehow have an absolute blind spot on this one."

IN CONCLUSION

Mr. Chairman, some opponents of the Genocide Convention want it both ways.

On the one hand, they assert that the Genocide Convention is a strong document, threatening our very civil liberties—a position which is simply not substantiated by this Committee's own hearing record.

On the other hand, they argue that the Treaty is a "paper tiger". Where is the real enforcement authority they ask? Yet this question comes most often from those who would oppose any international enforcement mechanism the most.

Let me get the record straight.

This Senator is no advocate of One World government.

This Senator does not support any Super Government with "enforcement authority" to interfere in our internal affairs.

I do not believe in yielding United States sovereignty in any way.

And this Treaty does not do that.

This is a very limited Treaty. Not a panacea for the world's ills. Not a step toward One World Government.

But it is an important moral statement, a strong diplomatic tool in the hands of the world's most powerful and influential country.

[Prevention and Punishment of Crime of Genocide]

CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE

The Contracting Parties,

Having considered the declaration made by the General Assembly of the United Nations in its resolution 96 (I) dated 11 December 1946 that genocide is a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world;

Recognizing that at all periods of history genocide has inflicted great losses on humanity; and

Being convinced that, in order to liberate mankind from such an odious scourge, international co-operation is required,

Hereby agree as hereinafter provided:

ARTICLE I

The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

ARTICLE II

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

(a) Killing members of the group;

(b) Causing serious bodily or mental harm to members of the group;

(c) Deliberately inflicting on the group

conditions of life calculated to bring about its physical destruction in whole or in part;

(d) Imposing measures intended to prevent births within the group;

(e) Forcibly transferring children of the group to another group.

ARTICLE III

The following acts shall be punishable:

(a) Genocide;

(b) Conspiracy to commit genocide;

(c) Direct and public incitement to commit genocide;

(d) Attempt to commit genocide;

(e) Complicity in genocide.

ARTICLE IV

Persons committing genocide or any of the other acts enumerated in article III shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.

ARTICLE V

The Contracting Parties undertake to enact, in accordance with their respective Constitutions, the necessary legislation to to give effect to the provisions of the present Convention and, in particular, to provide effective penalties for persons guilty of genocide or of any of the other acts enumerated in article III.

ARTICLE VI

Persons charged with genocide or any of the other acts enumerated in article III shall be tried by a competent tribunal of the State in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction.

ARTICLE VII

Genocide and the other acts enumerated in article III shall not be considered as political crimes for the purpose of extradition.

The Contracting Parties pledge themselves in such cases to grant extradition in accordance with their laws and treaties in force.

ARTICLE VIII

Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in article III.

ARTICLE IX

Disputes between the Contracting Parties relating to the interpretation, application or fulfilment of the present Convention, including those relating to the responsibility of a State for genocide or for any of the other acts enumerated in article III, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute.

ARTICLE X

The present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall bear the date of 9 December 1948.

ARTICLE XI

The present Convention shall be open until 31 December 1949, for signature on behalf of any Member of the United Nations and of any non-member State to which an invitation to sign has been addressed by the General Assembly.

The present Convention shall be ratified, and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

After 1 January 1950 the present Convention may be acceded to on behalf of any Member of the United Nations and of any non-member State which has received an invitation as aforesaid.

Instruments of accession shall be deposited with the Secretary-General of the United Nations.

ARTICLE XII

Any Contracting Party may at any time, by notification addressed to the Secretary-General of the United Nations, extend the application of the present Convention to all or any of the territories for the conduct of whose foreign relations that Contracting Party is responsible.

ARTICLE XIII

On the day when the first twenty instruments of ratification or accession have been deposited, the Secretary-General shall draw up a process-verbal and transmit a copy thereof to each Member of the United Nations and to each of the non-member States contemplated in article XI.

The present Convention shall come into force on the ninetieth day following the date of deposit of the twentieth instrument of ratification or accession.

Any ratification or accession affected subsequent to the latter date shall become effective on the ninetieth day following the deposit of the instrument of ratification or accession.

ARTICLE XIV

The present Convention shall remain in effect for a period of ten years as from the date of its coming into force.

It shall thereafter remain in force for successive periods of five years for such Contracting Parties as have not denounced it at least six months before the expiration of the current period.

Denunciation shall be effected by a written notification addressed to the Secretary-General of the United Nations.

ARTICLE XV

If, as a result of denunciations, the number of Parties to the present Convention should become less than sixteen, the Convention shall cease to be in force as from the date on which the last of these denunciations shall become effective.

ARTICLE XVI

A request for the revision of the present Convention may be made at any time by any Contracting Party by means of a notification in writing addressed to the Secretary-General.

The General Assembly shall decide upon the steps, if any, to be taken in respect to such request.

ARTICLE XVII

The Secretary-General of the United Nations shall notify all Members of the United Nations and the non-member States contemplated in article XI of the following:

(a) Signatures, ratifications and accessions received in accordance with article XI;

(b) Notifications received in accordance with article XIV;

(c) The date upon which the present Convention comes into force in accordance with article XIII;

(d) Denunciations received in accordance with article XIV;

(e) The abrogation of the Convention in accordance with article XV;

(f) Notifications received in accordance with article XVI.

ARTICLE XVIII

The original of the present Convention shall be deposited in the archives of the United Nations.

A certified copy of the Convention shall be transmitted to each Member of the United Nations and to each of the non-member States contemplated in article XI.

ARTICLE XIX

The present Convention shall be registered by the Secretary-General of the United Nations on the date of its coming into force.

For Afghanistan:

For Australia: Herbert Evatt, December 11, 1948.

For the Kingdom of Belgium:

For Bolivia: Adolfo Costa du Rels, 11 Dec. 1948.

For Brazil: Joao Carlos Muniz, 11 December 1948.

For the Union of Burma:

For the Byelorussian Soviet Socialist Republic:

For Canada:

For Chile: Con la reserva que requiere tambien la aprobacion del Congreso de mi pais. H. Arancibia Lazo.

For China:

For Colombia:

For Costa Rica:

For Cuba:

For Czechoslovakia:

For Denmark:

For the Dominican Republic: J. E. Balaguer, 11 Dec. 1948.

For Ecuador: Homero Viteri Lafronte, 11 Diciembre de 1948.

For Egypt: Ahmed Moh. Khachaba, 12-12-48.

For El Salvador:

For Ethiopia: Aklilou, 11 December 1948.

For France: Robert Shuman, 11 Dec. 1948.

For Greece:

For Guatemala:

For Haiti: Castel Demesmin, Le 11 Decembre 1948.

For Honduras:

For Iceland:

For India:

For Iran:

For Iraq:

For Lebanon:

For Liberia: Henry Cooper, 11/12/48.

For the Grand Duchy of Luxembourg:

For Mexico: Luis Padilla Nervo, Dec. 14, 1948.

For the Kingdom of the Netherlands:

For New Zealand:

For Nicaragua:

For the Kingdom of Norway: Finn Moe, Le 11 Decembre 1948.

For Pakistan: Zafrulla Khan, Dec. 11, 1948.

For Panama: R. J. Alfaro, 11 Diciembre 1948.

For Paraguay: Carlos A. Vasconsellos, Diciembre 11, 1948.

For Peru: F. Berckemeyer, Diciembre 11/1948.

For the Philippine Republic: Carlos P. Romulo, December 11, 1948.

For Poland:

For Saudi Arabia:

For Siam:

For Sweden:

For Syria:

For Turkey:

For the Ukrainian Soviet Socialist Republic:

For the Union of South Africa:

For the Union of Soviet Socialist Republics:

For the United Kingdom of Great Britain and Northern Ireland:

For the United States of America: Earnest A. Gross. Dec. 11, 1948.

For Uruguay: Enrique C. Armand Ugon, Decembre 11 de 1948.

For Venezuela:

For Yemen:

For Yugoslavia: Ales Bebler, 11 Dec. 1948.

Certified true copy.

For the Secretary-General: Kerno, Assistant Secretary-General in charge of the Legal Department.

MAX FRIEDERSDORF

Mr. QUAYLE. Madam President, the announcement yesterday that Max Friedersdorf would be leaving the White House staff came as a surprise to most of us here. I would not want the announcement of his departure to pass without saying a few words about a man who has been a great credit to his home State of Indiana and a great credit to our Nation.

Earlier today, a reporter from the Franklin, Ind., Daily Journal, Max's hometown, called my office to ask: "What was the secret of Max's success?"

There is no secret to his success but the ingredients should stand as an example to anyone who is considering a career in politics and government.

Max started as a newspaper reporter in Indiana, Kentucky, and Illinois. He came to Washington as a staff member of Representative Richard L. Roudebush. He moved on to the Senate where he was staff director of the Senate Republican Policy Committee. His career continued to progress as he moved to the White House staff as an assistant in the Congressional Liaison Office.

One of the secrets to Max's success, then, is an intimate knowledge of the Congress. There is an institutional memory here that prescribes how things will work, and who will make them work. These memories are not set down, and no amount of reading or talking to those who have been here can substitute for having been involved in the process.

Second, there is an old saying that goes, "good luck follows hard work." Max's luck has been consistently good because he has always been a dedicated worker.

Finally, Max has a gift of working with people, and for helping people work with each other. Each of us has seen Max take a group of Senators or Congressmen of differing philosophies and differing views, and help them to forge a solution to a problem which was based not on whether it was good for the President, or the Republicans, or good for the Democrats. The solutions have been found because Max had a feeling for what was good for the country.

Those are the secrets to success: A knowledge of his subject matter, hard work, and the ability to work with people.

Max Friedersdorf's years in Washington stand as an example of how a career in politics and Government can bring out the best in people, and how a man or a woman who wants to help our country can have a real impact.

The work Max Friedersdorf did this year alone will have a positive impact on the direction of our country through the end of this century.

I have personally known Max for many years. My friendship with him has been a rewarding one, and though he is temporarily leaving Washington, that friendship with me and others will, I am certain, continue.

I wish him and his wonderful wife, Priscilla, many years in Max's next career, Consul General to Bermuda.

A KEY TO LOWER INTEREST RATES

Mr. PERCY. Madam President, there is not a Senator in this Chamber who does not want to see lower interest rates as soon as possible. We know the damage high interests are inflicting on this country's economy. Large and small businesses alike are failing at near-record rates, housing construction has come to a standstill, auto dealers are closing their doors and thousands of potential home buyers are hoping that maybe next year they will be able to afford that first home.

High interest did not spring up suddenly. Nearly 2 years ago we saw interest rates beginning to rise. By March 1980 the prime rate had broken all records and was in the low 20 percent range. Then it dropped, only to rise again this fall. Interest rates are a function of the high inflation and general economic stagnation that has wracked our economy for a decade.

Last October, however, we took the first steps away from economic disaster. That is when the President's economic recovery program first went into effect: Tax cuts and budget reductions to put the economy right again. These changes in our economy cannot possibly come about overnight. They were over a decade in the making. But we have begun to grapple with them and I gave the President my full support on both tax and budget reduction.

There is more we can do, however, to restore economy. One area that has been entirely neglected are the lending programs that have blossomed in the Federal budget the last 7 years. These loan and loan guarantee programs have worthwhile purposes in many cases, but they are just like spending: Someone must ultimately pay for them.

Under our present system, these so-called off-budget lending programs are like a mist on a foggy night: you know they are there but try and put your hands on them. Our Federal budget takes almost no account of them, even though the billions of dollars in lending pushes thousands of worthy borrowers--like small businessmen and home buyers—out the bank door. When a Federal agency says that a program should be financed through loan guarantees, that means it moves to the top of the lending line. Money does not grow on trees, of course, so someone else is cut off at the end of the line.

I have introduced legislation to halt this senseless system and am pleased that the Director of our nonpartisan Congressional Budget Office—CBO—supports this legislation. She has just written me about it and says that if the procedures outlined in my bill were put to use, and I quote:

> There is every indication that the financial market would respond positively and that interest rates would begin to decline.

That is good news for Americans and I am pushing to bring this bill to a vote as soon as possible. We just cannot ignore a tool that will aid the economy recovery.

I ask unanimous consent that Dr. Rivlin's letter be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL BUDGET OFFICE,
Washington, D.C., November 17, 1981.

Hon. CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: During my recent testimony before the Committee on Governmental Affairs on the Congressional budget process, you requested that we estimate, if possible, the impact on interest rates of establishing a federal credit budget as envisioned by your bill, S. 265, the Federal Lending and Oversight Control Act.

If the Congress were to begin explicitly controlling the levels of new federal credit, under procedures such as those in your bill, and began reducing total government credit demand, there is every indication that the financial markets would respond positively and that interest rates would begin to decline. Unfortunately, as I told you during the hearing, we are unable to estimate the magnitude of the impact on interest rates.

Financial markets today are concerned about total federal government borrowing, not just the unified budget deficit. Under the multiyear budget plan of the first concurrent resolution, the unified budget deficit as a percentage of GNP is expected to fall, from about 2 percent of GNP in fiscal year 1981 to about 1 percent by fiscal year 1984. There is a risk, however, that total borrowing by the federal government or under federal auspices will not decline. As the table below illustrates, total federal government borrowing in fiscal year 1982 will probably exceed the projected $65 billion unified budget deficit by a considerable margin. Off-budget borrowing, primarily to fund the Federal Financing Bank's loan activities, will add about $20 billion to Treasury borrowing in 1982. Total direct borrowing by the Treasury is, therefore, expected to reach $80 to $90 billion. The federal government will also directly influence the allocation of another $80 billion in new credit through its loan guarantee programs.

Federal budget deficits and borrowing from the public

[In billions of dollars]

	1982 estimate
Unified budget deficit	65
Off-budget deficit	20
Total deficit	85
Less:	
Means of financing other than borrowing from the public [1]	1.7
Borrowing from the public	83.3
New loan guarantee commitments [2]	80

[1] Changes in cash balances, checks outstanding, and seigniorage on coins. Estimates from *Mid-Session Review of the Budget,* July 1981.

[2] Estimates from Office of Management and Budget, July 1981.

The financial markets recognize that federal credit programs have grown more rapidly than direct spending. Loan guarantees and the off-budget lending of the Federal Financing Bank are not included in the binding totals of the budget process. Moreover, until recently, many credit programs have been completely without limits on their level of annual activity. The credit budgets that the Congress has experimented with in the concurrent budget resolutions this year and last are useful first steps. The totals, however, are not binding; nor are other provisions of the Budget Act, such as reconciliation, directly applicable to the credit budget.

The imposition of a binding federal credit budget, as envisioned in S. 265, cannot but help reduce the fears of the financial markets about uncontrolled growth of federal credit. This would reduce upward pressures on interest rates, but we do not know how much.

If I may be of further assistance in this regard, please call on me.

Sincerely,

ALICE M. RIVLIN,
Director.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the

Senate by Mr. Saunders, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

ANNUAL REPORT OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—MESSAGE FROM THE PRESIDENT—PM 94

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

I hereby transmit for the information of the Congress the Sixteenth Annual Report of the Department of Housing and Urban Development covering the calendar year 1980.

RONALD REAGAN.

THE WHITE HOUSE, *December 4, 1981.*

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. SIMPSON, from the Committee on Veterans' Affairs:

Charles Timothy Hagel, of the District of Columbia, to be Deputy Administrator of Veterans' Affairs.

Mr. SIMPSON. Mr. President, I am pleased to report that the Committee on Veterans' Affairs has completed its consideration of the qualifications of Charles Timothy Hagel, the President's nominee to be Deputy Administrator of Veterans' Affairs, and the committee, by unanimous vote, recommends that the nomination be confirmed.

Public Law 96-22, Veterans Health Care Amendments of 1979, provided for the nomination by the President, and confirmation by the Senate of the Deputy Administrator of Veterans' Affairs, but exempted the then incumbent Deputy from such a requirement. Consequently today's confirmation vote is a historic first for this position.

The Veterans' Administration has been without a Deputy Administrator since February 25, 1981, when Rufus T. Wilson, the former Deputy, because Acting Administrator of the Veterans' Administration. It is most important that the Administrator, Bob Nimmo, have the assistance of a highly qualified Deputy.

The nomination of Charles T. Hagel was received by our committee on November 16, 1981. A hearing on his qualifications was held on November 25, 1981, with a resulting unanimous vote to recommend confirmation of the nomination.

Chuck Hagel, 34 years of age, most recently served as the deputy commissioner general of the 1982 World's Fair, to be held in Knoxville, Tenn., with responsibilities for coordinating and administering corporate and U.S. Government involvement in the fair.

From January 1977 to January 1981, Chuck was manager of Firestone's Government affairs office in Washington, D.C. From 1971 to 1977, he was administrative assistant to Congressman John Y. McCollister of Nebraska, in charge of McCollister's offices in Washington and Nebraska.

Chuck's background includes radio and television as a newscaster, talk show host, and record show host in Omaha, Nebr., Council Bluffs, Iowa, and Lincoln, Nebr.

Hagel volunteered for U.S. Army service in Vietnam where he was wounded twice while serving in the 9th Infantry Division. His awards include the American Spirit Honor Medal, the Purple Heart with one oak leaf cluster, the Combat Infantry Badge, and the Army Commendation Medal.

I am impressed with Chuck Hagel's work in community activities, in veterans' organizations, with his combat experience in behalf of our Nation, with his enthusiasm, and with his ability to communicate. It is particularly appropriate today that a combat Vietnam veteran be in a high position of responsibility in the Veterans' Administration.

As the VA's Deputy Administrator, he will assist Administrator Nimmo in carrying out the many and diverse responsibilities of the agency which serves over 30 million living veterans. With its 172 medical centers, 226 outpatient clinics, 96 nursing home care units, and 58 regional offices the Veterans' Administration is a large and complex agency. It administers many extremely important programs such as disability compensation benefits, veterans' pension, GI bill education program, and a National Cemetery System. The leadership of the VA faces a tremendous challenge, especially in these days of constrained resources when the needs of veterans are so great.

Chuck Hagel will have a special challenge in following so closely the outstanding service of his predecessor as Deputy Administrator—Rufus T. Wilson, who served during the 4 years prior to February 25, 1981. Rufus gave to the Veterans' Administration 25 years of dedicated and able service, holding many important positions within the VA. For 2 years he was Director of Congressional Liaison; he was director of three regional offices: St. Petersburg, Fla., Lincoln, Nebr., and Baltimore, Md. He has served as Chief Benefits Director, as Associate Deputy Administrator, as Director of Memorial Affairs, and as Acting Administrator of the VA. He received the National Civil Service Award and the VA's Exceptional Service Award—truly an impressive and outstanding record. Rufus is continuing work in behalf of veterans in his new position as minority counsel of the House Committee on Veterans' Affairs.

Members of our Senate Committee on Veterans' Affairs are of the view that Chuck Hagel will be of great service to the veterans of our Nation and will perform the tasks undertaken by him with skill and competence. I urge the Senate to support the unanimous vote of the Committee on Veterans' Affairs in confirming this nomination.

By Mr. PERCY, from the Committee on Foreign Relations, with reservations and with understandings:

Exec. C, 95th Cong., 1st sess. Tax Treaty with the Republic of the Philippines for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income and the encouragement of international trade and investment (Executive C), as clarified by a simultaneous Exchange of Notes (collectively referred to as the proposed treaty) (Rept. No. 97-39).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BENTSEN (for himself and Mr. DOLE):

S. 1910. A bill to amend section 403(B)(2) of the Internal Revenue Code of 1954 with respect to computation of the exclusion allowance for ministers and lay employees of a church; to add new section 430(B) annuity contract includes an annuity contract of a church, including a church pension board; to conform section 403(c) with recent amendments to 402(a)(1); to amend section 415(c)(4) to extend the special elections for section 430(b) annuity contracts to employees of churches or conventions or associations of churches and their agencies; to add a new section 415(c)(8) to permit a de minimis contribution amount in lieu of such elections; and to make a clarifying amendment to section 415(c) by adding a new paragraph (9) and conforming amendments to sections 415(d)(1), 415(d)(2), and 403(b)(2)(B); to the Committee on Finance.

By Mr. SPECTER (for himself and Mr. ROBERT C. BYRD):

S. 1911. A bill to amend the Internal Revenue Code of 1954 to provide for the establishment of reserves for mining land reclamation and for the deduction of amounts added to such reserves; to the Committee on Finance.

By Mr. STEVENS:

S. 1912. A bill to amend title 5, United States Code, to authorize the Administrator, Federal Aviation Administration, to pay additional premium pay to air traffic controllers and certain other employees of the Federal Aviation Administration, and for other purposes; to the Committee on Governmental Affairs.

By Mr. BOSCHWITZ:

S. 1913. A bill for the relief of Joseph R. Williams, major, U.S. Army Reserve; to the Committee on the Judiciary.

By Mr. NICKLES (for himself and Mr. BOREN):

S. 1914. A bill conferring jurisdiction on certain courts of the United States to hear and render judgment in connection with certain claims of the Cherokee Nation of Oklahoma; to the Committee on the Judiciary.

By Mr. STAFFORD (for himself, Mr. LEAHY, Mr. HUMPHREY, and Mr. RUDMAN):

S. 1915. A bill granting the consent of Congress to the compact between the States of New Hampshire and Vermont concerning solid waste; to the Committee on the Judiciary, by unanimous consent with instructions that when the bill is reported it be referred to the Committee on Environment and Public Works for not to exceed thirty days.

By Mr. CANNON (for himself and Mr. PACKWOOD):

S. 1916. A bill to amend the Federal Trade Commission Improvements Act of 1980 to provide for an evaluation by the Federal Trade Commission of the effects on interstate commerce and on consumers of acquisitions of domestic petroleum companies by major international energy concerns, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred, or acted upon, as indicated:

By Mr. HEFLIN (for himself, Mr. DENTON, Mr. BUMPERS, Mr. PRYOR, Mr. MATHIAS, Mr. SARBANES, Mr. FORD, Mr. HUDDLESTON, Mr. TOWER, Mr. BENTSEN, Mr. MATTINGLY, and Mr. RANDOLPH):

S. Res. 252. A resolution honoring and commending Paul W. "Bear" Bryant; considered and agreed to.

By Mr. DOLE (for himself, Mrs. KASSEBAUM, Mr. BAUCUS, Mr. D'AMATO, Mr. DURENBERGER, Mr. GRASSLEY, Mr. HATFIELD, Mr. HEFLIN, Mr. HOLLINGS, Mr. LUGAR, Mr. MATTINGLY, Mr. MELCHER, Mr. BAKER, and Mr. MURKOWSKI):

S. Res. 253. A resolution expressing the sense of the Senate on "National Circle K Week"; to the Committee on the Judiciary.

By Mr. BAKER:

S. Res. 254. A resolution authorizing the printing of "Enactment of a Law and Other Aspects of the Legislative Branch of Government" as a Senate document; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BENTSEN (for himself and Mr. DOLE):

S. 1910. A bill to amend section 403(B)(2) of the Internal Revenue Code of 1954 with respect to computation of the exclusion allowance for ministers and lay employees of a church; to add new section 430(B) annuity contract includes an annuity contract of a church, including a church pension board; to conform section 403(c) with recent amendments to 402(a)(1); to amend section 415(c)(4) to extend the special elections for section 430(b) annuity contracts to employees of churches or conventions or associations of churches and their agencies; to add a new section 415(c)(8) to permit a de minimis contribution amount in lieu of such elections; and to make a clarifying amendment to section 415(c) by adding a new paragraph (9) as conforming amendments to sections 415(d)(1), 415(d)(2), and 403(b)(2)(B); to the Committee on Finance.

AMENDMENT OF INTERNAL REVENUE CODE RELATIVE TO RETIREMENT BENEFITS

● Mr. BENTSEN. Mr. President, I today reintroduce legislation to amend several provisions of the Internal Revenue Code that unfairly obstruct the acceptable accumulation of retirement benefits for the majority of clergymen and lay employees of the church denominations in this country. The major thrust of this legislation is to accord ministers and lay employees the same right of contribution to their retirement annuities that other classes of poorly compensated employees now enjoy. It represents a large step toward assuring our ministers and lay employees of adequate retirement allowances. I invite my colleagues to join with me in sponsoring this legislation.

By far most of the retirement benefits for ministers and lay employees are provided by annuities described in section 403(b) of the code. Our churches consider annuity programs as ideal retirement systems. Most denominations have used them for decades—some for over a century. They are completely portable and let church workers move freely within their denominations without losing retirement benefits.

Some of the section 403(b) annuity arrangements of the churches are defined contribution programs, while others are defined benefit programs. Section 403(b) imposes no requirement that the arrangement be of either kind. Most churches do not purchase retirement annuities from insurance companies. They administer and fund their own annuity programs. Some denominations fund their retirement annuities internally. But most have formed organizations called pension boards to administer and fund their annuity programs.

These pension boards are usually separately incorporated to protect pension assets. Whether the provider of pension benefits is separately incorporated or not, it fulfills the functions of the church with which it is associated in providing retirement benefits for its ministers and lay employees and is, thus, entitled to classification as an integral and inseparable part of the church.

Since 1958, the "exclusion allowance" in section 403(b)(2) has limited the amount that an employer can contribute to an annuity for an employee under this section without income tax consequences. That amount is the excess of first, 20 percent of the employee's includable compensation for the year times the employee's years of service with his or her employer over; second, the aggregate amounts contributed in prior years that have been excluded from income. Before the exclusion allowance, there were no limitations on contributions to section 403(b) annuities.

The exclusion allowance was designed to prevent then-existing abuses by certain part-time employees (S. Rept. No. 1983, 85th Cong., 2d sess. 36 (1958)). The exclusion allowance was also designed to permit larger-than-usual retirement annuity contributions late in the employee's career to compensate for the years when contributions were low or not made at all. These are called "catch-up" contributions. As I shall demonstrate later, the capacity to make catch-up contributions is extremely important to persons who are poorly compensated.

In 1974, we superimposed a further, and perhaps unnecessary, limitation on contributions to section 403(b) annuities by enacting section 415. We arbitrarily classified section 403(b) annuities as defined contribution plans, whether or not they fit that description, and required that contributions be no greater than the limits under section 415(c)(1).

This further limitation on employer contributions to section 403(b) annuities is the lesser of $25,000, adjusted by the increases in the cost of living, or 25 percent of the participant's compensation. When we imposed those limitations, we realized that the 25 percent of compensation limitation would seriously hinder the ability of poorly compensated employees to make catch-up contributions. So we devised in section 415(c)(4) certain elections a participant could make to override the 25-percent ceiling, except in the instance of the "(C)" election in section 415(c)(4), which substitutes the $25,000-25-percent limitation for the exclusion allowance.

The elections permit relatively high contributions late in the career of an employee who typically has a pattern of low contributions in the early stages of his career (Joint conference Rept. No. 93-1280, 93d Cong., 2d sess. 345 (1974)). But we made these elections available only to employees of educational organizations, hospitals, and home health service agencies. We did not then know that churches also used section 403(b) annuities extensively. We believe that church employees need the elections just as those classes of employees who now use them.

Ministers and lay employees are among the worst-compensated persons in this country. A minister begins his career at a salary of only $5,000 to $10,000. Rarely will his salary exceed $15,000 or $20,000—and then only at the end of his career. Lay employees generally earn even less. Missionaries receive pitiful salaries.

A typical pension of a minister is only $2,000 to $3,000 a year. Lay employees retire on less. These woefully inadequate pensions will continue if we do not amend the limitations we enacted in 1974.

Sections 403(b) and 415 create many problems for church employees. The compensation of many of them, particularly foreign missionaries, is so low that even the exclusion allowance makes worthwhile contributions impossible. They spend their lives in the mission field and expect to retire in the United States. But the combination of the exclusion allowance based on compensation and the high cost of living here makes retirement very difficult for these persons.

Second, the poor compensation of ministers and lay employees makes catchup contributions essential, but the 25-percent limitation renders them virtually impossible. During the first years of a minister's career, contributions may be a function of salary and, hence, be very small. The minister may be employed by a new or struggling church or church agency that cannot afford any plan contributions.

Under section 403(b) the minister may take a reduction in salary to permit his employer to purchase annuity benefits. But salary reduction is usually impractical because for many years he will need every penny he earns to feed and clothe his family, and educate his children. When a minister has reached age 50 or so, his compensation may increase enough for him to purchase additional annuity benefits. Then his personal and

family living expenses may have declined, and he could be in a position to use a part of his salary to supplement his retirement income.

Also, a minister's church may recognize that he is about to retire without an adequate retirement income and, with the help of the congregation, may wish to contribute more funds to bring his annuity up to an acceptable level. But because the 25-percent limitation of section 415(c)(1) is based upon an extremely low salary, it frustrates any effort, by salary reduction or otherwise, to enhance the minister's retirement benefits to any meaningful extent.

A third problem is that the "years-of-service" factor of the exclusion allowance is limited to years of service with the employee's present employer. In computing the exclusion allowance for any year, an employee is not given credit for any years of service with prior employers. In our hierarchical denominations, an employee may be considered employed by the denomination, even though his technical employer may be another church organization. But in our congregational denominations, each organization is a separate employer.

Many ministers and lay employees move frequently from one church to another within their denomination or among agencies of the denomination during their careers. In some denominations a minister or lay employee will change employment every 3 to 5 years. In computing the exclusion allowance, a minister or lay employee of a congregational denomination is, thus, given no credit for past service with other employers in the denomination. For any such employee with frequent job changes, this rule severely reduces the exclusion allowance and the ability to make catchup contributions.

A fourth problem is an emerging policy in the Internal Revenue Service that only licensed insurance companies may provide annuity contracts described in section 403(b). No provision in section 403(b) limits the provider of annuity contracts described in that section to licensed insurance companies. The Service has agreed with this conclusion in published revenue rulings and private letter rulings to church denominations. Yet a growing judgment in the Service contends that churches and church pension boards should not be permitted to provide section 403(b) annuity contracts as they have for many years. I see no reason in logic or equity for denying churches the right to provide section 403(b) annuities for their workers.

A fifth problem is technical. Like many secular plans, some church plans condition the nonforfeitability of rights on a factor such as continued service for a period of time. Nonetheless, contributions are made to the plan on behalf of the participants during the period of forfeitability.

In the case of a qualified annuity plan, it is clear in section 415(c)(1) that annual additions to a participant's account occur in the year to which a contribution is attributed, rather than lumped in the year in which the annuity contract becomes nonforfeitable. Similar treatment seems appropriate in the case of a section 403(b) annuity.

However, in the case of a section 403(b) annuity, it is not clear whether the same rule would apply. It would be unfortunate if several years of contributions were deemed made in the year the annuity became nonforfeitable because of the likelihood the section 415(c)(1) limitations would be exceeded. It is also unclear whether participants in such plans would have the right to the elections in section 415(c)(4) and the right to contribute the de minimis amount already discussed. I believe the law should be clarified in favor of giving such participants these rights.

Mr. President, an important feature of our bill is that a minimum includable compensation is deemed for church employees. This is related to the income poverty guideline calculated yearly by the Office of Management and Budget for an average family size. This provision insures that a minimum exclusion allowance will be available for a church employee even though his actual includable compensation does not produce one under the present formula.

My legislation corrects the inequity of the 25-percent limitation by extending the right to make the elections in section 415(c)(4) to employees of church denominations and their agencies. I believe these persons should have the same right to make the elections as employees of educational organizations, hospitals, and home health service agencies. This legislation also provides a de minimis amount of $10,000, which may be contributed without having to consider either the 25-percent limitation or the section 415(c)(4) elections. This de minimis amount is parallel to the de minimis amount for defined benefit plans in section 415(b)(4).

Like other limiting figures in section 415, it is subject to adjustment for increases in the cost of living, commencing with the calendar quarter beginning October 1, 1974. The de minimis amount will have a simplifying effect on the Code because the elections are difficult to understand and administer. It is intended that all limitations provided in section 415(c), including the de minimis amount, be subject to the further limitations of section 403(b)(2).

Thus, under this bill an employee could not make a "(C)" election under section 415(c)(4)—which substitutes the $25,000 25-percent limitation for the exclusion allowance—and be permitted a contribution of the de minimis account. Accordingly, the 1958 legislation establishing the exclusion allowance and subsequent legislation is in no way circumvented.

The term "agency" of a church is defined in this legislation by reference to that term in section 414(e)(3)(B)(ii) and means an exempt organization either controlled by or associated with a church or a convention or association of churches.

My legislation also would treat the service of a minister or lay employee with any church or church agency of a religious denomination as service with a single employer for purposes of computing the exclusion allowance. All years of service of a minister or lay employee for a church or a church agency, both of which must be described in section 501(c)(3), would be aggregated in determining the exclusion allowance for taxable years beginning after 1980. It would make no difference whether the years of service being aggregated occurred before or after 1980.

The bill will enable section 403(b) annuity contributions to be made on behalf of ministers and lay employees in order to provide them with retirement benefits based on years of service with the denomination rather than with the present employer. This rule will make sure the employees of all the denominations of this country are treated equally in connection with the years-of-service factor.

This legislation also makes express in the statute the long-standing position under current law that section 403(b) annuity contracts may be provided by a church or a convention or association of churches, whether the annuity contract is provided internally by the church or by a separately incorporated entity such as a pension board. A pension board means an organization described in section 414(e)(3)(A). That is an organization, the principal purpose or function of which is the administration or funding of a plan or program for the provision of retirement or welfare benefits for the employees of a church if such organization is controlled by or associated with such church.

This legislation provides that annual additions to a forfeitable section 403(b) annuity are, for purposes of the section 415 limitations, treated like annual additions to a nonforfeitable annuity. Annual additions are, thus, deemed made for the year to which they are attributed, rather than lumped in the year the annuity contract becomes nonforfeitable. This rule is in keeping with that regarding contributions to qualified defined contribution plans before a participant's rights are fully nonforfeitable. This legislation also insures participants in a forfeitable section 403(b) annuity of the right to make the special elections and the de minimis contribution amount.

Finally, the bill will make it clear that constructive receipt is not to apply to section 403(b) annuities by conforming section 403(c) to changes in section 402(a)(1) recently made by the Economy Recovery Tax Act of 1981. By removing the words "or made available" in section 403(c), we eliminate the unnecessary constructive receipt problems caused by them.

Mr. President, I urge my distinguished colleagues to support this bill, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1910

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Section 403(b)(2)(B) of the Internal Revenue Code of 1954 is amended to read, as follows:

"(B) ELECTION TO HAVE ALLOWANCE DETER-

MINED UNDER SECTION 415 RULES.—In the case of an employee who makes an election under section 415(c)(4)(D) to have the provisions of section 415(c)(4)(C) (relating to special rule for section 403(b) contracts purchased by educational institutions, hospitals, home health service agencies, and churches or conventions or associations of churches and organizations described in section 414(e)(3)(B)(ii)) apply, the exclusion allowance for any such employee for the taxable year is the amount which could be contributed (under section 415 without regard to section 415(c)(8)) by his employer under a plan described in section 403(a) if the annuity contract for the benefit of such employee were treated as a defined contribution plan maintained by the employer."

SEC. 2. Section 403(b)(2) of the Internal Revenue Code of 1954 is amended by adding the following subparagraph:

"(C) NUMBER OF YEARS OF SERVICE FOR DULY ORDAINED, COMMISSIONED, OR LICENSED MINISTERS OR LAY EMPLOYEES.—For purposes of this subsection, all years of service by a duly ordained, commissioned, or licensed minister of a church, or by a lay person, as an employee of a church or a convention or association of churches or an organization described in section 414(e)(3)(B)(ii) of such church (or convention or association of churches) shall be considered as years of service for one employer, and all amounts contributed for annuity contracts by each such church (or convention or association of churches) or such organization, during such years for such minister or lay person, shall be considered to have been contributed by one employer. For purposes of the preceding sentence, the term 'church (or convention of association of churches)' shall have the same meaning as it does for purposes of section 414(e).".

SEC. 3. Section 403(b)(3) of the Internal Revenue Code of 1954 is amended by adding at the end the following sentence:

"Notwithstanding the preceding sentences, the includible compensation of an employee described in paragraph (2)(C) is not less than twice the nonfarm income poverty guideline of a family unit of 4 who resides in the contiguous United States for the prior taxable year in accordance with regulations prescribed by the Secretary. Such regulations shall provide for procedures to establish and revise the nonfarm income poverty guideline which are similar to the procedures used by the Office of Management and Budget for programs in which the poverty line is a criterion of eligibility.".

SEC. 4. Section 403(b) of the Internal Revenue Code of 1954 is amended by adding the following paragraph:

"(9) CERTAIN ANNUITY CONTRACTS.—For purposes of this subsection, the term 'annuity contract' includes an annuity contract provided by a church or a convention or association of churches, including an organization described in section 414(e)(3)(A).".

SEC. 5. The last sentence of section 403(c) (relating to taxability of beneficiary under nonqualified annuities or under annuities purchased by exempt organizations) is amended by striking out "or made available".

SEC. 6. Section 415(c)(4) of the Internal Revenue Code of 1954 is amended to read, as follows:

"(4) SPECIAL ELECTION FOR SECTION 403(b) CONTRACTS PURCHASED BY EDUCATIONAL ORGANIZATIONS, HOSPITALS, HOME HEALTH SERVICE AGENCIES, AND CHURCHES OR CONVENTIONS OR ASSOCIATIONS OF CHURCHES AND THEIR AGENCIES.—

"(A) In the case of amounts contributed for an annuity contract described in section 403(b) for the year in which occurs a participant's separation from the service with an educational organization, a hospital, a home health service agency, or a church or convention or association of churches or any organization described in section 414(e)(3)(B)(ii), at the election of the participant there is substituted for the amount specified in paragraph (1)(B) the amount of the exclusion allowance which would be determined under section 403(b)(2) (without regard to this section) for the participant's taxable year in which such separation occurs if the participant's years of service were computed only by taking into account his service for the employer, as determined for purposes of section 403(b)(2), during the period of years (not exceeding ten) ending on the date of such separation.

"(B) In the case of amounts contributed for an annuity contract described in section 403(b) for any year in the case of a participant who is an employee of an educational organization, a hospital, a home health service agency, or a church or convention or association of churches, or any organization described in section 414(e)(3)(B)(ii), at the election of the participant there is substituted for the amount specified in paragraph (1)(B) the least of—

"(i) 25 percent of the participant's includible compensation (as defined in section 403(b)(3)) plus $4,000,

"(ii) the amount of the exclusion allowance determined for the year under section 403(b)(2), or

"(iii) $15,000.

"(C) In the case of amounts contributed for an annuity contract described in section 403(b) for any year for a participant who is an employee of an educational organization, a hospital, a home health service agency, or a church or convention or association of churches or any organization described in section 414(e)(3)(B)(ii), at the election of the participant the provisions of section 403(b)(2)(A) shall not apply.

"(D)(i) The provisions of this paragraph apply only if the participant elects its application at the time and in the manner provided under regulations prescribed by the Secretary. Not more than one election may be made under subparagraph (A) by any participant. A participant who elects to have the provisions of subparagraph (A), (B), or (C) of this paragraph apply to him may not elect to have any other subparagraph of this paragraph apply to him. Any election made under this paragraph is irrevocable.

"(ii) For purposes of this paragraph the term 'educational organization' means an educational organization described in section 170(b)(1)(A)(ii).

"(iii) For purposes of this paragraph the term 'home health service agency' means an organization described in subsection 501(c)(3) which is exempt from tax under section 501(a) and which has been determined by the Secretary of Health, Education, and Welfare to be a home health agency (as defined in section 1861(o) of the Social Security Act).

"(iv) For purposes of this paragraph the term 'church or convention or association of churches' shall have the same meaning as it does for purposes of section 414(e).".

SEC. 7. Section 415(c) of the Internal Revenue Code of 1954 is amended by adding the following paragraph:

"(8) CERTAIN TOTAL ANNUAL CONTRIBUTIONS AND ADDITIONS NOT IN EXCESS OF $10,000.—In the case of a participant who is an employee of a hospital, an organization described in paragraph (4)(D), or an organization described in section 414(e)(3)(B)(ii), notwithstanding any other provision of this subsection, contributions and other additions for an annuity contract described in section 403(b) with respect to such participant, when expressed as an annual addition (within the meaning of subsection (c)(2)) to such participant's account, shall not be deemed to exceed the limitation of subsection (c)(1) if such annual addition is not in excess of $10,000.".

SEC. 8. Section 415(c) of the Internal Revenue Code of 1954 is amended by adding the following paragraph:

"(9) APPLICATION WITH SECTION 403(b)(6).—If the rights of an employee under an annuity contract described in subparagraphs (A) and (B) of section 403(b)(1) are forfeitable at the time any contribution is made to such contract and if the rights subsequently become nonforfeitable within the meaning of section 403(b)(6), this subsection applies to such contract as if the rights of the employee were nonforfeitable at such time.".

SEC. 9. Section 415(d)(1) of the Internal Revenue Code of 1954 is amended to read, as follows:

"(1) IN GENERAL.—The Secretary shall adjust annually—

"(A) the $75,000 amount in subsection (b)(1)(A),

"(B) the $25,000 amount in subsection (c)(1)(A),

"(C) in the case of a participant who is separated from service, the amount taken into account under subsection (b)(1)(B), and

"(D) the $10,000 amount in subsection (c)(8), for increases in the cost of living in accordance with regulations prescribed by the Secretary. Such regulations shall provide for adjustment procedures which are similar to the procedures used to adjust primary insurance amounts under section 215(i)(2)(A) of the Social Security Act.".

SEC. 10. Section 415(d)(2) of the Internal Revenue Code of 1954 is amended to read as follows:

"(2) BASE PERIODS.—The base period taken into account—

"(A) for purposes of subparagraphs (A), (B), and (D) of paragraph (1) is the calendar quarter beginning October 1, 1974, and

"(B) for purposes of subparagraph (C) of paragraph (1) is the last calendar quarter of the calendar year before the calendar year in which the participant is separated from service.".

SEC. 11. The amendments made by sections 1, 3, 5, 6, 7, 9, and 10 of this Act shall be effective for taxable years beginning after December 31, 1980. The amendments made by section 2 of this Act shall be effective in determining the exclusion allowance under section 403(b)(2) for taxable years beginning after December 31, 1980. "Years of service" prior to January 1, 1981, and thereafter shall be aggregated in accordance with these amendments. The amendment made by section 4 of this Act shall be effective for all taxable years prior and subsequent to January 1, 1981. The amendment made by section 8 of this Act shall be effective for all taxable years prior and subsequent to January 1, 1981, except that the taxpayer may elect, in accordance with regulations prescribed by the Secretary or his delegate, to have such amendment not be effective with respect to contributions made prior to January 1, 1981.●

By Mr. SPECTER (for himself and Mr. ROBERT C. BYRD):

S. 1911. A bill to amend the Internal Revenue Code of 1954 to provide for the establishment of reserves for mining land reclamation and for the deduction of amounts added to such reserves; to the Committee on Finance.

MINING RECLAMATION RESERVE ACT OF 1981

Mr. SPECTER. Mr. President, I am today along with Senator ROBERT C. BYRD introducing the Mining Reclamation Reserve Act of 1981.

The necessity for this legislation results from the position of the Internal Revenue Service that it will not follow

long-standing appellate court cases which permitted taxpayers to deduct the estimated costs of governmentally mandated reclamation expenses. In the 1950's, both the Third and Fourth Circuit Courts of Appeal concluded that deductions for accrued reclamation expenses were allowable under existing tax law. These decisions held that reclamation expenses could be accrued if two criteria were satisfied: The fact of an obligation to undertake reclamation of the mine site had occurred and the amount of the reclamation expenses could be reasonably estimated. However, the IRS has not followed those decisions. As a result, audit controversies and litigation have arisen over the tax treatment of accrued reclamation expenses. The intent with this bill is to clarify existing law.

This bill will help resolve these controversies by making it clear that accrued reclamation expenses attributable to surface mining are deductible if reclamation is required by the Surface Mining Reclamation and Control Act of 1977 or other applicable State or Federal law. This treatment is entirely consistent with proper accrual method accounting rules for accrual basis taxpayers.

In addition, this bill would extend the same treatment for this expense to cash basis taxpayers. With this consistent and comprehensive tax treatment for all taxpayers who are obligated to undertake reclamation of their surface mine sites, I believe there are significant tax, economic, and social policy goals to be served by the bill.

By prescribing appropriate treatment of accruals, the tax savings would assist companies in financially satisfying their obligations to undertake environmentally sound reclamation projects. Further, the legislation would benefit companies engaged in the extraction of coal, our most abundant source of domestic energy, and thereby have a potentially favorable impact in attaining our national energy goals. Moreover, the bill would address the basic inequity of mandating by law the expenditure of substantial sums of money for reclamation without clearly recognizing the obligation imposed for income tax purposes. It does not seem reasonable for the Federal Government on the one hand to impose a reclamation obligation to achieve desirable environmental goals but, on the other hand, to deny the existence of the obligation for purposes of its income tax laws.

It should be noted that under this bill the deduction for accrued reclamation expenditures can be recovered on a ratable method over the life of the mine. However, an argument has been made that reclamation expenditures, once reasonably determined, should be accrued and deducted at the time the ground is disturbed, since it is the act of disturbance which causes the obligation to be imposed.

Since we would want to consider existing practices of taxpayers accruing the obligation and the revenue implications, if any, of accruing and deducting the costs of reclamation at the time the obligation first arises, we reserve judgment on this issue at this time.

It is understood that interested persons, including taxpayers engaged in mining activities, will wish to make their views on this issue known during committee hearings. A broad review of this issue with Treasury officials participating will be helpful.

This bill, except for one technical difference, is identical with H.R. 4815, introduced on October 22, 1981, by Mr. BAILEY and Mr. MURPHY of the House of Representatives. I congratulate these Members of Congress for their leadership on this important effort to clarify this legislation and to aid domestic energy production.

By Mr. STEVENS:

S. 1912. A bill to amend title 5, United States Code, to authorize the Administrator, Federal Aviation Administration, to pay additional premium pay to air traffic controllers and certain other employees of the Federal Aviation Administration, and for other purposes; to the Committee on Governmental Affairs.

(The remarks of Mr. STEVENS on this legislation appear earlier in today's RECORD.)

By Mr. NICKLES (for himself and Mr. BOREN):

S. 1914. A bill conferring jurisdiction on certain courts of the United States to hear and render judgment in connection with certain claims of the Cherokee Nation of Oklahoma; to the Committee on the Judiciary.

ARKANSAS RIVERBED LEGISLATION

● Mr. NICKLES. Mr. President, the legislation I am introducing today with my colleague, Mr. BOREN, will allow the Cherokee Nation of Oklahoma to bring suit against the United States to determine and render judgment for any damages caused by the loss of minerals from the Arkansas Riverbed by the construction of a navigation system by the U.S. Corps of Engineers. This issue remains unresolved after many years of debate between the Cherokee Nation and various branches of the Federal Government.

In 1969, the U.S. Supreme Court, in the case entitled *Cherokee, Choctaw and Chickasaw Nations* v. *State of Oklahoma*, 397 U.S. 620, held that these three tribes owned certain portions of the Arkansas Riverbed. In further litigation, the U.S. District Court determined that the Cherokee Nation owned the entire bed of the Arkansas River within Cherokee country and the north half of the riverbed from the confluence of the Canadian River to the Arkansas State line.

From 1973 to 1975, the Secretary of the Interior under the directions from Congress conducted a study to determine the extent and value of the Arkansas Riverbed. The sand and gravel portion owned by the Cherokee Nation was estimated to have a value of $8.4 million. Unsuccessful attempts to make payment have failed through the legislative and appropriation process.

In 1979, a Solicitor's opinion from the Department of the Interior stated that—

Although I feel that the three Indian Nations are not legally entitled to compensation for the loss of its natural resources in the riverbed, I believe that, had the Secretary of the Interior realized that title to a portion of the Arkansas Riverbed was vested in the three Indian Nations, he would have proposed, at the time Congress was authorizing the construction of the McClellan-Kerr navigation system, that special legislation be enacted to compensate the Nations for the destruction of their property interests in the riverbed.

Mr. President, since this matter cannot be resolved through existing avenues, I believe that the time has come to allow the Cherokee Nation of Oklahoma to have the opportunity to take this issue to the courts for a final judgment. I urge my colleagues to quickly enact this legislation.●

● Mr. BOREN. Mr. President, I am pleased to join in cosponsoring S. 1914, relating to the Cherokee Nation of Oklahoma. This bill authorizes the Cherokee Nation to sue in Federal court for recovery of damages stemming from the loss of tribal assets during and after construction of the Arkansas River navigation system in Oklahoma.

The Cherokee Nation has been frustrated at every turn in seeking compensation for the loss of its sand and gravel assets in the Arkansas River. The U.S. Supreme Court ruled in 1970 that the Cherokees do, in fact, hold title to a portion of the riverbed. After the Supreme Court ruling, an appraisal by the Interior Department set the value of these lost assets at approximately $8.5 million.

Subsequent to this appraisal, the Interior Department ruled it was not legally obligated to compensate the Cherokee Nation for the loss of these assets. The purpose of S. 1914 is to allow the Cherokees to challenge the Interior Department"s ruling in court. I want to stress that passage of this legislation will not automatically make payment to the Cherokees, but will simply provide it the opportunity to present its case for compensation in a court of law.

Mr. President, I call upon the Senate to act expeditiously in approving S. 1914. The Cherokee Nation is entitled to its day in court. I am confident that upon reviewing the facts of this matter, the Senate will act favorably in adopting this bill.●

By Mr. STAFFORD (for himself, Mr. LEAHY, Mr. HUMPHREY, and Mr. RUDMAN):

S. 1915. A bill granting the consent of Congress to the compact between the States of New Hampshire and Vermont concerning solid waste; to the Committee on the Judiciary, and that when the bill is reported by the Judiciary Committee it be referred to the Committee on Environment and Public Works for a period not to exceed 30 days.

SOLID WASTE PROCESSING FACILITIES

● Mr. STAFFORD. Mr. President, I am introducing a bill to grant consent to the States of Vermont and New Hampshire to enter into cooperative agreements to construct and operate facilities for processing solid waste.●

By Mr. CANNON (for himself and Mr. PACKWOOD):

S. 1916. A bill to amend the Federal Trade Commission Improvements Act of

1980 to provide for an evaluation by the Federal Trade Commission of the effects on interstate commerce and on consumers of acquisitions of domestic petroleum companies by major international energy concerns, and for other purposes; to the Committee on Commerce, Science, and Transportation.

FEDERAL TRADE COMMISSION PETROLEUM SUPPLY AND EFFECTS EVALUATION ACT OF 1981

● Mr. CANNON. Mr. President, today Senator PACKWOOD and I are introducing a bill to amend the Federal Trade Commission Act of 1980 to evaluate the effects on interstate commerce and the consumer of acquisitions of domestic petroleum companies by major international concerns. The necessity for such a study has been made clear by the recent events surrounding the hostile attempt by the giant Mobil Oil Corp. to gain approval for their proposed acquisition of Marathon Oil Co.

Recently, the Committee on Commerce, Science, and Transportation in a joint hearing with the House Committee on Energy and Commerce held hearings on this proposed acquisition. The committees heard testimony from such witnesses as an ad hoc coalition of independent small businessmen who are resellers of Marathon products, the attorney general of Ohio, and Marathon Oil Corp. These witnesses were concerned not only about the potential anticompetitive effects on the consumer of this merger. They were also concerned about the domino effect if the merger is approved which would result in a wave of other mergers in the industry.

Yesterday, newspapers reported that Mobil Corp. is attempting to skirt the policy of the antitrust laws. Last Monday, the U.S. District Court for the Northern District of Ohio, ruled that Mobil's $6.5 billion takeover bid for Marathon would violate Federal antitrust laws. Marathon was granted a preliminary injunction blocking the Mobil bid after finding that Marathon had shown a "reasonable probability" of proving that a merger of the two companies would substantially lessen competition in the relevant market. In response to this and to overcome antitrust obstacles, it is reported that Mobil Corp. will make a new offer to purchase Marathon Oil, this time jointly with another leading oil company.

The two commerce committees will again jointly meet on December 14, 1981, to examine these latest developments as well as to consider the necessity for the study called for in this legislation. Congress would benefit from the information provided from such a study as Congress has the responsibility to investigate public policy concerns associated with this merger. Congress also needs facts to evaluate the overall picture of the industry and market in which it operates. Perhaps, Congress may even decide, after careful evaluation, that our present antitrust laws are inadequate to prevent undesirable mergers.

This legislation requires the Federal Trade Commission to study the issue for 1 year. The study requires the FTC to evaluate the trend of major international energy concerns to affect interstate commerce by the acquisition of domestic petroleum supplies by acquiring domestic petroleum companies rather than through the exploration and development of new domestic petroleum reserves; the effects of such acquisitions on the exploration, development, and availability to consumers of domestic petroleum reserves; the effect of such acquisitions on the prices to consumers of petroleum products; and the effect of such acquisitions on interstate commerce in general, including the effects on the prices to consumers of transportation and marketing of petroleum products. The Commission already has many of the relevant documents in its possession as a result of its preliminary investigation in the Exxon case.

Mr. President, we will also be sending a letter to the FTC requesting a study and seeking the support of our House counterparts in making that request.

It is also my intention to introduce legislation next week which would place a 1-year moratorium on the acquisition of domestic petroleum companies by major international concerns.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1916

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal Trade Commission Petroleum Supply and Effects Evaluation Act of 1981".

FINDINGS AND PURPOSE

SEC. 2. (a) The Congress finds that—

(1) the production and distribution of energy resources, including petroleum products, can have a major impact on interstate commerce and competition, as well as on the consumers of such resources;

(2) action by the Federal Trade Commission undertaken in the course of a proposed merger within the Commission's jurisdiction may have the decisive impact upon its success or failure and upon both interstate commerce and competition;

(3) major international energy concerns have demonstrated an intent to allocate substantial financial resources to acquire domestic petroleum companies; and

(4) acquisitions of domestic petroleum companies may eliminate important competitive checks on the market power of major international energy concerns and such acquisitions may be against public policy.

(b) It is the purpose of this Act to provide for an evaluation by the Federal Trade Commission of the increasing control over domestic energy supplies by major international energy concerns, particularly the impacts of such control on consumer prices of petroleum supplies and the availability to consumers of petroleum products within all regions of the United States.

AMENDMENT TO THE FEDERAL TRADE COMMISSION IMPROVEMENTS ACT OF 1980

SEC. 3. (a) The Federal Trade Commission Improvements Act of 1980 is amended by redesignating section 23 as section 24, and by inserting after section 22 the following new section:

"ENERGY SUPPLY IMPACTS OF ACQUISITIONS OF DOMESTIC PETROLEUM COMPANIES

"SEC. 23. (a) As used in this section, the term—

"(1) 'major international energy concern' means any person which is engaged in commerce in the United States—whose average net production of crude oil for calendar year 1980 exceeded 500,000 barrels per day and (A) of which more than 40 percent was from sources outside the United States; or (B) which is under the control of one or more foreign persons;

"(2) 'domestic petroleum company' means any person which is engaged in commerce in the United States, which is not a major international energy concern, and whose average net production of crude oil from sources within the United States for calendar year 1980 exceeded 50,000 barrels per day;

"(3) 'foreign person' means (A) any individual who is not a citizen of the United States; (B) any person which is organized under the laws of or has its principal place of business in a country other than the United States; or (C) any other person which is owned or controlled directly or indirectly by one or more of such individuals or persons;

"(4) 'affiliate', when used with respect to any major international energy concern, means any person which controls, is controlled by, or is under common control with a major international energy concern;

"(5) 'control' means the power, directly or indirectly, to direct or cause the direction of the management and policies of a person through ownership of voting securities or otherwise;

"(6) 'person' includes (A) any individual; (B) any corporation, company, association, firm, partnership, society, trust, joint venture, or joint stock company; and (C) the government of any country or any political subdivision or agency thereof; and

"(7) 'evaluation period' means the period beginning December 15, 1981 and ending December 15, 1982.

"(b) Notwithstanding the provisions of section 1 of the Act of June 16, 1933, the Federal Trade Commission shall undertake an evaluation of the impacts on interstate commerce and on consumers of acquisitions of domestic petroleum companies by major international energy concerns, and report its findings and recommendations to the Congress not later than December 15, 1982.

"(c) In conducting the investigation and evaluation required by subsection (b) of this section, the Federal Trade Commission shall evaluate—

"(1) the trend of major international energy concerns to affect interstate commerce by the acquisition of domestic petroleum supplies by acquiring domestic petroleum companies rather than through the exploration and development of new domestic petroleum reserves;

"(2) the effect of such acquisitions on the exploration, development and availability to consumers of domestic petroleum reserves;

"(3) the effect of such acquisitions on the prices to consumers of petroleum products; and

"(4) the effect of such acquisitions on interstate commerce in general, including the effect on the prices to consumers of transportation and marketing of petroleum products.".●

● Mr. PACKWOOD. Mr. President, I am pleased to join my colleague, Senator CANNON, in sponsoring this legislation.

During this past year, a merger wave of distressing proportions has swept this country. Acquisitions of unprecedented size have been proposed, and some have been consummated. Most recently, we have watched as both Mobil Corp. and United States Steel have engaged in a multibillion dollar bidding war for Marathon Oil Co. If Mobil succeeds, the merger will create the largest industrial company in the United States.

Acquisitions of domestic oil companies by international oil concerns, such as the Mobil-Marathon situation, cause a special concern for consumers. Not only may competition be seriously diminished by horizontal acquisitions of such unprecedented size, but consumers may be adversely affected to the extent such acquisitions lead to diminished petroleum development and production. The use of oil profits for the acquisition of one petroleum-producing firm by another adds nothing to our Nation's supply of oil reserves.

Mr. President, the impact of oil company mergers on consumers is not well understood. The House and Senate Commerce Committees are jointly conducting hearings on the Mobil-Marathon merger, and others have made important contributions to this effort. More needs to be done, however, and the legislation being introduced today seeks to address this need.

The Federal Trade Commission has already devoted years of study to the petroleum industry. With this background and its historical concern with both competition and consumer issues, the Commission may be uniquely suited to contribute to the existing body of knowledge respecting oil company mergers. A study of the kind proposed today will be most helpful in evaluating the need for additional antimerger legislation, or possibly a short-term moratorium on such acquisitions.●

ADDITIONAL COSPONSORS

S. 1645

At the request of Mr. MOYNIHAN, the Senator from Minnesota (Mr. DURENBERGER) was added as a cosponsor of S. 1645, a bill to let funds in individual retirement accounts be used to purchase collectibles.

S. 1770

At the request of Mr. INOUYE, the Senator from Arizona (Mr. GOLDWATER) was added as a cosponsor of S. 1770, a bill to direct the Secretary of the Department of Transportation to conduct an indipendent study to determine the adequacy of certain industry practices and Federal Aviation Administration rules and regulations, and for other purposes.

S. 1848

At the request of Mr. GORTON, the Senator from Wyoming (Mr. SIMPSON) was added as a cosponsor of S. 1848, a bill to amend the Congressional Budget Act of 1974 to impose limits on the amount of total budget outlays contained in concurrent resolutions on the budget, and for other purposes.

S. 1888

At the request of Mr. SYMMS, the Senator from Texas (Mr. BENTSEN), and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 1888, a bill to amend the Internal Revenue Code of 1954 to clarify the tax treatment of variable annuity contracts.

S. 1896

At the request of Mr. PELL, the Senator from Missouri (Mr. EAGLETON) was added as a cosponsor of S. 1896, a bill to amend the Internal Revenue Code of 1954 to repeal the special leasing provisions enacted by the Economic Recovery Tax Act of 1981.

SENATE JOINT RESOLUTION 121

At the request of Mr. MITCHELL, the Senator from Pennsylvania (Mr. HEINZ), the Senator from Missouri (Mr. DANFORTH), and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of Senate Joint Resolution 121, a joint resolution to provide for the designation of the year 1982 as the "Bicentennial Year of the American Bald Eagle" and the designation of June 20, 1982, as "National Bald Eagle Day."

SENATE CONCURRENT RESOLUTION 26

At the request of Mr. NUNN, the Senator from Georgia (Mr. MATTINGLY) was added as a cosponsor of Senate Concurrent Resolution 26, a concurrent resolution expressing the sense of the Congress that the Congress should encourage educational programs in the area of science and technology; and that the Congress encourages the establishment of a National Science Center for Communications and Electronics.

AMENDMENT NO. 650

At the request of Mr. ROBERT C. BYRD, his name was added as a cosponsor of amendment No. 650 proposed to H.R. 4995, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 1982, and for other purposes.

UP AMENDMENT NO. 751

At the request of Mr. DOLE, the Senator from Delaware (Mr. ROTH), the Senator from Washington (Mr. GORTON), the Senator from Rhode Island (Mr. CHAFEE), the Senator from Kansas (Mrs. KASSEBAUM), the Senator from Wisconsin (Mr. KASTEN), the Senator from Iowa (Mr. JEPSEN), the Senator from Iowa (Mr. GRASSLEY), the Senator from Illinois (Mr. PERCY), the Senator from Idaho (Mr. SYMMS), the Senator from Utah (Mr. HATCH), the Senator from Oregon (Mr. HATFIELD), and the Senator from South Dakota (Mr. PRESSLER) were added as cosponsors of UP amendment No. 751 proposed to H.R. 4995, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 1982, and for other purposes.

SENATE RESOLUTION 252—RESOLUTION COMMENDING PAUL W. "BEAR" BRYANT

Mr. HEFLIN (for himself, Mr. DENTON, Mr. BUMPERS, Mr. PRYOR, Mr. MATHIAS, Mr. SARBANES, Mr. FORD, Mr. HUDDLESTON, Mr. TOWER, Mr. BENTSEN, Mr. MATTINGLY, and Mr. RANDOLPH) submitted the following resolution; which was considered and agreed to:

S. RES. 252

Whereas Paul W. "Bear" Bryant is head football coach and athletic director at the University of Alabama;

Whereas this native of Arkansas has previously coached at the University of Maryland, the University of Kentucky, and Texas A&M University during his thirty-seven-year career;

Whereas he has coached football teams that have won or shared six National Championships and twelve Southeastern Conference Championships;

Whereas he has been named Southeastern Conference Coach of the Century and National Coach of the Decade and has received countless other honors and awards;

Whereas on November 28, 1981, he won his 315th game, surpassing the record for most victories by a head coach in college football, long held by the late Amos Alonzo Stagg; and

Whereas it is appropriate and fitting to recognize him on the occasion of this accomplishment: Now, therefore, be it

Resolved, That the Senate honors and commends Paul W. "Bear" Bryant for his achievements in, and contributions to, college athletics in the United States.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to Paul W. "Bear" Bryant, University of Alabama, University of Maryland, University of Kentucky, Texas A&M University, and the Mayors of Moro Bottom, Arkansas and Fordyce, Arkansas.

SENATE RESOLUTION 253—RESOLUTION RELATING TO "NATIONAL CIRCLE K WEEK"

Mr. DOLE (for himself, Mrs. KASSEBAUM, Mr. BAUCUS, Mr. D'AMATO, Mr. DURENBERGER, Mr. GRASSLEY, Mr. HATFIELD, Mr. HEFLIN, Mr. HOLLINGS, Mr. LUGAR, Mr. MATTINGLY, Mr. MELCHER, Mr. BAKER, and Mr. MURKOWSKI) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 253

Whereas Circle K International is an organization of college students sponsored by Kiwanis International that provides a means for responsible community action by students;

Whereas Circle K International emphasizes the advantages of the democratic way of life and provides the opportunity for leadership training in service;

Whereas Circle K International encourages the adoption and the application of high social, business, and professional standards;

Whereas Circle K International promotes the creation and maintenance of righteousness, justice, patriotism, and good will; and

Whereas the members of Circle K International are presently involved in service projects to help teenagers, the elderly, and the handicapped in need of support under the theme, "Together for Tomorrow": Now, therefore, be it

Resolved, That it is the sense of the Senate that the week of February 7, 1982, through February 13, 1982, be proclaimed as "National Circle K Week".

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the president of Circle K International.

● Mr. DOLE. Mr. President, the Senator from Kansas is today submitting a resolution to proclaim the week of February 7 through February 13, 1982, "National Circle K Week."

For 45 years, Circle K has given college students an opportunity to help those in need, and render a valuable service to our society. The goals that these young people keep in mind are admirable, and their actions are commendable. Whether working on behalf of teenagers, older Americans, or handicapped citizens in need of assistance, this organization has its heart and soul in the right place—wherever help is needed.

Circle K began as a Washington State University fraternity in 1936 with the sponsorship of the Pullman, Wash.,

Kiwanis Club. The organization became international in 1955, under the sponsorship of Kiwanis International. Today, with more than 13,500 members of nearly 800 clubs in 7 countries, it is the world's largest collegiate service organization.

Mr. President, the Senator from Kansas introduced a similar resolution last year, which gained the approval of this body. It is my hope that my colleagues will again join in this worthy effort, and proclaim the week of February 7, "National Circle K Week."●

SENATE RESOLUTION 254—RESOLUTION AUTHORIZING THE PRINTING OF "ENACTMENT OF A LAW AND OTHER ASPECTS OF THE LEGISLATIVE BRANCH OF GOVERNMENT"

Mr. BAKER submitted the following resolution; which was considered and agreed to:

S. RES. 254

Resolved, That a document entitled "Enactment of a Law and Other Aspects of the Legislative Branch of Government", relative to the procedural steps in the legislative process, prepared by the Parliamentarian of the Senate, under the direction of the Secretary of the Senate, be printed as a Senate document.

SEC. 2. There shall be printed eleven thousand additional copies for the use of the Committee on Rules and Administration.

NOTICES OF HEARINGS

SELECT COMMITTEE ON INDIAN AFFAIRS

Mr. COHEN. Mr. President, I would like to announce for the information of the Senate and the public the scheduling of two public hearings before the Senate Select Committee on Indian Affairs.

A committee hearing is scheduled for December 9, 1981, at 9:30 a.m. in room 357, Russell Senate Office Building. Testimony is invited regarding S. 1890, a bill to authorize the Secretary of the Interior to disburse certain trust funds of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin, and for other purposes.

For further information regarding the hearing, you may wish to contact Ms. Jo Jo Hunt of the committee staff at 224–2251. Those wishing to testify or who wish to submit a written statement for the hearing record should write to the Senate Select Committee on Indian Affairs, 6317 Dirksen Senate Office Building, Washington, D.C. 20510.

A second hearing is also scheduled for December 9, 1981, at 10 a.m. in room 357, Russell Senate Office Building. The hearing is an oversight hearing on Indian elderly programs and will focus on the Federal responsibility for funding Indian elderly projects as well as any problems tribes have encountered under the Older Americans Act, problems with elderly projects interfacing and coordinating with Bureau of Indian Affairs social services, and recommendations for improvements in programs to assist the Indian elderly.

For further information regarding the Indian aging hearing, you may wish to contact Ms. Jo Jo Hunt of the committee staff at 224–2251. Those wishing to testify or who wish to submit a written statement for the hearing record should write to the Senate Select Committee on Indian Affairs, 6317 Dirksen Senate Office Building, Washington, D.C. 20510.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. HELMS. Mr. President, I wish to announce that nomination hearings have been scheduled by the Senate Agriculture Committee on the nominations of Ralph Ball and W. Proctor Scarboro to be members of the Federal Farm Credit Board of the Farm Credit Administration. The hearings will be held on Wednesday, December 9, beginning at 10 a.m. in room 324 Russell Building.

Anyone wishing further information should contact Denise Alexander or John Cozart of the Agriculture Committee staff at 224–2035.

ADDITIONAL STATEMENTS

GLENN AMENDMENT, UP NO. 742, AS MODIFIED

● Mr. PELL. Mr. President, on Thursday, December 3, the Senate briefly considered an amendment to the Defense appropriations bill dealing with SALT adherence. For procedural reasons, the amendment was tabled, and the Senate did not have a chance for a vote on the merits.

The purpose of the Glenn amendment was to express the sense of the Congress that the United States should not take any action in connection with its defense programs which would undercut existing SALT agreements. The amendment would not be binding and would allow the President leeway if he determines and notifies the Congress that the Soviet Union is no longer restraining itself or that such action is essential to the national security interest.

I strongly supported this amendment and was a cosponsor.

The critical importance of the amendment was highlighted in recent hearings by the Committee on Foreign Relations on strategic weapons proposals. In those hearings, the concept that the United States should continue to respect the existing SALT regime was supported by the Secretaries of State and Defense and the Chairman of the Joint Chiefs of Staff. For example, Gen. David Jones, told the committee that the Joint Chiefs support the administration's position that we do nothing to undercut SALT as long as the Soviets do not do anything inconsistent.

I should note here that General Jones affirmed to the committee that the Joint Chiefs continue to believe, as they testified during the Carter administration, that the unratified SALT II treaty makes a modest but useful contribution to our national security.

Mr. President, the Anti-Ballistic Missile Treaty of 1972 continues to make a valuable contribution to strategic stability. It is also clear that the 1972 Interim Agreement and the 1979 SALT Treaty also are helping to apply some limits to the strategic arms competition. Under the terms of those agreements, the Russians continue to take such useful steps as the dismantling of their older ballistic missile submarines in order to stay within the stated limit.

I believe that it is essential that the new arms program approved by the Congress be coupled as closely as possible to strong, effective, and verifiable arms control agreements. Without arms control, the Soviet threat will be unconstrained. While there are those who believe that the Russians would not do more, they simply cannot be sure. And no one in full possession of his faculties should deliberately choose a murkier nuclear future than we now face.

We must not lose sight of the urgency of doing all that we can to reduce the threat of nuclear war. That is the essential purpose of our nuclear arsenals, and it should be the essential purpose of those of us who participate in determining our Nation's strategic directions. General Jones told the Committee on Foreign Relations that an all-out nuclear exchange against population centers would be the greatest catastrophe in history by many orders of magnitude.

Mr. President, I commend Senator GLENN for his initiative. The amendment would have sent a very clear message to the President of the United States that the Congress understands the imperatives we face and is willing to support him in every effort to preserve nuclear stability and rationality, while moving toward future strategic arms limitation agreements.

I hope that such a message can be conveyed to the President at an early date. With negotiations on theater nuclear forces already in progress and with new strategic arms talks in prospect, the President faces a major test of the willingness and ability of his administration to enhance our national security by achieving better controls on the nuclear arms competition and bringing about actual reductions. It was our intent in the amendment to bolster the President in this effort. I wish him every success.●

SOVIETS ATTACK SENATOR DENTON

● Mr. EAST. Mr. President, the Foreign Broadcast Information Service recently reprinted an article from the Soviet journal, Sovetskaya Rossiya by TASS correspondent B. Ivanov entitled "The Enemies of Détente: Who Are They? The Admiral's Crusade," which is a vicious propaganda attack on my good friend and colleague, Senator JEREMIAH DENTON of Alabama.

Ivanov's attack is especially interesting because it is mainly a recapitulation of similar, equally unfounded accusations against Senator DENTON found in American left-wing publications: Senator DENTON is singled out by the Soviets and their allies because of his strong anti-Communist views, his able chairmanship of the Senate Subcommittee on Security and Terrorism—where I am proud to serve with him—and his profound religious and moral commitments.

Mr. President, the Communists would not attack Senator DENTON unless they felt threatened by him, his activities,

and his example, Ivanov does not mention Admiral DENTON's tribulation as a prisoner of war in Vietnam during which he was subjected to brainwashing, solitary confinement, and physical torture for 7½ years at the hands of Ivanov's Vietcong friends, and of which Senator DENTON has written so eloquently in his book, "When Hell Was in Session." Instead of providing this kind of information for Ivanov's captive readers, Ivanov prefers to lie about DENTON's war record, and describes him as "one of the first to support that bandit adventure," the Vietnam war. Ivanov is so eager to smear that he resorts to insulting Senator DENTON by calling him a racist, a charge so baseless even his political opponents in this country would never think of it.

Senator DENTON's appointment as chairman of the Security and Terrorism Subcommittee, says Ivanov, was a "real triumph for the exteme reactionary forces in Washington," and "JEREMIAH DENTON has taken over the torch of obscurantism and anticommunism from Joe McCarthy."

Mr. President, there is little need to dwell on each of the little obscenities Ivanov has concocted about Senator DENTON, for the insulting and provocative nature of them is evident, as is the fact that the Soviets feel deeply threatened by Senator DENTON and his achievements. Perhaps in the Soviet Union, where a free press and accurate information have been unknown for over 60 years, there is someone thoroughly propagandized enough to believe this nonsense and take it seriously. But its transparent falsity is clear to every individual in the free world—still free, I might add, because of the efforts and sacrifices by men of the caliber of JEREMIAH DENTON.

The Soviet Union is the largest and most tyrannical state in human history. It has been responsible for the murder and torture of millions of human beings in its own country and has actively exported its homicidal and genocidal doctrines and activities everywhere it has been able to do so. Its KGB, founded by Lenin, is the largest secret police and terror organization in the world. It presides over millions of slaves in the concentration camps of the Gulag, and the Soviets themselves have become, since the demise of Nazi Germany, the most racist state in the world. No doubt we are supposed to take seriously its attacks on men like JEREMIAH DENTON, but Mr. Ivanov and his trained propagandists will have to do better than this.

Ivanov's drivel would be laughable were it not for the fact that the Soviet citizenry is prisoner to this kind of rubbish and must read it exclusively day after day. Ivanov can lie with impunity because he knows his readers are forbidden from reading contrary views. How brave of Mr. Ivanov to smear an American Senator while knowing full well the KGB will silence any critic.

We in the free world who do not fear open discussion and free speech, we who know JEREMIAH DENTON and his achievements know how ridiculous Ivanov's rantings really are.

Senator DENTON's heroism in Vietnam, his example as a public leader, his personal conduct as an American and as a human being, make JEREMIAH DENTON one of the most inspiring men I have ever had the honor to know; and I pray that someday the poor slaves and victims of the Soviet empire will have an opportunity to learn the truth about him and the challenge he offers their masters.●

SOLVING THE PRODUCTIVITY PROBLEM

● Mr. HART. Mr. President, the future course of American living standards depends critically on the restoration of our productivity growth. As we resume our debate on taxes and spending for 1982, we should not forget that the decisions we make in the next few weeks can have a significant long-term impact on our ability to solve the productivity problem. A new monograph issued by the Center for Democratic Policy, entitled "Strengthening the Economy: Studies in Productivity," provides some important insights about this challenge.

The monograph provides three separate analyses of the productivity problem and outlines several different proposals for solving it. All three analyses contend that we must take steps well beyond the recently enacted tax cuts and budget reductions. They recommend programs to boost saving and investment, promote development of new high-productivity industries, restructure worker-management relations, and strengthen education, research, and development.

In the first paper by MIT Prof. Lester Thurow, the declining-productivity problem is described as one of "a thousand cuts," requiring "a thousand Band-Aids." He cites demographic and structural factors, rising energy prices, tight money, and slow-growth policies as among the most important factors. To solve the problem, Thurow recommends tax reform to cut consumption and increase saving and investment, as well as a program to augment investment in high-productivity industries. I ask that this thoughtful analysis be included in the RECORD.

The article follows:

SOLVING THE PRODUCTIVITY PROBLEM

(By Lester C. Thurow)

If American standards of living are to resume their upward course, productivity growth must be restored. If we Americans are to maintain a standard of living equal to that of our international competitors such as the Japanese and Germans, productivity growth must not just be restored to its old levels, but raised to levels it has never achieved in American economic history.

This is not going to be easy. If an autopsy on American productivity were being written, it would list the cause of death as "death by a thousand cuts." There is no one thing to which the decline can be attributed; there is no one magic button that can be pushed to raise the economy from the dead. The cure will require a thousand bandaids for each of the thousand cuts. And each of those bandaids is painful and going to be resisted by some vested interest in the United States. Everyone wants a cure to the production problem, but everyone wants the cure to be imposed on someone else. If we cannot find the political will to impose the costs upon ourselves in some fair manner, we simply will not solve the problems facing us.

What is clear is that cure is not to be found by returning to the "good old days." The good old days weren't good enough to compete in today's world and some very real factors (the end of cheap energy, the completion of the shift from agriculture to industry) mean that it is impossible to return to the good old days in any case.

The United States will have to develop new industries and new techniques of managing the economy if it is to survive in the future. There is nothing in the stars that gives America a permanent right to the number one economy. It wasn't always that way (American *per capita* GNP only exceeded that of Great Britain around 1900). It isn't now that way (the U.S. no longer has the world's highest *per capita* GNP). And it may never again be that way.

SOURCES OF THE PRODUCTIVITY DECLINE

Depending upon the exact data set used, American productivity has been falling slightly (0.2 percent per year according to the official productivity statistics) or rising slightly (0.2 percent per year according to the National Income Accounts) since 1977. But for all practical purposes, both indicate that U.S. productivity growth has effectively stopped.

Productivity often declines when output is falling (workers are not laid off as fast as output falls), but the 1977 to 1980 period was not one of falling output. Real output was growing 2 percent per year. As a result, 1977–80 is unique in American economic history. It is the first period with rising output and no productivity growth.

TABLE 1.—GROWTH OF INDUSTRIAL PRODUCTIVITY

[In percent]

Industry	1948–65	1965–72	1972–77	1977–79
Agriculture forestry fisheries	5.0	4.1	1.6	2.3
Mining	4.3	2.4	−4.8	−4.2
Construction	3.4	−1.8	−1.4	−5.9
Nondurable manufacturing	3.3	3.2	3.2	1.9
Durable manufacturing	2.8	2.3	2.5	.2
Transportation	3.1	2.4	1.9	−.2
Communications	5.4	4.5	6.5	4.4
Electricity, gas, sanitary services	6.3	3.4	2.4	−.9
Wholesale trade	3.2	4.0	0	−1.2
Retail trade	2.6	1.8	1.6	1.1
Finance, insurance, real estate	2.0	.8	1.7	−1.6
Service	1.2	1.6	1.0	.7
Private business economy	3.3	2.3	1.8	.2

Note: All sectoral data come from U.S. Department of Commerce, "National Income and Product Accounts of the United States" Survey of Current Business, July various years, Tables 6.2 and 6.11.

While 1977–80 is historically unique, it is unfortunately not a radical departure from recent experience. It merely marks a shift into the negative range after a long period of declining productivity growth. From 1948 to 1965 productivity grew 3.3 percent per year using National Income Account data. This was followed by a 2.3 percent growth rate from 1965 to 1972 and a 1.8 percent growth rate from 1972 to 1977.[1]

An examination of a detailed industrial breakdown does little to mitigate the gloom (see Table 1). Only one industry (wholesale trade) had a faster rate of growth of productivity from 1965 to 1972 than from 1948 to 1965 and only two industries (communications and finance) were able to improve significantly on their 1965 to 1972 performance in the 1972 to 1977 period. In the final period only agriculture is growing more rapidly than it was in the previous period.

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Where there were no industries with falling productivity in the first period, there were six industries with falling productivity in the final period.

Since there are large differences in the levels of productivity among industries (in 1979 productivity was almost five times as high in finance as it was in agriculture), shifts in the industrial mix can have a large impact on aggregate productivity (see Table 2). National productivity is enhanced if high productivity industries are expanding or if low productivity industries are contracting. Conversely, productivity is reduced if low productivity industries are growing or if high productivity industries are contracting.

AGRICULTURE—THE END OF AN ERA

From 1948 to 1965 the industrial mix was shifting to enhance productivity gains. In 1948 agriculture's productivity was just 40 percent of the national average. Every worker released from agriculture and retained by industry represented a 60 percentage point jump in productivity. And millions of workers were released. From 1948 to 1965, 9.1 billion manhours of work (or 8 percent of the total number of hours worked in the entire private economy) left agriculture to enter into industrial employment. But this process was ending in the 1965 to 1972 period (only 1.8 billion man-hours were released from agriculture) and stopped entirely after 1972 (less than 0.1 billion manhours were released).[2]

As agriculture declined from 17 to 5 percent of all hours worked, it made a major contribution to aggregate productivity. A very low productivity industry was getting smaller and its workers were being transferred to jobs with much higher productivity. But this source of national productivity growth had to end, as it did after 1972, accounting for about 10 percent of the observed drop in productivity growth between the first and fourth periods of time.[3,4]

But this decline is not reversible. It simply marks a new stage in our industrial development.

A MYSTERY IN CONSTRUCTION

Construction productivity has now been falling continually since the late 1960s. Where it was once above the national average, it is now 35 percent below the national average and falling at almost 6 percent per year.

This performance is a major national disaster since construction has two effects on national productivity. First, it is an industry in its own right. But second, and probably more important, it builds the plant and installs the equipment of every other industry. If construction becomes inefficient plant and equipment costs rise. Less plant and equipment are bought and productivity grows more slowly in every other industry.

If construction productivity had continued to grow at its 1948–65 pace throughout the entire period of time, 26 percent of the decline in national productivity would have disappeared.

To say that 26 percent of the national decline has been identified, however, is not to say that there is a cure for 26 percent of the problem. The decline in construction productivity is a major mystery. Since no one knows what caused it, no one knows how to reverse it.

Various explanations have been advanced but none of them is entirely convincing. The problem may even not exist, but be the result of a statistical artifact produced by errors in the way that output is measured in the construction industry. Since construction does not produce a homogeneous output, it is difficult to measure how much output is being produced. Dollar expenditures on construction must be deflated by some price index to yield real output. And if some government statistician is overstating construction inflation, others will be understating construction output. But if output is understated, productivity will also be understated since productivity is simply value added divided by hours of work.

TABLE 2.—LEVELS OF INDUSTRIAL PRODUCTIVITY

Industry	Output per man-hour 1948 (1972 dollars)	Percent of the national average	Output per man-hour 1979 (1972 dollars)	Percent of the national average
Agriculture, forestry, fisheries	$1.48	40	$5.08	61
Mining	6.04	161	10.47	125
Construction	4.16	111	5.40	65
Nondurable manufacturing	3.44	92	9.05	108
Durable manufacturing	4.25	114	8.00	96
Transportation	4.15	110	9.00	108
Communications	4.15	110	20.75	249
Electricity, gas, sanitary services	5.66	151	22.37	268
Wholesale trade	4.51	121	9.85	118
Retail trade	2.74	73	5.32	64
Finance, insurance, real estate	15.01	401	23.19	278
Services	3.58	96	5.19	62
Average	3.74	100	8.35	100

Note: All sectoral data come from U.S. Department of Commerce, "National Income and Product Accounts of the United States" Survey of Current Business, July various years. Tables 6.2 and 6.11.

Some pieces of evidence point in this direction. From 1954 to 1977 construction output is thought to be up 58 percent but the use of construction materials (steel, concrete) rose 133 percent.[5] Can 1977 buildings really take twice as many materials as 1954 buildings? Maybe, but hardly likely. On the other hand, the government makes extensive use of private indexes of construction costs in calculating its own price index. If the government estimates are wrong then major builders, such as the Turner Construction Company, and major users of construction, such as the American Telephone & Telegraph Company and the Bureau of Public Roads, do not really know what it costs them to build.

Alternatively, construction productivity may have gotten bogged down in the fights over nuclear generating plants or a shift from building simple interstate highways across the wide-open spaces of Kansas to building the inner-city highways with their millions of wires and pipes to be moved before construction can even begin. Or construction workers may simply be lazy and doing less work per hour than their fathers.

While there is no doubt that construction is a major part of the national slowdown in productivity growth, there are a great many doubts as to what can be done about it.

A GEOLOGICAL BLOW IN MINING

The reasons for the decline in mining productivity are as clear as those in construction are mysterious. Mining productivity in 1979 was only 72 percent of what it was in 1972, but there is a simple explanation.

Approximately 80 percent of the answer is found in oil—the major mineral "mined" in the United States. America has simply reached a state of geological depletion. Production is falling in old oil wells and new wells yield less oil per well drilled. As a consequence it simply takes more hours of work to produce a barrel of oil. And this geological fact of life explains about 80 percent of the decline in mining productivity.

The remaining 20 percent of the explanation is found in the other minerals mined in the United States. Here environmental protection and occupational safety probably play the major role—there is little evidence of rapid depletion. If open pit mines have to be filled and the land restored to its natural contours, more hours of work are required to mine a ton of coal. If better ventilation and more tunnel supports are required to protect underground miners, more hours of work are necessary to mine a ton of copper.

While mining explains another 10 percent of the national productivity decline, only about one-fifth of this decline is controllable. The rest is a geological blow from mother nature.

FALLING DEMAND IN UTILITIES

Productivity growth in electrical and gas utilities declined from plus 6.3 percent in the first period of time to minus 0.9 percent in the past period of time.

Here again there is an easy explanation but no easy solution. Utilities employ most of their workers in maintaining their distribution network. Relatively few are employed producing gas or electricity. In periods of time when average household consumption is going up very rapidly, productivity rises dramatically. Output is up but more workers do not have to be employed since the extra output can be distributed through the existing distribution network. But when household consumption falls, productivity falls. Less output is being produced but the same work force is necessary to maintain the distribution network.

Utility productivity is a simple direct function of the rate of growth of output. If output grows rapidly, as it did from 1948 to 1965, productivity grows rapidly. If output falls, as it did from 1977 to 1979, productivity falls.

Although utilities explain another 10 percent of the national productivity decline, this part of the decline is in a class with oil depletion and agriculture when it comes to remedies. If energy prices rise rapidly, energy consumption will fall—it is even a national policy to make it fall. But if consumption falls or slows down, productivity must fall or slow down with it.

Together mining and utilities represent the direct "energy" blow to productivity. The decline in oil productivity is one of the reasons that energy prices are up and higher energy prices lead to lower utility productivity. When these direct effects are added to the indirect effects of having to devote investment funds to saving energy rather than raising labor productivity (see below), energy problems probably explain about 25 percent of the productivity decline.

SERVICES: BRAKING PRODUCTIVITY

Services are the mirror image of agriculture. In terms of employment, agriculture was a rapidly declining low-productivity industry. In terms of employment, services are a rapidly growing low-employment productivity industry. Whereas movement out of agriculture was enhancing productivity growth, movement into services is dampening it.

Services growth has been braking productivity growth since World War II. But the brakes have been gradually tightening as service productivity falls relative to the national average. In 1948 service productivity

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was 96 percent of the national average. Moving a worker into services only lowered productivity 4 percentage points. But by 1979 service productivity had fallen to 62 percent of the national average. Every worker moved into services represented a 38 percent decline in aggregate productivity.

From 1972 to 1979 services absorbed 33 percent of all of the hours of work added to the private economy. Of these 6.8 billion hours of work 42 percent went into health care, largely into nursing homes, and 29 percent went into business services (lawyers, accountants, consultants).

Our economy also added thousands of workers in occupations such as security guards. From 1972 to 1979 an extra 167,000 private security guards have been added to the economy, but security guards are pure negative productivity. They guard existing output and so add to hours of work, but they do not produce any new output and so add nothing to output. The result: declining productivity.

If services employment had not grown relative to the rest of the economy, about 5 percent of the observed decline in national productivity would have disappeared. If service productivity had also grown in pace with the national average, another 8 percent of the national decline disappears. As a result services account for about 13 percent of the national decline.

But the problem of nursing homes, lawyers, and security guards illustrates the difficulties of dealing with service productivity. Bathing and feeding old people may be a low-productivity occupation, but each of us wants to be bathed and fed when old. Lawyers may be a drag on productivity, but we are all using them in increasing numbers. Productivity statistics do not care whether you or some thief has your new stereo, but you care.

INFLATION, THE BABY BOOM, AND CAPITAL INVESTMENT

Particular problems in agriculture, construction, mining utilities and services explain about 69 percent of the productivity decline between the first and fourth periods of time. Most of the remaining 31 percent of the decline can be traced to the interaction of two other factors—the macro-economic policies used to fight inflation and the baby boom.

The amount of equipment per worker—the capital-labor ratio—is one of the key ingredients in productivity growth. With more equipment, workers can produce more output per hour, but new capital is also a carrier of new technologies. To put new, more productive technologies to work, workers must be provided with the new equipment that embodies those new technologies. Without new physical capital it is impossible to translate new knowledge into new output.

In the United States the capital-labor ratio grew at 2.8 percent per year from 1948 to 1965, accelerated to 3.2 percent per year from 1965 to 1972, and then plunged to 1.4 percent per year from 1972 to 1978. And in 1978 the capital-labor ratio actually fell 1.3 percent.[6]

But the slowdown in the growth of the capital-labor ratio did not occur because Americans were investing less. From 1948 to 1965 Americans invested 9.5 percent of the GNP in private plant and equipment. But in the period from 1977 to 1980, while productivity was stagnant, they invested 11.3 percent of GNP.[7] The capital stock was actually growing slightly faster in the 1972–78 period than in the 1948–65 period (3.4 versus 3.3 percent, but the labor force was growing much faster as the post-World War II baby boom entered the working ages.

The growth in hours worked gradually accelerated from a 0.4 percent per year rate in the 1948–65 period to 4.4 percent per year in the 1977–79 period. With an eleven-fold increase in the rate of growth of the private labor force and only a slight increase in plant and equipment investment, simple algebra requires a sharp slowdown in the rate of growth of the capital-labor ratio.

The problem was nicely illustrated in 1978. Americans invested 10.4 percent of their GNP in plant and equipment. The capital stock rose 3.4 percent. But hours of work rose 4.8 percent and the capital-labor ratio fell 1.3 percent. When the capital stock data for 1979 are available, it will undoubtedly exhibit an even larger reduction in the capital-labor ratio. The baby boom effects will, of course, be much less by the mid and late 1980s.

Pollution and energy problems may also be compounding the baby boom effect. To the extent that capital investment is used to control pollution or cut energy usage, there is less investment available to be used to raise productivity. No hard estimates exist to indicate how much of our plant and equipment investment has gone into energy savings since 1972, but about 5 percent of our plant and equipment investment has gone into pollution controls.[8]

If pollution and energy expenditures were excluded from capital investment, the slowdown in the rate of growth of the capital-labor ratio would be even sharper. But even without considering the investment drained off to fight pollution and cut energy usage, the observed slowdown in the growth of equipment per worker explains about 20 percent of the productivity growth decline. If pollution, energy, and the role of capital in carrying new technologies are considered, capital plays an even more important role in the productivity decline than this 20 percent indicates.

But to accelerate the growth of the capital-labor ratio would have required Americans to invest a much larger fraction of their GNP in plant and equipment. There is less equipment per worker not because Americans are investing less, but because there are many more Americans in the labor force. But less consumption is the necessary converse of more investment. And less consumption inevitably means a sharp reduction in standards of living until the baby boom has been equipped with capital, until pollution has been brought under control, until energy usage has been reduced to levels appropriate to the price of energy, and until America has caught up with the new technologies employed by our international competitors. And if the baby boom wants housing, even greater cuts will have to be made in the forms of consumption.

But it is important to understand that the slowdown in the growth of the capital-labor ratio was not irrational or a mistake. It was a perfectly rational response to the economic facts of life. Firms invest to raise the capital-labor ratio when it is profitable to do so. When the cost of capital falls relative to the price of labor, firms find it cheaper to raise production by investing in capital than by hiring more workers. The result is a rising capital-labor ratio. But when capital becomes more expensive relative to workers, firms find it cheaper to raise production by hiring more workers and the capital-labor ratio falls.

Unfortunately, from the point of view of productivity, economic signals have been calling for a slowdown or reduction in the capital-labor ratio. Looking just at the purchase price of new capital equipment relative to the compensation (wages plus fringe benefits) of labor, the price of capital was falling 2.7 percent per year relative to the price of labor from 1948 to 1965.[9] But from 1972 to 1979 the relative price of capital was only falling at a rate of 0.6 percent per year (see Table 3).

The purchase price of new capital equipment is also only part of the total costs of capital. Energy is required to run capital equipment and the price of energy becomes part of the total cost of acquiring and using capital. If energy costs are included, capital became cheaper relative to labor at the rate of 2.9 percent per year from 1948 to 1965 (energy prices were falling).[10] But from 1972 to 1979, the situation had reversed itself. Energy prices were rising and the costs of capital rose relative to that of labor at the rate of 3.1 percent per year.

If financing charges—the interest that must be paid to borrow the money necessary to buy the capital equipment—are included along with energy and purchase price, the turnaround is even more dramatic. While total capital costs fell 1.1 percent per year relative to total labor costs in the first period, total capital costs rose 5.8 percent per year relative to total labor costs after 1972.

Given such a sharp shift in the movement of relative prices, it is not surprising that there was a sharp slowdown in the rate of growth of the capital-labor ratio. Businesses were doing exactly what economic incentives were demanding. But, regardless of the cause, a more slowly growing capital-labor ratio inevitably leads to lower productivity growth.

While investment has not fallen, there is an easy explanation for why it did not rise faster than it did. America has attempted to stop inflation with slow growth and tight monetary and fiscal policies. Whatever their success in stopping inflation, these policies retard investment in a number of ways.

As has already been seen, tight monetary policies raise interest rates and directly increase the cost of capital. Corporate bond rates have gone from 3½ percent in the 1950s to close to 20 percent in 1982. When capital costs, including interest costs, rise, firms invest less.

TABLE 3.—GROWTH IN THE PRICE OF LABOR VIS-A-VIS CAPITAL

[Annual rate of change in relative prices, in percent]

Year	Price of labor		
	Purchase price of capital	Purchase price plus energy costs	Purchasee price plus energy costs plus interest costs
1948–65	+2.7	+2.9	+1.1
1965–72	+2.3	+1.8	−4.5
1972–79	+.6	−3.1	−5.3

Note: These figures are calculated using the National Accounts implicit price deflator for nonresidential plant and equipment investment and the National Income Accounts estimate of compensation per full time equivalent employee. The PPL index for industrial energy was used for energy prices and the interest rate used was the Baa corporate bond rate.

But deflation also means recessions, falling production, and idle capital capacity. Why should firms invest in more capital capacity when they already have vast amounts of idle capital capacity? They shouldn't and very few do. The result is less capital per worker.

While rising interest rates increase the cost of capital during recessions, recessions are supposed to stop inflation by retarding wage increases. With high unempolyment, union workers cannot demand high wage increases. With surplus labor available, nonunion employers have no incentive to give wage increases. But to the extent that this anti-inflation policy succeeds, it lowers the relative price of labor. With capital rising in relative price and labor falling in relative price, firms have every incentive to invest less. While the baby boom would have kept wages from rising relative to capital costs as fast in the 1970s as they did in the 1950s, anti-inflationary policies exacerbated the problem.

In addition, recessions and higher unemployment have a direct impact on productivity. In our mythology, recessions cause firms to redouble their efforts to improve productivity. Since they cannot increase

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sales, they focus on cutting costs. While some of this effect undoubtedly exists, the basic impact of recessions is very different.

When output falls, firms cannot or do not fire overhead labor (managers, sales or design staffs, researchers) as fast as output falls. Skilled workers also are kept on the payroll long after they are needed because firms worry that they will not be able to hire them back in the next boom. Add to this the costs of massive firings (morale problems, severance costs, psychological distress for both firer and firee) and it is easy to understand why labor is not fired as fast as output falls.

Productivity grows most rapidly when output is growing rapidly. All of the preceding factors are reversed. Workers who have been kept on the payroll are put back to work. Production goes up without hiring more labor, but labor shortages also induce new efforts to find more productive, capital intensive methods of production. Wages are rising and labor is hard to find. Part of the reason that Japanese and German productivity has grown more rapidly than ours since World War II is that firms in these two countries have had to operate in a world of perpetual labor shortages.

Adequate capital investment cannot be separated from macro-economic policies. Regardless of the tax incentives provided, investment only takes place in an atmosphere of economic growth. If the nation deliberately interrupts economic growth to stop inflation, it will inevitably stop investment.

SOLUTIONS

Productivity is like a gold mine. Every vein of ore, no matter how rich initially, eventually peters out. If the same amount of gold is to be withdrawn from the mine, new veins of ore must be perpetually found. Many of the traditional veins of American productivity gains have petered out. Large amounts of labor will never again be shifted out of agriculture. Mining productivity is going to continue to fall in oil-well drilling—more hours of work will be needed to find a barrel of oil. Utility productivity is not going to resume its rapid growth so long as energy prices are rising relative to incomes. Many of the sources of the slowdown in productivity growth are now curable, but must be offset with new sources of productivity gains.

As the previous analysis indicated, government played a limited role in the productivity slowdown. Most of it can be traced to other factors. Just as government was only part of the problem, so will it only be part of the solution. If the productivity problem is left to actions in Washington, D.C., it will not be solved. Everyone has contributed to the productivity problem and everyone will have to change habitual patterns of action to cure the productivity problem.

Many of the needed changes will have to occur within private industry. The Japanese make a distinction between what they call "hard" and "soft" productivity gains. Hard productivity gains are those brought about by more investment or more research and development. Soft productivity gains are those brought about by a better motivated work force willing to act to raise productivity. Soft productivity is an important part of our competitors' success. American firms are going to have to find some technique for getting a work force that is as well motivated and trained as their Japanese competitors. Japanese tax laws and rules and regulations are always going to be as good as ours. Ours can be improved, but that is not going to solve the productivity problem by itself.

The solutions that are suggested in the rest of this paper focus on public actions, since society can only improve the public framework within which private actions are taken. These suggestions will not cure the productivity problem. They will only make it possible for the private sector to cure the productivity problem. In the end, quality-control circles may prove to be more important than tax laws.

CUTTING CONSUMPTION TO STIMULATE INVESTMENT

Since many of the causes of the productivity problem are not reversible, the attention of the public has quite naturally focused on investment. If investment could be made to grow more rapidly, more investment would offset other negative factors and lead to a higher rate of growth of productivity. Every extra 1 percent of the GNP devoted to plant and equipment investment raises the growth of productivity by approximately 0.2 percentage points.[11] And to the extent that the new investment allows the country to use new technologies, the gains may be even greater.

Technically, it is easy to stimulate investment. If the tax system were biased in favor of capital investment—principally by eliminating the corporate income tax—and fiscal and monetary policies were operated to promote growth, low interest rates and consistent economic expansion, there is little doubt that investment would rise.

But to provide the funds necessary to bias the tax system in favor of capital, the tax system has to be biased against consumption. To pay for massive investment tax cuts, consumption taxes would have to be raised unless the revenue could be found by cutting defense or further cuts in social programs. Neither course, however, is likely or desirable.

To raise productivity and become more competitive in international markets, American savings rates must rise. It simply isn't possible to survive as a major industrial power with Americans saving 5 percent of their personal income while Germans save 14 percent and Japanese save more than 20 percent of their incomes.

To accomplish this objective, the long-run strategy should be to shift the American tax structure toward a system of progressive consumption taxes. There are essentially three elements to such a shift. The tax deductibility of consumer and mortgage credit should be limited and gradually phased out of the system. The present progressive federal income tax should be replaced with a progressive consumption tax. And the corporate income tax and the Social Security tax should be replaced with a progressive Value Added Tax.

By allowing the tax deductibility of consumer and mortgage interest, American tax laws encourage consumption. The country must now encourage savings rather than consumption. This means eliminating the tax-deductibility of consumer loans and limiting the tax deductibility of mortgage interest. Mortgage interest deductions should be limited to one house (society has no interest in subsidizing the ownership of second homes) and there should be an upper limit on the amount of interest that can be deducted. There is no magic line where this limit should be drawn, but the limit should be set relative to the cost of the median home. Mortgage interest might only be tax deductible up to loans that were twice the median mortgage loan.

The progressive federal income tax can easily be made into a progressive consumption tax by allowing unlimited Keogh and IRA accounts. Individuals should be allowed to deposit money in tax-free savings accounts for any purpose and for any period of time. But whenever they withdraw money from these accounts they would pay taxes. Thus a $50,000 family that saved $5,000 would owe taxes on its consumption—$45,000. If the same family withdrew $5,000 from its savings accounts it would owe taxes on $55,000—its consumption. Savings would be rewarded; consumption penalized.

President Reagan's tax cuts are highly inefficient when it comes to stimulating saving. If Americans continue to save 5 percent of their income, as they have been doing in recent years, the Reagan tax cuts will only be 5 percent efficient—savings will go up 5 cents for every $1 cut in federal tax revenue. In contrast, unlimited Keoghs or IRA accounts would be highly efficient. A taxpayer at the 50 percent bracket would have to save $2 to get a $1 benefit in lower tax payments—and that benefit only represents a tax postponement. To get savings up, the rich do not need to be made richer and the poor poorer.

By combining an income tax credit with a Value Added Tax, it is possible to construct a progressive Value Added Tax. Suppose the enactment of a 10 percent Value Added Tax and a $1,000 income tax credit. A family spending $10,000 would pay $1,000 in value added taxes as it spends its $10,000, but get the $1,000 back in the form of an income tax credit. The $20,000 family would pay $2,000, get $1,000 back and be a net taxpayer of $1,000. The $30,000 family would pay $2,000 net and so on up the income ladder.

The revenue from the Value Added Tax should be used to finish eliminating the corporate income tax (by 1990 it will for all practical purposes cease to exist because of the depreciation laws adopted in 1981) and to eliminate the Social Security tax. The corporate income tax should be eliminated to stimulate investment and to prevent the distortions that will emerge from the 1981 tax revisions. The Congress essentially adopted in 1981 a backdoor elimination of the corporate income tax law. But by eliminating the tax with accelerated depreciation, they chose to eliminate the tax for capital-intensive corporations while retaining it for labor-intensive firms. This creates a tremendous tax incentive to merge capital and labor-intensive firms. But there is every reason to believe that tax-induced mergers will harm the operational efficiency of the economy. They need to be prevented. But they can be prevented only by eliminating the corporate tax for everyone—not just the capital-intensive firms.

There are a number of reasons for replacing the Social Security tax. It is a tax on earnings and work. In the context of supply-side incentives for investment, similar incentives should be given for work and human capital investment. With the elimination of the corporate income tax, the Social Security tax represents a tremendous distortion of relative prices. By 1986, a 14.3 percent tax will be levied on the first $46,000 of earnings. This raises the price of labor relative to the price of capital and tells firms to fire workers and buy equipment. Hardly a message that any society wishes to give. The payroll tax places much more of a burden on the poor than a progressive Value Added Tax. The Value Added Tax encourages workers to save. Workers get their Social Security benefits cheaper if they save. The VAT is also a vehicle that could be used to generate a surplus in the Social Security trust funds to fund current benefits, prepare for the retirement of the baby boom generation in 2012, and raise national savings.

To introduce the tax without an inflationary shock, however, it will be necessary to purge the Consumer Price Index of indirect business taxes so that the adoption of a Value Added Tax does not increase inflation by raising the Consumer Price Index and, hence, indexed wages. Mrs. Thatcher did not do this in Great Britain and essentially doubled the rate of inflation when she increased the Value Added Tax.

DIFFERENT MONETARY POLICIES

The United States will have to fight inflation with something other than tight monetary policies and slow economic growth if

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rapid productivity growth is to resume. New technologies and investments will not be put in place rapidly with high interest rates and stagnant markets.

If the tax system were shifted toward a structure of progressive consumption taxes and used to run a surplus in the government budget, budgetary policies could play a major role in lowering interest rates by raising the supply of savings. A budgetary surplus is also the fairest way to raise the national savings rate. Governments can and should play a major role in raising savings.

The current Reagan strategy is tight monetary policies (high interest rates) and easy fiscal policies (big deficits). Given the problems facing the United States, the strategy could be exactly the reverse—low interest rates and large surpluses to raise national savings.

A NATIONAL FINANCE COMMITTEE

But investment problems go beyond those of simply raising the fraction of the GNP devoted to plant and equipment investment. Other countries not only invest more; they have a more systematic method of moving funds into new growth areas. The Japanese operate through MITI, the Ministry of Trade and Industry, and the Bank of Japan. The French and Germans have a much more important investment-banking sector that is often backed by government. In each case, the aim is to direct capital into new growth areas—sunrise industries.

To compete in world markets the United States is going to have to develop some equivalent institutions. What it needs is the national equivalent of the corporate finance committee. As in any corporation, this committee would not seek to plan the economy, but to direct some of the economy's investment funds into new growth areas.

Consider the semiconductor industry—an industry pioneered in America. This industry is in the process of shifting to much larger and more capital-intensive techniques of operation. In an economy such as the United States, where industries operate with low debt-to-equity ratios and depend upon retained earnings to fuel investment, the shift to the new production processes occurs at a pace that is limited by current profits.

But the Japanese are entering this industry with massive amounts of debt capital ultimately lent by the Bank of Japan. Their aim is to jump directly into large scale, capital-intensive techniques of production; proceed rapidly down the learning curve; sell at prices lower than those of the rest of the world; and capture most, if not all, of the market. If American industry limits its investments to those that can be financed by retained earnings, we will simply be driven out of the semiconductor industry.

The problem cannot be solved by pretending that it does not exist. U.S. industry simply will not be able to compete in the modern world of international trade without changes in the ways that it has traditionally operated. With perpetually falling exchange rates, Americans will always be able to export. But falling exchange rates do not preserve our ability to compete as equals. If we choose to compete with low productivity and falling exchange rates, we are deliberately allowing our standard of living to fall relative to the rest of the industrialized world. We may also lose our comparative advantage in high-technology products and essentially become an exporter only of raw materials and agricultural products.

Maybe America would be better off if no government engaged in investment banking, but other governments do. And American firms have to compete with foreign firms that are backed by investment facilities that new small American firms do not have. Unless a country is able to take advantage of product innovations and develop new large-scale sunrise manufacturing industries to replace its old large-scale sunset industries, it does very little good to develop a product first.

There will also have to be changes in the banking laws governing private banks if the U.S. is to compete. Many of the restrictions placed on banks—stopping branch banking, separating commercial and investment banking, limiting S&Ls to home mortgages, preventing lenders from placing representatives on boards of directors of the firms to which they lend—will have to be removed. Whatever the relevance of these laws in the past—most of them were passed in the 1930s—they are simply irrelevant and harmful in the international competition of the 1980s. All of them lead to a reluctance to provide debt capital for the expansion of industrial investment.

Many observers have criticized the idea of a national corporate investment committee on the grounds that it would be used to prop up old sunset industries that are better left to die rather than to help new sunrise industries. No doubt there is a real danger. Yet if this criticism is taken seriously, the conclusion is incredible pessimism about the ability of Americans to compete and adjust to new economic facts of life. The critic is saying that the country cannot compete in international markets as they are now organized, and that America is so incompetent that it cannot reorganize itself to compete. Maybe this is a correct diagnosis, but it would be a shame to accept such a diagnosis without trying to overcome the real difficulties in the way of an efficient industrial policy.

The problem is also not as difficult as it is made out to be. Obviously no one can pick the industries that will be America's sunrise industries 15 or 25 years from now. But, fortunately, that isn't the problem. The problem is to aid today's sunrise industries so that they remain sunrise industries for as long as possible. One does not have to have perfect foresight to know that semiconductors are a sunrise industry. The problem is to keep it a sunrise industry. And if you really think that Americans are so incompetent that they cannot pick sunrise industries, then you can of course simply use the Japanese list.

The problem is also not a government problem. The trick is to use the knowledge of private economy, labor and management, plus the knowledge of government to determine where America is going and how it could get there more efficiently. I suspect that if you asked those three groups to list the country's growth industries, you would have remarkably similar lists.

An industrial policy also isn't one of likes and dislikes. You may prefer a free-market economy where government is not involved in "planning" the directions of the economy. You may wish that the rest of the world were willing to play that economic game. But it isn't. As the semiconductor industry indicates, we may have no winners if we aren't willing to change our methods of playing the economic game. The market will kill our losers, the Japanese and Germans will kiss our winners, and we will gradually settle into a second-rate economy. We may fail in spite of our attempts to build an industrial policy, but we will certainly fail without an industrial policy.

Within that category of options called industrial policies there are two broad choices. Policies can be built to help losers or winners. The correct solution is to have a social safety net for helping the individuals who are hurt when losers fail and an industrial policy for insuring that America has sunrise industries into which individuals can move when their old jobs disappear.

An industrial policy designed to prop up dying industries is a route to disaster. We need only look at the countries that have tried—Britain and Italy. No one can make it work. There are usually good reasons why an industry is a loser. Its market is shrinking or the industry has lost its comparative advantage to some other nation or region of the world. But the British at least adopted a policy of propping up losers when no one had failed in the attempt. We do not have that excuse. We have only to look around us to see that it does not work.

Additional problems of a bail-out strategy are clearly seen in the case of Chrysler. Automobile manufacturing is not a sunset industry. The industry is simply facing a difficult shift from large to small cars. But, in such a shift, marginal, poorly-managed firms will be the first to fall. And Chrysler is such a firm. By propping it up, the government prevents other American firms, such as Ford, from buying its viable small-car facilities. This gives America one very sick and one slightly sick car company rather than one healthy car company. And it does nothing to help those people who work in the old, unviable Chrysler plants. Those plants will be shut down regardless of whether Chrysler does or does not survive as a company.

What is more, we won't have a really effective bailout strategy. One can argue that zero is the right Chrysler loan guarantee or that $5 billion is the right loan guarantee, but $1½ billion is clearly wrong. It is enough to prolong the agony, but not enough to cure the problem. Chrysler will have to come back for more. It may get more, but getting $5 billion in small lumps, with great uncertainty, is not the same as being able to plan on $5 billion in additional resources.

If we are talking about real losers, such as textiles, the difference in the strategies is clear. Productivity and real standards of living rise by getting into new high-productivity industries and getting out of old low-productivity industries. If the latter are protected, this stops labor and capital from leaving these industries and flowing into new industries. In addition, the bailout funds must come from somewhere—and they usually come out of funds that otherwise would be available for new industries. This leads to a slower growth for the sunrise industries and a lower real standard of living.

In general, the shift from sunset to sunrise industries does not mean the complete elimination of any industry. The American steel industry may stop being a large supplier of millions of tons of raw pig iron, but it becomes a supplier of high-technology specialty steels. In the process it may become much smaller in terms of employment, but it does not go out of existence.

Nor need the shift result in permanently-depressed regions of the country. The two industrial states with the lowest unemployment rates in the fall of 1980 were Texas and Massachusetts. New England is a prosperous region because it got out of its old, dying industries and into new growth industries. If Washington had protected New England's old, dying industries, New England would still be depressed. It is correct to point out that New England went through 40 years of economic pain before it made that transition. But the correct answer to this is a national policy for aiding individuals and speeding up the transition. To prop up dying industries will only prolong the pain. Whatever government does, they will in the end die.

When a firm moves from Ohio to Texas, the nation does not suffer an economic disaster. Texas, which is after all part of the same country, grows; the new workers get new higher paid jobs, and those remaining in Ohio do not in the long run lose. This is clearly seen if you look at per capita income growth from 1977 to 1979. If you look at the 10 states with the worst performance, the bottom five (Alaska, Maryland, Hawaii, Utah, and Idaho) are in what is usually called the sunbelt. Mississippi, Alabama, and Kentucky also turned in below-average per-

formances. Similarly the top ten performers contain 4 frostbelt states (North and South Dakota, Iowa, and Indiana). And only one state in the Southeast (Florida) is even in the top ten. The economic recovery of Massachusetts is the rule and not the exception.

Real factors, mostly energy costs, are dictating a shift in the location of manufacturing activity. This is a shift that we stop at our own peril. If we stop it, we simply won't have a prosperous country. Ohio will be slightly larger and Texas slightly smaller in terms of population, but both regions will have lower real standards of living.

Given the demonstrated failure of an industrial policy designed to aid losers, the only question is: Can you design an efficient industrial policy to aid winners? This policy would have to be modified as experience teaches us what will and will not work in the United States, but it should start with a small group of people who have the right to extend government loan guarantees to firms in industries such as the semiconductor industry.

This national "corporate investment committee" should be made up of recently retired businessmen, labor leaders, and government officials from the congressional and administrative branches of government. Recently retired officials should still be young enough to be vigorous yet have the necessary information upon which to act while at the same time not having direct self-interests.

Their task should not be to tell sunrise industries what to do, but to ask sunrise industries what they need to be more successful than they are. The answer may be capital, and in this case the committee would have the power to offer debt capital at market rates of interest. This would protect the taxpayer—since he/she would own the corporation's assets if the firm went broke—and would not let firms acquire capital at less than market rates of interest. These firms are, after all, supposed to be some of the most profitable firms in the economy—but firms that cannot grow as fast as their foreign competitors because of their ability to acquire debt capital, because debt-to-equity ratios that are considered normal in Japan or Germany are considered abnormally risky in the U.S.

The firms might say that they need something else—changes in anti-trust regulations or environmental regulations—to be successful. In thise case, the committee's job would be to evaluate the costs and benefits of that request and, if convinced that the costs exceeded the benefits, to recommend the changes to the larger society and political process. To some extent, committee members would be a lobbying group for the sunrise industries of the economy. In this they would be a counterweight to the large lobbies that always support the sunset industries. Sunrise industries do not have large vested interests behind them until they are already large.

Perhaps it will prove impossible to make a "winners" industrial policy work in the United States. If so, the United States' day in the economic sun simply will have come to an end. But not to try will guarantee that the economic sun has set. The sun is now setting—the economy is not performing as well as that of our neighbors, allies, and competitors. It is our task to reverse this process.

RESEARCH AND DEVELOPMENT

While it is not possible to trace much of the decline in productivity to declines in research and development—the productivity decline began well before the cut-back in research expenditures in the early 1970s. The time lags between research and productivity are so long that the cut-backs of the early 1970s probably have not yet had a chance to affect the system—our economic competitors do not spend as much or more on civilian research and development than we. Previously we were far out front.

While foreign analogies should be treated with caution, it is instructive to think about Japan's success with process innovations. Japan has not been a leader in new products, but it has been a leader in better processes for producing old products. This springs from the absence of a sharp dividing line between public and private—the public is willing to finance process R&D within a firm even though that will help the profits of a particular firm—and a willingness to engage in process R&D. But, to do this, the Japanese must take revenue away from the Japanese taxpayer and give it to Japanese firms. We are reluctant to invest in process R&D because the beneficiaries are too obvious.[12]

Some way must be found within the American context to subsidize process R&D rather than concentrating expenditures in basic research or new products. Perhaps a system of compulsory cross-licensing of the benefits is one of the answers.

HUMAN CAPITAL INVESTMENTS

Interestingly, human capital investments have almost slipped out of the discussion when it comes to stimulating productivity. President Reagan is even cutting back on many of the training programs that would formerly have been considered part and parcel of any program to raise productivity.

This occurs for two reasons. First, with very slow economic growth the economy seems to have surpluses of all types of labor. While the surpluses do exist they would disappear quickly if rapid growth were to start. Two, there is general surplus of college educated labor. Everyone is familiar with the newspaper story of college graduates without jobs. Here, again, while there is a general surplus there is a shortage of engineers.

While salaries and job opportunities will eventually cure the engineering shortage by persuading students that they should shift their majors to engineering, there is a role for government in preserving the educational base of science. Because of job opportunities and low salaries, high schools are losing their ability to teach mathematics and science at an alarming rate. There is also some current evidence that the situation is now spreading to colleges and universities. Better job opportunities and salaries persuade actual or potential faculty members to leave for industrial jobs. But this leaves colleges and universities without the ability to expand their teaching of scientific subjects.

The solution is generalized support for scientific education such as that we had after the Sputnik success in the late 1950s, but have since dismantled. When it comes to investments in humans, supply-side economics has meant actions to cut back supplies of trained labor.

But the real skill shortages come not in those areas where skills are acquired in formal education, but in the high-skilled blue collar jobs, such as tool and die makers or machinists. These skills are in short supply because of the on-the-job training process that produces them and the recent history of slow growth. On-the-job training slots only open up when new jobs are being created. If there is a period of slow growth, training automatically slows down. But since these skills take several years to learn, the supply of skills cannot expand as fast as the economy when economic growth finally starts. No firm trains workers in anticipation of future growth because the training is expensive, because workers may leave for other employers, and because every firm thinks that it can get the skills it needs by pirating workers from other firms. But this latter option obviously cannot work for everyone in the aggregate. Stop-go economic policies produce much slower rates of growth in these skills and the resulting shortages reinforce the stop-go economic policies since, with an inadequate supply of skilled blue collar workers, the economy quickly runs up against inflation producing supply bottlenecks.

To eliminate this problem the government is going to have to achieve some smooth sustainable growth path or institute some program of training subsidies to keep training going during economic slowdowns. Since the first is unlikely, the latter is almost a necessity.

FOOTNOTES

[1] Council of Economic Advisers, *Economic Report of the President 1980*. Government Printing Office, January 1980, page 246.

[2] All sectorial data come from U.S. Department of Commerce, "National Income and Product Accounts of the United States." *Survey of Current Business*, July various years. Tables 6.2 and 6.11.

[3] This is calculated by estimating how much productivity would have grown from 1977 to 1980 if agriculture had been shrinking at the 1948–65 rate. All other sectorial percentages are calculated in the same way.

[4] Council of Economic Advisers, *Op. Cit.* page 310.

[5] H. Kemble Stokes, Jr. "An Examination of the Productivity Decline in the Construction Industry" Mimeo March 1979. Office of the Chief Economist, U.S. Department of Commerce.

[6] U.S. Department of Commerce, "Fixed Nonresidential Business Capital in the United States" *Survey of Current Business Part II*. August 1979, page 62.

[7] U.S. Department of Commerce, *Survey of Current Business*. July 1981, page 11.

[8] U.S. Department of Commerce, "Pollution Abatement and Control Expenditures 1972–78." *Survey of Current Business*, February 1980, page 27.

[9] These figures are calculated using the National Income Accounts' implicit price deflator for nonresidential plant and equipment investment and the National Income Accounts' estimate of compensation per full time equivalent employee. The PPI index for industrial energy was used for energy prices and the interest rate used was the Baa corporate bond rate.

[10] Energy operating costs were estimated to be 20 percent of capital purchase price. See Ernst R. Berndt, "Energy Price Increases and the Productivity Slowdown in United States Manufacturing." Presented to Federal Reserve Bank of Boston Conference on Productivity, June 1980.

[11] Based on estimates from aggregate production functions fitted to U.S. data.

[12] For a more extended discussion of process R&D see: Lester C. Thurow, *The Zero-Sum Society*. Basic Books, 1980, pp. 82–95.●

ADMINISTRATION ATTACKS JAPANESE PROTECTIONISM

● Mr. HEINZ. Mr. President, at a recent hearing of the Trade Subcommittee of the Finance Committee, Under Secretary of Commerce Lionel Olmer made an excellent statement summarizing with extraordinary clarity the sustained effort by the Japanese Government and private sector to close their markets to U.S. exports.

A number of us in the Senate have been speaking out on this problem for some time and have been growing increasingly impatient with the lack of progress in opening up Japanese markets despite sustained talks over two administrations.

This year's U.S. trade deficit with Japan threatens to grow to $15 billion, and I am pleased to note that Under Secretary Olmer, like myself, appears to be running out of patience with the un-

willingness of the Japanese to take any meaningful actions to reduce this deficit through increasing U.S. imports. Mr. Olmer indicates, quite properly, that our preferred policy is to increase U.S. exports to Japan rather than to restrict their access to our markets. If there is no progress soon, however, I believe many of us in the Congress are going to start considering appropriate means of retaliation and market limitation. Talk seems to have gotten us very little in terms of reciprocal market access. The time for action is fast approaching.

Mr. President, I ask that Under Secretary Olmer's statement be printed at this point in the RECORD.

The statement follows:

STATEMENT OF LIONEL H. OLMER

Originally, I had prepared a short oral statement which covered essentially the same ground as the statements offered today by Ambassador Macdonald, Mr. Dederick and Mr. Hormats. Let me, Mr. Chairman, spare you and the Committee, this redundancy and tell you what is foremost on my mind as we discuss the auto issue.

The trade situation in autos and auto parts between Japan and the U.S. is symptomatic of the larger problem in our trade relationship with Japan—that is, the enormous U.S. trade imbalance with Japan, which this year will exceed $15 billion, and unless present trends are changed could reach as high as $50 billion by 1990. In autos and auto parts alone the U.S. trade deficit with Japan in 1981 will exceed $10 billion.

Before identifying the root cause of the Japanese surplus, some explanations must be eliminated.

These staggering trade deficits with Japan are not in general the result of lack of competitiveness of U.S. products. Even highly competitive U.S. industries are denied access to the Japanese market.

It is not caused by the strong U.S. dollar or high U.S. interest rates. The growth of the U.S. deficit predates the strong dollar, and Japan is simultaneously running a proportionally larger surplus with the EC, where currencies have been weak.

It is not caused by U.S. apathy in developing the Japanese market. The U.S. has a substantial 34 percent of the Japanese market for manufactured imports. The problem is that Japan does not import much in the way of manufactures. We have a large share of a small pie.

No. These are not the reasons. The fundamental reason for Japan's surplus is a profound inequality in our access to the Japanese economy. This inequality is caused by long-standing Japanese policies and practices which encourage exports and discriminate aganst imports. It is caused by a pervasive bias against imports at virtually every level of private government decision-making. It can only be solved by timely, effective and fundamental change in these policies by the Japanese Government.

This is the basic message Secretary Baldridge and I conveyed to Prime Minister Suzuki and other Japanese leaders on our recent trip to Japan. We made four key points:

The imbalance is becoming a political issue which threatens to affect our total relationship.

We do not seek to redress the imbalance through restrictions on Japanese imports, but rather through an expansion of U.S. exports to Japan.

The Administration and the Congress are equally concerned and united in their insistence on effective Japanese measures. The letter we delivered to Prime Minister Suzuki from 31 members of the House Export Task Force was an effective expression of the depth of Congressional concern. I would like to introduce this letter for the record.

Finally and most importantly, the time for talk is over. The time for action on the part of the Japanese is now.

We are running out of time to postpone the hard choices. We cannot accept emergency or limited piecemeal concessions. We need:

A measurable and sustained increase in Japanese imports of U.S. manufactured goods including autos and auto parts. Although Japan is the second largest economy in the free world, its imports of manufactures are about equivalent to those of Switzerland. Japan's imports of manufactures on a per-capita basis are the lowest in the industrial world.

A dismantling of the web of blatantly protective devices around Japan's agriculture.

A reduction in some of Japan's remaining high duties on manufactured goods.

Elimination of the permissive treatment of business cartels in Japan and the informal industry clubs which restrict imports and sustain uncompetitive Japanese industries. These devices keep out competitive U.S. exports, even though the U.S. export prices are substantially lower than domestic prices in Japan.

Opening up Japanese high technology development programs to genuine market competition, including the participation of foreign firms.

The U.S.-Japan economic relationship—the single most important economic relationship in the free world—is clearly in serious trouble. The problem has been developing for well over a decade. With a $20 billion deficit looming for next year, we are running out of time for discussion.

Our economic relationship has not been conducted on a fully reciprocal basis. It should be. Our trading relationship must afford us substantially equivalent competitive opportunity.

The time for a genuine and effective Japanese response is now.●

REAGAN URBANOMICS

● Mr. TSONGAS. Mr. President, the Reagan administration is preparing a grim Christmas package for urban America.

For the past 3 years, our older distressed cities have undergone major reductions in Federal aid. They are still reeling from their disproportionate share of the recent budget cuts. They are trying to survive despite massive layoffs, tax increases, service cuts, and abandonment of major capital investment and repair projects.

The latest budget proposals call for the elimination of Federal housing production programs for low income elderly and families and for the elimination of two highly successful and important community and economic development programs for distressed cities—CDBG and UDAG.

In short, this is the first administration since the Depression to attempt to overthrow, by budget fiat, our national laws, programs and policies calling for decent housing and viable communities for every American. If these proposals are enacted, they will end the Federal role in urban America, and threaten the survival of every major city in this country.

Perhaps the importance of this "urban policy"—which one official has aptly termed our "domestic Bay of Pigs"—is best seen through a comparison with the frightening picture of our economic ills.

The latest unemployment figures were released just today. The administration that promised economic growth, reindustrialization and jobs has the following record of accomplishment after a year in office. The national unemployment rate is 8.4 percent—the highest since the 1974 recession.

Unemployment in this country has risen by 1.5 million since July. Unemployment has risen by one-half million in the last 30 days.

Three-quarters of the 4-month increase is due to job layoffs.

There are now 9 million Americans out of work.

The male jobless rate is 7.2 percent. The all-time post-World War II high is 7.3 percent.

Teenage unemployment is 21.8 percent.

Black unemployment is at a record high of 15.5 percent.

Given an 18.2 unemployment rate in construction industry, the administration is considering elimination of Federal programs which assist in the new construction, rehabilitation or modernization of housing for the elderly and for poor families.

Given the worst national unemployment rates since the last recession, the administration is going to eliminate the action grant program which creates 155,000 new jobs a year at a one-time cost of $6,838—far less than the cost of supporting the unemployed through welfare rolls. Three-fourths of the unemployment since July is due to job layoffs, but the administration wants to abolish UDAG, which has retained 109,000 jobs in 3 years.

These proposals are more than misjudgments. They are economic nonsense.

Let us look at the blueprint for the destruction of our older, poorer cities which is reportedly being drafted by the executive branch:

HOUSING

Public Housing development, public housing modernization, section 8 new construction and substantial rehabilitation would receive zero funding in fiscal year 1983. In addition, all 1982 funds for these programs would be rescinded. Prior year funding awards would be recaptured from the housing production pipeline, and 50 percent of these funds would be rescinded.

Operating subsidies for public housing would be reduced to about one-third of actual need.

Finally, the section 8 existing housing program would be replaced by a different voucher system, with great reductions in the number of clients served and the amount of housing subsidy provided.

The fundamental basis for our national housing laws, programs and policies is set forth in the U.S. Housing Act of 1937, as amended:

It is the policy of the United States to promote the general welfare of the nation by employing its funds and credit . . . to remedy the unsafe and unsanitary housing conditions and the acute shortage of decent, safe and sanitary dwellings for families of low income.

If the administration succeeds, this will be called into question for the first time since its enactment during the Depression.

By calling for a halt in the expansion of our low-income housing stock, the administration is ignoring a number of realities:

First, the lack of affordable and available housing for the poor. Three percent or lower vacancy rates are common in our largest cities with many of our larger cities reporting 1- and 2-percent rates. In Boston the vacancy rate for private rental housing is 2 percent, and the price of family units is over $500 a month. Only 14 percent of all units have 3 bedrooms or more. Family unit production is critical in order to alleviate these severe shortages for the poor.

Second, in many of our older cities, housing stock needs constant upgrading, repair and replacement. In Massachusetts, over 60 percent of our stock is over 40 years old, and rehabilitation and new production are critical to keep pace with new household formations.

Third, if the country is going through a recession, the housing industry is going through a depression. The jobless rate in the construction industry is over 18 percent, and the housing industry has had the worst year since World War II, with starts at an all time low. In the best times, the Government has assumed the lion's share of the rental housing production burden.

With the industry pleading for its life, the notion that we can turn our backs on production of housing for elderly and low-income families on the theory that the private sector will fill the need is nothing short of criminal.

The housing programs which are now slated for abolition have already suffered a 30-percent reduction this year. In a recent 100-city survey conducted by the U.S. Conference of Mayors, the impact of these cuts was plain; 57 percent characterized the cuts as having a disastrous or substantial effect, and 70 percent said that an additional 12-percent reduction would have a similar impact.

So while the proposal to eliminate housing production and rehabilitation for the poor is by far the harshest punishment which has yet been devised, it is by no means the first.

COMMUNITY AND ECONOMIC DEVELOPMENT

The second major feature of the administration's plan is to eliminate the CDBG and UDAG programs—two classic Republican concepts which represent the major source of physical development for our older distressed communities.

CDBG

The CDBG program, which provides highly targetted funding for neighborhood development, infrastructure, capital investment, housing rehabilitation and related services for low- and moderate-income persons, has already been the victim of a triple whammy in this year's budget.

First the funds for the program were cut. Then, scores of additional programs were "folded into" the CDBG program, which has forced already shrinking dollars to be stretched even thinner.

Finally, legislative changes which were enacted as part of the budget yielded an effective 10-percent reduction for the larger, entitlement cities. In a recent U.S. Conference of Mayors survey 72 percent of cities reported that an additional 12-percent cut would have a disastrous or substantial effect on their ability to continue urban revitalization programs.

Despite the importance of the CDBG program to our cities, the administration is planning to reduce the budget from $3.6 to $2.2 billion in fiscal year 1982. In fiscal year 1983, the program will be reduced to $1.1 billion, and in 1984, the program will receive no funds.

ACTION GRANTS (UDAG)

It is fashionable in this administration to talk nostalgically about a return to the Constitution, and a time when the Federal Government has no role in our economic growth, outside of providing guns and postage stamps. This implies that Federal intervention in the economic growth of our country was invented by the Johnson administration about 20 years ago. Of course, the westward expansion, the reconstruction of the South, and the development of our railroads are only a few obvious examples of the long history of a Federal role in the economic well-being of our country.

The UDAG concept is classic—put in the least amount of Federal money need to stimulate the greatest private investment. The results of this simple concept have been phenomenal. The accomplishments of the UDAG program during its 3-year history have been cited with great frequency but since the administration chooses to be deaf, dumb, and blind to the program's success, the accomplishments are worth citing again.

Every action grant dollar has resulted in $6 in private investment, for a total of $13 billion in new private investments.

Every action grant dollar has generated 17 cents in new annual tax revenues for local governments, over $363 million every year.

The 1201 Action Grants projects have created: 307,000 new jobs—over half of them for low- and moderate-income workers. In addition, over 109,000 jobs have been retained by the projects. Most important, the average job creation cost is $6,838—far less than the burden to the taxpayer of supporting unemployment through the welfare rolls.

In conclusion let me add a word of caution:

These trial balloons from the administration, calling for the elimination of housing and community development programs, have been accompanied by reassuring reports of new programs for cities.

The Wall Street Journal carried a story on Thursday which said the administration is planning to increase revenue sharing, and to return a portion of tobacco and gasoline excise tax revenues to State and local governments.

Read the fine print:

Revenue sharing might be increased, but education and transportation grants will be abolished and "folded in." Our experience with CDBG should teach us that when this administration folds in, the cities come up short on ingredients.

The other word of caution is: With this administration, today's commitment is tomorrow's betrayal. Since January the President has abolished and restored UDAG twice. Since he took office, he has shown through deed how his promise to the elderly on social security was worth.

In short, urban America is fighting for its life this time around, and it is time for everyone who has a commitment to cities, and understands what they represent to his Nation's economic, social, political fabric to stand up and speak out and fight back.●

TIME TO DECONTROL NATURAL GAS?

● Mr. SYMMS. Mr. President, one of the first actions taken by President Reagan after assuming office was the decontrol of domestic oil prices. This action was merely an acceleration of the decision already taken by President Carter, but it was nonetheless an act of the kind of courage we have come to expect from this President. He was soundly criticized for decontrolling oil prices, but the action turns out to have been exactly correct.

There was an immediate jump in retail gasoline and heating oil prices, of course, though I should point out that those prices were already moving up, and it is not at all clear that decontrol caused them. Since then, however, all the news has been good.

Retail prices have fallen; supplies have increased; imports are down; the domestic exploration and production picture has stabilized, and the future is far more certain than it has been for years. Best of all, OPEC has been virtually emasculated.

The details of how our "energy crisis" came about, and how it was solved through decontrol are contained in a very readable account by William Tucker in the November issue of Harper's magazine. All Senators should take the opportunity to consider these issues, and to make it easier for them, I ask that it appear at the end of this statement.

But before we consider the article, let us consider a piece of unfinished business: natural gas. Exactly the same nonsense that produced our "crisis" in gasoline continues to operate with respect to natural gas. Controls on natural gas continue to encourage consumption among homeowners, at least; industrial use is officially discouraged; discourage exploration and production; and distort the capital markets and exploration plans surrounding the natural gas industry.

Even worse, the present pattern of regulation has developed its defenders among the regulated. Some aspects of the industry, such as pipelines and those already producing very deep gas, oppose regulation because it would mean more competition.

Mr. President, this situation is intolerable. I well understand that deregulation of the natural gas industry is complex and politically touchy. Still, it should be done. We know it should be

done as a matter of principle. Our experience with oil decontrol tells us that it should be done as a benefit to consumers. Let us get on with it.

The article follows:

THE ENERGY CRISIS IS OVER!

(By William Tucker)

HOW WE BEAT OPEC

On January 28, 1981, after less than a week in office, President Ronald Reagan announced that he was bringing an immediate end to the price controls that had governed American oil for almost ten years, speeding up a process already set in motion by President Carter. With that simple act, the energy crisis of the 1970s ended.

You would have hardly known it from reading the newspapers. Reporters, making their rounds of the usual reliable sources, asked only one constituency—consumer groups—what they thought of the decision. The consumer groups put up their usual howl, complaining that it would only mean higher prices.

Thus the Associated Press report of the story, the next day, began like this:

WASHINGTON.—American motorists can expect to pay even more at the gasoline pumps in the next few days as a result of President Reagan's first major economic decision.

Reagan is making good on a campaign promise to remove immediately the remaining price and allocation controls on petroleum.

Angry consumer groups charged that gasoline and heating-oil prices could rise by 8 to 12 cents per gallon over the next few weeks as a result of the decision.

There was not the slightest suggestion of what the long-term effects of the decision might be. Nor has there been since—except for a few scattered editorials in the Wall Street Journal and The New York Times.

So the news is told. When President Reagan asked for a review of the situation this summer, his advisers told him that the decision to scrap price controls had effectively ended the energy traumas of the 1970s. Consumption was declining, domestic drilling was skyrocketing, imports were down, and OPEC was starting to fall apart. His response was reported to be: "Why doesn't anybody tell me these things?"

It was a legitimate question. Apart from a few economists, probably no more than a handful of people have yet realized that the current collapse of world oil prices is the direct result of the American people's decision finally to face reality. We have already swallowed the bitter medicine, and the cure is working. Remarkably, nobody has even realized it yet.

Let us take a look at what has happened since President Reagan decided last January to accelerate President Carter's 1979 decision to remove oil price by fall 1981, and thus to end, with one stroke, the long-drawn-out attempt to protect consumers from reality.

For a few weeks, oil prices did rise, just as consumer groups had predicted. Within a month, gas prices at the pump had climbed by about ten cents a gallon. Heating oil also went up by about the same amount. Domestic oil prices, freed from constraints that had kept them at about twenty-nine dollars a barrel, quickly jumped to around thirty-six dollars a barrel—a change that should have reflected a rise of about fourteen cents at the pump. It looked as if consumers might be in for a rough time.

But then strange things started to happen. As late as December 1980, the Department of Energy had been predicting that world oil supplies would remain tight "indefinitely," and that world oil prices might soon be moving up through the range of $45–$50 per barrel.

But by March the major oil companies suddenly found themselves with growing inventories on their hands. By May, refineries had a 20-percent oversupply of oil products, and were starting to worry about storage problems. They did the only sensible thing. They started to cut prices.

By the end of May, heating-oil prices were down throughout the country by four or five cents. Gas prices at the pump fell below their January levels. The national average of gasoline prices across the country fell to its lowest level in two years. Sporadic price wars broke out in various areas. By midsummer, competition between two service stations in Cincinnati had lowered the price of gasoline to seventy-three cents per gallon at one point, and cars were once again lining up outside filling stations—this time to buy the new cheap gas.

Before very long, these events began to have repercussions on the world market. By early summer, every major OPEC nation found itself with growing stockpiles. Libya, always the most militant of OPEC members, lost 60 percent of its customers between April and August because it refused to lower prices. Nigeria also had large surpluses. OPEC production as a whole has now fallen 30 percent since 1979.

What happened in Mexico was tragicomic. In June, the nation found itself unable to sell its oil at the premium price of forty dollars a barrel anymore. The minister for oil, Jorge Díaz Serrano, faced with a collapsing market, lowered the price of Mexican oil by four dollars. Mexican public opinion, however, accustomed to high prices, was outraged at the decision and demanded that the old price be restored. Jorge Díaz Serrano, till then considered the favorite to succeed Lopez Portillo to the presidency next year, was forced to resign from office, his political career ruined. But the oil still could not be sold at $40 a barrel, and subsequent oil ministers have now lowered the price by $3.90—holding back the last ten cents apparently in an effort to avoid Jorge Díaz Serrano's fate.

The story being told is that Saudi Arabia has deliberately created the oil glut by pumping 10 million barrels of oil a day instead of its previous 8 million, in order to "discipline" other OPEC members and end up with a uniform price of around thirty-four dollars a barrel. Yet many observers are skeptical of this interpretation. They point out that Saudi Arabia has already committed most of its oil revenues, and with prices falling, will not find it easy to cut back to production of 8 million barrels a day again.

In any case, OPEC's attempts at an emergency August meeting to reach agreement on a price, and regain "control" of the market, were a failure. Not only were the members unable to compromise on a unified price of $34–36 a barrel, but their subsequent actions showed that the OPEC countries themselves are now at the mercy of the market. Two days after the meeting fell apart, Nigeria voluntarily lowered its oil price from $40 to $36 per barrel. It was the largest price reduction an OPEC nation has ever imposed on itself. There is no indication that prices have hit bottom yet. The golden age of OPEC is over.

How did this sudden reversal occur? There are many reasons, but the crucial one—both for its timing and its effect—is the Reagan administration's decision last January to end price control.

It is now possible to examine the related upheavals of the 1970s and put them in perspective. The oil crisis was nothing more than a self-inflicted wound. With the exception of five months in 1973–74 when the Arab states stopped sending oil to the West in retaliation for U.S. support of Israel, no event of the 1970s that we labeled under the rubric of "the oil crisis" was anything more than America's refusal to pay the proper price for its own oil. It was certainly not an oil-company plot or a sign that we were "running out of resources." Oil was the only commodity in the entire economy that was never freed from President Nixon's temporary wage and price controls imposed in 1971. This created an inevitable gap between supply and demand for domestically produced oil. We bridged it by importing more oil, leaving us vulnerable to all the foreign shocks and international intrigues that followed.

Here is the way it happened.

DEPENDENCE ON FOREIGN OIL

The beginning of the oil crisis of the 1970s can be traced to 1968 and the first stirrings of the environmental movement. At the time, though few people remember it, the country was operating under the Oil Import Quota system set up by President Eisenhower in 1959. The policy limited the country's imports to no more than 12 percent of its total consumption. It was honored more in the breach than the observance, however, and imports actually hovered around 19 percent throughout the 1960s.

The original rationale for the quota system was national security. It was argued that if we became too dependent on foreign sources for such an important commodity as oil, we might become vulnerable to cutoffs in time of war or national emergency. The effect of the program, on the other hand, was to give some protection to the small domestic oil companies centered around Texas, Oklahoma, and Louisiana. These are not the oil giants like Exxon, Gulf, Texaco, and the rest of the Seven Sisters. They are the hundreds and hundreds of entrepreneurs who live off small and medium-sized oil holdings—and produce about 60 percent of our own oil. A great deal of the confusion that existed in the early years of the 1970s arose from the failure to distinguish between these small companies and the giants.

The import quotas protected the small companies from the dirt-cheap competition in the Middle East, where oil could be pumped out of the ground for less than ten cents a barrel. Domestic oil was selling at about $1.90 a barrel in 1969. But even with the import quotas, the price to consumers had been steadily falling over the previous twenty years. The oil giants, on the other hand, were slightly hampered by the import quotas, although they never made too much fuss about it. They were prevented from importing great quantities from the Middle East, but, on the other hand, were afforded some protection for their American holdings. They made money by selling Middle Eastern oil to Europe, and did not press much for abolition of the U.S. import restrictions.

The trouble began when environmental groups decided that newly discovered low-sulfur oils in North Africa and Indonesia were just what was needed to clean up air pollution. Before Lyndon Johnson left office, environmental groups in California and New York had wrung concessions out of Interior Secretary Stewart Udall (who administered the quota program) to allow more cheap, low-sulfur crudes to be imported from Libya and Southeast Asia as a substitute for coal in utility boilers. A number of incentives were introduced, and imports began to rise.

Then an odd thing happened. Consumer groups, suddenly aware of all the cheap oil being pumped around the world, began to argue that scrapping the import quotas would produce a consumer bonanza as well. In 1970, Ralph Nader's task force on air pollution (one of the first incarnations of "Nader's Raiders") published a book called Vanishing Air, which questioned the "national-security" argument and argued strenuously that ending the oil import-quota program would solve both environmental and consumer problems. They suggested that the quotas were a "protectionist wall" that "creates a domestic price for petroleum substantially in excess of the world price." It was "estimated to cost American consumers five to eight billion dollars a year."

After the Santa Barbara oil spill of 1969 created new concerns about offshore drilling, the environmentalists' urgings to lift the import quotas became much louder. In 1972 the Sierra Club published a book on coal strip-mining called Stripping, which concluded that scrapping the import quotas would cut down on strip-mining, reduce offshore drilling, clean the air, and solve just about every other environmental difficulty. Criticizing a decision of the Nixon administration not to give up the quotas, the author, John F. Stacks, wrote:

"The scrapping of the import quota task force recommendation to abolish that system will pile more costs onto the consumer, who has already paid more than $30 billion to subsidize the oil industry through quotas and tax giveaways."

Soon the case for importing more oil was common currency in consumer and environmental circles.

Unnoticed, however, was that the real turning point in America's energy situation had already passed. In 1970, our domestic oil production peaked at 9.6 million barrels a day, after a century of steady increases. We had run out of "easy oil." Older wells were playing out, and all the new oil lay in environmentally troublesome areas—offshore, in Alaska, and in deeper, unexplored regions of the earth's crust. Americans faced a difficult choice. Either we had to accept a steep rise in American oil prices, to pay for the higher costs of drilling and encourage wiser use, or we had to open our doors to more imported oil.

For a long while the Nixon administration resisted making a decision. Task forces were assigned to the problem, and most of them came back with the recommendation that we might as well import more oil. Nixon personally resisted the idea, however. He was still impressed with the national-security argument, and leery of making the country dependent on foreign imports.

Unfortunately, the courage of this position was obviated by a decision in August 1971 to impose an across-the-board temporary wage and price freeze. The controls had an enormous impact on the oil market. Prices should have been climbing rapidly. Production from old wells was leveling off and the development of new sources was proving expensive. A clear signal was needed to tell consumers that the time had come to start conserving.

Instead, the price controls seriously distorted the situation. The artificially low price of domestic oil discouraged expensive new exploration. But it also allowed consumers to go on guzzling oil as if nothing had happened. Consumption rose in 1971–73 at 4 percent per year—a straight-line projection from the old days of falling prices in the 1960s. Nobody noticed that domestic oil was harder to find.

And so, in order to make up for this growing gap between domestic supply and demand, we turned to the solution that was to become the characteristic pattern of the entire decade. We imported more oil. The holes that the environmental movement had already punched in the import-quota program made it easy. All sorts of incentives had been set up allowing refiners bonus quantities of imported crude if they cleaned it of sulfur. The program was easily manipulated so that imported crudes became the stock for other uses as well. By 1973 we were importing close to 30 percent of our oil, an unprecedented foreign dependence. By the time the quotas were scrapped, they were useless anyway. Without even noticing it, we were at the mercy of world events.

THE REASON FOR SHORTAGES

The inevitability of price controls for the benefit of consumers creating shortages of goods is a cardinal point understood by nearly all economists and only a handful of members of the public. I have searched for a metaphor for this phenomenon, and finally found one in an experience a friend of mine had in the Peace Corps. He and his colleagues were trying to teach Indian village women the rhythm method of birth control by giving them a string of thirty beads that represented the days of their menstrual cycle. The eight days representing their fertile period were marked by red beads in the middle of the month. Each day they were to move one bead, refraining from intercourse on the red days. After a while, however, they found the system didn't work. When the dangerous days of the month arrived, the women would simply move all the red beads across the string at once. They assumed that this act of magic would prevent them from getting pregnant.

We do the same thing with prices. The market price of a commodity is nothing more than a reflection of its scarcity relative to its demand. When goods become harder to obtain, the price goes up. But we assume that by artificially lowering the price—asking the government to intervene with price controls, that is—we can make a good less scarce. Instead, the opposite results. With prices artificially low, consumers try to buy more of the commodity, while suppliers reduce production because they cannot recover their costs. The result is an artificial shortage, where goods are scarcer than at the beginning. Our confusion of reality and its symbols only makes things worse and precipitates what we hoped to avoid.

As President Nixon's 1971 price freeze remained in place, the American economy became increasingly characterized by a series of surpluses and shortages. With prices held at rigid, artificial levels, the gaps between supply and demand became unavoidable. By 1973, steel, concrete, aluminum, and dozens of other basic commodities were becoming unobtainable on the market.

The situation coincided with the Club of Rome's jeremiads and the popular conception that we were quickly hitting the bottom of the barrel on resources. Newsweek ran a cover story showing Uncle Sam holding up an empty horn of plenty under the caption Running Out of Everything?

Apparently, nobody at Newsweek realized that we were only experiencing the inevitable results of price controls (no one, that is, except Milton Friedman, who continually pointed it out in his columns). But by the middle of 1973 the price controls had been phased out, and these shortages quickly solved themselves.

Oil, however, was an exception. So much pressure had already built up behind the price of oil that Congress became afraid to let the market go where it would. It was obvious that the days of twenty-five cents a gallon for gasoline were over. Yet Congress shunned the cure for America's falling domestic production. Oil became the only exception to the general abandonment of price controls; protection was extended through 1975.

Meanwhile, barely noticed events in the Middle East were beginning to indicate that "cheap foreign oil" wasn't going to remain cheap for very long. In 1969, a colonel's revolt in Libya overthrew the pro-Western monarchy. The new military regime, under Colonel Muammer Qaddafi, soon realized it was supplying both Europe and America with low-sulfur oil that could hardly be matched anywhere else in the world.

In 1970, the new government imposed a twenty-cent price increase on its concessionaires. The oil companies fussed and fumed, but soon realized that there were no American Marines or strategists for the Central Intelligence Agency waiting in the wings to correct the problem. (In the last such incident, which neither the oil companies nor the producing nations had ever forgotten, the attempt by Mohammed Mossadegh to nationalize Iran's oil concessions and impose a price increase on Western consumers had resulted in a coup masterminded by the CIA, and the installation of the shah. On the eve of the Arab oil boycott, President Nixon was still publicly reminding the Middle Eastern states to beware the "lesson of Mossadegh.") Finally, the oil companies accepted the price increase; they had no choice.

Soon a moribund debating society, the Organization of Petroleum Exporting Countries, founded in 1960 at the instigation of Venezuelan oil minister Juan Pablo Pérez Alfonso, was meeting in earnest in Vienna. By September 1973, OPEC members were presenting a solid front to the oil companies and negotiating for an across-the-board price increase of fifty-three cents to match Libya's efforts. The oil companies protested and said it was impossible. In truth, though, they weren't sure. When the negotiations finally broke down, Sheikh Yamani, the Saudi Arabian OPEC minister, said that the producing nations might just go ahead and do it anyway.

Yet all the while American consumers remained oblivious. Blinded by the continuing price controls, we went on guzzling gas in ever greater amounts as if nothing had happened. Few people were aware that we were importing any of our oil, let alone 30 percent. British journalist Anthony Sampson, whose book The Seven Sisters describes the events leading up to the boycott, says that an "air of unreality" began to enshroud those American businessmen and politicians who could actually see what was happening. In 1972 we set an all-time record for oil consumption, and were headed for another in 1973. When several oil companies formed a delegation to try to warn Nixon administration officials of the growing restiveness in the producing countries, they were politely ignored. On the day Shiekh Yamani and the OPEC ministers broke off negotiations with American oil firms in October 1973, no American newspaper carried the story.

What happened next, of course, is history. The Arabs realized their growing market leverage and exercised it in the oil boycott during the 1973–74 Arab-Israeli War. The result of this deliberate supply interruption was the first of the "gas shortages."

But the boycott was over by March, and gas lines ended well before that. Far more important was that the producing nations—to their surprise—found they had a stranglehold on the Western oil market. They quickly raised prices to seven times their 1970 levels, setting in motion what was later called "the greatest and swiftest transfer of wealth in history." Over the next year, some $112 billion flowed out of consumers' pockets and into the coffers of the oil-producing nations.

What should we have done? Obviously, we should have increased domestic production and cut consumption. The formula for this was not really very difficult. Domestic oil price controls were already artificially discouraging production and stimulating consumption. Getting rid of them would have been the easiest step of all. Then, had we been really serious, we could have done what the Europeans and Japanese have done for decades and taxed consumption, particularly consumption of foreign oil. This was exactly what President Ford tried to do in January 1975, when he began his state-of-the-union address by asking Congress to abolish price controls and impose a two-dollar-a-barrel tax on foreign oil. He promised that reducing imports would be the first priority of the administration. Had the nation been willing to give President Ford a hearing, we might have avoided some of the turmoil that followed. Congress, however, had its own ideas.

The battleground became the 1975 Energy Policy and Conservation Act (a political euphemism if ever there was one). At first,

Congress seemed willing to go along with President Ford's assessment: foreign dependence was a problem, and price controls were only making things worse. But then a suburban rebellion began in the House of Representatives. Congressmen Andrew Maguire (N.J.), Richard Ottinger (N.Y.), and Toby Moffett (Conn.)—all liberal Democrats representing the three wealthiest suburban counties in the New York area—began a campaign to extend oil price controls. Joined by figures such as Edward Kennedy (Dem.-Mass.), Howard Metzenbaum (Dem.-Ohio), James Abdnor (Dem.-S.D.), and Henry Jackson (Dem.-Wash.) in the Senate, these legislators eventually succeeded in getting through a decision to extend price controls all the way through 1979 and possibly beyond. Not only that, the Energy Research and Development Administration was instructed to lower the price of domestic oil in February 1976 in order to punish the oil companies. It was Congress's election-year present to the nation for 1976.

It worked well. Large Democratic majorities were returned to Congress at the end of the year, with a new Democratic president to lead them. Consumers were already celebrating by surging back to big cars, and guzzling gas again as if the boycott had never happened. Everything seemed fine. Yet the oil price controls remained a time bomb ticking away in the American economy. It finally exploded in 1979, and perhaps helped to carry away the Democratic administration with it.

OPEC'S SHORT, HAPPY LIFE

Few people seem to realize that OPEC's monopoly of the market lasted only about three years. Like any monopoly, it quickly attracted new competition into the field. From 1974 to 1977, the relatively few oil-producing countries probably could have charged any price they wanted to Western consumers. Europe, in particular, had long been accustomed to easy access to Middle Eastern oil, and had few alternatives.

But, as always, the success of a monopoly was also its undoing. The new high price of oil sent geologists scurrying out all over the world looking for new reserves. Britain and Norway developed the fields under the North Sea, the American oil companies were allowed to finish the Alaskan pipeline, and dozens of other small countries began to find and develop deposits. Mexico, it turned out, had had oil all along, but hadn't wanted to reveal its resources for fear of being exploited, as the Arabs had been for decades. In addition, the old patterns of ever increasing consumption were quickly reversed. Yale economist Paul MacAvoy has calculated that OPEC's price distortions only lasted from 1974 to 1977. By that time, the market forces had caught up and supply and demand were back in balance, promoting the wise and efficient use of resources everywhere.

Everywhere, that is, except the United States. Here, unfortunately, events had taken a different turn. Almost from the day in February 1976 when Congress had instructed that the price of domestic oil be lowered, Americans had once again rushed back to their old pre-embargo habits. Over the next twelve months, big-car divisions of the three major auto companies broke sales records in every month of the year. Small cars were left sitting in the lots, and even huge rebate programs failed to win back the public to conservation.

Gasoline consumption also resumed its pre-embargo climb, surpassing the 1973 record in 1977, and breaking it again in 1978. We were headed for even higher consumption in 1979, until events in Iran put a stop to it. Domestic producers, on the other hand, could not begin to hope to make back their money from drilling for new oil. They sat on their hands or put their money into real estate. Once again there was a shortage of domestic oil. And yet there was no time between 1976 and 1979 that motorists couldn't get gas. How did we do it? The answer is the same. We made up for our self-inflicted domestic shortages by importing still more oil. From the crack of the gun in February 1976, our imports once again took off, climbing from 33 percent to almost 50 percent by mid-1979. In fact, it's a good thing the Iranian revolution happened when it did. Had things gone on any longer, the eventual crash, whatever form it took, would have been far worse.

Just about everything Congress did to solve the energy crisis in the 1970s was aimed at one thing—keeping cheap gas flowing to the consumers. Washington was filled with liberal congressman singing the joys of conservation and wringing their hands about foreign dependence. Yet not one of them was ever willing to accept the simple formula that would have ended the whole dilemma—paying a market price for our own oil.

It is commonly assumed that the events in Iran and the second "gas shortages" in 1979 finally curbed the nation's appetite for foreign oil. That is not quite correct. Redoubled international oil prices and the resulting rise in the cost of gasoline certainly reminded people of the realities of the world oil situation. But the effect would probably have been temporary once again, had not the second gas shortage finally convinced President Carter that domestic price controls were a self-defeating policy and should be abandoned. Carter bravely announced in late 1979 that he would phase out price controls by the fall of 1981.

Incredibly, even at this late date, congressmen howled, and consumer groups moaned, that the president was abandoning his apparent constitutional responsibility to provide Americans with cheap energy. Yet the payoff came almost immediately. Within one year, U.S. oil imports fell by 25 percent, back to their 1975 level.

Oil drilling increased as never before (although oil is still getting harder to find), and consumers finally began demonstrating hitherto unsuspected capabilities for conserving energy. President Reagan's January decision, which accelerated Carter's schedule by nine months, only completed the process. Drilling for new oil has increased by 50 percent in the last six months. Consumption has dropped another 20 percent. Domestic oil production is holding steady, and consumers—finally deprived of the "protection" of Congress—seem permanently set on a conservation course.

The unanticipated—though predictable—result of this new realism has been that energy prices are now falling on the world market. Throughout the 1970s, our energy policy was to prop up world oil prices by creating a domestic shortage and then making up for it by buying in the world market. Without our support, OPEC would have been defunct by 1977. Now it is falling apart anyway. Americans are buying 2.2 million barrels a day less than we were before President Carter launched the repeal of the price controls in 1979. This is the exact amount of the current world glut. Left to the mercies of supply and demand, OPEC is finding it can do nothing more than set its prices where the market tells it to.

THE SEVEN (WEAK) SISTERS

Are we really out of the woods? Perhaps not entirely. We still import just over 30 percent of our oil, which is about where we were in 1973 just before the embargo. What we could do now is to put a modest tax on imported oil—perhaps two dollars a barrel—in order to pay the costs of building a strategic petroleum reserve; this would be a fair measure of the risks we incur by importing some of our oil. Both Europe and Japan have long used high government taxes to discourage consumption, which is why they were much less affected by the Iranian events than we were, even though they import nearly all their oil.

Yet all these wise and conscientious measures would still have to run the gauntlet of short-sighted "consumer protectors." There are still enough Toby Moffetts and Edward Kennedys in Washington to put on a magic show of preaching conservation with one hand while subsidizing consumption with the other.

Where do the oil companies fit into all this? Those Enemies of the People, of course, were the favorite whipping boys of the mid-1970s. By 1975 it probably didn't seem a bad guess to predict that they would have been nationalized within a few years. It is easy enough now to see what happened to the oil companies in the 1970s, and why we hated them so much. The problem was that the oil companies were getting weaker. During the 1950s and '60s, they had bullied their way through the producing countries, robbing them for the benefit of Europeans and Americans and bringing home the goods at ridiculously low prices. When things got difficult, there were always the Marines and the CIA to hold up our interests.

But in the 1970s all that changed. The oil companies found themselves up against a more firmly knit cartel with better control over the resources than they had. What could we do but hate them? They had failed us miserably. As Eric Hoffer said of revolutions, it is usually when the public feels the government weakening that it expresses all its hidden resentments.

The oil companies have now lost their preeminence in world trade. In 1970 they handled over 90 percent of the transactions between the producing and consuming countries. Now they handle only about 40 percent. More and more, the consuming countries are dealing directly with the producers. In addition, the OPEC nations are building their own refining operations, buying tankers, and moving "downstream" in the oil business.

The future for the oil companies, of course, is not bleak. The value of their remaining oil resources has increased enormously. Their profits have risen by 20 percent per year since 1973. They are still the world's specialists in exploration and drilling technology. In addition, they are diversifying into other fields and energy technologies. They will probably do as they have always done—quite well.

Is the energy crisis over, then? Not quite. Unfortunately, we still have a forty-year-old hangover to deal with—the chaotic state of resources, created by government intervention in the natural-gas industry.

The havoc is almost too complicated to delineate. (For an excellent account, read Tom Bethell's article "The Gas Price Fixers," Harper's, June 1979.) Price controls were originally imposed in 1938 because of a supposed "monopoly." Actually, there was no monopoly at all. Consumers had a choice of several other fuels, and gas drilling is one of the most decentralized industries in the country. One out of every two hundred Americans owns interest in a natural-gas well.

In 1954, one producer tried to raise the price of gas from three to four cents a thousand cubic feet. This ridiculously low price had originally been granted only as an open invitation for the pipeline companies to build their connections into the oil fields. Before that, the producers had flared off their gas as a waste product of oil drilling. But a Wisconsin state consumer authority, reacting to this insignificant price increase, forced the Federal Power Commission to extend its control back to the wellhead price as well. The decision was upheld in the courts, and Congress has never mustered the will to change it.

The results have been utterly perverse. The natural-gas industry became a kind of national utility company. No one was ever encouraged to go out and find more. The only gas we have used is the "waste product" now associated with oil deposits. Yet all indications now are that there are staggering amounts of natural gas—perhaps as much as 200 years' supply at current prices—in different kinds of formations in the earth.

The situation finally reached a crisis with the "natural-gas shortages" of the winter of 1977. These "shortages," again, were nothing but the result of price controls. The law had never extended federal control over pricing within the producing states themselves. By 1977, gas prices in the intrastate market were four times the price in the interstate market. Most producing states, like Texas, Louisiana, and Oklahoma, which collect large royalties, simply refused to send any more gas north, where consumers were still paying 1960s prices; hence the shortages.

The hopelessness of government efforts to anticipate market prices can be seen in the 1978 Natural Gas Policy Act, which at the time was perceived as a victory over the consumer advocates. Toby Moffett and the gas-guzzling suburbanites once again tried to ensure their constituents cheap energy at other people's expense. They failed, in that the Carter administration finally decided on a phased program ending in complete decontrol in 1985. It is said that when the vote against continuing price controls was finally taken, Representative Moffett left the House, fell against a tree, and wept.

He could have saved his tears. Congress, in its wisdom, decided to anticipate the future by allowing natural-gas prices to rise to the 1978 level of oil prices—equivalent to $15 a barrel—by 1985. Then they could go where they would. Yet in less than a year that price was already hopelessly out of date. Taking inflation into account, natural-gas consumers are once again paying 1960s prices for energy. (Because of the resulting shortage, industry and utilities are rapidly being squeezed out of the market, and consumption of natural gas is now concentrated almost entirely in home heating.)

The results have been chaos. Congress allowed that all gas found below 15,000 feet could be free from price controls. Previously, most gas had been found at 5,000 feet. This spurred new exploration, which started turning up gas reserves no one had ever dreamed possible. It is now clear that there are probably huge reserves between 5,000 and 15,000 feet as well.

But the owners of gas deposits below 15,000 feet have now become opponents of decontrol. They fear that they will be undersold by all the gas that obviously exists between 5,000 and 15,000 feet. This doesn't promise a very orderly development of resources. In a final irony, the pipeline owners themselves have become a principal opponent of deregulation. They are paid according to the amount of gas that flows through their pipelines. They fear, quite reasonably, that if prices are decontrolled, people will start conserving gas. That will cut down on their pipeline transmission, and lose them money. Thus, as always, the regulated have ended up falling in love with their regulations.

There are already fears that when 1985 arrives Congress will find decontrolling the price of natural gas intolerable. Yet there is hardly any choice. In fact, removing price controls right now—as the Reagan administration is beginning to propose—would be even easier. There is no time like the present for getting rid of price controls. The medicine would be only slightly harder to swallow than our current decontrol of oil prices, which people have hardly noticed at all.

The only alternative is that natural gas will be a resource that we simply don't use. Once again one may ask: if we are creating artificial shortages by controlling the price of natural gas, where are we making them up? And once again, the answer is the same. We are importing more oil. It is estimated that between one and two million barrels per day of our current oil imports are the result of our failure to use our own natural gas. The subsidy of natural-gas consumers is also delaying the introduction of rooftop solar energy. Decontrol would unquestionably mean higher natural-gas prices, but this would quickly be neutralized by a further drop in the price of oil and the introduction of new technologies. People are never going to conserve, or use solar energy in home heating, as long as they are paying fifteen-year-old prices for natural gas.

But without the foreign oil needed to make up for the natural-gas shortage, OPEC would be about as important to the American economy as a Turkish bazaar.

The energy crisis, then, is half won. We have ended OPEC's dominance of the market within a few short months by swallowing what turned out to be a relatively mild pill and accepting a market price for our own oil. All we have to do now is decontrol our natural-gas prices, and we will be home free. There will be another mild period of adjustment, and soon we will be on a firm, stable, and innovative energy course.

Are we up to it? Can Americans tackle the energy problems of the 1980s?

Stay tuned.●

PROPOSED ARMS SALES

● Mr. PERCY. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive advance notification of proposed arms sales under that act in excess of $25 million or, in the case of major defense equipment as defined in the act, those in excess of $7 million. Upon such notification, the Congress has 30 calendar days during which the sale may be prohibited by means of a concurrent resolution. The provision stipulated that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Foreign Relations Committee.

The administration has agreed that since the Christmas recess is approaching, they will take the appropriate steps to assure that Congress has the full 30 calendar days while Congress is in session to review this sale.

In keeping with the committee's intention to see that such information is immediately available to the full Senate, I ask unanimous consent to have printed in the RECORD at this point the notification which has been received. The classified annex referred to in the covering letter is available to Senators in the office of the Foreign Relations Committee, room 4229 of the Dirksen Building.

The notification follows:

DEFENSE SECURITY ASSISTANCE AGENCY,
Washington, D.C., December 4, 1981.

In reply refer to: I-03060/81ct.

Hon. CHARLES H. PERCY,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Arms Export Control Act, we are forwarding herewith Transmittal No. 82-12 and under separate cover the classified annex thereto.

This Transmittal concerns the Department of Air Force's proposed Letter of Offer to Venezuela for defense articles and services estimated to cost $615 million. Shortly after this letter is delivered to your office, we plan to notify the news media of the unclassified portion of this Transmittal.

Sincerely,

ERICH F. VON MARBOD,
Director.

TRANSMITTAL NO. 82-12

(Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b) of the Arms Export Control Act)

(i) Prospective purchaser: Venezuela.

(ii) Total estimated value:

	Millions
Major defense equipment*	$319
Other	296
Total	615

*As included in the U.S. Munitions Lists, a part of the International Traffic in Arms Regulations (ITAR).

(iii) Description of articles or services offered: Eighteen F-16A and 6 F-16B tactical fighter aircraft with related spare parts, training, technical assistance, and support items.

(iv) Military department: Air Force (SGA).

(v) Sales commission, fee, etc., paid, offered, or agreed to be paid: None.

(vi) Sensitivity of technology contained in the defense articles or defense services proposed to be sold: See Annex under separate cover.

(vii) Section 28 report: Included in report for quarter ending 30 September 1981.

(viii) Date report delivered to Congress: December 4, 1981.

POLICY JUSTIFICATION

VENEZUELA—F-16 AIRCRAFT

The Government of Venezuela has requested the purchase of 18 F-16A and 6 F-16B tactical fighter aircraft with related spare parts, training, technical assistance, and support items at an estimated cost of $615 million.

This sale will contribute to the foreign policy objectives of the United States by improving the defense capabilities of a friendly democratic country which is a continuing force for stability in Latin America.

Venezuela requires replacements for its aging CF-5A and Mirage aircraft. This sale should significantly enhance the Venezuelan Air Force's (VAF) capabilities and should aid in modernizing existing VAF facilities and the logistical infrastructure.

The sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor will be the General Dynamics Corporation of Fort Worth, Texas.

Implementation of this sale may require the assignment of additional U.S. Government or contractor personnel to Venezuela for short term training purposes. Also, contractor assistance may be required for maintenance support during the first 1½ years of operation.

There will be no adverse impact on U.S. defense readiness as a result of this sale.●

RECIPROCITY AS A TOOL IN REDUCING TRADE OBSTACLES TO SERVICES

● Mr. INOUYE. Mr. President, within the last 2 years, during which time I have become increasingly interested in the international trade in services and committed to reducing hidden barriers to our service exports, I have noted with pleasure that not only are these issues being given more attention within Government trade policy discussions, but also the

American press is paying greater attention to this matter.

Public discussion of this issue is important because a general consensus on negotiating objectives will be necessary before we embark on a wide-scale multilateral trade discussion. The service sector, which may be the major area of the next significant round of trade negotiations, consists of many different industries with different problems, objectives, and interests.

I would like to draw particular attention to the statement of Mr. Geza Feketekuty, Assistant U.S. Trade Representative, who, in the ensuing article, calls for—

A look at the various laws pertaining to reciprocity in the international service area. . . . We want to find out what is the power of the President and other U.S. authorities to deny access to countries that don't give us access.

I applaud this fresh and open-minded approach to American trade policy in the 1980's. Free trade must be fair, and without leverage to deal with foreign trade barriers, all the good intentions in the world are worthless. The time for strengthening the U.S. arsenal against foreign protectionism has arrived. I know that my sentiments are shared by many of my colleagues in the Senate.

I ask that a copy of this article on services, which appeared in the Christian Science Monitor of July 22, 1981, be reprinted in the RECORD.

The article follows:

U.S. EXPORTERS OF SERVICES PROTEST UNFAIR FOREIGN BARRIERS

(By Thomas Watterson)

Now that the seven-nation economic summit meeting is over, executives of hundreds of American companies would like to suggest a lively topic for next year's meeting: a $60 billion U.S. export business that is facing a rising wall of protectionism around the world.

The products from these companies are not goods wrapped in cartons and strapped to pallets, but are services such as advertising, insurance, film processing, shipping, banking, and data processing.

In places like Mexico, Venezuela, Argentina, West Germany, Sweden, Japan, and even Canada—the site of this year's summit. US service companies are dealing with an increasing variety of nontariff barriers.

In Canada, no commercials produced outside the country may be aired on television or radio.

In Mexico, all ocean cargo going to or from that country must carry insurance from Mexican underwriters.

In West Germany, all companies that use computers, including foreign firms that may only gather a small amount of information there, must do at least some data processing in that country.

In Japan, cargo carried on foreign airlines must be checked through three warehouses, a process that can take several days, while cargo carried on Japan Air Lines gets overnight service in one warehouse.

In Brazil, prints and copies of color feature films to be shown there must be processed there.

While protectionism in services was part of the preparatory discussions that led to the summit, it is considered unlikely that the topic was given much specific attention by the leaders themselves. And even if it does come up next year, US executives are not sure how much effect it would have in changing the policies of foreign governments.

"I don't know if we can change their minds, but I hope we can enact something in this country to change their minds," said Donald Miller, executive vice-president of American Marine Underwriters, a Miami firm that insures ocean cargo, except cargo going to Mexico and other countries with similar protections.

"It is a situation where we deal in an almost totally free environment, but the other side doesn't," he continued.

A number of companies and US agencies, led by the Office of the US Trade Representative, are making an effort to change that environment.

"What we have here is a complete absence of the kind of international trade rules you have in goods," said Geza Feketekuty, assistant US trade representative, who is coordinating the effort to institute some rules.

This effort includes a program to identify all the specific industries, firms, and countries involved; preparations for multilateral talks among the members of the Organization for Economic Cooperation and Development; making sure that all future trade talks include discussions of protectionism in services; and a "major overhaul" of trade data. "The data we have is way out of date," Mr. Feketekuty said.

But a more aggressive solution would call for "a look at the various US laws pertaining to reciprocity in the international service area.... We want to find out what is the power of the president and other US authorities to deny access to countries that don't give us access."

The question of protectionism in services was considered for inclusion in the "Tokyo round" of trade negotiations, which ended in 1979. Because there had not been enough work done on the problem, "it was premature to bring it up then," Feketekuty said. "But we've been getting more and more into the details in the last year or so."

An example of the lack of access for US companies involves something called "transborder data flows." Basically, these are any movements of information across international borders. But in a computer age, where intricate communication networks cover many countries but feed data to a central computer in one country, this process bumps up against a variety of laws concerning privacy, citizen access to information, and work for data-processing employees.

"The links between computers and telecommunication have become asbsolutely essential to international firms," said Joan Spiro, a vice-president at American Express and a former ambassador to the United Nations for economic and cultural affairs. But these links are being weakened by laws in countries like West Germany, Canada, and Japan requiring that some computing be done in host countries, restricting the type of information that can leave the country, or limiting the number of special communication lines that may be leased for data processing.

The restrictions mean that a company like American Express, which is involved in a variety of worldwide financial services, cannot completely centralize all its processing of credit card charges, traveler's checks, and other services, Ms. Spiro said.

For Flying Tiger, the Los Angeles-based air cargo carrier, the problems of sending freight to Japan represent another problem. In Tokyo, says Charles Malone, director of market development, Japan-bound cargo has to be processed through the New Tokyo Air Service Terminal, the International Air Cargo Terminal, and the Tokyo Air Cargo Terminal while goods in Japanese carriers only go through one terminal. "In our business, the quality of ground service is the key difference to competition," Mr. Malone said.

"I could give you a litany of the problems we've had," said Ronald K. Shelp, vice-president for international relations at the American International Group, one of the largest insurance companies selling policies abroad. Several countries, he said, do not allow any foreign insurers to write policies. Some two dozen others, including Sweden and Kuwait, will permit only foreign firms to sell domestically types of insurance not sold by native companies.

Ms. Spiro sees some hope in the news that a few foreign companies and nations, including Hoechst, Air Force, and Singapore, are calling for freer trade in services.●

THE DEATH OF ROBERT VERKUILEN

● Mr. LEVIN. Mr. President, Michigan was stunned earlier this week at the news of the death of Macomb County Board of Commissioners Chairman Robert VerKuilen.

Bob VerKuilen had provided extraordinary service as the seven-term chairman of the board of commissioners of Michigan's third largest county, and one of its fastest growing counties.

He worked so well with his colleagues that he was overwhelmingly selected to be the new county administrator.

Bob VerKuilen was only 54 years old and his vitality was that of an even younger person. When the news struck of his passing, his legions of friends were so utterly shocked they were hardly able to respond. Such was the vigor of the man whose medical history was such that perhaps we should have been more prepared for the blow. We seek in vain for ways to express our grief and the depth of our loss.

His wife, Mary Lou, is such a strong and wise woman that I know she will carry on in her own work, she also being a dedicated county commissioner. She will be sustained by the memory of what Bob VerKuilen did for his community. That community will find it difficult to replace Bob VerKuilen and that difficulty will be eloquent testimony of his lasting place in the history of his county and of the State of Michigan.●

THE ANTINUCLEAR MOOD OF THE AMERICAN PEOPLE

● Mr. PELL. Mr. President, the Providence Sunday Journal recently featured a very perceptive article by its editorial page editor, Brian Dickinson, on the antinuclear sentiment of the American people. Mr. Dickinson suggests that this sentiment is growing because the American people are becoming more knowledgeable about nuclear weapons and more skeptical of the proposition that American security will be enhanced through the deployment of more nuclear weapons. The administration's ambiguous and sometimes contradictory statements on nuclear issues and its reluctance to embark upon arms control negotiations have also, in his view, contributed to the development of this antinuclear mood.

As legislators and representatives of the American people, we need to pay close attention to the growth of the antinuclear movement in the United States and to understand its roots. I believe that Mr. Dickinson's article helps us to do this, and I recommend it highly to my colleagues. Mr. President, I ask that the

full text of this article be printed in the RECORD at this point.

The article follows:

HONESTY, FEAR AND THE ATOMIC BOMB

(By Brian Dickinson)

The Bomb is back.

During years of civil rights marches and Vietnam anguish, realities about atomic weapons—the very fact that they existed, in the hundreds and thousands—remained largely blurred in the public's mind.

But the subject has surged forward again to claim public attention. Unless my readings are way off base, there is today more widespread concern about the risk of a nuclear war than there has been in years. It is growing. It isn't confined to the liberal left or to those disparagingly referred to as "peaceniks." Even among people who don't usually bring up the subject of nuclear war, there now can be heard concerned talk that "it" might really happen.

A thoughtful East Greenwich man stopped in at the office last week to discuss an anxious letter he had written President Reagan, criticizing plans to build more nuclear weapons. A lawyer friend of moderate-to-conservative persuasion, not known for excessive brooding about such grim questions, confided his worries about the implications of the huge Reagan weapons build-up. And next Wednesday, Veterans Day, the Union of Concerned Socientists is to sponsor anti-nuclear "teach-ins"—remember those?—on more than 100 American college campuses.

What is behind this newly sensitized anti-nuclear mood, gaining momentum only months after Reagan's election on a promise to build up U.S. military weapons? I see at least three causes.

First, I think there is a growing understanding of the basic facts about nuclear weapons: how big they are, how many there are, how they are deployed and their almost incredible capacity for devastation. I think this awareness has been heightened by debate over the proposed MX missile and the revived plan for a B–1 strategic bomber.

More public knowledge about such weapons, in turn, has begun to pull away the mystique that has hindered attempts by laymen to discuss them knowledgeably. I find this one of the few encouraging signs in the whole nuclear-arms issue. Without access to top-secret materials, citizens now are asking, for example, why an MX missile buried in an underground silo is any more secure than an existing Minuteman missile in a similar silo. It is a modern-day variant of the boy who saw that the emperor had no clothes, and it could mark a healthy coming-of-age in our national discussions of security policy.

Second, in addition to being more informed about nuclear weaponry, more people are coming to understand the numbers behind the huge nuclear arsenals of both United States and the Soviet Union. There is a continuing consensus on the need for this country to remain militarily strong and alert, yes; but I find growing skepticism that more nuclear weapons can have any conceivable value.

A third cause of the new anti-nuclear mood, perhaps more influential than all the rest, lies with the Reagan administration's inept handling of the issues involved. This administration, in stark contrast to every other American administration of the nuclear age, has all but ignored the purposes and strategies of arms control. It asks for more atomic weapons while refusing even to entertain the idea that fewer might keep us just as safe (for safer).

This hard-line policy might be palatable if the administration had shown any sign that it had a coherent strategy, or that it regarded the topic of nuclear warfare with appropriate seriousness; but in this administration I see neither.

This President is given to making offhand remarks about nuclear weapons and then having to "clarify" them; while last week, in a flurry of embarrassment, the Secretaries of State and Defense got tangled in a public dispute over whether NATO ever had considered firing a nuclear "warning shot" in event of a major European ground war. Public confidence in the administration's handling of nuclear issues, it is fair to guess, has not been enhanced.

A hidden danger of the resulting anti-nuclear mood is that it may polarize Americans on national security issues, and spawn a neo-pacifist mentality against all measures to upgrade U.S. readiness. This might almost be worse than a nation blindly endorsing an unending arms race; for some U.S. military needs are real and must be met for the simple purpose of shoring up the nation's security.

But there is no conceivable military purpose for a nuclear weapon. Because this is so, and because of the perils in loose talk about "using" them in a conflict (as if they were so many crossbows), any bandying of nuclear threats is enormously risky. Unless the Reagan administration forthrightly addresses the problems raised by its own clumsy handling of nuclear-weapons issues, these risks are all too likely to grow.●

COSPONSORSHIP OF COLLECTIBLES BILL

● Mr. DURENBERGER. Mr. President, I am pleased to join my colleagues in sponsoring S. 1645.

The need for S. 1645 has arisen because of a little noticed provision of the Economic Recovery Act of 1981 which provides that any investment in collectibles by an IRA or self-directed Keogh after December 1981 will be considered a distribution subject to current taxation. This provision, section 314(b) of the Economic Recovery Tax Act, results from the House-passed version of that bill. I believe most Members of Congress were not even aware of the provision. No hearings were ever held on this matter in either the Senate or the House, and we in the Senate included no such provision in our version of the tax bill.

I simply do not believe that it is the proper role of the Federal Government to tell Americans what assets they may or may not invest in to help provide for their retirement. This is especially true in the absence of any strong and compelling evidence warranting such provisions.

The Ways and Means Committee's report on the tax bill, in referring to this provision, stated:

The Committee is concerned that collectibles divert retirement savings from thrift institutions and other traditional investment media and that investments in collectibles do not contribute to productive capital formation.

While it is true that investment in collectibles does not directly contribute to productive capital formation, the same can be said of most stocks, bonds, Government securities, et cetera. In most instances, money spent on stocks and bonds is not channeled directly to the purchase of productive assets, that is, plant or equipment. Unless the stock or bond is a new issue, the money does not even go to the company selling the stock or bond—it goes to another investor. The same is true of money placed in savings accounts, and, of course, of money used to purchase collectibles.

No one has suggested that Congress limit IRA investments to original issues of stocks and bonds, investments which can be said to stimulate directly the creation of productive assets. It makes little difference whether funds in an IRA are used to purchase stocks and bonds, open a savings account, or purchase collectibles. In each case, the funds set aside for retirement are available to be invested.

Congress created IRA's in order to encourage employees not covered by retirement plans at their place of business to save for retirement. With the changes in the Economic Recovery Act, every wage earner will now be able to use IRA's to save for their future.

However, by barring investment in collectibles, Congress has acted to reduce saving for retirement, especially among those who have decided that investing in collectibles is the best way to protect their retirement fund from today's high inflation rate. Over the past few years, moreover, collectibles have often outperformed the more traditional investments.

The bottom line, Mr. President, is that Congress goofed in passing section 314 (b). Congress needs to do everything within its power to encourage American workers to save for their retirements by investing in whatever assets they choose. Congress should not restrict the freedom of the American people to invest their own money for their own retirements in the manner they determine is in their own best interests.●

SUPPLY-SIDE ECONOMICS

● Mr. HART. Mr. President, whether we like it or not, America today has become the test sight for a radical experiment on the theory of supply-side economics. Whatever the theoretical benefits, we are beginning to see the real costs of this theory—at least as it is applied by the Reagan administration. These costs are radical indeed: Moribund automobile sales, record low housing starts, and more people out of work today than at any time since the Great Depression.

Administration economists refer to such developments as the "natural short-term consequences" of the administration's anti-inflation policy. But this hardly sounds like the "rosy scenario" these same economists were painting when they were trying to sell this program a few months ago.

Worse, there is no recognition in the administration's economic program of the crucial need to prepare for America's future. The administration's corporate tax cuts, for example, are biased against the most rapidly growing sectors of the economy—services and high-technology industries. Spending cuts in health services, education, and training diminish our ability to improve the quality of our workers and to enable them to keep pace with changes in technology and international competition.

As we attempt once again to forge a consensus on the budget, we must all

keep in mind how our decisions are affecting Americans jobs today and their prospects for steady, rewarding work in the future. To this end, I commend to my colleagues the article "A Threat to Jobs," by Emma Rothschild.

I ask that this article be included in the RECORD.

The article follows:

A THREAT TO JOBS

(By Emma Rothschild)

CAMBRIDGE, MASS.—President Reagan greeted the autumn increase in unemployment with grim resolve—"I will not be deterred by temporary economic changes or short-term political expediency"—and with an affirmation of historic mission.

The forces of inflation and unemployment, in the Reagan view, confront each other at last. Eight percent unemployment, says his Council of Economic Advisers, "reflects the unfortunate but natural short-term consequences of unwinding the deeply rooted inflation that is embedded in the American economy." Once the unwinding is concluded, it suggests, a weaker but purer America will move forward again into the medium-term sunlight of "economic recovery."

This "Pilgrim's Progress" vision is familiar. But it is also deceptive. It obscures the real transformation of the work Americans do, the real dangers ahead, and the ways in which the Reagan policies could bring a far greater collapse in employment, above all in industries where jobs grew fastest in the 1970's.

Since 1973, employment in America has increased rapidly—more rapidly than in other large industrial countries. But three-quarters of the new jobs created—10 million positions—were in services, retail trade, and state and local government. New private-sector employment was further concentrated in health services, business services, and eating and drinking places (including fast-food restaurants). These "big three" labor-intensive industries generated almost five million new jobs between 1973 and 1980: more than the total employment in the automobile, steel, computer, electronic-components, aircraft, and petroleum industries combined. It is this structure of employment, these sources of new work, that Reagan policies may jeopardize. For three trends, each ominous for employment, are likely to coincide in the years ahead.

The first is the recession itself, and the effects of restrictive monetary policies. Inflation is likely to remain high next year, particularly given the effects of tax cuts and increased military spending. It is hard to believe that the Republicans, faced with inflation plus unprecedented Federal-budget deficits, will soon abandon their hope of redemption through hard times. They are far more likely to maintain existing monetary policies, and even to tighten fiscal policies.

The second trend has to do with long-term developments in the new boom industries. Employment in the "big three" has been growing much slower in 1981 than it did from 1973 to 1980—in eating and drinking places, the rate of growth this year has been a little more than 2 percent per year, compared to 8 percent per year between 1973 and 1980. The growth of demand for services and meals may be slowing down; the boom industries may be investing in processes that are less labor-intensive. A deep recession, moreover, might devastate small, recently established service businesses. Employment in trade and services increased rapidly in the 1920's but was far from immune to the recession of 1929 to 1932.

The third trend is the Administration's assault on nonmilitary public spending. This will have direct consequences for employment. State and local government is no longer a source of new work: From April to October, this sector actually lost 350,000 jobs, on a seasonally adjusted basis.

The effects of spending cuts are also unlikely to be counteracted by eventual defense-related employment. Even at the time of the Vietnamese War, military spending created less employment than other public spending. The new boom—buying research, accurate missiles, a communications system that would survive a nuclear war—would provide still fewer jobs, above all for unskilled and unemployed workers.

The indirect consequences of the Reagan cuts may be even more ominous. For the private health services, on which so much new employment depends, grew up in the interstices of public-health spending. Like certain business services that supply government, they will be hurt by cuts in public expenditure. Recent suggestions by Richard S. Schweiker, Secretary of Health and Human Services—to cut reimbursement of "ancillary hospital services," and to limit Medicaid payments for long-term care—could end the growth of jobs in the private hospitals and nursing homes so important in the 1970's boom.

The transformation of employment in the United States makes it essential to find ways of creating new jobs in industries where productivity is high; of creating jobs with possibilities for advancement and creativity; of increasing quality and efficiency in private and public services. These needs are obscured by an economic vision that looks only at the behemoths of overall inflation and overall unemployment. The chance of long-term growth in productive work may be lost for many more years to come—if the Reagan policies bring a collapse in employment in services, in government, and throughout the economy.●

ORDER FOR RECESS UNTIL MONDAY, DECEMBER 7, 1981

Mr. BAKER. Madam President, I ask unanimous consent that the previous order for the Senate to convene on tomorrow be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 12 noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ROUTINE MORNING BUSINESS ON MONDAY

Mr. BAKER. Madam President, I ask unanimous consent that following the recognition of the two leaders under the standing order on Monday, there be a period for the transaction of routine morning business, not to exceed 1 hour, in which Senators may speak for not more than 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BAKER. Madam President, it is the intention of the leadership on Monday to ask the Senate to proceed to the consideration of S. 10, the Hoover Commission bill; S. 881, the Small Business Innovation Research Act; and possibly other matters, in the course of the day.

There is another matter which may be disposed of on Monday, and which I hope we will be able to clear—and I believe we will—and that is Calendar No. 394, Senate Resolution 328, a resolution by the Senator from Texas (Mr. BENTSEN) dealing with deductibility from personal taxes of interest paid on residential mortgages.

It is possible that, during the day, other matters may be dealt with.

Next week will be a busy week. It is the hope of the leadership that we will be able to dispose of other appropriations bills. There are now only three yet to be dealt with in the Senate, and I should like to do all of them, but we will certainly do some of them in the course of the week.

In addition, I expect the Senate to proceed to the further consideration of the Department of Justice authorization bill in the course of next week.

It is my hope, Madam President, that the other body will act on a continuing resolution and transmit it to the Senate in time for action before the weekend. There is a strong possibility of a Saturday session next week, on the 12th of December. That is especially likely in light of the probable action of the House of Representatives on a continuing resolution on the 11th.

Other matters will come before the Senate, including the possibility of a second concurrent resolution, which may be presented on Tuesday or Wednesday of next week; a regulatory reform bill, S. 1080, perhaps; and other matters.

I urge all Senators to plan to be here during the entire week and on Saturday. We are very close to the time when the Senate and the House of Representatives can adjourn sine die.

I hope that we will exert our best efforts then in the 6 days of next week to move us closer to that objective.

ORDER OF BUSINESS

Mr. BAKER. Madam President, the request that I am about to make at this time has been cleared by the distinguished minority leader.

OLDER AMERICANS ACT AMENDMENTS OF 1981

Mr. BAKER. Madam President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 1086.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the House insist upon its amendments to the bill (S. 1086) entitled "An Act to extend and revise the Older Americans Act of 1965, and for other purposes", and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That Mr. Perkins, Mr. Biaggi, Mr. Andrews, Mr. Corrada, Mr. Williams of Montana, Mr. Ratchford, Mr. Ashbrook, Mr. Coleman, and Mr. Petri be the managers of the conference on the part of the House.

● Mr. HATCH. Madam President, as we approach the culmination of the national meeting of the 1981 White House Conference on Aging, I would like to renew my pledge to improve the lives of our 36 million senior citizens by requesting a conference with the House on S. 1086 and

expedite reauthorization of the Older Americans Act.

As chairman of the Senate Labor and Human Resources Committee, I would request that the following be appointed as conferees: Messrs. HATCH, DENTON, HUMPHREY, QUAYLE, EAGLETON, METZENBAUM, and KENNEDY.●

Mr. BAKER. Madam President, I move that the Senate disagree with the House amendments and agree with the request of the House of Representatives for a conference and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to and the Presiding Officer (Mrs. KASSEBAUM) appointed Mr. HATCH, Mr. DENTON, Mr. HUMPHREY, Mr. QUAYLE, Mr. EAGLETON, Mr. METZENBAUM, and Mr. KENNEDY conferees on the part of the Senate.

ORDER OF BUSINESS

Mr. BAKER. Madam President, this request has been cleared as well by the distinguished minority leader.

SEQUENTIAL REFERRAL

Madam President, I ask unanimous consent that a bill introduced by Senator STAFFORD today, dealing with cooperative agreements to construct and operate facilities for processing solid waste, be sequentially referred, and that when the bill is reported by the Judiciary Committee it be referred to the Committee on Environment and Public Works for a period not to exceed 30 days.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR PRINTING "ENACTMENT OF A LAW AND OTHER ASPECTS OF THE LEGISLATIVE BRANCH OF GOVERNMENT"

Mr. BAKER. Mr. President, I send to the desk a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated by title.

The legislative clerk read as follows:

A resolution (S. Res. 254) authorizing the printing of "Enactment of a Law and Other Aspects of the Legislative Branch of Government as a Senate document.

The PRESIDING OFFICER. Is there objection to its immediate consideration?

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 254) was agreed to, as follows:

S. RES. 254

Resolved, That a document entitled "Enactment of a Law and Other Aspects of the Legislative Branch of Government", relative to the procedural steps in the legislative process, prepared by the Parliamentarian of the Senate, under the direction of the Secretary of the Senate, be printed as a Senate document.

SEC. 2. There shall be printed eleven thousand additional copies for the use of the Committee on Rules and Administration.

NATIONAL CONSTRUCTION INDUSTRY WEEK

Mr. BAKER. Madam President, this has been cleared by the minority leader as well. I ask that the Chair lay before the Senate Senate Joint Resolution 122, Calendar No. 396, a joint resolution.

The PRESIDING OFFICER. The resolution will be stated by title.

The legislative clerk reads as follows:

A joint resolution (S.J. Res. 122) to authorize and request the President to designate the week of February 28, 1982, through March 6, 1982, as "National Construction Industry Week."

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Without objection, the joint resolution will be considered to have been read the second time at length.

The joint resolution (S.J. Res. 122) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S.J. RES. 122

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating the week of February 28, 1982, through March 6, 1982, as "National Construction Industry Week," and calling upon all Government agencies and people of the United States to observe the week with appropriate programs, ceremonies, and activities.

RECESS UNTIL MONDAY, DECEMBER 7, 1981

Mr. BAKER. Madam President, I know of no other business to come before the Senate and I see no Senator seeking recognition. I move now, in accordance with the order previously entered, that the Senate stand in recess until the hour of 12 noon on Monday.

The motion was agreed to; and at 5:21 p.m., the Senate recessed until Monday, December 7, 1981, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate December 4, 1981:

DEPARTMENT OF STATE

Walter Leon Cutler, of Maryland, a Career Member of the Senior Foreign Service, class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Tunisia.

U.S. INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Maurice H. Stans, of California, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term of 3 years expiring December 17, 1984, vice William M. Landau, term expiring.

THE JUDICIARY

Michael S. Kanne, of Indiana, to be U.S. district judge for the northern district of Indiana vice Phil M. McNagny, Jr., deceased.

James T. Moody, of Indiana, to be U.S. district judge for the northern district of Indiana vice Jesse E. Eschbach, elevated.

David L. Russell, of Oklahoma, to be U.S. district judge for the northern, eastern, and western districts of Oklahoma vice Frederick A. Daugherty, retired.

DEPARTMENT OF JUSTICE

Lamond Robert Mills, of Nevada, to be United States attorney for the district of Nevada for the term of 4 years vice B. Mahlon Brown III.

Thomas A. O'Hara, Jr., of Nebraska, to be United States Marshal for the district of Nebraska for the term of 4 years vice Mack A. Backhaus.

Bruce R. Montgomery, of Tennessee, to be United States Marshal for the eastern district of Tennessee for the term of 4 years vice Harry D. Mansfield.

Robert T. Keating, of Wisconsin, to be United States Marshal for the eastern district of Wisconsin for the term of 4 years vice William L. Brown, term expired.

IN THE AIR FORCE

The following officers for appointment in the Reserve of the Air Force to the grade indicated, under the provisions of chapters 35, 831, and 837, title 10, United States Code:

To be major general

Brig. Gen. Frank H. Smoker, Jr., [redacted], Air National Guard of the United States.

Brig. Gen. Henry C. Smyth, Jr., [redacted], Air National Guard of the United States.

Brig. Gen. Herbert L. Wassell, Jr., [redacted], Air National Guard of the United States.

To be brigadier general

Col. Carl D. Black, [redacted], Air National Guard of the United States.

Col. John E. Blewett, [redacted] Air National Guard of the United States.

Col. James T. Botticelli, [redacted] Air National Guard of the United States.

Col. Charles S. Cooper III, [redacted], Air National Guard of the United States.

Col. Michael DiBernardo, [redacted] Air National Guard of the United States.

Col. Thomas A. Facelle, Jr., [redacted] Air National Guard of the United States.

Col. Richard J. Geehan, Jr., [redacted] Air National Guard of the United States.

Col. William H. Johnson, [redacted] Air National Guard of the United States.

Col. Harold E. Juedeman, [redacted], Air National Guard of the United States.

Col. John M. Karibo, [redacted], Air National Guard of the United States.

Col. Myrle B. Langley, [redacted] Air National Guard of the United States.

Col. John R. Layman, [redacted] Air National Guard of the United States.

Col. Alexander P. MacDonald, [redacted] Air National Guard of the United States.

Col. William M. MacInnes, [redacted], Air National Guard of the United States.

Col. John T. Olson, [redacted], Air National Guard of the United States.

Col. Robert W. Paret, [redacted] Air National Guard of the United States.

Col. Bertram W. Sealy, Jr., [redacted] Air National Guard of the United States.

Col. John J. Zito, [redacted], Air National Guard of the United States.

HOUSE OF REPRESENTATIVES—*Monday, December 7, 1981*

The House met at 12 o'clock noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Gracious Lord, we are thankful that we can do our work this day in peace and security, and we are grateful for those who demonstrate their commitment and use their abilities in the defense of our Nation. We remember with appreciation all those, who, in other days, have given their lives to protect the freedoms we enjoy. Continue to grant us the privilege of a free society where people may know fulfillment of their divine nature and may realize the satisfaction of a full and free life. In Your name, we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Saunders, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Sparrow, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 4241. An act making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1982, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 4241) entitled "An act making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1982, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LAXALT, Mr. GARN, Mr. MATTINGLY, Mr. HATFIELD, Mr. SASSER, Mr. INOUYE, and Mr. PROXMIRE to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 1086) entitled "An act to extend and revise the Older Americans Act of 1965, and for other purposes," agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HATCH, Mr. DENTON, Mr. HUMPHREY, Mr. QUAYLE, Mr. EAGLETON, Mr. METZENBAUM, and Mr. KENNEDY to be the conferees on the part of the Senate.

The message also announced that the Senate has passed a bill and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 657. An act to designate the Department of Commerce Building in Washington, the District of Columbia, as the "Herbert Clark Hoover Department of Commerce Building"; and

S.J. Res. 122. Joint resolution to authorize and request the President to designate the week of February 28, 1982, through March 6, 1982, as "National Construction Industry Week."

APPOINTMENT AS MEMBERS OF U.S. DELEGATION OF CANADA-UNITED STATES INTERPARLIAMENTARY GROUP FOR 2D SESSION OF 97TH CONGRESS

The SPEAKER. Pursuant to the provisions of Public Law 86-42, as amended, the Chair appoints as members of the U.S. delegation of the Canada-United States Interparliamentary group for the 2d session of the 97th Congress, to be held March 4-8, 1982, in Key Largo, Fla., the following Members on the part of the House:

Mr. FASCELL of Florida, chairman; Mr. BOLAND of Massachusetts, vice chairman; Mr. GIBBONS of Florida; Mr. HAMILTON of Indiana; Mr. OBERSTAR of Minnesota; Mr. BARNES of Maryland; Mr. ECKART of Ohio; Mr. HORTON of New York; Mr. WINN of Kansas; Mr. STANGELAND of Minnesota; Mrs. SNOWE of Maine; and Mr. MARTIN of New York.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.,
December 7, 1981.

Hon. THOMAS P. O'NEILL, Jr.,
The Speaker, House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the permission granted in the Rules of the House of Representatives, I have the honor to transmit a sealed envelope from The White House, received in the Clerk's Office at 3:00 p.m. on Friday, December 4, 1981 and said to contain a message from the President wherein he transmits the 16th Annual Report of the Department of Housing and Urban Development.

With kind regards, I am,

Sincerely,

EDMUND L. HENSHAW, Jr.,
Clerk, House of Representatives.

SIXTEENTH ANNUAL REPORT OF DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Banking, Finance and Urban Affairs:

To the Congress of the United States:

I hereby transmit for the information of the Congress the Sixteenth Annual Report of the Department of Housing and Urban Development covering the calendar year 1980.

RONALD REAGAN.

THE WHITE HOUSE, *December 4, 1981.*

CONFERENCE REPORT ON H.R. 3455, MILITARY CONSTRUCTION AUTHORIZATION ACT, 1982

Mr. BRINKLEY submitted the following conference report and statement on the bill (H.R. 3455) to authorize certain construction at military installations for fiscal year 1982, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 97-362)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3455) to authorize certain construction at military installations for fiscal year 1982, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That this Act may be cited as the "Military Construction Authorization Act, 1982".

TITLE I—ARMY

AUTHORIZED ARMY CONSTRUCTION PROJECTS

SEC. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing per-

manent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, for the following acquisition and construction:

Inside the United States

UNITED STATES ARMY FORCES COMMAND

Fort Bragg, North Carolina, $1,600,000.
Fort Campbell, Kentucky, $1,500,000.
Fort Carson, Colorado, $29,690,000.
Fort Drum, New York, $14,480,000.
Fort Greely, Alaska, $1,150,000.
Fort Hood, Texas, $28,710,000.
Fort Irwin, California, $43,350,000.
Fort Lewis, Washington, $6,700,000.
Fort George G. Meade, Maryland, $3,350,000.
Fort Polk, Louisiana, $630,000.
Fort Riley, Kansas, $4,640,000.
Fort Stewart/Hunter Army Air Field, Georgia, $28,500,000.
Fort J. M. Wainwright, Alaska, $1,200,000.
Presidio of San Francisco, California, $520,000.

UNITED STATES ARMY TRAINING AND DOCTRINE COMMAND

Carlisle Barracks, Pennsylvania, $620,000.
Fort Belvoir, Virginia, $3,600,000.
Fort Benjamin Harrison, Indiana, $5,120,000.
Fort Benning, Georgia, $21,810,000.
Fort Bliss, Texas, $3,700,000.
Fort Dix, New Jersey, $28,040,000.
Fort Eustis, Virginia, $8,280,000.
Fort Knox, Kentucky, $620,000.
Fort Leavenworth, Kansas, $670,000.
Fort Lee, Virginia, $9,870,000.
Fort McClellan, Alabama, $4,780,000.
Fort Pickett, Virginia, $640,000.
Fort Rucker, Alabama, $5,210,000.
Fort Sill, Oklahoma, $4,650,000.
Fort Story, Virginia, $1,050,000.

UNITED STATES ARMY MATERIAL DEVELOPMENT AND READINESS COMMAND

Aberdeen Proving Ground, Maryland, $4,200,000.
Army Materials and Mechanics Research Center, Massachusetts, $1,200,000.
Corpus Christi Army Depot, Texas, $840,000.
Crane Army Ammunition Plant Activity, Indiana, $540,000.
Fort Monmouth, New Jersey, $26,000,000.
Lexington—Blue Grass Army Depot, Kentucky, $1,450,000.
Red River Army Depot, Texas, $2,720,000.
Redstone Arsenal, Alabama, $4,750,000.
Rock Island Arsenal, Illinois, $4,000,000.
Savanna Army Ammunition Depot, Illinois, $3,600,000.
Tobyhanna Army Depot, Pennsylvania, $1,800,000.
Tooele Army Depot, Utah, $1,500,000.

AMMUNITION FACILITIES

Holston Army Ammunition Plant, Tennessee, $2,627,000.
Indiana Army Ammunition Plant, Indiana, $2,453,000.
Iowa Army Ammunition Plant, Iowa, $18,599,000.
Kansas Army Ammunition Plant, Kansas, $4,344,000.
Lake City Army Ammunition Plant, Missouri, $604,000.
Longhorn Army Ammunition Plant, Texas, $257,000.
Milan Army Ammunition Plant, Tennessee, $1,984,000.
Newport Army Ammunition Plant, Indiana, $728,000.
Radford Army Ammunition Plant, Virginia, $17,390,000.

MILITARY DISTRICT OF WASHINGTON

Fort Myer, Virginia, $820,000.

UNITED STATES ARMY COMMUNICATIONS COMMAND

Fort Ritchie, Maryland, $920,000.

UNITED STATES MILITARY ACADEMY

United States Military Academy, West Point, New York, $7,700,000.

UNITED STATES ARMY HEALTH SERVICES COMMAND

Fort Detrick, Maryland, $1,450,000.
Walter Reed Army Medical Center, District of Columbia, $6,250,000.

MILITARY TRAFFIC MANAGEMENT COMMAND

Bayonne Terminal, New Jersey, $2,800,000.
Sunny Point Army Terminal, North Carolina, $880,000.

CONUS VARIOUS

Various Locations, $1,950,000.

Outside the United States

EIGHTH UNITED STATES ARMY, KOREA

Various Locations, $62,320,000.

UNITED STATES ARMY FORCES COMMAND, OVERSEAS

Egypt, $36,000,000.

KWAJALEIN MISSILE RANGE

National Missile Range, $3,240,000.

UNITED STATES ARMY, JAPAN

Kawakami, Japan, $1,950,000.

UNITED STATES ARMY, EUROPE

Germany, $267,596,000.
Turkey, $20,800,000.

UNITED STATES ARMY INTELLIGENCE AND SECURITY COMMAND

Korea, $1,550,000.
Turkey, $2,550,000.

EMERGENCY CONSTRUCTION

Sec. 102. The Secretary of the Army may establish or develop installations and facilities by proceeding with construction made necessary by changes in missions and responsibilities which have been occasioned by (1) unforeseen security considerations, (2) new weapons developments, (3) new and unforeseen research and development requirements, (4) improved production schedules, or (5) revisions in the tasks or functions assigned to a military installation or facility or for environmental considerations, if the Secretary of Defense determines that deferral of such construction for inclusion in the next Military Construction Authorization Act would be inconsistent with interests of national security and, in connection therewith, may acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $20,000,000. The Secretary of the Army, or the Secretary's designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization shall expire on October 1, 1982, or on the date of the enactment of the Military Construction Authorization Act for fiscal year 1983, whichever is later, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section before such date.

MINOR CONSTRUCTION

Sec. 103. The Secretary of the Army is authorized to accomplish minor construction projects under section 2674 of title 10, United States Code, in the amount of $34,150,000.

DEFICIENCY AUTHORIZATIONS FOR PRIOR YEAR PROJECTS

Sec. 104. (a) Section 602(1) of the Military Construction Authorization Act, 1980 (Public Law 96-125; 93 Stat. 941), is amended to read as follows:

"(1) for title I: inside the United States $591,785,000; outside the United States $162,950,000; minor construction $52,270,000; for a total of $807,005,000.".

(b) Section 602(1) of the Military Construction Authorization Act, 1981 (Public Law 96-418; 94 Stat. 1768), is amended to read as follows:

"(1) for title I: inside the United States $590,440,000; outside the United States $248,140,000; minor construction $44,560,000; for a total of $883,140,000.".

TITLE II—NAVY

AUTHORIZED NAVY CONSTRUCTION PROJECTS

Sec. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment for the following acquisition and construction:

Inside the United States

UNITED STATES MARINE CORPS

Marine Corps Logistics Base, Barstow, California, $4,700,000.
Marine Corps Base, Camp Lejeune, North Carolina, $26,250,000.
Marine Corps Base, Camp Pendleton, California, $18,550,000.
Marine Corps Air Station, Cherry Point, North Carolina, $3,700,000.
Marine Corps Air Station, El Toro, California, $12,400,000.
Marine Corps Air Station, Kaneohe Bay, Hawaii, $2,650,000.
Marine Corps Air Station, New River, North Carolina, $5,060,000.
Marine Corps Bases Pacific, Camp H. M. Smith, Oahu, Hawaii, $2,900,000.
Marine Corps Recruit Depot, Parris Island, South Carolina, $13,400,000.
Marine Corps Development and Education Command, Quantico, Virginia, $13,560,000.
Marine Corps Recruit Depot, San Diego, California, $1,300,000.
Marine Corps Air Station (Helicopter), Tustin, California, $7,600,000.
Marine Corps Air-Ground Combat Center, Twentynine Palms, California, $5,450,000.
Marine Corps Air Station, Yuma, Arizona, $3,450,000.

OFFICE OF NAVAL RESEARCH

Naval Ocean Research and Development Activity, Bay Saint Louis, Mississippi, $5,900,000.
Naval Research Laboratory, Washington, District of Columbia, $6,800,000.

CHIEF OF NAVAL OPERATIONS

Naval Submarine Base, Bangor, Bremerton, Washington, $19,150,000.
Naval Submarine Support Base, Kings Bay, Kingsland, Georgia, $65,060,000.

COMMANDER IN CHIEF, UNITED STATES ATLANTIC FLEET

Naval Air Station, Brunswick, Maine, $12,800,000.
Naval Air Station, Cecil Field, Florida, $21,700,000.

Naval Station, Charleston, South Carolina, $21,660,000.
Naval Submarine Base, New London, Groton, Connecticut, $15,650,000.
Naval Submarine Support Facility, New London, Groton, Connecticut, $3,300,000.
Naval Air Station, Jacksonville, Florida, $6,380,000.
Naval Amphibious Base, Little Creek, Virginia, $27,950,000.
Naval Station, Mayport, Florida, $2,000,000.
Naval Station, Norfolk, Virginia, $46,100,000.
Naval Air Station, Oceana, Virginia, $18,760,000.

COMMANDER IN CHIEF, UNITED STATES PACIFIC FLEET

Naval Station, Adak, Alaska, $1,550,000.
Naval Air Station, Barbers Point, Hawaii, $9,650,000.
Naval Air Station, Fallon, Nevada, $18,300,000.
Naval Air Station, Lemoore, California, $2,200,000.
Naval Station, Long Beach, California, $22,000,000.
Naval Air Station, Moffett Field, California, $2,000,000.
Naval Air Station, North Island, California, $13,240,000.
Naval Station, Pearl Harbor, Hawaii, $9,920,000.
Naval Submarine Base, Pearl Harbor, Hawaii, $13,350,000.

NAVAL EDUCATION AND TRAINING COMMAND

Naval Air Station, Chase Field, Texas, $3,230,000.
Fleet Combat Training Center, Atlantic, Dam Neck, Virginia, $4,600,000.
Naval Training Center, Great Lakes, Illinois, $11,800,000.
Naval Explosive Ordnance Disposal School, Indian Head, Maryland, $3,300,000.
Naval Air Station, Memphis, Millington, Tennessee, $11,000,000.
Naval Air Station, Meridian, Mississippi, $2,600,000.
Naval Education and Training Center, Newport, Rhode Island, $1,900,000.
Naval Justice School, Newport, Rhode Island, $1,500,000.
Naval Training Center, Orlando, Florida, $6,880,000.
Naval Air Station, Pensacola, Florida, $14,100,000.
Fleet Combat Training Center, Pacific, San Diego, California, $6,800,000.
Naval Training Center, San Diego, California, $1,150,000.

BUREAU OF MEDICINE AND SURGERY

Naval Regional Medical Clinic, Annapolis, Maryland, $3,560,000.
National Naval Medical Center, Bethesda, Maryland, $1,100,000.

NAVAL MATERIAL COMMAND

Pacific Missile Range Facility, Barking Sands, Hawaii, $8,100,000.
David W. Taylor Naval Ship Research and Development Center, Bethesda, Maryland, $5,050,000.
Puget Sound Naval Shipyard, Bremerton, Washington, $164,600,000.
Charleston Naval Shipyard, Charleston, South Carolina, $20,650,000.
Naval Supply Center, Charleston, South Carolina, $4,200,000.
Naval Weapons Station, Charleston, South Carolina, $1,390,000.
Naval Air Rework Facility, Cherry Point, North Carolina, $2,800,000.
Naval Weapons Center, China Lake, California, $4,400,000.
Naval Weapons Station, Concord, California, $1,280,000.
Naval Weapons Support Center, Crane, Indiana, $3,500,000.
Naval Surface Weapons Center, Dahlgren, Virginia, $4,900,000.
Naval Construction Battalion Center, Gulfport, Mississippi, $680,000.
Naval Ordnance Station, Indian Head, Maryland, $26,100,000.
Naval Air Rework Facility, Jacksonville, Florida, $25,620,000.
Naval Undersea Warfare Engineering Station, Keyport, Washington, $8,300,000.
Portsmouth Naval Shipyard, Kittery, Maine, $2,900,000.
Naval Air Engineering Center, Lakehurst, New Jersey, $3,178,000.
Naval Underwater Systems Center Detachment, New London, Connecticut, $3,100,000.
Naval Air Rework Facility, Norfolk, Virginia, $18,650,000.
Naval Supply Center, Norfolk, Virginia, $6,200,000.
Naval Public Works Center, Norfolk, Virginia, $2,400,000.
Naval Supply Center, Oakland, California, $2,420,000.
Naval Air Test Center, Patuxent River, Maryland, $3,600,000.
Naval Supply Center, Pearl Harbor, Hawaii, $520,000.
Navy Public Works Center, Pearl Harbor, Hawaii, $13,700,000.
Pearl Harbor Naval Shipyard, Pearl Harbor, Hawaii, $14,100,000.
Navy Public Works Center, Pensacola, Florida, $2,800,000.
Philadelphia Naval Shipyard, Philadelphia, Pennsylvania, $17,030,000.
Norfolk Naval Shipyard, Portsmouth, Virginia, $6,050,000.
Naval Air Rework Facility, North Island, San Diego, California, $1,150,000.
Naval Supply Center, San Diego, California, $2,350,000.
Naval Weapons Station, Seal Beach, California, $520,000.
Naval Air Propulsion Center, Trenton, New Jersey, $720,000.
Mare Island Naval Shipyard, Vallejo, California, $27,700,000.
Naval Surface Weapons Center Detachment, White Oak, Maryland, $4,450,000.

NAVAL TELECOMMUNICATIONS COMMAND

Naval Communication Area Master Station Eastern Pacific, Honolulu, Hawaii, $2,300,000.
Naval Communications Station, Stockton, California, $830,000.

naval security group command

Naval Security Group Activity, Adak, Alaska, $5,510,000.

Outside the United States

CHIEF OF NAVAL OPERATIONS

Circle Transit Station, Blenheim, New Zealand, $1,250,000.
Defense Installations, Mariana Islands, $32,000,000.

COMMANDER IN CHIEF, UNITED STATES ATLANTIC FLEET

Naval Facility, Brawdy, Wales, United Kingdom, $2,800,000.
Naval Station, Keflavik, Iceland, $2,350,000.

COMMANDER IN CHIEF, UNITED STATES PACIFIC FLEET

Naval Air Station, Cubi Point, Republic of the Philippines, $12,150,000.
Naval Support Facility, Diego Garcia, Indian Ocean, $122,750,000.
Naval Activities, Kenya, $4,000,000.
Naval Activities, Somalia, $24,000,000.
Naval Ship Repair Facility, Subic Bay, Republic of the Philippines, $580,000.
Naval Station, Subic Bay, Republic of the Philippines, $6,800,000.
Fleet Activities, Yokosuka, Japan, $1,250,000.

UNITED STATES NAVAL FORCES EUROPE

Naval Station, Rota, Spain, $4,300,000.
Naval Air Facility, Sigonella, Italy, $17,100,000.

NAVAL TELECOMMUNICATIONS COMMAND

Naval Communications Station, Ponce, Puerto Rico, $1,600,000.

NAVAL SECURITY GROUP COMMAND

Naval Security Group Activity, Edzell, Scotland, United Kingdom, $3,515,000.

EMERGENCY CONSTRUCTION

Sec. 202. The Secretary of the Navy may establish or develop installations and facilities by proceeding with construction made necessary by changes in missions and responsibilities which have been occasioned by (1) unforeseen security considerations, (2) new weapons developments, (3) new and unforeseen research and development requirements, (4) improved production schedules, or (5) revisions in the tasks or functions assigned to a military installation or facility or for environmental considerations, if the Secretary of Defense determines that deferral of such construction for inclusion in the next Military Construction Authorization Act would be inconsistent with interests of national security and, in connection therewith, may acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $20,000,000. The Secretary of the Navy, or the Secretary's designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization shall expire on October 1, 1982, or on the date of the enactment of the Military Construction Authorization Act for fiscal year 1983, whichever is later, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section before such date.

MINOR CONSTRUCTION

Sec. 203. The Secretary of the Navy is authorized to accomplish minor construction projects under section 2674 of title 10, United States Code, in the amount of $33,320,000.

NAVAL AIR STATION, KEY WEST, FLORIDA

Sec. 204. The Secretary of the Navy may acquire lands or interests in lands necessary to ensure unhampered air operations at the Naval Air Station, Key West, Florida, by exchange of Government-owned land of equal value to the lands or interests in lands acquired.

STEAM SUPPLY, NAVAL STATION, CHARLESTON, SOUTH CAROLINA

Sec. 205. (a) The Secretary of the Navy may, in order to supply needed steam or needed steam and electricity to the Naval Station, Charleston, South Carolina—

(1) construct steam lines and all other needed facilities to tie into the waste heat

recovery boilers of the Macalloy Corporation (a corporation incorporated under the laws of the State of Delaware), and

(2) contract with such corporation to supply steam or both steam and electricity to such naval station,

if the Secretary determines that such construction and contract would be cost effective using accepted life-cycle costing procedures.

(b) Before entering into a contract with the Macalloy Corporation for the supply of steam or both steam and electricity, the Secretary of the Navy shall submit a report on the costs associated with such contract (including the life-cycle cost analyses to support his proposal) to the Committees on Armed Services of the Senate and House of Representatives. The Secretary may then enter into such contract with the Macalloy Corporation after thirty days have elapsed from the date of receipt by such committees of such report or after both committees have indicated approval of such report.

(c) The authority of the Secretary to enter into a contract under this section is subject to the availability of appropriations for that purpose.

TITLE III—AIR FORCE

AUTHORIZED AIR FORCE CONSTRUCTION PROJECTS

Sec. 301. The Secretary of the Air Force may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, for the following acquisition and construction:

Inside the United States

AIR FORCE LOGISTICS COMMAND

Kelly Air Force Base, Texas, $3,550,000.
McClellan Air Force Base, California, $18,830,000.
Robins Air Force Base, Georgia, $6,890,000.
Tinker Air Force Base, Oklahoma, $31,520,000.
Wright-Patterson Air Force Base, Ohio, $120,150,000.

AIR FORCE SYSTEMS COMMAND

Arnold Engineering Development Center, Tennessee, $1,690,000.
Brooks Air Force Base, Texas, $3,110,000.
Buckley Air National Guard Base, Colorado, $14,000,000.
Cape Canaveral Air Force Station, Florida, $1,810,000.
Eglin Air Force Base, Florida, $4,100,000.
Los Angeles Air Force Station, California, $2,370,000.
Patrick Air Force Base, Florida, $2,950,000.
Sunnyvale Air Force Station, California, $7,250,000.

AIR TRAINING COMMAND

Chanute Air Force Base, Illinois, $4,120,000.
Columbus Air Force Base, Mississippi, $510,000.
Keesler Air Force Base, Mississippi, $8,480,000.
Laughlin Air Force Base, Texas, $1,090,000.
Lowry Air Force Base, Colorado, $2,840,000.
Mather Air Force Base, California, $1,520,000.
Randolph Air Force Base, Texas, $3,360,000.
Reese Air Force Base, Texas, $1,140,000.
Sheppard Air Force Base, Texas, $10,745,000.
Vance Air Force Base, Oklahoma, $2,840,000.
Williams Air Force Base, Arizona, $2,600,000.

ALASKAN AIR COMMAND

Eielson Air Force Base, Alaska, $1,700,000.
Elmendorf Air Force Base, Alaska, $7,240,000.
King Salmon Airport, Alaska, $8,050,000.
Various Locations, Alaska, $42,750,000.

MILITARY AIRLIFT COMMAND

Altus Air Force Base, Oklahoma, $6,650,000.
Andrews Air Force Base, Maryland, $4,940,000.
Charleston Air Force Base, South Carolina, $630,000.
Kirtland Air Force Base, New Mexico, $7,510,000.
Little Rock Air Force Base, Arkansas, $790,000.
McChord Air Force Base, Washington, $1,180,000.
McGuire Air Force Base, New Jersey, $2,680,000.
Norton Air Force Base, California, $20,000,000.
Pope Air Force Base, North Carolina, $5,510,000.
Scott Air Force Base, Illinois, $5,450,000.
Travis Air Force Base, California, $3,790,000.

NORTH AMERICAN AIR DEFENSE COMMAND

NORAD Cheyenne Mountain Complex, Colorado, $11,000,000.

PACIFIC AIR COMMAND

Hickam Air Force Base, Hawaii, $1,090,000.

STRATEGIC AIR COMMAND

Barksdale Air Force Base, Louisiana, $3,000,000.
Blytheville Air Force Base, Arkansas, $20,440,000.
Carswell Air Force Base, Texas, $39,810,000.
Castle Air Force Base, California, $2,000,000.
Dyess Air Force Base, Texas, $1,420,000.
Ellsworth Air Force Base, South Dakota, $36,880,000.
Francis E. Warren Air Force Base, Wyoming, $720,000.
Fairchild Air Force Base, Washington, $25,800,000.
Grand Forks Air Force Base, North Dakota, $1,420,000.
Griffiss Air Force Base, New York, $8,390,000.
Grissom Air Force Base, Indiana, $4,070,000.
K. I. Sawyer Air Force Base, Michigan, $4,370,000.
Loring Air Force Base, Maine, $12,340,000.
March Air Force Base, California, $1,705,000.
McConnell Air Force Base, Kansas, $1,090,000.
Minot Air Force Base, North Dakota, $7,406,000.
Offutt Air Force Base, Nebraska, $4,060,000.
Pease Air Force Base, New Hampshire, $6,840,000.
Peterson Air Force Base, Colorado, $4,260,000.
Plattsburgh Air Force Base, New York, $890,000.
Rickenbacker Air Force Base, Indiana, $540,000.
Vandenberg Air Force Base, California, $9,000,000.
Whiteman Air Force Base, Missouri, $1,090,000.
Wurtsmith Air Force Base, Michigan, $2,270,000.

TACTICAL AIR COMMAND

Bergstrom Air Force Base, Texas, $2,580,000.
Cannon Air Force Base, New Mexico, $2,700,000.
Davis-Monthan Air Force Base, Arizona, $12,460,000.
England Air Force Base, Louisiana, $2,170,000.
George Air Force Base, California, $2,460,000.
Holloman Air Force Base, New Mexico, $7,480,000.
Homestead Air Force Base, Florida, $2,480,000.
Hurlburt Field, Florida, $510,000.
Langley Air Force Base, Virginia, $10,220,000.
Luke Air Force Base, Arizona, $520,000.
MacDill Air Force Base, Florida, $16,960,000.
Moody Air Force Base, Georgia, $650,000.
Mountain Home Air Force Base, Idaho, $3,410,000.
Myrtle Beach Air Force Base, South Carolina, $7,130,000.
Nellis Air Force Base, Nevada, $6,870,000.
Seymour-Johnson Air Force Base, North Carolina, $1,420,000.
Tyndall Air Force Base, Florida, $510,000.

UNITED STATES AIR FORCE ACADEMY

United States Air Force Academy, Colorado, $510,000.

Outside the United States

MILITARY AIRLIFT COMMAND

Lajes Field, Portugal, $46,570,000.
Rhein-Main Air Base, Germany, $1,200,000.

PACIFIC AIR FORCES

Clark Air Base, Republic of the Philippines, $9,330,000.
Diego Garcia Air Base, Indian Ocean, $114,990,000.
Hampyong Communication Station, Korea, $1,540,000.
Hunghae Communication Station, Korea, $1,500,000.
Kadena Air Base, Japan, $17,490,000.
Kunsan Air Base, Korea, $12,380,000.
Kwang-Ju Air Base, Korea, $6,650,000.
Osan Air Base, Korea, $26,720,000.
Various Locations, $1,250,000.

STRATEGIC AIR COMMAND

Thule Air Base, Greenland, $1,600,000.

UNITED STATES AIR FORCES IN EUROPE

Egypt, Various Locations, $70,400,000.
Germany, Various Locations, $13,424,000.
San Vito Air Station, Italy, $1,540,000.
Camp New Amsterdam, Netherlands, $4,860,000.
Hellenikon, Greece, $800,000.
Oman, Various Locations, $78,480,000.
Spain, Various Locations, $5,390,000.
Incirlik Air Base, Turkey, $1,160,000.
Turkey, Various Locations, $4,000,000.
United Kingdom, Various Locations, $26,190,000.
Various Locations, $113,086,000.

EMERGENCY CONSTRUCTION

Sec. 302. The Secretary of the Air Force may establish or develop installations and facilities by proceeding with construction made necessary by changes in missions and responsibilities which have been occasioned by (1) unforeseen security considerations, (2) new weapons developments, (3) new and unforeseen research and development requirements, (4) improved production sched-

ules, or (5) revisions in the tasks or functions assigned to a military installation or facility or for environmental considerations, if the Secretary of Defense determines that deferral of such construction for inclusion in the next Military Construction Authorization Act would be inconsistent with interests of national security and, in connection therewith, may acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $20,000,000. The Secretary of the Air Force, or the Secretary's designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization shall expire on October 1, 1982, or on the date of the enactment of the Military Construction Authorization Act of fiscal year 1983, whichever is later, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section before such date.

MINOR CONSTRUCTION

Sec. 303. The Secretary of the Air Force is authorized to accomplish minor construction projects under section 2674 of title 10, United States Code, in the amount of $28,680,000.

DEFICIENCY AUTHORIZATION FOR PRIOR YEAR PROJECT

Sec. 304. Section 602(3) of the Military Construction Authorization Act, 1977 (Public Law 94-431; 90 Stat. 1361) is amended to read as follows:

"(3) for title III: inside the United States $759,759,000; outside the United States $56,650,000; for a total of $816,409,000.".

TITLE IV—DEFENSE AGENCIES

AUTHORIZED CONSTRUCTION PROJECTS FOR THE DEFENSE AGENCIES

Sec. 401. The Secretary of Defense may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, for defense agencies for the following acquisition and construction:

Inside the United States

DEFENSE INTELLIGENCE AGENCY

Bolling Air Force Base, District of Columbia, $72,500,000.

DEFENSE LOGISTIC AGENCY

Defense Construction Supply Center, Columbus, Ohio, $680,000.

Defense Depot, Tracy, California, $554,000.

Defense Depot, Mechanicsburg, Pennsylvania, $2,050,000.

Defense Depot, Memphis, Tennessee, $5,220,000.

Defense Depot, Ogden, Utah, $2,670,000.

Defense Fuel Support Point, Grand Forks, North Dakota, $1,690,000.

Defense Fuel Support Point, Pearl City, Hawaii, $3,600,000.

Defense General Supply Center, Richmond, Virginia, $5,600,000.

Defense Property Disposal Office, Fort Bragg, North Carolina, $2,800,000.

DEFENSE MAPPING AGENCY

Aerospace Center, Saint Louis, Missouri, $10,750,000.

DEFENSE PUBLIC AFFAIRS

American Forces Radio and Television Service, Los Angeles, California, $6,125,000.

NATIONAL SECURITY AGENCY

Fort George G. Meade, Maryland, $57,596,000.

office of the secretary of defense

Classified Activity, Classified Location, $10,000,000.

Classified Activity, Fort Belvoir, Virginia, $2,100,000.

Outside the United States

DEFENSE COMMUNICATIONS AGENCY

Patch Barracks, Vaihingen, Germany, $900,000.

DEFENSE LOGISTICS AGENCY

Defense Fuel Support Point, Wake Island, $14,500,000.

Defense Property Disposal Office, Kaiserslautern, Germany, $1,210,000.

OFFICE OF THE SECRETARY OF DEFENSE

Classified Activity, Classified Location, $2,000,000.

DEPARTMENT OF DEFENSE DEPENDENTS SCHOOLS

Croughton Royal Air Force Station, United Kingdom, $13,700,000.

Dexheim, Germany, $800,000.

Fulda, Germany, $8,590,000.

Landstuhl Air Base, Germany, $5,030,000.

Misawa Air Base, Japan, $6,180,000.

Naval Station, Guantanamo Bay, Cuba, $5,900,000.

Pusan, Korea, $2,460,000.

Schwaebisch Hall, Germany, $640,000.

Seoul, Korea, $4,350,000.

Vilseck, Germany, $8,120,000.

Yokota Air Base, Japan, $3,290,000.

EMERGENCY CONSTRUCTION

Sec. 402. The Secretary of Defense may establish or develop installations and facilities which he determines to be vital to the security of the United States and, in connection therewith, may acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $15,000,000. The Secretary of Defense, or the Secretary's designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including real estate actions pertaining thereto.

MINOR CONSTRUCTION

Sec. 403. The Secretary of Defense is authorized to accomplish minor construction projects under section 2674 of title 10, United States Code, in the amount of $6,210,000.

TITLE V—NORTH ATLANTIC TREATY ORGANIZATION INFRASTRUCTURE

AUTHORIZED CONTRIBUTION

Sec. 501. (a) The Secretary of Defense is authorized to incur obligations in amounts not to exceed $345,000,000 for the United States share of the cost of multilateral programs for the acquisition or construction of military facilities and installations (including international military headquarters) for the collective defense of the North Atlantic Treaty Area.

(b) Within thirty days after the end of each calendar-year quarter, the Secretary of Defense shall furnish to the Committees on Armed Services and on Appropriations of the Senate and House of Representatives a description of obligations incurred by the United States during the preceding quarter for the United States share of the cost of such multilateral programs.

TITLE VI—MILITARY FAMILY HOUSING AND HOMEOWNERS ASSISTANCE PROGRAM

AUTHORIZATION TO CONSTRUCT OR ACQUIRE HOUSING

Sec. 601. (a) The Secretary of Defense, or the Secretary's designee, is authorized to construct or acquire sole interest in existing family housing units in the numbers and at the locations hereinafter named, but no family housing construction shall be commenced at any such location in the United States until the Secretary shall have consulted with the Secretary of Housing and Urban Development as to the availability of suitable private housing at such location. If agreement cannot be reached with respect to the availability of suitable private housing at any location, the Secretary of Defense shall notify the Committees on Armed Services of the Senate and House of Representatives, in writing, of such difference of opinion, and no contract for construction at such location shall be entered into for a period of thirty days after such notification has been given. This authority shall include the authority to acquire land, and interests in land, by gift, purchase, exchange of Government-owned land, or otherwise. The Secretary of Defense is authorized to acquire less than sole interest in existing family housing units in foreign countries when determined to be in the best interests of the Government.

(b) With respect to the family housing units authorized to be constructed by this section, the Secretary of Defense is authorized to acquire sole interest in privately owned or Department of Housing and Urban Development-held family housing units in lieu of constructing all or a portion of the family housing authorized by this section, if the Secretary, or the Secretary's designee, determines such action to be in the best interests of the United States, but any family housing units acquired under authority of this subsection shall not exceed the cost limitations specified in this section for the project nor the limitations on size specified in section 2684 of title 10, United States Code. In no case may family housing units be acquired under this subsection through the exercise of eminent domain authority, and in no case may family housing units other than those authorized by this section be acquired in lieu of construction unless the acquisition of such units is hereafter specifically authorized by law.

(c) Family Housing units:

Marine Corps Air Station, El Toro, California, two hundred and twelve units, $15,540,000.

Fort Irwin, California, four hundred and fifty-four units, $32,055,000.

Naval Complex, San Diego, California, two hundred and ninety units, $25,350,000.

Naval Submarine Support Base, Kings Bay, Georgia, one hundred and sixty-five units, $12,740,000.

Picatinny Arsenal, New Jersey, twenty-six units, $2,141,000.

Fort Drum, New York, two hundred and thirty-two units, $15,865,000.

Naval Air Station, Chase Field, Texas, eighty-eight units, $6,360,000.

Incirlik Air Base, Turkey, four hundred units, $29,000,000.

Greenham-Common, United Kingdom, two hundred and seventy units, $27,200,000.

Classified Location Overseas, six units, $765,000.

(d) The amounts specified in this section may, at the discretion of the Secretary of Defense, or the Secretary's designee, be increased by 10 percent, if he determines that such increase (1) is required for the sole purpose of meeting unusual variations in cost, and (2) could not have been reasonably anticipated at the time such estimate was submitted to the Congress. The amounts authorized include the costs of shades, screens, ranges, refrigerators, and all other installed equipment and fixtures, the cost of the family housing unit, supervision, inspection, overhead, land acquisition, site preparation, installation of utilities, and solar energy systems.

IMPROVEMENT OF EXISTING QUARTERS

Sec. 602. (a) The Secretary of Defense, or the Secretary's designee, is authorized to accomplish alterations, additions, expansions, or extensions, not otherwise authorized by law, to existing public quarters at a cost not to exceed $109,819,000 of which $44,878,000 shall be available only for energy conservation projects.

(b) The Secretary of Defense, or the Secretary's designee, within the amount specified in subsection (a), is authorized to accomplish repairs and improvements to existing family housing in amounts in excess of the dollar limitation prescribed in section 610(a) of the Military Construction Authorization Act, 1968 (42 U.S.C. 1594h-2), as follows:

Marine Corps Air Ground Combat Center, Twentynine Palms, California, one hundred and thirty-five units, $2,897,300.

Navy Public Works Center, Honolulu, Hawaii, one hundred units, $3,190,000.

Chanute Air Force Base, Illinois, two hundred and twenty-two units, $4,662,000.

Fort Knox, Kentucky, one hundred units, $2,851,000.

Nellis Air Force Base, Nevada, two hundred thirty-six units, $4,956,000.

Kirtland Air Force Base, New Mexico, one hundred and fifty-five units, $3,875,000.

Offutt Air Force Base, Texas, eighty units, $1,599,000.

Randolph Air Force Base, Texas, one hundred and sixty-seven units, $3,839,000.

Fort Lewis, Washington, fifty-eight units, $1,378,000.

Mildenhall, United Kingdom, thirty units, $1,511,600.

Upper Heyford, United Kingdom, twelve units, $648,400.

ADVANCE PLANNING AND DESIGN

Sec. 603. The Secretary of Defense may carry out advance planning and construction design and may obtain architectural and engineering services in connection with any family housing construction, including improvements, authorized or not otherwise authorized by law at a total cost of not to exceed $9,100,000.

LEASING OF FAMILY HOUSING

Sec. 604. Section 2675(d) of title 10, United States Code, is amended—

(1) by striking out "150" in paragraph (1) and inserting in lieu thereof "250"; and

(2) by striking out "17,000" in paragraph (2) and inserting in lieu thereof "22,000".

AUTHORIZATION OF APPROPRIATIONS

Sec. 605. (a) There is authorized to be appropriated for fiscal year 1982 for use by the Secretary of Defense, or the Secretary's designee, for military family housing as authorized by law for the following purposes:

(1) For construction or acquisition of family housing, including minor construction, improvements to public quarters, relocation of family housing, and planning, an amount not to exceed $285,935,000.

(2) For support of military family housing, including operating expenses, leasing, maintenance of real property, payments of principal and interest on mortgage debts incurred, payment to the Commodity Credit Corporation, and mortgage insurance premiums authorized under section 222 of the National Housing Act (12 U.S.C. 1715m), an amount not to exceed $2,047,801,000, of which not more than $12,000,000 may be obligated or expended for the leasing of military family housing in the United States, the Commonwealth of Puerto Rico, and Guam, and of which not more than $113,717,000 may be obligated or expended for the leasing of military family housing in foreign countries.

(3) For homeowners assistance under section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374), including acquisition of properties, an amount not to exceed $2,000,000.

(b) The amounts authorized to be appropriated in subsection (a)(2) for salary, pay, retirement, or other benefits for Federal employees may be increased by such amounts as may be necessary for increases in such benefits authorized by law.

TITLE VII—AUTHORIZATION OF APPROPRIATIONS AND ADMINISTRATIVE PROVISIONS

WAIVER OF RESTRICTIONS

Sec. 701. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to section 3648 of the Revised Statutes (31 U.S.C. 529), and sections 4774 and 9774 of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or lands includes authority to make surveys and to acquire land and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

AUTHORIZATION OF APPROPRIATIONS

Sec. 702. There are authorized to be appropriated for fiscal years beginning after September 30, 1981, such sums as may be necessary for the purposes of this Act, but appropriations for public works projects authorized by titles I, II, III, IV, and V, shall not exceed—

(1) for title I: inside the United States $389,036,000; outside the United States $381,534,000; minor construction $34,150,000; for a total of $804,720,000;

(2) for title II: inside the United States $970,268,000; outside the United States $236,445,000; minor construction $33,320,000; for a total of $1,240,033,000;

(3) for title III: inside the United States $669,276,000; outside the United States $560,550,000; minor construction $28,680,000; for a total of $1,258,506,000;

(4) for title IV: a total of $282,815,000, including $6,210,000 for minor construction; and

(5) for title V: a total of $345,000,000.

COST VARIATIONS

Sec. 703. (a) Overall Title Total Limitation.—Notwithstanding the provisions of subsections (b), (c), (e), and (h), the total cost of all construction and acquisition in each of titles I, II, III, and IV may not exceed the total amount authorized to be appropriated in that title.

(b) Variations in Installation Totals—Unusual Variations in Cost.—Except as provided in subsections (c) and (e), any of the amounts specified in titles I, II, III, and IV (other than in sections 103, 203, 303, and 403) may, at the discretion of the Secretary of the military department or Director of the defense agency concerned, be increased by 5 percent when inside the United States (other than Alaska or Hawaii), and by 10 percent when outside the United States or in Alaska or Hawaii, if the Secretary of the military department or Director of the defense agency concerned determines that such increase (1) is required for the sole purpose of meeting unusual variations in cost, and (2) could not have been reasonably anticipated at the time such estimate was submitted to the Congress.

(c) Variations in Installation Totals—Only One Project at an Installation.—When the amount named for any construction or acquisition in title I, II, III, or IV involves only one project at any military installation and the Secretary of the military department or Director of the defense agency concerned determines that the amount authorized must be increased by more than the applicable percentage prescribed in subsection (b), the Secretary of the military department or Director of the defense agency concerned may proceed with such construction or acquisition if the amount of the increase does not exceed by more than 25 percent the amount named for such project by the Congress.

(d) Variations in North Atlantic Treaty Organization Total.—When the Secretary of Defense determines that the amount set forth in title V for the United States share of the cost of the North Atlantic Treaty Organization program must be increased, the Secretary may incur obligations in excess of such amount if the amount of the increase does not exceed by more than 25 percent the amount set forth in such title.

(e) Variations in Installation Totals—Reports by the Secretary of Defense.—When the Secretary of Defense determines that any amount specified in title I, II, III, IV, or V must be exceeded by more than the percentages permitted in subsections (b), (c), and (d) to accomplish authorized construction or acquisition or for contribution by the United States as its share of the cost of the North Atlantic Treaty Organization infrastructure program, the Secretary of Defense or the Secretary of the military department or Director of the defense agency concerned may proceed with such construction, acquisition, or contribution after a written report of the facts relating to the increase of such amount, including a statement of the reasons for such increase, has been submitted to the Committees on Armed Services of the Senate and House of Representatives and either (1) thirty days have elapsed from the date of submission of such report, or (2) both committees have indicated approval of such construction, acquisition, or contribution. Notwithstanding the provisions in prior Military Construction Authorization Acts, the provisions of this subsection shall apply to such prior Acts.

(f) Cost and Scope Variations of Individual Projects: Reports to Congress.—No individual project authorized under title I, II, III, or IV for any specifically listed military installations for which the current working estimate is greater than the statutory upper limit for minor construction projects may be placed under contract if—

(1) the approved scope of the project is reduced in excess of 25 percent; or

(2) the current working estimate, based upon bids received, for the construction of such project exceeds by more than 25 percent the amount authorized for such project by the Congress;

until a written report of the facts relating to the reduced scope or increased cost of such project, including a statement of the reasons for reduction in scope or increase in cost, has been submitted to the Committees on Armed Services of the Senate and House of Representatives and either thirty days have elapsed from the date of submission of such report or both committees have indicated approval of such reduction in scope or increase in cost, as the case may be.

(g) Annual Reports to Congress.—The Secretary of Defense, or the Secretary's designee, shall submit an annual report to the Congress identifying each individual project (other than a project authorized under section 103, 203, 303, or 403) which has been placed under contract in the preceding twelve-month period and with respect to which the then current working estimate of the Department of Defense, based upon bids received, for such project exceeded the amount authorized by the Congress for that project by more than 25 percent. The Secretary shall also include in such report each individual project with respect to which the scope was reduced by more than 25 percent in order to permit contract award within the available authorization for such project. Such report shall include all pertinent cost information for each individual project, including the amount in dollars and percentage by which the current working estimate based on the contract price for the project exceeded the amount authorized for such proj- ect by the Congress.

(h) Cost and Floor Area Variations—Solar Energy.—The Secretary of Defense shall encourage the utilization of solar energy as a source of energy for projects authorized by this Act where utilization of solar energy would be practical and economically feasible. In order to equip any project authorized by this Act with solar heating equipment, solar cooling equipment, or both solar heating and solar cooling equipment, the Secretary of Defense may authorize increases in the cost limitations or floor area limitations for such project by such amounts as may be necessary for such purpose. Any increase under this subsection in the cost or floor area of a project authorized by this Act shall be in addition to any other increase in such cost or variation in floor area limitations authorized by this or any other Act.

CONSTRUCTION SUPERVISION

Sec. 704. Contracts for construction made by the United States for performance within the United States and its possessions under this Act shall be executed under the jurisdiction and supervision of the Corps of Engineers, Department of the Army, the Naval Facilities Engineering Command, Department of the Navy, or such other department or Government agency as the Secretaries of the military departments recommend and the Secretary of Defense approves to assure the most efficient, expeditious, and cost-effective accomplishment of the construction herein authorized. The Secretaries of the military departments shall report annually to the President of the Senate and Speaker of the House of Representatives a breakdown of the dollar value of construction contracts completed by each of the several construction agencies selected together with the design, construction supervision, and overhead fees charged by each of the several agents in the execution of the assigned construction. Further, such contracts (except architect and engineering contracts which, unless specifically authorized by the Congress shall continue to be awarded in accordance with presently established procedures, customs, and practices) shall be awarded, insofar as practicable, on a competitive basis to the lowest responsible bidder, if the national security will not be impaired and the award is consistent with chapter 137 of title 10, United States Code. The Secretaries of the military departments shall report annually to the President of the Senate and Speaker of the House of Representatives with respect to all contracts awarded on other than a competitive basis to the lowest responsible bidder. Such reports shall also show, in the case of the ten architect-engineering firms which, in terms of total dollars, were awarded the most business, the names of such firms, the total number of separate contracts awarded each firm, and the total amount paid or to be paid in the case of each such action under all such contracts awarded such firm.

REPEAL OF PRIOR YEAR AUTHORIZATIONS: EXCEPTIONS

Sec. 705. (a) As of October 1, 1982, or the date of the enactment of the Military Construction Authorization Act for fiscal year 1983, whichever is later, all authorizations for military public works, including family housing, to be accomplished by the Secretary of a military department in connection with the establishment or development of installations and facilities, and all authorizations for appropriations therefor, that are contained in titles I, II, III, IV, and V of the Military Construction Authorization Act, 1981 (Public Law 96-418; 94 Stat. 1749), and all such authorizations contained in Acts approved before October 10, 1980, and not superseded or otherwise modified by a later authorization are repealed except—

(1) authorizations for public works and for appropriations therefor that are set forth in those Acts in the titles that contain the general provisions; and

(2) authorizations for public works projects as to which appropriated funds have been obligated for construction contracts, land acquisition, or payments to the North Atlantic Treaty Organization, in whole or in part, before October 1, 1982, or the date of the enactment of the Military Construction Authorization Act for fiscal year 1983, whichever is later, and authorizations for appropriations therefor.

(b) Notwithstanding the repeal provisions of subsection (a) of this section and section 605 of the Military Construction Authorization Act, 1981 (Public Law 96-418; 94 Stat. 1770), authorizations for the following items authorized in section 101 of the Military Construction Authorization Act, 1980 (Public Law 96-125; 93 Stat. 928) shall remain in effect until October 1, 1983, or the date of enactment of the Military Construction Authorization Act for fiscal year 1984, whichever is later:

(1) Boiler Plant Emission Control System construction in the amount of $1,900,000 at Anniston Army Depot, Alabama.

(2) Boiler Plant Emission Control System construction in the amount of $3,000,000 at Tobyhanna Army Depot, Pennsylvania.

(3) Boiler Plant Emission Control System construction in the amount of $2,800,000 at Fort Benjamin Harrison, Indiana.

(4) Industrial Waste Treatment Plant construction in the amount of $1,100,000 at Riverbank Army Ammunition Plant, California.

(5) Advanced Power Train Test Facility construction in the amount of $1,560,000 at Corpus Christi Army Depot, Texas.

(6) Ammunition Inspection and Test Facility construction in the amount of $1,200,000 at Letterkenny Army Depot, Pennsylvania.

(7) Replace Boilers construction in the amount of $8,600,000 at Red River Army Depot, Texas.

(8) Dental Clinic construction in the amount of $2,750,000 at Schofield Barracks, Hawaii.

(9) Centralized Container Ammunition Facility construction in the amount of $920,000 at Lone Star Army Ammunition Plant, Texas.

(10) Indoor Athletic Facilities construction in the amount of $12,200,000 at the United States Military Academy, West Point, New York.

(11) Temperature-Altitude Test Facility construction in the amount of $2,000,000 at the White Sands Missile Range, New Mexico.

(12) Water Monitor Station construction in the amount of $220,000 at Riverbank Army Ammunition Plant, California.

(c) Notwithstanding the repeal provisions of subsection (a) of this section and section 605 of the Military Construction Authorization Act, 1981 (Public Law 96-418; 94 Stat. 1770), authorization for the construction of the Reception Station at Fort Benning, Georgia, in the amount of $5,886,000 authorized in section 101 of the Military Construction Authorization Act, 1978 (Public Law 95-82; 91 Stat. 358), as such authorization was extended in section 605 of the Military Construction Authorization Act, 1980 (Public Law 96-125; 93 Stat. 945), shall remain in effect until October 1, 1983, or the date of enactment of the Military Construction Authorization Act for fiscal year 1984, whichever is later.

(d) Notwithstanding the provisions of subsection (a) of this section and of section 605 of the Military Construction Authorization Act, 1981 (Public Law 96-418; 94 Stat. 1770) authorizations for the following items authorized in section 201 or such authorizations as were extended in section 605 of the Military Construction Authorization Act, 1980 (Public Law 96-125) shall remain in effect until October 1, 1983, or the date of enactment of the Military Construction Authorization Act for fiscal year 1984, whichever is later:

(1) Municipal Sewer Connection construction in the amount of $2,200,000 at the Naval Submarine Base, New London, Connecticut.

(2) Insulation and Storm Windows construction in the amount of $2,350,000 at the Naval Weapons Station, Charleston, South Carolina.

(3) Applied Instruction (Morse Training) Building construction in the amount of $2,400,000 at the Naval Technical Training Center, Pensacola, Florida.

(4) Engine Test Cell Modernization in the amount of $3,500,000 at the Naval Air Rework Facility, Alameda, California.

(5) Municipal Sewer Connection construction in the amount of $2,100,000 at the Naval Shipyard, Long Beach, California.

(6) Industrial Waste Collection and Treatment construction in the amount of $6,500,000 at the Naval Shipyard, Long Beach, California.

(7) Engine Test Cell Modernization in the amount of $3,200,000 at the Naval Air Rework Facility, North Island, California.

(8) Aircraft Maintenance Hangar in the amount of $1,500,000 at the Naval Air Facility, Sigonella, Italy.

(e) Notwithstanding the repeal provisions of subsection (a) of this section and section 605 of the Military Construction Authorization Act, 1981 (Public Law 96-418, 94 Stat. 1770), authorizations for the following items authorized in section 301 of the Military Construction Authorization Act, 1980 (Public Law 96-125; 93 Stat. 934) shall remain in effect until October 1, 1983, or the date of the enactment of the Military Construction Authorization Act for fiscal year 1984, whichever is later:

(1) Connect to Regional Sewage System in the amount of $1,100,000 at Richards-Gebaur Air Force Base, Missouri.

(2) Pave roads in the amount of $690,000 at Davis-Monthan Air Force Base, Arizona.

(3) Aircraft Maintenance Control Facility in the amount of $850,000 at England Air Force Base, Louisiana.

(4) Composite Medical Facility in the amount of $16,500,000 at George Air Force Base, California.

(5) Air Installation Compatible Use Zone in the amount of $1,950,000 at Buckley Air National Guard Base, Colorado.

(6) Various Operational Facilities in the amount of $4,950,000 at Roberts International Airport, Liberia.

(7) Unaccompanied Officer Personnel Housing in the amount of $510,000 at Taegu Air Force Base, Korea.

(8) Security Facilities in the amount of $3,485,000 at Howard Air Base, Canal Zone.

(9) Special Operations Facilities in the amount of $2,800,000 at Various Locations Overseas.

(10) Unaccompanied Enlisted Personnel Housing in the amount of $2,300,000 at Wright-Patterson Air Force Base, Ohio.

UNIT COST LIMITATIONS

Sec. 706. None of the authority contained in titles I, II, III, and IV shall be deemed to authorize any building construction projects inside the United States in excess of a unit cost to be determined in proportion to the appropriate area construction cost index, based on the following unit cost limitations where the area construction index is 1.0:

(1) $53 per square foot for permanent barracks; or

(2) $57 per square foot for unaccompanied officer quarters;

unless the Secretary of Defense, or the Secretary's designee, determines that, because of special circumstances, application to such project of the limitation on unit cost contained in this section is impracticable. Notwithstanding the limitations contained in prior Military Construction Authorization Acts on unit costs, the limitations on such costs contained in this section shall apply to all prior authorizations for such construction not heretofore repealed and for which construction contracts have not been awarded by the date of enactment of this Act.

TITLE VIII—GUARD AND RESERVE FORCES FACILITIES

AUTHORIZATION FOR FACILITIES

Sec. 801. Subject to chapter 133 of title 10, United States Code, the Secretary of Defense may establish or develop additional facilities for the Guard and Reserve Forces, including the acquisition of land therefor, but the cost of such facilities shall not exceed the following amounts:

(1) For the Department of the Army—

(A) for the Army National Guard of the United States, $60,000,000; and

(B) for the Army Reserve, $50,000,000.

(2) For the Department of the Navy: for the Naval and Marine Corps Reserves, $35,000,000.

(3) For the Department of the Air Force—

(A) for the Air National Guard of the United States, $100,000,000; and

(B) for the Air Force Reserve, $35,000,000.

WAIVER OF CERTAIN RESTRICTIONS

Sec. 802. The Secretary of Defense may establish or develop installations and facilities under this title without regard to section 3648 of the Revised Statutes (31 U.S.C. 529) and sections 4774 and 9774 of title 10, United States Code. The authority to place permanent or temporary improvements on lands includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes (40 U.S.C. 255) and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

EXPANSION OF FEDERAL FACILITIES BY THE NATIONAL GUARD

Sec. 803. Section 2233 of title 10, United States Code, is amended—

(1) by inserting "or by the United States" after "or convert facilities owned by it" in subsection (a)(2); and

(2) by adding at the end of subsection (b) the following new sentence: "Such property may be transferred to any State or Territory, Puerto Rico, or the District of Columbia incident to the expansion, rehabilitation, or conversion of such property under subsection (a)(2) so long as the transfer of such property does not result in the creation of an enclave owned by a State or Territory, Puerto Rico, or the District of Columbia within a Federal installation.".

FEDERAL CONTRIBUTIONS FOR CONSTRUCTION TO UPGRADE WEAPONS STORAGE FACILITIES

Sec. 804. Section 2233(a) of title 10, United States Code, is amended—

(1) by striking out "and" after clause (4);

(2) by striking out the period at the end of clause (5) and inserting in lieu thereof "; and"; and

(3) by adding at the end thereof the following new clause:

"(6) contribute to any State or Territory, Puerto Rico, or the District of Columbia such amounts for the construction, alteration, or rehabilitation of arms storage rooms as the Secretary determines to be required to meet a change in Department of Defense standards related to the safekeeping of arms.".

TITLE IX—GENERAL PROVISIONS

USE OF SOLAR ENERGY SYSTEMS IN NEW CONSTRUCTION

Sec. 901. Subsection (b) of section 2688 of title 10, United States Code, is amended to read as follows:

"(b) For the purposes of this section, a solar energy system shall be considered to be cost effective if the original investment cost differential can be recovered over the expected life of the facility using accepted life-cycle costing procedures. Such accepted life-cycle costing procedures shall include the use of the sum of all capital, operating, and maintenance expenses associated with the energy system of the building involved over the expected life of such system or during a period of twenty-five years, whichever is shorter, and using marginal fuel cost as determined by the Secretary of Defense and at a discount rate of 7 percent per year. For the purposes of a life-cycle cost analysis under this subsection, the original investment cost of a solar energy system shall be reduced 10 percent as an investment cost credit.".

CONSTRUCTION FUNDED BY FOREIGN GOVERNMENTS

Sec. 902. Section 504 of the Act of September 28, 1951 (31 U.S.C. 723), is amended—

(1) by inserting "(1)" after "in connection with"; and

(2) by striking out the period at the end and inserting in lieu thereof ", and (2) construction management of those projects funded by foreign governments directly or through international organizations for which United States forces are the sole or primary user.".

CONSTRUCTION AUTHORITY UNDER A DECLARATION OF WAR OR NATIONAL EMERGENCY

Sec. 903. (a) In the event of a declaration of war or the declaration by the President of a national emergency in accordance with the National Emergencies Act (50 U.S.C. 1601 et seq.) requiring use of the Armed Forces, the Secretary of Defense may, without regard to any other provision of law, undertake military construction necessary to support such use within the total amount of funds that have been appropriated for military construction, including funds appropriated for family housing, that have not been obligated.

(b) Authority under subsection (a) includes authority for (1) acquisition of real estate and interests in land (including temporary interests) by lease, purchase, gift, exchange of Government-owned land, or otherwise, (2) surveys and site preparation, (3) acquisition, lease, conversion, and rehabilitation of permanent or temporary facilities, (4) appurtenances, supporting facilities, and utilities incident to such construction, (5) acquisition of and installation of equipment integral to the construction, and (6) planning, supervision, administration, and overhead incident to such construction.

(c) The authority described in subsection (a) shall terminate at the end of the war or the end of the national emergency, as the case may be.

(d) Whenever a decision to undertake military construction authorized by this section is made, the Secretary of Defense shall notify the Committees on Armed Services and on Appropriations of the Senate and House of Representatives of the decision and the estimated cost of such construction, including the cost of real estate actions pertaining to the construction.

IMPACT PLANNING ASSISTANCE FOR AREAS AFFECTED BY THE MX WEAPON SYSTEM AND THE EAST COAST TRIDENT BASE

Sec. 904. (a) Section 801 of the Military Construction Authorization Act, 1981 (94 Stat. 1775), is amended by striking out "During fiscal year 1981" and all that follows through the colon and inserting in lieu

thereof the following: "The Secretary of Defense may use funds appropriated for fiscal year 1981 for planning and design purposes to provide community planning assistance, by grant or otherwise, as follows:".

(b) Section 802 of such Act is amended to read as follows:

"IMPACT ASSISTANCE FOR AREAS AFFECTED BY THE EAST COAST TRIDENT PROGRAM

"Sec. 802. (a) The Secretary of Defense (hereinafter in this section referred to as the 'Secretary') may assist communities located near the East Coast Trident Base, and the States in which such communities are located, in meeting the costs of providing increased municipal services and facilities to the residents of such communities, if the Secretary determines that there is an immediate and substantial increase in the need for such services and facilities in such communities as a direct result of work being carried out in connection with the construction, installation, or operation of the East Coast Trident Base and that an unfair and excessive financial burden will be incurred by such communities, or the States in which such communities are located, as a result of such increased need for such services and facilities.

"(b)(1) Whenever possible, the Secretary shall carry out the program of assistance authorized under this section through existing Federal programs. In carrying out such program of assistance, the Secretary may—

"(A) supplement funds made available under existing Federal programs through a direct transfer of funds from the Secretary to the department or agency concerned in such amounts as the Secretary considers necessary;

"(B) provide financial assistance to communities described in subsection (a) to help such communities pay their share of the costs under such programs;

"(C) guarantee State or municipal indebtedness, and make interest payments, in whole or in part, for State or municipal indebtedness, for improved public facilities related to the East Coast Trident Base; and

"(D) make direct grants to or on behalf of communities described in subsection (a) in cases in which Federal programs (or funds for such programs) do not exist or are not sufficient to meet the costs of providing increased municipal services and facilities to the residents of such communities.

"(2) The head of each department and agency shall cooperate fully with the Secretary in carrying out the provisions of this section on a priority basis.

"(3) Notwithstanding any other provision of law, the Secretary, in cooperation with the heads of other departments and agencies of the Federal Government, may provide assistance under this section in anticipation of the work to be carried out in connection with the East Coast Trident Base.

"(c) In determining the amount of financial assistance to be made available under this section to any local community for any community service or facility, the Secretary shall consult with the head of the department or agency concerned with the type of service or facility for which financial assistance is being made available and shall take into consideration—

"(1) the time lag between the initial impact of increased population in any such community and any increase in the local tax base which will result from such increased population;

"(2) the possible temporary nature of the increased population and the long-range cost impact on the permanent residents of any such community;

"(3) the initial capitalization required for municipal sewer and water systems;

"(4) the initial operating cost for upgrading municipal services; and

"(5) such other pertinent factors as the Secretary considers appropriate.

"(d) Funds appropriated to the Department of Defense for carrying out the East Coast Trident Base program may, to the extent specifically authorized in Military Construction Authorization Acts, be used by the Secretary to provide assistance under this section.

"(e) The Secretary shall transmit to the Committees on Armed Services and on Appropriations of the Senate and House of Representatives, not later than sixty days after the end of each fiscal year, a written report indicating the total amount transferred to and the amount obligated and expended by each local community or State which has been provided assistance under the authority of this section during the preceding fiscal year, the specific projects for which assistance was provided during such year, and the total amount for each such project during such year.".

DISTRICT OFFICES OF ARMY CORPS OF ENGINEERS

Sec. 905. (a) During fiscal year 1982, the Secretary of the Army shall maintain a District Office of the United States Army Corps of Engineers at each site within twenty-five miles of each major defense port within the continental United States at which there was such an office on June 4, 1981.

(b) For the purposes of this section, the term "major defense port" means any of the following:

(1) A major United States Navy shipyard.

(2) A home port for major naval forces.

(3) A major supply and embarkation port for elements of the Armed Forces.

RESTRICTIONS ON CONSTRUCTIONS OF SPECIAL CONTINGENCY FACILITIES IN CERTAIN COUNTRIES

Sec. 906. (a) Subject to subsections (b) and (c), none of the funds appropriated pursuant to this Act for the construction of contingency facilities to support the national security interests of the United States in Egypt, Kenya, Oman, Somalia, the island of Diego Garcia, or at Lajes Field (Portugal) may be obligated or expended for the construction of a facility in any such country, island, or air field unless each contract entered into for the construction of such facility requires that all construction materials (other than cement, cement products, aggregates, and concrete components other than steel) to be used in carrying out the contract will be materials produced, manufactured, or refined in the United States.

(b) The provisions of subsection (a) shall not apply (1) if the application of such provisions would violate a formal agreement between the United States and the country that exercises sovereignty over the land on which a facility referred to in such subsection is to be constructed, or (2) in the case of a contract for $5,000,000 or less.

(c) The project manager of a facility referred to in subsection (a) may authorize, in the construction of such facility, a limited use of materials not produced, manufactured, or refined in the United States if the manager determines that the use of such materials is necessary for the orderly and timely construction of such facility. However, the total amount expended for materials not produced, manufactured, or refined in the United States under a contract for the construction of a facility referred to in subsection (a) may not exceed the applicable limit specified in the following table:

If the contract amount is—		The percent of the contract amount that may be used to procure materials not produced, manufactured, or refined in the United States may not exceed—
More than—	But not more than—	
$5,000,000	$25,000,000	5
$25,000,000	$50,000,000	3
$50,000,000	$100,000,000	2
$100,000,000		1

MINOR CONSTRUCTION AUTHORITY

Sec. 907. (a) Subsection (b) of section 2674 of title 10, United States Code, is amended to read as follows:

"(b)(1) Except as provided in paragraph (2), a project costing more than $1,000,000 may not be carried out under the authority of this section.

"(2) The cost of a project may be increased above $1,000,000—

"(A) to not more than $1,100,000 if the Secretary of Defense determines that such an increase is required for the sole purpose of meeting unusual variations in cost and that such variations in cost could not have been reasonably anticipated at the time the project was originally approved by Congress; and

"(B) to more than $1,100,000 but not more than $1,250,000 if (i) the Secretary of Defense determines that such an increase is required for the sole purpose of meeting unusual variations in cost and that such variations in cost could not have been reasonably anticipated at the time the project was originally approved by Congress, (ii) the Secretary of Defense has notified the Committees on Armed Services of the Senate and House of Representatives in writing that he has made those determinations with respect to the project, and (iii) a 15-day period has elapsed after the date the notification is received by the committees, or both committees approve such increase before the expiration of the 15-day period.".

"(3)(A) Except as provided in subparagraph (B), a project costing more than $750,000 may not be carried out under this section unless approved in advance by the Secretary of Defense, and a project costing more than $500,000 but less than $750,000 may not be carried out under this section unless approved in advance by the Secretary of the military department or the Director of the defense agency concerned.

"(B) Approval under this paragraph is not required if the project has been authorized in an annual Military Construction Authorization Act.".

(b) Subsection (f) of such section is amended—

(1) by striking out "30 days" and "$300,000" in the second sentence and inserting in lieu thereof "fifteen days" and "$500,000", respectively; and

(2) striking out the last sentence and inserting in lieu thereof the following: "Such notice is not required in the case of a project that has been authorized in an annual Military Construction Authorization Act.".

(c) The amendments made by subsections (a) and (b) shall take effect on October 1, 1982.

GEOTHERMAL ENERGY RESOURCE DEVELOPMENT

Sec. 908. Subsection (a) of section 803 of the Military Construction Authorization Act, 1979 (Public Law 95-356; 92 Stat. 585), is amended to read as follows:

"(a) The Secretary of each military department may develop, for the use or benefit of the Department of Defense, any geothermal energy resource within lands under his jurisdiction, including public lands, if such development is in the public interest, as determined by the Secretary of the military department concerned, and will not deter commercial development and use of other portions of such resource if offered for leasing.".

AEROSPACE CORPORATION

Sec. 909. Section 609 of the Military Construction Authorization Act, 1966 (Public Law 89-188; 79 Stat. 818), is repealed.

sale of timber and timber products

Sec. 910. (a) Section 2665 of title 10, United States Code, is amended by adding at the end thereof the following new subsection:

"(e)(1) Each State in which is located a military installation or facility from which timber and timber products are sold in a fiscal year is entitled at the end of such year to an amount equal to 25 percent of (A) the amount received by the United States during such year as proceeds from the sale of timber and timber products produced on such installation or facility, less (B) the amount of reimbursement of appropriations of the Department of Defense under subsection (d) for all expenses of production of timber and timber products during such year attributable to such installation or facility.

"(2) The amount paid to a State pursuant to paragraph (1) shall be expended as the State legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which the military installation or facility is situated.

"(3) In a case in which a military installation or facility is located in more than one State or county, the amount paid pursuant to paragraph (1) shall be distributed in a manner proportional to the area of such installation or facility in each State or county.".

(b) Subsection (e) of section 2665 of title 10, United States Code, as added by subsection (a), shall apply with respect to timber and timber products sold after September 30, 1981.

CONTINUED USE OF CERTAIN FORMER PUBLIC HEALTH SERVICE FACILITIES

Sec. 911. (a) Any Public Health Service hospital or other station which was transferred to a public or nonprofit private entity pursuant to the provisions of section 987 of the Omnibus Budget Reconciliation Act of 1981 (Public Law 97-35; 95 Stat. 603) shall be deemed to be a facility of the uniformed services for the purposes of chapter 55 of title 10, United States Code, if such hospital or other station was, on the day before the date of the transfer, a facility approved under such chapter to provide medical and dental care to members and former members of the uniformed services and their dependents.

(b) The Secretary of Defense and the Secretary of Health and Human Services may terminate, for purposes of chapter 55 of title 10, United States Code, the approved status, of any facility described in subsection (a) to furnish medical or dental care to members and former members of the uniformed services and their dependents at any time after the expiration of three years after the date of the transfer of such facility under section 987 of the Omnibus Budget Reconciliation Act of 1981. The termination of such status in the case of any such facility may be effected only by an order jointly issued by the Secretary of Defense and the Secretary of Health and Human Services which identifies the facility whose approved status is being terminated and specifies the date on which such status is being terminated.

(c) The Secretary of Defense and the Secretary of Health and Human Services shall reimburse any facility described in subsection (a) for medical and dental care provided by such facility to members and former members of the uniformed services and their dependents who receive such care under chapter 55 of title 10, United States Code. The rates of reimbursement shall be negotiated and agreed upon by the Secretary of Defense, the Secretary of Health and Human Services, and the appropriate officials representing the facility concerned. The rates of reimbursement shall be based upon medical and dental care costs in the area in which the facility concerned is located.

special provisions relating to the expansion of fort carson military installation, colorado

Sec. 912. (a) Section 6(a) of the Act entitled "An Act to provide for certain payments to be made to local governments by the Secretary of the Interior based upon the amount of certain public lands within the boundaries of such locality", approved October 20, 1976 (90 Stat. 2665; 31 U.S.C. 1606), is amended—

(1) by striking out "or" at the end of clause (4);

(2) by adding "or" at the end of clause (5); and

(3) by adding at the end thereof the following new clause:

"(6) located in the vicinity of Purgatory River Canyon and Pinon Canyon, Colorado, and acquired after the date of the enactment of this clause by the United States for the purpose of expanding the Fort Carson military installation;".

(b) The Secretary of the Army shall adhere to all commitments made by the Secretary of the Army concerning environmental mitigation measures (including those regarding salinity) that are contained in the final environmental impact statement on the proposed Fort Carson military installation land acquisition.

LAND CONVEYANCE, CECIL COUNTY, MARYLAND

Sec. 913. (a) The Federal property constituting the former Naval Training Center, Bainbridge, Cecil County, Maryland, is hereby declared to be surplus property within the meaning of section 3(g) of the Federal Property and Administrative Services Act of 1949, and the Administrator of General Services is authorized to dispose of that property under such Act.

(b)(1) Proceeds from the disposition of property under this section shall be used by the Administrator to discharge any lien, encumbrance, contract claim, or other charge on or related to the property.

(2) The Secretary of the Navy, after consultation with the Administrator, shall determine the form and amount of any compromise or settlement of any claim against the United States with respect to the water agreement dated March 24, 1943, between the United States and the town of Port Deposit, Maryland.

(c) The exact acreages and legal descriptions of the property declared to be excess property by subsection (a) shall be determined by surveys that are satisfactory to the Secretary of the Navy.

LAND CONVEYANCE, LONG BEACH, CALIFORNIA

Sec. 914. (a) The Secretary of the Army (hereinafter in this section referred to as the "Secretary") is authorized to convey to the City of Long Beach, California (hereinafter in this section referred to as the "City"), all right, title, and interest of the United States in and to a tract of land of varying width consisting of 0.7176 acre and extending from the south boundary of the Long Beach Army Reserve Training Center, Long Beach, California, north along the west boundary of such training center to Willow Street.

(b) In consideration for the conveyance under subsection (a), the City shall convey to the United States all right, title, and interest of the City in and to a tract of land of varying width consisting of 0.7176 acre and coextensive with and immediately adjoining the south boundary of the Long Beach Army Reserve Training Center, as established after the conveyance authorized in subsection (a).

(c) The City shall pay to the United States an amount equal to the amount by which the fair market value (as determined by the Secretary) of the property to be conveyed by the United States to the City under subsection (a) exceeds the fair market value (as determined by the Secretary) of the property to be conveyed by the City to the United States under subsection (b).

(d)(1) The exact acreages and legal descriptions of any property acquired or conveyed under subsection (a) or (b) shall be determined by surveys that are satisfactory to the Secretary. The cost of any such survey shall be borne by the City.

(2) The Secretary may require such additional terms and conditions with respect to the acquisition and conveyance authorized by this section as he considers appropriate to protect the interests of the United States.

LAND CONVEYANCE, SOUTH CHARLESTON, WEST VIRGINIA

Sec. 915. (a) Subject to subsection (b), the Secretary of Defense (hereinafter in this section referred to as the "Secretary") is authorized to convey or cause to be conveyed to the City of South Charleston, West Virginia (hereinafter in this section referred to as the "City"), all right, title, and interest of the United States in and to land, aggregating approximately eight acres, together with the improvements thereon, that is presently the location of the Reserve Centers of the Army, Navy, and Marine Corps and that previously was part of the Navy Ordnance Depot in South Charleston, West Virginia.

(b)(1) The conveyance authorized by subsection (a) shall be subject to the conditions—

(A) that the City, pursuant to an agreement to be entered into between the City and the Secretary, convey to the United States a tract of land consisting of approximately ten acres on completed Corridor "G" at Lillian Roads, South Charleston, West Virginia;

(B) that such tract of land be served with access roads and utilities extended to the property line;

(C) that the City construct facilities on such land suitable for use as a United States Armed Forces Reserve Center; and

(D) that such facilities be designed and constructed in accordance with the requirements of, and subject to the approval of, the Secretary and be limited to those facilities required to complete the project within the boundaries of the rough graded site to be conveyed by the City.

(2) The cost of the facilities to be constructed by the City (including the cost of architectural engineering design and inspection fees) shall be paid as follows:

(A) The City shall pay the amount by which the appraised fair market value of the land and improvements conveyed by the Secretary under subsection (a) exceeds the fair market value of the land (in rough graded state) to be conveyed by the City to the United States.

(B) The United States shall pay any remaining amount (after payment by the City as provided in subparagraph (A)) out of funds appropriated for the Reserve Forces for fiscal years after fiscal year 1981.

(c) The legal description of properties to be conveyed under subsections (a) and (b) shall be determined by surveys performed by the City and agreed to by the Secretary.

(d) The use of funds for payment by the United States under subsection (b) shall be considered as use for the purchase of facilities authorized by chapter 133 of title 10, United States Code.

(e) The Secretary may require such additional terms and conditions as the Secretary considers appropriate to carry out the provisions of this section and to protect the interests of the United States.

(f) Before the conveyance authorized in subsection (a) is executed, the Secretary shall report to the appropriate committees of the Congress on the terms relating to such conveyance agreed upon by the Secretary and the City.

(g) Section 609 of the Military Construction Authorization Act, 1977 (Public Law 94-431; 90 Stat. 1365), and section 813 of the Military Construction Authorization Act, 1981 (Public Law 96-418; 94 Stat. 1780), are repealed.

LAND CONVEYANCE, SAN ANTONIO, TEXAS

Sec. 916. (a) The Secretary of the Navy (hereinafter in this section referred to as the "Secretary") is authorized to convey to the City of San Antonio, Texas (hereinafter in this section referred to as the "City"), all right, title, and interest of the United States in and to the land and improvements comprising the United States Naval and Marine Corps Reserve Center, San Antonio, Texas. Such conveyance shall be made subject to such terms and conditions as the Secretary considers appropriate, but may not be made until a replacement facility for such Reserve Center has been made available to the United States in accordance with subsection (b).

(b)(1) In consideration for the conveyance authorized under subsection (a), the City shall make available to the Secretary funds in an amount equal to the fair market value, as determined by the Secretary, of the land and improvements to be conveyed by the Secretary under subsection (a).

(2) As a further condition to the conveyance authorized under subsection (a), the City shall pay the cost of relocating all goods and equipment of the Reserve Center from the site of the Reserve Center referred to in subsection (a) to the site of the replacement facility.

(c) Funds made available to the Secretary under subsection (b)(1) shall be used by the Secretary for the purchase of land for use as a site for the location of a replacement facility for the Reserve Center to be conveyed under subsection (a) or for the construction, renovation, repair, or improvement of a replacement facility for such Reserve Center, or for both the purchase of land and the construction, renovation, repair, or improvement of a replacement facility.

(d)(1) If the cost of a replacement facility is more than the fair market value of the existing Reserve Center facility referred to in subsection (a), the Secretary may pay the amount of the difference out of any funds appropriated for the acquisition of facilities for the Reserve Forces for fiscal years after fiscal year 1981.

(2) If the cost of the replacement facility is less than the fair market value of the existing facility, the City shall pay the amount of the difference between such costs to the United States, and such amount shall be deposited in the Treasury as miscellaneous receipts.

(e) The exact acreage and legal description of any land conveyed under this section shall be determined by surveys which are satisfactory to the Secretary.

(f)(1) The Secretary is authorized to accept any land conveyed or any funds made available to the United States under subsection (b). Any such land shall be administered, and any such funds may be obligated and disbursed, by the Secretary for the purpose of providing a replacement Reserve Center facility for the facility referred to in subsection (a).

(2) The authority under this section to place improvements on land (including site preparation) may be exercised before title to the land is approved under section 355 of the Revised Statutes (40 U.S.C. 255).

And the Senate agree to the same.

MELVIN PRICE,
JACK BRINKLEY,
G. V. MONTGOMERY,
ABRAHAM KAZEN, JR.,
ANTONIO B. WON PAT,
WM. L. DICKINSON,
PAUL TRIBLE,
G. WILLIAM WHITEHURST,
DONALD J. MITCHELL,
Managers on the Part of the House.

JOHN TOWER,
STROM THURMOND,
JOHN WARNER,
GORDON J. HUMPHREY,
BILL COHEN,
JOHN C. STENNIS,
GARY HART,
HENRY M. JACKSON,
HOWARD W. CANNON,
J. J. EXON,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3455) to authorize certain construction at military installations for fiscal year 1982, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The Senate amendment struck out all of the House bill after the enacting clause and inserted a substitute text.

The House recedes from its disagreement to the amendment of the Senate with an amendment which is a substitute for the House bill and the Senate amendment. The differences between the House bill, the Senate amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

COMPARISON OF HOUSE AND SENATE BILLS

As passed by the House, H.R. 3455, provided $6,987,497,000 in new authorization.

The bill as amended by the Senate provided $6,489,403,000 in new authorization.

SUMMARY OF RESOLUTION OF DIFFERENCES

As a result of the conference between the House and Senate on the differences in H.R. 3455, the conferees agreed to a new adjusted authorization for military construction for fiscal year 1982 in the amount of $6,546,810,000.

Initially, the Department of Defense and the respective military departments submitted a request in the amount of $6,660,536,000 for new construction authorization for fiscal year 1982. Subsequently, the Department of Defense submitted an amended fiscal year 1982 request for $7,028,842,000 which was later revised by the department to $6,546,810,000. The conferees agreed to authorize appropriations for new construction in the amount of $6,546,810,000.

TOTAL AUTHORIZATION GRANTED, FISCAL YEAR 1982

Title I (Army):	
Inside the United States	$389,036,000
Outside the United States	381,534,000
Minor construction	34,150,000
Subtotal	804,720,000
Title II (Navy):	
Inside the United States	970,268,000
Outside the United States	236,445,000
Minor construction	33,320,000
Subtotal	1,240,033,000
Title III (Air Force):	
Inside the United States	669,276,000
Outside the United States	560,550,000
Minor construction	28,680,000
Subtotal	1,258,506,000
Title IV (Defense Agencies)	276,605,000
Minor construction	6,210,000
Subtotal	282,815,000
Title V (North Atlantic Treaty Organization Infrastructure)	345,000,000
Title VI (Military Family Housing)	2,335,736,000
Title VIII (Guard and Reserve Forces Facilities):	
Army National Guard	60,000,000
Army Reserve	50,000,000
Naval and Marine Corps Reserve	35,000,000
Air National Guard	100,000,000
Air Force Reserve	35,000,000
Subtotal	280,000,000
Total granted by titles I, II, III, IV, V, VI, and VIII	6,546,810,000

GENERAL TOPICS

Conference guidelines

The conferees were faced with many good military construction projects that were the subject of conference action. In general, all

of the projects subject to conference action represented valid service requirements that were of high priority and warranted immediate authorization and funding. However, the conferees were constrained to produce a bill within the limits of the scope of the conference and within the Administration's revised budget request, and therefore several good projects were not authorized. The conferees expect to see these projects revalidated and given top priority in the the fiscal year 1983 military construction budget request.

The conferees also recognize that some of the projects that were authorized by the conference may, for numerous reasons, not be funded in the fiscal year 1982 military construction appropriations bill. Such projects should be given first priority for funding in the fiscal year 1983 military construction appropriations request.

Miscellaneous report requirements

In their respective reports on the bill, both the Senate and the House Armed Services Committees included items of "Special Emphasis". The conferees hereby endorse the language on items of "Special Emphasis" found in both reports and, unless some modification to that language is contained in this joint statement of the committee of conference the positions and requirements contained under items of "Special Emphasis" in both Senate and House reports on the fiscal year 1982 military construction authorization bills are concurred in by the conferees.

TITLE I

The House approved new construction authorization in the amount of $878,606,000 for the Department of the Army. The Senate approved new construction for the Army in the amount of $753,556,000. The conferees agreed to a new total for Title I in the amount of $804,720,000, which is $73,886,000 below the House figure and $51,164,000 above the Senate figure. Among the major items considered in conference and acted upon by the conferees were the following:

EUROPEAN CONSTRUCTION

The Army faces a major construction backlog in Europe. Many of its facilities are outmoded and beyond economic repair. As a result, many U.S. military personnel work and live in deplorable conditions. The conferees, therefore, included $39,900,000 for five new maintenance facilities and two barracks projects that had been included in the Senate amendment. These initiatives were possible because of the deletion of several construction projects associated with the reduction in the Roland missile program.

MASTER RESTATIONING PLAN

Part of the overall upgrade program will be accomplished under the proposed Master Restationing Plan (MRP). The MRP is designed to enhance readiness by moving U.S. units in Germany closer to the eastern border to respond to an improved Warsaw Pact offensive capability. As presently envisioned, the first phase of the MRP would be carried out in concert with the Army's current force modernization program to replace older weapon systems. The German government has been asked to fund the MRP.

To begin implementation of MRP, the Army requested $18 million for new facilities at Vilseck in its fiscal year 1982 program. The House approved the request on the basis that while U.S. funding may have to be used in the intitial stages of MRP, the lack of a negotiated position with the German government on funding responsibility should not deprive U.S. soldiers of basic facility needs.

The Senate amendment did not provide for the $18 million authorization for the two projects at Vilseck. The Senate felt that unilateral U.S. funding was inconsistent with the formal position of the U.S. government that the German government should fund MRP.

After full deliberation, the conferees agreed to provide contingent authorization in the amount of $14.5 million (the reduction from $18 million reflects current exchange rates) for the two projects at Vilseck. The authorization is contingent upon agreement by the German government to designate a responsible negotiator and start negotiations in good faith toward Federal Republic of Germany (FRG) funding participation. Funds authorized for the Vilseck projects may not be obligated until the Committees on Armed Services have been advised in writing that such conditions have been met. The committees expect to be kept fully and currently informed as to the progress of the negotiations on the MRP.

The Vilseck site and the projects in question were justified as the start of the MRP. However, they are also compatible with other U.S. force modernization initiatives for which preparations must begin in fiscal year 1982 in order to meet scheduled force structure changes and delivery dates for new weapon systems. The conferees wish to emphasize that if Vilseck were suitable only for MRP, the request would not have been approved in the absence of any agreement with the FRG that they would fund the MRP.

The position taken by the conferees on this issue is consistent with the position of Congress on the general issue of defense burden sharing. At a time when the United States is shouldering the total cost of the Rapid Deployment Force effort that is of vital interest to the Western alliance and Far East industrial nations, the issue of burden sharing is of increasing concern to the conferees. The conferees cannot overstate the importance of the North Atlantic Treaty Organization (NATO) allies providing financial support to programs, such as MRP, in the immediate future. Otherwise, the American people may force the Congress to consider reductions in U.S. defense commitments and such reductions could begin with a reduction in the number of U.S. military personnel deployed in Europe.

The Senate recedes with an amendment.

TITLE II—NAVY

The House approved $1,217,363,000 in new construction authorization for the Department of the Navy. The Senate approved new construction authorization for the Navy in the amount of $1,240,033,000. The conferees agreed to an authorization of appropriations in the amount of $1,240,033,000 for the Navy, which is $22,670,000 above the House figure and identical to the Senate figure.

Among the major items considered in the conference were:

FAMILY SERVICE CENTERS

The Navy requested $1,860,000 for five family service centers. The fiscal 1982 request represents the initial segment of a total program for 33 new centers costing an estimated $25 million. The House bill included the requested $1.86 million authorization. The Senate amendment did not authorize the projects.

The conferees support the concept of the family service center and have agreed to authorize the five centers. This action on the part of the conference does not represent a blanket endorsement of the total new construction program associated with the family service centers. Each future project will be examined on a case by case basis.

The Navy is expected to avoid unnecessary new construction by utilizing existing facilities whenever possible. In those cases where new construction is requested, the Navy must provide to the committees detailed explanations covering the reasons existing facilities are not available. The conferees urge the use of existing facilities wherever possible because this will permit the earliest possible opening of family service centers.

The Senate recedes.

COMMISSARY—NAVAL SUBMARINE BASE, BANGOR, WASH.

The Navy requested $3,950,000 for a commissary at the new West Coast Trident Base at Bangor, Washington. The House approved the request. The Senate amendment deleted the project.

In its justification of the request, the Navy indicated that Department of Defense policy authorized the use of military construction funds for commissaries at new bases and the use of non-appropriated funds for the Bangor commissary would delay future commissary projects at other installations. However, the conferees feel that improved Navy commissary operations, reducing inefficiencies and unnecessary overhead expenses, would generate additional surcharge funds that could be used for other commissary projects.

Since current law permits the construction of the Bangor commissary with surcharge funds, the conferees agreed that funding with appropriated funds should not be authorized.

The House recedes.

LAND ACQUISITION, NAVAL AIR STATION, BRUNSWICK, MAINE

Section 201 of the Fiscal Year 1981 Military Construction Authorization Act (Public Law 96-418) authorized $2,200,000 for the acquisition of interest in 75 acres of land for the air safety program at the Brunswick Naval Air Station.

The Senate amendment (section 205) repealed that prior authorization. The House bill contained no similar repeal provision.

In view of the fact that the Secretary of the Navy has placed a moratorium on commencing any condemnation suits on land parcels where negotiations have not lead to an agreement, the conferees agreed that project authorization should stand and property owners who choose to negotiate a settlement should be permitted and encouraged to do so.

The Senate recedes.

TITLE III—AIR FORCE

The Senate approved $1,258,371,000 in new construction authorization for the Department of Air Force while the House approved $1,512,893,000. The conferees agreed to a new total in the amount of $1,258,506 which is $135,000 above the Senate figure and $254,387,000 below the House figure.

Major issues resolved in conference included:

MX MISSILE BASING

The Air Force request, as originally submitted, contained $366,000,000 for the start of construction of a multiple protective structure (MPS) basing plan for deployment of the MX missile system. The House approved $356,500,000 of the request.

Subsequently, the Administration reviewed a number of alternative basing plans, and in October the President announced his decision to recommend canceling the MPS plan as originally submitted by the Air Force. The Senate bill that passed on November 5, 1981, deleted all authorization for MX missile basing construction.

In view of the President's decision, conferees agreed to delete all of the MPS construction authorization, but retained $11,000,000 in authority to acquire the San Bernadino County office complex adjacent to Norton AFB, California. The administrative space is required by the Air Force to accommodate a projected buildup of personnel over the next two years to support the current MX missile development, production and deployment programs in consonance with the President's program.

The House recedes with an amendment.

RAPID DEPLOYMENT FORCE FACILITIES

For the Rapid Deployment Force (RDF) the Senate bill included the Air Force's requests for $49,570,000 in authorization for projects at Lajes Air Force Base, Portugal, and $70,400,000 in authorization for facilities at Ras Banas, Egypt.

The House deferred the Lajes projects because negotiations have not been concluded with Portugal regarding deployment of RDF forces from Lajes. The House also had reduced the Air Force's request for construction at Ras Banas to $44,400,000 because of Air Force uncertainty over its mission requirements in Egypt.

In reconciling these differences, the House receded to the Senate figure for Ras Banas after conferees were satisfied that the Air Force had defined its total RDF mission at the Egyptian air base.

Regarding Lajes, conferees agreed to authorize $46,570,000 in RDF projects. However, such authorization is contingent upon the successful negotiation of a U.S.-Portuguese agreement which guarantees access to and use of such facilities at Lajes by the United States. If the President decides that it is in the national security interest of the United States to proceed with the construction of these facilities in the absence of such a bilateral agreement, he may so certify to the Congress and construction may proceed when such certification is provided to the Congress.

ROADS AND UTILITY SUPPORT, BOLLING AIR FORCE BASE

The Air Force requested authority for a project at Bolling Air Force Base to modify certain roads and utilities as a result of the changes required by the construction of the DIA Building. The conferees feel that this project is required by the construction of the DIA building and should, therefore be funded from appropriations made available for the DIA Building.

The House recedes.

HARDENED FACILITIES IN EUROPE

The House bill included the Air Force's request for $6,370,000 to harden logistics facilities in support of U.S. tactical aircraft assigned to NATO. The Senate denied the request.

In receding to the Senate position, House conferees agreed that this program, if applied Air Force-wide in Europe, would be extremely costly to the United States. Therefore, conferees recommend that the United States seek to have NATO designate the program as eligible for funding through NATO Infrastructure.

The House recedes.

AEROPROPULSION SYSTEM TEST FACILITY

It is the intent of the conference that the $80,000,000 increase in Title III, Air Force, PL 94-431 (FY 1977 military construction program) be applied to the Aeropropulsion Systems Test Facility project at Arnold Engineering Development Center, Tullahoma, Tennessee.

The House recedes to the Senate figure.

TITLE IV—DEFENSE AGENCIES

The House approved $282,100,000 in new construction authorization for the Defense agencies while the Senate appoved $311,815,000. The conferees agreed to a new total of $282,815,000 which is $715,000 above the House figure and $29,000,000 below the Senate total.

FUEL STORAGE, KOREA

The major issue resolved in conference was a request for $29,000,000 to provide increased fuel storage in Korea. While the Senate approved the request, the House deferred the project because design had not been started. The Senate recedes to the House position with the understanding that the project will be resubmitted in the FY 1983 budget request, since there is a major requirement for additional fuel storage in Korea.

The Senate recedes.

TITLE V—NORTH ATLANTIC TREATY ORGANIZATION INFRASTRUCTURE

The House approved the Department of Defense request for $425,000,000 to meet the estimated United States' share of the North Atlantic Treaty Organization Infrastructure Program. The Senate approved $345,000,000.

Nations participating in the NATO Infrastructure Program, contribute their share according to a NATO accounting system that uses the NATO Infrastructure Accounting Unit (IAU) as the basic monetary unit. Subsequent to the House action and prior to Senate action on the bill, a recalculation of the exchange rate between the U.S. dollar and the IAU revealed that U.S. commitments could be met at the reduced Senate figure.

The House recedes.

TITLE VI—MILITARY FAMILY HOUSING

The House approved $2,379,833,000 for construction, operation, maintenance, leasing, and debt payment for military family housing. The Senate approved $2,300,628,000.

The conferees agreed to a new total of $2,335,736,000 which is $44,097,000 below the House figure and $35,108,000 above the Senate figure.

Included in this figure is $167,016,000 for construction of 2,143 new units of family housing which are primarily in support of junior enlisted families.

SAN DIEGO HOUSING COMPLEX

The Senate disapproved the Navy's request for authorization of $25,350,000 for construction of 290 units of family housing in the San Diego area because of a disagreement between the City of San Diego and the Navy as to the specific siting of the project. The House approved the Navy request.

Subsequent to the Senate action, the Navy and the City of San Diego reached an agreement on new sites for the 290 units requested in fiscal year 1982. The agreement was based upon an understanding that it would allow time for further joint study of other dispersed sites that could accommodate the Navy's long-term requirements while mitigating the City's concern about the impact of concentrating large military family housing projects in a single area of a host community. In view of the accord reached by the Navy and the City of San Diego, the Senate recedes.

FORT IRWIN FAMILY HOUSING DEMONSTRATION PROJECT

Both the Senate and the House added 200 units of manufactured housing at Fort Irwin, California to permit a test of factory-built versus conventionally-built housing. The House authorized $8.8 million for this addition. The Senate, allowing for solar energy and other site costs, authorized $11 million. The House recedes to the Senate on the funding authorization.

The conferees support the use of factory-built housing which should result in lower cost to the taxpayer while providing a durable housing unit commensurate with prevailing contemporary housing standards. The conferees direct that the 200 additional units be factory-built.

Construction standards and criteria with regard to essential requirements for space, structural durability, energy efficiency, material quality and life safety will be set by the Secretary of Defense. In setting such standards and criteria, the Secretary shall insure that such standards and criteria are capable of being met by any of the generic types of factory-built housing, including manufactured housing. Such standards and criteria will be compatible with, and complementary to, Federal Manufactured Housing Construction and Safety Standards (FMHCSS) established by legislation in 1974. Such standards and criteria will be furnished to the Committees on Armed Services of the Senate and the House of Representatives 30 days before any contract is awarded for the construction of this demonstration project.

DOMESTIC LEASING

The Senate eliminated the statutory funding limitations for family housing domestic and foreign leasing. The House retained the limitations at $8,600,000 for domestic leases and $113,717,000 for foreign leases.

The conferees agreed to increase the funding limitation on domestic leases to $12,000,000 to assure an orderly phaseout of domestic leases during fiscal year 1982 with the understanding that this increase will only be used to support personnel presently occupying government leased housing and that no new leases will be executed in fiscal year 1982.

The Senate recedes with an amendment.

TITLE VIII—GUARD AND RESERVE FACILITIES

In its bill, the House provided a lump sum authorization of $291,702,000 for the Guard and Reserve construction program. The Senate approved $280,000,000. Conferees agreed to the Senate figure which is $77,000,000 higher than the Administration's amended request. The conferees expect that any projects specifically mentioned in the Reserve Forces Title discussion of either committee report would be accommodated under the lump sum increase authorized in the conference report.

DINING FACILITY, DALLAS NAVAL AIR STATION

The conferees were advised of a high priority requirement to replace the dining facility at the Naval Air Station, Dallas, Texas, which was destroyed by fire. The conferees feel that this facility should be re-

placed as soon as possible using the authority of 10 USC 2673.

EXPANSION OF FEDERAL FACILITIES BY NATIONAL GUARD

In this title, the House approved and the Senate deleted a requested provision (Section 803) to allow for the transfer of federally owned Reserve Centers to states when they are expanded for joint use with the National Guard.

Currently, most state laws preclude funding of any portion of the expansion of a federal facility where the Federal Government retains ownership. Section 803 would provide grants to the states for the assumption of ownership and expansion of federal facilities for joint use by the National Guard, enabling states to consider a less expensive alternative to new construction.

Senate conferees agreed to accept the provision after being advised that Section 803 is permissive in nature and will not force the states to accept joint construction if it is not considered practicable by the state, territory, Puerto Rico, or the District of Columbia. In addition, the Federal Government will be responsible for financing all structural deficiencies before transferring any such facility.

TITLE IX—GENERAL PROVISIONS

Among the major items relating to the general provisions that were subject to conference action were the following:

SOLAR ENERGY

The House bill (section 901) revised the existing formula contained in 10 United States Code 2688 for determining the cost effectiveness of solar energy systems. The revision eliminated a conflict in law between the design criteria and the construction criteria used to evaluate the cost effectiveness of such systems. The Senate amendment contained no similar provision.

The conferees agreed to modify the House provision so that, consistent with existing Federal regulations, an investment cost credit of 10 percent would be deducted from the actual solar system cost for determining life cycle costs.

The Senate recedes with an amendment.

SPECIAL IMPACT ASSISTANCE

The House bill (section 905) extended community planning assistance funding in the special impact program available for MX Weapon system and East Coast Trident impact areas. The Senate amendment contained no similar provision.

The conferees agreed to extend community planning assistance funding and to reduce the scope of the special impact provisions to apply only to the East Coast Trident program.

The Senate recedes with an amendment.

MINOR CONSTRUCTION AUTHORITY

The Senate amendment (section 904) modified the minor construction authority by increasing the project ceiling from $500,000 to $1,000,000, revising the project level approval process, and reducing the congressional review period following notification to 15 days from 30 days. The House bill contained no similar provision.

The conferees agreed to revise the minor construction authority, effective at the start of fiscal year 1983, as follows:

(a) increase the project ceiling from $500,000 to $1,000,000;

(b) revise the project level approval process: $0–$500,000 project cost requires local command approval; $500,000–$750,000 project cost requires military service secretary approval; $750,000–$1,000,000 project cost requires Secretary of Defense approval; and

(c) require exigent projects costing $500,000–$1,000,000 to be submitted to the Committees on Armed Services 15 days before obligation of funds.

The House recedes with an amendment.

BUY AMERICAN

The Senate amendment (Section 905) broadened the "Buy-American" concept which was included in the Fiscal Year 1981 Military Construction Authorization Act for the construction of contingency facilities in support of the Rapid Deployment Force, to apply to all overseas locations where not precluded by existing Status of Forces agreements. The House bill contained no similar provision.

The conferees agreed to limit the application of the Buy-American provision to the construction of facilities in support of the Rapid Deployment Force, including Diego Garcia. Recognizing that certain flexibility is necessary, the conferees agreed to exempt coverage of certain building materials, contracts in the amount of $5 million or less and a prescribed percentage of each construction contract costing over $5 million. These exemptions should provide contracting authorities with sufficient latitude for avoiding excessive costs and delays.

The House recedes with an amendment.

LAND ACQUISITION, FORT CARSON, COLO.

The Senate amendment contained a provision (sec. 906) that would (a) permit certain land conveyances to the United States for expansion of the Fort Carson military installation to be treated as involuntary conversions under the Internal Revenue Code of 1954 and (b) authorize local governments whose jurisdictions encompass the Fort Carson expansion area to receive certain payments as partial compensation for the loss of tax revenues.

The conferees agree on the importance of the expansion of Fort Carson military installation. The conferees also agree that the involuntary conversion provisions of the Internal Revenue Code clearly should be applicable in the case of this expansion, for which funds were authorized by both the House and Senate. However, the conferees recognized that the provision on involuntary conversions could be subject to a point of order under the House rules, and it was deleted. But the conferees agreed that separate legislation embodying section 906(a) of the Senate amendment should be promptly introduced in each House so that it might be expeditiously considered.

The Senate recedes on Section 906(a) of the Senate amendment; the House recedes on Section 906(b).

STANDARDIZATION OF MILITARY TIMBER HARVESTING RECEIPTS

The Senate amendment (section 913) amended 10 United States Code 2665 for the purpose of standardizing the use of timber harvest receipts from Federal military lands with that existing for such receipts from national forest lands. It would entitle State and local governments to receive 25 percent of net receipts from timber harvesting on military installations located within their boundaries for public school and public road purposes. This distribution formula would permit military services to apply timber proceeds against their related operation and maintenance costs before any receipts are distributed to State and local governments.

The House bill contained no similar provision. However, on November 4, 1981, the House had passed unanimously an identical measure, H.R. 4543, under suspension of the rules.

The House recedes.

MELVIN PRICE,
JACK BRINKLEY,
G. V. MONTGOMERY,
ABRAHAM KAZEN, Jr.,
ANTONIO B. WON PAT,
WM. L. DICKINSON,
PAUL TRIBLE,
G. WILLIAM WHITEHURST,
DONALD J. MITCHELL,
Managers on the Part of the House.

JOHN TOWER,
STROM THURMOND,
JOHN WARNER,
J. GORDON HUMPHREY,
BILL COHEN,
JOHN C. STENNIS,
GARY HART,
HENRY M. JACKSON,
HOWARD W. CANNON,
J. J. EXON,
Managers on the Part of the Senate.

PERMISSION FOR COMMITTEE ON MERCHANT MARINE AND FISHERIES TO FILE CERTAIN REPORTS

Mr. MOAKLEY. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may have until midnight tonight to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

NATURAL GAS CONSUMERS THREATENED BY PROPOSED ALASKAN PIPELINE WAIVERS

(Mr. FLORIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FLORIO. Mr. Speaker, I rise in opposition to the proposed resolution to waive certain requirements under the Alaska Natural Gas Transportation Act. The waiver package represents an unconscionable shift of the burden of the pipeline's cost onto the American consumer. If Congress goes along with the administration's plan, residential gas consumers in New Jersey would be forced to pay an extra $15 to $29 annually for 20 years. Even with this forced multimillion-dollar investment, New Jersey's consumers might never even get the first cubic foot of Alaskan gas when—or if—this project is ever finished. This waiver package directly violates assurances given the Congress when the pipeline construction plan was approved in 1977. Now, almost 4 years later, this project has been unable to secure financing, despite the 30-percent rate of return it is supposed to realize during its first year. If the major banks do not want to risk their money on this pipeline, it makes no sense for Congress to invest the public's money. Bringing natural gas from Alaska to the lower 48 States is both vital and

worthwhile. But the risk should be assumed by the corporations who would profit from it, not by the consuming public. As it stands right now, this plan is nothing less than a ripoff of the consumer and a $50 billion safety net for the oil companies who are afraid to invest their own money because of the shaky nature of this project.

There is absolutely nothing in the waiver package to guarantee: First, that the Federal Energy Regulatory Commission (FERC) will approve the sponsor's financing proposals; second, that financing institutions will agree to lend funds upon the FERC's certification; or third, that the Congress will not hear once again from the pipeline's sponsors to tell us that they must have additional Federal assurances before the project can be completed.

Unless the deficiencies which currently exist in the project are corrected, we cannot be absolutely certain that the necessary loan capital to complete this project will be forthcoming.

Throughout the testimony before the Energy and Commerce Committee, it was made clear that even with the participation of the oil companies and the transfer of some risk to the ratepayers, financing for the current sponsors remains elusive. Those involved in the project have refused to state that this waiver package will guarantee the actual construction of the project, or that they will not return to the Congress either for more waivers or for Federal financial support.

Furthermore, natural gas prices will in all likelihood be decontrolled by the time the pipeline is supposed to be completed. Therefore, it is uncertain whether the Alaska gas will be economically competitive with other forms of energy.

I concur with my colleagues that the timely completion of the Alaska natural gas transportation system remains an essential part of securing this Nation's energy future. However, let us not be deluded into believing that a vote against these waivers is a vote against the pipeline. It is not. While the completion of the project may very well be in the national interest, I fail to be convinced that transferring the risk to the ratepayers of the participating pipelines is in the national interest.

It seems that the proponents of the waiver package are forgetting that their proposal represents a direct violation of the understanding which existed with the oil companies when we approved the pipeline construction in 1977. At that time, we stipulated specific conditions in the legislation: First, that the entire pipeline be completed and gas flowing before consumers are billed for any of the pipeline's costs; second, that Exxon, Sohio, and Arco be barred from any ownership in the pipeline; and third, that the oil companies bear the responsibility for constructing the $6 billion conditioning plant at the pipeline's northern end.

I urge my colleagues to reject this unwise waiver package. We must not allow it to go forward.

HOUSE PASSAGE OF ALASKAN PIPELINE WAIVERS WOULD MEAN INCREASED NATURAL GAS PRICES TO OUR CONSTITUENTS FOR NATURAL GAS THEY MAY NEVER RECEIVE

(Mr. CORCORAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CORCORAN. Mr. Speaker, the House is scheduled to consider House Joint Resolution 341, an approval resolution which would grant waivers to the Alaskan Natural Gas Transportation Act of 1976. I strongly oppose House Joint Resolution 341, and would like to suggest to my colleagues that this is a watch-out piece of legislation. Although there has been relatively little congressional interest in this matter until recently, I urge my colleagues to very carefully consider the issues involved here in view of the significant potential increased costs to gas ratepayers around the country.

Gas bills would go up as much as $72 a year for the average American residential gas user in about 1987 and over $150 in some parts of the country, according to congressional computer estimates. If the project is completed but is not used, $37 billion could, nonetheless, be paid by ratepayers toward it.

It is curious that support by consumers has so far been lacking on this. For those who own the gas and investors, this seems quite a deal—a deal granted with congressional blessing. However, from the standpoint of the consumer, it would be potentially the greatest consumer ripoff in the history of the United States. For instance, the average Illinoisan using gas would pay up to $101 more in the first year that consumers could be billed for the massive project's cost.

Rejected in the marketplace, potential project financiers now want Congress to grant them the unprecedented privilege to bill consumers for as much as 20 years whether or not they will ever be consumers in the sense that they ever get Alaskan gas. They want over 60 percent of our gas-consuming citizens to bear the risks they see as too great to gamble on themselves.

Pipelines sponsoring the 4,800-mile project and other equity participants would receive a 25-percent annual rate of return on their investment, according to a study by an Energy and Commerce Committee staff report. Oil companies which own Prudhoe Bay gas will have a total yearly return "in excess of 50 percent on their investment," the report notes.

Mr. Speaker, I urge our colleagues to defeat House Joint Resolution 341 when it reaches the floor this week.

WATT OWES APOLOGY TO AMERICAN PEOPLE

(Mr. LEACH of Iowa asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEACH of Iowa. Mr. Speaker, it was with surprise and dismay that I read of Secretary Watt's assertion that the environmental debate pits liberals against Americans. We are all Americans, whether we are Republicans or Democrats, conservatives or moderates or liberals. The views Secretary Watt projects on wilderness and oil-leasing policies are controversial. I happen to disagree with his perspective, but I can respect it. What I cannot respect is the way the Secretary is reflecting the views he holds.

America is a melting pot of ideas as well as peoples. Nothing could be more dangerous than to ascribe the views of the Government as American and the views of dissenting Americans as un-American. Tolerance, after all, is the heart of our system. In fact, there are very few things that are more American than to disagree with our political leaders. For a Cabinet member to label dissenters as un-American does a disservice to our Constitution and to our heritage. The right to dissent is what led to the American Revolution, what galvanized patriots on this Pearl Harbor Day 40 years ago, and what distinguishes America today from countries like Iran and the Soviet Union. Secretary Watt owes an apology to the American people.

IMPROVED PROSPECTS FOR PEACE IN THE MIDDLE EAST

(Mr. ERDAHL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ERDAHL. Mr. Speaker, as a member of the Foreign Affairs Committee which recently visited the Middle East, I have returned encouraged and cautiously hopeful of the prospects for peace in that part of the world.

My colleagues and I engaged in frank discussions with national leaders covering a wide range of issues.

I was impressed to see that an orderly and peaceful transition of power has taken place in Egypt since the tragic death of former President Sadat. Israeli officials told me of their determination to meet the conditions of the Camp David accords. Since leaving there, I am pleased to learn that

the Israelis agreed to European participation in returning the Sinai Peninsula next April. Saudi and Egyptian officials expressed to us their countries' vital interest in creating a workable peace plan that will include their Arab neighbors.

In the best interest of peace, I believe that we must reaffirm our commitment to the Camp David accords while, at the same time, seek new approaches to the remaining problems in the Middle East. In so doing, we will reinforce what I see as the three principles of American foreign policy: First, maintaining a strong American presence in the area; second, enhancing the stability of the nations desirous of peace; and third, retaining the flexibility necessary in finding modifications acceptable to all parties.

MAKING IN ORDER CONSIDERATION OF CONFERENCE REPORT ON H.R. 3455, MILITARY CONSTRUCTION AUTHORIZATION ACT, 1982, ON TOMORROW OR ANY DAY THEREAFTER

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that it may be in order to consider the conference report on the bill (H.R. 3455) to authorize certain construction and military installations for fiscal year 1982, and for other purposes, on tomorrow, Tuesday, December 8, 1981, or any day thereafter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. WALKER. Mr. Speaker, reserving the right to object, I reserve the right to object simply to ask the gentleman a couple of questions.

As I understand it, the gentleman has not been able, because of technical problems, to reach the ranking member of the subcommittee and clear this matter with him. Would the gentleman be agreeable to accept an agreement that would say that if the gentleman from Virginia (Mr. TRIBLE) were not in favor of the gentleman's request, the conference report would not be brought up on December 8?

Mr. BRINKLEY. Mr. Speaker, if the gentleman will yield, I will give the gentleman from Pennsylvania (Mr. WALKER) my assurance that notwithstanding the granting of this unanimous-consent request, I would not call the conference report up for consideration in the House until the expiration of the necessary 3 days unless the consent of the gentleman from Virginia (Mr. TRIBLE) were first gained.

Mr. WALKER. Mr. Speaker, I thank the gentleman from Georgia (Mr. BRINKLEY), and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

SELL PUBLIC LANDS TO REDUCE THE NATIONAL DEBT

The SPEAKER. Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

● Mr. ANNUNZIO. Mr. Speaker, the national debt is now over the staggering amount of $1 trillion. Bringing the national debt down below $1 trillion is absolutely essential. Reducing the national debt should reduce inflation and this in turn should help improve the economy.

One way to reduce the national debt that should be considered is by selling public lands. In the 1830's Andrew Jackson sold Government lands to reduce the national debt. Through sale of public lands and other means, the national debt was reduced from $48.6 million in 1829 to $37,500 in 1835. Unfortunately, since 1835, the national debt has increased to over $1 trillion today.

In 1980 alone, the Government paid out $52.5 billion in net interest on the national debt. This represents an increase of 265 percent over the interest of $14.4 billion paid out in 1970. In the past 2 years the interest on the national debt has cost the American taxpayers $239 billion.

Paying off the national debt will result in an immediate and direct savings to the taxpayers. For example, for every $1 billion that the national debt is reduced there is a $115 million savings to taxpayers. For every $10 billion of reduction there is a savings of $1.15 billion. These savings are based on an average interest rate of 11.5 percent.

Although selling public lands would reduce the national debt, it must be done only with the proper protections for the public welfare. For instance, anyone buying such land would have to agree to a land use policy approved by the Department of the Interior.

The possibility of selling Government-owned buildings might also be considered. The Government could sell this property, reduce the national debt with the proceeds and then lease back the buildings on a long-term basis.

These are only two ideas that supplement my earlier commitment to offer a national debt reduction amendment to every bill before the House that would provide income to the U.S. Government.

The national debt is not going to be reduced by magic, but by sacrifice and hard work and innovative approaches to this national problem. We must dedicate ourselves to the important goal of reducing the national debt and we must begin this task immediately.●

AMERICA'S WORKING PEOPLE PAYING FOR PRESIDENT'S PROGRAM

The SPEAKER. Under a previous order of the House, the gentleman from Louisiana (Mr. LONG) is recognized for 5 minutes.

● Mr. LONG of Louisiana. Mr. Speaker, last summer, many of us expressed real concerns about the President's so-called economic recovery program.

We warned that the President's program would lead to enormous Federal budget deficits. We warned that his Kemp-Roth tax cut plan benefited the very rich at the expense of the working people of our country.

Unfortunately, our warnings went unheeded, and the President won his program, lock, stock, and barrel.

America's working people are now paying for the President's program. More than 1 million of them have lost their jobs since the Republican program was enacted. The economy is now in recession and falling. Inflation and interest rates, though dampened by the recession, are still so high that they choke off economic expansion. That is quite a price—just to give a big tax cut to the wealthiest among us.

But apparently, the President and the Republicans in the Senate believe working Americans still have not paid enough. His administration and Senate Republicans have been floating what they call revenue enhancement measures. We used to call them tax increases.

What taxes have the Republican administration and Republican Senators been talking about raising? Taxes the working people pay, of course. They want to double the excise taxes on tobacco and alcoholic beverages. They have reassured the country club crowd that it will not cut into their Kemp-Roth bonanza by reviving the luxury taxes on mink coats and diamond rings. But, for working people, the administration and the Republican Senators have a different message: If you want to enjoy a cigarette or a can of beer after a hard day's labor, your taxes on those items will be doubled.

Mr. Speaker, I hope my colleagues on the other side of the aisle will join me in opposing any such efforts of the administration to increase taxes that fall most heavily on working people. It may be difficult for some of my Republican friends to understand, but a cigarette or a beer after work is, as the distinguished Senator from South Carolina, Senator HOLLINGS, has said, the workingman's country club.●

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. APPLEGATE (at the request of Mr. WRIGHT), for December 7, 8, and 9 on account of medical reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Mr. LUNGREN) to revise and extend their remarks and include extraneous material:

Mr. CONABLE, for 60 minutes, December 9.

(The following Members (at the request of Mr. MOAKLEY) to revise and extend their remarks and include extraneous material:)

Mr. GONZALEZ, for 15 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. LONG of Louisiana, for 5 minutes, today.

Mr. COELHO, for 5 minutes, today.

Mr. GEPHARDT, for 60 minutes, on January 28, 1982.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. LUNGREN) and to include extraneous matter:)

Mr. CARMAN.

Mr. WOLF.

Mr. PORTER in two instances.

Mr. LEBOUTILLIER.

Mr. KEMP in five instances.

Mr. GREEN.

Mr. KRAMER.

(The following Members (at the request of Mr. MOAKLEY) and to include extraneous matter:)

Mr. RODINO.

Mr. STOKES.

Mr. MATSUI in two instances.

Mr. BAILEY.

Mr. AUCOIN.

Mr. MATTOX.

Mr. ANDERSON in 10 instances.

Mr. GONZALEZ in 10 instances.

Mr. BROWN of California in 10 instances.

Mr. ANNUNZIO in six instances.

Mr. JONES of Tennessee in 10 instances.

Mr. BONER of Tennessee in five instances.

Mr. BOLAND.

Mr. BEILENSON.

Mr. HOYER.

Mr. WEAVER.

SENATE BILL AND JOINT RESOLUTION REFERRED

A bill and joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 657. An act to designate the Department of Commerce Building in Washington, the District of Columbia, as the "Herbert Clark Hoover Department of Commerce Building"; to the Committee on Public Works and Transportation.

S.J. Res. 122. Joint resolution to authorize and request the President to designate the week of February 28, 1982, through March 6, 1982, as "National Construction Industry Week"; to the Committee on Post Office and Civil Service.

ENROLLED BILL SIGNED

Mr. HAWKINS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4591. An act to amend the mineral leasing laws of the United States to provide for uniform treatment of certain receipts under such laws, and for other purposes.

ADJOURNMENT

Mr. MOAKLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 17 minutes p.m.) the House adjourned until tomorrow, Tuesday, December 8, 1981, at 12 o'clock noon.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Report of House committee concerning the foreign currencies and U.S. dollars utilized by them during the third quarter of calendar year 1981 in connection with foreign travel pursuant to Public Law 95-384 is as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1981

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Romano L. Mazzoli	6/28	7/2	Mexico		375.00						375.00
Commercial transportation							650.00				650.00
Patricia Schroeder	6/28	7/2	do		375.00						375.00
Commercial transportation							650.00				650.00
Harris N. Miller	6/28	7/2	do		375.00						375.00
Commercial transportation							650.00				650.00
Peter Regis	6/28	7/2	do		375.00						375.00
Commercial transportation							650.00				650.00
Garner J. Cline	6/28	7/7	Switzerland		1,130.00		446.20				1,576.20
Commercial transportation							2,644.00				2,644.00
Romano L. Mazzoli	8/6	8/9	Hong Kong		411.00						411.00
	8/9	8/14	Thailand		600.00		65.30		58.19		723.49
Military transportation							5,190.63				5,190.63
Commercial transportation							1,844.80				1,844.80
Sam B. Hall, Jr	8/6	8/9	Hong Kong		411.00						411.00
	8/9	8/14	Thailand		600.00		65.30		58.19		723.49
Military transportation							5,190.63				5,190.63
Commercial transportation							1,844.80				1,844.80
Harris N. Miller	8/6	8/9	Hong Kong		411.00						411.00
	8/9	8/14	Thailand		600.00		65.30		58.19		723.49
Military transportation							5,190.63				5,190.63
Commercial transportation							1,844.80				1,844.80
George E. Danielson	8/6	8/9	Hong Kong		411.00						411.00
	8/9	8/13	Thailand		480.00		65.30		58.19		603.49
	8/13	8/15	Greece		216.00		29.17		83.48		328.65
	8/15	8/17	Austria		363.00		125.48		98.39		586.87
Military transportation							11,828.36				11,828.36
Garner J. Cline	8/6	8/9	Hong Kong		411.00						411.00
	8/9	8/13	Thailand		480.00		65.30		58.19		603.49
	8/13	8/15	Greece		216.00		29.17		83.48		328.65
	8/15	8/17	Austria		363.00		125.48		98.39		586.87
Military transportation							11,828.36				11,828.36
William P. Shattuck	8/6	8/9	Hong Kong		411.00						411.00
	8/9	8/13	Thailand		480.00		65.30		58.19		603.49
	8/13	8/15	Greece		216.00		29.17		83.48		328.65
	8/15	8/17	Austria		363.00		125.48		98.39		586.87
Military transportation							11,828.36				11,828.36
Arthur P. Endres, Jr	8/6	8/9	Hong Kong		411.00						411.00
	8/9	8/13	Thailand		480.00		65.30		58.19		603.49
	8/13	8/15	Greece		216.00		29.17		83.48		328.65
	8/15	8/17	Austria		363.00		125.48		98.39		586.87
Military transportation							11,828.36				11,828.36

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1981—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Janet S. Potts	8/6	8/9	Hong Kong		411.00						411.00
	8/9	8/13	Thailand		480.00		65.30		58.19		603.49
	8/13	8/15	Greece		216.00		29.17		83.48		328.65
	8/15	8/17	Austria		363.00		125.48		98.39		586.87
Military transportation							11,828.36				11,828.36
Peter J. Levinson	8/6	8/9	Hong Kong		411.00						411.00
	8/9	8/13	Thailand		480.00		65.30		58.19		603.49
	8/13	8/15	Greece		216.00		29.17		83.48		328.65
	8/15	8/17	Austria		363.00		125.48		98.39		586.87
Military transportation							11,828.36				11,828.36
William J. Hughes	8/6	8/9	Hong Kong		411.00						411.00
	8/9	8/11	Thailand		240.00		276.90		58.19		575.09
	8/11	8/12	Burma						2.80		2.80
	8/12	8/13	Thailand		240.00						240.00
	8/13	8/15	Greece		216.00		29.17		83.48		328.65
	8/15	8/17	Austria		363.00		125.48		98.39		586.87
Military transportation							11,828.36				11,828.36
Hayden W. Gregory	8/6	8/9	Hong Kong		411.00						411.00
	8/9	8/11	Thailand		240.00		276.90		58.19		575.09
	8/11	8/12	Burma						2.80		2.80
	8/12	8/13	Thailand		240.00						240.00
	8/13	8/15	Greece		216.00		29.17		83.48		328.65
	8/15	8/17	Austria		363.00		125.48		98.39		586.87
Military transportation							11,828.36				11,828.36
Hamilton Fish, Jr	8/6	8/9	Hong Kong		411.00						411.00
	8/9	8/11	Thailand		240.00		276.90		58.19		575.09
	8/11	8/12	Burma						2.80		2.80
	8/12	8/13	Thailand		240.00						240.00
	8/13	8/14	Greece		108.00		282.72		83.48		474.20
	8/14	8/15	Switzerland		80.00		212.73				292.73
	8/15	8/17	Austria		363.00		125.48		98.39		586.87
Military transportation							11,167.73				11,167.73
Patricia Schroeder	8/6	8/9	Hong Kong		411.00						411.00
	8/9	8/13	Thailand		480.00		65.30		58.19		603.49
	8/13	8/15	Greece		216.00		29.17		83.48		328.65
	8/15	8/17	Austria		363.00		125.48		98.39		586.87
Military transportation							11,828.36				11,828.36
Committee total					20,335.00		147,915.94		2,583.57		170,834.51

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

PETER W. RODINO, JR., Chairman.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2628. A letter from the Assistant Secretary of the Army (Research, Development and Acquisition), transmitting a report on Army research and development contracts of $50,000 or more which were awarded during fiscal year 1981, pursuant to 10 U.S.C. 2357; to the Committee on Armed Services.

2629. A letter from the Assistant Secretary of the Army (Installations, Logistics, and Financial Management), transmitting notice of the Army's intention to study the conversion from in-house operation to commercial contract of various functions at sundry locations, pursuant to section 502(a) of Public Law 96-342; to the Committee on Armed Services.

2630. A letter from the Assistant Secretary of the Air Force (Research, Development and Logistics), transmitting notice of the proposed conversion to contractor performance of the graphic arts function at Lowry Air Force Base, Colo., pursuant to section 502(b) of Public Law 96-342; to the Committee on Armed Services.

2631. A letter from the Director, Federal Emergency Management Agency, transmitting the semiannual stockpile report for the period October 1980 to March 1981, pursuant to section 11 of the Strategic and Critical Materials Stock Piling Act, as amended, and Executive Order 12155; to the Committee on Armed Services.

2632. A communication from the President of the United States, transmitting a report on progress toward conclusion of a negotiated solution of the Cyprus problem, pursuant to section 620C(c) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

2633. A letter from the Assistant Secretary of State for Congressional Relations, transmitting notice of the State Department's intention to consent to a request by the Government of Australia for permission to transfer certain U.S.-origin defense equipment to Singapore, pursuant to section 3(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2634. A letter from the Assistant Secretary of State for Congressional Relations, transmitting notice of the State Department's intention to consent to a request by the Government of Belgium for permission to transfer certain U.S.-origin defense equipment to Turkey, pursuant to section 3(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2635. A letter from the Assistant Secretary of State for Congressional Relations, transmitting notice of the State Department's intention to consent to a request by the Government of Israel for permission to transfer certain U.S.-origin defense equipment to Brazil, pursuant to section 3(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2636. A letter from the Assistant Secretary of State for Congressional Relations, transmitting notice of the withdrawal of the report on the issuance of an export license for certain defense equipment and services sold commercially to France (Transmittal No. MC-27-81; Executive Communication No. 2464), previously submitted pursuant to section 26(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2637. A letter from the Assistant Secretary of State for Congressional Relations, transmitting notice of the proposed issuance of a license for the export of certain defense equipment and services sold commercially to Tunisia (Transmittal No. MC-1-82), pursuant to section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2638. A letter from the Assistant Secretary of State for Congressional Relations, transmitting notice of the proposed issuance of a license for the export of certain defense equipment sold commercially to Sweden (Transmittal No. MC-2-82), pursuant to section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2639. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the Air Force's intention to offer to sell certain defense equipment and services to Venezuela (Transmittal No. 82-12), pursuant to section 36(b) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2640. A letter from the Secretary of Commerce, transmitting the semiannual report of the Inspector General of the Department of Commerce, covering the period ended September 30, 1981, pursuant to section 5(b)

of Public Law 95-452; to the Committee on Government Operations.

2641. A letter from the Secretary of Housing and Urban Development, transmitting the semiannual report of the Inspector General of the Department of Housing and Urban Development, covering the period ended September 30, 1981, pursuant to section 5(b) of Public Law 95-452; to the Committee on Government Operations.

2642. A letter from the Clerk, U.S. Court of Claims, transmitting a copy of the court's opinion in Docket No. 235, *The American Indians Residing on the Maricopa-Ak Chin Reservation* v. *The United States*; to the Committee on Interior and Insular Affairs.

2643. A letter from the Chief Justice of the United States, transmitting the proceedings of the Judicial Conference of the United States held in Washington on September 24 and 25, 1981, pursuant to 28 U.S.C. 331 (H. Doc. No. 97-117); to the Committee on the Judiciary and ordered to be printed.

2644. A letter from the Associate Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States, pursuant to section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

2645. A letter from the Associate Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in behalf of certain aliens, pursuant to section 212(d)(6) of the act; to the Committee on the Judiciary.

2646. A letter from the Acting Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation under the authority of section 244(a)(1) of the Immigration and Nationality Act, together with a list of the persons involved, pursuant to section 244(c) of the act; to the Committee on the Judiciary.

2647. A letter from the Acting Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation under the authority of section 244(a)(2) of the Immigration and Nationality Act, together with the list of the persons involved, pursuant to section 244(c) of the act; to the Committee on the Judiciary.

2648. A letter from the Administrator of Veterans' Affairs, transmitting a report on the Exchange of Medical Information program for fiscal year 1981, pursuant to 38 U.S.C. 5057; to the Committee on Veterans' Affairs.

2649. A letter from the Chairman, Joint Subcommittee on Aquaculture, Departments of Agriculture, Commerce, and the Interior, transmitting the first progress report of the subcommittee, covering the period September 26, 1980, through September 30, 1981, together with reports on studies of capital requirements of the aquaculture industry and regulatory constraints, pursuant to section 5(d), 8(a), and 9(a), respectively, of Public Law 96-362; jointly to the Committees on Merchant Marine and Fisheries and Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[*Pursuant to the order of the House on December 3, 1981, the following reports were filed on December 4, 1981*]

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 1281. A bill to provide for the conveyance of certain lands in Alaska comprising trade and trade manufacturing site A-056802 without regard to the 80-rod limitation provided by existing law; with amendments (Rept. No. 97-557). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 2475. A bill to withdraw certain lands in Mono County, Calif., from settlement, sale, location, or entry for the purpose of protecting the watershed supplying water to the city of Los Angeles, and to rescind such withdrawal for certain other lands in Mono County, Calif.; with amendments (Rept. No. 97-358). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 2863. A bill to authorize the Secretary of Agriculture to sell the portion of the Tahoe National Forest known as Blythe Arena; with amendments (Rept. No. 97-359). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 3433. A bill to modify the boundaries of the San Juan and San Isabel National Forests in the State of Colorado, and for other purposes; with an amendment (Rept. No. 97-360). Referred to the Committee of the Whole House on the State of the Union.

Mr. DELLUMS: Committee on the District of Columbia. H.R. 4910. A bill to amend the District of Columbia Self-Government and Governmental Reorganization Act and the charter of the District of Columbia with respect to the provisions allowing the District of Columbia to issue general obligation bonds and notes and revenue bonds, notes, and other obligations; with amendments (Rept. No. 97-361). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted December 7, 1981*]

Mr. BRINKLEY: Committee of Conference. Conference report on H.R. 3455 (Rept. No. 97-362). And ordered to be printed.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 4700. A bill to amend the Energy Policy and Conservation Act to authorize the President to control oil supplies and prices in the event of a severe petroleum supply interruption, and for other purposes; with an amendment (Rept. No. 97-363). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 3782. A bill to revitalize the pleasure cruise industry by clarifying and waiving certain restrictions in the Merchant Marine Act, 1936, and the Merchant Marine Act, 1920, to permit the entry of the steamship vessel *Oceanic Constitution* into the trade; with an amendment (Rept. No. 97-364). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BEILENSON:

H.R. 5119. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to require manufacturers of passenger cars to furnish information relating the crashworthiness of the cars to prospective car buyers; to the Committee on Energy and Commerce.

By Mr. HANCE:

H.R. 5120. A bill to amend the Internal Revenue Code of 1954 to increase the deduction for net capital gains from 60 percent to 70 percent and to reduce to 6 months the holding period required for long-term capital gain treatment; to the Committee on Ways and Means.

By Mr. MARKEY (for himself and Mr. SANTINI):

H.R. 5121. A bill to improve the collection of Federal royalties and lease payments derived from certain natural resources under the jurisdiction of the Secretary of the Interior, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. NAPIER:

H.R. 5122. A bill to exclude certain backpay awards from Federal income taxation, and for other purposes; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 5123. A bill to amend the Internal Revenue Code of 1954 to repeal the special leasing provisions enacted by the Economic Recovery Tax Act of 1981; to the Committee on Ways and Means.

MEMORIALS

Under clause 4 of rule XXII,

230. The SPEAKER presented a memorial of the Legislature of the State of Michigan, relative to the Federal Crop Insurance Act of 1980; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. BONKER introduced a bill (H.R. 5124) for the relief of Chitra Schlotterbeck; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 116: Mr. NICHOLS, Mr. BONIOR of Michigan, Mr. WOLF, Mr. BARNES, Mr. MCDADE, and Mr. TAUKE.

H.R. 117: Mr. WOLPE.

H.R. 1141: Mr. DORNAN of California.

H.R. 1147: Mr. DORNAN of California.

H.R. 1982: Mr. FAZIO.

H.R. 2102: Mr. DAUB and Mr. ZABLOCKI.

H.R. 2451: Mr. DORGAN of North Dakota and Mr. WORTLEY.

H.R. 2490: Mr. RATCHFORD, Mr. PEASE, and Mr. CROCKETT.

H.R. 3416: Mr. GREGG and Mr. DAUB.

H.R. 3678: Mr. CARMAN.

H.R. 4009: Mr. ANTHONY and Mr. AKAKA.

H.R. 4835: Mr. GARCIA, Mr. EDWARDS of California, Mr. FOGLIETTA, Mr. PASHAYAN, Mr. MINETA, Mr. GEJDENSON, Mr. ECKART, Ms. MIKULSKI, Mr. HUGHES, Mr. WILLIAMS of Montana, Mr. LUNDINE, Mr. SHELBY, Mr. SIMON, and Mr. BEREUTER.

H.R. 4860: Mr. WEAVER, Mr. BONKER, and Mr. MORRISON.

H.R. 4977: Mr. CARMAN, Mrs. COLLINS of Illinois, Mr. WILLIAM J. COYNE, Mr. DAUB, Mr. FISH, Mr. GOLDWATER, Mr. HUGHES, Mr. LANTOS, Mr. LEWIS, Mr. MICA, Mr. ROBINSON, and Mr. STENHOLM.

H.J. Res. 319: Mr. WEAVER.

H. Con. Res. 215: Mr. DONNELLY, Mr. PORTER, Mr. WORTLEY, Mr. YATES, Mr. DOWNEY, Mr. SOLARZ, Mr. HORTON, Mr. LANTOS, Mr. DWYER, Mr. BRODHEAD, Mr. KRAMER, Mr. OBERSTAR, Mr. WAXMAN, Mr. ROSENTHAL, Mr. ADDABBO, Mr. GLICKMAN, Ms. FIEDLER, Mr. CORCORAN, Mr. BEILENSON, Mr. HARKIN, Mrs. FENWICK, Mr. BINGHAM, Mr. LOWRY of Washington, Mr. MATSUI, Mr. LOWERY of California, Mr. RITTER, Mr. FAUNTROY, Mr. GOODLING, Mrs. HOLT, Mr. PEYSER, Mr. RODINO, Mr. WEISS, Mr. ATKINSON, Mr. WILSON, Mr. FORD of Tennessee, Mr. SMITH of Pennsylvania, Mr. WYDEN, Mr. LEHMAN, Mr. GEJDENSON, Mr. LAFALCE, Mrs. SCHROEDER, Mr. EDWARDS of California, Mr. MOLINARI, Mr. FORSYTHE, Mr. FITHIAN, Mr. FOGLIETTA, Mr. GREEN, Mr. MCKINNEY, Mr. MITCHELL of Maryland, Mr. SCHEUER, Mr. STUDDS, Mr. BARNES, Mr. FISH, Mr. MINETA, Ms. MIKULSKI, Mr. MOFFETT, Mr. HUGHES, Mr. DOUGHERTY, Mr. PHILLIP BURTON, Mr. OTTINGER, Mr. BLANCHARD, Mr. EDGAR, Mr. FAZIO, Mr. SIMON, Mr. CONTE, and Mr. ERTEL.

H. Res. 143: Mr. LOWERY of California, Mr. ROEMER, Mr. FITHIAN, Mr. FAUNTROY, and Mr. BINGHAM.

H. Res. 265: Mr. ANDREWS, Mr. JEFFORDS, Mrs. SCHROEDER, Mr. KINDNESS, Mr. PORTER, Mr. STENHOLM, Mr. FISH, Mr. LAFALCE, and Mr. BADHAM.

PETITIONS, ETC.

Under clause 1 of rule XXII,

295. The SPEAKER presented a petition of the Richland County Council, South Carolina, relative to extension of the Voting Rights Act of 1965; which was referred to the Committee on the Judiciary.

SENATE—*Monday, December 7, 1981*

(Legislative day of Monday, November 30, 1981)

The Senate met at 12 noon, on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, the Reverend Richard C. Halverson, LL.D., D.D., offered the following prayer:

Great is the Lord and greatly to be praised; and His greatness is unsearchable. The Lord is good to all, and His tender mercies are over all His works. Thy kingdom is an everlasting kingdom, and Thy dominion endureth throughout all generations.—Psalm 145: 3, 9, 13.

Mighty God, we recall the infamy of this day 40 years ago. We thank Thee for the resolution of that conflict and the good relationship we now enjoy with Japan. In that memory may we be more sensitive than ever to the irresistible logic of making peace and the insane irrationality of making war.

Father God, I pray that Thou wilt give to the Senate this week a special measure of wisdom and strength for their tasks. Help them to see what a practical resource they have in Thee. Prove to them. Father, that Thou dost understand their situation in every detail and that Thou art willing and able to enable them efficiently and judiciously to complete their business sooner than seems humanly possible.

Bless the Senate leadership, the leaders of the majority and the minority, their assistants and aides. Bless those who chair committees and subcommittees, those who manage bills and their support people. I pray, gracious Father, that this place will be filled with an unmistakable sense of Thy presence which will make it possible for the Senate to handle its pressing legislation in the least amount of time so that all who serve here and in the White House will have time to give priority to their families at this holiday season.

Dear God, show that Thou art a loving, caring, understanding Father who can enable humans to do better than their best, to do what without Thee would be impossible. We ask this in the name of Him whose birthday we celebrate at this season. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

HAPPY BIRTHDAY, SENATOR THURMOND

Mr. BAKER. Mr. President, this past Saturday, the distinguished President pro tempore of the Senate, Senator THURMOND, celebrated his 79th birthday, and I want to take this opportunity on behalf of the entire Senate to congratulate our esteemed colleague on that occasion.

Senator THURMOND's dedication and enthusiasm for this body is as stalwart today as it was in 1954 when he was first elected to the Senate. In recognition of this special occasion, I would like to dedicate a poem by W. H. Auden, entitled "New Year Letter" to Senator THURMOND, with my best wishes and sincerest appreciation.

NEW YEAR LETTER BY W. H. AUDEN

O Unicorn among the cedars,
To whom no magic charm can lead us,
White childhood moving like a sigh
Through the green woods unharmed in thy
Sophisticated innocence,
To call thy true love to the dance,
O Dove of science and of light,
Upon the branches of the night,
O Ichthus playful in the deep
Sea-lodges that forever keep
Their secret of excitement hidden,
O sudden Wind that blows unbidden,
Parting the quiet reeds, O Voice
Within the labyrinth of choice
Only the passive listener hears,
O Clock and Keeper of the years,
O Source of equity and rest,
Quando non fuerit, non est,
It without image, paradigm
Of matter, motion, number, time,
The grinning gap of Hell, the hill
Of Venus and the stairs of Will,
Disturb our negligence and chill,
Convict our pride of its offence
In all things, even penitence,
Instruct us in the civil art
Of making from the muddled heart
A desert and a city where
The thoughts that have to labour there
May find locality and peace,
And pent-up feelings their release,
Send strength sufficient for our day,
And point out knowledge on its way,
O da quod jubes, Domine

Mr. President, I understand the Chair is constrained not to speak in his present circumstance, as he presides in the Senate, but I can see from the place at which I stand that he has nodded assent which is the only acknowledgment that I require because I wish to add my own personal respect, and once again to express my respect and affection for a man who is deeply and uniquely a man of the Senate.

Mr. PROXMIRE. Mr. President, will the majority leader yield?

Mr. BAKER. I yield.

Mr. PROXMIRE. I want to join the majority leader in wishing a happy birthday to the President pro tempore of the Senate.

When I first arrived here back in 1957 the distinguished Presiding Officer was speaking fervently and devotedly for a cause in which he believed, and with great effect. In fact, I think he spoke that time something like 26 hours.

It was a remarkable feat, very impressive, and although I disagreed with the Senator on occasions, I have great admiration and respect for his integrity, his honor, and the dignity he has brought to this body, and I am happy to join my good friend in wishing him a happy birthday.

THE JOURNAL

Mr. BAKER. Mr. President, I ask unanimous consent that the Journal of the proceedings of the Senate be approved to date.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BAKER. Mr. President, I believe there is already an order for the transaction of routine morning business today, is there not?

The PRESIDENT pro tempore. The majority leader is correct.

Mr. BAKER. I have no further requirement for any time under the standing order, and I am prepared to yield it to any Senator seeking recognition or to the control of the distinguished acting minority leader if he has any need for it. He indicates he does not.

I yield back the remainder of my time under the standing order.

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDENT pro tempore. The acting minority leader is recognized.

WHAT THE GENOCIDE CONVENTION IS NOT

Mr. PROXMIRE. Mr. President we are seeing a particularly unstable period in Latin American history. To make matters worse this regional strife has provided the latest battle ground for East-West competition. Massive exports of sophisticated weapons by both sides have only worsened the violence and destruction there. Our policy for the region has shifted from an emphasis on human rights to geopolitical considerations. Civilians are the big losers. Many thousand have already died and there is no end in sight.

Civilians in El Salvador are suffering the most. Civil war and vigilanteism are destroying their country. International recognized norms of war concerning civilians are not being observed and the civilian government in power has proved powerless to stop this violence. Meanwhile the civilian death toll mounts. For the first week in November alone, 287 civilians were killed according to the San Salvador Archdiocese.

To escape this violence, thousands of Salvadoran citizens have sought refuge in the Honduras. But, increasingly the Salvadoran civil war is spilling across the Honduran border. Now the Honduran military is in the process of forcibly resettling 19,000 refugees who they feel are aiding Salvadoran guerrillas with food and sanctuary.

Mr. President, the core of the problem in this region is poverty, a basic disregard for human rights and intervention by outside sources. But none of the actions I have just mentioned could be considered genocide under the International Genocide Convention.

This is because the actions of all sides in Latin America are aimed at political groups.

Mr. President, some have argued that excluding political groups from article II fundamentally undermines the effectiveness of this treaty. But, as with all international treaties, it is practical and sound to start with things that all parties can agree on. Sovereign nations would not commit themselves to a treaty which prevents them from quelling domestic insurrection, or defending against external subversion. For this reason political groups were excluded from the treaty.

Mr. President, this treaty is not a panacea for all the ills of the world. It is designed to protect members of national, ethnical, racial, or religious groups from being systematically annihilated for the sole reason that they are members of one of these groups.

I hope my colleagues will take advantage of this opportunity to reaffirm the right of these groups to live which is so basic to our American tradition. It will not solve all of our human rights problems but ratifying the Genocide Convention will be a step in the right direction.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. MATTINGLY). Who yields time?

ORDER OF BUSINESS

Mr. BAKER. Mr. President, might I inquire of the acting minority leader if he has any requirement for the remainder of his time under the standing order?

Mr. PROXMIRE. I have no requirement. I am happy to yield back the remainder of the minority leader's time.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business not to exceed 1 hour with statements therein limited to 5 minutes each.

Mr. BAKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ARCHIBALD COX

Mr. HELMS. Mr. President, comes now the Honorable Archibald Cox, who is regarded by many in this city as a man with a constant thirst for savoring his name in headlines, traveling around the country to hold "news conferences" to condemn those with whom he does not agree.

Now, it is interesting that the gentleman is not using his own money for his travels. His expenses are being paid by a well-known liberal lobbying group. Mr. President, I hasten to say that I find no fault with any of that. The gentleman is within his rights. And he is by no means alone in this city in his desire to see his name in the newspapers—particularly in those "liberal" newspapers which use any pretext to attack Ronald Reagan or any other public figure perceived as being a conservative.

Now, Mr. President, Mr. Archibald Cox stopped in Raleigh, N.C., this past Friday for a "press conference" with a newspaper which he knew would be jubilant to hear and report his attacks on the Senator from North Carolina. And he fired both barrels. But upon analysis of what the gentlemen said, the Cox shotgun only sputtered. As Winston Churchill once remarked, nothing is more satisfying than to have been shot at and missed.

Mr. President, Mr. Cox's fury was directed at me because I am attempting to stop forced busing and reinstate voluntary prayer in the schools. I plead guilty to both counts.

But, Mr. Cox cried, while in Raleigh, that Senator HELMS was trying to destroy the Supreme Court and destroy the Constitution.

Mr. Cox should pause at least long enough to read the Constitution. With all due respect to the gentleman, it is fair to wonder if he has read article III, section 2 of the U.S. Constitution. That section contains the important "exceptions clause" which clearly, undeniably gives Congress the right and the authority to limit the appellate jurisdiction of the Supreme Court.

Moreover, the Supreme Court itself, time and time again, has made clear that Congress does have the right to limit the Court's appellate jurisdiction. One constitutional scholar, a liberal, by the way, has said the Supreme Court has made that clear in "an unwavering line through five consecutive Chief Justices, including John Marshall."

Speaking of Chief Justice Marshall, Mr. President, it was he who, in 1788, before the Virginia Ratifying Commission, declared that Congress may limit the Supreme Court's jurisdiction, "As far as Congress may think proper for the interest and liberty of the people."

Now, Mr. President, if Mr. Cox would consult some of the Nation's noted constitutional experts, he might be—he might be—sufficiently embarrassed to tone down his purely political attacks on conservatives with whom he disagrees. He might, for example, inquire of Dr. Raoul Berger, of Harvard, since Mr. Cox feels so much at home at Harvard. Dr. Berger is himself not regarded as a conservative, but he is a recognized student of the U.S. Constitution. He is also a fair man, which Mr. Archibald Cox sometimes appears not to be.

Dr. Raoul Berger once opposed my efforts to limit the jurisdiction of the Supreme Court, but then Dr. Berger decided to study the question further. His verdict after that study: "The Helms amendment seeks only to restore State control of school prayer exactly as the Founders intended."

Mr. President, I rest my case, but I would say again that I do not question Mr. Cox's right to disagree with me on the question of school prayers, on forced busing, or on any other issue. But I do question his motives when he flies around the country making stark misrepresentations of what I am trying to do. It surely was no accident that Mr. Archibald Cox conveniently dropped in to Raleigh for a "news conference" with a newspaper which avidly seeks any morsel of criticism of any conservative, especially if it happens to be Ronald Reagan or Jesse Helms.

So, Mr. President, if Mr. Archibald Cox wants to campaign against conservative government in the United States, that is his right. But he ought to lower his flag of constitutional purity. Either the gentleman does not know what he is talking about or he is deliberately attempting to mislead the American people.

Mr. President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. BAKER. Mr. President, I have two unanimous-consent agreements which I am informed have been cleared on the minority side. I would like to state them now for the consideration of the acting minority leader.

APPOINTMENT OF ADDITIONAL CONFEREE—H.R. 4995

Mr. BAKER. First, Mr. President, I ask unanimous consent that the Senator from Oregon (Mr. HATFIELD) be added as a conferee to the Department of Defense appropriations bill, H.R. 4995.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS FOR TODAY

Mr. BAKER. Now, Mr. President, in respect of the schedule for today, I ask unanimous consent that following the

period for the transaction of routine morning business as ordered for today, the Senate proceed to the consideration of S. 10, the Hoover Commission bill; that upon disposition of that measure the Senate turn to the consideration of Senate Resolution 238, the resolution relating to tax deductions for residential mortgage interest payments; that upon the disposition of that measure the Senate turn to the consideration of S. 881, the Small Business Act amendments.

I further ask unanimous consent that any rollcall votes on amendments to or passage of these two measures or amendments to S. 881 ordered before the hour of 4:15 p.m. occur back to back at 4:15 p.m. with the first rollcall vote to be 15 minutes in length and any succeeding rollcall vote to be 10 minutes in length. Mr. President, the request should be on or in relation to these measures or any amendments in respect thereto.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BAKER. I thank the Chair.

THE SCHEDULE OF THE SENATE THIS WEEK

Mr. BAKER. Mr. President, I wish to say a word with respect to the schedule of the Senate this week. A number of matters must be dealt with before the Senate can adjourn sine die. There are appropriation bills yet to be considered and disposed of in the Senate. There are, of course, conference reports on appropriation bills; there is the second concurrent resolution. First and foremost, of course, is the passage of a continuing resolution, and there are other matters. In view of this heavy requirement for action by the Senate, I think it is likely that each day this week will be a busy day. Late sessions can be expected any evening, and I especially invite the attention of Senators to the high probability of a Saturday session this week.

That will be particularly so if the House of Representatives, in fact, acts on the continuing resolution and delivers it to the Senate for consideration by this body on Thursday or Friday. I think it would be well worth the investment of time of the Senate, on a weekend that it will be in session on Saturday, to try to complete that important piece of legislation.

Senators, then, should be on notice that the Senate will be in session, of course, each day this week, but especially to consider that there is a high probability that we will be in session on Saturday. I shall have a further announcement to make with respect to the schedule of the session next week and a further assessment of an estimate for a date for sine die adjournment, perhaps, later today.

Mr. STENNIS addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. STENNIS. Mr. President, I have no allotted time at this particular moment, but if anyone comes in who does have allotted time, I would appreciate the Chair letting me know. I do not expect to speak over 5 minutes.

REPEAL OF LEASING PROVISION OF ECONOMIC RECOVERY ACT

Mr. STENNIS. Mr. President, on December 1, Senators PELL and BUMPERS introduced legislation to repeal the so-called leasing provision of the Economic Recovery Tax Act of 1981. Senators BOREN and KASSEBAUM have also spoken out expressing their strong views that this provision should be repealed. I am more than pleased to join in cosponsoring this legislation.

I ask unanimous consent, Mr. President, that I may become a cosponsor of this bill that I have just referred to, S. 1896.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, the provision proposed to be repealed permits the so-called leasing of tax credits from one company to another. It will cost the taxpayers far more than anticipated. The original conservative estimate of the cost to the Treasury was $27 billion to $29 billion in lost tax revenues during the next 5 years. However, other estimates are that the cost could run as much as double the original estimate.

Former Internal Revenue Commissioner Sheldon S. Cohen has dubbed this as the "rent-a-deduction" provision. Enactment of this leasing provision in the Economic Recovery Tax Act of 1981 was clearly a mistake. It was a part of the substitute bill in the House of Representatives and was not considered by either the House or Senate committees. Those are the facts, I am told, Mr. President. It received little more than passing mention during floor debate. This is not the way to pass complicated tax legislation.

Mr. President, I am not trying to impute wrongdoing—the very opposite—to any Member. In the rush and push and clash of massive amounts of legislation here within the last 6 weeks, particularly, I can understand how such a thing could happen but, at the same time, the facts were not fully presented to the membership, either by way of available special official report or by normal ways of debate.

It is clear that this provision is an unjustified and, in fact, I think an outrageous raid on the U.S. Treasury.

The "rent-a-deduction" provision will permit corporations to buy and sell Federal tax credits as though they were stocks, bonds, or bushels of wheat. It helps two kinds of corporations, these being prosperous companies that do not need any help or inefficient, noncompetitive firms that do not deserve any help. The provision benefits only those wealthy corporations who wish to shelter their profits and firms that have done so poorly in the competitive marketplace that they have no profits from which to deduct their tax credits.

It is apparent that the tax loss resulting from this special provision has a direct and heavy impact on the Federal budget. For example, the $27 billion of the originally estimated loss is more than double the projected deficit in the social security trust fund in the next 5 years. That same $27 billion would fully fund for the next 10 years a program of basic educational opportunity grants to needy college students at the current budget level. Many other apt illustrations could be given.

Mr. President, I am convinced that the enactment of this leasing provision was clearly a mistake and that it would be unthinkable to allow it to remain as a part of our tax law. If we do so, the tax loss which results will have to be made up by increased taxes on the average American, additional cuts in the Government expenditures, or by increased Federal deficits. It is poor public policy to permit the selling and trading of Federal tax credits under these circumstances.

I hope that the Senate Finance and the House Ways and Means Committees will take up this matter on an urgent basis and will report out legislation repealing this leasing provision which, as I have said, constitutes an outrageous and unjustified raid on the Treasury and on the resources of this country.

Mr. President, I have voted for many of the reductions this year. I want to support whatever should prove necessary to make the necessary adjustments in our economy, to make the balances sounder in the finances of our Government, and to make sounder the important and necessary segments of our Government, such as the social security fund.

I cannot see any way that Congress now can take off on another round of these reductions in the field where the reductions in many instances actually hurt those who are beneficiaries of the programs. I do not see how, in good faith, we can take off with a new start the remainder of this year or next year in continuing to make those reductions, unless we go back and pick up the mistakes we have made.

I am not charging any conscious bad faith on the part of any Members, but we were at least careless as a body, to home extent, in letting these things happen.

We have to go back and put our legislative house in order before we can start out again, with any kind of good grace or good faith, in making these continued reductions. It is a simple matter. I do not see any complicated aspects to it. This legislation is certainly a simple matter to get through here.

I doubt that 5 percent of the membership really had an understanding of what this language meant, even if they knew it was in the bill. I certainly am surprised and chagrined and disappointed to find this set of facts.

Mr. BUMPERS. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. BUMPERS. I just want to say to the Senator on that point that I have discussed this with members of the Finance Committee. Of course, this is not a reflection on that committee or its members—it is a reflection on all of us—but I have talked to members of the committee who did not know that provision was in the bill.

I assure the Senator from Mississippi that his figure that 95 percent of the Senate did not know it is probably accurate. I would say that, more likely,

99 percent of the Senators did not know it was in the bill.

Mr. STENNIS. In connection with the Senator's reference to the Finance Committee, I am sure he joins me in believing that it is one of our better committees. We know that the membership is diligent and trustworthy, and they have a massive amount of work to do. So it is no lasting reflection on them. However, I believe they should be in a big hurry to help correct the error that has been made, and I feel that they will take that action.

I have talked with Senator KASSEBAUM and Senator BOREN, who have expressed their views on this problem, and I expect to talk to them further, as well the Senator from Arkansas, with whom I have talked a little.

THE EAST COAST TRIDENT SUBMARINE BASE AT KINGS BAY, GA.

Mr. MATTINGLY. Mr. President, contained within the military construction appropriations bill just passed was the first increment of funding for the east coast Trident submarine base located at Kings Bay, Ga. The committee, of which I am a member, made the right decision in approving the full budget request for this vital naval facility. The decision represents strong congressional support for the strategic decision in providing for both east and west coast basing of the next generation of nuclear submarines.

These submarines will be the largest and most powerful submarines ever built. They will serve as this Nation's first line of strategic weapons well into the 21st century.

The Tridents offer many advantages over our aging fleet of Polaris and Poseidon. They possess improved mobility, speed, and can travel virtually undetected for a longer period of time, thus making them more survivable. The Tridents will carry 24 missiles compared to the present 16, and with the addition of the Trident II missile, will be able to strike up to 6,000 miles into an adversary's homeland.

Additionally, the increased range of these missiles will enable the Trident to operate in 10 times more ocean than our present fleet of submarines.

In sum, Mr. President, with the Trident coming on line, the Nation is insured that our sea-based leg of the strategic Triad is sound.

The home for these advanced craft on the east coast of our country will be Kings Bay, Ga., which presently serves as a home for a Poseidon submarine squadron. The fact that the full complement of Trident can be based in the United States is highly significant, providing for higher security and more economically logistic servicing.

The studies of various organizations involved indicate that Kings Bay will serve well as the base for Tridents. According to reports I have seen 11,540 new jobs will be created as a result of the Trident basing and an additional 21,630 people are expected to be attracted to the seven-county impact area by 1998.

Mr. President, I am pleased that this vital project is staying on target as to construction timetable, and I want to thank Senator LAXALT, chairman of the subcommittee, for his interest in this project. I look forward to the facility at Kings Bay being completed by 1989 ready to receive its first ship.

COMPETITION NEEDED IN MILITARY PROCUREMENT

Mr. HEFLIN. Mr. President, I was startled and deeply concerned when I learned that as much as 25 to 30 percent of the $150 billion Department of Defense procurement budget could be saved by greater competition in the purchasing of good and services.

Several independent reports, including a study by the General Accounting Office, show that there is an obvious lack of competition in the Defense Department's procurement process. This lack of competition may be costing the American taxpayers up to $45 billion.

Mr. President, today as much as 70 percent of the dollars spent by the Defense Department for procurement of hardware, operation and maintenance, research, development and testing are awarded on a sole-source basis without any price competition.

According to a General Accounting Office study, the Defense Department could save as much as $25 to $30 billion through greater use of competition.

Mr. President, no one in this Chamber is more supportive of a strong national defense than this Senator. I have voted for increased military spending and for improving our national defense posture since I was elected to the Senate.

But I want to see that those funds are spent wisely for a strong national defense, and not wasted by fraud, abuse, or negligence in the Defense Department's procurement process.

The Defense Department appropriation bill that passed the Senate last week exceeds $208 billion. Of this amount, more than $150 billion will go for procurement. I voted for the Defense appropriation bill because I believe we must have a national defense that is second to none. But, according to independent reports, up to $45 billion is now being wasted because of the lack of competition in the awarding of contracts. This is a shamefully high figure of waste in the Defense Department's budget—and it should not be allowed to continue.

Mr. President, a strict adherence to competitive bidding and multisource contract awarding would save up to 30 percent of military's costs.

I commend my friend from Arkansas, Mr. PRYOR, for raising these concerns during the deliberation on the defense appropriation bill. I voted with him when he offered his price competition amendment. Unfortunately, we were defeated in this attempt to bring about accountability in the DOD's budget.

It is my understanding that there is a bill currently being considered which will require the appointment of an Inspector General for the Department of Defense. I join Senator PRYOR in urging the Senate Committee on Government Affairs to act expeditiously to approve this important measure.

Mr. President, in 1978, the Congress passed legislation establishing the Office of Inspector General for most Government agencies. This legislation has saved billions of tax dollars because the Inspector General acts as an independent watchdog for the prudent use of tax dollars. There is no Inspector General for the Defense Department. The Pentagon, the Nation's largest Government agency, is one of the very few agencies that does not have an independent watchdog to oversee the expenditure of $208 billion.

Mr. President, the American people want, expect, and deserve a strong national defense. But they also deserve to have their hard-earned tax dollars spent wisely and not wasted by a Government which allows for abuse and fraud within the procurement process.

The time is now to appoint an Inspector General for the Defense Department. There is no more important function for this Government than providing a national defense that is second to none—but the Pentagon must not be above minimum standards insuring the wise use of tax dollars.

I am enthusiastic about the bill creating an Inspector General for the Department of Defense and I am pleased to be a joint sponsor of that measure. This Inspector General must have the power and independence to strike fear in the hearts of those who would waste tax dollars—be they civilian or military. There is a crying need for this legislation and I urge its speedy passage by the Senate.

CRUISE MISSILES: A RISK

Mr. MATHIAS. Mr. President, on Friday during the debate on the appropriations for the Department of Defense, I called to the attention of the Senate the problems that will result from the deployment of sea-launched cruise missiles. In particular, I expressed concern over the impact of this new deployment on verification and, thereby, the impact on the whole arms control process since verification is at the very heart of that process.

Subsequently, on Sunday, December 6, the New York Times published a very interesting article by Alan B. Sherr, the president of the Lawyer's Alliance for Nuclear Arms Control, which is a national organization.

Mr. Sherr makes essentially the same arguments and, I believe, his article would be of interest to all Senators and, therefore, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CRUISE MISSILES: A RISK

(By Alan B. Sherr)

BOSTON.—Though public attention has focused on the MX missile and the B-1 bomber in President Reagan's comprehensive plan for developing our strategic nuclear forces, in the long run neither is likely to have as great an effect on our national security as his decision to deploy cruise missiles.

For a variety of reasons, cruise missiles

will substantially damage efforts to achieve effective nuclear-arms control, thus undermining rather than enhancing America's national security.

The United States plans to deploy more than 3,000 air-launched cruise missiles both on B–52's beginning in 1982 and on B–1's in subsequent years; several hundred sea-launched cruise missiles on submarines beginning in 1984; and 464 ground-launched cruise missiles in Europe beginning in 1983.

All three types of cruise missiles are formidable weapons. They are small and mobile, self-guided in flight, and could be highly accurate. Ironically, some of these characteristics spell disaster for arms control.

The size and mobility of the cruise missile make verification of the numbers and locations of these weapons virtually impossible. Because the cruise missile is only about 20 feet long, it can be easily hidden from satellite surveillance and other existing "national technical means" by which each superpower successfully counts the other's missiles and launch silos, bombers, and submarines.

Cruise missiles could be secreted in internally modified commercial aircraft, or in almost any vehicle, for example an aircraft carrier or a truck. A single wide-bodied commercial jet could carry and launch several dozen.

Even though the United States may not plan to deploy cruise missiles this way, the mere potential for doing so is destructive to arms control. There may be no practical way, once deployment has begun, to assure the Soviet Union that we won't create a secret cruise-missile force. When the Soviet Union responded by building its own cruise missiles, we would similarly be left in doubt.

Even assuming that both sides could be satisfied that cruise missiles would only be carried in specified types of vehicles, such as submarines, problems would remain. How could it be verified which submarines carried cruise missiles and which did not? Because you might not be able to tell whether a submarine had cruise missiles by examining it from the outside, on-site inspection would be necessary. The unpleasant alternative would be to count all submarines as cruise-missile carriers, thus inflating the number of nuclear weapons assumed and permitted under any future arms-control agreement.

If for no other reason, the enormous cost of weapons such as the MX and the B–1 ensure that they will be seriously debated. In contrast, the advertised low cost and strategic advantages of cruise missiles present them as expedient alternatives, thus creating such anomalies as aggressive advocacy, by proponents of nuclear-arms control, of cruise-missile deployment on B–52's as an alterantive to the B–1. The number of cruise missiles deployed by the superpowers is thus likely to be pushed upward in coming years, and proliferation to other nations made more likely.

It is not difficult to envision a world in this century in which cruise missiles with nuclear warheads abound on all oceans and continents, in which no country is confident of their whereabouts, and, indeed, in which there is no certain way of identifying which country has launched a cruise missile on its winding way to a target thousands of miles distant.

Cruise missiles have been a subject of strategic nuclear arms talks, however, since the mid-1970's. Why then are we about to deploy weapons that will ultimately prove so inimical to our national security? In large part, it is because of the desires of military strategists and defense contractors to take immediate advantage of our temporary superiority in cruise-missile technology. We are thus repeating the mistake made in the 1970's when we rejected the opportunity to ban MIRV's (multiple independently targetable re-entry vehicles) because we had them and the Soviet Union did not. Today, Soviet MIRV technology contributes substantially to the theoretical vulnerability of our land-based intercontinental ballistic missiles.

It is time to reassess our long-term interests. If we deploy cruise missiles now, we will be trying the hands of our nuclear-arms negotiators in the future; they will not be able to negotiate away a quantity that the Soviet Union cannot measure. The Soviet Union will then deploy its own cruise missiles, thereby completing destruction of the underpinning of nuclear-arms-control agreements: the capacity for mutual verification.

The Soviet Union has not yet developed and tested cruise missiles, and the United States has neither produced them in large numbers nor deployed them. Mutual verification of a ban on production and deployment is still possible. It is of the utmost importance that we do not allow this rapidly evaporating opportunity to pass.

TERRORISM SPONSORED BY LIBYA

Mr. MITCHELL. Mr. President, 3 days ago, the national press reported that the nation of Libya has trained, financed, and sent to the United States a team of five terrorists whose objective it is to murder officials of our Government. President Reagan has acknowledged that these press reports reflect information he has received from American intelligence-gathering agencies, about which he is concerned, and which he is taking seriously. It is my understanding that both the Federal Bureau of Investigation and the Secret Service are taking special extraordinary measures to insure that this terrorist team is not permitted to accomplish its objectives.

Every Member of this Congress, regardless of party, should in his or her own way, condemn Libya for its continued involvement in terrorist activities. All peace-loving nations of the world must apply the influence they possess to stop the kind of destabilizing activity which has become the hallmark of Libya and its president, Colonel Qadhafi, a man characterized by the late Anwar Sadat as "* * * 100 percent sick and possessed of the demon."

As distressing as the report of the Libyan terrorist squad is, it is only the latest chapter in a continuing saga of terrorist activity sanctioned by Colonel Qadhafi. He is reported to have lent substantial support to separatist groups in the Basque region of Spain and in Italy; to have infiltrated fundamentalist hit squads into Egypt; to have actively sought the overthrow of Sudanese President Numeiri, a friend of the United States; to have ordered and obtained the elimination of Libyan dissidents outside of Libya; and to have permitted a raging mob to sack and burn the U.S. Embassy in Tripoli in 1979.

Under 12 years of Qadhafi's rule, Libya has gained world recognition as an exporter of two things: Terrorism and petroleum. The former is financed by the revenues from the latter. Only in recent weeks have the American people become aware that the United States is the primary buyer of the Libyan petroleum which generates the cash for Qadhafi's illegal, immoral, and destabilizing plots.

We paid Libya $7 billion for oil in 1980. By July of this year, we had sent to Libya an additional $4 billion. Each day, over 350,000 barrels of Libyan petroleum enters the United States.

Though the United States is economically vital to the prosperity of the Qadhafi regime and the maintenance of Libya's reputation as the "Patron Saint" of terrorists, Libyan crude is not crucial to the economic future of the United States. In fact, Libya provides just 2 percent of all the petroleum which we consume, and only 5 percent of the petroleum which we import.

If the United States is seriously concerned about the terrorist activities which Western intelligence agencies indicate could not be conducted without Libya's cooperation and financial support, why does not this country, in cooperation with its allies, phaseout the importation of Libyan petroleum? By so doing, the United States could substantially curtail Libyan-sponsored adventurism and could do so without crippling American interests.

The Reagan administration is being presented with a foreign policy option which it should not pass up. The administration has spoken at great length about its commitment to halt the spread of terrorism. By instituting a prompt phaseout of Libyan oil imports, President Reagan would be backing up his administration's words with concrete action.

Five weeks ago, during the Senate's consideration of the foreign assistance authorization bill for fiscal year 1982, I cosponsored an amendment offered by Senator HART which would have resulted in a complete phaseout of Libyan oil within 90 days. Ironically enough, the Reagan administration urged Senators to oppose Senator HART's proposal, and to support a mere study of the ways in which pressure could be brought to bear against Libya. I believe now, as I did then, that the time for studies is past and that firm action is urgently required.

I hope that the reports of Libyan hit men searching for their American targets here in the United States are sufficient to convince the President that he should act quickly to stop the flow of American dollars to Libya by taking immediate steps to terminate the U.S. importation of Libyan oil.

HEALTH WARNING LABEL ON ALCOHOLIC BEVERAGE CONTAINERS

Mr. THURMOND. Mr. President, I rise today to address two issues which have been raised regarding my bill, S. 1543, which provides for the placement of a health warning label on the containers of alcoholic beverages.

One question is the date by which the various distilled spirits companies will have to comply with the provisions of the bill, once it is passed. Similar legislation to my bill, which has been introduced in the House by Representative GEORGE BROWN, provides for compliance within 60 days of enactment. I have been in-

formed by several sources that compliance within such a time frame may well be impossible.

I have no desire to place an unreasonable burden on the distilled spirits industry. Therefore, I intend to recommend to the Senate Committee on Commerce, Science, and Transportation, to which this bill has been referred, that compliance with the terms of the bill shall become mandatory 1 year from the date of enactment. This will, I believe, give the distilled spirits industry ample time to make necessary preparations and to use up their present stocks of labels.

Mr. President, the second question concerns the actual location of the label. The current language of the bill (S. 1543) states that the health warning must "appear on the label of any such container * * *." With regard to imports, the labels will already be intact when they arrive in this country. I would like to state today for the RECORD that I believe a separate label containing the health warning, placed on the outside of the container, would be acceptable under this language. There is no reason why the health warning would have to be a part of the main label, as long as any separate label containing the health warning appears in a conspicuous place on the front of the container. If the Commerce Committee, after receiving testimony on this bill, believes that a separate label would indeed be preferable, I would not be opposed to a committee recommendation or amendment to that effect.

If this is the case, there would, of course, be no reason to allow time for label stock depletion, and the 1-year implementation time previously suggested could perhaps be rolled back to 6 months.

I intend to notify the Commerce Committee directly of these recommendations, and I hope that my remarks here in the Senate will serve to make my views known to cosponsors and others who may have an interest in the bill.

Thank you, Mr. President.

Mr. BUMPERS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ROTH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ABDNOR). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

BUDGET ACT WAIVER

Mr. DOMENICI. Mr. President, I call up Senate Resolution 203 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will state the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 203) waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 10.

The Senate proceeded to consider the resolution.

Mr. DOMENICI. Mr. President, Senate Resolution 203 waives section 402(a) of the Congressional Budget Act with respect to the consideration of S. 10, the so-called Hoover Commission bill. This waiver resolution is necessary because S. 10 was reported after the May 15, 1981, reporting deadline for fiscal year 1982 authorizing legislation. The Budget Committee reported the resolution to the Senate without recommendation on September 22.

I would like to point out to the Senators that the purpose of section 402(a) of the Budget Act is to prevent authorizing legislation reported after May 15 from disrupting the appropriations and budget processes. Funding for the Commission on More Effective Government, if Congress passes S. 10, could be provided before the end of fiscal year 1982 through a supplemental appropriation bill. I understand that only about $3 million would need to be appropriated in the Commission's first year of existence. In light of the very small direct appropriations on budgetary impact of S. 10 and the possibility that implementation of the Commission's recommendations could yield substantial budgetary savings in the long run, I have no objection to waiving section 402(a) of the Budget Act. I urge the Senators to adopt Senate Resolution 203.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 203) was agreed to, as follows:

S. RES. 203

Resolved, That pursuant to section 402(c) of the Congressional Budget Act of 1974, the provisions of section 402(a) of such Act are waived with respect to the consideration of S. 10, to create a Commission on More Effective Government. Such waiver is necessary to permit consideration of an additional fiscal year 1982 authorization of appropriations to carry out the purpose of S. 10.

Such waiver is necessary as S. 10 was not reported before May 15, 1981, as required by section 402(a) of the Congressional Budget Act of 1974.

Because of the need, however, for a broad review of the operation of government, and because of the constructive contribution that the S. 10 Commission can make to improving governmental performance, the Congress should give early and favorable consideration to the passage of S. 10.

Mr. ROTH. Mr. President, I move to reconsider the vote by which the resolution of waiver was agreed to.

Mr. EAGLETON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ROTH. I thank the distinguished chairman of the Budget Committee for coming to the floor for this purpose. He and Senator HOLLINGS have been most cooperative.

ESTABLISHMENT OF A COMMISSION ON MORE EFFECTIVE GOVERNMENT

The Senate proceeded to consider the bill (S. 10) to establish a Commission on More Effective Government, with the declared objective of improving the quality of Government in the United States and of restoring public confidence in government at all levels, which had been reported from the Committee on Governmental Affairs with an amendment to strike out all after the enacting clause, and insert the following:

DECLARATION OF POLICY

SECTION 1. It is the policy of the Congress to develop a blueprint for better government in the United States, to set in motion processes by which the Federal Government can more effectively and responsively serve the people for whom it was created and can more rationally meet its present and future challenges, both national and international, and to encourage and justify the full restoration of public confidence in government at all levels.

ESTABLISHMENT OF COMMISSION

SEC. 2. For the purpose of carrying out the policy set forth in section 1, there is hereby established a commission to be known as the Commission on More Effective Government (in this Act referred to as the "Commission").

IMPLEMENTATION OF POLICY BY COMMISSION

SEC. 3. (a) In carrying out the policy set forth in section 1, the Commission shall consider and study the management, operation, and organization of the executive branch and of the independent regulatory agencies of the Federal Government, including the relationships of such entities to each other, to the other branches of the Federal Government, to their State and local governmental counterparts, and to the private sector. Such study and consideration shall give particular attention to the extent to which such relationships and established patterns of action meet or fail to meet governmental responsibilities and are adequate to meet the challenges of the future. Where appropriate and necessary, the Commission's consideration and study shall include the extent to which the policies implemented by the executive branch and the independent regulatory agencies detract from or enhance governmental management, operation, and organization.

(b) On the basis of its considerations and study under subsection (a), the Commission shall make recommendations, including but not limited to specific proposals for changes in Federal laws, regulations and administrative practices, to promote economy, effectiveness, efficiency, and managerial and political accountability, and to improve services and management in the transaction of the public business. Such recommendations shall include, where appropriate, recommendations for altering the present distribution of functions and activities among the Federal agencies and among the Federal, State, and local governments.

(c) In carrying out its consideration and study under subsection (a), the Commission shall avail itself of relevant information and data gathered by such public and private organizations and individuals as it deems appropriate.

ORGANIZATION OF THE COMMISSION

SEC. 4. (a) The Commission shall be composed of eighteen members as follows:

(1) Six appointed by the President of the United States; a maximum of three from the executive branch, and the balance, persons who are not Federal officials.

(2) Six appointed by the Speaker of the House of Representatives; a minimum of two and a maximum of three from the House of Representatives, and the balance, persons who are not current Members of the House of Representatives.

(3) Six appointed by the Senate majority leader; a minimum of two and a maximum of three from the Senate, and the balance, persons who are not current Members of the Senate.

Members of the Commission shall to the maximum extent possiole be chosen from among persons who have particular knowledge and expertise in the major areas of the Commission's consideration and study. Of the members appointed by the President, one shall have had experience in government at the State or local level; of the members who are not Federal officials appointed by the Speaker of the House of Representatives, one shall have had governmental experience at the local level; and of the members who are not Federal officials appointed by the Senate majority leader, one shall have had governmental experience at the State level. In considering individuals for membership, preference shall be given to persons with a broad knowledge and understanding of the working of the federal system of the United States of America.

(b)(1) Of the members appointed by the President from persons who are not Federal officials under subsection (a)(1), two shall be from the major political party which is not the party of the President, and at least two shall be persons not engaged in partisan political activity.

(2) Of the members appointed from the House of Representatives under subsection (a)(2), one shall be from the political party which is the majority party in the House and one shall be from the other major political party. At his discretion, the Speaker may appoint either a second incumbent Representative from the majority party in the House or a former Representative from that same party. Of the remaining three members appointed under such subsection, two shall be persons not engaged in partisan political activity. Of these three remaining members one shall be from the political party which is the minority party in the House.

(3) Of the members appointed from the Senate under subsection (a)(3), one shall be from the political party which is the majority party in the Senate and one shall be from the other major political party. At his discretion, the majority leader may appoint either a second incumbent Senator from the majority party in the Senate or a former Senator from that same party. Of the remaining three members appointed under such subsection, two shall be persons not engaged in partisan political activity. One of these three remaining members shall be from the political party which is the minority party in the Senate.

(4) For the purposes of this Act, the term "persons not engaged in partisan political activity" shall mean persons who for at least six months prior to appointment as a member of the Commission, have not occupied or sought elected public office, or have not served as an official of a State or national political party.

(c) The President shall appoint a Chairman from among the Commission members who are not Federal officials at the time of appointment. The Commission shall elect from among its members a Vice Chairman from the major political party which is not the party of the Chairman. The Commission shall adopt such rules and regulations as may be necessary to establish its procedures and to govern the manner of its operations, its organization, and its personnel.

(d) Ten members of the Commission shall constitute a quorum.

(e) Any vacancy in the Commission shall not affect its powers, but shall be filled in the manner in which the original appointment was made. Any individual appointed to fill a vacancy in the Commission shall be of the same political party as his predecessor.

(f) An individual who is appointed to the Commission in the status of a Member of Congress or in the status of a person in the executive branch of the Government, and who thereafter ceases to have such status, shall nevertheless continue as a member of the Commission and shall (if he has returned to private life except for his membership on the Commission) be treated as an individual appointed from private life for purposes of compensation under section 5.

COMPENSATION OF COMMISSION MEMBERS

SEC. 5. (a) The members of the Commission who are Members of Congress or who are in the executive branch of the Government shall serve on the Commission without any compensation in addition to that received for their services as Members of Congress or in the executive branch. The members of the Commission from private life shall each be paid compensation at a rate equal to the rate of basic pay in effect for level IV of the Executive Schedule when engaged in the performance of the duties vested in the Commission.

(b) All members of the Commission shall be reimbursed for travel as authorized by section 5703 of title 5, of the United States Code, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

COMMISSION STAFF

SEC. 6. (a) The Commission shall have power to appoint, terminate, and fix the compensation of such personnel as it deems advisable to assist in the performance of its duties, without regard to the civil service laws and without regard to the provisions of title 5 of the United Stats Code (or of any other law) relating to the number, classification, or compensation of employees. The Commission may also procure, as authorized by section 3109 of title 5, United States Code, temporary and intermittent services to the same extent as is authorized by law for agencies in the executive branch but at rates not to exceed the daily equivalent of the maximum annual rate of basic pay in effect for grade GS-18 of the General Schedule. The Chairman and Vice Chairman shall select an executive director for the Commission contingent upon confirmation by the Commission members.

(b) Service of an individual as a member of the Commission (or of an advisory council or committee under section 7) or employment of an individual by the Commission as an attorney or expert in any business or professional field, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of any Federal law relating to conflicts of interest or otherwise imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of services, or the payment or receipt of compensation in connection with claims, proceedings, or matters involving the United States. Service as a member of the Commission (or of such an advisory council or committee), or as an employee of the Commission, shall not be considered service in an appointive or elective position in the Government for purposes of section 8344 of title 5, United States Code, or comparable provisions of Federal law.

ADVISORY COUNCILS AND COMMITTEES

SEC. 7. The Commission may establish (without regard to the Federal Advisory Committee Act) such advisory councils and advisory committees as it may deem appropriate to provide specialized assistance in the performance of the duties vested in the Commission by the Act. Members of such advisory councils and committees, while attending meetings of such councils or committees or while otherwise serving at the request of the Commission away from their homes or regular places of business (unless otherwise eligible for travel and subsistence expenses under chapter 57 of title 5, United States Code), may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government serving without pay.

POWERS OF THE COMMISSION

SEC. 8. (a) The Commission or any member authorized by the Commission may, for the purpose of carrying out this Act, hold such hearings and sit and act at such times and places, take such testimony, have such printing and binding done, enter into such contracts and other arrangements (with or without consideration or bond, to such extent or in such amounts as are provided in appropriation Acts, and without regard to section 3709 of the Revised Statutes (41 U.S.C. 5)), make such expenditures, and take such other actions as the Commission or such member may deem advisable. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission or before such member. The provisions of the Federal Advisory Committee Act shall not apply to the Commission established under this Act.

(b) The Commission is authorized to secure directly from any officer, department, agency, establishment, or instrumentality of the Government such information, suggestions, estimates, and statistics as the Commission may require for the purpose of this Act; and each such officer, department, agency, establishment, or instrumentality is authorized and directed to furnish, to the extent permitted by law, such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

(c) Upon request of the Commission, the head of any Federal agency is authorized to make any of the facilities and services of such agency available to the Commission or to detail any of the personnel of such agency to the Commission, on a reimbursable basis, to assist the Commission in carrying out its duties under this Act, unless the head of such agency determines that urgent, overriding reasons will no permit the agency to make such facilities, services or personnel available to the Commission and so notifies the Chairman in writing.

(d) The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(e) No officer or agency of the United States shall require the Commission to submit any report, recommendation, or other matter to any such officer or agency for approval, comment, or review before submitting such report, recommendation, or other matter to the Congress or to the President.

MEETINGS, PUBLIC INVOLVEMENT, REPORTS, EXPIRATION

SEC. 9. (a) The Commission shall first convene no later than six months after the date of enactment of this Act, and shall meet from time to time thereafter, as its members deem appropriate.

(b) Consistent with other provisions of this Act, the Commission shall structure its operations and activities to assure the appropriate and meaningful involvement of the public in its deliberations. In doing so, the Commission shall consider the desirability of holding public hearings, particularly in locations outside of the District of Columbia and of establishing toll-free telephone lines or other mechanisms whereby members of the public can readily contribute suggestions for Commission consideration.

(c) The Commission shall from time to time submit to the Congress and the President such reports as it may deem appropriate with respect to its activities under this Act. One year after it first meets, the Commission shall report to the Congress and the President on its agenda and its progress. Thirty months after the date of enactment of this Act, the Commission shall submit to the Congress and the President its final report with respect to

such activities, including all of its findings and recommendations.

(d) Ninety days after the submission to the Congress and the President of its final report under subsection (b), the Commission shall cease to exist, except as provided under section 11(b).

PREPARATION FOR THE COMMISSION

SEC. 10. Upon enactment of this Act, the Comptroller General, the Director of the Congressional Research Service, the Director of the Congressional Budget Office, the Director of the Office of Technology Assessment, and the Chairman of the Advisory Commission on Intergovernmental Relations shall begin to prepare briefing papers for the Commission. Such briefing papers shall catalog and synthesize any recent reports, analyses, and recommendations of the respective organizations, and shall contain such other information deemed by the head of each such organization to be pertinent to the work of the Commission. The briefing papers shall be completed no later than four months after the date of enactment of this Act.

MONITORING AND FOLLOWUP ON COMMISSION RECOMMENDATIONS

SEC. 11. (a) For a period of four years after the Commission ceases to exist, the Comptroller General shall monitor the implementation of the recommendations of the Commission, and shall report periodically to the Congress and the President on the actions being taken to implement such recommendations.

(b) For a period of eighteen months after the Commission ceases to exist, a portion of the staff shall continue to seek the consideration and implementation of the recommendations of the Commission. During such period, such staff shall be under the supervision of and shall report to the Director of the Office of Management and Budget.

(c) Upon submission of the Commission's final report to the President under section 9(c) the Director of the Office of Management and Budget, in coordination with the executive agencies, shall take action to (1) formulate the views of the executive agencies on the recommendations of the Commission; (2) to the extent practicable within the limits of their authority and resources, carry out recommendations of the Commission in which they concur; and (3) propose legislation needed to carry out or to provide authority to carry out other recommendations of the Commission in which they concur. At least once every six month, the Director of the Office of Management and Budget shall report to the Congress and the President on the status of action taken or to be taken as provided herein. A final report on the final disposition of the recommendations shall be submitted within four years after the submission of the Commission's final report under section 9(c).

EXPENSES OF THE COMMISSION

SEC. 12. There are hereby authorized to be appropriated $16,000,000 to carry out this Act.

Mr. ROTH. Mr. President, today the Senate considers S. 10, to create a Commission on More Effective Government. At a time when the problems with the operation of Government are so highly visible and public support is at a low ebb, I can think of no legislation currently before the Congress that would have a more positive long-term effect on the operation of Government than would the S. 10 proposal.

Essentially, S. 10 would assemble an 18-member bipartisan Commission of distinguished citizens to address the issues of governmental organization and management. On the basis of its 2-year review this panel would develop a blueprint for more effective Government at the Federal level and throughout the intergovernmental system. These recommendations would then be made to the Congress and to the President for implementation either through legislation or executive action.

This is not a new idea. In fact, the S. 10 proposal is based upon the two highly successful Hoover Commissions of the late 1940's and early 1950's. These independent reform Commissions proved highly successful at pointing the way to better governmental organization and, ultimately, to improved public service delivery. Yet vast changes have occurred in the size and the role of Government in the nearly 30 years since the second Hoover Commission issued its recommendations. These changes and the new problems that we face in Government create the need for another broad and objective review of the operation of Government.

It was in response to this need that Senator EAGLETON and I on January 5 of this year introduced S. 10, to establish a new review Commission. Congressman BOLLING has introduced companion legislation in the House of Representatives where it has 102 cosponsors. The legislation enjoys broad-ranging bipartisan support. I want to especially compliment Senators EAGLETON and LEVIN for their leadership in improving and advancing this legislation. The administration strongly supports the bill and has testified to this effect. In his statement for the administration before the committee Mr. Harper testified:

President Reagan shares with you a conviction that the operation of Government can be, in fact must be, vastly improved. A clear perception from the 1980 elections is that the American people demand improvement in their Government as the price for their renewed confidence in our basic institutions of public leadership. We heartily endorse the Commission proposed in S. 10 and pledge to cooperate fully with it in meeting its demanding challenge.

Groups as diverse as Common Cause, Citizens Choice, the National Governors' Association, the Business Roundtable, the National League of Cities, and the National Association of Manufacturers also are strongly in favor of the proposal.

Mr. President, I have here a number of letters that I received just in the last several days that clearly indicate the broad gaged interest in S. 10. One, from the Charles F. Kettering Foundation offers the assistance of that organization together with the National Academy of Public Administration, in carrying out preparatory work which will considerably assist the Commission in getting underway.

Mr. President, I ask unanimous consent that these letters be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ROTH. This proposal clearly does have broad backing. For it to have the fullest impact, however, it must be composed of individuals of the highest caliber and who command the respect of our people. President Ford, I believe would make an excellent Chairman for the Commission, and Congressman DICK BOLLING is another individual with a wealth of knowledge to contribute to the effort.

In my view, the need for changes in the way that we manage and organize our departments and agencies and programs at the Federal level can hardly be disputed. The confusing overlap of functions and responsibilities among all levels of government and the strained relationships between the branch of Government have left our people with a feeling of disappointment and our public officials with a strong sense of frustration. Programs that too often promise more than they can deliver, inefficiency, and the loss of accountability all have had a corrosive effect on the public confidence in government. Yet, if our Government is to play its proper role in meeting the tremendous challenges that we will face as a Nation in the coming decade, this public confidence in government must be restored.

Despite the widespread concern with the performance of government, we do possess the resources and the leadership in this country to get government to work better. By including the views of those from inside and outside of government, by relying on the unheeded reform studies that already have been completed, and by encouraging public participation, the S. 10 Commission will bring these energies to bear on the problems that we now face in government.

I think that the Commission will use these energies most wisely by focusing them on two major areas. Its contribution can be made first by reviewing Federal Government organization, not only with respect to present needs, but with the future in mind as well. Over the past 20 years we have tended to create a new government organization to address each new policy issue. This proliferation inevitably leads to duplication and overlap and equally inevitably diffuses accountability and responsibility. We cannot continue to add layers of governmental entities to deal with the rapid change that we face in the decade ahead. It is imperative that we structure our Government for great flexibility in order to properly address these new challenges.

In designing a blueprint, the Commission will surely find it necessary to review a second area of major focus, that of the relationship between and the roles of the Federal Government, the other governments in our Federal system, and the private sector. These intergovernmental relationships have been subjected to such strong forces during the last two decades of governmental change that the relationships themselves exacerbate the problems with accountability and responsibility.

Ultimately, it is the purpose of this Commission to provide recommendations for streamlining government to these ends: To improve the delivery of services, to speed the decisionmaking process, and most importantly, to restore public confidence in government.

Questions relating to the size and the substance of Federal programs, of course, are matters to be resolved through the political process. But the clarification of the roles of the Nation's various levels

of government and the processes by which they relate are issues which the Commission can address without intruding into the political arena. Moreover, it can do its work from an objective standpoint and take the time needed to develop its recommendations and provide the depth and supporting documentation required to substantiate them.

If the Commission follows the pattern of earlier independent reform efforts, it will have a central staff and use task forces composed of experts in the various areas to examine the broad sweep of the subject areas. It will maximize the use of existing studies—both public and private—to avoid duplication of past efforts. The best talent will be sought for the Commission and the staff. Public hearings will be employed to insure citizen participation and to focus the attention on the work of the Commission. One of the principal aims of the Commission will be to serve as a coalition building process to encourage support for the changes that the Commission will recommend. In drafting these recommendations, consideration will be given to the mechanisms for insuring follow through on the Commission's work. In all aspects of the Commission's work, examples of positive governmental performance will be featured at the same time that problems will be analyzed.

Legislation such as the Reorganization Act and the growing awareness of the need to control the budget should provide the authority and the support in Washington for changing the path of Government. But all of these well-intentioned efforts will themselves be destined to fail if there is not concentrated and cohesive support for governmental change on the part of the American people. The S. 10 Commission on More Effective Government represents an important means of developing this public awareness and support.

Mr. President, we cannot continue to conduct business as usual in Government. The inadequacies of our current approaches and the tremendous demands that we will face as a Nation as we near the 21st century dictate that we seek innovative approaches. The S. 10 Commission will permit the independent and objective review that will illuminate these improvements. With its emphasis on citizen participation and awareness it will encourage action on the commonsense governmental improvements that too often receive inadequate attention. For these reasons I encourage all of my colleagues in the Senate to give S. 10 their vote of approval.

EXHIBIT 1

NATIONAL GOVERNORS' ASSOCIATION,
Washington, D.C., December 1, 1981.

Hon. WILLIAM V. ROTH, Jr.,
Chairman, Committee on Governmental Affairs, Washington, D.C.

DEAR SENATOR ROTH: I understand that S. 10, which would establish a Commission on More Effective Government, will soon be on the Senate floor. For this reason, I am writing to you now to reiterate the support of the National Governors' Association for the legislation.

The decade of the 1970's produced a series of studies and position papers on the intergovernmental system, many of which pointed to the need for reform of the federal-state partnership. The current budget situation has intensified the need for efficient use of federal resources. A Commission for More Effective Government could focus on such issues as:

Sorting out roles and responsibilities among levels of government;

Increasing flexibility in intergovernmental programs;

Insuring accountability in grant initiatives; and

Reviewing the role of the judiciary in the federal system.

In view of the importance of the intergovernmental questions that will come before the Commission, we believe that state elected officials should be adequately represented among the membership of the Commission.

The National Governors' Association is concerned about the future of intergovernmental programs, which support some of the most important domestic priorities of this country, including providing subsistence and medical care to people in need, protecting the environment, and revitalizing the nation's cities. Reflecting this concern, individual Governors have called for a domestic summit to discuss fiscal and structural priorities. We view the Commission on More Effective Government as consistent with and complementary to the summit concept.

We look forward to working with you toward enactment of S. 10.

Sincerely,

STEPHEN B. FARBER.

THE BUSINESS ROUNDTABLE,
New York, N.Y., December 2, 1981.

Hon. WILLIAM V. ROTH, Jr.,
Dirksen Senate Office Building, Washington, D.C.

DEAR SENATOR ROTH: The Business Roundtable, an organization of Chief Executive Officers of 190 large corporations, supports S. 10.

The enormous growth of the Federal government in the last 25 years since the Second Hoover Commission Report justifies a thorough examination of the workings of the government and how to improve its effectiveness in the remainder of this century.

Such an examination by a group of experienced and credible citizens can point the way to new mechanisms and techniques of management needed to meet current and future problems.

You and Congressman Bolling and your colleagues in both parties have fashioned legislation that will enable the Commission to achieve its important goals. We support the legislation and, if it is enacted, the Commission's operations will have the cooperation and attention of our members.

Sincerely,

JOHN POST.

U.S. CONFERENCE OF MAYORS,
Washington, D.C., December 1, 1981.

Hon. WILLIAM V. ROTH, Jr.,
Dirksen Senate Office Building, Washington, D.C.

DEAR SENATOR ROTH: The U.S. conference of Mayors has officially endorsed the proposal to establish a commission on more effective government which is incorporated in S. 10. We have participated over the past several months in the development of this constructive proposal. We hope that it will receive approval when it comes before the Senate.

I know that my colleagues who represent state and local government here in Washington share our enthusiasm for this measure. Clearly, it is in the best interests of the American people that we have the broadest discussion possible as we move toward a more efficient and focused concept of federalism.

We applaud your sponsorship of this measure and pledge our full support and cooperation.

Sincerely,

JOHN J. GUNTHER,
Executive Director.

NATIONAL ASSOCIATION OF COUNTIES,
Washington, D.C., December 2, 1981.

Hon. WILLIAM V. ROTH, Jr.,
Chairman, Committee on Governmental Affairs, Washington, D.C.

DEAR SENATOR ROTH: The National Association of Counties (NACo) has endorsed the concept of a convocation on federalism for some time. County officials, nationwide, believe that the sorting out of our respective roles and responsibilities is absolutely essential if our intergovernmental partnership is to survive. Your bill, S. 10, is a step in the right direction. We applaud your efforts to establish a convocation, and urge the members of Congress to give serious consideration to this important issue.

Mr. Chairman, our American County Platform states "The national government needs to recognize the inalienable right of state and local general purpose governments to participate in the decision-making process of a balanced federal system." We believe a balanced system, that is one which is both realistic and feasible is achievable only when all levels of government sit as equal partners and develop policy jointly. Only then can we realistically design a new federal system that serves our citizens' needs effectively, and yet remains within the budgets of local, state and federal government. A convocation is, in our opinion, the most responsible way to develop polices on sorting out.

On behalf of counties, nationwide, I commend your efforts and urge the Congress to give serious consideration to this important issue.

With warmest personal regards, I remain

BERNARD F. HILLENBRAND,
Executive Director.

NATIONAL ASSOCIATION OF MANUFACTURERS,
Washington, D.C., December 1, 1981.

Hon. WILLIAM V. ROTH, Jr.,
U.S. Senate, Washington, D.C.

DEAR SENATOR ROTH: As an organization comprised of manufacturers vitally interested in the intelligent and effective operations of the federal government, we strongly endorse your proposed legislation S. 10. It is twenty-five years since, under the auspices of the Second Hoover Commission, a high level group of independent citizens has taken a searching look at the federal government. Since that time, an enormous amount of legislation has greatly increased the impact of the federal government on the private sector as well as state and local governments.

It is vital that the kind of bipartisan review you propose take place now. You and your colleagues on both sides of the aisle have put together legislation that will enable a representative group of citizens with broad experience and public commitment to look objectively at government and generate recommendations for the long term. We commend you for your good work and hope that the Senate will speedily and by a large margin take action to bring this needed body into operation.

Despite recent efforts directed at regulatory reform and at establishing a more cooperative relationship between business and government, there are fundamental problems to which this Commission can devote its time and effort. We want to thank you for your efforts and those of your cosponsor Senator Thomas Eagleton and say that we will support the Commission in its work.

Sincerely yours,

ALEXANDER B. TROWBRIDGE.

COMMON CAUSE,
Washington, D.C., December 1, 1981.
Hon. WILLIAM V. ROTH, Jr.,
Chairman,
Senate Governmental Affairs Committee,
Washington, D.C.

DEAR SENATOR ROTH: On Thursday, December 3, the Senate is scheduled to take up S. 10, legislation to create a Commission on More Effective Government. Common Cause strongly supports this important legislation.

The need for such a Commission is clear. Government is not working as it should. The voters believe this, President Reagan campaigned on this, Common Cause believes it, and so do elected officials across the political spectrum.

Within the stream of ideas for improving government's performance, a common theme is emerging—that it is essential to the nation's future to overcome the increasing fragmentation of our society. There is a growing awareness that pressure from narrow interest groups is pulling government apart, with a resulting loss of common purpose. Common Cause views the proposed Commission as an important catalyst for forming a new public consensus about what is necessary to create a government that works.

The Commission's scope of inquiry while comprehensive is also focused. The federal system has become so large and elaborate that the Commission must have substantial freedom to develop a study agenda that covers all aspects of the problem. The federal executive branch is a primary focus of the Commission. We believe, however, that nature and extent of the relationship between Congress and the executive branch also needs substantial attention with an eye toward improving and updating Congress' capacity to play an effective policy setting and oversight role in the 1980s and beyond. Similarly, an examination of the relationship between levels of government—federal, state, and local—is a necessary element of the Commission's charge.

Building consensus on how to overcome fragmentation and forming public coalitions that will work towards a coherent government pose extremely difficult challenges. But no one is a winner when the government is not working right. Ultimately, the success or failure of implementation will hinge on the extent to which citizens feel a stake in the outcome of this effort and are able to make those feelings heard.

Common Cause believes that the Commission on More Effective Government can play an historic role in helping to mobilize a citizen constituency behind fundamental changes needed to improve the performance of government. We urge the Senate to pass S. 10.

Sincerely,

FRED WERTHEIMER,
President.

CHARLES F. KETTERING FOUNDATION,
Dayton, Ohio, November 12, 1981.
Hon. WILLIAM V. ROTH, Jr.,
Chairman, Committee on Governmental Affairs, Washington, D.C.

DEAR SENATOR ROTH: On behalf of the Kettering Foundation, I am very pleased to acknowledge your letter of October 22, 1981, in which the Governmental Affairs Committee has invited the Kettering Foundation to assist in the preparatory work for the proposed Commission on More Effective Government. The Kettering Foundation welcomes the opportunity to be of assistance to the Committee in this important endeavor.

We are especially interested in convening a variety of persons from the public and private sectors to assist in framing the issues which could become a part of the agenda and by identifying a pool of persons for the Commission to draw upon in its work. A guiding interest of the Kettering Foundation has been that of improving collaborative policy making; that is, ways of bringing together diverse institutions and their interests, disciplines, and talents for the development of common purpose and cohesive public policy. We believe that a series of meetings, which draws upon the insight of first rate persons, in an intelligent way, could be of immense utility to the Commission. More specifically, we have begun to prepare, (in cooperation with the National Academy of Public Administration), a proposed series of conferences which will be designed to meet the purposes you have set forth. Our staff will, of course, work with your staff in the refinement of these plans.

An important role for an institution such as the Kettering Foundation (and other foundations) is to fully avail itself of its independent and non-partisan character and to build upon these qualities in a way that best serves our country. We believe that the Committee's request provides a unique opportunity for us to do precisely that. Thank you again for your letter and we look forward to serving the Committee in the development of the Commission's work.

Sincerely,

DAVID MATHEWS.

NATIONAL CONFERENCE OF
STATE LEGISLATURES,
Washington, D.C., December 1, 1981.
Senator WILLIAM V. ROTH, Jr.,
Dirksen Senate Office Building,
Washington, D.C.

DEAR SENATOR ROTH: The National Conference of State Legislatures is concerned that intergovernmental complexity, confusion and conflict are hampering the efficiency and effectiveness of our system of federalism. In the past thirty years, the system has significantly changed due to a growing economy, improved communications, and relatively greater revenues in the federal budget than in state and local budgets. There is no doubt that trend is being altered this very year, as we stated before your committee last May. State legislative functioning and state revenue programs have also improved during the last ten to fifteen years. It is these changes in conjunction with the federal fiscal pressures that make it the proper time to take steps to improve current intergovernmental relationships as well as to review the strengths and weaknesses of the federal government in carrying out its responsibilities.

NCSL applauds your efforts on behalf of improved government efficiency and stands in support of your bill, S. 10, The Commission on More Effective Government. We urge the members of the Senate to join in this support. In this work, the states once again can be seen as laboratories where a wide range of administrative structures and legislative procedures are now being used. These experiences could be an important resource in a review of federal government procedures. The recent improvements and reforms also argue for an examination of the relationship between the federal government and state and local governments. Participation of elected state and local officials and former elected officials on this commission insures that this experience will be utilized.

Sincerely,

Representative CURT KISER,
Florida, Chairman,
NCSL Government Operations Committee.

Mr. ROTH. Mr. President, I ask unanimous consent to have printed in the RECORD a letter which I received today from President Reagan.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, D.C., December 7, 1981.
Hon. WILLIAM V. ROTH,
Chairman, Committee on Governmental Affairs, U.S. Senate, Washington, D.C.

DEAR BILL: I would like you and, through you, your Senate colleagues to know that I support enactment of S. 10, the bill which you and Senator Eagleton have introduced to establish a Commission on More Effective Government.

You are, of course, well acquainted with my conviction that we should have less Federal Government. I am no less committed to the idea that what properly should be done by the Federal Government should be done effectively and at least possible cost. It is a goal of both Democrats and Republicans at all levels of government. Together we realize that more effective and responsible government is essential if we are to restore the faith and confidence of our citizens in the institutions of government.

A bi-partisan body of knowledgeable and dedicated persons representing a broad and diversified understanding of America's heritage and unresolved issues can make a contribution at this point in our history in the same manner as did the earlier Hoover Commissions. Now, after nearly thirty years, we need a fresh review of our governing processes and institutions that can be clearly perceived as free of partisan bias and, at the same time, is expert and relevant. The Commission created by S. 10, as amended, is well designed to provide this review. It can point the way to needed reforms and, can help generate understanding and support among our citizens.

I endorse S. 10 and am willing to work with both houses of Congress to secure its enactment.

Sincerely,

RON.

Mr. President, I yield to my distinguished colleague, Senator EAGLETON.

Mr. EAGLETON. Mr. President, I yield to the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I appreciate the Senator yielding.

Mr. President, I would like to express my support for the establishment of a commission on more effective government. As the Governmental Affairs Committee states in its report on S. 10, in the last 30 years there has been a "veritable revolution * * * in the size, role and effect of Government in the United States." Although this revolution has brought many benefits, there is a widespread perception today that Government at all levels is not functioning as well as it should and can. Americans are increasingly concerned about the apparently declining efficiency and effectiveness of Government and about the poor performance of many Government programs. These and a host of similar concerns have raised doubts about the ability of Government to cope with the future and the problems it will bring. Such doubts have manifested themselves in the public's declining confidence in Government as an institution. The erosion of confidence in Government and Government officials has been revealed by many opinion polls and surveys.

The Governmental Affairs Committee has recommended—wisely, I think—that we address these broad, complex issues by establishing a commission on more effective government modeled after the Hoover Commissions of the 1940's and 1950's. The task of the Commission will

be to develop a blueprint for better Government in the United States. It will identify changes in the management, operation, and organization of our system of government, particularly the executive branch of the Federal Government, that could be used to implement that blueprint. This approach seems very promising to me for a number of reasons.

First, I am confident that the recommendations of the Commission could yield substantial savings in future years, both in the Federal budget outlays and in the expenditures of State and local governments and the private sector. It has been estimated that the initial savings resulting from the implementation of the proposals made by the Hoover Commissions were in excess of $3 billion. The experience of the Hoover Commissions strongly suggests that the money we invest in the kind of careful study and deliberation in which the Commission on More Effective Government will engage will yield dividends to the American people for many years to come.

Second, the Commission will work closely with Federal agencies such as the General Accounting Office which have done studies and prepared in-depth analyses on issues with which the Commission will grapple. S. 10 directs these agencies to prepare, prior to the Commission's first meeting, summaries of relevant research they have done, in order to facilitate the Commission's work, prevent duplication of effort and minimize expenses.

Third, the Commission's efforts will complement, rather than duplicate, the work of President Reagan's Advisory Commission on Federalism. The President has asked the latter panel, chaired by the distinguished Senator from Nevada, to attempt to sort out the functions performed by Federal, State, and local governments, and to suggest how we can change the allocation of those functions to improve the performance of Government at all levels. I anticipate there will be a very fruitful cross-fertilization of ideas and findings between the two panels that will strengthen the examination of federalism both will undertake. The relationship between the commissions will also improve the analyses of general government management and operations and of the relationships among three branches of the Federal Government done by the Commission on More Effective Government.

In closing, Mr. President, I would like to commend the members of the Committee on Governmental Affairs, especially the chairman of the committee, the distinguished Senator from Delaware, for their foresight in developing this legislation. The problems addresed by S. 10 are complex and very broad in scope, but they deserve the attention of Congress and the American people. The committee deserves praise for the creative approach it has taken in this difficult area.

I thank the Senator from Missouri for yielding.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. EAGLETON. Mr. President, I rise in support of S. 10, legislation to create a Commission on More Effective Government modeled after the two reform commissions chaired by former President Hoover from 1947 to 1949, and then from 1953 to 1955.

I have cosponsored this legislation along with Senator ROTH for the past 2 years. In 1980, when we introduced it as S. 2993, President Carter was in the White House, the Democrats controlled the Senate, and the legislation was referred to as an Eagleton-Roth bill. This year, President Reagan is in office, the Republicans control the Senate, and S 10 is known as the Roth-Eagleton bill; in my estimation, however, the need for the legislation remains unchanged and acute.

One of the most disturbing developments of recent years has been the growing disaffection of Americans from their Federal Government. Anyone who has run for Federal office knows that the people of his or her State feel that Washington taxes too much, spends too much, regulates too much, and accomplishes too little in return.

This disaffection with Washington and the Federal Government did not occur overnight. It has grown steadily for at least a decade; it contributed significantly to Jimmy Carter's election in 1976; it was one of the strongest forces behind President Reagan's election in 1980.

The Reagan administration is currently embarked on a determined, all-fronts assault on the Federal Government. The far-reaching budget cuts, to be followed by still deeper third and fourth rounds, represent a major reduction of Federal activities, particularly where the poor and minorities are concerned. The outlandish tax cut eradicates the revenue base needed to fund Government services. The administration has called for regulatory relief, which translates into a radical slowdown of Federal regulation in the areas of environment, health, and safety. In the guise of a new federalism, the administration hands whatever responsibilities for the States and localities that it can pry loose from the Congress, without the revenue needed to discharge those responsibilities effectively, and without any serious effort to sort out which responsibilities actually belong at which level of government.

It may be unfashionable to say so, but I believe that a modern industrial society requires a strong and active Federal Government. Unlike President Reagan, I believe that the explosion of activity by the Federal Government in the past 20 years represents the efforts of Congress and successive Presidents to deal with problems which festered in our country for decades: poverty, hunger, racial discrimination, environmental degradation. In all these areas, the Federal Government acted only after massive evidence that the problem was somehow beyond the boundaries, the resources, the capability of the interest of State and local government, or the private sector.

I continue to support many of these efforts which have been undertaken in the past two decades. I do not believe that the activities of the Federal Government represent the macabre picture of waste and fraud which the President sometimes paints. The accomplishments of the Federal Government frequently tend to be ignored or taken for granted, but significant progress has been made in vital areas.

At the same time, those of us who believe that the Federal Government must inevitably play an active role in the last 20 years of this century should not be blind to its failings in the past 20 years. There has been an emphasis on responding to problems by adopting programs and delivering services without sufficient concern for doing it effectively.

By focusing on one program or one agency at a time, we have tended to overlook cumulative effects: Whether the cumulative effects of regulations on business or total number of mandates or strictures imposed on States and localities. There is a justified sense that the Federal Government is not working as well as it should; that too many programs and agencies have been added piecemeal without a clear sense of how the pieces fit together.

I believe that the Commission to be created by enactment of S. 10 can make a significant contribution to improving Government performance in the coming years. While I believe that the ordinary legislative process is adequate to shed light on and suggest answers to many serious issues, it is sometimes necessary to step back and look at the "big picture."

I envision, the Commission stepping back from the narrow focus often used to decide pressing policy questions and doing a searching, broad analysis, one which looks at the structure and organization of the Federal Government, the division of responsibilities between the Federal Government and the States and localities, how we evolved to this point, and what changes are needed. These issues necessitate a comprehensive study outside of the ordinary political process. Proceeding piecemeal has produced the Federal Government as we now know it. Responding piecemeal will not alone solve the problems.

Following the precedent of the Hoover Commissions, S. 10 would create a commission with a purposely broad mandate to focus carefully and skeptically on the Federal Government. The legislation envisions the Commission grappling with basic questions. For example, in light of the problems and realities we will face in the 1980's, how should responsibility and power be distributed among the various branches of the Federal Government? Has the delegation of functions to independent administrative agencies divorced policy from the will of the people as expressed through elected representatives? Does the President have adequate tools to govern? And remembering that Washington is but one of several levels of government, should the division of responsibilities between Federal, State, and local governments be rethought? Can substantive changes be identified which would transform the current tension in intergovernmental relations to a new cooperation?

I recognize that the public is often skeptical of proposals to submit important issues to expert commissions. The

record of the first and second Hoover Commissions, however, testifies to the fact that commission reports do not always languish on the shelves of libraries or in congressional offices. Contemporaneous public accounts, extensive subsequent studies by public administration experts, and the number of recommendations actually implemented all testify to the fact that the Hoover Commissions were extraordinarily productive. While precise statements cannot be made about the cost savings from the successful implementation of hundreds of major recommendations, reliable estimates have put combined annual savings at between $3 and $6 billion. These savings compare dramatically with the total budget of $5 million for both of the Hoover Commissions.

The fear has been expressed that this Commission could become a partisan vehicle, producing a report which reflects the ideological preconceptions of the administration in power. The concern focuses on the fact that since the Republicans control the White House and the Senate, they will be making 12 out of the 18 appointments to the Commission.

In my view, we have taken several specific steps to minimize the possibility of partisanship. Amendments to be offered today will balance the Commission 9 to 9, Democrats to Republicans, and will insure that the Commission report will be issued after the 1984 election, so as to be available for whoever is elected President in 1984 and to avoid the possibility that the document will become politicized by being dropped into the Presidential campaign.

Mr. President, I believe that there is a more fundamental protection at work. If the Commission begins to break down on political lines, passing recommendations by 10–8 or 11–7 or 12–6, the Commission will very soon be seen as a partisan battleground, and it will discredit itself. If we have commissioners of the caliber that we envision, they will understand quite quickly that a lasting contribution will result only from a bipartisan, independent effort. It was this kind of approach which distinguished the first Hoover Commission, in which great success resulted from President Truman's appointment of former President Hoover, despite their political differences.

Mr. President, one reason I am optimistic about the Commission proposed today is the bipartisan origin of the idea. The two foremost advocates of this Commission are Senator ROTH, who has pursued this concept for several years regardless of what administration was in power, and Representative BOLLING, perhaps the most distinguished student of governmental process that has served in the Congress in my lifetime.

I believe that the current disaffection with the Federal Government reflects a dilemma which affects all industrial democracies—how to have a Federal Government strong enough to play a useful role in grappling with the problems of modern society yet sensitive enough to avoid stifling the individual and economic freedom essential in our society. I think we need to take a comprehensive look at the Federal Government to see what changes are needed in order to strike this balance for the next several decades. I believe that the Commission proposed here today can help us accomplish that job, and I urge the enactment of this legislation.

Mr. HATFIELD. Mr. President, I commend the leadership of the Governmental Affairs Committee, Senator ROTH and Senator EAGLETON. I think these two gentlemen and their committee have demonstrated great foresight and great wisdom in bringing up this important bill, S. 10, to initiate a thorough examination of the effectiveness of the Federal Government as we near the end of the 20th century. I am also pleased to be one of the bill's cosponsors.

Mr. President, the Federal Government's activities and spending have expanded in response to significant national economic, social, and political changes, including the increased interdependence of the various economies of the nations of the world. Complex problems have engendered a whole generation of complex institutional structures and power relationships.

Concern exists, however, over the efficiency and effectiveness of many of the new generation of programs that have "just growed" like topsy. Where have we arrived after four decades of governmental growth? What weaknesses have crept into our institutions of Government?

A major objection that is frequently voiced is that governmental activity has encroached upon areas that have traditionally been the domain of the private sector. Others. although not alarmed over the growth of "big government," find fault with the lack of suitability, or success, of programs that are otherwise well-conceived. Others decry the incidence of waste and fraud; still others object to the fragmentation of authority and the lack of accountability of officials throughout the Federal system.

Mr. President, one of our Nation's strengths has been its ability to conduct regular self-analysis and to change our institutions in order to reflect the changing circumstances in which the American people live. Communist states encourage self-criticism by force; our's is a spontaneous and honest self evaluation. And because of these periodic examinations, we have been able to avoid a governmental system that is locked into traditions that frustrate the will and thwart the desires of the people which it is intended to serve.

S. 10 recognizes that a veritable revolution in the size, role, and impact of Government in the United States has taken place in the decades since World War II. During that period the Hoover Commissions of the 1940's and 1950's are examples of governmental reform efforts at their best. Although the specific issues were different during those decades, the Commissions faced a need, similar to our own, for a broad, comprehensive review and overhaul of the agencies of Government. There was a widespread perception that the Goverment was top-heavy and ineffectual, even in the forties and the fifties.

Mr. President, former President Herbert Hoover was called out of retirement to head up a body of distinguished individuals who had held positions of great responsibility in the country for the purpose of combining their knowledge of American society and developing recommendations for reform. Herbert Hoover and his colleagues were able, on a bipartisan basis, to stand at arm's length from the political pressures and passing crises of the day, and to recommend several organizational changes to provide more efficient delivery of governmental services at lower cost. The Commissions were extraordinarily successful. Some 68 percent of their recommendations were adopted and used to reduce the bloated and inefficient bureaucracy inherited by the Eisenhower administration.

The usefulness of another such Commission today is evident. The goal of the panel will not be to reinvent the wheel or to shuffle the boxes on organizational charts. Rather it will be the purpose of the Commission to give visibility and momentum to many, already existing ideas for improving the way the Government serves the people. One source of information that the Commission will use will be the underutilized recommendations of past studies. However, as in the Hoover Commissions before it, the greatest resource available to this proposed body will be the expertise and experience brought to it by its members. Drawn from the most distinguished members of the public and private sectors of American society, the participants will bring objectivity and credibility to the deliberations. It is my sincere hope that one of our former Presidents will be asked, and will consent, to serve as chairman of the Commission.

Mr. President, I have appreciated the efforts of President Reagan to look at problems from fresh perspectives and to propose bold new approaches instead of tired and worn out responses, but all of us are aware that the plans of any sitting President or legislator are always suspect for their political motivations. The Commission envisioned by S. 10 will avoid the taint of "mere politics."

Mr. President, that is part of the genius, I believe, exercised by Senator ROTH and Senator EAGLETON in crafting this particular resolution in such a way, from the standpoint of its content, its structure, and its timing to avoid some of these immediate reactions that will no doubt be made.

Mr. President, we are not blazing new trails. In a sense, we have had well-established precedent. We have had the outstanding effort of the previous Hoover Commissions and we have had little Hoover Commissions that have operated at State levels. I know my own State of Oregon adopted an extensive comprehensive reorganization program patterned after the "Federal Hoover Commission," calling it the "Little Hoover Commission," as many other States did.

So all we are doing is really going down a tested path with a new approach, new machinery, and a new vision, a vision that has been led here today by this committee and its chief officers, the chairman, and the ranking minority member.

I urge my colleagues in the Senate to

support S. 10, to establish a Commission on More Effective Government. I again thank my good friends from Delaware and Missouri for their leadership in this effort.

Mr. ROTH. Mr. President, I ask for the yeas and nays on final passage.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. ROTH. Mr. President, I yield such time to the Senator from Kansas as he may desire.

A MORE EFFECTIVE GOVERNMENT

Mr. DOLE. Mr. President, I am pleased that the Committee on Governmental Affairs has taken the initiative to move the Federal Government in the direction of greater efficiency, simplified structure, and smoother operations. The Commission on More Effective Government that would be established under S. 10. is a major step in the right direction.

Under the legislation reported by the Governmental Affairs Committee in July, an 18-member, bipartisan panel of citizens would be convened for the purpose of reviewing the operations of the Federal Government, its structure, and ways to improve management and enhance the efficiency and responsiveness of a government that too often becomes unwieldy and mired in bureaucratic disputes. The Commission will be objective and independent, but it will be able to draw on the resources of existing public and private groups that have expertise in the problems of Government operation.

PRECEDENT FOR SUCCESS

Mr. President, this Commission makes sense. I know that we have a habit around this place of appointing commissions and task forces, and they do a lot of work and spend money, and the reports are piled up somewhere and are never acted upon. But I do know that the sponsors of this measure—I have discussed it particularly with the distinguished chairman of the committee, Senator ROTH—do not envision that approach so far as this Commission is concerned.

The Reagan program to reduce the size of the Federal Government is the most significant shift in domestic policy in many decades. But even if the Federal role is scaled back, there is no guarantee that the Government will function with maximum efficiency unless we make a concerted effort to find the best ways to streamline Government operations. That is what the Commission is designed to do, and it is significant that the administration has given this legislation a strong endorsement.

There are reasons to believe that an independent commission is the best way to proceed in this endeavor. Over 2 years ago I proposed a similar Commission to review excessive and inefficient Government regulation and make recommendations for reform. That Commission proposal was made because of the signal success of the two post-war Hoover Commissions that made recommendations for the reform of the bureaucracy. Many of those Hoover Commission recommendations were adopted, and they saved some $8 to $12 billion for the American taxpayer. Given the tremendous increase in the range and complexity of Federal Government operations over the past 30 years, it is high time for another objective review.

SCOPE OF THE TASK

Mr. President, the job of the Commission will not be an easy one. Clearly one of its most important functions will be to critique the way the Federal Government regulates our society, along the lines I suggested in 1979. But the Commission must also be concerned with the way we conduct all of our day-to-day business, from procurement and contracting procedures to the flow of paperwork and the overlapping functions of many divisions of the Federal Government. It will require a distinguished panel indeed to fulfill the mandate we propose for this Commission.

Finally, Mr. President, I would note that some commentators, including columnist James J. Kilpatrick, have suggested a man who would be eminently qualified to head the Commission. That man is Gerald Ford, and he was also my choice to lead the Commission on Government Regulation which I proposed in 1979. I am confident that President Reagan will make a wise choice for the leadership of the Commission, but I would just like to add my support to the suggestion that President Ford be asked to do the job.

There are other qualified Americans, in and out of government, some in each party, who are competent to take a hard, objective look at government. Since they are away from the pressures of special interest groups, they can make recommendations to Congress as to how Congress and the Government can be more efficient.

I hope we will expedite this legislation so that the Commission can begin its work as soon as possible. Governmental efficiency is always a matter of urgency.

Mr. President, I thank the distinguished managers of the bill, the Senator from Delaware and the Senator from Missouri, and others who have played a vital role in this legislation.

The PRESIDING OFFICER. Who yields time?

Mr. EAGLETON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Mr. President, I support S. 10 and commend the distinguished Senators from Delaware (Mr. ROTH) and Missouri (Mr. EAGLETON), as well as Senator HATFIELD, for their leadership in this body in connection with this proposal.

I also note that the moving force in the other body for the proposal is the distinguished Representative from Missouri, RICHARD BOLLING, who was my chairman when I served on the Rules Committee and who, unfortunately, has decided not to seek reelection in 1982, after more than three decades of service to this country as a Member of the House of Representatives.

I considered him my mentor in the House. I did not know of another Member of the House of Representatives who was more gifted, more talented, and who had a deeper concern about the organization and structure of Government. He had little time and patience for those who dealt with the pettiness and smallness of problems that would come along.

It has been said about Representative BOLLING that he did not suffer fools lightly. As a personal witness to his congressional activities over 6 years, I can bear witness to that.

He recently coauthored a book, together with a resident of my State of Connecticut, John Bowles. It is entitled "American Competitiveness." The book studies four basic areas which confronted this country from 1945 on. It identifies those four areas as examples of what we need to be doing in the 1980's if we are going to grapple with some of the fundamental problems we face.

The four areas of concern dealt within the book are the Federal Highway Act in the 1950's, the Full Employment Act of the late 1940's, the Marshall Plan, and the Hoover Commission.

These four pieces of legislation—the Federal Highway Act, the Full Employment Act, the Marshall Plan, which involved more than just congressional legislation, and the Hoover Commission—were to demonstrate that you can accomplish a great deal through the development of cooperation, consensus, and coalition building.

It is in that regard that S. 10 becomes a fifth idea, or concept which I think deserves support. It is a rather ambitious declaration of policy.

In reading the enacting clause, the objective of improving the quality of Government and the restoring of public confidence in Government at all levels is going to be difficult to accomplish. Despite the degree of difficulty, it certainly is worthy of our efforts.

I simply wish to point out that last year during the heat of the campaign season if there was any single issue which became the catch-all of all the issues that were raised in the campaign it was the issue of Government.

People were arguing about whether or not the Government was too big, whether or not it should be bigger or should be made smaller.

I think what people are really saying in this country is it is not the issue of bigness or smallness but efficiency, whether or not the Government could actually do that which people expect it to do to meet basic services, to fulfill the constitutional obligation at the Federal level and not complicate the responsibilities at the local and State levels.

S. 10 will at least give us the opportunity to try and deal with the overlapping areas of jurisdiction and the fundamental issue of governance. We must deal with these matters in the first instance before even trying to grapple with the more narrowly defined problems that we

confront every day here in Congress. The people are waiting for answers both from the executive and legislative branches. Unless we confront the issue of governance and provide as clear a delineation as we can have within the various levels of Government, it is going to be virtually impossible for us to respond effectively in the long term to specific issues and problems.

Again, I commend Senator EAGLETON, Senator ROTH, and Senator HATFIELD. And I express the feelings of many as to Congressman DICK BOLLING who has really been such a leader in the areas of government, in the Hoover Commission, in the development of the Marshall plan, the Full Employment Act and the Federal Highway Act. These issues dealt with the broad problems in the country and it is only fitting that in his final days as a Member of Congress he should carry on that tradition and confront us with a matter which will deal in a very broad sense with a fundamental problem we face in this country.

Mr. President, I am delighted to have been a supporter of this piece of legislation, and I yield the floor.

Mr. EAGLETON. Mr. President, I very much appreciate the excellent remarks by our distinguished colleague from Connecticut.

I think in focusing on the work and talents of Congressman RICHARD BOLLING, of Missouri, he is giving the proper emphasis insofar as this bill is concerned. With all due respect to my senatorial colleague, Senator ROTH, I think that the true father of this legislation has from the very beginning been Congressman BOLLING who, as I said in my initial remarks, is perhaps the most renowned expert in governmental form, structure, and function in Congress and the country at large.

I appreciate the kind statement that Senator DODD has made with respect to Congressman BOLLING.

Mr. BAKER. Mr. President, the legislation which we are about to consider appeals to me strongly on several counts, and I should like to take a few minutes to summarize my views on S. 10.

All of us, when listening to people back home talk about this country's problems, too often hear words like inefficient and ineffective and out of touch used in describing the way our Federal Government works. I suspect that when other Senators hear such words, they feel, as I do, a twinge of pain mixed with their sympathetic reaction to their constituent and his or her particular horror story.

All of us here, on both sides of the aisle, have spent too many hours during too many long days trying to grapple with the problems that generate these reactions, to feel comfortable with our fellow citizens' comments. And I know that Senators on both sides of the aisle are as concerned as I am with the public's growing distrust of this country's governmental institutions. Trust in Government is the foundation on which our Federal system is built and any damage to that trust is cause for genuine dismay.

Because so many of the Members of this body feel the urgency of reversing the decline in public confidence, I find considerable satisfaction in supporting a genuinely bipartisan effort to establish a Commission on more effective Government patterned on the Hoover Commissions which operated in the 1940's and 1950's under the Truman and Eisenhower administrations. Both of those bodies made not only genuine contributions to improving the country's governmental processes but to increasing the public's trust in these processes as well.

I find the collegial approach embodied in this legislation equally gratifying. Regardless of which party led the administration, most of us here have seen too many Commissions established by executive branch initiative alone which did fine work but came to little or nothing in the end. I feel strongly that one of the basic reasons for these repeated failures is simply that it is the legislative branch's ultimate responsibility to legislate.

Any effort to improve this country's governmental structure and operation through law which does not take that fact into sufficient account is not going to get very far, and I am proud that this administration recognizes that fact and supports this bill so strongly. I think this support indicates that President Reagan, like Presidents Truman and Eisenhower before him, genuinely recognizes the importance of executive and legislative branch cooperation and is eager to work with us in any way that promises to build a consensus for constructive change. The fact that Members of both Houses of Congress as well as administration officials and private citizens will serve on the Commission insures that the cooperation will be ongoing.

I think that this year we have all experienced frustration with the complexities of our processes in the Senate and the sense that they simply reflect an excessively complex governmental structure. The procedural requirements of our day-to-day schedule seldom permits us to look at so many problems we know need attention in the depth that we would like. This Senator for one is already looking forward to reviewing the recommendations of a group of citizens with the breadth of experience and depth of knowledge called for in the legislation before us.

I think that we of the Congress, of both political persuasions, can join the executive branch in considering the ideas and suggestions of some of the country's best talent on their merit. With that kind of approach, I believe our fellow citizens will join us in wholehearted support of the changes we ultimately decide to adopt. I believe, in short, that S. 10 offers us a mechanism for building a national consensus for the steps we must take to assure the citizens of this country that their Government works.

Finally, I would like to commend my good friends, Senators ROTH and EAGLETON, for their sponsorship of this bill and the example of real bipartisanship which they have set. I might add that this bill also is another illustration of the senior Senator from Delaware's perseverance. He started pushing this legislation back in the late 1960's while he was still in the House. Mr. President, I sincerely hope that other Members will join me in supporting Senators ROTH and EAGLETON and the other cosponsors of this bill in getting the Citizens Commission on More Effective Government underway.

Mr. ROTH. Mr. President, I yield to the distinguished Senator from Michigan (Mr. LEVIN).

UP AMENDMENT NO. 760

(Purpose: To propose committee amendments)

Mr. LEVIN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Michigan (Mr. LEVIN) proposes unprinted amendment No. 760.

Mr. LEVIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 13, line 14, strike out "Senate majority leader" and insert "President pro tempore of the Senate upon the recommendations of the Majority and Minority leaders of the Senate."

On page 14, line 2, strike out "Senate majority leader" and insert "President pro tempore of the Senate".

On page 14, line 9, strike out "two" and insert "three".

On page 14, line 15, strike out "other major political party" and insert "political party which is the minority party in the House".

On page 14, line 22, insert after the period the following: "In appointing members under subsection (a)(2) who are from the political party which is the minority party in the House, the Speaker shall obtain the advice and consent of the Minority Leader of the House.".

On page 15, line 1, strike out "other major political party" and insert "political party which is the minority party in the Senate".

On page 15, lines 1 and 2, strike out "majority leader" and insert "President pro tempore".

On page 15, line 15, strike out "appoint" and insert "select".

On page 15, line 17, insert after the period the following: "The selection by the President of the Chairman shall be subject to the approval of a majority vote of the members of the Commission, conducted by secret ballot.".

On page 21, strike out lines 17 through 20 and insert the following: "On December 3, 1984, the Commission shall submit to the Congress and the President its final report with respect to such activities, including all of its findings and recommendations.".

On page 23, line 23, strike out "$16,000,000" and insert "$10,000,000".

Mr. LEVIN. Mr. President, the amendment which I sent to the desk is exactly the same as printed amendment No. 648 with the following added words:

On page 13, line 14, we are inserting the words "upon the recommendation of the majority and minority leaders of the Senate."

That language tracks existing law, and the only reason for adding it is to be very clear that the existing law is also part of this statute. It is a clarification, a change, and I thought it would be better to send it up in the form of a new amendment rather than go through any other process.

So I do ask now that the managers of the bill, after I have concluded speaking, agree that these amendments, because this is really a series of amendments, be treated en bloc as one amendment, and I think that may take unanimous consent.

In any event, first of all, let me commend the Senators from Delaware, Missouri, and others who have been so important in this process and such leading advocates of it. Without their hard work this never would have gotten where it is today, and I believe very strongly that it will lead to major improvements in the way Government operates.

It has been a bipartisan effort on the part of the Senators from Delaware, Missouri, and others, and it is proof of the fact that this kind of effort can yield results.

The basic premise from which I am operating in this amendment is as follows:

If we are going to spend $10 million for a thorough review of the way Government operates we need to make sure that the review is complete and that its results will be as reliable and credible as possible.

There is, of course, no way to guarantee that, but the best way to make it probable that the results will have some real impact is to make sure that the Commission doing the review is as nonpartisan, or at least bipartisan, as possible and independent both in fact and appearance. All of these amendments which I am offering are designed to accomplish that goal.

All of these amendments which I am offering are designed to accomplish that goal of independence in fact and appearance of this new commission which we are wisely creating today.

The first amendment in this package is as follows: It will have the effect of changing the makeup of the Commission so that its membership is evenly divided between Republicans and Democrats. As the bill came to us from the committee, it was almost certain that the Commission would be weighted in favor of one party. Given the results of last November, that party would have been the Republican Party; but I would like to think that I would have offered this amendment even if the results of last November had been different and had resulted in a Democratic advantage on the Commission because it should make no difference either way. We have learned from our past experiences with similar Commissions that a balanced makeup is more likely to result in recommendations which are truly useful to Congress and the country because they have a greater bipartisan and nonpartisan credibility. And that is why I now seek to balance the representation of both political parties on the Commission.

Second, this package of amendments will guarantee that the congressional leadership of each party has an active and determinant voice in the selection of members of the Commission who will represent their political party. Under the terms of this bill, the Speaker of the House and the majority leader of the Senate would each appoint six members of the Commission, four members to be drawn from their own party and two members from the other party. Under this amendment, the minority leader in the Senate and the House would be consulted and need to approve the names of those candidates selected from their party.

Third, these amendments modify the way in which the chairperson of the Commission is appointed. Under the terms of the bill as reported, the Presi- would appoint the chairperson. Based on my experience, I believe that such power vested in the President would make the chairperson accountable to him rather than to his other colleagues on the Commission. It also has the effect of making the leadership of the Commission more partisan than I think it should be. Accordingly, this amendment makes a modest change in the way the chairperson is appointed.

The President, under the terms of the amendment would select a candidate and send his or her name to the Commission. The Commission itself would then be required to give its consent to that nominee. In that sense, the Commission would have a power similar to the advice and consent power of the Senate. It is my belief that such an approach will appropriately balance the prerogatives of the President and the legitimate need of the members of the Commission to have a leadership which is acceptable to them and which will protect their independence. This amendment, then, would add to my efforts to make the Commission's work less political and more useful.

Fourth, and finally, these amendments would modify the date for the final submission of the Commission's report. As the bill was originally drafted, the report would be submitted prior to the 1984 elections. I felt that if the report were submitted prior to the elections, particularly if immediately prior to the elections, it would inevitably be politicized. Accordingly, this amendment shifts the due date back a bit and will result in the report being issued after the 1984 election.

Mr. President, all of these amendments are designed to depoliticize the work of this Commission and make it as independent as possible. I believe that the willingness of the chairman, Mr. ROTH, and the ranking minority member of the committee, Mr. EAGLETON, to work with me in developing these amendments indicates again how to achieve results in a bipartisan manner—and I hope that these efforts will serve as a model for the Commission that we are creating today.

If it is agreeable to the managers then at this point and with thanks to Senator ROTH and Senator EAGLETON I now ask that these amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, if I may add one more word, I ask for a unanimous consent that I be listed as a cosponsor of this bill if I am not already so listed.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendments.

Mr. EAGLETON. Mr. President, I would like to say a word or two in support of the package of Levin amendments, and the constructive efforts he put into the formulation of this bill. I think all of these amendments are designed to insure, as best mortal man can, that the work and activities of this Commission will be as bipartisan or nonpartisan as possible. I think each of these amendments that comprises his package strives toward that end and, therefore, I am prepared to support the Levin package.

Mr. ROTH. I, too, am happy to support the amendment proposed by Senator LEVIN. These were worked out, I think, in a bipartisan spirit.

I would say we have the cooperation of the administration as well, so that hopefully this can mark a new spirit of cooperation.

Just for purposes of the record I might point out, Mr. President, that the legislation we had introduced was modeled basically on the legislation introduced last year, so I do not think anyone at any time was trying to be partisan in this matter.

I think we have come up with a resolution of an issue that strengthens the Commission and does indeed help to insure the bipartisan spirit in the future.

Mr. LEVIN. Mr. President, I would just like to indeed confirm what the Senator from Delaware has mentioned, that this bill was introduced last year when the President was of a different party, and there was clearly no effort on anybody's part to make this a partisan issue, to gain partisan advantage.

It just happens that it came up this year, and it just happens that some of us caught that problem this year. Again I would like to think that had this come to the floor last year we would be taking the same position.

I certainly want to again thank my friend from Delaware for saying what he has said about these amendments and clarifying that point.

The PRESIDING OFFICER (Mr. WALLOP). The question is on agreeing to the amendment of the Senator from Michigan.

The amendment (UP No. 760) was agreed to.

Mr. ROTH. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. EAGLETON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ROTH. Mr. President, if I might, I would just like to, before I call for third reading, make a brief closing statement.

First of all, I express my personal appreciation to the distinguished ranking member of the Senate Committee on Governmental Affairs for his leadership, and his cooperation in trying to develop

a bipartisan approach in those areas where there was an issue.

I should also like to express my personal appreciation to the majority staff and the minority staff for the work they did in bringing this legislation to what I hope is a successful conclusion.

It is a matter of great personal satisfaction to me that this matter has come before the Senate for a vote today. I might say it was something like 13 years ago that I first called for a Hoover Commission based on some work I did as a Congressman in developing what became known as the Roth catalog. At that time, 13 years ago, I called for the enactment of the Commission. I might say that I asked that it be headed up by two distinguished elder statesmen who, at that time, were Presidents Truman and Eisenhower.

We have many elder statesmen today, including President Ford and President Carter and, as I say, it would seem very helpful to me if we had a well-known national figure to head up this Commission at this time.

I, too, want to pay my respects to the distinguished Congressman from Missouri, DICK BOLLING, who has been such a strong leader on the House side for this legislation and to whom we are all indebted for his innovative, creative thinking.

I would like to point out that in our hearings on the Senate side a number of people have emphasized the importance of this legislation, including Congressman BOLLING and Mrs. Margaret Hance, the mayor of Phoenix, Ariz., who appeared before our committee on behalf of the National League of Cities.

Both of these distinguished leaders said they knew of no piece of legislation currently before the Congress of greater importance than this S. 10 legislation.

I must say that this testifies to my own thinking as to the importance of this legislation, and I am indeed grateful to all those who have been sponsoring it.

Mr. President, I call for the third reading of the bill.

The PRESIDING OFFICER. If the Senator will withhold, there is a committee amendment which must be agreed to.

Mr. ROTH. That is the amendment we just adopted. That was the committee amendment.

The PRESIDING OFFICER. There is a committee substitute, I understand.

The question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendments, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. Under the previous order, the yeas and nays have been ordered, and the vote put off until 4:15 p.m.

Upon the disposition of that matter the agreement this morning was to turn to the consideration of Senate Resolution 238.

Mr. ROTH. Mr. President, may I ask a parliamentary inquiry?

The PRESIDING OFFICER. The Senator will state it.

Mr. ROTH. We had a substitute. Does the Levin amendment apply to that substitute?

The PRESIDING OFFICER. It does.

Mr. ROTH. I thank the Chair.

Mr. NUNN. Mr. President, I am pleased to join my colleagues, Senator ROTH and Senator EAGLETON, as a cosponsor of this legislation establishing a Commission on More Effective Government. Modeled after the first Hoover Commission which was established in 1947 to study the operation of the Federal executive branch, I believe that this new study Commission possesses a similar potential for making a significant contribution to our Nation's public understanding of government and the quality of its performance

The legislation which we consider today creates a distinguished panel of American citizens mandated with the responsibility of examining the performance of our Nation's public institutions. The Commission's study will focus on the management, organization, and operation of the Federal Government and its relationship with Congress and the judiciary, with State and local governments, and with the public sector. From this study, specific recommendations for changes in Federal laws, regulations, and administrative practices will be made in the Commission's final report to be delivered in December 1984.

In the 26-year period since the completion of the second Hoover Commission's work, government growth at all levels has been explosive. Of equal significance is the direction of this growth as governmental activity has expanded in a host of social and economic policy areas previously untouched by Federal involvement. Federal Government activity in areas which have traditionally been the responsibility of State or local government units has created sweeping changes in our Nation's intergovernmental system.

We are now in the process of redefining American federalism. As Congress works to remake the budget of the National Government, significant responsibilities will be returned to the States, the cities, the counties, and towns of America. This sorting out of responsibilities will have a significant impact on the programs of State and local government and it is essential that both the public and private sector understand the capacity and machinery of each level of government to respond to the needs of our society.

The Commission on More Effective Government will be able to spotlight the evolutionary relationships in our intergovernmental system and between government and the private sector by examining cross-cutting public policy questions such as the management procedures and budgetary and accounting practices involved in the implementation of national policy. In their review of the accountability, responsibility, and effectiveness of the management and operation of the Federal executive branch, the Commission will be able to develop recommendations which can reduce government cost while improving its performance.

Mr. President, the recommendations of this Commission will not languish on some back shelf of the bureaucracy. The Office of Management and Budget is designated as the primary agent for the implementation of the Commission's recommendations, and GAO is charged with monitoring the implementation process. The 68 percent of the previous two Hoover Commission's combined recommendations which were implemented are widely credited with reducing Government costs and generally improving its operation, and I am confident that the recommendations from the Commission on More Effective Government will provide a similar opportunity.

Mr. President, the magnitude of this Commission's mandate challenges the best talents in both the public and private sector. I believe that its work can provide a blueprint for Federal Government action for the remainder of this century, and I strongly urge the adoption of this establishing legislation by the Senate.

● Mr. KENNEDY. Mr. President, I am pleased to support S. 10, to create a Commission on More Effective Government. This bill establishes an 18-member Commission to examine the management, organization, and operation of the executive branch of the Federal Government, and its relationships with the other branches of government, with State and local governments, and the private sector. The recommendations of the Commission will form the basis for administrative and legislative initiatives to make government more responsive to the present and future needs of our citizens.

I agree with the sponsors of the bill that a bipartisan, independent study commission jointly sponsored by Congress and the President and comprised of highly qualified persons from both inside and outside government can make a significant contribution to the review and reform of government. The value of such a commission has been demonstrated by the success of the two Hoover Commissions, which are the models for the Commission on More Effective Government. The first Hoover Commission, on which my father served with distinction, made 273 recommendations for government reform, of which 70 percent were implemented, for a total estimated savings of $7 billion. The efforts of the second Hoover Commission resulted in estimated savings of $3 billion annually.

The time is ripe for the thorough, comprehensive examination of government processes contemplated by this bill. As a cosponsor of regulatory reform legislation in this and past Congresses, I have advocated an agency by agency, program examination of our regulatory policies to insure that they meet important public objectives in the most cost-effective manner. I look forward to cooperating with the Commission for More Effective Government in the discharge of its important mission.●

Mr. LEVIN. Mr. President, I ask unanimous consent that Senator PRYOR be added as a cosponsor to a series of amendments to S. 10 that I offered this afternoon, which were adopted.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEDUCTIBILITY OF RESIDENTIAL MORTGAGE INTEREST

The PRESIDING OFFICER. Under the previous order, the clerk will now report Senate Resolution 238 by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 238) to retain the deductibility from personal taxes of interest paid on residential mortgages.

The Senate proceeded to consider the resolution.

Mr. EAGLETON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Parliamentary inquiry, Mr. President. What is the pending business?

The PRESIDING OFFICER. The pending business is Senate Resolution 238.

Mr. DOLE. Mr. President, I would say at the outset that this is a resolution sponsored by the distinguished Senator from Texas (Mr. BENTSEN). He is prepared to speak on the resolution. After he speaks, I have a short statement.

The PRESIDING OFFICER. The Senator from Texas.

Mr. BENTSEN. Mr. President, I thank the distinguished Senator, the chairman of the Finance Committee.

I ask unanimous consent that Mr. PRESSLER, Mr. BAUCUS, Mr. ROTH, and Mr. D'AMATO be added as cosponsors to Senate Resolution 238.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENTSEN. Mr. President, my resolution is a straightforward one declaring that it is the intent of Congress to maintain the current deductibility of mortgage interest payments for individual income tax purposes. The amendment is based on my Senate Resolution 238 introduced on November 3 and cosponsored now by 35 of my colleagues.

The intent of this resolution is clear: To signal homeowners and our most depressed industry that housing and homeownership remain a national priority—that Congress will not permit an erosion of the principle long established in Federal law that the deductibility of interest payments on residential mortgages is a necessary component of a tax system designed in part to promote a stable society.

Congress becomes so engrossed in the day-to-day budget and tax decisions that we sometimes fail to see the forest for the trees. We face staggering Federal deficits and a major effort must be made in the months ahead to slash that deficit in order to free up savings for productive investment by the private sector.

Yet, I for one refuse to see that done on the backs of American homeowners or our most depressed industry. That would be rubbing salt in an open wound. Worse, it would be turning our backs in midstream—just when the going gets tough—on the tens of millions of Americans who have invested in homes as the safest and surest way to save.

Congress after Congress has reaffirmed that our tax system is designed to do more than raise revenues. Thirty-four Congresses have acknowledged that it can and must be used to influence the decisions of our citizens for the common good. And, to my mind, promoting homeownership and the stabilizing influence it has on local communities—the participation it promotes in Government and community affairs, for example—provides benefits to our Nation which far outweigh any revenue loss.

It is a sad commentary on the state of our financial affairs that I must stand here and defend the deductibility of mortgage interest. Yet, ominous rumblings from the Treasury Department cannot be ignored as officials there cast around for quick fixes to our deficit problem. Repeatedly, Treasury officials have hinted that a $5,000 or $10,000 limit on mortgage interest deductibility is warranted. Once they established such a cap it would be relatively easy to continue to lower in stages until it was finally eliminated.

Those rumblings have created further instability in the housing industry and virtually dried up interest in the purchase of new housing at a time when the baby boom is entering its peak years of family formation. We must put a stop now to the rumors spreading throughout America that Congress intends to punish homeowners who reacted to a congressional decision made in 1913 that decent and affordable housing should be a national priority.

GREATER INVESTMENT NEEDED IN HOUSING

The "interest rate depression" in housing is moving our Nation further away than ever from that goal. In recent years, it has become trendy to downplay that goal—to argue, for example, that investment in manufacturing is more important than housing. I will be the first to acknowledge the dismal pace of domestic capital formation. Business investment is far too low for a variety of reasons. It must be increased if we are to halt our productivity slide and the stagflation which accompanies it. But, it should be increased by getting the Federal Government out of credit markets, not by driving another nail in the housing industry's coffin.

It is a mistake to argue that our pace of housing investment is too high, that it needs trimming. The facts show the reverse. Our Nation's rate and level of investment in housing lags well behind most other Western nations. We invest too small a share of our national income in housing. For example, residential mortgages in the 1970's claimed a smaller share of the Nation's credit than in the 1950's or 1960's.

Internationally, residential investment is lower in the United States than in virtually all other major industrial countries. In the 1970's, for example, residential investment as a percentage of GNP was lower here than all other Western industrialized countries except one—Great Britain. The averages for the 1970's in the major Western nations were:

United States—4.44 percent of GNP.
Canada—5.57 percent.
Great Britain—3.53 percent.
Germany—6.39 percent.
Japan—7.24 percent.
France—7.03 percent.

With those facts in hand, arguments for easing our Nation's commitment to housing rings hollow. We should be restoring the Nation's housing investment at least to levels achieved in the 1950's and 1960's, when the level of family formations was below today's level.

THE HOUSING DEPRESSION GROWS DEEPER

Housing starts is the broadest indicator of economic health in housing. With mortgage costs still hovering at 17 percent and more, housing starts at an annual rate tumbled over 30 percent between April and August to a bare 934,000 units. That was the third lowest annual rate of housing construction since World War II and the lowest rate in 5 years.

In October, the depression grew even deeper. Annualized housing starts collapsed still further to the scant rate of 857,000 units, the lowest level in 6½ years. New house sales in September were down over 55 percent from their 1978 peak, while used housing sales were down over 30 percent from that same peak. The construction of new single-family homes in September—perhaps the bellweather of our Nation's ability to meet the demand for housing by young families—was the lowest ever recorded. The housing industry is falling to pieces.

Chairman Paul Volcker of the Federal Reserve System held out no promise of an improvement in his address to the realtors this past weekend. As a result, the housing industry faces a bleak future of month after month where starts will stagnate below 900,000 units. For 1981, total housing starts will almost assuredly rest below the 1.16 million units recorded in the 1975 depression.

As I noted, Mr. President, only 857,000 housing construction permits were issued in August. That key leading indicator of future housing activity is off a full 36 percent since 1980. In September, that leading indicator slumped further to 844,000 units, a sharp 44 percent lower than in 1980. There is simply no light on the horizon for our vital housing industry.

New families have seen affordable housing all but disappear as soaring mortgage costs send monthly payments through the roof. Only 1 new family in 20 can now afford to purchase the average priced new home. Even if they could find a 17-percent mortgage, these families would have to pay $713 in principal and interest monthly on a $50,000 mortgage or almost $300 more than that same mortgage would cost at a 10-percent rate. To carry that $50,000 mortgage, a young couple earning the average family income would have to fork over 85 percent of

their take-home pay to the mortgage holder.

Unemployment in the construction industry is twice the national average. In reality, it is even higher because tens of thousands of carpenters, electricians, and other workers have simply given up looking for work—they are no longer even counted among the unemployed.

The impact of the housing depression on builders, realtors, and others is staggering. Thousands of entrepreneurs with a lifetime of experience, who weathered the 1973–74 housing recession are facing bankruptcy or have already gone under. Other industries dependent on the housing market have been cut down, as well, by the depression.

The depression has spread like a chainsaw through the timber industry, for example, with pink slips and red ink flying everywhere. The numbers are staggering. In mid-September, 32,000 of the 102,000 sawmill employees in the western timber industry were out of work. By the end of September, the number laid off had climbed to an unbelievable 49,200. Timber industry bankruptcies and near bankruptcies are at record levels, and there is no sign of relief ahead.

The thrift industry serving housing is in even worse shape. Fully two-thirds of our S. & L.'s are in trouble and one of the largest financial institution bankruptcies in our history was only narrowly averted last week when the FDIC absorbed a $280 million loss in assisting Metropolitan Savings take over the ailing Greenwich Savings Bank.

I could continue with this modern American horror story. But, the point is clear; housing is our most depressed industry and Congress should be peering into every nook and cranny for ways to get it back on its feet, not conjuring up schemes to nail its coffin shut.

Mr. President, I defer to the distinguished chairman of the Finance Committee.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. DOLE. Mr. President, I wish to commend the distinguished Senator from Texas for his continuing interest in this problem and the housing problem generally. Mr. President, I support Senate Resolution 238 which would express the sense of the Senate that the present home mortgage interest deduction be retained. This resolution was unanimously reported out of the Finance Committee last Wednesday. I do not know of a single member of the Finance Committee who has advocated any cutback of the home mortgage interest reduction.

As has been pointed out in greater detail by the Senator from Texas, the homebuilding industry is in an extremely depressed state. It was recently announced that new housing starts had fallen to 857,000 units in October, the lowest level since October 1966. That housing start level is 43.6 percent lower than the level a year ago. Repeal of the home mortgage interest deduction would have a devastating impact on an already devastated industry. For this reason, I can see some value in reassuring both the housing industry, and the millions of Americans who look forward to homeownership, that the Senate has no intention of advancing legislation to repeal the home mortgage interest deduction.

I expect that this resolution will pass the Senate without opposition. This illustrates the difficulty inherent in any proposal to put an arbitrary limit on so-called tax expenditures. The Congressional Budget Office classifies the home mortgage interest deduction as a "tax expenditure" and estimates that it involves a revenue loss of nearly $25.3 billion in fiscal year 1982 and that figure will grow to about $56.5 billion by 1986.

The revenue loss from this one tax expenditure represents about 10 percent of total tax expenditures for fiscal year 1982 and about 12 percent of the total expenditures for fiscal year 1986. Thus, by adopting this one resolution we are saying that any restrictions on tax expenditures will have to come from the other 90 percent of what CBO classifies as tax expenditures.

Earlier this year the Senate adopted a resolution that we did not intend to tax social security benefits. This action eliminated about $13.8 billion of tax expenditures from consideration in fiscal year 1982, or about 5 percent of the total expenditures for that year. Thus, that leaves only about 85 percent to cut. And very recently the Senate passed a resolution that the Senate does not intend to eliminate any energy tax credits from the law. Thus, it is easier to talk about tax expenditure control than to accomplish it.

I suggest that because I support this resolution. I am not sure that I agree with the Congressional Budget Office or our own Budget Committee, who are looking around for ways to cap the so-called tax expenditures. I would be interested to see how members of the Budget Committee vote on this resolution today.

I thank my distinguished colleague for bringing this matter to our attention.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BENTSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENTSEN. Mr. President, I ask that when the vote is taken on this resolution, it be a rollcall vote.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. That vote will follow immediately after the vote on S. 10.

OPPOSING ELIMINATION OF HOME MORTGAGE DEDUCTIBILITY

Mr. HEFLIN. Mr. President, I rise today to speak out in favor of Senate Resolution 238, the resolution sponsored by my friend and colleague from Texas (Mr. BENTSEN), expressing the sense of the Senate that no changes shall be made in current tax laws concerning the deductibility of home mortgage interest payments. I commend the Senator from Texas for his foresight and leadership in this matter and I am pleased to be a prime cosponsor of this important measure.

Mr. President, I am strongly and unalterably opposed to any change in the current tax laws on interest deductibility for home mortgages. Any such proposal would have a devastating effect on the housing industry and on millions of Americans who dream of one day owning their own homes.

This ill-conceived and dangerous proposal is making its presence known by rather ominous rumblings within the walls of this Chamber and from within the White House.

With mortgage interest rates at 17 percent and rising, fewer than 5 percent of the potential homebuying market in this country can afford to purchase a home today. This is threatening the average citizen's chances of ever fulfilling the American dream—especially those millions of young people who are just entering the work force and are beginning their families.

Throughout our history owning one's own home—a decent place to live and raise a family—has been a cherished part of the American dream. Tragically, for millions of young people in this country today, that dream of homeownership has turned into a nightmare.

Mr. President, the extremely wealthy will always be able to purchase their own homes. Any proposal to eliminate the tax deductibility of home mortgage interest payments will severely punish the average middle-income American who needs the tax break owning a home offers to be able to afford to purchase his or her own house.

Mortgage interest deductibility is the only real tax break available to the average middle-income American. This proposal would have a devastating effect on the average American citizen who has scrimped and saved to come up with a down payment and who is not struggling to meet monthly payments swollen by inflation and high interest rates.

If the tax break for homeownership was eliminated, millions of Americans now purchasing homes would not be able to survive financially and those who want to buy a home would never be able to fulfill their dreams.

Mr. President, we are in the midst of the deepest and most prolonged housing slump since the 1940's. Unemployment among construction workers and others involved in homebuilding is now at 17 percent—twice the national unemployment average. Any proposal that would eliminate this crucial tax deduction would deal a death blow to the important housing industry.

The tax break for homeownership is an integral part of our Federal tax policy—and represents a longstanding national commitment to homeownership for nearly 70 years. This is a commitment to the average middle-income American that we simply cannot afford to risk.

Mr. President, I strongly support Sen-

ate Resolution 238 and I urge my colleagues to adopt this important resolution.

Thank you, Mr. President.

Mr. SASSER. Mr. President, I want to add my strongest possible support to the resolution offered by Senator BENTSEN concerning the deductibility of mortgage interest. As an original cosponsor of his resolution, Senate Resolution 238, I am absolutely committed to this effort. Home mortgage interest is the wrong place to look for what we are calling "revenue enhancements." I am a member of the Budget Committee, and I am acutely aware of the need to close tax loopholes in order to reduce the deficit. But to cancel out the last hope that most homebuyers—and many current homeowners—have to buy or keep their homes is a misbegotten, destructive idea.

I think we need to look at this situation from the viewpoint of the housing industry, the concept of private property, and the good of the individual American family.

A quick look at the statistics in the housing industry shows how damaging high interest rates have been. Measured in monthly transactions of single-family homes, the trend is dismally clear. In 1979, which was an average year, monthly real estate transactions occurred at a rate of 400,000 per month. In 1980, the first year of the current high interest rate policies, the rate dropped to 310,000 per month. The estimate for 1981 has fallen to 265,000 per month; and the projection for 1982 is 165,000 per month; thus, by the end of 1982 there will be more than 4 million families ready to enter the market, a surge in demand that could send the inflationary spiral back through the roof, so to speak. If we allow taxation on mortgage interest, this pentup housing demand will simply wreck our housing industry.

And I might add that unemployment in residential construction has hit 18 percent, more than double the national average for all industries. The drain on the budget from unemployment is well known: For every increase of 1 percent in the national unemployment rate, there is a cost to the Treasury of some $30 billion. And if the key housing-cycle industries continue to inflate overall unemployment statistics, we will never be able to bring the deficit under control.

Another key aspect of this debate involves the concept of private property. Mortgage interest has been exempt from taxation since the beginning of Federal taxes in this country. That policy is a reflection of our national commitment to individual homeownership. That is why homeownership is frequently referred to as the American dream. But a dangerous trend has already begun where only the very wealthy can afford their own homes. This trend which would only be accelerated if we permit mortgage interest to be taxed.

Finally, and at the heart of the whole debate, is the individual American family. Many young people just starting out have spent a tremendous amount of effort to get a downpayment together—to save enough by doing without a lot of comforts in order to hang onto their homes. Middle-income families who have older children, with all the expenses of food, clothing, and education that this involves, are barely able in many cases to meet monthly payments.

The rise in interest rates has created a whole new world of complicated financing mechanisms for these and other homebuyers, and most of these plans require a substantial amount of fiscal risk and not a little financial brinkmanship.

For example, a family with a combined income of between $35,000 and $45,000, paying the average 17 percent on a mortgage of $75,000—and that is low in most of today's markets—would pay an additional $456 per month in taxes if they could not deduct mortgage interest. Taking even the lowest-income group in the homeowning public, the lowest possible interest rate, 15 percent, with an unimaginably low mortgage of $50,000, it still comes to an extra $156 per month in Federal taxes if mortgage interest is not tax-exempt.

To throw an additional tax burden on these people is out of the question. They do not have the money. A great many would lose their homes, and far more would lose hope of ever buying one. Is that what we want to be doing with our Tax Code? I think not.

Mr. President, I am going to continue to support every constructive means available to reduce unnecessary strains on our economy. That has meant voting for some very painful budget cuts in recent months, but I have felt they were necessary for the overall health of the economy. We have to reduce the deficit where possible. But we will be sowing the seeds of a massive housing crisis if we attempt to balance the budget on the backs of American homeowners.

I want to commend my friend and colleague from Texas (Mr. BENTSEN) for his outstanding leadership in this area. I am fully behind him in this vital effort, and I urge my colleagues to do the same.

SMALL BUSINESS INNOVATION RESEARCH ACT OF 1981

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of S. 881, which the clerk will state by title.

The assistant legislative clerk read as follows:

A bill (S. 881) to amend the Small Business Act to strengthen the role of the small, innovative firms in federally-funded research and development, and to utilize Federal research and development as a base for technological innovation to meet agency needs and to contribute to the growth and strength of the Nation's economy.

The Senate proceeded to consider the bill which had been reported from the Committee on Small Business with an amendment to strike out all after the enacting clause, and insert the following:

SECTION 1. This Act may be cited as the "Small Business Innovation Research Act of 1981".

SEC. 2. (a) The Congress finds that—

(1) technological innovation creates jobs, increases productivity, competition, and economic growth, and is a valuable counterforce to inflation and the United States balance-of-payments deficit; and

(2) while small business is the principal source of significant innovations in the Nation, the vast majority of federally funded research and development is conducted by large businesses, universities, and Government laboratories.

(b) The purposes of this Act are to—

(1) stimulate technological innovation;

(2) increase the use of small businesses to meet Federal research and development needs; and

(3) increase private sector commercialization of innovations derived from Federal research and development.

SEC. 3. Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) by redesignating subsections (c) and (d) as (g) and (h), respectively; and

(2) by striking out subsection (b) and inserting in lieu thereof the following:

"(b) It shall be the duty of the Administration, and it is hereby empowered—

"(1) to assist small business concerns to obtain Government contracts for research and development;

"(2) to assist small business concerns to obtain the benefits of research and development performed by Government contracts or at Government expense;

"(3) to provide technical assistance to small business concerns to accomplish the purposes of this section;

"(4) to develop and maintain an information program and source file, including utilizing a procurement automated source system, to provide small business concerns with information about, and the opportunity to participate in Small Business Innovation Research programs and to share the information with Government agencies participating in Small Business Innovation Research programs;

"(5) to coordinate with agencies required to establish an SBIR program on the release of their SBIR solicitations and to compile and make publicly available a release schedule of all forthcoming agency SBIR solicitations so as to maximize small business opportunities to respond to such solicitations; and

"(6) to independently review agencies' annual reports on SBIR program implementation and report not less than annually to the Committees on Small Business of the Senate and the House of Representatives on its review of agencies' reports and actions taken to implement the provisions of the Small Business Innovation Research Act of 1981, together with such recommendations as the Administration may deem appropriate.

"(c)(1) Each Federal agency which had total obligations for research or research and development in excess of $100,000,000 in fiscal year 1980 or any fiscal year thereafter based upon the most recent actual Federal obligations for total research and development, as determined by the National Science Foundation's Federal Funds for Research and Development Series, shall—

"(A) unilaterally establish a percentage goal for funding agreements in excess of $10,000 for research or research and development with small business concerns for the next fiscal year. The goal established for each fiscal year shall not be less than the percentage of the agency's research or research and development budget for the preceding fiscal year which was expended under funding agreements with small business concerns in such fiscal year. Obligations incurred pursuant to an SBIR program as provided for in subparagraph (B) shall not be counted as meeting any portion of the goals established pursuant to this subparagraph;

"(B) establish an SBIR program in accordance with subsection (d) if 1 per centum of the amount available for obligation by the agency for research or research and development for the fiscal year in question, after

application of the formula contained in paragraph (2), equals or exceeds $3,000,000; and

"(C) report annually to the Director of the Office of Science and Technology Policy and to the Administration on actions taken to implement the provisions of subparagraphs (A) and (B), the individual number of research and research and development grants, contracts, and cooperative agreements in excess of $10,000, the total dollar value of all such awards, an identification of SBIR awards, and a comparison of the number and total amount of all such awards with awards for research or research and development to other than small business concerns.

"(2) For the purpose of paragraph (1)(B), the amount available for obligation for research or research and development shall be arrived at by multiplying the total amount available for obligation for research or research and development in the year for which the amount to be made available is being determined by a percentage obtained by dividing the actual expenditures by the agency for research or research and development conducted by non-profit and for-profit entities outside the Federal Government or conducted in or funded through Government-owned, contractor-operated facilities for the most recent fiscal year for which data are available by the total expenditures for research or research and development for such fiscal year.

"(d) Each Federal agency required to establish an SBIR program pursuant to subsection (c)(1)(B) shall—

"(1) make available for such program and for no other purpose—

"(A) not less than 20 per centum of the amount determined pursuant to subsection (c)(1)(B) in the first year of its SBIR program;

"(B) not less than 60 per centum of the amount determined pursuant to subsection (c)(1)(B) in the second fiscal year of its SBIR program; and

"(C) not less than the amount determined pursuant to subsection (c)(1)(B) in the third and each subsequent fiscal year of its SBIR program, except that notwithstanding subparagraphs (A) and (B), any Federal agency which is required to establish an SBIR program pursuant to subsection (c)(1)(B) and which had total obligations for research or research and development of $2,000,000,000 or less in the preceding fiscal year shall make available for such SBIR program and for no other purpose not less than the amount determined pursuant to subsection (c)(1)(B) in the first and every subsequent fiscal year of its SBIR program;

"(2) determine appropriate topics to be included in its SBIR program solicitations;

"(3) issue and make publicly available its SBIR program solicitations in accordance with a schedule coordinated with the Administration and other agencies required to establish an SBIR program so as to maximize small business opportunities to participate in the Small Business Innovation Research programs;

"(4) receive and evaluate proposals resulting from SBIR solicitations;

"(5) select recipients of its SBIR funding agreements;

"(6) make payments to recipients of SBIR funding agreements on the basis of progress toward, or completion of, funding agreement requirements; and

"(7) after consultation with the Office of Federal Procurement Policy, by rule establish uniform procedures which fully implement the policy directives issued pursuant to subsection (e).

Any funding agreements with small business concerns for research or research and development which result from selections other than pursuant to an SBIR solicitation shall not be counted as meeting any portion of the requirements of paragraph (1).

"(e) The Administrator of the Office of Federal Procurement Policy, after consultation with the Director of the Office of Science and Technology Policy, the Intergovernmental Affairs Division of the Office of Management and Budget, and the Administration, within one hundred and twenty days after the date of enactment of the Small Business Innovation Research Act of 1981, shall issue policy directives for the general conduct of SBIR programs within the Federal Government. Such directives shall provide for—

"(1) a uniform agency SBIR solicitation format;

"(2) receipt and review of proposals;

"(3) a funding process which includes—

"(A) outside peer review as appropriate;

"(B) protection of small business interests regarding data generated in the performance of funding agreements;

"(C) transfer of title to property provided by the agency to the small business concern where such transfer would be more cost efficient than recovery of the property by the agency;

"(D) cost principles; and

"(E) payments to recipients of SBIR funding agreements on the basis of progress toward or completion of the funding agreement requirements;

"(4) a format for establishing goals for funding agreements in excess of $10,000 for research or research and development with small business concerns;

"(5) a format for agency annual reports; and

"(6) timely submission of agency annual reports to the Director of the Office of Science and Technology Policy to the Administration.

In developing the policy directives, the Administrator of the Office of Federal Procurement Policy shall, to the maximum extent possible, seek conformity with the Federal Grants and Cooperative Agreements Act of 1977, and the formation of a single, simplified, uniform procurement regulation pursuant to the Office of Federal Procurement Policy Act and Public Law 95-507.

"(f) The Director of the Office of Science and Technology Policy, in consultation with the Federal Coordinating Council for Science, Engineering and Research, shall, in addition to such other responsibilities imposed upon him by the Small Business Innovation Research Act of 1981—

"(1) independently survey and monitor all phases of the implementation and operation of SBIR programs within agencies required to establish an SBIR program, including compliance with the expenditure of funds according to the requirements of subsection (d); and

"(2) report not less than annually, and at such other times as the Director may deem appropriate, to the Committees on Small Business of the Senate and House of Representatives on all phases of the implementation and operation of SBIR programs within agencies required to establish an SBIR program, together with such recommendations as the Director may deem appropriate.".

SEC. 4. Section 3 of the Small Business Act is amended by adding at the end thereof the following:

"(j) For the purpose of this section—

"(1) the term 'Federal agency' means an executive agency as defined in section 105 of title 5, United States Code, or military department as defined in section 102 of such title;

"(2) the term 'funding agreement' means a contract, grant, or coopertaive agreement entered into between a Federal agency and a small business concern for the performance of experimental, developmental, or research work funded in whole or in part by the Federal Government;

"(3) the term 'Small Business Innovation Research Program' or 'SBIR' means a program under which a portion of a Federal agency's research or research and development effort is reserved for award to small business concerns through a uniform process having—

"(A) a first phase for determining, insofar as possible, the scientific and technical merit and feasibility of ideas submitted pursuant to SBIR program solicitations;

"(B) a second phase to further develop the proposed idea to meet the particular program needs, the awarding of which shall take into consideration the scientific and technical merit and feasibility evidenced by the first phase and, where two or more proposals are evaluated as being of approximately equal scientific and technical merit and feasibility, special consideration shall be given to those proposals that have demonstrated third phase, non-Federal capital commitments; and

"(C) where appropriate, a third phase where non-Federal capital pursues commercial applications of the research or research and development and which may also involve follow-on production contracts with a Federal agency for products or processes intended for use by the United States Government, except that nothing in this subparagraph shall be deemed to restrict, or otherwise limit, competition for such follow-on contracts; and

"(4) the term 'research' or 'research and development' means any activity which is—

"(A) a systematic, intensive study directed toward greater knowledge or understanding of the subject studied;

"(B) a systematic study directed specifically toward applying new knowledge to meet a recognized need; or

"(C) a systematic application of knowledge toward the production of useful materials, devices, and systems or methods, including design, development, and improvement of prototypes and new processes to meet specific requirements.".

SEC. 5. The amendments made by this Act do not authorize the appropriation of funds.

Mr. RUDMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WEICKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WEICKER. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is S. 881.

Mr. WEICKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. There is a time limit on this bill. How much time does the Senator yield?

Mr. WEICKER. I request the Chair to state what that limit is.

The PRESIDING OFFICER. The Senator has 1 hour on the bill. In addition, there are specific orders for amendments: 1 hour on an amendment by Mr. CHILES; 1 hour each on two amendments by Senator ROBERT C. BYRD. In addition, there is 1 hour on any other amendment in the first degree and a half hour on amendments in the second degree.

Mr. WEICKER. I thank the Chair. I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator may proceed.

Mr. WEICKER. Mr. President, as chairman of the Senate Small Business Committee, I take this opportunity to commend my very able colleague, Senator Rudman, for his skillful handling of S. 881, the Small Business Innovation Research Act of 1981.

Senator Rudman and I introduced this legislation on April 7 of this year. Since that time, the Small Business Committee has held 5 days of hearings, redrafted the bill, and favorably reported it to the Senate by a vote of 16 to 0. The legislation now has 85 cosponsors.

It would not be on the floor today were it not for the perseverance of my good friend and colleague, Senator RUDMAN, and were it not for the expertise he brought to the language of the bill. All in all, when this bill is passed by both Houses and signed by the President, as I have no doubt will happen, full credit should go to WARREN RUDMAN, the Senator from New Hampshire.

This bill, which was referred to in the Washington Star as "one of the most ingenious bills of the 97th Congress," is long overdue. Studies have shown again and again that small businesses are our Nation's most efficient and fertile source of innovations. Small innovative firms also have been shown to have a faster growth rate, to create jobs more rapidly, and to contribute substantially more to the U.S. economy in terms of taxes paid and export sales.

A 1977 study by the Office of Management and Budget found that from 1953 to 1973 almost half of all major U.S. innovations came from firms with less than 1,000 employees. Similarly, a National Science Foundation survey found that small firms produced 24 times as many innovations per R. & D. dollar as large firms and 4 times as many as medium-sized firms.

Yet despite these economic benefits, small firms receive only 3.5 to 4 percent of the Federal R. & D. dollar. The vast majority of Federal research money goes to a few large firms. This despite all the evidence showing that small businesses perform R. & D. more effectively and cheaply. This underutilization of small businesses in Federal research is shameful.

It is time this Nation paid more attention to its own studies. We all know that the slowdown in innovation in this country is dulling our competitive edge in the world market. Since small businesses are best at developing new technologies, we had better start using them.

S. 881, the Small Business Innovation Research Act, will help us to begin. Under this Act, certain Federal agencies will be required to establish a small business innovation research (SBIR) program modeled after that of the highly successful National Science Foundation.

These programs will be funded by agencies setting aside, after the third of the program, 1 percent of their research and development budgets for this purpose. In-house research is exempt from the budget base up on which this 1 percent is drawn. The legislation encourages agencies to spend this 1 percent in addition to the R. & D. money they now give to small businesses.

Small firms will be invited, by the issuance of program solicitations, to submit research proposals to an agency concerning topics selected by each qualifying agency in accordance with its own R. & D. objectives. Proposals that show the most merit and feasibility will be funded in the range of $30,000 to $50,000 for the initial development.

Second-tier financing ranging from $100,000 to $500,000 may be provided for further research on phase 1 proposals that appear the most promising.

In determining who will receive phase II funding, agencies will give special consideration to those proposals that have attracted private sector funding commitments to pursue commercial applications of the research. This special consideration serves as a built-in incentive for participants in the program to seek ways to build upon the Federal research, thus fulfilling one of the bill's primary objectives.

The potential benefits of using small innovative businesses in this way are many. The Federal Government will have its R. & D. objectives met. Private investors will be served by the opportunity to invest in the resulting technologies. Manufacturers will receive follow-on government contracts. Consumers will enjoy the benefits of new products. And most importantly, the increase in new technologies will stimulate our Nation's sagging productivity.

Small businesses have proven their ability to innovate. It therefore makes infinite good sense to increase their participation in Federal research programs. It is good business to use the most effective resource to achieve results, and it is time the Federal Government started acting more like a business and use its limited R. & D. funds in a way that guarantees the maximum benefits.

The Small Business Innovation Research Act provides such a way.

We have been hearing a lot these days about the alleged benefits of trickle down.

It is time we recognized that benefits can also percolate up.

Mr. President, how much time does the Senator from New Hampshire desire?

Mr. RUDMAN. Fifteen minutes.

Mr. WEICKER. I am delighted to yield 15 minutes to the Senator from New Hampshire.

Mr. RUDMAN. Mr. President, for a new Member of this body, the intricacies and difficulties of steering legislation from conception through hearings through reporting to the floor and, finally, being on the floor of the Senate, is no easy task. I have been very fortunate to serve on the Small Business Committee, chaired by my good friend the Senator from Connecticut, Senator WEICKER has given us guidance and counsel and has helped mightily in steering this bill to where it now comes before the U.S. Senate for consideration. I am in his deep debt and thank him publicly for that help.

Mr. President, it is my honor today to speak on behalf of the 86 cosponsors of S. 881, the Small Business Innovation Research Act of 1981. The fact that the bill is before the Senate today for consideration is testimony to the hard work and active support of many on both sides of the aisle. In particular, I commend the senior Senator from Massachusetts (Mr. KENNEDY) for the foundation work he did during the 96th Congress. And, although I was the original sponsor of this particular measure along with seven other members of the Small Business Committee, it is not merely a small business measure that we address today. Let there be no mistake about this: S. 881 is not a small business relief bill.

Rather, it is designed to address a specific problem in the most efficient manner. The problem simply stated is that of the present decline of the United States from its traditional position of preeminence in the field of technology advancement.

The issue of technological advancement is one which plays an underlying role in the ability of this nation to maintain its national security, achieve energy independence, increase productivity and employment, and preserve the quality of life we all enjoy.

The important role for small business in this area has long been recognized. In 1978 an OMB study noted that "our country will lose significant high-technology capabilities absent a concerted effort to increase small business research and development contract awards by the Government."

This statement was merely a recognition of conclusions of numerous studies that have identified small businesses as the most efficient and productive users of research and development dollars. At the same time, those of us attempting to deal with the problem had to recognize another truth: Small businesses face significant difficulty in obtaining Federal research and development contracts. Numerous studies, including the final report of the Commerce Department's Advisory Committee on Industrial Innovation, have recognized that "the burden of Government upon small innovators is disproportionately large and often overwhelming. Government policies and regulations that treat large and small firms equally are, in fact, discriminatory against small firms."

Faced with the above facts, we looked for a mechanism which would achieve a bridge between the small business community and the huge bureaucracy of the Federal Government. Fortunately, the national science foundation small business research program appeared to be a suitable model to build upon for application to all major Federal agencies conducting research and development programs.

That program, started in 1976, has been a tremendous Government success story. Federal R. & D. objectives have been addressed by small firms pursuant to a simplified grant proposal process which emphasized the commercial adaptability of the proposal.

The national science foundation program, providing a two-phase approach to Government financing of R. & D. proposals, has attracted $23 million in private capital for its 1977 phase II award winners alone. This represents a return

of more than 4½ times the Government investment for that year. The obvious benefits in both productivity and job creation cannot be overstated.

This type of success, all too rare in Government programs, should not be a surprise to those familiar with the studies detailing the vitality and performance records of small businesses. A study done for the U.S. Office of Federal Procurement Policy in 1977 concluded that:

Small firms have compiled a striking record of innovation in the private sector. Firms with less than 1,000 employees accounted for almost one-half of major U.S. innovations during the period 1953–1973.

In a 1979 study done by David L. Birch of the Massachusetts Institute of Technology for the Department of Commerce, we learn that small concerns with 20 or fewer employees created 66 percent of all net new jobs in the private sector between 1969 and 1976. In addition, 80 percent of those new jobs came from businesses less than 5 years old.

The same study showed that 87 percent of all net new jobs were created by firms with 500 or fewer employees. While the study was based on 5.6 million businesses, Mr. Birch found that the small, high-technology based firm was the most proficient creator of new jobs. A similar study done by the Canadian Federation of Independent Businesses supported Mr. Birch's findings, concluding that 72 percent of all new jobs in Canada between 1969 and 1977 were created by businesses with 20 or less employees.

Finally, the problem of the shrinking tax base is also specifically addressed by S. 881. To the extent that the program is successful, and I am confident it will be, we can look forward to results that were suggested in a 1975 MIT study of 16 highly successful companies for the period 1969 to 1974. Among other things, the study compared seven mature companies with five younger, innovative companies and concluded that the innovative companies provided nearly $2.3 billion of income tax revenues for the period compared to $1.5 billion for the mature companies. This difference of 34 percent cannot be ignored in the present economic climate.

The conclusions cited above were well supported by witnesses at the five subcommittee hearings that were held on S. 881. Representatives from the academic community, the small business community, and even the big business community all were vocal in their support for the concept embodied in S. 881.

A representative of the Federation of American Scientists, an organization of over 5,000 members, including over 50 percent of the living Nobel Prize winners, worked diligently to insure the success of S. 881.

The testimony offered on behalf of the Federation underscored its conclusion that agency research and development needs could be addressed far more cost effectively through an SBIR-type program, without in anyway jeopardizing any of the more traditional forms of research and development programs.

The Federation's concluding statement was that the Federal Government could do more rather than less research as a result of this program. In a year when we have all been called upon to cut Federal support of many worthwhile programs, this is indeed an important consideration.

In this vein, it is also important to note that the bill specifically states that the establishment of the program will not result in any increased appropriation requests by the agencies involved.

The Congressional Budget Office has estimated that, based on fiscal year 1982 R. & D. budgets projected through 1986, the set-asides required for this program would total $75 million in fiscal year 1982, growing to $415 million in fiscal year 1986. Senators should note section 5 of the bill which specifies that the legislation does not authorize any appropriations.

The committee intends that the cost of implementing the legislation will be absorbed by the affected agencies. This legislation is not intended to "drive up" agency budget requests in order to accommodate this program as well as other ongoing R. & D. programs.

One of the specific questions that I had for many witnesses concerned the general standard of excellence in grant proposals in research and development projects and whether or not the same could be maintained in an SBIR program. From our study of the National Science Foundation program, we were convinced that it could, but I hoped to find corroboration from the private sector.

Dr. Ann Eskerson, director of the Bentley College Small Business Resources Center in Waltham, Mass., told the subcommittee that:

There is no evidence whatsoever that the standard (of the National Science Foundation SBIR proposals) has been lower" than those received from other sources. She went on to say that in her review of the program, she found that the standard is "comparable, if not superior in many cases to that which is being received from the more traditional sources applying to the National Science Foundation.

Of particular, interest to the subcommittee was the fact that a Fortune 500 company testified in favor of the bill, something that one might have considered unlikely at the outset, given the major control exercised by large businesses on Federal procurement programs. Mr. John Tillinghast, senior vice president for Technology at Wheelabrator-Frye, Inc., told the subcommittee that his company stood to gain by the legislation since competition was the key to stimulating innovation throughout the economy. He concluded that:

[I]n the smaller firms, unlike the larger corporations . . . each step does not have to be justified in terms of potential market share or gross operating margins or some other financial criteria.

He asked the following question:

[H]ow can a financial control system evaluate market share when new technology is creating a wholly new market that does not yet exist?

He summarized as follows:

[A]s part of the unstructured nature of the smaller firms, I believe that innovation occurs from creative flights of intellectual invention. Innovation does not come by the formula approach so endemic to larger firms.

Two other major companies, Control Data Corp. and Delorean Motor Co., also testified in favor of the bill.

The subcommittee also received testimony from the Department of Defense, the Department of Energy, NASA, and the Department of Health and Human Services. We are deeply indebted to the agencies for many of their constructive criticisms of the original text of the bill. Indeed, many of the agencies' suggestions have been incorporated in the text as it appears before the Senate today.

To the extent that the agencies differed with our bill, it was a difference of degree and not of goal orientation. The Department of Defense testified as follows:

We wholeheartedly support the objectives of S. 881 to require agencies to establish a small business innovation research program, as we believe this concept to be the most far-reaching initiative to date to bring small, innovative, high-technology firms into the Federal Government's procurement process for research and development products and services.

The agency differences related solely to what they characterized as flexibility problems connected with mandatory allocations. While such an argument may be justified on purely theoretical grounds relating to management control policies, the argument does not recognize the dual function served by Government:

First, to administer the business of Government in the most efficient and cost-effective manner; and second, to address recognized societal needs. Inasmuch as testimony before the committee and the studies cited above had overwhelmingly suggested that S. 881 would address both functions of Government, those on the committee saw opportunity where agencies saw inflexibility.

Indeed, after reviewing the administrative changes that had been made in the original text, the administration was in a position to wholeheartedly support S. 881.

The President has recognized that S. 881 is the type of cornerstone that he must have as part of his economic recovery package if the same is to be successful.

The bill clearly adds the element of revitalizing the economy from its grassroots building blocks. The effect will be a surge upward rather than sole reliance on the so-called "trickle-down" theory. It is a wise recognition that a truly dynamic economy must rely on both theories. The President's support for this measure is embodied in a letter that he has written to me which I shall read into the RECORD at this point.

THE WHITE HOUSE,
Washington, October 6, 1981.

Hon. WARREN RUDMAN,
U.S. Senate, Washington, D.C.

DEAR WARREN: I would like to express my support for S. 881, the Small Business Innovation Research Act.

Your concern that small firms be able to participate equitably in Federal research and development is shared by this Administration. In the long run, all sectors of the economy are likely to benefit from the increased competition and research incentives your legislation would provide.

I congratulate you for the leadership you have shown in advancing the interests of those small businesses which are the job-producing lifeblood of our economy.

Sincerely,

RONALD REAGAN.

Small business is the leading innovative force in this country, the leading job creator in this country, and the most efficient tool with which to address Federal research and development objectives.

The Small Business Innovation Research Act of 1981 will serve to stimulate our productivity, return the United States to its position of preeminence in the field of technology advancement, and create that most precious of all commodities—new, high-quality jobs for many of the citizens whom we serve. I believe that this bill will represent Government at its best, and I am honored to have my name associated with it.

Mr. President, it is, of course, necessary that for any bill to make it through Congress there must be ample cooperation between both bodies. I am pleased we have had such help from the Honorable BERKLEY BEDELL, chairman of the Energy Subcommittee of the House Small Business Committee. Mr. BEDELL recently wrote an article which was published in the New York Times and I ask unanimous consent to have printed in the RECORD a copy of that article.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GIVE THE MONEY TO THE REAL INNOVATORS

(By BERKLEY BEDELL)

In our opinion, a renaissance in innovation in America is possible, but a basic systemic change must first occur in governmental policies affecting small innovative businesses.—Presidential advisory committee on industrial innovation, the final report 1979.

A key element in the great industrial success of this country has been the individual—the entrepreneur, the small-business man. But in the past two decades business activity has steadily shifted away from individuals toward large, centralized organizations.

For the first time in United States history, the share of the gross national product held by large business has passed the share held by small business, and the trend line suggests that by the year 2000, large business will account for almost 50 percent more of our G.N.P. than small business.

The statistics confirm the vital role of the smaller enterprise in the economy. Besides being the nation's leading job creator, the small business sector is also by far our society's leading source of industrial innovations. The National Science Foundation found that small businesses were responsible for half of "the most significant new industrial products and processes."

According to the foundation, small companies produced 24 times more major innovations per research and development dollar than large companies. And small companies manage all this despite accounting for less than 5 percent of all research and development efforts in our economy.

In 1979, the Presidential Committee on Innovation traced the decline in America's industrial base to Federal research and development policies. The committee concluded that "the climate for small business innovation has greatly deteriorated during the past decade" and went on to pin much of the blame on the Federal Government by noting that in the area of Federal funding for research and development "the innovative sector of the American economy, small science and technology-based enterprises, are virtually excluded from effective participation."

The extent to which small, innovative enterprise have been shut out of Federal research and development spending is startling. Small businesses received a mere 3.5 percent of the $30 billion the Federal Government spent on research and development in the fiscal year 1980. Of the $15 billion in research and development services the Government procured from business in fiscal year 1980, just 70 companies received 80 percent of that total.

Federal research and development procurement has become a bonanza for some of the largest corporations in America. Not many citizens realize that a large chunk of the money they pay in taxes is in turn given out to some of the biggest names in American business—General Electric, Westinghouse, Mobil, T.R.W.—to conduct their research and development activities.

In my view, much of the money the Government spends on R. & D. is going to the wrong people. These funds should be spread among as many individuals and enterprises as possible. To concentrate our research and development efforts among the large, centralized institutions virtually assures that we will be dependent upon those who have the greatest stake in maintaining the status quo.

Unfortunately, the research and development policies contained in recent Federal budget proposals will only exacerbate our current technological dilemma. The energy situation is a good example.

The Reagan Administration has requested a civilian research and development budget for the Department of Energy in excess of $3 billion. The department should be using this money to help develop new energy technologies and innovations. Instead, more than half of this budget will be used to finance research related to nuclear power, a centralized energy technology. Meanwhile, decentralized energy programs such as solar, conservation, geothermal, small hydropower and energy storage systems find their share of the research program drastically reduced.

These diverse, new ideas commanded 66 percent of the $4.5 billion R. & D. budget of the Department of Energy for fiscal year 1981. In 1982 they will get 48 percent of a $3.3 billion research budget, representing a 50 percent drop in funding.

Our foreign competitors, on the other hand, are taking a more diverse and open-minded approach to energy research and development, recognizing that there is a huge potential for alternative energy technologies first in developing countries and later in domestic economies. Japan, France and West Germany all are forging ahead with research and commercialization support for new decentralized energy systems.

An official document issued last year by Japan's Ministry of International Trade and Industry stated: "We need to develop and introduce local energy sources including solar energy, geothermal energy, small and medium-scale hydro-electric power plants, factory waste heat, methane produced by fermenting waste, wave power, wind power, tidal power, and biomass. In the area of energy-related technologies and in other pressing areas requiring a large amount of funds, the Government must launch national projects on its own initiatives."

It is clear that if we continue to follow our current course we will soon be far behind our world competitors in the development and marketing of alternative energy technologies.

It is not too late for the United States to free itself from the policies that are holding us back. One important step will be the passage of legislation (S. 881 and HR 4326) that would require large Federal agencies with research and development budgets in excess of $100 million to establish small business innovative research programs.

This legislation requires no new Federal spending, but merely states that an agency must allocate between 1 percent and 3 percent of its budget, in addition to what it already spends on small businesses, to finance small business research efforts. The legislation has been unanimously reported by both House and Senate Small Business Committees and has the support of the President.

Of course, no one likes to advocate the use of set-asides. But in this instance the options are very clear. Unless Federal agencies, which have a tremendous impact on the research and development community, are forced to pay more attention to the most innovative and productive sector of our economy, our productivity and international economic position will continue to erode.

Mr. DIXON. Mr. President, I congratulate the Senator from New Hampshire on his excellent presentation and on this fine bill, S. 881.

● Mr. BAUCUS. Mr. President, I want to express my strong support for this legislation, which seeks to strengthen the role of small innovative firms in federally-funded R. & D. Sure, this bill has its weaknesses, which I am describing separately. But despite the weaknesses, we must not lose sight of the fact that this is a good bill—good for America's small businesses.

Research and development remains the most important part of our competitiveness in world market. If we are to maintain our competitive position, we must be sure that R. & D. resources are spread where they will be most effective.

The Small Business Innovation Research Act of 1981 is supposed to do that. Small innovative firms will be given a chance to receive R. & D. funds and to attract private capital to commercialize the results of Federal research. According to this legislation, each agency with the R. & D. budget in excess of $100 million will be required to establish a small business innovation research program and small firms will be invited to submit research proposals to an agency concerning topics selected by each agency in accordance with its own R. & D. objectives.

Those proposals which show the most scientific and technical merit and feasibility can be funded in the range of $30,000–$50,000 for the initial development. Second-year financing ranging from $100,000 to $500,000 may be provided for further research of projects that appear promising.

We in Montana have already shown how valuable small business research and development can be. Montana has the center for innovation, in Butte, which has shown the way for many small firms regarding the development and marketing of new inventions. It is such imaginative proposals and programs that do help small business and the returns have been clearly seen. It is well known that small business is highly innovative, and if given the chance it can come up with some of the best ideas. A survey by the National

Science Foundation of major innovations introduced in the market between 1953 and 1973 found that small firms produced about 24 times as many innovations per R. & D. dollar as large firms and four times as many as medium-sized firms.

Another study by MIT found that firms with 500 or less employees provided 87 percent of all new jobs in the United States between 1969 and 1976. The best job creator was found to be the small technology based firm.

Mr. President, I strongly support an initiative, such as this. We may have to look at basic research and how the bill affects it to see if some changes might be warranted. But we should not let that detract from the overall objective of S. 881. I am pleased to be a cosponsor of the measure and urge my colleagues to vote for it.

BASIC RESEARCH PROVISIONS—SOME POTENTIAL PROBLEMS

Mr. President, there is serious concern in the university and scientific communities over the direct effect S. 881 will have on the conduct of basic research.

Basic research aims at the creation of new knowledge. It seeks to understand the nature of fundamental processes, the how and why of the way things are. Basic research is not conducted with a commercial application in mind, although when fundamental knowledge is developed, later work with that knowledge frequently leads to useful application. It is widely acknowledged that basic research is utterly essential to our long-range objectives for economic progress and national security. Without the new ideas and dramatic breakthroughs that only come through basic research, the best effort we can make will result in only minor improvements on what we are already doing.

In recognition of the great importance of basic research, the Federal Government has accorded it a special place in our national research and development effort. It is a small, but extremely important part of the total Federal R. & D. expenditures. Of our total Federal R. & D. budget of $40 billion, only $5.5 billion (or less than 15 percent of our total effort) goes to basic scientific and engineering research.

And it is the impact of S. 881 on this small portion of our total R. & D. budget which is the subject of serious concern and objection by research universities. The Association of American Universities opposes S. 881 on the grounds that it "would reduce Federal support for basic science." The National Association of State Universities and Land Grant Colleges also joined in opposition.

UNIVERSITIES AND BASIC RESEARCH

Most basic research is done at universities and national laboratories because such research requires resources and specialized facilities available at universities and national labs and because the scientists who are both capable of doing frontier work in basic science and have devoted their careers to it have by and large congregated there. Certain equipment essential for some research is found only at special installations funded by the Federal Government just for such basic research. Scientists who conduct basic research are also heavily committed to training young scientists and engineers who will continue to work in basic science; therefore, at universities there is an intrinsic relationship between training and basic research.

Now it is true that most basic research is done at universities, and that in some fields, it is done exclusively at universities. That is not a bad thing; our research base is set up precisely to take advantage of the unique suitability of universities to do basic research. Small business, which has a solid record of innovation and can do some research as well or better than other performers, does not engage at all in some fields of basic research and is not likely to do a significant amount of truly basic research in any field.

WHAT DOES S. 881 DO AND HOW DOES THAT AFFECT BASIC RESEARCH?

Unlike a traditional set aside, S. 881 does not require that a certain portion of funds for a specific purpose be set aside so that a specified performer may do part of that work to fulfill that specific purpose. S. 881 sets aside a portion of total agency R. & D. funds to set up a new program, the SBIR program, which may serve useful purposes but which does not necessarily have any relationship to the specific program goals from which the funds are taken.

The DOE high energy physics program is an excellent example of the problem. First, small business would have difficulty doing frontier basic research in high energy physics; indeed, even our great research institutions must rely on three national facilities. Second, while America has been the world leader in high energy physics research, our leadership is threatened by a decade of declining support in real dollars; Western Europe is currently spending twice as much as we are in this critical field (measured as a percent of GNP). Third, the sole source of funds is the Federal Government, and funds taken from the program will not be replaced by any other source.

For a specific illustration, take the fiscal year 1981 budget for DOE's basic research program in high-energy physics. This was $352.2 million; 1 percent of that is $3.52 million. This amount may not seem to be large in the national context, but the leverage of such a reduction has become very large as a result of the high-fixed costs of operating the central accelerator facilities of the basic laboratories, and as a result of the shrinking funding pattern of recent years. As a matter of fact, a detailed analysis carried out by the SLAC laboratory in California shows that a 1-percent change in funding would reduce the productivity by more than 3½ percent and that the recently discussed 12-percent cut would have reduced productivity by about a factor of 2.

To reduce the high-energy physics budget by an additional 1 percent would inflict additional real damage to basic research in high-energy physics.

To compound the problem, each year when the authorizing and appropriating committees evaluate the high-energy physics program, will they be fully aware that they are not authorizing or appropriating the line amounts for high-energy physics?

The Schmitt-Rudman amendment would limit the amount of damage to basic research programs by putting a ceiling on the amount of the set aside which can come from basic research programs, but it still subjects basic research programs, such as high-energy physics, to the set-aside. Indeed, all the illustrations used above assume the passage of the Schmitt-Rudman amendment. Even with the amendment, basic research will suffer under the requirements of S. 881.

A 1-percent cut in the basic research budget represents a 1-percent loss to basic research, not a transfer of the conduct of basic research to other performers. And in the case of the high-energy physics program, a 1-percent cut is leveraged into a 3½-percent cut in productivity. Furthermore, if Congress appropriates only the minimum amount it determines necessary to operate any given program in any given year, S. 881 would, by reducing appropriated funding levels, both undermine congressional intent and fund basic research programs at less than adequate levels. The current budget process and reductions in Federal spending are in themselves reducing some basic research programs to marginal levels. It seems especially unwise to take additional money from basic research programs, which, after all, serve important national purposes and provide the foundation for future scientific and technological development.

As a result, Mr. President, I urge that these issues be given consideration in conference. S. 881 is a good bill, and I cosponsored it. But we should also make sure that basic research is not handicapped by its provisions.

HIGH INTEREST RATES HURT OUR ECONOMY

Mr. President, I understand that Senator CHILES may offer an amendment concerning interest rates. Also, Senator BENTSEN may offer an amendment concerning the deductibility of home mortgages. As a cosponsor of these amendments, both of which concern interest rates, I thought it might be helpful here to offer a few thoughts about the problems that high interest rates have caused our economy.

Ralph Waldo Emerson said it 180 years ago:

> Money often costs too much. Money costs too much today. Way too much.

That is not our only problem. Wall Street is obviously not confident that the President's economic recovery program is on the right track. As one wit once said:

> Anyone who thinks there is safety in numbers hasn't looked at the Stock Market pages.

The underlying cause of so many of our problems is the rate of inflation. The symptom, and part of the disease, is high interest rates.

The problem that people in Washington face on these issues is evident: When inflation is high, the heat is enormous to lower it. When interest rates are high, the heat is enormous to lower them. Unfortunately, it is difficult to do both at the same time. Options are limited.

Congress has been studying various proposals regarding inflation, inflationary expectations, and the demand for money and credit relative to the supply. These issues have dominated the first session of the 97th Congress.

In recent years, there has been interest in controlling the money supply to control inflation. Borrowing and spending are curtailed. Keep in mind that only two things can control inflation: Limiting the supply of money and balancing the budget.

By curtailing inflation, credit will become more available. Interest rates will moderate over the long run. Paul Volcker, Chairman of the Board of Governors of the Federal Reserve System, made it clear that this was his view during recent testimony.

He said many of the accumulated distortions and pressures on the economy could be traced to our high and stubborn inflation. Dealing with inflation was essential for our future well-being as a nation.

However, excessive reliance on monetary policy alone cannot solve the problem. It must be accompanied by other measures, a view supported by the Federal Reserve Board.

For example, balancing the budget is an essential part of any inflation control program.

In other words, we must balance the budget and control the supply of money. We must put a cap on our national debt.

The object of such a tandem of policies is to make us more of a saver nation than a debtor nation. More money would become available for investment and growth.

Money has been too easy for too long for both individuals and Government. Too easy credit leads to inflation and a deteriorating economic situation.

The administration's program is based on that thesis.

It has designed a huge personal income tax cut and business incentive tax cuts to stimulate savings and investment. At the same time, it has massively reduced spending in every area except defense.

The goal is eventually to balance the budget, an objective it sees as essential to bring inflation and interest rates under control.

Unfortunately, in my view, there are many weak points to the administration's program, and many contradictions in its proposals, good as the goal may be.

First of all, the administration recognizes that it will be very hard to bring deficits under control. It does not mind those deficits since it can use them as an excuse for massive cuts in Government spending.

David Stockman and many of his colleagues seem determined to get the Government out of our lives so totally that the benefits we have learned to appreciate can be reduced or done away with.

Social security, loan guarantee programs, and other assistance programs for business as well as the general populace are being threatened.

As long as there is a deficit, the administration can argue that it has to slash away. It wants a deficit so it can continue to reduce or do away with Government programs, good or bad.

Second, while it cuts these programs, its tax program is sacrosanct. It insists that a massive personal income tax will create huge funds of new investment money. Wall Street and many economists disagree with that.

The prevailing view is that the personal tax cut will tend to be spent rather than saved.

Third, there is a growing awareness that tight money, high interest rates and unrestricted cuts in Government programs are a roadmap to recession.

And that, by the President's admission, is exactly where we are. In a recession.

Indicators such as industrial output are dropping. Slight declines in interest rates are discounted by such economists as Henry Kaufman, of Wall Street's Solomon Bros. Respites "are not likely to endure," he states, given expected heavy borrowing by the Treasury and corporations later this year.

So the administration gives us a massive tax cut to stimulate the economy and continues to cut spending in an effort to balance the budget. It insists on not cutting the defensive budget very much.

There is a flurry of proposals to seek artificial answers to our problems.

Most of these focus on the Federal Reserve System itself, which has become the whipping boy for our problems.

Let me analyse the Federal Reserve for a moment.

First of all, the Federal Reserve does not have the power to set interest rates in general. But it does control the Federal Reserve discount rate. Changes in the discount rate can influence other markets.

Second, the Federal Reserve can change reserve requirements. When banks are required to keep more reserves, less money is available to lend out.

Third, the Federal Reserve can influence the market and interest rates through its open market operations, which is one reason there are efforts to make the open market committee more susceptible to economic influences.

That is the extent of the Federal Reserve's powers in this area, large as they are. Interest rates are primarily determined by the market and by actions of either borrowers or lenders. There are economic and psychological factors involved as one can see by the reaction of Wall Street to the administration's program.

But nonetheless, many proposals affecting the reserve have merit, and we should pursue them with vigor.

There are a number of congressional resolutions which encourage the Federal Reserve to lower interest rates while maintaining firm control over the growth of money and credit.

Another resolution protects small business institutions, farms and the housing industry by having these sectors better represented on the Federal Reserve Board open market committee.

Still other measures before the Senate are designed to make the Federal Reserve back down on its interest rate policies and to make it more responsive to different sectors of our economy that are particularly affected by its policies.

It would serve all interests well if the Fed let up on credit stringency by altering its way of gaging the money supply. It also could provide some informal credit guidance to the banking community so that the latter pumps more money into small business, for example, and less into corporate takeovers. In other words, jawboning.

But it is also incorrect to blame the Fed entirely for all our problems, and therefore penalize it excessively. We can do some fine tuning, but we would be dreaming if we think fine tuning is going to make money readily available. And remember, if there is any silver lining to our current situation it is that inflationary rates have diminished over the past year.

A dubious economic policy which will produce enormous future deficits as a result of excessive cuts in taxes and a destruction of our Government program is more to blame for our problems. Wall Street has made that clear.

Many Government programs have functioned well to keep our economy, and our individual economic lives, prosperous.

Suddenly yanking such things as loan guarantee programs away from business does not help the economy.

The business community is not so sure that the economy will expand, and therefore, is holding back on investment dollars. It sees enormous future deficits. Anything that limits the supply of money and credit available for lending is likely to cause market interest rates to climb.

So where does all this put us?

Unfortunately, as you all know too well, there are a number of dangers associated with high interest rates.

One is recession.

And that is where we are now.

Second, is that certain groups or sectors within an economy may share a disproportionate share of the impact of high interest rates and credit shortages.

Small businesses, public utilities, state and local governments, and consumers are all affected. Mortgage markets and the construction industry, as you all know, are in dire straits at the moment.

Indeed, many suspect that such developments are expected and accepted by the administration. Given the choice between a return to inflation and a return to breadlines, David Stockman has testified his preference is for the breadlines.

If you are hardhearted enough, he is right. Recession, unemployment, and breadlines will bring down interest rates because there will not be any work to be done anyway.

If our economy nosedives, you can be sure jobs, work—and interest rates—will diminish.

I wish there was some simple solution to the problems of inflation and interest rates. There is not.

But I do believe that there are things that could be done.

Many suggest that we postpone part of the tax break until we see more clearly when the budget will be balanced.

The administration thinks that the only way to balance the budget is to cut out Government spending.

Yes, Government spending has to be reduced.

But we cannot put the entire burden

on slashing the Government out of existence.

I believe that when the President was elected, the American people made clear they were prepared to bite the bullet and do what it takes to bring our economy back to prosperity.

The administration has undertaken a great experiment that seems to be having trouble getting off the ground. For the good of all of us, it must get off the ground.

There will be a loss of revenue as a result of the tax cuts. The administration will not be able to balance the budget as it hopes to do.

The U.S. Government budget is too big and too committed to entitlements to be able to cut the amount necessary to balance the budget.

Is there not some other alternative that is not going to destroy our economic recovery? That will allow us to balance the budget, and will not end so many valid activities in which the Government is involved?

I know it is politically unpopular and difficult to favor a tax-cut rollback.

That is why the subject is dealt with gingerly.

But many do feel that we can cut no more out of our spending side of the budget, and that defense spending is something the American people want to see increased, as indicated by their vote a year ago. But must the tax cut also be untouchable? Can we not shift with the wind? Would we rather see social security gutted, or agree to hold off on the personal tax cut, perhaps only a few months?

Both personal and business tax cuts can stand review.

On the business side, new depreciation schedules could become subsidies to business. That is, more money is given out to business through tax policy than is taken in. There are also some leasing provisions which are excessive under the circumstances. There are other items, too, which should be rescrutinized, including tax expenditures. After all—22 years ago, corporations paid 19.5 percent tax relative to personal taxes. Today the figure is 7.7 percent.

On the personal side, everybody's paycheck increases by a few dollars each month as a result of the cut. And even that is tilted to favor the higher income people.

Sure, some of that will go into savings. But will enough go into savings to make such a huge cut worth it?

A lot of people are asking that question.

A lot of people think that much of the money will go into consumption which will drive up inflation again.

I remain committed to the idea that we should bring spending under control first, before cutting our sources of revenue. I believe we should give businesses incentives. I believe that a personal income tax is needed to provide relief. But we can afford some flexibility.

I believe we need a strong defense, but I do not think that any sector of our budget can be immune from financial constraint.

We need to look over the tax cut package that we approved. We need to close up loopholes and some day possibly alter our basic structure to make it more fair.

This is what we must do. We should do it in a bipartisan way.

And I shall continue to work in Congress to try to ease interest rates by adjusting our programs in a way that will achieve our economic recovery objectives more sensibly. Modifying the tax cut is one viable and real way to do that.●

Mr. LEVIN. Mr. President, I want to begin this statement by commending my friend from New Hampshire, Senator RUDMAN, chief sponsor of the Small Business Innovation Research Act of 1981, and without whose efforts this legislation would not have been possible. He has worked long and hard with many Members on both sides of the aisle refining the language of this act to create a Government-wide program that I believe holds great potential for small businesses, the Government, and the economy. I know Senator RUDMAN is proud of this legislation and well he should be. I urge Senate approval.

The foundation on which this legislation is based is sound. That is, small businesses are our Nation's most prolific innovators. This fact is documented by numerous studies. A 1976 National Science Foundation survey found that, of major innovations marketed between 1953 and 1973, small firms produced about 24 times as many innovations per research and development (R. & D.) dollar as large firms. In addition, a 1977 report by the Office of Federal Procurement Policy revealed that firms with fewer than 1,000 employees accounted for approximately one-half of the major U.S. innovations.

The Small Business Innovation Research Act attempts to capitalize on the demonstrated innovative capabilities of small business. Under the act, agencies with R. & D. budgets in excess of $100 million would be required to establish a small business innovation research (SBIR) program. Small businesses would submit research proposals to these agencies on topics that are selected by and in keeping with each agency's R. & D. needs. Proposals showing the most scientific and technical merit and feasibility may receive funding of approximately $30,000 to $50,000. Small businesses receiving the initial funding could seek an additional award ranging from $100,000 to $500,000 for further research and development of their proposals.

A major goal of the SBIR program is to encourage small businesses to attract private sector follow-on capital to commercialize the results of the Government-initiated research. To accomplish this goal, agencies would be directed, when evaluating proposals of equal scientific merit that are requesting second-tier funding, to give special consideration to those proposals that have attracted private capital.

The establishment of a Government-wide SBIR program holds great potential for all concerned. The Government makes use of the capabilities of small, innovative firms in the procurement of the Government's R. & D. needs. Small businesses receive that up-front capital so necessary to initiate research in their field of expertise. And finally, society as a whole would be benefited. Commercialization of many of the newly developed technologies and processes will ultimately create new products and improve the competitiveness of American goods and services in the world marketplace. thereby increasing employment and tax revenues.

While the act requires no direct appropriation, there is a slight cost associated with implementation, management and administration of the SBIR program. But these costs, approximately $3 million in fiscal year 1982 and rising to $21 million by fiscal year 1986, are very small when compared with the anticipated economic benefits to be derived from the program.

Again, I want to commend Senator RUDMAN for his efforts, and I urge Senate approval of this legislation.

o Mr. TSONGAS. Mr. President, the Small Business Innovation Research Act of 1981, S. 881, has won well-deserved bipartisan support. This legislation recognizes the Federal Government's inexcusable failure to tap the resources of the small business innovator. The bill puts in place a mechanism to improve this dismal record.

In my own State of Massachusetts, the phenomenon of high technology clearly demonstrates the meaning of innovation spawned by small business.

Digital Equipment Corp. was begun in 1957 by three people. In September of 1980, Digital had 55,000 employees, 20,000 in Massachusetts. Wang Laboratories was begun by Dr. An Wang with one part-time associate. At the end of 1980, the company employed 7,800 in Massachusetts and 13,000 worldwide. Computervision had 10 employees in 1969 and 2,966 in 1980. Data General grew from four full-time workers and one part-timer in 1968 to a 1980 level of 5,000 Massachusetts employees and 14,380 worldwide.

Thus, at the center of much of Massachusetts' economic growth and increased job market over the last two decades lies innovation by entrepreneurs in small companies. Small business innovators—those who successfully carry a new idea from a conceptual point to one where it can be marketed as a product—rescued Massachusetts. As a Nation, we need to improve the climate for such badly needed innovations.

High technology's rapid growth and expansion is a wonderful success story. Nonetheless, we need to learn from its growth and not blindly depend on it. The preponderance of evidence I have studied on this issue indicates that this growth comes fastest and most productively from small firms. Why? Industrial psychologists tell us that the upstart entrepreneur is a risk-taker, a creative thinker, an experimenter—all the attributes of an innovator. These contrast with the mentality of the corporate executive of a large firm who, according to psychologists, is prudent, organized, and able to deal with short-run profitability issues and is therefore geared to efficient production, not innovation.

The Small Business Innovation Research Act simply requires that agencies

with research and development budgets over $100 million establish a small business innovation research program to enable small firms to develop new products for these agencies. Why is a special program needed? Because the way Federal research and development dollars are awarded now strongly favors large, nationally known companies.

A contract officer faced with the task of awarding $1 million in research and development contracts can award 20 contracts of $50,000 each and have 20 grants to monitor. Or, there could be two grants of $500,000 each, a decision which makes his work much less time consuming, easier. Add to this the supposed danger of awarding funds to an unknown firm compared with the safety of providing grants to brand-name companies and it is not surprising that small businesses fail to receive much attention despite the fact that they can produce four times the amount of innovation for every research and development dollar awarded a larger company.

Mr. President, I conclude by pointing out that this legislation is being offered at a time when we are trying to make every Federal dollar yield the greatest amount of benefit possible. By removing an unproductive bias in present regulations, this bill would free up capital for use by a segment of the business community that is uniquely gifted at providing this country with the advances needed to insure that we remain competitive in the marketplace.●

Mr. SCHMITT. Mr. President, the bill of the distinguished Senator from New Hampshire quite rightly recognizes the exceptional contributions to innovations and productivity which are attributable to the small business community of this country. He also recognizes that this contribution has not been fully capitalized on and with this I heartily concur.

At the same time, I have a concern that S. 881, as written, could have unintended, but nonetheless, adversely disproportionate impacts on basic research and on research and development at Government-owned, contractor-operated laboratories.

Even though basic research is a relatively small proportion of the total R. & D. budget, it is exceptionally important as the source of the fundamental discoveries about ourselves and the world around us from which later ideas for inventions spring.

There has been a concern that the set-aside provisions of S. 881 might be taken disproportionately from basic research, even though this category of R. & D. is less germane to the goals of the legislation than are applied research and development. For example, in a mission agency such as DOD, there might well be considerable pressure to take more of the set-aside from the basic research budget, rather than from large but tightly budgeted programs for weapons development. Shifting a small part of the set-aside percentage from applied research and development to basic research would greatly increase the percentage of the basic research budget set-aside.

My concern is heightened by the developing budget prospects for fiscal year 1983, where controllable categories, such as basic research will be severely constrained.

I am pleased to note that many of my colleagues have shared with me similar reservations of their own, particularly in recent days.

And only this morning Dr. Jeremy J. Stone, director of the Federation of American Scientists, urged that basic research be exempted from the set-aside provisions of this bill. Dr. Stone's action is particularly notable because it was this organization that worked more than any other for the broad sponsorship which S. 881 enjoys. I ask unanimous consent to include in the RECORD Dr. Stone's statement.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

FEDERATION OF AMERICAN SCIENTISTS STATEMENT ON BASIC RESEARCH AND S. 881

S. 881 calls for 1 percent of R&D funding to be "set-aside" for small business in agencies which have over $100,000,000 of R&D funds at their disposal. The question has arisen whether basic research funds—normally only a small fraction of total R&D funds—would and should be touched by this bill. In our opinion they certainly should not be affected. The purpose of the bill, which is to encourage innovation in small business, has little, if anything, to do with purposes of basic research. Basic research funding should be given out in accordance with peer-review methods, as is traditional. And small business, which does not, in any case, normally do basic research, should not be a specially treated candidate for basic research monies anyway. Most important, basic research monies are in very short supply today, and very much needed to get America moving again. It would be an ironic and counterproductive effect of the bill if it were to encourage innovation in small business only at the cost of depleting the new ideas which small business might apply.

As we understand it, in any case, small business is getting the right, in other changes in law, to bid for basic research monies. And it can therefore compete for basic research funds on a basis of equality with other university-based researchers. It does not need any special set-aside for basic research. Indeed, it is only in the area of innovation in applied work that small business has a well established track record on the basis of which this bill, S. 881, was conceived.

With all this in mind, and since basic research is about 10 percent of R&D funding generally, we see no problem in having the 1 percent set-aside of the bill explicitly drawn from agency funds which are not basic research. Indeed, speaking as Director of the Federation, it has always been my own assumption that this would follow from the nature of the bill.

But since the question has arisen, and speaking for the Federation itself, we wish to state explicitly that we will work to have either the final form of the bill and/or the Conference Committee report—and the Executive Branch regulations under which the act would be carried out—make this full exemption of basic research funding explicit.

JEREMY J. STONE,
Director.

Mr. SCHMITT. Another concern regards a special group of national laboratories, those which are Government-owned but contractor-operated. Two prominent examples are the Los Alamos National Laboratory and the Sandia Laboratory, which conduct a number of the most advanced energy and defense research and development programs in this country. I believe it is important that the legislation and the record be clear that the research and development programs of these vital Government-owned, contractor-operated laboratories are not to carry a disproportionate share of the set-aside requirement.

Note: The Government-owned and operated laboratories are totally exempted in S. 881 from set-aside requirement.

Therefore, I would like to offer an amendment to S. 881 which, I believe, is acceptable to Senator RUDMAN. The amendment would limit to the minimum set-aside percentages stimpulated in the bill the amount of the basic research and Government-owned, contractor-operated research and development budgets which could be used for the purposes of S. 881.

These stipulations would affect neither the agencies which would participate in the small business innovative research programs nor the overall amount of the set-asides for the program. They would, however, assure that our reservoir of new, fundamental knowledge on which future innovation will depend is not burdened disproportionately.

My concerns about the impact of this legislation on basic research remain, but it seems best in the interest of compromise to adopt the amendment as agreed to with Senator RUDMAN. I hope, however, that careful consideration will be given in the conference to the concerns that I have raised and which seem to be shared by more and more of my colleagues.

I would like to thank the distinguished Senator from New Hampshire for his sensitivity to the concerns which I have presented and his cooperation in arriving at an appropriate modification of S. 881.

UP AMENDMENT NO. 761

(Purpose: To amend the Small Business Act to strengthen the role of the small innovative firms in federally funded research and development, and to utilize Federal research and development as a base for technological innovation to meet agency needs and to contribute to the growth and strength of the Nation's economy)

Mr. SCHMITT. Mr. President, in order to alleviate any such impact, the Senator and I have agreed on an amendment which I send to the desk at this time.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico (Mr. SCHMITT) proposes an unprinted amendment numbered 761.

Mr. SCHMITT. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 15, line 9, insert the following: "A Federal agency shall not make available for the purpose of meeting the requirements of paragraph (1) an amount of its research

or research and development budget available for obligation for basic research or for research or research and development in Government-owned, contractor-operated facilities which exceeds the applicable minimum percentage required by such paragraph for all research or research and development conducted by non-profit and for-profit entities outside the Federal government or conducted in or funded through Government-owned, contractor-operated facilities.".

Mr. SCHMITT. Mr. President, I would just say to my colleagues that this amendment very simply puts a cap, a 1-percent cap, on the amount of set-aside that can be attributed to basic research under the provisions of this bill, and includes in that the Government-owned, contractor-operated laboratories which provide such a large share of the basic research undertaken in this country.

I believe the amendment is acceptable to the distinguished Senator from New Hampshire and the managers of the bill, and I ask that it be agreed to.

The PRESIDING OFFICER. Is all time yielded back?

Mr. RUDMAN. Mr. President, will the Senator yield me an additional amount of time?

Mr. SCHMITT. I would yield the remainder of my time.

Mr. RUDMAN. Mr. President, I want to thank the Senator from New Mexico who, of course, brings to the floor of the Senate a most unusual background in science and technology.

With that particular background the Senator from New Mexico has been very sensitive to the legitimate concerns of the university research communities throughout this Nation, and his suggestion is a very positive one. I believe it strengthens the bill, and I am very thankful that his help has been forthcoming to make this bill even stronger than it was. The committee, in fact, does wish to agree to the amendment.

Mr. DIXON. Mr. President, the amendment is acceptable on our side. The amendment is consistent with the philosophy of the legislation.

I believe the committee's report was directed at the Senator's very point: The report, on page 11, states

It is left to the agency's discretions to decide which funds to use for this purpose (implementing the SBIR program). However, the Committee expects agencies to exercise this discretion in a manner that will not result in the disproportionate taxing of any single area of research. For example, there has been some concern expressed that basic research in particular may, in some instances, be required to bear a greater share of the burden of funding SBIR programs. It is the Committee's intent that this not occur.

Throughout the development of this legislation we have been mindful of the concerns of the basic research community and the practice of several agencies to use Government-owned, contractor-operated (GOCO) facilities.

On several occasions, witnesses testified at committee hearings about the difficulty of utilizing small business for basic research purposes. No testimony has been presented to this committee in its 3-year review that indicates small for-profit entities are not capable of doing quality basic research. In fact, the committee has received testimony that buttresses the committee's view that small business now has, and will develop, the expertise to pass any legitimate, unbiased peer review.

With respect to GOCO facilities, nothing in this legislation will limit agencies abilities to continue utilizing this approach to Federal research. Nowhere do we suggest that agencies must or should shift funds out of GOCO into the SBIR program.

The PRESIDING OFFICER. Is all time yielded back?

● Mr. SASSER. Mr. President, I support the Schmitt amendment to the Small Business Innovation Research Act of 1981, S. 881. This amendment addresses concerns I have had with regard to the basic research efforts of colleges and universities.

Institutions of higher learning have been responsible for much fine work in the area of basic research. Though S. 881 was not intended to limit these contributions, fears have been expressed that this would be its effect.

In answer to these concerns Senator SCHMITT has proposed this amendment which I understand will be accepted by the floor managers. It will not diminish the value of the small business innovation research program created by the bill. It will insure that the very important basic research efforts being made in this country are not diluted by being included in a program which has an applied research thrust.

Further, the amendment is not intended to cast doubts on the ability of small research firms. Studies have shown time and time again that small firms are at least as capable as their larger counterparts in the area of innovation. The issue here turns on the important differences between applied and basic research.

The Schmitt amendment respects these differences.

For this reason, Mr. President, I support and have cosponsored the Schmitt amendment to the bill.●

The PRESIDING OFFICER. Is all time yielded back?

Mr. SCHMITT. I would be happy to yield back my time.

Mr. DIXON. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Mexico.

The amendment (UP No. 761) was agreed to.

Mr. SCHMITT. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. WEICKER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Who yields time?

Mr. WEICKER. Mr. President, I ask unanimous consent that a call for a quorum may be issued at this time and that the time for the quorum call be charged to neither side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WEICKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WEICKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered

(By request of Mr. WEICKER, the following statement was ordered to be printed in the RECORD:)

● Mr. HAYAKAWA. Mr. President, it is very timely that 85 Members of the Senate are cosponsors of the Small Business Innovation Research Act of 1981, S. 881, and that the President of the United States presonally supports the legislation. I believe that a great deal of credit goes to Senator WARREN RUDMAN of New Hampshire for the personal attention and hard work he devoted to bringing S. 881 to the Senate floor today. He has shown remarkable leadership, and I am very pleased to have worked with him on this bill.

As a member of the Senate Small Business Committee and an original cosponsor of S. 881, I held a field hearing in California where so many wonderful innovative ideas are born and brought to fruition. The name "Silicon Valley" is synonomous with innovation and electronic miracles. As was written in Electronics magazine:

Nothing is so constant for the electronics industries as change. In at least that respect, electronics and California are ideal mates . . . electronics in that region stands on the threshold of some of the most fundamental changes in its relatively short history, many of them deeply affected by and affecting the Golden State of California.

The purpose of this legislation is to increase opportunities to small technological firms and inventors for innovation in America, a nation known throughout the world for technological progress—new inventions. Unfortunately, we are experiencing a serious decline in technological innovation that needs to be fortified. One indication of this decline is the decrease in the number of U.S. patents issued over the past decade. In 1970, the U.S. Patent Office issued 70,-131 patents; in 1980, it issued only 61,-227. Equally significant is the rise in the percentage of U.S. patents issued to residents of foreign countries. While only 25 percent of all U.S. patents issued in 1970 went to foreigners, in 1980 this number rose to nearly 40 percent. If we are to reverse this trend, a more coordinated Federal strategy must be developed.

At the present time, however, the Federal Government spends less than 5 percent of its research and development (R. & D.) funds to small businesses, although individual entrepreneurs and firms account for more than one-half of all inventions and innovations. This legislation directs all Federal agencies with R. & D. budgets of over $100 million to establish a small business innovation research (SBIR) program and to set aside within 3 years a total of only 1 percent of that budget for small business

research. It requires no additional appropriations, and the SBIR program is modeled after the program established by the National Science Foundation, which was highly praised by several witnesses.

The impact of this legislation will be significant. Since small businesses have among the fastest rates of growth in employment, sales, exports, and productivity in our economy, it will help to stimulate the revitalization of our economy. The Federation of American Scientists testified at a hearing held by Senator RUDMAN in Washington that the benefits of this legislation will not be limited to small businesses, scientists and engineers, and universities. Large businesses will interact as licensers of the technology developed, as manufacturers and distributors of the products, and receivers of follow-on Government contracts.

Mr. President, I believe we will all benefit from this legislation. We need new technologies which will provide new, high quality and inexpensive products; new technologies to make our workplaces safer and healthier, and to provide meaningful and satisfying employment.

Thank you, Mr. President.●

● Mr. D'AMATO. Mr. President, technical innovations resulting from research and development (R. & D.) increase productivity, create new jobs, stimulate economic growth, and enhance the ability of products to compete in foreign markets. America's rise to economic dominance has largely been due to an unflinching commitment to R. & D. Economic success is inexorably tied to the discovery of new products and innovative techniques.

When technological innovation lags, however, serious problems emerge. Unfortunately, this has been the situation in the United States for the past decade. The economy has stagnated, jobs have been lost, and the balance-of-payments deficit has widened.

This decline in U.S. technical advances is all too readily apparent. For example, between 1970 and 1980 the annual number of patents issued by the U.S. Patent Office fell by 12.7 percent from 70,131 to only 61,227. Moreover, the percentage of these patents issued to residents of foreign countries increased by 60 percent during the decade from 25 percent of the total in 1970 to 40 percent in 1980.

We cannot allow this situation to deteriorate any further. We cannot allow ourselves to become dependent upon foreign nations for the research and development so necessary to economic prosperity. Domestic R. & D. must be encouraged.

Since the Federal Government now underwrites approximately one-half of all domestic R. & D., it is clearly up to the Federal Government to provide this encouragement. In providing this encouragement, however, we must take advantage of the superior innovative capabilities of America's small businesses. As noted in the final report of the Commerce Department's Advisory Committee on Industrial Innovation:

A fundamental reason for the decline in innovation is the failure of Federal policymakers and administrators to recognize the contributions from small firms to technological innovation.

Despite the widely recognized fact that small businesses are the most efficient and fertile source of innovations, less than 4 percent of the Federal R. & D. dollar is now spent with small firms. This underutilization of small business is both counterproductive and regrettable.

Between 1953 and 1973 firms with fewer than 1,000 employees produced approximately one-half of all major U.S. innovations. During this period small firms had a ratio of innovations to R. & D. employment four times as great as the ratio for large firms. Moreover, the cost per R. & D. scientist or engineer was only one-half the cost in small firms of what it was in large firms.

A National Science Foundation survey of major innovations revealed that small firms have produced about 24 times as many innovations per R. & D. dollar as large firms and David Birch of MIT has found that firms with 500 or fewer employees provided 87 percent of all new jobs in the United States between 1969 and 1976. He also discovered that the small, technology-oriented firm was absolutely the best job creator of all.

Given the obvious and overwhelming rewards of small business R. & D., it is disastrous that so much of our federally funded R. & D. is conducted by large companies. In 1979 only 20 firms received 71 percent of all Federal R. & D. contracted to industry.

This situation must be addressed. Small businesses must be granted more Federal R. & D. contracts. Passage of S. 881 will take a major step in this direction. As the Advisory Committee on Industrial Innovation has stated:

Government policies and regulations that treat large and small firms equally are, in fact, discriminatory against small firms.

Thus, S. 881, the Small Business Innovation Research Act of 1981, seeks to strengthen the role of small companies in federally funded R. & D. by establishing the small business innovation research program through which small firms can be systematically used to meet Federal R. & D. needs. S. 881 is a necessary first step if we are to once again attain the R. & D. dominance so vital to restore health and strength to the American economy.●

Mr. EAGLETON. Mr. President, while I am generally sympathetic to the purposes of the bill before us, S. 881, the Small Business Innovation Research Act of 1981, I wish to raise several concerns with respect to its potential impact on the basic biomedical research programs at the National Institutes of Health.

In my view, the biomedical research effort at the National Institutes of Health is considerably different from the other R. & D. efforts of other Government agencies. Perhaps its most striking difference is that it requires a multidisciplinary approach. Given this considerable difference, it would be my preference to exempt the NIH from this legislation. I would hope that the Small Business Committee members would give this very serious consideration as the bill works its way through Congress.

However, as the bill is reported from committee, the NIH is covered by its provisions. In the context of the broad concern I have articulated above, I would like to raise three specific concerns.

My first concern relates to the peer review system. Although the committee report to accompany the bill "strongly recommends that outside peer review be used wherever possible," it falls short of requiring outside peer review. The NIH peer review system consists of many discipline-oriented initial review groups which consider the scientific and technical merit of each grant application and render their recommendations to the appropriate advisory council or board which provides final recommendations. The advisory councils or boards consider many factors, among them, first, the relative scientific merit of a project; second, the importance of a particular project to the program objectives of the appropriate institute or division; third, the need to protect previous investments in meritorious ongoing research; and fourth, the need to provide opportunities for new research and researchers to enter the system.

The international recognition of the NIH as one of the preeminent biomedical research institutes in the world has primarily resulted from the intensive, incisive review of grant applications under the peer review system.

I hope that the distinguished floor manager of the bill, Mr. RUDMAN, would agree that no provision of S. 881 is intended to lessen that rigorous review of all proposals, whether from the small business, the academic, or the scientific community. It is that process which assures the high quality of the NIH extramural program.

Second, I would like to clarify the intent of the committee with respect to obligation of the funds under the 1-percent set-aside. Should any agency not receive proposals from small business of sufficiently high quality to merit funding, would it be the intent under this bill that the amount of funds set aside from small business be carried over to the subsequent fiscal year? In other words, I am concerned that a mandatory set-aside of funds, in which funds must be expended in each fiscal year, could lead to funding of lesser quality research or the loss of funds to any given agency which chooses not to fund any small business proposals because they do not meet the agency's standards of excellence. Again, Mr. President, this concern stems not from any belief that small business generally lacks R. & D. capability, but from the very specialized nature of basic biomedical research.

Finally, Mr. President, I would like to expand upon the committee's intent with respect to the legislation's reporting requirements. Under the bill, the agencies conducting SBIR programs must report at least annually to both the Office of Science and Technology Policy and the Small Business Administration concerning the conduct of these programs. Those two bodies must in turn report annually to the Senate and House Committees on Small Business. I believe it is important to emphasize that the agencies conducting SBIR programs report promptly to

OSTP and SBA if they are experiencing difficulty in fulfilling the requirements under this program, and that OSTP and SBA promptly so advise the Congress.

Specifically, Congress should be advised of any agency's need to carry over the funds under the setaside, as discussed above, or any further implementation problems which may arise during the 3-year phase-in of the program.

Mr. RUDMAN. I appreciate the concerns of the Senator from Missouri, and while I do not share his view that the NIH should be exempted from coverage under the bill, under the provisions of the bill, the NIH can apply its rigorous peer review system to research proposals from the small business community, should it choose to do so. In terms of the usual 9-month review cycle at the NIH, I hope that that time frame could be shortened somewhat. I understand that at least some institutes are developing a shorter review cycle, on the order of 5 months, for review of small grants, and perhaps that shortened procedure could be used for applications from small business.

With respect to the obligation of funds under the setaside, I concur with the Senator that, in those instances where quality research proposals are not submitted, agencies should be allowed to carry forward the funds earmarked for small business for obligation under small business innovation programs. If it takes time for the small business community to gear up its capacity for basic R. & D., this should allow time for the development of meritorious research proposals. As you well know, the small business community has not had the opportunity to develop expertise in applying for NIH grants. In fact, the university community has for the last decade and a half been virtually the only recipient of these grant funds. But it is clearly not the intent of this Senator, nor I am sure of any other Senate sponsor, that funds under the setaside be used to support research of questionable scientific or technical merit.

Lastly, I share the Senator's view that the reporting mechanism under the bill is extremely important. The stated purpose of the legislation is to use our limited R. & D. resources in a way that guarantees the maximum benefit. If the SBIR program cannot or does not achieve that goal in the area of basic biomedical science, Congress should know about it so that we can make appropriate modifications to the program.

Mr. KENNEDY. I fully subscribe to the concerns expressed by Senator EAGLETON, and I appreciate Chairman RUDMAN'S assurances that Congress will closely monitor the SBIR legislation as it applies to NIH research to prevent any reduction in the quality and effectiveness of our basic research effort.

Mr. DIXON. Mr. President, I am delighted to yield to my warm friend, the senior Senator from Massachusetts, 10 minutes from our side of the bill.

Mr. KENNEDY. I thank the Senator from Illinois.

Mr. President, I rise in support of the Small Business Innovation Research Act of 1981.

The support for this bill in the Senate is considerable. Respected Members from both sides of the aisle are sponsors of this legislation. And I think it is reflective of the growing recognition in Congress that strong steps must be taken to increase our Nation's research and development efforts.

Two of my colleagues deserve special mention for their leadership in connection with this legislation. Senator RUDMAN, who is the principle sponsor of S. 881 and who chairs the Small Business Subcommittee on Innovation and Technology, has demonstrated a deep understanding of our Nation's research and development needs, and particularly, the role for small business in this critical area. And Senator WEICKER, who is the respected chairman of the Small Business Committee and also an original sponsor of this bill, has shown, once again, that he is one of the most effective spokesmen on behalf of small business issues.

I also wish to acknowledge the very special efforts of the Senator from Georgia, Senator NUNN, and also the work and the efforts of the Senator from Illinois, Senator DIXON.

Finally, I would like to mention SBANE, the Small Business Association of New England, for the tireless work of its members in helping to fashion this legislation and in building support for its passage. Once again, SBANE has distinguished itself as one of the most effective small business groups in our Nation.

The problem we seek to address in this legislation is a serious one. In our ability to succeed lies the hope of making real progress in the battle against inflation, high interest rates, and rising high unemployment.

Over the last decade, the United States has lagged behind a number of its competitors in the world market in the rate of productivity increase. While this is certainly attributable to a combination of factors, the decline in our rate of technological innovation has been among the central causes. Studies have indicated that our Nation's advances in technology are coming more slowly than just a decade ago, threatening our competitiveness internationally and the vitality of our economy here at home.

S. 881 represents the opportunity to arrest this decline by harnessing the unique ability of small businesses in the generation of new innovations.

Today, less than 4 percent of our Federal R. & D. expenditures go to small business. And yet study after study has demonstrated that dollar for dollar, smaller firms produce more innovations than do their larger counterparts. Studies conducted by MIT, the Commerce Department, and the Office of Management and Budget have consistently reported that small firms represent the No. 1 source of new innovations in our economy, in addition to being the No. 1 creator of jobs.

Since the Federal Government funds nearly one-half of all the research and development in our Nation, by targeting more of this money to the firms which use it most productively, we can surely enhance our record of innovation and improve our productivity.

The success of the National Science Foundation's small business innovation research program, after which this legislation is modeled, is indicative of this legislation's great potential in promoting innovation in the business sector.

In 1977, the National Science Foundation commenced the program for which this legislation is named. Making a portion of its budget available to smaller firms, it instituted a three phase program to support research by small, high technology firms. Since 1977, the program has enabled 21 firms to attract about $9 million in private investment and to double their employment.

The legislation we are considering today is in many respects a mirror image of the NSF program. Federal agencies with R. & D. budgets in excess of $100 million are required to establish small business innovation research programs funded with 1 percent of their extramural R. & D. budgets. Small businesses will be invited to submit proposals to an agency for research in accordance with the agency's goals. Those with the greatest promise will be funded up to $50,000 to determine whether research is technically feasible. Second phase support up to $500,000 will be made available to phase I firms demonstrating a likelihood of success in further research. And phase III, or actual production is to be financed by private capital.

The National Science Foundation SBIR program has been enormously successful in expanding the role of research and development in our economy. I am proud to have introduced the legislation in 1975 that resulted in this program—the first set-aside of Federal R. & D. dollars for small business. Since then, the program has helped small companies all over the United States explore new ideas at a stage where outside support is so difficult to attain, and to develop those ideas through the production and marketing phases of a business. In my own State of Massachusetts, companies like Collaborative Research, Inc., in the area of genetic research, and Moleculon Research Corp. in the area of toxic gas monitoring have demonstrated the enormous potential of the SBIR program.

Mr. President, for 10 months we have been debating the steps we must take to return our economy to prosperity. But in the debate over tax cuts and budget cuts, we must not forget the critical role innovation plays in our economy as well as the role played by small business.

Finally, I am hopeful that the strong support for this bill by the Senate of the United States indicates that we are finally awakening to the recognition that research and development is vitally important to our economy. In the recent budget cuts, we have seen, tragically, the elimination of support for research and development in a variety of different areas including energy research, which is so extremely important to Massachusetts and New England. We must not back off our support for R. & D.—and for those who have doubts, I would point to our competitors abroad and their emphasis on R. & D.

Each of our major competitors is devoting a greater portion of their resources to R. & D. than we are, and they

are using those initiatives to beat us in the world marketplace. If we hope to regain our stature as the world's leader in innovation, then we must move forward with our R. & D. efforts as well.

In recent years we have taken some steps to improve the environment for innovation in our Nation and I have been proud to have worked actively on behalf of those efforts. Last year we succeeded in enacting into law the Small Business and University Patent Act, to improve the incentives for innovation financed by the Federal Government.

This year, we must take the next step in enacting the Small Business Innovation Research Act. We can do much to enhance our economic recovery and strengthen our long-term position in world commerce with this legislation, and I urge my colleagues to join me in supporting it.

(Mrs. KASSEBAUM assumed the chair.)

Mr. RUDMAN. I thank the Senator from Massachusetts for his leadership and his strong support for this bill.

Madam President, I yield 10 minutes to the Senator from Missouri.

Mr. DANFORTH. Madam President, I thank the Senator from New Hampshire. I would like to present some remarks and then hopefully elicit some comments from the majority and minority floor managers of the bill.

Madam President, let me say at the outset that I am absolutely convinced that the future of this country's economy is, in very large measure, dependent upon our ability to invest what we should in research. It is clear that the United States, in the last decade or so, has not been keeping up with other countries. One of the reasons why we have been falling behind in world trade, where this year we are facing a $15 billion deficit with Japan, is that while 20 years ago we had a clear technological advantage over the rest of the world, we are losing it. We are not putting the kinds of effort and funds into research that other countries are, and we are not putting the same kind of effort into research that the United States historically has.

Therefore, Madam President, I have personally taken a great interest in the Congress in supporting measures which are likely to increase the investment of our country in research and development. For example, in the last tax bill that was passed by Congress this past summer, there were two provisions which touched specifically on the issue of research. One provision provided a tax credit for incremental increases in business spending for research and development. That was my bill that found its way into the Tax Act.

Another provision which I had worked on very early and which Senator BRADLEY took the lead with respect to the last tax act had to do with business contributions to universities for research and development. Those two provisions were tax credits in order to stimulate research—one in order to stimulate business research, business spending, on matters of practical application to the business; the other was an effort to increase the cooperation between the business community and academia, to give the business community a greater incentive for making contributions to the academic community for basic research. So, Madam President, when I first saw S. 881, it was my belief that here was another effort to encourage research, to increase the amount of research that was accomplished.

I very hastily signed on as a cosponsor for the bill, because it was my view that small business has played and does play a very important role in research and development and that small business should require or should receive the kind of encouragement which this bill gives it. I still plan to vote for this bill, but for the first time in the 5 years that I have been in the Senate, I have pulled my name off as a cosponsor. I want to make it clear why I did that and I want on this basis, hopefully, to elicit a response from the managers of the bill which would be reassuring to me.

The basis for withdrawing as a cosponsor was the advice that I received from the academic community in my State of Missouri that this bill was very threatening to them. The universities felt that S. 881 posed a threat. They state their position as follows: That the Federal Government is now going through a phase of squeezing the budget; that research money is going to be more difficult for the universities to come by than has been the case in the past; grants are simply not going to be there in the generous amounts that they have been in the past; therefore, what they see in this bill is that those funds that are available will be in part reallocated from the university community and particularly from basic research to small business.

They feel that setasides do not increase the total amount of money that is available for research but simply recut the pie. To the extent that somebody else is cut into the pie, the academic community is cut out. They understand that the setaside is only 1 percent of Government spending for research and, as I understand the Schmitt amendment, only 1 percent of what is available for basic research could be reached. But the academics with whom I have discussed this bill are concerned that this is simply the first slice of the pie and that, once a taste is acquired for the concept of setasides, that taste is going to be one that grows in the future and that perhaps becomes insatiable; that if it is 1 percent for small business today, it might be 85 percent for small business next year; that if it is small business that receives the setaside now, it might be a geographical region that receives the setaside a few years from now. Therefore, they feel that the camel's nose might be going under the tent and that our effort is not going to be to expand the total amount of research that is done but, instead, to simply reallocate it and reallocate it on the basis of something other than merit.

Madam President, their view, as I understand it, is that Government research should not be like, for example, revenue sharing or like grants-in-aid to States or to local governments because there the effort is to simply distribute funds on the basis of need. Research is different from need. Research is different from welfare. Research is the purchase of a product, the investment of funds where, hopefully, we can get the most return for the dollars spent and the quality and quantity of research produced. Therefore, if the criterion for making Federal grants is something other than pure merit, let the chips fall where they may. If it is, instead, the cutting up for redistribution of the pie according to size or the type of recipient, they feel that the total research picture for the United States might be in jeopardy. I shall vote for the bill on the theory that we do need to encourage small business to do a better job on research and development and that there is great room for improvement of our national economy if we do so.

Madam President, I did want to express to the Senate the concerns that have been expressed to me as to where we are heading and hopefully elicit a response of the managers.

Mr. GLENN. Madam President, will the Senator yield for a question, because I have some of the same concerns the Senator has?

Mr. DANFORTH. Certainly, Madam President.

Mr. GLENN. Madam President, I had proposed speaking to the floor manager of the bill in this same regard, because I have concerns about what happens to the university community also with regard to this bill, but the way I looked at it was in a slightly different vein, I guess. I assumed that any money that was granted to corporations or companies that had a basic research idea would, in many, many cases, be in effect subcontracted to the universities or the colleges. There are not many of these smaller businesses that really have the laboratories and facilities and indeed the scientists on their own payroll, yet they may have one or two people who have some brilliant ideas. Many brilliant ideas from owners of small businesses have started exacty like this in the small business community. Then it would be a quite natural thing to turn to a well staffed and equipped lab next door at a university or college or research center of some kind, to get their staff people in turn to work out some of the details and work with small business, which would mean they would not have to set up their own lab.

I had looked at this as potentially a boon to universities because of that probable arrangement that would prevail out of the small business community.

Madam President, the question I was planning later on to ask, which we might jointly address now is, is there anything in this bill that would prohibit that kind of subcontracting so long as it was not just a front for a university or college but a legitimate research concern? Would this be legal and would our legislative history show that it would be quite proper for the idea which had germinated in the small business community? Would there be anything in this bill that would prevent that from, in turn, being worked on on a subcontract from that business, under the grant provisions

here, by a college or university? It seems to me that that would take care of at least some measure of the fears of the Senator from Missouri.

The PRESIDING OFFICER. The 10 minutes allotted to the Senator from Missouri have expired.

Mr. RUDMAN. Mr. President, I yield additional time if the Senator from Ohio wishes to make another comment. I should like to respond to the Senator from Ohio and the Senator from Missouri.

I yield 2 additional minutes to the Senator from Missouri.

Mr. DANFORTH. I thank the Senator from New Hampshire.

I do not know the answer to the question asked by the Senator. I can say this: We had essentially the same provision in the tax bill we passed last summer, where we provided that businesses would get a credit for incremental increases in research and development spending, and they could get that whether they spent it in-house or contracted with a college or university to do the research for them. I hope that will be the case.

In the broader sense, I say that university people with whom I have spoken are terribly concerned about this bill, very fearful that they are going to lose out, and that what is available to them now, which is going to be in increasingly short supply in the future, is going to be in even shorter supply; that Congress is going to be making decisions, Government is going to be making decisions, on the allocation of research funds, not on the basis of the merit of the project but, instead, simply on the basis of spreading the money on some nonresearch basis, nonsubstantive basis, to small business.

Mr. RUDMAN. Madam President, I wish to respond briefly to the comments of my two friends.

First, I say to the Senator from Missouri that we approached this bill knowing full well that a great amount of money in the National Science Foundation program for basic research has gone to those with university affiliations.

Second, the overwhelming evidence has been that an enormous amount of leveraging comes from small business innovation.

On the other hand, there was overwhelming evidence that there was not fair competition between the small, private entrepreneur and the large university or large corporation.

The Senator's concern is a legitimate one which is shared by all of us who recognize the kind of work the universities do for the National Institutes of Health and others. That is one reason why we believe the amendment of Senator SCHMITT was most effective in meeting the problem.

Let me go a step beyond that. We believe that the $415 million that eventually will come into the private sector under this legislation will leverage an enormous amount of economic activity.

Under an amendment that I believe will be proposed by the Senator from Ohio, and which the committee is prepared to agree to, we will have a good overview by GAO of this matter 2 years out.

It is not our intention with this bill to invade the province of the university community; but, in fairness to the small business community, I am sure the Senator from Missouri will agree with me that the university community, and quite properly so, has had probably the largest setaside of any group in America in the area of basic research. Times are changing.

The Senator from Ohio would be interested to learn that there are more than 1,800 firms in the genetic research business today which are privately owned.

So I say that it is not our intention to impinge on the university community. It is our intention to give small business at least a fair shake, which we do not believe they are getting now.

The PRESIDING OFFICER. Who yields time?

Mr. RUDMAN. Madam President, I will yield a small amount of additional time to the Senator from Missouri. We are running short of time of this side.

Mr. DANFORTH. I wish to ask two short questions.

First, would the Senator from New Hampshire view this as the camel's nose under the tent? Is this going to be the precedent for many more setasides, or can we contain this once we establish the precedent?

Mr. RUDMAN. Our attitude is that this is the percentage which should be applied. We believe that the House percentage is probably too high, and they probably are working toward our percentage for the final bill.

Mr. DANFORTH. The precedent for setasides, therefore, would not be established. This would be sui generis.

Mr. RUDMAN. Absolutely. We believe that the evidence in this case is so overwhelming that there are no other cases we know of that would generate the kind of economic activity we could generate with this particular setaside.

Mr. DANFORTH. Second, I hope the Senator from New Hampshire would join in an effort to look for ways to expand the total research pie in the future that would be available to universities, colleges, research laboratories of one kind or another, as well as small business.

Mr. RUDMAN. I certainly would join in that effort. I know that in the coming months and years, that may be difficult, but it is worth looking at.

Mr. DANFORTH. I thank the Senator.

Mr. HATFIELD. Madam President, I am a strong supporter of S. 881 because the evidence shows that small businesses are receiving less than 4 cents of every Federal R. & D. dollar. Those firms which employ less than 500 employees produce 2.4 times as many innovations per employee as the large firms. Since the Federal Government is spending $35 billion a year on R. & D., it is appropriate that we set aside 1 percent of an agency's funds for small firms who are producing needed innovations.

However, I am concerned about the effect of this legislation on basic research funds. Basic research aims at the creation of new knowledge and generally is not conducted with a commercial application in mind. Basic research, however, is extremely beneficial to our economy by providing a basis of knowledge which leads to new innovations. Since basic research constitutes only $5 billion of our total Federal R. & D. effort, we should be careful to emphasize that it is not our intent to cut basic research funds by 1 percent. At a time when we are enacting deep cuts in discretionary appropriations, I am hesitant to support any legislation which will further cut 1 percent from basic research.

Madam President, it is my understanding that we are attempting to maximize each dollar of Federal R. & D. that is spent. If there are areas where small business lacks the expertise to do basic research—for example, in high-energy physics or molecular biology—then a Federal agency should seek to maximize its basic research dollars by utilizing those universities which have developed a special expertise in basic research. In no way do we intend to reduce basic research funding.

In those areas where small business has the expertise to conduct basic research that is needed, it should be eligible to achieve research awards through open competition. If small business is unable to perform high-quality basic research, it simply should not be granted the research contract. In my view, the final legislation enacted should maximize each dollar of basic research that is funded.

Madam President, with these concerns in mind I wholeheartedly endorse S. 881, and commend Senators, RUDMAN, WEICKER, NUNN, and others on the Small Business Committee for their diligent effort on behalf of the legislation.

UP AMENDMENT NO. 762

(Purpose: To require the Comptroller General to report on the effect of the Act upon basic research programs)

Mr. GLENN. Madam President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Ohio (Mr. GLENN) proposes an unprinted amendment numbered 762:

On page 17, between lines 16 and 17, insert the following:

"(g) The Comptroller General shall, no later than two years following enactment of the Small Business Innovation Research Act of 1981, report to the Senate and the House of Representatives on the quality, quantity and nature of the basic research conducted under this Act, including the judgment of the Departments and Agencies involved as to the effect of this Act on their overall basic research programs,".

Mr. GLENN. Madam President, my amendment to S. 881 seeks to strike a balance between two competing concerns that I believe are shared by many Senators. On the one hand, we are all interested in doing everything we can to assist this Nation's small business community. That is why 90 or more Senators have now signed on as cosponsors of S. 881, the Small Business Innovation Act. We know that small business is the backbone of the American economy, accounting for more than half of our private sector employment.

In fact, I believe that the actual fig-

ure is around 55 percent of the Nation's employment. It accounts for half of all industrial inventions and innovations and almost half of our gross national product. We also know that recent economic conditions have not been kind to smaller firms, with inflation and interest rates combining to exacerbate their plight with respect to lack of capital. Because we want to help them—and because we are deeply impressed with their track record regarding efficiency and innovation—a large majority of the Senate will vote to support S. 881.

On the other hand, some of us have long been deeply concerned about the declining amount of basic research that is being conducted in this country. We know that research and development historically has been America's most fundamental tool for meeting and shaping the challenges of the future—and we know that basic research is the cutting edge of that tool.

It is basic research that is innovative. Basic research is inquiry into the unknown. Basic research is the exercise of our curiosity about how we do things in a different and a better way. Basic research is one of the triumvirate of items that is responsible for this Nation's productivity, and our leadership position in the world. The triumvirate to which I refer is, first, research and development; second, education; and third, a free enterprise system that is willing and able to pounce on these new ideas and make use of them in a commercial way.

So some of us have decried the shrinking number of research grants available to our universities—the subject just addressed by the distinguished Senator from Missouri (Mr. DANFORTH).

We have fought against ill-advised cuts in the budgets of the National Science Foundation, the National Institutes of Health, the Department of Energy, the National Aeronautics and Space Administration, and other Federal agencies which do the bulk of our basic research.

The Department of Agriculture should probably be added to that list, for the research done in agriculture has been the envy of the world and is certainly one of the greatest success stories of all time.

And those of us who have been concerned about basic research have told everyone who would listen that we simply cannot afford to be pennywise in this year's budget and pound foolish for the future of this Nation when it comes to this crucial area.

So, Madam President, that is why many of us have been very deeply concerned about the fears expressed by the university and research communities regarding S. 881 that the distinguished Senator from Missouri just finished speaking about.

Senator Schmitt's amendment which was adopted and which I enthusiastically support, is designed to allay those concerns by insuring that basic research budgets are not disproportionately raided in order to supply the small business set-aside called for in this bill.

Nevertheless, I know that many people remain skeptical. They doubt that smaller businesses will be able to perform the basic research that is required. They say that although businesses do well in the area of applied research, they do considerably less well in the area of basic research—and that a substantial portion of their work may therefore be of less than the highest quality. Worst of all, they fear that the small business research program established by S. 881 might have a detrimental effect on the overall basic research efforts of Federal agencies and departments.

Frankly, I believe that these fears are exaggerated. I believe that smaller firms are capable of doing basic research that meets the highest standards of quality. After all, NASA itself testified before the Small Business Committee that it was in the area of basic research that "we find small business contributions and potential particularly relevant."

But the fact remains that no one knows for certain what the effects of this act will be on basic research. And I believe that we owe it to ourselves to find out, especially before deciding to lock this program in for the indefinite future. So my amendment is very simple. It requires the GAO, within 2 years of this bill's enactment, to submit a report to Congress specifying precisely what the impact has been. The GAO report will analyze the quality, quantity and nature of the basic research that has been conducted by small business—and it will include the agencies' assessments of what impact the act has had on their overall basic research programs, and I emphasize the words "basic research."

Madam President, I believe that this amendment will provide Congress with the information it needs to determine whether the program we are creating is working and whether it should be modified, expanded or even terminated.

As I said, I fully expect that it will work and that it will work well. In answer to a question I raised a few moments ago, the distinguished Senator from New Hampshire (Mr. RUDMAN) indicated that small businesses would not be prohibited from, in effect, "subcontracting" out to universities some of the work they may receive under this act. I appreciate those assurances because I believe some businesses may find that to be necessary. But even though I believe this act will work well, I also believe that a GAO examination of the program after 2 years will be in everyone's best interest. I urge my colleagues to support this amendment.

Mr. RUDMAN. Madam President, I thank the Senator from Ohio for proposing a very constructive amendment which we fully support.

Certainly, any program of this type should be looked at very closely a year or 2 after its inception.

By this amendment we insure that that kind of oversight will in fact occur. We will also have a chance to examine this problem of basic research that we are all concerned about and have an evaluation that will enable us to then come back to this floor if necessary and make changes if necessary.

We are certainly prepared to accept this amendment.

Mr. GLENN. Madam President, I yield back all time if appropriate and move adoption of the amendment.

The PRESIDING OFFICER. Does the Senator yield back all time?

Mr. LEVIN. Madam President, I yield myself 2 minutes.

Madam President, the amendment of the Senator from Ohio is indeed a contribution to this bill. It will give us added assurance that the kind of review is undertaken that will make certain that the bill carries out its intended purposes.

I do have some concern about how the GAO will report on the "quality" of the research conducted. The first phase proposals, under which SBIR recipients are provided limited funds to determine the scientific and technical merit and feasibility of ideas, will just be underway.

So I am a little bit concerned about that, but I believe that the GAO can take that into consideration.

In addition, we hope that all of these research proposals would go through the agencies' existing peer review system to insure that only quality proposals are funded.

With respect to the reports on "quantity" and "nature," much of this information will be reported to Congress under the current terms of the legislation. For example, new section 9(b)(6) of the Small Business Act, as added by this bill, requires SBA to independently review the implementation and operation of the SBIR program and report on that review to Congress. Under new subsection 9(f), the Office of Science and Technology Policy has a similar review and reporting requirement.

Finally, new section 9(c)(1)(C) requires each agency with an SBIR program to report to SBA and the Office of Science and Technology Policy on the number of research awards, an identification of the award made and a comparison of small business versus other awards for R. & D. regardless of whether those awards to small business are made pursuant to an SBIR program.

These are technical concerns I believe we can work out easily with the Senator from Ohio, and the House. I am prepared to accept the amendment.

I commend the Senator from Ohio for his usual constructive contribution to the debate and legislation.

The PRESIDING OFFICER. If there be no further debate on the amendment, the question is on agreeing to the amendment of the Senator from Ohio.

The amendment (UP No. 762) was agreed to.

Mr. GLENN. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. RUDMAN. Madam President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. RUDMAN. Madam President, there remains some puzzlement in my mind and in the minds of others on the committee regarding the university system's seemingly dogged opposition to this bill, particularly in light of the addition of Senator SCHMITT's meritorious amendment which imposes a strict ceiling on the possible reduction which could occur in the area of federally funded

basic research activities. As the bill excludes all research done intramurally from its research base, so the amendment excluded all intramural basic research base.

Therefore, the ceiling on reallocations from ongoing basic research activities funded by the Federal Government will be effectively about three-fourths of 1 percent of total outlays in that area. The National Institutes of Health, for example, whose representative admitted in testimony on S. 881 to maintaining a 100-percent set-aside for the university and nonprofit community in the area of research grants over the last 15 or more years would be required under the Schmitt amendment to use no more than approximately $15 million out of their total yearly expenditure in basic research grants, currently over $2 billion.

The figure I use approximates an absolute ceiling, recognizing the possibility that the actual reallocation could be much lower than this comparatively small sum. A representative of the Federation of American Scientists, an organization which is comprised of over 5,000 natural and social scientists and engineers and includes one-half of the living U.S. Nobel laureates among its members, strongly endorsed the legislation and viewed the reallocation in these terms.

Before the Federation became involved in this, we went through the agency budgets carefully and looked at the kinds of funding areas the agencies engaged in, and we compared the budgets overall for the agencies with the budgets which went to universities, and those which went to basic applied and development. We came to the conclusion that there is plenty of flexibility in the agency budgets to include this program's one percent set-aside, if you want to use that term, without jeopardizing, in fact, any of the research that the federal government does. It is our conclusion that much of the agency research if put through an SBIR program, would be done far more cost effectively, which means that we could do more effectively, which means that we could do more rather than less research as a result of this program.

I believe the opposition of the universities rests on two substantive assumptions, apart from an underlying raw desire to protect all of their funding at this time of necessary budget restraint and the need to improve the efficiency of Federal expenditures. The two assumptions to which I refer are:

First. That the inevitable consequences of set-aside proposals will be the receipt of lower quality projects; and

Second. That there are not enough quality small firms in America to justify this kind of minimal expenditure in, for example, the biomedical research area.

I am submitting for the RECORD a colloquy with Senator EAGLETON of Missouri which outlines my concern that these objections undergo ongoing review through the reporting process on SBIR programs and through hearings, if necessary, in the Small Business Committees of the House and Senate. However, I must state that I have strong reason to doubt the validity of these assumptions for two major reasons. The first is that those putting forward these objections have not been able to substantiate their claims with a single shred of evidence. The second is that we have received a significant amount of testimony from experts in the area to the contrary.

You will be interested to know that Ms. Anne Eskerson, director of the Bentley College Small Business Resource Development Center in Waltham, Mass., stated in one of our field hearings that "there is no evidence whatsoever that the standard (of the National Science Foundation SBIR projects) has been lower" than traditionally funded projects. Indeed, in her review of the program she found that the standard is "comparable, if not superior in many cases to that which is being received from more traditional sources applying to the National Science Foundation." Statistics indicate that only one in eight Phase I proposals have been funded by the National Science Foundation.

Of the funded phase I proposals, 25 percent have historically received Phase II funding. Thus, only about 3 percent of all proposals, proposals which themselves underwent a peer review process, received the maximum funding available. Since S. 881 uses the National Science Foundation program as its model, there is no reason to believe that the results will be otherwise. Nor am I concerned that there exists too few small, high-technology firms involved in the life sciences field.

Conservative research, submitted in formal testimony before our committee, indicates that there are at least 2,600 firms involved in a full range of biomedical research projects. I believe that this is one reason that the Federation of American Scientists, Ms. Eskerson and others from the university community have testified in favor of the proposed legislation.

In conclusion, it is my sense of the actual situation that these objections are only window dressing for an underlying fear by administrators of the loss of any funding despite arguments relating to the relative merit of small firms doing research on Federal objectives. Efficiency of Government expenditures is clearly not their main concern. Dr. Roland Lamont-Havers, who opposed this legislation and was speaking at our Boston field hearing on behalf of Massachusetts General Hospital, testified in this way, which I believe best characterizes these administrators' true worries.

What I would be concerned about, in saying that, would be the fact that funds are then set aside, protected funds, which would prevent one of our own investigators not being supported. That's all I'm concerned about. I'm not really concerned about whether or not there's funding. I'm concerned about protecting my own investigators as far as their funding, and any reduction in funds within that system is going to have a perturbation within our system.

I am afraid I must say to you now, as I did to Dr. Lamont-Havers, that if that is the real reason for opposition to the bill, it is not substantive in nature, but represents only an expression of self interest which ignores the overriding national interest.

Mr. LEVIN. Madam President, I yield to the Senator from Washington such time on the bill as he may need.

Mr. JACKSON. Madam President, the Small Business Innovation Act comes to the full Senate with much support. Not many pieces of legislation can boast just under 90 cosponsors.

As indicated by the extent of this support, the goals of this legislation—to enhance innovation and productivity and to foster small businesses as a source of innovation—are certainly worthy ends.

My purpose in addressing the Senate today is to express concerns which have been brought to my attention by the University of Washington Medical School. I understand that these concerns are shared by virtually every medical school throughout the country.

The problem rests in mandating a fixed percentage of agency research and development funds be set aside to support the activities of one class of performing organizations.

Competition and free enterprise are the cornerstones of our economy. I would not want to encourage any action which might impede agency ability to base funding decisions on the technical and scientific merit of proposals. If award mechanisms are to fulfill their purpose of insuring the best use of public moneys to meet Federal research and development needs, guaranteeing a fixed pool of dollars for particular entities seems to be contradictory.

At the National Institutes of Health, which has an exemplary peer review system for awarding biomedical research grants, fixed pools would create two standards in the award selection process. Small business proposals would be judged only against proposals from other small firms and not against all other proposals in the same field of research. My question is whether this maximizes research efforts so that the health of our citizens through advances in the biomedical sciences is most effectively pursued.

Another concern I have is that the 1-percent set-aside not rise higher than that percentage for basic research projects. As one looks across the agencies, there are whole areas of development in the R. & D. budgets which may be held harmless to such a set-aside; and as a result, basic research budgets could suffer inordinately. Applied research and development projects can be committed far in advance. In such a case, the actual cost to basic research would be greater than its original pro rata share. Senator SCHMITT is offering an amendment to guarantee that basic research funds are not tapped disproportionately. Also there are certain fixed costs, such as equipment and operations which could not be affected by the 1-percent set-aside and would therefore raise the cost to basic research even higher.

The fostering of small businesses is a laudable goal. I want only to raise issues to assure that what we are doing also fosters biomedical research without undermining the purpose of these research programs—the improvement in the health and well-being of the American people.

Mr. MATHIAS. Madam President, I make the point of order that a quorum is not present.

The PRESIDING OFFICER. On whose time?

Mr. MATHIAS. That it be equally divided.

Mr. RUDMAN. Madam President, I ask unanimous consent that the time not be charged to either side under this bill.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. NUNN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Madam President, I yield to the Senator from Georgia so much time as he may need.

Mr. NUNN. Madam President, I am pleased to be a cosponsor of S. 881, the "Small Business Innovation Research Act of 1981." I am looking forward to the Senate's favorable consideration of this measure today.

I wish to commend the Senator from New Hampshire, Senator RUDMAN, for an outstanding job. He has not only championed this cause, but he has pursued this legislation with great tenacity. I also wish to thank my colleagues, Senator LEVIN and Senator TSONGAS, for their important role in this legislation. I think it is a bold step forward. I also add my congratulations to the chairman of the committee, Senator WEICKER, who has been a strong supporter of this legislation and has given the Small Business Committee, I think, extraordinary leadership this year.

I need not recite the role small business plays in our Nation's economy. Others have indicated the proven track record of small business in innovation. Numerous Federal agencies and private sector reports, spanning several different administrations, have all attested to the unique capabilities and drive which small businesses bring to research efforts.

Regrettably, even in the face of these conclusive analyses of small business' capability, small business has been almost uniformly shutout in their efforts to significantly participate in Federal research and development efforts; it is our intention to reverse this trend through the enactment of this legislation.

The impetus for this legislation within the Senate Small Business Committee dates to hearings in August 1978, held jointly by the House and Senate Small Business Committees.

Under the leadership of the former distinguished chairman of the Senate Small Business Committee, GAYLORD NELSON, our committee undertook a thorough review of the role of small business in the Federal research effort.

Shortly thereafter, Milt Stewart, then the first Presidentially appointed Chief Counsel for Advocacy in the Small Business Administration, convened three task forces of key small business persons from around the Nation to study this matter more carefully. The result of those task force reviews was presented to our committee in August 1979. Their collaborative work with our committee led to the introduction of S. 1860, the "Small Business Innovation Act of 1979" in the 96th Congress. The bill had 15 cosponsors.

S. 1860 was a four-title bill which attempted to provide a comprehensive framework for further congressional consideration of small business aspects of innovation. Among its provisions were a mandatory small business set-aside for small business in federally funded research (from which today's legislation is a direct descendent), patent and regulatory reform provisions to lessen the burdens on small business, and tax incentives for research and development to further encourage the small business sector into the research area.

As my colleagues know, the patent and regulatory reform provisions were separately enacted last year. The tax provisions have, in large part, been included in the Economic Recovery Tax Act of 1981. Although the House and Senate Small Business Committees favorably reported separate R. & D. set-aside legislation last year, the Congress was not able to conclude work on those bills.

In January 1980, delegates to the White House Conference on Small Business undertook a review of the Federal R. & D. efforts, and overwhelmingly voted in favor of congressional enactment of a specific set-aside of research and development funds for small business. Frankly, this recommendation was in marked contrast to the general thrust of the Conference that "less was better." But the delegates report was clear, and emphatic, that absent specific positive action by Congress to mandatorily establish a small business set-aside program for research and development, the benefits derived from the efficiencies of small business would be lost, and the Federal Government specifically, and the Nation generally, would suffer.

Madam President, our committee, under the new leadership of the Senator from Connecticut (Mr. WEICKER) and Senator RUDMAN recognized the need to carry forward with this important legislation. To their credit, this bill has been improved by the committee. The legislation now enjoys the cosponsorship of 85 of our colleagues. It is legislation that should be passed, and quickly implemented.

We in the Senate Small Business Committee are convinced that the limited program which we are recommending be adopted today can and must work. The program, although targeted to six Federal agencies for purposes of the set-aside provisions, will bring almost 95 percent of the present Federal R. & D. effort under this design.

The proposals in this bill are modeled in part on the exemplary work of the National Science Foundation's small business innovation research program, and the self-initiated efforts by the Department of Defense in their defense small business advance technology (DESAT) program. NSF, although responding to statute, has developed the prototype SBIR program, and has proven its successfulness.

The Defense Department should be complimented for its willingness to unilaterally undertake this new program, and for assisting us in assuring that the important mission of the Department remains unimpaired by this legislative proposal.

I would like to take a few moments to highlight parts of this legislation.

The role of the Small Business Administration, although still significant in the bill, has been downplayed from the initial version of the legislation. The approach now contained in the legislation recognizes that SBA has a legitimate role to play in acting as a resource for Federal agencies in their implementation of the SBIR programs, and as a liason between the small business community and the Federal agencies in utilizing the program. In addition, SBA is in a unique position in the Federal executive to assist Congress and the administration in assessing the successfulness of this new endeavor. But while the bill does carefully describe the role of the Small Business Administration with respect to the SBIR program, SBA's long-standing statutory direction to provide small businesses with technology assistance remains unchanged. It is not our intention that the present agency actions be diminished, or shifted toward the monitoring of other agencies' efforts to establish an SBIR program.

Another provision in the bill provides for a phase-in of the SBIR program for certain agencies. While it makes sense to permit the agencies required to establish an SBIR program an opportunity to systematically set up their program, I wonder whether the phase-in is too slow. It has been argued, at least with respect to a few agencies, that the SBIR program requires a totally different orientation toward research and development funding for small businesses. Although this may be true for one or two agencies, there is no lack of expertise in administering a research and development program within these agencies. It would seem that the 3-year phase-in period, even for these selected agencies, may be too slow if we believe that there are the numbers, and quality, of small businesses that are capable of doing research for these agencies. We should monitor this closely.

Finally, the legislation establishes a minimum threshold of research and development funds under the formula in the bill before an agency must establish an SBIR program. Here, again, I believe the committee's bill is correct in establishing that "floor" for participation. Our intent is to open up realistic opportunities for small business participation in Federal R. & D., not merely to channel dollars to small business for dollars sake. We should examine in the future whether a somewhat lower floor may not be more appropriate.

Madam President, this is a good bill. It has the support of the overwhelming majority of the Senate and the small business community. Agencies have proven that they will not change their attitude or approach to small business participation in Federal R. & D. efforts without a congressional mandate. This bill will unmistakably, but fairly, provide that mandate.

I urge its passage by the Senate.

● Mr. SPECTER. Madam President, my colleagues will today document the numerous merits of S. 881. In some part these are already well set out in the excellent committee report on this bill.

I should like to stress just one element of the overall consideration—the need for Government to help strengthen the technological capacity of the private sector. There is a tendency, frankly, on the part of some Federal agencies, when a technological need arises, to expand their own resources rather than turn to the private sector to do the job. The hidden costs of expanding public agencies and functions are never really known.

A much better course than continued agency expansion is to look to the private sector, especially the small business portion, where increased productivity, greater cost consciousness and good old-fashioned American competition will assure a better deal for the taxpayer and a better product for the agency. S. 881 by requiring several major Federal departments and agencies to establish small business innovative research programs and to target specified amounts of research and development funds to small businesses will accomplish these purposes.

I am pleased to be a cosponsor and supporter of S. 881. I urge its adoption by this body.●

Mr. SARBANES. Madam President, I rise as a cosponsor of S. 881 to express my strong support for this legislation. S. 881 addresses in a responsible and constructive way some of the most critical problems facing the small business community today, and it is not difficult to understand why it enjoys the cosponsorship of a clear majority of this body.

In terms of its ability to generate employment and innovation, the small business sector plays an invaluable role in the national gross economy. Overall, small business accounts for 48 percent of the gross national product and 55 percent of total employment. A recent study undertaken at the Massachusetts Institute of Technology found that during the 1969–77 period, 66 percent of all net jobs in the private sector were created by firms with fewer than 20 employees, and 87 percent of all net new jobs by firms with fewer than 500 employees. Where innovation is concerned, studies from the Office of Management and Budget have found that more than half of all major innovations come from firms with fewer than 1,000 employees, while the National Science Foundation reports that small firms are significantly and consistently more productive in terms of innovations resulting from research and development expenditures.

Madam President, it is ironic that an economy which looks to the small business community for jobs and innovation should also place small businesses at a significant disadvantage when it comes to financing. Access to capital markets is limited for new, small, developing businesses, which are untested in the marketplace despite the promise they may hold for the future. Recognizing this situation, the Congress last year enacted legislation to facilitate the operation of venture capital companies, which are an important source of capital for new businesses.

To a greater degree than large companies, however, small innovative new companies must seek debt rather than equity financing, and it is therefore precisely these companies which are hit hardest by the current high cost of credit. It is a sad commentary on our priorities that the Federal Reserve Board and the administration adhere to a policy of high interest rates that penalizes the firms which offer the best prospect for strengthening the economy by improving productivity and increasing employment.

While offering no remedy for the current misguided monetary policy, S. 881 does address another major problem facing innovative businesses: lack of funds for research and development purposes. Less than 4 percent of the Federal Government's research and development budget is now channeled to firms shown to be most likely to produce major innovations. By establishing small business innovation research programs in each agency with an R. & D. budget in excess of $100 million, S. 881 will redirect R. & D. resources to more efficient users and focus greater attention on small business potential. S. 881 is a modest beginning—but it is a step in the right direction, a recognition of important priorities. I urge its approval.

● Mr. DIXON. Madam President, the decline in our national productivity has been of grave concern to all of us here in the Senate.

This decline in productivity has gone hand-in-hand with the decline in the development of new technologies.

S. 881 is the beginning step, I feel, in reversing this trend by utilizing our existing Federal research and development resources more effectively.

This legislation does not require any additional Federal money and is an effort to use Federal funds in a way most likely to spur the development of new technologies and insure their commercial application.

I urge my colleagues to support this bill since, clearly, small science- and technology-based firms have a major contribution to make to the revitalization of our economy and to the efficient use of the Federal research and development funds.

This bill provides participating small businesses with an opportunity to establish a successful record in research and development. By making available funds now hard to get in the private sector, this bill will facilitate small businesses' ability to attract venture capital and spur the development of new and exciting technologies.

Consumers will receive the benefits of new high-quality products. Investors will have the benefits of lower risk investment opportunities.

Major corporations will have the benefit of learning new technology manufacturing and distributing new products.

This bill provides a long-needed mechanism which facilitates the use of Federal agencies of the resources of small science- and technology-based businesses.

Madam President and colleagues, I urge you to vote for this bill.●

ESTABLISHMENT OF A COMMISSION ON MORE EFFECTIVE GOVERNMENT

VOTE

The PRESIDING OFFICER. Under the previous order, the hour of 4:15 having arrived, the Senate will not vote on S. 10, with a vote following immediately in relation to Senate Resolution 238. The first rollcall will be 15 minutes and the second rollcall will be 10 minutes.

The bill (S. 10) having been read the third time, the question is, Shall the bill pass?

The yeas and nays have been ordered and the clerk will call the roll.

The bill clerk called the roll.

Mr. BAKER. I announce that the Senator from Colorado (Mr. ARMSTRONG), the Senator from Arizona (Mr. GOLDWATER), the Senator from California (Mr. HAYAKAWA), the Senator from Pennsylvania (Mr. HEINZ), the Senator from Indiana (Mr. LUGAR), the Senator from Vermont (Mr. STAFFORD), and the Senator from Alaska (Mr. STEVENS) are necessarily absent.

Mr. CRANSTON. I announce that the Senator from Montana (Mr. BAUCUS), the Senator from Delaware (Mr. BIDEN), the Senator from Nevada (Mr. CANNON), the Senator from Arizona (Mr. DECONCINI), the Senator from Colorado (Mr. HART), the Senator from Hawaii (Mr. MATSUNAGA), the Senator from Montana (Mr. MELCHER), the Senator from Ohio (Mr. METZENBAUM), the Senator from Maryland (Mr. SARBANES), and the Senator from Massachusetts (Mr. TSONGAS) are necessarily absent.

I further announce that, if present and voting, the Senator from Hawaii (Mr. MATSUNAGA) and the Senator from Montana (Mr. MELCHER) would each vote "yea."

The PRESIDING OFFICER (Mr. GRASSLEY). Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 79, nays 4, as follows:

[Rollcall Vote No. 457 Leg.]

YEAS—79

Abdnor	Ford	Moynihan
Andrews	Garn	Murkowski
Baker	Glenn	Nunn
Bentsen	Gorton	Packwood
Boren	Grassley	Pell
Boschwitz	Hatch	Percy
Bumpers	Hatfield	Pressler
Burdick	Hawkins	Pryor
Byrd, Harry F., Jr.	Heflin	Quayle
	Helms	Randolph
Byrd, Robert C.	Hollings	Riegle
Chafee	Huddleston	Roth
Chiles	Inouye	Rudman
Cochran	Jackson	Sasser
Cohen	Jepsen	Schmitt
Cranston	Johnston	Simpson
D'Amato	Kassebaum	Specter
Danforth	Kasten	Stennis
Denton	Kennedy	Symms
Dixon	Laxalt	Thurmond
Dodd	Leahy	Tower
Dole	Levin	Wallop
Domenici	Long	Warner
Durenberger	Mathias	Weicker
Eagleton	Mattingly	Williams
East	McClure	Zorinsky
Exon	Mitchell	

NAYS—4

Bradley	Nickles	Proxmire
Humphrey		

NOT VOTING—17

Armstrong	Hart	Metzenbaum
Baucus	Hayakawa	Sarbanes
Biden	Heinz	Stafford
Cannon	Lugar	Stevens
DeConcini	Matsunaga	Tsongas
Goldwater	Melcher	

So the bill (S. 10), as amended, was passed, as follows:

S. 10

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF POLICY

SECTION 1. It is the policy of the Congress to develop a blueprint for better government in the United States, to set in motion processes by which the Federal Government can more effectively and responsively serve the people for whom it was created and can more rationally meet its present and future challenges, both national and international, and to encourage and justify the full restoration of public confidence in government at all levels.

ESTABLISHMENT OF COMMISSION

SEC. 2. For the purpose of carrying out the policy set forth in section 1, there is hereby established a commission to be known as the Commission on More Effective Government (in this Act referred to as the "Commission").

IMPLEMENTATION OF POLICY BY COMMISSION

SEC. 3. (a) In carrying out the policy set forth in section 1, the Commission shall consider and study the management, operation, and organization of the executive branch and of the independent regulatory agencies of the Federal Government, including the relationships of such entities to each other, to the other branches of the Federal Government, to their State and local governmental counterparts, and to the private sector. Such study and consideration shall give particular attention to the extent to which such relationships and established patterns of action meet or fail to meet governmental responsibilities and are adequate to meet the challenges of the future. Where appropriate and necessary, the Commission's consideration and study shall include the extent to which the policies implemented by the executive branch and the independent regulatory agencies detract from or enhance governmental management, operation, and organization.

(b) On the basis of its considerations and study under subsection (a), the Commission shall make recommendations, including but not limited to specific proposals for changes in Federal laws, regulations and administrative practices, to promote economy, effectiveness, efficiency, and managerial and political accountability, and to improve services and management in the transaction of the public business. Such recommendations shall include, where appropriate, recommendations for altering the present distribution of functions and activities among the Federal agencies and among the Federal, State, and local governments.

(c) In carrying out its consideration and study under subsection (a), the Commission shall avail itself of relevant information and data gathered by such public and private organizations and individuals as it deems appropriate.

ORGANIZATION OF THE COMMISSION

SEC. 4. (a) The Commission shall be composed of eighteen members as follows:

(1) Six appointed by the President of the United States; a maximum of three from the executive branch, and the balance, persons who are not Federal officials.

(2) Six appointed by the Speaker of the House of Representatives; a minimum of two and a maximum of three from the House of Representatives, and the balance, persons who are not current Members of the House of Representatives.

(3) Six appointed by the President pro tempore of the Senate, upon the recommendations of the majority and minority leaders of the Senate, a minimum of two and a maximum of three from the Senate, and the balance, persons who are not current Members of the Senate.

Members of the Commission shall to the maximum extent possible be chosen from among persons who have particular knowledge and expertise in the major areas of the Commission's consideration and study. Of the members appointed by the President, one shall have had experience in government at the State or local level; of the members who are not Federal officials appointed by the Speaker of the House of Representatives, one shall have had governmental experience at the local level; and of the members who are not Federal officials appointed by the President pro tempore of the Senate one shall have had governmental experience at the State level. In considering individuals for membership, preference shall be given to persons with a broad knowledge and understanding of the working of the Federal system of the United States of America.

(b)(1) Of the members appointed by the President from persons who are not Federal officials under subsection (a)(1), there shall be from the major political party which is not the party of the President, and at least two shall be persons not engaged in partisan political activity.

(2) Of the members appointed from the House of Representatives under subsection (a)(2), one shall be from the political party which is the majority party in the House and one shall be from the political party which is the minority party in the House. At his discretion, the Speaker may appoint either a second incumbent Representative from the majority party in the House or a former Representative from that same party. Of the remaining three members appointed under such subsection, two shall be persons not engaged in partisan political activity. Of these three remaining members one shall be from the political party which is the minority party in the House. In appointing members under subsection (a)(2) who are from the political party which is the minority party in the House, the Speaker shall obtain the advice and consent of the minority leader of the House.

(3) Of the members appointed from the Senate under subsection (a)(3), one shall be from the political party which is the majority party in the Senate and one shall be from the political party which is the minority in the Senate. At his discretion, the President pro tempore of the Senate may appoint either a second incumbent Senator from the majority party in the Senate or a former Senator from that same party. Of the remaining three members appointed under such subsection, two shall be persons not engaged in partisan political activity. One of these three remaining members shall be from the political party which is the minority party in the Senate.

(4) For the purposes of this Act, the term "persons not engaged in partisan political activity" shall mean persons who for at least six months prior to appointment as a member of the Commission, have not occupied or sought elected public office, or have not served as an official of a State or national political party.

(c) The President shall select a Chairman from among the Commission members who are not Federal officials at the time of appointment. The selection by the President of Chairman shall be subject to approval of a majority vote of the members of the Commission, conducted by secret ballot. The Commission shall elect from among its members a Vice Chairman from the major politiparty which is not the party of the Chairman. The Commission shall adopt such rules and regulations as may be necessary to establish its procedures and to govern the manner of its operations, its organization, and its personnel.

(d) Ten members of the Commission shall constitute a quorum.

(e) Any vacancy in the Commission shall not affect its powers, but shall be filled in the manner in which the original appointment was made. Any individual appointed to fill a vacancy in the Commission shall be of the same political party as his predecessor.

(f) An individual who is appointed to the Commission in the status of a Member of Congress or in the status of a person in the executive branch of the Government, and who thereafter ceases to have such status, shall nevertheless continue as a member of the Commission and shall (if he has returned to private life except for his membership on the Commission) be treated as an individual appointed from private life for purposes of compensation under section 5.

COMPENSATION OF COMMISSION MEMBERS

SEC. 5. (a) The members of the Commission who are Members of Congress or who are in the executive branch of the Government shall serve on the Commission without any compensation in addition to that received for their services as Members of Congress or in the executive branch. The members of the Commission from private life shall each be paid compensation at a rate equal to the rate of basic pay in effect for level IV of the Executive Schedule when engaged in the performance of the duties vested in the Commission.

(b) All members of the Commission shall be reimbursed for travel as authorized by section 5703 of title 5, of the United States Code, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

COMMISSION STAFF

SEC. 6. (a) The Commission shall have power to appoint, terminate, and fix the compensation of such personnel as it deems advisable to assist in the performance of its duties, without regard to the civil service laws and without regard to the provisions of title 5 of the United States Code (or of any other law) relating to the number, classification, or compensation of employees. The Commission may also procure, as authorized by section 3109 of title 5, United States Code, temporary and intermittent services to the same extent as is authorized by law for agencies in the executive branch but at rates not to exceed the daily equivalent of the maximum annual rate of basic pay in effect for grade GS–18 of the General Schedule. The Chairman and Vice Chairman shall select an executive director for the Commission contingent upon confirmation by the Commission members.

(b) Service of an individual as a member of the Commission (or of an advisory council or committee under section 7) or employment of an individual by the Commission as an attorney or expert in any business or professional field, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of any Federal law relating to conflicts of interest or otherwise imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of services, or the payment or receipt of compensation in connection with claims, proceedings, or matters involving the United

States. Service as a member of the Commission (or of such an advisory council or committee), or as an employee of the Commission, shall not be considered service in an appointive or elective position in the Government for purposes of section 8344 of title 5, United States Code, or comparable provisions of Federal law.

ADVISORY COUNCILS AND COMMITTEES

SEC. 7. The Commission may establish (without regard to the Federal Advisory Committee Act) such advisory councils and advisory committees as it may deem appropriate to provide specialized assistance in the performance of the duties vested in the Commission by this Act. Members of such advisory councils and committees, while attending meetings of such councils or committees or while otherwise serving at the request of the Commission away from their homes or regular places of business (unless otherwise eligible for travel and subsistence expenses under chapter 57 of title 5, United States Code), may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government serving without pay.

POWERS OF THE COMMISSION

SEC. 8. (a) The Commission or any member authorized by the Commission may, for the purpose of carrying out this Act, hold such hearings and sit and act at such times and places, take such testimony, have such printing and binding done, enter into such contracts and other arrangements (with or without consideration or bond, to such extent or in such amounts as are provided in appropriation Acts, and without regard to section 3709 of the Revised Statutes (41 U.S.C. 5)), make such expenditures, and take such other actions as the Commission or such member may deem advisable. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission or before such member. The provisions of the Federal Advisory Committee Act shall not apply to the Commission established under this Act.

(b) The Commission is authorized to secure directly from any officer, department, agency, establishment, or instrumentality of the Government such information, suggestions, estimates, and statistics as the Commission may require for the purpose of this Act; and each such officer, department, agency, establishment, or instrumentality is authorized and directed to furnish, to the extent permitted by law, such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

(c) Upon request of the Commission, the head of any Federal agency is authorized to make any of the facilities and services of such agency available to the Commission or to detail any of the personnel of such agency to the Commission, on a reimbursable basis, to assist the Commission in carrying out its duties under this Act, unless the head of such agency determines that urgent, overriding reasons will not permit the agency to make such facilities, services or personnel available to the Commission and so notifies the Chairman in writing.

(d) The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(e) No officer or agency of the United States shall require the Commission to submit any report, recommendation, or other matter to any such officer or agency for approval, comment, or review before submitting such report, recommendation, or other matter to the Congress or to the President.

MEETINGS, PUBLIC INVOLVEMENT, REPORTS, EXPIRATION

SEC. 9. (a) The Commission shall first convene no later than six months after the date of enactment of this Act, and shall meet from time to time thereafter, as its members deem appropriate.

(b) Consistent with other provisions of this Act, the Commission shall structure its operations and activities to assure the appropriate and meaningful involvement of the public in its deliberations. In doing so, the Commission shall consider the desirability of holding public hearings, particularly in locations outside of the District of Columbia and of establishing toll-free telephone lines or other mechanisms whereby members of the public can readily contribute suggestions for Commission consideration.

(c) The Commission shall from time to time submit to the Congress and the President such reports as it may deem appropriate with respect to its activities under this Act. One year after it first meets, the Commission shall report to the Congress and the President on its agenda and its progress. On December 3, 1984, the Commission shall submit to the Congress and the President its final report with respect to such activities, including all of its findings and recommendations.

(d) Ninety days after the submission to the Congress and the President of its final report under subsection (c), the Commission shall cease to exist, except as provided under section 11(b).

PREPARATION FOR THE COMMISSION

SEC. 10. Upon enactment of this Act, the Comptroller General, the Director of the Congressional Research Service, the Director of the Congressional Budget Office, the Director of the Office of Technology Assessment, and the Chairman of the Advisory Commission on Intergovernmental Relations shall begin to prepare briefing papers for the Commission. Such briefing papers shall catalog and synthesize any recent reports, analyses, and recommendations of the respective organizations, and shall contain such other information deemed by the head of each such organization to be pertinent to the work of the Commission. The briefing papers shall be completed no later than four months after the date of enactment of this Act.

MONITORING AND FOLLOWUP ON COMMISSION RECOMMENDATIONS

SEC. 11. (a) For a period of four years after the Commission ceases to exist, the Comptroller General shall monitor the implementation of the recommendations of the Commission, and shall report periodically to the Congress and the President on the actions being taken to implement such recommendations.

(b) For a period of eighteen months after the Commission ceases to exist, a portion of the staff shall continue to seek the consideration and implementation of the recommendations of the Commission. During such period, such staff shall be under the supervision of and shall report to the Director of the Office of Management and Budget.

(c) Upon submission of the Commission's final report to the President under section 9(c) the Director of the Office of Management and Budget, in coordination with the executive agencies, shall take action to (1) formulate the views of the executive agencies on the recommendations of the Commission; (2) to the extent practicable within the limits of their authority and resources, carry out recommendations of the Commission in which they concur; and (3) propose legislation needed to carry out or to provide authority to carry out other recommendations of the Commission in which they concur. At least once every six months, the Director of the Office of Management and Budget shall report to the Congress and the President on the status of action taken or to be taken as provided herein. A final report on the final disposition of the recommendations shall be submitted within four years after the submission of the Commission's final report under section 9(c).

EXPENSES OF THE COMMISSION

SEC. 12. There are hereby authorized to be appropriated $10,000,000 to carry out this Act.

Mr. ROTH. Mr. President, I move to reconsider the vote by which the bill passed.

Mr. EAGLETON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

DEDUCTIBILITY OF RESIDENTIAL MORTGAGE INTEREST

VOTE

The PRESIDING OFFICER. Under the previous order, the Senate will now conduct a 10-minute rollcall vote in relation to Senate Resolution 238. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BAKER. I announce that the Senator from Colorado (Mr. ARMSTRONG), the Senator from Arizona (Mr. GOLDWATER), the Senator from California (Mr. HAYAKAWA), the Senator from Pennsylvania (Mr. HEINZ), the Senator from Indiana (Mr. LUGAR), the Senator from Vermont (Mr. STAFFORD), and the Senator from Alaska (Mr. STEVENS) are necessarily absent.

Mr. CRANSTON. I announce that the Senator from Montana (Mr. BAUCUS), the Senator from Delaware (Mr. BIDEN), the Senator from Nevada (Mr. CANNON), the Senator from Arizona (Mr. DECONCINI), the Senator from Colorado (Mr. HART), the Senator from Hawaii (Mr. MATSUNAGA), the Senator from Montana (Mr. MELCHER), the Senator from Ohio (Mr. METZENBAUM), the Senator from Maryland (Mr. SARBANES), and the Senator from Massachusetts (Mr. TSONGAS) are necessarily absent.

I further announce that, if present and voting, the Senator from Nevada (Mr. CANNON), the Senator from Hawaii (Mr. MATSUNAGA), and the Senator from Montana (Mr. MELCHER) would each vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 83, nays 0, as follows:

[Rollcall Vote No. 458 Leg.]

YEAS—83

Abdnor	Ford	Moynihan
Andrews	Garn	Murkowski
Baker	Glenn	Nickles
Bentsen	Gorton	Nunn
Boren	Grassley	Packwood
Boschwitz	Hatch	Pell
Bradley	Hatfield	Percy
Bumpers	Hawkins	Pressler
Burdick	Heflin	Proxmire
Byrd, Harry F., Jr.	Helms	Pryor
	Hollings	Quayle
Byrd, Robert C.	Huddleston	Randolph
Chafee	Humphrey	Riegle
Chiles	Inouye	Roth
Cochran	Jackson	Rudman
Cohen	Jepsen	Sasser
Cranston	Johnston	Schmitt
D'Amato	Kassebaum	Simpson
Danforth	Kasten	Specter
Denton	Kennedy	Stennis
Dixon	Laxalt	Symms
Dodd	Leahy	Thurmond
Dole	Levin	Tower
Domenici	Long	Wallop
Durenberger	Mathias	Warner
Eagleton	Mattingly	Weicker
East	McClure	Williams
Exon	Mitchell	Zorinsky

NOT VOTING—17

Armstrong	Hart	Metzenbaum
Baucus	Hayakawa	Sarbanes
Biden	Heinz	Stafford
Cannon	Lugar	Stevens
DeConcini	Matsunaga	Tsongas
Goldwater	Melcher	

So the resolution (S. Res. 238) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 238

Whereas the Federal Government has a fundamental and traditional commitment to provide all Americans with decent housing at an affordable price;

Whereas this commitment was made to promote the living standards of all Americans, to encourage stability, and to encourage attention to and interest in participatory government;

Whereas this commitment has been jeopardized by the relatively low level of investment in housing in the United States compared to other nations;

Whereas this commitment is now being jeopardized by excessive interest levels and mortgage rates which have pushed the cost of the average size family home to $14,500 annually or $1,200 per month equal to 55 per centum of the typical family's income;

Whereas these excessive mortgage rates have plunged the housing and related industries into their worst depression of the post-war period, with over eight hundred thousand men and women out of work, bankruptcies spreading, and with two of every three savings institutions insolvent;

Whereas a key component of the Federal commitment to housing is the deductibility from personal income taxes of the interest paid on residential mortgages;

Whereas the deductibility of mortgage interest has resulted in homeownership becoming the largest, most important, and most viable form of individual wealth in America; and

Whereas the Federal Government should acknowledge and honor its commitment to decent and affordable housing and to preserve and protect the wealth of its citizens: Now, therefore, be it

Resolved, That it is the sense of the Senate, that the present home mortgage interest deduction be retained as an essential component of a fair and equitable tax system designed in part to promote a stable and productive society.

SMALL BUSINESS INNOVATION RESEARCH ACT OF 1981

The Senate continued with the consideration of S. 881.

The PRESIDING OFFICER. The minority leader is recognized.

Mr. ROBERT C. BYRD. Mr. President, I yield to the distinguished Senator from Louisiana without losing my right to the floor.

Mr. LONG. Mr. President, I support the Small Business Innovation Research Act. If the United States is to maintain its competitive position in the world market it must use its limited R. & D. resources in a way that guarantees the maximum benefits. S. 881 is a step in that direction.

I wish to comment on one aspect of the research issue raised by this legislation. Colleges and universities all across this Nation, including many in my home State no doubt, have made tremendous contributions to science, medicine, and many other fields. These efforts are greatly appreciated. They should and will continue. For this reason, Mr. President, I agree with the views of Senator SASSER, a cosponsor of the bill, and other Senators when they say that this legislation should not be construed as an attempt to diminish participation in federally sponsored research by colleges and universities.

Mr. ROBERT C. BYRD. Mr. President, what is the business before the Senate?

The PRESIDING OFFICER. The business before the Senate is S. 881. The pending question is on agreeing to the committee substitute.

Mr. ROBERT C. BYRD. This is the Small Business Innovation Act?

The PRESIDING OFFICER. Yes.

UP AMENDMENT NO. 763

(Subsequently numbered amendment No. 651.)

(Purpose: To provide for an appointment of a small business representative to the Board of Governors of the Federal Reserve System)

Mr. ROBERT C. BYRD. Mr. President, I send an amendment to the desk and ask that it be stated by the clerk.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from West Virginia (Mr. ROBERT C. BYRD) for himself, and Mr. RANDOLPH, Mr. BURDICK, Mr. MATSUNAGA, Mr. CANNON, Mr. LEVIN, Mr. HARRY F. BYRD, JR., and Mr. SASSER, proposes an unprinted amendment numbered 763.

At the appropriate place in the bill, insert the following:

SEC. . The President shall nominate an individual whose background is in a credit-sensitive sector of the economy and who is representative of small business, including farming and ranching, to fill the first vacancy on the Board of Governors of the Federal Reserve System which occurs after the date of enactment of this Act.

Mr. ROBERT C. BYRD, Mr. President, I am proposing an amendment to assure that a small business representative is named as a member of the Federal Reserve Board of Governors when that position opens on January 31, 1982. By appointing a small business representative to the Board, the President will take a giant step toward assuring that a voice from Main Street will be heard amid the chorus from Wall Street. Under my amendment, a farmer or a rancher would be eligible for the position.

A small business representative will temper the Board's monetary policy with an understanding of this credit-sensitive sector's concerns. This appointment will bring the Board of Governors closer to realizing the intent of the 1913 Federal Reserve Act that envisioned a Board representing the full spectrum of American financial, business, and geographic interests. The act specifically said that—

In selecting the members of the Board, not more than one of whom shall be selected from any one Federal Reserve district, the President shall have due regard to a fair representation of the financial, agricultural, industrial, and commercial interests, and geographical divisions of the country.

The current Board of Governors is a far cry from the pluralistic group the Federal Reserve Act envisioned. The long, 14-year terms of the Governors require that a fair sampling of the Nation's interests be included on the Board to prevent it from drifting away from the concerns of the Nation. A look at the current Board would lead us ineluctably to one conclusion: We are a nation of Federal Reserve employees and private bankers. Of the seven Governors, five are former employees of the Federal Reserve System, and the other two were private bankers before their appointment.

The Federal Reserve Board has a special place in our Government. Although there are other nominally independent agencies, none of them have the Federal Reserve's power to affect the well-being of all Americans. Despite its power, independence was assured, so that the conduct of monetary policy would not be affected by partisan politics, and the swiftly shifting tides of public opinion. But structured thus to be an island of stability, it was not to be an island cut off from the effects of its policies on the mainland of the body politic.

We must all realize the danger that arises from filling the Board with people of the same limited range of experience and understanding. No one person can represent the needs and views of the entire American economy. Our Nation was founded on a notion of pluralistic representation that is as important for the Federal Reserve Board as it is for both Houses of Congress. By naming a small business representative to the Board of Governors, we help to bring this important body back within the framework that originally shaped our Government.

Nearly 200 years ago, during the great debate about our Constitution, three of our Founding Fathers conducted a public campaign for ratification that has since commanded the attention of thoughtful citizens from many lands. Writing under the joint nom de plume of Publis, these three men, Alexander Hamilton, John Jay, and James Madison, produced 85 newspaper articles that became know collectively as the Federalist Papers.

Within this mother lode of political theory and practical wisdom, stands James Madison's Federalist Paper No. 10. In this paper, Madison makes the most concise and convincing argument for pluralistic representation ever put forth. While attempting to convince his readers that a United Republic provided more readily for internal and external peace than did the loose confederation of States, Madison recognizes the number of varied interests which spring up from the system of private enterprise. In discussing them he writes:

The most common and durable source of factions has been the various and unequal distribution of property. Those who hold and those who are without property have ever formed distinct interests in society. Those who are creditors, and those who are debtors, fall under a like discrimination. A landed interest, a manufacturing interest, a mercantile interest, a money interest, with many lesser interests, grow up of necessity in civilized nations, and divide them into different classes, activated by different sentiments and views.

The clash of interests that surrounds money, its availability, and its cost is the realm over which the Federal Reserve must watch. The nexus where the

lenders face the borrowers is the focus of most Board activity, yet all of the current Governors represent private experience they acquired as central bankers. That is, they are lenders.

Perhaps it is thought that, because of their expertise in financial markets and monetarist theory, these Governors are able to assure that the country's broad interest is considered when making policy decisions. Thus, some might say, we do not need a person whose expertise lies in small business operations, although he may be acquainted with financial markets.

Madison foresaw a similar argument coming from his contemporaries, and responded clearly:

It is in vain to say that enlightened statesmen will be able to adjust these clashing interests and render them all subservient to the public good. Enlightened statesmen will not always be at the helm. Nor, in many cases, can such an adjustment be made at all without taking into view indirect and remote considerations, which will rarely prevail over the immediate interest which one party may find in disregarding the rights of another, or the good of the whole.

This is not to say that any member of the Board of Governors has ever, or would ever, taken an action he or she thought to be against the best interests of the country. What is important in Madison's argument is that a person who represents one interest or one set of experiences, may not be the best judge of how his decision affects those in differing situations. That is what concerns me here.

The wisdom of James Madison is, perhaps, even more valuable in this age of increasing specialization. The ability of an experienced central banker to truly understand the needs of credit-sensitive sectors of the economy cannot be taken for granted.

For that central banker, a small business is not much more than one piece of datum among many millions. The 15,449 businesses that have collapsed this year are simply 15,449 faceless, nameless entries onto a data sheet which are coolly discussed along with the 9 million jobless citizens now among us.

For the small businessman, however, the 15,449 failures are made up of people like himself, and the 9 million unemployed have a great deal in common with his own employees, whose livelihoods depend on the decisions made by the Board of Governors.

I do not believe this country should go another year without a small business resentation in policy-setting bodies; 1981 nors. All indications are that 1982 will be a rough year for our economy. All the mail, public meetings, congressional hearings, and newspaper editorials are less important to the Board than a member who can understand and sympathize with the needs of borrowers, and who can penetrate those oak-paneled walls with the message of people struggling to stay in business, and to hang onto their jobs.

James Madison knew nearly 200 years ago that danger stems from limited representation in policy-setting bodies; 1981 has taught us that lesson anew.

Let us vote to return to the spirit of our Founding Fathers, and to the legislative intent of the Federal Reserve Act, by assuring small business representation on the Board of Governors next January 31.

I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time?

Mr. WEICKER. I yield 5 minutes to the distinguished Senator from Utah (Mr. GARN).

Mr. GARN. I rise in opposition to this amendment on two bases: The first one is procedural. No one has more admiration than I for the distinguished minority leader, of his knowledge of the rules and procedures of the Senate. I have heard him for years argue about proper procedure.

I first object to this amendment on the basis that it is brought up on this particular bill. If I had been informed, as chairman of the Banking Committee, that this kind of nongermane amendment was coming up, and asking for unanimous consent, I would have objected, and the reason I would is there are several Senators on each side of the aisle, both Democrats and Republicans, who have submitted various bills and resolutions to this body, which have been referred to the Banking Committee, on how to restructure the Federal Reserve Board.

Hearings were promised to those Senators, and this very day the Banking Committee held hearings and had a number of Senators, again both Democrats and Republicans, testify in favor of their particular position.

Yet, here we have a proposal coming directly to the floor that has very serious implications to restructure the Federal Reserve Board by statute, injure its independence, and not have the benefit of committee hearing or deliberation. So I object on that basis that I think this proposal by the distinguished minority leader should have come to committee, as with many other Senators: Senator PRESSLER, Senator BURDICK, Senator KASSEBAUM, Senator WEICKER, Senator JEPSEN, Senator CRANSTON, and others. That is the No. 1 reason why I object and think this should be considered in a proper method, and I do not mean this is improper. The Senator is certainly entitled to ask unanimous consent, but it is not proper in the sense of normal procedure.

Second, I would say that I understand the concerns of my colleague from West Virginia. I do not like the appointments to the Federal Reserve Board as a group over the last couple of decades, either.

The nomination of Lyle Gramley was made in April, April 15 and 16, of 1980, and I would quote my comment at that time:

One thing that concerns me in general, certainly not with Mr. Gramley particularly or any of the individuals I am going to mention, but as I have watched the last several Federal Reserve Board appointments, they all seem to come generally from the same geographical area of the country or at least from the Fed. Look at Chairman Volcker from the New York Fed; Mr. Schultze, the only exception, a Florida businessman; Governor Partee, an economist with the Federal Reserve Board; Nancy Teeters, Congressional Budget Office; Rice from the Washington, D.C. Bank; Governor Wallich, the professor formerly with the New York Fed; Governor Coldwell came from the Dallas Fed; and it disturbs me in general that we are picking people from within the Fed system's geographical area that tend to be getting away from the geographical requirement of not more than one from one Fed district by picking where they were born regardless of where they have lived or worked for a long number of years.

This was said in April of 1980. Also, at that time, the Banking Committee, with a majority of both Democrats and Republicans, announced to the Carter administration that we would not pick on Lyle Gramley because of the fact it was not fair to treat him as an individual on an announced policy. At least a year and a half ago, the Banking Committee was on record of telling the Carter administration that we simply would not accept the kind of appointments that were coming out, because the law was very specific.

It says:

In selecting the members of the Board (of Governors of the Federal Reserve System), not more than one of whom shall be selected from any one Federal Reserve district, the President shall have due regard to a fair representation of the financial, agricultural, industrial, and commercial interests, and geographic divisions of the country.

That simply has been ignored by several Presidents in a row. But it allows for everything all these bills are trying to accomplish, including that of the minority leader.

The committee announced at that time that we would not, if it fit the current practice of selecting inbreeding through the Fed, approve those nominations. This year, after becoming chairman of the Banking Committee, I have let the Reagan administration know of that policy adopted in April of 1980.

Rather than taking the time of the Senate at this point, I ask unanimous consent that my opening statement at the hearing be printed in the RECORD, so that we can see of the concern for the present makeup of the Board.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

OPENING STATEMENT OF SENATOR GARN

Section 10 of the Federal Reserve Act today says:

"In selecting the members of the Board (of Governors of the Federal Reserve System), not more than one of whom shall be selected from any one Federal Reserve district, the President shall have due regard to a fair representation of the financial, agricultural, industrial, and commercial interests, and geographic divisions of the country."

I have repeatedly stated my concern that, while recent appointments to the Board of Governors may have conformed to the letter of this law, they have not conformed to its spirit. In particular, I do not believe that recent appointments to the Board have created a membership that, as is intended in the Federal Reserve Act, represents the broad range of geographical and economic interests in this country.

As evidence, I point to the fact that six of the seven current Board members spent most of their professional lives—before joining the Board—in Washington or with the Federal Reserve System itself in a different capacity:

1. Paul Volcker was president of the New York Fed.

2. Henry Wallich, while he was a professor at Yale, also woked on the staff of the New York Fed, on the President's Council of Economic Advisers and at the Treasury Department.

3. Chuck Partee was Director of Research at the Board of Governors.

4. Nancy Teeters came from the staff of the House Budget Committee.

5. Emmitt Rice came from a Washington, D.C. bank.

6. Lyle Gramley came from the President's Council of Economic Advisers and had previously worked at the Board.

Moreover, the one Governor who did not spend the majority of his previous professional life in Washington or working for the Federal Reserve elsewhere—Vice Chairman Frederick Shultz—is the Governor whose term expires next month.

This afternoon's hearing is on seven resolutions and bills—which are all now before the Banking Committee—dealing with upcoming Presidential nominations for new members of the Federal Reserve Board and/or with the very structure of the Board itself.

Along with Senator Jepsen and 33 other Senators, I have sponsored S. Res. 209 which points out that the: ". . . present composition of the Board (of Governors) does not conform to the spirit of . . . (the) statutory provisions (of the Federal Reserve Act) and no President since 1959 has appointed an individual (to the Board) from either the agricultural or commercial sector. . . ."

The resolution goes on to call for the future following of the "fair representation" provision of the Federal Reserve Act providing for "agricultural, commercial (including small business), and broad regional representation on the Board of Governors. . . ."

Other resolutions and bills call for the naming of a representative of a specific economic constituency—such as small business—to the Board and/or a change in the Federal Reserve Act's list of specific economic constituencies that are to be represented on the Board of Governors.

Once before Congress has amended the listing of economic constituencies to be represented on the Federal Reserve Board. The Federal Reserve Act as passed in 1913 said that, in nominating a member of the Federal Reserve Board, "the President shall have due regard to a fair representation of the different commercial, industrial and geographic divisions of the country." In 1922, two additional economic constituencies—financial and agricultural interests—were added to the list, and the language of Section 10 was changed to read, as it does today, that "the President shall have due regard to a fair representation of the financial, agricultural, industrial and commercial interests, and geographic divisions of the country."

On the other hand, if we start down the road of naming very specific constituencies that should be represented on the Board of Governors, where do we stop:

a. Shouldn't homebuilders and realtors likewise have their representative?

b. Shouldn't automobile companies and dealers also have their representative?

c. Shouldn't retired Americans have their representative?

d. Shouldn't mayors and state officials have their representative?

e. Shouldn't labor have its representative?

Other bills and resolutions now before the Banking Committee would change the very structure of the Board of Governors. Among the proposals are:

1. Make the terms of the Board's Chairman and Vice Chairman concurrent with the President's term or change their current four-year statutory term to "service at the pleasure of the President."

2. Shorten the current fourteen-year term as a member of the Board to either seven or five years.

3. Increase the number of Board members from seven to nine or give both the President Pro Tempore of the Senate and the Speaker of the House of Representatives power to appoint a member of Congress as an ex-officio member of the Board.

In sum, this afternoon I believe there are two groups of issues before the Committee.

One is: have recent appointments to the Board of Governors followed the spirit—as well as the letter—of the Federal Reserve Act and is there a need to call on the President to follow the spirit of the Act in making future nominations?

The second group of issues is: is there a need at this time to go even further and change the language of Section 10 by adding to the list of economic constituencies to be presented on the Board or—even more drastic—to change the very structure of the Board?

Finally, I should point out that this hearing could hardly be more timely, for amendments are expected to be offered on the Senate floor this very afternoon dealing with the subjects of this hearing.

Mr. GARN. Mr. President, my point, very strongly is this: That to tamper with the independence of the Board by mandating a particular statute to save businessmen, then I suppose we need a realtor, then I suppose we need a labor leader, we need a consumer, we need a representative, and we start expanding the Board and where do we end up when we start being so specific?

The law is already specific. The Banking Committee of the Senate has the authority to reject it if it does not fit the guidelines of the law. And certainly if we do not do our duty, the Senate of the United States can reject the nomination. I think that is by far the best way to handle it.

Rest assured that this Senator has been on record for more than a year and a half about the makeup of this Board and will not yield as chairman of the Banking Committee. If the Reagan administration sends up one of these inbred Federal types to be nominated, it will be rejected. I will guarantee you it will not get through the committee.

I think the most we should do is an expression and sense of the Congress that the law be adhered to and we select somebody from these groups in the fair representation clause in section 10 of the Federal Reserve Act. We certainly can control the Board in that way without taking away their independence by statutorily mandating that any particular group be put on the Board.

I will withhold further comments at this time. I thank the Senator from Connecticut for yielding.

The PRESIDING OFFICER (Mr. MURKOWSKI). Who yields time? If neither side yields time, time runs equally against both sides.

Mr. ROBERT C. BYRD. How much time does each side have remaining?

The PRESIDING OFFICER. The Senator from Connecticut has 25 minutes and the minority leader has 19 minutes remaining.

(By request of Mr. ROBERT C. BYRD the following statement was ordered to be printed in the RECORD:)

SOME THOUGHTS ON THE FEDERAL RESERVE

● Mr. BAUCUS. Mr. President, it is my understanding that Senator BYRD of West Virginia is offering an amendment to S. 881 which I am pleased to be a cosponsor of, which seeks to accomplish three goals: First, to help lower interest rates, and they are slowly inching down as we wallow in recession; to help bring inflation under control; and to help make our Nation's businesses more productive again.

The administration's reliance on monetary policy has helped cause interest rates to be so high. I do not think the use of monetary policy, per se, is wrong—so long as it is coordinated with other policies and does not bring undue hardships on a few sectors of our economy. But, in fact, there has been excessive reliance on monetary policy, and to compound the problem, those who make the decisions on the Federal Reserve Board do not have adequate representation from that sector of the economy most affected by high interest rates, the small business community.

So this amendment simply calls for the Federal Reserve to have such representation. It gives a voice to the small business community in the Federal Reserve. It is something which is long overdue.

I strongly support Senator BYRD's amendment and urge my colleagues to support it as well.●

● Mr. SASSER. Mr. President, I support the Byrd amendment which would require that the next nominee to the Federal Reserve Board have a small business background.

I commend Senator Byrd for his amendment. The issue of Federal Reserve Board membership is most important, especially now on the eve of the retirement of the Federal Reserve Board Vice Chairman, Frederick Schultz. With the retirement of Mr. Schultz, the board loses its only member in 20 years who can claim a small business orientation.

I have had an abiding interest in seeing that the Federal Reserve Board is representative of those affected by its policies. The Federal Reserve Act, as amended in 1922, calls for the President to demonstrate "due regard to a fair representation of financial, agricultural, industrial and commercial interests" in making appointments to the Board of Governors. Yet, Members of the Board in the recent past have come almost exclusively from the regional Federal Reserve Banks, the board of directors of the Nation's largest banks or from the staffs of the Board of Governors and the regional Federal Reserve Banks.

Last year, I asked the Library of Congress to study the backgrounds of the past and present members of the Federal Reserve System to determine the extent of input by representatives of the agriculture sector.

The study which found that the representation of the agriculture sector was grossly inadequate, confirmed my worst

fears. No person having a primary interest in agriculture has been appointed to the Federal Reserve's Board of Governors since the Eisenhower administration. And of the 108 directorship positions on the regional bank's board, only three positions are currently filled by people who appear to have agriculture as their principal occupation. That amounts to less than 3 percent of the 108 positions nationwide.

Unforunately, these depressing figures are not merely a recent phenomenon. During a 20-year period ending in 1970, only 27 of the 756 positions on the 12 regional boards were filled by persons who identified agriculture as their principal occupation.

The representation of the small business community, especially in recent times, is not much better. Despite the fact that small business suffers most from the high interest policies of the Federal Reserve Board, the makeup of the Board does not reflect small business.

And this lack of representation shows, Mr. President, small firms today are going under at unheard of rates. The latest figures on business failures from Dun & Bradstreet show that over 15,000 firms have gone under so far this year.

What is really ominous, however, is the rate at which these failures are occurring. If the failure rate established so far this year continue, 17,093 businesses will have failed by the end of calendar year 1981. This would be the highest number of failures since the height of the Great Depression in 1933.

Mr. President, it is absolutely outrageous that we tolerate this kind of devastation. The Federal Reserve Board high and volatile interest rate policies are in large measure to blame for this loss of literally thousands of small businesses throughout the country and the loss of jobs and other dislocation that accompany their failures.

Monetary policy is a very complex and far-reaching tool of our economic policy. Its impact on the small business and agriculture sectors of our economy is most pronounced. Thus, it is extremely important that national monetary policy not be left in the hands of a narrow group of individuals. Congress realized this in 1913 when it passed the legislation creating the Federal Reserve Board and in 1922 when it added agriculture to those sectors—financial, industrial and commercial—that it felt should be represented by the Federal Reserve System.

This need has not changed, Mr. President. It is still extremely important that the entity which exercises life and death power over the Nation's small business community be representative of that community.

I have spoken out repeatedly on this issue. I cosponsored Senate Resolution 434, passed by the Senate in the last Congress, which sought to correct these oversights by calling for a more representative board. I testified at the confirmation hearings of the last member of the Federal Reserve Board to be nominated, Dr. Lyle Gramley, on this issue. Though Dr. Gramley was in other ways well qualified to serve as a member of the Board, he lacked experience either as a small business person or a farmer. He did not possess an intimate knowledge of these sectors and their special needs and problems. Yet he now sits as a member of the Federal Reserve Board of Governors and, through his participation in the affairs of the Board, decides the fate of thousands of small firms. More recently, I along with several other Senators wrote to President Reagan urging him to appoint an individual with significant small business experience to the Board.

The previous chairman of the Senate Banking Committee and the members of that committee wisely placed language in the 1980 committee report on Dr. Gramley's nomination expressing concern for the lack of representation of the Board.

In May of this year, during the floor debate on my own antihigh interest rate resolution, the present chairman of the Banking Committee, Senator GARN, expressed his support for efforts aimed at having a more representative Federal Reserve.

The Senate Small Business Committee, on which I serve, formed a small business advisory council made up of small business people from all across the country. The council's first meeting was held here in Washington on October 28, and the issue of small business representation on the Federal Reserve Board was an overriding concern of this group. In a recent letter to the committee, the chairman informed us that the council had unanimously agreed upon the need for a person with a small business background to be a member of the Federal Reserve Board.

As his letter stated:

> The special credit and monetary needs of the small business sector of the economy have not been adequately addressed by the Federal Reserve Board. It is our hope that the appointment of a small business man or woman to the Board by the President would do much to increase the Board's sensitivity to the special economic and fiscal conditions that affect a small entrepreneur.

I urge my colleagues who have not taken a position on this important issue to support the Byrd amendment to redress the lack of adequate business representation on the Federal Reserve Board.

In addition, Mr. President, I would ask to have printed at this point in the RECORD two letters I received from the Tennessee Roundtable for Small Business, Inc., and the National Federation of Independent Business. Both strongly support efforts to insure the nomination to the Federal Reserve Board of a person with small business credentials.

The letters follow:

TENNESSEE ROUND TABLE
FOR SMALL BUSINESS INC.,
Nashville, Tenn., November 27, 1981.

HON. JAMES R. SASSER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SASSER: The pending vacany on the Board of Governors for the Federal Reserve Board presents a unique opportunity to appoint a person with small business experience or one with agriculture background. These two attributes, which assure many common interests, have not previously been represented on the Board of Governors. Small business in this country represents a large segment of the gross national product and accounts for more jobs and innovations than big business; we believe it is the backbone of our free enterprise system. It is being hurt by policy decisions which do not consider the impact of these decisions of small business.

Agriculture is similarly situated. Many farmers today are faced for the first time in their lives with bankruptcy and the loss of their land which in many cases has been in their family for generations. We strongly suggest that a person with small business and/or agricultural experience be appointed to the Board of Governors of the Federal Reserve and the Senate of the United States encourage and support this move with the appropriate suggestion to the White House.

Very truly yours,

BILL NOURSE,
President.

NATIONAL FEDERATION OF
INDEPENDENT BUSINESS,
Washington, D.C., December 2, 1981.

DEAR SENATOR: During the floor consideration of S. 881 an attempt will be made to add an amendment to it that would indicate to President Reagan that the U.S. Senate believes the next vacancy occurring on the Board of Governors of the Federal Reserve System should be filled by an individual who is representative of the small business community. Very likely this attempt will be made by various Senators using various means to convey their message to the President.

On behalf of its 500,000 small business owner-members, the National Federation of Independent Business would like to indicate its support for any and all such amendments which let the President know that the upcoming vacancy on the Board of Governors of the Federal Reserve System should be filled by an individual of proven familiarity and knowledge of the macro-economic role of small business in our economy. Such a person should possess all the necessary technical skills for the job and thoroughly understand how small firms are affected by policy actions of the government and by overall economic activity of the economy.

The present composition of the Board clearly does not conform to the spirit of the Federal Reserve Act. Given the significant impact Federal Reserve policy has on small firms, the appointment of an individual with a proven expertise in how monetary and other economic issues relate to small businesses would be a signal to the millions of small businesses in this country that the U.S. Senate and this Administration recognizes the vital role small businesses plays in the American economy.

Sincerely,

JAMES D. "MIKE" MCKEVITT,
Director Federal Legislation.●

Mr. WEICKER. Mr. President, I am prepared at this time to yield back the remainder of my time.

Mr. ROBERT C. BYRD. Mr. President, I could yield back time and call up an amendment to my amendment in the same breadth, which has been done, but I am not going to do that. The distinguished majority leader indicated to me earlier that he had an amendment in the second degree. Of course, I understand how the parliamentary game is played. But he has extended to me many courtesies and I am not going to abuse the courtesy that he has extended to me by telling me he has an amendment in the second degree. I yield back my time.

Mr. BAKER addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. BAKER. Mr. President, I wish to express my appreciation to the minor-

ity leader. He, more than perhaps anyone, understands the rules and precedents of the Senate, understands the role and responsibility of the leadership and sometimes the difficult circumstances that it presents. But I did indeed speak to him of this situation before and he has explained his reaction to it. He need not have reacted in that way, but he did and I am grateful.

UP AMENDMENT NO. 764

(Subsequently numbered Amendment No. 652.)

(Purpose: To declare the sense of the Senate that the next vacancy on the Board of Governors of the Federal Reserve System should be filled by an individual who has substantial small business, agricultural, or other small business experience)

Mr. BAKER. Mr. President, I have an amendment at the desk to the BYRD amendment and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will state the amendment.

The legislative clerk read as follows:

The Senator from Tennessee (Mr. BAKER), for himself, Mr. JEPSEN, and Mr. WEICKER, proposes an unprinted amendment numbered 764.

Mr. BAKER. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

In lieu of the matter proposed to be inserted, insert the following:

Since the Board of Governors of the Federal Reserve System directly oversees the growth of the monetary aggregates, the availability of credit and monetary policy generally, all of which substantively affect every sector of the national economy;

Since section 10 of the Federal Reserve Act of 1913, as amended, provides that in submitting nominations for the Board of Governors of the Federal Reserve System, the President shall have due regard to a fair representation of the financial, agricultural, industrial, and commercial interests, and geographical divisions of the country;

Since the present composition of the Board does not conform to the spirit of these statutory provisions and no President since 1959 has appointed an individual from either the agricultural or commercial sector to the Board of Governors;

Since the impact of Federal Reserve policy is particularly significant on those constituencies which by law are to be represented on the Board;

Since high interest rates are having a devastating effect on the credit-sensitive sectors of the economy, particularly small businesses, which includes small farms;

Since business bankruptcies are nearly 50 per centum above 1980;

Since over 97 per centum of the businesses in the United States are small businesses, which account for over 50 per centum of the Gross National Product, 80 per centum of the new jobs created in the private sector, and nearly half of the nation's industrial innovations;

Since the problem lies not with the statutory language of the Federal Reserve Act;

Since the United States Senate, in Senate Resolution 434, Ninety-sixth Congress has already expressed its concern about past insensitivities to the requirements of the Federal Reserve Act; and

Since the next vacancy on the Board of Governors of the Federal Reserve System will occur January 31, 1982, and preparations for the nominations will commence soon: Now, therefore, be it

Declared, That in recognition of the fair representation provision in the Federal Reserve Act of 1913, as amended, the President of the United States, the United States Senate and the Senate Committee on Banking, Housing, and Urban Affairs should assure that the next vacancy on the Board of Governors of the Federal Reserve System should be filled by an individual who has substantial small business, agricultural or other small business, experience.

Mr. BAKER. Mr. President, is there 30 minutes to be equally divided?

The PRESIDING OFFICER. Fifteen minutes for the Senator from Tennessee and 15 minutes to the manager, unless he is in favor of the amendment.

Mr. BAKER. Mr. President, I believe the manager is a cosponsor and is in favor of it, in which event the minority leader would be in control of the time; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. BAKER. I yield control of my time for the debate in support of the amendment to the distinguished Senator from Connecticut.

Mr. ROBERT C. BYRD. Mr. President, I yield myself 1 minute. Could we agree to a time certain tomorrow for votes?

Mr. BAKER. Mr. President, I would be pleased to do that. May I announce, as I already told the minority leader and others, that there will be no more RECORD votes tonight.

I would propose, Mr. President, that we convene tomorrow at 10 and be on this bill by 10:30 and we would be on this amendment at the time we reached that point.

Mr. President, will the Senator from Connecticut yield me 2 minutes?

Mr. WEICKER. I yield to the distinguished majority leader.

Mr. BAKER. Mr. President, let me suggest, after consulting with the minority leader and the manager of the bill, that we postpone debate on this amendment until tomorrow.

I will formulate unanimous-consent requests at this time.

ORDERS FOR TUESDAY

RECESS UNTIL 10 A.M.

Mr. BAKER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 10 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL ORDERS AND PENDING BUSINESS

Mr. BAKER. I ask unanimous consent, Mr. President, that after the recognition of the two leaders under the standing order, the two Senators from Pennsylvania (Mr. HEINZ and Mr. SPECTER) be recognized for not to exceed 15 minutes each, and that following the recognition of the two Senators from Pennsylvania, the Senate resume consideration of the pending business, at which time the Baker-Weicker-Jepsen amendment will be the pending amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

TWO-HOUR RECESS TOMORROW

Mr. BAKER. I further ask unanimous consent, Mr. President, that at 12 noon tomorrow the Senate stand in recess until the hour of 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

LENGTH OF VOTES

Mr. BAKER. I ask unanimous consent that any votes that are ordered prior to the hour of 12 noon be stacked to occur at 2 o'clock, and if more than one vote is ordered that the first rollcall vote be 15 minutes in length and subsequent back-to-back votes be 10 minutes each. The votes will be on or in relation to these amendments, Mr. President.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BAKER. Mr. President, the Senate, when it completes its business today, will stand in recess until the hour of 10 o'clock tomorrow. After the recognition of the two leaders under the standing order and the recognition of two Senators under special orders, the Senate will resume consideration of the pending business, the Small Business Innovation Act, Calendar 283, S. 881, at which time the Baker-Jepsen-Weicker amendment in the second degree to the Byrd amendment will be the pending amendment.

Mr. President, debate will continue on that amendment and perhaps on other amendments, and votes that are ordered between the time the Senate resumes consideration of this measure and 12 noon will be stacked until 2 p.m. A number of votes may occur, including, perhaps, final passage, after the voting sequence begins at 2 o'clock in the afternoon.

After the completion of this measure, Mr. President, it is the intention of the leadership to ask the Senate to turn to the consideration of the second concurrent budget resolution. That has not been fully determined at this time, but the clearance process is underway and I see the prospects are good that we will at least be able to begin debate, and I hope finish debate, and have final passage on the second concurrent budget resolution during the day tomorrow.

Mr. President, after we finish S. 881, the Small Business Act, there is another matter that I am told has been cleared on both sides, S. 1700, the U.S. Claims Court Act, which also will be sequenced in as it is possible to do so during the day tomorrow.

Tuesday will, therefore, be a busy day, Mr. President. I expect the Senate will be able to complete this Small Business Act, the Claims Court Act, and perhaps the second concurrent budget resolution before we complete our business on Tuesday.

On Wednesday, Mr. President, I will have a further announcement to make.

Mr. President, earlier today I indicated that I hope to be able to make a further announcement about the continuing resolution. I am now not in a position to do so, but it is my hope that the minority leader and I can confer, either

this evening or in the morning, and more clearly ascertain the intentions of the House of Representatives and have a further announcement to make on the remainder of this week at that time. Once again I urge Senators to consider the high probability of a Saturday session this week.

ORDER OF PROCEDURE

Mr. BAKER. Mr. President, if the managers of the bill and of the amendments are prepared to do so, I am prepared now to ask the Senate to go into routine morning business.

ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business, not to extend past the hour of 5:40 p.m., during which Senators may speak for not more than 2 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Saunders, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

ANNUAL REPORT ON THE U.S. PARTICIPATION IN THE UNITED NATIONS—MESSAGE FROM THE PRESIDENT—PM 95

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

I am pleased to transmit herewith a report of the activities of the United States Government in the United Nations and its affiliated agencies, as required by the United Nations Participation Act (Public Law 264, 79th Congress). The report covers calendar year 1980, the last year of the previous Administration.

The United Nations remains an important institution for the foreign policy of the United States, and the United States will uphold the ideals upon which the United Nations was founded.

RONALD REAGAN.

THE WHITE HOUSE, *December 7, 1981.*

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 12:46 p.m., a message from the House of Representatives, delivered by Mr. Gregory, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 4591. An act to amend the mineral leasing laws of the United States to provide for uniform treatment of certain receipts under such laws, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. THURMOND).

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–2315. A communication from the Under Secretary of Agriculture for International Affairs and Commodity Programs transmitting, pursuant to law, the Annual Report on Public Law 480 activities for fiscal year 1980; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2316. A communication from the Plan Administrator, Farm Credit Banks of Omaha, transmitting, pursuant to law, the pension actuarial report on the plan for the Farm Credit Banks of Omaha, Nebr.; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2317. A communication from the Chief Deputy Clerk, U.S. Court of Claims transmitting, pursuant to law, the court's judgment order in the matter of Turtle Mountain Band of Chippewa Indians, and related cases against the United States, Nos. 113, 246, 191, 221; to the Committee on Appropriations.

EC–2318. A communication from the Director of the Defense Security Assistance Agency transmitting, pursuant to law, a report on a proposed foreign military sale to Venezuela; to the Committee on Armed Services.

EC–2319. A communication from the Assistant Secretary of the Army for Installations, Logistics and Financial Management transmitting, pursuant to law, a listing of studies of various functions for conversion to contractor performance to be undertaken during fiscal years 1982 and 1983; to the Committee on Armed Services.

EC–2320. A communication from the Assistant Secretary of the Air Force for Research, Development and Logistics transmitting, pursuant to law, notice of a decision made to convert the graphic arts function at Lowry Air Force Base, Colo., to performance under contract; to the Committee on Armed Services.

EC–2321. A communication from the Secretary of Housing and Urban Development transmitting, pursuant to law, the semiannual report of the Department's Inspector General for the period April 1 to September 30, 1981; to the Committee on Banking, Housing, and Urban Affairs.

EC–2322. A communication from the Secretary of Transportation transmitting, pursuant to law, relative to the diversion of freight traffic off the rail lines on the Northeast Corridor; to the Committee on Commerce, Science, and Transportation.

EC–2323. A communication from the chairman and president of the National Railroad Passenger Corporation transmitting, pursuant to law, the annual report on progress relative to completion of Northeast Rail Corridor Improvement Project; to the Committee on Commerce, Science, and Transportation.

EC–2324. A communication from the Under Secretary of Energy transmitting, pursuant to law, a report on certain reassignments of responsibilities pertaining to the alternative fuels production program; to the Committee on Energy and Natural Resources.

EC–2325. A communication from the Acting Secretary of the Interior transmitting, pursuant to law, a report relative to the imminent construction of the Brantley Project, N. Mex.; to the Committee on Energy and Natural Resources.

EC–2326. A communication from the Comptroller General of the United States transmitting, pursuant to law, a report entitled "User Charge Revenues for Wastewater Treatment Plants—Insufficient to Cover Operation and Maintenance"; to the Committee on Environment and Public Works.

EC–2327. A communication from the administrator of the Environmental Protection Agency transmitting, pursuant to law, the semiannual report of the Agency's Inspector General for the period April 1 through September 30, 1981; to the Committee on Environment and Public Works.

EC–2328. A communication from the Acting Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, international agreements other than treaties entered into by the United States within the previous 60 days; to the Committee on Foreign Relations.

EC–2329. A communication from the Assistant Secretary of the Treasury for Legislative Affairs transmitting, pursuant to law, reports of the International Bank for Reconstruction and Development, the Inter-American Development Bank, and the Asian Development Bank; to the Committee on Foreign Relations.

EC–2330. A communication from the Acting Deputy Assistant Secretary of the Interior for Indian Affairs (Operations) transmitting, pursuant to law, a report on the cancellation and adjustment of reimburseable charges of the government as debts against Indians or tribes of Indians for fiscal year 1980; to the Select Committee on Indian Affairs.

EC–2331. A communication from the Chief Justice of the United States transmitting, pursuant to law, a copy of the report of the proceedings of the Judicial Conference of the United States, September 24 and 25, 1981; to the Committee on the Judiciary.

E–2332. A communication from the Associate Commissioner of Immigration and Naturalization (Examinations) transmitting, pursuant to law, orders in cases of certain aliens admissible under section 212(a)(28)(I)ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

EC–2333. A communication from the Acting Commissioner of Immigration and Naturalization transmitting, pursuant to law, an order suspending deportation in the case of Wilfredo Nector Columna; to the Committee on the Judiciary.

EC–2334. A communication from the Acting Commissioner of Immigration and Naturalization transmitting, pursuant to law, orders suspending deportation of certain aliens under section 244(a)(1) of the Immigration and Nationality Act; to the Committee on the Judiciary.

EC–2335. A communication from the Attorney General of the United States transmitting, pursuant to law, a report under the Parental Kidnaping Prevention Act of 1980; to the Committee on the Judiciary.

EC–2336. A communication from the Assistant Secretary of Defense for Manpower, Reserve Affairs and Logistics transmitting, pursuant to law, the audit report on the American Red Cross for the year ended June 30, 1981; to the Committee on Labor and Human Resources.

EC–2337. A communication from the Secretary of Education transmitting, pursuant to law, the semiannual report of the Department's Inspector General for the period April 1 through September 30, 1981; to the Committee on Labor and Human Resources.

EC–2338. A communication from the Administrator of Veterans Affairs transmitting, pursuant to law, the semiannual report of the Administration's Inspector General for

the period April 1 through September 30, 1981; to the Committee on Veterans' Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-634. A concurrent resolution adopted by the Legislature of the State of Michigan; to the Committee on Agriculture, Nutrition, and Forestry.

"SENATE CONCURRENT RESOLUTION No. 390

"A concurrent resolution memorializing the Congress of the United States to expand the scope of coverage of the Federal Crop Insurance Act of 1980.

"Whereas, Due to increased costs in agricultural production, Michigan farmers are subject to devastating losses in the event of natural disasters destroying their crops. While some of this risk is mitigated by the continuing implementation of the Federal Crop Insurance Act of 1980, the protection afforded by this act is not extended to numerous crops which are of extreme importance to the Michigan agricultural economy; and

"Whereas, The exclusion of these selected agricultural crops from the Federal Crop Insurance Act of 1980 places Michigan farmers at an economic disadvantage compared with farmers in other states and other regions of our nation and is a disservice to the entire Michigan agricultural community. This discrimination is both unfair and needless; and

"Whereas, As a matter of fairness and equity to Michigan's farmers, it is vital that the following crops be included for coverage under the Federal Crop Insurance Act of 1980:

"Beans (edible), asparagus, grapes, soybeans, cantaloupe, apricots, barley, cauliflower, cherries, grain sorghum.

"Cucumbers, plums & prunes, forage crops, lettuce, sweet corn, rye, snap beans, potatoes, tomatoes.

"Apples, oats, cabbage, peaches, sugar beets, carrots, blueberries, corn (grain), celery.

"Pears, wheat, green peppers, strawberries, forage, seed crops, onions, peas, sunflower, spearmint; now therefore, be it

"*Resolved by the Senate (the House of Representatives concurring)*, That the Michigan Legislature memorializes the Congress of the United States to extend coverage of the Federal Corp Insurance Act of 1980 to the above-mentioned crops; and be it further

"*Resolved*, That a copy of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan Congressional Delegation, and to the Secretary of the United States Department of Agriculture."

POM-635. A petition from citizens from Michigan, relative to licensing of CB radios; to the Committee on Commerce, Science, and Transportation.

POM-636. A resolution adopted by the International Federation of Professional and Technical Engineers, opposing the decontrol of natural gas; to the Committee on Energy and Natural Resources.

POM-637. A resolution adopted by the Senate of the Commonwealth of Massachusetts, favoring extension and improvement of the Clean Air Act; to the Committee on Environment and Public Works.

"RESOLUTIONS MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO EXTEND AND IMPROVE THE CLEAN AIR ACT, SO-CALLED

"Whereas, the Clean Air Act, so-called, the cornerstone of our national air pollution control program, has resulted in improvement in the ground level air quality problem, but has failed to adequately address the problem of the long range transport of pollutants, and the attendant problem of acid deposition; and

"Whereas, the entire northeast region of the United States in general, and the Commonwealth of Massachusetts in particular, has been identified as the most susceptible to severe damage from acid deposition transported by wind currents from other regions; and

"Whereas, there is strong evidence that our ever-decreasing supply of water resources, such as the Quabbin Reservoir and other such resources are in serious danger of becoming excessively acidic, and also endangered by the release of toxic metals into our drinking water supply; and

"Whereas, the impact of acid deposition does not only adversely affect the health of human beings, but also seriously affects hundreds of New England lakes and streams, whereby they become stripped of aquatic life; and

"Whereas, since it has been determined that various species of fish are severely affected by low Ph levels leading to failure in the reproductive cycle, deformities, and eventually the death of such species; and

"Whereas, other effects of acid deposition include damage to plants, soil, agriculture, and corrosion of man-made objects such as sandstone sculptures, buildings, steel and paint; and

"Whereas, the Commonwealth of Massachusetts suffers the most extensive damage in the United States associated with national emissions of sulfur dioxides and other pollutants, to a degree out of proportion to the Commonwealth's contribution to the problem; and

"Whereas, the Commonwealth of Massachusetts recognizes the importance of maintaining clean air and water to industry, forestry, agriculture, recreation and tourism; now therefore be it

"*Resolved*, That the Massachusetts Senate memorialize the Congress of the United States and the Members thereof from Massachusetts to extend and improve the Clean Air Act, particularly as it relates to the control of acid deposits of sulfates and other pollutants to protect human health and preserve the right of the public to breathe clean air, drink clean water and enjoy other benefits of an unpolluted atmosphere; and be it further

"*Resolved*, That copies of these resolutions be transmitted forthwith by the clerk of the Senate to the Speaker of the United States House of Representatives, the President of the United States Senate and to the Members of Congress from the Commonwealth."

POM-638. A resolution adopted by the City Council of Santa Cruz, Calif., supporting efforts by the Federal administration to return powers to local entities and urging implementation of those efforts in ways which will enhance home rule; to the Committee on Governmental Affairs.

POM-639. A resolution adopted by the Florida Sheriffs Association, relative to sharing information and opposing manpower cuts in the area of enforcement of drug laws; to the Committee on the Judiciary.

POM-640. A resolution adopted by the County Council of Richland County, S.C., relative to an extension of the Voting Rights Act of 1965; to the Committee on the Judiciary.

POM-641. A resolution adopted by the 16th Guam Legislature; to the Committee on Labor and Human Resources.

"RESOLUTION No. 199

"*Be it resolved by the Legislature of the Territory of Guam:*

"Whereas, in the October 16, 1981 edition of the Federal Register, the U.S. Department of Labor gave advance notice of proposed rule-making action to address the Adverse Effect Wage Rate for Guam; and

"Whereas, in this notice, the Department of Labor requested advice and comments from interested members of the public on the Adverse Effect Wage Rate for Guam; and

"Whereas, the Sixteenth Guam Legislature has adopted a consistent policy calling for the abolishment of the Adverse Effect Wage Rate through Resolution No. 112, adopted on May 8, 1981 (attached as Exhibit I), and Committee on Economic Development Resolution No. 1, adopted on July 17, 1981 (attached as Exhibit II); and

"Whereas, it is appropriate that the Legislature reaffirm this position and transmit this input to the U.S. Department of Labor for consideration during the forthcoming rule-making procedure; and

"Whereas, statutes enacted by the Twelfth Guam Legislature government payment of wages to alien construction workers at a rate not lower than the minimum wage; and

"Whereas, the Legislature should make every attempt to inform interested members of the public of this procedure and advise them of their right to submit testimony on the Adverse Effect Wage Rate to the U.S. Department of Labor; now, therefore, be it

"*Resolved*, That the Sixteenth Guam Legislature hereby reaffirms its position that the Adverse Effect Wage Rate for Guam has had a damaging impact upon Guam's construction industry and calls upon the U.S. Department of Labor to exercise its administrative authority and abolish the Adverse Effect Wage Rate for Guam; and be it further

"*Resolved*, That the Legislature requests the United States Department of Labor provide technical and financial assistance to the government of Guam for the training of local workers in the construction industry; and be it further

"*Resolved*, That the Legislature requests the United States Department of Labor provide an in-depth study of the long-range effects of foreign labor on Guam; and be it further

"*Resolved*, That the Legislature requests the Governor to submit testimony to the United States Department of Labor on equitable wage rates in Guam's construction industry; and be it further

"*Resolved*, That this Resolution shall be submitted to the U.S. Department of Labor for consideration during its proposed rule-making procedure as testimony; and be it further

"*Resolved*, That the Speaker certify to and the Legislative Secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the Honorable George Bush, Vice-President of the United States of America; to David Williams, Administrator, U.S. Employment Service, U.S. Department of Labor; to Pedro San Juan, Assistant Secretary-Designee, Department of Interior; to Congressman Antonio B. Won Pat, House of Representatives; to Roger Sardea, President, Guam Contractor's Association; to Mr. Joe San Agustin, Director, Department of Labor; to the Guam Chamber of Commerce; and to the Governor of Guam."

POM-642. A resolution adopted by the 16th Guam Legislature; to the Committee on Labor and Human Resources:

"RESOLUTION No. 112

"*Be it resolved by the legislature of the Territory of Guam:*

"Whereas, the U.S. Immigration and Naturalization Act of 1952 which went into effect in December of that same year, gave Guam the authority to import temporary alien workers; and

"Whereas, it is this same labor force that helped rebuild Guam after its destruction by World War II; and

"Whereas, from the inception of the program up to 1965, requests to import temporary alien labor to Guam was cleared at the

U.S. Department of Labor's Office in San Francisco; and

"Whereas, in 1965, the authority to certify for the importation of temporary alien workers was delegated to the local Department of Labor through the Guam Employment Service, a program administered by the local Department of Labor, but operated entirely with a federal grant from the U.S. Department of Labor; and

"Whereas, the Guam Employment Service continued to certify for requests for alien workers until 1977; and

"Whereas, in August 1977, the U.S. Department of Labor removed the authority from the local government and established a local office of the United States Department of Labor of Guam to certify all importation of temporary alien workers; and

"Whereas, concurrent with the USDOL's takeover of the temporary alien worker certification program, they established an adverse effect wage rate which gradually increased the wages of skilled H-2 workers from $3.03 per hour in August, 1977 to $7.90 per hour on January 1980; and

"Whereas, the justification given by the USDOL in establishing the adverse effect wage rate was to attract local workers to learn construction trades and accept jobs in the construction industry; and

"Whereas, the experience gained during the past three years clearly indicates that the adverse effect wage rate did not attract the local work force to seek jobs in construction; and

"Whereas, as a result of the implementation of the adverse effect wage rate, the cost of building a 1,500 sq. ft., three-bedroom concrete house on Guam has gone from $45,000 in 1977 to $73,500 in 1980, an increase of sixty three percent (63%); and

"Whereas, as a result of the increased cost, very few people on Guam are able to build homes and construction today is virtually dead; and

"Whereas, it is estimated that as a result of the adoption of the adverse effect wage rate, the dollar outflow from Guam has increased by $20 million during the period 1977 through 1980; now, therefore, be it

"*Resolved*, that in view of the adverse impact of the adverse effect wage rate to the construction industry on Guam and ultimately to Guam's economy, the Sixteenth Guam Legislature hereby requests the President of the United States and the U.S. Secretary of Labor to remove the adverse effect wage rate established by USDOL for Guam in 1977; and be it further

"*Resolved*, that the Governor of Guam shall designate the Department of Labor to determine the number and need of H-2 alien labor for the territory—and that said department or agency present to the members of the Legislature within thirty days (30) upon adoption of said resolution, the equitable wage rate for H-2 alien labors; and be it further

"*Resolved*, that the authority to certify for the importation of temporary alien workers to Guam be redelegated to the local Department of Labor; and be it further

"*Resolved*, that the Speaker certify to and the Legislative Secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the President of the United States; to the Secretary of Labor, Raymond J. Donovan; to the Secretary of the Department of Interior, James C. Watt; to Congressman Antonio B. Won Pat; and to the Governor of Guam."

POM-643. A resolution adopted by the 16th Guam Legislature; to the Committee on Labor and Human Resources:

RESOLUTION No. 1

"Be it resolved by the Committee on Economic Development of the Sixteenth Guam Legislature:

"Whereas, on September 13, 1977, the United States Department of Labor implemented the Adverse Effect Wage Rates for Guam's construction industry; and

"Whereas, these Adverse Effect Wage Rates have had a tremendous negative impact on the local construction industry, particularly small contractors; and

"Whereas, in addition, the Adverse Effect Wage Rates have increased the cost of residential construction to a level where most average income consumers cannot afford to build a home; and

"Whereas, a San Francisco District Court recently froze the Adverse Effect Wage Rates at the 1980 level after finding that, in 1977, the Secretary of Labor exceeded his authority in establishing the Adverse Effect Wage Rates for Guam; and

"Whereas, the Department of Labor recently announced that they will open proceedings to determine whether the Adverse Effect Wage Rates for Guam should be lowered; now, therefore, be it

"Resolved, that the Committee on Economic Development of the Sixteenth Guam Legislature hereby testifies in opposition to the Adverse Effect Wage Rates for Guam; and be it further

"Resolved, that the Committee on Economic Development of the Sixteenth Guam Legislature hereby requests the Secretary of Labor to exercise his administrative authority to totally abolish the Adverse Effect Wage Rates for Guam; and be it further

"Resolved, that the Speaker and Chairman of the Committee on Economic Development certify to and the Legislative Secretary attest the adoption hereof and that copies of the same be thereafter transmitted to Raymond Donovan, Secretary of Labor, Jim Medas, Special Assistant to the President, Intergovernmental Affairs; Pedro San Juan, Assistant Secretary-Designee, Department of Interior; Congressman A. B. Won Pat, House of Representatives; Roger Sardea, President, Guam Contractors' Association; Joe San Agustin, Guam Department of Labor; and to Paul M. Calvo, Governor of Guam."

POM-644. A petition from a citizen of Reno, Nev., relative to union violence in America; to the Committee on Labor and Human Resources.

POM-645. A petition from a citizen of Dallas, Tex., relative to union violence in America; to the Committee on Labor and Human Resources.

POM-646. A petition from the Cranbury Parent Teacher Association, requesting that there be no further cuts in education; to the Committee on Labor and Human Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WILLIAMS (for himself, Mr. CRANSTON, Mr. RIEGLE, Mr. SARBANES, Mr. DODD, Mr. DIXON, Mr. BRADLEY, Mr. TSONGAS, Mr. MOYNIHAN, and Mr. HUDDLESTON):

S. Con. Res. 51. Concurrent resolution relative to Federal investment in housing; to the Committee on Banking, Housing, and Urban Affairs.

ADDITIONAL COSPONSORS

S. 706

At the request of Mr. DOMENICI, the Senator from Idaho (Mr. SYMMS) and the Senator from Nevada (Mr. LAXALT) were added as cosponsors of S. 706, a bill to establish a National policy for the timely notice, conduct, approval, and record of Federal land surveys, and for other purposes.

S. 1348

At the request of Mr. SASSER, the Senator from Wisconsin (Mr. KASTEN) was added as a cosponsor of S. 1348, a bill to amend the Internal Revenue Code of 1954 to clarify certain requirements which apply to mortgage subsidy bonds.

S. 1634

At the request of Mr. COCHRAN, the Senator from South Dakota (Mr. PRESSLER) was added as a cosponsor of S. 1634, a bill to incorporate the National Federation of Music Clubs.

S. 1879

At the request of Mrs. KASSEBAUM, the Senator from Missouri (Mr. DANFORTH) was added as a cosponsor of S. 1879, a bill to amend the Milwaukee Railroad Reconstructing Act and the Rock Island Transition and Employee Assistance Act to facilitate the purchase of lines of bankrupt carriers to provide for continued rail and for other purposes.

S. 1896

At the request of Mr. STENNIS, his name was added as a cosponsor of S. 1896, a bill to amend the Internal Revenue Code of 1954 to repeal the special leasing provisions enacted by the Economic Recovery Tax Act of 1981.

S. 1901

At the request of Mr. LEVIN, the Senator from Illinois (Mr. DIXON) was added as a cosponsor of S. 1901, a bill to amend chapter 137 of title 10, United States Code, to impose certain requirements on the awarding of sole-source contracts by the military departments.

SENATE JOINT RESOLUTION 127

At the request of Mr. COCHRAN, the Senator from Maryland (Mr. MATHIAS), the Senator from New Jersey (Mr. WILLIAMS), and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of Senate Joint Resolution 127, a joint resolution to grant official recognition to the International Ballet Competition.

SENATE RESOLUTION 209

At the request of Mr. JEPSEN, the Senator from South Carolina (Mr. THURMOND), and the Senator from Oklahoma (Mr. NICKLES) were added as cosponsors of Senate Resolution 209, a resolution expressing the sense of the Senate that the President of the United States, the U.S. Senate, and the Senate Committee on Banking, Housing, and Urban Affairs should pay careful deference to the specific provisions of the Federal Reserve Act, requiring broad regional and economic representation on the Board of Governors of the Federal Reserve System, in their consideration of nominees to the Board.

SENATE RESOLUTION 238

At the request of Mr. BENTSEN, the Senator from New York (Mr. D'AMATO), the Senator from Delaware (Mr. ROTH), the Senator from Montana (Mr. BAUCUS), the Senator from Florida (Mr. CHILES), the Senator from South Carolina (Mr. THURMOND), and the Senator from South Dakota (Mr. PRESSLER) were added as cosponsors of Senate Resolution 238, a resolution to retain the deductibility from personal taxes of interest paid on residential mortgages.

At the request of Mr. DOLE, the Senator from Florida (Mrs. HAWKINS) was added as a cosponsor of Senate Resolution 238, supra.

SENATE RESOLUTION 253

At the request of Mr. DOLE, the Senator from West Virginia (Mr. RANDOLPH) was added as a cosponsor of Senate Resolution 253, a resolution expressing the sense of the Senate on "National Circle K Week."

SENATE CONCURRENT RESOLUTION 51—RELATIVE TO FEDERAL INVESTMENT IN HOUSING

Mr. WILLIAMS (for himself, Mr. CRANSTON, Mr. RIEGLE, Mr. SARBANES, Mr. DODD, Mr. DIXON, Mr. BRADLEY, Mr. TSONGAS, Mr. MOYNIHAN, and Mr. HUDDLESTON) submitted the following concurrent resolution; which was referred to the Committee on Banking, Housing, and Urban Affairs:

S. CON. RES. 51

Whereas, the United States housing industry is suffering from one of its worst recessions since World War II, marked by historically high interest rates, widespread unemployment, business failures, disastrously low levels of production and sales, and diminished hopes for homeownership among millions of potential homebuyers, and

Whereas, as many as ten million American households either live in substandard housing or pay excessive portions of their income for rent, and

Whereas, deteriorated shelter, obsolete infrastructure, and economic decline exacerbated by the current recession continue to plague urban and rural communities across the country, and

Whereas, for almost two generations the federal government has demonstrated a continuous national commitment to the goal of a decent home and a suitable living environment for each American family, through its housing assistance, community development, and mortgage finance programs, and

Whereas, the maintenance of this national commitment is essential to the health of the economy, and the well-being of individuals and their communities, and

Whereas, the adoption of certain recommendations of the Office of Management and Budget would have a catastrophic effect on the country's ability to meet housing and community development needs.

Resolved by the Senate (the House of Representatives concurring), That the Congress strongly reaffirms the federal government's role in improving housing opportunities for all Americans, and the social and economic conditions in distressed urban and rural communities by:

(1) supporting cost-effective and meaningful federal efforts to address the unmet housing needs of low and moderate income persons, the elderly, the handicapped, and others with specialized housing problems,

(2) preserving the capacity of federal mortgage insurance and secondary market programs to perform their traditional roles in serving potential homebuyers, and

(3) maintaining an important role for the Community Development Block Grant program, and the Urban Development Action Grant program in answering pressing community development needs.

Mr. WILLIAMS. Mr. President, today I am submitting a concurrent resolution relating to the administration's proposals to curtail sharply Federal involvement in housing, and to phase out the community development block grant and urban development action grant programs.

The purpose of this concurrent resolution is to put Congress clearly on record in opposition to these callous proposals and in favor of a continued Federal commitment to decent housing and better communities for all Americans.

As my colleagues are no doubt aware, the press has been filled with stories about OMB's proposals to slash the heart out of housing and community development programs which are of vital importance to almost every American community and millions of needy citizens. The catastrophic impact of these proposals is immediately understandable by a reading of the text of OMB's recommendations and the subsequent draft of the HUD response. I will be submitting these materials for publication in the RECORD.

Suffice it to say that if OMB were to have its way we would have no more production of assisted housing; we would cripple the ability of FHA to be an effective source of mortgage credit for moderate income Americans; and we would simply end the community development block grant and UDAG programs, which are a crucial source of assistance for the mounting economic and infrastructure needs of our cities.

Mr. President, it is my view that the Congress of the United States will not support the approach Mr. Stockman is suggesting. It is therefore my hope that the President would choose not to adopt the OMB proposals, but would work with the Congress to help assure that these important programs continue to serve our people in a cost-efficient and compassionate manner.

I believe that the concurrent resolution I am submitting today will help convince the President of the wisdom of that choice.

Mr. CRANSTON. Mr. President, I am pleased to cosponsor this concurrent resolution because it expresses Congress intent to reaffirm its support for housing and community development programs.

These programs are threatened because the Office of Management and Budget proposes to slash the Department of Housing and Urban Development's budget by terminating construction of assisted housing projects, increasing the amount of rent that tenants will have to pay in order to receive Federal housing assistance, cutting operating subsidies for public housing, and phasing out needed community development programs. Even HUD officials after reviewing the proposed cuts have commented that this proposal will lead to "rent strikes, riots, vandalism, and irreparable damage to projects." If enacted, the OMB proposals would wreak havoc on this Nation's supply of federally assisted housing units by causing widespread bankruptcies and receiverships.

Housing is in a mess today because of the Reagan administration's policy of tight money and high interest rates. But instead of getting the Government out of the business of making housing scarce, OMB wants to get the Government out of the business of making housing available.

I do not agree with that cruel and shortsighted philosophy. Considering the pressing unmet needs for housing and community development, a Government role clearly is essential. This concurrent resolution reaffirms the Federal Government's traditional compassionate role in this vital area and I strongly urge my colleagues to support it.

AMENDMENTS SUBMITTED FOR PRINTING

SMALL BUSINESS INNOVATION ACT OF 1981

AMENDMENT NO. 651

(Ordered to be printed.)

Mr. ROBERT C. BYRD proposes an amendment to the bill (S. 881) to amend the Small Business Act to strengthen the role of the small, innovative firms in federally funded research and development, and to utilize Federal research and development as a base for technological innovation to meet agency needs and to contribute to the growth and strength of the Nation's economy.

AMENDMENT NO. 652

(Ordered to be printed.)

Mr. BAKER (for himself, Mr. JEPSEN, and Mr. WEICKER) proposed an amendment to the amendment (No. 651) proposed by Mr. ROBERT C. BYRD to the bill S. 881, supra.

NOTICES OF HEARINGS

TEMPORARY SUBCOMMITTEE ON FEDERAL CREDIT

Mr. GORTON. Mr. President, the Temporary Subcommittee on Federal Credit of the Senate Budget Committee will hear testimony relating to Federal credit activities on Thursday, December 10, at 10 p.m., in room 6206 of the Dirksen Senate Office Building.

Witnesses scheduled to appear are Alice Rivlin, Director, Congressional Budget Office; Larry Kudlow, Assistant Director of Economic Policy, Office of Management and Budget; Nancy Teeters, Board of Governors, Federal Reserve System; Roger Mahle, Assistant Secretary of Domestic Finance, U.S. Department of the Treasury; and Harry S. Havens, Assistant Comptroller General, Government Accounting Office.

For more information, contact David Nummy of the Senate Budget Committee staff at 224–0536.

SUBCOMMITTEE ON FEDERAL EXPENDITURES, RESEARCH AND RULES

Mr. DANFORTH. Mr. President, on Thursday, December 10, the Subcommittee on Federal Expenditures, Research, and Rules of the Committee on Governmental Affairs will hold a hearing to consider the draft proposal for a uniform procurement system, recently submitted to the Congress by the Office of Federal Procurement Policy. The Hearing will begin at 2 p.m., in room 3302 of the Dirksen Senate Office Building. This hearing was previously scheduled for December 3. Interested persons should contact Patricia Otto, chief clerk, at 224–0211.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. WEICKER. Mr. President, I ask unanimous consent that the Committee

on Foreign Relations be authorized to meet during the session of the Senate at 2 p.m. today, Monday, December 7, to hold a full committee hearing on the nominations of Gerald Thomas to be Ambassador to Guyana and James Theberge to be Ambassador to Chile.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON THE CONSTITUTION

Mr. WEICKER. Mr. President, I ask unanimous consent that the Subcommittee on the Constitution, of the Judiciary Committee, be authorized to meet during the session of the Senate today, Monday, December 7, to discuss Senate Resolutions 17, 18, 19, and 110, resolutions pertaining to the abortion issue.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BAKER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, December 8, at 11 a.m., to hold a business meeting to discuss treaties, nominations and legislation before the committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. BAKER. Mr. President, I ask unanimous consent that the Governmental Affairs Committee be authorized to meet during the session of the Senate at 9 a.m. on Tuesday, December 8, to hold a full committee oversight hearing on debt collection in the health professions.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

EXECUTIVE ORDERS ON INTELLIGENCE ACTIVITIES

● Mr. SCHMITT. Mr. President, on Friday, December 4, 1981, the President issued two new Executive orders on U.S. intelligence activities after detailed consultation with the Select Committee on Intelligence. The first order sets forth the mandate and standards for the conduct of intelligence activities, and the second order is the charter for the President's Intelligence Oversight Board.

As chairman of the subcommittee that reviewed the draft order, I am pleased that the orders reflect substantially the views of the committee as expressed in the consultative process. While not every Member may be fully satisfied with every provision, I believe that the orders can provide a firm foundation for the conduct of intelligence activities with bipartisan support from the Congress.

Let me take this opportunity to report to the Senate on the consultative process that occurred with respect to the Executive orders.

Early in 1981, the administration made known its intention to replace the previous Executive order on intelligence activities with its own Executive order. During the confirmation hearings on William Casey for the position of Director of Central Intelligence, Director Casey made a commitment to the select committee that we would be consulted prior to the promulgation of any new such order.

In the spring of 1981 two proposed Executive orders surfaced. The committee was informed that these two orders were only working drafts, but they came to the attention of the press and created some controversy. The admministration, once again, assured the committee that, prior to promulgation of an Executive order on intelligence activities, the committee would be consulted.

The administration forwarded copies of its proposed Executive order to the committee on September 23, 1981. As part of the consultative process, the committee agreed to review the proposed order and to forward its comments, observations, and suggestions to the administration in an expeditious manner.

The committee understood that the promulgation of an Executive order is solely within the prerogative of the President. It was not the intention of the committee to limit that prerogative. However, within the oversight responsibilities of the committee and due to the important and highly sensitive nature of intelligence and the turmoil within the intelligence community during much of the 1970's, the best interests of the community are served by cooperation between the executive and legislative branches of Government. The consultation on this Executive order took place in that spirit.

It is the opinion of the committee that the review process, which involved three meetings of the Subcommittee on Legislation and the Rights of Americans with representatives of the intelligence community in addition to written questions and answers, was useful to both the committee and the intelligence community. Because of this process, the committee developed a better understanding of the rationale for the provisions of the Executive order and some of the problems which arose under Executive Order 12036.

The intelligence community has also benefitted from these exchanges in that it better understands the concerns of the members of the committee as well as possible concerns of the public at large.

The recorded meetings and written correspondence between the committee and the intelligence community agencies has provided the committee and the Congress with a history of the intent of the provisions of the Executive order. This history will assist the committee in discharging its oversight duties.

The committee is pleased with the positive tone of the new Executive order. This cannot but help the morale of individuals working in the intelligence community. The outlining of the goals in section 1–1 is helpful in providing direction to the intelligence community and a better understanding for the public at large of the purpose of intelligence.

It is especially important for the American people to understand that the new order maintains adequate safeguards against improper intelligence operations within the United States. There is no change in the restriction on undisclosed participation by CIA employees in domestic organizations to influence the activities of the organization or its members.

The order does widen CIA authority to conduct special activities (or covert action) so that operations of limited scope could take place within the United States. However, there are specific checks to prevent abuse of this authority.

First, the purpose must be to support national foreign policy objectives abroad. Second, the operation cannot involve undisclosed participation by CIA in any domestic organization to influence the activities of the organization or its members. Third, under a new limitation added in this order, no special activities anywhere may be undertaken to influence U.S. political processes, public opinion, policies, or media. This new limitation makes clear that the CIA does not have the authority to undertake special activities to influence U.S. media, even if the ultimate objective might be to affect foreign countries.

In general, the new order fully respects the duties and responsibilities of the Congress and the two oversight committees. The President has made it clear in the order itself and in the consultation process that preceded in that the administration understands the importance of congressional oversight of intelligence activities.

This is particularly significant with regard to some of the other provisions of the order that change the standards for collection of intelligence concerning the activities of U.S. citizens. While in several respects the authority of the CIA is expanded, the Select Committee expects to be consulted on the procedures that will implement the order. The committee also intends to exercise its oversight authority to insure that there is no abuse of these powers and that within the United States the collection of intelligence concerning U.S. citizens is conducted by the FBI unless there are truly exceptional and compelling reasons for the CIA to assist.

The administration acted in good faith in its consultations with the committee. The willingness of the administration to provide an "on the record" discussion of the proposed order and to respond to oral and written questions of committee members was most forthcoming and much appreciated. It is hoped that this process will continue in this and other matters relating to issues affecting the Intelligence community.●

WANTED: LEADERSHIP IN HOUSING

● Mr. DODD. Mr. President, I recently addressed the Senate with my concerns with the reported recommnedations of the Office of Management and Budget for Federal housing and community revelopment programs. The OMB is advancing budgetary proposals for the next fiscal year which will immediately halt any additional housing assistance for lower income families and senior citizens and begin a phase-out of the major efforts which support community development and revitalization in distressed urban and rural communities. These pol-

icies not only signal a reversal in this Nation's historic commitment to assist the housing needs of the poor, but also represent an abdication by the present administration of any leadership in attempting to fashion alternative housing policies which recognize both the admitted shortcomings of current programs and budgetary limitations.

This latter point is well borne out in an article by I. D. Robbins in the real estate section of the December 6, 1981 edition of the New York Times. This article rightfully points out that the recent OMB proposals and the recommendations in the interim report of the President's Commission on Housing fail to offer any constructive alternatives for encouraging the development of new housing opportunities despite the desperate need for additional housing and the worst depression on record in the housing industry. The article goes on to suggest a very modest subsidy initiative to foster the construction of single-family, owner-occupied homes.

This idea is similar to a bill I have introduced for the development of rental housing through housing development or second mortgage loans. While both concepts may not be the ultimate answers to current problems, the point is that there is no dearth of constructive ideas which deserve our consideration and immediate attention. If the administration will not assume this traditional leadership role with the Congress, then the Congress must go it alone before existing programs are severely reduced or eliminated completely.

According to this article, "research suggests that there is not a country anywhere that does not claim to have a practical national program to encourage housing construction." We must not allow this administration to put this Nation in a unique position in this regard. I will call the attention of my colleagues to this recent article and ask that it be printed in the RECORD.

The article follows:

WANTED: LEADERSHIP IN HOUSING

(By I. D. Robbins)

If the recent report of the President's Commission on Housing is any guide, the Reagan Administration is making no provision for the "supply side" in its housing policies.

Home construction, already in the doldrums, will stay there.

The report contains no proposals for incentives for new construction or rehabilitation, no inducement for home ownership, no proposed offsets for high interest rates or high construction costs. And there is no provision for public housing.

Historically, administrations have favored and Congress has adopted new legislation to encourage housing construction in response to the needs of the building industry, the general economy and consumer demand for shelter. Research suggests that there is not a country anywhere that does not claim to have a practical national program to encourage housing construction.

But the commission has essentially proposed only a new form of rent subsidy to lower-income people, payable to tenants instead of landlords as at present. This time the subsidy is to be a form of welfare payment—vouchers that would give low-income tenants licenses to hunt for vacant apartments. Whenever they are lucky enough to find a place to live, poor people would get a portion of their rent paid.

Welfare departments and housing agencies, which now place tenants, would presumably try to help tenants who are eligible for vouchers. Other than "decent housing" and "not better housing than moderate-income households," the commission did not spell out the upper limits of the voucher payments. Nor did it place a limit on the number of vouchers and their total cost. The final laws or regulations would no doubt limit payments and put controls on vouchers.

If the Administration wants to combine a socially useful governmental housing program at the least cost, what it should do is provide one-time interest-free capital loans or outright grants toward the construction of single-family, owner-occupied row houses.

This program should be aimed at providing conventionally constructed shelter for families earning as little as $16,000 a year. Depending on size and amenities, these houses could carry price tags of $34,000 to $50,000.

One market effect would be to induce upwardly mobile families in public housing to choose ownership and leave space for those on waiting lists. Single-family row houses cost only half as much to build as equal space in high-rise buildings. And they avoid costly managerial and maintenance services.

A small and practical Federal program, about all we can hope for from a cautiously conservative Administration, might well contemplate 100,000 dwelling units a year, each with a grant of $25,000 for a total of $2.5 billion a year. As security for the grant money, the Government would get a lien, with the grant to be returned when the house is resold.

The grantee obviously must not be permitted to treat the Government's contribution as part of the profit in a sale. Based on an average of the rising sales prices and turnovers since 1936, the Government could reasonably expect to recover all of its capital grant money in less than 10 years. After that, the program would be substantially self-financing out of the recovery on the liens.

Although mortgagees should be delighted with the security of their relatively small position in the financing, their loans could, if necessary, be insured. The grant fund could be further protected through small annual grant insurance payments by the homeowner.

To get the most mileage from the grant program, a system of qualifying for grant commitments could take into account land costs (to encourage cities to contribute property taken for nonpayment of taxes), available municipal tax abatements, the cost of construction, the size of the project and how it will create a sound neighborhood, voluntary community interest and evidence of sales potential and the speed with which a city contracts to process the program and commits itself to the work.

At this point, however, it appears that the Administration is concentrating on the voucher system. As a substitute for the current rental assistance program known as Section 8 for existing housing, it has one major advantage: it is not by law or by contract either continuing or cumulative. It can be changed or cut off. It is a true welfare-like program, to be available to families earning 50 percent or less of the median income in the area.

In addition to the voucher proposal, the commission made only two recommendations of substance. One was that cities or states should be allowed to use present community-development block grants, now devoted to other purposes, to assist new housing construction. The other was that owners of "residential rental structures" 30 years or more old should have an investment tax credit of up to 20 percent on rehabilitation expenses, similar to that now permitted on nonresidential real estate.

It is easy to see why the Administration would like to stop the growth of cumulative housing debt. According to the 1982 budget of the Department of Housing and Urban Development, subsidy obligations for all programs now total $250 billion. A $6,000-a-year Section 8 rent subsidy would in 40 years aggregate $240,000, four times the original construction cost. With only 500,000 units covered since the program started in 1974, obligations of $119.5 billion have been accumulated.

An 8 percent interest subsidy on a mortgage loan of $80,000, under Section 236 for multiple dwellings or Section 235 for single-family housing, would cost the Federal Government $4,800 a year per unit. A modest 100,000-unit, 40-year program would aggregate obligations of $245 billion.

But, as the housing industry declines further, as inevitable scandals erupt in the voucher program, as the people demand new housing but lack the funds to pay for it or finance it at high interest rates and the states and cities are unable or unwilling to fill the gap, the Federal Government will probably have to come forward with a new supply side program.

There must be either a change of attitude at the top within the Reagan Administration or a vastly greater concern for housing by states and cities. Samuel R. Pierce Jr., the Secretary of Housing and Urban Development, would like to find ways to encourage home building that are more acceptable to the White House. He would like to encourage stable family life through the values in the cities' existing schools, sewers, streets, parks and utilities.

But the Secretary is boxed in at present. He lacks the status in the Administration necessary to push a new program. His natural allies—the cities, the minorities, the home builders, the young families seeking first homes—are not the major clients of those in power. If new programs are to be adopted, they will probably have to be initiated in Congress or be the result of tide of public opinion nurtured by governors, mayors and legislatures and by organizations that make more and better housing a main goal.

The hope is that this will yet develop.●

THE ADMINISTRATION'S 1983 BUDGET FOR THE DEPARTMENT OF ENERGY

● Mr. KENNEDY. Mr. President, over the weekend we have begun to learn the details of the administration's plans for the Department of Energy budget for fiscal year 1983.

I am deeply concerned that the administration is once again following a one-sided policy of eliminating or nearly eliminating funding for virtually every component of DOE—conservation, solar and other renewable energy, and fossil fuels—except nuclear energy. These budget proposals are tantamount to a dismantling of the agency, without any formal proposal from the administration. They reflect a policy that ignores our most pressing national energy needs—reduced dependence on imported oil and development of diversified energy sources, including conservation.

Today I have sent a letter to the Director of the Office of Management and Budget expressing my concerns over these proposals, and ask that the text of the letter appear in the RECORD.

The letter follows:

COMMITTEE ON LABOR
AND HUMAN RESOURCES,
Washington, D.C., December 7, 1981.

Hon. DAVID A. STOCKMAN,
Director, Office of Management and Budget, Executive Office Building, Washington, D.C.

DEAR MR. STOCKMAN: I am distressed to learn of your efforts to virtually eliminate funding in the FY 1983 budget for a vital portion of our national energy program—conservation and renewable energy sources. It is my understanding that you have proposed reducing conservation programs by over 97 percent below the 1981 level and would cut solar and other renewable programs by approximately 85 percent below 1981. Coupled with a nearly 50 percent reduction for fossil fuels research, your proposed budget would convert DOE into little more than a resurrected Atomic Energy Commission.

For the better part of a decade, our national energy policy has been guided by a consensus on two fundamental principles—the need to reduce our dependence on foreign oil and the need to develop a balance among conservation and the various sources of energy. In a single stroke your proposal undermines these two vital goals.

I strongly urge you to reconsider the levels and allocation of funds for the Department of Energy for 1983. If you and the Administration are determined to hold fast to your course of eliminating all but the nuclear component of the Department, I believe you have an obligation to undertake a forthright, abolition of DOE, rather than attempting to do so through the budget process.

Sincerely,

EDWARD M. KENNEDY,
Ranking Minority Member.●

ARMY'S DAWKINS: FROM ALL-STAR TO ONE-STAR

● Mr. KENNEDY. Mr. President, I wish to call the attention of the Members of the Senate to an article in the December 1 edition of the Washington Post entitled, "Army's Dawkins: From All-Star to One-Star."

Pete Dawkins' name has become synonymous with excellence and service to our country. At West Point, he established a record of accomplishment that has yet to be equaled. While having the responsibility of being first captain of the Corps of Cadets, he also became a "star man" ranking in the top 5 percent of his class academically, president of the senior class, captain of the undefeated Army football team, an All-American halfback, and won the Heisman Trophy.

To top off his last year, he was chosen as a Rhodes Scholar. During his time in England, he took a short break from his studies and from becoming a star at rugby, to attain perhaps his greatest achievement, marrying Judi. They are now the proud parents of two children, Sean and Nicole.

Since his graduation from the Military Academy, General Dawkins has served his country in Vietnam and Korea, as well as distinguishing himself in assignments at the Pentagon, Fort Ord, and Fort Campbell. In his spare time, he got his doctorate degree in international relations from Princeton.

His leadership and vision have been a credit to the U.S. Army, and it is fitting that he should become its youngest general. It is heartening for all Americans to know that a man of Peter Dawkins' ability is involved in our national defense. He is certainly an outstanding example of the inspirational ideal expressed in the West Point motto: Duty, honor, country.

Mr. President, I submit this article for printing in the RECORD.

The article referred to is as follows:

ARMY'S DAWKINS: FROM ALL-STAR TO ONE-STAR

(By Dave Kindred)

The way Pete Dawkins dashed through his Pentagon office, you'd have thought somebody had pushed, oh nooo, the button. Either that or Al Haig was on his way over to inspect Cap Weinberger's quarters. Or someone said Army needed a running back for this Saturday's war with Navy. Turns out it wasn't anything so scary. "Staff meeting—I'll back in five minutes," Dawkins said.

Pete Dawkins is 43 years old. A bit over 6 feet tall. Lean, athletic, in balance. Heavy in the shoulders. Brown-going-gray hair, trimmed just so. Chin high, eye contact solid, handshake firm. He won the Heisman Trophy for being a good halfback in 1958, when his coach said, "I can practically prophesy that someday Dawkins will be chief of staff." Bombs or Alexander the Great or Navy, you get the idea this guy can handle it.

Brig. Gen. Peter M. Dawkins is the Army's youngest general. His title: Deputy Director, Strategy, Plans and Policy. He works for a four-star general who is a deputy chief of staff for operations and plans. In the labyrinthine complexity of an Army organization chart, Dawkins is just another name in little type—a one-star kid on the way up but with a long way to go.

"We deal with everything from contingency planning for the rapid deployment force to what the Army ought to look like five years from now," Dawkins said, back in his office. "We develop strategy on, say, Southwest Asia or the Caribbean or NATO, or for the theater nuclear force negotiations with the Soviets."

When Roger Staubach talks about bombs and Pete Dawkins talks about bombs, they're not saying the same things.

Dawkins won the Heisman while captain of the U.S. Military Academy's last undefeated team. Staubach won it five years later at Navy. Nowadays we see Staubach a lot. He's the TV fellow asking people on the street corner how they spell relief. He did his tour of duty after graduation, keeping a hand in football at every port (we didn't lose a sub while Staubach quarterbacked at Penscola). Then he did okay with some pro team in Texas.

So while Staubach grew famous in Pittsburgh and Minneapolis, Dawkins got lost in Vietnam and Korea, Fort Ord and Fort Campbell. Staubach got rich, Dawkins got medals. The last sighting of Dawkins came in 1972, when he surfaced in the national media as the ultimate soldier of America's new volunteer army: the t.t.u.—tough, thoughtful, unarmed. He helped shape the volunteer force, insisting the Lombardi authoritarian manner wouldn't work on kids who resent nothing as much as an order to get a haircut. Longer hair in the Army is one of Dawkins' suggestions.

Elvis was a bigger deal in '58 than Pete Dawkins, but not in one house where the kid, a high school junior who didn't even play football, thought Dawkins was as good as it gets in this world. He was this good: the biggest deal at West Point is to be first captain of cadets because you're the boss of everybody; after that comes the football captain, followed by class president and then "star man," which means you rank academically in the top 5 percent of your class.

It's a big deal to reach two of those stations. Douglas MacArthur was first captain and a star man in 1903.

Pete Dawkins was first captain, football captain, class president and 10th in a class of 499.

Nobody did that before or since.

There's a Heisman television show coming up Saturday night, with the presentation of this year's hunk of bronze, and Bud Greenspan will have film showing how Pete Dawkins won his Heisman. The guy caught passes averaging 30.6 yards, he led Army in rushing, he signaled the plays to the Lonesome End, Bill Carpenter. In his spare time, he became a Rhodes Scholar.

There's a little picture on his office wall from his Oxford experience as a rugby player. He is sitting on a fellow's chest, one hand at the miscreant's throat latch, the other drawn back to punch his lights out. Such repartee is inevitable in rugby.

"He insisted on tackling me after I had passed the ball," Dawkins said, "and so we had several discussions of the rules. As I was about to punch the fellow, he smiled at me and he didn't have any teeth at all. Somehow or other, I couldn't punch a guy who had no teeth."

On the picture is the caption, "When I say one-eighth-inch tape, I mean one-eighth-inch tape!"

His staff at Fort Campbell had attached the caption as a going-away present this summer when Dawkins moved from chief of staff of the 101st Airborne Division into his new job with the one star on his shoulders.

"I had expressed disgruntlement at what I thought was a lack of precision on a bar graph," Dawkins said, explaining, "I worked with them in detail to spruce it up. I wanted one-eighth-inch tape for the graph."

The competitive urge—"a congenital flaw," the general confesses—moves Dawkins to the tennis court once a week these days. Heskis, too, with his wife, Judi, and children Sean and Noel. He doesn't bring it up a lot, because he's sensitive to the football identity so long removed from the field, but Dawkins says he sees "striking similarities between a really top-flight military unit and a winning team. It's teamwork, in which you simply can't succeed unless you understand that only by each person doing his thing very well can the group succeed. They have to want to be part of something, and to go beyond what just their task is. All of the great plays, the game-winning plays, came about because somebody did something extra that they weren't supposed to do."

As for Army's recent football decline, the old grad said, "I don't feel good about it. But let me be quick to say, if I had a ready solution to reversing it, I would certainly not be sitting here keeping it a secret. . . . Three things contributed to it: An unpopular war in Vietnam, an antiauthority mood across the country and the dramatic emergence of professional football. . . . But now, the mood of the country has changed, I think, markedly. It's much more healthy and supportive of the academies."

When he could be a politician (the Senate has an old basketball player already) or a diplomat (PhD, Princeton, International Relations), Dawkins says he remains a career soldier because he likes the people he works with and he thinks this country ought to have a strong national defense.

"If there ever came a day that I didn't feel I could make some contribution personally to life, to make a difference in what the Army is and what it does, then I'd do something else," Dawkins said.

The Redskins could use a running back.

"Oops, I have to go," Dawkins said, smiling. "A four-star general is waiting for me."

Still smooth after all these years.●

SCM CORPORATION

● Mr. D'AMATO. Mr. President, the Wall Street Journal reported on Tuesday, De-

cember 1, that Smith-Corona Corp. (SCM) laid off 500 of the 4,000 employees of its typewriter group indefinitely. Also, production of Smith-Corona typewriters will be suspended at three plants for 3 weeks starting December 14, affecting 3,450 workers.

SCM has claimed, and the Department of Commerce has agreed, that several Japanese typewriter companies have been "dumping" typewriters in the United States since the early 1970's. The present court case between SCM and the Commerce Department is not over dumping, but over SCM's contention that the dumping charges on the Japanese typewriter manufacturers are too low.

While I am in favor of a free-trade economy, I am also in favor of a fair-trade economy. Clearly, the Trade Agreements Act of 1979, and the report language of the bill, spelled out congressional intent in this bill—to have the U.S. Government provide strict enforcement of antidumping laws. The Treasury Department was not enforcing these antidumping laws; therefore, the Trade Agreements Act of 1979 gave the Commerce Department jurisdiction over antidumping enforcement. Since the early seventies, when the Japanese began their typewriter dumping practices, the employment levels in SCM's upstate New York plants have been steadily decreasing.

I wish to put myself on the side of William Brock, President Reagan's trade negotiator. In his statement of U.S. trade policy, he says:

> A strong U.S. economy is our goal. Free trade based on mutually acceptable trading relations, is essential to the pursuit of that goal.

In explaining this point, he goes on to say:

> The administration will strictly enforce United States laws and international agreements relating to international trade. Specifically, our antidumping . . . duty, and similar structures are designed to neutralize or eliminate trade distortive practices which injure U.S. industry and agriculture. We regard these laws as essential to maintain the political support for a more open trading system.

I cannot sit by while my own Commerce Department has decided this issue on the side of SCM, but has made the penalty for dumping so low for the foreign manufacturer that it does nothing to discourage them from continuing the practice. I support President Reagan's trade goals for free trade based on mutually accepted trade agreements. I must also make the strong plea for our own Government to enforce those trade agreements, which means enforcing antidumping practices where they exist, allowing the penalty to discourage a practice which most of our trading neighbors have mutually agreed is an unfair trade practice.●

COURT-ORDERED CLOSING OF A PUBLIC HIGH SCHOOL

● Mr. JOHNSTON. Mr. President, on November 25, the Times of Shreveport, La., presented an article headlined "Ashland: Closing of the Town School Sends Community Reeling."

In this story, writer Keenan Gingles offers a poignant and powerful account of the court-ordered closing of a public high school and its impact on the small community of Ashland.

I commend the article to the attention of my colleagues and ask that it be printed in the RECORD.

The article follows:

ASHLAND: CLOSING OF THE TOWN SCHOOL SENDS COMMUNITY REELING

(By Keenan Gingles)

ASHLAND.—For decades life here has revolved around a couple of things basic to rural folk of north Louisiana—religion and education.

If there was one thing that a man could hang his hat on, as the saying goes, it was the fact that on Sunday morning a sermon would be preached from the pulpit of the local Baptist church and that education would be spooned out Monday through Friday.

The sermons are still being preached, but education is no longer taken for granted in this tiny village that has an almost pastoral setting, peacefully situated along a narrow ribbon of highway that cuts through the pine-studded, rolling hill land of extreme northwest Natchitoches Parish.

Across the road from the combination post office and town hall building are the Ashland Baptist Church, the parsonage and the Coffey General Store. There are a couple of streets, lined with white frame houses that lead off the main highway. From either direction of the highway cattle can be seen grazing in autumn-browned fields.

It was once a larger place. Years ago a cotton gin operated for hardy farmers who tilled the thin top soil, producing bales of cotton, corn and other row crops.

To more than a small degree life was laid back, revolving slowly around the white cinder block church and, until recently, the school. During spring, summer, fall and winter, basketballs swished through hoops in the school's small gymnasium. Baseballs cracked off bats on the playing field outside and small children entertained themselves on the "monkey bars" on the playground.

But times change. Farming, particularly cotton, began to disappear with the Depression and fell by the wayside as sons and daughters gave up tilling the soil for the chance at a college education and the jobs that urbanized areas offered.

Those who stayed made their living off the thriving timber industry or by commuting to jobs in Natchitoches or Shreveport.

A large portion of the good life stayed the same. Just as it had been for decades, there was still the cold home-made ice cream on warm summer nights and dinner on the grounds on Sundays after church. At school, the Bearcats still did battle every fall and winter with nearby rival schools such as Fairview Alpha, Castor and Martin.

And all the while, all over the state, small schools were being boarded up, succumbing to a fate that school officials euphemistically refer to as consolidation, caused by too few students or court-ordered desegregation plans.

In Ashland, Mayor Randall Martin and other residents had heard talk of closing the Ashland school for years. "They wanted to close it. They (school officials) even bought a piece of property over at Creston and built some buildings," he said.

The Natchitoches Parish School Board proposed closing the high school and sending the students to the newer facility. Parents, after a few gasping breaths, rallied and met the proposal head on and persevered, according to the mayor.

That threat was knocked down. Desegregation in the early 1970s brought more students—a third of the enrollment was black—and a new complacency. Worries about meeting pupil enrollment standards were over with the added black students.

There would still be commencement exercises and again a dozen or so students would march out of the hallowed halls of Ashland High School, diploma in hand, ready to take on the world.

But trouble was brewing. The Natchitoches Parish School Board was under a class action federal lawsuit to further desegregate the public school system. The ball was seemingly in the court of local officials, who hurriedly prepared new plans to ensure racial equality in education.

Senior U.S. District Judge Nauman Scott wasn't a man to fool around. The year before, he had drawn his plan for nearby Rapides Parish, a plan which brought massive change to that system, busing rural students into Alexandria. The case became known nationally as the "Buckeye Three" affair after three teen-age girls defied a federal court order and attended a school to which they had not been assigned.

The School Board presented its plan, as did a new group that had formed called S.O.S., for Save Our Schools. But just as he did in Rapides, Scott designed his own plan.

A single stroke of his pen wiped out the very existence of the Ashland school, as well as several other schools in the parish. The new court order sent Ashland and the other communities reeling as it put into motion the wheels that would bus the Ashland children to Goldonna and Campti.

Now the school sits abandoned, its sidewalks overgrown with tall grass. Heavy steel chains are padlocked around the door handles to the gym, binding the doors closed. A large case of trophies amassed by Ashland athletes over the years is still visible through dusty glass of the doors.

Last fall workers hired by the school system, accompanied by federal marshals, removed school equipment, carrying it to other schools in the parish. The trophies are about all that remains. "They wouldn't dare touch those," the Rev. Earl D. Roderick said.

Roderick, a former Air Force chaplain for 10 years, is the pastor of Ashland Baptist Church and one of a group of parents who decided that instead of buckling under and sending the children by bus several miles away to new school zones, a new school would be started.

"It just about killed everybody," Martin said of the closing of the school, as he sat across the table from Roderick. The pastor, his hands clasped across his knees, agreed. But in a way, he said, the closing pulled the community together as it perhaps never had been toward a unified purpose of saving the school.

Last year, school again was held at Ashland, but not in the school. Roderick, Martin other residents began the Ashland Community School armed with sheer determination, some volunteers and some aid from the village and the church.

Today, about 90 of the village's children attend classes. The high school meets in the two-room town hall, adjacent to the post office, while the other grades meet in small rooms in the church's education building.

Volunteers, seven who have teaching certificates, preside over classes ranging from chemistry to the basics of English and reading.

Martin is on the school board. His brother, Jerry Martin, teaches biology and mathematics, while the two's mother, a retired teacher, also has a couple of classes.

Both men disavow any intention to hurt public education or equality for minorities. "We're not trying to destroy the public school system. All we are concerned about is the

school at Ashland. This, as far as we are concerned, is a temporary measure. We hope to get our school back," Roderick said.

Roderick said that until recently a black served on the private board and although no blacks attend, they are welcome at the school.

Like many other town residents, the two say that the village's only hope for that is an anti-busing amendment offered to a bill pending in Congress. The amendment by Louisiana Sen. J. Bennett Johnston would prevent busing children to any school, but the closest one, for any period of time longer than 15 minutes or five miles from their homes.

Subject to local board approval, it would in effect, they said do away with busing their children outside Ashland and require that Ashland be reopened.

"That's about our best shot," Martin said. "We began the school and we said we would try it for a year. Right now, we're not thinking in terms of any alternatives to reopening the (public) school."

During the day, the town hall and education building is a hubbub of activity. Three classes are under way in the town hall, while nine or 10 are going on in the education building. Several children are playing on the equipment at the playground near the church.

"It went a lot better than I expected it would," said Mrs. Clovis Pullig, principal of the school and a retired elementary teacher.

She surveys the group of students and smiles. "The main problem has been in keeping enough workers, but the parents support it. It's also somewhat of an inconvenience because the parents have to send lunches and provide transportation, but all in all, it has run pretty smoothly," she said.

Asked how long she or the others could continue on a voluntary basis, she laughed. "I didn't think I would get through this year, but I'm still here."

Next year, Martin said, they hope to have the school reopened. But it appears to be an almost impossible dream. Already there are cracks in the paint on the home economics building. The sidewalk canopies are leaning some.

The school looks forlorn and lost, and oddly abandoned, as the court order prohibits the private school from using its facilities or even the village utilizing it as a community center.

Finally, Martin speaks softly about maybe another plan, one that would establish another school at Creston—a centralized location which would serve all area students.

He doesn't dwell much on the thought—as he says, Ashland isn't looking for alternatives to reopening. Townsfolk are hopeful that the Johnston amendment will be approved. If that happens, then maybe come next year then the school bell will ring again, ushering in another year much like the ones in the not-yet distant past.

Martin leans back, frowns, then agrees that he has heard of several small schools closing over the years. Few reopen.●

THE SURVIVAL OF DEMOCRACY IN COSTA RICA

● Mr. MOYNIHAN. Mr. President, on Sunday, December 6, 1981, the people of Costa Rica celebrated the 33d anniversary of the abolition of the army as a permanent institution. The celebration was also the occasion for a grand public demonstration in honor of my friend. Don Jose Figueres Ferrer, who recently turned 75, since it was Figueres who, as leader of the revolution of 1948, made the decision to abolish the army on December 2, 1948.

Costa Rica is the only republic in the world without an army. Domestic security rests with a civilian police force divided into a civil guard and a rural guard, while external security depends on the inter-American security system. At the end of 1948 and again at the beginning of 1955, Costa Rica was invaded by insurgent forces supported by Nicaraguan Gen. Anastasio Somoza Garcia. On both occasions the Government of Costa Rica solicited assistance from the Organization of American States to defend its territorial integrity.

In March 1948, a group of civilians led by Figueres fought a 3-month civil war against a corrupt administration which had refused to recognize the electoral victory of the opposition party. Following the victory of the Army of National Liberation, Don Jose Figueres headed a junta which held power for 18 months. During the junta's rule a National Constituent Assembly was elected, and in 1949 approved the constitution which is still in force today. At the end of the state of emergency, Figueres turned the government over to President Otilio Ulate, who had won the 1948 elections which the defeated regime had refused to recognize.

The most historic action of the transition government of Don Pepe Figueres was the abolition of the army as a permanent institution. For the first time in the history of mankind, a general victorious in battle disbanded his army, arguing that a civilian police force was sufficient for internal security. Regardless of the size of the nation and the number and strength of the forces involved, the fact remains that Costa Rica chose the "zero option", and decided to put into practice the civilizing ideal of total and unilateral disarmament.

The ceremony abolishing the army was brief and simple. Surrounded by 500 students, Don Pepe declared that this act was an offering from Costa Rica to the American continent as a token of "love of civility, democracy, and institutional stability." In a symbolic gesture, Figueres took a wooden hammer and struck one of the battlements of the fortress Bella Vista, principal barracks of the army. He then gave its keys to the Minister of Education to transform it into the National Museum. By this act, Figueres was not only realizing the Costa Rican motto "a country with more teachers than soldiers," but was laying the basis for its transformation into "a country with more schools than police."

Almost a year later, the National Constituent Assembly incorporated the concept of "the abolition of the army as a permanent institution" into article 12 of the new constitution.

When Figueres took power in 1948, there were only five secondary schools in Costa Rica. Today there is at least one school in each of the nation's 80 cantons, and four public universities plus a private university. The savings resulting from the abolition of the army were channeled into vigorous programs of economic and social development which have made Costa Rica into the "Switzerland of Central America."

Currently Costa Rica is experiencing its most difficult economic crisis since 1929–30. A series of external factors have severely shaken the very basis of the Costa Rican economy—low prices for coffee and other primary exports; increases in interest rates by international financial institutions; the shortage of funds in the international banking community; an unprecedented political and security crisis in Central America which has paralyzed the Central American Common Market, one of Costa Rica's principal markets; as well as the increase in the price of oil.

It has taken more than 150 years to build a democratic system in Costa Rica, since it obtained its independence from Spain in 1821. The political unrest in Central America and the Caribbean basin coupled with the economic crisis have put to test the continued survival of democracy in Costa Rica.

Although faced with enormous economic problems and mounting political and security difficulties, Costa Ricans have not turned to arming themselves but rather have sought to deepen their historical commitment to peace, total disarmament, the democratic process and liberty. General elections will be held on February 7, 1982.

In this hour of difficulty, Costa Rican democracy is in dire need of the effective support of the United States and all nations capable of appreciating the importance of the survival of democracy in Costa Rica: A nation which has sought to put into practice the highest ideals of Western civilization.●

REFLECTIONS ON THE JAPANESE ATTACK AT PEARL HARBOR 40 YEARS AGO TODAY

Mr. RANDOLPH. Mr. President, today marks the 40th anniversary of the Japanese attack on Pearl Harbor, a day which "will live in infamy" and the most terrible 2 hours in the history of our Nation.

It ignited a worldwide conflict which cost an estimated 50 million lives over the next 4 years, and culminated in the dawn of the atomic age with the destruction of Hiroshima. It also thrust on the United States a new role as world leader and ended forever a trend to isolationism. This leadership role produced one of the most humane foreign aid programs ever devised, a policy of sharing and rebuilding which included our former enemies, Germany and Japan. Ironically, these two countries are today formidable competitors in the world economic market.

The meaning of Pearl Harbor is lost to many Americans. This is perhaps understandable because a majority of our citizens were not even born on that infamous date in 1941. This lack of knowledge, however, demonstrates a serious failing in our educational system, for the significance of Pearl Harbor and the resultant war was to this Nation, perhaps the most important single event since the Revolutionary War.

Many of us who experienced the effects of Pearl Harbor pause to recall how it changed our lives on this particular an-

niversary. In 1941, my wife, Mary, and I were at the old Griffith Stadium watching the Redskins play. I noticed that during the game several generals and admirals were being paged on the loudspeaker, a highly unusual practice and something I remarked on at the time.

Three months before, the Congress was locked in debate on an issue which was to have a far-reaching effect on our future. I, as a Member of the House of Representatives, voted to continue the draft over the strong opposition of persons who felt that no nation would dare to attack the United States. The draft extension was approved, 203 to 202. Those who voted affirmatively were attacked as "warmongers" but, as several historians have noted, the narrow affirmative vote on continuing the draft demonstrated a divided Nation and, perhaps, indicated to the Japanese war lords our lack of resolve. Gen. George Marshall was later to comment that those chaotic days following Pearl Harbor might have been even more disastrous had not the system of selective service been in place at the time. Draftees formed the nucleus for a citizen army which later faced and defeated the most powerful war machine of that time.

Mr. President, it is appropriate that we remember Pearl Harbor and its aftermath not for the sake of history alone, but as a lesson in international relations. No war is inevitable; every effort must be made in all future conflicts to avoid that final, irrevocable step that causes the Apocalypse. When we look to the violent past, let us renew our resolve to create and perpetuate an understanding of peace on Earth, and goodwill to all its inhabitants.

JOHN McCLOY ON JEAN MONNET AND THE STATE OF AMERICAN RELATIONS WITH EUROPE

Mr. MATHIAS. Mr. President, one of the most important assets of a great nation is the wisdom of the citizens who have played a part in the epic events of their generation. Such men and women have been able to distill the experiences of battlefield, council chamber and marketplace, through years of learning by both observation and participation. What they can offer to a nation willing to listen is counsel that is unique, irreplaceable and invaluable.

Just that kind of wisdom is embodied in a speech that John McCloy gave recently in Lausanne, Switzerland when he accepted the Jean Monnet Award. This award was, of course, singularly appropriate, since John McCloy and Jean Monnet were friends and each of them contributed in a major way to both the present condition of Europe and to the weaving of a fabric of association across the Atlantic to reassure and stabilize both sides.

Mr. McCloy's personal reminiscences of Jean Monnet should not be dismissed as merely anecdotal, because they are part of the message. Great events do not occur in human affairs, particularly great positive events do not occur, without the intervention of great and positive persons. In an age when many people are on the verge of giving up because our problems are so complex and solutions are perceived as being beyond human grasp, it is good to be reminded that the lives and actions of men and women do make a difference. While fate plays a role in our lives, as it always has, we also share in shaping our destinies. Two men who were willing to shoulder crushing burdens and carrying them safely through some of the most dangerous years of Europe's history were John McCloy and Jean Monnet and their work changed the course of events.

But beyond this philosophical note, Mr. McCloy raises a question as to the present state of our relations with Europe. Friendships, national as well as personal, are like gardens that need constant cultivation. The concepts that Jean Monnet developed and preached need to be tended and adjusted as situations change, problems arise and new potentials are available. Without such care, even the best ideas can become dated and gradually lose utility and acceptance.

So John McCloy urges us to look closely at our relationship with Europe—now a continent as productive and creative as our own. The equalization of resources has changed the nature of our relations and requires new approaches to exercising leadership in the defense of freedom, in sharing the cost of that defense and in enjoying the fruits of our labors. Our partnership with Europe is too vital to us and to our friends there to be a victim of neglect or inadvertence. I accept John McCloy's advice that we give the state of American relations with Europe our first priority as we adopt our agenda for national security and welfare.

I ask unanimous consent that Mr. McCloy's speech be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS ON THE OCCASION OF THE CEREMONY FOR THE PRESENTATION OF THE JEAN MONNET AWARD

I am, of course, deeply warmed by the receipt of this award which bears the name of my old and dear friend, Jean Monnet. I suppose I was as old a friend of his as almost anyone in this room. My association goes back to the time he spent in the United States as a member of an American investment banking firm. Indeed, it goes back farther to the period immediately following World War I and the early days of the League of Nations. I had the good fortune to work with him during some of his most productive years and I continue to marvel at his dedication to the public tasks he set himself.

Monnet and I had a mutual friend dating from those Blair & Co. days. His name was Swatland, a man of great ability, perhaps the ablest I have ever known. Typical of Monnet, who was a past master when it came to identifying talent, they soon came together and produced a most impressive combination. In comparing my ability, somewhat unfavorably, with that of my friend's and former partner, Jean once said "You also have a most admirable trait, you are lucky." While I know there are a number of Monnet's later colleagues and followers who are at least as well entitled to this Award as I am, I do believe that there are none who could appreciate more than I do the thought which caused the Trustees or jurors of the Monnet Foundation to grant this Award to me.

I can quite readily think of one who deserves, beyond all others, a Jean Monnet Award, First Class. Of course, it is his wife, Sylvia. Their life together was, as we all know, a real romance, though at times, due to some of his idiosyncracies, it might have seemed somewhat less than idyllic. She was the moderator of his optimisms and a mender of his frustrations. She frequently played a most constructive role in refining his judgments as to both people and events. In this, and other imponderable contributions to his work, she was indispensable.

Throughout his career, Jean could identify talent as I say, but he also had a highly developed sense of where power lay. He never seemed, however, to be interested in having his own recognized. After he had been in Washington only a short time, he gained the ear of such men as Harry Hopkins and Averell Harriman, as well as Secretary of the Treasury Henry Morgenthau and Justice Felix Frankfurter. He didn't have to know many more such influential figures, but he soon did. I could name perhaps a half dozen, who by reason of their position or capacity, were prime movers in the Roosevelt Administration with whom Jean gained easy access. These contacts, joined with his vision and perseverance, and I was about to say, coupled with a touch of his own obstinancy, was all our friend needed to make his influence deeply felt in the Washington of those war days.

You have probably heard it said that Monnet was the originator of the term "The Arsenal of Democracy" which Mr. Roosevelt used in making one of his great wartime speeches. There were several who claimed to have originated that expression, including some speech writers and White House staff members. I cannot prove that Monnet originated the term, but I do know this much about it. Monnet used it in my presence one day and I was struck by it. Shortly thereafter I cribbed it in talking to Mr. Justice Frankfurter about the role the United States should be able to play at that stage of the war. The Justice immediately admonished me never to use the phrase again and in my presence called up Bob Sherwood, the playwright and one of the President's best speech writers. It was not long before it appeared in President Roosevelt's famous speech. I have reason to believe that Justice Frankfurter also personally passed it on to the President.

I firmly believe that Monnet, during his stay in the United States, gained much of a United European Community concept from his observance of the continental sweep and depth of the American economy and its markets. In later days, when we worked together attempting to marshall the resources and productive potential of the United States for the successful conduct of the war, I recall that Monnet, almost out of thin air, hit upon an objective of 50,000 war planes in one year. He arrived at this total with no precise or carefully calculated analysis of the men and materials it would take to produce it. It was largely his own instinctive and pragmatic vision of what a country of the magnitude and size of the U.S. was capable of producing. And it was accomplished.

Commentators properly called Monnet a "supranationalist". He certainly had a breadth of vision which transcended narrow nationalism wherever he encountered it. This brought him in conflict with a good many able and devoted public servants whose outlook and training had largely been framed within the conventions of nationalistic thinking. Later, when he began his massive individual effort to advance the concept of a United Europe, he came to be known as "Mr. Europe", and he well earned the title.

Yet it was an element of his strength that he embodied so many of the virtues and

characteristics of his own countrymen. He was quite as Gallic as DeGaulle, even though they were very differently motivated men. He was proud of his sturdy, middle class French winemaker's background, and I often felt he, like Antaeus, used to gain strength from his contact with the soil of France.

When he encountered an impasse in his thinking, he would take a walk in the countryside, preferably it seemed to me, in the mud and the rain, plodding over his Houjourray acres. Well shod and clothed, with a sort of Loden mantel cloak about him and a sturdy cane, (whether he needed it or not), he would defy the elements (as long as there was no thunder and lighting about), and confidently return with a solution to the current problem confronting him.

Though he was most unsympathetic to political dictatorships, he was disposed, I thought, to employ quite dictatorial methods when it came to the administration of his own office. He imposed mercilessly on the time and good will of his staff, men and women alike, but he always seemed to have the time to come forward, after the battle, with some particularly thoughtful recognition of their loyal devotion and service to him. Whenever I called at his Avenue Foch office, it seemed to be at a point where work was interrupted by the search for a misplaced document or file, whose production Jean was demanding. I learn that his archives are now reposing here in Lausanne. I would be inclined to think there may be some gaps in them.

Moreover, it always seemed to me that he was either telephoning or just putting on his hat and coat to go out and see someone of importance in the government, or elsewhere, sparing himself meanwhile no exertion or indignity in the process of getting the matter at hand advanced. I have difficulty in thinking of him as a collector or a preserver of documents, but then he did have, always at hand, a Kohnstamm, a Duchene, a Hirsch, a Marjolin or a Uri or similarly well equipped individual to compose a draft or make a record.

I depart from these reminiscences of our friend with one more picture I have of him in Houjourray. I came upon him once looking at himself in the mirror just before he was to set out on one of his walks. He had on his heavy shoes and rustic clothes, but he also had on his head a beret with a red bandana scarf at his neck, his "plume" as it were, all of which combined, set off his rather confident and somewhat handsome appearance. There was no vanity in the scene. He was simply satisfied with what he saw, and it gave him the self confidence to confront and solve the challenges which his spacious vision brought forth.

Having had these things to say about my friend and having indulged to some degree my urge to reminisce a little about him and me our rich association, I quite realize that something more than this is called for today in accepting and thanking you for this Award. Monnet's memory needs no new eulogies at this time. The existence of this Foundation does greater homage to the man and his accomplishments than any I could now render. Furthermore, most of you now present in this room knew Jean Monnet personally and were familiar with his quality, his achievements and his method of operation. You need no further account of them from me.

In giving thought to what would be relevant to this occasion, I concluded I would try to identify what Jean would feel were the priorities which should be applied today to the further progress of the European Community he did so much to advance.

One hears from many sources that a lack of progress or slackening of pace has occurred in the development of the European Community. There has been a too extended discussion amongst the members as to whether they are receiving individually as much from the Community as they feel their contributions to it entitle them. Overconcentration on the agricultural program has deflected consideration of serious industrial and political developments of a more fundamental character. One also hears of resolutions leading to a possible British withdrawal. After all the delay and debate surrounding the U.K. entry, this is indeed, discouraging news.

I have also read recently some severe criticisms of the lack of coordination and apparent malfunctioning in the existing institutions of the Community. If true, it should not be allowed to drift into any prolonged lack of progress. But it would be a great mistake if, in taking note of the present imperfections, we lose sight of the great advances which have already taken place, and the solid base on which the new leaders of the movement have the means to build. Not all of the progress in the area can be related to the establishment of the Community concept, but much of it clearly can be.

The institutions on which Monnet placed such great store are in place, including the very significant direct election of delegates to the Assembly. Trade and commerce have increased and a standard of living has reached levels never contemplated before the advent of the Community. The European Community has become the world's largest trading block. Moreover, the dangers which were predicted as the Community was being created, have simply not been realized.

Political advantages of far reaching significance have been achieved to parallel the economic advance. Today people cross boundaries and old frontiers in Europe as if they were no more than county lines, while hostilities within the Community, including the perennial ones between France and Germany, have become virtually unthinkable. Indeed, I can think of no respect in which the world would be as well off, as it is today, were it not for the United Europe movement.

To be sure, the Soviet Union continues to take a hostile attitude toward a United Europe, and considering the exclusively nationalistic approach it takes, it is perhaps understandable.

Khrushchev, while still in power, once said to me at Putzinda, that the major part of Russia's distress followed invasions from Western Europe, not Eastern Europe, and this was when it was divided. Napoleon in one century, the Kaiser and Hitler in another. The last thing the U.S.S.R. sought, according to him, was a United Western Europe, which might undertake another Eastern adventure. Nor could be comprehend why the United States so consistently supported it. Because he could think only in nationalistic terms, its creation and competition, he contended, would only bode ill for United States' economic and political interests. Because of the desire of the U.S.S.R. to extend its hegemony over all of Europe, we can continue to expect a constant effort from the Soviet Union to wish a divided Europe, sharply separated from the U.S.

The world has greatly changed from the condition it was in when Monnet first began his crusade for a United Europe. Europe has, it is said, miraculously recovered from the devastation of World War II, and now two great super powers have emerged, as Alexis de Toqueville prophesied they would so long ago. Interests and attitudes that once existed between Europe and America have now been greatly altered. American prestige following the war, once so immeasurably high because of the victories and the extent of the expectations of benefits sought from the U.S. is now considerably, and I believe, fortunately, moderated. No longer are Americans incomparably richer than their European counterparts, as the per capita income of a number of European countries is now about the same as it is in the United States. And so it is with the G.N.P. Moreover, the level of technology is about equal, although the productivity ratios of the United States have not kept pace with foreign competition, nor with previous high records set by the U.S. economy.

The world is also more diverse. One of the most significant developments is that the broad Atlantic is no longer the impassable barrier to any serious aggression against the United States. Cities in the western part of the United States are as vulnerable today to the heavy Soviet missiles as are Hamburg and Frankfurt. An indisputably heavy Soviet buildup in conventional and strategic military power has been taking place within the last fifteen years, to a point where serious thought and attention must be given to it by the North Atlantic Treaty Organization Alliance. It is no longer possible for us to confine our perceptions, whether from Europe or the United States, to the NATO area. And as the world becomes more diverse and our perceptions vary, new strains, and quite possibly serious differences, will develop as we face our respective problems. We shall need to apply our best combined statesmanship to resolve them. This is the stage at which I sense we now find ourselves.

At one interesting point in my public service, I was asked what I thought should be the chief imperative, or priority, of the new Federal Republic of Germany. The Military Government was about to end and that of the Federal Republic to begin. Konrad Adenauer was the new Federal Chancellor. On the eve of the transfer of authority, he sought from me my opinion on this question. As Allied Military Governors, we had been rather heavily preoccupied with economic affairs related not only to the rehabilitation of West Germany, but of all Western Europe as well.

We had such things as monetary reforms, the valuation of the Mark, the economic priorities, the allocations of the counterpart funds, the disposition of the refugees from the East, and a number of other economic matters with which to contend. I believe the new Chancellor was thinking of what economic measures I had in mind, when he put the question to me. I had no hesitation, however, in replying that his chief priority, I thought, was political rather than economic. It was, in short, the establishment of a permanent rapprochement with France.

The Chancellor had made it quite clear that he was not asking any directive from me, for I would and could give him none, nor was he making any commitments in regard to my recommendations.

He was simply asking for my views for whatever they might be worth. I pointed out that twice in my lifetime I had been called upon to commit all my energies to help end wars started in Europe, in large part because of the prevailing hostile attitudes of France and Germany. In an earlier generation, there had been still another war—the Franco-German war of 1870. Whether it was in 1917 or in 1940, the intervention of the United States had been accompanied by a costly expenditure of U.S. blood and treasure.

On both occasions the United States had thrown the balance, belatedly perhaps, but, indisputably. I suggested that the pattern was getting tiresome. I felt it was to a very large degree within the Chancellor's power to put an end to the pattern. I emphasized it was not a matter of placing blame—it was simply incumbent upon rational leaders in Europe to end the process. The Chancellor needed little urging. He was a Rhinelander. Charlemagne, Aachen and the Holy Roman Empire loomed large in his heritage.

This, I think, accounted, in an important degree, for his later highly constructive relationship with General de Gaulle. I mention this here because the thought of such a permanent rapprochement between Germany and France was an integral factor in the

genesis of the United Europe concept. It was an augury of peace. I did not need to "crib" this idea from Monnet, as his thinking, and mine, as well as that of many others coincided on this subject.

I have likewise little hesitancy now in identifying, in my own mind, at least, what would be Monnet's chief priority today were he alive and active.

I would imagine that Monnet would have to give thought to several priorities, some would relate to the need for better functioning and coordination of the work of the institutions which compose the structure of the Community. Among these would certainly be to impart more significance to the functioning and situs of the Assembly, on which Monnet placed such importance. I would imagine he would try to divert the attention of the Community's agencies from the minutiae it deals with now to more fundamental European problems.

But my conviction is that his main preoccupation would be on the increasing need for a better recognition, and understanding, of the sense of partnership and interdependence between the people of Western Europe and those of the United States. The political and economic challenges of the two communities would be much better dealt with at this critical point in history by the fuller acceptance than now exists of the sense of a common commitment and a common responsibility for the preservation and protection of the free and democratic societies which compose the Alliance.

I have already indicated that it was my belief that a large part of Monnet's emphasis upon the unfortunate effects of the fragmentation of Europe, and its intensive nationalism arose from his life in the United States, and his observations while there. One of the chief tenets in his philosophic attachment to the idea of a European Community, was the part which could and should be played by a firm partnership with the United States. To him, it was a matter of mutual necessity. Europe needed the example of the wide markets and the depth of the American economy, as well as its profound attachment to political freedoms, while, on the other hand, the United States needed the support of Europe, its culture and experience in government, as well as its like attachment to our common values.

When one looks at the world map and observes the massive territory presided over by the Soviet dictatorship, one can appreciate the need of Europe to rely on the strength, resources, economy, and goodwill of what is both a nation and a continent, to act, not so much as a guarantor, but as an effective partner in the protection of our common freedoms.

All this connotes something more than improved communication, or intermittent consultations—it requires, to repeat, the full acceptance of the need of fairly sharing our common commitments and common responsibilities. At the outset, in his devotion to the concept of a European Community, Monnet strongly stressed the integral importance of such a common partnership with the U.S.

Because, as time went on he became preoccupied with the need for structuring the institutions upon which his United Europe could be based, together with the fact there were then in Europe some less disposed to place as much emphasis as he did on the Atlantic partnership, Monnet made less reference to the partnership, but he never doubted its necessity. Today, with the strains developing from the differing perspectives of our common interests, the need for renurturing the vigor and quality of the United States-European cooperation becomes more apparent. The Soviet build up and its increasingly aggressive moves, in highly strategic parts of the world, directly and through its militant proxies, only accent this need.

Moreover, the sustained character of the Soviet build up, together with the loss of U.S. prestige in the Vietnam war, has resulted in some impairment of the credibility of the American deterrent which, during a vital period of European recovery, served as a comforting umbrella of security.

But, if it is said that there has been some impairment of that credibility, not only the commitment of a great nation remains intact, but an eloquent earnest of that commitment is the fact that there are now deployed in Europe upwards of 300,000 American troops, and they have been there for a very long time. The NATO commitment, when closely examined, is not automatic. Indeed, it has what might be called some illusory aspects. The United States has, however, buttressed its NATO commitment with this extraordinary earnest. These troops are still deployed in substantial size on the ground in Europe in spite of Mr. Roosevelt's desire to have them return as soon as possible. They remain in Europe, and they will be involved the minute any attack occurs. The response, as a practical matter, would be automatic and all out. There is no comparable security given by any other NATO member to its commitment to defend the United States. Judged by any criterion in history, it is an extraordinary phenomenon.

The quality of our troops has been criticized in some quarters. They may not have the bearing of traditional Guard Regiments, but they are still American soldiers, quite like those who, on many battle fields, including not a few in Europe, have proven, by their fighting qualities, to be worthy of their allied counterparts, as well as of those they opposed. It should also be remembered that they have the advantage, in their present posts, of being able to train and maneuver with some of the finest troops in Europe.

It has been unpleasantly suggested that for the U.S. to urge our European allies to take steps to improve their defenses against the formidable new missiles actually being deployed against Western Europe and its capitals, is due to our wish to shift the possibility of a nuclear exchange, from one across the Atlantic, to a Soviet-European one. The presence of our troops in such quantity in Europe, so long after the war, ought to be quite enough to demonstrate to any fair mind the utter falsity of the charge.

To the extent that the Soviet Union is faced with a convincing European-U.S. determination and capacity to meet any attack, or any threatened attack, the chance of it ever occurring greatly diminishes. The joint will, in itself, suitably demonstrated, would be worth many missiles and many tanks. As it is unthinkable that hostilities could ever recur within the community today, so is it unthinkable that the U.S. could ever be induced to attack the Soviet Union, unless attacked, or directly threatened by an attack. Moreover, I believe the Soviet leaders would never be so foolish as to attack, or attempt to blackmail, either Western Europe, or the U.S., once they were convinced of the solid unity and determination of the Alliance to protect itself. Only if there existed any likelihood of a division within the Alliance would there be a real temptation for the U.S.S.R. to do so.

A full and convincing acceptance of the implications of the European-U.S. Alliance, throughout its membership, can at one and the same time constitute a guaranty of the security of those covered by it and an assurance to the U.S.S.R. and to the world, for that matter, of the continued adherence to a policy of combined restraint on the part of the Alliance.

Recently there have been appearing on both sides of the Atlantic, but I think perhaps more here than in America, a spate of recriminations. It is due perhaps to a series of interrelated economic and political developments. The world is clearly out of joint and very tense. No wonder, with the Pope, the President of the United States, President Sadat, and a good many others, being shot. On top of which, high interest rates and anti-inflation measures induce repercussions in our respective economies. In the meantime, the invasion of Afghanistan seems almost forgotten. El Salvador has taken its place as a point of apparently greater international concern than Afghanistan, Poland or Pakistan. Only on one thing do the critics now seem to agree.

It is that the U.S. is somehow responsible for it all. The time has certainly come for us to stop indulging in these recriminations, and set about doing what I believe Jean Monnet would do, go to a high hill and search for new and more objective perspectives. He would, I think, come back with them, worried, as indeed, I am, but with a clearer sense of the need for a deeper understanding and appreciation of the fundamental commonality of our interests than we seem now to display. Whether our problems be political or economic, they would be more readily soluble by such an understanding, though to achieve it may demand a level of leadership and statesmanship comparable to that of those who were responsible for the creation of the Alliance.

When I was recently in Europe, in Berlin as a matter of fact, I gained the impression that Europe had rather convinced itself that it could not alone defend itself, and it was uneasy about the credibility of the American deterrent. There was some irritation in the air, as a result, as well as a real element of fear. I doubt that the mood was representative of the city as a whole, but any suggestion of such an attitude was something new to me, for when I was officially in Berlin, it was the symbol of combined strength and resistance. There might have been a few qualms in what we used to call "the Zone," but not in Berlin.

There the U.S. could do no wrong. We are all subject to fear at times, for we are human, but as a general course of action, it is never wise to take counsel only of one's fears. It is a poor guide. It is clear to me that if Europe, in combination with the U.S., undertook to do what is necessary to deter any attack it could be accomplished. Western Europe and the American continent have tremendous strengths and great resources, difficult to marshal perhaps, but quite large enough to make it quite irrational to risk any aggression against them.

We must all realize that though our friend, whose name accompanies this Award, spent such a large part of his life and energies in endeavoring to move forward his grand, and yet pragmatic, concept of a United Europe, it was all in the context of achieving a further purpose, that is the preservation of our freedoms, the elimination of wars in Europe and the general advancement of the cause of peace. It is because he always had these objectives so deeply in mind, I feel confident that if he were with us today, his chief priority would be as I have outlined it. His aim of peace within the community, as well as, of course, between the communities of Europe and the United States seems already to have been achieved.

Monnet was, indeed, a man of peace. He sought a United Europe as a stepping stone to peace. He was well on the way to it. Our recollection of him and his work should inspire us to reach for the new perspectives which would help bring about the accomplishment of his full vision.

Thank you.

FORTIETH ANNIVERSARY OF THE ATTACK ON PEARL HARBOR

Mr. DENTON. Mr. President, 40 years ago today, December 7, 1941, major mili-

tary and naval units of the United States were attacked, ruthlessly and without warning, with devastating effect.

December 7, 1941, "a date which will live in infamy," resulted in death and damage to a degree that was previously unimaginable to the American people. Hundreds of aircraft, lined up wing tip to wing tip at Hickman Field and the Ford Island Naval Air Station were destroyed on the ground before the crews could be scrambled. Virtually unimpeded, dive bombers and torpedo bombers laid waste to battleship row in Pearl Harbor. The U.S.S. *Arizona* destroyed by a direct hit to her ordnance magazine, remains capsized in the harbor in perpetual tribute to the more than 2,400 dead as a result of the attack.

It has been stated that the attack on Pearl Harbor served to awaken the sleeping giant—unified a divided Nation. In retrospect, the facts bear out this assertion. The unified determination and perserverance displayed by the United States throughout World War II underscored President Roosevelt's admonition that "with confidence in our Armed Forces—with the unbounded determination of our people—we will gain the inevitable triumph—so help us God."

Mr. President, it is fitting and proper that on this 40th anniversary of the attack on Pearl Harbor we pay tribute to those who gave their lives on that day. There could be no greater tribute than the rededication of our willingness to protect and defend those precious liberties for which they so honorably sacrificed their lives to preserve for us and our posterity.

Forty years later, Americans mourn that fateful day. In reflecting on the tragic loss of thousands of lives, we are reminded of all Americans, before and after, who have given their lives for their country and the cause of liberty. This sacrifice, the ultimate sacrifice, has never been in vain.

Today, Americans can stand proud, secure in the knowledge that as a people we have never failed to hold high the mantle of freedom. As the leader of the free world, we can state with conviction that the United States has remained true to the mandate of our Founding Fathers to establish a nation where the strong are just, and the weak secure; where all men are created equal, not by a declaration of the State, but by the law of our Creator. May we, as we enjoy freedom, peace, and plenty, continue to realize that military strength and the willingness to sacrifice are necessary to retain that enjoyment.

TOMMY CORCORAN

Mr. DOLE. Mr. President, Washington has lost another of its monuments. Thomas G. Corcoran, "Tommy the Cork," has died on the eve of the centenary of the birth of the man whose political revolution owed much to his legislative genius. Fifty years have passed since the brain trust descended on Washington. Fifty years since F.D.R.'s whiz kids, of whom Corcoran was the most notable, pushed and pulled and wheedled government out of the 19th century. Fifty years in which to build legends—and learn lessons.

Tommy Corcoran knew as well as any man in this town that change is the only constant. Through nine Presidencies and three wars, amidst startling changes in the office and the politics that surround it, Franklin Roosevelt's whiz kid remained to tell us what it had been like in those heady, dangerous days of the 1930's—and what it could be like in days to come. Corcoran loved to talk about the past—but he had no intention of ever living within it.

And whatever changes he lived to see in 80 years, he died secure in the knowledge that the fundamental work of his life, the landmark reforms of Wall Street and the workplace that characterized the New Deal at its finest—these were as permanent and ingrained in American life as any legislation ever can be.

So if Washington has lost one of its monuments, Tommy Corcoran will never lose his. He serves as an example to young dedicated, public minded men and women everywhere. If they wonder about the difference one life can make in the life of a nation, they need look no further than Tommy Corcoran.

ANDREI SAKHAROV

Mr. DOLE. Mr. President, many of us have been deeply distressed in the past few days to learn about the very great indignities and anguish that are being suffered by the Nobel laureate, Soviet physicist Andrei Sakharov.

Not only has Dr. Sakharov been condemned for almost 2 years now to internal exile in Gorky, but also his private research materials and manuscripts apparently have been taken from him—and thus his work and, as he has put it, his "memory" in the field to which he has been dedicated throughout his professional life.

Now, in addition to these difficulties, he suffers from the conviction that because of his own position the Soviet authorities are denying a visa that would permit Liza Alekseyeva to join her husband, Dr. Sakharov's stepson, in the United States.

Dr. Sakharov and his wife have undertaken a hunger strike, as the only means they have available to them to press the Soviet authorities to grant their request for a visa for Liza Alekseyeva. They are now reportedly in a hospital and perhaps being forcefed.

These grave conditions strike us first as a cause for serious humanitarian concern and sympathy. But the Soviet Government, in its treatment of Dr. Sakharov and his family, is taking steps that are not only cruel but also directly contrary to its own commitments in the Final Act of the Conference on Security and Cooperation in Europe.

We must urge—now and repeatedly for as often and as long as it is necessary—that the Soviet Government bring to an end the psychological brutality that it is using not only against Dr. Sakharov and his family but also against many others within the Soviet Union.

We must urge that the Soviet Government abide by its international commitments to protect human rights, if it wishes—as we for our own part earnestly hope it does—to be part of the community of civilized nations.

NATIONAL SCIENCE CENTER FOR COMMUNICATIONS AND ELECTRONICS

Mr. MATTINGLY. Mr. President, today I rise in support of and to commend my colleagues' attention to the National Science Center for Communications and Electronics. The Center, to be located in Augusta, Ga., represents 3 years of work on the part of many dedicated individuals concerned about preserving our Nation's history in this area and promoting it across the country.

This project will represent a joint effort by industry and Government over 5 years wherein industry will build this facility and then the Government will manage its daily operations.

In this era when our Nation must maintain and strengthen our technological base and when we must continue to attract the best of our young people into this field of study, I find it commendable to see such a project undertaken and will do all I can to enhance its completion.

JOHN BRADEMAS AS PRESIDENT

Mr. PELL. Mr. President, the New York Times recently printed an interesting story about the new president of New York University, our former colleague John Brademas. As one who worked closely with him on numerous legislative issues in education and the arts and humanities, I am especially delighted to know that he is settling into his new life as a university president with such ease and enthusiasm. The next few years will be tough ones for all academic institutions but NYU is fortunate indeed to have such an experienced and dynamic leader at its helm. I am also pleased to note that President Brademas has been speaking out so eloquently against the magnitude of cuts in Federal education programs—a concern I certainly share.

I commend this article on John Brademas to my colleagues and ask unanimous consent that it be printed in the RECORD. It appeared in the New York Times on December 17, 1981.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOR NEW N.Y.U. PRESIDENT, A FAST PACE

(By Deirdre Carmody)

John Brademas of South Bend, Ind., and Washington—Phi Beta Kappa from Harvard, Rhodes scholar, member of Congress for 22 years and former majority whip—is now Dr. John Brademas, president of New York University. It's as if he had been preparing himself all those years for the job.

"He's a natural president," said L. Jay Oliva, provost of the university and vice president for academic affairs, who has worked in one capacity or another under five N.Y.U. presidents. "No one hit the ground running as well as Brademas. All his instincts were university presidential."

"I think he's working harder here than he did in Washington," said Mary Ellen Brademas, his wife. "He works all the time."

"The truth of the matter is, I'm enjoying myself enormously," said John Brademas.

INAUGURATED IN OCTOBER

It is still the honeymoon period, to be sure, and universities, like the nation at large, tend to look kindly at first on fledgling presidents. Dr. Brademas arrived on the Washington Square campus of N.Y.U. in July and was inaugurated in October. He took over from the acting president, Ivan L. Bennett, who had replaced John C. Sawhill in 1979, when Mr. Sawhill took a leave of absence to become Deputy Secretary of Energy.

While Dr. Brademas's instincts may indeed be university presidential, there are times when his style is still distinctly Congressional. In his first few days on the job, he learned dozens of names and shook the hands of everyone in sight.

Then he buckled down to the business of administering a university with an enrollment of 44,000 students and an annual budget of half a billion dollars that refers to itself as the largest privately supported university in the country.

His pace is whirlwind. There are continual meetings with aides, students, deans, trustees, visiting dignitaries, heads of N.Y.U.'s 12 undergraduate divisions and 10 graduate and professional schools. There are also breakfasts with university officials, lunches with foundation presidents, dinners with corporate executives, and a round of formal dinner parties, evenings out with former colleagues from Congress, art gallery openings and galas of various kinds.

He is also a movie buff, and when he can, he and his wife sneak off and go movie-hopping.

Many of his activities, of course, reflect not so much the duties of a university president as Dr. Brademas's own eclectic interests and social energy—some of it native and some of it acquired over the course of more than 20 years as a politician.

He receives dozens of invitations from every quarter and meets regularly with Naomi B. Levine, the university's vice president for external affairs, and members of his staff to discuss what he should accept and what he should turn down.

Mrs. Levine, a distinguished-looking, gray-haired woman wearing a tailored suit, sat across the coffee table from Dr. Brademas the other day in the sitting area of his office while staff members grouped around them.

Dr. Brademas picked up the pile of invitations before him and began to go through it. It was a varied lot and many were quickly disposed of. But some were more tempting than others, and Dr. Brademas looked questioningly at Mrs. Levine about one of them.

"No," said Mrs. Levine.

He picked up another invitation and read it out loud.

"No," Mrs. Levine said again.

"But they just want me to go on the committee," he said, slightly plaintive.

"Committees take time," Mrs. Levine said.

"They are asking me because of my brother," he insisted.

Silence from Mrs. Levine.

Dr. Brademas sighed and turned to the staff.

"Be sure that my brother, Jim, knows that I can't do that," he said.

Dr. Brademas says that he is still learning about the university and has not fully decided what the priorities of his administration will be. He has, however, already taken a strong public stance against the Reagan Administration's proposed cuts in funds for education, particularly student aid.

It is a subject with which he is quite familiar, having played a principal role in helping to write most of the major education legislation during the 22 years he served on the House Education and Labor Committee.

In his inaugural address and again last month in a speech in Washington to the Carnegie Foundation for the Advancement of Higher Learning, he pointed out that students at N.Y.U. last year received more than $50 million from Federal programs and that the proposed cuts would be devastating to a university such as N.Y.U., which is dependent for 70 percent of its income on student tuition.

"Anything that makes it difficult for students to enroll here, such as reductions in student aid, directly impairs our capacity to continue to offer education of high quality," he said in his inaugural address and has been saying repeatedly since then.

"Universities, if they do anything, should produce ideas," he said. "University presidents should be more than fund-raisers. I do not think I should plunge into every issue, but if from time to time I feel I have something to say on the issues in the wider society, I intend to say it."

For the time being, he says he is not talking but listening. Following him around for two days makes that evident. He gives his full attention to whatever subject is at hand, waiting until the speaker is through and then usually commenting quietly.

"He listens but not only that," says Dr. Oliva, the provost. "You find out later that he has heard. He is a maker and user of information. He's someone who is not threatened by opposing views. A lot of people who are university presidents these days have stern and rigid personalities. But he's very assured and doesn't feel the need to pretend. He's a person who can take all that information and put it together."

Dr. Brademas—who merits his title because he has a Doctor of Philosophy degree in social studies from Oxford University—is not the only doctor in the family. His wife, Mary Ellen, is a resident in dermatology at the New York University Medical Center.

She came home the other day to the elegant penthouse on Washington Square that comes with the presidency of N.Y.U., flopped on the white couch in the large oak-paneled and mirrored living room and kicked off her shoes. She had been up all night because she had been on call, and she said she was very tired.

"I'm a pill to live with when I'm tired," she said cheerfully. "I get grumpy, and then I feel guilty because I'll have promised John I'd go out with him to something and then I just can't do it."

"Most of our life is formal," she said. "We go out to donner, to parties, with people associated with the educational or art world. We love it here."

"But we never, ever do anything on weekends with other people," she added. "Last weekend we just went to the movies. We love movies. We saw 'Invaders of the Lost Ark' and John loved it. Then we walked through Bloomingdale's. He doesn't often get to do that kind of thing because he's always haunted by the pile of papers on his desk."

Mrs. Brademas lived in Bloomfield Hills, Mich., for years, raising four children and as she puts it, playing tennis and going to fashion shows. At the age of 38, divorced and her children mostly grown, she decided to go to medical school.

Four years ago, while she was at the Georgetown University School of Medicine, she married Representative Brademas, then 50 years old and inevitably referred to as one of Washington's most eligible bachelors.

With her busy schedule these days, Mrs. Brademas says cooking meals for the family—her daughter, Jane Briggs, who is doing postgraduate work at the N.Y.U. School of the Arts, lives with them—is a problem. Mrs. Brademas, however, has found a rather original solution for the nights when dinner at home is required.

"Look!" she said the other day, hauling a vast purse onto the kitchen counter and removing aluminum foil-wrapped bundles.

"Chicken a l'orange!" she exclaimed proudly. "And ravioli. Jane and John can have their choice."

The food was straight from the New York Medical Center cafeteria, for which, as a doctor, she gets a certain number of free chits. She has found that it is easier to buy herself a light lunch and save the chits to feed the family of the president of the university.

"This is the most fantastic life," she said.

TAX CREDIT SALES LEGISLATION

Mr. PELL. Mr. President, last week in introducing a bill to repeal the leasing, or tax-credit sales provision of the Economic Recovery Tax Act of 1981, I stated that there had been no hearings or floor debate on the provision. That statement was based on research done for me by the Congressional Research Service of the Library of Congress. The Senate Finance Committee has since informed me that the leasing or tax-credit sales provision was the subject of testimony before the committee, and there was, in fact, some discussion of the tax-credit sales provision during consideration of the bill by the Senate. As a matter of fairness and accuracy, I make this statement to set the record straight.

"TOMMY THE CORK"—FOUNTAIN OF WIT, CHARM, AND AMAZING ACCOMPLISHMENTS

Mr. PELL. Mr. President, Thomas G. Corcoran, 80, died yesterday but left an amazing legacy of accomplishments, both in public service and private practice.

One of President Franklin D. Roosevelt's principal strategists, Mr. Corcoran helped shape such landmark measures as the Securities Act of 1933, the Securities Exchange Act of 1934 and the Fair Labor Standards Act of 1938.

"Tommy the Cork," as he was called by President Roosevelt, was born in Pawtucket, R.I., on December 29, 1900. His father, Patrick, was an Irish immigrant, a leading lawyer, and Democratic politician.

Mr. Corcoran earned both his bachelor's and master's degrees at Brown University, where he was valedictorian and a member of Phi Beta Kappa. At Brown, he worked as a dance band pianist, won academic prizes, and graduated at the head of his class.

He subsequently went to Harvard University Law School and graduated at the head of his class in 1925, but he never forgot his native Rhode Island. His lightening wit has brightened many a gathering of Rhode Island students in the Washington, D.C. area.

Although he entered public service in 1932, as an employee of the Reconstruction Finance Corporation, and returned to private practice in 1941, he left his imprimatur on the "New Deal," and a lasting impression on all who met him.

His wit and charm were his most apparent and endearing traits, making his company a pleasure. What made him truly great, however, was his skill, his

brilliance, and his dedication to hard work.

He brought to his private practice the same traits that he had demonstrated during his years of Government service. He plunged into corporate law with enthusiasm, representing major businesses before Federal departments and agencies.

Throughout both public service and private practice, "Tommy the Cork" was a fountain of wit and charm, as well as that rare combination of brilliance and dedication. His work and character touched all who knew him, and many who never heard his name.

I grieve with and for his family and friends. We shall not see his like again. Speaking personally, I know how much affection I had for him and how much I shall miss him. My wife joins me in these thoughts.

Mr. President, I ask unanimous consent that the following articles about Mr. Corcoran be printed in the RECORD: "Thomas G. (Tommy) Corcoran, Lobbyist of New Deal Era, Dies" from the December 7, 1981, Washington Post; "Thomas G. Corcoran, Lawyer and Adviser to Roosevelt, Dies" from the December 7, 1981, New York Times; and "Thomas G. Corcoran, FDR 'Braintruster,' Dies at 80 in D.C." from the December 7, 1981, Providence (R.I.) Journal.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Dec. 7, 1981]

THOMAS G. (TOMMY) CORCORAN, LOBBYIST OF NEW DEAL ERA, DIES

(By Kenneth Crawford)

Thomas Gardiner (Tommy) Corcoran, 80, a leading architect and lobbyist for much of the legislation establishing President Franklin D. Roosevelt's New Deal, and one of this city's most prominent lawyers since the early 1940s, died of a pulmonary embolism yesterday in the Washington Hospital Center.

Mr. Corcoran and his colleague in government, Benjamin V. Cohen, were a team who came close to revolutionizing American government in the early New Deal days. In the process, Mr. Corcoran became an almost mythical hero to Rooseveltians, who viewed the New Deal as a bright light at the end of the tunnel of depression. By the same token, he became a symbol of irresponsibly destructive experimentation to Roosevelt's equally dedicated opponents.

He was not underrated in either camp. His legal scholarship, vitality and wit made him a formidable innovator and advocate. In the early 1930s, "Corcoran and Cohen" entered the language of political controversy as though the two names were a single word: "Corcorancone." It was a word much used in congressional and campaign debate. In Wall Street and business board rooms it was a pejorative.

Yet when he left the government in 1940, Mr. Corcoran's law office was besieged by some of the same corporate leaders who most volubly had denounced him when he was a government official. So many became his clients that his law firm, Corcoran, Foley, Youngman, and Rowe, grew and prospered through subsequent decades. Newspapers usually identified him in his private career as a lawyer-lobbyist. He called himself a lawyer-entrepreneur.

Mr. Corcoran and Cohen were among the first of the bright young Harvard Law School alumni recommended for service in the New Deal brain trust by Felix Frankfurter, then a professor on the school's faculty.

Both Mr. Corcoran and Cohen had practiced law in Wall Street and were knowledgeable about the operations of securities exchanges, so their first assignment was to draft the Securities Act of 1933. Under orders from the White House, but working with legislative leaders—especially House Speaker Sam Rayburn—they pushed the reform legislation through in record time.

Their collaboration later accounted for the Securities and Exchange Commission Act of 1935 and the Public Utilities Holding Company Act of 1935. They also contributed to the Federal Housing Administration Act of 1934.

Their reputations made by these successes, they went on to legislation establishing the Tennessee Valley Authority and Fair Labor Standards. They also took a hand in enactment of the Wage and Hour Law. These were among the most important and enduring of New Deal reforms.

The National Recovery Act, another key measure, which the Supreme Court ultimately invalidated, was not a Corcoran-Cohen product. Neither was the so-called court-packing plan, which Congress rejected, although Mr. Corcoran supported it as an administration lobbyist.

Through all the years they worked together as a Roosevelt task force, contriving legislation that would stand up in the predominantly conservative courts and engineering it through congressional committees dominated by orthodox politicans, Mr. Corcoran and Cohen held relatively obscure positions in the executive bureaucracy. Neither ever was officially on the White House staff. Their salaries through most of their government careers were $8,000 a year.

Both bachelors, they lived with a group of congenial young lawyers in what was called "the little red house on R Street," the former summer residence of President U.S. Grant. In those times Mr. Corcoran and his friend were said to have a "passion for anonymity." Both felt that their jobs could best be done out of the spotlight. By cooperating with certain reporters, they managed for a time to keep their names out of print or, at most, on the inside pages.

Whatever anonymity Mr. Corcoran and Cohen had achieved ended with the fight over the so-called "death sentence," imposed by the Utility Holding Company legislation.

Sen. Owen Brewster of Maine, who had been one of the supporters of the legislation, changed sides in mid-conflict. When Mr. Corcoran remonstrated with him, Brewster reported that he had been threatened with cancellation of plans for a hydroelectric plan in Maine.

At a congressional hearing, Mr. Corcoran denied threatening Brewster. Brewster called him a liar.

"We'll see who's a liar," Mr. Corcoran replied.

From then on, Mr. Corcoran's cover, such as it was, was blown. That committee, like many others over the years, failed to censure or even reprove Mr. Corcoran, who had a winning way with House and Senate committees.

All pretense that the team of Corcoran and Cohen operated without White House credentials was abandoned after the Brewster uproar.

Mr. Corcoran did not have direct access to Roosevelt until 1935. Joseph P. Kennedy happened to remark to Roosevelt that Mr. Corcoran could sing admirable Irish ballads and sea chanties, and Mr. Corcoran was called to the White House, where he subsequently became a frequent guest and presidential counselor. Roosevelt called him "Tommy the Cork."

Mr. Corcoran became an invaluable administration operator, with a network of friends forged in the executive branch, federal agencies, and in Congress. He influenced judicial appointments and worked on the president's political speeches. He had a gift for the language that put lilt into oratory.

He traveled with the president on campaign trips and became involved in the unsuccessful attempt to "purge" certain anti-New Deal Democrats in the 1938 elections. Ten years later, Mr. Corcoran suffered another failure: the attempt to nominate William O. Douglas for president in place of Harry S Truman.

Mr. Corcoran was born in Pawtucket, R.I. His father, Patrick was the son of an Irish immigrant and a leading lawyer and Democratic politician. His mother's family had moved south from Nova Scotia.

At Brown University, Mr. Corcoran worked as a dance band pianist, won academic prizes, and was graduated at the head of his class. He moved on to Harvard Law School, where he again led his class, then became a law secretary to Justice Oliver Wendell Holmes Jr. After an interlude at the court, Mr. Corcoran went to Wall Street, where he practiced from 1926 to 1932.

Mr. Corcoran came to Washington in 1932 to work for the Reconstruction Finance Corp. under Eugene Meyer. With the advent of the New Deal, the RFC became a model for several other government agencies and its personnel was scattered through them. Mr. Corcoran was transferred to the Treasury Department where he worked for Dean Acheson, then its under secretary. He later returned to the RFC, where he stayed for the remainder of his government career.

He began the private practice of law in Washington in 1941, saying that his personal fortunes needed mending and he wanted to get out from under the Hatch Act, which outlawed political activity by government employes.

A few months after retiring from government service, he told a congressional committee that he was earning about $100,000 a year. That was just the beginning. He plunged into corporate law on a grand scale, representing major businesses before federal departments and agencies.

One of his first and most important clients was Sterling Products, a pharmaceutical company whose export affiliate was headed by his brother, David. Sterling and its subsidiaries had contracts with the German giant, I. G. Farben industries, which limited Sterling's operations in Latin America. A consent decree in response to an antitrust suit had the effect of opening Latin America to Sterling. Mr. Corcoran was instrumental in bringing about this result.

Another of Mr. Corcoran's clients was the Tennessee Gas Transmission Co., which grew into an enormous conglomerate. At one point Mr. Corcoran was accused of impropriety in conferring privately with members of the Federal Power Commission for his client.

He represented many defense contractors in wartime, and several times was called upon to defend his methods before committees of Congress. He staunchly defended his legal methods. Other clients included Burlington Industries, the United Fruit Co., and American International Underwriters.

One of Mr. Corcoran's preoccupations through the war and beyond was Gen. Claire Chennault's Flying Tigers, American volunteer fighter pilots who flew missions against the Japanese before Pearl Harbor.

Sterling gave Mr. Corcoran's brother, David, a part-time leave of absence to manage an organization called China Defense Supplies, to support the Flying Tigers with American material. Thomas Corcoran served as lawyer for the organization, and soon was wrestling with the problem of shipping supplies around the world through Brazil, Africa, India and across the Himalayas—"over the hump"—to the Far East.

After the war, Mr. Corcoran retained his interest in the two civilian airlines spun off

from the Flying Tigers. One of them, C.A.T., was sold to the Central Intelligence Agency for operations in Indochina. The other, retaining the Flying Tiger name, continued.

Because of their work together, Mr. Corcoran became a close friend of Chennault and the general's China-born wife, Anna.

Mr. Corcoran's involvement in Washington politics survived the war and Republican administrations. Sen. William Proxmire (D-Wis.) once accused him of lobbying for the confirmation of James R. Durfee's appointment to the Court of Appeals, a nomination that Proxmire opposed.

On another occasion Mr. Corcoran interceded with the then-House Speaker Carl Albert (D-Okla.) against some consumer legislation. In this matter, Mr. Corcoran spoke for U.S. Chief Justice Warren Burger, who feared that the legislation would clog the court system.

One of Mr. Corcoran's newer enthusiasms was the Waterville Valley Ski resort in New Hampshire, a development he had dreamed of since his youth. The project is headed by Thomas Corcoran, David's son, who once was an Olympic skier.

Mr. Corcoran's wife, the former Peggy Dowd died in 1957. His survivors include four sons, Thomas Jr., of Washington, Dr. David, of Bethesda, Howard, of Potomac, and Christopher, of Newfoundland, Canada; a daughter, Cecily Kihn of Philadelphia; two brothers, David M., of Waterville Valley, N.H., and Judge Howard Corcoran of Washington.

[From the New York Times, Dec. 7, 1981]

THOMAS G. CORCORAN, LAWYER AND ADVISER TO ROOSEVELT, DIES: KEY STRATEGIST OF NEW DEAL

(By Wolfgang Saxon)

A lawyer of undisputed brilliance and wit, Thomas Gardiner Corcoran was the personification of the Washington insider whose enormous influence on legislation and Government dealings endured well beyond his heyday in the Roosevelt Administration. It often also made him the target of political opponents and those whose interests were affected by his backstage maneuvers.

He was one of Roosevelt's principal strategists in shaping such historic innovations as the Securities Act of 1933, the Securities Exchange Act of 1934 and the Fair Labor Standards Act of 1938.

The precise measure of his efforts rarely emerged. As a drafter of legislation and, later, as a lobbyist-lawyer with countless friends in high positions, he worked behind the scenes.

Mr. Corcoran, a young protégé of Felix Frankfurter and a holdover from the Hoover Administration, became one of the "hot-dog boys," a band of bright young lawyers who guided Roosevelt's New Deal through some of its most perilous years.

HELPED SHAPE SECURITIES PANEL

He teamed with Benjamin V. Cohen in the battle to create the Securities and Exchange Commission, shaping it and steering it through the legislative shoals. Their victory was one of the New Deal's headiest moments.

Mr. Corcoran stood on the left flank of the Roosevelt staff, which often fought internally with such conservative advisers as Postmaster General James A. Farley, a formidable power in the Democratic Party.

Men like Mr. Corcoran and Mr. Cohen were obscure lawyers at the time, working quietly to push the President's program through Congress. But by 1935, "Tommy the Cork," as Mr. Corcoran was called, and other "bright young men" had become known well enough around the capital for their legislative influence and power of patronage to draw fire personally.

While clearing some of the laws most bitterly resisted by the opposition, Mr. Corcoran was also reported to have played an important role in Roosevelt's efforts to enlarge the Supreme Court and to "purge" Democratic legislators not wholly committed to his policies.

CONGRESSIONAL ANTAGONISM

Mr. Corcoran's activities then led to Congressional antagonism, which reportedly blocked plans to appoint him to a high Government position in 1941. He decided to return to private law practices in Washington and promptly built a flourishing clientele of businessmen dealing with the Government.

His opponents said he was a lobbyist for big interests, a charge that gave rise to a number of public quarrels and formal inquiries over the years, starting in 1941 and as recently as last year.

Thomas Gardiner Corcoran was born Dec. 29, 1900, in Pawtucket, R.I. He attended Brown University, where he was valedictorian and a member of Phi Beta Kappa, and earned both his bachelor's and master's degrees in 1922.

Just losing out on a Rhodes Scholarship, he enrolled at Harvard University Law School and quickly won the reputation as the most brilliant member of his class, an assessment with which Professor Frankfurter agreed. He graduated at the head of his class in 1925 and went on to a doctor of juristic science the following year.

SECRETARY TO JUSTICE HOLMES

His performance also won him the honor of serving a year in Washington as secretary to Justice Oliver Wendell Holmes of the Supreme Court.

For five years, Mr. Corcoran practiced corporate law in New York with the Wall Street firm of Colton & Franklin, specializing in the reorganization of companies and the issuance of new stocks.

In 1932, after a short stint with the Federal Reserve Board, he was appointed by President Herbert Hoover as counsel to the newly formed Reconstruction Finance Corporation in Washington. That year, Mr. Hoover was soundly defeated by Mr. Roosevelt, but Mr. Corcoran, having always been a Democrat, remained in his post to build his influence in the Government and the White House.

Mr. Corcoran was introduced to Mr. Roosevelt by Professor Frankfurter, who had never lost touch with his "favorite pupil." He was assigned to the Treasury as assistant to the Secretary.

HELPED BY SECRETARY

Mr. Corcoran received much help in those days from Mr. Roosevelt's secretary, Marguerite Lehand, who was a personal friend. Gifted with what seemed like boundless energy, reviving himself with large doses of black coffee and dextrose through merciless workdays, all he had to do on the telephone was to use his opening gambit, "This is Tommy Corcoran at the White House," and Cabinet members, legislators and administrators snapped to attention.

"White House Tommy" became one of his nicknames, though his detractors had some less endearing phrases for him. Many, even among the New Dealers, resented his closeness to the President, who often followed his advice and whose most-remembered speeches bore the mark of Mr. Corcoran's trenchant wit and sharp phrase-making.

In the early 1930's, Mr. Corcoran also served as special assistant to the Attorney General. In 1934, he returned to the Reconstruction Finance Corporation as special counsel, a post he kept until the end of Roosevelt's second term.

The peak of his power came in the President's fights to "pack" the Supreme Court and to defeat certain members of Congress in the 1938 election.

Although he disagreed with both these aims, Mr. Corcoran loyally fought so hard for them that when they failed he had to pay the price: A new Presidential favorite, Harry Hopkins, took his place.

In 1940, he wed Margaret Dowd, the closest of his secretaries.

CALLED BEFORE INVESTIGATIVE PANEL

Frustrated in every attempt to get a better job at a higher salary, Mr. Corcoran quit for the rewards of private practice the next year. Shortly thereafter, he was called before a Senate investigations committee to answer the first of what was to become periodic charges of influence-peddling on behalf of private clients.

He testified that he earned $100,000, then a huge sum, in the first few months as a private lawyer. It was not established then, or ever, that he had done anything illegal.

In the words of a friend, Mr. Corcoran's trouble was that he worked as strenuously and in the same manner for private interests as he once had for the President: "He has never been able to make a distinction between them, or to realize that what might be justified within the Government cannot be from outside it."

Mr. Corcoran's wife died in 1957. He is survived by four sons, Thomas Jr. of Washington, David of Bethesda, Md., Howard of Potomac, Md., and Christopher of Newfoundland; a daughter, Cecily Kihn of Philadelphia; two brothers, David of Waterville Valley, N.H., and Judge Howard Corcoran of the District Court of Washington, and six grandchildren.

THOMAS G. CORCORAN, FDR "BRAINTRUSTER," DIES AT 80 IN D.C.

WASHINGTON.—Thomas G. "Tommy the Cork" Corcoran, a native of Pawtucket who rose to power as Franklin D. Roosevelt's personal troubleshooter and fixer, died yesterday. He was 80.

Mr. Corcoran, who had been in good health and who had kept active as a lawyer and lobbyist, died at the Washington Hospital Center of a pulmonary embolism after gall bladder surgery, a family spokesman said.

Mr. Corcoran, as FDR's liaison to Capitol Hill, cajoled, persuaded and bullied a recalcitrant Congress into passing Roosevelt's liberal and far-reaching legislation that formed the New Deal.

In addition to FDR, Mr. Corcoran worked for Supreme Court Justice Oliver Wendell Holmes and helped form the Flying Tigers, which kept the Chinese supplied with materials until the United States entered World War II.

Until his death, Mr. Corcoran's Washington law firm—Corcoran, Youngman and Rowe—dealt with a long list of top corporate clients including Tenneco and large New York insurance companies, and he used his experience to lobby on their behalf.

He was born Dec. 29, 1900, on Randall Street in Pawtucket. His father, Thomas P. Corcoran, a lawyer and former common councilman, was the son of an Irish immigrant; his mother, the former Mary Josephine O'Keefe, was a descendent of a pre-Revolution New England family.

"My father always used to say that a boy who did not take the politics of his father and the religion of his mother was either a victim of child abuse or a filial ingrate," Mr. Corcoran once said. He was a Democrat and a Roman Catholic.

At 12, he peddled newspapers, at 15, he worked on a farm for 15 cents an hour, led a strike for better pay and was fired.

Afer graduating from Pawtucket High School in 1918 as class president, he followed in his father's footsteps to Brown University where, many years later, he would become a trustee.

He worked his way through Brown, capturing numerous prizes for debate and English composition along the route to bachelor's and master's degrees, and then enrolled in Harvard Law School. To build up income he gave lectures—at $2 a head—on how to pass tough exams.

His law school professor, Felix Frankfurter, was instrumental in his appointment

as secretary to Supreme Court Justice Oliver Wendell Holmes in 1926. Mr. Corcoran called the job "one of the greatest periods in my life. I learned more from him than any history book."

When the clerkship expired, he joined a New York law firm and specialized in corporate law, stock mergers, and issuances. In 1932, at the request of Federal Reserve Board governor Eugene Meyer, he returned to Washington as counsel to the newly created Reconstruction Finance Corporation.

There, he got involved in politics and worked on the Federal Housing Act. House Speaker, Sam Rayburn, then asked him for help with the Securities Act, which faced a tough congressional fight. It was through Rayburn that he met Ben Cohen.

Together, Mr. Corcoran and Cohen became known as "The Whiz Kids" and "The Gold Dust Twins."

They soon became part of FDR's "brain trust" and took on the majority of the President's tough jobs. Mr. Corcoran was the White House premier odd jobber, legman, expediter, arm-twister and speechwriter.

Together, the "Twins" wrote and pushed through Congress the Stock Exchange Act, the Fair Labor Standards Act, the Securities and Exchange Act, the Public Utility Holding Act and others that completely transformed American life.

The turning point in Mr. Corcoran's White House career came when he sought the job of solicitor general. According to civil rights lawyer Joseph Rauh, he got four Supreme Court justices to sign a letter to Roosevelt urging the appointment.

Frankfurter, whom Mr. Corcoran had helped place on the court refused to sign. The appointment was never made. And the breach with Frankfurter never healed.

Mr. Corcoran left the White House in 1941 to form China Defense Supplies; lend-lease to China and a thriving law practice. With Claire Chenault, he organized the Flying Tigers to keep the Chinese supplied until America entered the war.

His law practice grew and flourished. His dealings on behalf of large oil companies and pharmaceutical firms produced congressional wrath, and his law firm was investigated four times by Congress. Each time he emerged unscathed.

Mr. Corcoran is survived by four sons, Thomas Jr. of Washington; Dr. David of Bethesda, Md.; Howard of Potomac, Md., and Christopher of Newfoundland; a daughter, Cecily Kihn of Philadelphia, and six grandchildren.

Funeral arrangements are pending.

OMB'S HOUSING AND COMMUNITY DEVELOPMENT RECOMMENDATIONS

Mr. WILLIAMS. Mr. President, the Office of Management and Budget (OMB) has proposed a series of budget recommendations that can only be described as a near total abandonment of one of the Nation's most basic and long held commitments, that of decent, affordable homes and suitable living environments for our people.

The proposals would bring to a dead halt, almost immediately, any progress toward meeting the country's serious unmet housing and community development needs, at a time when vast segments of the economy are reeling from serious recession. Housing assistance programs, except for commitments in force, would terminate, while worthwhile, successful programs such as the community development block grant program and the urban development action grant program would be crippled right away and snuffed out within two years.

And what bright hope would OMB offer to distressed cities and to needy citizens? Apparently, it would offer only the hope of private charity, self-help, and the President's economic recovery program. This is not hope.

It is a wild-eyed dream that in the real world of today, with a pervasive recession and an 8.4-percent unemployment rate, we could save money through adopting a housing policy that means the nightmare of continued joblessness, and wretched housing conditions for millions of people who have nowhere else to turn but to their Government.

Let me outline some of the recommendations that OMB would have the Congress implement:

First, no additional commitments of Federal housing assistance after fiscal year 1982.

Second, no funding for the modernization of public housing, beginning in fiscal year 1982, except that which can be recaptured from the rescission of funds for new public housing development.

Third, a slash of public housing operating subsidies by 60 percent, with the difference to be made up presumably through rent increases for tenants.

Fourth, no new funding for the troubled projects program, aimed at restoring troubled HUD-insured projects to economic stability.

Fifth, a dramatic cutback in the population served by the FHA insurance programs; with FHA commitments to total no more than $20 billion by fiscal year 1984.

Sixth, the total elimination of the housing counseling program, which is designed to help prevent defaults on FHA-insured dwellings.

Seventh, the elimination of the section 202 housing loan program for the elderly and the handicapped, beginning with fiscal year 1983.

Eighth, the termination of GNMA tandem programs once fiscal year 1983 tandem activity is completed.

Ninth, the total phaseout of the GNMA mortgage-backed security program by 1987.

Tenth, the total phaseout of the community development block grant program by fiscal year 1984.

Eleventh, the total phaseout of the urban development action grant program by fiscal year 1984.

Mr. President, the outrage over the proposals is broad based. Republicans and Democrats alike have reacted with the deepest concern about the havoc that OMB's recommendations would wreak. In fact, the seriousness of the OMB proposals are reflected in the strong protest that the Department of Housing and Urban Development has lodged in an effort to overturn them.

I believe it would be useful for my colleagues to see in greater detail the depth and breadth of the OMB proposals, and learn the Department's strong objection to them. I think this would put in proper perspective the enormous implications these proposals hold for the whole range of housing and community development concerns in this country.

To that end, I would like to submit for the RECORD a copy of a document I have obtained which details the OMB recommendations, characterized in the document as "decisions" and the draft language of HUD's appeal to these housing proposals.

It should be emphasized that while some of the strongest language was toned down in the final version of the Department's appeal, language in this document reveals the deep sense of outrage that these proposals have provoked in the Department, and should in turn engender in all truly concerned that this Nation keep its promise to improve housing opportunities and conditions in our urban and rural communities.

Mr. President, I ask unanimous consent that OMB's housing and community development proposals, and the draft HUD appeal be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, 1983 BUDGET—DEPARTMENTAL TOTALS

[In millions of dollars, FTE in units]

	1982	1983	1984
Ba	−1,999.8	−7,425.6	−4,182.7
O	12,831.8	11,341.1	10,007.1
FTE	14,318	13,334	NA
	1985	1986	1987
BA	−1,506.5	30.7	2,930.7
O	8,784.9	8,825.9	9,457.5
FTE	NA	NA	NA

Note: Any appeal items must be submitted by noon Tuesday, Dec. 1. Specific appeal items must be ranked individually in priority order. Negative amounts of budget authority reflect planned rescission of deobligated multiyear subsidized housing commitments.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, 1983 BUDGET—1982 SUBSIDIZED HOUSING PROGRAM

	Units	Budget authority
Authority available:		
Permanent authority	NA	$30,300,000
New authority	NA	17,373,528,040
1981 carryover	NA	2,468,479,561
Deobligations:	NA	
New construction units		6,586,000,000
Moderate rehabilitation units		2,397,000,000
Total available	NA	28,854,307,601
Use of authority: Public housing:		
Amendments	NA	450,000,000
Lease adjustments	NA	24,800,000
Modernization		1,793,000,000
Sec. 8: Existing: Conversions:		
Sec. 23	5,000	188,325,000
Rent supplement/RAP	172,300	6,489,679,500
Amendments:		
New/rehab		2,950,000,000
Loan management		150,000,000
Additional uses:		
Transfer to PH loan fund		−1,400,000,000
Rescission		−15,408,503,101
Rent supplement/RAP conversions:		
Rescission in 1982 amended budget		−1,037,000,000
Additional rescission		−8,420,000,000
Total, rent supplement/RAP rescission		−9,457,000,000
Total 1982 rescission for subsidized housing		−24,865,503,101

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—SUBSIDIZED HOUSING, 1983 BUDGET

Program: Sec. 8 moderate rehabilitation.
Decision: Do not obligate for 34,000 moderate rehabilitation units in the pipeline which have been "reserved" but not reached "reserved not started" stage. Rescind budget authority associated with these 34,000 n oderate rehabilitation units.

BUDGETARY IMPLICATIONS

[In millions of dollars]

	1982	1983	1984	1985	1986	1987
BA	−2,397					
O	0	−75	−75	−74	−74	−74

Program: Subsidized new production.
Decision: Consistent with the Department's decision to curtail sec. 8 new construction and substantial rehabilitation activity beginning in 1983, we have proposed a rescission of budget authority for all sec. 8 and public housing new construction and substantial rehabilitation in 1982.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT 1983 BUDGET

Programs: Rent Supplement and Rental Housing Assistance.

Decision: All Rent Supplement and RAP units currently under payment in FHA-insured or Secretary-held projects should be converted to Section 8 as soon as possible. Simultaneously, HUD should attempt to eliminate any HUD obligation to fund Rent Supplement and RAP units that are under contract but on which payments are not currently being made because of vacancy, occupancy by tenants with incomes over program maximums, or other reasons. (For computation purposes, it is assumed that 158,600 Rent Supplement units and 13,700 RAP units will be converted as of September 1, 1982.)

Units in projects that are not insured by FHA or held by the Secretary will not be converted. The policy for these units is that the Department should not provide any amendments to contracts for units in State-aided projects. If necessary, legislation should be proposed that will specifically relieve the Department from any obligation to amend the contracts for these units for future rent increases. Moreover, HUD should take action (including proposing legislation, if necessary) that will permit the recapture and rescission of funding for Rent Supplement and RAP units in these State-aided projects when the tenants in the units on which subsidies are currently being paid move or otherwise become ineligible for subsidies. According to HUD estimates, payments currently are being made on about 14,400 Rent Supplement units and 20,300 RAP units in State-aided projects.

BUDGETARY IMPLICATIONS

[In millions of dollars]

	1982	1983	1984
Rent supplement program:			
BA	−8,709	0	0
O	−4	−278	−278
Rental housing assistance program:			
BA	−748	0	0
O	−2	−26	−26
	1985	1986	1987
Rent supplement program:			
BA	0	0	0
O	−278	−278	−278
Rental housing assistance program:			
BA	0	0	0
O	−26	−26	−26

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT 1983 BUDGET

Program: Subsidized Housing Tenant Rents.

Decision: Rent increases will be accelerated through the following steps:

1. Legislation will be proposed to permit food stamps to be counted as income (assumed to be effective in FY 1983).

2. The 1981 Reconciliation Act changes will be implemented through regulation in FY 1982 so that income is defined as all cash income without any deductions or special adjustments.

3. The rent to income ratio will be increased to 30 percent by 1984: the increase will be 1 percent of income in 1982, and 2 percent in both 1983 and 1984.

Legislation will be proposed to repeal the 10 percent ceiling on the rate of annual rent increases (excluding tenant income growth) as included in the 1981 Reconciliation Act.

BUDGETARY IMPLICATIONS[1]

[In millions of dollars]

	1982	1983	1984	1985	1986	1987
BA						
O	−735	−1,074	−1,068	−803	−775	−799

[1] Impacts are shown for the subsidized housing account only; the impact on public housing is reflected in decision for public housing operating subsidies.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT 1983 BUDGET

Program: Subsidized Housing.

Decision: The Section 8 existing program will be modified as follows in 1983:

(a) A payment standard approach will be used to determine a rental allowance. The payment standard will be set at a level equivalent to the 40th percentile of the distribution of rents for all rental units of standard quality, excluding new units.

(b) Consistent with the rent increase decision, the tenant contribution will be set at 30 percent of cash income plus food stamps, if applicable. No adjustments to income will be assumed.

(c) PHA's will continue to administer the program through payments to landlords.

(d) A minimum 10 percent contribution will be required of participating households.

Program level for 1983 will consists of: (1) replacement of current Section 8 Finders Keepers certificates with vouchers as tenants exit the program; (2) 20,000 vouchers for tenants currently occupying Section 8 new or sub rehab units whose owners are expected to terminate their involvement with the Section 8 program at the time of their 5 year renewal option; and (3) 3,750 vouchers for public housing tenants in projects being sold or demolished.

The bounty vouchers demonstration has been rejected.

The budgetary details for the revised Section 8 existing program are as follows:

Vouchers will be issued for 5 years with no adjustments for inflation.

The assumed subsidy per voucher per year is $1,800.

When a Section 8 existing certificate is replaced with a voucher, the PHA's ACC will be extended for 5 years at a commitment of $9,000 per voucher in BA; the balance of the BA currently allocated to that PHA will be deobligated and proposed for rescission.

Finally, support for a revised Section 8 Existing (voucher) program is tied to the achievement of the legislative changes to permit rents to be increased at an accelerated pace, and upon deobligation of funds currently obligated in support of the Section 8 new/sub rehab program.

PROGRAM LEVEL

	1982	1983	1984
Existing (finders keepers)	734,746	557,790	425,090
Incremental voucher reservations	0	[1] 23,750	7,500
Voucher	0	191,186	334,886
	1985	1986	1987
Existing (finders keepers)	325,564	0	0
Incremental voucher reservations	11,250	11,250	11,250
Voucher	444,162	783,226	794,476

[1] Reservation level. 60 percent come under payment in year of reservations and 40 percent in year subsequent to reservation.

BUDGETARY IMPLICATIONS OF VOUCHER IMPLEMENTATION

[In millions of dollars]

	1982	1983	1984
BA	0	−2,489,734	−2,350,929
O	0	683,134	947,795
	1985	1986	1987
BA	−2,159,287	−2,128,241	104,289
O	1,147,482	1,769,806	1,793,056

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT SUBSIDIZED HOUSING 1983 BUDGET

Program: Section 8.

Decision: Deobligations of Section 8 Authority:

HUD's estimated $4 billion in Section 8 "recaptures" for 1982 and 1983 has been accepted. These additional resources will be used to finance approved subsidized housing program levels in 1982 and 1983. Appropriated 1982 budget authority or requests for new budget authority in 1983 will be reduced to reflect any excess between the $5 billion in deobligations and approved program levels.

All 1981 carryover budget authority will be proposed for rescission.

Section 8 Amendments for New Construction/Sub Rehab:

Amendments will be made in 1982 and 1983 only for approved cost increases (no amendments to increase numbers of units).

HUD will continue to implement its policy of limiting cost amendments to a maximum of an annual 7½% increase above original contract reservation amounts, with an exception only for FAF.

The 1982 amendments for FAF will be limited to $1.4 billion for tax-exempt financed projects. These amendments will be financed from deobligations and FAF amendments for State agency projects will be financed only from deobligations of State agency units. The other conditions governing the FAF decision continue to apply.

Total approved Section 8 New/Sub Rehab amendment program levels are $2.95 billion (including FAF) for 1982 and $1.05 billion for 1983. No amendments are projected beyond 1983.

Section 8 Amendments for Existing:

Amendments budget authority will not be provided in 1982 and 1983 pursuant to the Department's decision to roll back existing FMR's in 1982 and limit future increases in FMR's to 5 percent.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT 1983 BUDGET

Program: Section 8:

Decision:

Adopt HUD Recommendation (No. 5) to roll back existing housing FMR's in 1982 and limit future increases in FMR's to 5 percent.

Adopt HUD Recommendation (No. 5) to set future existing housing FMR's levels at the 40th percentile rather than the median.

This recommendation has been incorporated into our computation of the voucher payment standard.

Calculate the rent standard using the distribution of all non-newly constructed standard units (rather than only those units occupied by recent movers as it is currently computed). This methodological change has been incorporated into our computation of the voucher payment standard.

Adopt HUD Recommendation (No. 8) to reduce the PHA's administrative fee for the non-voucher Section 8 existing program from 8.5 percent of contract rent to 6.0 percent.

Adopt HUD Recommendation (No. 11) for revising the Annual Automatic Adjustment Factors.

Adopt HUD Recommendation (No. 12) to use excess residual receipts from certain nonprofit and limited dividend Section 8 projects to offset housing subsidy payments.

HUD SUBSIDIZED HOUSING INVENTORY—UNITS UNDER OCCUPANCY/PAYMENT

	Occupied Units, Sept. 30, 1981	OMB recommended levels					
		Fiscal year 1982		Fiscal year 1983		Fiscal year 1984	
		Change	New total	Change	New total	Change	New total
Sec. 8 new/sub rehab	474,465	+108,356	582,821	+37,000	619,821	+26,015	645,836
Sec. 8 existing	843,757	+234,379	1,078,136	−211,936	866,200	−137,700	728,500
Voucher	0			+191,186	191,186	+143,700	334,886
Public housing	1,204,000	+21,315	1,225,315	+13,630	1,238,945	+14,630	1,253,575
Sec. 235	244,000	+23,000	267.000	−28,000	239,000	−22,000	217,000
Rent supplement	173,000	−158,600	14,300		14,400		14,400
Sec. 236	397,374		397,374	−1,000	396,374	−1,000	395,374
RAP	34,000	−13,700	20,300		20,300		20,300
Subtotal	3,370,596	+214,750	3,585,346	880	3,586,226	23,645	3,609,871

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT 1983 BUDGET

Program: Public Housing Production and Modernization.

Decision: No funds will be requested in FY 1983 and any FY 1982 funds appropriated will be proposed for rescission. However, PHA's will be permitted to use 50 percent of any funds now obligated in the public housing pre-construction pipeline for public housing modernization. It is expected that about 75 percent of the new construction pipeline will be deobligated and the 50/50 rule applied to these funds. The other 50 percent of the funds deobligated will be proposed for rescission. Regulations for public housing modernization will give priority on the use of funds to energy conservation. Regulations will also emphasize the need to assure the economic and social viability of projects being rehabilitated. Finally, regulations will permit the use of modernization funding for the demolition of projects. (Appropriations language will be proposed to permit the use of deobligated production funds for public housing modernization.)

BUDGETARY IMPLICATIONS [1]

[In millions of dollars]

	1982	1983	1984	1985	1986	1987
BA	−793	−1,586	−1,586	−793		
O			−3	−3	−3	−6

[1] Rescissions of BA and associated outlay impacts net of new obligations for modernization.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT 1983 BUDGET

Program: Indian Housing.

Decision: No additional funds will be requested in the 1983 budget for any Indian housing program pending completion of the interagency task force review. No further funds are being requested for the water and sanitation programs of the Indian Health Service. The Indian Housing construction pipeline is assumed to be completed. However, to the extent that added water and sewer facilities are needed to complete the current Indian housing pipeline, those funds will have to come from deobligations of Indian housing units.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT 1983 BUDGET

Program: Payments for Operation of Low Income Housing Projects.

Decision:

1. The Administration will continue to oppose any add-ons to the 1982 appropriation bill such as the $148 million intended to apply retroactively to 1981 public housing operating subsidy requirements.

2. The 1982 proposed appropriation level of $1,060 million wil be retained based upon increased rental revenues resulting primarily from the elimination of all adjustments to income effective immediately (see Subsidized Housing Tenant Rent decision).

3. The 1983 program level assumes not only the full effect of the rent increase as discussed elsewhere, but also a one-time downward adjustment in PHA base utility consumption allowances of 20 percent, effective beginning in 1983.

4. Other sources of reduced operating subsidy requirements include:

A regulation change to preclude counting vacant or "deprogrammed" units in PUM totals for purposes of computing subsidy.

Regulation changes to permit PHA's to reduce tenant energy allowances and to revise lease and grievance procedures.

Reductions in the number of units under management attributable to (a) deobligations of units in the construction pipeline; and (b) a deliberate policy of closing down the most expensive projects.

BUDGETARY IMPLICATIONS [1]

[In millions of dollars]

	1982	1983	1984	1985	1986	1987
BA	1,060	402	314	444	590	771
O	1,028	698	353	385	524	658

[1] Expected effect of rent increase is shown below:

BA	−223	−703	−907	−895	−865	−907
O	−84	−490	−817	−900	−879	−888

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT 1983 BUDGET

Program: Rental Rehabilitation Initiative.

Decision: The Rental Rehabilitation Initiative has been denied due to a lack of food analytical reasons to begin such a program especially in a very tight budget year.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT 1983 BUDGET

Program: Troubled Projects Operating Subsidy.

Decision: Beginning in FY 1983, Troubled Projects will be funded solely from transfers from the Rental Housing Assistance Fund; Legislative proposal 97–105 should be changed accordingly. In addition, legislation should be proposed to redefine eligible housing projects such that only FHA-insured or Secretary-held projects will be eligible for Troubled Projects assistance beginning in FY 1983. Legislative proposal 97–106 is disapproved.

BUDGETARY IMPLICATIONS

[In millions of dollars]

	1982	1983	1984	1985	1986	1987
BA	4	0	0	0	0	0
O	115	35	0	0	0	0

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT 1983 BUDGET

Program: Federal Housing Administration.

Decision: Beginning immediately, FHA insurance of unsubsidized single-family mortgages should be specifically targeted at only those homebuyers who are not adequately served by the private sector. FHA should not compete with or attempt to compete with the private sector. Instead, FHA should encourage the private mortgage insurance industry to handle as much of the market as possible. Thus, the role for FHA should be a residual one: FHA should provide mortgage insurance only to the extent that the private sector is not capable of responding to market demands.

FHA should begin in FY 1982 to collect the discounted present value of premiums at the time mortgages are initially insured. The discount rate used should be based on the Administration's current economic assumptions; the discount period used should be the full term of each mortgage. In addition, FHA should eliminate cross-subsidization by charging higher premiums to those homebuyers who are in higher risk categories (i.e., low downpayment homebuyers). Note that the sum of the mortgage plus the discounted present value of premiums should not be allowed to exceed current maximum mortgage amounts (i.e., 97 percent of the first $25,000 of value, and 95 percent of the value above $25,000). Coincident with these changes, FHA should eliminate the mutuality provisions of the Mutual Mortgage Insurance Fund. If necessary, legislation should be proposed to accomplish this change.

Consistent with the retargeting of FHA stated above, the following changes should be implemented:

Instead of legislative proposals 97–225 and 810, legislation should be proposed to repeal the maximum interest rates charged on FHA insured mortgages and loans. In addition, the restrictions on the number of points that may be paid by homebuyers should be eliminated.

The maximum mortgage limitations currently in place should not be increased.

Expansions of FHA insurance authority are disapproved. Specifically, legislative proposals 97-204, 205, 206, 209, 216, 217, 218 and 219 are disapproved.

Instead of legislative proposal 97-220, HUD should submit legislation to repeal Section 518 of the National Housing Act.

Legislative proposals 97-207, 210, 211, 212, 213, 215, 224, 801, 803, 805, 806 and 808 are approved.

The provisions of legislative proposal 97-214 that eliminate the requirement that FHA accept debentures at par in exchange for premiums and that give the Secretary the choice of cash or debenture settlement for all multifamily programs are approved. The remaining provisions of this proposal are disapproved.

HUD should redraft legislative proposal 97-802 to exclude Sections 232 and 242. In addition, legislative proposals 97-804 and 809 are disapproved.

Instead of legislative proposal 97-201, HUD should propose the total elimination of Section 203 of the Housing and Community Development Amendments of 1978 as amended. As a result of this action, it is assumed that the receipts from selling multifamily properties will be increased by $37 million in FY 1983.

Purchase money mortgages (PMM's) may be used to sell 7,000 units in FY 1982 and 2,500 units in FY 1983.

FHA should obtain receipts from the sale of PMM's of at least $150 million in FY 1982, $150 million in FY 1983, and $50 million in FY 1984.

BUDGETARY IMPLICATIONS

[In millions of dollars]

	1982	1983	1984	1985	1986	1987
Commitment limitation	35,000	24,000	20,000	20,000	20,000	20,000
Commitments used	26,000	24,000	20,000	20,000	20,000	20,000
BA	292	240	291	323	309	289
O, total	−455	−582	−924	−737	−845	−960
Outlay analysis:						
Sept. 15 submission	−207	−238	−261	−338	−448	−564
Discounted premiums	−98	−207	−363	−361	−359	−357
Nov. 6 asset sale reestimates	−100	−50	−213	0	0	0
Eliminate sec. 203 restrictions	0	−37	−37	−38	−38	−39
Additional sale of PMM's	−50	−50	−50	0	0	0

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT 1983 BUDGET

Program: Housing Counseling Assistance.

Decision: Because of severe budget constraints and the fact that other sources of funds (e.g., Federal CDBG and GRS funds and local funds) can be used to support this activity, the program will be ended in 1983.

BUDGETARY IMPLICATIONS

[In millions of dollars]

	1982	1983	1984	1985	1986	1987
BA	3.52					
O	4.55	2.85	0.56	0.35		

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—1983 BUDGET

Program: Housing for the elderly and handicapped fund.

Decision: Rescind 1982 program; rescind the current direct loan limitation. Do not provide any loan limitation in 1983. Sell all sec. 202 loan assets with a coupon rate at face value of between 6 percent to 9 percent in 1982-84 (see the loan liquidation table below). Sell the sec. 202 loan assets which will be made in 1982-84 in the year of issuance (see the loan liquidation table below).

LOANS TO BE LIQUIDATED

[In millions of dollars]

	Year of liquidation		
	1982	1983	1984
$19,000,000 at 6.87 percent			19
$517,000,000 at 6.97 percent		250	267
$1,012,000,000 at 7.62 percent	200	362	450
$308,000,000 at 8.50 percent	308		
$69,000,000 at 9.00 percent	69		
$780,000,000 at 11.75 percent	780		
$752,000,000 (1983 loans)		700	
$590,000,000 (1984 loans)			590

BUDGETARY IMPLICATIONS

[In millions of dollars]

	1982	1983	1984	1985	1986	1987
BA	0	0	0	0	0	0
O	[1] 780,000	[1] 752,000	[1] 590,000	[2] −25	[2] −25	[2] −25

[1] Gross of loan asset sales.
[2] Net of loan asset sales.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—SUBSIDIZED HOUSING, 1983 BUDGET

Program: Nonprofit sponsor assistance (sec. 106(b)).

Decision: Rescind 1982 program; rescind the current direct loan limitation. Do not provide any loan limitation in 1983

BUDGETARY IMPLICATIONS

[In thousands of dollars]

	1982	1983	1984	1985	1986	1987
BA	−6,044	−768	0	0	0	0
O	−1,469	−768	0	0	0	0

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT 1983 BUDGET

Program: Tax Incentive for Leasing of Energy Conservation Equipment to Section 202 Housing Sponsors and Low Rent Public Housing Agencies.

Decision: This legislative proposal has been rejected.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT 1983 BUDGET

Program: Public Housing Loan Fund.

Decision: A portion of the subsidized housing program budget authority which becomes available through deobligations will be proposed for transfer to the public housing loan fund. The amounts proposed are $1.4 billion in FY 1982 and $1.4 billion in FY 1983. These funds will be used to finance the sale of public housing bonds to the FFB. Legislation will be proposed to increase the recently enacted ceiling on the obligation of funds by HUD in conjunction with such sales.

Program: Tax-Exempt Financing for Multifamily Housing.

Decision: No legislation will be proposed in this area (i.e., to amend Section 11(b) of the U.S. Housing Act or Section 103 of the tax code).

Program: Solar Energy and Energy Conservation Bank.

Decision: Any amounts appropriated in FY 1982 and FY 1983 will be proposed for rescission.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT 1983 BUDGET

Program: GNMA Tandem Programs.

Decision: 1. Legislation to forgive the net Treasury borrowings of the SAF and EMPA funds will not be proposed at this time.

2. Demand for tandem loan commitments in 1982 should be screened initially through the use of pricing mechanisms:

(a) Initial commitment fee of 6 percent.
(b) Purchase price of 95 percent of par.

3. The proposal to terminate the Tandem authorities should be resubmitted once 1983 Tandem activity is completed.

BUDGETARY IMPLICATIONS [1]

[In millions of dollars]

	1982	1983	1984	1985	1986	1987
BA	1,223	1	244	272	851	1,353
O	1,171	1,138	1,397	384	851	1,353

[1] SAF an EMPA accounts.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—GOVERNMENT NATIONAL MORTGAGE ASSOCIATION, 1983 BUDGET

Program: Guarantees of mortgage-backed securities.

Decision: The commitment level of the GNMA mortgage-backed securities program will be set at $38,400 million in 1983. The application fee for commitments will be set at $1,000 per $1 million of commitment authority issued beginning in 1982. The program is expected to be phased-out by 1987, which represents a $9.6 billion or 20 percent decrease in commitment levels each year 1982 to 1987.

BUDGETARY IMPLICATIONS

[In millions of dollars]

	1982	1983	1984	1985	1986	1987
Credit limitation	48,000	38,400	28,000	19,000	9,600	0
Outlays	−124	−148	−132	−130	−123	−112

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—COMMUNITY PLANNING AND DEVELOPMENT, 1983 BUDGET

Program: Community development block grants.

Decision: The CDBG program will be phased out by 1984 beginning in 1982 because of the need to reduce Federal spending.

BUDGETARY IMPLICATIONS

[In millions of dollars]

	1982	1983	1984	1985	1986	1987
BA	2,150	1,075				
O	3,978	2,728	1,548	720	75	

Program: Urban development action grants.

Decision: The UDAG program will be phased out by 1984 beginning in 1982 because of the need to reduce Federal spending.

BUDGETARY IMPLICATIONS

[In millions of dollars]

	1982	1983	1984	1985	1986	1987
BA	300	150				
O	599	620	470	180	69	

Program: Rehabilitation loan fund.
Decision: If the sec. 312 program is not terminated in 1982, its termination will be proposed for 1983 with all assets, deobligations, and income being transferred to the revolving fund (liquidating programs). However, for as long as the program continues, its activity will be exclusively used for multifamily rental rehabilitation. Revised regulations should be promulgated as soon as possible increasing the interest rate to the maximum allowable by law and making the interest rates dependent upon landlord's (not tenants') incomes.

BUDGETARY IMPLICATIONS

[In millions of dollars]

	1982	1983	1984	1985	1986	1987
BA						
O	−28.2	−57	−59	−63	−66	−69
1982 program:						
O	+26	+33	−4	−4	−4	−4

Program: Urban homesteading.
Decision: The urban homesteading program will continue in 1983 without any modifications, funded at $9,000,000 (a level felt sufficient for anticipated program demand).

BUDGETARY IMPLICATIONS

[In millions of dollars]

	1982	1983	1984	1985	1986	1987
BA		9	9	9	9	9
O	16	9	9	9	9	9

Program: Sec. 108 loan guarantees.
Decision: No new sec. 108 loan guarantee commitments will be made effective immediately. The program is being terminated.

	1982	1983	1984	1985	1986	1987
Loan guarantee limitations	$0	$0	$0	$0	$0	$0

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—NEW COMMUNITIES DEVELOPMENT CORPORATION, 1983 BUDGET

Program: New Communities Development Corporation.
Decision: Asset sales will be planned as shown in the Secretary's Nov. 6, 1981, letter to achieve additional outlay savings of $6,400,000 in 1983 and $13,700,000 in 1984.

BUDGETARY IMPLICATIONS

[In millions of dollars]

	1982	1983	1984	1985	1986	1987
BA	33.1	34.2	34.1	52.2	57.5	62.1
O	34.4	35.2	34.9	52.2	57.5	62.1

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—FAIR HOUSING AND EQUAL OPPORTUNITY, 1983 BUDGET

Program: Community housing resource boards.
Decision: No funding will be requested for community housing resource boards (CHRB's). Fiscal years 1981 and 1982 for CHRB's will be rescinded. In addition, outlays for fair housing assistance grants have been revised to reflect reestimates.

BUDGETARY IMPLICATIONS

[In millions of dollars]

	1982	1983	1984	1985	1986	1987
BA	[1] 1.7	3.7	3.7	3.7	3.7	3.7
O	4.4	5.1	3.2	7.0	3.7	3.7

[1] Includes rescission of $2,000,000 in 1981 BA and $2,000,000 in 1982 BA.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—POLICY DEVELOPMENT AND RESEARCH, 1983 BUDGET

Program: Research and technology.
Decision: Research and technology will be funded at $20,000,000 in 1983.

BUDGETARY IMPLICATIONS

[In millions of dollars]

	1982	1983	1984	1985	1986	1987
BA	20	20	20	20	20	20
O	33	26	20	20	20	20

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—STAFFING 1983 BUDGET

Based on the program decisions for 1982 and 1983, 14,593 staff-years will be allocated for 1982 and 13,609 staff-years for 1983 (excluding staff-years for terminal leave). The FTE equivalents are as follows:

	Total	FTP
1982 FTE's	14,318	13,864
1983 FTE's	13,334	12,911

On a decision unit basis, the following staff-years were decided upon for 1982 and 1983.

	1982	1983
Housing:		
Headquarters	876	823
Sec. 8	812	650
Public housing	500	403
Public housing modernization	157	144
Other field	667	639
FHA—mortgage insurance	1,612	1,282
FHA—all other	2,099	2,096
Nonprofit sponsor	1	1
Housing payments	859	859
Revolving fund	15	15
Community disposal	1	1
Congregate services	4	4
Regulatory functions	40	40
Less shortfall	−277	0
Total	7,366	6,957
GNMA	57	52
Solar bank	0	0
CPD:		
Headquarters	340	300
Enterprise zones	0	0
CDBG	600	500
UDAG	120	90
Planning grants	5	0
Rehabilitation loans	30	0
Urban homesteading	10	10
Other field	330	270
Total	1,435	1,170
NCDC	55	50
PD & R	210	200
FH & EO	592	592
Departmental management	170	150
General counsel	225	225
Field legal	320	320
Inspector General	483	483
A & SS	1,410	1,300
WCF	380	350
FD & OS	620	560
Field administration	1,270	1,200
Total	14,593	13,609

From these totals, 200 overtime staff-years and 75 nonceiling staff-years were subtracted in order to achieve the FTE numbers.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—SALARIES AND EXPENSES, 1983 BUDGET

The following table summarizes the S & E mark for 1983 (dollars in thousands). Amounts, where appropriate, are based on 1983 staffing recommendations. Staff will gladly provide details.

Personnel services	$394,622
Travel	15,800
Transportation	800
Rents, communications, and utilities:	
Space rental	40,000
FTS	8,300
Penalty mail	10,500
Other communications	8,300
Equipment rental	6,700
All other	100
Total	73,900
Printing and reproduction	7,500
Other services:	
ADP	31,500
Special contracts	2,714
Trainihg contracts	1,000
Property protection	100
Regulatory analysis	100
All other	9,000
Total	44,414
Supplies	4,000
Furniture and equipment	1,500
Indemnities	45
Total	542,581

The approximate distribution of these obligations between budget authority and transfers is as follows (dollars in thousands):

Budget authority	294,744
FHA transfer	236,450
Other transfers	11,387
Total	542,581

Due to the apparent tightness of the 1982 situation, a partial waiver has been granted to the 50 percent absorption of the pay raise. HUD will only be required to absorb 50 percent of the budget authority, not the FHA transfer. With an increase in 1982 pay costs of $14,334 million (excluding working capital fund), it is assumed that about 45 percent would normally come from increased FHA transfers, or about $8,700 million. In order to absorb half the remainder, supplemental appropriations of $5,317 million would be permitted.

It is believed that with this waiver and with other nonpersonnel cost reductions (such as in ADP and travel), more than sufficient funds should be available so as not to force a reduction in personnel below the recommended 1982 staffing evel and to pay for any necessary severance costs.

BUDGET APPEALS—HOUSING: SUBSIDIZED HOUSING LEVELS FOR FISCAL YEAR 1982

	HUD request	OMB mark	Real impact of OMB mark
Public housing	$17,000		−$26,000
Sec. 8:			
New/sub rehab	44,842		−58,000
Existing/mod rehab	64,769		−40,000
Conversions	35,000	$177,300	177,300
	144,611	177,300	79,300
Total	[1] 161,611	177,300	53,300
Proposed funding:			
Sec. 8 and public housing	[1] 17,374	595	595
Rent supplement	−1,037	−9,457	−9,457
Total	16,337	−8,862	−8,862

[1] Revised to reflect the President's 12-percent cut in appropriations.

OMB Mark:

The revised FY 1982 Budget requested an appropriation of $17.4 billion to fund the approval of 161,611 units under the Section 8 and Public Housing programs. The OMB mark proposes a rescission of $15.4 billion and the transfer of $1.4 billion to the Federal Financing Bank.

The OMB anticipates the availability of $11.5 billion in deobligations, carryover and permanent authority for a total gross program level of $12.0 billion for Section 8 and Public Housing (See attached computer printout). No new approvals are proposed for FY 1982. The only activities to be funded are amendments to ongoing projects and modernization of Public Housing projects (both from deobligations) and the conversion of projects now being funded under older subsidy mechanisms to funding under Section 8.

Impact:

HUD had proposed a gradual phase-out of subsidies for new construction in favor of less expensive subsidies for existing housing. At the same time, the Department proposed to meet the need for new rental housing construction after 1982 through the use of tax-exempt financing: a less costly, and administratively simpler devise which places greater reliance on the private entrepreneur and market demand.

BUDGET APPEALS

HOUSING

The OMB Mark not only eliminates entirely the new construction program, but also the use of additional existing housing subsidies as well. Moreover, in order to carry out the OMB proposal, the Congress will have to vote—in an election year—for a massive rescission of budget authority. This would represent the third major funding reduction for housing programs proposed for FY 1982. Given the fate of the latest round of cuts, it seems doubtful that added reductions of this magnitude are even remotely possible. At a time when the housing industry is at an all time low, when construction unemployment has reached depression levels, the OMB would eliminate current housing programs without offering any alternative vehicle for providing assistance.

It is simply infeasible to expect to be able to convert all Rent Supplement and RAP projects to Section 8 funding within the next 10 months. More importantly, neither the Congress nor the industry will be misled by the transparent ploy of counting these units as additions to the subsidized stock. Even if sufficient recaptured authority could be made available—which it cannot—it will be blatantly obvious that the proposed 1982 program represents merely an attempt to reneg on valid existing contracts and to try to reverse the government's valid commitment to helping the very poor find decent housing.

The OMB proposal would require the cancellation of an estimated 124,000 units of subsidized housing—and would offer no positive alternative in place of the current programs. If the Administration chooses this approach, it runs the risk of having Congress reject the entire proposal and simply reinstitute the current, costly subsidy programs instead—at the higher levels originally proposed in the 1982 Budget.

The OMB Mark proposes the deobligation of 34,000 units reserved under the Section 8 Mod Rehab program which have not yet reached construction start. This arbitrary action violates existing agreements with local housing agencies. In many cases, these agencies have advertised the availability of subsidies and accepted bids from local owners and developers. Cancelling these commitments without cause would leave HUD and the local agencies vulnerable to litigation.

The OMB Mark would eliminate the use of Section 8 to achieve the sale of FHA properties in 1982—thus leading to higher HUD outlays.

While the OMB recognizes the valid need for modernization of Public Housing projects, its proposal to fund this program using one-half of all Public Housing deobligations is infeasible. There is simply no way that sufficient recaptures can be achieved rapidly enough in FY 1982 to be used to fund the modernization program—and legal restrictions on the use of recaptures will prevent its use for modernization in many localities. Moreover, the OMB's proposal would require us to ask Congress for authority to reprogram the use of recaptured authority at precisely the same time that we were asking them for massive rescissions—including a rescission of authority specifically provided by them for this very purpose.

The OMB assumes that 75 percent of the Public Housing pipeline will be cancelled during 1982–85 in order to fund the Modernization program. There is absolutely no basis for this estimate—nor is there any way of legally requiring the arbitrary cancellation of over 100,000 units of valid Federal commitments to provide needed new housing.

The proposed rescission of 1981 carryover balances will result in litigation as well, since in many cases the carryover authority is needed to fund valid program commitments (e.g., Section 8 subsidies for approved Section 202 projects).

The failure to fund amendments to existing housing units now under payment would violate the requirements of the Section 8 authorizing statutes, and the implementation of a roll-back in FMRs during FY 1982 is administratively unworkable.

Finally, the OMB proposal ignores the consistent direction of Congress to continue making funding available for under a number of set-asides: Public Housing, State Housing Finance and Development Agencies, Section 202, and Farmers Home Administration units. The political support for a number of these groups is incredibly strong—and it is foolish to antagonize organizations which would normally be strong supporters of the Administration by engaging in a battle where the political losses will inevitably be far greater than any forseeable outlay savings.

ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING, FISCAL YEAR 1982

	Units	Cost	Contract authority	Term	Budget authority
Authority available:					
Recaptures	NA	NA	$419,900,000	NA	$8,982,600,000
Carryover	NA	NA	96,561,649	NA	2,468,479,561
Permanent auth.	NA	NA	30,300,000	NA	30,300,000
New authority	NA	NA	897,177,848	NA	17,373,528,040
Total available	NA	NA	1,443,939,497	NA	28,854,907,601
Use of authority:					
Public housing:					
New	0	$4,905	0	30	0
Rehab	0	4,905	0	30	0
Amendments	NA	NA	15,000,000	NA	450,000,000
Lease adjustments	NA	NA	24,200,000	1	24,800,000
Modernization	NA	NA	89,640,000	20	1,792,800,000
Subtotal	0		129,440,000		2,267,600,000
Section 8:					
New construction: Subtotal	0		0		0
Sub rehab: Subtotal	0		0		0
Existing: Conversions:					
Sec. 23	5,000	2,511	12,555,000	15	188,325,000
Rent supplement/rap	172,300	2,511	432,645,300	15	6,489,679,500
Subtotal	177,300		445,200,300		6,678,004,500
Amendments:					
New/Rehab	NA	NA	128,260,000	23	2,950,000,000
Existing	NA	NA	0	9	0
Loan management	NA	NA	15,000,000	10	150,000,000
Subtotal	NA	NA	143,260,000		3,100,000,000
Total, sec. 8	177,300		583,460,300		9,778,004,500
Total all programs	177,300		717,900,300		12,045,604,500
FFB Transfer					1,400,000,000
Rescission			726,039,097		15,409,303,101
Total new	0				
Total rehab	0				
Total exist	177,300				
Total, all units					
Option 2: Preset CA limit, Sat. Nov. 28, 1981, 14:58:57:629 Mark 1			717,900,300		

BUDGET APPEALS—HOUSING: SUBSIDIZED HOUSING LEVELS FOR 1983—HOUSING VOUCHERS

	HUD request	OMB mark	Real Impact of OMB mark
Public housing			—$42,000
Sec. 8:			
New/sub rehab	$10,000		—62,000
Existing/mod rehab	107,000	$214,936	—20,750
Conversions	25,000		
Subtotal	142,000	214,936	—82,750
Total	142,000	214,936	—124,750
Proposed funding:			
Sec. 8 and public housing	7,627	—11,116	—11,116
Rent supplement	—1,385		
	6,242	—11,116	—11,116

HUD REQUEST

The HUD submission proposed the modification of the Section 8 existing housing program in 1983 to make it more in line with the findings of the Experimental Housing Allowance Program (EHAP). A total of 88,000 additional units were proposed for 1983 under various forms of the voucher proposal. In addition, HUD proposed a reduced level of funding for the politically popular Section 202 program, and 44,000 units of eixsting housing subsidies to maintain the current subsidized housing stock.

OMB MARK

Some of the features of the Voucher program would be introduced under the Mark, but under a very different funding level and program direction:

The basic feature of vouchers—the payment standard—would be retained, and the standard would be based on a rent at the 40th percentile of the market, as HUD had proposed, but:

Food stamps will count as income and the tenant payment will be based on a percentage of gross income without any allowances and counting both cash and non-cash income. Current legislation limiting the rise in an tenant's rent to 10 percent per year would be eliminated under the Mark, and the rise in rent burden to 30 percent will be accelerated to occur by 1984—rather than by 1986 as originally approved by Congress.

Two changes are proposed to the way in which the 40th percentile rent is determined: At present, only the rents paid by recent movers is counted, while OMB would count all renters; and at present, the rents of all rental units are counted, while the OMB would exclude the rent of newly constructed projects.

	Units
Funding is proposed as:	
For tenants of new or sub rehab projects where the owner drops out of the program	20,000
For tenants of Public Housing projects sold or demolished (3 vouchers for each 4 units eliminated)	3,750
Phase-out of current Section 8 certificates (full phase-out in 4 years)	191,186
Total	214,936

The subsidy will average $1,800 per year for 5 years—with no increase for inflation over the term. The excess BA from the phase-out of the Section 8 program will be rescinded. Recaptures from new construction projects will be used to fund the 23,750 "incremental" units approved for 1983. Because of a higher level of existing housing cancellations in 1983, however, the OMB projects a net decline in existing/voucher units under payment of 20,750 units in 1983.

PHAs will continue to make payments directly to landlords.

The Housing Bounty demonstration and the Rental Rehab initiative were rejected.

HUD's outlay savings proposals on rolling back the existing FMRs, on reducing PHA fees, and on revising the Annual Adjustment Factor were accepted.

The OMB conditions its support for a revised Section 8 existing program on the enactment of legislation to speed up rent increases and the achievement of higher deobligations under Section 8.

IMPACT

Last year, the Department was able to achieve passage of higher tenant rents only by promising to carefully limit the adverse impact on current tenants. The OMB Mark would require us to violate every agreement made as part of last year's package. Not only will this proposal not pass the Congress, it will totally destroy any remaining semblance of credibility the Administration has with the Hill.

As part of its recent outlay reduction exercise with the OMB, the Department examined and specifically rejected the changes to tenants rents now being proposed by OMB. The reasons for rejection, which were discussed in detail in the Secretary's November 6th letter, included political impracticality, the danger of higher vacancies, rent strikes, massive evictions, project defaults, higher outlays, political and social unrest, and likely litigation.

The estimate of 20,000 new/rehab units dropping out of the Section 8 program is too high and cannot be supported under any basis.

The estimated turnover of the entire Section 8 existing inventory in 4 years is simply unrealistic—moreover, it ignores the fact that HUD has valid contracts with local housing agencies to administer the current program for the next 5 years.

The $1,800 estimate is probably too low a figure for 1983—it is clearly too low for 1987. By refusing to allow for any increase in the subsidy, the OMB is assuring that tenants will bear a significant hardship—and by doing so is losing sight of our mutual goal. HUD proposed the shift to vouchers and the roll-back in FMRs in part as a way to save money and thereby help more families. By being too niggardly, the OMB has made the voucher program unacceptable to those groups whose support we will need if we are to convince the Hill to enact vouchers in lieu of the current existing housing program.

The OMB's clumsy threat to deny support for vouchers if it doesn't get its way on tenant rents and deobligations is not only offensive and juvenile—it ignores the fact that both HUD and OMB have agreed that vouchers are a better, less expensive and philosophically more defensible program than the current Section 8 mechanism. Which is why HUD proposed it and why the OMB should endorse vouchers without reservation and stop playing games with themselves.

The denial of the Rental Rehab initiative and the Housing Bounty demonstration merely prove that the technicians at OMB would rather criticize old programs than examine new ideas. Their argument that a "tight budget year" is the wrong time for innovative ideas shows a good deal about the OMB mentality and the intellectual level of their analysis.

MANUAL CONTRIBUTIONS FOR ASSISTED HOUSING, FISCAL YEAR 1983

	Units	Cost	Contract authority	Term	Budget authority
Authority available:					
Recaptures	NA	NA	1,115,000,000	NA	15,918,621,000
Permanent authority	NA	NA	24,800,000	NA	24,800,000
New authority	NA	NA	0	NA	0
Total available	NA	NA	1,139,800,000	NA	15,943,421,000
Use of authority:					
Public housing:					
New	0	4,100	0	30	0
Rehab	0	4,100	0	30	0
Amendments	NA	NA	8,000,000	NA	250,000,000
Lease adjustments	NA	NA	23,800,000	1	23,800,000
Modernization	NA	NA	79,282,500	20	1,585,650,000
Subtotal	0		111,082,500		1,859,450,000
Section 8:					
New construction: subtotal	0		0		0
Sub rehab: subtotal	0		0		0
Existing:					
Regular	196,399	1,800	353,517,400	5	1,767,587,000
Subtotal	196,399		353,517,400		1,767,587,000
Amendments:					
New/rehab	NA	NA	45,650,000	23	1,050,000,000
Existing	NA	NA	0	9	0
Loan management	NA	NA	15,0000,000	10	150,000,000
Subtotal	NA	NA	60,650,000		1,200,000,000
Total, sec. 8	196,399		414,167,400		2,967,587,000
Total, all programs	196,399		525,249,900		4,827,037,000
FFB Transfer					1,400,000,000
Rescission			614,550,100		9,716,384,000
Total new	0				
Total rehab	0				
Total exist	196,399				
Total, all units	196,399				
Option 2: Preset CA limit Friday Nov. 27, 1981, 20: 02:52:30, Mar. 3.			525,249,900		

BUDGET APPEALS

Topic:

Federal Housing Administration.

HUD Request:

Consistent with the HUD-OMB agreement last year, the Department proposed maintaining FHA insurance activity at the $35 billion level for FY 1983. Within the agreed upon limit, HUD proposed a number of innovations aimed at improving the opportunities of first time homebuyers and at encouraging the construction of badly needed unsubsidized rental housing throughout the country.

OMB Mark:

All proposed innovations were denied. In addition, the level of FHA commitments would be reduced to $24 billion in 1983 and $20 billion in subsequent years. Insurance activity would be targeted only to those buyers not served by the private insurance industry.

The HUD proposal to collect the discounted insurance premium at time of mortgage insurance was approved—to begin in FY 1982. Under the OMB Mark, the discount is to cover the full mortgage term, and no increase in current mortgage limits was allowed. These two provisions will have the effect of making the HUD proposal unworkable.

The OMB also proposed higher premiums as well as the end to insurance mutuality under the MMI Fund.

Legislation would be proposed to eliminate FHA interest ceilings and the limitation on points paid by buyers.

The Mark also directs repeal of Section 518, which provides remedies for purchasers of FHA insured homes with major structural defects that should have been noticed under normal inspections.

Repeal of Section 203 of the HCD Act of 1978 (covering the sale of formerly subsidized HUD properties) is also mandated, and the estimate of HUD sales receipts in 1983 is increased by $37 million.

The use of purchase money mortgages is decreased to 7,000 units in 1982 and 2,500 units in 1983. The estimated proceeds from the sale of assets (including PMMs) was also increased by $50 million each year.

Impact:

The proposed decrease in FHA insurance activity will give a clear signal that this Administration intends to abandon the housing industry and ignore the plight of young home buyers.

Last year the OMB failed in its attempt to eliminate the FHA directly, so this year it has altered its approach slightly. Instead of taking the issue on directly, it has chosen to propose changes to the fee structure, the mortgage limits, the mutuality provisions, and the provisions which protect home buyers. The net effect of all these changes would be to make FHA insurance no longer attractive to those who traditionally rely on our programs. The refusal to approve the various innovations proposed as part of this year's legislative package is also an indication of OMB's desire to achieve indirectly the abolition of FHA—despite repeated support within the Administration for the goals of the FHA programs.

Since legislation will be required before the advance collection of FHA premiums can be implemented, there is no way that the OMB proposal can be effective in 1932.

The Department considered proposing the elimination of Section 203 and rejected the idea as politically infeasible. We have instead proposed a more moderate revision to the basic provisions. The OMB seems to prefer a more extreme stand even if it is never enacted to the HUD proposal which has a chance of passage.

The OMB proposal to eliminate mutuality can only be applied prospectively—and will therefore have little if any effect on outlays in the foreseeable future—except perhaps to

make FHA less attractive thereby reducing premium income.

The OMB Mark is inconsistent since it eliminates the use of Section 8 assistance in property sales and severely limits the use of PMMs—and at the same time increases the projected sales receipts. Its projections of higher property and mortgage sales are merely arbitrary (and phony) devices to make the Budget look better than it really is. There is no basis for these additional proceeds and the proposed limits imposed by OMB will make even the earlier sales goals proposed by HUD unattainable.

BUDGET APPEALS
HOUSING

Topic:
Rent Supplement recaptures.
HUD Request:
The HUD submission assumed an orderly program for conversion of Rent Supplement and RAP units to Section 8 over a 7–9 year period. Authority recaptured from the conversion process would be used to amend the remaining units that needed rent increases pending conversion to Section 8.
OMB Mark:
Convert 172,300 units to Section 8 in FY 1982 and rescind $9.5 billion.
In addition:
Cancel commitments where the subsidy is not actually being paid out at present (e.g., vacant unit or a tenant not eligible).
Convert only those units insured by FHA or held by the Secretary—do not fund any increases for State-agency units. Propose legislation which retroactively eliminates any obligation to amend State-aided projects and which also authorizes the recapture and rescission of subsidies to these projects tenant turnover.
Impact:
The proposal is not feasible at the level of conversions proposed by the OMB. There is no way that HUD can force owners to convert that quickly even if we were able to process the documentation—which we are not.
There is no legal basis for canceling subsidies not actually being paid—this violates existing contracts.
The exclusion of State-agency projects is unfair and is guaranteed to antagonize Congressional supporters.
The proposal to recapture subsidies to State-aided projects upon tenant turnover is both politically infeasible and legally indefensible. The subsidy contract is with the project owner, not the tenant, and cannot be abrogated unilaterally.

BUDGET APPEALS
HOUSING

Topics:
Tax-exempt Financing for Multifamily Housing.
HUD Request:
In a major departure from its previous position, HUD advocated the complete termination of all deep subsidies to new construction of rental housing for low-income families. However, in order to meet the need for rental housing construction where it existed—and to counter the arguments of those on the Hill who would oppose the Administration's position—we proposed the use of tax-exempt financing for rental housing: a relatively inexpensive and administratively simple mechanism which places maximum reliance on the private market and the private entrepreneur.
OMB Mark:
The OMB completely denied the use of tax-exempt financing without reason or explanation.
Impact:
The OMB's position might make some sense if it were made in a vacuum. In reality, the choice is between the very expensive programs we now have and the relatively inexpensive use of tax-exempt financing. There is simply no way we can sell the Hill on eliminating the current production programs unless we can offer a feasible alternative. The use of tax-exempt financing offers precisely such an alternative: and one which we can support from both a philosophical as well as budgetary perspective.
Even with the use of tax-exempt financing as alternative, there is no guarantee that the Department will be able to assure the elimination of set-asides for new construction under the current programs—but without it we can guarantee that the Congress will continue Section 8 and Public Housing despite the very high costs of these programs.

BUDGET APPEALS
HOUSING

Topic:
Public Housing Operating Subsidies.
(Dollars in Millions)

	FY 1982	FY 1983
Latest estimate of need based on PFS formula update	$1,407	$1,583
Proposed funding under the OMB Mark	1,060	402

OMB Mark:
There are only two major sources of operating funds for Public Housing agencies: Federal operating subsidy payments and tenant rents. The OMB is proposing to decrease the Federal payments to 75 percent of need in 1982 and 25 percent of need in 1983. To compensate, the OMB has directed a number of changes which would permit higher tenant rent payments:
Accelerating the rise in rent burden to 30 percent of income by 1984—rather than 1986 as approved by Congress (+1 percent in 1982, +2 percent in 1983 and +2 percent in 1984).
Including the cash value of food stamps as income in calculating rents (1983).
Ignoring any deductions of adjustments in calculating rents—using gross income—effective immediately in 1982.
Repealing the 10 percent limit on rent increases per year for poor families.
Decreasing tenant energy allowances and revising tenant lease and grievance procedures.
In order to reduce the formula payments by the amount desired, the OMB would propose:
A one-time reduction in the energy consumption base for 1983 by 20 percent.
Excluding vacant or "deprogrammed" units from being counted in computing PFC subsidies.
Reducing subsidies on the basis of anticipated deobligations or elimination of expensive projects.

BUDGET APPEALS
HOUSING

Impact:
Preliminary calculations indicate that tenants would be faced with rent increases of well over 60% in order to meet the shortfall in Operating Subsidies in 1983. Increases of this magnitude are politically and socially unacceptable.
The OMB has offered no constructive suggestions on how to improve management or reduce the costs of operating Public Housing projects—areas where the Department has been making considerable progress. Instead, the only solution that OMB has discovered is to pass the costs on to those who are least able to afford it. There is simply no way to disguise this attempt to "balance the Budget on the backs of the poor."
The OMB has grossly overestimated the impact of the proposed "savings" by ignoring the effect that these rent increases will have on tenant movement. With rent increases this drastic, many low income households will choose, or be forced, to move: Often to overcrowded or substandard private housing. A more realistic estimate would indicate increases in rental income of only one-third that assumed by the OMB—in other words, even with these drastic changes there is no way that Public Housing projects could be adequately maintained if the level of Operating Subsidies is reduced this much.
The proposed reduction to Operating Subsidies will mean:
Critical cash flow problems for many PHAs leading to the cutoff of utilities and other essential services.
Massive layoffs of PHA personnel, strikes, and the inability to maintain projects in liveable condition.
Reduced rent rolls because units cannot be maintained and are boarded-up for lack of funds.
Rent strikes, riots, vandalism, and irreparable damage to projects.
Litigation, bankruptcy and receivership of several major PHAs.
Major political disruptions in several large cities, increased Congressional pressure to increase the level of funding for Public Housing above present amounts.

BUDGET APPEALS
HOUSING

Topic:
Troubled Projects Operating Subsidy.
HUD Request:
The Department proposed a total program level of 41.8 million in 1983 to be funded in part from appropriations ($22.8 million) and in part from the transfer of excess balances from the Rental Housing Assistance Fund ($19 million).
OMB Mark:
No appropriation in 1983. Only the $19 million from the RHAF will be available. Proposed legislation will extend the authority to transfer excess receipts from the RHAF, but no additional authority for appropriations will be requested.
No funding of any kind is proposed for this program after 1983.
Legislation will be proposed to eliminate the use of Troubled Projects funds for State-aided projects.
Impact:
Troubled Project funds are used to prevent multifamily project assignments and insurance claims. Refusal to assure adequate funding for this program is counterproductive to the Administration's effort at holding down Federal outlays.
The proposal to eliminate funding for State-aided projects is counter to the Administration's policy of reliance on State programs and bears little chance of success given the strong support that State Housing Finance and Development Agencies have in Congress.

BUDGET APPEALS
HOUSING

Topic:
Section 202 and Section 106 Loans
HUD Request:
The Department proposed to reduce the level of Section 202 loans from $830 million in 1982 (17.200 units) to $423 million in 1983 (only 10.000 units). This program is one of the most popular programs in Congress, and is the only new construction program proposed for funding by HUD for 1983—specifically because of the strong support on the Hill and among the elderly lobby.
HUD also proposed the use of $1.8 million under the companion program. Section 106 loans for nonprofit sponsors. This program, which requires no appropriation. provides start-up funds for minority and other small, inexperienced sponsors of Section 202 projects.
OMB Mark:
Rescind the authority provided for both Section 202 and Section 10[illegible] and terminate both programs.

Sell all Section 202 loans in the HUD portfolio with coupon rates above 6 percent.

Impact:

The political fallout of making this proposal in an election year will be astronomical. There will be no outlay savings from killing the Section 202 program until 1985 at the earliest, but the cost of even making this suggestion will be felt—and felt strongly—in November of 1982.

Section 202 loans are not insured by HUD, and there is simply no way of predicting what the proceeds of the proposed sale may be. However, it is sane to assume that these loans will only sell at a substantial discount and loss to the Treasury. No provision has been made in the OMB estimates to reflect the impact on HUD outlays of the cost of financing this loss in future years.

BUDGET APPEALS

HOUSING

Topic:

Housing Counseling Assistance.

HUD Request:

The Department proposed a program level of $5 million for 1983 to fund cost-effective default counseling.

OMB Mark:

Terminate the program after 1982 because of budget constraints and because of the availability of local funding.

Impact:

This program has been repeatedly proven to be cost-effective in preventing FHA insurance claims. Failure to fund the program will mean higher outlays.

The argument that localities will pick up the shortfall in Federal funding ignores the fact that they already provide considerable support for counseling programs—and that the greatest interest in preventing defaults and FHA insurance claims lies not with local governments but with the Federal Treasury.

The program is politically very popular with Congress and there is little likelihood that the proposed cut will be enacted.

BUDGET APPEALS

HOUSING

Topic:

Section 202 and Section 106 Loans.

HUD Request:

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OMB Mark:

Rescind the authority provided for both Section 202 and Section 106 and terminate both programs.

Sell all Section 202 loans in the HUD portfolio with coupon rates above 6 percent.

Impact:

The political fallout of making this proposal in an election year will be astronomical. There will be no outlay savings from killing the Section 202 program until 1985 at the earliest, but the cost of even making this suggestion will be felt—and felt strongly—in November of 1982.

Section 202 loans are not insured by HUD, and there is simply no way of predicting what the proceeds of the proposed sale may be. However, it is safe to assume that these loans will only sell at a substantial discount and loss to the Treasury. No provision has been made in the OMB estimates to reflect the impact on HUD outlays of the cost of financing this loss in future years.

Mr. BAKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. BAKER. Mr. President, one item has been brought to my attention that can be transacted, I believe, this evening. Our executive calendar shows that the nomination of Charles Timothy Hagel, of the District of Columbia, to be Deputy Administrator of Veterans' Affairs is cleared. May I inquire of the minority leader if that is cleared on his side?

Mr. ROBERT C. BYRD. Mr. President, that item on the executive calendar has been cleared on this side.

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate go into executive session at this time for the purpose of considering that nomination.

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. The nomination will be stated.

VETERANS' ADMINISTRATION

The legislative clerk read the nomination of Charles Timothy Hagel, of the District of Columbia, to be Deputy Administrator of Veterans' Affairs.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. BAKER. I move to reconsider the vote by which the nomination was confirmed.

Mr. ROBERT C. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BAKER. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. I yield the floor, Mr. President.

40 YEARS AND COUNTING

Mr. MATHIAS. Mr. President, as we all know, today is the 40th anniversary of the attack on Pearl Harbor. This historic and tragic event is the subject of an editorial in today's issue of the Christian Science Monitor, an editorial entitled "40 Years and Counting." The editors of the Christian Science Monitor comment that if the people devote themselves as singlemindedly to winning the peace as they did 40 years ago to winning the war, then the great-great-grandchildren of World War II veterans will read in their history books that it really was the last one.

This is a challenge to our generation. It is a challenge that I hope we will accept and that we will succeed in meeting.

This editorial is so thoughtful and so challenging that I believe that all Senators will wish to read it. I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

40 YEARS AND COUNTING

It is an opportune moment for Americans to pause and take stock. Millions of the new generation will not remember that dark event 40 years ago today when the Japanese struck at Pearl Harbor and plunged the United States into a war in Asia and Europe. But no one can be unmindful of the awesome military power unleashed in World War II and the challenge which the growth of that power poses for humanity.

There is much to be thankful for in this intervening period. By the reckoning of history, forty years is a long time for global peace. In that period the national wounds of war have been healed. Japan—democratic and prosperous—has become a constructive partner of the West. The influence and honor it failed to win by military means, it has won through technological prowess and economic dynamism. Here, surely, is a pointed example for all.

Pearl Harbor drove home the need for a strong national defense. The geopolitical situation that evolved after World War II—with the expansion of the Soviet empire and a communist ideology hostile to the West—only confirmed the truism that the price of freedom is unceasing vigilance. The American people have willingly accepted that price. Yet in 1981 they cannot but flinch as they read that their Congress has approved the largest peacetime military budget in history—$207 billion—and at a time when so much else needs doing.

Indeed the overkill of weaponry worldwide is staggering. The global arms budget of all countries now exceeds $500 billion a year, including about $100 billion for nuclear weapons, according to Ruth Leger Sivard's "World Military and Social Expenditures." This is estimated to equal the entire annual income of the poorest half of the world's population. The nuclear buildup almost defies comprehension. Today the U.S. has some 10,000 atomic warheads and the Soviet Union 8,000—each of which has three times the explosive power of the atomic bomb dropped on Hiroshima. Would a visitor from outer space think the planet Earth had gone berserk?

Ironically, this insane pile-up of weaponry comes at a time when military power seems less and less capable of achieving desired ends. It could not win a war in Vietnam in the face of determined nationalism. It could not prevent a sweeping religious revolution in Iran or be used to rescue American hostages. Nor has it proved an unmitigated boon to the Soviet Union, which is unable to conquer the people of Afghanistan or to put down the popular movement for democracy in Poland. The fact is, it is not arms but political and economic strength and above all moral and spiritual vision which provide true security. Without these, weapons in the end will prove of no value.

Four decades after Pearl Harbor there are signs that mankind is waking up to the dangers. Some countries, to be sure, are striving to get the bomb. But an aroused public conscience, as evidenced in the marches for peace, and especially the resumption of superpower negotiations to tamp down the arms race give hope that the world will draw back from nuclear holocaust and seek peaceful solutions to its problems.

In some Washington quarters it is fashionable to speak of our times as no longer a "postwar" but of a "prewar" period. We are aghast at the thought. It will remain only an idle hypothesis, however, if the American people devote themselves as single-mindedly to winning the peace as they did—40 years ago—to winning the war. Then the great-great-grandchildren of World War II will read in their history books that it really was the last one.

RECESS UNTIL TOMORROW, DECEMBER 8, 1981, AT 10 A.M.

Mr. BAKER. Mr. President, I now renew the observation I had begun earlier. I know of no other business to come before the Senate. If no Senator now seeks recognition, and I see none, I move, in accordance with the order previously entered, that the Senate stand in recess until the hour of 10 a.m. tomorrow.

The motion was agreed to, and at 5:33 p.m., the Senate recessed until Tuesday, December 8, 1981, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate December 7, 1981:

THE JUDICIARY

Robert H. Bork, of the District of Columbia, to be U.S. circuit judge for the District of Columbia Circuit vice Carl E. McGowan, retired.

Harold L. Ryan, of Idaho, to be U.S. district judge for the district of Idaho vice Ray McNichols, retired.

IN THE ARMY

The following-named officers for appointment in the Regular Army of the United States to the grade indicated under the provisions of title 10, United States Code, sections 611(a) and 624:

To be permanent major general

Brig. Gen. Norman G. Delbridge, Jr., [redacted], U.S. Army.

Brig. Gen. Frederic J. Brown, III, [redacted], U.S. Army.

Brig. Gen. Stephen E. Nichols, [redacted], U.S. Army.

Brig. Gen. Francis J. Toner, [redacted], U.S. Army.

Brig. Gen. James R. Henslick, [redacted], U.S. Army.

Brig. Gen. Leo A. Brooks, [redacted], U.S. Army.

Brig. Gen. Richard A. Scholtes, [redacted], U.S. Army.

Brig. Gen. H. Norman Schwarzkopf, [redacted], U.S. Army.

Brig. Gen. Robert M. Joyce, [redacted], U.S. Army.

Brig. Gen. Johnny J. Johnston, [redacted], U.S. Army.

Brig. Gen. Joe S. Owens, [redacted], U.S. Army.

Brig. Gen. Claude M. Kicklighter, [redacted], U.S. Army.

Brig. Gen. John F. Wall, Jr., [redacted], U.S. Army.

Brig. Gen. Victor J. Hugo, Jr., [redacted], U.S. Army.

Brig. Gen. John H. Mitchell, [redacted], U.S. Army.

Brig. Gen. Jerry M. Bunyard, [redacted], U.S. Army.

Brig. Gen. Crosbie E. Saint, [redacted], U.S. Army.

Brig. Gen. James E. Moore, Jr., [redacted], U.S. Army.

Brig. Gen. William G. O'Leksy, [redacted], U.S. Army.

Brig. Gen. Thomas J. Flynn, [redacted], U.S. Army.

Brig. Gen. Robert W. Riscassi, [redacted], U.S. Army.

Brig. Gen. William E. Odom, [redacted], U.S. Army.

Brig. Gen. Henry J. Schumacher, [redacted], U.S. Army.

CONFIRMATION

Executive nomination confirmed by the Senate December 7, 1981:

VETERANS' ADMINISTRATION

Charles Timothy Hagel, of the District of Columbia, to be Deputy Administrator of Veterans' Affairs.

EXTENSIONS OF REMARKS

PERCY L. GREAVES, JR., ON THE DAY OF INFAMY—PART I

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. McDONALD. Mr. Speaker, it was 40 years ago today that Japan attacked Pearl Harbor. On December 13, 1966, Percy Greaves had an article on this subject published in National Review. For the benefit of my colleagues and interested historians I submit today, part I of the original manuscript. Mr. Greaves' statement on those who will not give us the truth of Pearl Harbor that he made in that article of 1966 is still germane today:

There is now a new order of things in the land. Big Brother in Washington knows best. He prints the money and calls the tune. He underwrites the history books and hides the facts he does not want us to know.

As chief of the minority staff in the joint congressional investigation of Pearl Harbor, Percy Greaves is in a position to let the American people know who really was to blame for Pearl Harbor. Part I follows:

DAY OF INFAMY

(By Percy L. Greaves, Jr.)

As Pearl Harbor Day—December 7, 1941—fades a quarter of a century into the paragraphs of history, only a small part of our present population can recall how our country was led, step by step, into World War II. Still fewer can remember, as adults, the pre-New Deal America in which government was largely limited to the protection of individuals in their right to enjoy the savings of their ancestors and the fruits of their own labor.

There is now a new order of things in the land. Big Brother in Washington knows best. He prints the money and calls the tune. He underwrites the history books and hides the facts he does not want us to know.

The leader of the New Deal, as the new order was once known, was Franklin Delano Roosevelt, our only four-term President (1933-1945). In his own words, he "built up new instruments of public power." However, in one of his first fireside chats to the nation, May 7, 1933, he did assure us he was "going to be honest at all times with the people of the country."

Later that year, F.D.R. informed us that American foreign policy was "from now on * * * opposed to armed intervention." On his signing of the Neutrality Act, August 31, 1935, we heard, "It is the policy of this Government to avoid being drawn into wars between other Nations."

When running for a second term, he pontificated, "I speak from a long experience—the effective maintenance of American neutrality depends today, as in the past, on the wisdom and determination of whoever at the moment occupy the offices of President and Secretary of State."

The outbreak of a European War in 1939 witnessed no change in his public statements of official neutrality. On January 3, 1940, George Washington's wisdom was recalled with: "The first President of the United States warned us against entangling foreign alliances. The present President of the United States subscribes to and follows that precept."

During the unprecedented third term campaign, we heard on October 23, 1940, "The worst bombshell of fear * * * let loose on this people is the accusation that this Government of ours * * * without the knowledge of the Congress or of the people, has secretly entered into agreements with foreign nations * * * I repeat again that I stand on the Platform of our Party: 'We will not participate in foreign wars and we will not send our army, naval or air forces to fight in foreign lands outside of the Americas except in case of attack.'"

A week later it took the form, "And while I am talking to you mothers and fathers, I give you one more assurance, I have said this before, but I shall say it again, and again, and again. Your boys are not going to be sent into any foreign wars."

Even after the election, peace still had a popular appeal. During a post-Christmas 1940 fireside chat we heard, "There is no demand for sending an American Expeditionary Force outside our own borders. There is no intention by any member of your Government to send such a force. You can therefore, nail any talk about sending armies to Europe as deliberate untruth."

Note just a few of the undeniable facts.

August 15, 1940, American representatives started secret war plan negotiations with representatives of a foreign government at war.

March 27, 1941, American representatives signed a secret agreement that interwove our basic strategic war plans with those of another nation already at war.

April 10, 1941, an American destroyer dropped depth charges on a foreign submarine much nearer its home base than was the destroyer.

May 26, 1941, the United States Navy secretly promulgated to the top Navy Command a Basic War Plan (WPL-46) based on secret agreements previously made with foreign powers, referred to therein as "Associated Powers."

July 7, 1941, American armed forces, which were not to be sent "outside our own borders", landed in Iceland. This was a quick shift from preparations to land on the Azores. The U.S. Navy was soon escorting foreign ships carrying war material across the Atlantic.

August 10, 1941, Britain's Prime Minister, Winston Churchill, at the Atlantic Conference off Argentia, Newfoundland, secretly asked the President to send an ultimatum to Japan.

August 17, 1941, the President cooperated by presenting the Japanese Ambassador with a somewhat weaker version, cabling Churchill the next day: "The statement I made to him was no less vigorous than and was substantially similar to the statement we had discussed."

September 11, 1941, the President announced orders to the Navy to shoot at warships of nations without possessions in the Americas.

November 10, 1941, the U.S. Navy started convoying foreign troops on American ships.

November 26, 1941, the Japanese, forced by unfriendly American actions into an impossible economic situation, were handed a note making further negotiations impossible. Our reading of Japanese codes had informed our officials that it meant "things are automatically going to happen," or as our Secretary of State told our Secretary of War: "It is now in the hands of you and (Secretary of the Navy) Knox—the Army and the Navy."

After the Pearl Harbor attack, Americans were told that it had come without any warning. The official story has been that it was a surprise attack that forced us into war against our wishes.

For years the charges that Roosevelt lied us into war were vehemently denied. In 1948, the great historian, Charles A. Beard, presented a preliminary case for the truth in "President Roosevelt and the Coming of the War, 1941—A Study of Appearances and Realities." He was immediately reviled.

In an article in the August issue of the Atlantic, he was accused of being "the darling of the McCormick-Patterson axis * * * the most indecent of Beard's numerous innuendoes in his book are those respecting the Roberts Commission. Mr. Stimson suggested Justice Roberts to head the Pearl Harbor Commission * * * Beard insinuates that Justice Roberts' appointment was part of a triple play to put Kimmel and Short 'out' and conceal the iniquities of F.D.R. and Stimson in a cloud of dust."

These were the words of the court historian, Samuel Eliot Morison. In 1942, Professor Morison was drafted from Harvard by President Roosevelt and placed on the public payroll as a Navy officer to write the official "History of United States Naval Operations in World War II" (15 vols.).

Whereas Beard, searching for the truth, was not permitted to see the papers he considered pertinent, Morison, writing the official line, had no such problem. In the words of the Secretary of the Navy, "All naval activities, afloat and ashore, were directed to make available to Captain Morison such records as he might desire to consult."

Actually, the facts conform Beard's innuendo. Mr. Stimson bears a heavy responsibility not only for the Pearl Harbor disaster, but also for the Roberts Report which tried to make Admiral Kimmel and General Short the scapegoats for responsibilities that rightly rested on those in Washington, including Mr. Stimson himself.

Mr. Stimson not only suggested Justice Roberts, a pre-Pearl Harbor advocate of "Aiding the Allies," as top investigator, but he also suggested the two Army members. This gave him a majority of the five-man Presidential Commission. In writing his suggestions to F.D.R., he added: "Marshall and I united on all the foregoing suggestions after very careful consideration by each of us."

One of Mr. Stimson's nominees was Joseph T. McNarney, a recently promoted Brigadier General and right hand of Chief of Staff George C. Marshall. Officially, the appointment was suggested to give the Commission an air expert. It was also hinted that the General was not personally suspect as he was out of Washington at the time of the attack.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

In fact, General McNarney, as a Colonel, had acted as General Marshall's junior representative when signing the March 27, 1941, secret military agreements with the British. Two of his superiors, the Chiefs of War Plans and Military Intelligence, as aides of Marshall, were heavily involved with Pearl Harbor responsibilities. At the time of the attack, General McNarney was actually in London participating in further secret negotiations.

The other Stimson nominee was Major General Frank R. McCoy, an aide, friend and coconspirator of Mr. Stimson's for more than thirty years. Back in 1911-1912, Mr. Stimson, as President Taft's Secretary of War, became involved in a controversy with Congressional leaders. Major McCoy, then his aide, helped him draft a Presidential veto which divided his Party but helped Mr. Stimson defeat the Congressional leaders.

In 1931-1932, Mr. Stimson, as Secretary of State, was unable to sell his anti-Japanese ideas to President Hoover. He then turned to the League of Nations, of which we were not a member. He persuaded the League to investigate Japan's actions in Manchuria and to appoint General McCoy on the investigating committee. General McCoy sold Mr. Stimson's ideas to the committee and the League with the result that Japan withdrew from the League.

Before the Roberts Commission left for Pearl Harbor, Mr. Stimson invited General McCoy to spend an evening at his home. The invitation was repeated upon the Commission's return. It should also be noted that another protege of Mr. Stimson's, Felix Frankfurter, his 1906 assistant, invited both Justice Roberts and Secretary Stimson to his home for a private dinner and quiet evening during the period the Roberts Report was being drafted. So perhaps it is no wonder that Mr. Stimson later wrote in his dairy that he had informed Marshall that he thought the Roberts Report took both of them off the hook.

A well "well done" for Messrs. Roberts, McNarney and McCoy.

Incidentally, one of the Commission's Navy members, Admiral Standley, later publicly rebuked Justice Roberts and the War Department. Among other things, he wrote: "I knew from first-hand experience the shortcomings of our base at Pearl Harbor, for which Short and Kimmel were in no way responsible. From the beginning of our investigation, I held a firm belief that the real responsibility * * * was lodged thousands of miles from the Territory of Hawaii."

Court historian Morison has long believed that Roosevelt's New Deal "saved the capitalist system in the United States and democratic government as well." In his latest paean to his patron, "The Two-Ocean War," the now retired Rear Admiral praises F.D.R.'s foresight in leading this country into World War II by secret steps taken ahead of the public opinion he later led so skillfully to the goal he publicly denied—War.

Morison presents the events preceding Pearl Harbor in an abbreviated and slanted version, now the official one: that Japan invaded Manchuria and China and the American people had a duty to prevent any Nipponese expansion in Asia, whether they wanted to or not. His chapter, "Disaster at Pearl Harbor" presents one-sided sections on the "Last Days of 'Peace' in the Pacific" and "The Unsuspecting Victim." The fourth and final section, "Who Was Responsible?" gives a grotesque glimmering of the facts that were available to the court historian.

Not satisfied with his own travesties on total truth, the retired Admiral tells us: "The best book by far on the question of why we were surprised at Pearl Harbor is Roberta Wohlstetter's 'Pearl Harbor: Warning and Decision.'" A first reading of this book revealed more than 100 factual errors. It raised other questions which, if properly researched, would undoubtedly unearth still more errors, not to mention the acceptance of sentiments more in keeping with Administration releases than the obscured realities.

Some of Mrs. Wohlstetter's errors are trivial, such as footnotes that do not check. Others are ridiculous, such as her "Note on Rank." She wrongly accuses the Navy of having a monopoly on the double standard of "temporary" and "permanent" ranks. She evidently did not know that both General Short and Admiral Kimmel, had higher "temporary" ranks on December 7, 1941, than the "permanent" two-star ones on which their later retirement pay was based.

As the person probably more familiar with the Pearl Harbor record than any other living person, the writer appreciates the tremendous task that Mrs. Wohlstetter faced. The record is voluminous. The printed works of the Joint Congressional Committee ran to 44 volumes. Like many others, she overlooks four volumes—three State Department tomes and Ambassador Grew's "Ten Years in Japan," which were part of the Committee's official record. In addition, there are also the Departmental documents and histories, the official papers of other countries, including those of the defeated nations, the books written by participants and other authors, and the myriads of magazine articles, newspaper stories and personal interviews which have added a tremendous amount of fodder to the silo of available information about Pearl Harbor. There is still much more that is being suppressed for political reasons.

Mrs. Wohlstetter completely ignores "revisionists," those historians seeking to reveal truths the political powers prefer to keep hidden. Nevertheless, her well-subsidized volume won rave reviews across the nation and in the American Historical Review. Columbia University awarded her the $4,000 Bancroft prize, apparently accepting Admiral Morison's accolade that, "she is cognizant of all the intricate details of the codes, has made a thorough study of all extant sources, and uses them with the perception of a well-trained mind. Her book ought finally to dispose of some of the nonsense about Pearl Harbor that has been written."

Unfortunately, the book probably contains as much nonsense about Pearl Harbor as any that has ever been written.

Mrs. Wohlstetter concentrated on the Intelligence phase of the episode. She thus devoted considerable attention to the message of the two services and the information Washington gained from reading Japanese codes. These messages played a major role in the last months, days, hours and minutes preceding the disaster. If she had done a thorough and objective job her book would have been a very valuable contribution. Unfortunately, she misfired and joined the union of "court historians."

In a volume dealing with communications, particularly Naval communications, you would expect accuracy in reporting the filing time mentioned in each such message. This is particularly so since the top official Naval historian gave the book such a boost. Unfortunately, she never learned the Navy's time system.

Every Navy message states its date and time in six digits—the first two represent the day of the month, the second two the hour of the day, and the last two the minutes of the hour. For example, one of the key messages was number 242005. Mrs. Wohlstetter writes, "The digits 242005 mean November 24, 20:05, which is 8:05 p.m. Washington time."

If she had read the Congressional Hearings through Volume 33 to page 1150, she would have noted, "For communication within the Navy, Greenwich civil time (GCT) is used in headings of messages." If she had read the Hearings at all thoroughly she would have learned that Washington's time is Plus 5, i.e. five hours earlier than Greenwich Time. So this message was actually sent at 3:05 in the afternoon, Washington time.

How valuable is a book on pre-attack intelligence that is five hours off in the timing of all Naval communications? How authoritative is a Naval historian who thinks such a book the best on the subject?

Another serious error is Mrs. Wohlstetter's statement, "No one knew who possessed the final command responsibility for defense of the Hawaiian Islands in the event of an enemy attack." It was clearly understood by all concerned at the time, and in all the investigations, that Pearl Harbor was the responsibility of the Army in general and of the Chief of Staff, General George C. Marshall, in particular. His agent on the scene was Lt. Gen. Walter C. Short. General Short took orders from and reported to no one else but George C. Marshall. What he lacked in materiel, orders, intelligence (information) and proper alert status was the responsibility of none other than General George C. Marshall. This will be discussed later.

Mrs. Wohlstetter also states, "The [Japanese] Pearl Harbor task force was under orders to return up to 24 hours before D-Day if anything favorable developed in the U.S.-Japanese negotiations." Actually, while this Task Force had orders to return to Japan if detected by any foreign forces up to 24 hours before D-Day, it could have been recalled up to the time the planes left the decks, if anything favorable had developed in the United States-Japanese negotiations.

One could go on and on for a hundred more blunders. The facts were just too much for Mrs. Wohlstetter. Someday, someone, or some foundation should underwrite an objective study of the Pearl Harbor disaster. Until that day comes, Americans who want to know the truth must rely on the writings of impecunious "revisionists" hacking away at the well-financed writings of the "court historians" and official publications.

In his own book, Admiral Morison ignores the contributions of "revisionists" while finding the writings of the Administration's apologists "especially valuable." He does, however, mention "The Great Sea War," by the late Admiral Chester W. Nimitz and E. B. Potter of the U.S. Naval Academy staff. Perhaps he did not notice that this semi-official volume states:

By December 6 it was known in Washington that the Japanese were sending to their Washington embassy a message for the U.S. State Department breaking off diplomatic relations, the sort of message that in times past had been followed up with a surprise attack on the opposing fleet. It was known too that Japanese diplomats in London, Hong Kong, Singapore, Batavia, Manila,

and Washington were burning their secret documents and codes—usually done only when war is imminent.

Thus by Saturday afternoon there was every reason to believe that war with Japan was only hours away. Then between 0400 and 0600 on Sunday, December 7, the U.S. Navy Department deciphered instructions to the Japanese ambassadors to deliver their message at 1 p.m. One o'clock in the afternoon in Washington would be 7:30 a.m. at Pearl Harbor.

However, Admiral Morison does admit that the "'short of war' was not so very short for the Atlantic Fleet * * *. These officers and men were enduring all the danger and hardships of war; yet it was not called war. They were forbidden to talk of their experiences ashore, or even to tell where they had been or what they were doing." He also admits that our economic measures against Japan were taken with the cooperation of the British and the Dutch, and that "The fundamental reason for America's going to war with Japan was our insistence on the integrity of China."●

OUTRAGEOUS SOVIET HARASSMENT AND THREATS AGAINST ANDREI SAKHAROV CONTINUE

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. PORTER. Mr. Speaker, Andrei Sakharov, the noted Nobel Peace Prize winner and Soviet dissident, and his wife, Yelena Bonner, are staging a hunger strike to persuade authorities to let their daughter-in-law emigrate to the United States.

Sakharov was exiled from his home in Moscow 22 months ago to the industrial city of Gorky, which is closed to foreigners. He and his wife now live under 24-hour guard.

Sakharov's stepson, Aleksei Semyonov, Bonner's son by an earlier marriage, emigrated 4 years ago and is currently a graduate student in mathematics at Brandeis University. He married Yelizaveta Alekseyeva last summer in a proxy ceremony in Montana that the Soviets do not recognize.

Dr. Sakharov has said that the Soviets are preventing his daughter-in-law from leaving as a form of revenge and pressure to curb his public activities.

In addition to Dr. Sakharov's original open letter to scientists in the West describing plans for the hunger strike, he has since charged that the KGB has threatened to kill him and use the fast as a cover.

Mr. Speaker, this violation of human rights is another Soviet outrage. We must continue to speak out against the Soviet Union's blatant disregard for the Final Act of the Conference on Security and Cooperation in Europe.●

LEGISLATION TO REQUIRE POSTING OF AUTO CRASH TEST RESULTS

HON. ANTHONY C. BEILENSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. BEILENSON. Mr. Speaker, today I am introducing a bill which would provide automobile crash safety information to consumers shopping for new cars. My bill would require auto manufacturers to post crash test results on a window sticker on each new car. Consumers would then have information about crashworthiness, in addition to fuel economy and list price, as they examine new car models in their dealers' showrooms. I think this will encourage auto manufacturers to compete for safer designs while continuing to achieve improvements in fuel economy.

Consumer surveys done for the National Highway Traffic Safety Administration (NHTSA) have shown that, although there is a strong trend toward smaller, lighter cars because of their better fuel economy, consumers are aware of the greater risk of severe injury or death that small-car riders may suffer in an accident. The survey results show that car purchasers want data on the comparative safety of the various car models, and would be willing to pay a higher purchase price for a safer car. The widespread attention paid by the media to the Government's crash test results, and the very strong consumer demand for NHTSA's "Car Book" which contains comparative listing of the test results, are evidence that consumers want and need this information.

However, currently many prospective purchasers do not have comparative crashworthiness data available to them at the time they are deciding which car to buy. Clearly the best way to call attention to the test results would be to post the information on a sticker on each new car window, in the same way fuel economy and list price information is now posted. The stickers would mention that booklets are available from each new car dealer listing the ratings for all new cars in a comparative format.

Under this bill, each new car manufacturer would test its own cars, under criteria established by NHTSA, and certify the result to NHTSA. Manufacturers would be free to test their cars at speeds greater than the 30-mile-per-hour standard—already established under Federal Motor Vehicle Safety Standard No. 208—and post the highest speed at which the car passed the test criteria. Thus, consumers would have the information needed to choose a car which provided an extra margin of safety—and manufacturers would have the incentive to compete for sales to safety-conscious purchasers.

There is evidence that, when manufacturers are faced with a poor crash test result, they can sometime make inexpensive changes resulting in significant improvements in their results. For example the Honda Civic, which failed the 1980 test, easily passed in 1981 after several relatively simple changes were made.

I am convinced that this bill will help the operation of the competitive free market. Consumers need information to make informed choices, and the automakers need the incentive to produce safer cars. I suspect that when the automakers begin to compete for safer designs, we will see far more progress than Government regulations could ever produce.●

INTERIOR SECRETARY JAMES WATT—PART II

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. McDONALD. Mr. Speaker, the second part of Lee Edwards' article on Secretary James Watt, which appeared in the October 1981 issue of Conservative Digest, discusses what the Secretary and the Interior Department are actually doing compared to what they are reported to be doing. I commend this second of two parts to the attention of my colleagues:

SECRETARY WATT—PART II

The rhetoric usually gets hot and heavy when you start talking about Jim Watt, but here is one writer's attempt to take a calm look at the charges made against Watt and then at what he and the Interior Department are actually doing.

Environmentalists and others claim that Watt plans to overturn laws that protect the environment.

In fact, Interior is carrying out environmental laws, including the Surface Mining Act of 1977, which will improve state efforts to meet environmental protection standards. Furthermore, Watt has said that it is industry's responsibility not only to observe the rules but to search for new and better ways to "protect the environment."

The Secretary describes himself as a "conservative," and as a conservative, he is dedicated to the "conservation" of America's natural beauty and resources.

Gov. Jerry Brown of California and others charge that Watt has ordered the lease of land off the coast of northern California for oil and gas exploration despite the state's opposition.

First, Watt has not "ordered" anything. He has requested that such a leasing action be considered, with a final decision to be made only after full and fair examination.

Second, Governor Brown himself, within the last 90 days, has approved oil and gas applications to drill off the coast of northern California, near Santa Barbara. And the California State Senate overwhelmingly re-

jected a motion to prohibit the offshore leasing of northern California tracts.

It has been charged that Watt will allow oil and gas drilling and logging in national parks, wilderness areas and wildlife refuges.

In May, Watt told a House Interior Subcommittee that the Department "has never intended to change, nor will it ask Congress to change, the law in order to allow drilling for oil or gas, hardrock mining or logging in the national parks." Only hunting and fishing are permitted within the specific areas outlined by Congress in national parks.

The National Wildlife Refuge System is closed to oil and gas leasing and exploration except where it can be shown that the refuge lands are subject to drainage by operations on nearby lands. The Arctic National Wildlife Refuge is closed to oil and gas activity pending authorization by Congress.

Furthermore, the policy of the Fish and Wildlife Service is not to lease for minerals such as coal, potassium and sodium in refuge areas. All refuges are now closed to mining of hardrock minerals.

It has been reported that Watt has compiled a "hit list" of national parks and refuges.

The Secretary is not interested in getting rid of national parks and refuges but in managing them better for the welfare of the public. In fact, he has requested a 225 percent increase in park funds to improve the condition of the national parklands.

It is asserted that Watt doesn't like the outdoors.

This charge can best be answered, I think, by quoting the man himself in a recent speech:

"With my family or with friends, I have fished the creeks and streams and lakes of Wyoming. I have fished for bass in Louisiana, salmon off the coast of the Pacific Northwest, flounder in the Chesapeake, marlin in the seas off American Samoa and bottom fish in the Red Sea. . . .

"My son and I lifted our canoe onto our old station wagon on many weekends so we could paddle through the backwaters of the Chesapeake and the waters of Colorado. . . . I have enjoyed . . . snorkeling off the Florida Keys and water skiing and sailing on the manmade lakes of Colorado and Wyoming, floating the Snake and Platte in Wyoming, the Colorado in Arizona and the New River in West Virginia.

"My son and I went trail biking near the Canyonlands National Park. . . . After our first night out in the early spring, we awakened to find 12 inches of snow covering our tents and motor bikes. Getting out of that area reminded me of our snowmobile trip in the Wind River mountains along the Continental Divide in Wyoming. As we stood on our snowmobiles atop those mighty and majestic mountains, we could see how those very snow packs would melt and flow to the Pacific Ocean, the Gulf of Mexico and the Gulf of California. The beauty of God's creation is captivating."

That may not be vintage Thomas Wolfe, but it's moving prose for a Secretary of the Interior.

It has been charged that Watt has ordered Interior to design its policies so as to help the U.S. minerals industry.

First of all, that is illegal. If true, Jim Watt and anyone else cooperating in such a policy would be sent to jail.

Second, it is an undeniable fact that the United States has been growing more and more dependent on foreign sources for minerals and materials vital to the nation's economy and security.

For example, we import 100 percent of our manganese and cobalt, both vital to the production of steel. Interior estimates that of the 62 basic materials stockpiled, only 21 meet national security quantity requirements. And of these 21, many are of poor quality, "making them unusable in the event of a minerals crisis."

Consequently, Watt has ordered a comprehensive review of our strategic minerals stockpile. He is following not just his own dictates but the mandates established by Congress in 1970 and 1980 to "encourage" the development of the nation's domestic minerals.

It is claimed that Watt has pushed for budget cuts as a "back-door" way to eliminate the Endangered Species Program.

Consistent with the Reagan administration's budget cuts, the Endangered Species Program has been trimmed, but not eliminated. Watt has ordered his department to implement the Endangered Species Act, believing that preventing the extinction of wildlife and plants is important.

How conscientious is he? Consider for example, kangaroos.

In 1974, eastern gray, western gray and red kangaroos were listed as "threatened species." At the same time, the United States placed a ban on the import of kangaroos and their parts and products until Australia demonstrated "adequate management plans" for kangaroos.

In 1979, Australian states submitted plans for the three kangaroos. Interior biologists were not satisfied. In March 1980, the Fish and Wildlife Service sent a specialist to personally investigate the various Australian kangaroo management plans.

Dr. David R. Anderson found that the kangaroos were abundant and the management plans adequate. In June, officials of the Fish and Wildlife Service recommended removing the import ban. Responding to public interest, the service extended the comment period to October 1, 1980, and held a public hearing in Washington, D.C.

It was decided that the data received was not sufficient to warrant any change in the recommendation, and on April 29, 1981, the Fish and Wildlife Service published a final rule permitting the import of kanagaroos and kangaroo products. The final rule became effective May 29, 1981, nearly 6½ years after the original listing and five full months into the administration of Jim Watt, who allegedly does not give a hoot about animals, four-legged or otherwise.

It is asserted that Watt's five-year offshore leasing program leases too much offshore area, ignores environmental laws and regulations and usurps all powers of the coastal states.

First of all, we are not talking about leasing 1 billion acres of offshore land to any "robber barons" of the oil and gas industry. Industry will be interested in or will offer bids for only a very small percentage of the 875 million acres (not 1 billion) included in the proposed program. In the past, over any one-year period, the largest area for which bids were made was 1.7 million acres.

Second, Watt has pledged that he will continue to implement all environmental laws and regulations that protect the Outer Continental Shelf. He has said that he does not favor, nor does he plan to propose, any major amendments to existing standards and practices for managing the offshore oil and gas program.

Third, Watt has promised that Interior will continue to consult with the states and comply with all state advisory requirements. There is no plan to revise Interior policies calling for "extensive state input concerning leasing proposals." And besides that, all of the coastal states, including California, badly need the added tax revenues which would flow from oil and gas leases.

As can be seen from this brief review, the charge and the fear that Jim Watt is going to "rape and ruin" America the Beautiful are without foundation. Yes, he is determined to make policy changes, and to redress an imbalance which had developed in the Interior Department over some 20 years. As he told Conservative Digest, environmentalists will no longer receive the preferential treatment they were given in the past.

Watt believes that the land belongs to all the people, not just the special-interest groups with headquarters in Washington, D.C. As he told the Outdoor Writers of America earlier this year: "Man is a key component in the environmental equation. Too often in the recent past, there has been a strong tendency to write people out of the equation. This administration begins with the motion that all Americans have a right to enjoy and benefit from their natural heritage."

To suggest that Jim Watt does not care about the land is to misunderstand the man badly. He sees his role as that of a good steward who has a solemn responsibility "to turn over the lands to future generations in better condition than when I found them."

His roots are deep in the soil of Wyoming, "windy and cold in the winter, hot and still in the summer," as the Los Angeles Times put it. "You are closer to the frontier here than many people realize," a rancher told a reporter.

A phrase often heard in the state is, "Wyoming is what America was." Jim Watt came back to Washington and the Interior Department to help Ronald Reagan reinstill the frontier spirit in all America.●

ANDREI SAKHAROV'S HUNGER STRIKE

HON. GREGORY W. CARMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. CARMAN. Mr. Speaker, the Washington Post editorial that follows describes the awful tragedy of a man whose country has betrayed him. A hunger strike is always a striking demonstration of human will, but when one of the great men of our generation chooses this road because his country leaves no other avenues open to him, his actions should evoke far more than just our passing sympathy:

[From the Washington Post, Dec. 1, 1981]

TRAGEDY IN THE MAKING

Andrei Sakharov refuses to be silenced. Despite everything the Kremlin has done to isolate him, intimidate him and break his spirit, he fights back. His weapons—eloquence, courage and a worldwide reputation as a champion of human rights—are proving difficult for the Soviet authorities to parry. But this unequal struggle, which has escalated steadily since Dr. Sakharov was sent into internal exile two years ago, entered a new phase last week that could quickly end in a senseless tragedy.

Dr. Sakharov, feeling that he has little else left to lose, embarked on a hunger strike nearly two weeks ago. He is protesting the authorities' refusal to allow his stepson's fiancée to leave the Soviet Union and join the man she married last year by proxy. Her detention, Dr. Sakharov feels, is "undisguised blackmail against me." She is, he says, "a hostage of the state," detained so that his hope for her eventual release will keep him from being too troublesome. He is probable right. But he is also an aging man, and reportedly not in good health. His fast will not last very long.

The Kremlin's decision to exile Dr. Sakharov to the closed city of Gorky, only 250 miles from Moscow, was a halfway step that never promised to last for very long. Dr. Sakharov's stature, inside and outside the Soviet Union, as a great physicist. Nobel Peace Prize winner and intellectual leader, as well as the country's leading dissident, apparently protected him from the harsher fate—prison, labor camp, incarceration in a mental hospital—that has befallen hundreds of those who followed his lead.

But Dr. Sakharov has refused to accept a comfortable silencing. He savagely criticized the invasion of Afghanistan and smuggles out messages that are heard everywhere. Gradually conditions have been tightened so that now his apartment is guarded constantly. Friends and family—excepting his wife—may not visit. He has been beaten by KGB thugs and threatened with psychiatric commitment or sanctions against his wife. He may not use a telephone. His apartment is regularly searched and ransacked. Though he no longer works on classified matters (his security clearance was lifted in 1968), he is now even prevented from trying to keep up with physics. Last spring a smuggled message reported that the KGB had removed his scientific notebooks and manuscripts in "a new attempt to deprive me of any opportunity for intellectual activity, even in my solitude, and to rob me of my memory."

Where this confrontation will end no one can predict. Perhaps the Kremlin will finally realize that internal exile has only amplified Dr. Sakharov's voice and will decide at last to send him and his family out of the country. As the world rightly focuses on his gallant struggle, he would be the first to point out that there are hundreds of others in Soviet prisons, without the protection of a famous name and reputation, whose crime, like his, was to try to get the Soviet government to permit its citizens a measure of intellectual and personal freedom.●

NUCLEAR ARMS BUILDUP

HON. JAMES WEAVER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. WEAVER. Mr. Speaker, last week I received the following resolution from a distinguished group of Oregon churchmen, the Bishops and Executives Forum. The message is clear: Stop the insanity of nuclear arms buildup, here and abroad, and divert those desperately needed moneys away from arms and toward real human needs. The text and names of the signers of the resolution follows:

A STATEMENT OF CONCERN

1. We believe that human beings are created in the image and likeness of God, and derive their inherent dignity and worth from that relationship. We believe that the physical universe was created for the good of all human beings who are destined to live within it.

We believe that individuals and nations have responsibilities to and for each other and a genuine concern for the world in which they live.

Among these are:

a. Respect for human life;

b. Respect for human relationships;

c. Respect for the world of nature.

2. As bishops and religious executives—as persons of faith—who have been entrusted with pastoral responsibilities toward considerable numbers of people, and who are accountable to them, we cannot remain silent on the disturbing and distressing question of the nuclear arms race which is becoming more widespread and proliferating wildly every day. Accordingly, we voice these very real anxieties:

a. We are concerned about the number of nuclear weapons presently existing among the nations of the world.

b. We are concerned about the growing opinion in our nation which accepts the inevitability of the use of nuclear weapons, whether in limited, tactical, retaliatory, or first strike situations.

c. We are concerned that the present arms race involves an unending search for new and even more destructive weapons, inevitably blunting our sensitivity to the value of human life and the regard we should have for our environment.

d. We are concerned that an intensified arms race will not only increase the number of such weapons, but weaken the resolve of nations to seek peace through avenues other than war.

e. We are full of shame that billions upon billions of dollars are being expended by our nation and by other nations to build up our nuclear arsenals, when that money is needed by the poor of the world.

3. Therefore:

A. We urgently request the President and the Congress of the United States to begin immediately to conduct negotiations with Russia and other nations leading to:

(1) An immediate halt to the development and manufacture of nuclear weapons;

(2) A plan whereby a phased nuclear disarmament may be agreed upon by all nations, leading to the total removal of all such weapons by the year 2000.

(3) A transfer of funds from development and construction of weapons of total destruction to research and development of means to improve the human conditions of peoples throughout the world.

B. We urge the congregations and institutions for which we have pastoral care and responsibility:

(1) Prayerfully to consider these concerns in the spirit of Jesus, Prince of Peace.

(2) To designate the first Sunday in Advent as Peace Sunday.

(3) To communicate with the President and Congress of the United States the concerns we all have with regard to nuclear war and the futility of surrounding ourselves with nuclear weapons to preserve us from a nuclear holocaust.

(4) To share the vision of peace with all people, everywhere.

The Rev. Dr. Glenn Camper, Executive Minister, American Baptist Churches, 0245 SW Bancroft, Suite G, Portland, OR 97201.

The Rev. Tom Castlen, Synod Executive, United Presbyterian Church, 0245 SW Bancroft, Suite D, Portland, OR 97201.

Bishop Calvin McConnell, United Methodist Church, 1505 SW 18th Ave., Portland, OR 97201.

The Most Rev. Cornelius M. Power, DD, JCD, Archbishop, Roman Catholic Church, 2838 E. Burnside St., Portland, OR 97214.

The Rev. Dr. Mark K. Reid, Regional Minister, Christian Church (Disciples of Christ), 0245 SW Bancroft, Suite F, Portland, OR 97201.

The Rev. Donald Sevetson, Conference Minister, United Church of Christ, 0245 SW Bancroft, Suite E, Portland, OR 97201.

The Rev. Llano G. Thelen, Assistant to the Bishop, Lutheran Church in America, P.O. Box 248, Portland, OR 97201.

The Most Rev. Paul Waldschmidt, Auxiliary Bishop, Roman Catholic Church, 2838 E. Burnside St., Portland, OR 97214.

The Rt. Rev. Matthew Bigliardi, Episcopal Bishop, P.O. Box 467, Lake Oswego, OR 97034.

The Rev. Galen Miller, District Executive, Oregon/Washington District, Church of the Brethren, 12 N. Chelan, Wenatchee, WA 98801.

The Rt. Rev. Rusty Kimsey, Episcopal Bishop of Eastern Oregon, P.O. Box 620, The Dalles, OR 97058.

Elder A. Alex Kahtava, Metropole President, Portland Metropole Center, 4837 NE Couch St., Portland OR 97213.●

FORTIETH ANNIVERSARY OF THE ATTACK ON PEARL HARBOR

HON. DON. H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. CLAUSEN. Mr. Speaker, today is the 40th anniversary of the Japanese surprise attack on Pearl Harbor. As a former naval aviator and veteran of World War II, I will never forget that morning at 7:30 a.m. on December 7, 1941, which President Roosevelt referred to as "a day that will live in infamy."

I believe that this day should be a day of remembrance for the 2,400 citizens of the United States who were killed in action on that fateful morning. This was an attack which touched off a war effort in the Pacific that dramatically changed the balance of power in East Asia and the Pacific for decades to follow.

I believe that this day should be remembered and associated with a surprise attack which destroyed the backbone of the U.S. Pacific Fleet anchored at Pearl Harbor—it took 44 months of battles at sea, in the air and on scores of Pacific islands—at a cost of over 97,000 American lives to end the war in the Pacific. This is a high price to pay for unpreparedness. This must be a lesson to all of America that peace goes well beyond the absence of war—it goes straight to the issue of

eternal vigilance and a national commitment to peace through strength.

Mr. Speaker, Let us all remember that what has made this Nation great is the moral strength and character of our people and our willingness to pull together in times of stress and pressure—to overcome adversity no matter what the odds are. This is the lesson which makes me proud to be an American.

Thank you.●

FTC RULE ON USED CAR INSPECTION BY DEALERS

HON. GARY A. LEE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. LEE. Mr. Speaker, on September 11, 1980, I introduced House Concurrent Resolution 178 which would disapprove the Federal Trade Commission's rule relating to the sale of used motor vehicles. Since that time there has been little discussion of the merits of this issue outside of the Congress, but there has been a good deal of discussion by various segments of the media regarding past campaign support by the Nation's automobile dealers to Members of Congress who have voiced support for my resolution. For this reason I feel that it is appropriate for me to address the substance of this issue in more detail and to explain why I am supporting the disapproval of this resolution under procedures established by law in 1980.

It should be noted at the outset that both the House and Senate Committees on Commerce, as well as numerous individual Members of Congress, have expressed concern over several of the proposals that the Commission had planned to issue over the past several years. The basis of this concern was that the Commission had ignored the letter of the law and the clear congressional intent in this matter. It seemed as if the Commission was determined to issue the rule that it wanted to issue despite repeated warnings from Congress. Finally, in the 96th Congress, the House and the Senate were forced to address the matter in formal legislation; and in the Federal Trade Commission Improvements Act of 1979, emphatically told the Commission that existing law prohibited it from issuing a rule which required an inspection of a used motor vehicle prior to its sale. It is rare that Congress is forced to repeat its warnings to a regulatory Commission.

On August 14, 1981, the Commission issued its final rule in this matter. A failure to comply with any of the provisions of this regulation subjects a small business dealer to fines of up to $10,000 per violation. The rule contains three major provisions:

First, the rule prohibits any dealer from affirmatively misrepresenting the mechanical condition of a used motor vehicle; that is, to represent that any component or system of a used car is in good order when the dealer knows that it is not in good order;

Second, the rule requires dealers to make available to the consumer clear and concise information regarding any warranty on the vehicle and to conspicuously disclose to the consumer that the car is being sold without any warranty coverage when such is the case; and

Third, the rule requires dealers to inform the consumer of specific defects in the car if he has reason to conclude that there is a condition in the vehicle which could be caused by 1 of 52 listed defects.

The first two provisions of this rule are not objectionable and in my opinion should be included in any used-car rule issued by the Commission. As a matter of fact, these two provisions would resolve the two major problems in the used car area which have been identified by the Commission through its many hearings on this matter. This was confirmed by Federal Trade Commissioner Patricia Bailey when she testified on this matter before the House Subcommittee on Commerce, Tourism, and Transportation on December 2, 1981. In that hearing she stated:

> The record shows that the two major problems most frequently complained about and which are apparently the most widespread in the industry are a dealer's oral misrepresentations about a car's mechanical condition at the time of sale and lack of information about warranty coverage or misrepresentation about the dealer's responsibility to repair a car.

The first two provisions in the regulation alluded to above specifically address these problem areas and would solve the "two major problems most frequently complained about and which are apparently the most widespread in the industry."

Despite this, the Commission included another provision in their regulation which gives me a great deal of concern and which was unnecessary to resolve the "two major problems" in the used car area. This provision is the defect notification provision. I am opposed to this provision for a number of reasons, any one of which is grounds for a congressional disapproval.

First, the defect notification provisions are so ambiguous and poorly drafted that experienced attorneys cannot agree exactly what obligations the dealer is required to comply with. We must remember that the regulation is not directed at large multinational corporations with huge legal staffs. This regulation deals with the individual small business automobile dealer who in most cases has no legal education or experience in law.

Second, consequently, I am absolutely convinced that the dealers would be forced to conduct an inspection of their used cars to identify specific defects in order to protect themselves from penalties of up to $10,000 per vehicle. This is the same concern expressed by dealers at both the House and Senate hearings on this matter. Congress has specifically prohibited the Commission from either directly or indirectly requiring inspections of used vehicles prior to sale.

Third, there were estimates given by dealers before both the House and Senate Committees that such inspections would cost approximately $150 per vehicle, thereby increasing the price of used cars for both consumers and dealers at a time when neither can afford such increases.

Fourth, the rule regulates only one half of the used car market and leaves the other one half of the market totally unregulated. The regulation applies only to dealers and they account for only 50 percent of the used cars sold in the United States annually. Therefore, in reality, the Commission has created an artificial competitive disadvantage to the dealer at the worse possible time and again discriminated against the business sector.

As everyone is fully aware, the automobile industry in this Nation is in the midst of a deep and severe depression. Domestic sales for 1980 were the lowest since 1963, while domestic production was the lowest since 1961. To date in 1981, sales levels are equally as low and there are some indications that they may slip even lower. As far as the small business dealer is concerned, the attrition rate is staggering. Over 2,600 franchised new car dealers have closed their doors in the past 24 months, and over 125,000 dealer employees have lost their jobs. In addition, there are hundreds of small business dealers that are, in effect, hanging on by their fingernails. Many of these dealers are staying in business because of their used car sales, and would be forced to close their doors if these sales started to falter. It is apparent that the Commission's action in this matter demonstrates a total insensitivity to the economy in today's real world and to the plight of the retail automobile dealer by including a provision which by the Commission's own findings is not even necessary to solve "the two major problems" in the used car industry.

I would like to note one additional point of extreme and critical importance in this whole matter. There is a good deal of misunderstanding about what happens to the Commission's authority to regulate in the area of used car sales should the Congress veto this badly drafted and poorly conceived regulation. The truth of the matter is that the Commission's authority is to-

tally unaffected. Under the law the Commission could issue a rule the very next day without having to conduct any further proceedings. I would assume that the Commission is not going to throw out the baby with the bath and will in fact very soon issue another rule. Should this rule include only the prohibition on misstatement of fact by dealers regarding the mechanical condition of the vehicle and a full warranty disclosure provision which are already written and are included in the present rule, I would give it my full support. I feel certain that my many colleagues in the House who have joined me in support of the resolution of disapproval would also lend their full support.

This, of course, should have been the Commission's rule in the first place. If it had been, we could have avoided all of the unnecessary time and effort spent on this matter by the Congress. A rule of this type would solve what the Commission describes as "the two major problems most frequently complained about and which are apparently the most widespread in the industry," while avoiding severe economic burdens to the individual small business dealer who is today literally struggling for survival.

It is time the FTC and other Federal agencies comply with legislative intent and policy. To do otherwise will only insure legislative vetoes from the peoples representations.●

F. D. R.'s WATERGATE: PEARL HARBOR—PART I

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. McDONALD. Mr. Speaker, elsewhere in the RECORD on this date, Mr. Speaker, I have placed for the benefit chiefly of historians, the real story of Pearl Harbor by Percy L. Greaves, Jr. This is yet another exposure of the ultimate disaster that is with us today as a result, not so much of the military attack on Pearl Harbor, but as a result of what provoked the Japanese into that attack. I share with my colleagues today, Part I of "FDR's Watergate": Pearl Harbor—Part I. The article follows:

[From the Reason, February 1979]

F. D. R.'s WATERGATE: PEARL HARBOR

(By Percy L. Greaves, Jr.)

Watergate is now a synonym for political pollution. It symbolizes the corruption inherent in all distended political power. Nixon and his henchmen have been exposed. History will record their infamy. Franklin D. Roosevelt, his New Deal, and his war cabal escaped such exposure. Unfortunately, there are still folks who consider these warmongering corrupters of the free society to be heroes who rescued us from a depression as well as from Hitler's national socialism. As a result, we are still treading further down the national socialist path toward the complete destruction of the economic freedom on which American greatness was built.

Political intervention and corruption certainly predated the New Deal. It was the New Dealers, however, who rewrote the Constitution so as to permit Washington to print unlimited quantities of paper money and issue endless regulations of our daily lives. F.D.R. was not one to admit failure. As each domestic New Deal intervention failed to produce the desired results, he would divert public attention with an announcement of some daring new intervention. With as many unemployed in 1939 as when he took office, he tried a new tack—intervention in international affairs. Like Hitler, F.D.R. decided to divert attention from his domestic failures by blaming some "foreign devils."

The complicities, duplicities and mendacities that took us into World War II are far more complex than those of Watergate. There are some similarities, however. In both cases the President surrounded himself with bright young men who became blind followers of the "great man" as well as some who were infused with a self-righteous lust for improving the world by imposing their ideas on those who did not agree with them. In their view, their leader had all the right answers and the opposition had to be squelched by any means available.

The 1945-46 Hearings before the Joint Committee on the Investigation of the Pearl Harbor Attack, with all its exhibits, ran to 45 volumes. There was much duplication and irrelevant pettifoggery, while officialdom was successful in supressing much that was highly relevant. Files could not be released. Key witnesses got sick and others were kept from appearing. For 30 years now, significant tidbits of pertinent data have emerged in private memoirs and foreign government releases. A full documented story would run to many volumes. Attempts to suppress the full truth would take many more.

It should be noted, however, that the wartime "coverup" was actually legitimate. The U.S. government could not let the Japanese know it was reading their codes. Actually, the Pacific war was largely won with the help of the decoded Japanese messages—their top admiral was thus shot down and U.S. attacks were concentrated on their revealed stray ships and weak spots. With V-J Day, all ligitimate need for any further coverup vanished. Nevertheless, the administration remained adamant in its coverup efforts. With the majority of Congress and the press on its side, the administration was for more successful than Mr. Nixon and his loyal cohorts. There was then no TV to expose to the general public the details and evasions that became evident to the few spectators able to jam the Senate Caucus Room each day.

A short article cannot tell the whole story. It can only present a brief summary of what is now known. That should be sufficient to revise the common misconceptions of this calamity.

RUSSIA AGAINST JAPAN

Like other historical events, the Pearl Harbor story proceeds out of prior events. In this case, we must start with two little considered facts. The first is the long existing rivalry of Japan and Russia for economic dominance, if not total political control, of Manchuria and large areas of China. Russia desired warm water ports in areas capable of helping with her development of Siberia. Japan neded a source of raw materials, a market for her cheap mass-produced goods, and a larger land area for her growing population.

The second is that after 1917 this rivalry became a contest between a basically communist country and a relatively capitalist country. Japan, aping the United States, was being westernized and felt she had a sort of "Monroe Doctrine" over noncommunist Asia. In wars with China (1894-95) and Russia (1904-5), Japan won economic concessions in Manchuria and northern China. She had brought relative prosperity to those areas, while the bulk of China remained plagued with marauding war generals whose plundering activities made industrial development impossible and agricultural production rather risky.

Ever since the Boxer Rebellion (1899-1900), the Western powers had generally recognized that no existing Chinese government was capable of protecting foreign interests in China. The Western powers thus informally protected the lives and property of each other's citizens. Japan considered herself a member of this group. In this atmosphere, the "Commies" stirred up animosities against the capitalist-leaning Japanese. This inevitably led to the Manchurian incident of 1931. Japan sent troops to protect her interests. She fully expected the Western powers to be sympathetic to her cause. Undoubtedly, some Japanese Army hotheads went beyond acceptable standards in their attempts to quell the anti-Japanese and anticapitalistic feelings that the "Commies" had aroused.

STIMSON'S ROLE

At that time the U.S. Secretary of State was Henry L. Stimson, a man with a long and checkered career. He started out as a trustbusting district attorney under Teddy Roosevelt. Later, as Secretary of War under President Taft, he participated in an Army imbroglio. Then, under President Coolidge, he stirred up trouble in Nicaragua before being appointed Commissioner General of the Philippine Islands. At that time, he wrote a relative: "I am Governor General and an Oriental Potentate. All I have to do is express a wish and it is taken as the law of the Medes and Persians."

He considered himself a sort of god-father of the Filipinos. Feeling that they needed protection from Japan, he opposed their freedom from the United States. In 1929 he accepted President Hoover's appointment as Secretary of State, as a means to protect the Philippines and all of Asia from the nation he hated—Japan. When the Manchurian incident development, he asked President Hoover to threaten Japan. The Secretary of War advised that this might mean war. President Hoover felt and stated that this country would not go to war over the Far East.

Secretary Stimson then turned his attention to the League of Nations, to which the U.S. did not belong. He persuaded the League to appoint the Lytton commission to investigate the incident. He then placed one of his lackeys, Frank R. McCoy, on this Commission to dominate it. The Commission found Japan at fault in Manchuria and Stimson persuaded the League to adopt the report. Whereupon Japan, dismayed, walked out of the League. Thus, Mr. Stimson played a key role in opening the breach between Japan and the Western nations.

After the 1932 election of Franklin D. Roosevelt, there was considerable bitterness

between the outgoing and incoming Presidents. Nevertheless, Stimson went to Hyde Park to sell Roosevelt his anti-Japanese policies. On March 4, 1933, Mr. Stimson ostensively retired to private life. He kept his Washington estate, however, visiting it frequently for inimate chats with the anti-Japanese clique he had placed in the State Department. He kept on very friendly terms with the new Secretary of State, Cordell Hull, and had occasional lunches with the President. As late as May 1940, he lunched with F.D.R. to check on his anti-Japanese sympathies.

F. D. R.'S DUPLICITY

About this time, F.D.R. decided that this country and the world could not get along without his continuing leadership. He decided to break the two-term tradition. To win, he sought a unified country. He asked the 1936 Republican Presidential and Vice-Presidential candidates to join his Cabinet. Mr. Landon refused, but Mr. Knox accepted and became F.D.R.'s Secretary of Navy.

While looking for a prominent Republican to replace his antiwar Secretary of War, Mr. Roosevelt read in the New York Times of June 19, 1940, an account of a radio speech given by Mr. Stimson entitled "America's interest in the British Fleet." That afternoon he phoned Mr. Stimson and invited him to join his Cabinet as Secretary of War. Before accepting, Stimson made sure that F.D.R. was in sympathy with his prowar policies. F.D.R. assured him he was. Shortly after Stimson's confirmation, an embargo was put on shipments of aviation gas to Japan. From then on, the United States rushed pell-mell into war, although for some months the voting public was told otherwise.

During the 1940 election campaign Mr. Roosevelt posed as the apostle of peace. Typical of his campaign speeches were such words as these on October 23, 1940: To Republicans and Democrats, to every man, woman and child in the nation, I say this: Your President and your Secretary of State are following the road to peace.

We are arming ourselves not for any foreign war.

We are arming ourselves not for any purpose of conquest or intervention in foreign disputes. I repeat again that I stand on the Platform of our Party:

We will not participate in foreign wars and we will not send our army, naval or air forces to fight in foreign lands outside of the Americas except in case of attack. . . .

It is for peace that I have labored; and it is for peace that I shall labor all the days of my life.

A week later he phrased it: I give you one more assurance. I have said before, but I shall say it AGAIN and AGAIN and AGAIN. Your boys are not going to be sent into any foreign wars.

In closing his campaign, the Saturday before election, he told the electorate: "Your President says this country is not going to war."

Meanwhile, behind closed doors, the British were being assured that help would come after the elections. The Government then operated on a "cash and carry" neutrality basis. The French had fallen and the British were running out of money. Without British orders, millions of Americans would lose their jobs. So in his first press conference after the election, F.D.R. proposed what was later known as Lend Lease. While Congress was debating and passing this legislation, British officers were secretly meeting in Washington with top U.S. military personnel to coordinate war plans. Secret unconstitutional agreements were reached which were later approved and put into effect.

ON OUR WAY

On May 27, 1941, F.D.R. proclaimed an unlimited national emergency. On June 22, Germany invaded Russia and shortly thereafter Lend Lease aid was extended to the U.S.'s newly-acquired "peace-loving" Communist allies. On July 7, the United States occupied Iceland.

After the fall of France, chaos broke out in French Indochina. Worried about her rice supply, Japan requested permission of the Vichy French to occupy that area. On July 21, the powerless French acquiesced. This inflamed Messrs. Hull, Stimson and Roosevelt. On July 25, the United States froze all Japanese assets in the United States and the following day the British followed suit.

That same day, July 26, F.D.R. initiated a new policy for the Far East. He nationalized the Philippine armed forces, and placed General MacArthur in charge of the Far East forces. Up until that time, it had been thought that a war in the Far East meant the loss of the Philippines. With the new four-engine B-17 bombers, however, Washington officials felt the U.S. could not only defend the Philippines against attack, but that it could also initiate a pincer movement against Japan if the Russians would permit American use of Vladivostock or Kamchatka airfields. It was thought that U.S. planes flying across Japan could knock her out in short order. This plan was assigned first call on all available B-17's. As new ones became available they were rushed to the Philippines along with those previously assigned to the Hawaiian Islands.

Alarmed about events, F.D.R. asked Churchill to meet him off Argentia, Newfoundland. The British Prime Minister brought with him an ultimatum which he asked F.D.R. to send Japan. While this was the major subject of the conversations, a "coverup" of such collusion was considered necessary. Upon F.D.R.'s return, the American public was given pictures of Messrs. Churchill and Roosevelt attending church on a battleship and was told the main business was the drafting of the "Atlantic Charter" and the Four Freedoms.

CONGRESS OPPOSED WAR

Official Australian papers now tell us: In private conference, however, Roosevelt indicated to Churchill that because he was uncertain that he could carry Congress with him in a declaration of war, and because more time was needed to strengthen America's forces, he must seek to delay a break with Japan. He nevertheless agreed to issue a warning, also on the lines of a Churchill draft, that any further Japanese encroachment in the south-west Pacific would produce a situation in which the United States would be compelled to take countermeasures, even though these might lead to war. Though Churchill had hoped for more, he was well pleased.

Upon his return to Washington, Mr. Roosevelt summoned the Japanese Ambassador and then sent this secret message to Churchill: On August 17, I sent for the Japanese Ambassador and the Secretary of State and I received him. I made to him a statement covering the position of this government with respect to the taking by Japan of further steps in the direction of military domination by force along the lines of the proposed statement such as you and I had discussed. The statement I made to him was no less vigorous than and was substantially similar to the statement we had discussed.

Meanwhile in both Japan and the United States there was an increasing debate between their respective "peace parties" and "war parties." The peace group was in power in Japan and they made every effort to come to amicable terms with the United States, which refused all their overtures. Their Prime Minister offered to meet with President Roosevelt. Messrs. Stimson and Hull were violently opposed to such a meeting. They were afraid Mr. Roosevelt might weaken and come to terms with Japan. So this attempt for an amicable settlement was squashed. This failure led to the fall of the Japanese Cabinet and the tide turned with their War Minister becoming Prime Minister.

In Washington, the economic squeeze was being tightened on Japan. F.D.R. was receiving regular visits from a Naval intelligence officer with the latest estimates of Japan's supplies of vital materials. This officer, reading the Japanese equivalent of the CONGRESSIONAL RECORD, knew from the subsidies paid how much oil and other vital raw materials Japan had in storage. (After the war this officer checked and found that his estimate of Japan's oil was off by only about two percent.) From these data, he could advise F.D.R. how well his strangulation policy was working. He could also estimate how soon and in what direction Japan would have to move for her survival. In the fall of 1941, F.D.R. thus knew that Japan would soon have to strike out for the oil of the Dutch East Indies.

WASHINGTON READS JAPANESE SECRETS

With Japan considered the "enemy," U.S. cryptographers concentrated their efforts on breaking the top Japanese diplomatic code. In August 1940, they succeeded. From that time on, U.S. officials read all messages between Tokyo and Japanese diplomats all over the world. Early in 1941, over the objections of the Navy Department, this capacity was given to the British. Secretary Hull didn't find this out until some time later and was much provoked to learn that the British had been reading all the details of U.S. negotiations with the Japanese. It should be noted, however, that the British gave the U.S. Government access to some German codes in exchange.

The U.S. had been reading a lesser Japanese code, their Consular Code, for quite some time. On September 24, Tokyo requested the Japanese Consul in Honolulu to start reporting on the location of American warships in Pearl Harbor. This message was picked up in Hawaii and mailed to Washington, but was not decoded and read until October 9. Other messages in this series, known as the "bomb plot" messages, were similarly delayed. The November 29 message, read in Washington on December 5, said: We have been receiving reports from you on ship movements, but in future will you also report even when there are no movements.

One sent on December 2 was not read until after the attack. It read: In view of the present situation, the presence in port of warships, airplane carriers and cruisers is of the utmost importance. Hereafter, to the utmost of your ability, let me know day by day. Wire me in each case whether or not there are any observation balloons over Pearl Harbor or whether there are any indications that they will be sent up. Also

advice (sic) me whether or not the warships are provided with anti-mine nets.

None of this information was ever sent to the Hawaiian commanders, nor were their intelligence men asked to decode these messages. U.S. cryptographers in Hawaii were then actively trying to break the Japanese Navy code. Every day dozens of important messages were read in Washington, but little, if any, pertinent information was passed on to the Hawaiian commanders. There were some who felt this dereliction was purposeful.●

EPA'S CONSTRUCTION GRANTS PROGRAM

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. GREEN. Mr. Speaker, I would like to bring to the attention of my colleagues an article which appeared in the Wall Street Journal on November 23 concerning the Environmental Protection Agency's construction grants program. As a member of the Subcommittee on HUD/Independent Agencies, I have been very concerned about this program, the funding for which has not been allocated under either an appropriations bill or a continuing resolution. We have been told by the administration that it expects to request a fiscal year 1982 appropriation as soon as the authorizing legislation for the program is completed. I understand that a House and Senate conference is being held on this bill, and hope that, once an agreement has been reached in the authorizing legislation, we can move quickly to approve a supplemental appropriation, as continued construction of treatment sites is contingent on funding being made available by the Federal Government:

[From the Wall Street Journal, Nov. 23, 1981]

POLITICAL FIGHT IS THREATENING SEWER GRANTS

(By Andy Pasztor)

WASHINGTON.—Congress has clogged the government's multibillion-dollar aid program for sewer projects, jeopardizing thousands of projects around the country.

The Senate and the House are at odds over the proper federal role in the program, how much it will cost through the end of the decade and the kind of projects that should be financed. Meanwhile, the Reagan administration refused to include any money in the budget for the politically popular construction grants until both houses adopt a compromise bill acceptable to the White House.

The dispute threatens to disrupt sewer projects that are being planned or are already under construction. Some communities could be left with ditches and abandoned, half-finished treatment plants when money runs out—or even if financing is delayed or sharply reduced. And, if the congressional impasse lasts much longer, many people believe the entire program may be killed.

Utah Governor Scott Matheson, who chairs a committee on water policy for the National Governors' Association, claims the program's demise "would mean a living nightmare for untold numbers" of communities. "Essential waste-water projects would have to be postponed or dismantled," he says. "And there could be some serious fiscal consequences" for cities and states that previously sold bonds to help finance their share of project costs. "We're looking at disaster levels" if Congress doesn't reauthorize the program by the beginning of next year, the governor contends.

"Voters around the country are just beginning to understand" that local property taxes and sewer charges "will have to go up dramatically if and when federal support is cut back," says Larry Silverman, executive director of the American Clean Water Association, a lobbying group that supports the concept of the grants programs. "The political impact will be tremendous," he predicts.

From large urban centers to rural hamlets, worried officials are issuing similar warnings. Eugene Wright, superintendent of the sewer system run by Chattanooga, Tenn., spends much of his time these days worrying about completion of a $78 million treatment-plant expansion project that could become a victim of the federal cutbacks.

So far, the city and the U.S. Environmental Protection Agency have committed a total of $63 million to finish the work. But "Without 1982 appropriations from Congress, we'll have to make the tough decision to halt construction," says Mr. Wright. If the extra capacity isn't available, the city may have to prevent future sewer hookups and postpone its industrial-development efforts.

In Norfolk, Va., the sewer district is counting on federal help to finish a three-year, $30 million project to replace old, inefficient treatment plants that don't comply with clean-water laws. Officials contend the work may have to be stopped as early as January if money from Washington is held up. "We probably can't afford to borrow the money on our own," says James Borberg, who runs the sewer district. "There could be severe disruptions" of the region's long-range plans for cleaning up rivers and streams, he argues.

Nationwide, more than two dozen communities are under court orders to clean up sewer plant discharge; they include Detroit, New York and other financially strapped metropolitan areas that tend to be most heavily dependent on continued federal help.

Because of the congressional dispute, more than 40 states have run out of money in continue financing sewer projects in 1982. Texas, for example, says it needs $213 million to finish eight major projects under construction.

Unless Congress acts quickly, many state, federal and industry officials are convinced that the Reagan administration will seize the opportunity to ease its worsening budget problems by simply eliminating the program.

"If the White House has any excuse to chop it off, the President may decide to take advantage of it," says a Senate staff member. Utah Gov. Matheson claims he already is "seeing some evidence of foot dragging" by the administration.

House and Senate conferees plan to continue discussion this week to try to resolve their differences, but a wide gap remains. The Senate, for instance, went along with President Reagan's request to change drastically the current aid formula so more money can be funneled to densely populated areas in the Northeast and Midwest. Senate conferees also want to reduce to 55 percent from 75 percent the government's share of construction costs by the mid-1980s.

The House, on the other hand, voted overwhelmingly to resist such cuts and to continue financial assistance to Sun Belt states that want to build sewer capacity in anticipation of population and industrial growth.

Both bills meet the administration's $2.4 billion spending cap for fiscal 1982, but the House plan envisions spending about $25 billion more during the next 10 years than the target set by the Senate and the White House. When the same two committees went into the last conference committee on sewer grants in 1976, it took them more than a year to compromise.

Shreveport, La., for example, will have a new sewer plant ready to operate next summer. But unless the federal government provides tens of millions of additional dollars to patch up the city's leaking, outmoded sewer lines, the plant won't be able to handle all of the anticipated flow during heavy rains. "If Congress cuts off help at this point, the plant they encouraged us to build can't accomplish its goal of cleaning up the environment," complains a city engineer.

Congressional inaction can so completely "disrupt the program that state and local matching funds would dry up for lack of confidence in future federal participation," according to Clinton Whitney, executive director of the California Water Resources Control Board.●

DISTRICT OF COLUMBIA SEX ACT

SPEECH OF

HON. MARK D. SILJANDER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 1, 1981

● Mr. SILJANDER. Mr. Speaker, I am opposed to the District of Columbia Sex Act and will vote against it when it comes to the floor for a vote. It is time to call a halt to the use of Washington, D.C., as a "sandbox" for social experimentation. Our city is a window to the Nation and should be a healthy example of American life. It would be a national embarrassment to have the laws of Washington legitimize sexual practices that run counter to the long standing national consensus on these issues.

Furthermore, the Constitution is quite clear on this matter. That document gives Congress the authority to monitor and approve or disapprove laws passed by the District of Columbia City Council. A responsibility comes with that authority. We have a responsibility to see that legislation is passed that sets the proper moral tone for our Nation's Capital, a tone that reflects the moral foundation on which our country was built. This bill is a clear violation of that foundation.

Today,we have an opportunity to improve this city. I intend to do so by

voting against the District of Columbia Act.●

CHURCHES STEP INTO WELFARE GAP

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. HOYER. Mr. Speaker, these times of economic uncertainty have proved difficult for us all. But those who have come to rely on Federal support to carry on their activities have encountered the severest of hardships. Social service agencies at the local, State, and Federal levels are unduly pressed by the recent budget cuts and, in some cases, very necessary programs have suffered. Yet our citizens continue to need these often vital services.

Luckily there are always those who are ready to step in to fill the breach. Our country has a tradition of voluntarism. Nowhere is this more in evidence than in our religious community, where we have seen the benevolence of church groups who have taken an active role in aiding unfortunate people all over the world. Now, because of economic situations, these groups are bringing their helping hands closer to home.

My district is fortunate in having the talents of concerned and caring people in the community. A recent articles in the Washington Post singles out a few of them.

The Reverend J. Marshall Dunn of the University Christian Church; the Reverend Jack Clifford of the First Baptist Church in Hyattsville; Bill McIntire, a general contractor in Maryland and head of American Togetherness; Carolyn Billingsly, head of the housing task force of the church group; and Sue Boysen, head of the People Bank task force for the church groups.

Mr. Speaker, I would like to thank these true humanitarians, who instill hope in so many lives. Their contributions of time, energy, and love are given unselfishly, and their rewards are few. They are due a thank you for their usefulness to the community.

The following article from the Washington Post is but a glimpse of the work of these devoted people.

CHURCHES STEP INTO WELFARE GAP

(By Tom Vesey)

The Rev. J. Marshall Dunn thinks the president's budget stinks, and in July he mounted the pulpit of the University Christian Church (Disciples of Christ) in Hyattsville to tell his congregation just that. "I preached a sermon where I said you can't cut that much out of the budget without really hurting some people—whether you agree with the president or not."

The Rev. Jack Clifford, of the First Baptist Church in Hyattsville, isn't happy with the federal budget either, and he will speak out in November. "I plan to preach a sermon on the need in our county. I guess I'd draw a connection between the Christian message and basic human need."

Both pastors, as members of a group formed by 12 Hyattsville area churches, plan to act on their discontent and concern by aiding those who have lost welfare money and by helping the county's Social Services workers handle the increased demand for counseling. "We really do need to respond to the challenge to do more. And we can do more," Dunn said.

"Each church has responsibility for something it can do on its own," he said, "and three task forces were set up—one on housing, one on the development of a people bank, and the third, headed by myself, was to meet with the Pastoral Counseling Service of Greater Washington, D.C., to help clergy supplement some of the counseling of the Social Services Department."

The efforts of Dunn's church group come at a time when volunteer groups in the Maryland suburbs are stretched to the limit of their resources. Lois Jones, co-chairwoman of Prince George's Help-By-Phone, described a "rising tide of anger" among people who need help but are unable to find it.

Help-By-Phone, which supplies emergency shelter, food, clothing and transportation, assisted some 40,000 persons last year. Jones said it is impossible to measure the increased demand because the phones are already ringing constantly, but she said those who ask for help now are more desperate.

"It used to be that once every three or four months we'd get a very angry call," she said. "We're finding that this is much more frequent and [the calls are] much nastier than they were before. There is a rising tide of frustration and people are raging at anyone who says 'No.'"

By Nov. 1, almost 4,000 people in Prince George's and Montgomery counties will have lost some, if not all, of the welfare benefits they once received. The cuts were delayed one month when it was discovered that those being cut from welfare programs had not received the warning required by law.

Mary Costable of Montgomery County's Volunteer Bureau said more volunteers are needed but not enough are coming forward. "We certainly have an increased demand," she said. "I foresee us using a lot more volunteers and depending on them more than in the past, and using volunteers where they haven't been used before."

Peggy Nelson, a former director of the Gaithersburg Help-Fish, a church-funded organization similar to Help-By-Phone, said volunteers cannot fill the gap left by welfare cuts. "Because of the economic situation, more and more people are going to work, so there are fewer volunteers," she said.

One person trying to round up volunteers is Bethesda general contractor Bill. L. McIntire. This week, he was selling pumpkins on Seven Locks Road to raise money to incorporate a new charity he calls American Togetherness. McIntire hopes the fledgling organization can begin offering needy persons food, transportation and housing before Christmas. He said he has already enlisted the support of about 20 of his business customers.

"Almost all the volunteers will come from the people we help," he said. If the organization helps a single mother, he said, "she could repay us in any way she could, but if she could vounteer for the cause, it would more than pay for the service."

Phil Newsom, supervisor of Prince George's Social Service's Emergency Shelter unit, is excited by the potential of Dunn's group to help poor families find housing quickly.

"It's taking the family a lot longer to get themselves stabilized, get themselves into an adequate, stable living arrangement. There's a greater need for an extended shelter so they can check out the different types of housing situations and get themselves squared away. By using the churches in conjunction, it gives a long time."

The Social Services Department already has the help of a few churches, but most people seeking emergency shelter are placed in motels. An average of 22 persons a month were given emergency shelter in motels last year, and a total of 26 persons were housed in churches. Carolyn Billingsly, who heads the housing task force for Dunn's group, said churches in the Hyattsville area are now being surveyed to see if more shelter space can be found.

The People Bank task force, headed by Sue Boysen, plans to distribute questionnaires in churches to develop a list of volunteers' names. Social Services workers would be able to draw on such a list, she said. The Social Services Department is inundated with paperwork, Boysen said, and "in that case, there is probably something that the churches can do."

Clifford said the People Bank is an important effort to establish a "core of socially conscious people." He said he will distribute questionnaires after his sermon on need later this year. "Otherwise, people lose the spark," he said. "If you let them leave without something concrete, they lose their enthusiasm."

Boysen said she hopes Dunn will ask for volunteers after a similar sermon—"a sermon that will make people wipe the tears from their eyes and get in the mood to do something."

Not everyone agrees with Clifford and Dunn. Clifford said he expects to hear some objections. "I think some of our people would question that there is a lot of need in the county," he said. "As a pastor, I would run into some opposition. But I think there will be enough support."

Dunn said he faced some opposition after his sermon in July. "I do know some people were very angry with me and felt that I was being critical of the president, and not giving him a chance," he said. "I had one elder give a prayer, in that same service, that thanked God for a courageous leader like President Reagan. He basically took me to task right then and there. I just rolled my eyes back. It really didn't bother me. I thought it was kind of humorous."

But Dunn believes these needy people can still be helped. "I think the president is wrong, but I don't think that's any excuse for the churches to sit back and watch this fail," he said. "We have a responsibility to give it a shot. I really believe good things are going to happen. There are only 60 volunteers in the P.G. Social Services Department right now. Surely we could add to that."●

THE REAL INFAMY OF PEARL HARBOR

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. McDONALD. Mr. Speaker, on December 18, 1974, the Southern Libertarian Review issued a special issue of revisionist history on the matter of Pearl Harbor by Percy Greaves. In other parts of the CONGRESSIONAL RECORD on this, the 40th anniversary of Pearl Harbor, I identified for my colleagues and historians, the fact that Mr. Greaves was the chief of the minority staff in the joint congressional investigation of Pearl Harbor. Mr. Greaves has pointed out that revisionist historians are, "* * * those historians seeking to reveal truths the political powers prefer to keep hidden." It has always been my personal held belief that the American people should know the truth where pains and money have been expended to withhold that truth. This article by Mr. Greaves is in the serious matter of who really benefited from Pearl Harbor. We are still paying the penalty today from that which has been withheld from the American people. The article follows:

[From the Southern Liberation Review, Dec. 18, 1974]

THE REAL INFAMY OF PEARL HARBOR

(By Percy Greaves)

For half a century before December 7, 1941, the struggle for supremacy in the far east was between Russia and Japan. After the Bolshevik revolution of 1917, the forces of Soviet communism, seeking new lands to conquer, sought to oust the Western oriented Japanese from their foothold on the Asian mainland. Communist-inspired incident followed communist-inspired incident until some high placed communist friends were able to precipitate our entry into World War II on the side of the Soviet Union.

What follows is a brief peep at what preceded the Pearl Harbor attack. By early 1939, it became evident that Roosevelt's New Deal had not solved the economic depression. There were as many unemployed as six years earlier. It was the European war that ended the business doldrums. Under our cash-and-carry law, the gold shipments of France and England were used to put the unemployed back to work. As Roosevelt told his cabinet, such orders were needed if the Democrats were to be re-elected in 1940.

Then, France fell and England's gold stock ran out, so after the 1940 elections, Roosevelt proposed what was later known as Lend-lease, the first big international giveaway program. It was financed by inflating the quantity of money and raising the cost of living for all Americans. Despite campaign promises to the contrary, we were heading for war. Our navy felt it must protect the Lend-Lease goods in transit. We trailed German submarines, reporting them to the British. We occupied Iceland. But Hitler refused to retaliate.

On June 22, 1941, Germany invaded the Soviet Union. Two days later, Roosevelt, refusing to apply the neutrality act, promised Lend-Lease aid to the Soviet Union. A short while later, our State Department broke off its conversations with the Japanese and then froze all their assets in the United States. American banks were thus prevented from letting their Japanese depositors withdraw their funds.

In August, Winston Churchill met Roosevelt off Newfoundland. The world was told they met to write the Atlantic Charter and proclaim the Four Freedoms. Actually, Churchill's purpose was to persuade Roosevelt to send Japan an ultimatum. On his return to Washington, Roosevelt summoned the Japanese ambassador and then cabled Churchill, "the statement I made to him was no less vigorous than, and was substantially similar to, the statement we discussed."

Conversations with the Japanese were renewed. Premier Konoye asked Roosevelt to meet him. Americans and Japanese desiring peace were hopeful. However, Roosevelt and his advisors were not anxious to come to amicable terms. With the permission of France's Vichy government, Japan was moving into French Indo-China. Our State Department wanted to threaten Japan again. However, Joseph Grew, our ambassador to Japan, had warned Roosevelt that such threats would lead to war. Then, Cordell Hull, our Secretary of State, asked our military leaders if they were prepared to back up further State Department threats.

NOT READY

On November 3, fifteen top army and navy officials discussed the situation at a long meeting. They were decidedly not ready for war. So, on November 5, George Marshall, Chief of Staff, and Harold Stark, Chief of Naval Operations, wrote a Joint Memorandum for the President. They told Roosevelt: "The current plans for war against Japan in the Far East are to conduct defensive war, in co-operation with the British and Dutch, for the defense of the Philippines and the British and Dutch East Indies. The Philippines are now being reinforced * * *. By about the middle of December, 1941, United States air and submarine strength in the Philippines will have become a positive threat to any Japanese operation south of Formosa. The U.S. Army air forces in the Philippines will have reached projected strength by February or March, 1942 * * * War between the United States and Japan should be avoided while building up defensive forces in the Far East."

The memorandum ended by recommending, "that no ultimatum be delivered to Japan."

In a move for time, a 90-day "Modus Vivendi" was drafted for submission to Japan. This would have permitted Japan to import her 90-day needs of strategic materiel, including oil, but not to add to her stocks in storage. Our "allies" the Dutch, Australians and British, approved the "Modus Vivendi" proposal. Our "War Cabinet" also approved it and we were all set to offer it to the Japanese ambassadors in Washington. Then the communists went to work.

On November 25 the Political Advisor to China's Generalissimo Chiang Kai-shek sent a message to an administrative assistant to President Roosevelt, requesting that he "urgently advise the President of the Generalissimo's very strong reaction. I have never seen him really agitated before * * * any Modus Vivendi * * * would be disastrous to Chinese belief in America."

The sender of this message was Owen Lattimore, later found by the Senate Judiciary Committee to have been "a conscious articulate instrument of the Soviet Conspiracy." The recipient of the message was Lauchlin Currie, who had persuaded Roosevelt to recommend Lattimore to Chiang and who, according to later sworn testimony was also a collaborator with "the Soviet intelligence apparatus."

After Britain had approved the "Modus Vivendi," Churchill cabled Roosevelt, asking if it was not "a very thin diet" for Chiang Kai-shek. This indicated an extraordinary effort by Lattimore to sabotage the "Modus Vivendi," which, Marshall later testified, might have prevented Pearl Harbor.

Harry Dexter White, chief foreign policy advisor to Treasury Secretary Morgenthau, was another communist collaborator urging that we send Japan an unacceptable ultimatum. Late on the afternoon of November 24, he met with Morgenthau and Russia's Mr. Gromyko. On November 25, he sent a fellow promoter of Communist interests "an urgent telegram" summoning him to help prevent "a sell-out of China."

Early the next morning, Mr. White received Chiang's brother-in-law, T. V. Soong, who had one of the "hysterical messages" from Chungking. Mr. White immediately reported to his superior, Mr. Morgenthau, who reached the White House before Roosevelt had finished his breakfast. The President agreed to receive the Chinese ambassador and T.V. Soong. The "Modus Vivendi" was then dropped. The Japanese were handed an ultimatum that all those reading the decoded Japanese messages knew must mean war.

Secretary of War Stimson's diary entry for November 27, 1941, reads: "The first thing in the morning I called up Hull to find out what the finale had been with the Japanese. . . He told me now he had broken the whole matter off. As he put it, 'I have washed my hands of it and it is now in the hands of you and Knox—the Army and the Navy.'"

A few days later, Hull told the British ambassador: "It would have been better if, when Churchill received Chiang Kai-shek's loud protests. . ., instead of passing the protest on to us without objection on his part, thereby qualifying and virtually killing what we knew were the individual views of the British Government toward these negotiations, he had sent a strong cable to Chiang Kai-shek telling him to brace up and fight."

So our military authorities, who knew we were not yet ready for the war Roosevelt sought, were overruled and high-placed communist collaborators helped to precipitate the Pearl Harbor attack, bringing the United States into the war on the side of the Soviet Union. Let this be a warning that communist protagonists are always pushing policies which are harmful to the peace and prosperity of our country.●

TRIBUTE TO JOEL LEFKOWITZ

HON. WILLIAM CARNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. CARNEY. Mr. Speaker, December 31, 1981, will mark the end of the term of a very distinguished public

servant in my congressional district. Joel Lefkowitz has served as town supervisor for the town of Brookhaven since 1979. Before that he was a two-term councilman on the Brookhaven Town Board. He has always served with highest degree of honesty, fairness and ability.

In his service to the people of Brookhaven, Joel Lefkowitz has run an effective and responsible town government. Since his arrival in the Brookhaven area in 1965, Joel has continually lent his talents to many civic, educational and legal organizations. The law and public service have been the themes of Joel's career. His contribution to each has been invaluable.

Mr. Speaker, I am proud of Joel Lefkowitz and the job he has done for Brookhaven. I wish him continued success in his future endeavors, and I wish him and his family continued health and happiness for the years to come.●

MARTHA L. HARRIS—A DETROIT AND HIGHLAND PARK FAVORITE DAUGHTER

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. CONYERS. Mr. Speaker, On Sunday, December 13, 1981, a remarkable woman will be honored in the city of Detroit, Mich. She is not internationally known, nor is she quite nationally known, but she is a significant individual in the cities of Detroit and Highland Park.

Martha L. Harris has contributed significantly to these cities through her civic activities and expressions of love for those who have entered her life. She was first recognized as an outstanding honor student at the acclaimed Cass Technical High School in Detroit. Before, and immediately following her marriage, she was one of Detroit's top models and beauty queens, winning several beauty titles. In the early years of her marriage she extended her love for children outside her home, and became an instructor at a residential preschool nursery center.

Circumstances, for a time, resulted in Martha having to provide for her three daughters without the assistance of a husband, even though she had no practical work experience. Being the incredible woman that she is, she kept her daugthers and began to gain those skills necessary to be gainfully employed.

Martha attended school during the day, the evenings, and at any time she could find in between, until she acquired a degree in social work. The degree enabled her to secure the position of real estate expeditor for the city of Highland Park, Mich. While in this position, she established a community reputation for honestly, loyalty, high moral integrity, and dependability. She has continued her interest in real estate, and has obtained a degree in the field. Beyond her real estate and social welfare interests, Martha focused on public relations and community concerns, which led her to become one of Detroit's most recognized public relations persons; publicizing the arrival of top music artists in the city.

Martha extended her concern for the cities of Detroit and Highland Park into the field of politics, as she contributed significantly to the campaigns of a number of successful politicians. Her insights and knowledge about the needs of the people of Detroit and Highland Park have improved the quality of public service provided to them. Her presence as a symbol of caring may well be her greatest contribution.

Notwithstanding the many things she has done, if you were to ask her to indicate things of which she is most proud, her answer would be her three daughters. Ava LaTanya, Karla, and Margo, have matured in the image of their mother. Much like their mother, they have all received recognition from the city of Highland Park for their scholastic achievements. Ava, an outstanding student, is currently working on her M.B.A./J.D. degree from Rutgers University, Karla, after completing requirements for two degrees from the University of Michigan, has joined my Washington staff, and Margo is presently a freshman at the University of Michigan majoring in chemical engineering. Margo and Karla have both won several beauty contests—winning beauty contests seems to be a family tradition.

So why is she being honored by her friends in Detroit and Highland Park? It is so unfortunate that we usually wait until sad times to recognize our peers and friends, but this is often the case. Martha Harris was recently stricken with cancer. Her husband, the internationally known musician/conductor, Teddy Harris, Jr., is giving a musical tribute in her honor, the proceeds from which will go toward Martha's medical expenses.

I am sure most of the citizens of Detroit and Highland Park will attend this important event to give recognition to one of their favorite daughters.●

COMMENDING SENATOR ARLEN SPECTER ON THE INTRODUCTION OF THE MINING RECLAMATION RESERVES ACT OF 1981

HON. DON BAILEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. BAILEY of Pennsylvania. Mr. Speaker, I would like to take a moment to commend a distinguished Member of the Senate who, on Friday, December 4, introduced a bill that will clarify existing Internal Revenue Code provisions and IRS rulings concerning surface mining reclamation reserves.

Senator ARLEN SPECTER of Pennsylvania last Friday introduced S. 1911, which is a measure similar to H.R. 4815, which I introduced in the House on October 22. Both bills address the confusion that presently exists as to when an accrual-basis taxpayer is entitled to take current tax deductions for estimated future reclamation expenses incurred when complying with the surface mining reclamation requirements of Federal and State law. Though there is one difference between our two bills concerning the eligibility of previous years' accrual accounting methods, I nonetheless would like to direct the attention of my colleagues to the general provisions of the bills and the important problem of the surface mining industry they resolve.

Mr. Speaker, I am proud that Senator SPECTER and I will be working together on this issue. Certainly, with his efforts and those of our colleagues, our bill can be enacted and the Nation's surface mining industry benefited. I thank Senator SPECTER and, lastly, only add that I look forward to a close working relationship on this, as well as other, measures before the Congress.●

A TRIBUTE TO JOHN T. KEHOE

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. MATSUI. Mr. Speaker, for the past 6 years the Sacramento Metropolitan Chamber of Commerce has been guided by one of the most able and effective directors in its history, Mr. John T. Kehoe. The community and citizens of Sacramento, as well as the chamber itself, has benefited greatly from John Kehoe's talented and energetic leadership.

This outstanding administrator, whose distinguished career has included service in the Governor's cabinet when President Ronald Reagan was chief executive of the State of Califor-

nia, will be leaving the Sacramento Chamber soon to pursue a challenging opportunity in the private sector as vice president in charge of economic planning for the Cook Co. of Sacramento.

I am sure that all Members of this House, and particularly our California delegation, will join me in extending best wishes to John Kehoe and in saluting his outstanding career in city, State and Federal Government, as well as his work for the Sacramento Metropolitan Chamber of Commerce.

John Kehoe's career has included 18 years of public service, beginning in Hayward, Calif., where he worked as an assistant city manager. He later served as administrative assistant to a distinguished Member of the House, Hon. George Miller, followed by 3 years as director of governmental affairs for the California State Univerity and College System.

In 1969, Gov. Ronald Reagan asked John Kehoe to join his administration as education consultant. One year later, Mr. Kehoe was appointed as the Governor's legislative secretary, and in 1972 he became a member of the Governor's cabinet as director of consumer affairs. During his 2 years in that position, the department received national acclaim for programs implemented under his leadership.

A description of John Kehoe's community interests, activities and awards would fill many pages. One of his more recent achievements was election by the people of Sacramento to the five-member board of one of California's major publicly owned electrical utilities, the Sacramento Metropolitan Utility District.

As a Representative of Sacramento in the Congress of the United States, it is my great pleasure and honor to officially recognize John T. Kehoe's temendous contributions to the Sacramento area, to the entire State of California, and to this Nation, and to express our hope that he finds his new position stimulating and rewarding.●

SMALL IS ESSENTIAL: THE REVITALIZATION OF AMERICA'S SMALL BUSINESSES IS WELL UNDERWAY

HON. JOHN LEBOUTILLIER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. LEBOUTILLIER. Mr. Speaker, small business is big business. While the Fortune 500 corporations provide the major impetus in terms of development and major production, America's vast array of small businesses and services comprise the economic backbone of America. The centrality of small business within the American economy can be best demonstrated by some hard facts:

Small businesses comprise 97 percent of all of the Nation's firms;

Small businesses comprise 43 percent of the gross national product (GNP);

Small businesses generate 64 percent of the total dollar value from wholesaling;

Small businesses comprise 73 percent of retail sales;

Small business receives 57 percent of the annual service sales dollar share;

Small businesses comprise 76 percent of the construction dollar volume;

Small business provides employment for 58 percent of the American work force.

David Birch of the Massachussetts Institute of Technology found that small business' contributions to the American economy go beyond the above statistics. Birch found that companies with less than 21 employees created 66 percent of all new jobs after requisite job losses in particular industries between 1969 and 1976. Even more telling is the finding that firms with fewer than 500 employees accounted for 87 percent of the new jobs created in this period. In short, small firms are the prime job generators.

The decade of the 1970's was a period when bad Government policy toward small business came to fruition. Fortunately, according to Kenneth Chilton and David Hatfield of Washington University in St. Louis, Federal policy has been moving toward greater assistance to, and less hampering of, America's small businesses. I welcome this development, as this administration and Congress have, in less than 1 year, taken even more affirmative steps to lessen the negative Federal impact on small business in America.

Chilton and Hatfield are the authors of a recently published report entitled, "Big Government and Small Business: The Changing Relationship." This work, published under the auspices of the Center for the Study of American Business at Washington University, is a concise and well-documented look at how Federal policy vis-a-vis small business had been previously inhibitory, and presently becoming ameliorative.

> The policies of the Federal Government toward small business in the 1970's,
> Chilton and Hatfield write,
> alternated between not-so-benign neglect and ill-advised direct intervention.

In spite of this unfavorable climate, the vigor and import of small business grew. How a positive change in Federal Government-small business relations came about, say the authors, was through capable and reliable communication from the affected industries to Congress. With the onset of the Reagan administration and a Congress that is fundamentally supportive of the administration's economic policies, an acceleration of efforts to get off of the small businessman's back increased. In the last year, marked improvements in the operating climate for small business are seen by all.

The lessons of the 1970's, like history in general, ought to be learned so that they will not be repeated.

Chilton and Hatfield found three major problematic areas of Federal policy that militated against small business. These policies were: negative Federal regulation, tax policy, and ineffective assistance progams.

In terms of regulation, unparalleled growth in Federal regulation of various aspects of small business occurred most heavily during the 1970's. One hundred and thirty major new laws that negatively impacted on small businesses were enacted by successive Congresses during the 1970's. The regulatory phenomenon became so pervasive that Dr. Murray Weidenbaum, now President Reagan's Chairman of the Council of Economic Advisers, called the development "the second managerial revolution".

Study after study of countless industries revealed a lessened ability to innovate, expand, and create jobs due to the direct constraints resulting from Federal regulations. My own study of small business, and my own communication with scores of small businessmen in the Sixth Congressional District of New York duplicate these findings. While many of the intentions—cleaner environments, safer products, expanded minority opportunities, et cetera—were laudible, many of the direct side effects felt by small businesses were harmful. "Small businesses," the authors note, "became an unintentional victim of the regulatory overdose".

The second factor that worked against small business in the 1970's were the tax laws. Primarily, the authors found, taxes were regressive with respect to firm size. For instance, in 1979, firms with assets of less than $5 million had an effective tax rate of 41 percent on the average, while firms with assets of over $1 million paid at an average 29 percent rate.

Furthermore, payroll taxes designed to shore up the social security system are not neutral with respect to firm size. In short, Federal tax policy has consistently favored more capital-intensive business than labor-intensive ones. A healthy balance has been struck in the newly enacted Economic Recovery Tax Act of 1981. Recurring imbalances must be prevented.

The third feature of negative Federal policy toward small business was due to "ineffective intervention." I concur with the author's position that even in cases where the Federal Government sought to address the problems peculiar to small businesses, such as Small Business Administration aid programs, results were "negligible, if not negative." A recent review of more

than 14,000 SBA loans has yielded up some shocking results: more than 40 percent of the direct loans end in defaults, and only 18 cents on each dollar loaned is collected on defaults. More than $57 million was lost in aid funds from 1970 to 1978, and this figure may reach $900 million if 1979 and 1980 repayable loans go in a similar direction.

In addition, reviews of the section 8(a) procurement program, better known as the minority business assistance program, have not been good. Participants themselves are the most openly disappointed.

As the 1970's ended, a marked reversal of Federal policy toward big business began to occur. Washington finally woke up to the powerful fact that small business is the best job creation program—but only when left alone to get the job done.

During this painful decade, incorporations increased. Small businesses stuck it out, and continued to press for regulatory relief and tax reform. Within less than a year, they have significantly achieved both.

A massive assault on regulation was launched within minutes of President Reagan's inauguration. To express the administration's strong commitment to this goal, the President appointed no less than the Vice President himself to head his Task Force on Regulatory Relief. Already, more than 100 useless and noxious regulations are under attack.

Several tax reforms embodied in the President's Economic Recovery Tax Act of 1981 are of particular interest to small business:

Reduction of the top tax rate on investment income from 70 percent to 50 percent;

Increased estate tax exemptions from $175,625 up to $600,000 over a 6-year period;

Simplification and liberalization of depreciation methods, the accelerated cost recovery program (ACRP);

Increase from $150,000 to $250,000 the exemption to the accumulated earnings tax.

These features are also coupled with an across-the-board tax cut.

We are entering a decade of bright hopes for small business. We in Congress must continue to dismantle the seemingly endless maze of Federal regulations that have hindered profitable small business in America. We must continue to enact equitable and functional tax legislation that aims to lower inflation, maintain reasonable revenue, and allow for economic opportunity.

Small business is the core of America; I pledge to continue efforts to help it sustain not only itself, but all of us as well.●

THE DANGERS OF A WEAK DEFENSE

HON. GREGORY W. CARMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. CARMAN. Mr. Speaker, the editorial which follows by Ben Wattenberg shows the dangers of even having to wonder if our defenses are fully sufficient.

WEAK DEFENSE HURTS ECONOMY

(By Ben Wattenberg)

"What happens, or might happen, if America becomes 'No. 2' is bad economic news even if the budget were balanced in the process. If the history of the planet tells us one simple thing, it is that nations with power use that power to advance their interests, including their economic interests. We Americans surely did just that when we were 'No. 1.' Is there reason to believe that the Soviets would behave otherwise?

"What would the economic world look like if the Soviets became the unquestioned paramount military power? Forget about direct superpower warfare. There are more efficient ways to transmute military power into economic gain.

"Of course, no one can predict or project the specifics of such a world, but play around with a few random speculations.

"A Soviet Empire running short on oil makes the Saudis an offer they can't refuse. 'Sell us oil,' the Soviets say. 'We need it very badly. And please, Prince, sell it to us at $10 a barrel because we're going to sign a friendship treaty with you.'

"I can think of many reasons for the Saudis under such circumstances to quietly start shipping the oil. I can't think of a single good reason for them not to. They certainly won't be able to come to a weak United States and say, "Help us, Uncle Sam, we're getting mugged." More likely, they'd raise the price of oil to the United States and our allies to make up the difference.

Or consider what might happen to business in Europe. The most skittish commodity known to man is capital. When threatened, it flees. As the nervous nations next to the all-powerful Soviet bear saw American weakness grow, their money would leave the continent in a rush.

"The slow, or speedy, collapse of European economies would be a logical result. While much of that capital might first flee to the United States, the ensuing depression in Europe would ultimately echo here in America. It is an interdependent world.

"And what would we do if the Soviets 'suggested' that we ought to give many billions more in aid to the less developed world? What would we do if the Soviets 'suggested' that we ought to sell them more grain cheaper, or that we should be more forthcoming with patented high technology, or that we should see to it that our banks loan them more money at low rates?

"Of course, we could resist those entreaties. We could resist the pressures to accommodate the Soviets that would surely come in from all over the world. We could—but we probably wouldn't. History tells the tale of weaker nations designing elaborate minuets to save face while accommodating stronger nations.

"Now, my question is this: If you were an investor on Wall Street, would you have more confidence in your invested dollar in a world where the United States was running a budget deficit or a power deficit?"●

FEDERAL ARTS FUNDING

HON. FREDERICK W. RICHMOND

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. RICHMOND. Mr. Speaker, the current issue of American Arts magazine contains an excellent article explaining the congressional budget process as it relates to the arts and humanities. Written by the distinguished gentleman from Illinois, PAUL SIMON, the article describes in detail the funding history of the National Endowment for the Arts and projections for the future of Federal arts support. Mr. SIMON, who is a member of the Congressional Arts Caucus Executive Board, is the highly regarded chairman of the Subcommittee on Postsecondary Education.

[From the American Arts, November 1981]

ISSUES OF CULTURAL POLICY

(By Paul Simon)

Emmanuel Kant spent eleven years assembling his Critique of Pure Reason and Frederick Hegel took eight years putting together his Philosophy of Right. Yet the United States Congress took only a few weeks to compile its own philosophical statement—the 1982 budget.

House committees slashed as much as one-third from their programs in a few days, and substitute legislation to revise the entire federal budget was completed overnight. Adding machines at the Congressional Budget Office could not work fast enough to figure and refigure subcommittee, committee, and substitute versions of the budget. There was little time to question the impact of what we were doing, and less time to ask why we were doing it. Some of us wanted those questions answered before we moved, but we were swept aside by the budget process.

Behind that confusing and complex budget process is a philosophy—a philosophy that this year is actually clearer and more radical than any in decades.

THE ARTS

The funding history of the Arts Endowment shows significant program increases, from $2.5 million in fiscal 1966 to $175 million in fiscal 1981. Congress was therefore surprised when the President requested a fifty percent reduction in Endowment funding for the coming fiscal year, since the NEA has grown through both Republican and Democratic administrations over the last fifteen years.

In 1980, the Arts Endowment was reauthorized for five years at levels ranging from $175 million for fiscal 1981 to $306 million for fiscal 1985. In the past, the actual appropriations for the Endowment have been seventy-five and ninety percent of the authorized amount. With the approval of the Arts Endowment's multiyear reauthorization in 1980 and with strong support of the Appropriations Committee's Subcommittee on Interior, headed by Representative Sidney Yates, it appeared that the federal role in the arts and the structure of the

Endowment was assured for the coming years. The President's request to cut the Endowment's budget by half presented a powerful challenge to the direction that had been set by Congress.

Responding to the Administration's budget, the Democrats' First Budget Resolution reduced funds in the category which includes the NEA, Category 500. Actual restructuring of programs under this category was left to the Education and Labor Committee, and although funding for the Endowment was in jeopardy, no specific cuts were required. Category 500 is so large that budgets for social programs can be made to fit under established budget ceilings without making specific and detailed cuts in all programs in that category.

My subcommittee eventually recommended a twenty percent cut in the Arts Endowment's budget in order to meet spending limits—a figure which was overturned by a subsequent coalition-sponsored bill that earmarked a combined total of $223 million for both the National Endowment for the Arts and the National Endowment for the Humanities. This figure represented a thirty percent reduction in these agencies' budgets from current funding levels. The Senate budget bill, meanwhile, set a figure of $119.3 million for the Arts Endowment, representing a twenty-five percent cut. The House and Senate conference on the issue was resolved by taking the higher Senate figure. Because the majority of House conferees on this portion of the reconciliation bill had not voted for the coalition-sponsored substitute bill recommending an even lower level of Endowment funding, we were happy to acquiesce to the Senate's higher figures of $119.3 million.

This year's budget process was far from smooth, but it has been further complicated by the parallel Appropriations Committee consideration of the NEA's budget. Appropriations for the Arts Endowment were considered by the Appropriations Committee before the budget reconciliation bill became law, and the Appropriations Committee went forward based on the multi-year reauthorization for the Endowment approved under President Carter, sending the House a figure of $157.5 million for the coming fiscal year. That figure is well above the $119.3 million in the reconciliation bill, but it was approved before the $119.3 million became the legal authorization level. The Senate Appropriations Committee figure for the arts has not been finalized as of this writing, but when it is, the House and Senate versions will have to be reconciled. Because appropriations cannot exceed the authorization level, a figure no greater than $119.3 million will have to be approved. This conflict in budget amounts focuses attention on the arts, as has both the appointment by the President of a Task Force on the Arts and Humanities, and the NEA's response to the likelihood of a reduced budget.

THE FUTURE OF FEDERAL ARTS FUNDING

The Arts Endowment now faces a budget cutback of twenty-five percent (or more) from its current funding level for the fiscal year that began on October 1, 1981. That percentage is even more significant when inflation is figured into the current program costs. How and where cuts will be made will be decided by the Endowment itself, not by Congress or the White House.

The priorities of the National Endowment for the Arts were made clear both by the National Council on the Arts in its March, 1981, meeting and in the Endowment's response to Congress on where reductions will be made. The Council directed that under budget constraints, the Endowment should concentrate on promoting professionalism and excellence, on organizations producing arts whose primary focus is the arts themselves, and on individual artists. The Arts Endowment, in its revised fiscal year 1982 budget, told Congress that the Council's direction will mean " . . . direct organizational support . . . providing considerably less support for service organizations, for touring and other outreach efforts . . ."

As of this writing, we do not know precisely what cuts will be made in the NEA's programs, although we do have alternative budgets which the Endowment has prepared based on various budget assumptions. From these alternative budgets, it is clear that some specific programs will be reduced in order to preserve others. Programs where reductions are focused include: Artists-in-Education, film documentation of dance, summer programs in Expansion Arts, City-Arts, services to the field in Media Arts, grants for museum purchases of works by living American artists, special opera-musical theatre projects, professional theatre touring, and across-the-board cuts in grants to state arts councils.

Another indication of the future of federal support for the arts can be found in the report presented by the White House Task Force on the Arts and Humanities following its final meeting in September—a report which included several recommendations on the future of federal involvement in the arts. Those recommendations echoed comments that had been made earlier by Task Force cochairs Charlton Heston, Dr. Hannah Gray, and Daniel Terra, as well as four general conclusions and tentative recommendations that were suggested at the August meeting:

1. There is a valuable federal role in the arts and humanities, and the basic structure of the Endowments is sound. Task Force member Henry Geldzahler reports that "the Endowments look better and better as we look into them more."

2. Endowment funding should be matched by private sources. The success of the Challenge Grants Program in attracting private support is evident. Business contributions to the arts in 1967 were $22 million, while in 1979 contributions totalled $436 million. Frank Saunders, Staff Vice President for Philip Morris, notes, "What is important here is that the presence, the activities, and the enthusiasm of the NEA were critical stimuli for this quantum leap in corporate support."

3. Private sector support should be increased. The budgets of both Endowments for the coming year have been reduced, and it is recommended that the shortfalls be made up by corporate, foundation, and individual giving.

4. Revisions in the tax code, recently signed into law, should offer encouragement for private giving by allowing more individuals to deduct charitable contributions on their tax forms. The very same bill, however, may discourage corporate support for the arts and humanities by lowering the tax rate for businesses, thereby lessening the need for businesses to find tax write-offs. Further revisions in the tax code should be explored.

A note about this last item: in the new political environment in Washington, which encourages business in general and business in support of the arts in particular, it is fitting that contributions should be encouraged through the tax structure. This approach may be in accordance with the philosophy of the new Administration, but may not be healthy for the general arts community. Well-known performing companies, establishes artists, and major institutions should be able to continue to attract support. Lesser-known companies, community theaters, and artists beginning their careers will have little or no chance to compete for corporate funding. It is unlikely that business philanthropy will invest the unknown or be able to bring together individuals to review applications in a manner similar to the Arts Endowment's panel system. There is also the potential problem of corporate patronage directing creative productions; conglomerate oil is not necessarily a modern-day de'Medici.

THE BUDGET AS PHILOSOPHY

This year's budget process has shown several things. It has shown that Congress listened when the public asked for cutbacks in government spending. But where the reductions should be made and by how much became a matter of conflict between most Democrats on one side and a coalition of Republicans and conservative Democrats on the other. The budget that was finally approved is a reflection of where this Administration thinks cutbacks should be made. While the Defense Department's budget grew, training for the unemployed was virtually abolished. Fewer children will qualify for free or cut-rate school lunches, but we will be able to pay for a number of new options in stategic weapons. Taxes will be cut, and so will our system of social services to the poor. The National Endowment for the Arts will have a budget of no more than $119.3 million in fiscal year 1982, approximately $38 million less than this year. Military bands, by comparison, will receive over $50 million.

A massive rewriting of the federal budget is clearly not a good way of deciding in only a matter of weeks who is the most needy and what federal programs the most necessary. How can we decide in such a short time, within budget constraints drawn from who knows where, what is most important? How do we rank the handicapped, for example, against hungry children, unemployed teenagers, medical students needing help with tuition, or even the U.S. military? But such a ranking was done this spring and summer through the forced reduction in spending required by the White House budget. In the end, "people programs" were the losers.

Whatever our differing political philosophies, I believe our goal is the same one: a healthy America. But I believe a healthy nation means not only a healthy economy and military, but also a healthy spirit—a spirit expressed through the arts. The National Endowment for the Arts is still standing, though it took a blow from the Reagan Administration's hatchet. With renewed public support, it will continue to stand and once again grow.●

LETTING NUCLEAR DANGER SPREAD

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. BINGHAM. Mr. Speaker, the step-by-step weakening of the U.S. effort to prevent the spread of nuclear weapons technology is the subject of a very disturbing article by Jessica Tuchman Matthews in the Washington Post for December 1. I commend the article to my colleagues and other readers of the CONGRESSIONAL RECORD:

LETTING NUCLEAR DANGER SPREAD

(By Jessica Tuchman Matthews)

The Nuclear regulatory commission's resounding vote of no-confidence this week in the international system of safeguards on which trade in nuclear technology is premised is but the latest in a series of events and policy shifts that has all but wiped out American non-proliferation policy.

As one who once had a hand in helping to formulate that policy during part of the Carter administration, I have watched with awe the rapidity with which the dismantling has taken place.

The erosion began last spring in a close vote by the Senate Foreign Relations Committee approving an administration request to permit a large new assistance program for Pakistan by waiving the law that prohibits assistance to a country trying to make nuclear weapons. The vote attracted little attention at the time, yet it was a significant milestone: in the first test of its own sanctions against nuclear proliferation, the United States was choosing to ignore them.

By the time the waiver reached the Senate floor a few weeks ago, there was no remaining doubt that Pakistan is aggressively pursuing every possible technical route to building a bomb. It may be ready to stage a nuclear explosion in one year.

Nevertheless, the full Senate chose not to vote on the wisdom of the waiver. Sen. John Glenn (D-Ohio), trying to redraw the line he had helped write into law a few years ago, offered an amendment requiring termination of American aid if Pakistan went all the way and actually detonated a nuclear bomb. But the message that was conveyed that evening to Pakistan, and who knows how many other interested governments, was not that the amendment had passed—which it had, just—but rather that nearly half the Senate—45 members—had voted against it, in the name of preserving "flexibility" for the president. The flexibility in this case is the flexibility to do nothing—as this country did when India exploded its bomb in 1974.

Meanwhile Israel had bombed Iraq's research reactor. The International Atomic Energy Agency's response was not to investigate why Iraq, despite having no commercial nuclear facilities, was stockpiling hundreds of tons of uranium ore. Nor did it or any other group consider intelligence findings that Iraq was indeed pursuing a nuclear capability, despite having renounced the right to do so by signing the Non-Proliferation Treaty. Instead the IAEA called on its members to offer Iraq "emergency assistance" to rebuild the destroyed reactor.

France, Iraq's original supplier, responded. Discussions between France and Iraq have been under way since last summer. American officials are apparently not privy to the terms being negotiated, especially whether the new reactor will be as inexplicably large for its asserted "research" purpose as the old one was, or whether this time France will insist that the reactor not be fueled with highly enriched, weapons-usable uranium.

France's recent agreement with South Africa does not offer much ground for optimism. The United States has been trying for years to get South Africa to accept safeguards on its nuclear facilities. Its leverage was the supply of fuel rods for south Africa's first power reactors scheduled for completion next year. But American law requires that South Africa first accept safeguards. Suddenly, in mid-November, it was announced that the reactor would be loaded on schedule with fuel rods made in France, and without safeguards. The action took American officials completely by surprise, cutting the ground out from under the U.S. government's position.

A few years ago, the nuclear supplier nations agreed to an informal moratorium on the transfer of reprocessing and enrichment plants—facilities that produce material that is directly usable in bombs. This year, for the first time since that agreement, a non-nuclear weapons state—Mexico—has invited bids for the construction of power reactors and let it be known that it wants "advanced technology"—enrichment and reprocessing—to be part of the deal. The suppliers' responses will be a major test of how much, or how little, is left of the will to slow nuclear proliferation. The outlook is clouded by the administration's recently announced willingness to transfer classified enrichment technology to Australia, making it all the harder to say no to others.

Several other thresholds have been quietly crossed. In extending an agreement that allows U.S.-supplied fuel to be reprocessed in Japan's pilot reprocessing plant, the administration, without prior congressional consultation, dropped two key provisions of earlier versions. One of these dealt with whether reprocessing plants, because they provide direct access to weapons-usable materials, can ever be effectively safeguarded. The other retained U.S. control over Japan's use of the separated plutonium.

U.S. negotiators, unable to find acceptable conditions for ending nuclear cooperation with India, are reportedly considering major concessions. The United States wants international safeguards to continue to be applied to the used fuel (containing more than a ton of plutonium) it has supplied to India over 18 years. India has refused, and is reportedly considering a unilateral renunciation of the agreement and its attendant safeguards. To avoid that damaging precedent U.S. negotiators may allow India to reprocess the U.S.-supplied fuel.

The Reagan administration let it be known from the outset that it planned a dramatic "shift in emphasis" from the Carter non-proliferation policy. It would emphasize American leverage as a "reliable nuclear supplier" rathern than trying to restrict access to sensitive nuclear technologies. But leverage is only leverage if one is prepared to use it. The administration's easy acceptance of Pakistan's nuclear bomb program and many subsequent decisions signaled clearly that it was more interested in encouraging nuclear trade. The message was picked up not only by potential proliferators but also by other suppliers—France, especially—that had reluctantly gone along with earlier U.S. insistence on a tough non-proliferation policy. Congress, overwhelmed with other concerns, failed to respond. The result has been a frighteningly swift unraveling of the containment net that had been slowly stitched together in the seven years since India's nuclear explosion shocked the world. No one knows where it will end or what it will now take to stop the process.●

A TRIBUTE TO THE FRUITRIDGE SENIOR BABE RUTH ALL-STAR TEAM

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. MATSUI. Mr. Speaker, it is my great pleasure to extend official recognition to the outstanding team members and coaches of the Fruitridge Senior Babe Ruth All-Star Team, which this past summer represented the city and county of Sacramento, the State of California, and the Pacific Southwest Region (California, Nevada, Utah, Hawaii, and Arizona) at the Senior Babe Ruth World Series in Lawrenceburg, Tenn.

This fine group of 16- to 18-year-olds placed third in the world championship. Each player on this superb team exhibited the finest qualities of sportsmanship, both on and off the field, according to their coaches.

We in Sacramento County are extremely proud of their achievement. It is my honor to recognize each player and coach here in the pages of the CONGRESSIONAL RECORD.

The members of the team were Russ Charles, Bob Crump, Hank DeMello, John Berringer, Dan Sullivan, Greg Garnett, Todd Trafton, Ken Longman, Henry Gatewood, Russ Morena, Jon Leake, Greg Murphy, Greg Stimson, Alex McKisson, Ken Clawson, and Warren Cain.

They were coached by Bill Walker, Dan Sullivan, and Steve Hammer.

We are extremely proud of the record of this fine team and extend our congratulations and best wishes to each player and coach.●

A SALUTE TO DAYTON MAYOR JIM McGEE

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. STOKES. Mr. Speaker, I would like to take this opportunity, to join with the many Daytonians, representatives of the business community and citizens throughout the State of Ohio in saluting my friend, Mayor Jim McGee. For over 13 years, he has rendered outstanding and unselfish service and leadership to the city of

Dayton, both as a city commissioner and mayor.

On December 10, 1981, there will be a testimonial in Dayton honoring Jim McGee for that leadership. On behalf of the residents of the 21st Congressional District of Ohio, I salute Mayor Jim McGee on that occasion.

Mr. Speaker, I thought it would be appropriate at this time to share with many of my colleagues from outside the State of Ohio the noteworthy achievements of Jim McGee. Members of the Ohio congressional delegation are quite familiar with his accomplishments during his 11-year tenure as the mayor of Dayton.

Mr. Speaker, I feel a special kinship to Jim McGee in his position as the first black mayor of Dayton. In 1967, my brother Carl Stokes, was elected the first black mayor of Cleveland and of a major American city. In 1970, Jim McGee joined that small group of black Americans heading up the leadership of our cities.

Mr. Speaker, Daytonians from every walk of life will attest to the dignity and leadership Jim McGee has brought to the city of Dayton for all the people. For example, he is credited with taking the city's involvement in the sister cities international project and elevating it to new heights. Currently, Dayton has strong sister city ties in the arts and world relations with Oiso, Japan; Osberg, Germany; and Monrovia, Liberia.

In addition to being the catalyst and liaison between Dayton and other great cities of the world, Jim McGee can be credited, and rightfully so, with addressing the major concerns of minorities, the elderly, and the handicapped in the city of Dayton. He has encouraged innovative city government programs to be more responsive to the needs of these groups.

Mr. Speaker, the problems of minorities, overseeing Federal projections, balancing residential and business interests have made unusual demands for the time and leadership of Jim McGee. But in every instance, Jim McGee has risen to the challenge and displayed the strong, steady leadership the city needed in its critical periods.

This tenacity and diligence in getting the job done and done right is the hallmark of the character and dedication to public service of Jim McGee. His career has been one of public service.

Mayor McGee started his career in public service in 1967 as one of the five Dayton City Commissioners. He served in that capacity with distinction until 1970 when he was appointed to fill the position of mayor. Since 1973, Jim McGee has been reelected to four terms as the mayor.

Mr. Speaker, in addition to his many duties as mayor, Jim McGee maintains a general law practice in the city. He is also an active and highly regarded member of the National League of Cities Advisory Board and the U.S Conference of Mayors.

Mr. Speaker, from everything that I have said about Mayor Jim McGee, I am sure that my colleagues now know that he is a rising star in Dayton and the State of Ohio. As his years in public service have grown, Jim McGee has increased his commitment to the over 200,000 residents in the city of Dayton.

In conclusion, I take this opportunity to join with the many Daytonians and people of good will throughout the State of Ohio in saluting Mayor Jim McGee for the unfaltering leadership he has provided to all the people in that great Ohio city.●

40TH ANNIVERSARY TRIBUTE TO THE CIVIL AIR PATROL

HON. JIM MATTOX

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. MATTOX. Mr. Speaker, 40 years ago this month—just days before America entered World War II—a group of aviation enthusiasts agreed to donate their light aircraft and their services to national defense through an organization they called the Civil Air Patrol. That organization played a vital if largely unheralded role in winning the war, and its members have continued to contribute gallantly to the Nation ever since.

At first, the CAP had its problems with a skeptical War Department, which had doubts that such a group had the experience or discipline to handle a critical mission. The organization got its first chance when German submarines began sinking American ships, sometimes within sight of onlookers at the beach, and it became clear that the United States lacked the military resources to control the losses.

The CAP was pressed into service. Over an 18-month period in 1942–43, it flew almost 87,000 missions patrolling the coastlines. Its sightings directly resulted in the sinking of two enemy subs and the damaging of 55 others, with an untold saving of American lives and surface vessels. Before they were withdrawn in 1944, the patrollers had lost 90 volunteer aircraft. Twenty-six CAP members died and seven were injured in the effort.

With 75,000 members in 1,000 U.S. communities, the Civil Air Patrol became a valuable training ground of pilots in 1942. It began testing teenagers for entry into the Army Air Corps, giving them flight training in aircraft on loan from the military. By the end of 1944, the CAP had actually developed a surplus of recruits.

Success brought more missions from the War Department. The CAP patrolled border crossings looking for enemy saboteurs and safeguarding communication lines. It searched for missing military planes, finding as many as seven in 1 week. It moved 3½ million pounds of mail and cargo for the Air Corps. It towed targets for anti-aircraft machine gunners. In all these war-related missions, CAP members logged half a million hours of flying time, receiving in return only operating expenses and subsistence pay. In addition to the monetary sacrifice, many lost their aircraft in these efforts, and 41 lost their lives.

In 1948, 2 years after Congress incorporated the CAP as a benevolent nonprofit organization, it became an official auxiliary of the Air Force. Its best-known activity since the war, flying search and rescue missions, has saved the lives of several hundred downed pilots and passengers. Hundreds of thousands of boys and girls ages 13 to 18 have participated in the cadet program. The CAP's current force of 59,000 senior and cadet members operates the most comprehensive emergency communication network in the United States.

I was deeply impressed by the courage and professionalism of the Civil Air Patrol members last year, when five members of a Mesquite family were killed in a private aircraft crash in a remote area of New Mexico. As soon as the plane was reported missing, CAP units from Texas, New Mexico, Oklahoma, and Colorado went into action, searching over hundreds of square miles of rugged, mountainous terrain. More than 600 people and 176 airplanes spent almost 700 hours of search time in the slim hope of locating the small aircraft in the snow-covered forest. Only after they had saturated the area and determined that the wreckage could not be seen from the air did they suspend the search. A special training exercise, which the CAP conducted as soon as enough snow had melted, later located the wreckage on a mountainside at about 10,000 feet altitude.

The patrollers' tireless, selfless efforts under those circumstances, out of compassion for people that few if any of them had ever met, were in keeping with the finest American traditions. The sacrifices made by Maj. Art Schwalm and observer Randy Sanchez were particularly dramatic: their search plane crashed in the mountains, seriously injuring both men and partially paralyzing Sanchez.

"Greater love hath no man than this, that a man lay down his life for his friends," the Bible tells us for 40 years, CAP members like Randy Sanchez and Art Schwalm have risked life and limb for their friends, the Ameri-

can people. I salute them on this anniversary.●

REAGANOMICS

HON. LES AuCOIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. AuCOIN. Mr. Speaker, in its issue of November 30, Business Week magazine published an article about President Reagan's economic recovery program.

Since Congress will soon be reconsidering a continuing resolution and debating additional budget cuts sought by the administration, I urge my colleagues to read this article. I insert the entire text in the RECORD.

The article follows:

[From Business Week, Nov. 30, 1981]

REAGANOMICS RACES THE CLOCK

Although the Reagan Administration moved swiftly to silence Office of Management & Budget Director David A. Stockman after he publicly undercut President Reagan's contention that he could cut taxes, raise defense spending, and balance the budget in the foreseeable future, the damage done by Stockman's revelations in The Atlantic Monthly may be irreparable. Stockman's sin was to admit openly what many in the business community and on Capitol Hill had already come to realize; that the short-term effect of Reaganomics is to produce enormous budget deficits and that the Administration has no viable plan to deal with them.

President Reagan is not prepared to make a U-turn in economic policy right now, and there will be little pressure on him to do so. With the economy in a deep slide—November housing starts hit a 15-year low (page 46)— no one will be asking for spending cuts or tax increases soon. But the size of future budget deficits make almost inevitable major policy initiatives in the budget for fiscal 1983 that will go to Congress two months from now. These could include:

A draconian fiscal 1983 budget that will make sharp slashes in a wide range of nondefense spending, including programs of vital interest to business.

A possible cap for safety-net programs other than Social Security.

Tacit acceptance of smaller increases in defense spending than originally proposed by the Administration.

New attempts to raise revenues by closing loopholes, particularly those that benefit business and wealthy individuals; one possible candidate for extinction is the leasing provision of the tax act.

A reassessment of Reagan's policy has long been unavoidable. But the recession, with its devastating impact on the budget deficit, is forcing the Administration's hand. Even before the economy's slide became obvious, Stockman's budget watchers at the Office of Management and Budget were looking at steadily mounting deficits. By August, before the course the economy would take this fall was known, the OMB realized that the 1982 deficit could not be held to the Administration's projection of $42.5 billion. With the recession now draining receipts and driving up expenditures, the OMB expects this year's deficit to be at least $80 billion and perhaps $100 billion. Without further budget cuts, the deficit grows in future years, reaching $145 billion in fiscal 1984.

Even the measures now under consideration at the White House will not close a budget gap of this magnitude. As Stockman was quoted as saying in the Atlantic article, even after 20 social programs had been killed and 25 more cut in half, "huge bites . . . would have to be taken out of Social Security. I mean really fierce blood-and-guts stuff. . . . And it still didn't add up to $40 billion." Concedes one dispirited senior Reagan aide: "Maybe what we'll have to do is live with those big deficits."

OBSTACLES

That will not be easy. The Administration is counting on a robust recovery starting in the middle of next year—well before the midterm congressional elections—to save it from economic and political disaster. Reagan still believes in his program and thinks that the combination of scheduled installments of the tax cuts, rising defense spending, and lower interest rates and inflation will produce a dramatic turn-around by next summer. "Reagan has great faith in his program and thinks it's going to work," says Senator Paul Laxalt (R.-Nev.). "Whenever anyone tries to get him to waiver, he comes down hard."

But Reagan's faith will not make the financial markets believe, and their skepticism casts a cloud over the recovery. Although interest rates are currently plunging, the specter of deficits and a potential clash between an expansive fiscal policy and monetary restraint continues to haunt the financial community. Investors' expectations that large deficits mean high inflation rates is one reason why long-term interest rates have dropped much less than the short end of the market.

The major risk to the Administration, pointed out by Stockman in his unsuccessful bid for a policy change in early November is that growing private credit demand will collide with the Treasury's vast borrowing needs and the Fed's continued tight rein on the money supply early in the recovery.

The problem could come even earlier than that. The Fed currently is trying to get money growth up into its target range but, as is often the case during recessions, this is proving difficult to do. Many Fed watchers believe that the central bank will not let rates plunge very much further, both because it wants to keep short-term rates a point or two above the rate of inflation and because a continued decline would begin to put serious downward pressure on the dollar in international money markets. Although sticky interest rates could prolong the recession or abort the recovery, the Fed feels it has little room to become more accommodative until the pressure caused by large deficits abates.

The Administration hopes to make the best of those deficits by using them as a spur to goad Congress to act on further spending cuts next year. The magnitude of the cuts that will be proposed is now becoming clear. The Commerce Department, which lost one-third of its budget this year, faces the elimination or sharp reduction of its trade development programs. "If we get into trying to cut the trade or economic areas, it will backfire on the taxpayers," says Commerce Secretary Malcolm Baldrige. Even so staunch a Reaganite as Environmental Protection Administrator Anne M. Gorsuch was shocked when OMB more than doubled her proposed cut in the EPA research budget to 44 percent.

ASSIGNING BLAME

But cuts of this size will be hard for Congress to swallow in the middle of a recession and with an election only months away. "They are clearly pursuing an anti-Congress strategy," says a Senate GOP aide.

The price Congress will exact for any major new budget cuts will be measures to raise substantial new revenues beginning in 1983. Reagan remains opposed to any change in the basic 1981 personal tax cuts or to the adoption of a broad-based consumption tax—he is reluctant to accept any tax increases. But if the President clings tenaciously to his belief that the supply-side program can still work without changes. Congress may seize the economic policy initiative and take his program apart piece by piece.●

PEARL HARBOR DAY

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. PORTER. Mr. Speaker, 40 years ago today the Japanese launched a devastating aerial strike over Pearl Harbor on the island of Oahu, in the territory of Hawaii: 2,403 Americans, most of them sailors on the battleships, were left dead or dying; 1,778 more had been wounded. Our Pacific Fleet, regarded for two decades as the essential element to American success in a Pacific war, had been dealt a mortal blow. It was, at that time, the worst disaster in military annals of the United States.

The Japanese seriously miscalculated the extent to which the attack on Pearl Harbor would serve to unite the American people, who, following the declaration of war on Japan the following day, were determined to fight, and eventually, to win. Suddenly our country was seized with the grave realization that our geographic isolation could no longer be relied upon as the guarantee of our security. Faced with an intolerable threat and the potential loss of life as we knew it, our Nation felt compelled to defend itself and the rest of the democratic world.

These events of 40 years ago and those 12 million who served us then should be looked back upon as a reminder and as an inspiration. Those brave men who served us throughout World War II did so believing that our country was, above all, well worth fighting for. Our gratitude goes to all who realized the value of being citizens of this bountiful and free land and who fought to preserve it. It is our privilege to be the recipients of this sacred heritage and our duty to continue as its faithful guardian.●

THE U.S. SPACE CHALLENGE: CAN IT BE MET?

HON. KEN KRAMER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. KRAMER. Mr. Speaker, today is the 40th anniversary of the bombing of Pearl Harbor, "a date which will live in infamy" as President Roosevelt so aptly put it. Our losses were tremendous: more than 2,400 dead, 18 ships either sunk or badly damaged, 188 planes demolished and another 159 damaged. This tragedy was particularly painful because if we had not been so woefully unprepared, we may have averted it. Storm warnings were there, yet they were either ignored, wrongfully interpreted or negligently handled. As a matter of fact, even at the last minute, when the soldier manning the island's radar post reported sighting the incoming Japanese planes, his observation was dimissed as "nothing to worry about."

Indeed, throughout our history, our most serious losses have been sustained because we were unprepared. We are thankful that the only loss was to our pride and property when American hostages were seized in Iran. Nevertheless, the sacking of our embassy was a very recent example of lack of unpreparedness. From all reports, the State Department was duly forewarned about the danger to our diplomats in that country, yet we did nothing to tighten up security.

For reasons that I fail to fathom, we seem to dislike thinking of unpleasant things and to believe that, if we ignore them they will go away. This is thinking that needs to be changed. We are presently living in a world fraught with danger, and we must be thoroughly prepared to meet this danger in order to protect our lives and the lives of our children. Because, to be unprepared at this time could result in much higher losses than we have ever suffered before—even the destruction of our people and our society.

That is why today I am proposing legislation which is critical to the defense of our homeland, a subject which has been neglected for much too long.

My bill would do several things. First, it would change the name of the U.S. Air Force to the U.S. Aerospace Force and would give the Aerospace Force two new missions—homeland defense and space control. Second, it would instruct the Secretary of the new Aerospace Force to study the feasibility and desirability of establishing a separate space command within this service. In my opinion, these missions are critical to American survival in a dangerous and unpredictable strategic era.

Let me expand on the reasoning behind the bill.

First, our current military space program is badly fragmented. There are at least 13 separate organizations in the Air Force alone that are now involved in space planning and activity functions, in addition to 12 more focal points for military space planning elsewhere in the other services and in both DOD and non-DOD agencies. As a result, our military space programs are fragmented, duplicative and without a strong advocate.

The bill I am proposing would not only help consolidate Air Force space programs, but would also provide this service with an organizational transition from an air-dominant perspective to an "aerospace" orientation.

Second, the Soviet military space program, which is moving ahead rapidly, poses a considerable risk for the United States. According to the recent Department of Defense publication, Soviet Military Power, the Soviets have a "vigorous and constantly expanding military space program." During the last decade, they have launched four to five times as many spacecraft as the United States, 70 percent of which serve in a purely military role.

Particularly disturbing is an article in the November 30 issue of Aviation Week & Space Technology, which indicates the Soviets for the first time have military weapons based in space. The magazine says that Cosmos 1,267, which has been docked to the Salyut 6 Space Station since June 19, "is equipped with clusters of interceptor vehicles that could destroy U.S. spacecraft." Thus, the Soviets now possess antisatellite and possibly antimissile capabilities permanently based in space. In addition, they have at least one and possibly two more operational antisatellite systems when we will not have any antisatellite capability before 1985–86.

Moreover, the Soviets have also spent considerable resources in recent years developing a super booster capable of launching heavy payloads, such as laser weapons, into orbit and are on the verge of launching a 12-man space station that could be used to support both defensive and offensive weapons in space.

All this comes at a time when our strategic and tactical forces have become increasingly dependent on space for surveillance, early warning, and communications. In fact, we have become so space dependent—while at the same time having no way to protect these valuable assets—that we are openly inviting the Soviets to "Pearl Harbor" us in space. Such an attack would cripple us far beyond what the Japanese naval attack did 40 years ago, in a much simpler technological era.

Third, I believe that our military strategy should once again emphasize the need for homeland defense, and the best way to do this is through space. Despite the fact that most Americans believe that our military would be prepared to defend the American homeland against a Soviet missile or bomber attack, the blunt truth is that for the last decade and a half we have consciously dismantled our defensive capabilities. Instead, we have pursued a purely offensive strategy—aptly dubbed MAD (mutal assured destruction). As a result, U.S. missile and air defenses, not to mention civil defenses, are virtually nonexistent.

It is imperative that we abandon the strategy of putting all our eggs in an offensive weapons basket and again concentrate a significant amount of our resources on defense. Among the possible defensive technologies that we should be looking at in this regard are space-based lasers, ground lasers with orbital reflector mirrors, on-orbit homing interceptors, long-range ABM's launched from U.S. territory, et cetera.

Meanwhile, the United States must also be prepared to defend its homeland and its citizens from "Qadhafi-type" regimes and terrorist organizations that could acquire technologically advanced weapons to use against us.

For all these reasons, I believe it is essential that the current U.S. Air Force evolve into an "Aerospace Force."

Pearl Harbor 1941 was one of the most tragic days in our history. We must make sure that we will not have another Pearl Harbor, a Pearl Harbor that potentially can be a hundred times, a thousand times more disastrous than the first one. The one way to do this is to be prepared. The airplane made air the high ground of 20th century warfare. In any future confrontation, space will be the high ground. The purpose of my bill is to make sure that we hold this high ground to avoid a Pearl Harbor in space and to be able to defend the American people against attack.●

NUCLEAR NONPROLIFERATION

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. BOLAND. Mr. Speaker, nuclear nonproliferation is one of the most difficult and significant problems facing the Nation today. One voice of reason in the intense national debate over this issue is that of George F. Kennan, former U.S. Ambassador to the Soviet Union. On November 16, 1981, Ambassador Kennan gave an address at Dartmouth College in which be expressed his views on the nuclear

arms race. I believe that his sound remarks are worthy of the Members' attention. I would like to include the remarks in the RECORD at this point, as they appeared in the Boston Globe of Sunday, November 29, 1981, along with columnist Tom Wicker's reactions to the address, which appeared in the New York Times on Wednesday, December 2, 1981.

The material follows:

BEYOND THE SHADOW OF THE ATOM

(By George F. Kennan)

(George F. Kennan, former U.S. Ambassador to the Soviet Union and to Yugoslavia, delivered the following address on Nov. 16—two days before President Reagan's proposal that the Soviet Union join the United Stated in a mutual reduction of theater nuclear weapons in Europe—on the occasion of his receiving the Grenville Clark Prize in Hanover, N.H.)

Nearly a quarter of a century ago, as many of you will recall, Grenville Clark and Louis Sohn put forward in a monumental work entitled "World Peace through World Law," their ideas for a program of universal disarmament and for a system of world law to replace the chaotic and dangerous institution of unlimited national sovereignty upon which international life was then and is now based.

To many of us, these ideas looked, at the time (1958), impractical, if not naive. Today, two decades later, and in the light of what has occurred in the interval, the logic of them is more compelling. It is still too early, I fear, for their realization on a universal basis; but efforts to achieve the limitation of sovereignty in favor of a system of international law on a regional basis are another thing; and when men begin to come seriously to grips with this possibility, it is to the carefully thought out and profoundly humane ideas of Grenville Clark and Louis Sohn that they will have to turn for inspiration and guidance.

However, my purpose is not to deal with the historical significance of this vision of the future, in its entirety, but rather to recall one passage of it which has obvious relevance to this present moment. This is a passage which occurred in the final sections of Grenville Clark's preface to the substantive parts of the book; and it concerned nuclear weaponry. After describing the appalling dimensions of the nuclear weapons race, even as it then existed, he went on to express his belief that if the various governments did not find ways to put a stop to this insanity, the awareness of the indescribable dangers it presented would some day, as he put it, "penetrate the general masses of the people in all nations" with the result that these masses would begin to put increasing, and indeed finally irresistible, pressure on their governments to abandon the policies that were creating this danger and to replace them with more hopeful and constructive ones. And the dominant motivation for this great reaction of public opinion would be, as he saw it, (and here, I am quoting his words) ". . . not fear, in the ordinary sense, but rather a growing exasperation over the rigidity and traditionalism which prevent the formulation of adequate plans to remove so obvious a man-made risk."

A PROPHECY BEING FULFILLED

How prophetic these words were, as a description of what we are witnessing today. The recent growth and gathering strength of the antinuclear-war movement here and in Europe is to my mind the most striking phenomenon of this beginning decade. It is all the more impressive because it is so extensively spontaneous. It has already achieved dimensions which will make it impossible for the respective governments to ignore it. It will continue to grow until something is done to meet it.

Like any other great spontaneous popular movement, this one has, and must continue to have, its ragged edges, and even its dangers. It will attract the freaks and the extremists. Many of the wrong people will attach themselves to it. It will wander off in many mistaken directions. It already shows need of leadership and of organization.

But it is idle to try to stamp it, as our government seems to be trying to do, as a Communist-inspired movement. Of course, Communists try to get into the act. Of course, they exploit the movement wherever they can. These are the political tactics. But actually, I see no signs that the Communist input into this great public reaction has been of any serious significance.

Nor is it useful to portray the entire European wing of this movement as the expression of some sort of vague and naively unrealistic sentiment. There is some of that, certainly; but where there is, it is largely a reaction to the negative and hopeless quality of our own Cold War policies, which seem to envisage nothing other than an indefinitely increasing political tension and nuclear danger. It is not surprising that many Europeans should see no salvation for themselves in this sterile perspective and should cast about for something that would have in it some positive element—some ray of hope.

Nor does this neutralist sentiment necessarily represent any timorous desire to accept Soviet authority as a way of avoiding the normal responsibilities of national defense. The cliche of "better Red than dead" is a facile and clever phrase: but actually, no one in Europe is faced with such a choice, or is likely to be. We will not be aided in our effort to understand Europe's problems by distortions of this nature. Our government will have to recognize that there are a great many people who would accept the need for adequate national defense but who would emphatically deny that the nuclear weapon, and particularly the first use of that weapon, is anything with which a country could conceivably defend itself.

No—this movement against nuclear armaments and nuclear war may be ragged and confused and disorganized; but at the heart of it lie some very fundamental, reasonable and powerful motivations: among them a growing appreciation by many people for the true horrors of a nuclear war; a determination not to see their children deprived of life, and their civilization destroyed, by a holocaust of this nature; and finally, as Grenville Clark said, a very real exasperation with their governments for the rigidity and traditionalism that causes those governments to ignore the fundamental distinction between conventional weapons and the weapons of mass destruction and prevents them from finding, or even seriously seeking, ways of escape from the fearful trap into which the nuclear ones are leading us.

Such considerations are not the reflections of Communist propaganda. They are not the products of some sort of timorous neutralism. They are the expression of a deep instinctive insistence, if you don't mind, on sheer survival—on survival as individuals, as parents, and as members of a civilization.

Our government will ignore this simple fact at its peril. This movement is too powerful, too elementary, and too deeply embedded in the human instinct for self-preservation, to be brushed aside. Sooner or later, and the sooner the better, all the governments on both sides of the East-West division will find themselves compelled to undertake the search for positive alternatives to the insoluble dilemma which any suicidal weaponry presents, and can only present.

Do such alternatives exist?

Of course they do. One does not have to go far to look for them. A start could be made with deep cuts in the long-range strategic arsenals. There could be a complete denuclearization of Central and Northern Europe. One could accept a complete ban on nuclear testing. At the very least, one could accept a temporary freeze on the further build-up of these fantastic arsenals. None of this would undermine anyone's security.

These alternatives, obviously, are not ones that we in the West could expect to realize all by ourselves. I am not suggesting any unilateral disarmament. Plainly, two—and eventually even more than two—will have to play at this game.

A FUNDAMENTAL CHANGE IN U.S. OUTLOOK

What is involved for us in the effort to turn these things around is a fundamental and extensive change in our prevailing outlooks on a number of points, and an extensive restructuring of our entire defense posture.

What would this change consist of?

We would have to begin by accepting the validity of two very fundamental appreciations. The first is that there is no issue at stake in our political relations with the Soviet Union—no hope, no fear, nothing to which we aspire, nothing we would like to avoid—which could conceivably be worth a nuclear war, which could conceivably justify the resort to nuclear weaponry. And the second is that there is no way in which nuclear weapons could conceivably be employed in combat that would not involve the possibility—and indeed the prohibitively high probability—of escalation into a general nuclear disaster.

If we can once get these two truths into our heads, then the next thing we shall have to do is to abandon the option of the first use of nuclear weapons in any military encounter. This flows with iron logic from the two propositions I have just enunciated. The insistence on this option of first use has corrupted and vitiated our entire policy on nuclear matters ever since such weapons were first developed. I am persuaded that we shall never be able to exert a constructive leadership in matters of nuclear arms reduction or in the problem of nuclear proliferation until this pernicious and indefensible position is abandoned.

And once it has been abandoned, there will presumably have to be a far-reaching restructuring of our armed forces. The private citizen is of course not fully informed in such matters; and I make no pretense of being so informed. But from all that has become publicly known, one can only suppose that nearly all aspects of the training and equipment of those armed forces, not to mention the strategy and tactics underlying their operation, have been affected by the assumption that we might have to fight—indeed, would probably have to fight—with nuclear weapons, and that we might well be the ones to inaugurate their use. A great deal of this would presumably have to be turned around—not all of it, but much of it, nevertheless. We might, so long as others retained such weapons, have to retain them

ourselves for purposes of deterrence and reassurance to our people. But we could no longer rely on them for any positive purpose even in the case of reverses on the conventional battlefield; and our forces would have to be trained and equipped accordingly.

There is something else, too, that will have to be altered, in my opinion, if we are to move things around and take a more constructive posture; and that is the view of the Soviet Union and its peoples to which our governmental establishment and a large part of our journalistic establishment have seemed recently to be committed.

On this point, I would particularly like not to be misunderstood. I do not have, and have never had, sympathy for the ideology of the Soviet leadership. I recognize that this is a regime with which it is not possible for us to have a fully satisfactory relationship. I know that there are areas of interaction where no collaboration between us is possible, just as there are other areas where one can collaborate. There are a number of Soviet habits and practices which I deeply deplore, and which I feel we should resist firmly when they impinge on our interests. I recognize, furthermore, that the Soviet leadership does not always act in its own best interests—that it is capable of making mistakes, just as we are, and that Afghanistan is one of those mistakes, and one which it will come to regret, regardless of anything we may do to punish it.

Finally, I recognize that there has recently been a drastic and very serious deterioration of Soviet-American relations—a deterioration to which both sides have made their unhappy contributions. And this, too, is something which it will not be easy to correct: for it has led to new commitments and attitudes of embitterment on both sides. The almost exclusive militarization of thinking and discourse about Soviet-American relations that now commands the behavior and the utterances of statesmen and propagandists on both sides of the line—a militarization which, it sometimes seems to me, could not be different if we knew for a fact that we were unquestionably to be at war within a matter of months: this in itself is a dangerous state of affairs, which it is not going to be easy to correct. So I don't think I underestimate the gravity of the problem.

But, all this being said, I must go on and say that I find the view of the Soviet Union that prevails today in our governmental and journalistic establishments so extreme, so subjective, so far removed from what any sober scrutiny of external reality would reveal, that it is not only ineffective but dangerous as a guide to political action. This endless series of distortions and oversimplifications; this systematic dehumanization of the leadership of another great country; this routine exaggeration of Moscow's military capabilities and of the supposed iniquity of its intentions; this daily misrepresentation of the nature and the attitudes of another great people—and a long-suffering people at that, sorely tried by the vicissitudes of this past century; this ignoring of their pride, their hopes—yes, even of their illusions (for they have their illusions, just as we have ours; and illusions, too, deserve respect); this reckless application of the double standard to the judgment of Soviet conduct and our own; this failure to recognize the communality of many of their problems and ours as we both move inexorably into the modern technological age; and this corresponding tendency to view all aspects of the relationship in terms of a supposed total and irreconcilable conflict of concerns and aims: these, believe me, are not the marks of the maturity and realism one expects of the diplomacy of a great power; they are the marks of an intellectual primitivism and naivete unpardonable in a great government—yes, even naivete, because there is a naivete of cynicism and suspicion just as there is a naivete of innocence.

Time is not waiting for us. The fragile nuclear balance that has prevailed in recent years is being undermined, not so much by the steady buildup of the nuclear arsenals on both sides (for they already represent nothing more meaningful than absurd accumulations of overkill), but rather by technological advances that threaten to break down the verifiability of the respective capabilities and to stimulate the fears, the temptations, and the compulsions, of a "first strike" mentality.

But it is important for another reason, too, that we get on with these changes. For beyond all this, beyond the shadow of the atom and its horrors, there lie other problems—tremendous problems—that demand our attention. There are the great environmental complications now beginning to close in on us: the question of what we are doing to the world oceans with our pollution, the problem of the greenhouse effect, the acid rains, the question of what is happening to the topsoil and the ecology and the water supplies of this and other countries. And there are the profound spiritual problems that spring from the complexity and artificiality of the modern urban-industrial society—problems that confront both the Russians and ourselves, and to which neither of us has as yet responded very well. One sees on every hand the signs of our common failure. One sees it in the cynicism and apathy and drunkenness of so much of the Soviet population. One sees it in the crime and drug abuse and general decay and degradation of our city centers. To some extent—not entirely but extensively—these failures have their origins in experiences common to both of us.

And they, too, will not wait. Unless we both do better in dealing with them than we have done to date, even the banishment of the nuclear danger will not help us very much. Can we not cast off our preoccupation with sheer destruction—a preoccupation that is costing us our prosperity and preempting the resources that should go to the progress of our respective societies—is it really impossible for us to cast off this sickness of blind military rivalry and to address ourselves at long last, in all humility and in all seriousness, to setting our societies to rights?

For this entire preoccupation with nuclear war—a preoccupation which appears to hold most of our government in its grip—is a form of illness. It is morbid in the extreme. There is no hope in it—only horror. It can be understood only as some form of subconscious despair on the part of its devotees—a readiness to commit suicide for fear of death—a state of mind explicable only by some inability to face the normal hazard and vicissitudes of the human predicament—a lack of faith, where countless generations of our ancestors found it possible to have it.

I decline to believe that this is the condition of the majority of our people. Surely there is among us, at least among the majority of us, a sufficient health of the spirit—a sufficient affirmation of life, of its joys and excitements together with its hazards and uncertainties, to permit us to slough off this morbid preoccupation, to see it and discard it as the sickness it is, to turn our attention to the real challenges and possibilities that loom beyond it, and in this way to restore to ourselves a sense of confidence and belief in what we have inherited and what we can be.

A Voice of Rationality

(By Tom Wicker)

As theater missile negotiations begin in Europe, neither the Soviet Union nor the United States has categorically rejected the proposals of the other, and both say they seek substantial reductions.

The Reagan Administration, moreover, has muted its talk of regaining nuclear superiority, and is proposing major cuts in strategic weapons. Negotiations on that subject will resume in January.

Does all this suggest that the monement may be ripening for a break in the ominously spiraling nuclear arms competition? Given its momentum on both sides, that may be unlikely; but several factors suggest at last the possibility:

The Soviet Union's economic troubles and its mounting problems in Poland and Afghanistan.

The effect in Moscow of the Reagan Administration's tough talk and its beginning military buildup.

The European anti-nuclear movement, threatening the cohesion of NATO and offering Moscow fertile field for propaganda.

Soviet achievement of nuclear parity—or superiority, in the American view—in the European theater.

Even more important may be the frightening growth of nuclear arsenals on both sides, giving no comfort to either. This buildup is widely recognized as ultimately suicidal—not for any nation or political system but for mankind.

The use of these doomsday weapons would be so cataclysmic, Churchill warned, that "the living would envy the dead." Yet history argues that so many weapons poised against one another cannot forever be held immune to accident, misunderstanding, demented policy or a gradual escalation of violence that no one intended.

So, George Kennan said recently, in a speech that received too little attention, "Sooner or later, all the governments on both sides of the East-West division will find themselves compelled to undertake the search for positive alternatives to the insoluble dilemma which any suicidal weaponry presents, and can only present."

Mr. Kennan pointed out that, contrary to some despairing views, the superpowers do have practical choices other than the extremes of a continuing arms race involving both, or unilateral disarmament by either. Speaking at Dartmouth College after receiving the Grenville Clark Award, he outlined several such alternatives—none of which, he argued, "would undermine anyone's security."

Deep mutual cuts in long-range strategic arsenals, which Mr. Reagan proposed in general terms on Nov. 18; Mr. Kennan has suggested a 50 percent reduction in Soviet and American nuclear arsenals, leaving each in relatively the same position against the other.

The denuclearization of Central and Northern Europe.

A complete ban on nuclear testing; a Soviet-American draft treaty has been negotiated but not ratified.

A temporary freeze on the further build-up of nuclear arsenals.

But before the nation could take any such steps in order to reduce the likelihood of nuclear war, Mr. Kennan warned, a "fundamental and extensive" change of views would be required, as well as a substantial rebuilding of the American defense posture.

First, he said, the idea would have to be accepted that "there is no issue at stake in our political relations with the Soviet Union—no hope, no fear, nothing to which we aspire, nothing we would like to avoid—which could conceivably be worth a nuclear war" that could only destroy both countries and modern civilization. Not *any* war, but no *nuclear* war—a far different proposition from the silly "better Red than dead" slogan.

Second, a recognition that "there is no way in which nuclear weapons could conceivably be employed in combat that would not involve the possibility—and indeed the prohibitively high probability—of escalation into a general nuclear disaster." This has just been supported by a report from the respected—and not dovish—Institute for Strategic Studies in London that the use of nuclear weapons, once begun, could not be "controlled."

But flowing, as Mr. Kennan said, "with iron logic" from these propositions would be a decision "to abandon the option of the first use of nuclear weapons in any military encounter"—a decision the West has never been willing to make, owing to Soviet superiority in conventional armaments.

Nevertheless, insistence on this "pernicious and indefensible position," in Mr. Kennan's view, "has corrupted and vitiated our entire policy on nuclear matters." And its abandonment would force the United States and the West into greater reliance on conventional forces and weapons.

The distinguished former diplomat, one of the most experienced authorities on the Soviet Union, argued eloquently for a more nature and realistic American view of that great country. But even in the present "militarization of thinking and discourse about Soviet-American relations," George Kennan's repeated pleas for nuclear sanity sound more and more like the most decent and rational instincts of mankind.●

LEGISLATION TO IMPROVE ROYALTY COLLECTION PROCESS

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. MARKEY. Mr. Speaker, I am introducing legislation today to improve the royalty collection process through which the United States collects the money owed it for oil and gas and other minerals produced on Federal lands. Over this past year, I have been actively involved in studying the collection process which is managed by the U.S. Geological Survey. The system is in unbelievable disarray. In joint public hearings with my colleague, Mr. SANTINI, it has been reported in sworn authoritative testimony that the USGS has, for at least two decades, failed to collect all of the royalties to which the Federal Government, the States, and many Indian tribes are entitled. Further, there is very little indication we can expect any immediate improvement. Many of the States and Indian tribes indicated they could do a better job of collecting royalties themselves.

Next to the IRS, no other Federal agency collects the amount of money the USGS is responsible for collecting. By 1990, it is estimated conservatively that U.S. royalties will be $23 billion annually. Losses are generally estimated at 10 percent. The General Accounting Office, the Inspector General's Office, and others have been issuing a stream of reports detailing the shortcomings of this collection process for over 20 years. Without rehashing all of these shortcomings and commenting on the many recommendations that have come before our subcommittees, it has become apparent that several problems are salient.

First, the system clearly lacks the basic means to establish in all cases who owes money to the Government, how much they owe, or whether or not they have paid what they owe.

Second, poor management practices within the Geological Survey have made it difficult to develop and enforce rules necessary to insure the security and integrity of the oil production system itself, or to insure the gathering of the data necessary for accurate establishment of royalties owed.

Third, efforts to reform the royalty system do not appear to be giving adequate priority to some of the most critical elements necessary for an immediate improvement of collection and verification capabilities.

The legislation I am introducing with Mr. SANTINI today is a necessary step toward correcting these problems. It will require the same sound management practices within the Government that we demand of our business community.

First, this legislation will incorporate within USGS standard financial and accounting safeguards of personal liability, bonding, and independent CPA audits. These requirements are met by many of the States which testified before our subcommittees, and it is time that the Federal Government starts to meet them as well.

Second, those States which have the capability will be given the authority, subject to Federal audit guidelines, to collect these royalties which are due, and then to remit to the U.S. Treasury the 50 percent—10 percent in the case of Alaska—due to the Federal Government. Several States have indicated that they could, and would like to, do a better job than USGS in collecting royalties. I strongly believe the States should be given the opportunity to manage these programs, since they have a major impact on State revenues.

Third, it will grant USGS the authority to designate a principal lessee for each lease, whose responsibility it will be to report and make royalty payments on its particular lease. This will eliminate the antitrust problems USGS stated prevented such useful simplification of its system.

Fourth, it will give Indians or their designated agents full access to USGS records relative to production or sales from their respective leases. Such access has been difficult for them to obtain in the past, even though they are the actual owners of the land being leased in these cases.

Fifth, it will grant the Department of the Interior explicit authority to track oil and gas produced from Federal properties to refineries in order to insure accurate reporting and payment of royalties by producers. Once again, we heard testimony that this was already required, and very effective, in some of the States with respect to their own oil and gas leases.

Finally, it will establish reasonable civil penalties for compliance violations without forcing USGS to shut-in a lease to insure compliance by the lessee.

Mr. Speaker, we cannot tolerate poor management practices in the Federal Government. It fosters abuse and fraud. In today's environment we should not, and indeed we cannot afford to, eliminate basic social programs while we fail to collect moneys rightly owed the public whose interest we represent. I invite my colleagues to join with us in this war of fiscal mismanagement by cosponsoring this legislation:

H.R. 5121

A bill to improve the collection of Federal royalties and lease payments derived from certain natural resources under the jurisdiction of the Secretary of the Interior, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I.—FEDERAL ROYALTIES COLLECTION

SECTION 101. This title may be cited as the "Federal Royalties and Rents Collection Act of 1981".

SEC. 102. As used in this title, the term—

(1) "Secretary" means the Secretary of the Interior.

(2) "Department" means the Department of the Interior.

(3) "Independent certified public accountant" means any independent public accountant certified or licensed by the regulatory authority of a State.

(4) "Mineral owned in whole or in part by the United States" includes any mineral resource held in trust for an Indian or Indian tribe.

SEC. 103. (a) The Secretary shall establish a comprehensive system of accounts applicable to—

(1) all mineral interests owned in whole or in part by the United States the sale, lease,

or other disposal of which is under the Secretary's jurisdiction, and

(2) all revenues, including fees and deposits, owed to or collected by the Secretary from, or in conjunction with, the sale, lease, or other disposal of such mineral interests.

Upon promulgation of such system of accounts, the Secretary shall submit a report to Congress detailing the scope, purpose, and composition of the system as well as the collection process to which the system will apply.

(b) Before conversion to the system of accounts promulgated under subsection (a), the Secretary shall submit to the Congress a report containing a statement of the outstanding account balances due and payable to the United States from the sale, lease, or other disposition of mineral interests owned in whole or in part by the United States. The Secretary shall reduce all such outstanding account balances to zero before converting the system of accounts established under subsection (a) and for such purposes, the Secretary shall maintain for an appropriate period complete records detailing well test results, LACT meter provings, well production, run tickets, tank guagings, sales, and other relevant data. Nothing in this subsection shall be construed to authorize the Secretary to forgive, or delay payment of, any amount owed to the United States.

SEC. 104. (a) Commencing with the fiscal year 1982, the Secretary shall enter into annual contracts or other appropriate annual arrangements with independent certified public accountants to undertake annual audits of all accounts of the Department relating to the sale, lease, or other disposal of any mineral owned in whole or in part by the United States the sale, lease, or other disposal of which is under the Secretary's jurisdiction. Selection of such independent certified public accountant shall be by competitive bidding. The audits carried out under this section shall be in accordance with generally accepted auditing standards. The audit for each fiscal year shall be completed, and published by the Secretary, not later than 6 months after the end of that fiscal year. To avoid conflict of interest no auditor may audit accounts of firms for which the auditor works.

(b) All books, accounts, financial records, reports, files, and other papers or things and property of the Secretary or used by the Secretary which are necessary to facilitate the audits required under this section shall be made available to the persons conducting the audits, and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such persons.

(c) Nothing in this title shall be construed to affect the authority or responsibility of an Inspector General or of the Comptroller General of the United States.

(d)(1) No independent certified public accountant who has carried out an audit of any accounts under this section and no member of the same firm, association, partnership, or corporation of which such accountant is a member may enter into any contract, employment, or other financial arrangement with any person who is engaged in the purchase, lease, or other acquisition of any mineral owned by the United States during the period of such audit and for a period of one year after the completion of such audit.

(2) The Secretary shall commence a civil action to assess and recover a civil penalty of not less than $25,000 and not more than $100,000 against any certified public accountant or firm, association, partnership, or corporation which violates the prohibition contained in paragraph (1).

SEC. 105. (a) Each individual (including any agent or employee of the United States and any independent contractor) authorized to collect, receive, account for, or otherwise handle any moneys payable to or received by the Department which are derived from the sale, lease, or other disposal of any mineral owned in whole or in part by the United States shall be—

(1) liable to the United States for any losses proximately caused by the intentional, reckless, or negligent action or inaction of such individual with respect to such moneys; and

(2) required under rules promulgated by the Secretary to maintain a bond commensurate with the amount of money for which such individual could be liable to the United States, except that the amount of such bond shall not exceed $25,000.

The Secretary shall promulgate regulations under paragraph (2) not later than 6 months after the date of the enactment of this title.

TITLE II.—STATE COLLECTION OF FEDERAL ROYALTIES

SEC. 201. Section 35 of the Act of February 25, 1920 (41 Stat. 437; 30 U.S.C. 191) is amended to read as follows:

"SEC. 35. (a) The Secretary of the Interior or such officer or agency of the Department of the Interior as he may designate, shall provide for due and diligent collection of all moneys due and owing from sales, bonuses, royalties, rentals, fines, interest charges, and penalties accruing to public lands under the provisions of this Act, and for deposit of all such moneys into the Treasury of the United States, except where there is in full effect a State program for management of Federal leases, as authorized under subsection (b) hereof. As soon as practicable after March 31 and September 30 of each year, fifty per centum of all moneys so collected by the Department of the Interior shall be paid to the State within the boundaries of which the leased lands or deposits are or were located, except that Alaska shall be paid ninety per centum of the moneys so received from public lands within the boundaries of Alaska. The Secretary of the Interior shall report, as soon as practicable after March 31 and September 30 of each year, a detailed analysis of the sources of the moneys deposited into the Treasury which were derived from activities relating to public lands within each such State.

"(b) Upon request by a State, acting through such officer or agency thereof as is authorized by that State to manage the public lands of that State, including supervision of mineral production thereon, the Secretary of the Interior shall relinquish to such officer or agency the duty and responsibility of administering in any respect all or any portion of the contracts and leases entered into or issued by the Secretary respecting public lands within that State and collecting all moneys due the United States under the provisions of this Act and related Department of the Interior regulations with respect to those contracts. Such State officer or agency may thereafter exercise any power or authority relating thereto held by the Secretary of the Interior, subject to the following requirements:

"(1) As soon as practicable after March 31 and September 30 of each year, such State officer or agency shall pay into the Treasury of the United States all moneys collected pursuant to this Act as shall remain after—

"(A) provision for reimbursement to the State of all necessary expenses, including overhead reasonably allocable and all taxes lawfully paid or withheld; and

"(B) deduction of fifty per centum the amount collected, except that Alaska may deduct ninety per centum of the amount collected.

"(2) Any such State officer or agency administering contracts or leases under this section shall maintain all records and accounts pertaining to the administration of such contracts or leases as are specified by regulations to be issued by the Secretary of the Interior, and shall allow reasonable access to any such books, records, or accounts to the Secretary of the Interior, the Secretary of the Treasury, and the Comptroller General of the United States, or to such officer or agency as may be designated by any of the foregoing.

"(c) Should the Secretary of the Interior make a determination that a State is not exercising due diligence in fulfillment of its responsibilities under this section to collect the appropriate royalties and administer contracts and leases as required by law and regulations, he shall notify that State in writing. If corrective action is not taken within 60 days the Secretary shall notify the State that its authority under subsection (b) is terminated with respect to all or any portion of the contracts and leases within that State, and the Secretary shall resume his responsibilities within that State with respect to the administration of contracts and leases and the collection of moneys under this Act and related regulations.".

TITLE III.—MISCELLANEOUS AMENDMENTS TO THE MINERAL LANDS LEASING ACT OF 1920

SEC. 301. Section 17 of the Act of February 25, 1920 (41 Stat. 437; 30 U.S.C. 226) is amended by inserting at the end thereof the following:

"(k)(1) The Secretary of the Interior is authorized to promulgate regulations applicable to lessees of oil or gas leases under this Act to require—

"(A) recordkeeping practices that accurately identify the quantities and prices of oil or gas removed or sold from land subject to a lease;

"(B) use of any reasonable means necessary to assure that the removal, sale, and transportation of such oil or gas is accurately accounted for to the Secretary; and

"(C) submission of reports to the Secretary at such times as the Secretary deems appropriate setting out—

"(i) the quantities of oil or gas identified under subparagraph (A); and

"(ii) the disposition and price of oil or gas identified under subparagraph (A).

"(2) The Secretary of the Interior may monitor the removal or shipment of any gas or oil from land subject to a lease under this Act in order to carry out paragraph (1) of this subsection.".

SEC. 302. Section 17 of the Act of February 25, 1920 (41 Stat. 437; 30 U.S.C. 226) is amended by inserting at the end thereof the following:

"(l)(1) The Secretary of the Interior is authorized to designate a principal lessee (or his designee), with respect to any lease of land containing oil or gas issued under this Act, who shall be responsible to make all

royalty and lease payments to the Secretary under such lease.

"(2) Compliance with subsection (a) shall not be a violation of any provision of the Federal antitrust laws.".

SEC. 303. Section 17 of the Act of February 25, 1920 (41 Stat. 437; 30 U.S.C. 226) is amended by inserting at the end thereof the following;

"(m)(1) At the request of the Secretary of the Interior, the Attorney General or a United States attorney shall institute a civil action in the district court of the United States for the district in which the affected operation is located for a temporary restraining order, injunction, or other appropriate remedy to enforce any provision of this Act respecting any oil or gas lease, any regulation or order issued under this Act respecting any oil or gas lease, or any term of a lease issued pursuant to this Act respecting oil or gas.

"(2) If any person fails to comply with any provision of this Act respecting any oil or gas lease, or any term of a lease issued pursuant to this Act respecting oil or gas, or any regulation or order issued under this Act respecting any oil or gas lease, after notice of such failure and expiration of any reasonable period allowed for corrective action, such person shall be liable for a civil penalty of not more than $10,000 for each day of the continuance of such failure. The Secretary may assess, collect, and compromise any such penalty. No penalty shall be assessed until the person charged with a violation has been given an opportunity for a hearing.

"(3) Any person who knowingly and willfully (A) violates any provision of this Act respecting any oil or gas lease, any term of a lease issued pursuant to this Act respecting oil or gas, or any regulation or order issued under the authority of this Act respecting any oil or gas lease, (B) makes any false statement, representation, or certification in any application, record, report, or other document filed or required to be maintained under this Act respecting any oil or gas lease, (C) falsifies, tampers with, or renders inaccurate any monitoring device or method of record required to be maintained under this Act respecting any oil or gas lease, or (D) reveals any data or information required to be kept confidential by this Act respecting any oil or gas lease shall, upon conviction, be punished by a fine of not more than $100,000, or by imprisonment for not more than ten years, or both. Each day that a violation under clause (A) continues, or each day that any monitoring device or data recorder remains inoperative or inaccurate because of any activity described in clause (C), shall constitute a separate violation.

"(4) Whenever a corporation or other entity is subject to prosecution under paragraph (3), any officer or agent of such corporation or entity who knowingly and willfully authorized, ordered, or carried out the proscribed activity shall be subject to the same fines or imprisonment, or both, as provided for under paragraph (3).

"(5) The remedies and penalties prescribed in this subsection shall be concurrent and cumulative and the exercise of one shall not preclude the exercise of the others. The remedies and penalties prescribed in this subsection shall be in addition to any other remedies and penalties afforded by any other law or regulation.".

TITLE IV.—INDIAN ACCESS TO CERTAIN RECORDS

SEC. 401. Section 4 of the Act of May 11, 1938 (52 Stat. 348; 25 U.S.C. 396d) is amended by inserting "(a)" before "All" and by inserting at the end thereof the following new subsection:

"(b) The Secretary of the Interior is authorized and directed to promulgate regulations to make available, upon request, to lessees of restricted Indian lands, tribal or allotted, for mining purposes, including oil and gas, any records of the Department of the Interior respecting the production, removal, or sale of minerals from any such restricted Indian lands to the lessees of such lands.".●

TENTH DISTRICT DISTINGUISHED SERVICE AWARD RECIPIENTS

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. WOLF. Mr. Speaker, as the Representative from the 10th Congressional District of Virginia and a former employee in the Department of the Interior, I would like to bring to your attention the evidence of dedication, integrity, and professionalism of our Federal employees.

Yesterday, 13 of my constituents were honored by receiving the highest award which is presented by the Department of the Interior, the Distinguished Service Award, for their exceptional achievements and major contributions to the Federal Government. The award recipients are: Paul B. Barton, Jr., Peter F. Bermel, Doyle G. Frederick, Robert J. Dingman, Rolla E. Chandler, Donald D. Anderson, George D. Lea, Donald W. Humphrey, Gerald Meyer, David B. Stewart, Norman F. Sohl, and Frederick J. Doyle.

PAUL B. BARTON, JR., GEOLOGICAL SURVEY

Dr. Barton's distinguished career has been marked by an extraordinary union of chemical imaginativeness and geological rigor, enabling him to make fundamental contributions to the understanding of the physical, chemical, and geological environment in which metallic ore deposits form. He has demonstrated an exceptional ability to apply chemical principles to geological facts so as to learn more about geological processes. As a result he has greatly advanced the knowledge of the difficult and complex subject of the origin of hydrothermal ore deposits. Because of his international recognition as an authority in the fields of hydrothermal ore deposits, of experimental geochemistry of sulfide systems, and of thermodynamic calculations for the stability of mineral associations, Dr. Barton was chosen to serve as one of the principal investigators of a Japanese-Canadian-United States team to study the volvanogenic Kuroko deposits of the Hokuroko district of Japan. As deputy for scientific programs in the Office of Mineral Resources he has applied the results of his research to critical national problems that affect the exploration of our mineral and energy resources.

PETER F. BERMEL GEOLOGICAL SURVEY

As a cartographer and administrator at survey, Mr. Bermel has provided exceptional managerial and technical leadership that has effectively complemented his extensive knowledge of, and experience in, virtually all phases of topographic mapping throughout the world. As chief of the branch of international activities with responsibility for development of topographic mapping programs in countries with as varied terrain as Brazil, Liberia, and Saudi Arabia, he developed major assistance to these countries in the establishment and evolution of their own effective mapping programs. His knowledge of existing financial, human, and technological resources coupled with an acute appreciation of the operational problems associated with developing a dynamic new computer technology has enabled him to take primary responsibility for developing an Office of Management and Budget circular which establishes the Department of the Interior as the lead agency for all Federal digital cartographic activity and for drafting legislation to establish a public enterprise fund for the digital cartography program.

DOYLE G. FREDERICK, GEOLOGICAL SURVEY

Doyle G. Frederick has effectively utilized his broad range of skills as an innovator, an organizer, and an astute manager in the achievement of a series of signal development in both Federal civilian and military mapping programs and as a principal director of one of the most highly esteemed Earth-sciences organizations. He has been instrumental in bringing the Geological Survey into the world of computer-based, digitized cartographic information and mapmaking. He led the development of achievement of compatability for noncartographic bases by digitizing the bases. He was a principal architect of the National Cartographic Information Center which assures the continued role of the Geological Survey and the Department of the Interior as the foci of domestic cartographic information.

ROBERT J. DINGMAN, GEOLOGICAL SURVEY

Mr. Dingman has contributed to the growth of hydrologic programs in the United States. He is assistant chief hydrologist for Scientific Publications and Data Management and initiated a reorganization of the divisionwide reports processing and reviewing function which has appreciably improved the water related technology transfer capabilities of the Geological Survey. He pioneered the development and use of computer applications to assimilate and analyze ground water data. His energy and innovation revitalized cooperative programs which, in New

York, grew to such proportion, technical depth, and variety that in 1978 the district numbered fourth in the country in total cooperative funding agreements. As a regional hydrologist he continued to emphasize the importance of cooperative programs, he directed the efforts of subordinate managers toward improved relations with the more than 138 State and Federal cooperating agencies in the southeastern region. Mr. Dingman also initiated one of the most extensive regional aquifer system analysis programs in the Nation. His entire career has enhanced the stature of the Geological Survey throughout the water-science world.

ROLLA E. CHANDLER, LAND MANAGEMENT

During his career of 30 years, Mr. Chandler is a recognized authority on lands and realty issues in the Bureau of Land Management. His ability to conceive, develop, and execute new and more efficient procedures for accomplishing the Bureau's objectives has become his trademark. His leadership has been crucial to policy and program development in the areas of sign trespass and minerals trespass abatement, early land use planning, withdrawal review, and environmental review. Mr. Chandler had a prominent role in determining policy direction resulting from the passage of the Classification and Multiple Use Act of 1964, the establishment of the Public Land Law Review Commission, and the Public Land Sale Act. He implemented this new direction by making organizational changes and combining functions to create a new organizational structure that became the Bureau's Division of Technical Services.

DONALD D. ANDERSON, BUREAU OF RECLAMATION

Mr. Anderson's sound judgment, technical abilities, and leadership have contributed significantly to a broad range of administrative management activities. Programs which have flourished under his positive influence and direction include budgeting; program coordination; financial administration; personnel management; automatic data processing; and safety and health. Under his leadership the budgetary process became an increasingly vital management instrument; the Bureau's personnel programs and processes have contributed significantly to substantive functions; the Bureau developed a sophisticated and superbly documented automated payroll and personnel information system; and safety and health consideration were recognized as the responsibility of every manager. High ranking officials have consistently sought and greatly valued his counsel on a wide range of issues including budgeting, programing, finance, and other management issues.

GEORGE D. LEA, BUREAU OF LAND MANAGEMENT

Mr. Lea's innovative leadership in the field of natural resource management, effective and efficient guiding of the Bureau of Land Management through periods of major change have highlighted his 29 years of service. He played a major role in the passage of the Federal Land Policy Management Act; effectively spearheaded the Organic Act Steering Committee which interpreted and implemented the act, thereby setting BLM's general direction in the 1970's and early 1980's; was deeply involved in the passage of the Public Rangelands Improvement Act and BLM's subsequent new rangeland strategy. He superbly guided the development and establishment of the Bureau's initial guidelines for wilderness review of public lands and supported the designation of the Upper Missouri River as a component of the National Wild and Scenic Rivers System. His superior coordination abilities allowed public land conveyances to Alaskan Natives at an accelerated level. Mr. Lea has served his country with great distinction in the area of international natural resource management.

JOHN G. TKACH, BUREAU OF LAND MANAGEMENT

Mr. Tkach has been a competent and resourceful leader and has been called upon to lead the development of major program initiatives within the Heritage Conservation and Recreation Service. He has made substantial contributions to the preservation and protection of the Nation's natural and recreational resources; such as, an active participation in the establishment of the land and water conservation fund, the development of the first nationwide outdoor recreation plan, establishment of the Wild and Scenic Rivers and National Trails Systems, establishment of the policy and direction of numerous study areas to determine the national significance and Federal role in their protection, and staff director for the Lewis and Clark Trail Commission. Through his efforts, a new priority criteria system was created to allocate $360 million annually for the LWCF, new partnerships for the protection of land have been encouraged among all levels of Government and the private sector, and recreation use of excess or surplus Federal real property has been promoted.

DONALD W. HUMPHREY, NATIONAL PARK SERVICE

Mr. Humphrey, a senior planner of the National Park Service, has had a pronounced influence on the philosophy and application of the general management plan and new area study programs in the National Park Service. He has brought about an understanding of the proper role of each of the programs and has advocated rigid application of each on the basis of objectivity, need, and cost effectiveness. In 1975, Mr. Humphrey provided the necessary planning and design expertise to assist the Saudi Arabian Government in the development of the first national park in the Arab world. He undertook a $2.5 million program that provided policy and planning guidance to: articulate administration and service priorities and goals; assure attention to significant trends and conditions affecting planning; and assure that proposals are well conceived, cost effective, and reflect servicewide budgetary goals and constraints. Through Mr. Humphrey's untiring efforts and determination, the National Park Service has gained recognition from Members of Congress, conservation organizations, other agencies, and individuals as a leading Federal organization in the field of planning, the process whereby the National Park Service provides a rational basis for determining the best futures of the nationally significant areas that have been set aside as units of the National Park System.

GERALD MEYER, GEOLOGICAL SURVEY

Mr. Meyer is a recognized leader in the field of ground water hydrology and a nationally and internationally renowned hydrologist who has tremendous influence on the development of ground water resources throughout the national and in the international arena. He helped design a long-range program for water resources investigations and water management requirements for Nigeria. He established the concept of a water resources directorate to serve as the executive agency for all water resources programs in this developing African Nation. Application of his original research on permeability distribution in crystalline metamorphic rocks in the Piedmont region of central Maryland which brought about increased well yields with significant benefits to the area's economy. His studies of the geologic controls governing the chemistry of ground water in major drainage basins became the basic reference for water quality management and pollution abatement in West Virginia. He provided outstanding leadership in the direction and development of nationwide ground water programs and expert technical assistance to other Federal and State agencies. His achievement as chairman of the Presidential water policy group on ground water is further testimony of this qualities of leadership and management abilities.

DAVID B. STEWART, GEOLOGICAL SURVEY

Dr. Stewart has distinguished himself as a research scientist and scientific administrator as well as a leader in developing a scientifically sound Federal policy and program for nuclear waste disposal. His field investigations of igneous rocks confronted his with major unsolved problems regarding the genesis and physical properties of the feldspar minerals which make up a major part of the Earth's crust. His major breakthrough in demonstrating

how the optical and cell size variations in the feldspars are a consequence of the atomica arrangement of aluminum and silicon atoms. He applied his work to the study of the genesis of lunar feldspars brought back by the Apollo missions. Dr. Stewart and several colleagues pointed out significant deficiencies in the Federal research program for nuclear waste disposal. He was instrumental in steering the interagency review group to articulate a policy for the President that was both scientifically sound and potentially workable.

NORMAN F. SOHL, GEOLOGICAL SURVEY

Dr. Sohl has combined his great skill as a field geologist with his impressive understanding of fossil and living mollusks to draw accurate conclusions about Earth history. His work has provided a thorough understanding of the paleontology of fossil mollusks and has established fundamental age relationships and correlation of Mesozoic deposits. In his early work, he pioneered the modern use of fossil gastropods in stratigraphy. Later, he became a leading authority on the paleontology and paleoecology of the extinct fossil bivalve group, the rudistids, whose remains form the hydrocarbon reservoir rock in many areas of the United States. He produced the most widely recognized study of how rudistid deposits form and change through time. As chairman of the Bureau's Geologic Names Committee, he has been responsible for assuring quality and consistency in Survey stratigraphic studies.

FREDERICK J. DOYLE, GEOLOGICAL SURVEY

Dr. Doyle has contributed to the science of photogrammetry and cartography and as an educator he specialized in the development of analytical photogrammetry, and many of his students are now found in senior positions in cartographic organizations around the world. Dr. Doyle has been recognized as an international authority on lunar, planetary, and terrestrial mapping from space vehicles. As chairman of the Apollo orbital science photographic team they developed camera systems for Apollo missions 13 and 17, and he was the principal investigator for a lunar control network covering over 20 percent of the Moon's surface. He is currently involved in the development of advance systems for mapping the Earth from space. Also, he headed the photogrammetry working group on the Office of Management and Budget, Federal Mapping Task Force, which produced a landmark study on the organization of mapping in the Federal Government, and he was the leader of the teams which developed the orthophoto program and the digital cartographic data base in the Geological Survey.●

THE TERRORIST LAWYERS, PART I THE NATIONAL LAWYERS GUILD AND THE WEATHER UNDERGROUND

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 1981

● Mr. McDONALD. Mr. Speaker, the murders of two police officers and a security guard during the $1.6 million armed robbery of a Brink's armored truck in Nyack, N.Y., has served to bring to public attention the existence of an elaborate terrorist underground in the United States.

But the Nyack tragedy also has served to highlight the role of revolutionary lawyers from the National Lawyers Guild who, in close association with Cuba and other Soviet satellites, play a key role in providing logistical and propaganda support to terrorists and revolutionaries. This support is not limited to mere legal representation, but includes hiding and supporting terrorist fugitives. The support provided by NLG activists, according to declassified FBI documents, has included direct participation in terrorist acts including jailbreaks and smuggling weapons for jailbreak attempts.

These same NLG activists, many with very close ties to Cuba and involved with terrorist support work, have played leading roles in the attacks on our Federal, State, and local intelligence, counterintelligence and law enforcement agencies over the past decade. Both as an organization, individually and through related groups dominated by NLG activists including the National Emergency Civil Liberties Committee (NECLC), the Center for National Security Studies (CNSS), projects of the American Civil Liberties Union (ACLU), and private investigative firms, the NLG has used the Privacy and Freedom of Information Acts and lawsuits to gain law enforcement intelligence files for their terrorist clients. For example, at the time of her escape from a New Jersey prison, Black Liberation Army leader Joanne D. Chesimard, alias Assata Shakur, had some 1,500 pages of FBI files on the Black Liberation Army in her cell.

Some NLG members have been identified as members of the Marxist-Leninist terrorist Weather Underground Organization (WUO). These and other NLG members—for example, New York NLG activist Michael Krinsky, Washington, D.C., NLG leader William Schaap, and Los Angeles NLG activist Karen Jo Koonan—maintain intimate liaison with officials of the Cuban Government and its espionage service, the Direccion General de Inteligencia (DGI).

Other NLG members have been identified as maintaining contact with representatives of the Soviet Union including KGB officers, while still others have links to the governments and intelligence services of other Communist regimes such as the German Democratic Republic (East Germany), Vietnam, and Angola.

Still other NLG activities are involved with foreign terrorist groups, particularly the Palestine Liberation Organization (Detroit NLG leader Abdeen Jabara), Iranian terrorist groups (Nancy Hormachea and Alan Womack of Houston; Leonard Weinglass and Dick Eiden of Los Angeles), and with the West German terrorist network (Bill Schaap, Ellen Ray, William Kunstler, Stew Albert, Margaret Ratner, and others).

Among the revolutionary, violence-oriented and terrorist U.S. groups supported by the NLG have been the Black Liberation Army (BLA), Black Panther Party (BPP), American Indian Movement (AIM), Puerto Rican Socialist Party (PSP), George Jackson Brigade (GJB), Symbionese Liberation Army (SLA), Weather Underground Organization (WUO), and the Armed Forces of National Liberation (FALN).

In its international work, both organizationally and as the main U.S. affiliate of the Soviet-controlled International Association of Democratic Lawyers (IADL), the NLG has supported the Palestine Liberation Organization (PLO), the West German Red Army Fraction/June 2d Movement, the Irish Republican Army (IRA), Organization of People's Fedayee Guerrillas (OIPFG) and Organization of Mujahedin of the People of Iran (OMPI), African National Congress (ANC) of South Africa, the New People's Army of the Philippines; the Sandinista National Liberation Front (FSLN) of Nicaragua and similar Castroite and pro-Soviet terrorist forces in El Salvador and Guatemala.

The NLG's official organizational support to international terrorist groups will be discussed in a separate report. Today we will examine examples of the National Lawyers Guild's involvement with the terrorist Weather Underground Organization (WUO), an involvement which from public evidence, may extend to control of some aspects of WUO policy.

The extra-legal support provided by members of the National Lawyers Guild to terrorists ranges from serving as communications links between underground fugitives, to provision of still-classified or restricted law enforcement intelligence files concerning ongoing investigations to members of the very terrorist group under investigation, to aiding terrorist groups in the analysis of intelligence documents to discover the identities of

sources and active participation in jailbreak attempts.

In order to put these activities into the correct context, it will be necessary to briefly review the origins and development of the National Lawyers Guild.

ORIGINS OF THE NLG

The National Lawyers Guild was formed in 1936 with the assistance of the International Labor Defense (ILD), the U.S. section of the International Class War Prisoner's Aid Society, which was an agency of the Comintern. Known in English as the International Red Aid, sections of this Comintern organization were set up in various countries in order to "render material and moral aid to the imprisoned victims of capitalism." The ILD was formed in 1925, and before it was dissolved by Stalin during World War II as a gesture to the U.S.S.R.'s capitalist allies, the ILD helped to form both the National Lawyers Guild and the International Juridicial Association.

MLG MISSION

Currently claiming a membership of 6,000 lawyers, law students, legal workers, and prison inmate "jailhouse lawyers," the NLG's purpose, to manipulate the law and legal system in order to bring about revolutionary change, was expressed in a program committee policy statement at the 1971 Denver convention. It said, "The NLG's struggled to defeat the ruling class in this country and to defeat its hold on large parts of the world" is "not a struggle separate" from the full range of revolutionary and left issues in the United States. The statement said:

The program committee recognizes that fundamental social change means not only change of an economic system and the transfer of political power, but also the revolutionizing and liberating of relationships between people.

More important, the 1971 program statement, which has never been repudiated, set forth the NLG's role as providing leadership to the U.S. revolutionary movement, not merely to serve as a source of legal representation for radical clients. In the NLG's own words:

There is no disagreement among us that we are a body of radicals and revolutionaries. We are not simply servants of the movement. We are radicals and revolutionaries who now propose to carry the struggle for social change into our lives and our profession.

NLG leadership is especially visible when examining its actions as the key group supporting and in some cases controlling the actions of terrorist groups in America.

NLG AND IADL

The NLG remains the principal U.S. affiliate of the Soviet-controlled International Association of Democratic Lawyers (IADL). The IADL is the successor to the Comintern's agency for providing legal aid and propaganda support to Communists facing legal action, the International Class War Prisoner's Aid Society or International Red Aid. Prior to its dissolution, the American section of the International Red Aid, the International Labor Defense (ILD), helped set up the National Lawyers Guild.

Formed in 1946, the IADL was characterized by the House Committee on Un-American Activities as an "international Communist front for attorneys' controlled by the Communist Party of the Soviet Union (CPSU). The NLG participated in the IADL's founding conference and has increased its IADL activities.

Like other international Soviet-controlled fronts, the IADL and its Western Hemisphere regional affiliate, the American Association of Jurists (AAJ), provide logistical support to Soviet and Cuban-backed terrorist groups.

In a CIA report, "Soviet Propaganda Operations," prepared at the request of the House Intelligence Committee and published by that committee in 1978, the IADL was characterized as "one of the most useful Communist front organizations at the service of the Soviet Communist Party." The report noted that at its 1975 conference in Algiers:

The real and ideological interests of the IADL were covered by the agenda * * * which considered law to be a function in the struggle against imperialism, colonialism, neocolonialism, racism, and apartheid. Under the banner of antiimperialism, the IADL's thrust * * * was to do battle with the large international companies as a way to gain adherents and backing in the developing world.

NLG ORGANIZES IADL AND AAJ SUPPORT FOR TERRORISM

For some 20 years, the Soviet Union, the Communist Party, U.S.A., Cuba, and U.S. Castroite revolutionaries have supported terrorism and violence as a tactic in the campaign to force the United States to abandon the Commonwealth of Puerto Rico, the keystone to U.S. southern defense. During the 1970's, the so-called independence campaign escalated, accompanied by the formation of terrorist groups including the Armed Commandos of Liberation (CAL), the Armed Revolutionary Independence Movement (MIRA), the Armed Forces of National Liberation (FALN), and several groups that have worked in cooperation with the FALN but are based in Puerto Rico, the Machete-Wielders or Boricua Popular Army (EPB), Armed Forces of Popular Resistance (FARP), and Organization of Volunteers for the Puerto Rican Revolution (OVRP).

In 1973, FBI director Clarence Kelley reported that 135 Puerto Rican revolutionaries had already received training in Cuba.

An example of NLG work in coordinating support from the international Soviet-controlled fronts for the Puerto Rican revolutionaries and terrorists, was provided in an account of the AAJ convention in Havana by NLG vice-president John Quigley in "Guild Notes," (December 1977, vol. VI, No. 6, p. 5):

Self-determination for Puerto Rico and an end to U.S. control of the Panama Canal were featured topics at the Conference of the American Association of Jurists (AAJ), held in Havana, Cuba, October 24-29. The National Lawyers guild was represented at the conference, pursuant to an August decision of the NLG National Executive Committee to join the Association.

The AAJ, founded in 1975 at an inter-American lawyers' meeting in Panama, is committed to "the complete economic independence and sovereignty of the State over its wealth and natural resources," as well as to "action against imperialism, fascism, colonialism, and against racial discrimination, and discrimination against women, aborigines, and other national minorities."

The Havana Conference, attended by over 100 Western Hemisphere lawyers, was devoted to the reading of papers in working commissions, leading to adoption of resolution (sic) at plenary sessions. Guild representatives Michael Withey and John Quigley each presented a paper. Withey on Puerto Rico's right to offshore oil, and Quigley on rights to ocean-bed minerals.

Quigley named the other U.S. participants in the AAJ's Havana conference as including Jim Larson, also an NLG representative, who in 1974 was among those responsible for selecting a San Francisco Bay area NLG member for a 3-week NLG delegation to Cuba. Others participating included Ann Fagan Ginger, whose Communist Party, U.S.A. affiliation was revealed in documents published by the Church committee; Ned Smokler; Louis Katz; Ernest Goodman of Detroit, an NLG veteran taking leadership roles in CPUSA fronts and causes for more than 35 years and who helped set up the NLG's Southeast Asia military law project which attempted to undermine discipline of the U.S. Armed Forces in Japan and the Philippines; another NLG "Old Left" veteran, Allan Brotsky; former one-term U.S. Congressman Charles Porter of Oregon, an officer of one of the CPUSA's most active fronts targeted against the U.S. counterintelligence and internal security agencies, the National Committee Against Repressive Legislation (NCARL); and Joseph P. "J. P." Morray, who spent the period October 1960 to July 1962 in Cuba. According to Morray, he spent that time working under the Castro regime as a visiting professor of political science at the University of Havana and gathering material for a book in praise of the establishment of Communism, "The Second Revolution in Cuba."

The NLG representatives in Havana ratified the AAJ's "Declaration of Havana" which set forth what NLG

vice-president Quigley termed "a resolution on the duties of anti-imperialist lawyers in the Americas." The AAJ declaration asserted:

We declare that we cannot ignore our duty which commits us to militant action side by side with our people in support of the legal formulations that will materialize their legitimate aspirations; that we cannot resign ourselves to being mere legal scholars nor simple spectators in the face of the rise of the peoples' struggle against the powers of oppression.

The revolutionary lawyers group went on to give its full support to revolutionary terrorist national liberation movements—including those in Puerto Rico and on the U.S. mainland, stating:

We propose to call upon all the States to give moral, material and all other forms of assistance to the movements for national liberation * * *; [and] the condemnation of the use of mercenaries to inhibit armed struggle for national liberation.

Stating its main purpose was not courtroom and related legal work, but to mobilize public opinion, the AAJ put its full support behind the Castroite and pro-Moscow revolutionary parties seeking control of Puerto Rico, asserted that the United States had made Puerto Rico "a military base of aggression against the peoples of America," and condemned prosecution of Puerto Rican terrorists as a "repressive policy against the Puerto Rican national liberation movement."

Cuban control of the IADL's Western Hemisphere regional affiliate was made clear by the fact that the AAJ decided to move its headquarters to Havana from Panama, and from the elections of Fernando Alvaraz Tabio, a justice of the Cuban Supreme Court, as AAJ president; former Havana resident J. P. Morray of Corvallis, Oreg., as vice president; and Miguel Duque de Estrada, president of the National Union of Jurists of Cuba, as secretary general.

The NLG members during the Havana meetings reorganized the U.S. AAJ branch. As NLG Vice President Quigley reported, a U.S. executive board was established composed of CPUSA-veteran Ann Fagan Ginger, president; J. P. Morray ex officio as vice president; and representing at-large members Ernest Goodman and Michael Krinsky, of Rabinowitz, Boudin, and Standard, Cuba's paid agents.

A second example of support from the Soviet-controlled international lawyers fronts for U.S. terrorists is the resolution of the IADL backing the claims to prisoner-of-war status by 11 members of the Puerto Rican FALN who were convicted in 1980 of murder, armed robbery, and attempting to overthrow the Government of the United States through force and violence. They are serving prison terms of from 55 to 90 years—and life in the case of Marie Torres, convicted of murder in New York.

The 35-member U.S. delegation to the IADL's 11th Congress, held in Valetta, Malta, November 13–17, 1980, included NLG President Mary Alice Theiler and NLG past president (1970–71) Doris Brin Walker, an identified Communist Party activist and IADL vice president. Among those reading papers to the IADL commissions was Michael E. Deutsch, a leading activist in the NLG's Chicago chapter who is a member of the Weather Underground Organization's Prairie Fire Organizing Committee (PFOC). Deutsch and Peter J. Schmiedel, his law partner in the People's Law Office, served as legal advisers to the 10 FALN terrorists tried and convicted in Chicago in 1980.

New York City NLG members Susan Bitensky and Vickie Erenstein, members of the NLG delegation to the IADL, reported ("Guild Notes," January-February 1981, vol. X, No. 1):

The General Assembly of the Eleventh Congress officially went on record to express solidarity with various peoples' struggles * * * and voiced its support for the people of Puerto Rico in their struggle for self-determination and independence.

Specifically, the IADL supported the terrorists' claims for POW status under new U.N. additions to the Geneva protocols which provide for POW status to members of national liberation movements.

THE NLG AND CUBA

The intimate collaboration between the National Lawyers Guild and Cuba which has been increasing during the past decade is reflected not only in the NLG's work in support of U.S. and foreign terrorist organizations, but also in the NLG's leadership role in attacking the U.S. intelligence agencies.

For example, Cuba's premier NLG agents, Rabinowitz, Boudin, and Standard, have served for decades as the counsel to a major CPUSA political and legal action front, the National Emergency Civil Liberties Committee (NECLC), which raises money for key litigation and distributes propaganda.

Both Victor Rabinowitz and Leonard Boudin have been identified as members of the Communist Party, U.S.A. Rabinowitz was identified in Senate testimony in the early 1960's; but Boudin's CPUSA affiliation remained a secret until December 1980, when it was revealed in a defense memorandum based on declassified summaries of secret FBI files on the Weather Underground's contacts with agents of hostile foreign powers.

NECLC's primary target has been the U.S. Armed Forces and the American intelligence, internal security, and law enforcement agencies. NECLC has raised funds for major legal actions against the FBI, CIA, and local law enforcement agencies, a primary purpose of which has been to obtain intelligence files using the Freedom of Information Act and the discovery process in litigation.

The major purpose of lawsuits conducted by the NLG lawyers and funded in part by the NECLC including suits by the Institute for Policy Studies, a Marxist think-tank with documented ties to hostile foreign intelligence agencies; by the Socialist Workers Party, a Trotskyist Communist revolutionary group active in the support of terrorism; and by the NLG itself clearly to obtain intelligence files, determine the sources of intelligence information, and undertake damage control measures.

The NLG has been intimately involved with Philip Agee's efforts to disclose the identities of CIA officers operating under diplomatic cover in foreign countries. The CIA charged that Agee's Counter-Spy magazine was responsible for the murder of the CIA's Athens station chief, Richard Welch, in December 1975. In addition to naming alleged CIA agents and setting them up as potential targets for assassination, Counter-Spy and its spinoff, the Covert Action Information Bulletin, have attacked alleged police and FBI informants and private individuals who oppose Soviet and Cuban expansionism.

The NECLC's Washington office for many years was the law offices of the late NLG veterans Joseph Forer and David Rein, who also served as the local office of Rabinowitz, Boudin, and Standard. It is noted that Forer was cocounsel for the Communist Party with John J. Abt, a founding NLG activist who also serves on the CPUSA Political Committee and once headed a Soviet spy ring in Washington. David Rein also was an identified CPUSA member, as was his wife, Selma, who while not a lawyer was highly active as an unofficial organizer for the NLG's Washington, D.C. chapter. Forer and his junior partner, Alan Dranitzke, worked with Philip Agee's Counter-Spy magazine, with Dranitzke serving as Counter-Spy's official counsel.

NLG attorney William Schaap and legal worker Ellen Ray were cofounders with Philip Agee of Counter-Spy's successor, the Covert Action Information Bulletin at a 1978 Communist youth festival in Havana. In the late 1960's, Schaap worked with NLG and NECLC antimilitary projects in New York. Schaap was one of several NLG activists associated with the most militant segments of Students for a Democratic Society (SDS) including some who became members of the terrorist WUO, who helped plan, 8 months in advance, riots in Chicago at the Democratic National Convention.

Working as a member of a law firm headed by two NLG and CPUSA activists, David and Jonathan Lubell,

Schaap earned a reputation as a friend and adviser of the SDS leadership, particularly of Mark Rudd. The firm became a center for support activity for the New York Black Panther 21, charged with bombing conspiracy, and for the SDS Weathermen. Between 1970 and the fall of 1972, Schaap represented witnesses subpenaed before grand juries investigating the WUO bombing of the U.S. Capitol, unsuccessfully defended WUO-affiliated radicals convicted of bank bombing conspiracy, and participating in planning meetings for riots at the 1972 Republican National Convention.

After Schaap and Ray returned from the NLG's Southeast military law office project in Okinawa, they became active with the Center for Constitutional Rights (CCR), a tax-exempt litigation group of NLG lawyers and legal workers taking leadership roles in supporting U.S. and foreign terrorists. NLG members associated with the CCR, including Schaap, William Kunstler, and Peter Weiss, and members of the Weather Underground Organization's overt support arms, have held meetings in the United States with associates and members of West German terrorist groups, including a lawyer charged and convicted in West Germany for running a communications network between jailed terrorist leaders and their comrades at large. After moving to Washington, Schaap and Ray became active in the Washington, D.C., NLG chapter with Schaap serving as president in 1980-81.

One of them, Kurt Groenewold, attended the NLG national convention in San Francisco in 1979; another, Petra Rogge, traveled to the United States in 1978 to help coordinate the defense of terrorist fugitive Kristina Berster, who illegally entered the United States from Canada after spending 9 months in a terrorist training camp in South Yemen (Aden). Berster's defense committee was controlled by WUO members and supporters, including members of WUO collectives in Vermont.

It is noted in passing the CIA-defector Philip Agee, known to have made repeated trips to Havana and Moscow while preparing his anti-CIA exposes, and who was deported from England because of his continued meetings with Cuban intelligence officials, lives in a house in Hamburg, West Germany, owned by Groenewold.

NLG AND THE WEATHER UNDERGROUND

The NLG's ties to the Weather Underground Organization (WUO) date to the early 1960's, when Students for a Democratic Society militants began working with NLG lawyers also active with the NECLC and CCR. As SDS demonstrations increased in militancy and violence, legal defense work by the NLG and its mass defense office became invaluable to the SDS organizers. NLG national organizers Ken Cloke and Bernardine Dohrn participated in planning sessions. Along with NLG staffers such as Dana Biberman, now a leading WUO member, and Alicia Kaplow. Dohrn, herself a law school graduate, and Cloke recruited radicalized law students, many of them former SDS members, into the NLG. And a number of these NLG law students, including Eleanor Stein Raskin, joined the terrorist underground as fugitives.

When those Weathermen who faced criminal charges disappeared in the early spring of 1970, NLG lawyers played key roles in maintaining communications among the terrorists. Let us consider some specific examples.

On February 16, 1970, WUO terrorists planted a bomb at a small police station in San Francisco's Golden Gate Park. The bomb killed one police officer and wounded others. The press reported two suspects were seen running from the scene: a tall, long-haired blond male in his early twenties, and a stocky middle-aged male. The murder remains unsolved.

According to a defector from the Weather Underground then living in the WUO's bay area collectives, only two Weathermen then active in the area at that time fit the description. Among the leaders of the Weathermen then present in the San Francisco Bay area were Lincoln Bergman; Arlene Eisen Bergman, who is still active with the WUO's Prairie Fire Organizing Committee (PFOC) and John Brown Book Club (JBBC); Julie Nichamin, who while visiting Havana early in 1969 became the initial organizer of the Venceremos Brigades; Karen Latimer and Scott Braley, both former leaders of the Michigan State University SDS; Jeff Jones and Clayton Van Lydegraf.

Clayton Van Lydegraf, now 66 years old, was a leader of the Communist Party's illegal underground apparatus in the Pacific Northwest during the early 1950's. When subpenaed by a congressional committee, he took the fifth amendment rather than deny he had ever served in the Philippines with the Communist Huk terrorists and whether he had boasted that he had strangled anyone while serving with the Huks. In the 1960's, Van Lydegraf attached himself to the most extreme SDS militants as an adviser.

Starting in 1974, Van Lydegraf served as a highly visible leader of the PFOC, organized the publication of WUO documents like "Prairie Fire" and "Osawatomie," and was reportedly named by Timothy Leary after his return to the United States in 1974 as the individual who transported him to Seattle after his jailbreak to meet with Bernardine Dohrn and others. According to veteran investigative reporter Ed Montgomery (San Francisco Examiner, August 18, 1974), Leary "identified a San Francisco attorney, active in the National Lawyers Guild, as the man who, in league with members of the Weatherman organization, engineered his escape from San Luis Obispo Prison the night of September 12, 1970." The Information Digest, an authoritative newsletter on U.S. political and social movements edited and published by John Rees, who has been publishing the best nongovernmental information on terrorist and violence-oriented groups in the United States since 1968, reported that sources within the NLG viewed the Montgomery article as referring to San Francisco NLG attorney Michael Kennedy and Clayton Van Lydegraf.

Van Lydegraf became the leader of the WUO's Revolutionary Committee which opposed the NLG-proposed inversion plan of surfacing fugitives. He was arrested in November 1977 on charges of conspiring with four other WUO fugitives to assassinate a California State senator. Convicted, but awarded minimal sentences by a Los Angeles municipal court judge, Van Lydegraf and his codefendants are all now free on parole or probation.

The San Francisco Weathermen scattered after the February 1970 murder of the San Francisco police officer; but they kept in touch via another NLG attorney. WUO fugitives and others not sought for known criminal actions shuttled between Weatherman collectives in Oregon, Washington, and California. The NLG lawyer provided them with lists of public telephone booths in the San Francisco area, and day of the week and time they were to call if they needed to make contact with other fugitives. The NLG lawyer also provided some of the Weathermen with money and accommodations.

The murder of the police officer remains unsolved and unprosecuted. Therefore it would be inappropriate for this Congressman to name the NLG lawyer involved, or to speculate as to the WUO members involved in the bombing. However, the lawyer was also active with the NLG's Prison Law Association which carried out litigation for prisoners and also worked to organize prisoners into a revolutionary vanguard movement. The SDS Weathermen had an identical, interrelated program stemming from their work on defense committees for Black Panther Party members in Oakland, Los Angeles, New York and other cities.

Steven Bingham, was indicted with six San Quentin prison inmates by the State of California which charged that on August 21, 1971, Bingham furnished a 9-millimeter automatic pistol and clips containing ammunition to George Jackson, a prison leader of the Black Panther Party and supporter of the Eldridge Cleaver faction's terrorist Black Liberation Army (BLA). In the

jailbreak attempt that followed, Jackson shot a guard to death; two other guards and two inmates suspected of being informants were murdered by Jackson's accomplices. Jackson was shot to death by guards during his escape attempt. Steve Bingham remains a fugitive from justice.

A declassified FBI report prepared by the FBI's Chicago Field Office, "Foreign Influence—Weather Underground Organization," dated August 20, 1976, documented that a number of NLG members, including legal workers—movement organizers—active in proterrorist defense committees, had been involved in concealing and aiding terrorist WUO fugitives, and functioned so closely with the WUO that they themselves may be considered as underground functionaries from time to time.

There is ample evidence that the NLG continues to exert influence and control over the Weather Underground Organization and the WUO's overt branches. Among the most prominent NLG members so involved is Leonard Boudin.

NLG CONTROL OF WEATHER UNDERGROUND

Leonard Boudin, a paid agent of the Castro government since 1960, and his partner, Victor Rabinowitz, have been identified as members of the Communist Party, U.S.A. Rabinowitz was identified in Senate testimony in the early 1960's; but Boudin's CPUSA affiliation remained a secret until December 1980, when it was revealed in a defense memorandum based on classified FBI files concerning the Weather Underground's contacts with agents of hostile foreign powers.

In addition to working for the Cuban Government, Leonard Boudin is the father of Weather Underground Organization (WUO) leader Kathy Boudin. Starting in the early 1960's, Kathy Boudin attended receptions and functions with her parents at the Cuban Mission to the United Nations in New York. In 1965, she studied for a year in the Soviet Union, was paid 75 rubles a month by the Soviet Government, and, according to her résumé, taught school on a Soviet collective farm, a privilege rarely given one who is not a Soviet citizen. Boudin's stay in the Soviet Union was not part of any student exchange program. During this period, it has been reported that the CIA intercepted correspondence between Boudin and her father in which he made arrangements for her to participate in one of the Communist world youth festivals.

Following the March 1970 explosion of a New York townhouse which killed three Weathermen who were constructing an antipersonnel bomb, Kathy Boudin disappeared. It has been reported that she and Cathy Platt Wilkerson were provided with false identification documents by the Cuban U.N. Mission with which they fled the United States for Czechoslovakia.

The declassified FBI report on foreign contacts of the Weather Undergound Organization produced by the FBI's Chicago Field Office reported that:

> On February 10, 1976, a source in a position to possess such information advised that Leonard Boudin * * * had indicated to a friend that Kathie was presently in Cuba.

In 1975, following distribution of filmed interviews with Kathy Boudin and four other fugitive WUO terrorists by Emile de Antonio, Leonard Boudin represented de Antonio and his associates in their successful fight to quash subpenas from a Federal grand jury investigating WUO terrorism.

An article by Peter Biskind in David Dellinger's now defunct magazine Seven Days (Feb. 28, 1977) noted that the production of the Emile de Antonio film, "Underground," interviewing WUO leaders Kathy Boudin, Bernardine Dohrn, Jeff Jones, Bill Ayers, and Cathy Wilkerson was part of a strategy for surfacing the fugitives.

In discussing the split in the WUO between the California-based Revolutionary Committee led by Clayton van Lydegraf and Bernardine Dohrn, and the Central Committee led by Bill Ayers and Jeff Jones, Biskind wrote:

> A year and a half ago, (mid-1975) there was a meeting of about a dozen left lawyers to discuss legal strategy for the surfacing. * * * The meeting of the lawyers was convened by Leonard Boudin, father of underground member Kathy Boudin. According to some of those present, the plan for "inversion" came from the lawyers themselves, not from the Central Committee.

In other words, Leonard Boudin and the other NLG lawyers who are well known as members and intimate associates of the NLG were able to set policy and strategy for the terroris organization. Even more significant is the fact that the NLG lawyers, many of whom have appeared in court representing surfaced WUO fugitives, had the power to enforce a policy clearly highly unpopular with the terrorist organization.

Dana H. Biberman, born February 24, 1951, is a veteran of the Columbia University SDS chapter. Biberman's sister, Nancy, was also a veteran of the Columbia University SDS. In 1968, Dana Biberman joined the NLG national office staff where she remained for some 4 years, organizing mass defense of demonstrators and support work for the Panther 21, and doing NLG organizational work. In 1968, NLG members William Schaap, Jonathan Lubell, Bernardine Dohrn, Alicia Kaplow, and Biberman were among those who participated in meetings held in the NLG national office to plan riots at the Democratic National Convention in Chicago, 8 months later.

During 1974 and 1975, she played an active role in the formation of the WUO's overt arm, the Prairie Fire Organizing Committee (PFOC). The FBI report states that in March 1975, Biberman traveled to Cuba as a member of the Venceremos Brigade (VB) eighth contingent. Internal PFOC documents circulated in 1976, summing up the group's accomplishments during the previous year noted that two PFOC members had been sent to Cuba with the Venceremos Brigade.

Biberman has been an active member of the New York PFOC chapter, and its successor, the May 19th Communist Organization. The May 19th Communist Organization (M-19 CO) can be characterized as the Weather Underground Organization's own incipient Communist party. With Judith Clark and Eve Rosahn, Biberman was a member of the Committee for the Suit against Government Misconduct, a PFOC-controlled group set up to publicize a damage suit by 10 WUO associates against the United States, FBI, and present and former Government officials.

A week after the October 20, 1981, robbery of $1.6 million from a Brink's armored truck in Nyack, N.Y., the killing of two police officers and a guard, and the arrests after a chase of WUO leaders Kathy Boudin, Judy Clark, and David Gilbert; Black Liberation Army (BLA) activist Samuel Brown; and a day later in Brooklyn a shootout in which Republic of New Africa (RNA) member Sam Smith (alias Mtayari Shabaka Sundiata) was killed and Nathaniel Burns (alias Sekou Odinga) was captured, Biberman's roommate, Eve Rosahn, was arrested and charged with having rented, using false identification papers, the van used by the Nyack terrorist team formed by members of the Weather Underground Organization (WUO), the Black Liberation Army (BLA), and Republic of New Africa (RNA).

Kenneth Cloke, born May 18, 1941, was an active member of SDS in the mid-1960's. According to the FBI report, "Cloke has directly been involved with the WUO since its submergence into the underground." It is noted that the section of the FBI report on Cloke's WUO activities notes that Cloke had been seen in contact with Bernardine Dohrn in the summer of 1971, when a number of WUO fugitives were living in an apartment in Venice, Calif. The report also contains two pages of additional material on Cloke's work with the WUO which has been deleted as too secret to be released.

In 1967, while CPUSA veteran Victor Rabinowitz served as the NLG national president, Ken Cloke was hired as NLG national executive secretary at the same time Bernardine Dohrn was hired as national student organizer.

According to a pamphlet entitled "A Historical Sketch of the National Lawyers Guild in American Politics, 1936–68," by Doron Weinberg and Marty Fassler, distributed at the NLG's 33d convention in 1973, Cloke and Dohrn "began the conversion of the Guild to a political association of the bar with the projection of a more activist, movement-oriented image."

A staff study on the National Lawyers Guild published by the House Committee on Internal Security in its hearing, "Revolutionary Activities Directed Toward the Administration of Penal or Correctional Systems," part 3, provided a chronicle of Cloke's extensive Communist ties. In 1962, he was member of the National Advisory Board of the U.S. Festival Committee, and was a member of the U.S. delegation to the Eighth World Youth Festival in Helsinki, Finland. The world youth festivals are joint operations of the two major international Soviet-controlled youth and student fronts, the Budapest-based World Federation of Democratic Youth (WFDY) and the Prague-based International Union of Students (IUS). Selection of the U.S. delegates is in the hands of the CPUSA.

Also in 1967, Cloke joined the National Council of the NECLC, controlled by veterans CPUSA activists and lawyers including Victor Rabinowitz and Leonard Boudin. Cloke and many other NLG activists with ties to the Weather Underground Organization, Black Liberation Army, and Cuba, remain on the NECLC Exective Committee and National Council.

Dennis D. Cunningham, an NLG activist who has held office not only in the Chicago chapter, but has been a regional vice president, has been active with the Chicago chapter of the WUO's Prairie Fire Organizing Committee since early 1975. He participated in the PFOC-initiated National Hard Times Conference in chicago in January 1976 during which plans were made for demonstrations to protest the Bicentennial celebrations in Philadelphia.

Senate and FBI documents note that Cunningham's estranged wife, Mona Helen Mellis Cunningham, is a WUO functionary and deletes for security reasons the details of her WUO involvements and foreign travel. Cunningham's brother, Robert Maris Cunningham III, is named in a Senate Internal Security Subcommittee report, "The Weather Underground," published in 1975, as a WUO member.

Cunningham is a member of the People's Law Office, a Chicago group of NLG lawyers and legal workers, most of whom are members of the Weather Underground's PFOC, or WUOP/PFOC fronts such as the New Movement in Solidarity with Puerto Rican Independence (NMSPRI), through which the WUO provides support to its terrorist comrades in the FALN and the FALN's overt political arm, the Movimiento de Liberacion Nacional (MLN).

Among the past and current members of the People's Law Office are attorneys Michael E. Deutsch, an active PFOC member; G. Flint Taylor and Jonathan C. Moore, lawyers for violence-oriented radical plaintiffs suing the Chicago Police Department for having monitored their activities; Jeffrey H. Haas, also an active PFOC member; and legal workers Courtney Esposito, indicted as a coconspirator by a Chicago grand jury in October 1969 following the "Days of Rage" riots; and Mara Siegel.

Michael E. Deutsch, born May 9, 1945, is an active member of the Chicago PFOC chapter. The FBI's report on Weather Underground foreign contacts noted that NLG activists Dennis Cunningham and Jeff Haas hosted at least four meetings in their apartments to organize logistical support to WUO fugitives during the period January 7–10, 1971.

The FBI's material on Deutsch's foreign activities is deleted on national security grounds. Deutsch traveled to Cuba as part of the first official NLG delegation in the summer of 1972. According to "Guild Notes" (vol. 1, No. 3, September–October 1972), the NLG delegation also included Karen Jo Koonan of Los Angeles, closely associated with the WUO leadership; and Margaret Burnham, the stepdaughter of the late CPUSA Political Committee member Hyman Lumer. Currently a municipal court judge in Boston, Burnham is also an official of the National Alliance Against Racist and Political Repression (NAARPR), a CPUSE front directed at the prisoner-organizing and civil rights movements.

Also in the NLG delegation was Bobby Nelson of Austin, Tex.; Dan Pachoda, a New York NLG member active with the Black Panther 21 bomb conspiracy defense; Martin Stolar, a New York NLG member who has represented a number of WUO and BPP-related activists, including Rita Jensen, Kathy Boudin's longtime roommate; and Michael Deutsch.

According to the FBI report, Deutsch "has represented such apprehended or surrendered QUO members as William Willet, Leonard Handlesman, and Daniel Howard Cohen."

Michael Withey, a Seattle NLG activist, represented captured members of the terrorist George Jackson Brigade (GJB) which undertook a career of revolutionary bank robberies. In 1975, following a jailbreak, Withey was subpenaed. He also was able to quash the subpenas on the ground that attorney-client privilege protected him from questions about a jailbreak by his client. Withey became an NLG hero, and was moved out of Seattle to work for the NLG's Puerto Rico legal project, a support operation for Castroite revolutionary groups and terrorists.

Jeffrey H. Haas, born September 18, 1942, has served as an NLG regional vice president and is highly active in the NLG Chicago chapter. The FBI reports that during the period of January 7–10, 1971, at least four meetings were held at the residences of Dennis Cunningham and Jeff Haas for the purpose of discussing what help could be given to the WUO. Additional FBI material on his WUO activities and his foreign travel and contacts is deleted for national security reasons.

Michael J. Kennedy, born March 23, 1937, is stated by the FBI report to have "directly assisted the WUO underground." Kennedy's wife, Eleanore, is stated to have "assisted Bernardine Dohrn, who is a fugitive." The Kennedy's additional WUO activities and their foreign travel and contacts have been deleted from the FBI report.

On August 18, 1974, San Francisco Examiner reported Ed Montgomery wrote that Timothy Leary had told Federal authorities that his escape from San Luis Obispo prison was engineered by an NLG San Francisco lawyer in conjunction with the WUO. As already noted, the Information Digest of August 23, 1974, reported that NLG sources were attacking Montgomery's report as aimed at Michael Kennedy and Clayton Van Lydegraf.

Karen Jo Koonan, of Los Angeles, an active NLG member, in 1966 was an active member of the CPUSA's youth club at the University of California at Los Angeles (UCLA). She was one of four Students for a Democratic Society (SDS) members invited to visit North Vietnam in November 1967. Koonan and her companions, Steve Halliwell, and future WUO leaders Jeff Jones and Cathy Wilkerson, stayed for 10 days in Cambodia where, according to the SDS publication, "New Left Notes," they held "many long conversations with a number of Vietnamese officials and Cambodians," but were unable to complete their journey to Hanoi because of U.S. air raids.

More recently, Cuban intelligence officials visiting Los Angeles illegally have been observed with Koonan and other NLG leaders.

Bernardine Dohrn was hired by the NLG as national student organizer in 1967. While still an NLG representative, she traveled to Budapest, Hungary in September 1968, to meet with representatives of North Vietnam and the Vietcong terrorists. In July 1969, Dohrn and other SDS Weatherman leaders traveled to Cuba for more meetings with the Vietnamese Communists. "New Left Notes" of August 29, 1969, provided an eight-page spe-

cial supplement describing what took place and stating that the Vietcong wanted the Weathermen to organize violent protests against U.S. support of South Vietnam.

Gustin Reichbach, active in the New York NLG chapter, while a student NLG member at Columbia University, coauthored "The Bust Book," a pamphlet sponsored by SDS and, initially, by the NLG, on demonstration tactics. His collaborators in "The Bust Book" were Kathy Boudin; Columbia Law School student, Eleanor Stein Raskin, who after 11 years as a WUO fugitive, was arrested with Jeff Jones in October 1981, in New York City after police found evidence as to their hiding place in Kathy Boudin's apartment while investigating a robbery and murder in Nyack, N.Y.; and Brian Glick, a leader of the PFOC San Francisco chapter.

Martin Stolar, a leading New York NLG activist, has represented many Black Liberation Army and EUO defendants. On May 12, 1975, explosives, knives, and lock picks were discovered in legal envelopes in the possession of BLA terrorists Herman Bell, Albert Washington, and Anthony Bottom. The three were being sentenced for the ambush murders of New York City police officers Waverly Jones and Joseph Piagentini in May 1971.

According to the New York Times, the three had been in contact "with no one except their lawyers and court and correction officials." The supporters of the BLA and their lawyers present in the courtroom were subpenaed by a grand jury. They included Judith Clark, Bart Lubow, another NLG legal worker, and NLG lawyers Elliott Wilk and Martin Stolar. The subpenas were dropped on grounds of attorney-client privilege. This was the fourth escape attempt by the three BLA terrorists.

Jonathan C. Moore, of the People's Law Office, an active NLG member, represents activists suing the Chicago Police Department. In February 1979, a Federal judge ordered current intelligence files turned over to Moore, with the proviso they not be copied.

However, copies of the Chicago Police intelligence unit's case files on the FALN terrorists were found in an FALN hideout in Milwaukee in April 1980. When the story broke in the Chicago newspapers in August 1980, Moore was attending the NLG convention in Boston where his People's Law Office and comrades Dennis Cunningham and Mara Siegel with Puerto Rica Nationalist Party terrorist Oscar Collazo, who had been part of the group that attempted to kill Members of Congress in 1954, gave an NLG convention workshop entitled "Freedom Fighters and the Armed Clandestine Movement for the Independence of Puerto Rico."

The police intelligence documents found in the FALN's Milwaukee hideout included a detailed listing of potential FALN targets in the Chicago area which were being given special police protection and a listing of dates and anniversaries most likely to commemorated by the FALM with acts of terrorism. Also among the police intelligence files which had found their way from Moore's custory in the People's Law Office to the fugitive terrorists were profiles of known FALN support groups and of known FALN fugitives William Morales and Oscar Lopez-Rivera, naming known associates. No wonder law enforcement had little success in apprehending the FALN terrorists.

Martin Garbus, cocounsel for WUO leaders Kathy Boudin and David Gilbert, charged with the October 20, 1981, robbery of $1.6 million from a Brink's armored truck and three murders. In 1977, the NLG sent Garbus to South Africa to observe the trial of Breyton Breytenbach, a white South African who confessed to being a member of and on a mission for a terrorist support network operated from France by the late Henri Curiel. A founder of the Egyptian Communist Party in the 1940's, and a first cousin of George Blake, one of the KGB's top spies in the British intelligence service who successfully escaped from an English prison in 1964, Curiel's network, Solidarite, was financed through a Soviet-controlled Paris bank used to launder funds for the "Euro-Communist" parties, Communist-supported causes and, through Curiel, terrorist groups. British and French publications citing French intelligence sources reported Curiel was believed to be in constant contact with the KGB.

William Kunstler is cocounsel for Kathy Boudin and David Gilbert with NLG activist Martin Garbus.

Kunstler told Moneysworth magazine in September 1975:

> The thing I'm most interested in is keeping people on the street who will forever alter the character of this society: the revolutionaries. Whether its the American Indian Movement, or the Black Liberation Army, or H. Rap Brown—a person or an organization—I'm really interested only in spending my talents, and any assets I have, to keep the revolutionaries functioning.

On July 5, 1975, The Nation published an article by Kunstler seeking to develop U.S. support for leaders of the West German terrorist Red Army Fraction—Baader-Meinhof gang—on trial in Stuttgart for six bombings which killed four U.S. soldiers, the killing of a policy officer during a bank robbery, theft, burglary, and possession of explosives. Kunstler argued that "repression of the pariahs of the movement almost inevitably leads to the repression of all."

Kunstler's close associate is NLG attorney Margaret Ratner who is also on the staff of the Center for Constitutional Rights (CCR), a tax-exempt litigation group formed by leading NLG members. In 1975, the CCR attempted to send an NLG team to aid in the defense of leaders of the terrorist Red Army Fraction—Baader-Meinhof gang—on trial in West Germany. The team included Peter Weiss, president of the board of the internationally active proterrorist thinktank, the Institute for Policy Studies; former Attorney General Ramsey Clark, now active in the IADL; William Schaap and Marge Ratner. In 1977, an NLG observer team of Bill Schaap and Ellen Ray attended terrorist trials in West Germany.

During 1977 and 1978, Ratner served on the staff of the Grand Jury Project, a proterrorist effort cosponsored by the NLG and supporters of the Weather Underground Organization. From 1979 to present, Ratner has been a member of the Grand Jury Project board of directors. Her clients have included West German terrorist Kristina Berster, caught illegally entering the United States after undergoing a 9-month terrorist training course in Aden; and Dylcia Pagan and Susan Tipograph, the common law wife and lawyer respectively, of convicted FALN bomber William Morales, who were subpenaed after his escape.

Working with Kunstler and Ratner has been Stewart Albert and Judy Clavir. Albert, born December 4, 1939, and his wife, Canadian-born Judith Clavir, also known as Judith Hemblen and Judy Gumbo, are characterized in the FBI report on WUO foreign contacts as—

> WUO members who failed to submerge into the "underground" in early 1970 [and] WUO support persons who have functioned so closely with the WUO that they themselves may be considered as "underground" functionaries.

A staff study, "Terrorism," published by the House Committee on Internal Security in 1974 reported that Albert and Clavir were leaders of the coalition of Weathermen and alternative culture street-fighting militants known in the early 1970's as Weatheryip. The study provided the following information on Albert and Clavir:

> Stewart E. Albert has been associated with militant demonstrations since 1966 when he was arrested with Mario Savio, leader of the Berkeley Free Speech Movement, Jerry Rubin and others on the University of California at Berkeley campus, convicted of creating a public nuisance, and sentenced to 60 days in jail. * * * In 1968, Albert was one of the organizers of the demonstrations during the Democratic National Convention in Chicago. [*Living the Revolution: The Yippies in Chicago*, by David Lewis Stein, The BobbsMerrill Co., Inc., Indianapolis and New York, 1969, pp. 11 and 12]. A former staff member of the National Mobilization Committee, Albert was an unindicted co-conspirator in the Chicago 8 conspiracy trial. * * * In HCUA hearings in 1968, Albert was described as "one of the most active, if not the most vicious, of the rock throwers." ["Subversive Involvement

in Disruption of 1968 Democratic Party National Convention, Part I," p. 2403.]

Canadian journalist David Lewis Stein, who lived with the YIP leaders during the planning of the 1968 Chicago demonstrations, characterized Albert as a 'Berkeley radical, acid head, Marxist-Leninist and impressive street fighter.' * * *

Albert has had a long and close relationship with Eldridge Cleaver. In his introduction to Jerry Rubin's book, "Do It!", Cleaver writes that this association dates back to December 1966, before Cleaver joined the Black Panther Party, a time when "the black movement and the white movement were not speaking to each other." In his introduction, Cleaver noted that at the time he was writing the introduction, Albert and "his rib [Judy] Gumbo" were guests in Cleaver's Algiers apartment. * * * Albert was a founder of the International Liberation School which taught courses in "armed self-defense," first aid for riot injuries and other skills. * * *

In the YIP newsletter, Dope Sheet, in October 1970, Albert wrote of his meeting with Timothy Leary in Algiers whose jailbreak had been engineered by Bernardine Dohrn and other members of the Weather Underground. Albert reported he had gone to Algiers 'to get political advice from Eldridge Cleaver' and meet with Leary in the Black Panther Party's International Section headquarters. The same issue of Dope Sheet contained Weatherman communiques and a letter from Timothy Leary.

Albert's own views of revolution were expressed in statements he wrote with Eldridge Cleaver and Jerry Rubin, "We will not dissent from the Amerikan government. We will overthrow it." [Do It!, p. 198] and in a series of suggestions for actions on Election Day, 1968, which Albert wrote with Jerry Rubin, "Force the National Guard to protect every polling place in the country. Join the rifle club of your choice. * * * Release a Black Panther in the Justice Department. * * * [Do It!, p. 199].

In May, 1971, Stew Albert and Judy Gumbo (Clavir) held a press conference on the Capitol steps to announce they were suspects in the Weatherman bombing and denounce government "harassment." * * * That month the two received subpoenas to appear before a New York City grand jury in connection with a Manhattan bank bombing plot involving the "Crazies."

The FBI's report notes that while in Algiers, Albert met with WUO leader Brian Flanagan, a thug celebrated among the Weatherman for having broken the back and paralyzed Chicago District Attorney Richard Elrod during the October 1969 "Days of Rage" Weatherman riots.

The FBI report also revealed that on May 1, 1974, Albert and Gumbo were seen with Clayton Van Lydegraf near their home in Kingston, N.Y. It also notes that on September 9, 1975, Stew Albert, Judy Hemblen, and NLG legal Worker Ellen Ray, were observed in New York City accompanied by West German revolutionary lawyer Kurt Groenewold. Groenewold was convicted of running an illegal communications network for the Baader-Meinhof leaders. The contact between NLG activists and West German terrorists has continued.

In March 1980, Stew Albert and NLG activist Melinda Rorick, a WUO/PFOC member who had been a member of the Mayday Collective that helped organize riots to "shut down the government" in 1971, were interviewed on Pacifica radio station KPFK in Berkeley, Calif. The two described their new enterprise, an NLG-related private investigating firm with which Eldrige Cleaver's former NLG lawyer, Beverly Axelrod, and Judy Clavir also were associated.

Albert and Rorick boasted that their "movement" private investigating firm, called ACE Investigators, could trace suspicious individuals, that it possessed surveillance equipment, and that the firm was being used to obtain FBI files by making multiple requests under the Freedom of Information Act because information in the documents usually was deleted differently for each request. They explained this meant that sometimes sources were left in, or could be determined by collating the various documents.

NLG AND WUO/PFOC SUPPORT RALLY FOR SYMBIONESE LIBERATION ARMY

Organizational support by the NLG for revolutionary terrorists was demonstrated on September 27, 1975, by the NLG's cosponsorship of a rally called by the PFOC in support of the Symbionese Liberation Army (SLA), following the arrests of William and Emily Harris, Patricia Hearst, and Wendy Yoshimura.

NYACK CASE INVOLVEMENTS

It must be emphasized that former WUO members have emphasized that there is no operational distinction between the underground WUO and its overt arms, between the WUO fugitive core and the Prairie Fire Organizing Committee, May 19th Communist Organization, John Brown Book Club, New Movement in Solidarity with Puerto Rican Independence, Material Aid Committee for ZAPU/PF, and other WUO/PFOC fronts.

They stated that above-ground (PFOC) members could participate in an act of terrorist armed struggle by locating targets, carrying out intelligence gathering, providing logistical support, or by actually being part of the group that carries out the attack.

On October 20, as Brink's guards were opening their truck after making a cash pickup at a bank on a shopping mall at Nyack, N.Y., gunmen burst out of a van parked nearby and began firing shotguns and automatic pistols. One guard was killed instantly; the others were wounded. Canvas sacks containing $1.6 million were stolen. The hit team abandoned the van on another parking lot and split up into three escape vehicles. A yellow car chased by Nyack police went out of control and crashed. Police arrested Judith A. Clark, a leader of the WUO's PFOC and its New York affiliate, the May 19th Communist Organization; WUO fugitive David Gilbert; and BLA associate Samuel Brown.

A rental truck was stopped by a police roadblock. Gunmen, later identified as members of the Black Liberation Army and Republic of New Africa, burst out of the rear of the truck and shot two Nyack police officers to death. The gunmen commandeered private vehicles at gunpoint and escaped. Kathy Boudin, who had been riding in the cab of the truck, was arrested.

The Nyack Brink's robbery demonstrated the accuracy of the information provided by former WUO members regarding the participation of overt WUO supporters in terrorism. Furthermore, it demonstrated that the members of the overt WUO groups can also be WUO fugitives using false identification. For example, WUO fugitive Kathy Boudin was reportedly active with the May 19th Communist Organization and its various fronts under the alias Lynn Adams.

Judith A. Clark, with Dana Biberman, Eve Rosahn and others, is a plaintiff in a lawsuit against the United States, FBI, and present and former officials claiming damages for surveillance. The total flexibility between the WUO underground and its overt arms is demonstrated by Clark's record. Clark was an original member of the WUO who had gone underground in December 1969. A year later she was arrested in New York; convicted of "felonious mob action," she was sentenced to 180 days plus 3 years probation. As soon as she was released on probation, Clark resumed her WUO/PFOC leadership role.

In May 1975, Clark was among the group of NLG lawyers, legal workers, and supporters subpenaed by a grand jury investigating how weapons and explosives concealed in legal-sized manila envelopes got into the possession of three convicted BLA terrorists who were in court for sentencing after they were convicted of the May 1971 ambush murders of New York City Police Officers Waverly Jones and Joseph Piagentini.

In testimony before the Senate Internal Security Subcommittee in 1976, citing internal PFOC documents, William Kinter noted Clark was a paralegal employed as an editor of the National Lawyers Guild's prison newsletter, the Midnight Special.

Only weeks before her arrest in Nyack, Judy Clark was in a Chicago Federal courtroom while PFOC members and others from the Alliance to End Repression which is suing the Chicago Police Department demanded that the court permanently bar the police from monitoring any of their noncriminal activities.

Earlier in 1981, Judy Clark traveled to Beirut, Lebanon, where she visited with Bassam Sharaf, a top leader of

the terrorist Popular Front for the Liberation of Palestine (PFLP).

Susan Victoria Tipograph is the NLG attorney representing Eve Rosahn, a PFOC/May 19th Communist Organization activist arrested and charged with having rented with false identification papers the van used by the Nyack terrorists. Tipograph also represented Republic of New Africa (RNA) leader Cynthia Boston (alias Sister Fulani Sunni-Ali), who had been sought in relation to the Nyack crimes.

Tipograph is the lawyer for the Committee for the Suit Against Government Misconduct, which is a PFOC/M-19 CO front generating anti-FBI and antipolice publicity through a suit for damages by 10 WUO associates who include Judy Clark and Dana Biberman. Rosahn, Biberman's roommate, has been active in the committee.

In September 1981, Tipograph, assisted by other NLG lawyers including Liz Fink of the Center for Constitutional Rights and Grand Jury Project, represented Eve Rosahn and five other PFOC/M-19 CO activists charged with assault in a violent demonstration at Kennedy International Airport. The WUO supporters, demonstrating under the name of yet another of their fronts, the John Brown, Anti-Klan Committee (JBAKC), fought police and airport personnel during what they mistakenly thought was the departure of a South African rugby team, the Springboks. In the melee, a police officer was blinded by chemical MACE and a guard received a severe gash in the leg from a broken bottle.

Tipograph was the lawyer for convicted FALN bombmaker William Morales. In May 1979, Tipograph visited her client in the Bellevue Hospital prison ward where Morales was completing rehabilitative surgery for wounds suffered when his bomb exploded prematurely in August 1978. After her visit, Morales obtained a bolt cutter, cut through a window grillwork, dropped to the ground and escaped.

Tipograph was subpenaed by a Federal grand jury in the eastern district of New York that was investigating the escape. Represented by Margaret Ratner, Tipograph was able to quash her subpena on the grounds it would violate attorney-client privilege. However, recently a grand jury has reopened its investigation of Morales' escape.

On January 20, 1981, Susan Tipograph, Judy Clark, and Eve Rosahn marched in a demonstration called by the John Brown Anti-Klan Committee outside the U.S Department of Justice in Washington, D.C., protesting the inauguration of President Reagan. Photographs taken of that event show that also present was a person identified subsequently by police officers as Marilyn Jean Buck, a member of the Black Liberation Army sought in connection with the Nyack killings who had escaped from the Federal women's prison at Alderson, W. Va., in 1977. Buck, 34, was sentenced to a 10-year prison term in 1973 for illegally supplying weapons to the BLA, and is suspected of having been the driver of the vehicle used in the jailbreak of Joanne Chesimard.

Mr. Speaker, these examples demonstrate conclusively that individual and leading members of the National Lawyers Guild are deeply involved with the terrorist Weather Underground Organization and its overt arms, and that this support is not limited to the proper legal function of representation, but involves criminal and unethical actions.

The second part of my discussion will show that these individual actions reflect the will and intention of the National Lawyers Guild as an organizational entity; and I will demonstrate this from NLG documents, publications, and from NLG national convention resolutions and activities.●

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Tuesday, December 8, 1981, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

DECEMBER 9

9:00 a.m.

*Energy and Natural Resources

Business meeting on pending calendar business.

3110 Dirksen Building

Foreign Relations

African Affairs Subcommittee and Near Eastern and South Asian Affairs Subcommittee

To hold joint hearings on the Libyan challenge to world peace and security.

4221 Dirksen Building

9:30 a.m.

Commerce, Science, and Transportation

Science, Technology, and Space Subcommittee

To hold hearings on NASA's operations of the space shuttle program.

235 Russell Building

Finance

Health Subcommittee

To hold joint oversight hearings with the Special Committee on Aging on Department of Health and Human Services' efforts to control certain fraud, abuse, and waste activities.

2221 Dirksen Building

Governmental Affairs

To hold hearings on the nomination of Ronald P. Wertheim, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia.

5110 Dirksen Building

Select on Indian Affairs

To hold hearings on S. 1890, authorizing the Secretary of the Interior to disburse certain trust funds of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin to recover certain indirect costs.

357 Russell Building

Special on Aging

To hold joint oversight hearings with the Committee on Finance's Subcommittee on Health on Department of Health and Human Services' efforts to control certain fraud, abuse, and waste activities.

2221 Dirksen Building

9:45 a.m.

Governmental Affairs

Governmental Efficiency and the District of Columbia Subcommittee

To hold hearings on S. 1845, clarifying certain provisions of the Home Rule Act relating to District of Columbia authority to fund capital projects through borrowing on the municipal bond market.

5110 Dirksen Building

10:00 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings on the nominations of Ralph Ball, of Kansas, and W. Proctor Scarboro, of North Carolina, each to be a Member of the Federal Farm Credit Board, Farm Credit Administration.

324 Russell Building

Governmental Affairs

Business meeting, to mark up S. 864, requiring each Federal agency to submit an annual report to the President on the adequacy of its internal accounting and administrative control systems, S. 1131, requiring the Federal Government to pay interest on overdue payments to contractors, S. 1422, authorizing the Administrator of General Services to donate surplus Federal property to any State for the construction and modernization of criminal justice facilities, and H.R. 4431, providing for the designation of the E. Michael Roll Post Office, Forestville, Maryland.

3302 Dirksen Building

Judiciary
To hold hearings on S. 1030, revising certain provisions of the Gun Control Act (Public Law 90-618) relating to the licensing of manufacturers, dealers, and importers of firearms and ammunition, and prohibited activities concerning firearms.
2228 Dirksen Building

Select on Indian Affairs
To hold oversight hearings on the implementation of Indian elderly programs.
357 Russell Building

Select on Intelligence
Closed briefing on intelligence matters.
S-407, Capitol

11:00 a.m.
Labor and Human Resources
To hold hearings on the nomination of Lilla B. C. Tower, of Texas, to be Director of the Institute for Museum Services.
4232 Dirksen Building

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
2228 Dirksen Building

Joint Economic
Monetary and Fiscal Policy Subcommittee
To hold hearings on Federal Government policy as it relates to the defense industrial base.
6226 Dirksen Building

3:00 p.m.
Conferees
On S. 1211, authorizing funds for fiscal year 1982 for the control of toxic substances.
EF-100, Capitol

DECEMBER 10

9:00 a.m.
Energy and Natural Resources
To hold hearings on S. 1867, to increase the acreage limitations and abolish the residency requirements of the Federal reclamation laws.
3110 Dirksen Building

9:30 a.m.
Commerce, Science, and Transportation
Business meeting, on pending calendar business
235 Russell Building

Environment and Public Works
To resume oversight hearings on the Endangered Species Act (Public Law 96-159).
4200 Dirksen Building

*Judiciary
*Criminal Law Subcommittee
To hold hearings on S. 613, amending the Federal Criminal Code to revise the scope of, and penalties under, the Hobbs Act, prohibiting interference with commerce by threat or violence.
2228 Dirksen Building

Labor and Human Resources
To resume oversight hearings to examine affirmative action regulations of the Office of Federal Contract Compliance Programs, Department of Labor.
4232 Dirksen Building

Select on Intelligence
Budget Subcommittee
To hold closed hearings on intelligence matters.
S-407, Capitol

10:00 a.m.
Agriculture, Nutrition, and Forestry
Foreign Agricultural Policy Subcommittee
To hold hearings on U.S. agricultural trade policies, focusing on the status of trade with the European economic community.
324 Russell Building

Budget
Federal Credit Subcommittee
To hold hearings to review Federal credit activities.
6202 Dirksen Building

Finance
To review safe harbor leasing provisions of the Economic Recovery Tax Act (Public Law 97-34).
2221 Dirksen Building

Governmental Affairs
Energy, Nuclear Proliferation and Government Processes Subcommittee
To hold oversight hearings on activities of the Department of Energy.
3302 Dirksen Building

10:30 a.m.
Judiciary
Juvenile Justice Subcommittee
To resume hearings on S. 1688, making it a Federal offense when a convicted criminal commits a series of crimes involving firearms, S. 1689, providing that a convicted criminal sentenced to life imprisonment under State habitual criminal statutes be incarcerated in a Federal penitentiary and S. 1690, providing prisoners with a marketable job skill and basic literacy.
6226 Dirksen Building

2:00 p.m.
Governmental Affairs
Federal Expenditures, Research, and Rules Subcommittee
To hold hearings on an Office of Federal Procurement Policy proposal establishing a uniform procurement system.
3302 Dirksen Building

DECEMBER 11

9:00 a.m.
Energy and Natural Resources
To continue hearings on S. 1867, to increase the acreage limitations and abolish the residency requirements of the Federal reclamation laws.
3110 Dirksen Building

9:30 a.m.
Finance
Energy and Agricultural Taxation Subcommittee, and Taxation and Debt Management Subcommittee
To hold joint hearings on S. 1449, eliminating certain aspects of the renewable energy tax credit offset rules for the development of State and local conservation and renewable energy programs.
2221 Dirksen Building

10:00 a.m.
Environmental and Public Works
Business meeting, to resume markup of proposed amendments to the Clean Air Act (Public Law 95-95).
1202 Dirksen Building

Judiciary
To resume hearings on S. 1030, revising certain provisions of the Gun Control Act (Public Law 90-618) relating to the licensing of manufacturers, dealers, and importers of firearms and ammunition, and prohibited activities concerning firearms.
2228 Dirksen Building

10:15 a.m.
Finance
Taxation and Debt Management Subcommittee
To hold hearings on S. 696, providing that certain State or Federal organizations operating as libraries which serve the public be treated as tax-exempt public charities, S. 1883, conforming the net operating loss carryback and carryforward rules for the Federal National Mortgage Association to that available for other financial institutions, and S. 1757, clarifying the tax-exempt status of certain amateur sports organizations.
2221 Dirksen Building

1:30 p.m.
Judiciary
Immigration and Refugee Policy Subcommittee
To hold hearings to examine nonimmigrant business visas, and the adjustment of status.
2228 Dirksen Building

DECEMBER 14

9:00 a.m.
Commerce, Science, and Transportation
To resume joint hearings with the House Committee on Energy and Commerce on the proposed purchase of Marathon Oil Co. by Mobil Corp.
2123 Rayburn Building

9:30 a.m.
Judiciary
Constitution Subcommittee
Business meeting, to mark up S. 1730, revising certain provisions of the Freedom of Information Act by providing protectable interest in national security information, law enforcement investigations, business confidentiality, and personal property.
5110 Dirksen Building

10:00 a.m.
Governmental Affairs
Energy, Nuclear Proliferation, and Government Processes Subcommittee
To hold hearings on management of certain Federal assets, focusing on the sale of surplus property for revenue raising.
3302 Dirksen Building

DECEMBER 15

10:00 a.m.
Environment and Public Works
Business meeting, to consider pending calendar business.
4200 Dirksen Building

Judiciary
Business meeting, to consider pending calendar business.
2228 Dirksen Building

11:00 a.m.
Labor and Human Resources
Business meeting, to mark up S. 234, encouraging the establishment of home health care programs and providing expanded coverage of home health services under the medicare and medicaid programs.
4232 Dirksen Building

DECEMBER 16

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on Senate Joint Resolution 110, Senate Joint Resolution 17, Senate Joint Resolution 18, and Senate Joint Resolution 19, measures amending the Constitution to establish legislative authority in the Congress and the States with respect to abortion.
2228 Dirksen Building

*Veterans Affairs
Business meeting, to mark up S. 349, providing for limited judicial review of the administrative action of the Veterans' Administration, and for reasonable fees to attorneys representing legal counsel for veterans.
412 Russell Building

10:00 a.m.
Agriculture, Nutrition, and Forestry
Foreign Agriculture Policy Subcommittee
To resume hearings on U.S. agriculture trade policies, focusing on the status of trade with the European enomomic community.
324 Russell Building

10:00 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To hold oversight hearings on training and testing programs for air traffic controllers.
235 Russell Building

Energy and Natural Resources
Business meeting, to consider pending calendar business.
3110 Dirksen Building

DECEMBER 17

10:00 a.m.
Judiciary
Immigration and Refugee Policy Subcommittee
To hold hearings on the impact of immigration numbers and the interrelation of immigration policy and population policy.
5110 Dirksen Building

JANUARY 11, 1982

9:30 a.m.
Labor and Human Resources
Employment and Productivity Subcommittee
To hold hearings on unemployment problems in the automobile industry, focusing on the need for job opportunities and training assistance programs.
4232 Dirksen Building

JANUARY 12, 1982

9:30 a.m.
Labor and Human Resources
Employment and Productivity Subcommittee
To continue hearings on unemployment problems in the automobile industry, focusing on the need for job opportunities and training assistance programs.
4232 Dirksen Building

JANUARY 13, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To hold hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

JANUARY 14, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To continue hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

JANUARY 20, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

JANUARY 26, 1982

9:30 a.m.
Labor and Human Resources
Labor Subcommittee
To resume hearings on S. 1541, amending the Employee Retirement Income Security Act (ERISA) by simplifying both reporting and disclosure requirements, and the process for employers to provide retirement income to employees, and providing incentives for employers to provide pension benefits to employees.
4232 Dirksen Building

JANUARY 27, 1982

10 a.m.
Labor and Human Resources
Investigations and General Oversight Subcommittee
To hold hearings on problems of drug abuse in the American school system.
4232 Dirksen Building

JANUARY 28, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

Labor and Human Resources
Labor Subcommittee
To hold hearings on S. 1785, increasing the penalties for violations of the Taft-Hartley Act, requiring immediate removal of certain individuals convicted of crimes relating to his official position, broadening the definition of the types of positions an individual is barred from upon conviction, increasing the time of disbarment from 5 to 10 years, escrowing a convicted official's salary for the duration of his appeal, and clarifying the jurisdiction of the Department of Labor relating to detecting and investigating criminal violations relating to ERISA.
4232 Dirksen Building

FEBRUARY 4, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1716, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

FEBRUARY 10, 1982

9:30 a.m.
Labor and Human Resources
Labor Subcommittee
To hold hearings on S. 1748, exempting certain employers from withdrawal and plan termination insurance provisions of title IV of the Employee Retirement Income Security Act (ERISA).
4232 Dirksen Building

FEBRUARY 11, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

FEBRUARY 18, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building

FEBRUARY 23, 1982

11:00 a.m.
Veterans' Affairs
To hold hearings on legislative recommendations of the Disabled American Veterans.
Room to be announced

FEBRUARY 25, 1982

9:30 a.m.
Judiciary
Constitution Subcommittee
To resume hearings on S. 1761, amending the Voting Rights Act of 1965, to provide for the application of preclearance provisions to all States and political subdivisions, and provide for submission of any changes under the preclearance provisions to the appropriate U.S. district court.
2228 Dirksen Building